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PROCEEDINGS AND DEBATES OF THE SEVENTY-FIRST CONGRESS
SECOND SESSION

SENATE

THURSDAY, *April 10, 1930*

(*Legislative day of Tuesday, April 8, 1930*)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks announced that the House has passed a bill (H. R. 8299) authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor, in which it requested the concurrence of the Senate.

Mr. NORRIS. Mr. President, I desire to ask a question about the House bill which has just been brought to the Senate. Is the Chair about to refer it to some committee?

The VICE PRESIDENT. The bill will be referred to the appropriate committee in due course.

Mr. NORRIS. Before the Chair takes any action to refer the bill I would like to suggest that under a recent precedent established by the Speaker of the House of Representatives the Chair ought to retain the bill on his desk for 10 months before he refers it.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Glass	McCulloch	Steck
Ashurst	Glenn	McKellar	Steiwer
Baird	Goff	McNary	Stephens
Black	Goldsborough	Norbeck	Sullivan
Blaine	Gould	Norris	Swanson
Borah	Greene	Nye	Thomas, Idaho
Brookhart	Hale	Overman	Thomas, Okla.
Broussard	Harris	Phipps	Townsend
Capper	Harrison	Pine	Trammell
Caraway	Hatfield	Pittman	Tydings
Connally	Hayden	Ransdell	Vandenberg
Copeland	Hebert	Robinson, Ind.	Wagner
Couzens	Heflin	Robsion, Ky.	Walsh, Mass.
Dill	Howell	Sheppard	Walsh, Mont.
Fess	Johnson	Shipstead	Watson
Frazier	Jones	Shortridge	Wheeler
George	Kean	Simmons	
Gillett	Kendrick	Smoot	

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is unavoidably absent. I will let this announcement stand for the day.

Mr. FESS. I wish to announce that the Senator from North Dakota [Mr. FRAZIER], the Senator from Oklahoma [Mr. PINE], and the Senator from Montana [Mr. WHEELER] are detained in the Committee on Indian Affairs.

I also wish to announce that the Senator from Nevada [Mr. ODDIE] and the Senator from Connecticut [Mr. WALCOTT] are absent on official business.

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Missouri [Mr. HAWES], the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also wish to announce that the junior Senator from Tennessee [Mr. BROCK] and the junior Senator from South Carolina [Mr. BLEASE] are absent because of illness in their families.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. I wish to announce that my colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present.

UNEMPLOYMENT

Mr. WAGNER. Mr. President, last week the Senate made a special order of two bills which I had introduced dealing with the subject of unemployment. A third companion bill was reported by the Committee on Commerce this morning. I ask unanimous consent that that be included in the special order for April 15.

Mr. FESS. Mr. President, will the Senator please omit that request at this time? I have a communication from some friends calling my attention to the third bill of the Senator, and I desire to make an examination of the papers. I have just sent for the communication.

The VICE PRESIDENT. There is objection.

Mr. WAGNER. I know the nature of the opposition.

Mr. FESS. I do not know what it is.

Mr. WAGNER. Would there be any objection——

Mr. FESS. The communication is on my desk in my office. I have sent for it, and I will have it here in just a few minutes. Then the Senator may renew the request afterwards.

The VICE PRESIDENT. There is objection.

PHILIPPINE INDEPENDENCE

Mr. DILL obtained the floor.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Idaho?

Mr. DILL. For what purpose?

Mr. BORAH. I desire to ask a question.

Mr. DILL. I yield for that purpose.

Mr. BORAH. I wish to ask the Senator from Michigan [Mr. VANDENBERG], as the chairman of the Committee on Territories and Insular Affairs [Mr. BINGHAM] is not present, what is the status of the Philippine independence legislation?

Mr. VANDENBERG. Mr. President, as I understand the situation, the Committee on Territories and Insular Affairs voted to await the return of the Secretary of State from London before making a final report. The committee has completed its hearings in all respects except as to the departments of the Government. I was not present at the meeting at which this particular action was taken, but it is my understanding that the committee voted to withhold a final report until the Secretary of State could be heard.

Mr. BORAH. Of course, that means we are not going to have any legislation at this session.

Mr. VANDENBERG. If that is what it means I regret it just as much as the Senator from Idaho, because I am very keenly anxious that something should be done.

Mr. BORAH. We had a practical agreement here weeks and weeks ago that the matter should be brought out in time for disposition at this session. It occurs to me that some one has been engineering against a compliance with that agreement.

Mr. VANDENBERG. I trust the Senator is not suspecting me of that interest, because I am the author of one of the bills which I am very eager to have reported out.

Mr. BORAH. I am not implying that the Senator is involved in it, but the chairman of the committee is not here, and I leave in the RECORD what I have said.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. The Senator from Washington [Mr. DILL] has the floor. Does he yield to the Senator from Montana?

Mr. DILL. I yield.

Mr. WALSH of Montana. Touching the matter which was before the Senate a moment ago, I desire to say that it will be recalled that the chairman of the committee some months ago gave the most solemn assurance that a report on the Philippine question from the appropriate committee would be before the Senate very promptly, as soon as the tariff bill, at least, was disposed of. His attention was called to the matter later, and, in explanation of the failure to meet the promises then made, he said that the committee was awaiting the attendance of the witnesses from the Philippines who desired to be heard. I gather from the public press that the witnesses were heard some time ago.

Mr. DILL. Mr. President, I can not yield for a discussion of this question.

Mr. WALSH of Montana. May I ask the chairman of the committee, who is now present——

Mr. DILL. The Senator can bring the matter up after I am through. I yielded the floor on yesterday. I am not going to take very long.

The VICE PRESIDENT. The Senator from Washington has the floor, and he declines to yield further.

Mr. BINGHAM subsequently said: Mr. President, I was out of the Chamber when the Senator from Idaho [Mr. BORAH] asked the Senator from Michigan [Mr. VANDENBERG] a question regarding the Philippine independence matter. The answer was not quite correct, because the Senator from Michigan was not in the Committee on Territories and Insular Affairs at the time the action was taken.

The committee unanimously voted that they would like to hear the Secretary of State and the Secretary of the Navy on their return from the naval conference before taking any further action on various measures regarding Philippine independence now before the committee. It is hoped that those gentlemen will return in the near future, and as soon as they return it is the expectation of the committee to hear them, and the committee, by its vote, decided to take the matter up as soon as possible thereafter and report the bills now before it either favorably or unfavorably.

THE WORLD COURT ISSUE IN ILLINOIS SENATORIAL PRIMARY

Mr. DILL. Mr. President, in St. Paul's Epistle to the Romans there is a command to the faithful of earth to present their bodies "as a living sacrifice, holy, acceptable unto God." As I read the returns of the Illinois senatorial primary I was reminded of that quotation, because surely the senior Senator from Illinois [Mr. DENEEN] gave himself as a "living sacrifice" to the cause of those internationalists who want this country to become entangled in the affairs of Europe by entrance into the World Court, and he should be wholly acceptable to the Hoover administration, because he presented the cause of the administration as effectively as it could be presented. I take it there can be no argument but that the World Court was the deciding issue in that campaign. I note that practically all of the morning newspapers from eastern cities agree that that was the issue which divided the senior Senator from Illinois and Mrs. MCCORMICK. The senior Senator from Illinois is a man who belongs to the cleaner faction of the Republican political organizations in the city of Chicago; he is an able Senator; he is an honest man; he is a good Senator, so far as Republican Senators go, and was entitled to renomination on his record; but he went down to defeat carrying the flag of the administration on the issue of the World Court with the new Root formula attached.

Mr. GILLETT. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. DILL. I yield.

Mr. GILLETT. Does the Senator from Washington mean to say that he thinks the reason the unclean factions in Chicago opposed the Senator from Illinois was because he was for the World Court?

Mr. DILL. I said the Senator from Illinois belonged to the cleaner of the organization factions. I did not say that any of them were unclean or perfectly clean.

Mr. GILLETT. Then less clean, I will say.

Mr. DILL. Very well. The Senator from Massachusetts may have it in his own way.

The point I want to make is that the senior Senator from Illinois represents the best element of politics, in my judgment, in the Republican Party in the city of Chicago. The further point I want to make is that his defeat can not be ascribed in any way to the corruption and the disregard of law which have prevailed in the city of Chicago during the past few years.

I hope the President of the United States will take notice of this overwhelming repudiation of the World Court, with the Root formula. He never has presented to the Senate the World Court with the Root formula, although, as my memory is, it was ratified by the various other nations about six months ago. I hope he never will present it. If he will but consider what the American people have always done when this question has been placed before them as the controlling issue of a campaign and has any regard for the people's will, he certainly will not present it.

The voice of the people may not be comparable to the voice of God, but the voice of the people, as registered at the polls in this country, is the nearest approach to the expression of public opinion we can obtain. The question of our becoming entangled in the international affairs of Europe was presented to the American people as an issue in 1920. President Wilson at that time said it was a "solemn referendum"; that it was the controlling question; and Mr. Harding was elected by the largest majority of any man who up to that time had ever run for the office of President. The vote against the league then was so decisive that nobody has ever denied and no one has ever attempted to defy that expression of the people's will.

Then what happened? A short time after that election the internationalists concocted a scheme of putting the United States into the League of Nations by the back door. They said, because Mr. Harding had announced that he was in favor of some kind of an international organization for world peace, that the World Court was the desirable instrumentality to be used. So an agitation was started in this country, and all the League of Nations advocates were most active in carrying it forward. The question was fought out in this Hall, and all the league advocates and a great many who had not talked for the league when Mr. Harding was running but who wanted to prove to their friends who were agitating for it that they were favorable to the proposal voted for it. The vote was overwhelmingly in favor of the World Court. We have never since then had a national referendum on the subject.

The American people seldom consider but one issue in a great campaign, and it has not been a dominant issue since 1920, but a number of able Members of this body have tried it out with their constituencies. Most of the Senators who have run for reelection since that time have not had to deal with it as an issue, but only a few of them have made it an issue or have had opponents who made it an issue.

I remember that former Senator Butler, of Massachusetts, went back home with the blessing of President Coolidge, championed the World Court, for which he had voted, and claimed that his support of the World Court was one of the principal reasons why he should be returned to the Senate. As a result the State of Massachusetts by an overwhelming majority elected DAVID I. WALSH to the Senate.

Then former Senator Lenroot, of Wisconsin, a man who had never been within sight of defeat, made the World Court one of the principal issues in his campaign, and as a result he was driven out of public life, and the present junior Senator from Wisconsin [Mr. BLAINE] came to the Senate.

Former Senator McKinley, of Illinois, attempted to meet that issue in his State and was overwhelmingly defeated by 100,000 majority. And now the senior Senator from Illinois [Mr. DENEEN], who advocated the World Court when Mrs. MCCORMICK made it the issue—and he had the added Root formula, which is supposed to protect all our interests—has been defeated by more than 200,000 votes. I call attention to the fact that he was defeated not merely in the city of Chicago, where organization control might have been quite powerful in the primary, but he was defeated down State in Illinois. The rank and file of the common people of the State of Illinois went to the polls and in no uncertain manner announced again that they want the United States Senate to see to it that this Government shall stay out of European affairs.

I call attention to another Senator who was defeated and who had voted for our entrance into the World Court. It was not particularly an issue in the campaign of former Senator Pepper, of Pennsylvania, but after he was defeated and went back among the people he experienced a great change of heart; like Saul on the way to Damascus, he saw a great light, but he did not see it soon enough to save his soul. To-day, however, the most ardent opponent of the World Court, with the Root formula, in this country is former Senator Pepper. He writes articles for the Saturday Evening Post; he makes speeches in the State of Illinois; he glorifies the victory of Mrs. MCCORMICK, although on this floor when the subject was before the Senate he was one of the most ardent advocates of the World Court.

Let me say now that, in my judgment, no Senator who supported the World Court with the reservation which was made by the Senate, is under the least obligation to support the World Court with the Root interpretation of that reservation. I did not support the World Court with all the reservations which were attached to it; I am opposed to the principle of going into

a court that is a part of the League of Nations, against which the American people so overwhelmingly voted, but those who did vote for it justified their votes by the reservation which stipulated that the United States should have the right to object to the court delivering an advisory opinion on any question that might come before it. By that reservation they declared that this country was placed on a basis of equality in the court with other countries; but the signatories of the covenant did not see fit to accept that reservation. So one of the most brilliant lawyers of the country, Mr. Root, devised an explanation or interpretation of it, which, when analyzed, means that if the representative of the United States objects to an advisory opinion being rendered by the court on any subject in which we have an interest or claim an interest, then, under the Root reservation, the court will consider our objection. Of course, if the court listens to the objection, we shall have accomplished our purpose; but if it decides to render an advisory opinion notwithstanding our objection we are given the significant and wonderful privilege of withdrawing from the court. And so this great Republic, the richest and most powerful the world has ever seen, is to go into a world court along with the nations of Europe without the right to prevent advisory opinions—a right that is possessed by every one of the members of the court except the United States!

So I say this new formula by which the Senator from Illinois [Mr. DENEEN] defended himself in the campaign was passed upon by the voters of Illinois; and instead of defeating him by 100,000, as they did the late Senator McKinley, the majority is running over 200,000.

I am glad to know that some Members of this body already have seen the real situation as it is. My good friend, the Senator from New York [Mr. COPELAND], who voted for this World Court, now says he will never support it with this reservation. The Senator from Florida [Mr. TRAMMELL] announces his opposition to our entrance into this court. I think there are other Senators on this floor, who, as they consider the subject, will hearken to the voice of the American people, and keep this Nation from becoming entangled in the affairs of Europe, as we have remained free for 140 years of our national history.

May I suggest another thought? There has been an international conference going on in London for the past few months. The reports from London tell us that France wants a larger navy, but that if the United States will agree to enter into a consultative pact that will be one of the inducements that will make it unnecessary for her to build a larger Navy. France thinks it is worth so much to her if the United States will agree even to talk about the matter when trouble breaks out in Europe that she is willing to abandon hundreds of thousands of tons of naval armament which she otherwise demands. She believes the promise of Uncle Sam even to talk about it is worth tons and tons of steel and projectiles for war purposes.

As the American people, and particularly the people of Illinois, have read these reports showing that a willingness on our part even to talk about these things is worth ships and guns to France as a matter of national defense I can not but think that that helped them to decide again that it was to the best interests of the United States to stay out of European affairs; that as we had voted to stay out of the League of Nations, so we should stay out of the court, which is the back door of the league.

France believes that if we come over to talk we would probably stay to fight. The American people had too painful an experience in sending boys and money to Europe in the last war. The boys who came back, many of them broken in mind and health and body, have already cost billions of dollars in compensation, and we have only just begun to pay for that war. The money we loaned to those nations is not only not being paid back but we are not even getting 4¼ per cent interest on it. The interest rates on what they still owe us, which they have undertaken to pay for the next 40 or 50 years, will amount to less than 3 per cent, I think, in every case. The American people have had enough of that sort of thing; and every time that any man in public life has presented that issue, as the controlling question, the people have overwhelmingly rebuked him, regardless of his other abilities and his other qualifications.

It is encouraging that in this age of materialism, in this age of rush and hurry, when we are told that the old standards are falling away, the plain people of the great State of Illinois, in the very heart of the Nation itself, should stay by the old teachings of Washington in his inaugural address, and of Jefferson when, as the Sage of Monticello, 80 years of age, looking back across two generations of history of which he had been a part, he wrote to Monroe and said he believed we should let—

the nations of Europe "commit their crimes and follies among themselves, while we pursue the paths of prosperity and of peace."

That was good advice then. It is better advice now. I hope that this primary election in this great State in the heart of the Nation, whose population is so representative of the American people as a whole, will be a reminder to public men again that the American people want those of us in charge of the Government, so far as we can, to keep this Government friendly with all nations, but to have it allied with no nation. Let us continue to rule the world as we have ruled it, in the matters of government, not by guns or navies, armies or ships, but by our silent example. The silent example of a great Republic, with a government created to serve 3,000,000 people living along a little stretch of Atlantic coast territory, being able to use that same government, without serious or material change, when it extends across a continent from coast to coast and from Mexico to Canada, has no counterpart in the history of mankind. Because that Government, founded on the principles of freedom from autocracy, freedom from domination by religious creeds, with universal education, with a free press and free speech, and the guaranties of trial by jury, has enabled us to develop from a little country, scarcely recognized by the European nations, to a vast territory with trade and commerce that have no counterpart on earth, in a period covering the lives of two men—I say, because of that, that kind of government has grown, and the monarchies of the Old World have fallen one by one.

Mr. President, I am not going to take more time. I wanted to give expression to these views, and to call attention to the fact that the old standards upon which America was founded and has grown to her present greatness are still controlling in the minds of the people of the great State of Illinois.

I ask unanimous consent to have printed in the RECORD at the close of my remarks an editorial appearing in the Washington Herald of this morning.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Herald of Thursday, April 10, 1930]

YOU TELL 'EM, ILLINOIS

So they gave the little lady a great big hand.

On Tuesday Senator DENEEN ran for renomination in the Republican primaries in Illinois on a ticket advocating our entrance into the International Court of the League of Nations.

RUTH MCCORMICK ran against him on a platform with just one plank—stay out of the league and all its branches, including its legal department.

This was the only ascertainable issue between the two candidates. Illinois and the country watched the election as a referendum on the League Court.

Well, the voters of Illinois agreed with Mrs. MCCORMICK.

By the tremendous majority of 200,000 they told President Hoover that the people of the United States still believe in America for Americans and want the Government at Washington to mind its own business and our own business.

Illinois reports that the people do not want their Government to intrust our future peace and prosperity and our vital national interests into the hands of any kind of foreign organization controlled by foreign votes.

In language as plain as the people can use they told President Hoover that they want him to stay away from foreign organizations and leagues and alliances and pacts and courts.

They want him to do all his self-advertising and to make his place in history not by intruding into European complications and conflicts but by serving the best interest of his own people and his own country.

Since it is the voters who have spoken, we suspect that the politicians, perhaps even including the President, will finally pay some little attention to what the Hearst newspapers have been trying to tell them for the last five years, since the internationalists first got Harding to recommend United States entry into this alleged "court" with 10 foreign judges and 1 American judge on it.

United States Senators in particular will thoughtfully chew the cud of the news from Illinois. Some day—so the President has announced—he may ask the Senate to ratify his personal agreement to put the United States into this international court that Illinois has just voted on. DENEEN shows what happens to a Senator who leave his own to stand on foreign soil.

We sometimes wonder whether President Hoover is actually capable of attaining any real comprehension of what the American people want in foreign policy.

If he can now, in the light of the Illinois election, better understand the sentiment of the American people, he will forget about the International Court of the League of Nations.

He will take this particular charter of internationalism and quietly slip it into the nice, deep, ash can, which the voters of Illinois have generously provided for him.

He will attend to his neglected home work which has not been going so well of late.

He might even spend an evening or two in his study reading up on what Washington and the other founders of the Nation said about foreign entanglements; the things he learned as an American schoolboy in Iowa and California; the things he has forgotten in his long residence in foreign lands.

It's getting very late, Mr. President.

Better come back home!

VISIT TO THE SHENANDOAH VALLEY AND GRAND CAVERNS

The VICE PRESIDENT laid before the Senate the following communication, which was read and ordered to lie on the table:

WASHINGTON, D. C., *April 9, 1930.*

The VICE PRESIDENT OF THE UNITED STATES,
Washington, D. C.

MY DEAR MR. VICE PRESIDENT: Permit me to extend to you and the entire membership of the Senate a cordial invitation to visit the Shenandoah Valley and make a tour through the enchanted buried city—Grand Caverns. Words nor photographs can describe the beauty and mystery of the place. In one of the great palaces, the entire membership of both Houses of Congress could convene, giving you some idea of this wonderland. World travelers justly claim the Grand Caverns to be nature's masterpiece of art work and color in stone and really the world's greatest show place.

In connection with our invitation, we suggest that Sunday, May 4, would be an ideal day to make the trip, leaving Washington on a special train at 8 a. m., arriving at Grand Caverns at noon, where luncheon will be served, and then the tour through the Grand Caverns. From the entrance you get a bird's-eye view of the southern entrance of the Shenandoah National Park along the Blue Ridge; you will also see the Piedmont and Shenandoah Valleys in their full spring foliage and the great orchards in full bloom, with the Blue Ridge Mountains, wooded to the sky line with riot of colors, presenting a picture no mortal artist could match.

Returning over the Blue Ridge, a stop would be made at Charlottesville and side trip to Jefferson's home at Monticello, and through the grounds of Virginia's great university, dinner, and board train for Washington, arriving at bedtime.

No other trip would give to the Nation's public servants more than the one outlined, and the citizens of the old mother State, who are donating 400,000 acres of land for the Shenandoah Park, would be honored to have as its guests Members of Congress. The only expense involved would be about $5 per person for railway transportation. It will be my pleasure to entertain you, and I hope you will endeavor to make the trip.

Awaiting the decision of your great body, I beg to remain

Sincerely yours,

HOLLY STOVER.

WASHINGTON RAPID TRANSIT CO.

The VICE PRESIDENT laid before the Senate a communication from the president and general manager of the Washington Rapid Transit Co., submitting, in accordance with a ruling of the Public Utility Commission of the District of Columbia, a balance sheet of that company, together with a list of stockholders of record as of December 31, 1929, which, with the accompanying papers, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Mercantile School of the City of Cebu, Cebu, P. I., favoring the granting of independence to the Philippines, which was referred to the Committee on Territories and Insular Affairs.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Common Council of the City of South Bend, Ind., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

Mr. McCULLOCH presented memorials numerously signed by sundry citizens of the State of Ohio, remonstrating against the passage of legislation providing for the establishment of shipping commissioners for ports of navigation on the Great Lakes, which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. JOHNSON, from the Committee on Commerce, to which was referred the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, reported it without amendment.

Mr. FRAZIER, from the Committee on Indian Affairs, to which was referred the bill (S. 1372) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians, reported it with amendments and submitted a report (No. 372) thereon.

Mr. BAIRD, from the Committee on Banking and Currency, to which was referred the bill (S. 3627) to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes, reported it without amendment and submitted a report (No. 373) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 3284) for the relief of the Buck Creek Oil Co., reported it with an amendment and submitted a report (No. 374) thereon.

REPORT OF POSTAL NOMINATIONS

Mr. McKELLAR, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 10, 1930, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 2763. An act authorizing the cities of Omaha, Nebr., and Council Bluffs, Iowa, and the counties of Douglas, Nebr., and Pottawattamie, Iowa, to construct, maintain, and operate one or more, but not to exceed three, toll or free bridges across the Missouri River;

S. 3448. An act to amend the act of February 21, 1929, entitled "An act to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant frequency monitoring radio station, and for other purposes";

S. 3487. An act to provide for the acceptance of a donation of land and the construction thereon of suitable buildings and appurtenances for the Forest Products Laboratory, and for other purposes; and

S. J. Res. 151. Joint resolution to authorize the Secretary of the Interior to deliver water during the irrigation season of 1930 on the Uncompahgre project, Colo.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOFF:

A bill (S. 4132) to amend subdivision (10) of section 202 of the World War veterans' act, 1924, as amended; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 4133) for promoting the economic welfare of the dairy industry, and for other purposes; and

A bill (S. 4134) to provide for the enforcement of the "Act for the preservation of American antiquities" of June 8, 1906, as amended, and the "Lacey Act" of May 25, 1900, as amended, regulating interstate or foreign commerce in wild animals and birds, or parts thereof, and for the protection of employees of the Department of Agriculture in the performance of their duties, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. WAGNER:

A bill (S. 4135) for the relief of William D. Grush; to the Committee on Military Affairs.

A bill (S. 4136) granting a pension to Emma Jarvis McLean; to the Committee on Pensions.

By Mr. HAYDEN:

A bill (S. 4137) granting a pension to Nellie L. Fickett; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4138) to purchase and erect in the city of Washington the group of statuary known as "The Indian Buffalo Hunt"; to the Committee on the Library.

By Mr. BAIRD:

A bill (S. 4139) to amend section 13 of the Federal reserve act, and for other purposes; to the Committee on Banking and Currency.

By Mr. FRAZIER (by request):

A bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, Okla., and for other purposes; to the Committee on Indian Affairs.

AMENDMENT TO PLANT PATENTS BILL

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (S. 4015) to provide for plant patents, which was referred to the Committee on Patents and ordered to be printed.

RESTRICTION OF IMMIGRATION

Mr. ALLEN submitted an amendment intended to be proposed by him as a substitute for the so-called Gould amendment to the

bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws, which was ordered to lie on the table and to be printed.

Mr. BROOKHART. Mr. President, I ask leave to have printed in the CONGRESSIONAL RECORD an article from the Des Moines (Iowa) Register of the 8th instant on the Status of Women in Soviet Russia.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, April 8, 1930]

STATUS OF WOMEN IN SOVIET RUSSIA

(From Soviet Russia, by William Henry Chamberlain, Little, Brown & Co.)

The attitude toward women among the Russian masses has always savored of orientalism; it finds expression in the popular proverb: "A chicken is not a bird, and a woman is not a human being." Wife beating was common. The peasant girl passed from the almost unlimited authority of her father to that of her husband, or rather, what was perhaps still more oppressive, her husband's family. Law supported tradition and custom in giving woman an unequal status. Manhood suffrage prevailed in the limited legislative bodies which existed before the revolution. The peasant woman was not entitled to a share of land in her own right. The husband was legally regarded as the head of the family, and his wife was obliged to follow him wherever he might go.

Among the Mohammedan people of eastern Russia, central Asia, and the Caucasus the subjection of women was even more strongly emphasized. The Czarist government did not interfere with the operation of the Shariat, a book of Mohammedan law and custom, in which is written: "Woman has no right to study, orate, and agitate; she has no right to be a judge or a priest. The testimony of a woman before the court is equivalent to half the voice of a man." Among the eastern peoples, as a rule, women went veiled and were kept in the strictest seclusion.

The Bolshevik revolution was nothing if not thorough in its handling of the problem of sex equality. Lenin's statement that "we do not leave one trace of the old Czarist laws which placed woman in a subordinate and humiliating position" is borne out by the facts of soviet legislation. One may comb it from end to end without finding any evidence of discrimination between the sexes, unless a certain amount of protective legislation for women employed in industry is to be construed in that light. There is no office in the land for which women are not eligible, from membership in a backwoods village soviet to the presidency of the council of people's commissars. The peasant woman is now entitled to her own equal share of land, which she brings to her husband when she is married and takes away when she is divorced. Neither party to a soviet marriage contract has any legal right to dominate the actions of the other. Finally, there is a persistent effort to organize and educate the tens of millions of women all over the Soviet Union (a good half of whom are illiterate, while almost all are lacking in any experience in public life) to persuade and push them into actually assuming their newly granted rights of citizenship.

This effort is under the direction of the women's department of the Communist Party central committee. Lenin once declared that "every cook must know how to manage the state"; and whether or not this ideal may be realized in practice, the zhenotdel, or women's department, spares no effort to reach the cooks and the working and peasant women of the country with its summons to political activity.

With headquarters in the office of the central committee in Moscow and branches all over the country, the zhenotdel, which is under the direction of a former working woman, Mrs. Artyukhina, fulfills a multitude of functions. It issues 18 women's magazines, with a circulation of 670,000. (These publications are not at all similar to the brightly illustrated German women's journals which appear side by side with them on the Moscow news stands; political articles and literary stories heavily predominate over fashion notes and household suggestions.) Its organizers gradually communicate to peasant women the idea that their husbands should not beat them. These organizers ride about in peripatetic tents, preaching to the Kirghis nomadic women the new gospel of washing their children's faces, and try to convince the Kalmucks, who dwell in the Astrakhan steppes, that the custom of having the head of the family sleep in a bed while the women lie about his feet is not a proper domestic habit.

The zhenotdel recruits and marshals of Russia's army of delegatkas, or women delegates, now between 600,000 and 700,000 strong. These delegatkas are elected at general women's meetings on a basis of 1 to every 5 for working women and servants and 1 to every 25 for office employees, housewives, and peasant women. They are then attached to some institution, to a hospital, a school, or a public office of some kind; they are supposed to offer criticisms and suggestions about the work of their institution and to make periodical reports to the women who elected them.

In general, it was the women of the Mohammedan East who were most unqualified in their expressions of enthusiasm for the changes which the revolution had brought in their lives; and this is quite understandable in view of the state of ignorance, isolation, and semislavery from which they are now beginning to emerge. Nowhere is the zhenotdel doing more interesting or picturesque work than in central Asia and the Caucasus, the old strongholds of Mohammedan patriarchal tribal life. In many respects the process of emancipation in these regions is quite similar to what is taking place in Kemalist Turkey and, to a much smaller extent, in Persia and Afghanistan.

The two customary methods of obtaining a wife in the Russian East are by purchase and by violence, real or feigned. The institution of kalim, or purchase money for a bride, is deeply rooted in the Caucasus and central Asia, where a comely and desirable wife may command a price as high as 50 camels. When an avaricious parent sets his terms for kalim too high, or when the girl secretly favors a poor suitor, an abduction often takes place. Sometimes the abduction passes off smoothly and with general satisfaction, but may lead to one of the blood feuds which are common among the Caucasian mountaineers. Both the purchase and stealing of brides are now forbidden under severe legal penalties.

An enormous amount of ignorant and malicious nonsense has been written on the subject of the soviet marriage laws and regulations.

The principle of sex equality holds good in soviet matrimonial legislation. An unemployed husband or wife is entitled to support by his or her spouse on the same basis over a limited period of time. Alimony in Russia may be claimed only for the support of the children. The provision that a man be called on to pay up to one-third of his income for the support of his children acts as something of a deterrent on reckless remarriage, or at least on reckless procreation.

Divorce is probably more prevalent in Russia than in any other country; yet, in view of the extreme laxity of the law, it is perhaps surprising that the proportion of separation to marriages is not even higher. According to the figures of the commissariat for the interior there were 526,692 marriages and 126,280 divorces in European Russia during the first half of 1927. This was a ratio of a little less than one divorce to every four marriages, whereas in America, despite the strict laws of individual States, the relation of divorces to marriages in comparatively recent years has been estimated at about 1 to 6.

It is plain that the revolution has produced a far-reaching shake-up in family relationships; it is probably too soon to gage the effects of this shake-up on individual happiness and social welfare. One familiar literary figure, the woman whose subsequent life is darkened by social obloquy incurred in connection with an unfortunate love affair, is almost inconceivable in the Soviet Union to-day, at least in the cities. Soviet law recognizes no distinction between legitimate and illegitimate children, and the woman who lives with a man without registering the fact at the proper bureau is not likely to lose either her position or her friends as a result of this fact. A Muscovite of the younger generation once remarked to the writer:

"The tragedy of Tolstoy's Anna Karenina scarcely seems real to-day. A soviet Anna Karenina would simply make a trip to the zaks [the abbreviated term for the marriage and divorce bureau] and the whole matter would be settled."

One of the most visibly beneficial social reforms which Russia has experienced under the soviet régime is the large-scale provision of free nurseries for the children of working women and the enactment of a number of laws for the benefit of the working woman who becomes a mother. Every large factory where women are employed in any considerable number now has its clean, well-kept nursery, where the mothers may leave their children during working hours, instead of being obliged, as in former times, to tie the children to a table leg or leave them to the doubtful care of some neighbor's child. Several thousand summer nurseries have been established also in the country district, so that peasant women will not be compelled to take their babies to the fields with them in the heat of harvest work. These nurseries, like most forms of social work, as yet cover the needs of the peasants very inadequately.

The laws guarantee eight weeks' vacation before and an equal amount of time after childbirth for factory workers, and six weeks for office workers. Moreover, the working mother is permitted to feed her child for half an hour every three or four hours, and receives a payment from the State social insurance funds for feeding and clothing the child in the first months of its existence. All this has helped to reduce infant mortality in Moscow from 26.3 per cent in 1913 to 13.4 per cent in 1926. Soviet Russia may justly be proud of the fact that the child death rate in Moscow, which was 70 per cent higher than in Warsaw in 1912 is now 13 per cent lower.

THE INDIAN SITUATION

Mr. ALLEN. Mr. President, I desire to bring to the attention of the Senate an excellent report on the Indian situation, as presented to the National Council of Congregational Churches, at Detroit, June 4, 1929. This report should be of peculiar value at this time in connection with our study of the committee report upon H. R. 6564, the Department of the Interior appropriation bill. I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE INDIAN SITUATION

The Indian problem in America is one that deserves the most careful consideration of our people. There is no question but what there has been an increasing amount of study given the problem during the last few years. There has been developed voluminous literature. The Institute for Government Research has issued an 800-page study of phases of the problem by the experts of that institution. There have been hearings before committees of Congress; editorials and news articles in our newspapers and leading magazines; and there are on all sides evidences that there is a widespread interest in the present situation, and a growing desire that if conditions are not as they should be, some progress ought to be made toward improvement.

In these various studies it has been pointed out that to gain a point of view of the situation as it exists we should study not only our own cumbrous attempts, but likewise that we should make a study of the program as it has been developed in Canada. It is said that the Canadian system recognizes the necessity of better pay for the administrators. It does not seek to make white men out of the Indians overnight. It depends on specialists who are outside of politics. It is based on constant consideration for the Indians' needs rather than for the white men's convenience. Such a system may not be completely adaptable to our own case. But its study in connection with framing legislation for the reorganization of the Indian Service could not but be helpful.

The main question which lies back of the whole discussion is that of principle. What policies shall guide in the administration of Indian affairs?

Several "schools of thought" have developed. On the one hand are those who maintain that the Indians must be "de-Indianized." The commission is not in sympathy with the approbrium attached to this term. That is, that they shall be made over on the pattern of the white man, for only so can they compete with white men in the white man's country. To do this they must be given the white man's education and become integrated with the white man's civilization; and that in the end the Indians as a separate people shall cease to have their distinct existence and become amalgamated, culturally, if not racially.

On the other hand, there are those who believe that if the Indians become "civilized" it is but another name for extinction. This school holds that it is impossible to adjust a primitive people to a highly complex modern civilization. They contend that in the process the Indian's morale is broken; that the white man's efforts to eradicate the Indian's religion strikes at the root of his being; that contact with white men has introduced vices and diseases; that the white man's school system has made the Indian dissatisfied without preparing him for life as he must live it. The groups demand in the name of the Indians the right to choose the form of life which they will lead within their reservations.

It is not within the province of this commission to measure or to differentiate the controversies that have raged and are raging in Government and professional circles. Suffice it to say that the Indian finds himself in a difficult transition period. He can not go back to the old trails. The carefree, communal life of the past is gone forever. The buffalo can not be brought back to the plains, nor the great North woods reforested and the cities of the plains laid waste. He is in the midst of the white man's civilization and needs, as never before, wise and sympathetic guides to show him the way. He finds the new trail dim and uncertain at times, but having set his hand to the plow he can not turn back. Gradual assimilation into our body politic is the goal, distant, it is true, with respect to certain tribes, but nevertheless inevitable. This commission believes that this can be a benevolent assimilation.

Holding this belief the commission has no sympathy with the "let-alone policy" of the sentimentalists who raise the cry, "Let the Indian alone. Don't educate him. That makes him common like the rest of us. Let us make of him a museum piece, etc."

As far as the Government's administration of Indian affairs is concerned it goes without saying that in every great institution there are unfortunate instances and unworthy people. The Indian Service is no exception, and where such conditions exist it is prima facie evidence of the need of most thoroughgoing investigation and study. On the other hand, one should not lose sight of the fact that in the personnel of the Indian Service (5,000 distributed among 109 agencies in close contact with the Indians of some 24 States) there are large numbers actuated by purely missionary motives. Moreover, fully one-third of these employees are Indians working among their own people.

The Indian Rights Association, which has done yeomen service in behalf of the Indians for years, speaking of the present agitation says:

"We here do hope that much good will come to the Indians and their cause through all the agitation being conducted through the press. We do feel that publicity will go far toward correcting the evils, though we deplore the gross exaggerations of the evils of the boarding schools and all Government administration. We know that much that is being published in the press is true, but we also know that much is not true. Our local Indians have suffered as much from what has been done for them as from what has not, and much of their idleness is directly traceable to much being done for them that they should have done for themselves. I believe extreme paternalism is worse than indifference."

This commission indorses in the main the report of the Federal Council on the Indian situation as presented in the October 27, 1928, issue of Information Service. (This is based on the findings of the Institute for Government Research as published in The Problem of Indian Administration. It is only fair to say that this study was made over two years ago and that many changes and improvements have since been made correcting conditions.) From this report the following quotations are taken:

GENERAL POLICY

"The survey staff considers that 'the object of work with or for the Indians is to fit them either to merge into the social and economic life of the prevailing civilization as developed by the whites or to live in the presence of that civilization at least in accordance with a minimum standard of health and decency.' Therefore, the whole problem is 'fundamentally educational.' In all the work of the Indian Service 'the primary question should be, How is the Indian to be trained so that he will do this for himself?' * * *

ORGANIZATION AND PERSONNEL PROBLEMS

"Until recently the Indian Service has been highly centralized. A uniform course of study for all Indian schools is prescribed from Washington. Yet the different jurisdictions vary so widely that a distinctive program is recommended, fitted to the special needs of each jurisdiction, with increased authority and responibility of agency and school superintendents. * * *

HEALTH

"The inadequate records available show that there are more than twice as many deaths per 1,000 of population among the Indians as among the general population. The Indian tuberculosis death rate is 6.3, as compared with 0.87 for the United States registration area. In Arizona alone it is 15.1—higher than the rate for all causes in the general population of the registration area. Yet the records are so incomplete that but little can be judged from them. A diagnosis of tuberculosis is seldom made until cases are too advanced for cure. 'Diagnostic facilities, such as X-ray and laboratory and tuberculin tests, have not been available in the service, and it is only on rare occasions that such aid is sought from the outside.' In the boarding schools the prevalence of tuberculosis is 'alarming,' due apparently to the failure to make complete health examinations, to the serious overcrowding practiced, the poorly balanced ration, and the industrial method of operating these schools.

"At one school a tubercular patient, recently discharged from the school hospital, was found by the survey staff 'repairing steam pipes in a wet and poorly ventilated room.' The school authorities had ignored the physician's orders. In another, children reporting to the dispensary for 'eyes' were all treated for trachoma, though many really needed refraction. * * *

EDUCATION

"A change in point of view is 'the most fundamental need in Indian education.' Boarding schools are operated on a basis 'below any reasonable standard of health and decency.' A real program of adult education is much needed. The report urges that the Indians be taught how to farm, that a campaign be carried on to eliminate illiteracy among them, and that they be taught independence and reliance upon their own efforts. There is ample evidence that Indian children are well able to handle school work. * * *

"The present course of study for Indian schools was originally prepared in 1915 and is now 'very much in need of revision.' The boarding schools are organized on a half-time plan with half the school day devoted to academic subjects and half to industrial work. Of this scheme the survey staff says: 'The labor of children as carried on in Indian boarding schools would, it is believed, constitute a violation of child labor laws in most States.'

"Very little directly vocational work is done. In most Indian schools the only system in physical training is 'a scheme of military drilling that is largely obsolete even in Army training camps.' * * *

"Community organization of social life for Indians is much needed, since nothing has been substituted in place of the old tribal organization. 'Most superintendents of reservations and agency employees generally do not understand the fundamental educational principle that the Indian must learn to do things for himself, even if he makes mistakes in the effort.' * * *

"Bad economic conditions are general, even in tribes with large potential resources. * * * Such statistics as are available show that the annual per capita Indian income, tribal and individual, for 97.8 per cent of the Indians is less than $500; for 71.4 per cent it is less than $200. This figure does not include the value of certain wild products with little or no commercial value. Individual income is even lower; 83.9 per cent have a per capita individual income of less than $200. The report states that 'the standard of living is often almost unbelievably low. Almost nothing is spent for shelter and firewood and very little for clothing and food. Many homes were visited where there was almost no food on hand. The homes where a reserve of food had been accumulated were the exception. Many Indians are just above the famine level, and if anything goes wrong they must go without or fall back upon Government rations.' * * *

FAMILY AND COMMUNITY LIFE

"Indian homes vary widely, but in general the Indians still live 'in primitive dwellings, in tents, and shacks and in small houses poorly constructed, ill kept, and in bad repair.' The food supply is frequently inadequate and very restricted in variety. The Government ration, where it is depended upon, 'is never satisfactory with respect to food balance and seldom with respect to quantity.' Dwellings are badly overcrowded.

"Indian family relations have suffered through contact with whites, because most interracial contacts are with whites with low standards. The policy of educating the children in boarding schools has had a bad effect on both parents and children. 'Evidences are not lacking that many tribes' are to-day less industrious, less able to fit themselves to their environment than they were 50 years ago; that they were in some ways better off in their primitive state. In so far as the Government has sacrificed real and vital adult education to the formal education of children in institutions it has handicapped a primitive people in their development, and the Indians have little to show. The loss of children tends still further to disrupt the family through the loosening of marital ties.' * * *

LEGAL PROBLEMS

"The legal organization of the Indian Service is very inadequate. Legal difficulties are usually presented by the Indians to the reservation superintendent, and then by him to the Indian Office. Delays are frequent and long drawn out. Another serious difficulty is the fact that the United States attorneys are frequently not in sympathy with the theory of Government protection for the Indians and are unwilling to prosecute the cases which are turned over to them.

MISSIONARY ACTIVITIES

"The outstanding need in missionary activities is cooperation between the Government and the missionaries and between the different denominations working in the field. * * * It also recommends the creation of 'a national advisory council composed of representatives of each of the churches engaged in mission work among the Indians.' The Indians are 'a deeply religious people,' and it is urged that much more consideration should be given the native Indian religions, ethics, and forms of worship. Denominational rivalries present the same serious problems in work for the Indians as elsewhere. Some of the missionary activities the survey staff considers are 'of an extremely high order,' particularly some of the schools. But it believes missionary work should be restricted to 'work that can be adequately supported and for which high standards of personnel can be maintained.' The work of the missionaries, like that of the Government, has had but little effect on home and family life of the Indians. It seems that 'the missionaries have placed their main reliance for reaching the adult Indian upon the traditional church activities, conducted in much the same way as are activities for white church members.' The survey staff believes that 'the Protestant missions could, without sacrificing the advantages of individual effort and local control, achieve certain obvious advantages of organization by pooling their interest in some interdenominational committee for Indian work similar to the Committee on Cooperation in Latin America.'"

CONCLUSIONS AND RECOMMENDATIONS

Indians not a homogeneous people

This commission feels that it is well to recognize that Indians are not a homogeneous people. With 200 tribes or remnants of tribes, speaking almost as many languages and dialects, and scattered on 161 different reservations in 24 States of the Union, conditions vary—economic, social, and cultural conditions vary and often to a marked degree. The "Indian" is in many respects as much of a composite as the Anglo-Saxon.

Racial backgrounds

To take into account the Indian's racial background and to give adequate recognition to the fact that America's aborigines are a "peculiar people," peculiar in the sense that they are Indians and not Anglo-Saxons, is undeniably a point of view which should figure prominently in any race study. In order to understand the Indian of to-day one must look into the soul of the Indian of yesterday. In approaching a social and community program for these people it is well to bear in mind certain racial characteristics common to the Indian. He is reserved in the presence of strangers, unwilling to reveal his real feelings; also a deep-rooted conservatism, holding fast to old customs and traditions. Of more positive import are the racial traits which should be conserved, such as self-respect, self-control, endurance, courage, loyalty, hospitality, generosity, sociability, capacity for friendship, reverence, and the religious impulse.

Cooperation of Indian a factor

In any program of "race uplift" the cooperation of "the one to be uplifted" is a most important factor. Commenting on this a recent report of the United States Board of Indian Commissioners says: "You can lead or drag an Indian to school, but that does not mean that you can make him think, or make him self-reliant or able to take care of himself." One is reminded of the college president's statement with regard to the attitude of the average student: "Educate me if you can." Some Indians are responsive and want to learn the white man's way, others are not. Indians must learn to cooperate as white people do. This is not learned in a day. It calls for wise adaptability, great patience, and a vivid sense of ultimate achievement on the part of those intrusted with these tasks.

Occupational opportunities

As the Indian needs to learn cooperation so also does he need to know how to organize his abilities toward constructive work in a workaday world. Work will be his salvation while idleness will continue to be his curse. Occupational opportunities for Indians off as well as on the reservations are therefore needed. Your commission believes that the Government could perform a much-needed service by providing employment and placement agencies, especially in following up returned students from the schools.

The educational approach

Your commission believes that many of the Indian schools and other agencies are conducted on a very high plane; in some cases more efficiently and with better equipment than is provided for the white in the immediate neighborhood. On the other hand, many of the facilities are totally inadequate. But leaving all these matters of detail to be studied by the experts, your commission holds that the whole theory of segregation of children from parents and from their own communities during their early childhood and adolescence is wrong in principle and a failure in practical operation. Such a process violates two fundamental human needs. First, the need of the child for the emotional life of affection which association with parents is expected to provide; and in the second place it deprives the parents of the opportunity of manifesting their affection and care of their own offspring. That is to separate a child from the parent and to deprive the parent of any responsibility whatever for the food, clothing, education, and health of the offspring from the sixth to the fourteenth year creates unnatural attributes of character in both parent and child. In saying this we are not unmindful of the need of maintaining boarding schools among certain tribes for many years to come—for example, the Navahoes—also providing boarding homes for orphan children and certain specialized training schools of secondary grades—for example, vocational and industrial, etc.

It is the judgment of your commission that the children of the tribe should be educated, as far as possible, by the members of their own race who have had the advantages of education, and that this should take place in the environment and with the cooperation of the parents. Such local schools to be financed by the Government, supervised by sympathetic whites and educated Indians, the courses provided to stress as the main idea practical usefulness, and the teachers to be as far as possible members of the Indian community who have had special training for this work. It is to be understood that there are many disadvantages and real problems connected with this proposal, but if the whole life of the Indian community is to be lifted, it seems to your commission that this is the way of advance.

It might be well, in order to test out this theory, to establish one or two "demonstration centers." In the more backward communities these schools might very well provide for "opportunity classes" for the retarded and the adults.

In any educational approach the school's task, as some one has put it, should be "the changing of a way of living rather than the carrying out of a routine of academic studies." Standards of regularity and order, vocational training, and furnishing an opportunity for work should be vital factors.

It is the sense of this commission that the Indian children should be enrolled in the public schools of their respective communities as soon as they are ready for this change. In some instances the process of assimilation has gone far enough to admit of this step. It is the goal toward which the Government, in cooperation with the respective States having Indian population, will steadily work.

Cooperation of Government and Christian agencies

Possibilities of this sort of cooperation have already been touched upon in the paragraph on missionary activities. However, the commission wishes to stress the following additional points, in keeping with the general spirit of that paragraph:

1. The churches could very well promote a campaign of education on the Indian problem, disseminating information through church publications, lectures, etc., centering on the history, traditions, customs, community, and social life of the Indians. Every citizen should realize that he is a coguardian and cotrustee with the Government in all its dealings with the American Indians.

2. For the purpose of improving family and social life, community centers are needed. The churches have the opportunity, if they will, to establish such demonstration points, thus helping to develop the civic spirit as well as every phase of social life. The Government heartily welcomes such cooperation.

3. Leadership training and student scholarships. The desirability of raising up, training, and using a native leadership has long been felt by missionary agencies. Even in the recent report of the Interior Department committee on The Problem of Indian Administration, this is stated: "Your committee wants to emphasize the desirability of

training native workers in the missionary activities, as such workers have a great advantage in being able to reach their tribesmen in their own language. A high grade of work in mission schools will contribute to that end."

Not only mission workers but all potential leaders should be adequately trained. It is therefore recommended that the churches seek to provide scholarship funds for deserving students who wish to go on to college. Something has already been done in this regard, but much more remains to be done. The Government can also help. A revolving fund should be requested from Congress to make available scholarship funds on some sort of refunding basis.

Gradual release from wardship

Your commission quotes herewith a paragraph from the Interior Department committee's report referred to above, and with this it is in full agreement:

"It is the opinion of your committee that the time has arrived when some very definite plan should be made looking to actually severing the Government guardianship of many of the Indians and placing them upon their own full responsibility as citizens of the State. A great deal has been said for years about 'turning the Indian loose,' but indifferent progress has been made. This should be an individual matter. No tribe in its entirety would be ready for the step at the same time, but there should be a way by which an Indian who has had the educational opportunity and who should be placed entirely upon his own responsibility can be given whatever belongs to him of tribal estate and informed that he is no longer under the supervision of the Government nor has any voice in tribal matters; that being a full-fledged citizen, with the privileges and obligations of such citizenship, he need no longer look to the Federal Government for assistance. Additional legislation is necessary before this can be fully accomplished."

We recommend that this council approve the above conclusions and recommendations, and that the executive committee of the national council, in cooperation with this commission, be instructed to bring these recommendations to the attention of the Indian Bureau, the Committees on Indian Affairs in the House and Senate, and to the President of the United States.

MISSISSIPPI VALLEY WATERWAY

Mr. BROOKHART. Mr. President, I ask leave to have printed in the RECORD an article from the Waterways Bulletin, published by the Mississippi Valley Association, of March, 1930, on the development of an outlet to the world through Gulf of Mexico ports.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Waterway Bulletin, March, 1930]

SAVE THE GULF PORTS

A battle of epic proportions over ocean commerce is now pending before the Interstate Commerce Commission. On one side are eastern railroads, aided and abetted by eastern shipping interests, which seek to compel the Mississippi Valley to ship its export products to the Atlantic seaboard. On the other are the north and south railroads, the Mississippi Valley Association, and other forces interested in the natural development of the Middle West, pleading for a chance to develop an outlet to the world through Gulf of Mexico ports.

The first skirmish has been won by the eastern interests in this manner: Two years ago the north and south railroads asked permission of the Interstate Commerce Commission to reduce rates on export traffic to Gulf ports. Since such permission would divert much traffic now sent to the Atlantic seaboard, eastern railroad and shipping interests sent their shock troops to the preliminary hearings to argue against the reduction. They were successful in prevailing upon the Interstate Commerce Commission's examiner, M. L. Boat, to issue a report favorable to them. In fact, Examiner Boat's report not only opposes reduction of existing rates to Gulf ports but recommends an increase in existing rates.

If the commission should accept its examiner's findings, the effect would be to kill the hope of the Middle West for a Gulf outlet. This fact was recognized by the examiner himself, who said in his report:

"Rates constructed upon the basis we recommend would be considerably higher than those proposed by the applicants herein, serving the southern ports, and would greatly exceed the rates proposed by the eastern lines. Furthermore, they would exceed the rates applicable to and from North Atlantic ports to such an extent that, considering the disadvantages of the southern routes, it is improbable that those routes would be able to obtain business in competition with northern routes. To all intents and purposes, the north and south routes would be closed in so far as the foreign commerce of the interior territory is concerned."

Fortunately, Examiner Boat's analysis of the effect of his findings makes the issue clear-cut. It puts this question to the commission: Is commerce through the Gulf to be deliberately hamstrung at the behest of eastern shipping interests? We do not believe the commission will answer that question in the affirmative. To do so would deny to the Middle West the shortest and most economical trade routes to Central and South America. Moreover, it would make it impossible for middle western manufacturers successfully to compete with manufacturers on the eastern seaboard. It would condemn the Middle West to agricultural pursuits and cripple its existing industries.

The railroad-rate fight is one phase of a threefold campaign to preserve Middle West export traffic for the East. A second phase is the determined opposition of the East to the development of inland waterways. Such waterways would make possible the cheap transportation of what is called "bottom cargo," or bulky raw materials, to the Gulf. Low freight rates would provide "top cargo," or manufactured articles. The two types of cargo are necessary to the profitable operation of a first-class merchant marine. The third phase of the anti-Gulf campaign was represented by the attempt of eastern shipowners to prevent acquisition by middle westerners of Gulf-operating ocean liners owned by the United States Shipping Board, and, failing in that, to underbid them on the valuable mail contracts.

Unfortunately, only recently has the Middle West become aroused over the danger to its future involved in this campaign. As Cleveland A. Newton, who, as general counsel of the Mississippi Valley Association, has filed exceptions to Examiner Boat's report, puts it:

"The Middle West is a great industrial giant, so confident of its powers that it has permitted itself to be bound about by transportation handicaps without protest, until now it finds itself engaged in a fight for life. The Mississippi Valley is the greatest potential industrial empire in the history of the world. * * * But its manufacturing and distributing territory is limited by its own boundaries; its commercial growth has been stunted and handicapped and its natural export outlets effectively blocked by the eastern interests which have been in control since the Panama Canal became available to eastern shippers."

In his refusal to recommend lower rail rates to Gulf ports, Examiner Boat was influenced by technical considerations. It was his belief that such rates would not yield the railroads a sufficient return, a contention denied by the railroads themselves. The examiner apparently lost sight of the grave consequences to the future of the Middle West that his report would entail.

Here is an issue which calls for the mobilization of Middle West business and shipping interests, and a finish fight to preserve for this section of the country its natural transportation facilities.

HOUSE BILL REFERRED

The bill (H. R. 8299) authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor was read twice by its title and referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, returned to the Senate, in compliance with its request, the bill (S. 3607) granting the consent of Congress to the State of New York to construct, maintain, and operate a free State highway bridge across the Allegheny River, at or near Red House, N. Y.

The message announced that the House had adopted the following concurrent resolution (H. Con. Res. 29), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That 3,000 additional copies of House Document No. 328, Seventieth Congress, first session, entitled "Historical Statements Concerning the Battle of Kings Mountain and the Battle of the Cowpens in South Carolina," by Lieut. Col. H. L. Landers, be printed with illustrations and bound for the use of the Committee on Printing of the House of Representatives.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8531) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes, the pending question being on the amendment of the Committee on Appropriations, on page 80, line 21, to strike out the colon and the following proviso:

Provided, however, That no part of this appropriation shall be available for the payment of any rents or other expenses to the Commercial Station Post Office (Inc.), its agents, attorneys, representatives, or assigns, for use of premises known as Commercial Station, at Third and Sibley Streets, St. Paul, Minn.

Mr. SHIPSTEAD. Mr. President, it is not my purpose to delay the Senate in the vote upon this appropriation bill by restating facts and arguments already presented to the Senate.

A great deal of information has been given to the Senate concerning this particular amendment of the committee. I believe a great deal of information has been given to the Senate that the committee did not have when they considered this amendment.

The language stricken out by the amendment provides that none of this money appropriated shall be used to pay any of

the owners of the lease of the St. Paul commercial station. When the committee reported to the Senate they thought this provision should be stricken out; and I have reason to believe that the committee thought they had good reason for doing so. The matter now stands before the Senate in this form: The matter of these leases has been passed upon by the grand jury of St. Paul for Ramsey County. They say fraud was committed. The Bureau of the Budget say that if the matter had been submitted to them, and if the facts that are now known had been known, they would not have recommended this item in the Budget.

There is also a communication here, found in the files of the Post Office Department, a memorandum from the Comptroller General's office, in which they express the opinion that these leases should not be taken care of in this way proposed by the committee. There is a paragraph in the report from the Budget that seems to me very interesting at this time, and I will read it.

The Director of the Budget says:

> I am informed that the lease for this property, dated March 11, 1925, provides for the payment of rent at the annual rate of $120,000: "* * * *Provided*, Congress shall make the necessary appropriation therefor from year to year, or authorize the payment of such rental."

The Director of the Budget quotes the provision of the lease; and from that provision it seems apparent that the lessee can collect only if Congress appropriates money from year to year or authorizes the payment of such rental. The phrase is "from year to year." The lease seems to be dependent upon the appropriation of Congress. It seems to be a condition of the lease, as well as the authorization for payment of the rental. If the money is appropriated and authorized, the lease is legalized, in my opinion, by such act of Congress.

The Post Office Department say they have not paid any money on this rental for three years. They say they do not intend to use any part of this appropriation for the payment of rental under this lease. That seems also to be the opinion of the committee. If that is their intention, I can not see why, in the light of all these circumstances, the Congress should refuse so to state in this appropriation bill, because if this so-called Maas amendment is retained in the bill it seems to me it carries out the course of conduct that has been pursued by the Post Office Department for the past three years; it carries out what the committee tell us is the intention of the Post Office Department; it will carry out the intentions of the Director of the Budget and of the Comptroller General, and I believe also of the Congress.

So, in the light of the information now before the Senate, I can not see how the Senate can refuse to retain this provision which comes over to us from the House of Representatives:

> *Provided further*, That no part of this appropriation shall be available for the payment of any rents or other expenses to the Commercial Station Post Office (Inc.), its agents, attorneys, representatives, or assigns, for use of premises known as Commercial Station, at Third and Sibley Streets, St. Paul, Minn.

Failure to do this will, in my opinion, legalize this lease.

Mr. PHIPPS obtained the floor.

Mr. NYE. Mr. President, before a vote is called for, I want to point out that on yesterday the Senator from Illinois [Mr. GLENN] offered a letter sent to him by one Zella Jones, a widow, of Paris, Ill., reciting that she had bought first mortgage 6 per cent sinking fund gold bonds dated January 15, 1925, the bonds having relation to the St. Paul post office.

If it is true that this lady bought those bonds dated January 15, 1925, she bought bonds dated about two months in advance of the time when the last lease upon the St. Paul property was executed. That second lease, which brought the noncancelable clause in, was dated March 11, 1925, but was not signed until April 8, 1925. This party complains against what Congress may do with relation to these bonds dated January 15, 1925.

If she is correct, then there lies, without any shadow of doubt, opportunity there to bring such action as will prosecute fully those who perpetrated this gross fraud upon hundreds of people, I assume, who saw fit to buy those bonds.

Now, Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. FESS in the chair). The Senator will state it.

Mr. NYE. The first vote of the Senate is to be upon the amendment which the Senator from Colorado proposes to the committee amendment?

Mr. PHIPPS. Mr. President, if I may answer, the vote comes upon the action of the committee in striking out the Maas amendment. The Senate has already reduced the total amount of the appropriation by the sum of $60,000.

Mr. NYE. I understand. Is the Senator ready for a vote upon that now?

Mr. PHIPPS. I am ready to vote upon that. I merely want to say one word before asking for a vote.

Mr. NYE. I want to say to the Senator that I planned to suggest the absence of a quorum. Would he wish that done now, or after he has spoken?

Mr. PHIPPS. It seems to me the request for a vote will serve the purpose of developing a quorum. I wish to say a word first.

Mr. BINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. PHIPPS. For what purpose; to put something in the RECORD?

Mr. BINGHAM. A few moments ago, when I came into the Chamber——

Mr. PHIPPS. Will not the Senator kindly defer that now, so that we may have a vote on the amendment?

Mr. BINGHAM. I will speak but a moment.

Mr. PHIPPS. The Senator from Alabama desired to take a few minutes, but at my request he deferred speaking. I prefer not to yield for the purpose of a discussion on some other matter.

Mr. NYE. Mr. President, I want to say to the Senator from Colorado that I have agreed with Senators who are absent that I would make certain that a quorum was called before a vote was taken.

Mr. PHIPPS. Certainly; I have no objection to that.

I merely wanted to say that the action of the Senate committee is largely based upon the request of the Post Office Department, transmitting the opinion of the Attorney General of the United States, and that the elimination of this language will not in any way prejudice the case now in court dealing with this lease. To avoid any possibility of that kind, I believe the Senate committee action should be sustained. We have already reduced the amount of the total appropriation by $60,000, and the department is on record that it will not make any payment for this commercial station out of moneys appropriated this year, as it has not been paying any since the early part of 1928.

Mr. GEORGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. PHIPPS. I yield for a question.

Mr. GEORGE. I understand the only objection to the language proposed to be stricken out is that it may possibly embarrass or influence the court.

Mr. PHIPPS. That is correct.

Mr. GEORGE. I was not here during the argument upon that point, but are there any unusual reasons or peculiar reasons why the insertion of this language would have any effect whatever upon a court decision? Has the department brought to the attention of the Senate any special information which would tend to show that the insertion of this language would or could in any manner or wise affect the decision of the court? I am at a loss to see it.

Mr. PHIPPS. A letter was placed of record Monday, I believe, when we had this bill up for consideration. I do not recall the exact language of the letter, but it is of record. The statement was made that it was desired that nothing should be done that might indicate that the intention of the Post Office Department in desiring the cancellation of the lease should go on record, that the department should be protected, and at the same time the owners of the building, the lessors, should be protected.

Mr. GEORGE. Just another question, if the Senator will pardon me. I am wholly unable to see how the provision would have the slightest bearing on the action of any court.

Another question. I understand that the department, as a matter of fact, does not propose to pay any rental for the St. Paul building.

Mr. PHIPPS. That is correct. It has refused to pay.

Mr. GEORGE. That it is withholding it now and has been withholding it for some time, but the appropriation is a lump-sum appropriation.

Mr. PHIPPS. The amount of $120,000 included in the lump sum was to take care of the St. Paul situation in case a court ordered the payment. That amount has been reduced by the amount of $60,000.

Mr. GEORGE. But that is the estimate upon which the lump sum was made up, and as it stands in the measure it is a lump-sum appropriation, and unless this language be retained, there would be no limitation of law upon the payment of this money.

Mr. PHIPPS. The $120,000 originally estimated for included in the lump sum the Senate has now reduced by the amount of

$60,000, so that in the event the Post Office Department finds it necessary to occupy other quarters, this appropriation being for the fiscal year beginning July 1, next, $60,000 would be available for that purpose.

Mr. GEORGE. As I understand, though, it is a lump-sum appropriation, and while various items may have entered into the computation of that sum, if this language be stricken out, there would be no actual limitation by this act upon the expenditure of this lump sum.

On the other question of embarrassing the courts, or embarrassing the cause of either litigant, I would be very glad, indeed, to follow a course which would not create complications for the department or the Government, but I am wholly unable to see that any possible embarrassment would result.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. PHIPPS. I want to make one statement. The Senate committee gave very careful consideration to this whole question, and its action was taken after deliberation. The matter in any event will go to conference. The provision in question was put in on the floor of the House. The Senate does not know the attitude of the House committee, nor would it know the attitude of the conferees until we could meet in conference. The whole question will be given the most careful consideration in the event the action of the Senate committee is sustained.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. PHIPPS. I yield.

Mr. BLAINE. I want to call the Senator's attention to the report of the Comptroller General, and I would like to have the attention of the Senator from Georgia. I think this will answer the Senator's inquiry. The Comptroller General, reporting upon this lease and all similar leases, said this:

> The one recourse that appears available and should be followed as fully as possible is to interest one or more honest, impartial, and influential members of the Committee on Appropriations to make their own investigation in connection with the hearings on appropriations, and endeavor, in connection with the passage of the appropriation acts, to fix the rentals of these and any other buildings which may be leased at a rate which will be reasonable as compared with the reasonable cost or value of the buildings concerned.

Then he goes on to say that the Congress has that power, and suggests that that method be pursued. So the Comptroller General understands this situation, and suggests that Congress ought to fix the rental; and, in effect, the Maas amendment, while it denies the rental, does in effect fix it, so far as the Congress of the United States is concerned, for the present, and therefore would in no way interfere with the litigation.

Mr. PHIPPS. Mr. President, I want to ask if that is not a letter written by the Comptroller General to a Member of the House? It did not come to our committee. I had no knowledge of it myself until it was read into the RECORD a couple of days ago.

Mr. BLAINE. I want to make this statement: That I am convinced that the committee did not have the official information which I gave to the Senate the other day, and I am convinced that the committee did not have this report before it.

Mr. PHIPPS. That is correct.

Mr. BLAINE. This is not a letter to any Member of Congress; it is a report that was made by the chief investigator for the Comptroller General's office, and is among the files of the Post Office Department.

I understand from members of the Committee on Appropriations that they had none of this information, and I want to suggest now, to placate any feeling on the part of any of the members of the committee, that I made no intimation and no suggestion whatever that the committee knew of these facts, or that the committee was in any way condoning what is alleged to have been fraud. The committee simply had before it exactly what the chairman of the committee has suggested. I wanted to make that statement in justice to the chairman of the committee and every member of the committee.

Mr. NYE. Mr. President, will the Senator from Colorado yield?

Mr. PHIPPS. I yield.

Mr. NYE. I want to point out to the Senator from Georgia, who makes manifest his interest in this particular point, if I may have his attention, that in addition to the showing which the Comptroller General has made, the Director of the Budget only a few days ago wrote a letter in which he declared, in effect, that had he known when the estimates were before him what we in the Senate know now, he would have insisted upon the incorporation in this bill of an amendment very much in keeping with that we are debating here now, the amendment which was offered on the floor of the House.

Mr. PHIPPS. Mr. President, I renew my suggestion of the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Glass	McCulloch	Steck
Ashurst	Glenn	McKellar	Steiwer
Baird	Goff	McNary	Sullivan
Bingham	Goldsborough	Norbeck	Swanson
Black	Gould	Norris	Thomas, Idaho
Blaine	Greene	Nye	Thomas, Okla.
Borah	Hale	Overman	Townsend
Brookhart	Harris	Phipps	Trammell
Capper	Harrison	Pine	Tydings
Caraway	Hatfield	Pittman	Vandenberg
Connally	Hayden	Ransdell	Wagner
Copeland	Hebert	Robinson, Ind.	Walsh, Mass.
Couzens	Heflin	Robsion, Ky.	Walsh, Mont.
Dill	Howell	Sheppard	Watson
Fess	Johnson	Shipstead	Wheeler
Frazier	Jones	Shortridge	
George	Kean	Simmons	
Gillett	Kendrick	Smoot	

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

AWARDS OF LEGION OF HONOR—DR. WILLIAM H. WELCH

Mr. TYDINGS. Mr. President, Dr. William H. Welch, of Johns Hopkins University, was 80 years old yesterday. His birthday was celebrated in some 20 countries throughout the world. He is recognized as perhaps the outstanding man in the field of medicine in the world to-day. During the war he served as a brigadier general in the Medical Corps in the American Army. The House has passed a bill permitting him to accept from the French Government the Legion of Honor. I desire at this time to submit a report from the Committee on Military Affairs authorizing him to accept it. Therefore, out of order, I ask permission to submit the report and that then the House bill be substituted for the Senate bill and placed upon its final passage. The two bills are identical.

The VICE PRESIDENT. Without objection, the report will be received.

Mr. TYDINGS. For the senior Senator from Vermont [Mr. GREENE] I report back favorably without amendment from the Committee on Military Affairs the bill (H. R. 10865) to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor, and I ask for its present consideration.

There being no objection the bill was considered as in Committee of the Whole, and it was read, as follows:

> *Be it enacted, etc.*, That Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, be authorized to accept the awards of the Legion of Honor heretofore tendered to them by the French Government in acknowledgment of their participation in the ceremonies of 1923 in connection with the centenary of the birth of Pasteur, and in further recognition of the services of Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, in connection with his participation in the ceremonies of the Laennec Bicentenary of 1926, wherefore he was promoted in 1927 to commander in the Legion of Honor.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

Mr. SHORTRIDGE. Mr. President, on behalf of the Committee on Privileges and Elections I report back favorably the resolution (S. Res. 215) submitted by the Senator from Nebraska [Mr. NORRIS] which was considered yesterday by the committee and unanimously approved, with a slight amendment, on page 2, line 3, the amendment consisting in striking out the word "on" and substituting the word "in" before "November," and after "November" striking out the numeral "10," so that it will read:

> General election in November, 1930.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Massachusetts?

Mr. SHORTRIDGE. I yield.

Mr. WALSH of Massachusetts. Did the committee consider the exclusion from membership on the committee of any Senator representing a State where there is to be a senatorial election this year?

Mr. SHORTRIDGE. I do not think the resolution excludes any such Senator from membership on the committee.

Mr. WALSH of Massachusetts. Personally I think it would be quite improper for me to serve on a committee when there is to be an election in Massachusetts this year, and it would be likewise improper for a Senator from any other State where there is a contested election to serve on such committee, because he would have to pass upon the expenditures of Members of his own party in that situation. I hope some such provision

restricting the membership of the committee will be incorporated in the resolution before it is finally adopted.

Mr. NORRIS. Mr. President, with the permission of the Senator from California I would like to say to the Senator from Massachusetts that the resolution can not be acted on by the Senate at this time.

Mr. WALSH of Massachusetts. I understand that.

Mr. NORRIS. It has to go to the Committee to Audit and Control the Contingent Expenses of the Senate. When it comes back from that committee such an amendment would be in order.

Mr. WALSH of Massachusetts. I wanted to make the inquiry because I referred to the matter the other day. When the resolution was offered I called attention to the desirability of excluding from membership on the committee Senators who come from States where an election is being held this year. I think that is very vital and very important.

Mr. SHORTRIDGE. Mr. President, when I yielded I was upon the point of suggesting that the resolution must necessarily go to the Committee to Audit and Control the Contingent Expenses of the Senate. When that committee shall have reported it back the suggested amendment of the Senator from Massachusetts may well be considered.

The VICE PRESIDENT. Without objection, the report will be received. Without objection, the clerk will state the amendment of the committee.

The CHIEF CLERK. On page 2, line 7, strike out the word "on" and insert the word "in" and strike out the numeral "10," so as to read:

Election in November, 1930.

The amendment was agreed to.

Mr. WALSH of Massachusetts. I reserve the right to offer the amendment to which I have referred when the resolution comes back from the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

MUSCLE SHOALS

Mr. BLACK. Mr. President, I have an editorial from the Chattanooga News which is of very great interest in connection with the Muscle Shoals legislation and the attitude of President Hoover upon it. It refers particularly to the construction of the Cove Creek Dam, which was so strenuously opposed by the Senator from Ohio [Mr. FESS]. It gives the attitude of Mr. Hoover upon the construction of that dam when he was a candidate. It refers to a statement of Mr. George F. Milton, the editor of the Chattanooga News, in connection with a conversation between Mr. Hoover when he was a candidate and Mr. Milton. Mr. Milton, as is well known in the South, is a Democrat of many years' standing who supported Mr. Hoover. He is the editor and publisher of the Chattanooga News. I ask that the editorial be read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read the editorial, as follows:

THE NORRIS BILL

Last Friday afternoon, the United States Senate passed the Norris bill providing for governmental operation of Muscle Shoals. The bill likewise authorized and directed construction by the Federal Government of the great Cove Creek Dam. In addition, it contained an initial appropriation of several million dollars for the construction of the dam. The measure now goes to the House of Representatives. Shrewd observers of the present legislative situation in Washington have ventured the opinion that the House will pass the Norris bill without essential change.

If such should prove to be the case, it will rest with President Hoover whether the Tennessee Valley people have something done for the river at this session of Congress, or whether there will be still further, and so far as can be seen, interminable delay in getting something done. Under these circumstances, should the House pass the Norris bill, we deem it a matter of great public moment for the people of the Tennessee Valley that President Hoover affix his signature to the bill.

The case is not so much one of whether we approve or whether we disapprove of public ownership and operation within a field which usually has heretofore been occupied by private business enterprises. In the words of Grover Cleveland, it is a condition, not a theory, which confronts us. The condition is that at the present moment the United States Government owns a huge power plant, built through a large investment of public funds; further, that for the past 10 years efforts to arrive at a basis of private lease satisfactory to the Congress have uniformly failed. The Senate has again adopted a Government ownership program for this specific power project. There is no indication that a veto of the Norris bill by the President would lead to a shift in the Senate's position, or would make probable the passage of a private ownership bill.

We understand full well that Mr. Hoover has declared again and again his insistence in principle upon private utility ownership and operation. We know that the President believes firmly in that theory. We recall that he emphasized his beliefs on this subject by unmistakable words during his candidacy in the summer and fall of 1928. But it is significant that his indorsement then was an indorsement in principle. He also publicly stated that, in view of existing Government involvement in it, he considered the Muscle Shoals project a special case subject to exception.

In the Elizabethton speech on October 6, in the course of his general discussion of the relations of government and business, Mr. Hoover made this statement:

"There are local instances where the Government must enter the business field as a by-product to some great major purpose such as improvement in navigation, flood control, irrigation, scientific research, or national defense. But they do not vitiate the general policy (of private ownership) to which we would adhere."

During the afternoon of October 6, following the Elizabethton celebration, Edward J. Meeman, the editor of the News-Sentinel, of Knoxville, asked Candidate Hoover if the statement just quoted did not particularly refer to Muscle Shoals.

"You may say that that means Muscle Shoals," Mr. Hoover told the Knoxville editor.

The publication of the interview occasioned some little storm in the Republican committee headquarters, causing Mr. Hoover to issue a statement on October 9, confirming and clarifying his remarks to Mr. Meeman. In this statement, Candidate Hoover declared definitely that the Scripps-Howard editor had correctly quoted him in using the words, "you may say that that means Muscle Shoals." Then Candidate Hoover added:

"There is no question of Government ownership about Muscle Shoals, as the Government already owns both the power and the nitrate plants. The major purposes which were advanced for its construction were navigation, scientific research, and national defense. The Republican administration has recommended that it be dedicated to agriculture for research purposes and development of fertilizers, in addition to its national defense reserve.

"After these purposes are satisfied, there is a by-product of surplus power. That by-product should be disposed of on such terms and conditions as will safeguard and protect all public interest.

"I entirely agree with these proposals."

About this time, in the course of a conversation between Candidate Hoover and George F. Milton, editor of the News, Mr. Hoover said that Government involvement in the building of Cove Creek Dam was in the same class with the Government interest in Muscle Shoals. "It too, is an exception," Mr. Hoover said, "to the general rule."

In view of these definite statements which Mr. Hoover made as candidate in the summer and fall of 1928, that because of their surrounding circumstances he considered both Muscle Shoals and Cove Creek permissible and necessary exceptions to the general private ownership theory he had advanced, the Tennessee Valley has the right to hope that President Hoover will sign the Norris bill, should it come to him.

Year after year, the Tennessee Valley people have been waiting patiently for something to be done in regard to Muscle Shoals, and for some action to be taken in regard to the Cove Creek Dam. These projects, the economic development of which will so vitally affect our future, and which are so essentially tied up with our realization of our true economic destiny, seem to have become naught but a football of partisan politicians; the rights of the Tennessee Valley have been ground to powder between the upper millstone of selfish private interest and the nether millstone of determined theorists. Under these conditions, patience finally ceases to be a virtue, and forbearance becomes other than a mark of grace.

Now that there is at last a chance for action, the people of Tennessee Valley have a right to expect that Herbert Hoover will remember his words of October, 1928.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8531) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes.

The VICE PRESIDENT. The question is on the amendment reported by the committee to strike out the proviso on page 80.

Mr. PHIPPS. I ask for the yeas and nays.

Mr. NYE. Mr. President, as the vote is about to be taken, as I understand, upon the pending post-office amendment, I wish only to point out that a vote "yea" will sustain the committee amendment, which calls for the payment of $60,000 rent at St. Paul, whereas a vote of "nay" will specify that no part of the appropriation shall be utilized in the payment of rent for those quarters in which so-called Chicago "racketeers" have been engaged in interesting the general public.

Mr. GLASS. Mr. President, I deny that that is an accurate statement.

Mr. PHIPPS. Mr. President, will the Senator from Virginia yield to me for the purpose of calling a quorum?

Mr. GLASS. Not if the Senator desires to call for a quorum on my account. I will not yield for that purpose.

The VICE PRESIDENT. The Senator from Virginia declines to yield.

Mr. GLASS. I merely rose to deny that the Senator from North Dakota has accurately stated the case. There is not a dollar proposed to be appropriated in this bill, either $60,000 or $120,000, for payment of rent on the building in question at St. Paul; at least, that is my understanding of the matter.

Mr. PHIPPS. That is correct.

Mr. GLASS. At the hearing before the subcommittee, on the contrary, the subcommittee was definitely assured by the Postmaster General and by the Fourth Assistant Postmaster General that not one dollar of the proposed appropriation for rental was designed to be or would be applied to the rental on the St. Paul lease here being questioned. I have in my hand a copy of the hearings before the subcommittee. I find on page 37 of these hearings that the chairman of the subcommittee asked Mr. Philp, the Fourth Assistant Postmaster General, if the $120,000 included in the total for the purpose of paying rental was designed to pay rental on this St. Paul building, to which the following response was made:

> Mr. PHILP. Not for the purpose of paying rental on this building, Senator, but for the purpose of paying rental on a building to take its place, and we are doing everything we can do to get moved—

Into that building.

Mr. President, the record of the hearing shows that I was in favor and that I voted in favor of the retention of the House provision in the bill, but I think I have a right to resent, and I do resent, any implication that the Senate Appropriations Committee designed to condone graft or fraud in the leasing of this building.

Mr. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. I yield.

Mr. CARAWAY. As I understand, the House bill carried a provision that no part of the appropriation should be used for paying rent for the building in St. Paul.

Mr. GLASS. Yes.

Mr. CARAWAY. The bill now pending before the Senate does not change that, but carries an appropriation of $60,000 for paying rent on another building.

Mr. GLASS. Yes.

Mr. CARAWAY. Then there is no conflict between those who urge that the House provision be retained in the bill and those who take the opposite position, inasmuch as neither the House provision nor the Senate committee amendment provides for the payment of any rental for that building?

Mr. GLASS. No.

Mr. CARAWAY. And no rental can be paid for it?

Mr. GLASS. No.

Mr. CARAWAY. I was wondering what the controversy was about then.

Mr. GLASS. I was just going to explain what the controversy is about and all there is to the controversy. In other words, with the definite assurance to the committee by these high post-office officials that no dollar of this money was designed to be or would be used for the payment of rental under this alleged fraudulent lease, which I believe most members of the committee regarded as fraudulent—with that assurance from these high officials of the Post Office Department, the House language seems textually to prohibit a thing which is not going to be done. That being so, when asked why the post-office officials did not desire this language to be included in the bill, the Fourth Assistant Postmaster General by word of mouth before the committee and the Postmaster General in a letter to the chairman of the committee said that it might embarrass the department in making leases if the precedent were set of having leases canceled by Congress itself pending a court procedure contesting the validity of the lease; that it would embarrass them to that extent.

Mr. CARAWAY. Mr. President, may I ask the Senator another question?

The VICE PRESIDENT. Does the Senator from Virginia yield further to the Senator from Arkansas?

Mr. GLASS. Yes; I yield.

Mr. CARAWAY. The assurance of the Postmaster General that he did not intend to pay, and would not pay, in effect does the same thing, does it not? Would not that embarrass the department in making leases just as much as if the provision in the House bill were allowed to remain in the bill?

Mr. GLASS. I will answer the Senator's question by reading from the hearings a question which I asked. I asked the counsel for the so-called innocent bondholders:

> Do you think the inclusion of this so-called rider would make any more impression upon the Court of Claims than reading the hearings now being held?

Mr. CARAWAY. What did he say?

Mr. GLASS. He said he thought so; but I did not agree with him, and therefore I voted to retain the language. What I am trying to impress upon the Senate now, however, is that the Senate committee did not take any action to condone a fraudulent lease.

Mr. CARAWAY. I do not think anybody has charged that.

Mr. GLASS. But there has been that sort of implication here in the discussion.

Mr. CARAWAY. At least there is none in the question I am asking the Senator.

Mr. GLASS. No; none at all.

Mr. CARAWAY. What I am getting at is this: If there is to be no payment of any moneys out of this bill——

Mr. GLASS. There has been no payment of any money on this alleged fraudulent lease since March, 1928.

Mr. CARAWAY. May I finish my question?

Mr. GLASS. Yes.

Mr. CARAWAY. If there is to be no payment at all out of this money, and that is understood—that is the declaration of the Postmaster General, and I presume we all accept that—I do not see what difference it makes.

Mr. GLASS. I am not undertaking to say that it did make any difference in my mind. I am not undertaking to say that that assumption is a correct assumption. I am simply citing to the Senate the sole question of difference between those who voted against the retention of the language put in by the House and those who voted for it.

Mr. CARAWAY. Here is what I desire to ask the Senator: Could it be implied that the Congress condoned or approved the contract if we should reject the House provision?

Mr. GLASS. The contrary is implied by the fact that the Post Office Department itself stopped the rental, and that the matter is in court; and I think it would be implied if we should retain the House language.

Mr. CARAWAY. I think I did not make myself quite clear. If we should vote to reject the House provision, and accept the bill as it is, without that provision, could that be construed as in any way approving or condoning the act in making the lease?

Mr. GLASS. I do not think so.

Mr. CARAWAY. Evidently the attorney for the so-called innocent contractees thought so; did he not?

Mr. GLASS. Yes; he said so. I did not agree with him, and I voted the other way.

Mr. CARAWAY. And the Senator does not agree with him now?

Mr. GLASS. No; I do not agree with him. I think the implication is contained in the House language, but there is no stronger implication in the House language than the very fact that the Post Office Department itself long ago discontinued paying this rent, and no stronger implication than is contained in the language of the Fourth Assistant Postmaster General saying that this appropriation is not designed to pay a dollar of that rent, and that they do not intend to.

Mr. CARAWAY. Anyway, even to the Senator's way of thinking, it makes no difference which way one votes?

Mr. GLASS. Not a bit on earth. I am just contesting the proposition that if one votes one way it may mean one thing, and if one votes another way it may mean another thing.

Mr. CARAWAY. It makes no difference which way we vote?

Mr. GLASS. In my mind, it makes no difference whatsoever.

Mr. CARAWAY. That is what I thought.

Mr. GLASS. I simply preferred to retain the House language, and I so voted, but I have not the remotest idea on earth that the implication is just that those who voted the other way voted to condone any fraudulent lease.

Mr. CARAWAY. I do not, either. Some way or other, I was impressed with the idea that since the House had incorporated that language in the bill, those who leased the building to the Government might take some consolation and comfort from the Senate's rejecting the House language. Evidently the attorney for the building thought so.

Mr. GLASS. Oh, I did not understand that he was the attorney for the building. He was the attorney for the so-called innocent bondholders.

Mr. CARAWAY. Well, the bondholders. He would take some consolation in the rejection of the House language.

Mr. GLASS. I think he would; yes. I can very readily concede entire sincerity and honesty, however, to anybody who does not agree with me about that. I do not think the suggestion or the implication in any way should go out here that anybody who votes to reject the House language votes to condone fraud.

Mr. CARAWAY. I do not, either; but I do not want our position to be misunderstood.

Mr. GLASS. That is all I rose for.

Mr. CARAWAY. Possibly some of the bonds are still in the market, and they want to take some kind of consolation in the Senate rejecting that language, and peddle these bonds to other innocent holders.

Mr. GLASS. That may be so.

Mr. CARAWAY. I should not want to lend any color to such an argument, and since that was the position of the attorney, I think always that we ought not to play into the hands of somebody who is trying to peddle stolen goods.

Mr. NYE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from North Dakota?

Mr. GLASS. Yes; I yield.

Mr. NYE. The Senator from Virginia, I think, has at least left the impression that provision has not been made for the use of this specific appropriation of $120,000 in payment of the rent of the commercial station in St. Paul. As the Senator says, it is all contained in one lump sum; but the estimates, the work sheets before the Comptroller General, do not provide for the payment of this rent for anything in the way of facilities for St. Paul, but specify the commercial station at St. Paul.

Mr. GLASS. Yes; but that payment is not under the lease that has been, as I think, so frequently denounced here as an utterly fraudulent transaction; and we had the assurance of these high post-office officials that not a dollar on that account had been paid since March, 1928, that not a dollar of the appropriation in this bill was designed to pay that rent, and that the post-office authorities would not pay a dollar on account of that lease. If anyone pleases to assume that these high postal officials are not telling the truth about the matter, that they may not be trusted, that they are not honest, that they have in fact connived at a fraud, and that under the lump-sum appropriation they may do what they solemnly stated to the committee they would not do, that would be a complete justification for voting to retain the language put in the bill on the House floor.

That is all I rose to say.

Mr. McKELLAR. Mr. President, yesterday afternoon, after the statements made by the Senator from Ohio [Mr. FESS], I wrote a letter to the Postmaster General asking for certain information about this lease. I am not going to take the time of the Senate to read either the letter or the information received from him, but I take it that it will be of value; and I ask that there may be printed in the RECORD, as a part of my remarks, both the letter and the information. I think this information clearly discloses that so far as the inception of this contract was concerned, it was perfectly regular and in the usual and ordinary form, and that no blame attaches to the postal officials under the administration of Mr. Wilson or Mr. Burleson.

I do not mean to say that any blame attaches to the present officials, either. I have not suggested such a thing. I do not think Mr. Brown was here at a time when he could have had very much to do with it except what he did, which was to discontinue payments, as I understand. I believe, however, that that was done by Mr. New just before Mr. Brown came in, and he has not yet paid the rental on this property; but I think this information ought to be printed, and I offer it for the RECORD.

Mr. FESS. Mr. President, I hope that will be done; but I do not want to have the Senator put his words in my mouth, as if I had stated that I thought there was anything irregular about this original contract. I made no such charge. I merely made the statement that this thing began in the administration of President Wilson, without desiring to make a charge that what the Senator from Tennessee was stating was borne out by the facts. I stated that I did not have those facts, and therefore I was not making any charge of that sort.

Mr. McKELLAR. Mr. President, I think I have exactly what the Senator stated; and I desire to call his attention and the attention of the Senate to it. My recollection is that the Senator said in words that whatever there was that might have been wrong in the matter, it had its inception in the administration of which the Senator from Tennessee was a part, and not the present administration. I can not find the language just at this moment, so I will omit it and let it go.

Mr. FESS. I think that was it.

Mr. McKELLAR. I think the Senator said that; and it carried the implication to me that the Senator desired to put any ignominy, if it had to be put upon anybody, upon the Democratic administration instead of the present Republican administration.

The VICE PRESIDENT. Without objection, the matter referred to by the Senator from Tennessee will be printed in the RECORD.

The matter referred to is as follows:

APRIL 9, 1930.

Hon. WALTER S. BROWN,
Postmaster General, Washington, D. C.

MY DEAR MR. POSTMASTER GENERAL: In the discussion of the St. Paul post-office lease in the Senate to-day it was said that this lease was entered into by the Postmaster General Burleson before March 4, 1921, but that it was actually signed in April by Mr. Will H. Hays, Postmaster General.

Will you be good enough to send me any papers or memorandums in your files showing whether General Burleson or anyone under him signed such a paper or made such an agreement?

Also please give me the exact date when contracts for post offices were made noncancelable by the department. My recollection is that it was in 1923, but I won't be sure.

If you will be kind enough to send me this information before 12 o'clock to-morrow I will greatly appreciate it, as I want to see that the exact facts are set forth in the RECORD.

With much respect, very sincerely yours,

KENNETH McKELLAR.

ST. PAUL (MINN.) COMMERCIAL STATION—MEMORANDUM OF FACTS TAKEN FROM REPORT OF INSPECTOR DONALDSON DATED JUNE 20, 1922; REPORT OF INSPECTORS GRIGGS AND LEWIS DATED JUNE 22, 1928; AND REPORT OF INSPECTORS GRIGGS AND LEWIS DATED JULY 6, 1928

Terms of present lease

Space:	
Basement	13,274
Mezzanine	9,312
Truck concourse	1,728
Main floor	15,194
Second floor	15,194
Third floor	15,194
Subway	1,196
Total	71,092

Rental: $120,000, including heating and lighting fixtures, equipment, plumbing fixtures, power, and water.

Expiration: November 5, 1941.

Cancellation clauses eliminated.

Rental withheld since February 29, 1928.

The files relating to this case are not in the possession of the department, having been turned over to the Department of Justice. The information contained in this memorandum has been secured from copies of reports which this department has been able to secure.

PRELIMINARY NEGOTIATIONS

Several years prior to the negotiation of the lease for commercial station, it had been definitely determined that the space in the Federal building had become inadequate. The first step taken to remedy the situation was to endeavor to obtain an appropriation for a site and a Federal building. At least two bills introduced in Congress for this purpose failed of passage. Further efforts to obtain such an appropriation appear to have been unsuccessful.

The need for space was occasioned by the rapid development of the parcel-post system, the establishment of which was not foreseen at the time the Federal building was erected. Space was an imperative necessity.

During 1918 an investigation was made relative to the advisability of leasing quarters in the Union Depot Building for the St. Paul post office and the Railway Mail Service Terminal. The Union Depot Co. made proposals as follows:

"For post-office purposes a room 295 feet 11 inches by 99 feet 6 inches on the Third Street level floor of the new depot building, on a 10-year basis, at an annual rental of $48,420.

"For terminal railway post-office purposes a room, irregular in shape, containing approximately 25,100 square feet, on the second floor of the new depot building, on a 10-year basis, at an annual rental of $35,024.

"The rental asked was at the rate of about $1.64 per square foot for the post-office station quarters and $1.39 per square foot for the terminal railway post-office quarters. The proposals included the handling of mail to and from trains, equipment, heat, light, water, ice, and janitor service."

The inspector recommended that in the event a new building could not be provided that the proposal of the Union Depot Co. be accepted. He stated, however, that the space offered was not desirable because of many pillars in the room, lack of platform, insufficient natural light, etc.

The proposal for post-office quarters was not accepted. The proposal for terminal quarters was subsequently accepted.

During the summer of 1920 an investigation was made relative to the advisability of leasing space opposite the Union Station. The inspector advertised for bids and the matter was brought to the attention of the public, so that all persons who wished to submit a proposal were informed of just what was wanted in the way of postal facilities for St. Paul. At this time eight proposals were received, as follows:

No. 1. The St. Paul Union Depot agreed to lease for a term of two and one-half years, at an annual rental of $14,310, approximately 6,318 square feet, exclusive of offsets, in the depot on the Third Street level. They proposed to furnish heat and light, but no equipment. This was at the rate of $2.25 per square foot.

No. 2. F. A. Patrick & Co. agreed to lease for a term of two years and three months, at an annual rental of $15,000, approximately 8,880 square feet on the third and fourth floors of the 4-story brick building at the corner of Fourth and Wacouta Streets, opposite the new Union Depot. They proposed to furnish heat and light, but no equipment. This was at the rate of about $1.68 a square foot.

No. 3. William A. Wells proposed to lease for a term of five years, at an annual rental of $12,000, three floors of the Wells Building, containing approximately 27,000 square feet. This proposal did not include heat, light, or water, but did include parcel-post equipment and stipulated no cancellation of lease. This building was located about 10 blocks from the Union Depot and, while a cheap rental, was entirely unsuited for postal needs in St. Paul.

No. 4. William A. Wells agreed to lease the same property as specified in No. 3 for five years at an annual rental of $19,200 under the same conditions and subject to cancellation after one year.

No. 5. The Moore Transfer Co. agreed to lease for a term of two years, at an annual rental of $25,000, approximately 10,000 square feet of space in the Northern Pacific Railway Office Building, which is located four blocks from the Union Depot. This proposal was to include heat, light, and water, also parcel-post equipment, and is at the rate of $2.50 a square foot.

No. 6. Moore Transfer Co. agreed to lease the space covered under No. 5 for a term of five years at an annual rental of $21,750.

No. 7. The Moore Transfer Co. agreed to lease the same space as covered in No. 5 for 10 years at an annual rental of $19,750.

No. 8. The Twin City Motor Car Co. agreed to lease the "House of Hope" Church, located about 10 blocks from the depot, containing about 7,000 square feet, at the rate of $9,045 per annum. Under this proposal no heat, light, or fixtures were to be furnished and no additional repairs were to be made on the building. Part of this was basement space and it was wholly inadequate and unadapted for postal purposes.

None of these proposals was accepted for the reason that some were not in close proximity to the Union Station, none provided sufficient space, and adequate loading facilities were not contemplated. At least seven of the proposals were for terms not exceeding 10 years.

CONSUMMATION OF FIRST LEASE

Carl A. Nimis was cognisant of the department's efforts to obtain suitable post-office quarters. He met J. P. Cowing while on a vacation. Mr. Nimis told the postmaster (Raths) that Cowing appeared to be interested in the proposition. Postmaster Raths wrote Cowing, informing him that if interested it would be advisable for him to visit St. Paul and go into the matter.

In October, 1920, Cowing and Hugo D. Loeb called upon the postmaster and visited the site which is directly across Sibley Street from the Union Station. This site appeared to be by far the best site for such a mail-handling unit as was proposed. Details of the proposed building were discussed. On November 13, 1920, Cowing addressed a letter to Postmaster Raths advising him that plans for the building had been completed and that cost of construction was being estimated.

Soon afterwards Loeb & Cowing submitted plans to Postmaster Raths, which plans had to be altered and corrected in some respects. Postmaster Raths is said to recollect that great stress was laid on the fact that the building was to be "practically fireproof" and that the entire project would cost in the neighborhood of $750,000.

Carl A. Nimis alleges that Postmaster Raths gave him certain data as to the approximate price the department might pay per square foot in a project of this kind, which information he (Nimis) conveyed to Loeb & Cowing. Postmaster Raths denies this, claiming he had no such knowledge. At this time there were very few projects of this magnitude in operation and there is little likelihood that the postmaster did have such data.

On November 15, 1920, Inspector Ralph Hugdal was instructed to confer with Postmaster Raths and Messrs. Loeb and Cowing relative to the proposition. Such conference was duly held, and on December 7, 1920, a report recommending the acceptance of a proposal from Messrs. Loeb and Cowing to erect and lease a 3-story and basement fireproof building, containing 69,812 square feet, at the corner of Third and Sibley Streets, and to construct and maintain a tunnel 80 feet long under Sibley Street, connecting the building with the mail room of the Union Station, at a rental of $120,775, was submitted. Plans were submitted to the department.

Inspector Hugdal stated he did not believe cheaper space in or adjacent to the Union Depot and suitable for postal purposes could be secured, and that while he had no definite information regarding the cost, he had been told that the land cost would be $150,000, and that the building cost, including tunnel, would be about $550,000, making a total cost of $700,000.

Inspector Hugdal in making this recommendation called attention to the fact that if the Government could obtain a suitable site and erect a Federal building without much delay he assumed such action would be preferable to leasing.

At the time this particular proposal was submitted no additional advertisement had been posted, it being considered apparently that sufficient publicity had already been given.

Case was reopened by the First Assistant's bureau under date of January 4, 1921, with request that effort be made to obtain a lower rental. An amended proposal was secured from Messrs. Loeb and Cowing specifying the same rental, $120,775, but including power to operate the elevators, power for the operation of ventilating fans, and such other mail-handling devices that may be installed and water required within the building.

Under date of January 27, 1921, the First Assistant, John C. Koons, accepted the proposal for 20 years from date of occupancy at $120,775 per annum.

On June 22, 1921, Loeb & Cowing had written the department stipulating that the 90-day cancellation clause must be eliminated from the lease.

The First Assistant advised that the clause permitting termination on 90 days' notice, should "the interests of the Postal Service require it," would be eliminated.

However, on February 11, 1921, the First Assistant's bureau wrote a letter to Loeb & Cowing transmitting a modified copy of the department's form of lease, which it was stated "will be executed for the premises to be occupied by commercial station." The form of lease transmitted with the letter of February 11, 1921, did not contain the Government building cancellation clause.

The lease as executed contained a Government building cancellation clause as required by law. This lease was entered into effective April 8, 1922, following completion of the building and installation of equipment.

PROTESTS AND SUBSEQUENT INVESTIGATION

After the proposal of Loeb & Cowing had been accepted the Union Depot Co. protested, claiming that at the time the plans of that company were being prepared it was their understanding that the post-office station lease would be given them and that their plans had been prepared with this in view. There is no record of such obligation and the department denied that such a promise was ever made. Protests from certain citizens of St. Paul were also received. Inspectors C. H. Clarahan and R. B. Mundelle were sent to St. Paul to make an investigation.

The following brief résumé of the facts disclosed by this investigation follow:

"The inspectors stated that the department had made persistent efforts to secure larger quarters for this station; that the matter had been repeatedly taken up with different substantial business and representative men of St. Paul, but that they refused to erect a suitable building to be leased to the department; that finally Messrs. Loeb and Cowing, of Chicago, became interested and submitted a proposal which was accepted after several concessions had been secured by the department; that the proposed new building would be located across the street from the new Union Depot and would be in the best possible location without doubt; that Messrs. Loeb and Cowing had obtained a loan of $750,000, which would probably finance the proposition; that while a rental of $120,775 per annum on an investment of but $750,000 is excessive, the following facts should be considered: Cowing & Loeb were required to pay for the land considerably more than it was worth, but the particular site was necessary in order that tunnel connection with the Union Depot could be made; that they were required to provide and maintain a tunnel from the basement of the building across the street and extending under the depot about 70 feet, which would be of no value to them should the department not re-lease the building; that Loeb & Cowing estimated that they would be required to expend $125,000 for furniture and equipment, which would be almost a total loss at the expiration of the lease; also that they would be required to pay about $3,000 a year for power and water, as well as to pay heavy assessments for local improvements to be made near the building; and last but not least, while the building will be ideally located for post-office purposes, it will not be a desirable location to lease to others. Certain changes were recommended as to the arrangement of permanent improvements. The inspectors further stated that while undoubtedly sufficient space had been provided for future growth for several years, 20 years was a long time, and that they had taken up with the lessors the matter of providing additional stories for this building, should the department so request at any time within eight years, and secured from them an agreement to build three additional stories and lease same to the department at a rental to be agreed upon but not to exceed $1.60 per square foot."



On May 14, 1921, the department accepted the proposal to build three additional floors at the option of the Government at any time within eight years.

The leasing of the commercial station quarters resulted in a very large saving in motor-vehicle service. For the fiscal year ended June 30, 1921, the cost of the motor-vehicle service at St. Paul was $200,037.39. For the fiscal year 1923 it was $158,059.78. Despite the fact that there was a material increase in the volume of mail handled during the interim, there was an actual saving of about $42,000 annually in the cost of motor-vehicle service.

OWNERSHIP OF PREMISES AND TRANSFER THEREOF

1. Loeb, one-half interest; Cowing, one-half interest.

2. Loeb, one-third interest; Cowing, one-third interest; Kulp, one-third interest.

(Kulp's one-third interest was obtained in connection with the arrangements of Loeb & Cowing to finance the project.)

3. Loeb, one-third interest; Cowing, one-third interest; Kulp, one-sixth interest; Investors' Co., one-sixth interest.

4. December 16, 1924, the Investors' Co. gave Jacob Kulp a quitclaim deed to their interest. Consideration as indicated by revenue stamps, $50,000.

5. February 16, 1925, Loeb gave warranty deed to Kulp covering one-third interest. Consideration as indicated by revenue stamps, $62,500.

6. February 16, 1925, Cowing gave warranty deed to Kulp for one-third interest. Consideration as indicated by revenue stamps, $62,500.

7. March 11, 1925, Kulp gave quitclaim deed to Commercial Station Post Office (Inc.) for his interest. Consideration as indicated by revenue stamps, $447,000.

NEGOTIATION OF SECOND LEASE

Between October, 1924, and February, 1925, Kulp entered into negotiations with the department for the cancellation of the original lease and the entering into of another lease with the elimination of the Government building cancellation clauses. In consideration of this the following offer was made:

To provide at any time prior to November 6, 1929, three additional floors consisting of 45,582 square feet, the same to be leased for the remainder of the original lease at $1.50 per square foot, including necessary equipment, the extension of the two elevators and spiral chutes, power for their operation, and water.

In the event of the erection of the three additional floors the rental on the 71,092 square feet of floor space in the present building would be reduced to $1.50 per square foot.

The above proposal was later amended by reducing the annual rental from $120,775 to $120,000 for the unexpired portion of the lease.

This proposal was accepted by the department on December 11, 1924, and a new lease specifying an annual rental of $120,000 was drawn, effective March 11, 1925.

It was subsequently discovered that through some clerical inadvertence the clause requiring a reduction in rental on the original space of 71,092 square feet to $1.50 per square foot in the event of the department requiring the erection of three additional floors had not been incorporated in the new lease.

APRIL 10, 1930.

Hon. WALTER F. BROWN,

Postmaster General, Washington, D. C.

MY DEAR MR. POSTMASTER GENERAL: In addition to the information that I requested of you last night, would you be good enough also to send me copy of the inspector's report or reports made during the last days of the Wilson administration in the St. Paul commercial post-office case. Also, copy of the brief on the jacket of that case.

I will greatly appreciate your early attention.

Very sincerely yours,

KENNETH MCKELLAR.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. BLAINE. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GOULD (when his name was called). I have a pair with the Senator from New Mexico [Mr. BRATTON] and therefore withhold my vote. If the Senator from New Mexico were present, he would vote "nay," and if I were at liberty to vote I should vote "yea."

Mr. MCNARY (when his name was called). On this amendment I am paired with the senior Senator from Mississippi [Mr. HARRISON]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. SHIPSTEAD (when Mr. SCHALL'S name was called). I desire to announce that my colleague [Mr. SCHALL] is paired with the senior Senator from Delaware [Mr. HASTINGS]. If my colleague were present, he would vote "nay," and I am informed that the Senator from Delaware would vote "yea."

Mr. WATSON (when his name was called). I transfer my pair with the senior Senator from South Carolina [Mr. SMITH] to the junior Senator from Vermont [Mr. DALE] and vote "yea."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Nevada [Mr. ODDIE] with the Senator from Kentucky [Mr. BARKLEY];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Connecticut [Mr. WALCOTT] with the Senator from South Carolina [Mr. BLEASE];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING]; and

The Senator from New Hampshire [Mr. KEYES] with the Senator from Missouri [Mr. HAWES].

Mr. TYDINGS (after having voted in the negative). I transfer my pair with the Senator from Rhode Island [Mr. METCALF] to the Senator from Louisiana [Mr. BROUSSARD] and allow my vote to stand.

Mr. GILLETT. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], which I transfer to the junior Senator from California [Mr. SHORTRIDGE], and vote "yea."

Mr. OVERMAN. I transfer my general pair with the senior Senator from Illinois [Mr. DENEEN] to the junior Senator from Tennessee [Mr. BROCK] and vote "nay."

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is paired with the junior Senator from Colorado [Mr. WATERMAN]. If my colleague were present, he would vote 'nay," and I am authorized to state that if the Senator from Colorado were present and voting he would vote "yea."

The result was announced—yeas 25, nays 35, as follows:

YEAS—25

Allen	Goff	Kean	Sullivan
Baird	Goldsborough	McCulloch	Thomas, Idaho
Bingham	Greene	Phipps	Townsend
Couzens	Hale	Ransdell	Watson
Fess	Hatfield	Robsion, Ky.	
Gillett	Hebert	Smoot	
Glenn	Jones	Steiwer	

NAYS—35

Ashurst	Frazier	McKellar	Swanson
Black	George	Norbeck	Thomas, Okla.
Blaine	Glass	Norris	Trammell
Brookhart	Harris	Nye	Tydings
Capper	Hayden	Overman	Wagner
Caraway	Heflin	Pittman	Walsh, Mass.
Connally	Howell	Sheppard	Walsh, Mont.
Copeland	Johnson	Shipstead	Wheeler
Dill	Kendrick	Steck	

NOT VOTING—36

Barkley	Fletcher	McMaster	Robinson, Ind.
Blease	Gould	McNary	Schall
Borah	Grundy	Metcalf	Shortridge
Bratton	Harrison	Moses	Simmons
Brock	Hastings	Oddie	Smith
Broussard	Hawes	Patterson	Stephens
Cutting	Keyes	Pine	Vandenberg
Dale	King	Reed	Walcott
Deneen	La Follette	Robinson, Ark.	Waterman

So the amendment of the committee striking out the proviso was rejected.

Mr. MCKELLAR. Mr. President, I have offered an amendment, which I ask the clerk to report. I will say that the amendment would not be in order because it is legislation on an appropriation bill, but I have given the requisite notice of a motion to suspend the rules, under Rule XVI, and I ask the clerk to read the amendment. Of course it will take a two-thirds vote to suspend the rule, but I want to talk to my colleagues for about three minutes relative to the matter.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. The Senator from Tennessee moves, on page 83, after line 2, to insert as a separate section the following:

SEC. —. Hereafter, in offices of the first class, money-order cashiers shall be paid the same compensation as postal cashiers.

The VICE PRESIDENT. Let the Chair state that the question is not on the amendment but on the motion of the Senator from Tennessee to suspend the rules.

Mr. MCKELLAR. I want to give the reasons why I have moved to suspend the rules.

Mr. PHIPPS. Mr. President, I conceive it to be my duty to make a point of order against the amendment, it being legisla-

tion on an appropriation bill, and not having been estimated for by the Bureau of the Budget or approved by any standing committee of the Senate. Aside from that, it would increase the salaries and reopen the whole schedule of salaries.

The VICE PRESIDENT. The question is on the motion to suspend the rules.

Mr. McKELLAR. Mr. President, I am going to take only a few moments to explain what I desire to have done.

A number of years ago, as many will recall, a commission was appointed for the purpose of arranging and adjusting the salaries of employees in the Postal Service. A general adjustment was made, and I think it was well done, and the whole country seems to have approved of it.

One rather notable mistake was made, namely, that a distinction was made between postal cashiers and postal money-order clerks in offices of the first class, a difference in salary of $300 a year. In other words, as I remember the figures, postal cashiers received $3,100, and postal money-order clerks received only $2,800. Those employees do exactly the same work; there is not a particle of difference. The commission just made a mistake. I was a member of the commission, and I am responsible in part for the mistake.

The postal money-order clerks do precisely the same work that is performed by the postal cashier; the positions are exactly the same. In other words, an officer is called a money-order clerk in some offices and a postal cashier in others. They are exactly the same. The salaries ought to be the same.

Some time after the adjustments were made I introduced a bill to take care of the matter, and the Senate committee reported it favorably, and I think it passed the Senate, although I am not sure. But that action was not taken at the present session. If the bill had been passed during the present session this amendment would be in order, but not having been passed during this session it is not in order without a suspension of the rules. I think the bill passed at the last session, after having been favorably reported to the Senate, but it was lost in the House.

It is manifestly our duty to put these clerks, who are doing exactly the same work on exactly the same pay basis, and for that reason I ask that the rules be suspended so that the amendment may be in order. I ask Senators to vote in the affirmative on this motion to suspend the rules to-day. I do not care to have a yea-and-nay vote, but I would like to have a division.

I hope Senators will do this measure of justice to these clerks to whom this injury was done, without any fault on their part, but through the fault of the commission and of the Congress. They ought to be put on exactly the same basis. There are very few of them; it would cost a very reasonable amount of money; and I hope the rules will be suspended and the amendment agreed to. I ask for a division.

On a division, the Senate refused to suspend the rules.

Mr. BLACK. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. The Senator from Alabama moves to add a new paragraph on page 33, as follows:

For the further study and investigation of the salt marsh areas of the South Atlantic and Gulf States, to determine the exact character of the breeding places of the salt-marsh mosquitoes, in order that a definite idea may be formed as to the best methods of controlling the breeding of such mosquitoes, $25,000, to be expended by the Public Health Service in cooperation with the Bureau of Entomology of the Agricultural Department.

Mr. PHIPPS. Mr. President, I very much regret that I find it my duty to make a point of order against this item. It has not been estimated for; it does not have the approval of any standing committee of the Senate; and it really should properly be offered to a different bill—the agricultural appropriation bill. I make the point of order against the amendment.

Mr. BLACK. Mr. President, I have sent for the senior Senator from Mississippi [Mr. HARRISON], who is thoroughly familiar with this work. As I understand it—and the Senator from Colorado can verify my statement—the work has already been begun, and is incomplete, and unless the appropriation is made it will not be completed.

Of course, I undertsand the position of the Senator from Colorado, and if he thinks that the facts do not justify the adoption of this emergency amendment, of course he will insist on his point of order. But it is my understanding—and the Senator from Mississippi is thoroughly familiar with the matter—that the work is about to be suspended due to the fact that the funds appropriated were not quite sufficient to finish it.

Mr. PHIPPS. Mr. President, my information is that the last appropriation made for this purpose was thought to be and was stated to be the final one, and that the amount was determined upon after consideration, and a compromise figure was agreed upon. The proper place for this item would be on a deficiency appropriation bill, and the Senator will have sufficient time to get a Budget estimate for it before consideration of the coming deficiency bill. I regret that I shall have to insist on the point of order.

Mr. BLACK. The Senator from Mississippi has just entered the Chamber.

Mr. HARRISON. Mr. President, I hope very much that the Senator from Colorado will not make a point of order against this item. It is a very important provision.

The Senator is familiar with the fact that about three years ago an appropriation was made of a certain amount to make this survey, and the next year a small amount was appropriated to carry on the work. The lands of southern Mississippi have been surveyed, but there was not sufficient money to go over into Alabama and the other South Atlantic States to complete the survey. I do not want to see the Government show particular favoritism to Mississippi. I want it to show the same consideration to other sections.

In the interest of dealing fairly and equitably with other sections I hope the Senator from Colorado will not insist upon his point of order, so that we may be enabled to carry on the survey work for the other sections. Will not the Senator recant and withdraw his point of order?

Mr. PHIPPS. I really regret that I can not accommodate the Senator, but under the rule of the committee the Senator in charge of a bill is really obliged to make the point of order when necessary. I would be very glad to help the Senator on the deficiency appropriation bill.

Mr. HARRISON. When the deficiency bill comes before the Committee on Appropriations the Senator will give us the benefit of his very strong influence with the committee to get the appropriation?

Mr. PHIPPS. My consideration of it will be sympathetic, I assure the Senator.

The VICE PRESIDENT. The Chair sustains the point of order. The bill is still in Committee of the Whole and open to further amendment. If there is no further amendment to be offered, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. TRAMMELL. Mr. President, I have just entered the Chamber. Is an amendment in order now or not?

The VICE PRESIDENT. It is too late, unless the Senator moves to reconsider the vote by which the amendments were ordered to be engrossed and the bill to be read a third time.

Mr. TRAMMELL. I move a reconsideration of that vote for the purpose of proposing an amendment in behalf of my colleague, an amendment which he has had printed and which is lying on the table.

The VICE PRESIDENT. The question is on the motion of the Senator from Florida.

The motion to reconsider was agreed to.

Mr. TRAMMELL. Mr. President, there is lying upon the table an amendment prepared by my colleague, who is now absent on account of illness. In his behalf, I desire to offer the amendment, which I think is meritorious and should be adopted.

The VICE PRESIDENT. Let the amendment be reported.

The CHIEF CLERK. The junior Senator from Florida [Mr. TRAMMELL], in behalf of his colleague the senior Senator from Florida [Mr. FLETCHER], offers the following amendment:

On page 75, line 23, after the word "available," add the following proviso:

"*Provided*, That no part of this sum shall be used for the purpose of awarding an ocean mail contract except on routes upon which are being operated steamship lines established and sold by the United States Shipping Board or which may be sold by the board prior to December 31, 1930, or other steamship lines declared essential by the United States Shipping Board."

Mr. PHIPPS. Mr. President, I regret that I shall have to make the point of order against the amendment. It is legislation on an appropriation bill.

Mr. TRAMMELL. Mr. President, before the amendment is disposed of I desire to have printed in the RECORD a statement prepared by my colleague in the nature of a memorandum in behalf of the amendment. It is a short statement, and I ask permission to have it printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. FLETCHER's statement is as follows:

H. R. 8531—OCEAN MAIL APPROPRIATION

The purpose of this limitation is to provide that in the award of additional ocean mail contracts under authority of the merchant marine act, 1928, first consideration shall be given to routes upon which are being operated lines established, developed, and maintained by the Government at great expense and which can be sold to the operators of those lines with these mail aids, or other established steamship services which the Shipping Board considers essential. It was believed by many of us who voted for the merchant marine act, 1928, that these mail aids would be used for the purpose of transferring to private ownership the essential steamship services owned by the United States as rapidly as conditions warranted the sale of those lines to the local companies operating them for the Shipping Board.

There has passed the House and is now before the Senate H. R. 9592, to assure mail contracts for the purchasers of these Government lines. This bill should enable the Government to dispose of its remaining lines (if mail routes are certified for them) to the private companies, provide for their proper maintenance and development, and enable the Government to get back many of the millions expended by the Shipping Board in the development of our essential shipping services. But as the bill does not require the Postmaster General to certify mail routes for these lines, the proposed limitation on the appropriation bill is necessary to make it effective.

In the second deficiency act of 1929 the Postmaster General was given $3,400,000, which, according to the testimony of the Second Assistant Postmaster General before the House Appropriations Committee, February 16, 1929, was to be used to provide mail contracts for seven specified Shipping Board lines that could be sold with these mail aids. None of this money has been used for the purpose intended, principally because the prospective purchasers of the lines could not obtain an assurance of mail contracts for the lines, and the Shipping Board was therefore unable to make the sales.

The 1931 bill reappropriates the unexpended balance for 1930, but there appears to be no intention to use this or any of the new funds to take care of more than two of the seven Government lines provided for in the deficiency act. There are about 10 or 12 Government lines remaining to be sold. Under the contracts at present in effect the Gulf section received about one forty-fourth of the mail payments, notwithstanding the direction of the law that the mail routes shall be equitably distributed between the Atlantic, the Gulf, and the Pacific.

The Postmaster General is certifying many additional routes, most of them to be covered by steamship lines not previously established, and he is making no provision for the remaining established Government lines which can be sold as soon as H. R. 9592 is enacted. These lines should be taken care of before consideration is given to steamship lines proposed to be established.

It is therefore imperative that a limitation be placed on the ocean mail funds to insure they will be used in accordance with the purposes of the merchant marine laws and for the best interests of the United States. The Government lines should be provided for before the ocean mail fund reaches proportions beyond which we may not care to go and before the present construction loan fund is exhausted.

The limitation is in the interest of the Government and the merchant marine and ought to be adopted.

The VICE PRESIDENT. The Chair would hold that the amendment is a limitation on an expenditure and he would therefore be inclined to overrule the point of order.

Mr. JONES. Just a moment, Mr. President. It seems to me it goes farther than a mere limitation. It changes the provisions of the law, and is not simply a limitation upon how the money shall be expended.

The VICE PRESIDENT. Will the Senator from Washington point out the law which it changes?

Mr. JONES. It refers to the shipping act of 1928, if I remember the reading of the amendment. It probably does not refer to the act specifically, but it changes the provisions of the 1928 shipping act.

The VICE PRESIDENT. That being true, the Chair sustains the point of order. The question is, Shall the amendments made as in Committee of the Whole be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

Mr. FESS. Mr. President, from the Committee on Contingent Expenses, I report back favorably the resolution (S. Res. 215) and invite the attention of the Senator from Nebraska [Mr. NORRIS] to it.

The VICE PRESIDENT. The Senator from Massachusetts [Mr. WALSH] gave notice that he would propose an amendment to the resolution, and the Chair feels under the circumstances that no further action can be taken until the Senator from Massachusetts is present.

Mr. FESS. May I ask unanimous consent to withdraw the report?

The VICE PRESIDENT. Without objection, the report is withdrawn.

LEASES OF BUILDINGS FOR POST-OFFICE PURPOSES

Mr. BLAINE. Mr. President, I desire to call up at this time the resolution which I introduced yesterday and which has been on the table, relating to an investigation of the post-office rental situation. I assume there will be no debate. We have discussed it, and I think there is a general agreement that there should be an investigation. The chairman of the Committee on Post Offices and Post Roads [Mr. PHIPPS], I believe, has no objection to it. I think the Senator from Ohio [Mr. FESS] has expressed himself in favor of the investigation.

The VICE PRESIDENT. As the Chair understands it, the resolution has not yet been referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BLAINE. I understand that. I was going to inquire if there was any objection to referring it to the Committee to Audit and Control.

Mr. PHIPPS. Mr. President, it is my understanding that resolutions of this nature usually are first sent to one of the standing committees. It seems to me, inasmuch as it relates to postal matters, that it would properly first go to the Committee on Post Offices and Post Roads. If we are to take up the resolution for consideration now, I shall move that it be referred to the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Under the rule it can go to either committee first; it does not matter which. It must go to the Committee to Audit and Control before final action can be had.

Mr. BLAINE. I ask, then, that the resolution be referred to the Committee to Audit and Control. Before that is done I ask to perfect the resolution in a minor way. On page 2, line 1, strike out the numeral "3" and insert "5," and in line 7, after the word "Senate," strike out the words "on the opening of the Senate on the first Monday in December, 1930."

The VICE PRESIDENT. As amended the resolution——

Mr. JONES. Mr. President, just a moment. I want to say merely a word. While it is proper, or while it is possible under the rule of the Senate, to refer the resolution first to the Committee to Audit and Control, yet I believe the proper course is, and it has been followed for some time, to refer resolutions of this character to the committee having jurisdiction of the subject matter, because the Committee to Audit and Control can not take up that question. It has occurred to me, with reference to the resolution, that the whole matter has been discussed on the floor of the Senate, and the Senate, I believe, knows pretty well what the object and purpose of the resolution is, so that so far as I am concerned I am willing to have that exception made to the general rule.

Mr. PHIPPS. Mr. President, while the resolution has been discussed to some little extent I do not think it has been gone into very thoroughly. The debate on the post office appropriation bill, which has just ended, discloses the fact that there are some 1,200 contracts which might fall within the category of the resolution, and it will be quite an undertaking for any committee of three or five Senators personally to inquire into all the facts and conditions surrounding the execution and administration of those contracts. I think it is a resolution which should have the consideration of the Committee on Post Offices and Post Roads before it goes to the Committee to Audit and Control. For instance, the amount of money suggested, $10,000, to cover the expenses might be adequate or it might be very inadequate. The length of time allowed for a report has been changed.

Of course, it might be only a preliminary report that could be made upon the convening of the session next December, and for that reason I suppose the Senator has seen fit to eliminate the time for a report. I stated on the day before yesterday on the floor of the Senate that if the resolution should come to our committee it would be given prompt consideration. I think it should be referred to the Committee on Post Offices and Post Roads.

Mr. BLAINE. I know the usual course is to refer a resolution of this character to a standing committee. But we have debated the matter in the Senate, and I think it is thoroughly understood by all Senators. There is no particular issue involved other than that which has been thoroughly debated and understood. I really do not appreciate the necessity of sending it to a standing committee.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. PHIPPS. Under the circumstances I shall have to object.

The VICE PRESIDENT. Objection is made.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. JONES. Mr. President, I spoke to the Senator from Georgia [Mr. HARRIS] about bringing up the Interior Department appropriation bill at this time, and he is perfectly willing to have the unfinished business, the immigration bill, laid aside temporarily for the consideration of the appropriation bill. Therefore I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes.

Mr. McKELLAR. Mr. President, I understood the Senator to say that he had spoken to the Senator from Georgia [Mr. HARRIS] and that this is satisfactory to him?

Mr. JONES. The Senator from Tennessee is correct.

The VICE PRESIDENT. Without objection, the unfinished business is temporarily laid aside and the appropriation bill will be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Bureau of Indian Affairs," at the top of page 16, to insert:

For payment to Charles J. Kappler for compiling, annotating, and indexing the fourth volume of Indian Laws and Treaties, to be immediately available, $2,000.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial assistance and advancement," on page 23, line 25, after the word "crops," to strike out "$500,000" and insert "$525,000," so as to read:

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $525,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting.

The amendment was agreed to.

The next amendment was, on page 24, line 13, before the word "shall," to strike out "$175,000" and insert "$200,000," so as to make the further proviso read:

Provided further, That $200,000 shall be available for expenditures for the benefit of the Pima Indians, and not to exceed $25,000 of the amount herein appropriated shall be expended on any other one reservation or for the benefit of any other one tribe of Indians.

The amendment was agreed to.

The next amendment was, under the subhead "Irrigation and drainage," on page 32, line 21, after the word "system," to strike out "or for construction of a power plant," so as to read:

For operation and maintenance of the irrigation systems on the Flathead Indian Reservation, Mont., $15,000; for continuation of construction, Camas A betterment, $12,000; to complete construction Kicking Horse Reservoir, $100,000; Nine Pipe Feed Canal structures, $15,000; to complete Nine Pipe Reservoir, $5,000; Twin Reservoir, $30,000; lateral systems betterment, $25,000; miscellaneous engineering, surveys, and examinations, $15,000; headquarters buildings, $15,000; for the construction or purchase of a power distributing system, $40,000; in all, $272,000.

The amendment was agreed to.

The next amendment was, on page 33, line 1, after the word "system," to strike out "or for construction of a power plant," so as to make the proviso read:

Provided, That the unexpended balance of the appropriations for continuing construction of this project now available shall remain available for the fiscal years 1930 and 1931 for such construction or purchase of a power-distributing system.

The amendment was agreed to.

The next amendment was, on page 33, line 4, after the word "system," to strike out "or for construction of a power plant," so as to make the further proviso read:

Provided further, That in addition to the amounts herein appropriated for such construction or purchase of a power-distributing system, the Secretary of the Interior may also enter into contracts for the same purposes not exceeding a total of $200,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for such purposes shall be considered available for the purpose of discharging the obligation so created.

The amendment was agreed to.

The next amendment was, on page 35, after line 14, to insert:

Payment to Middle Rio Grande Conservancy District: The unexpended balances of the appropriations for payment to the Middle Rio Grande Conservancy District for the fiscal years 1929 and 1930 are made available for the fiscal year 1931.

The amendment was agreed to.

The next amendment was, under the subhead "Education," on page 38, line 22, after the word "therewith," to strike out "$3,062,000" and insert "$3,267,000," so as to read:

For the support of Indian day and industrial schools not otherwise provided for, and other educational and industrial purposes in connection therewith, $3,267,000.

The amendment was agreed to.

The next amendment was, on page 40, line 1, before the word "from," to strike out "amounts" and insert "amount," so as to read:

For the support of Indian day and industrial schools, and other educational and industrial purposes in connection therewith, other than among the Five Civilized Tribes, there shall be expended from Indian tribal funds and from school revenues arising under the act of May 17, 1926 (44 Stat. 560), not more than $750,000, including the following amount from the principal sum on deposit to the credit of the Chippewa Indians in Minnesota, arising under section 7 of the act approved January 14, 1889 (25 Stat. 645): $10,000 for the construction, equipment, and maintenance of public schools in connection with and under the control of the public-school system of the State of Minnesota, said school buildings to be located at places contiguous to Indian children who are now without proper public-school facilities.

The amendment was agreed to.

The next amendment was, on page 40, line 14, after the word "nations," to strike out "$220,000 as follows: Seminole Nation, $35,000; Chickasaw Nation, $24,000; Choctaw Nation, $161,000, of which latter amount there may be expended $5,000 for heating plant and $3,000 for employees' cottage at Jones Male Academy," and insert "$233,200 as follows: Seminole Nation, $38,000; Chickasaw Nation, $24,000; Choctaw Nation, $172,200, of which latter amount there may be expended $10,000 for heating plant at Jones Male Academy," so as to read:

For the support of schools and for tuition among the Five Civilized Tribes, there may be expended from tribal funds of such nations $233,200 as follows: Seminole Nation, $38,000; Chickasaw Nation, $24,000; Choctaw Nation, $171,200, of which latter amount there may be expended $10,000 for heating plant at Jones Male Academy: *Provided*, That the balance remaining to the credit of the Cherokee Nation, amounting to $201.08, and any additional amount placed to the credit of the Cherokee Nation, on or before June 30, 1930, not to exceed $500, is authorized to be expended in the purchase of additional land for the Sequoyah Orphan Training School.

The amendment was agreed to.

The next amendment was, on page 41, after line 2, to insert:

For subsistence of pupils retained in Government boarding schools of all classes during summer months, $64,000.

The amendment was agreed to.

The next amendment was, on page 41, line 25, after the figures "$193,000," to insert a comma and "of which $20,000 shall be immediately available," and on page 42, line 6, after the figures "$20,000," to insert a comma and "to be immediately available," so as to make the paragraph read:

For lease, purchase, repair, and improvement of school buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $300,000; for construction of physical improvements, $485,000, and the unexpended balance for new construction at any school or institution contained in the act of March 4, 1929 (45 Stat. 1577), is hereby made available for construction of physical improvements until June 30, 1931; in all, $785,000: *Provided*, That not more than $7,500 out of this appropriation shall be expended for new construction at any one school or institution except for new con-

struction authorized as follows: Completing enlargement, including equipment, of Western Navajo boarding school, Arizona, $193,000, of which $20,000 shall be immediately available; completing enlargement, including equipment of Ignacio boarding school, Colorado, $119,000; gymnasium and equipment, Blackfeet boarding school, Montana, $25,000; dining hall and kitchen, Pima boarding school, Arizona, $26,500; employees' quarters, Fort Apache boarding school, Arizona, $20,000, to be immediately available; Paiute day school, Utah, $10,000; Lummi day school and teacher's cottage, Washington, $12,500; Independence day school, $8,800, and Shell Creek day school, North Dakota, $14,800.

The amendment was agreed to.

The next amendment was, on page 42, after line 9, to insert:

For repair, improvement, replacement, or construction of additional public-school buildings within Indian reservations in Arizona, attended by children of the Indian Service, to be equipped and maintained by the State of Arizona, $11,500.

The amendment was agreed to.

The next amendment was, on page 42, line 22, after the word "pupils," to strike out "$55,000" and insert "$61,000," so as to read:

Fort Mojave, Ariz.: For 200 pupils, $61,000; for pay of superintendent, drayage, and general repairs and improvements, the unexpended balance of the appropriation for this purpose for the fiscal year 1930 is hereby made available for the fiscal year 1931.

The amendment was agreed to.

The next amendment was, on page 43, line 5, after the word "paper," to strike out "$258,375" and insert "$287,625," and in line 8, after the words "in all," to strike out "$320,875" and insert "$350,125: *Provided*, That the unexpended balance of the appropriation for the fiscal year 1930 for new hospital and equipment is hereby continued available during the fiscal year 1931," so as to make the paragraph read:

Phoenix, Ariz.: For 975 pupils, including not to exceed $1,500 for printing and issuing school paper, $287,625; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for school building, $25,000; for enlarging home-economics building, $12,500; in all, $350,125: *Provided*, That the unexpended balance of the appropriation for the fiscal year 1930 for new hospital and equipment is hereby continued available during the fiscal year 1931.

The next amendment was, on page 43, line 13, after the word "pupils," to strike out "$59,125" and insert "$65,575," and in line 19, to strike out "$97,625" and insert "$104,075," so as to read:

Truxton Canyon, Ariz.: For 215 pupils, $65,575; for pay of superintendent, drayage, and general repairs and improvements, $10,000; for completion of central heating plant and construction of light and power plant building, including necessary equipment and machinery, $21,000; for employees' cottage, $3,000; for dairy barn and equipment, $4,500; in all, $104,075.

The amendment was agreed to.

The next amendment was, on page 43, line 21, after the word "pupils," to strike out "$123,750" and insert "$137,250," and in line 24, after the words "in all," to strike out "$165,750" and insert "$179,250," so as to read:

Theodore Roosevelt Indian School, Fort Apache, Ariz.: For 450 pupils, $137,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for employees' quarters, including equipment, $22,000; in all, $179,250.

The amendment was agreed to.

The next amendment was, on page 44, line 3, after the word "paper," to strike out "$265,000" and insert "$295,000," and in line 7, after the words "in all," to strike out "$299,000" and insert "$329,000," so as to make the paragraph read:

Sherman Institute, Riverside, Calif.: For 1,000 pupils, including not to exceed $1,000 for printing and issuing school paper, $295,000; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for construction of employees' quarters, shop building, ice plant, and addition to domestic-science building, $16,000; in all, $329,000.

The amendment was agreed to.

The next amendment was, on page 44, line 9, after the word "pupils," to strike out "$30,000" and insert "$33,000," and in line 11, after the words "in all," to strike out "$38,000" and insert "$41,000," so as to make the paragraph read:

Fort Bidwell Indian School, Calif.: For 100 pupils, $33,000; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $41,000.

The amendment was agreed to.

The next amendment was, on page 44, line 14, after the word "paper," to strike out "$238,500" and insert "$265,500"; in line 18, after the word "equipment," to insert a comma and the words "to be immediately available"; and in line 19, after the words "in all," to strike out "$348,500" and insert "$375,500," so as to make the paragraph read:

Haskell Institute, Lawrence, Kans.: For 900 pupils, including not to exceed $1,500 for printing and issuing school paper, $265,500; for pay of superintendent, drayage, purchase of water for domestic purposes, and general repairs and improvements, including necessary drainage work, $25,000; for girls' dormitory, including equipment, to be immediately available, $85,000; in all, $375,500.

The amendment was agreed to.

The next amendment was, on page 44, line 21, after the word "pupils," to strike out "$103,125" and insert "$114,375," and in line 25, after the words "in all," to strike out "$153,125" and insert "$164,375," so as to make the paragraph read:

Mount Pleasant, Mich.: For 375 pupils, $114,375; for pay of superintendent, drayage, and general repairs and improvements, $13,000; for enlarging employees' building, including equipment, $12,000; for girls' industrial building, including equipment, $25,000; in all, $164,375.

The amendment was agreed to.

The next amendment was, on page 45, line 2, after the word "pupils," to strike out "$86,625" and insert "$96,075," and in line 6, after the words "in all," to strike out "$145,625" and insert "$155,075," so as to make the paragraph read:

Pipestone, Minn.: For 315 pupils, $96,075; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for lavatory annex to girls' dormitory, $10,000; for employees' cottage, $4,000; for gymnasium, including equipment, $30,000; in all, $155,075.

The amendment was agreed to.

The next amendment was, on page 45, line 9, after the word "paper," to strike out "$137,500" and insert "$152,500"; in line 10, after the figures "$18,000," to insert "for home-economics building, including equipment, $15,000"; and in line 15, after the words "in all," to strike out "$182,500" and insert "$212,500," so as to make the paragraph read:

Genoa, Nebr.: For 500 pupils, including not more than $400 for printing and issuing school paper, $152,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; for home-economics building, including equipment, $15,000; for commissary building, $5,000; for employee's cottage, $3,000; for cattle shed, $3,000; for completion of heating, lighting, and power plant, $12,000; for new well and equipment, $4,000; in all, $212,500.

The amendment was agreed to.

The next amendment was, on page 45, line 17, after the word "pupils," to strike out "$123,750" and insert "$137,250," and in line 22, after the words "in all," to strike out "$236,750" and insert "$250,250," so as to make the paragraph read:

Carson City, Nev.: For 450 pupils, $137,250; for pay of superintendent, drayage, and general repairs and improvements," $15,000; for remodeling and repairing old girls' dormitory, $10,000; for boys' dormitory, including equipment, $50,000; for industrial building, $25,000; for warehouse and commissary, $5,000; for laundry building, $8,000; in all, $250,250.

The amendment was agreed to.

The next amendment was, on page 45, line 25, after the word "pupils," to strike out "$225,250" and insert "$250,750," and on page 46, line 4, after the words "in all," to strike out "$305,250" and insert "$330,750," so as to read:

Albuquerque, N. Mex.: For 850 pupils, $250,750; for pay of superintendent, drayage, and general repairs and improvements, $25,000; for employees' quarters, including equipment, $40,000; for remodeling boys' dormitory and construction of bath annex, $15,000; in all, $330,750.

The amendment was agreed to.

The next amendment was, on page 46, line 11, after the word "pupils," to strike out "$137,500" and insert "$152,500," and in line 16, after the words "in all," to strike out "$181,500" and insert "$196,500," so as to make the paragraph read:

Santa Fe, N. Mex.: For 500 pupils, $152,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for remodeling school building, $10,000; for two employees' cottages, $6,000; for remodeling employees' club building, $3,000; for converting wing of boys' dormitory into employees' quarters, $10,000; in all, $196,500.

The amendment was agreed to.

The next amendment was, on page 46, line 18, after the word "pupils," to strike out "$159,000" and insert "$177,000," and in line 23, after the words "in all," to strike out "$246,000" and insert "$264,000," so as to make the paragraph read:

Charles H. Burke School, Fort Wingate, N. Mex.: For 600 pupils, $177,000; for pay of superintendent, drayage, and general repairs and

improvements, $20,000; for lavatory annexes to girls' and boys' dormitories, $15,000; for utilization of water supply for irrigation purposes, $12,000; for industrial building, $40,000; in all, $264,000.

The amendment was agreed to.

The next amendment was, on page 46, line 25, after the word "pupils," to strike out "$103,125" and insert "$114,375," and on page 47, line 3, after the words "in all," to strike out "$123,125" and insert "$134,375," so as to read:

Cherokee, N. C.: For 375 pupils, $114,375; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for lavatory annexes to girls' and boys' buildings, $8,000; in all, $134,375.

The amendment was agreed to.

The next amendment was, on page 47, line 5, after the word "pupils," to strike out "$37,500" and insert "$41,250." and in line 7, after the words "in all," to strike out "$49,500" and insert "$53,250," so as to read:

Bismarck, N. Dak.: For 125 pupils, $41,250; for pay of superintendent, drayage, and general repairs and improvements, $6,000; for home economics cottage, $6,000; in all, $53,250.

The amendment was agreed to.

The next amendment was, on page 47, line 9, after the word "pupils," to strike out "$72,875" and insert "$80,825," and in line 12, after the words "in all," to strike out "$97,875" and insert "$105,825," so as to read:

Fort Totten, N. Dak.: For 265 pupils, $80,825; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for enlarging school building, $5,000; in all, $105,825.

The amendment was agreed to.

The next amendment was, on page 47, line 14, after the word "pupils," to strike out "$89,375" and insert "$99,125," and in line 18, after the words "in all," to strike out "$128,375" and insert "$138,125," so as to read:

Wahpeton, N. Dak.: For 325 pupils, $99,125; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for employees' cottage, $5,000; for home economics building, including equipment, $10,000; for improving roads and grounds, $12,000; in all, $138,125.

The amendment was agreed to.

The next amendment was, on page 47, line 25, after the word "paper," to strike out "$238,500" and insert "$265,500," and on page 48, line 4, after the words "in all," to strike out "$356,000" and insert "$383,000," so as to make the paragraph read:

Chilocco, Okla.: For 900 pupils, including not to exceed $2,000 for printing and issuing school paper, $265,500; for pay of superintendent, drayage, and general repairs and improvements, $22,000; for girls' dormitory, including equipment, $80,000; for remodeling hospital, $7,500; for repairs to old dairy barn, $8,000; in all, $383,000.

The amendment was agreed to.

The next amendment was, on page 48, line 9, after the name "Secretary of the Interior," to strike out "$89,375" and insert "$99,125"; in line 12, after the word "equipment," to insert a comma and "to be immediately available"; in line 15, after the figures "$15,000," to strike out "for construction and equipment of electric lines, including payment to the city of Tahlequah, Okla., for the cost of construction of a power line from Tahlequah, Okla., to the Sequoyah Orphan Training School, $7,500"; in line 19, after the word "building," to insert "to be immediately available"; in line 20, after the figures "$15,000," to strike out "the last two items to be immediately available"; and in line 21, after the words "in all," to strike out "$163,375" and insert "$165,625," so as to make the paragraph read:

Sequoyah Orphan Training School, near Tahlequah, Okla.: For 325 orphan Indian children of the State of Oklahoma belonging to the restricted class, to be conducted as an industrial school under the direction of the Secretary of the Interior, $99,125; for pay of superintendent, drayage, and general repairs and improvements, $12,000; for commissary building, $7,500; for laundry building, including equipment, to be immediately available, $12,000; for employee's cottage, $5,000; for a building for employees' quarters, $15,000; for construction and equipment of shop building, to be immediately available, $15,000; in all, $165,625.

The amendment was agreed to.

The next amendment was, on page 48, line 24, after the word "pupils," to strike out "$48,000" and insert "$52,800," and on page 49, line 2, after the words "in all," to strike out "$74,000" and insert "$78,800," so as to read:

Bloomfield, Okla., to be known hereafter as Carter Seminary in honor of the late Hon. Charles D. Carter: For 160 pupils, $52,800; for pay of superintendent, drayage, and general repairs and improvements, $6,000; for employees' building, $20,000; in all, $78,800.

The amendment was agreed to.

The next amendment was, on page 49, line 4, after the word "pupils," to strike out "$34,500" and insert "$37,950," and in line 6, after the words "in all," to strike out "$42,500" and insert "$45,950," so as to read:

Euchee, Okla.: For 115 pupils, $37,950; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $45,950.

The amendment was agreed to.

The next amendment was, on page 49, line 8, after the word "pupils," to strike out "$37,500" and insert "$41,250," and in line 10, after the words "in all," to strike out "$54,500" and insert "$58,250," so as to make the paragraph read:

Eufaula, Okla.: For 125 pupils, $41,250; for pay of superintendent, drayage, and general repairs and improvements, $7,000; for remodeling school building, $10,000; in all, $58,250.

The amendment was agreed to.

The next amendment was, on page 49, line 17, after the name "Indians," to strike out "$203,750" and insert "$226,250"; in line 19, after the word "equipment," to insert "to be immediately available"; and in line 20, after the words "in all," to strike out "$283,750" and insert "$306,250," so as to read:

Chemawa, Salem, Oreg.: For 750 pupils, including native Indian pupils brought from Alaska, including not to exceed $1,000 for printing and issuing school paper and $5,000 to be available only for conducting extension work and short courses for adult Indians, $226,250; for pay of superintendent, drayage, and general repairs and improvements, $20,000; for gymnasium, including equipment, to be immediately available, $60,000; in all, $306,250.

The amendment was agreed to.

The next amendment was, on page 50, line 2, after the word "pupils," to strike out "$116,875" and insert "$129,625," and in line 6, after the words "in all," to strike out "$156,875" and insert "$169,625," so as to make the paragraph read:

Flandreau, S. Dak.: For 425 pupils, $129,625; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for addition to girls' dormitory, $10,000; for home economics building, including equipment, $15,000; in all, $169,625.

The amendment was agreed to.

The next amendment was, on page 50, line 8, after the word "pupils," to strike out "$89,375" and insert "$99,125," and in line 12, after the words "in all," to strike out "$207,375" and insert "$217,125," so as to read:

Pierre, S. Dak.: For 325 pupils, $99,125; for pay of superintendent, drayage, and general repairs and improvements, $15,000; for new school building, auditorium, and gymnasium, including equipment, $100,000; for purchase of land, $3,000; in all, $217,125.

The amendment was agreed to.

The next amendment was, on page 50, line 17, after the name "South Dakota," to strike out "For 200 pupils, $55,000" and insert "For 300 pupils, $91,500," and in line 20, after the words "in all," to strike out "$70,000" and insert "$106,500," so as to read:

Rapid City, S. Dak.: For 300 pupils, $91,500; for pay of superintendent, drayage, and general repairs and improvements, $15,000; in all, $106,500.

The amendment was agreed to.

The next amendment was, on page 50, line 22, after the word "pupils," to strike out "$48,000" and insert "$52,800," and in line 24, after the words "in all," to strike out "$56,000" and insert "$60,800," so as to read:

Hayward, Wis.: For 160 pupils, $52,800; for pay of superintendent, drayage, and general repairs and improvements, $8,000; in all, $60,800.

The amendment was agreed to.

The next amendment was, on page 51, line 2, after the word "pupils," to strike out "$96,250" and insert "$106,750," and at the beginning of line 6 to strike out "$147,250" and insert "$157,750," so as to make the paragraph read:

Tomah, Wis.: For 350 pupils, $106,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; for enlarging employees' club building, $10,000; for enlarging boys' dormitory, including lavatory annex, $25,000; in all, $157,750.

The amendment was agreed to.

The next amendment was, on page 51, line 8, to increase the total appropriation for Indian boarding schools from "$4,700,000" to "$5,108,500."

The amendment was agreed to.

The next amendment was, on page 52, line 15, after the name "Oklahoma," to strike out "$300,000" and insert "$450,000," so as to read:

For aid to the common schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma,

$450,000, to be expended in the discretion of the Secretary of the Interior, and under rules and regulations to be prescribed by him.

The amendment was agreed to.

The next amendment was, on page 52, line 17, after the word "him," to strike out the following provisos:

Provided, That this appropriation shall not be subject to the limitation in section 1 of the act of May 25, 1918 (U. S. C., title 25, sec. 297), limiting the expenditure of money to educate children of less than one-fourth Indian blood: *Provided further*, That not to exceed $1,800 of this appropriation may be expended in the printing and issuance of a paper devoted to Indian education: *And provided further*.

Mr. THOMAS of Oklahoma. Mr. President, the committee provides in this bill a very generous sum for the payment of tuition of Indian children attending the white schools. The present law contains a provision that money for that purpose shall not be paid for the education of Indian children of a certain quantity of Indian blood. This bill proposes to strike from that bill that limitation, and inasmuch as we have had no census since 1920, I am wondering if the chairman of the committee will not be willing to let the provision remain in the bill for this year and then strike it out next year after the census shall have been taken.

Mr. JONES. Mr. President, the reason the committee struck that provision out was because of the showing made as to the necessity of increasing the appropriation from $300,000 to $450,000. It was called to the attention of the committee that there are several thousand Indian children of all bloods who ought to be in the public schools, but who are not. The committee thought that this increase in the appropriation would take care of those children; that it would encourage their being sent to the public schools; and that there ought not to be any limitation on this appropriation because of the proportion of Indian blood, whether one-fourth, one-half, three-fourths, or whatever it might be.

Mr. HAYDEN. Mr. President——

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). Does the Senator from Oklahoma yield to the Senator from Arizona?

Mr. THOMAS of Oklahoma. I yield.

Mr. HAYDEN. Perhaps I am as much responsible as anyone for suggesting to the Committee on Appropriations that the limitation be stricken out. Let me recommend to the Senator from Oklahoma, inasmuch as we did not know at that time and do not know now exactly what the effect would be, that he let this item go to conference just as it is. I make that suggestion in all good faith for the reason that if there is, as was represented to the committee, a substantial number of children of full blood or three-fourths or more Indian blood who are out of school, those are the ones we want first to help.

There must have been a reason for placing in the general law this provision which limits the appropriation of money for the education of children to those of less than one-fourth Indian blood. By striking the limitation out, the general law would apply and the money could only be expended for the tuition of Indian children who have three-fourths or more Indian blood. I believe that it would be advantageous to all concerned to allow this item to go to conference just as it is. The conferees can then take up the question with the Indian Bureau and, in the meantime, secure such information as I understand the Oklahoma delegation is seeking from their State to know just what should be done. I think we can trust the conferees to do what is fair, right, and just in regard to the matter.

Mr. THOMAS of Oklahoma. Mr. President, as is well known there has been no census taken in Oklahoma or in any other State since 1920, which is 10 years ago. As to the Indian children of school age there is now no census. If the chairman of the committee will give us some assurance that this item will be considered by the conference committee and give us some assurance that it will be left in the bill or stricken out as the best interests of the children whose census has not been taken may dictate, I shall have no objection to it.

Mr. JONES. I can safely give that assurance to the Senator, because that is exactly what we want to do.

Mr. THOMAS of Oklahoma. That is all I am asking for, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 53, line 3, after the word "in," to strike out "those" and insert "any county or two or more contiguous," so as to read:

Provided, That of the above amount not to exceed the sum of $10,000 may be expended under rules and regulations of the Secretary of the Interior, in part payment of truancy officers in any county or two or more contiguous counties where there are 500 or more Indian children eligible to attend school.

The amendment was agreed to.

The next amendment was, on page 53, at the end of line 17, to strike out "$350,000" and insert "$375,500," so as to make the paragraph read:

For support and maintenance of day and industrial schools among the Sioux Indians, including the erection and repairs of school buildings, in accordance with the provisions of article 5 of the agreement made and entered into September 26, 1876, and ratified February 28, 1877 (19 Stat. 254), $375,500.

The amendment was agreed to.

The next amendment was, under the subhead "Conservation of health," on page 54, line 13, after the word "diseases," to strike out "$3,105,000" and insert "$3,073,000," and in line 18, after the words "sum of," to strike out "$2,040,000" and insert "$2,008,000," so as to make the paragraph read:

For conservation of health among Indians (except at boarding schools supported from specific appropriations, other than those named herein), including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $1,000 for circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $3,073,000, and in addition thereto the appropriation of $65,000 for the construction of the Oraibi Sanatorium, Arizona, contained in the Interior Department appropriation act for the fiscal year 1930, is reappropriated and made available, including not to exceed the sum of $2,008,000 for the following-named hospitals and sanatoria:

The amendment was agreed to.

The next amendment was, on page 57, line 7, after the figures "$42,000," to strike out "Cheyenne River and Standing Rock Sanatorium, $32,000," so as to read:

South Dakota: Crow Creek Hospital, $18,000; Pine Ridge Hospital, $35,000; for construction and equipment of employees' quarters, $10,000; in all, $45,000; Rosebud Hospital, $26,000; for construction and equipment of employees' quarters, $16,000; in all, $42,000.

The amendment was agreed to.

The next amendment was, on page 61, line 9, after the name "Fort Apache," to strike out "$125,000" and insert "$135,000," so as to read:

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona: Colorado River, $2,500; Fort Apache, $135,000, of which $5,000 may be used for construction, repairs, and improvements at the agency plant; Paiute, $7,200; Pima, $3,000; Salt River, $1,000; San Carlos, $82,000; Truxton Canyon, $36,000; in all, $256,700.

The amendment was agreed to.

The next amendment was, on page 62, line 24, after the name "Klamath," to strike out "$148,000" and insert "$160,000," so as to read:

Oregon: Klamath, $100,000; Umatilla, $9,000; Warm Springs, $15,000; in all, $172,000.

The amendment was agreed to.

The next amendment was, in the total appropriation for support of Indians and administration of Indian property, on page 63, line 25, after the word "exceed," to strike out "$1,287,538.46," and insert "$1,249,538.46," so as to read:

In all, not to exceed $1,249,538.46.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, do I understand the order to be that individual amendments can not be offered until the committee amendments shall have been completed?

The PRESIDING OFFICER. That is the understanding of the Chair.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 65, line 11, before the word "for," to strike out "$2,000" and insert "$4,000," and in line 12, after the word "trustee," to insert "and $1,000 for his expenses," so as to read:

For the current fiscal year, money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries, and contingent expenses of the governor of the Chickasaw Nation and chief of the Choc-

taw Nation and one mining trustee for the Choctaw and Chickasaw Nations at salaries at the rate heretofore paid for the said governor and said chief and $4,000 for the said mining trustee and $1,000 for his expenses, and the chief of the Creek Nation at a salary not to exceed $600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law.

The amendment was agreed to.

The next amendment was, on page 65, line 17, after the word "officials," to insert "except the mining trustee," and in line 21, after the word "exceed," to strike out "$4,000" and insert "$2,500," so as to make the proviso read:

Provided, That the expenses of any of the above-named officials, except the mining trustee, shall not exceed $2,500 per annum each for chiefs and governor, except in the case of tribal attorneys, whose expenses shall be determined and limited by the Commissioner of Indian Affairs, not to exceed $2,500 each.

The amendment was agreed to.

The next amendment was, on page 68, line 23, after the word "labor," to strike out "$250,000" and insert "$750,000, to be immediately available," so as to read:

For the construction, repair, and maintenance of roads on Indian reservations not eligible to Government aid under the Federal highway act, including engineering and supervision and the purchase of material, equipment, supplies, and the employment of Indian labor, $750,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 69, after line 4, to insert:

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, N. Mex., $20,000, reimbursable as provided in the act of June 7, 1924.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Reclamation," on page 80, line 10, before the word "years," to strike out "20" and insert "40," so as to read:

Salt Lake Basin project, Utah, second division: For commencement of construction, $300,000: *Provided*, That no part of this sum shall be available for construction work until a contract or contracts shall be made with an irrigation district or districts embracing said division, which, in addition to other conditions required by law, shall require payment of construction costs within a period not exceeding 40 years from the date water shall be available for delivery, as to lands now under production, tributary to canals and laterals already constructed, and for the irrigation of which a supplementay water supply is to be furnished.

The amendment was agreed to.

The next amendment was, at the top of page 81, to insert:

Yakima project (Kennewick Highlands unit), Washington: For construction, $640,000, to be immediately available: *Provided*, That no part of the funds hereby appropriated shall be expended for construction purposes until there shall have been conveyed to the United States title to the Prosser Dam and the right of way for the Prosser-Chandler Power Canal free of all prior liens and satisfactory to the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, on page 82, line 12, after the figures "$16,000," to strike out "in all, $38,000," and insert "for installation of a third unit in the Shoshone power plant, $100,000, together with $75,000 from power revenues; in all, $138,000," so as to read:

Shoshone project, Wyoming: For continuation of construction Willwood division, $22,000; for operation and maintenance, Willwood division, $16,000; for installation of a third unit in the Shoshone power plant, $100,000, together with $75,000 from power revenues; in all, $138,000.

The amendment was agreed to.

The next amendment was, on page 82, line 22, after the figures "1931," to insert the following additional proviso:

Provided further, That the unexpended balance of the appropriation of $20,000 for continuation of drainage system, Deaver Irrigation District, fiscal years 1929 and 1930, contained in the second deficiency act, fiscal year 1929, shall remain available for the same purposes during the fiscal year 1931.

The amendment was agreed to.

The next amendment was, on page 83, line 4, after the word "system," to strike out the colon and the following additional provisos:

Provided further, That not to exceed $75,000 from power revenues shall be available toward the installation of a third unit in the Shoshone power plant, the balance of the estimated cost of $175,000 to be contributed under the act of March 4, 1921 (41 Stat. 1404), the amount so contributed to be rebated to the contributor at the rate of 75 per cent of the monthly power bills: *Provided further*, That the Secretary of the Interior is authorized to sell at not less than the appraised valuation transmission lines, substations, etc., no longer needed for construction, operation, and maintenance of the project.

The amendment was agreed to.

The next amendment was, on page 85, line 16, to increase the total appropriation from the reclamation fund from $8,221,000 to $8,961,000.

The amendment was agreed to.

The next amendment was, under the heading "Geological Survey," on page 86, line 10, after the word "exceed," to strike out "$50,000" and insert "$60,000," so as to read:

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed $30,000 for the purchase and exchange, and not to exceed $60,000 for the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and whenever, during the fiscal year ending June 30, 1931, the Director of the Geological Survey shall find that the expense of travel can be reduced thereby, he may authorize the payment of not to exceed 3 cents per mile for a motor cycle or 7 cents per mile for an automobile used for official business and including not to exceed $4,000 for necessary traveling expenses of the director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads.

The amendment was agreed to.

The next amendment was, on page 87, line 6, after the name "United States," to strike out "$736,000" and insert "$744,000," so as to read:

For topographic surveys in various portions of the United States, $744,000, of which amount not to exceed $350,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 87, line 15, after the word "survey," to strike out "and resulting maps," so as to make the proviso read:

Provided, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per cent of the cost of the survey.

The amendment was agreed to.

The next amendment was, on page 89, line 24, after the word "maps," to strike out "$124,000" and insert "$199,000," and on page 90, line 1, after the words "in all," to strike out "$294,800" and insert "$369,800," so as to make the paragraph read:

For printing and binding, $150,000; for preparation of illustrations, $20,800; and for engraving and printing geologic and topographic maps, $199,000, including not to exceed $17,000 for purchase and exchange of one press; in all, $369,800, and any funds made available in the fiscal years 1930 and 1931 by cooperating States or municipalities for such printing and binding, illustrating, or engraving and printing.

The amendment was agreed to.

The next amendment was, on page 92, line 20, to increase the total appropriation for the United States Geological Survey, from $2,781,800 to $2,864,800.

The amendment was agreed to.

The next amendment was, under the heading "National Park Service," on page 94, line 10, after the figures "$59,900," to insert a colon and the following proviso:

Provided, That the unexpended balance of the appropriation of $3,000 for the construction of an equipment storage building contained in the Interior Department appropriation act for the fiscal year 1930 shall remain available until June 30, 1931.

The amendment was agreed to.

The next amendment was, on page 98, line 23, after the figures "$96,800," to insert a colon and the following:

Provided, That the unexpended balance of the appropriation of $3,550 for construction of two ranger stations contained in the Interior Department appropriation act for the fiscal year 1930 shall remain available until June 30, 1931.

The amendment was agreed to.

The next amendment was, on page 99, line 19, after the word "Improvements," to strike out "$48,000" and insert "$80,300"; on page 100, line 2, after the word "exceeding," to strike out "$21,500," and insert "$53,800"; in line 3, after the name "Yakima Park," to insert a comma and "including $16,800 for sewerage system and $15,500 for construction of dam at Frozen Lake," and in line 5, after the words "in all" to strike out "$148,600," and insert "$180,900," so as to make the paragraph read:

Mount Rainier National Park, Wash.: For administration, protection, and maintenance, including not exceeding $1,500 for the maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $100,600; for construction of physical improvements, $80,300, including not exceeding $25,600 for the construction of buildings, of which not exceeding $4,000 shall be available for completion of the administration building, $5,500 for a headquarters building at Yakima Park, $7,400 for four comfort stations, $2,200 to complete the installation of a heating plant in the Longmire community building, $5,000 for the installation of a heating plant and electric-lighting system in the Paradise community building, and not exceeding $53,800 for camp-ground development at Yakima Park, including $16,800 for sewerage system and $15,500 for construction of dam at Frozen Lake; in all, $180,900.

The amendment was agreed to.

The next amendment was, on page 101, line 5, after the word "improvements," to strike out "$15,400" and insert "$39,900"; in line 7, after the words "bunk house," to insert "and not exceeding $15,000 for a light plant"; and in line 8, to strike out "$30,400" and insert "$54,900," so as to make the paragraph read:

Wind Cave National Park, S. Dak.: For administration, protection, and maintenance, $15,000; for construction of physical improvements, $39,900, including not exceeding $3,000 for the construction of a bunk house and not exceeding $15,000 for a light plant; in all, $54,900.

The amendment was agreed to.

The next amendment was, on page 103, line 20, after the word "improvements," to strike out "$32,800" and insert "$41,700"; in line 21, after the word "exceeding," to strike out "$10,500" and insert "$15,850"; in line 22, after the word "exceeding," to strike out "$6,700" and insert "$10,250"; in line 23, after the word "for," to strike out "two" and insert "three"; in line 24, before the words "comfort stations," to strike out "$3,700 for two" and insert "$5,500 for three"; and on page 104, line 1, after the words "in all," to strike out "$75,000" and insert "$83,900: *Provided*, That the unexpended balance of the appropriation of $5,000 for the construction of two employees' quarters in the Petrified Forest National Monument contained in the Interior Department appropriation act for the fiscal year 1930 shall remain available until June 30, 1931," so as to make the paragraph read:

National monuments: For administration, protection, maintenance, and preservation of the national monuments, including not exceeding $1,550 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, $42,200; for construction of physical improvements, $41,700, including not exceeding $15,850 for the construction of buildings, of which not exceeding $10,250 shall be available for three employees' quarters, $5,500 for three comfort stations, not exceeding $18,750 for a water-supply system at Craters of the Moon; in all, $83,900: *Provided*, That the unexpended balance of the appropriation of $5,000 for the construction of two employees' quarters in the Petrified Forest National Monument contained in the Interior Department appropriation act for the fiscal year 1930 shall remain available until June 30, 1931.

The amendment was agreed to.

The next amendment was, on page 104, after line 18, to insert:

George Washington Birthplace National Monument, Wakefield, Va.: For maintenance, care, and improvement of reservation and monument, $2,500.

The amendment was agreed to.

The next amendment was, on page 108, after line 7, to insert:

For the acquisition of privately owned lands and/or standing timber within the boundaries of existing national parks and national monuments, $1,750,000, to be immediately available and to remain available until expended, being part of the contractual authorization of $2,750,000 contained in the act making appropriations for the Department of the Interior for the fiscal year 1930, approved March 4, 1929.

The amendment was agreed to.

The next amendment was, under the heading "Government in the Territories, Territory of Alaska," on page 115, line 22, after the word "secretary," to strike out "$3,700; in all, $10,700" and insert "$5,000; in all, $12,000," so as to read:

Governor, $7,000; secretary, $5,000; in all, $12,000.

The amendment was agreed to, and the reading of the bill was concluded.

The PRESIDING OFFICER. This completes the committee amendments.

Mr. JONES. Mr. President, on page 6, after line 26, I offer an amendment to carry out legislation passed at this session.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 6, after line 26, it is proposed to insert as a new paragraph:

COMMISSION ON CONSERVATION AND ADMINISTRATION OF THE PUBLIC DOMAIN

For the purpose of carrying out the provisions of the act entitled "An act authorizing the President to appoint a commission to study and report on the conservation and administration of the public domain," approved April 10, 1930, to be immediately available and to remain available until expended, $50,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

Mr. NORRIS. I ask unanimous consent that the Senator from Ohio [Mr. FESS] be allowed to report a resolution from the Committee to Audit and Control the Contingent Expenses of the Senate. The Senator from Massachusetts [Mr. WALSH] is not here; but I have an amendment that meets with his views, which I am going to offer myself. Therefore, his presence will not be necessary.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none.

Mr. FESS. I report back favorably, from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate Resolution 215, authorizing the appointment of a special committee to make an investigation into the campaign expenditures of candidates for the United States Senate; and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. NORRIS. Mr. President, I offer the following amendment: On page 2, strike out lines 9 and 10, and in lieu thereof insert:

From a State in which a Senator is to be elected at the general election in November, 1930.

Mr. FESS. Mr. President, will the Senator explain the meaning of that amendment?

Mr. NORRIS. I will. If the amendment is agreed to, the resolution will read, in part, as follows:

No Senator shall be appointed upon said committee from a State in which a Senator is to be elected at the general election in November, 1930.

Mr. HEFLIN. Mr. President, I desire to inquire of the Senator if under his resolution an investigation can be made into expenditures of lavish sums of money in primaries?

Mr. NORRIS. Yes.

Mr. HEFLIN. I am heartily in favor of the Senator's resolution.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That a special committee, consisting of five Senators, to be appointed by the Vice President, is hereby authorized and directed to

investigate the campaign expenditures of the various candidates for the United States Senate, the names of the persons, firms, or corporations subscribing, the amount contributed, the method of expenditure of said sums, and all facts in relation thereto, not only as to the subscriptions of money and expenditures thereof but as to the use of any other means or influence, including the promise or use of patronage, and all other facts in relation thereto which would not only be of public interest but which would aid the Senate in enacting any remedial legislation or in deciding any contest which might be instituted involving the right to a seat in the United States Senate.

The investigation hereby provided for, in all the respects above enumerated, shall apply to candidates and contests before senatorial primaries, senatorial conventions, and the contests and campaign terminating in the general election in November, 1930.

No Senator shall be appointed upon said committee from a State in which a Senator is to be elected in the general election in 1930.

Said committee is hereby authorized to act upon its own initiative and upon such information as in its judgment may be reasonable or reliable. Upon complaint being made before said committee under oath by any person, persons, senatorial candidate, or political committee, setting forth allegations as to facts which under this resolution it would be the duty of said committee to investigate the said committee shall investigate such charges as fully as though it were acting upon its own motion, unless after a hearing upon such complaint the committee shall find that the allegations in said complaint are immaterial or untrue.

Said committee is hereby authorized in the performance of its duties to sit at such times and places, either in the District of Columbia or elsewhere, as it deems necessary or proper. It is specifically authorized to require the attendance of witnesses by subpœna or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, clerical, and other assistants; and to employ stenographers at a cost not exceeding 25 cents per 100 words.

Said committee is hereby specifically authorized to act through any subcommittee authorized to be appointed by said committee. The chairman of said committee or any member of any subcommittee may administer oaths to witnesses and sign subpœnas for witnesses; and every person duly summoned before said committee, or any subcommittee thereof, who refuses or fails to obey the process of said committee or who appears and refuses to answer questions pertinent to said investigation shall be punished as prescribed by law.

The expenses of said investigation, not exceeding in the aggregate $100,000, shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee or the chairman of any subcommittee.

All hearings before said committee shall be public and all orders or decisions of the committee shall be public.

The committee shall make a full report to the Senate on the first day of the next session of the Congress.

Mr. WALSH of Massachusetts subsequently said: I should like the RECORD to show that the amendment offered by the Senator from Nebraska [Mr. NORRIS] to his resolution providing for an investigation of senatorial campaign expenditures is in every way satisfactory to me. I appreciate the Senator's courtesy in taking care of the matter while I was temporarily absent from the Chamber.

The VICE PRESIDENT subsequently appointed the following as members of the special committee under the resolution:

The Senator from California [Mr. JOHNSON], the Senator from Maryland [Mr. GOLDSBOROUGH], the Senator from Missouri [Mr. PATTERSON], the Senator from Nevada [Mr. PITTMAN], and the Senator from New York [Mr. WAGNER].

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws.

Mr. HARRIS obtained the floor.

Mr. McNARY. Mr. President——

Mr. HARRIS. I yield to the Senator from Oregon.

Mr. McNARY. Is it the desire of the Senator to proceed with the immigration bill this afternoon?

Mr. HARRIS. Unless there is some other legislation in which the Senator from Oregon is interested, I should like to go along with it either this afternoon or beginning to-morrow promptly at 12 o'clock.

Mr. McNARY. Would the Senator have any objection to going forward with the bill this afternoon?

Mr. HARRIS. No; I shall have no objection to that course. I should like to go ahead to-day if I can.

Mr. McNARY. The Senator prefers to go ahead at this time rather than to return to the calendar? I desire to know the pleasure largely of the Senator from Georgia, who has been very kind in deferring the consideration of this bill.

There are two courses that we could follow this afternoon. One would be to proceed with the unfinished business; the other would be to consider the calendar under Rule VIII. I am willing to defer any views I have on that subject to those of the Senator from Georgia.

Mr. HARRIS. Mr. President, I gave way for the calendar before. We have gone through the calendar several times in the past three days, and I should like to go ahead now with the unfinished business.

Mr. McNARY. Very well.

Mr. JOHNSON. Mr. President, will the Senator permit me to suggest the absence of a quorum?

Mr. HARRIS. I yield.

Mr. JOHNSON. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). The clerk will call the roll in response to the suggestion of the absence of a quorum.

The legislative clerk called the roll a first and a second time, and the following Senators answered to their names:

Allen	George	Jones	Simmons
Baird	Glass	Kean	Smoot
Bingham	Glenn	Kendrick	Sullivan
Brookhart	Goff	McKellar	Swanson
Capper	Hale	McNary	Thomas, Okla.
Caraway	Harris	Norbeck	Trammell
Connally	Hatfield	Norris	Vandenberg
Copeland	Hayden	Nye	Wagner
Couzens	Hebert	Phipps	Walsh, Mass.
Dill	Heflin	Robsion, Ky.	Walsh, Mont.
Fess	Howell	Sheppard	Watson
Frazier	Johnson	Shortridge	

The PRESIDING OFFICER. Forty-seven Senators having answered to their names, a quorum is not present.

Mr. McNARY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. BLAINE, Mr. TYDINGS, Mr. GILLETT, Mr. GOULD, Mr. WHEELER, and Mr. THOMAS of Idaho entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present. The order to the Sergeant at Arms is vacated, and the Senator from Georgia is entitled to the floor.

Mr. HARRIS. Mr. President, I shall make only a brief statement about the provisions of the bill before the Senate. Senators have made up their minds what they will do, and I see no necessity for extended debate on the matter.

I remember the late Senator Lodge stated to me that the most important measure passed during the 30 years he was in public life was the immigration bill of 1924. I did not agree with the Senator on many other questions, but I did on this. In that bill we omitted to put under the quota Mexico and the other Central American and South American States and Canada, but this was done over my protest. The bill I have introduced places Mexico and the other Central and South American States under the quota just the same as European countries.

The House committee had hearings lasting weeks and months, and all of the testimony taken in those hearings does not appear in the large volumes on my desk. Many thousands of pages of testimony were taken.

In the Senate Committee on Immigration we held hearings which lasted for months. Most of those who appeared before the committee, it was quite plain, were there to delay the passage of the bill with the hope of defeating it; that was the only reason for their presence. That has been only about a year ago, and now the very people who tried to delay the matter then are asking to be heard, and they are the ones complaining about there having been no hearing and not having been able to appear. They know their only hope of defeating this bill is to delay its passage and preventing a vote.

Mr. President, under the 1924 law we allowed immigration to the extent of 2 per cent of those already in this country. That was the quota. The pending measure will place Mexico and the other countries mentioned under the quota system just as European countries. If we do not do this, we will be discriminating against all the other countries in the world and favoring Mexico and the other Central and South American countries named in this measure.

Now, only 150,000 immigrants come into this country under the national-origins provision from all countries except Mexico, Canada, and Central and South America; and yet the record shows that from Mexico in 1925 there came into this country 33,000; in 1926, 43,000; in 1927, 67,000; in 1928, 60,000; and in

1929, 40,000. An average of 56,000 a year have been coming into this country from Mexico. As a matter of fact, many in a position to know believe that is just about half the number who have come into our country, but we have no record of them.

Mr. JONES. Mr. President——

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Does the Senator from Georgia yield to the Senator from Washington?

Mr. HARRIS. I yield.

Mr. JONES. Can the Senator advise me about how many of those remain in this country permanently? Do a great many of them go back?

Mr. HARRIS. There is no way of getting the exact figures in regard to that. A number of them did go back to Mexico, but it is conservatively estimated that there are more than a million Mexicans in this country at this time.

Mr. JONES. Permanently?

Mr. HARRIS. Permanently. To-day there are several millions of our own citizens unemployed, many of them boys who went to the war and fought for their country, and their places are taken by Mexicans.

I have no criticism to make of the Mexican people or of the Government of Mexico, but it is known by all that they do not send their best class of people here. It is the lowest, the peon class of Mexico, who come here, and until the 1924 immigration law was passed, it was the policy of all the countries in the world to send to the United States the worst diseased in their population, and those least capable of work, and for years that policy was followed.

In the matter of the unemployed, if the number of Mexicans I have mentioned were not here to-day, there would be practically no unemployment in this country. These million Mexicans have taken the places of a million of our own people, and including their families it means that the happiness and welfare of about 4,000,000 of our own people have been interfered with, because we have allowed Mexicans to come in and take their earning capacity from them.

Take, for instance, the railroad work. Senators claim that the only desire is that these Mexicans be brought in for seasonal labor on the farms. But the records will show that more than half the railroad trackmen in the Middle West are Mexicans. Thousands of Mexicans will be found in every city of any size in the southern part of California, and I read a telegram received from California, from the Lions Club of Los Angeles. It states:

LOS ANGELES, CALIF., *April 8, 1930.*

Senator HARRIS,

United States Senate, Washington, D. C.:

Do all in your power to pass the Harris bill. Put Mexican immigration on the quota. We have more Mexicans in Los Angeles County than we can take care of now. The burden on Los Angeles County for Mexican charity is tremendous. Thousands out of work here now.

BELVEDERE GARDENS LIONS CLUB,
G. R. MUNGER, *Secretary.*

The Legislature of California almost unanimously voted in favor of the pending bill. The Legislature of Oregon, the Legislature of Georgia, and the legislatures of a number of other States, voted almost unanimously in favor of putting Mexico under the quota.

In Texas there are cotton mills in which, the Department of Labor says, 95 per cent of the men employed are Mexicans. They are taking the places of our own people everywhere. They are going as far as the steel mills and other manufacturing plants in the East. Many thousand are in Detroit and Chicago and many other cities.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. VANDENBERG. Does the Senator think that there are any situations where actually in good faith an employer can say that he can not get American labor?

Mr. HARRIS. I do not think so. I will say frankly that I think near the Mexican border and States that now depend upon Mexican labor it might take a year or two to rearrange labor conditions if this legislation is enacted. But with that exception, there is, in my judgment, no industry in this country but what could get plenty of labor from our own people and without having to bring in Mexicans.

Mr. VANDENBERG. Not only in the sugar-beet fields, concerning which much has been said in the last few months in this forum, but also in some of the horticultural activities in northwestern Michigan it is said to me frequently that employment is offered to every American they can get, and still they find a seasonal shortage to a certain degree which they must fill from some other source.

I was wondering whether the Senator would agree with me in this.

Let me preface my question. I agree absolutely with the Senator that no Mexican should be permitted in the United States to take a job for which an American is available. Why would it be at war with that philosophy if we were to grant the Secretary of Labor the right, upon the presentation of due and adequate proof of necessity, to issue temporary permits for seasonal labor under bond where the showing definitely is made that there is no American labor available? Why would that sort of proviso be in any degree out of harmony with the objective which the Senator is seeking to reach and which I heartily applaud?

Mr. HARRIS. I am not certain but what there is merit in the suggestion, but I am in favor of placing Mexico and other Central and South American countries under the quota just as European and Asiatic countries are, and shall vote that way. Some amendments are going to be offered. The able and splendid Senator from Wyoming [Mr. KENDRICK] is in favor of something along the line suggested by the Senator from Michigan. I say frankly that if we can not get the bill passed as it is now before us, I shall favor amendments necessary for the passage of the bill, but the nearer such amendment comes to the provision of my bill the better it will suit me. I shall vote against any amendment that weakens my bill.

Mr. VANDENBERG. The Senator will concede that if in good faith an amendment such as he now suggests the Senator from Wyoming has in mind were executed, it would in no sense violate the principle for which the Senator is contending.

Mr. HARRIS. No; but I would much prefer enacting the bill into law as it is and trying it out, and amend it afterwards if we find it works an injustice.

Mr. COPELAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New York?

Mr. HARRIS. I yield.

Mr. COPELAND. Is the Senator familiar with the amendment proposed as a substitute, which has been printed and is on the table, submitted by the Senator from Maine [Mr. GOULD]?

Mr. HARRIS. That is the language of the House bill; it is the Johnson bill, and there are many good things in it. I am not caring whether my particular bill is passed or not. What I want is the strictest restriction we can get; but if we can not get what I am asking, then I shall be glad to accept a measure nearest like mine which places Mexico and Central and South American countries under the quota like European and Asiatic countries.

Mr. COPELAND. If we are proposing to apply the quota to some other countries than Asiatic and European countries, why not complete the quota arrangement as the Senator from Maine [Mr. GOULD] suggests in his amendment and let the quotas apply to all countries?

Mr. HARRIS. If the Senator will allow me to finish my statement about my bill, I would like to do so, and then we can discuss the other matter.

The Senator from Michigan, for whom I have the very highest regard, is a man who does splendid, unselfish things. He referred to the sugar-beet people. I do not think our sugar-beet friends in the Senate have been consistent in their attitude in regard to this legislation. When the tariff bill was before the Senate, as I remember, every speech that was made in favor of high duties on sugar, which increases the cost of living many millions, was a plea to protect the American laboring man. In every speech that I listened to it seemed to me that plea was made. This bill I know will help the laboring people of our country. The beet-sugar Senators who are opposed to the bill admit that the industry will employ largely this Mexican foreign labor. A large per cent of the sugar beets raised in this country will be grown by Mexican labor which competes with American labor. If I am wrong in that statement, I would like to be corrected.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Georgia yield to the Senator from Wyoming?

Mr. HARRIS. I yield.

Mr. KENDRICK. I presume the Senator knows that the greater part of the labor in connection with sugar beets, particularly in the handling and manufacturing of the sugar beets into sugar, is performed exclusively by white men. The work of the Mexican is in cultivating the sugar beets when the plants are very small. After they are cultivated practically all of the

labor is performed by white men. The Senator is mistaken if he believes that the Mexican labor so employed is cheap labor. The Mexicans are employed simply because the white men will not do that kind of work.

Mr. HARRIS. What percentage of the people who really do the work in the sugar-beet fields are Mexican?

Mr. KENDRICK. The greater part of the work in the field, during the early cultivation of the beet, is done in our section of the country by Mexicans solely because no one else cares to do that kind of work. It is work which requires much stooping and even crawling on the ground in the cultivation and thinning of the beets. From that time on until the beets are manufactured into sugar and throughout the feeding season of livestock which follows, I have never seen a Mexican employed in the work. The Mexicans would not be employed in my part of the country if our people chose to do that work.

Mr. VANDENBERG. Mr. President, will the Senator from Georgia yield to me on the same subject?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. HARRIS. I yield.

Mr. VANDENBERG. The Senator has referred back to the attitude of the so-called sugar-beet Senators in the tariff situation. I never made a sugar speech in the Senate pretending that the primary purpose of protection was for American labor. The primary protection was for the American farmer, and it is the American farmer for whom I am now speaking.

Mr. HARRIS. But if they are foreigners and Mexicans, then the Senator will not benefit the American farmer.

Mr. VANDENBERG. In my judgment a comparatively small percentage of the seasonal labor is needed so far as my section of the beet-growing country is concerned. On the general proposition, as an evidence of good faith, may I say to the Senator that I shall vote for his bill whether the amendments are or are not agreed to.

Mr. HARRIS. I am delighted to hear that.

Mr. VANDENBERG. Therefore, surely he must concede that I am approaching the subject from an attitude wholly friendly to the attitude which he takes. I simply feel that if we protect restricted immigration against this one practical difficulty, namely, an embargo against seasonal labor where it can not affect American labor at all—if we protect it at that point, we are calculated to have a permanent restriction which will work.

Mr. HARRIS. There is no Member of the Senate who is more unselfish in his devotion to the public interest than is the Senator from Michigan. I did not mean in any way to question any statement he has made, but I do know that a large number of Senators who are interested in sugar beets have told me that they oppose the measure because Mexican labor is used very largely in the sugar-beet fields and it is necessary for them to have this labor.

Under the tariff bill the sugar-beet people are benefited greatly. I believe the highest tariff duties ever put on sugar are in the present bill. Let me show those who are interested in sugar beets how this will affect the southern part of our country, the Cotton Belt. Mexicans come into Texas, Oklahoma, and Arkansas. They are cheap labor. They raise between 1,000,000 and 2,000,000 bales of cotton annually. That surplus cotton produced by them brings down the price of cotton all over the Cotton Belt. These Mexicans affect living conditions, educational conditions, the clothing and food of every man, woman, and child in the South. While it may benefit the sugar-beet people, it surely is a crushing blow to the Cotton Belt, and the cotton growers can not get the cost of production for the cotton they produce.

I regret that Chairman Legge, of the Farm Board, is opposed to the legislation. He may be an able man, but he does not understand conditions in the Cotton Belt. I am anxious for this board to help the farmer and no Senator will help them in this more than I. I stated on the floor of the Senate the other day that I favored giving them all the money they ask so they may have no excuse when they fail to help the farmers. But I think Mr. Legge and the Farm Board are wrong and inconsistent in the position they have taken. He goes all over the country and tells the farmers to decrease their acreage. That is what the board has done more than anything else. Then he appears before the House committee and says to them and to others, "Let in this seasonal Mexican labor," and, of course, that simply increases the surplus cotton and brings down the price. We are spending half a billion dollars to take care of the surplus crops, and if we take the advice of Mr. Legge we increase the number of immigrants into the country and that will increase the surplus. On the one side we are trying to get rid of the surplus and on the other he wants this Mexican labor, which cultivates more cotton, increases our surplus, and that reduces the price.

I am not familiar with the wheat farmers, but I would say that they have done more harm to the cotton growers than they have done good. Chairman Legge made an unwise statement one day recently with reference to cotton, and on the New York Cotton Exchange cotton went down $2.50 a bale that day, and it kept going down because the cotton trade had notice that the Farm Board was not going to do anything to help them as the cotton trade had expected would be done. Only last week Senator BORAH criticized Chairman Legge for opposing the debenture which would help the cotton and wheat growers.

Mr. President, the State Department in 1924 opposed immigration legislation that we passed. The President of the United States opposed certain parts of it relating to immigration from Japan. Some of those who were opposed to the bill were trying to destroy it by declaring that it caused unfriendly relations between Japan and the United States. I was one of the conferees on that bill. I know the President differed with us. Our relations with Japan to-day are as friendly as they have ever been. If anyone goes to Japan and meets those people, as I have done, he will find that they are most friendly to the United States. There is no feeling against us there. It is all one of friendliness just as our people feel toward Japan.

The American Legion has indorsed this legislation. The American Federation of Labor has indorsed it. As I said the legislatures in several of the States have almost unanimously indorsed it.

I shall offer two amendments to the bill as originally introduced. The first one relates entirely to the administrative provisions. It is exactly the language that is in the act of 1924. The second one is with reference to the President issuing his proclamation. I only had to change the date. At first I had it April 30, but the bill can not be passed by that time so I have changed it to June 30. Those two amendments really do not amount to anything.

The amendments submitted by Mr. HARRIS are, on page 2, line 9, to strike out "April" and insert "June," and in lieu of section 3, proposed to be stricken out by the committee, to insert:

SEC. 3. (a) Section 1 of this act shall take effect July 1, 1930; but (1) for the purposes of the determination, report, and proclamation under section 2, it shall be deemed in effect as of the date of the enactment of this act, and (2) immigration visas may be issued prior to July 1, 1930, to quota immigrants of any nationality hereby made subject to the quota, which visas shall not be valid for admission to the United States before July 1, 1930. In the case of quota immigrants of any such nationality, the number of immigration visas to be issued prior to July 1, 1930, shall not be in excess of 10 per cent of the quota for such nationality, and the number of immigration visas so issued shall be deducted from the number which may be issued during the month of July, 1930. In the case of such immigration visas issued before July 1, 1930, the 4-month period referred to in subdivision (c) of section 2 of the immigration act of 1924 shall begin to run on July 1, 1930, instead of at the time of the issuance of the immigration visa.

(b) The remainder of this act shall take effect on the date of its enactment.

Mr. HARRIS. Mr. President, I am not going to take the time of the Senate to discuss the matter further. Every Senator knows now exactly how he will vote upon the measure. I wish we could have a vote without further delay. I feel sure that we will get some legislation of this character this session. I hope the bill as it is presented may become the law. Then we do not discriminate against any country except that we do favor Canada, and I favor placing Canada under the quota. But by putting Mexico and South and Central America under the quota just as European and other countries are, we would be doing a splendid thing. I know it would help the laboring people and would also help all business, and I hope that a majority of Senators agree with me.

Mr. HAYDEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. HARRIS. I yield.

Mr. HAYDEN. Mr. President, I should like to inquire of the Senator what the Mexican quota will be if this bill shall be enacted into law?

Mr. HARRIS. If Mexico shall be put on the same basis as other countries, their quota will be between 1,200 and 1,500.

Mr. HAYDEN. Is that the closest estimate the Senator can give?

Mr. HARRIS. That is the closest estimate I can give.

Mr. HAYDEN. How does the Senator arrive at those figures?

Mr. HARRIS. As I understand, the figures were furnished either by the Department of Labor or the Census Bureau—I think by the Department of Labor.

Mr. HAYDEN. Will the passage of the bill necessitate the cutting down of the quotas of European countries?

Mr. HARRIS. It will reduce their quotas just by that number. If 1,200 are allowed to Mexico, then it will reduce European quotas by that number, because under the national-origins clause of the immigration law 150,000 is the limit.

Mr. HAYDEN. The 150,000 limitation provided in the national-origins clause of the immigration act would still remain in effect?

Mr. HARRIS. It would remain in effect. This bill would not alter that in any way.

Mr. HAYDEN. The passage of this bill, then, would necessitate reducing all European quotas?

Mr. HARRIS. It would necessitate reducing the European quotas to a very small extent. The quota of no European country would be reduced by more than a hundred.

Mr. WAGNER and Mr. BINGHAM addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. HARRIS. I promised to yield to the Senator from New York.

Mr. WAGNER. Mr. President, I desire to renew my request that the bill which was introduced by me dealing with the subject of employment exchanges, which was reported favorably by the Committee on Commerce this morning, be made a special order, together with the two other bills which have already been made a special order for April 15.

The PRESIDING OFFICER. Is there objection?

Mr. JONES. Mr. President, I have not been able to examine that bill; I was not able to attend the committee during the hearings. I will ask the Senator to let the request go over until to-morrow, and in the meantime I will try to examine the bill.

Mr. WAGNER. I succeeded in persuading one Senator to withdraw his opposition after examining the letter which has been sent here in opposition to the legislation, and in which a criticism is made of the bill which, I will say to the Senator, is unfounded.

Mr. JONES. I will say to the Senator that I myself have not been able to examine the bill. I received a telegram from a constituent residing in a city in my State this morning relative to the matter, but I have not had an opportunity to examine the bill to-day.

Mr. WAGNER. The telegrams, may I say to the Senators, have been accelerated by a representative of the manufacturers who has been their representative in this city for a long time.

Mr. JONES. I know how such telegrams are brought about; but, nevertheless, when I receive such a telegram from some one in my State I want an opportunity to look into the matter.

Mr. WAGNER. May I make this suggestion to the Senator: It is all one program; the two bills which are already before the Senate have been made a special order and it would be a duplication of effort if we discussed two bills as special orders and then took up another bill at a later time, for they are all, in a way, corelated.

Mr. JONES. As I understand, the bill to which the Senator now refers sets up a general employment system throughout the country; we have employment agencies in the various States; and there is some question in my mind whether or not we should set up a Federal general employment agency, at least any broader than that we have now. I will say to the Senator further that I shall look into this bill between now and to-morrow.

Mr. WAGNER. I should like to correct the impression which the Senator has.

Mr. JONES. I want to correct it by study.

Mr. WAGNER. I want to say to the Senator that the impression has gone abroad that this bill establishes employment exchanges in the different States of the Union which may be in opposition to the wishes of the State. As a matter of fact, the bill merely provides for Federal aid to already established State employment exchanges; and that Federal aid, as the Senator knows, is a matter of discretion within the States which may accept the aid or reject it, just as they may wish. So the matter is entirely within the control and discretion of each individual State.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. JONES. I will say to the Senator that I do not see any very serious objection to the proposition as he presents it, but I desire to look into it.

Mr. WAGNER. What I have stated is the fact.

Mr. JONES. I should like to examine the terms of the bill. I will have to object now, but I will speak to the Senator in the morning with reference to it.

Mr. BINGHAM obtained the floor.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Virginia?

Mr. BINGHAM. I yield to my colleague from Virginia.

Mr. GLASS. Except that it seems to be another one of those processes of collecting money from the various States and disbursing it back by Federal agencies.

Mr. WAGNER. By a State agency, not a Federal agency.

Mr. BINGHAM. Mr. President, the Senator from Georgia has stated that one of the principal reasons for the introduction of this bill was in order to relieve unemployment in this country. He has referred to immigration from Mexico, but not to immigration from any of the South or Central American countries. The question of immigration from Mexico, I understand, is to be treated at length by the Senator from Arizona [Mr. HAYDEN], and therefore, Mr. President, I shall confine myself to the effect of this bill on unemployment in this country, and, in that connection, with the general subject of Pan Americanism.

It is my belief, Mr. President, that the effect of this proposed legislation, if enacted into law, will be to increase unemployment rather than to decrease it, because it will affect our relations with South America to an extent difficult of comprehension. Unless one has spent a good deal of time in travel or in living in Latin American countries it is difficult to realize how much the psychology of the situation appeals to their peoples; how relatively little the commercial aspect of a situation appeals to them; and how often they refuse to buy something from a person whom they do not like when perfectly willing to buy at even a higher price from a person whom they do like.

I believe that the passage of this bill would strike a blow at Pan Americanism from which it would be very difficult to recover. I believe that the passage of this bill would be one of the greatest blots on our relations with South America. It excludes from the quota our neighbor to the north of us. It is the belief of our friends in South America that they are discriminated against; that they are regarded as belonging to the Latin race, which the Anglo-Saxons do not always admire; that we are perfectly willing for any number of Anglo-Saxons to come in from Canada, but that we are unwilling to have a normal flow of the Latin races come in from South America.

Mr. HARRIS. Mr. President, may I interrupt the Senator?

Mr. BINGHAM. I yield.

Mr. HARRIS. I should like to say to the Senator that I shall vote for an amendment to include Canada in the quota; I believe in including the whole world therein.

Mr. BINGHAM. Mr. President, I am discussing the bill as it is now before us. In order that there may be no misunderstanding about the attitude of South American nations, Mr. President, I have before me quotations from two or three recent editorials from the leading newspapers of South America. The first one appeared only a very few days ago in the newspaper La Nación, which is published in the great city of Buenos Aires. Buenos Aires is by far the largest city in the entire Southern Hemisphere; it is the Paris of South America, and has a great, rich, and proud population. Its great newspapers, La Prensa and La Nación, are read extensively, and have a profound influence on opinion in South America. Argentina is a country which has made tremendous progress during the last few years. I quote from La Prensa, referring to an editorial in La Nación of April 7, in which is brought out the fact that—

> La Nación in its editorial to-day qualifies as unjust the projected legislation on immigration in so far as it limits immigration from the Hispanic American countries by means of quotas.
>
> The editorial states that such a plan will tend to injure friendly sentiments toward the United States all over the American Continent. "If this measure is approved," says La Nación, "Pan Americanism, acclaimed in the periodical congresses organized by the general offices in Washington, which acquires a basis of practical reality through the freedom of intercourse, can only be invoked in oratorical arguments in their plenary sessions." It adds that Pan Americanism will gradually decay if the Johnson bill—
>
> Now on the House Calendar and referred to in the debate this afternoon as a possible substitute for the Harris bill—
>
> and Harris bills are approved, which place the nations included under Monroeism in the same situation as the countries of the Old World.
>
> It declares that even if the United States should exclude surplus Mexican immigration, it is unjust to raise barriers against the people

of countries which do not occasion the slightest inconvenience to the United States by establishing a restriction which is unfriendly and which constitutes a threat to friendly relations more by its spirit than by its material consequences.

La Nación emphasizes the probable injury of the proposed legislation to the efforts of publicists and economic agents of the United States who seek to promote an atmosphere of friendliness between the United States and Hispanic America.

It calls attention to the growing interest in Hispanic America for the technical advances made in the United States, which continually attract students and professional men who can not be classified as immigrants.

The editorial concludes by saying that the projected restriction is not in harmony with the demonstrations of good will made by the White House toward Hispanic America, the best example of which was President Hoover's visit, and other recent endeavors in the United States to improve public opinion in Hispanic America, and warns that although the original intention of the restriction does not involve any hostility, hostility would undoubtedly result.

Mr. President, it is sometimes very difficult for us in this country to appreciate the fact that there are nations in the world that are willing to pay a higher sum for the goods from a country which they like than they are to buy the same goods at a lower price from countries which they do not like. That situation, however, has arisen within the last year or two in China, where, repeatedly, whenever the Japanese did something which the Chinese did not like, the Chinese refused to buy Japanese articles, even though offered at a lower rate than similar articles from some other foreign country. When I was in Shanghai a little over two years ago I learned that in the purchase of the silk crop in China at that time, due to feelings of unfriendliness on the part of the Chinese populace against the Japanese, the growers of Chinese silk were willing to sell to American merchants their silk at a lower rate than they were willing to sell it to the Japanese desiring to use it in Japanese silk mills. Those are facts, Mr. President; they are not theories. The fact is that there are nations in the world—and many of them lie to the south of us—where friendliness and pride of race count a great deal more than do the small amount of dollars and cents involved. That was brought out in an editorial in the great newspaper La Prensa, one of the greatest newspapers in the world, published in Buenos Aires. The editorial to which I now refer was published on March 8, and refers to the Johnson bill, which limits the Argentine quota to 375.

As a matter of fact, the bill now before us would limit the Argentine quota to 100, since it is not known how many people of Argentine descent are in the United States, and it would be likely that Argentina would be entitled merely to the minimum quota of 100. In relation to the Johnson bill, La Prensa says:

(Translation from the Spanish)

[Editorial from La Prensa, of Buenos Aires, March 8, 1930]

THE UNITED STATES CLOSES ITS DOORS TO AMERICANS

Plans to establish restrictions on the entry into the United States of persons proceeding from the other countries of the American continent have been repeatedly mentioned for four years, more or less. Such a plan has always caused a natural annoyance to the nations which felt themselves morally injured, but never before has such displeasure been provoked as that provoked by the bill recently introduced in the House of Representatives by Mr. JOHNSON.

To two principal causes we attribute the ill effects of the latest plan. First, Mr. JOHNSON's bill, instead of being tabled like most of the previous ones, was favorably reported within 24 hours by the respective committee of the House. And the second reason is the arbitrary system chosen for applying the quotas to the countries of America. Here in Argentina everyone who hears that probably only 375 of our citizens will be admitted each year into the United States, voices his displeasure and his protest, even though the results of the restrictions do not really affect us—there is a spiritual reaction which operates in all Argentinians—women, men, or children, learned or ignorant, rich or poor.

The system used bases the quotas of admission on the number of immigrants from each American country that have come to the United States in the last fiscal year. Thus Colombia would have 548; Costa Rica, 163; the Dominican Republic, 240; Panama, 355; Honduras, 208; Salvador, 188; Guatemala, 236; Uruguay, Paraguay, Bolivia, and Haiti, 100 each; Venezuela, 586; Argentina, 375; Brazil, 517; Canada and Newfoundland, 67,556; Chile, 230; Cuba, 860; Ecuador, 129; Mexico, 2,900; Nicaragua, 278; and Peru, 315.

If these restrictions were inspired only by a desire to hold down the population increase of the United States, so as to maintain the high salaries and privileged status which laborers in the United States enjoy with respect to the rest of the world, a more reasonable system would have been adopted, such as making the quotas proportional to the number of inhabitants of the emigrant-exporting country. Then Canada and Newfoundland, with a combined population smaller than ours, would not have a quota of 67,556, while we have one of 375.

The logical thing, if the real or principal cause of the restrictions is to hold down the increase in population, would have been to establish prohibitions to affect those countries from which immigration is greatest. But this has not been done; the plan is based on a prejudice against the American Republics, which were colonized originally by Spain and Portugal, which, since their independence, have been receiving immigration principally from those same countries and from Italy, a prejudice which looks at these nations as of inferior race because they are Latin. "Latin blood," for example, is a term used to explain crimes of passion. Crimes of that kind are committed by men of other origin, too, but the race of the criminal is always emphasized when it is not Saxon, thus arousing a prejudice which would yield to serious analysis.

The so-called Latin nations belong to the same Indo-European family as the Saxons, and it is well known that when the end of the Roman Empire in the west came, the Germanic races, especially in the third and fifth centuries of the Christian era, coursed down over the European provinces of that vast political organism: Italy, Spain, Portugal, France, Belgium, all the countries situated south of the Danube, and even to England. The Andalusians and the Neapolitans are of the same race as the English and the Germans. Environment produces the differentiation in type and in customs.

Of the influence of physical environment the North Americans have proof in their own country where the grandchildren, sometimes even the children, of Latin immigrants can not be differentiated from the descendents of Saxons.

Our suggestion that this is a plan to exclude Latin Americans is founded not only on the strong presumption which results from the system chosen for fixing the quotas of admission, but also from definite statements that have appeared in the propaganda that has been carried on in late years in the United States to extend the immigration restrictions to the countries of the American continent. We have followed this propaganda in newspapers and periodicals. Furthermore, it is admitted that the system of quotas applied to the European countries since 1921 has in view the restricting of all immigration currents with a single exception: The so-called Nordic current; that is, the current proceeding from England, Germany, Denmark, Holland, Sweden, and Norway.

Agitation for restrictions against Mexicans arose later. We have read studies in which an attempt is made to demonstrate that the infiltration of Mexicans into the south of the United States is highly pernicious because of the inferiority of their customs and habits. If this were true, and we doubt it because the basic population of Arizona, Texas, New Mexico, and California is of Latin blood, such inferiority would be due neither to nationality nor race; it would be due not to the fact that the immigrants are Mexicans or of Latin origin, but to the fact that the proprietors of ranches and industrial establishments in these States of the Union are exploiting these elements and taking advantage of the lower salaries that they will accept.

Nevertheless, the new Johnson plan establishes an exception in favor of Mexico. The quota would not be applied to Mexico in the fiscal year beginning July 1 next, nor in the following year, but after an elapse of several years, in order not to inconvenience the proprietors and industrialists of the South. For them they have consideration, but none for the countries of South America. These countries do not need to send their laborers to the United States, but they can not but feel themselves seriously affected for just ethical reasons, by the anti-American attitude shown in this bill, which closes the doors of the United States to their citizens and considers them as undesirables.

Again, La Prensa says:

(Translation from the Spanish)

[Editorial from La Prensa, of Buenos Aires, March 14, 1930]

THE UNITED STATES AND SOUTH AMERICAN IMMIGRATION

No one is able to say, properly speaking, that there is a movement of immigration from the South American countries to the United States, according to the figures to which we have referred in a previous commentary and which have served as a basis to Mr. JOHNSON for a new project which applies the quota system to the nations of this continent. Regarding South America, the highest figure registered in the immigration statistics of South America relates to Venezuela, with 586 persons; following then are Colombia with 548, Brazil with 517, Argentina with 375, Peru with 315, Chile with 230, Ecuador with 129, and Uruguay, Paraguay, and Bolivia with 100 or less. These numbers are insignificant in relation to the 120,000,000 of inhabitants of the United States and, if it is taken into consideration that all of these countries also receive laborers proceeding from the great Republic of the north in larger numbers than those consigned, it is noted that it is an absurdity to apply the so-called quota system that would restrict immigration to the figures of the above statistics during the fiscal year 1928–29.

If there is not, then, a movement of immigration from the South American countries to the United States, but an exchange of a really reduced number of travelers, there does not exist any practical reason to sanction the new project of Mr. JOHNSON with respect to the people situated to the south of the Panama Canal. Instead, the adoption of the proposed system will have a lamentable moral effect on the Pan American ideal which has been sifted so many times by the politicians of the United States and by its distinguished delegates to the international continental conferences.

To the Republic of Argentina, for example, any reforms in the tariff system which would reduce our exportation of livestock and agricultural products would cause much more harm than a restriction of immigration; notwithstanding, the public opinion of this country will feel much more affected by the information that not even a single Argentinian laborer will be admitted because of the minimum quota of 375 immigrants than by the reduction of our sales to the United States, which amount to many millions of pesos a year.

At various times we have said that in Europe there exists a real ignorance of South American affairs, but the plan of Mr. JOHNSON proves that in the United States there is no greater knowledge, even among the more cultured classes, of the countries of this part of the continent. And there is no doubt that such ignorance concerning the people of South America, her culture, her progress, her ideals, and her very respectable susceptibilities is less excusable in the United States than in Europe.

Such ignorance is an error that has its origin in deficiencies in the general teaching system. With the exception of specialized courses for some determined purpose, there is not taught in the United States the peculiar geography of the countries situated to the south of the Panama Canal, except that which treats of the physical aspect of the South American continent by climatological zones. Children and youths learn only that there are American lands in the Torrid Zone contiguous to the Equator; then a subtropical region and, more to the south, countries of a temperate climate.

Less information on the South American countries is found in the texts of general history current in the secondary schools of the United States, in which there is not, except the most general, mention or reference to the emancipation of those countries and much less relating to their ulterior evolution.

That which we have said will give an idea of the attitude of the Members of the House of Representatives and the Senate of the United States who do not have more information of these countries than that gathered in the colleges and universities in which they followed their studies. And, therefore, it is not strange that the project of Mr. JOHNSON may be approved without the Congressmen thinking of the moral injury that would thereby be inflicted on the South American people without any practical necessity.

We have used with intention the expression laborers in reference to the restrictions for the entrance in the United States of persons proceeding from the American countries, because the regulations of the quota applied actually to those proceeding from Europe, and which they are now endeavoring to extend to those of this continent, admits such exceptions as Government employees, their families and their servants, those visiting for pleasure or business, and persons simply planning to go through the country by the most convenient route. And generally there have been exempt from immigration restrictions, priests and missionaries, lawyers, doctors, chemists, civil engineers, professors, students, writers, artists, commercial travelers, and those traveling for curiosity or for pleasure.

But anyway, the restriction of the entry of South Americans in the United States because it is unnecessary, and above all, because of the end which it inspires, which, as we have indicated in a previous commentary, would limit the incorporation in the United States of the Latin races is entirely odious. Here in Buenos Aires there has been organized by a group of Argentinian gentlemen and scholars an association called the Instituto Cultural Argentino-Norte Americano, which has for its principal purpose the strengthening of the ties between this Republic and that of the United States.

The unwise project of Mr. JOHNSON invites an excellent opportunity to make known to the House of Representatives of the United States the impressions caused in this country by the project to apply to the South American countries the quota system of immigration.

Those quotations call attention to, and prove, that which I have just stated—that the passage of a measure of this kind is going to be more seriously regarded by our neighbors to the south than even a tariff wall which would interfere with their business to the extent of many millions of dollars a year. It does away with the very last practical advantage of Pan Americanism.

We have talked of Pan Americanism for many years. We have held Pan American conferences. We have held Pan American scientific conferences. As I shall show in a few moments, we have repeatedly told our friends to the south that they belong to sister Republics; that they have the same ideals and aspirations that we have; that we desired to have a closer relationship with them than with the rest of the world. Yet, with the exception of Cuba, our tariff wall applies to them just as it does to any other country. Our laws on other matters apply to their citizens just as they do to the citizens of any other country, with one exception. That exception is in the immigration law, where, although we put quotas on all the rest of the world except Asia—Asia having no quota at all—although we put quotas on all the rest of the world or reject their immigration entirely, we have recognized hitherto the fact that our sister Republics to the south of us were on a different basis; that they and we were both struggling toward the same ideals of self-government as democracies, and that therefore we would erect no barriers against the freest possible intercourse with them.

There are 19 of these Republics to the south of us. One of them, Mexico, has sent us a very considerable number of immigrants during the past few years—so much so as to have interfered, as has been pointed out, with the labor situation in the southern cotton fields. Also, it has provided a certain amount of labor in the sugar-beet fields. Certain sections of the United States feel this competition very keenly; but, to meet that situation, this bill proposes to say to the other 18 Republics who have sent us virtually no immigrants—the total immigration from those countries amounting to probably not over 2,000 a year, probably not as much as that—it proposes to say to them, "You are now to be put on the same basis as Europe. There is no longer any such thing as a Pan American brotherhood or a Pan American sisterhood. We are not interested any longer in saying to you, 'Your aspirations and ideals are the same as ours. We want to work together in friendliness.'" We propose to say to them, "Your people are not wanted in this country because they compete with our people in production, in labor, and in commerce, and therefore we propose to keep you out."

In the first place, in regard to the commercial argument—which is one which is rather distasteful to bring up, but since it has been brought up it ought to be referred to—in relation to the commercial argument, let me say that our trade with Latin America is far greater than is ordinarily appreciated. In the past few years it has been very extensive. The total exports from the United States to Latin America in 1927 were $804,000,000 worth of our goods; in 1928, $831,000,000; in 1929, $911,000,000.

The articles that we send to Latin America are as follows. I have not available all the figures for 1929, as they have not yet been printed, but for 1928, in order to show the kind of things we sell to Latin America, I will give the figures in round numbers, as follows:

Automobiles, passenger cars, motor trucks, and busses	$97,000,000
Agricultural machinery	27,000,000
Electrical machinery	27,000,000
Industrial machinery	63,000,000
Iron and steel manufactures	84,000,000
Petroleum and petroleum products	80,000,000
Cotton and the manufactures thereof	69,000,000
Wheat flour	28,000,000
Chemicals	21,000,000
Rubber and manufactures thereof	19,000,000
Wood and manufactures thereof	38,000,000
Edible oils	27,000,000
Meat and dairy products	18,000,000

These figures show a very wide range, and show the importance to the laboring men and producers in this country of maintaining this market at its high tide. It has been increasing steadily, as I have shown, in the past few years. It is a most important market; and yet by this bill we are about to tell the people who buy nearly a billion dollars' worth of our goods annually, and for whose market the countries of the world are in most active competition, that we no longer regard them as our close friends and neighbors, who are to be treated differently from the rest of the world.

Mr. President, you will have noticed that in one of the editorials from which I have quoted is the statement that if this bill passes Pan Americanism can only be invoked in oratorical arguments hereafter, and that Pan Americanism will gradually decay. It is for the Senate of the United States at this time to say whether we are practically interested in Pan Americanism or whether it has been merely a figment of the imagination, preached for purposes which now no longer exist.

As I have said, the only practical result of Pan Americanism to-day is the fact that the 19 American Republics and Canada and Newfoundland are able to send their people to us as freely as they choose, without let or hindrance, except as our laws regarding health and literacy may prevail. That is the only practical effect of Pan Americanism. Are we going to do away with it? Has not Pan Americanism a history which deserves our serious consideration?

The term "Pan Americanism" was first used in newspaper discussions relating to the international American conference that was held in Washington in the winter of 1889–90, called by the then Secretary of State, James G. Blaine. The foreign policy of the Garfield administration, according to an article by Mr. Blaine in the Chicago Weekly Magazine for September 16, 1882, was said to have two principal objects:

First, to bring about peace and prevent future wars in North and South America; second, to cultivate such friendly commercial relations with all American countries as would lead to a large increase in the export trade of the United States by supplying those fabrics in which we are abundantly able to compete with the manufacturing nations of Europe.

In order to attain the second object it was necessary, Blaine declared, to accomplish the first.

Instead of friendly intervention here and there—patching up a treaty between two countries to-day, securing a truce between two others to-morrow—it was apparent * * * that a more comprehensive plan should be adopted if wars were to cease in the Western Hemisphere.

In short, Pan Americanism, as Blaine conceived it in 1882, was expressed in two words "peace" and "commerce," attained by means of the friendly counsel and cooperation of all the American States and redounding equally to the benefit of all.

When this conference, the first Pan American conference to be so called, was assembled in Washington, Mr. Blaine addressed the members of the conference and emphasized the necessity for closer bonds between the nations of the Western Hemisphere. He said:

We believe that friendship, avowed with candor and maintained with good faith, will remove from American States the necessity of guarding boundary lines between themselves with fortifications and military force. * * *

We believe that friendship, and not force, the spirit of just law, and not violence of the mob, should be the recognised rule of administration between American nations and in American nations.

He appealed for an understanding of the beneficial effect that the friendship of these nations would have upon the United States, and said that that was our belief; and now we are asked to pass an act that is regarded by them as distinctly unfriendly.

They are an extremely logical people. Perhaps the Latin race is more logical than the Anglo-Saxon race. We see the effects of a given act. We drive ahead on it. We do not always regard the method in which we do it. We do not always regard the words in which we put our ideas. We say that "actions speak louder than words." We are not always entirely logical; but the Latin race is essentially logical. To the members of that race words mean a great deal. They mean often many times more than deeds. To them the appearance is often more important than the underlying reality. That is the way they are built. That is the way their race has grown up. Therefore an act of this kind must be so done as to appeal to their reason if it is to be done without affecting their friendship for us.

But who can say that there is the slightest logic in attaching the quota to 18 Republics that practically send us no immigrants at all, who are not flooding our markets with cheap labor, who are not sending us undesirable immigrants, and never have done so? They know that fact. They know that they are welcoming immigrants, not sending them to us. They know that they are welcoming any from this country who go there to labor. They know that the figures show that their people are not coming to this country except as students and as travelers and to purchase our goods. We welcome their students. Our universities have made earnest efforts to get them to send us more of their students. In certain lines—notably the exact sciences, notably engineering, medicine, dentistry, and allied professions—they have sent us thousands of their students. That has been the chief immigration from the 18 countries of South America and Central America south of Mexico; and yet we are now saying to them, "You are going to be limited to 100 a year from each country"; and they say, "Why? For what reason? You are not limiting Canada. She is your neighbor on the north. The reason must be that you do not like our race. The reason must be that you do not like us. This is not a friendly act. There is no logic to your position."

Mr. President, in view of the essentially logical character of the mind of the Latin American, he feels that this is a direct insult, and that we no longer desire his friendship.

On the other hand, Mr. Blaine said in the opening days of that conference which was held in Washington in 1889:

It will be a great gain when we shall acquire the common confidence on which all international friendship must rest. It will be a greater gain when we shall be able to draw the people of all American nations into closer acquaintance with each other, an end to be facilitated by more frequent and rapid intercommunication. It will be the greatest gain when the personal and commercial relations of the American States, South and North, shall be so developed and so regulated that each shall acquire the highest possible advantage from the enlightened and enlarged intercourse of all.

Mr. President, at that time there was more or less a feeling of hostility in South America toward the United States. They looked with suspicion on this act of Mr. Blaine's in calling the conference together. In the early days of our relationships with the South American Republics, when they were endeavoring to secure their independence, in the days of Henry Clay, the Halls of Congress resounded with orations in praise of these countries which were trying to establish governments like ours. When they adopted constitutions similar to and based upon the Constitution of the United States, we applauded. We sent them friendly missions.

In enunciating the Monroe doctrine, we gave them a hand by giving notice to Europe that she must not interfere with their efforts to secure independence.

There was a long period when they felt extremely friendly to us, but about the middle of the nineteenth century that period lapsed. Their relations with us were not very cordial. It was due to the vision of Mr. Blaine and his friends that an effort was made to establish the Pan American Union.

As the result of their efforts there was established in the city of Washington the headquarters of the Union of American Republics. Thanks to the munificence of Mr. Carnegie, a beautiful building was erected in this city, which is visited annually by thousands of visitors to Washington, and, I may say, by all of those who come here from the Latin American countries. It has a flag of its own. It stands for the peculiar friendship of the sister Republics of the Western Hemisphere. It publishes a magazine, from which those Americans who read it—and it is published in four languages, English, Spanish, Portuguese, and French—may understand that we are endeavoring, not only for commercial reasons but in order to promote the peace and harmony of the Western Hemisphere, to establish closer relations, more friendly relations, with the South American Republics. That has been the aim of Pan Americanism always, from the beginning down to the present day. At present the only practical way we have of showing it is by permitting these 19 Republics to the south of us to send their people into the United States without any quota restriction, and now that is to be taken away. No wonder they feel that possibly there is nothing further left for Pan Americanism and that it is "going to decay."

It was only a few years ago that a great Secretary of State, Mr. Root, made a journey through South America as Secretary of State. He went at a time when hostility to the United States had reached its maximum. They were not buying our goods. They were not visiting our shores. Their attitude during the Spanish-American War had been extremely hostile. In their newspapers in 1898 cartoons appeared depicting our Army and Navy in anything but friendly terms. They felt that in fighting against Spain we were fighting against their mother country. When we freed Cuba and gave her independence they looked upon the act with a good deal of suspicion, thinking we were going to be ready to grab Cuba again as soon as an opportunity offered. There were insurrections in Cuba. We did go back into Cuba. They said, "Ah ha, that was just what we expected. You are now going to keep Cuba." But to our honor be it said, we did not keep Cuba; we established her independence. After peace was restored we gave Cuba back her Government, and we have not since interfered in the management of Cuba, although we have very close relations with her and she entered the European war just as soon as we did out of friendship for us.

But unfortunately for our relations with Latin America there then came the incident of the Panama Canal. We had been waiting for years to try to dig the canal. We wanted to have a government with which we could deal. I need not review the situation again. President Roosevelt frequently spoke of it in his addresses. But on whichever side one may happen to be now, the fact is that anyone who traveled through South America in the years immediately following the occupation of the Canal Zone by the United States, the recognition of the Republic of Panama by the United States, and the interference with the landing of Colombian troops will realize that they had no friendly attitude toward the United States. Many of their public men repeatedly told them, in addresses, in pamphlets, in articles in the newspapers, and in magazines, that we were the great imperial nation of the north, constantly reaching south.

If some overzealous jingo ever, in a moment of enthusiasm, speaking for himself alone, spoke about the days to come, when the United States would extend its influence to Cape Horn or to the Straits of Magellan, that was reprinted in every South American newspaper. In fear and trembling many of the South American people believed it, although no one in the United States had any such idea at all, except, possibly, the one jingo who had burst forth accordingly.

When we did take the Canal Zone, and when it was necessary for us to do other things in the Caribbean Sea, this unfriendliness increased. It did affect our trade. It did affect the securing of large contracts in South America. It did affect their visiting the United States. It led them to believe that we were not as friendly as we had professed to be.

Appreciating this fact as no previous Secretary of State had appreciated it, with the possible exception of Mr. Blaine, Mr. Root did a very unusual thing. He made a journey through South America. In each Republic he visited—and he visited nearly all of them—he made speeches which appealed to the people of those countries. He was able to allay their fears and to show them that the United States desired to be friendly.

In the richest and, perhaps, the most powerful country of all, in Argentina, Mr. Root, in his speech, used these words:

> We rejoice in your prosperity; we are proud of your achievements; we feel that you are justifying our faith in free government and self-government; that you are maintaining our great thesis which demands the possession, the enjoyment, and the control of the earth to the people who inhabit it. We have followed the splendid persistency with which you have fought against the obstacles that stood in your path, not without the sympathy that has come from similar struggles at home.

Mr. President, to them the action which we are asked to take at the present time shows a very real absence of that sympathy.

Mr. Root went on to say:

> There are no political questions at issue between Argentina and the United States; there is no thought of grievance by one against the other.

But according to the leading newspapers of Argentina, from which I have quoted, there is a thought of grievance at the present time, in the contemplation of these bills now before us.

Mr. Root said further:

> There are no old grudges or scores to settle. We can rejoice in each other's prosperity; we can aid in each other's development; we can be proud of each other's successes without hindrance or drawback.

Mr. President, to-day we are asked to say to these countries, "We are no longer interested in the progress you have made toward self-government, toward popular government. We are no longer interested in your success. We are afraid that some of your people may come here and may get away the jobs of some of our people. To be sure, you let all Americans from the United States go freely into your country, seeking jobs, seeking contracts. All kinds of jobs there are open to our people. But only a very few of you may come here."

May I say that the South American countries, particularly Argentina, are extremely jealous of the term "American." They believe they are "Americans" just as much as we are. They always refer to us as "North Americans." In the telephone book our embassy will be found under the letter "N," not under the letter "A," or under the letter "E" for "Estados Unidos," or under the letter "U" for "United States." It is found under the letter "N" for "North America." They like to think they are Americans just as much as we are. They like to think that Pan Americanism does mean that they can come and go freely in the United States, just as we come and go freely in their countries. But now we are asked to show them by this act an unfriendly gesture, a withdrawal of that sympathy, a withdrawal of that belief in their being Americans.

During the administration of President Taft, the President said in his message to Congress on December 7, 1909, at the second session of the Sixty-first Congress:

> The Pan American policy of this Government has long been fixed in its principles and remains unchanged.

It was a proud moment for our dear friend, the late Chief Justice, when he could write those words in addressing the people of the United States through the Congress and, incidentally, the people of the countries to the south of us:

> The Pan American policy of this Government has long been fixed in its principles and remains unchanged.

If this act becomes a law, then no President, until it is changed, can say that. Mr. Taft went on to say:

> Beside the fundamental doctrines of our Pan American policy there have grown up a realization of political interests, community of institutions and ideals, and a flourishing commerce. All these bonds will be greatly strengthened as time goes on.

Note the words "community of institutions and ideals." It has been the custom of our statesmen, of our political orators, for many years—for over a century—to refer to the community of institutions, to the community of ideas and ideals, between ourselves and the countries to the south of us. I take it that it was largely on that basis that when the Congress undertook to regulate immigration in a manner in which it never before had been regulated, to restrict it very materially, that it was believed wise to leave out of that regulation, to leave out of that restriction, these countries which for so many years we have told that we regarded as brothers and sisters, following the same ideas and ideals as ourselves. Is this to be abandoned?

Those from whom I quoted previously belonged to the Republican Party. But this has never been a party matter. Republicans and Democrats alike have taken the same attitude toward Pan Americanism.

It will be recalled that in Cleveland's administration Pan Americanism was called into play in the Venezuelan episode. Although we ourselves had no stake in Venezuela, although England was not actually attempting any real aggression, we insisted that the boundary dispute between England and Venezuela should be arbitrated and that the great power which England possessed should not be used to crush the small State of Venezuela and to decide the boundary dispute as England wished it rather than as Venezuela thought was right.

We even ventured to tell England that it would lead to serious consequences if she did not yield to our wishes in the matter. Surely there was a Democratic President showing by his acts, by his willingness even to involve the United States in international conflict, that we were ready to be the actual friends and brothers of the South American countries.

The next Democratic President was Woodrow Wilson. I find in his speeches and addresses a number of references to Pan Americanism and to our relations to South America which, it seems to me, we ought to bear in mind now when we are asked by the distinguished and able Senator from Georgia to pass his bill, which will interfere with our good relations with Latin America. On May 24, 1915, in an address delivered at the Pan American Financial Conference in Washington, President Wilson said:

> It is very surprising to me, it is even a source of mortification, that a conference like this should have been so long delayed, that it never should have occurred before, that it should have required a crisis of the world to show the Americans how truly they were neighbors to one another.

This particular bill is not a neighborly act. We recognized that fact when we passed the original immigration exclusion act. President Wilson went on to say:

> If there is any one happy circumstance, gentlemen, arising out of the present distressing condition of the world, it is that it has revealed us to one another. It has shown what it means to be neighbors.

And in conclusion he said:

> I have said these things because they will perhaps enable you to understand how far from formal my welcome to this body is. It is a welcome from the heart, it is a welcome from the head; it is a welcome inspired by what I hope are the highest ambitions of those who live in these two great continents, who seek to set an example to the world in freedom of institutions, freedom of trade, and intelligence of mutual service.

Those words could not be used again if this bill were to be passed.

In an address delivered to Congress on December 7, 1915, President Wilson said:

> The States of America are not hostile rivals, but cooperating friends.

Does this bill sound like that? Does this bill sound like the act of a cooperating friend? He stated:

> The states of America are not hostile rivals but cooperating friends. Their growing sense of community of interest, alike in matters political, and in matters economic, is likely to give them a new significance as factors in international affairs and in the political history of the world. It presents them as in a very deep and true sense a unit in world affairs, spiritual partners—

Mr. President, do "spiritual partners" erect barriers against the free intercourse of members of their families?

Continuing, President Wilson said:

It presents them as in a very deep and true sense a unit in world affairs, spiritual partners, standing together because thinking together, quick with common sympathies and common ideals. Separated they are subject to all the cross currents of the confused politics of a world of hostile rivalry; united in spirit and purpose they can not be disappointed of their peaceful destiny.

This is Pan Americanism. It has none of the spirit of empire in it. It is the embodiment, the effectual embodiment, of the spirit of law and independence and liberty and mutual service.

Is this act founded in the "spirit of mutual service"?

Mr. President, during the early part of President Wilson's administration there occurred at Mobile, Ala., a meeting of an organization called the Southern Commercial Congress. I should like particularly to call the attention of Senators from Southern States to the words of President Wilson at that time. There were delegates there from all the Southern States and from the countries to the south of them. President Wilson said:

I come because I want to speak of our present and prospective relations with our neighbors to the south. I deemed it a public duty, as well as a personal pleasure, to be here to express for myself and for the Government I represent the welcome we all feel to those who represent the Latin American states.

How is any future President of the United States going to be able to use those words "The welcome we all feel to those who represent Latin American states," when we say to them, as we are asked to do by this bill, "You are no longer our neighbors; you are no more to us than are the countries of Europe; you are to be limited in your intercourse with us just as are the countries across the ocean"?

The future, ladies and gentlemen, is going to be very different for this hemisphere from the past. These states lying to the south of us, which have always been our neighbors, will now be drawn closer to us by innumerable ties.

Is this bill putting them on a quota going to be one of those "innumerable ties" that draw them closer to us? On the contrary, everyone knows that it will be a severance of some of the ties which have been patiently created by the statesmen, the Presidents, and the Secretaries of State of the United States for a hundred years.

These states lying to the south of us, which have always been our neighbors, will now be drawn closer to us by innumerable ties, and I hope, chief of all, by the tie of a common understanding of each other. Interest does not tie nations together; it sometimes separates them. But sympathy and understanding does unite them, and I believe that by the new route that is just about to be opened, while we physically cut two continents asunder, we spiritually unite them. It is a spiritual union which we seek.

And, again, President Wilson said:

That opening gate at the Isthmus of Panama will open the world to a commerce that she has not known before, a commerce of intelligence, of thought and sympathy between North and South.

Mr. President, does this bill show the effect of a "commerce of intelligence, of thought and sympathy, between North and South," or does it show a failure to understand sympathetically the feelings of the people to the south of us, a failure to appreciate the importance of their sympathy and friendship, a willingness to hurt their feelings even without any corresponding gain to ourselves, even if it will interfere with our commerce by making them less friendly to American goods and American people than they have been before? In fact, it is an act of blindness, blindness in so far as it concerns our commerce, blindness in so far as it concerns the feelings of our friends to the south.

To continue from President Wilson's speech to the Southern Commercial Congress:

The dignity, the courage, the self-possession, the self-respect of the Latin American states, their achievements in the face of all these adverse circumstances, deserve nothing but the admiration and applause of the world.

Please note the words, "The self-possession, the self-respect of the Latin American states." The bill which we are asked to pass is a direct blow against their self-respect.

President Wilson continued:

We must prove ourselves their friends and champions upon terms of equality and honor. You can not be friends upon any other terms than upon the terms of equality. You can not be friends at all except upon the terms of honor. We must show ourselves friends by comprehending their interest whether it squares with our own interest or not. It is a very perilous thing to determine the foreign policy of a nation in the terms of material interest.

May I repeat those words, because they apply so directly to the matter before us?—

It is a very perilous thing to determine the foreign policy of a nation in the terms of material interest. It not only is unfair to those with whom you are dealing, but it is degrading as regards your own actions.

Comprehension must be the soil in which shall grow all the fruits of friendship, and there is a reason and a compulsion lying behind all this which is dearer than anything else to the thoughtful men of America. I mean the development of constitutional liberty in the world. Human rights, national integrity, and opportunity as against material interests.

He concluded by saying:

This is not America because it is rich. This is not America because it has set up for a great population great opportunities of material prosperity. America is a name which sounds in the ears of men everywhere as a synonym with individual opportunity because a synonym of individual liberty. I would rather belong to a poor nation that was free than to a rich nation that had ceased to be in love with liberty. But we shall not be poor if we love liberty, because the nation that loves liberty truly sets every man free to do his best and be his best, and that means the release of all the splendid energies of a great people who think for themselves. A nation of employees can not be free any more than a nation of employers can be.

In emphasizing the points which must unite us in sympathy and in spiritual interest with the Latin American peoples we are only emphasizing the points of our own life, and we should prove ourselves untrue to our own traditions if we proved ourselves untrue friends to them.

Do not think, therefore, gentlemen, that the questions of the day are mere questions of policy and diplomacy. They are shot through with the principles of life. We dare not turn from the principle that morality and not expediency is the thing that must guide us and that we will never condone iniquity because it is most convenient to do so.

The words of President Wilson, especially where he said, "You can not have friends at all except upon terms of honor," seem to me peculiarly applicable to the question now before us. We know that this action on our part hurts the feelings of those peoples. We know that it is believed by them to injure their honor. The way in which the bill has been drawn by permitting the free intercourse with the Anglo-Saxon countries to the north of us and extremely restricted intercourse with the Latin countries to the south of us is to give them reason to believe that we do not care to be friends with them. Even if the country to the north of us should be included, the very fact that we are putting them on the same basis as European countries is saying to them that we are no longer interested in Pan Americanism, that we no longer feel like giving them any particular favors, that we no longer feel like cultivating their friendship and sympathy as an American nation, as we have done so many times in the past.

RECESS

Mr. McNARY. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. BINGHAM. I yield.

Mr. McNARY. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The VICE PRESIDENT. Does the Senator from Connecticut yield for that purpose?

Mr. BINGHAM. I yield for that purpose.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to; and (at 4 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Friday, April 11, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, *April 10, 1930*

The House was called to order at 12 o'clock noon by the Speaker pro tempore [Mr. TILSON].

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite Father, we thank Thee that when we are in the greatest need Thou art nearest. We praise Thee for all the innumerable mercies which have attended us. Bless our parents who have borne us, our children who dwell in our hearts' desires, and all our households. May all of us live more divinely; lift us high above just physical appetite, empty moralities, and mere

contentment, and bless us with lives ever fresh, ever new, extending their horizons of love and understanding. O may we not be unworthy of our calling, but in all fidelity, standing for justice when it is cast down, and always pleading for the liberty and the advancement of mankind. In the blessed name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 8960) entitled "An act making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JONES, Mr. HALE, Mr. KEYES, Mr. BORAH, Mr. OVERMAN, and Mr. HARRIS to be the conferees on the part of the Senate.

BRIDGE ACROSS THE ALLEGHENY RIVER AT RED HOUSE, N. Y.

The SPEAKER pro tempore. The Chair lays before the House the following request from the Senate:

SENATE OF THE UNITED STATES,
April 8, 1930.

Ordered, That the House of Representatives be requested to return to the Senate the bill (S. 3607) entitled "An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free State highway bridge across the Allegheny River at or near Red House, N. Y."

The SPEAKER pro tempore. Without objection, the request of the Senate will be granted.

There was no objection.

HOUSE DOCUMENT CONCERNING BATTLES OF KINGS MOUNTAIN AND THE COWPENS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent that the action of the House in passing the resolution (H. Res. 158) be vacated and the resolution laid on the table.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that the action of the House in passing the resolution (H. Res. 158) on yesterday be vacated and the resolution laid on the table. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, what is the resolution?

Mr. STEVENSON. It is a resolution to publish 3,000 additional copies of House Document No. 328.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I present on behalf of the Committee on Printing a concurrent resolution (H. Con. Res. 29) to the same effect as the resolution just laid on the table.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Concurrent Resolution 29

Resolved by the House of Representatives (the Senate concurring), That 3,000 additional copies of House Document No. 328, Seventieth Congress, first session, entitled "Historical Statements Concerning the Battle of King's Mountain and the Battle of the Cowpens in South Carolina," by Lieut. Col. H. D. Landers, be printed with illustrations and bound for the use of the Committee on Printing of the House of Representatives.

Mr. STEVENSON. Mr. Speaker, I move the adoption of the resolution.

The concurrent resolution was agreed to.

WORLD WAR VETERANS' LEGISLATION

Mr. PURNELL. Mr. Speaker, I present a privileged report from the Committee on Rules for printing in the RECORD.

The resolution is as follows:

House Resolution 205

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed 12 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on World War Veterans' Legislation, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. Referred to the House Calendar and ordered printed.

Mr. BANKHEAD. Mr. Speaker, in view of the general interest of the House in this resolution, if the gentleman feels he can do so, I think it would be interesting to have him state the program with reference to the consideration of this rule.

Mr. PURNELL. Mr. Speaker, in compliance with the request of the gentleman from Alabama, I may say that the privileged report which I have just filed from the Committee on Rules, if adopted, will make in order the consideration of the bill generally known as the Johnson veterans' bill. The resolution provides for 12 hours of general debate, the same to be confined to the bill. I understand the program is to take up this bill for consideration on Tuesday of next week.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. PURNELL. I yield to the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. The gentleman has said there will be 12 hours of general debate; as a matter of fact, if there is legitimate debate upon the bill that Members of the House desire to continue, there would be no great desire on the part of anyone to restrict the debate, if it were necessary to have another hour or two, so far as the gentleman knows?

Mr. PURNELL. So far as I know, Mr. Speaker, there would be no objection to having full debate upon this subject; and if more time should seem necessary and the House should desire it, I have no doubt the request will be granted.

Mr. RANKIN. Will the gentleman from Indiana yield?

Mr. PURNELL. I yield.

Mr. RANKIN. This is the veterans' legislation we have been trying to get to the floor of the House for some time and it is known that at least the minority Members, and perhaps a great many of the Members on the majority side, expect to support an amendment which I expect to offer to extend the presumptive period for men suffering from tuberculosis, or from other chronic constitutional diseases, to January 1, 1930. Can the gentleman from Indiana give us any assurance that this rule will be called up on next Tuesday?

Mr. PURNELL. I will say to the gentleman I am not in position to say definitely that it will be called up on next Tuesday, but I understand that is the tentative program.

Mr. RANKIN. That is the program. Let me say to the gentleman from Indiana, as I understand, it will require the unanimous consent of the House to extend the time for general debate.

Mr. PURNELL. Yes; but the gentleman knows the temper of the House toward all legislation affecting veterans and knows full well that ample opportunity will be given to discuss the question.

Mr. RANKIN. The gentleman will understand I am not criticizing the committee. I think the committee has given ample opportunity for debate.

Mr. PURNELL. I think the committee was very liberal in granting 12 hours of general debate.

Mr. RANKIN. And I will say to the gentleman from Indiana and the gentleman from South Dakota [Mr. JOHNSON] that I am not inclined to extend the debate indefinitely, because we want to bring this legislation to the House, thresh it out, pass it, and get rid of it. The disabled veterans need help and need it now.

REDUCTION OF WHEAT ACREAGE

Mr. HOWARD. Mr. Speaker, I ask unanimous permission that I may be permitted to extend my remarks in the RECORD by incorporating therein a statement issued by a distinguished regent of the State University of Nebraska.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HOWARD. Mr. Speaker, by gracious privilege of the House so to do, I shall here present a remarkable statement recently made by Hon. Fred A. Marsh, regent of the Nebraska State University, with reference to the demand made upon American farmers by the Federal Farm Board for reduced acreage of wheat. This statement by Regent Marsh appeared in a full-page advertisement, paid for by himself, in the Central City (Nebr.) Republican of April 3, as follows:

[From Central City Republican, Thursday, April 3, 1930]

THE FARM BOARD—THE CHAIN STORE—THE AMERICAN FARMER—THE 3-WAY SWORD

"The bulk of the United States exports of farm implements during 1929 again went to comparatively few markets, 10 countries taking 83 per cent of the $140,801,556 total. This total represents a 21 per cent increase over the preceding year's foreign sales. Canada, Argentina, and Russia remained the chief markets, the last two showing striking gains during the year." (Report, Department of Commerce.)

"What is going to happen eventually, when the cheap lands of Russia, Argentina, Australia, and other countries are farmed with modern American machinery? World-market competition will be the keener, and every major advantage will rest with the foreign competitor. The domestic market of the United States will more and more become the chief reliance of the farmer of the United States, and whether or not he obtains, in his home market, a price that represents something more than the cost of production will depend on how much he raises. Curtailment of acreage in the surplus producing crops is inevitable. Whether it comes with intelligent cooperation with the Federal Farm Board or whether it results from the more painful processes of economic pressure and necessity remains to be seen." (McKelvie's Nebraska Farmer.)

"To the chairman and members of the Ways and Means Committee, House of Representatives, Washington, D. C.: The purpose of this brief is to set forth our reasons for asking the committee not to make upward revision in the existing tariff rates, in so far as they affect frozen beef, frozen mutton, and frozen lamb. In presenting this brief we are acting in behalf of the large chain-store organizations, who deal in the above commodities, together with the larger wholesalers and distributors. Any fear of overproduction is unwarranted." Etc. (Brief of certain chain-store organizations dealing in meats.)

Mr. Farmer: The above 3-way sword is something for you to consider. As though the high-pressure exportation of American-made machinery was not enough to undermine you with the conditions threatened by Mr. McKelvie, the chain stores are insisting in the halls of your American Congress for the right to import foreign meats—meats that would require much of your surplus grains if produced in America.

Mr. Farmer: How much does an American binder or tractor cost you? How much does the same American binder cost the Russian, the Gringo, or the Australian?

Mr. American Farmer: Are you required by threat to raise less, while the foreigner, using the same make of farm machinery, is being encouraged to increase his acreage and the use of American machinery? If the world's price is depressed by thus opening foreign fields, don't we have to have more bushels at a less price than when the price was greater? The Farm Board's advice as to restricted world output will not be religiously followed in Russia. It is not likely that the exporters of American farm machinery to foreign fields are imposing any such advice at this time.

Citizens: We are already feeling some of the economic pressure and necessity spoken of by Mr. McKelvie, of the Farm Board. Not the least is the chain-store importations of millions of pounds of meat and meat products, thus doing away with our home market for our own grain in the production of our own meat. Terrific is the economic pressure of such importations, wiping out American wholesalers, jobbers, and their American-manned organizations, while the Farm Board, in a manner that has left but a train of more and greater depressed prices after their every idiotic action, is unmanning the staple methods of handling our grain.

The Farm Board's efforts to soviet the raising and handling of farm products in America will come true if they are not curbed. All liberty of the American farmer will be annulled by a drastic policy of "cooperatively" controlled acreage. Listlessly and with no spirit, but at a depressed figure always, the grain will follow a beaten path from the farm direct to the Government-controlled "cooperative" elevators of the Farm Board suzerainty.

We have just gone through the horrors of a banking commission trying to administer our banking business. Must we now endure the same agonies in regard to our American-raised grain with this swashbuckling Farm Board?

FRED A. MARSH,
Farmer, Regent Nebraska State University, Archer, Nebr.

Regent Marsh lives in my own home county. He is a bona fide farmer. He is also a long-time student in that practical school wherein students endeavor to learn somewhat of the science of government. It is quite evident that Regent Marsh is not wholly in sympathy with the plan of the chairman of the Federal Farm Board to reduce the wheat acreage in America, while at the same time encouraging increased wheat acreage in Russia and other foreign lands by shipping harvesting and other farm machinery of his own manufacture to foreign farmers, and selling that machinery to the foreigners at a price less than farmers here at home must pay for the same machinery.

While my first object in presenting the remarkable statement by Regent Marsh is to show to the country the fact that the Farm Board plan to decrease wheat acreage in America, while at the same time increasing acreage in Russia by giving the farmers over there farm machinery at less cost than American farmers must pay for like machinery, is not winning hilarious approval in the Middle West, my next and best object is to call attention to the solemn fact that the Harvester Trust could not sell farm machinery to foreign farmers at a lower price than American farmers must pay for the same machinery save only by grace of our tariff system.

Yes; I know that farm machinery is on the free list, but I also know that iron and steel, the principal materials in all farm machinery, bear a sky-high tariff tax, directly for the benefit of the Steel Trust but incidentally of vast benefit to the Harvester Trust. I am personally fond of Alex Legge, chairman of the Federal Farm Board, and also president of the mighty Harvester Trust, but I would love him the more if he would be kind enough to explain just how he hopes to raise the price of wheat in the United States by decreasing the wheat acreage, while at the same time selling Harvester Trust farm machinery to Russian farmers at a lower price than our home farmers must pay for such machinery, thereby encouraging the foreign farmers to increase their wheat acreage.

Alex Legge is a very busy man right now. Perhaps he may not be able to find time in which to explain just how he intends to do it. However, I will respectfully entertain an explanation of this great problem by any Member of the United States Congress familiar with both the language and the plans of the tariff barons.

RELATIONS BETWEEN THE DISTRICT OF COLUMBIA AND THE FEDERAL GOVERNMENT

The SPEAKER pro tempore. Under the special order of the House the gentleman from Pennsylvania [Mr. COYLE] is recognized for 20 minutes.

Mr. COYLE. Mr. Speaker, I make this appearance before the House for the purpose of bringing to the attention of the Members and the people of the District of Columbia certain facts relative to the relationship which has existed between the people of the District of Columbia and the Congress of the United States over a period of 129 years.

All of the people of all of the States of the Union have an immense pride in the District of Columbia and very high aspirations for the development of the District along the lines of proper government and fine esthetic progress. In the Constitution itself section 8 provided that the Congress was to exercise exclusive legislation in all cases whatsoever over such District, and even to this day many people in many parts of the country suppose that the Congress itself pays the expenses of administering the District of Columbia, assuming, perhaps, that the obligation to pay goes with the right to govern. This, of course, is an erroneous impression, for which there is yet some color of reason. In one form or another for 129 years it has been governed by the Congress of the United States, although for the first 75 years the people of the District of Columbia had much more voice in the laying of their taxes and in the spending of that tax money than they have had in the last 50 years.

In going over the long series of statutes which have from time to time sought to institute a more satisfactory relationship between the people of the District and the Congress, I find a few high lights of interest.

Mr. Speaker, I ask permission to extend my remarks by including at this point certain lists of statutory enactments of the Congress in relation to the subject, which I am not going to read to the House.

The SPEAKER pro tempore. Without objection, it is so ordered.

Mr. COYLE. In 1790, on the 16th of July, the Congress, then sitting at Philadelphia, determined the general location of the District to be at a point on the Potomac River between the Eastern Branch and the mouth of the Connogochegue. The laws of the States of Maryland and Virginia were—

to be continued within such District until the time fixed for the removal of the Government and until Congress shall otherwise by law provide.

In 1801 the location of the District was determined exactly; the laws of Maryland and Virginia were continued in effect, applying to the parts ceded by the two States, respectively, and the District as it then existed was divided into two counties, Washington and Alexandria Counties. In the further study of enactments, I am going to omit, as far as possible, that part which was located on the south bank of the Potomac—Alexandria County—and which was ceded back to the State of Virginia in 1846 and thereafter ceased to be a part of the District.

From 1801 until 1878, under varying rules of appointment and election, the District of Columbia, the city of Washington, and the city of Georgetown were given varying measures of local self-government, power to levy and collect taxes, power to make appropriations, power to elect the lower house of their assembly, and the power in 1805 for the assembly in Georgetown to elect its mayor.

In 1812 the title of the corporation of the city of Washington was changed to "the mayor, aldermen, and common council of the city of Washington," the mayor being elected annually by the aldermen and council. In 1820 the provision was changed to require that the mayor be elected biennially by the voters of the city. This law was to run for 20 years, but ran for 28 years and was then continued for the 8 years which had passed since it had lapsed.

Changes in 1826, 1842, 1856, and 1862, and again in 1863 and in 1864, altered in some measure the method of taxation, the power of appropriation, the appointment of the assessors or levy courts, and the qualification of the voters. In 1867 the franchise was extended to the colored residents, and in 1869 all distinctions on account of race were obliterated through eliminating the word "white" in all laws relating to the District, Washington or Georgetown, where those laws limited or restricted civil rights.

In 1871 the governor was made a presidential appointee, subject to Senate confirmation, with a term of four years, and at this same time the upper house of the local legislature, consisting of 11 members, was appointed by the President and the lower house of 22 members was elected by the voters. This legislature had broad local powers, although there were some specific restrictions, and it was always held to be subject to the restriction of the tenth amendment to the Constitution. At this time the District was allowed a Delegate to the United States House of Representatives, to be elected biennially by the voters. This power to have a Delegate to the Congress, which is being at present so much discussed by the people of the District, existed from 1871 to 1874, when the law was repealed.

The distinction of being the Delegate—the only one to represent the District of Columbia in Congress—fell to the lot of a rather distinguished gentleman, Hon. Norton Parker Chipman, a brigadier general of the Union Army, who had settled in Washington after the Civil War. He served through the Forty-second and Forty-third Congresses; apparently was an active and valuable Member of the House, and performed a service for his constituency. After his office was abolished, I find that he moved to California. He occupied an honored place in the judiciary through a long and active life and until 1924, when he died at the age of 90 years. Since he left no successor to his title in the Congress, I think it likely that his death passed without the usual notice which this House, in its courtesy, gives to the passing of its former Members.

Mr. HALE. Will the gentleman yield?

Mr. COYLE. I will.

Mr. HALE. Does the gentleman say that the authority for the District to have a Delegate was granted by the congressional enactment?

Mr. COYLE. It was expressly granted by congressional action and not by amendment to the Constitution.

It is probably unfortunate from a point of view of study and comparison that this particular period should have included that period of financial panic of the early seventies. Certain it is that the government of the District of Columbia as of that time came in for much comment, much criticism, and long and protracted investigation on petition presented among others by the late W. W. Corcoran, himself a distinguished benefactor of Washington, in whose memory the Corcoran Art Gallery stands as a lasting monument. For the purpose of this résumé it is, however, sufficient to say that in 1874 the right of the District of Columbia to have a Delegate in Congress was by Congress changed.

The government of the District had undoubtedly arrived at a rather serious financial situation. The charity of a later day may—indeed, must—attribute much of it to the serious financial condition of the country as a whole. The necessity for immense public works, which had been theretofore long neglected and had in that period made great progress, probably also contributed to the dissatisfaction with conditions.

The act of 1874, a congressional enactment, provided for a commission of three persons to be appointed by the President and to exercise the powers theretofore vested in the governor and the board of public works, including taxation, appointments, and so forth. At this time an Engineer officer was detailed in charge of public works, subject to the control of the commissioners.

In 1878 the change—which has continued in effect until the present time—whereby the President appoints three commissioners, two of them to be confirmed by the Senate and the third one to be an Engineer officer detailed to the duty by the President, was adopted.

It is interesting to note parenthetically that this enactment in 1878 left a number of matters rather undetermined. Among others, the matter of the administration of the water supply, which has been subject to considerable legislation and discussion from that time to this, was left very much "up in the air" then, and in some ways is still a bone of contention between the people of the District of Columbia and the Congress.

In 1887 some additional police regulative authority was given to the commissioners, and in 1898 and by various enactments since then the park system has been removed from the authority of the commissioners and put under—in the beginning—the Chief of Engineers of the Army, and later under the engineer commissioner and the Director of Public Buildings and Public Parks. In addition, since 1878, a public service commission has been appointed, with some joint responsibility to the President and to the Congress. A zoning commission, consisting of the District Commissioners, the Architect of the Capitol, and the Director of Public Buildings and Public Parks, has been constituted, with some broad authority; of course, again with the same dual responsibility.

In 1878, when the Congress took over all responsibility for the administration of all the laws in the District of Columbia, it assumed responsibility for the debt of the District of Columbia and agreed to pay toward the administrative expenses of the District 50 per cent of the annual total. This 50-50 basis was established in 1878 and remained the law until 1922, when a 60-40 basis was assumed, by which the District paid 60 per cent and the Congress 40 per cent. This is still the "permanent law" on the subject, but it is a law which has been more honored in the breach than in the observance, and each year since 1924—two years after the passage of the 60-40 basis—Congress has appropriated annually $9,000,000 and the remainder of the expenditures has come from the taxes of the District of Columbia. The people's part has varied in percentage between 60 per cent and 80 per cent, according as the total annual expenditure increased or diminished.

This somewhat exhaustive statistical résumé, with which I have dealt at such considerable length, is not raised in particular criticism of the present or any past law but solely for the purpose of bringing to your attention the very considerable volume of legislation which has been enacted and the very varying degree of local autonomy which has been granted to or taken away from the people of the District without their representation in the law-making body.

There is to-day in the minds of many people in the District and in Congress a rather firmly fixed impression that the people of the District of Columbia should come back to their early status, when they had a larger part in local self-government. Prior to 1878, when the Federal Government paid what amounted to a tax assessment on their property owned within the District of Columbia, the power to levy and collect taxes and to make appropriations was not thought to be specifically within the province of the Congress. Through much of this period, no doubt, the tax contribution on the part of the Federal Government was ofttimes in excess of one-half of the total tax collected, and it was only when the Congress assumed the special obligation to meet with dollar for dollar the tax money collected from the people of the District of Columbia that the Congress also undertook full responsibility for detail of legislation. In these later years, when the Congress has again taken the early position where it makes a flat contribution in lieu of a tax levy, amounting to $9,000,000 annually, it would seem, perhaps, only fair for the Congress to consider divesting itself of part of its responsibility regarding tax levies and appropriations.

The Congress to-day can have no financial interest in the decrease or increase of expenditures by the District of Columbia. If the pay of the firemen or policemen is to be raised under the present existing plan, the people of the District will pay the entire cost of the raise or save the entire reduction. It seems, as a consequence, rather a far cry for the Congress to pass on each detail of this legislation, financial or regulatory.

Would it not be advisable at this time for the Congress to consider this situation and the rights of the people of the District and the best interests of the District in relation to further legislation? Would it not be advisable to do this through a specially constituted joint committee appointed for the purpose by the House and Senate?

Mr. FORT. Will the gentleman yield?

Mr. COYLE. I will yield.

Mr. FORT. Are the public buildings here in the District—the District of Columbia Building and other public buildings—paid for by the $9,000,000 contributed by the Government and the amount raised by taxation, or are they paid for by special appropriation of Congress?

Mr. COYLE. The construction of the buildings which have to do with the administration of affairs of the District of Columbia are paid for out of appropriations by Congress for the District to which appropriations the Congress makes a flat contribution of $9,000,000.

Mr. FORT. There is no special appropriation in addition for the construction of the buildings?

Mr. COYLE. As far as I know there is no separate appropriation on the part of Congress for any building in the District of Columbia except those solely for Federal purposes.

Mr. FORT. And there are no bonds or outstanding debts of the District?

Mr. COYLE. No; there was a debt of twelve or fifteen million at the time Congress took over the administration of affairs in 1878, and undertook to pay off that debt.

Mr. STOBBS. Will the gentleman yield?

Mr. COYLE. I will yield to the gentleman from Massachusetts.

Mr. STOBBS. Is the gentleman arguing for local self-government in the District or for District representation here in Congress?

Mr. COYLE. The gentleman feels that he is arguing for a study of the present existing conditions in relation to past history to determine whether or not anything should be done by the Congress to give the people of the District of Columbia more to say in their local affairs rather than in national affairs.

Mr. STOBBS. The gentleman understands that there have been hearings for several years past before the House Judiciary Committee as to what representation should be given to people in the District in Congress?

Mr. COYLE. My impression was that the hearings were to determine whether or not the people of the District of Columbia should be given representation in national affairs rather than in local affairs.

Mr. STOBBS. Indirectly the argument is made that that would give them a representation in their own affairs.

Mr. COYLE. My study has led me to believe that they would be better off and better satisfied if they had representation here without a vote here, and which I expect to develop in the latter part of my remarks.

Mr. COLE. Will the gentleman yield?

Mr. COYLE. Yes.

Mr. COLE. With reference to the question put by the gentleman from New Jersey [Mr. FORT], if when we embark on a new building, will not the appropriation call for an additional amount on the part of the United States Government, increasing the $9,000,000 contribution?

Mr. COYLE. I think that is a reasonable suggestion. If we are going to extend the area and value of Federal buildings, we should proportionately increase our contribution.

Mr. COLE. I think so.

Mr. LOZIER. Mr. Chairman, will the gentleman yield?

Mr. COYLE. Yes.

Mr. LOZIER. The gentleman referred to the fact that there was an indebtedness of about $12,000,000 against the District at the time Congress reassumed the control of the District in 1878. That indebtedness was incurred during the time the District had local self-government, and it was under the Shepherd régime, which was reputed to have been one of the most prodigal in the history of American municipalities, and results were so unsatisfactory that the people of the District in desperation petitioned Congress to take over again the affairs of the District. The gentleman is familiar with the history of that period, is he not?

Mr. COYLE. I almost lived through that period in the District of Columbia. I have carefully read the hearings before that committee in 1874. There was a considerable debt. The administration was much criticized. In justice to it, however, and with the charity which follows after 50 years, let us say that prior to that administration Washington streets had been a streak of mud, and that at the end of that administration, although there was a debt of a considerable amount in proportion to the then taxable property, they had accomplished a very considerable street-paving program and the initiation of the sewer program, and the District had been without either theretofore.

Mr. LOZIER. The gentleman speaks about the number of mud streets in the District at the time Congress granted the District of Columbia local self-government. There was not a larger proportion of unpaved streets and unsewered districts in the District of Columbia at that time than there were in similar cities all over the country? That was before the age of extensive street paving and before sewerage systems were as universal as in later years.

Mr. COYLE. The comparison is a difficult one to make. I am looking at that administration with the eyes of charity, which come after 50 years to all of us.

Fifty years ago, when the Congress paid half of the bill, there was a more reasonable excuse than exists at the present time for their entire control over expenditures. To-day the people of the District of Columbia pay four-fifths of the bill for administering the affairs of the District, and there is no similar area, no comparable amount of income, no equal number of people anywhere under the American flag who have so little voice as have the people of the District in those matters dear to the American heart which concern the right of taxation and appropriation.

I would like to see a committee constituted in some way similar to the way I have suggested. I would like to suggest for the consideration of that committee a plan, which I advance now as being at least thought provocative, as was suggested by my colleague from New York [Mr. DAVENPORT] in his able address concerning legislation and the necessity for delegating under proper control some of the multifarious duties of the individual Member of Congress. It was the contribution made by Mr. DAVENPORT, followed by the one made by the gentleman from Massachusetts [Mr. LUCE], which has in some measure impelled my own suggestion to-day. I would like to suggest to this committee that the Board of Commissioners of the District be increased to five, that two be appointed by the President and one designated from among the Army engineer officers by the President, as at present, and that the two additional members be nominated from a list of not more than five to be supplied to the President by the people of the District of Columbia, and that these two, when so nominated and confirmed, might perhaps sit in this branch of Congress, with an appointment similar to a Resident Commissioner's, to be the voice of the people of the District on the floor of Congress.

Perhaps they should also sit as members of the Board of District Commissioners. Perhaps to this board should be delegated, subject always to congressional approval, many of the powers to legislate which are now vested in the Congress. Perhaps the annual budget and tax levy of the District of Columbia should be drawn up by this board of five commissioners and submitted by them to the Congress, to lie on the Speaker's table for 60 days after the convening of the Congress, and if not amended or disapproved by direct action, then to be transmitted to the Senate as having been passed by the House.

Why should we of the Congress determine the rate of pay of the firemen and policemen of the District when we are making a flat annual contribution of nine millions and all additional money must come from the taxpayers of the District? There was, perhaps, some color of reason back of such legislation on the part of Congress when Congress made a percentage contribution to these annual expenditures, but I submit there is no color of reason back of vesting such detail determination in the Congress under present existing conditions.

My own personal opinion, for what it is worth, is submitted to the effect that Congress should either go back to the definite 60-40 basis, or else concede to the people of the District real control over their own income and expenditures for local governmental purposes.

I am more and more convinced as time goes on of the good will of the people of the country toward the District of Columbia and its people. I am more and more convinced of the existence of a very good will on the part of the Members of Congress toward the people of the District, but one fact comes home to me in addition to these two that is insistent and which will be recognized by every other Member, and that is that a very large part of the time of all Members is, by force of circumstances, to-day given to more or less routine matters.

For the Congress, in addition to its other duties, to continue to act on the routine matters that would fall under the head of "town council" for the District of Columbia seems to me to be a relic of the dark ages. The very history of the relationship between the Congress and the District gives evidence of the fact that legislation has often been passed, and almost as often repealed, without it being possible to take into consideration the rights of the District, or, indeed, the economic soundness of the legislation.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. COYLE. Yes.

Mr. CLARK of Maryland. Is there a budgetary system in the District government?

Mr. COYLE. Without doubt, and it comes from the Director of the Federal Budget and goes to the Appropriations Committee of the Congress as does the budget for any Federal department.

I am firmly convinced that a committee designated in the manner I have suggested, for the purpose I have suggested, should carefully pass on the necessities of legislation and on the kind of legislation which should be enacted, in order to avoid in the future the dangers and difficulties which have encumbered the road in the years gone by. I submit for your serious consideration, that the change that has come about in the fiscal relationship that exists between the Congress and the people of the District of Columbia makes advisable a change in the legislative relationship between the two, and it should be effected as soon as it can be carefully considered. I submit that this change is rendered the more imperative by virtue of the increasing demands made upon the time of the Congress and of its Members.

Finally I submit that fair justice to these people of the District would require that those "inalienable" rights, now long since alienated, should be returned into the custody of the people themselves, and the Congress restore to them a real measure of local autonomy and cease, once and for all, to countenance and perpetuate a system that often verges on that tyranny, said of old by the fathers to be the result of taxation without representation.

CONSOLIDATION OF ACTIVITIES AFFECTING WAR VETERANS

Mr. WILLIAMSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10630) to authorize the President to consolidate and coordinate governmental activities affecting war veterans.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10630, with Mr. HALE in the chair.

The Clerk read the title of the bill.

Mr. GASQUE. Mr. Chairman, I regret to do it at this time, but on account of the importance of this bill I think we ought to have a quorum present to hear the discussion. We discussed the bill at length for an hour or two a day or two ago, and had hardly anyone here to listen to the discussion. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from South Carolina makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and two Members present, a quorum.

Mr. WILLIAMSON. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, in the limited time I have, I will ask that I be not interrupted, as I fear I can not say what I want to say in this time.

I have no desire to attack any agency in anything I have to say. I prefer to look at this for a few minutes from the standpoint of certain principles and objectives.

I have had the responsibility for 8 or 10 years of handling the appropriations for the Bureau of Pensions, and naturally I have had some very close contact with the work of that bureau. I am entirely opposed to any union or consolidation or absorption process as between the Veterans' Bureau and the Bureau of Pensions. [Applause.] In the first place, such consolidation as is proposed in this bill does not mean a saving, but it means a great increase in the cost of administration. [Applause.]

The Veterans' Bureau is not operated as economically as the Bureau of Pensions. I do not believe it is operated as efficiently. All sorts of arguments are advanced as to who will become the head of this new administration, but whoever it will be the tail is not going to wag the dog, and for every dollar that is expended in the Bureau of Pensions there is a thousand dollars expended in the Veterans' Bureau. The same applies as to personnel. Whoever becomes the chief of this new activity is going to give his major thought to the Veterans' Bureau. What time is left will go to the Bureau of Pensions.

It will not result in a saving of money, but increased expenditures for the work in the Bureau of Pensions.

Next, by reason of the facts which I have just stated, that the personnel involved and the personnel employed and the money expended is much less in the one than in the other, the Bureau of Pensions will be in the background and the welfare of the Civil War veterans and their dependents and the welfare of the Spanish-American War veterans and their dependents will not have the consideration from this new organization that they get to-day from the Bureau of Pensions.

The conclusion can not be avoided that if one administrator is to conduct these two great activities the most definite basis that could be desired by anyone to put the World War veterans on a pension basis will be established. It is impossible to pay, through the same office, one man a pension and the other compensation and conduct it successfully in the years to come. It means that a foundation is being laid for a pension system with reference to the World War veterans.

I am proceeding hurriedly in my limited time.

When the Forbes scandal came before the country, Members of Congress universally took the position that they did not want any more independent bureaus. I know that from private conversation with various Members. The Members wished that the Veterans' Bureau was not an independent bureau because independent bureaus are directly under the President, and naturally the President can not give his personal attention to them, and there is no supervision whatever. It is said that the Veterans' Bureau is such a large institution that it needs the dignity of standing by itself. If that is true, let it be made another Cabinet office, if you please. It should certainly not be loose with no supervision whatever. In my opinion the Veterans' Bureau should be under some Cabinet head in the interest of best administration. Please understand there is not a word of criticism in what I say of General Hines. I have entire confidence in his integrity.

I am discussing this not from the basis of personalities but from the basis of principle. Even if we are obliged to leave the Veterans' Bureau as an independent bureau, it is not necessary to bring in agencies that are now supervised by Cabinet officers and increase the powers and responsibilities of that independent bureau.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GASQUE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. RANKIN. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. RANKIN. Will the gentleman from Michigan please state the salaries paid in the Pension Bureau?

Mr. CRAMTON. I would not like to mention that figure offhand, because I can not give it accurately.

I will say frankly that in what I am saying I have not had an opportunity to read the hearings or make a study in detail of this bill, but I am speaking of general principles based on my experience of some years in connection with the Bureau of Pensions.

It is stated that this bureau is so large and important that it ought to be an independent bureau. The Commissioner of Internal Revenue renders important decisions. I remember Secretary Mellon once saying that the Commissioner of Internal Revenue from time to time made decisions as important as the decisions of the Supreme Court of the United States. Yet that bureau gets along as one of the bureaus in the Treasury Department. I do not believe that anything will be gained by this consolidation.

I understand an amendment is to be offered providing that the Bureau of Pensions shall be protected. The amendment contains substantially this language, that nothing in subsection (b) of section 1 shall be taken to authorize the abolition of the Bureau of Pensions. I do not recall the exact language.

It will be noted from reading section 1 that there is to be an establishment known as the administration of veterans' affairs, and that to this new establishment is to be transferred the duties and powers and functions now vested by law in certain existing agencies. Can anyone reading that section doubt that under the direction of the President this administrator of veterans' affairs shall have the power to consolidate, eliminate, and redistribute the functions of the various bureaus, agencies, and so forth? No one can doubt but what the Bureau of Pensions will sink into a most minor and subordinate rôle, and even the protective amendment that is going to be proposed will not save the situation. The activities of the bureau will be partly, from time to time, taken away from the Bureau of Pensions.

The amendment only provides that the Bureau of Pensions is to continue its existence, but it does not insure that the authority will remain in the Bureau of Pensions. As a matter of fact, this bill explicitly takes the authority out of the bureau and vests the final say as to all of these matters in the administrator of veterans' affairs.

I just want to reiterate that the passage of this legislation will cause the bureau handling all matters relating to Civil War veterans and their dependents and Spanish-American War veterans and their dependents to become a minor affair in the administration of veterans' affairs.

The great problems of veterans of the World War are so numerous, so extensive, and so far-reaching that the head of this

bureau will give his first thought to the World War veterans and what time is left to the others. For one—although the World War veterans are more numerous—I am not ready to say that the veterans of the Civil War and the Spanish-American War are to take a position subordinate to that of the World War veterans.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. SCHAFER of Wisconsin. Will it not have this result?—Under the present bill the duties now vested in the Secretary of the Interior will be assumed by the director of the new bureau. Can the gentleman believe that the Secretary of the Interior, with his multiplicity of problems and the great number of departments under him, can give any more consideration to the Pension Bureau personally than the director of this new activity would give to it?

Mr. CRAMTON. I get the gentleman's question. No one now expects the Secretary of the Interior to take any active part in the administration of the Bureau of Pensions. The determination of policy is almost entirely in the hands of the Commissioner of Pensions. Congress knows the Bureau of Pensions; Congress sees the work of the Bureau of Pensions; Congress can judge of the work of that bureau; and we do not regard the Secretary of the Interior as the active head as we must regard this new official. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. WILLIAMSON. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, ladies and gentlemen of the committee, first I want to answer the last statement of the distinguished gentleman who has preceded me. We know that section 2, chapter 1, title 38, United States Code, reads as follows:

> The Commissioner of Pensions shall perform, under the direction of the Secretary of the Interior, such duties in the execution of the various pension laws as may be prescribed by the President.

So you can readily see that the transfer of the Pension Bureau to this new Government activity, which will handle all veterans' affairs, will not have the result of subordinating the affairs of the veterans who are beneficiaries of the Pension Bureau.

Mr. Chairman, the Secretary of the Interior, under the law, has jurisdiction and authority in pension matters. The provisions of this consolidation bill will transfer that authority to the director of the new bureau. Can anyone, with any candor and frankness, say that the veterans who are the beneficiaries under the Pension Bureau will have less personal consideration on the part of the chief administrative officer under the new set-up, when we take into consideration the multiplicity of bureaus and numerous activities administered under the Secretary of the Interior, including St. Elizabeths Hospital. One of the reasons why I could not support a consolidation of veterans' affairs under the Secretary of the Interior is that I do not want the Veterans' Bureau hospitals and the soldiers' homes hospitals to come under the Interior Department and have the same close consideration and cooperation of the Secretary of the Interior that St. Elizabeths Hospital has had.

With the multitude of bureaus and duties now under the Secretary of the Interior it is impossible for the Secretary to keep in close contact with the operations of such hospitals and other veterans' problems. A director under the consolidation as provided in the pending bill would manifestly give better personal consideration to the veterans' problems.

Mr. CRAMTON. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. CRAMTON. My criticism is based on section 2 of the bill. Not only is the authority of the Secretary of the Interior transferred to this new official but section 2 charges him with all the administrative duties relating to the Bureau of Pensions and provides that—

> All final decisions or orders of any division, bureau, or board in the administration of veterans' affairs shall be subject to review, on appeal, by such administrator.

Mr. SCHAFER of Wisconsin. Absolutely; and those decisions are now subject to review by the Secretary of the Interior when it comes to questions relating to the Pension Bureau beneficiaries.

The hearings indicate that the Veterans of Foreign Wars, the American Legion, and the Disabled American Veterans at their national conventions have passed resolutions in favor of putting all veterans' activities under one head; namely, the creation of a new Cabinet officer to handle the veterans' problems. Personally I favor that proposition, and this bill is a long step in that direction. While the pending bill does not centralize the handling of all veterans' affairs under a Cabinet officer it does centralize them under a new bureau directly under the President of the United States. We can reasonably assume that the President will appoint an administrator for the new bureau who has just as good qualifications as a Cabinet officer. Such administrator certainly can give more careful, sympathetic, and personal consideration to the veterans' problems than a present Cabinet officer who has a multitude of bureaus under him and many duties to perform.

Mr. KNUTSON. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield.

Mr. KNUTSON. A comparison between the operation of a bureau where one man gives his entire time to it and another bureau where the head can not give all of his time to it does not warrant the gentleman in making the statement he has just made, and he knows it.

Mr. SCHAFER of Wisconsin. I will state it does warrant such a statement, and as far as many of the statements the gentleman has made in opposition to this bill is concerned there are no reasonable grounds to compare the work of the Pension Bureau and the work of the Veterans' Bureau any more than you can compare day and night. We know that as to most of the Pension Bureau cases it is merely a matter of routine. When you pension Spanish War widows under the act of May 1, 1926, or grant pensions to widows of Civil War veterans they go on the pay roll and those cases are closed. It then becomes merely a matter of sending out the checks each month.

Many thousands of the Indian, Civil, and Spanish War veterans' claims become stationary in so far as adjudication is concerned upon completion of the first allowance by the Pension Bureau. But in the Veterans' Bureau claims under laws enacted by Congress, where Congress sets up specific requirements before payments can be made, and Congress specifically provides for three or four appeals, it is a different proposition. Very few Veterans' Bureau claims become stationary in so far as adjudication is concerned. Furthermore the question of service connection under laws enacted by Congress enters into consideration of every Veterans' Bureau compensation claim as well as the application of a very intricate rating schedule.

The nature and scope of the laws under which the Veterans' Bureau operates is such that no fair comparison can be made between the operation of the Pension and Veterans' Bureaus. The laws under which these two bureaus operate and the scope of their activities are as different as day is from night.

Mr. GASQUE. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. GASQUE. As I understand the gentleman's remarks, he seems to favor this bill. I want to know how the gentleman will get together on this statement he made in the hearings.

Mr. SCHAFER of Wisconsin. I will yield to the distinguished gentleman from South Carolina so that he may quote a statement of mine appearing in the hearings, and I shall be pleased to answer his question.

Mr. GASQUE. I want to state that the gentleman, during the hearings, seemed to be opposed to the very principle upon which this bill is founded, and I note now he is arguing in favor of this bill, which I think everyone will admit delegates more power to one head than any other act ever passed by the Congress. The gentleman at the hearings made this statement:

> I do not believe in granting to one man, even though I am a supporter of his, the arbitrary power to perform duties vested in Congress as a legislative body, particularly when it affects many millions of disabled World War veterans who bled for our country in the time of its wars.

The gentleman must have changed his mind.

Mr. SCHAFER of Wisconsin. No; the gentleman has not changed his mind on that specific proposition. If the gentleman will read the entire hearings he will find that the gentleman from Wisconsin did considerable cross-examining in order to develop the complete facts on this highly controversial consolidation proposition. I had in mind the proposition which the gentleman advocated during the committee hearings, the purpose of the original bill, which gave the President of the United States authority to consolidate all of these veterans' activities without having any strings on the consolidation. The bill which we have before us does not do this, because it creates a new bureau. We define the policy of consolidation, meeting almost entirely the desires of the great organizations of war veterans.

I realize the difference of views on this question of consolidation. After carefully studying the testimony and after attend-

ing each meeting of the committee I reached a conclusion it was a matter of give and take on some of the propositions, because with the various conflicting views on this consolidation between the witnesses, between the departments, and between the members of the committee it was just as impossible to report a bill out that was entirely satisfactory to everybody concerned as it would be to obtain a unanimous vote of this Congress to repeal the sumptuary prohibition laws.

Mr. RANKIN. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. RANKIN. The gentleman spoke of St. Elizabeths Hospital. Having investigated that institution at one time, of course I sympathize with that part of the gentleman's speech; but I am a little surprised to hear the gentleman say we can not get St. Elizabeths Hospital cleaned up under the present Secretary of the Interior. What is the matter down there?

Mr. SCHAFER of Wisconsin. Well, I am not defending the present Secretary of the Interior on his administration of St. Elizabeths Hospital. If I were Secretary of the Interior I would give Doctor White his walking papers with one stroke of the pen and would be doing a good service to the taxpayers and people of the country. I would also demand that the Attorney General bring a court action to collect from the said Doctor White the many thousands of dollars of the taxpayers' money which he has received for maintenance, and personal servants, in violation of law.

Mr. RANKIN. Will the gentleman yield further?

Mr. SCHAFER of Wisconsin. Yes; I yield further.

Mr. RANKIN. In view of the reluctant attitude of the Veterans' Bureau when we were investigating St. Elizabeths Hospital with reference to their abuse of the insane disabled veterans who were incarcerated there does the gentleman think the Veterans' Bureau would be any more diligent in cleaning it up?

Mr. SCHAFER of Wisconsin. The Veterans' Bureau hospitals speak for themselves and answer your question. The Veterans' Bureau operates some of the finest hospitals in the country. You do not find the heads of Veterans' Bureau hospitals receiving thousands of dollars each year for maintenance and personal servants in violation of law. Neither do you find them traveling across the continent to testify as experts to save the necks of vicious millionaires, such as Leopold and Loeb, from the noose.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. GASQUE. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK of Massachusetts. Mr. Chairman, ladies and gentlemen of the committee, after closely studying the bill and the accompanying report of the committee and after listening attentively to the arguments presented by the proponents and opponents of the pending legislation, I can not escape the feeling that the ultimate results, if this bill should become law, would be the abolition of the Bureau of Pensions. I can not, at this time, subscribe to any legislation that will tend to bring about such a result.

I realize that distinguished Members of this body have urged that such is not the purpose of this bill, and I agree with them, but irrespective as to what the purpose may be, the operation of such a law, as contemplated in the pending bill, will result in such a condition. In considering pending legislation, Members are justified in weighing their common experiences and also matters which are generally known to each other. During my service as a Member of Congress I have had occasion to interest myself in matters affecting my constituents that brought me in close contact with both the Bureau of Pensions and the Veterans' Bureau. My experiences with the Bureau of Pensions have been most pleasing. I have found that bureau rendering the highest type of prompt and efficient service to the veterans of the several wars that it serves, to wit, veterans of the Indian Wars, Civil War, and the Spanish-American War, with possibly a few widows of veterans of the War of 1812 still on the pension rolls. In any event, it serves the veterans and widows and dependents of deceased veterans of all wars other than the World War. The work of the Bureau of Pensions is done quietly, effectively, quickly, without any unnecessary red tape, and the approval or disapproval of a claim for pension or claim for an increase of a pension is promptly made. The bureau, in the event that a claim for a pension or an increase is disallowed, has liberal rules which allow the filing of another application within a reasonable time.

It also assists in every way possible veteran claimants to prepare and file the necessary application, which is simple in form. This record of service and achievement has been enjoyed by the Bureau of Pensions for many years. I can not see my way clear to vote for any bill which is likely to disturb the continued rendering of such efficient service; at least, to vote for any bill that, in my opinion, will absorb and ultimately destroy the Pension Bureau.

While the work of the Veterans' Bureau, which serves veterans of the World War, is more varied than that of the Bureau of Pensions and probably more complicated, I am sorry to say that my experiences with that bureau have not been as pleasing as has been my experiences with the Pension Bureau. I do not use the word "pleasing" in a personal sense, that one bureau went out of their way to please me personally and the other did not; but what I mean is that feeling of satisfaction with the knowledge, gained by experience and the application of whatever legal knowledge I possess, together with 17 years of the practice of law, that a bureau or department in making judgments and awards in accordance with recognized principles of law and the intent of Congress when it passed veterans' legislation. If there is one class of legislation that Congress and the American people want interpreted most favorably, it is the legislation that has been passed affecting veterans of the various wars in which we have been engaged. In making any references during this debate to the Veterans' Bureau I do so impersonally.

My personal contact with individuals who are in the service of the Government in the Veterans' Bureau has always been pleasant. So far as I am concerned, such feelings will continue to exist on my part. However, I can not overlook that a system has slowly developed in the Veterans' Bureau the continued operation of which is not consistent with the best interests of veterans of the World War. It is this system which I contrast with that which exists in the Bureau of Pensions.

There is one argument advanced in opposition to the passage of this bill to which I can not subscribe. I refer to the argument of the relative cost in the administration of both bureaus. I realize that the Bureau of Pensions functions at a very low cost to the Government, which ultimately are the taxpayers. I also realize that the mere reading of the relative cost of the Veterans' Bureau, without some explanation, would make one inclined to feel that it is unusually high, particularly when it is contrasted with the Bureau of Pensions. It has many activities imposed upon it by law which are expensive to conduct. Its activities in connection with investigating claims, adjudication of claims, its wide hospital service, the duties of administering the adjusted compensation act, with consequent banking business, together with conducting the largest insurance business in the United States, if not in the whole world, make for expense, and as a result the overhead must of necessity be and appear large.

I can not group myself with those who criticize the Veterans' Bureau because of its expense of administration. My objections to this bill go beyond the question of expense of administration. It involves the question of results which flow to the veterans from the operation of both bureaus. I am also concerned with the question as to whether or not a consolidation is necessary and advisable at this time. Also, in the event of a consolidation, which will ultimately mean the absorption and abolition of either the Veterans' Bureau or the Bureau of Pensions, whether it would not be advisable to wait until Congress has enacted a final, definite policy with reference to World War veterans before such legislation is considered and passed. In the event of a general pension bill being passed relating to World War veterans, having in mind the character of service rendered by the Pension Bureau, it might be advisable when that time arrives to reside the determination and administration of World War pension awards in the Bureau of Pensions.

My experiences with the Veterans' Bureau, I have stated, have not been pleasing. I am frank in stating that it appears to me that many unnecessary and unreasonable difficulties are encountered by veterans. A system has developed which seems to have gone beyond control. I am constrained to state that it looks with suspicion on practically all claims filed by veterans, particularly in recent years. The whole system permeates with technicalities, rules, and regulations difficult to understand and to interpret.

I have noticed—more by negative than by affirmative action—that a feeling of fear exists in granting service connection to a veteran, and after service connection has been granted, in making a disability rating, upon which the amount of compensation is predicated, that the wound, injury, or disease contracted in service justifies. Interlocked with the above is the endless red tape that one meets, which disheartens and discourages many claimants. I have personally gone over the evidence of many files of veterans which have been disallowed; and if I were sitting in a judicial capacity I would have no hesitancy, based upon the evidence in the file, in making a finding that a service-

connection case had been made out in at least 75 per cent of the cases. Under such circumstances and experiences, I can not see my way clear to vote for any bill which will tend to permit the Bureau of Pensions to become absorbed.

The dissatisfaction that exists as a result of the working of such a system that has developed—and I hope that efforts will be made at once to remove the causes for the dissatisfaction—can probably be removed by the passage of a pension bill for veterans of the World War and their dependents when the veterans have been called beyond the Great Divide. The time has arrived for the passage of such legislation. I am absolutely in favor of the passage of such a bill, reserving to disabled service-connected veterans the option of coming within the purview of such a law. In other words, the present status of disabled service-connected veterans should be preserved, granting to them the right of election. Such a course is the only fair one to take.

If a general pension bill was passed, I am satisfied that a substantial percentage of service-connected veterans would elect to accept a pension. In all probabilities, by so doing, they would more nearly receive what they are entitled to. I have said that the time has arrived for the passage of such legislation. It must come some day. Why not now? The determination by Congress of a definite policy with reference to World War veterans must be made some day. The only fair and final determination is by the passage of a pension bill. The veterans of all other wars properly have been given a pension. Are not the veterans of the World War entitled to the same consideration? The granting of pensions to our veterans and to those who are not veterans of any war, but who have served their country in its armed forces for a proscribed period, is a fixed policy of this Nation. If it applies to others, why exempt World War veterans? It might be argued that it is too early, but such an argument is meaningless. If it is proper to pass such a law 20 years from now, it is proper to pass it now. Some might argue economy, but the answer to that is that estimates of cost submitted show that the the cost of a pension law will be less at the present time than the cost of the operation of some of the pending bills which appear to have a reasonable chance of becoming law. Sooner or later a law providing a pension for disabled veterans of the World War and for the widows and children of those who receive the "great call" will have to be passed by Congress.

The several States of the Union and their subdivisions (counties, cities, and towns) are rendering excellent service in trying to assist the veteran of the World War, particularly the disabled one and his dependents, who is non-service-connected. That duty rightfully belongs to the Federal Government. My home city, the city of Boston, alone, gladly expends several hundreds of thousands of dollars each year for the relief of veterans and their families, when they are out of work, either because of disability or lack of employment. That is a duty imposed by law upon all cities and towns in Massachusetts. The Commonwealth of Massachusetts contributes a certain part of the money expended by its subdivisions. I assume that somewhat similar laws exist in many, if not all, of the States of the Union. The passage of a pension bill would be the assumption by the Federal Government of its responsibilities and constitute the performance of the pledges and promises made after war was declared. It would greatly remove from the shoulders of the taxpayers of the several States and of their subdivisions, the carrying on of a responsibility which they gladly accepted, but which rightfully resides in the Federal Government. During the past 10 years thousands of World War veterans have taken the journey from which they will never return. Many of them have left behind them widows and children. Under existing laws, affecting veterans of the recent war, they have no rights, unless they can show that death was the direct result of wound, injury, or disease contracted in service. It is practically impossible to secure such an award.

The percentage of allowances of such claims is very small. As the years roll by deaths in the ranks will be more frequent and the ranks of dependents will grow more numerous. Are they not entitled to immediate consideration? The widows and dependents of veterans of all other wars are entitled to pensions. Why not widows and dependents of veterans of the World War? Assuredly, whatever weight might be attached to the argument that it is too early to enact pension legislation or that it will be too expensive can not be advanced against the immediate enactment of a pension law for widows and dependents. There is pending before a committee of this Congress a bill providing for a pension for World War veterans and their widows and dependents. The American people are watching this bill; they are interested in its passage; they are mindful of the promises made and desire to see them fulfilled. The time has arrived for the passage of such legislation, and I earnestly urge the passage by this Congress of a bill that will fulfill and carry out the promises of the war period. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WILLIAMSON. Mr. Chairman, I yield five minutes to the gentleman from Utah [Mr. COLTON].

Mr. COLTON. Mr. Chairman and members of the committee, my experience in this House has taught me that it is an easy thing to get up here and make statements and charges without any foundation for them whatever.

Now, let us see what there is embraced in this bill. It simply provides for the consolidation and coordination of all veteran activities in the interest of efficiency and economy.

It has been stated that the purpose is to absorb all of the bureaus of activity into the Veterans' Bureau. There is no justification for that remark. It is not intended by this bill that the activities of any bureau shall be abolished, neither is it expected that the efficiency of any bureau shall be diminished in the least.

Let us face the situation squarely. We are spending to-day in round numbers $780,000,000 for the veterans' activities of this Government. We spend an amount equal to 32 per cent of all the money raised from Federal income taxes in caring for our veterans.

A great deal has been said by way of criticism about the Veterans' Bureau. I am not speaking for the Veterans' Bureau nor for the Pension Bureau, but I do want to say that it is not fair to make a comparison between the two. I do not agree with much of the criticism. It is not justified. The Pension Bureau is an old service—many years old. It is doing much efficient work. The Veterans' Bureau is a new service—working out one of the greatest economic and humanitarian problems in Government. I say to you that it is not fair to make a comparison between the two. The services are different. The Veterans' Bureau not only carries on the usual veterans' work but it does one of the largest insurance businesses in the world. It does a large banking business. It has more open bookkeeping accounts than any corporation in the United States. We can not appreciate what a tremendous work we have, by acts of Congress, placed on the Veterans' Bureau. We have been making comparison as to the amounts of salaries with no comparison whatever of the work being done. That is unfair.

Now what is the simple, plain purpose of this bill? It is to take these various activities that are spending such a tremendous amount of money and coordinate and consolidate them under one head for the sole purpose of increasing efficiency and economy of all bureaus.

My friend from Michigan [Mr. CRAMTON] said that it should be under a Cabinet head. Why choose a man that is big enough to be a Cabinet officer, put him in charge of this great activity? This case should not revolve around a personality but a principle. This is a business proposition with a chance to increase efficiency and effect a great economy.

The trouble is that much of this discussion has revolved around personalities. Let us forget personalities. I do not care who is placed at the head. No man here is justified in assuming that any man will hold the position of administrator of veterans' affairs. The President will, no doubt, appoint a man that is big enough to handle the work and carry it on efficiently.

By this consolidation and coordination there will be no unnecessary duplication of work. I think it has been shown in the hearings—and I have listened to most of them and I notice that men who are making these wild statements are those who have not listened—I believe it is a conservative estimate that when it comes to administrative work alone we can save a million and a half dollars.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. WILLIAMSON. I yield the gentleman three minutes more.

Mr. COLTON. Take, for instance, the hospitalization problem. When it comes to hospitalization you have vacant beds in the soldiers' homes that can be used by the veterans. Sites for hospitals can be furnished by a united activity at great saving. It is estimated conservatively that we can save $9,000,000 in hospitalization. It is also estimated that we would make a great saving in the matter of clerical work. And so I

might go on one thing after another to show the amount that may be saved by consolidation.

Ladies and gentlemen, let us proceed with the study of the problem not on the question of personalities but on the question of principle. Who intends to abolish the efficient Pension Bureau? Nobody. An amendment will be offered making it clear that it never was intended to do away with that service. We recognize the efficiency of the Pension Bureau and the soldiers' homes.

We insist also that the Veterans' Bureau, considering the great responsibilities and the tremendous amount of work that has been placed upon it, has been efficient. I have no apology to make for General Hines; I believe he is one of the best administrators in the Government. By nature, training, and experience he is one of the best equipped men in Government service. I am not saying that he is going to be the administrator, however, because I do not know, but I am trying to look at this from principle. It is not a question of abolishing and doing away with efficiency; it is a question of coordinating and consolidating the greatest Government activities probably in existence, and utilizing the greatest spending agency of the Government in the best possible way.

Let me say just one more word as to the Veterans' Bureau. Notwithstanding the large figures given here as being paid for salaries, only 3.72 per cent of the money given to that bureau is spent for administrative purposes. Ninety-six and twenty-eight one hundredths per cent goes directly for the benefit of the veterans. Quoting of dollars does not mean anything, unless you consider work done.

Let us not camouflage the issue, let us make a clear-cut statement. Can we not trust the President of the United States and the able man who will be selected as administrator to preserve all that is best in all bureaus? We believe that the soldiers of the Civil War, who are pensioners, should be protected, and we believe that the pensioners of the Spanish War should be protected, and nobody has any intention of lessening or diminishing the efficiency of those bureaus at all. [Applause.] But it is undisputed that there is a very great duplication of effort, a great duplication of expense, and we are merely asking that under one bureau these activities shall be brought together and their efficiency preserved, and their inefficiency and duplication avoided. We believe we will not only effect a great saving to the Government of the United States but we will insure greater efficiency and greater care for the veterans. [Applause.]

Mr. GASQUE. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. MOUSER].

Mr. MOUSER. Mr. Chairman and my colleagues, on Tuesday last I addressed the House on this matter. At that time certain interrogatories were propounded to me, and I want to supplement my remarks of that day with certain figures which I have taken from the testimony of General Hines, the Director of the Veterans' Bureau, which certainly can not be controverted. I have separated the hospitalization expense, the care of the World War veterans, from that incident to paying the compensation claims, and I find that it costs $22,000,000 in salaries to pay compensation claims, including those that are being paid under the emergency officers' retirement act, an estimated expense in 1931 of $196,000,000. This is exclusive of the expense incident to the hospitalization of the boys.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MOUSER. I have not the time. Did any Member of this Congress when he voted to create the Veterans' Bureau anticipate that it would cost practically three times the salaries of the membership of this House, including the United States Senate, plus all of our employees, to pay compensation claims to the veterans? I say that it is a great problem that is before us to-day. There are 14,000 hospital employees to-day taking care of 28,000 patients.

I read now the exact language of General Hines when he appeared before the committee in reference to salaries:

> That $45,500,000 covers the salaries and travel of all of the personnel, the purchase of heat, light, rental of buildings and equipment, and miscellaneous expenditures incident to the administration of the bureau. No expense for the operation of hospitals or the medical activities of the regional offices are paid from this appropriation, except the purchase and operation of motor vehicles and the payment of salaries.

All of those before-mentioned expenditures, except salaries, are included in the $2,223,726, leaving the entire balance of $43,176,274 for salaries alone.

Mr. COLTON. Mr. Chairman, will the gentleman yield?

Mr. MOUSER. I just have five minutes. There appears in the CONGRESSIONAL RECORD a statement that I desire to quote from at this time, made by the gentleman from West Virginia, in regard to veterans' activities and compensation claims in the State of West Virginia, appearing in the RECORD on February 17, 1930. From that it appears that 892 veterans in West Virginia for the purpose of obtaining hospital treatment traveled 666,000 miles, or twenty-seven times around the world, at the expense of the Government. Can anyone say that the expenditure of money for the disabled World War veterans should not be carefully scrutinized and considered? We owe a duty to pay this money to the veterans and not to employees to keep the veterans from receiving money intended for them. [Applause.]

The following figures are taken from the statement of Gen. Frank T. Hines, Director of the United States Veterans' Bureau, before the World War Veterans' Committee on January 16, 1930, hearings on H. R. 7825, and the appropriation bill discussion in the CONGRESSIONAL RECORD of February 13, 1930:

Total appropriation for Veterans' Bureau for fiscal year 1931	$511,225,000
Military and naval disability compensation, approximately	163,000,000
Compensation to dependents, approximately	33,000,000
Actual estimated disbursement for military and naval compensation, fiscal year 1931	196,648,433
Total appropriation for salaries alone	43,176,274
Telephone, telegraph, travel of employees, etc	2,323,726
Total administrative expense	45,500,000
Number of patients in hospitals, 28,000. Bureau employees in hospitals, over 14,000.	
Salaries of employees in hospitals	21,119,000
Approximately 10,000 bureau employees outside of hospitals whose salaries are	22,057,274

Over $22,000,000 for salaries of the bureau entirely outside those 14,000 employed in the hospitals. Did any Member of Congress, either of the House or Senate, much less to say the American public, ever intend to maintain a salaried personnel in the Veterans' Bureau which amounts to practically three times the combined salaries of all the Members of Congress and the United States Senate together with the entire allowance for office help of both bodies of our National Congress? And this amount is entirely outside of salaries paid to any hospital employees; and we are actually paying only $196,000,000 to the disabled veterans and their dependents. The balance of this total appropriation of $511,225,000 is spent for hospitals, insurance, adjusted compensation, and so forth. The proportion of this balance used for administrative expense is tremendous. For example:

In the CONGRESSIONAL RECORD of February 17, in one State in one year, 892 veterans to obtain hospital treatment traveled about 666,000 miles, or twenty-seven times around the world at Government expense.

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> General HINES. That $45,500,000 covers the salaries and travel of all the personnel, the purchase of heat, light, rental of buildings and equipment, and miscellaneous expenditures incident to the administration of the bureau. No expense for the operation of hospitals or the medical activities of the regional offices are paid from this appropriation, except the purchase and operation of motor vehicles and the payment of salaries.

All of the above-mentioned expenditures, except salaries, are included in the $2,323,726, leaving the entire balance of $43,176,274 for salaries alone. Many have been under the impression that this figure of $45,500,000 covered at least a part of the operation cost of the hospitals in aodition to salaries. It is my desire to make it clear that it does not cover any of the operating cost, except the salaries, of the 14,000 men who are caring for the 28,000 patients.

Contrast this kind of administrative expense with that of the Pension Bureau, which paid out $214,000,000 to 471,422 pensioners and the entire cost of both salaries and administration is $1,219,400.

Mr. WILLIAMSON. Mr. Chairman, I shall yield myself one minute. I can not understand why gentlemen get up on this floor and make the character of statements they do with reference to the overhead in the Veterans' Bureau. I call the attention of the House to two tables which I inserted in the RECORD yesterday, appearing on page 6738, which show the break-up of the dollar both in the national homes and in the veterans' hospitals. An examination of these tables and the table appearing at page 214 of the hearings will show that out of every dollar expended in the Veterans' Bureau less than 4 cents is spent for administrative expenses. Any statement made to the contrary is based upon figures which include matters which clearly can not be properly classed as overhead.

Mr. MOUSER. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Sorry; but I have only one minute. I am stating the facts, and the gentleman can get them from the record.

Mr. MOUSER. I was quoting from General Hines's testimony.

Mr. WILLIAMSON. General Hines's testimony shows that the amount is 3.72 cents of each dollar expended by the bureau. Take a look at page 183 of the hearing if you want to know what the general said.

The CHAIRMAN. The gentleman from South Dakota has used one minute.

Mr. GASQUE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. SWING].

Mr. WILLIAMSON. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. SWING].

Mr. SWING. Mr. Chairman, I rise to discuss a subject that is closely related to this bill, perhaps directly so, and that has to do with the regulations of the Veterans' Bureau for the care of veterans in hospitals and who have been discharged from hospitals against medical advice to go to their own homes and who desire what is known as out-patient treatment. The Veterans' Bureau is equipped to carry on an extensive work in out-patient medical service. Of course, such service is obviously much cheaper to the Federal Government than hospitalization, where the men must be fed, housed, and furnished nurses and attendants.

Out-patient service is where a man stays at home and is nursed by his wife or mother, and simply has some contract doctor to look after him and see that he gets proper medicine.

Now, among its disciplinary regulations the Veterans' Bureau has formulated this proposal: A man who insists on going home against medical advice is listed for discipline, and is thereafter denied medical service or attention until he can in some way get himself reinstated or develops a case of emergency. They have in Regulations and Procedure, United States Veterans' Bureau, Medical, 1929, a paragraph—6588—and I will put in the RECORD subdivisions (c), (d), and (e) of that paragraph, which are as follows:

(c) When a beneficiary who has been admitted to a hospital upon authority of this bureau is discharged therefrom "against medical advice" and upon return to his home has become ill and requests medical treatment at home and it is determined that his physical condition is such that he can return to a hospital, medical care and treatment will not be furnished by the bureau to such beneficiary in his home.

(d) Where the same conditions obtain as in (c) except that the beneficiary's condition is not considered such as to permit his removal to a hospital, the bureau will nevertheless not assume the care and treatment of such claimant in his home.

(e) Where the conditions discussed in (c) and (d) obtain except that the discharge from hospital has been for "absence without official leave" or for "disciplinary reasons," regional office will be similarly governed as in (c) and (d); that is, care and treatment at home will not be authorized at the bureau's expense.

I charge that these regulations constitute official blacklisting of disabled veterans, to take care of whom the bureau was especially created. As you see, under subdivision (c) they provide that if a man leaves a hospital against medical advice and goes home and then subsequently needs medical treatment but is in condition to go back to the hospital they refuse to give him out-patient service. Thus disciplinary treatment is substituted for medical treatment. But now notice regulation (d), where the veteran's condition will not permit his removal to a hospital. Although the ex-service man's condition is so serious that to attempt to remove him to a hospital would endanger his very life, still the Veterans' Bureau in Washington admonishes its regional offices that they must not assume the care or treatment of the patient in his home.

Now let me give you a concrete example of how this rule works.

I went to the office of General Hines on the morning of March 28 and called his attention to a telegram sent to me by the past State president of the American Legion auxiliary of California, citing me to the case of J. H. Wilson, veteran, who was dying at Banning, Calif., without medical care or attention. I pleaded with him to do something to care for this man, who had incurred these very disabilities in the defense of his country and who was then dying from the effects of them. He assured me he would. I sent a telegram that the boy would be taken care of. In due time I got a letter from the commander of the American Legion thanking me for my efforts in behalf of this boy, but saying that Wilson had suffered terribly and died on March 30 without anything whatever being done for him by the Veterans' Bureau. This boy was one of 25 veterans blacklisted by the Veterans' Bureau in this one community. No medical aid will be given them merely because sometime they broke some hospital regulation. This House and the American people know that the war is over and that these disabled boys are not in the Army now. The medical doctors who had no military functions to perform during the war are now in time of peace very militaristic and are insisting on iron discipline to the extent that they will leave a man to die of want and neglect in order to teach him the importance of obeying all of their hospital regulations.

That is not what Congress intended for the Veterans' Bureau to do or what the American people wanted done. I say, unless the Veterans' Bureau is able to get back to its mission of mercy, of tenderly caring for the sick intrusted by the American people to their custody, God forbid that any more veterans should be put within their control. [Applause.]

Blacklisting was prohibited in this country by law as an uncivilized weapon of industrial warfare; yet in an agency set up for humane purposes we find that blacklisting is resorted to for disciplinary reasons, and men are allowed to die in neglect by an agency spending millions of dollars annually in the name of humanity.

I hope that if this bill is adopted there will be attached to it some amendment prohibiting the blacklisting of sick and disabled veterans of the war by the Veterans' Bureau.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SWING. Yes.

Mr. OLIVER of Alabama. The gentleman has mentioned a very distressing case that naturally excites our sympathy. I understand the gentleman to say that General Hines was considerate and promised prompt treatment?

Mr. SWING. Yes, he did; but it took so long to unwind the bureau's red-tape that nothing was ever done. I called the case to General Hines's attention on March 28, and the man was allowed to die on March 30 without a Veterans' Bureau employee ever going to see him.

Mr. OLIVER of Alabama. Does the gentleman know the name of the doctor who refused hospital treatment?

Mr. SWING. The Veterans' Bureau knows. Primarily it is their regulations. There are supposed to be about 25 of these blacklisted cases in one community of my district, and I am told there are 169 in southern California.

Mr. YON. Mr. Chairman, will the gentleman yield there? You have mentioned the work of the Veterans' Bureau. As between the work of the Veterans' Bureau and that of the Pension Bureau, do you not find it simpler and easier to do business with the Pension Bureau than with the Veterans' Bureau?

Mr. SWING. Yes; but comparisons are somewhat unfair sometimes. It is my observation, however, that there is more lost motion in the Veterans' Bureau than in any other agency of the Government.

But in fairness it ought to be said that part of that is due to the nature of their problems; part of it is due to the law. Our pension law is an easier law to apply than one of disabilities which must be connected by evidence with the service. I cast no reflections upon anybody in the Veterans' Bureau. General Hines is an honest, genial man, with good intentions, but he has a great, unwieldy organization. He can not know what is going on in all parts of that bureau. But he now knows of these regulations, and I sincerely hope that this barbaric relic of antiquity can be abolished by the Veterans' Bureau and the humane work that they are expected to do will be carried on without regard to red tape and military discipline.

Mr. GREEN. Will the gentleman yield?

Mr. SWING. I yield.

Mr. GREEN. I would suggest to the gentleman from California [Mr. SWING] that the same military discipline that has been applied in the case just mentioned by the gentleman could be applied by the director to his minor officials. Why does he not kick them out if he is without blame himself? It is his duty to systematize it and put it on a proper administrative, workable basis.

Mr. SWING. I yield to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. If the head of one bureau is not able to give more direct attention, as in the case cited, how does the gentleman from California think that by putting

three of them together the administrator would be able to accomplish that?

Mr. SWING. I favor bringing together these three activities in the interest of economy; but, to use an illustration, I favor putting the three eggs in one basket, but I do not favor scrambling the eggs. [Applause.]

I desire to extend my remarks by including the telegram from Mrs. Ann Chapline, calling my attention to the Wilson case on March 28; the letter of Frank McGregor, announcing the death of Wilson on March 30, without having received any attention from the Veterans' Bureau; the letter of Otto C. Meeks, welfare officer of the American Legion at Banning, Calif., calling attention to the blacklisting practices of the bureau; and a letter of Frank McGregor to the same purport.

ORANGE, CALIF., *March 28, 1930.*

PHIL SWING,

House of Representatives, Washington, D. C.:

J. H. Wilson (C-1281615), disabled World War veteran, Banning, Calif., dying without proper medical attention owing ruling medical procedure section 6588 from central office, Washington. Detailed explanation sent you by Frank McGregor recently. Many cases urgent here. Ruling unjust. Immediate attention appreciated.

(MRS.) ANN CHAPLINE,
Past State President American Legion Auxiliary.

BANNING, CALIF., *April 3, 1930.*

Hon. PHIL D. SWING,

Washington, D. C.

MY DEAR COMRADE: Thanks kindly for your letter of March 29. It was very good of you indeed to get up out of your sick bed, and I can assure you that your work is very much appreciated. We sincerely hope by this time that you are fully recovered. The boys need you badly.

James H. Wilson (C-1281615), "service connected," died the day after you wrote to me. He died March 30. His wife and relatives are very much hurt. He put off calling the doctor in until it was too late; he was so far gone the doctor could only help relieve the pain. He suffered terribly. His wife stated they just could not afford it, and that they expected every day that the Veterans' Bureau would allow them a doctor. The Los Angeles office of the Veterans' Bureau was notified and contacted, and told that this man was dying and needed medical help. Their reply was, as you know, in the negative. His case somehow was given considerable publicity and the reaction in southern California is beginning to become apparent as unfavorable toward the Veterans' Bureau, I must say. If your letter had of come a week sooner may be it might of been able to save Wilson.

On a separate sheet I will give you list of veterans blacklisted here.

Very sincerely yours,

FRANK MCGREGOR.

BANNING POST, AMERICAN LEGION,
Banning, Calif., March 3, 1930.

NATIONAL HEADQUARTERS AMERICAN LEGION,
Indianapolis, Ind.

COMRADES: The following was passed as a resolution of Banning Post on February 20:

"An emergency has arisen in the affairs of some of our disabled comrades, who, having left Government hospitals against medical advice, are now living in such places as Banning, near the desert and under conditions which they and their families feel are materially aiding them in their recovery or the alleviation of their disability.

"Most of them are tubercular and seem to be getting along at least as well as they would elsewhere.

"The Veterans' Bureau regional office at Los Angeles has withdrawn medical attendance and medicines, along with special treatment which some cases may require. The 25 cases in the pass country centering at Banning are termed 'A. W. O. L's' by the bureau.

"Since there is not room in Government hospitals for thousands who have been recommended for hospitalization, and since our best advice is that it is cheaper for the Government to maintain such veterans, with medical attendance and medicines, in their separate homes rather than in hospitals, we ask the aid of the entire American Legion to return to these our sick comrades all the help a wealthy and grateful Nation can render, no matter where they may be."

EARL G. DOLE, *Commander.*
OTTO C. MEEKS, *Welfare Officer.*

BANNING, CALIF., *March 2, 1930.*

Hon. PHIL D. SWING,

Washington, D. C.

DEAR COMRADE: We need your kind help again. I will forego formalities this time, be brief, and to the point.

In August, 1929, the Veterans' Bureau central office at Washington issued a new book of rules and regulations, which was sent to all regional offices at that time, and they were duly put into effect.

Since then Doctor Schultz has been appointed chief medical officer at the Los Angeles office, taking the place of Doctor Donnelly, who was transferred to the central office at Washington. Doctor Schultz apparently took it upon himself to make his own interpretation of these rules and asked the central office for authorization to put his interpretation into effect, which they did reluctantly, for the time being, at least. The effect of these new rules is to deprive any and all claimants of any medical home treatment or drugs whatsoever, if at any time, no matter if it was seven or eight years ago they left the hospital after being hospitalized, against medical advice or A. W. O. L. This ruling affects 8 disabled veterans in Banning and 169 in this southern district. Some of these men and women in Banning left the hospital seven years ago and have been on home treatment ever since. Now they are being deprived of everything except their compensation. You know that is absolutely unfair and without precedent to take advantage of bedridden T. B. patients like that. Hospitalized claimants who become A. W. O. L. or leave hospital against medical advice have always been penalized, which is as it should be, but this new ruling is beyond reason. Don Claplin, the Los Angeles County Legion service officer, is trying to do what he can to help the boys down there.

Very sincerely,

FRANK MCGREGOR.

Mr. GASQUE. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD, and include a list of emergency officers, now retired with pay and employed in the Veterans' Bureau, showing their salaries and retirement pay; also a list of emergency officers, retired with pay, who are not employed in the Veterans' Bureau, showing their retirement pay.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Chairman, I am opposed to this bill, and I want to say to the gentlemen of the House who are going off on the idea that the World War veterans are in favor of it that as far as we know the World War veterans are very much divided on this proposition. They have the Veterans' Bureau now. They are not asking to come under the Pension Bureau, and they have no right, even if they had the power, to dictate to those now under the Pension Bureau what shall be done with them. And as far as I know, the soldiers now under the Pension Bureau are not asking to be put under the Veterans' Bureau.

There are only two reasons for the passage of this bill. One would be in the interest of efficiency, and the other would be in the interest of economy. Unless it promotes efficiency or economy it is useless for Congress to proceed with its passage.

Let us see about its efficiency. There is no question but that the Veterans' Bureau will ultimately swallow up the Pension Bureau and the soldiers homes. If any of the gentlemen doubt that, they should have heard the clamor for this consolidation in the years that have passed. But cutting down expense is not attempted. A superbureau under a new director is created. They are all put under one bureau with the same functions to perform. I care not who the titular director is, the Secretary of the Treasury will be the superdirector. It will increase the efficiency of neither the Veterans' Bureau nor the Pension Bureau.

Now, let us see about the expense. Will it promote economy? It would promote economy if the compensation of the veterans were fixed, and the Veterans' Bureau were prohibited from meddling with it. If it were turned over to the Pension Bureau to mail out the checks, several million dollars would be saved.

That, however, is not being done. It is simply proposed to put them all under one superbureau, create another office paying $12,000 a year, and make one more loop in the barbed-wire mesh of red tape with which the veterans with disabilities are now struggling. I am speaking now with reference to veterans of the World War—men from the rank and file.

With reference to expenses, the salaries in the Pension Bureau are $1,805,226.63 a year. What are the salaries in the Veterans' Bureau? Let us see how much money the Pension Bureau distributes to the men each year. I am speaking of the disabled soldiers. Two hundred and twenty-eight million nine hundred and sixty-five thousand six hundred and seventy-two dollars and forty-nine cents is distributed by the Pension Bureau.

What are the salaries in the Veterans' Bureau? I am not quoting figures offhand, but I have taken these figures from the cross-examination of General Hines. The salaries in the Veterans' Bureau amount to $40,693,345.35. All the salaries of all the Congressmen, all the Senators, all of their clerks and secre-

taries together amounts to less than $10,000,000 a year—less than one-fourth the salaries of the Veterans' Bureau.

Why create more of it? If the gentleman from South Dakota [Mr. WILLIAMSON] will "screw his courage to the sticking place," some of this red tape might be cut out. Some of these overhead expenses might be eliminated. But this bill will not do it.

Let us see how much money the Veterans' Bureau distributes to the veterans. This talk about the expense of the Veterans' Bureau being unloaded on the back of the veterans should stop. I expect to answer every man who charges the veteran with absorbing these great expenditures. I will show you exactly what has been expended. In order that I may not be accused of misquoting, I will turn to the testimony of General Hines. He says, "$196,000,000 is the estimate for the year 1931." This is taken from the hearing on the Rankin bill, which should have become a law three months ago. The Veterans' Bureau distributed $196,000,000 to the veterans; the Pension Bureau distributed $228,000,000 to their veterans. The salaries in the Veterans' Bureau are more than $40,000,000. The salaries in the Pension Bureau are $1,800,000.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. RANKIN. I know what the gentleman is going to ask and I will answer it before he states it.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. WILLIAMSON. The gentleman stated——

Mr. RANKIN. No. I yielded for a question only. I decline to yield for a statement.

Mr. WILLIAMSON. Will the gentleman tell the House what percentage of the money expended by the Veterans' Bureau is used for overhead?

Mr. RANKIN. No. That is another link in the red tape.

Mr. WILLIAMSON. It is 3.72.

Mr. RANKIN. Oh, the gentleman talks about all the money expended by the Veterans' Bureau. It is being spent for every kind of activity that the Veterans' Bureau engages in. But only $196,000,000 is paid to the veterans, and the salaries in the Veterans' Bureau amount to more than $40,000,000.

I know you are going to say some of these are salaries in the hospitals. I will tell you how much the salaries in the hospitals of the Veterans' Bureau are. They are $19,000,000. They are $21,000,000 in the Veterans' Bureau exclusive of hospitals—more than ten times as much as the salaries in the Pension Bureau without hospitals and more than twice as much as all the salaries of both the House and the Senate including all their clerks and all their secretaries.

There are no Federal soldiers in my district. You are paying pensions for what our soldiers did to your soldiers during the Civil War. [Laughter.] I have none of them to amount to anything, but there are Spanish-American War veterans in my district; they are opposed to this bill, and I do not blame them.

Now, what will you have? Here is a man who has a disability amounting to 30 per cent, and here is what you will pay him.

If he is a veteran of the Civil War, owing to his extreme age, he will now be getting $72 a month, whether he was a buck private or a major general. If he is a veteran of the Spanish-American War, he will be drawing $50 a month, whether a private or a general. If he is a veteran of the World War with a 30 per cent disability he will be drawing $30 a month. If he happens to be a World War veteran with a 30 per cent disability, and was a private soldier in that conflict, he will be drawing $30 a month, but if he happened to be a major general he will be drawing about $450 a month, and if he was a colonel he would be drawing $262.50 a month under the so-called emergency officers' retirement act passed by Congress several years ago, which creates these discriminations between officers and enlisted men.

Before we turn all of these veterans' affairs over to one bureau we ought first to eliminate some of these discriminations. Under the permission granted me to extend my remarks in the RECORD, I here insert a list of those emergency officers now retired with pay who are employed in the Veterans' Bureau, showing the salaries they receive, together with the retirement pay which they are allowed.

The list is attached:

Employees of the Veterans' Bureau who have been placed on the list of emergency officers retired with pay, showing salaries and retirement pay February 1, 1930

Name	State	Bureau designation	Per annum salary	Monthly retirement pay
Adams, Roscoe, C-396379	Kentucky	Physician	$3,800.00	$262.50
Adams, Winthrop, C-1008996	District of Columbia	Medical director	8,000.00	150.00
Ale, John H., C-165794	Indiana	Regional manager	4,600.00	125.00
Anderson, Charles L. G., C-276953	Washington, D. C.	Physician	3,860.00	240.62
Arnold, David E., C-528832	California	Medical member	4,400.00	187.50
Arwine, James Tevis, C-1348848	do	Physician	4,400.00	187.50
Aten, Everett M., C-1099817	New York	Disbursing clerk	2,500.00	150.00
Bacon, Harry P., C-1239977	Minnesota	Physician	4,600.00	150.00
Bailey, Frank J., C-161973	Arkansas	Chief dental clinic	4,038.00	165.00
Baker, David Alfred, C-1235549	California	Physician	3,800.00	150.00
Ballard, James Clinton	Arkansas	do	3,800.00	206.25
Ballou, James L., C-476262	Oregon	do	4,600.00	150.00
Barlou, Alfred M., C-364689	Ohio	Regional attorney	3,800.00	125.00
Barnhart, Harry Henry, C-315089	Pennsylvania	Suboffice manager	3,300.00	210.00
Barry, Howard J., C-402259	Wisconsin	Medical member	3,800.00	125.00
Bays, John Ransom, C-107323	Kentucky	Rating specialist (claims)	3,200.00	106.25
Bernard, Lawrence Judah, C-500449	California	Physician	4,600.00	125.00
Birchfield, George Irving, C-1284508	Washington	do	3,800.00	150.00
Bittner, Earl Robert, C-293958	Maryland	Machine operator B	1,740.00	116.87
Black, Dennis Leo., C-272182	Massachusetts	Physician	4,400.00	125.00
Blackburn, John Davies, C-317876	Georgia	Physician, part time (5 hours daily)	3,142.00	137.50
Blake, William James, C-220788	Massachusetts	Regional manager	5,600.00	125.00
Blair, George Arnold, C-323892	Tennessee	Rating specialist (occupational)	3,200.00	165.00
Bohn, Charles Reinhardt, C-210088	New Jersey	do	3,200.00	195.00
Borden, Archibald David, C-1271880	California	Regional manager	4,600.00	225.00
Boyd, Benj. Day, C-411068	Alabama	Dentist	3,700.00	162.50
Brady, Henry A., C-286906	Ohio	Physician	3,800.00	150.00
Buck, Samuel Carey, C-1392365	California	do	4,000.00	150.00
Burstein, Louis L., C-685146	do	do	4,000.00	125.00
Byrne, Joseph V., C-356731	District of Columbia	Chief of certified accounts division	4,800.00	150.00
Caldarone, Alfred A., C-1407925	Rhode Island	Physician (rating specialist)	4,000.00	150.00
Carling, Dr. John, C-479058	California	Physician	5,200.00	150.00
Cassidy, Franklin C., C-1263276	Colorado	do	4,600.00	125.00
Chambers, Wilfred Ernest, C-1085955	Missouri	Medical officer in charge	6,500.00	206.25
Chance, Jenner Perry, C-1347324	Minnesota	Physician	4,500.00	206.25
Charles, William S., C-377799	North Carolina	Rating specialist (occupational)	3,200.00	150.00
Chase, Alpha Manley, C-412533	Colorado	Physician	4,500.00	195.00
Christiansen, James, C-495531	Wisconsin	do	4,600.00	165.00
Compton, Booton S., C-351915	Kentucky	Clinical director	5,800.00	125.00
Cooley, Beamon S., C-1126039	Alabama	Physician	4,000.00	125.00
Crawford, Harry S., C-1227726	Missouri	do	3,800.00	150.00
Cummings, John M., C-791014	New York	Contact representative	2,800.00	137.50
Dabney, Malcolm Grant, C-239131	Alabama	Dentist	[1] 1,400.00	150.00
Daggett, Byron B., C-542994	New York	Rating specialist (occupational)	3,200.00	165.00

[1] Part time, 3 hours daily.

Employees of the Veterans' Bureau who have been placed on the list of emergency officers retired with pay, showing salaries and retirement pay February 1, 1930—Continued

Name	State	Bureau designation	Per annum salary	Monthly retirement pay
Darrah, Homer C., C-288536	Idaho	Dental mechanic	$2,000.00	$166.00
Davis, Eugene, C-1139337	Tennessee	Medical officer in charge	6,500.00	187.50
Davis, Joseph Allen, C-220695	California	Field examiner	2,800.00	106.25
Decker, Ernest R., C-400696	New York	Regional adjudication officer	3,800.00	106.25
Derdiger, Louis B., C-1236653	Minnesota	Physician	3,800.00	180.00
Dodd, Thomas Franklin, C-582263	Virginia	Medical member, section A, board of appeals	4,800.00	187.50
Doherty, William T., C-1206204	Kansas	Physician	5,007.00	125.00
Donahue, John Leo, C-186199	Arizona	do	4,600.00	150.00
Donnelly, James W., C-1393043	District of Columbia	Medical supervisor	5,600.00	125.00
Douglas, Harry A., C-622575	Alabama	Superintendent of construction	3,200.00	150.00
Duffy, Frank Thomas, C-392361	Illinois	Regional manager	5,600.00	125.00
Duncan, Miles Jordan, C-113746	California	Physician	5,007.00	150.00
Ehlert, John Mathews, C-1303856	Alabama	do	4,200.00	125.00
Ellis, Luther E., C-327132	Michigan	Regional manager	4,600.00	150.00
Endler, Joseph Charles, C-1024980	New Jersey	Regional dental officer	3,800.00	150.00
Ernest, F. James Mahon, C-1275983	Oregon	Physician	4,400.00	206.25
Eyerly, Tema Le Clere, C-380828	Colorado	do	4,000.00	150.00
Essenson, Oscar Samuel, C-319963	California	do	4,400.00	193.00
Fannin, Frank Arthur, C-221795	Oklahoma	do	4,600.00	150.00
Feethan, Percy M., C-369813	Georgia	Supervising superintendent of construction	4,800.00	150.00
Felter, Charles T., C-316830	District of Columbia	Contact representative	2,700.00	160.00
Ferguson, Jo. Marvin, C-452345	Arkansas	Medical officer in charge	6,500.00	150.00
Field, Albert, C-252464	Illinois	Physician	4,000.00	150.00
Fitzgerald, William Thomas, C-567006	New York	Regional adjudication officer	4,600.00	131.25
Foster, Thomas, C-906198	District of Columbia	Consultant in G. M. to council on appeals	5,200.00	150.00
Fowler, Gray Bowers, C-538481	New York	Field examiner	2,600.00	125.00
Fraine, John Henry, C-1242848	Minnesota	Regional attorney	3,800.00	312.50
George, John C., C-460538	North Carolina	Physician	4,600.00	187.50
Gill, John Louis, C-1303457	Texas	do	4,000.00	150.00
Given, Ellis Edgar W., C-1360619	Pennsylvania	Physician, part time	3,000.00	218.75
Grant, Harold R., C-563944	Michigan	Field examiner	2,800.00	125.00
Greene, Fred Baxter, C-418634	Oregon	Assistant to regional disbursing officer	2,100.00	165.00
Haines, Wm. Henry, C-1057336	New Jersey	Physician, part time	2,400.00	150.00
Hanson, Henry V., C-282325	Minnesota	Physician	4,600.00	150.00
Harrison, Edmund Lee, C-609646	District of Columbia	Rating specialist (medical)	4,000.00	125.00
Hasbrouck, Edwin Marble, C-308579	Virginia	Physician	4,000.00	150.00
Healey, Thos. Francis, C-209589	Connecticut	Physician, part time	1,114.00	150.00
Hemp, Albert B., C-1240227	Minnesota	Adjudicator	2,800.00	106.25
Hinchcliff, John W., C-424112	Mississippi	Assistant to regional accountant	1,800.00	150.00
Hindman, Samuel, C-328104	Ohio	Physician	4,400.00	150.00
Hooks, Hilary Geo., C-267547	West Virginia	Regional manager	4,200.00	150.00
Hopkins, Samuel Rice, C-1224859	Illinois	Medical member (board of appeals)	3,800.00	187.50
Howard, John Frederick, C-603154	Colorado	Physician	4,400.00	150.00
Howe, John B., C-314928	Illinois	do	4,000.00	150.00
Huff, Scott Miller, C-906090	New Jersey	Rating specialist (physician)	3,800.00	180.00
Hummel, Chas. Edward, C-246755	Maryland	Contact representative	2,800.00	210.00
Ingalls, Henry Allison, C-328278	New Mexico	Physician part time	1,000.00	240.62
Irion, Edwin Clair, C-654777	New York	Assistant regional attorney	3,200.00	125.00
Jackson, Chas. T., C-515427	California	Property custodian	2,800.00	106.25
Jones, Ralph Phillips, C-159474	Colorado	Physician	4,600.00	125.00
Johnson, Benj. P., C-1153952	Kentucky	Rating specialist (occupational)	3,200.00	106.25
Johnson, Edwin M., C-1094334	District of Columbia	Physician	4,400.00	150.00
Joiner, William Edwin, C-1280565	Washington	do	4,400.00	150.00
Kane, Frances Leo, C-118206	New Jersey	Assistant to regional manager	3,300.00	150.00
Kearney, Charles A., C-363614	Idaho	Physician	4,600.00	150.00
Keeler, Claude C., C-528515	Minnesota	do	5,200.00	150.00
Kimball, Isham C-1139579	Louisiana	do	4,800.00	187.50
Lachte, Henry C., C-592330	do	do	4,200.00	125.00
Lawthian, George H., C-146908	South Dakota	do	4,600.00	150.00
Lazenby, Earl Kilpatrick, C-1090136	Georgia	do	3,800.00	150.00
Leontine (Lentine), Gaspar Emanuel, C-1019195	Massachusetts	do	4,600.00	187.50
Lewis, Benj. Jafferson, C-406740	South Carolina	do	3,800.00	125.00
Loewy, Ignatz David, C-318761	Arizona	Clinical director	6,000.00	206.25
Longino, Dick R., C-1116085	Georgia	Physician	3,800.00	125.00
Maher, Harry E., C-1230698	North Dakota	Specialist (occupational)	3,200.00	125.00
Malone, Will Hale, jr., C-900177	Georgia	Physician	4,400.00	125.00
Malonson, James Henry, C-1013338	Massachusetts	do	4,000.00	180.00
Marcella, Marius B., C-354178	Oregon	do	4,600.00	243.75
Martin, Albert, C-414886	California	do	4,600.00	150.00
Martin, John Foley, C-1393711	do	do	4,200.00	125.00
Matthews, Walter Monroe, C-1322129	Arkansas	do	4,400.00	125.00
McAloney, Lorne Gilmore, C-316580	New Mexico	Chief dental clinic	4,400.00	150.00
McCulloch, David C., C-472152	California	Physician	4,400.00	150.00
McCrillis, Wm. Wallace, C-1265980	do	Dentist	2,700.00	150.00
McDermott, Bernard Anthony, C-1378486	District of Columbia	Medical member, emergency officers' retirement rating board.	5,000.00	125.00
McDonald, John T., C-1390985	Arizona	Physician	4,200.00	125.00
McKnight, James Longwell, C-445400	do	do	4,600.00	125.00
McVety, Edwin Robt., C-1174193	Minnesota	Ward attendant	1,380.00	106.25
Metcalf, Arthur Boyd, C-422390	Maryland	Assistant engineer (landscape)	2,700.00	106.25
Meyst, Chas. Henry, C-291115	Wisconsin	Physician	4,400.00	150.00
Monroe, Harry S., C-295524	Pennsylvania	Medical officer	4,400.00	125.00
Montgomery, Chas. Gaines, C-1337556	North Carolina	Contact representative	2,700.00	150.00
Moore, Roy Dudley, C-393840	California	Medical member board of appeals	4,400.00	150.00
Morrison, Cyrus C., C-1205971	Illinois	Physician	3,800.00	150.00
Neilon, John E. C-1348121	Minnesota	Dental officer	3,900.00	125.00
Nelson, Edwin George, C-158275	do	Physician	3,800.00	125.00
Nevitt, Philip Henry, C-1169148	Kentucky	do	4,200.00	125.00
Newquist, Daniel C., C-364656	Iowa	Contact representative	2,800.00	165.00
Nieweg, Geo. Alfred, C-150425	Missouri	Physician	4,800.00	125.00
Park, Wm. Edwin, C-293346	North Carolina	do	4,600.00	150.00
Partington, Cyrus B., C-403973	Colorado	do	4,500.00	125.00
Patterson, Chas. Henry, C-199851	Idaho	do	3,800.00	125.00
Patterson, Clayton Allen, C-1272011	California	Regional dental officer	5,157.00	165.00
Patterson, Edward L., C-609776	Montana	Physician	3,800.00	150.00
Patton, John R., C-1405707	Massachusetts	Rating specialist (physician)	4,000.00	150.00
Penrose, Thos. Wm., C-313793	Pennsylvania	Physician	3,800.00	243.75
Phares, Willard A., C-1225475	Kansas	Physician (part time)	1,500.00	187.50
Philips, Carlin, C-456005	New York	Medical member	5,307.00	187.50
Pickett, Geo. Edward, C-411020	North Carolina	Adjudicator	2,600.00	106.25
Prill, John Howard, C-1178000	Wisconsin	Physician	3,800.00	150.00
Reed, Carl Oliver, C-1246431	New Mexico	Regional medical officer	4,200.00	150.00
Richeson, Austin Bresner, C-296969	Oregon	Assistant to regional manager	3,200.00	225.00

Employees of the Veterans' Bureau who have been placed on the list of emergency officers retired with pay, showing salaries and retirement pay February 1, 1930—Continued

Name	State	Bureau designation	Per annum salary	Monthly retirement pay
Riordan, John Kenneth, C–431050	Illinois	Contact representative	$2,800.00	$125.00
Roach, Richard A., C–1392779	California	Physician	5,007.00	150.00
Roberts, William J., C–548268	New Mexico	do	4,000.00	150.00
Rosenfield, Milton S., C–481595	California	Rating specialist (claims)	3,200.00	106.25
Ross, Cecil H., C–1305679	Alabama	Physician, part time	600.00	187.50
Rucker, Claude Nelson, C–289008	West Virginia	Regional medical officer	4,200.00	150.00
Schaeffer, Charles Edwin, C–1383279	District of Columbia	Technical assistant	3,600.00	150.00
Scott, Harry Alex., C–313537	Missouri	Physician	4,600.00	125.00
Sedgley, Frank Robert, C–1347438	Minnesota	Chief, surgical service	5,600.00	150.00
Seibert, Alexander Wood, C–618368	Arizona	Physician	4,000.00	125.00
Seibert, David Allen, C–365002	Washington	do	3,800.00	125.00
Sisson, Howard R., C–282524	Pennsylvania	Assistant to regional manager	3,500.00	125.00
Skinner, George Coleman C–162512	District of Columbia	Chief of division	6,500.00	150.00
Shanks, Edgar DeWitt, C–355417	Georgia	Physician, part time	2,400.00	150.00
Shelly, Hargus Gerald, C–565949	Kansas	Regional medical officer	4,400.00	150.00
Sherry, Cameron B., C–528920	Texas	Rating specialist (occupational)	3,200.00	106.25
Shewmaker, Oscar F., C–389522	Kentucky	Physician	3,800.00	125.00
Small, John Joseph, C–467751	Pennsylvania	Dentist	3,700.00	150.00
Smith, Dallas Barton, C–223707	Alabama	Director's representative	6,500.00	262.50
Smith, Robert P., C–1283805	Montana	Physician	5,000.00	187.50
Soper, John Elford, C–210272	Minnesota	do	4,000.00	150.00
Steindler, Leo Fleischer, C–313817	Maryland	do	4,000.00	150.00
Stoakey, Paul F., C–1224136	Missouri	Physician, part time	600.00	125.00
Strong, Sneed, C–276981	Texas	Physician	3,800.00	150.00
Thompson, Harry J., C–613768	Indiana	do	3,800.00	150.00
Togus, Leopold Theodore, C–247588	New Hampshire	Physician, part time	1,200.00	150.00
Travis, Robert R., C–321555	Washington	Dental mechanic	2,200.00	106.25
Von Dahn, Howard C., C–1339479	Florida	Medical officer in charge U. S. Veterans' Bureau Hospital.	6,500.00	150.00
Wakefield, John D., C–283048	Ohio	Physician	4,000.00	150.00
Walker, Allen H., C–298520	Arkansas	Regional medical officer	4,400.00	180.00
Warner, Albert B., C–255080	Kansas	Physician	3,800.00	150.00
Weltner, Fred Paul, C–274034	West Virginia	do	2,400.00	206.25
Wells, Robt. Fletcher, C–319766	Georgia	Regional dental officer	4,060.00	125.00
Wheate, Justus Marshal, C–317534	California	Physician	5,200.00	210.62
Wheeler, Wm. D., C–322616	New York	Field examiner	2,600.00	150.00
Whiting, Nathaniel, C–1243901	Kentucky	Regional adjudication officer	3,800.00	137.50
Whitledge, Herbert E., C–405430	do	Medical officer in charge	6,500.00	150.00
Wilson, Harry Linden, C–429805	District of Columbia	Survey clerk	1,920.00	165.00
Woodall, Howard, C–825074	Texas	Typist A	1,440.00	150.00
Woolfe, Irving King, C–434515	New York	Contact representative	2,300.00	106.25
Woodson, Mortimer, C–1320223	Texas	Rating specialist (occupational)	3,200.00	125.06
Woods, Phillip Harold, C–1069534	Pennsylvania	Regional dental officer	4,400.00	150.00
Woodward, Roy Bonum, C–1057188	New York	Regional medical officer	4,400.00	125.00
Worthen, Jesse M., C–320431	Washington	Physician	3,800.00	150.00
Worthington, Wm. C., C–178291	Indiana	do	4,400.00	125.00
Wyatt, Frederick Le Roy, C–349167	Alabama	Rating specialist (occupational)	3,300.00	165.00

These are the men who are passing upon the applications of the enlisted men who are now disabled, many of whom are being denied compensation when they are just as much entitled to it, and in greater need thereof than these high-salaried officials, who are drawing these enormous pensions under the head of "retirement pay."

The Veterans' Bureau can refuse, reduce, or even cancel the compensation of an enlisted man; but one of those retired emergency officers drawing these compensations, even though he be drawing a salary of six or eight thousand dollars a year, as some of them are, is assured that only Congress can reduce his retirement pay.

Before we turn all of these activities over to the Veterans' Bureau we had better take some steps to equalize the compensation which veterans are now receiving. They told us when the emergency officers' retirement act was passed that there would be only about eighteen hundred men to come under it. Under the permission just granted me I here insert a list of those who have been retired with pay who are not employed in the Veterans' Bureau, giving the compensation or retirement pay each one is receiving.

In addition to these, thousands more have applied, and the list is growing every day. While we have been fighting to extend the presumptive period for tuberculosis and other chronic constitutional diseases to January 1, 1930, in order to take care of those uncompensated disabled veterans from the rank and file, who now need and deserve their country's assistance, this list has been growing, increasing the number of discriminations against the enlisted men.

The list just referred to follows:

Emergency officers retired with pay by the United States Veterans' Bureau

ALABAMA

Name	C No.	Rank and organization	Amount of retirement pay
Amos, Sidney Russell	701494	2d Lt. F. A	$106.25
Bates, Cecil Florian	188914	1st Lt. Inf	125.00
Bell, Harry Walton	1309615	Capt. Engrs	150.00
Benners, Allen Cadwalader	223374	1st Lt. Q. M. C	125.00
Bennett, Harvey Edward	1308576	1st Lt. Inf	125.00
Bond, Farrar Washington	192634	2d Lt. Q. M. C	106.25
Bower, Orman	156692	1st Lt. U. S. Guards Inf	23.75

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ALABAMA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Boyd, Austin Francis J	453072	Capt. Med. Corps	$150.00
Boyd, Benjamin Day	411008	1st Lt. Inf	162.50
Brooks, Rezo	1308004	1st Lt. Inf	125.00
Brown, Charles Hunt	285585	Capt. 327th Inf	150.00
Brown, Henry Ben	158683	1st Lt. 54th Inf	125.00
Brown, Raymond R	1137424	Capt. Inf	180.00
Campbell, Elmer Bernard	368982	Capt. Vet. Corps	150.00
Campbell, Hugh Siler	466076	2d Lt. A. S	106.25
Carroll, John W	181213	Maj. Inf	Deceased.
Chaffin, Wm. Henry	159152	Capt. Inf	195.00
Clark, Oscar	607178	Capt. Inf	195.00
Coker, Lorenzo D	609553	Capt. F. A	165.00
Coleman, John C	601358	Capt. Cavalry	165.00
Cooley, Beamon Shirley	1126039	1st Lt. Med. Corps	125.00
Dabney, Malcolm Grant	239131	1st Lt. Dent. Corps	150.00
Davis, Harwell Goodwin	220610	Maj. Inf	187.50
Dew, Charles	326918	2d Lt. Engrs	106.25
Dixon, Frank Murray	157132	2d Lt. C. A. C	106.25
Dobbins, Robert Anderson	1309521	Capt. Inf	165.00
Douglas, Harrie Abraham	622575	Capt. Q. M. C	150.00
Ehlert, John Matthews	1303856	1st Lt. Med. Corps	125.00
Eslinger, Joseph P	1127782	Capt. Inf	165.00
Fallow, Thos. A	1303407	Capt. Inf	180.00
Faris, William E	1128611	Capt. Med. Corps	150.00
Faulk, Wallace Hunter	614054	Capt. Inf	165.00
Favors, George	389215	Capt. Inf	180.00
Gellerstedt, Robert Strickland	234497	1st Lt. Q. M. C	125.00
Gilchrist, John P	278240	1st Lt. Inf	125.00
Glenn, George A	1305403	Maj. Inf	187.50
Green, William Marion	557047	1st Lt. U. S. Guards	162.50
Griswold, Joel Clifford	1304044	Capt. Med. Corps	Deceased.
Hagood, Middleton Howard	1311356	Maj. Med. Corps	206.25
Henley, Courtney Scott	418534	Capt. Inf	150.00
Hildreth, Francis M	505228	Capt. U. S. Guards	195.00
Hooper, John William	14748	Capt. Med. Corps	150.00
Hubbard, Graph J	1303722	Maj. Inf	250.00
Inge, Francis Marion	207759	Capt. Med. Corps	150.00
James, Hudnall	166660	2d Lt. Inf	106.25
Jeffers, Lamar	462965	Maj. Inf	225.00
Jeffers, William Harry	1300663	2d Lt. Signal Corps	106.25
Johnston, Ira Leonidas	379000	Capt. Med. Corps	150.00
Jordan, Headley Eugene	1303634	1st Lt. Engrs	125.00
Kelly, jr., Richard Bussey	1128934	Capt. Inf	180.00
Langley, Orlando Velpean	134528	1st Lt. Med. Corps	125.00
Lawton, Walter Terrell	458926	1st Lt. C. W. S	125.00
Legare, Julien Keith	195047	Capt. Med. Corps	150.00
Leopold, Elmer E	388718	2d Lt. Inf	106.25
Long, Francis Musgrove	1134598	1st Lt. Inf	125.00



Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ALABAMA—continued

Name	C No.	Rank and organization	Amount of retirement pay
•Long, John Pomfret	1310169	Major Med. Corps	
Long, William Walker	1139497	Capt. Med. Corps	$150.00
May, Clarence H	596912	2d Lt. Inf	106.25
McLain, Chas. L	653549	Capt. Inf	150.00
McLeod, Robert Lee	376357	Maj. Q. M. C	225.00
Meade, Ray	261509	1st Lt. Engrs	125.00
Messer, Glenn Edmund	564539	2d Lt. Air Service	106.25
Moore, Ernest Abram	329382	Capt. Med. Corps	150.00
Mumford, Louis Sinclair	256995	Capt. Q. M. C	150.00
Muse, George Peary	1311397	2d Lt. Q. M. C	106.25
Newell, Jas. Kirk	1126995	1st Lt. Inf	125.00
Newsome, John Parks	543542	Capt. Inf	150.00
Northington, James Levi	8357	1st Lt. Med. Corps	125.00
Osborne, Ollie F	522799	2d Lt. Q. M. C	127.50
Pace, Fulton	1302041	1st Lt. Engrs	125.00
Parker, Ralph Eli	1305900	2d Lt. U. S. M. C	106.25
Peabody, Frank	140586	Maj. Inf	206.25
Perry, Clarence T	1303558	1st Lt. Inf	125.00
Peters, Wm. Marcus	1302948	Capt. Med. Corps	150.00
Phillips, Geo. Wendell	385525	2d Lt. Inf	103.25
Phillips, James Herman	159449	1st Lt. Med. Corps	125.00
Pollard, Emmett E	1135100	1st Lt. Med. Corps	125.00
Rademacher, Frederick Moritz	230750	Capt. Engrs	150.00
Reid, Thomas Campbell	789510	Capt. Inf	150.00
Robbins, William Jesse	133736	1st Lt. Med. Corps	125.00
Ross, Cecil Hubert	1305679	Maj. Med. Corps	187.50
Rowell, James Thomas	2999 16	1st Lt. Inf	125.00
Sanders, John Gillis	235405	Capt. Med. Corps	150.00
Sauls, Charles Edward	1133058	1st Lt. Engrs	125.00
Scales, John Perkins	282898	1st Lt. Med. Corps	125.00
Schwarz, Joseph	1308703	Capt. Med. Corps	150.00
Shaffer, John Parker	1307649	2d Lt. Inf	103.25
Sharp, Roy Franklin	165695	2d Lt. 167th Inf	103.25
Simpson, Robert Tennent	1304013	Capt. Inf	150.00
Sisson, Charles Newton	160577	Capt. Inf	150.00
Speight, Oscar Cobb	1324139	Capt. Inf	165.00
Smith, Dallas Burton	223707	Lt. Col. U. S. 167th Inf	262.50
Smith, Emmett Preston	1309873	Capt., Inf. Chaplain	150.00
Staggers, Wm. Llewllyn	165752	1st Lt. Med. Corps	125.00
Stanley, Robert H	373268	Maj. Med. Corps	225.00
Sutcliffe, Charles William	276591	1st Lt. Inf	150.00
Teague, Albert Greene	1133359	2d Lt. Inf	103.25
Thompson, Herman W	412114	Capt. Inf	180.00
Verge, Walter V	301789	Capt. Inf	165.00
Walker, George Vincent	381541	1st Lt. Air Service	125.00
Waller, Luther Hill	1301076	1st Lt. Inf	125.00
Walthall, Junius Leigh	350414	Maj. 7th Inf. 3d Div	187.50
Ward, Wm. Taylor	445502	1st Lt. Inf	125.00
Weatherford, Zadoc L	501799	1st Lt. Med. Corps	125.00
Williams, John Henry	285352	1st Lt. Chaplain	125.00
Williamson, Thomas Neely	1307115	1st Lt. Q. M. C	125.00
Winslett, Edmund Jackson	1306533	1st Lt. Inf	125.00
Wyatt, Frederick, Leroy	349167	Capt. Inf	165.00

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Alden, Melvin Allison	1197188	Ensign, U. S. N. R. F	$106.25
Andrews, Lloyd James	1272207	2d Lt. A. S	106.25
Bateman, William H	405326	2d Lt. Inf	116.87
Brackett, Wm. Windom	1272835	Capt. Q. M. C	Deceased.
Brown, Wallace Allen	331720	2d Lt. Air Service	106.25
Burgess, Fred Warrington	250521	2d Lt	116.87
Clarke, Everite McKinley	698331	2d Lt. F. A	106.25
Clohessy, Timothy Theodore	123270	1st Lt. Med. Corps	125.00
Cogswell, Sterling Canfield	1044635	1st Lt. Q. M. C	125.00
Cook, Chas. F	1047164	2d Lt. Inf	106.25
Courtney, Gerald	1009370	1st Lt. Inf	125.00
Cushing, Charles Farwell	1223078	1st Lt. Tank Corps	125.00
Davidson, Henry Clay	1039918	Ensign U. S. N	127.50
Devine, Clark Bailey	507078	Capt. Med. Corps	150.00
Dittmar, Charles Frederick	1042393	Capt. F. A	150.00
Dolman, Carroll George	1236791	Capt. Engrs	150.00
Donahue, John Leo	186199	Capt. Med. Corps	150.00
Douglas, D. Delmar	573683	Major Q. M. C	Deceased.
Duffey, Louis Nelson	1091508	Capt. Inf	165.00
Edwards, Bryant Benjamin	394711	1st Lt. Med. Corps	137.50
Evans, John Benjamin	1270850	Lt. U. S. N. R. F	195.00
Fairgrieve, Russell Blackstone	1415298	Capt. A. G. D	150.00
Flint, Dewitt Chas	176424	Capt. Inf	Deceased.
Gatterdam, Eugene Alfred	475596	1st Lt. Med. Corps	125.00
Gibson, Richard, jr	1168046	1st Lt. San. Corps	125.00
Gignilliat, Thos. H	1036422	2d Lt. Inf	106.25
Greene, Belville Foble	512555	1st Lt. Inf	125.00
Hampshire, Claude Carlyle	286567	1st Lt. Inf. Co. "E"	125.00
Hardy, Ernest Mandeno	522930	1st Lt. Dental Corps	125.00
Harring, Neil Houten	1196517	Capt. Sig. Corps	165.00
Hennesey, Mortimer Joseph	346884	1st Lt. Q. M. C	Deceased.
Hobgood, Guy	392838	2d Lt. Inf	106.25
Hough, Henry A	1393548	1st Lt. Med. Corps	125.00
Howard, Lewis Hoagland	1090340	Capt. Med. Corps	150.00
Hunt, William C	375483	2d Lt. Inf	106.25
Jurden, George Bantly	1197000	2d Lt. Engrs. Air Service	106.25
Kehn, Marvin A	1296433	1st Lt. Inf	125.00
Kilber, Charles Sammel	1283791	Capt. Med. Corps	150.00
Kleinsmid, Jas. Archibald	176436	Capt. Med. Corps	150.00
Kryss, Edmund	412873	Capt. 15 Aero Sqd. Aviation Sec.	150.00
Lawhead, Simon Stiffler	1298766	1st Lt. Sig. Corps	125.00
Lawrence, Jas. Jackson	290384	1st Lt. Inf	137.50
Laye, Henry Albert	1337099	1st Lt. Med. Corps	125.00
Lewis, Edward	280687	1st Lt. Air Service	125.00
Lindsey, Charles Quintard	1122806	2d Lt. F. A	Deceased.
Loewy, Ignats David	318761	Maj. Med. Corps	206.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ARIZONA—continued

Name	C No.	Rank and organization	Amount of retirement pay
McDonald, John T	1390985	1st Lt. Med. Corps	$125.00
McDowell, Coy Russell	905499	2d Lt. Inf	116.87
McGuire, James A	320549	1st Lt. Tank Corps	125.00
McKnight, Jas. Longwell	445400	1st Lt. Med. Dept	125.00
Mahoney, Dan Lawrence	463910	1st Lt. Med. Corps	125.00
Mahoney, Vernon Litsinger	1134796	1st Lt. Med. Corps	125.00
Marschall, John Hall	906201	2d Lt. Air Service	106.25
Mock, Robert Leroy	1390069	Capt. Engrs	150.00
Monical, Grant Stafford	1261701	Capt. Med. Corps	150.00
Moore, Claude Merrill	175305	Capt. Inf	150.00
Moreno, Joaquinn Fermin	398082	1st Lt. San. Corps	125.00
Myers, Dwight Lewis	1365533	1st Lt. Chap. Corps	125.00
Nash, Elmer Cromwell	1329933	2d Lt. Inf	104.25
Nelson, Rufus R	190799	Capt. Inf	165.00
Paquin, Albert Joseph	454151	2d Lt. Q. M. C	106.25
Peck, Franklin Joseph	1272512	1st Lt. Inf	125.00
Pedersen, Inar Aubert	351279	Capt. Q. M. C	165.00
Phillips, Charles Lawrence	1260543	Ensign, U. S. N. R. F	106.25
Ramsey, John Thomas	1375141	1st Lt. Med. Corps	125.00
Randle, Cole Theodore	244078	1st Lt. F. A	125.00
Repass, Merle Marion	316991	2d Lt. Inf	106.25
Ricuffi, Robt. Marion	523031	2d Lt. Q. M. C	106.25
Riley, Eugene	537188	Capt. Q. M. C	150.00
Rogers, Richard Lyman	1222028	2d Lt. Engrs	106.25
Schoening, Edw. Herman	1271510	2d Lt. Air Service	106.25
Seibert, Alexander Wood	618268	1st Lt. Med. Corps	125.00
Sligh, Sidney B	106312	2d Lt. Q. M. C	106.25
Smith, Harry William	1195126	2d Lt. Inf	106.25
Spencer, Earl Henry	478067	Capt. F. A	Deceased.
Sprietsma, Wm. M	479366	2d Lt. Inf	106.25
Swain, Yolland Francis	385647	1st Lt. Q. M. C	125.00
Sweet, Edward Augustus	1390343	Capt. Med. Corps	150.00
Thompson, George	366163	2d Lt. Inf	106.25
Twitchell, Frederick Martin	346227	2d Lt. Inf	106.25
Tyson, Alfred	347825	1st Lt. Inf	137.50
VanHorn, Jas. B	300601	Capt. Med. Corps	165.00
Walker, John Chas	384383	2d Lt. Inf	106.25
Warren, Harry Pratt	567214	Capt. Air Service	150.00
Weatherford, Thomas Leroy	232282	1st Lt. Tank Corps	125.00
Weaver, Harry Leonard	495496	1st Lt. Motor Transport	Deceased.
Wilson, Marcus Earl	1325647	1st Lt. Med. Corps	125.00
Wray, James Garrett	398553	2d Lt. Signal Corps	106.25
Wright, Harold Hannon	1032083	2d Lt. F. A	106.25
Yellott, Richard E	441695	Capt. Med. Corps	150.00
Younkin, Daniel Garfield	1387	Capt. Inf	165.00

ARKANSAS

Abington, William H	396365	Maj. Med. Corps	$243.75
Anderson, George Roy	269780	Capt. Inf	150.00
Angus, Robert Morton	365093	Maj. QMC	243.75
Applegate, Timothy Page	158655	2d Lt. Air Serv	106.25
Bailey, Frank James	161973	Capt. Dental Corps	165.00
Baker, Wm. Pitt	995201	Capt. Med. Corps	150.00
Ballard, George Clinton	398995	Capt. Med. Corps	
Ballard, James Clinton	1431002	Maj. Med. Corps	206.25
Barrier, Leonidas Forister	1289305	Capt. Med. Corps	150.00
Bevans, Albert Bartlett	1293933	2d Lt. Inf	106.25
Booth, George Myers	445444	2d Lt. Tank Corps	106.25
Boyce, Samuel G	153165	1st Lt. Med. Corps	125.00
Brown, Hugh Torrence	1425739	Maj. Inf	187.50
Bruce, Walter Hugh	390676	Lt. Col. Med. Corps	240.62
Burk, Edmond Fleming	314661	1st Lt. Inf	125.00
Burns, Coleman Dean	526731	Capt. Inf	150.00
Earle, Edward H. L	132791	1st Lt. Inf	125.00
Castleberry, Frank Lawrence	325318	Capt. Med. Corps	
Crandall, John Aston	1337779	Capt. Inf	150.00
Decker, Jos. Shelby	14908	2d Lt. Inf	106.25
Elton, Albert Morten	205042	Capt. Med. Corps	150.00
Felts, Wylie Robert	326941	1st Lt. Med. Corps	125.00
Ferguson, Joe Marvin	452345	Capt. Med. Corps	150.00
Fly, Thomas M	389911	1st Lt. Med. Corps	125.00
Fox, William Spencer	248021	1st Lt. Inf	125.00
Fraser, Robert Lee	151581	1st Lt. Med. Corps	125.00
Friberg, John Thompson	463651	2d Lt. Air Serv	106.25
Gant, Albert Minter	431991	1st Lt. Inf	125.00
Garrison, David Milton	1294981	1st Lt. Inf	162.50
Holbrook, John Franklin	1320068	1st Lt. Inf. Med. Corps	125.00
Hodges, Guy	386907	1st Lt. Med. Corps	125.00
Hughes, Haywood Wilson	1427721	1st Lt. Inf	125.00
Humble, Terry A	1329489	Maj. Inf	206.25
Jarvis, Ben Charles	1391163	2d Lt. Inf	138.00
Jeffett, William F	198768	Capt. Inf	150.00
Jenkins, John S	240628	Capt. Med. Corps	150.00
Jones, Isaac Jarrett	484094	Capt. Med. Corps	150.00
Jones, William Enoch	1286503	1st Lt. Med. Corps	125.00
Judd, Roland Dewitt	1286121	1st Lt. Inf	125.00
Kelly, Thad Robertson	792771	2d Lt. San. Corps	106.25
Kinsworthy, Burton S	905239	Maj. Inf	187.50
Kory, Roscoe Conklin	180368	Capt. Med. Corps	150.00
Kriesel, Wm. August	232485	Capt. Med. Corps	
Leming, Sam K	1322899	2d Lt. San. C. M. D	103.25
McLean, Lucian Lamar	1420829	1st Lt. Air Serv	125.00
McLaughlin, William H	240096	1st Lt. Inf	125.00
Mason, James Pat Dyer	504666	1st Lt. Dental Corps	125.00
Matthews, Walter Monroe	1322129	1st Lt. Med. Corps	125.00
Mikles, Richard Crockett	247735	2d Lt. 162 D. B	127.50
Mitchell, William F	8740	2d Lt. Inf	106.25
Morrison, Joseph Francis W	577094	Capt. Inf	150.00
Murrey, James Thomas	1327907	1st Lt. Inf	125.00
Murrey, Joseph H	224633	1st Lt. Inf	125.00
Palmer, John Hilliard	1324930	1st Lt. F. A	159.00
Peel, David Walker, jr	361096	1st Lt. Inf	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ARKANSAS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Pratt, William Ray	1324689	2d Lt. Inf.	$106.25
Prichard, Allen C	168250	1st Lt. Med. Corps	125.00
Prothro, Ernest Whitfield	1321878	Capt. Med. Corps	150.00
Richards, Chas. Organ	351968	1st Lt. Inf.	125.00
Robbins, Oscar Byron	907026	1st Lt. Inf.	125.00
Roberts, David Carson	1321448	1st Lt. Med. Corps	125.50
Robertson, Hugh	546369	2d Lt. Air Serv.	106.25
Rohrer, Samuel Jesse	337368	1st Lt. Air Serv.	137.50
*Ruff, Horace Ewing	1321668	Maj. Med. Corps.	
Sanborn, Richard Foster	705464	2d Lt. Inf.	106.25
Smith, Samuel Theodore	314019	1st Lt. F. A.	125.00
Smith, Walter S.	500246	2d Lt. Air Serv.	127.50
Snodgrass, Wm. A.	272563	Maj. Med. Corps.	187.50
Steele, Harry S.	368278	1st Lt. Inf.	125.00
Steele, John Douglas	1327825	1st Lt. Inf.	137.50
Steele, Raphael William	1425324	1st Lt. Med. Corps	125.00
Steward, John H.	1290324	Capt. Inf.	Deceased.
Tapscott, jr., Samuel Thomas	1433109	1st Lt. Med. Corps	125.00
Thiolliere, Anthony Claudius	509984	Capt. Med. Corps	150.00
Thorpe, Samuel Benjamin	1427108	1st Lt. F. A.	150.00
Underhill, John Silas	1294683	Capt. Inf.	180.00
Van Horn, Eustus E.	516712	1st Lt. Q. M. C.	137.50
Walker, Allen Huddleston	298320	Capt. Med. Corps	180.00
Wallace, Eugene Gregory	251967	1st Lt. Inf.	125.00
Winn, Walter E.	1327462	Lt. Col. 114 Engrs.	218.75
Zooman, Albert Benjamin	350102	Capt. Sig. Corps	150.00
SUPPLEMENTAL			
Mathis, Ross	202939	1st Lt. Inf.	

CALIFORNIA

Ackley, George Clark	484693	1st Lt. Dental Corps	$125.00
Ackley, John Felix	477451	Capt. Dental Corps	150.00
Adamson, Dova Wallace	211581	1st Lt. Inf.	125.00
Akin, Raymond Alva	1391639	Maj. Med. Corps	187.50
Alberga, Aurelious Fescia	400680	1st Lt. Inf.	125.00
Alberty, Ernest H.	380191	Capt. A. G. D.	180.00
Allen, Frank Elwell	297743	2d Lt. Inf.	106.25
Allen, Richard Earle	315942	2d Lt. Inf.	127.50
Anderson, Bernhard	905394	Capt. San. Corps	71.25
Anderson, Joseph	1270293	Ensign, U. S. N. R. F.	106.25
Anderson, Oscar	490562	Maj. Med. Corps	206.25
Andrews, Benjamin Theodore	121451	2d Lt. F. A.	106.25
Andrist, James Walter	1348883	Capt. Med. Corps	150.00
*Archer, Samuel David	325609	1st Lt. San. Corps.	
Armstrong, Charles Francis	1262045	Maj. Ord. Dept.	225.00
Arnold, David Elmer	528832	Maj. Med. Corps.	187.50
Arvine, James T.	1348848	Maj. Med. Corps.	187.50
Ary, Chas. L.	420468	1st Lt. Co. M 16 Inf.	137.50
*Aschein, Joseph	1393340	2d Lt. U. S. M. C.	
Aubrey, Albert James	1391508	Maj. Ord. Corps	187.50
Avey, John L.	1273654	Capt. Med. Corps.	150.00
Bailey, Samuel Tellas	243167	1st Lt. Inf.	125.00
Bain, John S.	1260974	2d Lt. Inf.	106.25
Baker, David Alfred	1235549	Capt. Med. Corps.	150.00
Baker, Ernest	1271488	2d Lt. Inf.	116.87
Baker, George Washington	288913	1st Lt. Inf.	125.00
Bales, Ernest Norment	1277543	1st Lt. San. Corps.	137.50
Ballentine, William Ernest	511760	1st Lt. F. A.	125.00
Balsley, Horace Clyde	446498	Capt. Air Service	150.00
Banks, Alfred Edward	1394285	Maj. Med.	187.50
Barclay, Edw. E.	1177515	Maj. M. T. C.	187.50
Barker, Clarence N.	4297	Capt. Inf.	180.00
Barnes, Gerald C.	338180	1st Lt. Inf.	125.00
Barnes, Geo. Stackpole	488595	1st Lt. Ord. Dept.	125.00
Barnett, Arthur Rex	1265471	2d Lt. Air Service	
Barnum, Floyd Elta	354423	Maj. Q. M. C.	243.75
Bartow, Harvey Ray	1393506	2d Lt. Inf.	156.25
Bash, Henry Edwin	458082	1st Lt. F. A.	125.00
Barton, Charles	818974	Maj. M. C.	187.50
Bayless, Claud C.	203089	Capt. Co. C 110 F. S. Bn.	150.00
Beal, David Cannon	607307	2d Lt. U. S. M. C. Reserve.	106.25
Behr, Edmond Ellsworth	238539	2d Lt. Inf.	106.25
Behre, John Rufus	317467	Capt. San. Corps	61.80
Bell, Joseph L.	1283811	Maj. Med. Corps	187.50
Belyea, James Alonzo	850976	Capt. Med. Corps	150.00
Bennett, Abram	495035	Ensign, U. S. N. R. F.	106.25
Benton, Culmer Coleman	281148	1st Lt. Dental Corps.	125.00
Berggren, Tell John	1390608	Capt. Med. Corps	150.00
Berlin, Roscoe Conklin	1395872	Maj. Chem. War Service.	187.50
Bernard, Laurence Judah	500449	1st Lt. Med. Corps.	125.00
Biermann, Carl Fred	232119	1st Lt. Inf.	162.50
Binnie, John Fairbairn	1206148	Lt. Col. Med. Corps.	218.75
Black, Grover C.	478170	2d Lt. Air Service Aero.	116.87
Black, Walter Lorraine	535552	2d Lt. Air Serv.	106.25
Blackmer, Lawrence Morton	1249750	2d Lt. Air Serv.	106.25
Blanchard, Lawrence Cleveland	258768	1st Lt. Engrs.	125.00
Bland, Raymond Leroy	1047316	1st Lt. F. A.	125.00
Blodgett, Frederick Charles	1261202	Capt. Air Serv.	165.00
Blomquist, Wallace Hess	377837	1st Lt. Inf.	125.00
Blum, Edward Henry	290592	1st Lt. San. Corps.	125.00
Blyth, Godfrey Waring	315507	2d Lt. Army	106.25
Boddy, Elias Manchester	137760	2d Lt. Inf.	106.25
Boley, Albert Leroy	415608	Capt. Engrs.	150.00
Bond, Ernest Jenison	503101	1st Lt. Ord. Dept.	125.00
Boore, Nicholas Milton	1046882	1st Lt. Inf.	125.00
Borden, Archibald David	1271880	Maj. Inf.	225.00
Borst, Fenton France	1254465	1st Lt. C. A. C.	125.00
Barton, Edward William	287718	Capt. Med. Corps.	150.00
Bouldin, Charles Foster	474306	Capt. San. Corps.	165.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

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Name	C No.	Rank and organization	Amount of retirement pay
Bowen, Fred Phelps	229092	Capt. Med. Corps	$150.00
Bowers, Yarnall Lea	905832	1st Lt. San. Corps.	36.25
Boxmeyer, Roy Fred	276596	2d Lt. Inf.	106.25
Boyd, Leonard Claud	601734	1st Lt. Inf.	137.50
Brandon, Herbert A.	1271169	Maj. Engrs.	187.50
Brindley, Reginald Walter	524657	2d Lt. U. S. Guards.	138.12
Broderick, Eugene James	153564	Capt. Med. Corps.	150.00
Brown, Arthur Leon	1260353	Capt. Med. Corps.	150.00
*Bruner, Wm. John	905202	Major Q. M. C.	111.25
Brya, Francis E.	1185464	2d Lt. Inf.	106.25
Buck, Samuel Cory	1392365	Capt. Med. Corps.	150.00
Buckman, Guy Vincent	1395103	2d Lt. Inf.	106.25
Buell, Ernest Eugene	856394	Maj. Dental Corps.	187.50
Burgard, John Clark	282827	1st Lt. Inf.	125.00
Burstien, Louis Lancelot	685146	1st Lt. Medical Corps.	125.00
Busch, Wm. T.	502902	Capt. Sig. Corps.	150.00
Bushey, Franklin Peter	1028880	1st Lt. Q. M. C.	137.50
Butler, Lawrence D.	477881	2d Lt. Inf.	116.87
Butt, Kirk	229626	2d Lt. Cavalry	106.25
Byrnes, Ralph Leonidas	272480	Maj. Med. Corps.	206.25
Byers, James Elliott	199639	1st Lt. 7th Engrs.	125.00
Capron, Albert	414093	Capt. Q. M. C.	150.00
Campbell, Daniel R.	1391071	1st Lt. Q. M. C.	125.00
Campbell, Roscoe C.	21098	1st Lt. Med. Res. Cps.	125.00
Cantlon, Philip Edward	1394219	Major Q. M. C.	250.00
Cargill, John	210083	1st Lt. Inf.	137.50
Carlin, William Hayes	337440	1st Lt. Med. Corps.	125.00
Carling, John	479058	Capt. Med. Corps.	150.00
Carmichael, Harry G.	1273297	Lt. (J. G.) U. S. N. R. Dent. Corps.	125.00
Carner, Harry Lee	255499	1st Lt. Inf.	125.00
Cartwright, James L.	302968	2d Lt. Q. M. C.	106.25
Casby, Frederick Nugent	239455	Maj. Engrs.	187.50
Casey, Timothy Joseph	1390573	1st Lt. Med. Corps.	125.00
Cashion, Wm. A.	1400972	Capt. Med. Corps.	150.00
Catlin, William Weed	203633	Capt. Q. M. C.	150.00
Cawthorne, Carleton	1249957	1st Lt. U. S. Guards.	125.00
Chambers, Wm. James	489476	Maj. Med. Corps.	206.25
Chapman, Harry	491436	2d Lt. M. P. C.	106.25
Chenoweth, Chas. Everett	420935	Capt. Inf.	195.00
Chidester, Walter Barclay	1392081	1st Lt. Engrs.	125.00
Christensen, Geo. Andrew	546225	Maj. Q. M. C.	187.50
Christensen, Walter	905808	Capt. Inf.	71.25
Christie, Ralph Conklin	325921	Capt. Med. Corps.	150.00
Christie, Clem Studebaker	505234	Capt. F. A.	150.00
Church, Percy Clarke	1260030	Capt. Inf.	150.00
Chute, Parmer W.	317609	Capt. F. A.	165.00
Cichy, Martin Jos.	395917	1st Lt. Inf.	137.50
Clapper, Manford Marion	240187	Capt. Med. Corps.	150.00
Clark, Samuel G.	344136	2d Lt. Air Service.	106.25
Clark, Robert Burton	351747	2d Lt. Transp. Corps.	106.25
Clarke, George William	1391429	Major Med. Cps.	187.50
Claussen, Thomas Hibben	1393306	2d Lt. F. A.	Deceased
Clements, Alan Arthur	220769	Capt. Inf.	165.00
Cline, Harry X.	394287	Major Med. Corps.	225.00
Clower, Clifford	390899	1st Lt. Inf.	125.00
Chuen, Raymond John	1393218	Lt. (J. G.) Med. Corps U. S. N.	125.00
Cobb, Vaugn M.	1390189	2d Lt. Air Serv.	
Cohen, Sydney Nathan	206635	Capt. Inf.	195.00
Cole, Judson Henry	238856	Capt. Med. Corps.	150.00
Cole, Okey Kenneth	356556	2d Lt. Inf.	106.25
Collier, Leon Bernard	271920	1st Lt. Dental Corps.	125.00
Collings, Edward Z.	606752	Capt. 316th Engrs.	Deceased.
*Collins, Lawrence Dennis	1394988	Capt. Q. M. C.	
Colman, Nicholas Ignatius	328076	2d Lt. Engrs.	106.25
Commins, Chas. Montgomery	301911	2d Lt. Air Service.	106.25
Compton, Paul	905329	Capt. San. Corps.	71.25
Comstock, Earl	390824	Capt. Q. M. C.	150.00
Conaty, Charles C.	176654	1st Lt. Inf.	125.00
Conley, William	313729	2d Lt. Inf.	116.87
Conrad, Frederick A.	1395122	Ensign, U. S. N. R. F.	116.87
Conroy, Thomas Payne	292337	2d Lt. A. S.	106.25
Cook, Martin Valentine	306849	1st Lt. Inf.	125.00
Cooper, Frederick Herbert	525559	1st Lt. Inf.	137.50
Cooper, John Edward	1378967	Major Engrs.	187.50
Coppedge, James F.	710390	2d Lt. U. S. M. C.	127.50
Corning, Wm. C.	1262842	Ensign, U. S. N.	Deceased.
Cox, Fred Herbert	1271525	2d Lt. Inf.	106.25
Craig, Harold Charles	1395378	Ensign U. S. N. R. F.	106.25
Crane, Bruce Alexander	1272227	2d Lt. Inf.	116.87
Crawford, Hilary Herbert	506754	1st Lt. Inf.	125.00
Creighton, Christopher	1265048	1st Lt. Engrs.	125.00
Crossman, Edw. C.	706836	Capt. Unassigned	180.00
Crouch, Lloyd Henry	436550	2d Lt. A. S. A.	106.25
Dailey, Gardner A.	181635	2d Lt. Air Service.	106.25
Dale, Geo. L. A.	408782	Maj. Med. Corps.	187.50
Daniels Cecil Richard	905199	Ensign U. S. N. R. F.	106.25
Dashiell, Wm. A.	235791	1st Lt. Med. Corps.	125.00
Davis, Brett	1300014	Lt. (J. G.) U. S. N. R. F.	175.00
Davis, Joseph A.	220095	2d Lt. F. A.	106.25
Davisson, Willaim Henry	178733	2d Lt. Inf.	106.25
Decker, Chas. William	1397332	Col. Med. Corps.	250.00
Deering, Prentiss Charles	265206	1st Lt. Inf.	125.00
DeLancey, Clinton Charles	1271964	Capt. Engrs.	150.00
Delaney, Wesley Leonard	1395426	1st Lt. Inf.	150.00
Demuth, John Gilbert	681890	Capt. Q. M. C.	195.00
DeRose, Ralph M.	145710	1st Lt. N. S. A. S.	125.00
Desmond, Michael Ambrose	1275079	1st Med. Corps.	125.00
Dietrich Edward	198501	1st Lt. Q. M. C.	125.00
Dillon, William Tarleton	1393627	Capt. C. A. C.	56.25
Donahey, William J.	906451	Capt. San Corps	71.25
Donnell, James Byron	321153	1st Lt. Med. Corps.	125.00
Donnelly, James Gordon	1393043	1st Lt. Med Corps.	125.00
Dorgan, John A.	1053455	Lt. (J. G.) U. S. N. R. F.	125.00
Dow, Julian Neal	12230	Capt. Med. Corps.	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

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Name	C No.	Rank and organization	Amount of retirement pay
Draper, Stuart Lull	1234328	2d Lt. Signal Corps	$106.25
Drugg, Walter Chase	279462	2d Lt. Inf.	116.87
Duby, Theron Samuel	206743	1st Lt. Air Service	125.00
Ducket, John Henry	905208	1st Lt. Inf.	162.50
Duddleson, Wm. J	256706	1st Lt. Inf.	125.00
Duncan, Miles Jordan	113746	Capt. M. C.	
Dunham, George Henry	1396835	Capt. Q. M. C.	Deceased.
Dustin, Cornelius Joseph	285624	2d Lt. Q. M. C.	106.25
Dyson, Henry B	415899	1st Lt. Inf.	125.00
Eardley, Philip Cornelius	439463	2d Lt. Inf.	127.50
Easton, Robert Charles	381873	Maj. Q. M. C.	111.25
Easton, Wilbur Weston	187124	2d Lt. A. S. S. C.	106.25
Eddy, Adolphus James	1261833	Maj. C. A. C.	187.50
Edwards, Richard	157327	2d Lt. Inf.	106.25
Eklund, Emil Julius	1266178	1st. Lt. Inf.	125.00
Eldridge, Arthur Clarke	905310	1st Lt. C. W. S.	36.25
Ellis, Russell Depuy	445569	Capt. F. A.	165.00
Ellsworth, Charles Herbert	1254365	Capt. Inf.	150.00
Emerson, Jos. Geo	1173531	1st Lt. Engrs.	125.00
Enderle, Maurice Frank	450706	1st Lt.	125.00
Ennis, Chas. M	585156	1st Lt. Air Service	125.00
Erickson, Edward T	1152437	Capt. 16th Inf.	180.00
Ericsson, Ralph B	473604	1st Lt. Inf.	150.00
Eshleman, John Martin	403694	Capt. Vet. Corps	150.00
Esserson, Oscar Sammel	319963	Capt. Med. Corps	150.00
Evan, David William	546069	1st Lt. Signal Corps	125.00
Eyre, Thomas Taylor	419905	Capt. Engrs	150.00
Fahlberg, Ivar Theodore	655015	Lt. U. S. N.	150.00
Fangsted, George Edward	419203	Capt. F. A.	180.00
Farrage, James	905477	1st Lt. Med. Corps	125.00
Farrell, Andrew	655428	Capt. Inf.	150.00
Farris, James Gillespie Blaine	232469	Capt. Inf.	165.00
Faulk, Robt. Leslie	1325020	1st Lt. Inf.	125.00
Fensch, Francis E	1270018	1st Lt. A. S. A.	125.00
Ferguson, Wm. H	1393110	Maj. Engrs	187.50
Fischter, Walter	226365	1st Lt. Inf.	150.00
Fields, David Blackstone	1269103	Capt. Med. Corps	150.00
Fish, Walter Harold	1392116	Ensign, U. S. N. R. F.	106.25
Fitts, Buron Rogers	289465	2d Lt. Inf.	106.25
Fitzpatrick, Chas. Borromes	1266501	Capt. Med. Cp.	150.00
Fitzsimmons, James Thomas	906373	Capt. Inf.	
Flamm, Roy Harrison	120277	2d Lt. Engrs.	116.87
Flanagan, Joseph M	361243	1st Lt. Q. M. C.	125.00
Flynn, Bernard A	306272	1st Lt. Inf.	125.00
Folkedahl, Joseph Benjamin	374514	2d Lt. Inf.	116.87
Foreman, Herbert Spencer	579121	1st Lt. F. A.	125.00
Fosdick, Harry Esmond	1264465	Lt. U. S. N.	195.00
Fowler, Frank Herbert	230199	Lt. Col. Inf.	281.25
Fowles, Joseph Dell	314727	Ensign, U. S. N. R. F.	106.25
Fox, Emory Ellsworth	344449	Capt. Ord. Dept.	150.00
Frary, Louis Alliston, M. D	1272498	1st Lt. Med. Res. Corps	125.00
Fraser, Jesse Geib	1437035	2d Lt. C. A. C.	106.25
Frederick, Geo. Otto	279499	Lt. (J. G.) U. S. N. R. F.	93.75
French, William Foster	531928	Capt. Ord. Dept.	150.00
Frost, Chas. M	364446	Maj. C. A. C.	225.00
Furlong, Hartley	391487	2d Lt. Inf.	106.25
Fysh, Kenneth, H. F	541015	2d Lt. Inf.	106.25
Gadeberg, Peter Mortensen	1269199	Lt. Comdr. U. S. N. R. F.	206.25
Gain, Clint Bon	1390374	Capt. Inf.	180.00
Gallagher, Geo. L	1396760	Lt. Col. Dent. Corps	218.75
Gambs, James Jacob	1078686	2d Lt. A. S.	156.25
Gantz, Solomon Jos, Z	497971	Capt. Dental Corps	150.00
Gardiner, Robert R	391074	2d Lt. Air Service	Deceased.
Gardner, Wm. E	282065	1st Lt. Med. Corps	125.00
Garontte, Earl Peterson	268524	2d Lt. A. G. D.	106.25
Garman, Ory W	460401	Maj. Inf.	243.75
Garrett, Geo. H	1324501	Capt. Med. C.	150.00
Garrette, Edwin Charles	350714	2d Lt. Signal Corps	106.25
Gates, Wm. Joseph	1393813	Maj. Med. Corps	187.50
Garvey, Phil Francis	527933	2d Lt. Inf.	106.25
Geraghty, John Richard	38251	1st Lt. Air Service	137.50
Gerstenkorn, Roy E	584710	1st Lt. Med. Corps	125.00
Gertenkorn, Max	1265518	2d Lt. Inf.	127.50
Gibson, Florian Greenleaf	447824	Ensign U. S. N. R. F.	106.25
Gier, Philip Elmore	54581	2d Lt. Air Service	106.25
Gilbert, Roy Olsen	353777	2d Lt. F. A.	106.25
Gillen, Harry Samuel	475412	2d Lt. Q. M. C.	106.25
Gilliam, Rexie Emmett	313271	1st Lt. Inf.	137.50
Gilliland, Eugene Wm	1392861	1st Lt. Inf.	125.00
Gilmore, William Blair	1375791	Capt. C. A. C.	150.00
*Gilmour, Frederick	1267443	Capt. Sanitary Corps.	
Godshall, Franklin M	238496	2d Lt. Air Service	116.87
Goetz, Herbert A	420307	1st Lt. Inf.	125.00
Golden, Wesley Barton	460686	1st Lt. Inf.	125.00
Goldman, Abraham Saul	431660	2d Lt. Inf.	106.25
Grant, Louis Theodore	334318	Maj. Engrs.	187.50
Grant, William Lewis	254837	Maj. Med. Corps.	187.50
Grason, Joseph Clarence	197469	Capt. Inf.	150.00
Green, Frank James	353527	Capt. F. A.	165.00
Greenwood, Bert-McDonald	372389	2d Lt. Q. M. C.	106.25
Griffin, Charles Francis	334300	Capt. Med. Corps	150.00
Grocott, Albert	23541	Capt. Inf.	165.00
Grover, Walter Lester	1400959	Lt. (J. G.) U. S. N. R. F.	150.00
Guilfoil, James Anthony	229227	1st Lt. Med. Corps	125.00
Gunderson, Sophus Daniel	207321	2d Lt. Inf.	106.25
Guthrie, Arthur Smith	256530	Maj. Inf.	235.00
Habegger, Jacob Arnold	453683	Maj. Q. M. C.	187.50
Hair, Arthur J	232857	1st Lt. Inf.	125.00
Hall, Thayer Denton	255040	1st Lt. Air Service	125.00
Hall, Warren Fletcher	1321731	2d Lt. Inf.	Deceased.
Hammett, Benjamin D	1272217	1st Lt. F. A. R. D.	175.00
Hanbery, James Willis	26450	1st Lt. Inf.	125.00
Hardy, Robert Samuel	1406075	Maj. Engrs	187.50
Harper, Benjamin Franklin	1172940	1st Lt. Engrs.	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

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Name	C No.	Rank and organization	Amount of retirement pay
Harrington, Charles W	604190	Ensign U. S. N. R. F.	$106.25
Harrington, Jerome	1256334	Capt. Inf.	Deceased.
Harris, Emory Lorenzo	216312	Capt. Q. M. C.	165.00
Harris, Roy D	1065362	1st Lt. Air Service	125.00
Harrison, Christopher	1392008	1st Lt. Inf.	175.00
Harman, Grover Bernard	630896	1st Lt. Inf.	125.00
Hart, Trusten M	1274011	1st Lt. Med. Corps	125.00
Hartley, Howard Herbert	1262817	Ensign U. S. N. R. F.	106.25
Hastings, John LeRoy	180651	1st Lt. Air Service	125.00
Hatch, Wm. Sherman	1269384	Maj. Q. M. C.	187.50
Havlin, Stewart Harry	598965	1st Lt. Q. M. C.	125.00
Hayden, John E	432593	2d Lt. Inf.	106.25
Hayes, Claude Frank	13850	1st Lt. Med. Corps	125.00
Haysel, Arthur Richard	263262	Capt. Inf.	180.00
Healy, Louis A	1345035	Capt. Q. M. C.	150.00
Heath, Warren E	245582	Capt. F. A.	150.00
Heffelfinger, Miles Akin	345670	Capt. Med. Corps	150.00
Heller, Richard Ignacious	266023	2d Lt. C. A. C.	106.25
Henning, Oswald F	20361	Capt. Med. Res. Corps	165.00
Herrell, Arthur B	762565	1st Lt. Engrs.	125.00
Hershfield, Ben Currier	1392694	1st Lt. Air Service	125.00
Herzog, George Kramer	237384	Maj. Med. Corps	187.50
Heatherly, Maynard	905588	Capt. San. Corps	46.80
Hendricks, Hyda Holland	293518	1st Lt. 23 Inf. Co	125.00
Hicker, Harry DeVere	372184	1st Lt. Signal Corps	125.00
Hicks, Arthur W. T	334310	Capt. Chaplain	
Hill, Alvah Moore	1181558	Capt. M. G. Bn	165.00
Hill, Charles Augustus	1035395	Capt. Air Service	180.00
Hill, John Emmett	1393279	Capt. Med. Corps	150.00
Hill, John Young	323167	1st Lt. Engrs	125.00
Hiner, Bert Cecil	410177	Capt. Med. Corps	150.00
Hobby, Edwin Elmer	906074	Maj. Med. Corps	206.25
Hoffeditz, William Lewis	327964	Capt. Engrs	150.00
Holloway, Garrett LaFayette	494068	1st Lt. Amm. Trn	125.00
Holmes, Glen C	1396678	Ensign (T) U. S. N.	116.87
Holmes, Aubrey Foster	170044	2d Lt. Tank C., 1301 Bn	106.25
Hoop, Albert Francis	1266076	1st Lt. C. A. C.	175.00
Hopkins, Richard J	1003883	2d Lt. Inf.	106.25
Hornaday, Francis Paul	391118	Ensign U. S. N. R. F.	106.25
Howe, Theodore Gilman	907028	Capt. Med. Corps	150.00
Howard, Hamilton Warren	1243048	1st Lt. 147th F. A.	175.00
Howell, Walter Orrin	1274774	Capt. Med. Res. Corps	165.00
Hoyt, Benj. Franklin	448030	Capt. Med. Corps	150.00
Hudson, William Julius	403811	1st Lt. Inf.	125.00
Huff, Thos. Sterling	304224	Capt. F. A.	165.00
Hughes, Donald Dudley	280876	1st Lt. Air Service	125.00
Hughes, Lotus Graham	342750	2d Lt. F. A.	106.25
Hughey, George H	283006	1st Lt. Inf.	125.00
Hull, Ward Wesley	1272966	1st Lt. U. S. S. Radnor, Chaplain.	125.00
Hurrle, Chas. G	1269283	2d Lt. F. A.	106.25
Hurst, Geo. William	1272020	Major Mil. Police	225.00
Hurst, Gordon Hyslop	469832	2d Lt. Q. M. C.	106.25
Hussey, Samuel William	471787	Maj. Dental Corps	225.00
Hutson, Edgar Sims	600111	1st Lt. 159 Inf.	150.00
Ingersoll, Robert LeRoy	849010	1st Lt. Engrs.	125.00
Insley, Harry Elmer	1261542	Capt. Inf.	180.00
Jackson, Charlie Tillman	515427	2d Lt. San. Corps	106.25
Jacobus, Jesse Jay	350103	1st Lt. F. A.	125.00
Jaeckle, William	905944	Capt. Inf.	195.00
Janney, Nelson Wilson	1390128	Capt. Med. Corps	150.00
Jaqua, John Bell	135841	1st Lt. Air Service	125.00
Jarrett, Paul Harrison	275375	2d Lt. Inf.	106.25
Jessup, Carl Justus	313058	1st Lt. U. S. M. C. R.	125.00
Jewell, Howard Wm	142597	2d Lt. Inf.	106.25
Johnson, Ainsley Q	325917	1st Lt. Inf.	150.00
Johnson, Lester Andrew	836440	1st Lt. Engrs	125.00
Johnson, Smith S	484237	Maj. Med. Corps	187.50
Johnson, Walter Conway	485128	Capt. Med. Corps	150.00
Johnson, William E	434526	Capt. C. A. C.	165.00
Jones, Alexander J	566300	1st Lt. Inf.	150.00
Jones, Ames Randolph	476301	1st Lt. Q. M. C.	150.00
Jones, Charles Henry	1267602	1st Lt. Inf.	162.50
Jones, Ray Williams	478803	2d Lt. F. A.	106.25
Jones, Robt. Riley	356535	Capt. C. A. C.	165.00
Jordan, David Jefferson	367250	1st Lt. Inf.	125.00
Jordan, Harry Fiquet	1269086	Capt. Signal Corps	71.25
Kane, J. Pearce	23391	1st Lt. Inf.	150.00
Karigan, Stephen Edward	905360	Maj. Sig. Corps	111.25
Kay, Guy Leslie	134596	1st Lt. Med. Corps	125.00
Keeler, Philip Burr	1305198	2d Lt. Aviation Sec	106.25
Keith, Glenn Russell	1266439	1st Lt. Ord.	125.00
Kellar, Andrew Conley	870020	1st Lt. Engrs.	125.00
Kellar, Chas. H	347798	2d Lt. Cav.	116.87
Kelley, Frank Morris	1265016	1st Lt. Marine Corps	125.00
Kelley, Frederick O	1253934	1st Lt. Chaplain (Inf.)	Deceased.
Kendall, Herbert Raymond	697775	2d Lt. Air Serv	106.25
Kennedy, Leo King	1391516	1st Lt. Engrs	125.00
Kerfoot, Ethelbert Gordon	309685	Capt. Signal Corps	150.00
Keskey, Charles A	698347	1st Lt. Inf.	125.00
Keyes, Henry Sheridan	717529	Maj. Med. Corps	225.00
Knight, Hiram Eldredge	1395123	Lt. Com. U. S. N. R. F.	Deceased.
Knupp, Glen H	156209	2d Lt. A. S. A.	106.25
Koerner, George Henry	1270699	Lt. (J. G.) U. S. N. R. F.	125.00
Koffard, Edward Louis	180367	1st Lt. C. A. C.	137.50
Koughan, Jno. Jas. Kirvan	1262463	Lt. Comdr. U. S. N. R. F.	187.50
Kleriueff, Harry N	329886	Capt. Med. Corps	150.00
Killoran, Andrew S	1272907	1st Lt. Q. M. C.	125.00
Kinzel, Edward Herbert	274293	Capt. Plon. Inf.	Deceased.
King, Paul Arthur	35881	2d Lt. Air Service	116.87
Krone, George Marshall	352408	Capt. Q. M. C.	150.00
Kuhlman, Fred William	273077	1st Lt. Q. M. C.	125.00
Kukuck, Frederick Coleman	1038555	Ensign, U. S. N. R. F.	106.25
Kunz, Charles Henry	905625	Maj. Q. M. C.	111.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

CALIFORNIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Kurschinski, Albert	282769	2d Lt. 102d F. A	$106.25
Kutch, Melcherd Helmer	1159732	Capt. Med. Corps	180.00
Kutz, Forrest Eugene	665698	1st Lt. Inf	125.00
Lamb, Edward	395829	1st Lt. Q. M. C	137.50
Lamb, Thomas Don	1168462	1st Lt. Q. M. C	125.00
Lanngan, James	1268014	Maj. C. A. C	187.50
Lang, Louis Magnus	1393020	Maj. Q. M. C	225.00
Langnecker, Harry Leslie	300694	Lt. U. S. N. R. F	150.00
Langtre, Leon Ferdinand	206996	Capt. Q. M. C	150.00
Lawrence, Golder Israel Riley	139436	1st Lt. Inf	125.00
Laxdal, Fred E	1236131	2d Lt. Inf	106.25
Lee, Stephen M	1271841	2d Lt. Air Serv	106.25
Leohner, William E	1395188	2d Lt. Inf	Deceased.
Levy, Reuben Martin	342546	2d Lt. Inf	106.25
Lewis, Floyd D	291524	Maj. Med. Corps	187.50
Lewis, Richard Pitman	1251704	1st Lt. Med. Corps	125.00
Libby, Frederick	318851	Capt. A. S. S. A	150.00
Liggett, Harry Bucher	229601	2d Lt. Inf	106.25
Lindberg, Albert William	282305	Capt. Med. Corps	150.00
*Linden, Robert Royal	905497	Capt. San. Corps	----------
Lindsey, Roscoe Theodore	319381	Capt. Dental Corps	150.00
Little, Frederick Eugene	290894	2d Lt. Air Serv	106.25
Long, David G	285491	2d Lt. 311 Inf. Co. F	116.87
Lotz, Truman Leroy	338532	2d Lt. Inf	106.25
Loudon, Thomas	637670	2d Lt. Inf	148.75
Low, Robeson Lea	1049261	Lt. Com	195.00
Lucas, Elmer Isiral	328891	Capt. Inf	210.00
Lucas, William Chisolm	559024	Capt. Med. Corps	150.60
Lucke, Everett J	528687	1st Lt. Inf	137.50
Luden, John Frederick	1270637	1st Lt. Inf	125.00
*Lum, Burleigh Adelbert	1270802	2d Lt. C. A. C	----------
Lundberg, Edwin Martin	195193	1st Lt. Ord. Dept	125.00
Luttrell, James Creed	380476	1st Lt. Air Serv	125.00
Lutz, Milton Charles	477756	1st Lt. Chaplain	125.00
McBrady, William Joseph	307920	Capt. C. A. C	180.00
McCarthy, William Ellis	1263164	Lt. U. S. N. R. F	150.00
McCrillis, William Wallace	1265960	Capt. Dental Corps	150.00
McCoy, Anderson Elmer	905880	1st Lt. Q. M. C	125.00
McCulloch, David Coyle	472152	Capt. Med. Corps	150.00
McCune, Murray Mais	124768	2d Lt. Inf	106.25
McDermott, James Hamilton	622760	1st Lt. San. Corps	150.00
McDonald, Harry L	480191	Capt. Engrs	150.00
McDowell, John	377721	1st Lt. 102 Engrs. 27 Div	125.00
McDowell, William John	905545	Maj. Inf	105.00
McGrath, James George	1270847	Capt. Q. M. C	150.00
McKinnon, Harold Richert	546320	1st Lt. F. A	125.00
McMurdo, Percy Fitzgerald	1000314	Lt. T. Med. Corps. U. S. N	180.00
McQuary, Arthur Garfield	905512	2d Lt. Inf	106.25
Mabry, William Cary	292454	Capt. Med. Corps	150.00
Mackie, Julian James	1390580	Ensign, U. S. N. R. F	106.25
Macklin, Robert Kirkpatrick	382405	1st Lt. Med. Corps	125.00
Macleod, George Howard	1395279	2d Lt. F. A	106.25
MacNab, Clayton Leroy	585171	Capt. Inf	180.00
Malloway, Jesse S	324297	1st Lt. A. S	125.00
Maloney, Clarence B	444800	1st Lt. Air Serv	125.00
Mann, Charles Henry	261900	Maj. Engrs	187.50
Manington, Joseph A	371227	Maj. Engrs	187.50
Mansfield, Charles	194604	Lt. Navy	Deceased.
March, Roy Fuller	576287	1st Lt. Vet. Corps	125.00
Marcus, Samuel	325626	Capt. Med. Corps	150.00
Marr, Elmer Thomas	1263346	Lt. (J. G.) U. S. N	137.50
Marshall, Henry Foster	344677	1st Lt. U. S. Guards	125.00
Martin, Albert	414886	Capt. Med. Corps	150.00
Martin, John Foley	1393711	1st Lt. Med. Corps	125.00
Martin, Robt. Grant	1191701	Capt. M. I. D	150.00
Marxsmiller, Henry Geo	224709	Maj. Med. Corps	187.50
Massey, Robert Lee, jr	1273838	1st Lt. A. S. M. A	125.00
Masterson, John Richard	334432	1st Lt. Med. Corps	125.00
Mastin, William A. N	417616	2d Lt. Inf	116.87
Mattair, Lewis Henry, jr	265502	1st Lt. Inf	125.00
Maul, Thomas	264547	2d Lt. U. S. Guards	106.25
Mayes, Wm. M	312396	2d Lt. Inf	106.25
Mayne, William Hawthorne	1393106	Capt. Med. Corps	150.00
Meloy, Lawrence Vinton	157063	2d Lt. C. A. C. Co	106.25
Mentzer, Francis Carol	145531	Capt. Trans. Corps	150.00
*Merski, Francis Edward	185032	1st Lt. Inf	125.00
Meyer, Henry W	338082	1st Lt. 364 Inf. 91 Div	125.00
Millard, Alfred, jr	170196	1st Lt. Inf	125.00
Miller, Earl G	623593	Capt. 141st Inf	180.00
Miller, Frank Louis	1324902	Lt. Com'dr. U. S. N	187.50
Miller, Jesse Chester	248905	2d Lt. Inf	106.25
Miller, William Hoffman	1145638	1st Lt. Aviation Sec. Sig. Corps	125.00
Minge, Oliver Ladd	452727	1st Lt. Engrs	125.00
Mingins, Royall Wood	329271	2d Lt. 364th Inf	116.87
Moir, Lawrence Irving	1263500	1st Lt. Inf	137.50
Montgomery, James Richard	549122	Capt. 362 Inf	165.00
Moon, Elmer Louis	1274126	Ensign, U. S. N. R. F	106.25
Moore, Clarence Conrad	1263342	Lt. U. S. N. R. F	150.00
Moore, Evert Leon	905692	Capt. Air Serv	71.25
Moore, James Wesley	443431	1st Lt. Q. M. C	137.50
Moore, Monta James	354804	1st Lt. Inf	137.50
Moore, Roy Dudley	393840	Capt. Med. Corps	150.00
Morgan, William John	341898	Lt. U. S. N. R. F	150.00
Morgenstern, Arthur Herman	331466	1st Lt. Inf	125.00
Morris, Charles Lynn	1395324	Capt. Med. Corps	150.00
Morris, Edwin Virgil	1273703	Capt. Dental Corps	Deceased.
Mosby, Ellsworth Chas	128433	1st Lt. Inf	137.50
Moss, Charles Abraham	230545	1st Lt. Inf	125.00
Moyer, Bruce Hamlin	1393272	1st Lt. F. A	125.00
Moyers, Eugene B	358911	1st Lt. C. A. C	150.00
Mueller, Carl Stanley	300809	2d Lt. Q. M. C	106.25
Mulholland, Emmett P	486098	2d Lt. Air Serv	106.25
Murphy, George Stewart	1273353	Maj. Med. Corps	187.50
Murphy, Linus Joseph	182589	1st Lt. Air Serv	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

CALIFORNIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Murray, Edgar Claude	542192	1st Lt. Inf	$125.00
Myers, Thos. Baxter	1272086	Capt. Cav	150.00
Nell, Matthew	54119	Capt. San. Corps	150.00
Nevins, John Wilson	267996	1st Lt. Med. Corps	125.00
Newlon, Benjamin Franklin	342812	1st Lt. Med. Corps	125.00
Nickerson, George Payne	263557	Major F. A	187.50
Nink, John Julius	1320272	2d Lt. Q. M. C	106.25
Nugent, William Angus	407505	2d Lt. U. S. Guards	116.87
Null, Marion Michael	467970	Major Med. Corps	187.50
O'Connor, Cornelius	1270677	Capt. F. A	150.00
*Odell, James Marye	1281623	1st Lt. Med. Corps	----------
Oesch, Edward D	1263931	Lt. (J. G.) U. S. N. R. F	125.00
O'Hara, Charles Joseph	257378	2d Lt. Inf	106.25
Olson, Berto Alexander	612514	Capt. Q. M. C	180.00
Orr, Charles Lowry	513273	1st Lt. Med. Corps	125.00
Park, Durward Belmont	1390668	Capt. Med. Corps	150.00
Parks, Ion Watson	777555	1st Lt. Vet. Corps	125.00
Parrish, Earl Thomas	248126	1st Lt. 363d Inf	125.00
Pate, Robert Edward	905475	1st Lt. Ord	36.25
Patterson, Clayton Allan	1272011	Capt. Dental Corps	165.00
Pease, Harold Tapley	862147	Capt. F. A	150.00
Peebles, Dudley Colin	1217031	1st Lt. Vet. Corps	125.00
Pelton, Harold Phillips	605796	Capt. Inf	165.00
Pelton, Hazlitt Lee	1269150	1st Lt. M. T. C	125.00
Petch, Thomas Robert	317587	Capt. Med. Corps	150.00
Peterson, Howard Peter	1037760	2d Lt. Q. M. C	106.25
Peterson, Peter	905883	Capt. Q. M. C	71.25
Phelps, Ernest Henry	526467	1st Lt. Q. M. C	137.50
Phillips, John J	786921	Maj. A. G. D	225.00
Pinkerton, Benj. Gershon	1264316	Capt. Med. Corps	150.00
*Pittman, William Prentiss	1050385	2d Lt. Inf	----------
Poole, Richard Ernest	400473	1st Lt. Med. Corps	125.00
Pope, Langdon Andrew	1165275	Ensign U. S. N. R. F	106.25
Postin, Wm. Roland	1392324	Capt. Inf	150.00
Powell, Ashby Holmes	24979	2d Lt. Inf	Deceased.
Pracy, Joseph Idell	1394229	Ensign U. S. N. R. F	106.25
Price, Harold W	232624	2d Lt. Inf	106.25
Price, John Edmund	1396012	Capt. Inf	Deceased.
Price, Luther Glynne	622345	1st Lt. Air Service	125.00
Prideaux, Wm. Downing	1093917	Com. U. S. N. R. F	246.62
Prior, Roger Wellington	282592	2d Lt. Air Service	106.25
Purcell, James Joseph	636904	1st Lt. Ord. Corps	36.25
Quenstedt, Henry Emile	1334706	Lt. Comdr. U. S. N. R. F	225.00
Quinn, John Robertson	1266060	Capt. F. A	150.00
Quint, Frederick Leland	283367	Lt. (J. G.) U. S. N. R. F	125.00
Radke, William Lynn	277087	1st Lt. Dental Corps	125.00
Radtke, Leonard Benjamin	174643	2d Lt. Inf	116.87
Randle, George Nelson	239936	Maj. Q. M. C	187.50
Ransom, Lee Norman	1269580	1st Lt. Inf	137.50
Rawls, Percy Scott	1394818	Maj. Med. Corps	187.50
Rea, James Glen	247282	1st Lt. Med. Corps	125.00
Read, Francis T	268169	1st Lt. Med. Corps	125.00
Reagan, Aloysius Henry	190150	1st Lt. Inf	125.00
Regan, John Henry	1210771	1st Lt. Med. Corps	125.00
Reeves, Wade Hampton	1229562	2d Lt. Inf	106.25
Rexroad, Charles Addison	226463	Capt. Chap. Corps	150.00
Rhodes, Frank G	349956	Capt. Med. Corps	Deceased.
Ricciardi, Attilio	413554	2d Lt. Air Service	106.25
Rice, Harold Edwin	340020	2d Lt. F. A	106.25
Richards, Alma Wilford	376318	1st Lt. Inf	125.00
Richardson, Benjamin Harrison	201156	Lt. (J. G.) U. S. N. R. F	125.00
Richardson, Darrel Harden	1267929	Ensign U. S. N. R. F	106.25
Richter, Ernest William Ferdinand	905695	Capt. Inf	71.25
Rickert, Charles B	905231	1st Lt. Inf	22.35
Riehl, Louis Arthur	1261054	2d Lt. Inf	106.25
Rierson, Robert Lee	1396469	1st Lt. Med. Corps	125.00
Rinearson, Neldrum M	543561	1st Lt. Inf	125.00
Riordan, John W. J	1204200	2d Lt. Q. M. C	106.25
Ritter, Clair August	1326121	2d Lt. Air Service	106.25
Rosch, Richard Aloysius	1392779	Capt. Med. Corps	150.00
Roberts, Jay G	171051	Capt. Med. Corps	150.00
Roberts, Ralph Smith	348854	Capt. Sanitary Corps	150.00
Robinson, Chas. Stuart	1391222	Capt. Motor Trans. Co	150.00
Robinson, Lewis B	373149	1st Lt. Med. Corps	Deceased.
Robison, Edw. McCready	163017	Capt. 372d Inf	195.00
Roemer, Albert John	459576	2d Lt. A. S	106.25
Rogers, Elmer Hanson	391696	Maj. Med. Corps	187.50
Ronan, John Parnell	1393790	Capt. Inf	150.00
Rosenfeld, Milton S	481595	2d Lt. Inf	106.25
Ross, Frank Emory	906863	1st Lt. Inf	150.00
Royle, William Henry	823175	1st Lt. Air Service	----------
Rubin, Earl Victor	333290	1st Lt. Air Serv	125.00
Rucker, Winfred Leeper	905418	Capt. Q. M. C	150.00
Ruoff, Wm	244273	Capt. Med. Corps	150.00
Ryan, Alexander	856296	Lt. Comdr. U. S. N. R. F	187.50
Sampson, Geo. H	1039066	2d Lt. Cav	106.25
Sanchez, Gilbert Joseph	385892	2d Lt. Inf	106.25
Sandow, Bruno Francis	905377	Capt. Med. Corps	150.00
Sanford, James Robert	337159	1st Lt. Med. Corps	125.00
Sanford, William James	1199192	2d Lt. Q. M. C	106.25
Saunders, Clark Edward	264903	Capt. Med. Corps	150.00
Saunders, Wendell Marcellus	456012	Ensign—U. S. N. R. F	Deceased.
*Saxe, Louis Bernard	1345383	2d Lt. Inf	----------
Schenk, Lawrence Peter	330038	1st Lt. Air Service	125.00
Schmid, John	292062	Capt. Q. M. C	165.00
Schmidt, John Hans Adam	152332	2d Lt. Inf	106.25
Schwarz, Theodore Edward	338718	Maj. Med. Corps	187.50
Scott, Thomas Winfield	274056	1st Lt. Engrs	125.00
Scott, William Robert	265040	Capt. Engrs	150.00
Schroder, Otto Frithiof	1391611	Lt. Comdr. U. S. N. R. F	187.50
Schwabland, William Tecumseh	1396107	1st Lt. Med. Corps	125.00
Sebree, Guy Ollis	755062	2d Lt. U. S. Guards	106.25
Selvage, Eugene Shattuck	288843	Ensign—U. S. N. R. F	106.25
Shaler, Elmer Matthias	498455	2d Lt. 31 Engrs	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

CALIFORNIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Sharon, Walter Edmond	1278510	Lt. (T) U. S. N. R. F	$112.80
Shaw, Arthur Jay, jr	509006	1st Lt. Engrs	125.00
Shearer, Lovick Pierce	292225	1st Lt. Post Chapiain	125.00
Sheean, Joseph Raphael	1277327	1st Lt. F. A	125.00
Shelnutt, Zephenlah	446038	1st Lt. Inf	125.00
Shiels, George F	1260021	Maj. Med. Corps	187.50
Short, Chas. Augustus	1393473	Capt. Med. Corps	150.00
Shumaker, Ray	1271681	2d Lt. F. A	106.25
Shupe, Norris J	1393009	Maj Inf	187.50
Simpson, Monroe Tilden	905253	Maj. Q. M. C	111.25
Siprelle, Chester D	1391918	Lt. U. S. N. R. F	150.00
Six, Clarence Logan	1391575	Capt. Med. Corps	Deceased.
Slater, Francis Clyde	258573	2d Lt. Air Serv	106.25
Slattery, Frank Earl	1265031	1st Lt. Air Serv	125.00
Sloan, Orville Joseph	1214453	1st Lt. Med. Corps	125.00
Smith, Bashford	345419	1st Lt. Inf	125.00
Smith, Charles Lowe	396995	2d Lt. F. A	106.25
Smith, Chas. E. W	598783	2d Lt. Inf	106.25
Smith, Edgar Wilson	313519	1st Lt. Engrs	125.00
Smith, Edson S	166262	2d Lt. Air Serv. Sign. Corps	106.25
Smith, Jackson Harold	320986	Capt. Dental Corps	150.00
Smith, James William	653755	1st Lt. Dental Corps	125.00
Smith, Joseph Stanley	325339	2d Lt. Engrs	106.25
Smith, Robt. Lewis I	239667	Maj. Med. Corps	187.50
Spicer, Morgan Vardy	886424	1st Lt. Inf	125.00
Spigelmyre, Ford Ellsworth	384070	Capt. Inf	165.00
Stamm, Walter William	116957	1st Lt. San. Corps. Inf	125.00
Stanfield, Clarence Marshall	1245332	2d Lt. F. A	106.25
Steffy, John Logan	1392013	1st Lt. Med. Corps	125.00
Stephenson, Lloyd Tevis	1272780	Capt. Cav. N. G	165.00
Stewart, Firman Everett	464350	2d Lt. Inf	106.25
Stewart, Luther Philip	347249	Maj. Q. M. C	250.00
Stillwell, Richard Cooper	1278580	2d Lt. Adj. Gen. Dept	116.87
Strass, Louis Freeman	1346402	1st Lt. 62 F. A	137.50
Strayer, Elmer Clyde	526473	1st Lt. Engrs	125.00
Strong, Frank	124940	1st Lt. Engrs	125.00
Stuart, Edward	1395838	Major Sanit. Corps	187.50
Sullivan, Daniel Joseph	905290	Capt. F. A	71.25
Sullivan, Frank John	362419	Maj. Signal Corps	243.75
Sullivan, Walter James	388968	Capt. Med. Corps	150.00
Sutliff, Howard Donald	340008	2d Lt. F. A	106.25
Swackhamer, Walter Boyd	1397517	Capt. Med. Corps	150.00
Swank, Omer Edwin	332101	2d Lt. Engrs	106.25
Swartz, Bret Albert	523328	1st Lt. Med. Corps	125.00
Swift, Percy Edward	204757	1st Lt. Med. Corps	125.00
Symes, Clarence D	609673	Capt. Engrs	150.00
Taggart, Gilbert L	182865	2d Lt. Inf	127.50
Tannehill, Charles Monroe	1268401	2d Lt. Inf	116.87
Taylor, Ben Bradley	364590	2d Lt. 361st Inf	116.87
Terry, Vinal Smith	231317	Lt. U. S. N. R. F	150.00
Thayer, Wayne	206686	1st Lt. Sig. Corps	125.00
Thomas, Walter Leslie	157696	Capt. Sig. Corps	165.00
Thompson, Herbert Lloyd	413030	Capt. Med. Corps	150.00
Thompson, Thomas Henry	453069	Lt. Com. U. S. N. R. F	Deceased.
Thornberry, Risher W	1272397	Capt. Inf	150.00
Thickstun, Dorsey Woodruff	369826	Lt. Col. A. G. Dept	150.00
Tibbals, Carl Lampe	1392259	1st Lt. Engrs	125.00
Tillson, Frank Cephas	294651	2d Lt. Inf	106.25
Timme, Arthur Rudolph	264652	1st Lt. Med. Corps	125.00
Todd, Donan Ernest	1260508	Ensign (T) U. S. N	106.25
Toft, Paul Lewis	905232	Capt. C. A. A	71.25
Topping, Moses Hawkins	310722	1st Lt. Med. Corps	125.00
Touchstone, Grady Russell	337513	1st Lt. Air Serv	125.00
Treacy, Eugene Lewis	209043	Lt. (J. G.) U. S. N. R. F	125.00
Turley, Jay	249643	Capt. Engrs	150.00
Turner, Ben E	264018	1st Lt. Inf	125.00
Turner, Kenneth B	411777	Maj. Med. Corps	187.50
Underhill, Alvin John	1270014	2d Lt. Inf	106.25
Upton, Ford Jewett	166169	1st Lt. 86th Inf	125.00
Uznay, Charles Haskell	242419	Ensign U. S. N. R. F	106.25
VanBurgh, Lisle R	205981	1st Lt. Engrs	137.50
VanDeusen, Edward Tiffany	1016963	2d Lt. U. S. M. C	106.25
Vanderlin, John Hunn	1274960	1st Lt. Engrs	125.00
Vanderwert, Howard Witzel	391291	Ensign U. S. N. R. F	106.25
VanGent, Conrad Eugene	410714	1st Lt. F. A	125.00
VanStone, Frederick Eric	1396633	Lt. (J. G.) U. S. N. R. F	125.00
Vega, Frank Abraham	1272007	Lt. Comdr. U. S. N. R. F	187.50
Vetter, Edwin F	1159028	1st Lt. Med. Corps	Deceased.
Vincent, James Atmore	290654	Capt. 363 Inf	150.00
Voiles, William Henry	710169	Capt. Q. M. C	165.00
Vollenweider, Wm. Frederick	434503	2d Lt. 14th M. G. Bn. Co. D	116.87
Vollmer, William Steiner	413897	2d Lt. Inf	106.25
Wahl, Edw. Walter	372561	Capt. Med. Corps	150.00
Waldelich, Arthur George	654847	1st. Lt. San. Corps	125.00
Waldo, Herbert Strong	1293511	2d Lt. A. S	106.25
Walker, Revello Monroe	637147	1st Lt. San. Corps	
Warwick, Arthur Gould	1200302	2d Lt. Inf	106.25
Washburn, Ajay	1274934	Capt. Q. M. C	200.00
Watson, John C	209157	Capt. Inf	150.00
Watson, Joseph T	320051	Capt. 362 Inf	165.00
Weber, Adolph Gottig	1267954	Capt. Engrs	150.00
Weber, Robert Rehn	906852	1st Lt. Inf	125.00
Weirick, Arthur Murray	221037	1st Lt. Air Serv	125.00
Welsh, Rex Earl	282647	2d Lt. Inf	106.25
Wemple, Emmet Leroy	1394499	Maj. Med. Corps	187.50
Wessels, Arthur Lewis	1265687	Lt. (J. G.) U. S. N. R. F	125.00
Whaley, Harry R	1285311	2d Lt. Inf	106.25
Wheate, Justus Marchall	317534	Lt. Col. Med. Corps	240.62
Wheeler, Charles Melvin	1396224	Capt. Engrs	150.00
Wheeler, Harry Lindsay	1274406	1st Lt. Air Serv	125.00
Whiffen, Roscoe Albert	163360	Capt. Med. Corps	150.00
White, John Roberts	702536	Lt. Col. Inf	218.75
White, Albert Blakeslee, jr	428317	1st Lt. Ord. Dept	125.00
White, Charles Forrest	1267775	Lt. (J. G.) U. S. N. R. F	125.00
White, Leslie Gordon	621103	1st Lt. F. A	125.00
Whitehead, Jos. Lloyd	310606	2d Lt. F. A	$106.25
Whiteside, Robert Banning	291800	2d Lt. Air Serv	106.25
Whitmore, Frank Beach	221665	Capt. Med. Corps	150.00
Whittorne, Harry Sherman	493784	Capt. Inf	150.00
Wicoff, Weir Willis	502532	Capt. Inf	150.00
Wideman, Jesse E	788470	1st Lt. F. A	125.00
Wight, Thomas Henry T	1391992	Capt. Med. Corps	150.00
Wild, Carl	188976	1st Lt. Chaplain	125.00
Williams, Elbridge Thayer	377720	2d Lt. Army Serv. Corp	106.25
Williams, John Marshall	721492	Ensign, U. S. N. R. F	106.25
Williams, Kenneth Alston	1265313	2d Lt. Marine Corps	106.25
Williams, Levens Day	295693	Capt. 151st F. A	165.00
Williams, Ray Terry	316726	1st Lt. Inf	137.50
Williams, Walter Albert	403652	1st Lt. Inf	125.00
Wincher, Ellsworth Milton	1050808	1st Lt. Inf	125.00
Winner, Wm. Lane	415167	2d Lt. Air Serv	106.25
Winter, Hugo	905604	Capt. Q. M. C	71.25
Wirths, Carl Wm	306781	1st Lt. Inf	125.00
Wiser, Frank Clayton	310062	Lt. Col. Med. Corps	240.62
Wishard, Harry Albert	1271672	1st Lt. Army Serv. Corps	125.00
Wojtkowski, Louis	276790	1st Lt. F. A	137.50
Wolcott, Lester Oren	203325	1st Lt. Engrs	125.00
Wolf, Lester Morise	464408	Ensign (Temp.) U. S. N. R. F.	106.25
Wooley, Paul Gerhardt	1393479	Maj. Med. Corps	187.50
Woolridge, Jesse W	476058	Maj. 38th Inf	187.50
Worley, Earl Raymond	1228781	1st Lt. Vet. Corps	125.00
Wright, John Richard	689078	2d Lt. Inf	106.25
Wright, Linn Clinton	621919	1st Lt. S. C	125.00
Wright, William Abel	1275253	2d Lt. Q. M. C	106.25
Wuttke, Paul	558543	Capt. Q. M. C	180.00
Wyckoff, Harry Wilson	498178	2d Lt. A. S	106.25
Wygant, Robert Cecil	353693	Capt. Engrs	150.00
Wyman, William McKee	199141	2d Lt. Inf	106.25
Zacheri, Vernon Benjamin	197454	1st Lt. Inf	125.00
Zellermayer, Louis	215176	Capt. Inf. 166 D. B	165.00

SUPPLEMENTAL

Carter, Allen Atwater	340498	2d Lt. F. A	

COLORADO

Abernathy, James Thomas	1305061	2d Lt. A. S. A	$106.25
Adams, John Jackson	220595	1st Lt. Inf	125.00
Allcott, Philo, jr	1337272	Capt. F. A	Deceased.
Bailey, Everett S	500206	2d Lt. Inf	Deceased.
Barton, Charles Harry	559217	Capt. Inf	150.00
Bee, Archie	427354	1st Lt. Med. Corps	125.00
Bennett, Walter Scott	200917	Capt. Med. Corps	150.00
Brannaman, Ray H	494608	1st Lt. Aeor Squadron	125.00
Bres, Edward Winans	1256367	1st Lt. Engineers	125.00
Brown, Morrow Duncan	252110	Capt. Med. Corps	150.00
Brown, Thaddeus C	310913	1st Lt. Med. Corps	125.00
Buckland, William Eaton	583749	2d Lt. A. S	106.25
Burns, John Stuart	281394	1st Lt. (Chaplain) Inf	125.00
Bush, Bradford Stetson	272476	2d Lieut. Air Service	106.25
Callahan, Patrick H	465178	1st Lt. Inf	125.00
Carpenter, Clark B	437805	1st Lt. Co. B. 23d Engrs	125.00
Cassidy, Franklin Chester	1203276	1st Lt. Med. Corps	125.00
Chase, Alpha Manley	412533	Capt. Inf	195.00
Chase, John Samson	154280	1st Lieut. Med. Corps	137.50
Chisholm, Archibald Joseph	333460	Capt. Med. Corps	150.00
Clancy, Richard Elmore	365246	1st Lt. Inf	125.00
Clark, John Crafton	663501	Ensign, U. S. N. R. F	106.25
Coffin, Roy G	1255165	Major F. A	206.25
Coleman, Oscar Edwin	556466	1st Lt. Med. Corps	125.00
Conkling, Chas. Edw	238751	Capt. Ord. Dep	150.00
Conlee, Charles Roberts	1253421	1st Lt. Inf	125.00
Connor, Wayne Asbury	1113807	1st Lt. Inf	125.00
Cook, John Francis	1256664	1st Lt. Inf	125.00
Copsey, Fay Marion	369662	2d Lt. Inf	106.25
Coughlin, John P	1186159	2d Lt. F. A	106.25
Cox, Casper Waldo	345161	1st Lt. Inf	125.00
Craven, Alex. R	461867	2d Lt. C. A. C	106.25
Crow, Edward Newton	1428775	1st Lt. Am. Trn	Deceased.
Dennis, Geo. Wesley	310915	1st Lt. San. Corps	Deceased.
Devereux, Lonie	1296579	1st Lt. Inf	125.00
Dickey, Frank Goodrich	1253066	1st Lt. F. A	125.00
Doud, Ralph S	430618	Capt. Inf	150.00
Dozois, George Amedee	524503	Lt. (J. G.) U. S. N. R. F	125.00
Driggs, Adrian Augustus	394435	1st Lieut. Engrs	125.00
Dunn, Lloyd Carson	194277	Capt. Inf	165.00
Edwards, Will Elmer	281818	1st Lt. Inf	137.50
Eitzel, David Sylvester	1254024	1st Lt. Inf	150.00
Elliott, John William, jr	1246631	2d Lt. C. A. C	156.25
Everly, Tems Le Clen	380828	Lt.(Sr.G.)U.S.N.Med.Corps	150.00
Eyerly, Harry McKiver	1215431	2d Lt. Inf	106.25
Forster, Alexius Mador	1257352	Lt. Col. Med. Corps	218.75
Frakes, Eugene Nelson	119244	1st Lieut. Med. Corps	125.00
Fuller, John Andrade	634168	2d Lt. Inf	106.25
Galloway, Albert James	398233	2d Lt. Inf	106.25
Gannon, Frederick M	1338230	1st Lt. F. A	Deceased.
Gardner, Neil Ethridge, jr	1255071	2d Lt. C. A. C	106.25
Gentry, Brady Preston	1320189	Capt. Q. M. C	150.00
Goodman, John Bartlett, jr	279159	Major, Inf	243.75
Goodspeed, Morton	1047813	Lt. (J. G.) U. S. N. R. F	106.25
Gorsuch, John Crittenden	285607	Capt. Med. Corps	150.00
Graham, John Wirt	906374	1st Lt. Inf	125.00
Green, Berryman, jr	526954	Capt. Med. Corps	150.00
Griffin, Alfred T	327090	Capt. Inf	195.00
Grohman, Louis Joseph	1257055	1st Lt. (Chaplain) Inf	125.00
Guthrie, Carl James	1226085	1st Lt. Inf	137.50
Hackett, Wayne Houston	421452	Capt. Inf	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

COLORADO—continued

Name	C No.	Rank and organization	Amount of retirement pay
Hall, Robt. Keith	318727	2d Lt. A. S. A	$106.25
Halle, Simon	1098106	2d Lt. Air Serv. Sig. Corps	106.25
Hallenbeck, Vernon M	1196554	Ensign, U. S. N. R. F	106.25
Hampert, Paul Frederick	1383499	1st Lt. F. A	125.00
Harl, Maple Talbott	1252925	Maj. A. G. D	187.50
Harrington, Michael C	228101	Maj. Q. M. C	187.50
Hart, Arthur Leroy	390237	Maj. Inf	250.00
Haviland, Harold Colvin	1248896	1st Lt. Med. Corps	125.00
Hawkins, Leon G	354120	1st Lt. M. T. C	125.00
Haynes, John McAlpine	218871	1st Lt. 6th Inf	137.50
Hearn, Guilford C	761029	1st Lt. Inf	137.50
Heiman, Carl Henry	341199	Capt. Q. M. C	150.00
Herrick, Myron Collins	429782	2d Lt. Inf	106.25
Higginbotham, Walter Burke	492272	2d Lt. Inf	106.25
Holland, Elmer Lew	1254127	1st Lt. Inf	125.00
Holland, Fred Young	359554	Lt. A. D. G	116.87
Harn, Le Roy Raymond	295643	2d Lt. Inf	116.87
Horn, Wilbur Forrest	1327354	1st Lt. Inf	162.50
Howard, John F	603154	Capt. Med Corps	150.00
Huntington, Glen Herbert	447121	1st Lt. C. A. C	125.00
Irish, Joseph E	462450	1st Lt. Cavalry	125.00
John, Edward Leslie	834005	2d Lt. Cas. Det	106.25
Jones, Charles Arthur	1256083	2d Lt. Inf	106.25
Jones, James Denison	370351	2d Lt. C. A. C	
Jones, Ralph Phillips	159474	1st Lt. Med. Corps	125.00
Jory, Herbert Williamson	1190174	2d Lt. F. A	106.25
Keim, Thurman Edward	303229	Capt. Inf	150.00
Keithley, Alfred Elvin	17938	2d Lt. Inf	106.25
Kelts, Charles	636991	Capt. Q. M. C	71.25
Lacewell, Alexander	526797	2d Lt. Inf	127.50
Lamb, George Cantwell	1256503	Capt. Med. Corps	150.00
Laughren, Charles A	1256032	2d Lt. Q. M. C	106.25
Lay, Harry T	319617	Maj. Med. Corps	Deceased.
Lee, James Augustine	420988	Capt. Q. M. C	165.00
Lilly, Eugene Joseph	1255999	Capt. F. A	150.00
Little, Lowell	144870	Capt. Med. Corps	150.00
Livingston, John L	657999	Lt. U. S. N. R. F	165.00
Lunstead, Eugene Le Roy	432609	2d Lt. Q. M. C	106.25
McCoy, Earl Warner	1332359	1st Lt. Inf	125.00
McCrossin, William P., jr	624546	Capt. Med. Corps	150.00
McKie, William Henry	1249354	1st Lt. F. A	150.00
McKinley, Leo George	586912	1st Lt. Air Service	175.00
Mann, Earl Washington	299203	1st Lt. Inf	125.00
Manuel, Joseph Comas	1271942	1st Lt. Supply Train	Deceased.
Marical, James Edward	430748	1st Lt. U. S. Guards	137.50
Masserini, Maurice Joseph	598733	2d Lt. F. A	106.25
Maxwell, Wm. H	624633	Capt. Q. M. C	150.00
Meadows, Turner Franklin	488200	2d Lt. Inf	138.12
Means, James Mathew	344525	2d Lt. Q. M. C	106.25
Miller, David Baker	175167	1st Lt. 89th Div. 353d. Inf	125.00
Miller, James Burney	1229630	2d Lt. Inf	106.25
Mix, Walter S	528268	1st Lt. Med. Corps	125.00
Moore, Isaac Edward	291540	1st Lt. Med. Corps	125.00
Morehart, Lee Roy	1218716	2d Lt. Inf	106.25
Morrison, Lewis Richard	256997	2d Lt. Inf	106.25
Mouser, Merrill Kenton	670312	1st Lt. A. S. C	125.00
Moylan, Edward Raleigh	498175	2d Lt. Inf	106.25
Mulcahy, Raymond Francis	503751	Capt. Dental Corps	150.00
Murphy, Edward Sheridan	1252557	Capt. Q. M. C	150.00
Myer, Erskine Reed	236137	1st Lieut. Inf	125.00
Neuhauser, John Paul	308149	1st Lt. Inf	125.00
Nimmo, William Thomas	517369	2d Lt. Inf	106.25
Oakley, Gurney Orlando	1257464	Capt. San. Corps	150.00
Ohmart, Walter A	218195	1st Lt. Med. Corps	125.00
O'Kelley, Lawrence Leroy	252820	2d Lt. Inf	106.25
Owen, Harry	458131	1st Lt. Inf	162.50
Owens, Robert Lee	390141	Capt. Med. Corps	150.00
Oyler, David Walter	506963	1st Lt. Inf	137.50
Paine, John Howard	1210054	Ensign, U. S. N. R. F	106.25
Parks, Ernest Courtland	347792	Maj. Inf	250.00
Parsons, Charles Lyman	247618	Engrs. 1st Lt	125.00
Partington, Cyrus B	403973	1st Lt. Med. Corps	125.00
Pate, Clarence Lee	597284	2d Lt. Inf	116.87
Peck, Allen Steele	272131	Lt. Col Engrs	218.75
Pennington, Elgar J	493416	2d Lt. Inf	106.25
Peterson, Evan Emery	1396457	2d Lt. C. A	106.25
Pettee, Burnell Greene	905365	2d Lt. Q. M. C	106.25
Philbin, Paul Albert	830736	Ensign U. S. N. R. F	106.25
Pierson, James C	1246636	1st Lt. Sig. Corps	150.00
Potter, William Jerome	378645	Maj. 361st Inf	206.25
Pratt, Harold Clifton	464829	2d Lt. Air Service	106.25
Proudfit, Lucas	1102219	1st Lt. 95 Aeor. Sqd	125.00
Raffety, Chas. Edw	405768	2d Lt. F. A	106.25
Reilly, Joseph John	509111	Capt. Med. Corps	150.00
Reynolds, William Houston	347806	1st Lieut. M. T. C	125.00
Rhea, Robert	533510	2d Lt. Air Serv	106.25
Sams, Louis Van	1249280	Capt. Med. Corps	150.00
Savage, James Allen	446041	2d Lt. F. A	106.25
Scott, Francis Marion, jr	421188	2d Lt. Inf	106.25
Scrimger, Schuyler C	1202146	Capt. Inf	180.00
Sedwick, William Alexander	315419	Capt. Med. Corps	150.00
Sevier, Charles Edwin	560735	Capt. Med. Corps	150.00
Seymour, Charles Edward	217226	1st Lt Cavalry	137.50
Shafer, Harry S	1257017	1st Lt. Med. Corps	125.00
Shankland, Ralph G	325909	1st Lt. Engrs	125.00
Shay, Raymond Arthur	444655	2d Lt. Inf	116.87
Sheeran, David Joseph	338608	Capt. Ord. Corps	150.00
Shepherd Garrette A	1250710	1st Lt. Inf	125.00
Sherwood, George Wesley	1171273	2d Lt. Inf	106.25
Shipp, Tom Lee	1258658	Capt. Inf	165.00
Smead, Burton Armstrong	519830	Lt. Col. Inf	218.75
Smith, Clarence R	374725	1st Lt. Inf	125.00
Smith, Shirley S	331965	1st Lt. Inf	125.00
Smith, Wm. Dudley	905799	Capt. Inf	165.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

COLORADO—continued

Name	C No.	Rank and organization	Amount of retirement pay
Strickler, Glen Wood	548434	Ensign U. S. N. R. F	$106.25
Stockman, George Dryden	390398	Capt. Signal Corps	150.00
Stoker, John Russell	1257558	Lt. (J. G.) U. S. N. R. F	125.00
Stroud, Ira Lee	516112	Capt. Inf	195.00
Sughrue, Thomas Joseph	1191480	2d Lt. Inf	106.25
Sutherland, Jim Wilson	435888	2d Lt. U. S. Marine Corps	106.25
Sutton, James Henderson	1341737	2d Lt. Inf	
Sweeney, James Lee	408414	2d Lt. F. A	106.25
Swerdfeger, Elbert Byron	203611	Capt. Med. Corp	150.00
Talcott, Carleton H	1257054	Ensign U. S. N. R. F	106.25
Thomas, Fred	1048873	1st Lt. Inf	150.00
Thomas, James R	1248649	Capt. Med. Corps	150.00
Thompson, Thomas Raymond	685018	2d Lt. Inf	156.25
Tilly, Cecil Hall	1253087	1st Lt. Inf	125.00
Tompkins, Howard Richard Kelsey	305747	Capt. F. A	180.00
Utley, Fabor Everage	566850	Capt. Inf	180.00
Wagner, Harry Cecil	191906	1st Lt. San. Corps	125.00
Wagner, John A	386121	2d Lt. Inf	106.25
Watson, Harold	1255334	Capt. Q. M. C	150.00
Weiland, Herbert C	1258162	2d Lt. Inf	106.25
Wheeler, Bert Lee	353327	2d Lt. Inf	106.25
Whitbeck, Louis Hunt	1044861	1st Lt. F. A	125.00
Wilcox, Roy Davidson	1253583	2d Lt. Air Service	106.25
Wilson, Chauncy T	509094	2d Lt. Inf	106.25
Wilson, Geo. W	434514	2d Lt. Inf	106.25
Wolfgang, George Edward	730747	2d Lt. Inf	106.25
Woody, Russell Charles	293792	Capt. Inf	150.00

CONNECTICUT

Bennett, Arthur Carleton	1021905	Capt. C. A. C	$210.00
Bruenn, John Joseph	473305	2d Lt. Inf	106.25
Cafferty, Edmund John	1028589	1st Lt. Inf	137.50
Campbell, Thomas Watkins	394960	Maj. Air Serv	187.50
Chase, Frank Sanborne	571510	Ensign, U. S. N	106.25
Choate, Donald Hutchinson	1049518	2 Lt. F. A. R. C	106.25
Cormier, Joseph A	498903	2d Lt. Engrs	116.87
Cousins, John Wm	234620	Capt. A. S	150.00
Dabbs, Chas. Henry	1032386	Capt. San. Corps	165.00
Dennehy, William James	1045763	Lt. U. S. N. R. F	150.00
Devine, Jos. James	304904	2d Lt. F. A	106.25
Dooley, Frank Martin, jr	301715	2d Lt. F. A	106.25
Farrington, Edw. C	348184	Capt. Inf	180.00
Feegel, John Richard	210539	Capt. Inf	150.00
Fitzpatrick, Edward Earl	476957	1st Lt. Med. Corps	125.00
Fuessenich, Leonard Cleveland	1058671	1st Lt. Inf	162.50
Garlick, Edward Earle	326682	1st Lt. Q. M. C	125.00
Geer, Clarence William	368161	Capt. Inf	165.00
Gettings, James Agustus	1046675	Capt. Med. Corps	150.00
Grant, James L	141019	2d Lt. Inf	106.25
Gray, John Luther, jr	239494	Capt. Inf	180.00
Healey, Thomas Francis	209589	Capt. Med. Corps	
Ingersoll, Colin Montaigue	1049895	1st Lt. Inf	Deceased.
Jenkins, Charles Albert	454914	1st Lt. Med. Corps	125.00
Keefe, Robert E	208438	2d Lt. Air Serv	106.25
Kelly, Patrick Joseph	267244	2d Lt. Inf	116.87
Lawrence, Clinton Chas	1058083	2d Lt. Air Serv	106.25
Lewis, Otis Norcross	369412	2d Lt. Engrs	106.25
Loader, Victor Henry	1038918	2d Lt. C. A. C	106.25
Lucas, Daniel Ralph	503132	Maj. Med. Corps	Deceased.
McCarthy, John T	1048167	2d Lt. F. A	106.25
MacMurphy, Allen Bean	240008	2d Lt. Inf	106.25
Monaghan, Wm. A	1033478	1st Lt. Med. Corps	125.00
Morgan, Gerald M	1022817	Capt. Inf	150.00
Morriss, William Haviland	506289	Capt. Med. Corps	150.00
O'Brien, William James	1045356	1st Lt. C. A. Corps	36.25
O'Neill, Edward Gerard	306419	2d Lt. Inf	106.25
Raymond, Henry Jarvis	1043453	1st Lt. M. T. C	125.00
Raymond, Landon Thomas	274677	1st Lt. A. S	125.00
Reiman, Conrad Frederick	1062459	Capt. Dental Corps	150.00
Richards, Earle Franklin	1057889	1st Lt. A. S	125.00
Roberts, Allan Kirk	1203339	Capt. Inf	
Rodgers, James Linn	486457	Com. U. S. N. R. F	262.50
Scarborough, Clarence Colton	256903	1st Lt. Inf	125.00
Seigall, Harry Arthur	338820	1st Lt. Med. Corps	125.00
Smith, Harley Wright	1051157	1st Lt. (Chap.) Inf	125.00
Smith, Samuel	580414	1st Lt. Inf	187.50
Spencer, Herbert	534000	1st Lt. A. S	125.00
Stevens, Geo. Ralsey, jr	314421	1st Lt. Inf	125.00
Strickland, Daniel W	1035520	Capt. Inf	150.00
Sullivan, Jeremiah B	1046727	Capt. Med. Corps	150.00
Thompson, Clarence MacGregor	1025841	Maj. Inf	206.25
Van Wyck, Crittenden	277688	Maj. Dent. Corps	187.50
Ward, James Jos	563622	2d Lt. Inf	116.67
Weed, Arthur Romanzo	446507	Capt. Med. Corps	150.00
Wood, Chas. Clement	12836	2d Lt. Ord	106.25
Yaeger, Robert Edward	1029898	2d Lt. Inf	106.25

DELAWARE

Bean, Herbert Souder	520181	2d Lt. Aero Sqdn	$116.87
Darneille, James F	1071829	Capt. Q. M. C	210.00
Fisher, Octavius A	1039985	1st Lt. Inf	125.00
Gabriel, Harry S	786525	1st Lt. Inf	125.00
Kenney, Richard R	455320	Maj. Judge Adv	243.75
McCarthy, Robert Patrick	289813	Lt. U. S. N. R. F	150.00
McKelvey, William John	322800	1st Lt. Air Serv	125.00
MacNutt, Cecil Crane	211900	2d Lt. Inf	106.25
Phelps, Wm. Eliott	327657	2d Lt. Tank Cps	106.25
Porter, Howard Elwood	320561	1st Lt. Inf	137.50
Porter, Mark Leslie	330227	2d Lt. Air S. Eng	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

DISTRICT OF COLUMBIA

Name	C No.	Rank and organization	Amount of retirement pay
Adams, Raymond Edmund	130372	Capt. H. G. S. E. Q. M. C.	$150.00
Adams, Robert	1094020	Maj. Q. M. C.	206.25
Adams, Winthrop	1008996	Lt. Med. Corps.	150.00
Anderson, Cecil Henry	486285	Capt. Med. Corps	195.00
Anderson, Chas. Loftus Grant	276953	Lt. Col. Med. Corps	240.62
Awl, Francis Asbury	1091530	Capt. Inf.	180.00
Bertram, Alfred J	365110	1st Lt. M. G. Bn.	137.50
Bell, Elmer Theodore	1380294	2d Lt. Adj. Gen. Dept.	106.25
Bischoff, Marvin Franklin	306266	Capt. Inf.	150.00
Boal, Frank Kiskodden	1382132	1st Lt. Inf.	125.00
Boernstein, Sigismond George	615885	1st Lt. Sig. Corps	125.00
Boyd, Robt. S	561814	1st Lt. 137 Inf.	180.00
Brian, Edward H	432356	Capt. Inf.	210.00
Brooks, John Ernest	1094110	Capt. Q. M. C.	210.00
Browne, Philip	393006	Maj. Q. M. C.	187.50
Browning, John Wells	392051	Capt. Q. M. C.	150.00
Burch, Albert	160335	1st Lt. Inf.	125.00
Burnham, Charles Henry, jr	1094036	1st Lt. Q. M. C.	125.00
Burnley, Edwin Ratcliffe	443836	2d Lt. C. A. C.	106.25
*Byers, Jason David	905216	Maj. Q. M. C.	
Byrne, Joseph Vincent	356731	Capt. San. Corps	150.00
Callahan, Francis Xavier	612849	1st Lt. F. A.	125.00
Campbell, Charles Cleveland	1087658	1st Lt. M. T. C.	125.00
Carll, Joseph Lewis	1087426	1st Lt. Air Service	125.00
Carroll, Mitchell Benedict	300762	2d Lt. Air Service	106.25
Cash, David Pintus	1053134	1st Lt. Dental Corps	125.00
Cavanagh, John	905205	Capt. Q. M. C.	210.00
Cheever, Silas Ward Valentine	265485	2d Lt. Signal Corps	106.25
Childs, Clarence C	303365	Maj. 147 Inf. 37 Div.	243.75
Church, Earl Douglas	900025	Lt. Col. Ord. Dept.	281.25
Coe, Robert	531296	Capt. Engrs.	150.00
Cogswell, Theodore L	278957	1st Lt. Inf.	125.00
Coleman, James J	703898	2d Lt. Inf.	106.25
Coles, Malcolm Argyle	522105	Maj. J. A. G. O.	187.50
Costello, John Thomas	554263	Capt. Engrs.	180.00
Coumbe, Arthur Garner	470804	Maj. Med. Corps	187.50
Cullen, Frederick John	297784	Major Med. Corps	187.50
Cupp, Walter Roberts	423203	Capt. Q. M. C.	150.00
Davidson, Carlton Harold	231899	Capt. Med. Corps	150.00
Dinger, Jean Thompson	360478	1st Lt. Air Service	125.00
Donnally, John C	511461	1st Lt. Inf.	125.00
Donnelly, Richard John	126220	Maj. A. G. Dept.	187.50
Dorsey, Stanton Lindsey	506851	1st Lt. Q. M. C.	125.00
Dougherty, James Lawrence	101314	1st Lt. Inf.	125.00
Dyche, Harry Bernard	311373	1st Lt. Inf.	125.00
Elkins, Lindsey Robert	614624	Maj. Signal Corps	187.50
Eller, Robert Lloyd	1378074	1st Lt. Dental Corps	125.00
Everett, Melville Clarence	1173673	2d Lt. A. G. D.	106.25
Faulkner, Ralph Howard	356769	Capt. Engrs.	150.00
Felter, Charles T	316830	Capt. Ord.	150.00
Fenton, Willard Joshua	1226578	1st Lt. Med. Corps	125.00
Finn, John Francis	1091456	1st Lt. Inf.	125.00
Flood, Peter Henry Allen	404718	Capt. Sig. Corps	150.00
Flynn, Frank S	1085744	Capt. Ord. Corps	150.00
Ford, Wm. Geo	373393	2d Lt. Q. M. C.	127.50
Fortescue, Granville R	1045017	Maj. F. A.	206.25
Foster, Thomas	906198	Capt. Med. Corps	150.00
Foxwell, Raymond Kennedy	1085450	1st Lt. Med. Corps	125.00
Foy, Bernard Joseph	1086249	1st Lt. M. T. C.	125.00
Fraser, Donald Wm	230093	2d Lt. Q. M. C.	116.87
Furbershaw, Arthur Wm	297945	1st Lt. Inf.	125.00
Gallagher, Geo. D	1087023	Lt. (J. G.) U. S. N. R. F.	106.25
Gaylord, Charles Henry	1090117	1st Lt. Chem. Warfare Serv.	150.00
Gilbert, Prentiss Bailey	313039	Capt. M. I. D.	150.00
Giovannoni, Joseph A	1085016	Capt. Inf.	180.00
Given, Harvey	315225	Capt. Military Intelligence Div.	150.00
Glickman, David	471604	Capt. Inf.	150.00
Gookin, Edw. R	509805	1st Lt. Med. Corps	131.25
Gose, John H., jr	322553	1st Lt. Air Service	125.00
Grau, George Rudolph	482903	Capt. Q. M. C.	165.00
Gnupner, Adolphus E	388867	Capt. Inf.	150.00
Gregory, Jos. P	702840	Capt. San. Corps	165.00
Grevemberg, Carlos E	1380464	Capt. A. S.	150.00
Guthrie, Frederick Preston	1089128	Lt. U. S. N. R. F.	150.00
Hagans, Marcellus H. P	824920	Capt. Ord. Dept.	150.00
Hall, Arthur Joseph	364511	Capt. Med. Corps	150.00
Hampton, Edward Marks	1099594	2d Lt. Inf.	106.25
Harbour, Schuyler Colfax	283329	Capt. Med. Corps	150.00
Harris, Andrew William	524998	2d Lt. Co. F. Inf.	116.87
Harrison, Edmond Lee	609646	1st Lt. Med. Corps	125.00
Hartig, Frank Harold	381883	2d Lt. Inf.	106.25
Healey, Martin	318044	Capt. Inf.	71.25
Higgins, Francis L	1381752	2d Lt. Q. M. C.	106.25
Hill, Edward D	431610	Capt. Co. H.	165.00
Himes, William Daniel	313440	2d Lt. Inf.	106.25
Hoffman, Daniel O. N	1089086	1st Lt. Inf.	125.00
Hooe, Abram Barnes	1099065	Maj. Med. Corps	
Horton, Harry M	456960	Capt. Air Service	150.00
Howley, Wm. T	571773	2d Lt. Air	131.25
Hoyle, Harry Thomas Lee	1247142	1st Lt. Q. M. C.	125.00
Inge, Berkley	256534	Capt. Q. M. C.	180.00
Inman, Edward K	364995	1st Lt. 309 Inf., Co. M.	125.00
Jacobs, John M	415154	2d Lt. Inf.	106.25
Jervey, Frank J	303381	Capt. 4th Inf.	150.00
Johnson, Edwin Martin	1094334	Capt. Med. Corps	150.00
Jones, Charles Lamb	416101	2d Lt. 116th Inf.	116.87
Kelly, Joseph Reaney	352746	2d Lt. Air Service	106.25
Kennedy, Harold S	1093159	1st Lt. Air Serv.	125.00
King, Harry C	354028	Capt. Med. Corps	150.00
King, Sylvan N	116720	Ensign U. S. N. R. F.	106.25
Kochli, Fred	305124	Capt. Inf.	165.00
Kyle, William Halliday	420912	Capt. A. G. D.	180.00
Layne, John Hampton	494091	2d Lt. U. S. Marine Cps.	106.25
Lee, Lawrence Augustus	409545	2d Lt. Inf.	$106.25
LeFevre, Geo. Richard	164709	1st Lt. Engrs. Corps	150.00
Leister, Fred E	347827	Capt. 357 Inf.	165.00
Lewis, Floyd E	546676	1st Lt. Chem. Warfare	125.00
Lewis, Harry Turner	549498	Capt. Sig. Corps	180.00
Lochwitzky, Alex M	1042407	Capt. Q. M. C.	150.00
Lockwood, Schee M	201014	2d Lt. 10 Cav.	106.25
Long, Henry Donald Foster	1089753	Cpt. U. S. Marines	165.00
Loughran, Leo D	1375587	Lt. (J. G.) U. S. N. R. F.	Deceased.
Loveland, John Winthrop	1097322	Major F. A.	243.75
McCullough, Leo J	526265	1st Lt. Sig. Corps	125.00
*McDermott, Bernard Anthony	1378486	1st Lt. Med. Corps	
MacNeil, Bernard Chester	905647	1st Lt. Med. Corps	125.00
Manning, William J	325601	Capt. Med. Corps	150.00
Marquette, John Jerome	537194	Capt. Signal Corps	165.00
Mathews, Alfred W	1376759	Ensign U. S. N.	106.25
Matteson, Frederick Wm	1091982	Maj. Q. M. C.	187.50
May, Elmer Nicholas	393732	2d Lt. A. S. S. C.	106.25
Means, Rice William	1258444	Lt. Col. Inf.	240.62
Merrill, John Houston	1098609	Lt. Col. Ord.	281.25
Miner, Ross Halford	1015467	Capt. Med. Corps	150.00
Mitchell, Iverson Othello	1098048	1st Lt. Dental Corps	125.00
Moffitt, H. Watson	1380425	1st Lt. Med. Corps	125.00
Montgomery, Outerbridge H	1089633	2d Lt. A. S.	106.25
Mudd, Kostka	326998	1st Lt. Engrs. Corps	125.00
Murdock, James Oliver	318097	Capt. F. A.	150.00
Murphy, John	311442	Capt. Q. M. C.	165.00
Norman, Frank L	1097807	Capt. Engrs.	150.00
Odum, Burllie Marion	308176	1st Lt. Inf.	125.00
Owens, Frank M	535512	2d Lt. 28 Inf.	106.25
Parker, Edward Mason	905722	Major Med. Corps	187.50
Phillips, George Washington	1085418	Ensign U. S. N. R. F.	106.25
Pillow, Noel Abner	354869	2d Lt. F. A.	106.25
Powell, James Cooley	460733	1st Lt. Inf.	125.00
Prenner, Isadore S	1365791	1st Lt. Engrs.	125.00
Pritchard, Frank A	400948	2d Lt. Q. M. C.	106.25
Reece, Brazilla Carroll	1379438	1st Lt. Inf.	125.00
Renshawe, Clarence Winslow	324781	1st Lt. Inf.	125.00
Richardson, Harry Franklin	170132	Capt. Inf.	180.00
Riley, Herbert Frank	453058	2d Lt. Q. M. C.	106.25
Riordan, David Louis	401904	2d Lt. F. A.	106.25
Roberts, Thomas Kent	472649	2d Lt. Inf.	116.87
Robinson, Charistopher C	369392	Ensign, U. S. N. R. F.	116.87
Roddy, Norman	362321	2d Lt. Air Serv. Army	106.25
Ross, Waldo Alexander	358878	Capt. M. T. C.	150.00
Schaeffer, Charles Edwin	1383279	Capt. San. Corps	150.00
Schaeffer, Lloyd D	188060	2d Lt. Air Serv.	106.25
Scott, John Reed	1378484	Lt. Col. Judge Advocate Gen'ls Dept.	218.75
Sewell, Samuel Fletcher	13313	Capt. Inf.	180.00
Seymer, Ernest P	1091117	Major Engrs.	Deceased.
Sheehy, John Quade	565514	Capt. M. T. C.	150.00
Simmons, Maynard James	272108	Maj. Med. Corps	187.50
Skinner, Geo. Colman	162512	Capt. Med. Corps	150.00
Slaughter, Thomas Foster	1380932	1st Lt. Engrs.	125.00
Smith, Taylor Bivens	297630	1st Lt. Med. Corps	125.00
Stancliff, Henry Trumbull	1377624	Capt. Q. M. C.	165.00
Stehman, Cameron	284864	1st Lt. Cavalry	162.50
Stockman, Otto John	535381	2d Lt. Air Service	116.87
Tall, Otis Jackson, jr	1379551	Ensign, U. S. N. R. F.	106.25
Thralls, Francis	400518	Capt. Inf.	180.00
Tilghman, Geo	563306	1st Lt. 319 Inf.	137.50
Trammell, Harvey E	347824	1st Lt. M. T. C.	137.50
Trump, Charles Samuel	277646	2d Lt. Inf.	116.87
Vane, Patrick Percy	905228	Capt. San. Corps	71.25
Van Fleet, Jos. S	505148	Capt. Ord. Dept.	180.00
Van Strum, Henry W	1149180	2d Lt. Q. M. C.	106.25
Wall, Banjamin	10500	Capt. Q. M. C.	150.00
Walsh, Harry Anthony	356088	1st Lt. U. S. Guards	175.00
Walsh, Joseph Aloysius	1090788	1st Lt. Engrs.	125.00
Walsh, Thos. Davis	296222	1st Lt. 302d M. P.	125.00
Walter, Emil	314638	Maj. Q. M. C.	250.00
Watson, Wm. U	489435	Capt. Q. M. C.	165.00
Whitman, John Ballard	1087210	2d Lieut. Air Serv.	106.25
Whitson, William Essex	1095300	1st Lt. Med. Corps	125.00
Wiedeman, jr., Geo. J	258231	2d Lt. Inf.	
Wiggins, Wm. Fall	567003	1st Lt. Med. Corps	125.00
Williams, Ashby	346678	Lt. Col. Inf.	218.75
Williams, Nathan	332269	1st Lt. Inf.	125.00
Williams, Russell Harrison	1088686	1st Lt. Inf.	137.50
Wilson, Harry L	429805	Capt. Q. M. C.	165.00
Wise, Charles Edward	253228	Capt. Inf.	150.00
Withers, Guy	276841	Maj. Q. M. C.	187.50
Worrell, Magnus Leon	845389	Capt. Q. M. C.	195.00
Wyeth, Nathan Corinth	222194	Major Sanitary Corps	187.50
Yowell, Alexander Welton	225478	Ensign, U. S. N. R. F.	106.25

SUPPLEMENTAL

Brink, Harrison Steck	427846	Capt. Sig. Corps	150.00
Robertson, Howard Smith	1060819	1st Lt. San. Corps	

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Abernathy, Chas. V	306279	2d Lt. Inf.	$106.25
Alley, Wm. Linwood	165793	1st Lt. Co. H, 58 Inf.	125.00
Anderson, Jesse Monroe	106368	Capt. Med. Corps	150.00
Andrews, Chadbourne Avery	300761	1st Lt. Med. Corps	125.00
Ash, Harry Lee	158643	2d Lt. Engrs.	106.25
Bond, Andrew Robeson	1336821	Capt. Med. Corps	150.00
Bowen, Frederick Jay	1335151	Capt. Med. Corps	150.00
Boykin, John Thomas	1331854	1st Lt. Med. Corps	Deceased.
Bradley, J. Luther	905999	Maj. San. Corps	243.75

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

FLORIDA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Brown, Oliver Clinton	572163	1st Lt. Med. Corps	$125.00
Burns, John M	530413	Capt. 23 Engrs	150.00
Byrd, Charles Brown	1336032	2d Lt. Ord. Corps	106.25
Cain, William Quiggin	1254829	2d Lt. Inf	106.25
Camp, Earl F	299780	2d Lt. 23 Inf., Co. F	106.25
Carmack, John Frank	362153	Maj. 137 Inf	206.25
Chambers, Jos. Russell	373376	Capt. 111 Inf	165.00
Childs, Arthur Scott	325807	1st Lt. Inf	150.00
Church, Albert D	1090050	2d Lt. F. A	106.25
Coleman, Arthur W	205920	Capt. Inf	150.00
Cortina, Frederick Joseph	320841	2d Lt. Q. M. C	106.25
Cox, Thomas McCaa	1340508	1st Lt. Inf	125.00
Crank, Paul	530633	Maj. Inf	250.00
Crutchfield, Inman Payne	460272	2d Lt. 318 Inf	106.25
Dalton, Wm. Burns	239082	Capt. R. T. C	150.00
Davis, John S. N	198524	2d Lt. F. A	Deceased.
Dew, James Albert	1110348	2d Lt. Inf	106.25
Dodge, Percy Loraine	820637	Capt. Med. Corps	150.00
Duncan, George Moulton	906211	Maj. Inf	187.50
Echols, Thomas Jefferson	1099221	Maj. Inf	206.25
Edmunds, Henry Reed	161927	2d Lt. Inf	106.25
Farmer, Myron Hall	566141	Capt. Med. Corps	150.00
Ferris, Thomas Hampton	201732	2d Lt. Inf	106.25
Fickle, Melvin Eugene	460753	2d Lt. Engrs	106.25
Freeman, Albert Howard	147204	Capt. Med. Corps	150.00
Froemke, Fayette L	785057	Ensign U. S. N. R. F	106.25
Gassner, Walter Scott	1049585	1st Lt. Q. M. C	125.00
Gee, Frank Wilson	792515	1st Lt. Chap	125.00
Gill, Chas. R	571234	Capt. Med. Corps	165.00
Glaze, John William	370386	2d Lt. F. A	106.25
Glover, Thaddeus Brown	1061306	Maj. Q. M. C	225.00
Grant, Vincent J	350442	2d Lt. Inf	106.25
Grayson, Laurence A	414917	2d Lt. Air Serv	106.25
Green, Geo. Benj. L	1117328	Lt. (J. G.) U. S. N. R. F	125.00
Greenwell, Barry T	1337507	1st Lt. Air Serv	125.00
Grossman, Edgar Frederick	270558	1st Lt. Inf	125.00
Haines, Walter Allen	1103187	Ensign U. S. N. R. F	106.25
Hamilton, Thomas Marion	411651	1st Lt. Q. M. C	125.00
Hammons, Robert Walter	1027285	Capt. Dental Corps	150.00
Hampton, Edwin Birkett	905098	Capt. Inf	150.00
Harper, Edgar Ollie	279348	2d Lt. Engrs	106.25
Harwood, Manton Evans	167818	1st Lt. Inf	125.00
Hatton, Rondo	746153	2d Lt. Inf	106.25
Heck, Maurice Eby	392616	Capt. Med. Corps	150.00
Hill, Frank Edmond	1334778	2d Lt. Inf	106.25
Hooks, Don Melville	544234	Maj. Med. Corps	243.75
Hosey, John Thomas	496743	Capt. Med. Corps	150.00
Huan, Jos. Hippolito	275527	1st Lt. U. S. G	150.00
Hubbard, Roscoe Conkling	1113739	Maj. Med. Corps	187.50
Ives, William Childs	210741	2d Lt. U. S. G	116.87
Jenkins, Frederic Elmer	389273	Maj. Med. Corps	187.50
Johnston, Thomas Stewart	1199175	Capt. Engrs	150.00
Jones, John Page	328705	2d Lt. F. A	106.25
Keebler, Alfred Victor	291551	1st Lt. Med. Corps	125.00
Kemp, Austin James	457628	1st Lt. Med. Corps	125.00
Kennon, Charles L	157068	1st Lt. Med. Corps	125.00
Kibbe, Gordon Mirro	403180	1st Lt. F. A	125.00
King, John Pierce	1340521	2d Lt. F. A	106.25
Knibiehly, Allen F	311949	1st Lt. Q. M. C	125.00
Lambertson, Francis William	421989	Capt. Sig. Corps	180.00
Latham, Charles Otis	621882	Capt. Med. Corps	150.00
Leach, John W	366842	1st Lt. A. S. Brit. Sqd	125.00
Leffers, Richard	436298	1st Lt. Med. Corps	125.00
Lefler, Nelson N	338518	1st Lt. Vt. Corps	125.00
Lewis, Schuyler Colfax	482907	1st Lt. Inf	162.50
Lough, Charles Melvin	150832	2d Lt. Inf. 161 D. B	106.25
Loy, Forrest Allen	450082	1st Lt. F. A	125.00
Luce, Earle Parsons	316918	1st Lt. Inf	125.00
McCrum, Douglas Stuart	694828	1st Lt. C. A. C	125.00
MacMichael, Earl H	463064	1st Lt. Med. Corps	125.00
Mahoney, John Lewis	313454	Maj. Med. Corps	187.50
Martin, William G	483034	2d Lt. Engrs	106.25
Mathis, John D	1334261	2d Lt. A. S. C	Deceased.
Maura, Frank Rutledge	258002	Maj. Med. Corps	187.50
Merwin, Miles Herbert	472148	1st Lt. F. A	150.00
Metcalf, Ben Hicks	1009550	Lt. Col. Med. Corps	218.75
Moeller, Maximilian Wollmer	39939	1st Lt. Med. Corps	125.00
Morgan, Joseph Abner	1336540	1st Lt. Cav	125.00
Oteen, Harry Atwater	1340914	1st Lt. Inf	125.00
Parramore, Jas. Buchanan	134125	Capt. Med. Corps	150.00
Parrish, John Edward	1376681	1st Lt. Air Serv	125.00
Peterson, Walter Severin	207356	2nd Lt. Inf	106.25
Porter, Bernice Myrick	556878	2d Lt. Q. M. C	106.25
Powe, Victor Thrashley	1305422	1st Lt. Cav	125.00
Powers, Harvey C	278046	Capt. Air Serv	180.00
Putney, Wesley Reid	164278	1st Lt. Med. Corps	125.00
Ramage, Raymond Brock	1304221	Capt. Med. Corps	150.00
Randle, Morris Dewey	312106	2d Lt. Inf	106.25
Ray, Lecil S	563320	2d Lt. Inf	137.50
Riddle, Herbert Ewing	1121673	Capt. Med. Cps	150.00
Riddler, George, jr	1175284	2d Lt. Inf	106.25
Sheep, Harry Hinton	156129	1st Lt. Q. M. C	125.00
Smith, George W	1043703	1st Lt. Q. M. C	137.50
Smith, Paul Alden	455015	1st Lt. Air Serv	125.00
Smith, Simon Stewart	1027892	Capt. Sig. Corps	210.00
Stelling, Sidney Jacob	209371	1st Lt. M. G. Bn	125.00
Stinson, William Miller	498668	Capt. Med. Corps	150.00
Stockton, James R	589354	Capt. U. S. M. C	150.00
Stutts, Baldwin Shields	560463	Capt. Med. Corps	150.00
Travers, William Alexander	215096	2d Lt. Inf	106.25
Tucker, Allen B	280114	Capt. San. Cps	150.00
Turck, Raymond Custer	381876	Col. Med. Corps	300.00
Twitchell, Lewis Rand	1333913	2d Lt. Inf	116.87
Twitchell, Ralph Spencer	311150	1st Lt. Air Serv	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

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Name	C No.	Rank and organization	Amount of retirement pay
Vandament, Walter	472142	1st Lt. Med. Cps	$125.00
Vaughn, Richard O	338554	2d Lt. Inf	106.25
Vines, Edward Hellis	259001	Maj. Med. Corps	187.50
Virgin, Roscoe Stark	510711	Capt. U. S. Guards	180.00
Von Dahm, Howard C	1339479	Capt. M. C	150.00
Walton, Wm. N	115153	2d Lt. Inf	106.25
Webster, Ben	381880	Maj. Med. Corps	187.50
Weldon, Geo. Rainsford	233472	Capt. 11 Inf	150.00
Wentworth, Daniel Webster	280784	Capt. Med. Corps	180.00
West, Jesse Marshall	256152	Capt. Inf	180.00
Wiedemer, Maurice Becht	446031	1st Lt. Marine Corps	125.00
Williams, Clarence Jefferson	235970	2d Lt. F. A	106.25
Williams, John Ridgway, jr	515208	2d Lt. Inf	127.50
Williams, Pascal	1261836	2d Lt. U. S. Guards	138.12
Williams, Wm. Brown	1106958	1st Lt. Dental Corps	125.00
Wilson, William	258236	Brig. Gen. Inf	375.00
Wyatt, Thomas Hall	510049	Lt. (J. G.) U. S. N. R. F	125.00

GEORGIA

Name	C No.	Rank and organization	Amount of retirement pay
Abrams, Victor Raphael	1123598	Ensign U. S. N. R. F	$106.25
Adams, Edwin Gaillard	1337493	Capt. Med. Corps	150.00
Alexander, Henry Aaron	285523	1st Lt. Inf	125.00
Allen, Ernest Grady	326210	1st Lt. Q. M. C	125.00
Allison, James Howard	346032	1st Lt. Inf	125.00
Anderson, James Weldon	257190	2d Lt. Inf	106.25
Anderson, Lee Jackson	101662	1st Lt. Inf	125.00
Angier, Clarence, jr	299579	1st Lt. 39 Inf	125.00
Avery, John Elwyn	1115335	Capt. Ordnance	150.00
Aycock, Mell	515492	Capt. Med. Corps	150.00
Aycock, Thomas Rufus	1121793	Capt. Med. Corps	150.00
Bagley, George Washington	680751	1st Lt. Med. Corps	125.00
Baker, Hinton James	272206	1st Lt. Med. Corps	Deceased.
Baldwin, John	1121494	Capt. Q. M. C	150.00
Baldwin, Thomas Beverly	1344298	2d Lt. Inf	106.25
Ballard, Isaac Newton	527984	1st Lt. A. G. D	137.50
Barfield, Harry M	327904	1st Lt. Inf	125.00
Barker, Homer Lumpkin	528844	1st Lt. Med. Corps	125.00
Bartlett, Willie Evans	1108063	2d Lt. Inf	106.25
Bassett, Ralph Phillipps	302586	Capt. P. M. G. D	150.00
Battey, Hugh Inman	254387	1st Lt. Med. Corps	125.00
Beaman, Henry A	1069429	Lt. (J. G.) Temp. U. S. N	150.00
Beauchamp, Walter Lee	361403	1st Lt. Med. Corps	125.00
Bellinger, Edmund C	279453	1st Lt. Inf	125.00
Binion, Richard	1117196	1st Lt. Med. Corps	125.00
Blackburn, John Davies	317876	1st Lt. Med. Corps	137.50
Blackburn, Thomas Eugene	1115168	1st Lt. Med. Corps	125.00
Blair, Leslie Linton	1336861	Capt. Med. Corps	150.00
Blount, Frederick Jules	1343629	1st Lt. A. S	125.00
Boldridge, Chauncey Henry	200988	Capt. Inf	150.00
Bond, Benj. F	31288	1st Lt. Med. Corps	125.00
Boone, William Lester	156455	2d Lt. Inf	106.25
Bouzigues, Paul Richard	533297	1st Lt. Q. M. C	125.00
Boyd, Willis Morgan	326194	1st Lt. Inf	125.00
Brawner, Leon Edward	663722	1st Lt. Med. Corps	125.00
Brewer, Walpole Cheek	245277	Capt. M. C	150.00
Brown, James Everett	1332735	2d Lt. Inf	106.25
Bruce, Alden	509280	2d Lt. Inf	127.50
Burkett, Andrew Carroll	373657	1st Lt. Inf	137.50
Byrd, Harvey Otis	396748	Capt. Med. Corps	Deceased.
Cabaniss, Emmet Overton	248742	1st Lt. Inf	125.00
Carroll, Edward Grady	1117360	2d Lt. Inf	106.25
Carthron, Glenn Thomas	519847	1st Lt. Inf	137.50
Cheek, Aldine L	582091	Capt. Inf	165.00
Cheek, Ovid Hugh	188468	1st Lt. Med. Corps	125.00
Comer, Travis Lettner	283954	1st Lt. Inf	150.00
Cooper, Jas. Roy	143725	Capt. Inf	150.00
Corbitt, Henry Thomas	1118183	Maj. Med. Corps	187.50
Cornog, William Wallace	1122416	Capt. Med. Corps	150.00
Crenshaw, Wendel P	1112555	1st Lt. Inf	125.00
Crouch, Alsey Clifford	1117580	1st Lt. Inf	137.50
Crowe, Arthur Lyons	370099	Capt. F. A	150.00
Daly, Richard Randolph	1344879	Maj. Med. Corps	187.50
Dean, William K	1337845	1st Lt. Inf	137.50
De Loach, John K	1332101	Capt. Engrs	165.00
Dillard, Robt. B	567125	Capt. C. A. C	150.00
Dorsey, Arthur Roy	406926	2d Lt. M. T. C	106.25
Duggan, James R	560580	2d Lt. Air Serv	116.87
Dulin, Chas. L	1305182	Col. Q. M. C	300.00
Dunagin, George Alexander	531336	1st Lt. Ord. Dept	125.00
Duncan, Charles Gilbert	1339542	Lt. U. S. N. R. F	106.25
Eden, Charles Theophilus	1335533	2d Lt. Inf	116.87
Emory, Walter	343479	1st Lt. Q. M. C	150.00
Etheridge, Robert S	455523	2d Lt. Q. M. C	106.25
Fanning, Odom Olin	322426	Capt. Med. Corps	150.00
Feltham, Percy Marshall	369813	Capt. Engrs	150.00
Field, Horace Almeron	1117343	Lt. U. S. N	165.00
Foreman, Evan Howell	1340342	Capt. Inf	150.00
Foster, Arthur Ivan	364859	Capt. Chaplain Corps	Deceased.
Fryckberg, Harry A	322858	1st Lt. Inf	150.00
Galt, William Albert	283106	2d Lt. Inf	116.87
Gatchell, Worth T	233739	Capt. Med. Corps	150.00
Gertman, Wm. M	418866	Capt. Med. Corps	150.00
Giles, Ben Stuart	239416	1st Lt. Inf	125.00
Grealish, Samuel Pomeroy	1336443	Capt. U. S. G	180.00
Greene, Henry G	383946	1st Lt. Q. M. C	125.00
Greenwood, Albert Ernest	322551	2d Lt. Inf	106.25
Guice, John Inman	239497	1st Lt. Inf	125.00
Harris, Ernest Robert	1335337	Capt. Med. Corps	150.00
Harris, Rufus Carrollton	265889	1st Lt. Inf	125.00
Harrison, Geo. L	567011	Capt. 327 Inf	165.00
Haynes, Brantley	501011	2d Lt. A. S	106.25
Head, Marvin Monroe	1333658	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

GEORGIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Henry, Arthur Van	475022	Capt. C. A. C	$150.00
Henry, Thos. J. Jr	249729	1st Lt. Inf	125.00
Hermes, Theron Bernard	549999	1st Lt. Air Serv	125.00
Hightower, John Hallman	544722	1st Lt. Inf	125.00
Hill, Hines Lafayette	382833	2d Lt. Inf	106.25
Hitz, Alex Mayer	572499	1st Lt. Inf	125.00
Hodges, Charles A	590795	Capt. Med. Corps	150.00
Hogue, Benjamin Clifford	719636	Capt. Inf	
Holland, Wm. T	1333287	1st Lt. F. A	137.50
Hook, James P	500156	1st Lt. 327 inf	125.00
Horning, Albert W	205696	2d Lt. Inf	116.87
Howell, Henry Gordon	1331476	1st Lt. Inf	125.00
Hull, Richard MacLeon	135644	1st Lt. 4th Inf. Co. K	125.00
Isbell, Jesse Epps Dean	1333552	1st Lt. Med. Corps	125.00
Ivey, James E	198382	2d Lt. Inf	106.25
Jackson, Wendell G. William	1117320	1st Lt. U. S. G	150.00
Jenkins, William Franklin	265575	1st Lt. Med. Corps	125.00
Joerg, Thos. Franklin	179527	Capt. Inf	165.00
Jowitt, Thaddeus C	1111104	Maj. Inf. M. G. Bn	243.75
Julian, Carl Thos	140613	2d Lt. F. A	106.25
Kaliska, William Grover	905532	Capt. Inf	150.00
Kelley, James Eugene	1125037	Capt. Inf	195.00
Kelly, Alonzo M	134597	2d Lt. Inf	106.25
Kennedy, Harvey John	299716	2d Lt. Inf	106.25
Lawson, Edwin Lawrence	277078	1st Lt. Med. Corps	125.00
LeHardy, Julius Caesar	702161	Maj. Med. Corps	
Lester, Henry Frank	1331555		180.00
Lewis, Florence Courtney	1104578	1st Lt. F. A	125.00
Little, Young Allen	166662	Capt. Med. Corps	150.00
Longino, Dick R	1116085	1st Lt. Med. Corps	125.00
Lynch, Jos. Arthur	350075	1st Lt. Inf	125.00
McBride, James N	201676	1st Lt. F. A	125.00
McCarthy, Thomas Leo	1124255	Capt. Inf	180.00
McClure, James H	660746	Capt. Med. Corps	150.00
McCoy, Walter Reynolds	529294	Capt. Med. Corps	150.00
McCurry, William Edgar	1103325	Capt. Med. Corps	150.00
McDonald, Frederick Honour	579189	1st Lt. Engrs	125.00
McDonald, George Tennell	285086	1st Lt. Inf	125.00
McKenzie, Francis C	248901	2d Lt. Inf	106.25
McKibben, John Donald	1106953	1st Lt. Inf	125.00
McLemore, Whitney Chesley	1250951	2d Lt. Inf	106.25
Mallory, William R	536586	2d Lt. F. A	106.25
Malone, Benj. Floyd	594678	2d Lt. Inf	106.25
Malone, Will H	860177	1st Lt. Med. Corps	125.00
Maisby, John De Kalb	1337506	1st Lt. Inf	137.50
Manning, Arthur John	1342166	Capt. Q. M. C	165.00
Martin, James Jackson	1340197	1st Lt. Med. Corps	125.00
May, Wm. A	764050	Capt. Inf	150.00
Meeks, Jesse Littleton	251416	1st Lt. Med. Corps	125.00
Merritt, Harold Dutton	562695	2d Lt. Air Serv	106.25
Middlebrooks, John Harvey	1340708	2d Lt. Inf	106.25
Miller, Boyce Etheridge	133342	Capt Inf	165.00
Moody, Wilkie Osgood	303535	2d Lt. F. A	106.25
Moon, Fred Tapley	360102	1st Lt. Q. M. C	137.50
Morris, Mace A	337539	2d Lt. Q. M. C	106.25
Morrison, Hal Terrell	1117725	Capt. Inf	195.00
Nash, Homer Erwin	550960	1st Lt. Med. Corps	125.00
Neal, Turner Benton	1343236	Capt. Air Serv	150.00
Newsom, Erle Thornton	208659	Capt. Med. Corps	150.00
Palmer, Millwood Jonah	497481	2d Lt. Air Serv	116.87
Parr, Lemuel W	446575	2d Lt. Inf	106.25
Pitman, James Fling	463805	Capt. Med. Corps	150.00
Powell, Alfred Turner	492424	Capt. Inf	150.00
Pullen, Herbert Twitty	525758	2d Lt. F. A	106.25
Pumpelly, William Collins	1335437	Capt. Med. Corps	150.00
Purse, Ben Snider	223917	1st Lt. Inf	125.00
Puryear, Edwin Alfred	394592	2d Lt. Inf	106.25
Rathborne, St. George Fremont	1337127	Maj. Sig. Corps	206.25
Ray, O'Glen	1334255	1st Lt. Inf	125.00
Redd, Homer Lewis	1331378	1st Lt. Med. Corps	125.00
Richards, Walter Alan	296983	1st Lt. Inf	125.00
Richardson, Marion Sims	1112159	1st Lt. Med. Corps	125.00
Roberts, George Arthur	1342568	2d Lt. Inf	116.87
Roberts, Vivian H	577943	1st Lt. Inf	187.50
Rock, Edward	1408951	Lt. Jr. U. S. N. R. F	125.00
Rose, Frederick Preston	1116862	Ensign U. S. N. R. F	106.25
Rothenberg, Wm	1122345	2d Lt. Inf	116.87
Russell, Alonzo D	175125	2d Lt. Inf	127.50
Sabiston, Harry Alexander	234458	Capt. 320 Inf. Co. D	165.00
Sanford, Henry Edwin, jr	530361	1st Lt. Inf	137.50
Scales, James Berry	906622	1st Lt. Air Serv	125.00
Scheuer, Leopold Moses	1378398	Ensign U. S. N. R. F	106.25
Seward, Charles Mitchell	264005	2d Lt. Inf	106.25
Shanks, Edgar DeWitt	355417	Capt. Med. Corps	150.00
Sheridan, Leo D	261562	2d Lt. 327 Inf. Co. E	106.25
Short, Wm. Griff	270335	1st Lt. Inf	125.00
Smith, Ernest Oren	1450076	1st Lt. F. A	125.00
Smith, James Herbert	239670	Capt. Med. Corps	150.00
Smith, James Robert	214149	1st Lt. Med. Corps	125.00
Stapleton, Frank Davenport	1337311	Capt. Q. M. C	150.00
Stegall, Benjamin Frederick	693220	1st Lt. Air Serv	125.00
Stone, Guy Orlando	1115063	1st Lt. A. S. A	125.00
Stowe, Belvy Greene	242130	1st Lt. Inf	125.00
Swann, Wm. Kirk	1337205	Capt. Med. Corps	150.00
Taylor, Moncy Lee	1332348	2d Lt. Cav	106.25
Tidwell, Frank B	255776	1st Lt. F. A. (A. S.)	150.00
Thompson, Hugh S	169370	1st Lt. 168 Inf	125.00
Thompson, John Homer	382014	Capt. Inf	150.00
Thrasher, Roy	776038	Capt. Inf	165.00
Walker, Sidney	702538	Maj. Med. Corps	187.50
Wallace, Geo. Lamar	280478	1st Lt. Inf	125.00
Ward, Sylvester Creighton	906226	Maj. Inf	187.50
Weaver, Homer Jesse	1331625	Capt. Inf	210.00
Wellborn, James Madison	554235	Capt. Med. Corps	150.00
Wells, Robert Fletcher	319766	1st Lt. Dental Corps	125.00
West, Edward Shippen	1095839	Capt. Inf	
White, John Bonar	1121676	1st Lt. Med. Corps	$125.00
Wilson, Wilbe R	425311	1st Lt. 325 Inf	125.00
Wood, Raiford James	1100239	2d Lt. Inf	106.25
Woodruff, Benj. Hicks	232410	Capt. Engrs	150.00
Woods, Evans Beauchamp	151697	1st Lt. Med. Corps	125.00
Yarbrough, Roy Edgar	1325735	2d Lt. C. A. C	138.12
SUPPLEMENTAL			
Nall, Christopher Copeland	518865	2d Lt. A. S. A	106.25
IDAHO			
Albert, Lester Freeman	220647	1st Lieut. Engrs	$137.50
Allen, Arthur Henley	1402152	Capt. 2nd Idaho Inf	180.00
Cole, Fern Morton	1401554	Capt. Med. Corps	150.00
Darrah, Homer C	288536	Capt. Dental Corps	165.00
Fitch, Scott Matthews	527559	1st Lt. M. G. Bn	150.00
Fite, Jerome Victor	213139	2d Lt. Tank Corps	116.87
Kearney, Charles Atwell	363614	Capt. Med. Corps	150.00
Lewis, Harry Tait	380491	Maj. Inf	250.00
Moore, Chas. O	457645	Maj. Med. Corps	187.50
Patch, Leroy Vernon	905878	Lt. Col. F. A	281.25
Patterson, Charles Henry	198951	1st Lt. Med. Corps	
Quane, Oliver Jeremiah	1348860	Maj. Inf	225.00
Simpson, William Henry	905749	Capt. Inf	165.00
Spilman, Burt B	500026	Capt. Inf	165.00
Thompson, John Bernard	614859	2d Lt. Inf	106.25
ILLINOIS			
Adams, Frank Ulyses	439057	Capt. Inf	$210.00
Aird, Andrew John	905752	1st Lt. Med. Corps	125.00
Albee, Erwin	226357	2d Lt. Air Serv	106.25
Albers, Edgar Harvey	1218287	1st Lt. Med. Corps	
Allen, Langhorne	618965	Capt. Q. M. C	180.00
Allyn, Paul Richard	292360	Capt. Med. Corps	150.00
Amet, Herbert Poidevin	292372	1st Lt. Engrs	125.00
Andrews, Lawrence G	220600	2d Lt. Inf	106.25
Armbrust, George William	1197772	Capt. F. A	180.00
Armstrong, James Noah	494112	1st Lt. Sig. Corps	125.00
Bailey, Charles Burke	617514	1st Lt. Med. Corps	125.00
Barnes, Ralph Edward	328115	1st Lt. Med. Corps	
Barnfield, William Hugh	579519	Lt. (J. G.) U. S. N. R. F	125.00
Bear, Fred Louis	805632	1st Lt. Vet. Corps	125.00
Beckhelm, William Edward	604126	1st Lt. U. S. Guards	162.50
Belles, Harry Weston	505033	2d Lt. Am. Tr	106.25
Bilderback, Byron	1172768	1st Lt. Air Serv	125.00
Boice, Frank Bitts	297113	1st Lt. Inf	125.00
Bortz, John A	1179882	Capt. Med. Corps	150.00
Boston, John Robert	347519	2d Lt. Inf	106.25
Boyd, Theodore Elliott	216630	2d Lt. F. A	106.25
Bradbury, William Ethelbert	236230	2d Lt. Hqrs. Troop 95 Div	106.25
Bradley, Thomas Ray	229078	1st Lt. Inf	125.00
Bray, Willis Jennings	358729	1st Lt. Dental Corps	125.00
Brenner, Samuel Lewis	282425	2d Lt. Sig. Corps	106.25
Broche, Arthur Thomas	231477	1st Lt. Inf	150.00
Brooks, Charles Wayland	237236	1st Lt. Marine Corps	125.00
Buff, Byrl Byron	1297927	2d Lt. Inf	127.50
Bundy, Corydon DeKalb	905595	Capt. Med. Corps	150.00
Burchfield, David Lanning	291248	1st Lt. Inf	125.00
Burkhardt, Chas. Frederick	133538	Capt. Med. Corps	150.00
Burns, John Leo	1347435	2d Lt. Sig. Corps	106.25
Calkins, Arthur Alfred	444747	1st Lt. Med. Corps	125.00
Callahan, Edwin Bernard	280796	Capt. Inf	180.00
Canfield, Harry E	300080	1st Lt. Med. Corps	125.00
Carmody, Thos. Jas	170079	1st Lt. Med. Corps	125.00
Carr, Hal LeRoy	512791	Capt. 18 M. G. Bn	195.00
Carter, Albert R	1435812	1st Lt. Med. Corps	125.00
Carter, Justin Edward	198576	1st Lt. 370 Inf. Co. A	137.50
Center, Chas. Dewey	100554	Col. Inf	300.00
Chapman, Daniel W	523959	2d Lt. Co. B 10 Inf	106.25
Chapman, Ralph Dwyer C	333886	1st Lt. 9 Inf. Co. G	125.00
Christensen, Wm. Chas	475784	1st Lt. Inf	137.50
Claridge, Loyal Thompson	246564	2d Lt. Inf	106.25
Cleland, James Samuel	346382	1st Lt. Med. Corps	125.00
Coates, Arthur Emmett	210747	2d Lt. F. A	106.25
Coffey, Frederick Douglas	604083	2d Lt. Inf	106.25
Cook, Ellis Sumner	463445	Maj. Q. M. C	206.25
Cooley, Everett Monroe	346180	Capt. Med. Corps	150.00
Courtney, Clarence Hayes	314541	Capt. Med. Corps	150.00
Crowe, Dorsey Ryan	403553	2d Lt. Air Serv	106.25
Cruzen, Roy Ellis	1196048	Capt. Med. Corps	150.00
Danewit, Otto G	204905	2d Lt. Inf	106.25
Daniels, Charles Lyle	127047	Capt. Dental Corps	150.00
Darby, Earl M	202074	1st Lt. Inf	125.00
Davis, Charles Sumner	625300	Capt. Med. Corps	150.00
Davis, John Paul	189399	2d Lt. Inf	106.25
Davidson, Samuel Edward	424436	2d Lt. F. A	106.25
Dean, Harry Carpenter	247093	2d Lt. Inf. M. G. Co	106.25
DeGaris, William Hope	334153	1st Lt. Inf	137.50
Denison, Franklin A	447019	Col. Inf	312.50
Driscoll, James Edgar	368470	2d Lt. Inf	106.25
Duffy, Frank Thomas	392351	1st Lt. Med. Corps	125.00
Dugan, Richard D	191608	1st Lt. Med. Corps	125.00
Dull, Charles William	1189644	2d Lt. Q. M. C	106.25
Dunn, John William	1182762	Capt. Med. Corps	150.00
Durnion, Richard Erwin	1202899	2d Lt. Q. M. C	103.25
Dusenbury, Roy Francis	337605	1st Lt. 58 Inf. Co. K	150.00
Edison, Samuel Martin	162584	Capt. Med. Corps	150.00
Edwards, Francis Main	1190975	Capt. Med. Corps	150.00
Ellis, Edward K	1435168	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ILLINOIS—continued

Name	C No.	Rank and organization	Amount of retirement pay
English, Lee Mars	223234	Capt. Dental Corps	$150.00
Ethelton, Monroe D	1441671	1st Lt. Med. Corps	125.00
Farrar, Benjamin David	264338	2d Lt. Inf	106.25
Faught, George Maynard	292313	Maj. Q. M. C	206.25
Fawver, J. Roy	486613	1st Lt. Vet. Corps	125.00
Feldott, Edwin Aloysius	1200833	2d Lt. Inf	106.25
Field, Albert	252404	Capt. Med. Corps	150.00
Fitzsimmons, Frank Nathaniel	246699	1st Lt. Inf	125.00
Flynn, John J	1091293	Capt. C. W. S	150.00
Fox, Charles Moses	339945	Capt. Med. Corps	150.00
Fox, Kenneth, Lawrence	390889	2d Lt. Tank Corps	106.25
Franzen, Frank Clarence	239094	1st Lt. Air Serv	125.00
Fuller, Edward R	371799	2d Lt. Aero Sq	106.25
Gardner, J. Francis	1202937	2d Lt. A. S	106.25
Gesell, Walter Bertram	252915	2d Lt. F. Art	106.25
Gift, Lyle Henry	279420	Capt. Inf	150.00
Gooder, William Verner	365093	Capt. Med. Corps	150.00
Goodison, Harry Bowman	388449	Maj. Inf	250.00
Goodspeed, Earl Ladd	492786	1st Lt. Engrs	125.00
Goodwin, Alexander Willard	367983	Capt. Inf	165.00
Gore, Forrest Bird	672108	Capt. C. A. C	150.00
Gough, William Edward	316070	2d Lt. Q. M. C	127.50
Graf, John Edward	1207169	1st Lt. Med. Corps	125.00
Greene, Merton William	1051632	Ensign U. S. N. R. F	106.25
Greer, Mark	1189008	Capt. Med. Corps	150.00
Griffin, Stephen L	1202896	2d Lt. F. A	106.25
Guilfoyle, Thomas Stewart	191296	2d Lt. 131 Inf. 33 Div	106.25
Hall, Damon Irl	199755	2d Lt. A. S	106.25
Hall, George Bunton, jr	239593	1st Lt. Air Serv	125.00
Hall, Kenneth C	345724	2d Lt. Q. M. C	106.25
Hanmore, Frederick Clarence	1197939	1st Lt. Med. Corps	125.00
Hannan, David Ed	424102	Capt. 307 Batt. Tank Corps	150.00
Hansen, Oscar Lee	115109	Capt. Med. Corps	150.00
Hardesty, Tully Overall	249535	Capt. Med. Corps	150.00
Harnett, David Louis	316081	2d Lt. F. A	106.25
Hartman, John Aloysius	839660	Capt. F. A	180.00
Hartwell, Dausa Dow	346025	Capt. Med. Corps	150.00
Hassfeld, Adolph F	1203478	Capt. Q. M. C	150.00
Hays, Verne	363776	1st Lt. Med. Corps	125.00
Heath, Clifford Jackson	162062	Capt. Med. Corps	165.00
Herrold, Alex Everett	184825	1st Lt. Inf	150.00
Hiatt, Homer Sam	291450	1st Lt. Med. Corps	125.00
Hikes, Waldo Emerson	780563	Capt. Inf	150.00
Hildum, LaRue Thew	1186267	1st Lt. M. T. C	125.00
Holland, James Allen	277872	Capt. F. A	150.00
Hollowell, Thomas Robert	233260	Capt. Inf	150.00
Holm, George Samuel	518395	1st Lt. Inf	125.00
Hopkins, Samuel Rice	1224859	Maj. Med. Corps	187.50
Houchins, Ervin Wm	348352	2d Lt. Inf	106.25
Howard, Wm. Harrison	471626	1st Lt. Inf	150.00
Howe, John Bell	314928	Capt. Med. Corps	150.00
Hughes, Charles E	179819	1st Lt. Engrs	125.00
Hunter, David, jr	201667	Capt. Inf	150.00
Ince, Edward Gratton	138082	Capt. Inf. 9th Co. I	150.00
Isensee, Frank Paul	559964	2d Lt. Inf	125.00
Jacobson, Guy Herbert	252373	1st Lt. Med. Corps	106.25
James, Allen Murray	315662	2d Lt. F. A	175.00
Jaycox, Frank	106098	1st Lt. Inf	116.87
Johnson, Frank Alan	458997	2d Lt. Inf	125.00
Johnson, John Arthur	1199724	1st Lt. Med. Corps	125.00
Jones, Cloyd Edward	294882	1st Lt. Engrs	106.25
Jones, Edward Paul	514572	2d Lt. A. S. A	125.00
Judd, Ralph Cyrus	708961	1st Lt. U. S. M. C	106.25
Katz, Joseph M	317560	2d Lt. Inf	125.00
Kauffman, Harlan Brice	1185695	1st Lt. Inf	106.25
Keith, Lawrence Prescott	317268	2d Lt. Inf	187.50
Kendall, Wm. E	617221	Maj. Med. Corps	125.00
Kerrick, Charles La Fayette	379235	1st Lt. M. C	150.00
Killoran, Thomas Christopher	1192947	Capt. Inf	150.00
King, Ralph	350244	Capt. Med. Corps	150.00
Knotts, Howard Clayton	530431	2d Lieut. Air Serv	106.25
Knudsen, Ernest Paul	1097228	2d Lt. Engrs	106.25
Krichel, Joseph Henry	485159	1st Lt. Vet. Corps	125.00
Krohn, Arthur Smith	497246	Capt. Engrs	150.00
Kuehne, Albert William	254239	1st Lt. Inf	125.00
LeBach, Paul Mayer	281591	Maj. Engrs	187.50
Lakin, Ralph Owen	264693	1st Lt. Inf	125.00
Lamond, John Thos	1253106	2d Lt. U. S. Guards	116.87
Lang, Edward Judson	225211	Lieut. Col. Inf	281.25
Lehman, Lester Ludger	279380	2d Lt. Inf	116.87
LeSaulner, Herman Louis	1196032	1st Lt. Med. Corps	125.00
Lewis, Charles S	389690	1st Lt. 28 Inf	125.00
Lewis, Raymond Potter	299370	2d Lt. Inf	106.25
Lippert, Frederick J	278345	1st Lt. F. A	150.00
Logan, John A	248488	1st Lt. Aero Sq	153.00
Longwell, Chester Arthur	193640	1st Lt. Inf	137.50
Loudin, Forrest A	387316	2d Lt. F. A	106.25
Lovell, John Herbert	264414	2d Lt. Inf	116.87
Lundgren, DeWayne C. E	1196192	2d Lt. C. W. S	106.25
Lutyens, Henry Edward	189935	1st Lt. Med. Corps	125.00
Lynn, Percy	437260	2d Lt. Inf	106.25
McCann, James Stanislas	257358	1st Lt. Inf	125.00
McClain, Robert J	393620	2d Lt. A. S	106.25
McCoy, Dwight Wesley	1230734	2d Lt. F. A	106.25
McDavid, Carroll Meridith	654250	1st Lt. Inf	125.00
McDavid, Jesse Taylor	1193870	Maj. Med. Corps	187.50
McDonald, Archie J	455606	1st Lt. Inf	137.50
McKinney, Clarence D	1202395	1st Lt. Med. Corps	125.00
McNair, Francis Marion	1192695	1st Lt. Med. Corps	125.00
McNulta, Scott	439137	1st Lt. Inf	125.00
McQuillan, Albert Baptiste	433425	Capt. Med. Corps	150.00
Mac Arthur, James Harper	1437432	1st Lt. Chap. Tank Corps	125.00
Machamer, Elmer Edward	534946	2d Lt. Inf	106.25
Malick, Louis	1264214	2d Lt. Air Serv	106.25
Malone, Frank J	439537	1st Lt. Inf	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ILLINOIS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Mariand, Joseph Andrew	100155	2d Lt. A. S. S. C	$106.25
Marshall, Ralph William	475256	Capt. Marine Corps	150.00
Marshall, Thomas Holland	286108	2d Lt. Sig. Corps	106.25
Mathis, Allen W	159477	1st Lt. 103 Inf	125.00
May, Charles Newman	1078151	2d Lt. Inf	106.25
May, Lewis Renwick	247740	1st Lt. Dent. Corps	125.00
Mayer, Peter Charles	1204530	Lt. (J. G.) U. S. N. R. F	125.00
Mazie, Frank Ogden	1186983	2d Lt. Inf	106.25
Meyer, Walter William	621644	2d Lt. A. S	106.25
Meyering, Wm. David	203370	Capt. 23rd Inf	150.00
Miller, Harry F	313867	Maj. Inf	225.00
Milum, Vern G	223890	2d Lt. 102 Inf	106.25
Moeller, Frederick W	906670	Maj. Med. Corps	187.50
Montgomery, Albert H	299872	Maj. Med. Corps	187.05
Mooney, Paul	1183246	1st Lt. Inf	125.00
Mooney, Raymond	593266	1st Lt. Air Serv	131.25
Moore, George Henry	210651	Capt. Med. Corps	150.00
Moore, Joseph P	583556	Maj. Inf	250.00
Morgan, James Woods	1213006	2d Lt. Vet. Corps	106.25
Morgan, Lynn James	905186	Capt. Inf	150.00
Morlan, Frederick H	598732	Capt. Air Serv	150.00
Morrison, Cyrus Chadsey	1203971	Capt. Med. Corps	150.00
Moynihan, Allan James	285402	1st Lt. Engrs	125.00
Munhall, Maurice Hulbert	167670	1st Lt. Inf	137.50
Murphy, James O	1221319	1st Lt. Med. Corps	125.00
Myers, John W	1182283	2d Lt. F. A	106.25
Myers, Joseph George	159494	2d Lt. Q. M. C	116.87
Myriand, Eiel Harmon	375838	1st Lt. Inf	125.00
Newton, Roy Chester	172665	2d Lt. Co. C 23 Inf	106.25
Novak, Joseph	244523	1st Lieut. Inf	150.00
O'Brien, Edw. L	1195159	Lt. (J. G.) U. S. N	150.00
O'Brien, Thomas James	1195818	2d Lt. Inf	106.25
Ofner, Spencer Everett	1203867	1st Lt. Dental Corps	125.00
O'Hara, Fred Summa	239518	Maj. Med. Corps	206.25
Palmer, Robert Carrel	1435521	Ensign U. S. N. R. F	106.25
Patton, Harry Thorndyke	1179851	2d Lt. F. A	106.25
Paul, Edward R	521185	1st Lt. 23 Inf	125.00
Phillips, Francis Ashley	519260	1st Lt. Med. Corps	125.00
Phillips, Wendall J	1095588	1st Lt. 124 F. A	137.50
Pierce, Hammond Montgomery	204643	2d Lt. Inf	106.25
Pierzynski, Thaddeus	283061	1st Lt. Med. C	125.00
Pinkstaff, James Tilden	174959	2d Lt. Inf	116.87
Poole, Charles Judson	257735	Maj. Med. Corps	187.50
Powell, Charles Newport	1200004	2d Lt. Inf	106.25
Pratley, Fred Charles	1208672	1st Lt. F. A	137.50
Ready, John Francis	445905	Maj. Inf	250.00
Reed, John Emory	1435296	1st Lt. Med. Corps	125.00
Rennie, Thomas Wesley	1184131	1st Lt. Med. Corps	125.00
Richmond, Jacob Jos	474168	2d Lt. Air Serv	116.87
Rideout, Geo. Rawleigh	298014	2d Lt. Air Serv	106.25
Rider, Carroll A	490891	2d Lt. 129 Inf	106.25
Riordan, John K	431050	1st Lt. Q. M. C	125.00
Rockwell, Reuben Lynn	1046791	Capt. Engrs	150.00
Rogers, Buell Sumner	1437031	Maj. Med. Corps	187.50
Rogers, Percy Earl	239684	1st Lt. Med. Corps	125.00
Ronayne, Frank Joseph	580420	Capt. Med. Corps	150.00
Rondthaler, Harold	389779	2d Lt. 322 F. A	106.25
Royal, Thomas Everitte	266111	1st Lt. Inf	125.00
Sanders, James LeRoy	191130	2d Lt. Vet. Corps	106.25
Saubert, Walter John	906127	1st Lt. Dental Corps	125.00
Sayre, Sydney Lombard	1196789	1st Lt. Air Serv	125.00
Scanlon, Walter R	184640	1st Lt. Dental Corps	125.00
Schoermeshoefer, William	1437699	Capt. Med. Corps	150.00
Schuh, Carl Alexander	347666	1st Lt. Inf	125.00
Scott, Byron Robert	593777	2d Lt. M. T. C	106.25
Shaver, Maitland Victor	314580	1st Lt. D. S. O. R. C	125.00
Sheedy, David	246282	Capt. Inf	210.00
Sheeran, James Joseph	297149	1st Lt. Co. B, 23 Inf	Deceased.
Simms, Austin J	378425	2d Lt. Inf	106.25
Slusser, Carl Wilson	1426311	Capt. Med. Corps	150.00
Slyh, Donald M	479395	1st Lt. 60 Inf	125.00
Smith, Albert	194250	Lt. Col. Engrs	218.75
Smith, Franklin Peter	435690	1st Lt. Chap. 36 Engrs	125.00
Smith, Howard Galbrath	388645	1st Lt. 168 Inf., 42 Div	125.00
Smith, Thomas Barrington Franklin.	1199752	Capt. Inf	150.00
Smith, Warren Braman	612091	2d Lt. San. Corps	106.25
Southard, Earl	306711	1st Lt. Inf	137.50
Southwick, Mariano Barela	1178840	Maj. Inf	187.50
Southwick, Marshall Wood	1198265	Ensign U. S. N. R. F	
Spalding, Oliver Rufus	238713	1st Lt. Med. Corps	125.00
Sparks, Denton H	201215	2d Lt. Ord. Cps	106.25
Speed, Kellogg	196730	Maj. Med. Corps	187.50
Sprinkel, Roscoe	237178	Ensign U. S. N. R. F	106.25
Stanton, Willard James	534953	Capt. F. A	165.00
Steen, William Aloyiseaus	316554	2d Lt. Inf	106.25
Stewart, Edward Paul	279105	2d Lt. Inf	106.25
Stiggleman, James Walker	275656	1st Lt. Inf	125.00
Stocker, Alfred	709093	Capt. Med. Corps	150.00
Summers, Anthony	1170249	1st Lt. Med. Corps	125.00
Suthers, Wm. Glen	346806	2d Lt. Air Serv	106.25
Sweinhart, Victor Culp	295164	Capt. Inf	180.00
Templeton, Charles Kickham	436481	2d Lt. F. A	106.25
Tew, Tracy Levi	509790	2d Lt. C. A. C	106.25
Thomas, Harry A	575798	2d Lt. F. A	106.25
Thornton, Earle Clark	257233	Maj. 129 Inf	243.75
Thorp, John Notman, jr	239902	Capt. Air Serv. Aero	165.00
Tileston, Perley Dominic	384915	Capt. Inf	210.00
Traband, Phillip J	686079	Capt. Q. M. C	150.00
Trapp, Albert Rubly	239710	Capt. Med. Corps	150.00
Trueblood, Ralph R	216656	Capt. Med. Corps	150.00
Vail, Wm. H	319238	1st Lt. Aero Sq	125.00
Van Order, Paul Ingham	202050	Capt. Inf	195.00
Vickers, Edw. William	234812	2d Lt. Air Serv	106.25
Wall, Whitney, jr	321623	Capt. Inf	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

ILLINOIS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Wasson, James Thomas	847122	1st Lt. Inf.	$125.00
Weaver, Harry Griffith	1251905	Maj. Inf.	
Webb, Byford Hodgen	1202180	1st Lt. Med. Corps	125.00
Webster, Laban Elza	618882	2d Lt. Vet. Corps	106.25
Welsh, Gerald Eugene	280423	1st Lt. Ord.	125.00
Westermann, Lawrence	277666	1st Lt. Inf.	125.00
Wheatley, Edw. J.	239600	Capt. Med. Corps	150.00
Whitacre, Benjamin Clyde	424382	2d Lt. M. T. C.	106.25
Williams, Avon Hugo	188106	2d Lt. Inf.	106.25
Williams, Arthur	281821	Capt. A. S. C.	210.00
Williamson, James Holland	905685	Capt. Med. Corps	150.00
Wirtz, Adolph William	228113	1st Lt. Inf.	125.00
Wise, Earl G.	27977	1st Lt. Inf.	125.00
Wolcott, Oliver Seymour	277636	2d Lt. Inf.	106.25
Woodnick, George William	1181300	Maj. Med. Corps	187.50
Woodruff, Earnest W.	263204	1st Lt. Inf.	125.00
Wright, Eugene Peirson	1200025	Maj. Med. Corps	187.50
SUPPLEMENTAL			
Lowney, Dennis Joseph	1407098	Maj. Med. Corps	Deceased.

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Ale, John H.	165794	1st Lt. 355 Inf. 89th Div.	$125.00
Anderson, Hanson Hale	1417984	1st Lt. F. A.	125.00
Austin, Frederick	282421	2d Lt. Inf.	116.87
Barber, Albert Edward	1254331	1st Lt. Med. Corps	Deceased.
Barnes, Clifton Renwick	232519	2d Lt. F. A.	106.25
Beck, Flavius Jasper	608142	Capt. Med. Corps	150.00
Beem, David Joslin	495931	Maj. Q. M. C.	225.00
Belcher, Oliver Lee	821093	1st Lt. Med. Corps	125.00
Benham, James W.	334343	Capt. Med. Corps	150.00
Benham, Raleigh Franklin	163519	1st Lt. Dental Corps	125.00
Bennett, Everett Nathaniel	1145715	1st Lt. Med. Corps	125.00
Bergman, Alfred Henry	1190086	Capt. F. A.	150.00
Bingham, Charles	1166861	2d Lt. Inf.	Deceased.
Boner, George Washington	329708	Capt. Med. Corps	150.00
Boyd, Clarence E.	473348	1st Lt. Med. Dept.	125.00
Branch, Emmett Forest	378760	Col. Inf.	312.50
Brand, George Franklin	1155303	Capt. Dental Corps	150.00
Breedlove, George Bales	521266	Capt. Med. Corps	150.00
Brickley, Harry Dwight	378169	1st Lt. Med. Corps	125.00
Bridwell, Harry	304517	2d Lt. Inf.	127.50
Brooks, Emory Wilbur	254696	Capt. Med. Corps	150.00
Brown, Karl Trueblood	369584	Maj. Med. Corps	187.50
Burkhalter, DeNise	196916	Capt. Engrs.	150.00
Burlington, J. Roy	1153649	Capt. Med. Cps.	150.00
Burns, Wm. E.	310288	1st Lt. Inf.	150.00
Carpenter, Emil Claybourne	618348	1st Lt. P. W. E.	137.50
Childs, Leslie	13419	1st Lt. U. S. S.	125.00
Clauser, Albert Charles	298742	1st Lt. Med. Corps	125.00
Cleland, Samuel Clayton	334315	2d Lt. 363 Inf.	106.25
Coleman, Henry Fitch	263690	Maj. Engrs.	187.50
Cooper, Ross Alvah	1163664	1st Lt. Med. Corps	125.00
Cope, Harry Hodson	111778	1st Lt. F. A.	125.00
Costlow, Glen Charles	261235	1st Lt. Inf.	125.00
Cottingham, Henry Patterson	430861	1st Lt. U. S. Marines Res.	125.00
Crane, Millard	279625	1st Lt. Q. M. C.	125.00
Cray, Arthur Boyden	1157138	Capt. F. A.	165.00
Crook, Charles Samuel	326357	1st Lt. Med. Corps	125.00
Crook, David Henry	903129	Capt. Inf.	165.00
Danner, Rufus Joel	282029	Capt. Med. Corps	150.00
Davis, Charles Guy	419388	Capt. Inf.	180.00
Davis, James Edgar	390856	1st Lt. Inf.	150.00
Dickey, Alexander D.	1415467	Capt. Engrs.	150.00
Doeppers, Wm. A.	317684	1st Lt. Med. Corps	125.00
Donlin, Anthony Byrnes	350406	2d Lt. A. S.	106.25
Eby, Allen Dale	605716	2d Lt. F. A.	106.25
Elrod, Stephen Benton	181697	Capt. Med. Corps	150.00
Emery, Nathaniel William	663745	1st Lt. U. S. Marine Corps	125.00
Espy, Murry Greenleaf	208104	2d Lt. Aviation S. S. C.	106.25
Eubank, Warren Lyddane	1148611	2d Lt. Inf.	106.25
Faris, Frank Brodix	241415	1st Lt. Inf.	125.00
Fattic, John Bastow	362578	Maj. Med. Corps	187.50
Foust, William Edward	524228	1st Lt. Air Serv.	125.00
France, Walker	527003	1st Lt. Vet. Corps	125.00
Frey, Newt	451650	1st Lt. Air Serv.	137.50
Fruth, Virgil Jaye	445336	1st Lt. Med. Corps	125.00
Garver, Irvin Leonard	1150075	Ensign U. S. N.	106.25
Gibbons, George Lee	1144507	1st Lt. Med. Corps	125.00
Gifford, Hansen Smiley	317637	Capt. Med. Corps	150.00
Gilpin, John H.	132729	Capt. Med. Corps	150.00
Glover, John James	1216936	2d Lt. Vet. Corps	106.25
Good, DeWitt Rush	1162083	Capt. Med. Corps	Deceased.
Green, Earle Stanley	368977	Major Med. Corps	225.00
Greene, Frederick Wm.	419962	2d Lt. Air Serv.	106.25
Grimes, Ray Dryden	292691	2d Lt. Inf.	106.25
Gutelius, Charles Bradford	380219	Major Med. Corps	225.00
Hadley, Walter Gresham	802107	1st Lt. F. A.	125.00
Hansen, John Cornelius	905721	Capt. Inf.	56.25
Harris, Walter William	327286	Capt. Med. Corps	150.00
Hegewald, Charles Spence	1423371	1st Lt. F. A.	125.00
Heller, Daniel Clarence	1186425	2d Lt. San. Corps	156.25
Hendryx, Alymer Everett	282208	Capt. Inf.	150.00
Henry, Robert Henry	252377	2d Lt. Q. M. C.	106.25
Henshaw, Frederick Rich, jr.	1167230	2d Lt. Inf.	106.25
Hoover, Albert C.	360033	1st Lt. F. A.	125.00
Hosmer, Harry Marvin	280090	Maj. Med. Corps	Deceased.
Huber, John George	412352	1st Lt. Med. Corps	125.00
Hursey, Virgil Garfield	172012	1st Lt. Med. Corps	125.00
Inman, Gilbert Perry	482449	1st Lt. F. A.	125.00
Johnson, Taylor H.	504608	1st Lt. Inf.	125.00
Kast, Harry Lester	1017314	2d Lt. Inf.	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

INDIANA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Kern, Frank Weaver	240592	1st Lt. Med. Corps	$125.00
Knapp, Arthur LeRoy	437658	Capt. Med. Corps	150.00
Latshaw, Ross	577930	2d Lt. Inf.	10.00
Lester, Claude Earl	291525	Maj. Engrs.	187.50
Lindstrom, Wulfred	150268	1st Lt. Inf.	125.00
Lord, James Austin	487515	1st Lt. Chaplain Corps	125.00
McClary, William Herbert	219542	2d Lt. Inf.	106.25
McClelland, Frank A.	287963	1st Lt. Inf.	125.00
McGinty, Michael James, jr.	846931	2d Lt. Vet. Corps	
McKahan, Don M.	373857	Capt. Inf.	150.00
Mabrey, Warren Lee	1222978	Maj. Inf.	243.75
Mace, Elmer Ellsworth	1163725	1st Lt. Med. Corps	125.00
Manion, James Henry	1337841	1st Lt. F. A.	Deceased.
Manson, James Byron	349425	2d Lt. F. A.	106.25
Martin, Harvey Heber	1200959	Maj. Med. Corps	187.50
Miner, Erwin John	1168948	Capt. Engrs.	150.00
Misener, Walter L.	429849	Capt. Med. Corps	150.00
Mitchell, William Lavoy	1164178	Capt. Inf.	150.00
Moore, John H.	344744	1st Lt. Inf.	137.50
Morrice, Frederick William	277836	2d Lt. Inf.	106.25
Mowers, Bert Soule	16828	1st Lt. Engrs.	150.00
Parkison, William	1160589	1st Lt. Inf.	150.00
Peterson, Archa Lee	456111	1st Lt. Vet. Corps	125.00
Pickett, Roy William	214337	2d Lt. A. S.	106.25
Pinney, Norman William	672940	2d Lt. F. A.	127.50
Pinto, Rene Wentworth	187801	2d Lt. Co. 4, 131st Inf.	106.25
Potts, Clifford Joseph	405111	1st Lt. Inf.	125.00
Power, Herman	334613	1st Lt. 18th Inf.	150.00
Raymond, Chas. W.	315637	1st Lt. Dental Corps	125.00
Ricketts, Joseph W.	206974	Capt. Med. Corps	150.00
Robinson, Frank Clyde	269382	Maj. Med. Corps	225.00
Rogers, Robert Campbell	508190	Capt. Med. Corps	150.00
Rohrer, Ralph McGregor	905634	2d Lt. M. T. D.	106.25
Ross, Warner Anthony	1146793	Maj. Inf.	187.50
Rowland, Calvin Luther	468795	Capt. Med. Corps	150.00
Royer, Elmo Ray	290421	Maj. Med. Corps	187.50
Scheffer, Ferdinand Herman	215202	2d Lt. F. A.	116.87
Schreiber, Adam Wm.	274655	Capt. Med. Corps	150.00
Scott, John W.	316547	2d Lt. Inf.	
Sherk, Wendell	293331	1st Lt. Inf.	125.00
Shields, Scott W.	344365	1st Lt. Dent. Corps	125.00
Sims, Leland McKinley	303479	2d Lt. F. A.	106.25
Small, George Walter	281938	1st Lt. Med. Corps	125.00
Smith, James LeRoy	610835	1st Lt. Q. M. C.	125.00
Smith, Joseph Parker	227945	Capt. 325th F. A.	150.00
Snider, George F.	131113	2d Lt. U. S. Guards	116.87
Stephan, Joseph Edward	1158098	1st Lt. Med. Corps	125.00
Stephenson, Hugh McCleery	1143545	1st Lt. Inf.	125.00
Stout, Lester Joel	197588	1st Lt. Inf.	125.00
Strother, Carl Benjamin	318577	1st Lt. Inf.	150.00
Summers, Frank L.	120506	1st Lt. San. Corps	125.00
Tabor, Frank August	1158995	Capt. Med. Corps	150.00
Thompson, Harry John	613768	Capt. Med. Corps	150.00
Thompson, Walter Scott	1155287	2d Lt. Inf.	116.87
Thorp, Floyd Oscar	10076	1st Lt. Inf.	137.50
Timmons, Charles Clyde	603726	1st Lt. Inf.	125.00
Trent, William Russell	432094	2d Lt. Inf.	116.87
Tucker, Carroll J.	802288	Capt. M. C. Trans. Serv.	150.00
Van Sweringen, Budd	328932	Maj. Med. Corps	
Voll, Bernard John	87279	1st Lt. Inf.	125.00
Wallace, Joseph McKinley	1196934	2d Lt. Inf.	106.25
Webb, Samuel	409965	2d Lt. Inf.	106.25
Weeks, George Erie	406886	2d Lt. Inf.	106.25
Welsh, Edgar	117867	1st Lt. Dent. Corps	125.00
White, John Anderson	390543	Capt. Med. Corps	150.00
Wilmeth, Delbert Ollen	238700	Capt. Inf.	150.00
Wise, Dale Otho	178259	Major Inf.	206.25
Worthington, Wm. C.	178291	1st Lt. M. C. Aero Sqd.	125.00
Wright, Walter Waldo	276993	Capt. Med. Corps	150.00
Young, Edward Milton	222772	Capt. Med. Corps	150.00
Young, John Sandy	379380	2d Lt. F. A.	106.25
SUPPLEMENTAL			
Swank, Paul Jennings	470729	2d Lt. Inf.	

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Ayers, Edward C.	1438242	Capt. Med. Corps	$150.00
Bare, Elmer A.	216593	Capt. Med. Corps	150.00
Bloom, Ray Clarence	1227984	2d Lt. F. A.	106.25
Brock, Raymond Orra	301407	2d Lt. Inf.	116.87
Bryant, Fred Spindler	227140	Capt. Inf.	165.00
Carlson, Amel Arthur	439494	1st Lt. Q. M. C.	125.00
Carson, Dean Herring	381853	1st Lt. Air Serv.	125.00
Clary, Wm. Henry	240185	1st Lt. Med. Corps	125.00
Eveleth, John McDonald	235223	Lt. Col. Dent. Corps	218.75
Fraser, Walter	194816	1st Lt. Med. Corps	125.00
Glasgow, Charles Franklin	216547	2d Lt. Inf.	106.25
Hakes, Ledgard B.	275881	2d Lt. 58 Inf.	106.25
Hartman, Chester James	199878	1st Lt. Inf.	137.50
Henderson, Henry	1207730	1st Lt. Inf.	125.00
Jepson, William Roscoe	343184	1st Lt. U. S. N. R. F.	
Kelley, William Arthur	240589	Capt. Inf.	195.00
Kellogg, Orson Azra	1223681	1st Lt. Med. Corps	125.00
Kofmehl, William Henry	550718	1st Lt. Inf.	137.50
Lean Cassins True	277935	Capt. Med. Corps	150.00
McFaul, Wm. D.	1250070	Capt. Med. Corps	165.00
Maloney, John H.	497651	Capt. Dent. Corps	150.00
Meredith, Edw. Roy	287704	Capt. Engrs.	150.00
Morgan John Edward	287747	Maj. Med. Corps	187.50
Negus, Alvah	1350488	Capt. Med. Corps	150.00
Nelson, Audley Emmet	536502	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

IOWA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Newquist, Daniel C	364656	Capt. Inf	$165.00
O'Brien, Daniel James	1439412	1st Lt. F. A	125.00
Peckham, Howard D	312609	Capt. Inf	180.00
Peters, Ernest Eugene	356271	2d Lt. Inf	106.25
Phillip, Ralph E	271905	2d Lt. Trans. Corps	106.25
Rowe, Donald Murray	484018	Ensign, U. S. N	106.25
Schida, Clarence C	270359	2d Lt. 114 Inf	106.25
Sweeney, Orland Russell	256224	Maj. C. W. S	187.50
Tribby, Dwight	436252	2d Lt. Inf	106.25
Walker, John Milton	321643	Capt. Med. Corps	150.00
Wells, Harry Lee	1196060	1st Lt. Med. Corps	Deceased.
Welsh, George P	213520	2d Lt. Tank Corps	106.25
Wilson, Edmund W	1211772	Capt. Med. Corps	150.00
Wright, Howard Jesse	312563	Capt. Med. Corps	150.00

KANSAS

Adams, Charles Samuel	1274758	1st Lt. Med. Corps	$125.00
Barnes, Walter Burton	17437	1st Lt. Inf	162.50
Bates, Vernon Elwell	88178	1st Lt. Inf	125.00
Bentley, Bruce Morton	457141	1st Lt. Inf	125.00
Bermant, Lester Clifford	299585	2d Lt. Air Service	106.25
Bowman, Lang Fulton	293768	1st Lt. Med. Corps	125.00
Buckley, Martin Burns	166177	Capt. C. A. C	150.00
Burnett, Clanrold	89219	1st Lt. F. A	125.00
Butler, Wm. Lucas	438047	1st Lt. Med. Corps	125.00
Campbell, Robt. A	233532	1st Lt. Inf	50.00
Claren, Edward Louis	906125	Maj. Q. M. C	111.25
Clark, Earl Finley	413016	1st Lt. Med. Corps	125.00
Clarke, Cecil Alex	437811	1st Lt. Engrs	125.00
Clarke, Saml. G	218979	Maj. Inf	243.75
Chdas, Arthur Louis	310537	Capt. Med. Corps	150.00
Cooper, Harry Allen	509689	1st Lt. Inf	137.50
Cullum, Arthur B	1439861	Capt. Med. Corps	150.00
Dillingham, Wm. Roy	1221403	Capt. Med. Corps	150.00
Doherty, Wm. T	1296394	1st Lt. Med. Corps	125.00
Egan, Robert Emmett	561761	1st Lt. Med. Corps	125.00
Edwards, Charles Evan	14302	1st Lt. F. A	162.50
Fast, John C	350038	1st Lt. F. A	125.00
Fitzpatrick, Fred Randall	240988	Col. F. A	312.50
Fox, Burton Edward	1227539	1st Lt. F. A	137.50
Germain, Everett Earl	1219677	2d Lt. Inf	106.25
Gray, Louis Wilbur	311690	Capt. M. T. C	150.00
Haerle, Edward Jacob	279939	1st Lt. Med. Corps	125.00
Harris, Lawrence Theodore	579277	1st Lt. M. T. C	137.50
Haskell, John Jarvis	446099	Maj. Inf	187.50
Hawk, Franklin Benj	210973	Maj. Med. Corps	187.50
Henderson, Ralph Cambern	1220955	Capt. Med. Corps	150.00
Hood, Tarlton A	143897	Capt. Med. Corps	150.00
Huey, Frank G	224059	2d Lt. Inf	106.25
Humphreys, Geo. F	213023	Capt. M. G. Bn	150.00
Hyde, John Jackson	1227051	Capt. A. S. C	150.00
Ingels, Roland Theodore	259939	1st Lt. Air Service	125.00
Johnson, Paul Brent	1222383	Capt. Q. M. C	150.00
Kelly, Carroll B	610404	2d Lt. Inf	131.25
Klock, Helmer Alfred	1217244	2d Lt. Inf	160.25
Lieberman, Joseph	402572	Capt. F. A	180.00
Love, Ralph Huntington	521514	Capt. Inf	150.00
Lowis, Wm. John	1227944	1st Lt. Med. Corps	125.00
Lyon, Charles Walter	458406	Capt. Med Corps	150.00
McClain, Alvah Smith	905448	Maj. Med. Corps	187.50
McDonnall, Zara Harman	308603	2d Lt. Vet. Corps	106.25
McManigal, John Wesley	217713	1st Lt. Inf	137.50
Mendenhall, Homer	764029	Maj. Q. M. C	243.75
Menefee, Robert G	558368	2d Lt. Vet. Corps	Deceased.
Mills, Arthur McPherson	1219515	Capt. F. A	195.00
Morris, Robert Benjamin	1155035	Capt. Med. Corps	Deceased.
Mundell, Walter Newton	85350	Capt. Med. Corps	150.00
Nease, Stephen Gilbert	217925	1st Lt. Inf	137.50
Nienstedt, Wm. Frederick	239513	Capt. Med. Corps	150.00
Norman, Joseph D	379128	1st Lt. Chaplain, Air Serv	125.00
Page, Willifred	210857	1st Lt. Med. Corps	125.00
Perkins, Roy Wm	905923	Maj. Inf	187.50
Phares, Willard Alan	1225475	Maj. Med. Corps	187.50
Preston, Richard Otis	426257	1st Lt. Med. Corps	125.00
Root, Frank Pletcher	384209	Capt. Inf	150.00
Ross, Richard Still	536425	1st Lt. U. S. M. C	125.00
Rudbeck, John	411150	1st Lt. Med. Corps	125.00
Russell, Wm. Leonard	1439630	2d Lt. Inf	106.25
Schrader, Lewis Milward	1211355	1st Lt. Med. Corps	125.00
Scott, John Rutherford	435719	Maj. Med. Corps	187.50
Shelly, Hargus Gerald	565849	Capt. Med. Corps	150.00
Shewalter, Geo. Milton	1162852	1st Lt. Med. Corps	125.00
Stanton, Saml. C	495182	Maj. Med. Corps	250.00
Stryker, Wm. Lester	249805	Capt. Inf	150.00
Sutton, John Magruder	255095	Capt. Med. Corps	150.00
Thompson, Robert Franklin	320137	1st Lt. Inf	137.50
Toomey, Ernest	320263	2d Lt. Inf	106.25
Tucker, Claude Clifford	425209	1st Lt. Med. Corps	125.00
Warner, Albert R	255080	Capt. Med. Corps	150.00
Whittberry, Joe Storms	326854	2d Lt. Inf	106.25
Whitson, Clyde F	721353	2d Lt. Vet. Corps	106.25
Wilson, Frank Wendel	1223877	2d Lt. Inf	106.25
Withers, Geo. Allen	516414	Maj. Q. M. C	200.25
Young, Richard C	117890	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

KENTUCKY

Name	C No.	Rank and organization	Amount of retirement pay
Adams, Roscoe Conklin	396379	Lt. Col. Med. Corps	$262.50
Allen, Rudolph	305389	2d Lt. Sanitary Corps	106.25
Bach, Luther	216989	1st Lt. Med. Corps	125.00
Baker, Horace	250097	Capt. C. A. C	165.00
Banks, David Paul	1420863	Maj. Engrs	187.50
Banks, Strother Jones	1390331	1st Lt. Inf	125.00
Bays, John R	107323	2d Lt. Inf	106.25
Bogan, Henry Smith	393187	2d Lt. Marine Corps	106.25
Bolin, James Achilles	106866	Capt. Med. Corps	150.00
Brewer, Frank G	317887	Maj. Q. M. C	187.50
Brock, Geo. Simon	489318	Capt. M. C	150.00
Buckner, John D	387020	2nd Lt. Inf	106.25
Bushong, Perry Wycliffe	1154645	Capt. Med. Corps	150.00
Caldwell, James Guthrie	299789	1st Lt. Inf	125.00
Coleman, Robert M	187136	Capt. Med. Corps	150.00
Collier, Thomas Reed	184406	1st Lt. Med. Corps	125.00
Combs, John Wesley	319457	Capt. Med. Corps	150.00
Compton, Burton Stoves	351915	1st Lt. Med. Corps	125.00
Coolidge, Walter L	174728	Capt. Med. Corps	150.00
Cox, William Moss	307829	Capt. Med. Corps	150.00
Craig, Henry Harrison	1099339	Capt. Inf	165.00
Curd, Joyes	384441	1st Lt. Air Serv	162.00
Curtis, William E	245778	2d Lt. Inf	106.25
Dade, Randolph	1423022	1st Lt. Med. Corps	125.00
Dawson, John Stanley	1270764	2d Lt. F. A	106.25
Denman, Francis Eugene	483718	1st Lt. Med. Corps	125.00
DeWeese, Clarence	141804	Major Med. Corps	187.50
Dillion, James K	1142541	Capt. 309 Inf	165.00
Donogh, Robert Park	654986	1st Lt. Engrs	125.00
Dowdall, William Turpin	301297	Capt. Med. Corps	150.00
Doyle, George F	597266	Capt. Med. Corps	150.00
Duncan, Richard F	165578	Capt. Med. Corps	150.00
Eckman, Wm. Guy	90761	1st Lt. Med. Corps	125.00
Eversole, Jas. Garfield	1416106	Capt. Q. M. C	150.00
Frazier, Emery Lee	826506	1st Lt. Inf	125.00
Fuss, John Carroll	475701	Capt. A. S. C	150.00
Gabbert, Roy Dennis	1161762	Capt. Dent. Cps	150.00
Gaines, Noel	1149277	Major Inf	243.75
George, Charles Ross	549225	1st Lt. Inf	137.50
Griffin, Robert Emmett	1423041	Capt. Med. Corps	150.00
Hacker, Dana Lyttle	440596	1st Lt. Inf	125.00
Hall, Edmond Parker	1153108	2d Lt. C. A. C	138.12
Hamilton, Finley	408566	Capt. Signal Corps	165.00
Hancock, Jethra	1161749	Capt. Med. Cps	150.00
Happy, Frank Feland	1421114	Capt. Dental Corps	150.00
Henry, Jouett	481892	Col. Inf	312.50
Honaker, Harry Price	1151918	Capt. Med. Corps	150.00
Hyatt, Meredith Woodson	1154705	Capt. Med. Corps	150.00
Jackson, David Thomas	30092	Capt. U. S. M. C	180.00
Johnson, Benjamin Priestley	1153952	2d Lt. F. A	106.25
Jones, Joseph Hall	1417308	1st Lt. Med. Corps	125.00
Jones, Henry Bascom	197509	1st Lt. Q. M. C	150.00
Kelley, James	197240	2d Lt. 28 Inf	116.87
Keffer, Smithfield	357759	1st Lt. Med. Corps	125.00
Kessinger, Benj. Lee	1153965	2d Lt. Inf	106.25
Liggett, David C	446854	2d Lt. Inf	106.25
Little, Wm. Starling	412903	Capt. Med. Corps	180.00
Longmire, Charles William	391719	Maj. Inf	250.00
Lyon, Howard	620131	1st Lt. Med. Corps	125.00
Lyons, Thomas Barkley	1377628	1st Lt. A. S	125.00
McCoy, Stephen Clifford	645603	Capt. Med. Corps	150.00
McGraw, Joseph Francis	323507	2d Lt. Sanitary Corps	116.87
McKinley, David Howard	594499	Capt. Med. Corps	150.00
McLean, Charles	304218	1st Lt. Chaplain F. A	125.00
McWilliams, Wiley Everett	279957	1st Lt. Med. Cps	125.00
Marlow, Howard Waring	301572	1st Lt. Engrs	125.00
Matlack, Leonard Freeman	905597	Capt. Cav	56.25
Menefee, John Newell, jr	1416104	Capt. Inf	150.00
Metzger, Louis Francis	358523	1st Lt. Dental Corps	125.00
Millis, John Martin	195038	2d Lt. Inf	106.25
Muller, Julius	577628	1st Lt. F. A	137.50
Morris, James M	1163938	Capt. Med. Corps	150.00
Moss, Morton M	1415844	Capt. Med. Corps	150.00
Moss, Robert Carlisle	433038	Capt. Med. Corps	150.00
Murrell, Henry Clay	273749	1st Lt. Engrs	125.00
Nevitt, Philip Henry	1169148	1st Lt. Md. Corps	125.00
Nickell, Homer Lee	165977	1st Lt. Med. Corps	125.00
Nolan, Joseph Wynne	350488	Capt. Med. Corps	150.00
North, Thomas Jefferson	1143067	2d Lt. Inf	106.25
Ogden, Paul Jonathan	657508	1st Lt. Marine Corps	125.00
Osborne, Henry Chilton	1416508	Capt. Med. Corps	150.00
Owen, Evan Ellis	1418821	1st Lt. Med. Corps	125.00
Owsley, Grant Alexander	627255	2d Lt. Inf	106.25
Parrigin, Oliver Hazard Perry	317862	Capt. Med. Corps	150.00
Page, Marion Wesley	614786	Capt. Med. Corps	150.00
Pindar, Leon Otley	1142471	1st Lt. Med. Corps	125.00
Piper, Walter Clay	1141240	2d Lt. Signal Corps	106.25
Pipes, Mastin Lee	100497	Capt. Med. Corps	150.00
Porter, Robert William	432263	Capt. Med. Corps	150.00
Price, John Thomas	1152894	Capt. Med. Corps	150.00
Rankin, Howard Payne	884491	Capt. Med. Corps	165.00
Reed, Washington	1160623	1st Lt. Inf	125.00
Richardson, John B., jr	351975	Capt. Med. Corps	150.00
Ridley, James Urey	1417771	Capt. Med. Corps	
Riley, Augustus Baxter	292606	Capt. Med. Corps	150.00
Rivers, Horace Terrell	401354	Capt. Med. Corps	Deceased.
Robertson, James Albert	239685	Capt. Med. Corps	Deceased.
Scrivner, Samuel Tudor	598093	1st Lt. Med. Corps	125.00
Seale, Charles L	419264	2d Lt. Inf	106.25
Shewmaker, Oscar Francis	880512	1st Lt. Med. Corps	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

KENTUCKY—continued

Name	C No.	Rank and organization	Amount of retirement pay
Showalter, Daniel Earl	435926	1st Lt. Inf.	$150.00
Shriver, Ray Otto	104694	1st Lt. Engrs.	125.00
Simpson, George Clarence	510704	2d Lt. Inf.	116.87
Smith, John Inman	1142868	Capt. Med. Corps	150.00
Smith, Samuel Clemens	1141714	Capt. Med. Corps	150.00
Snowden, Frank B.	436256	1st Lt. Sign. Corps	125.00
Sory, James Dunn	421053	Maj. Med. Corps	187.50
Spencer, John G. Carlisle	253214	2d Lt. Inf.	106.25
Stoddard, James Kent	263963	1st Lt. Med. Corps	125.00
Teague, Mark Hanna	351232	2d Lt. Inf.	106.25
Thompson, Paul Ervin	87264	2d Lt. Inf.	106.25
Van Meter, Benjamin F.	1416371	Major Med. Corps	206.25
Veal, Marvin Speed	520532	Capt. Med. Corps	150.00
Vinson, Charles Ernest, jr.	1113124	2d Lt. Field Art.	106.25
Whiting, Nathaniel Eugene	1243901	1st Lt. C. W. S.	137.50
Whitledge, Herbert Edwin	405430	Capt. Med. C.	150.00
Williams, Ralph O'Neal	178286	2d Lt. Inf.	106.25
Woodson, Hylan Hale	417757	1st Lt. Med. Corps	125.00
Wright, Marcus, jr.	17796	2d Lt. Inf.	148.75
Wright, Oscar Catlette	359955	2d Lt. Air Serv.	106.25
Young, Albert De Forest	200437	Capt. Med. Corps	150.00
SUPPLEMENTAL			
Everman, Ord	654870	Capt. Med. Corps	
Mason, James Boyd	360178	Maj. Med. Corps	

LOUISIANA

Adair, Munsell	492115	1st Lt. Med. Corps	Deceased.
Allen, Kots	181896	Capt. Med. Corps	$150.00
Baker, John S.	409643	Capt. Sig. Corps	165.00
Billing, Samuel Aydelotte	516163	Major Med. Corps	187.50
Black, Bryan	263158	Lt. Col. F. A.	281.25
Brown, Emmett Wilson	1103933	Capt. M. P. Corps	150.00
Burnham, George Harmon	411816	1st Lt. Inf.	150.00
Chatham, Robert Carlton	1135494	2d Lt. F. A.	106.25
Coe, Albert Miles	205923	Capt. A. G. Dept.	150.00
Cook, Claude Thomas	800013	2d Lt. Inf.	116.87
Cook, Paul Darwin	179755	Maj. Engrs.	187.50
Crow, James J.	1301936	2d Lt. U. S. G.	106.25
Davis, Marion Schley	165150	2d Lt. Q. M. C.	106.25
Devron, John Alexander	1139412	Maj. Med. Corps	206.25
Dunn, James D.	1308462	Major Q. M. C.	187.50
Ewing, Joseph Luther	434147	1st Lt. M. C.	125.00
Ferrill, Frank Billups	1089611	Lt. (T) Dent. Corps U. S. N.	150.00
Floyd, Winfield Newton	1127995	1st Lt. Med. Corps	125.00
Foster, Marion Hope	273166	1st Lt. Med. Corps	125.00
Foster, Robert Balch	1126476	Chief Pay Clerk, U. S. N. R. F.	106.25
Gillespie, Robert James	806645	1st Lt., Med. Corps	125.00
Green, Andrew Arthur	243850	Capt. Engrs.	180.00
Grevemberg, Francis B.	386456	Capt. Engrs.	150.00
Hamilton, Waring	831950	1st Lt. F. A.	125.00
Kelly, John Luther	1125223	Major Med. Corps	187.50
Kibbe, Pressly Aloysius	1305514	Capt. Med. Corps	150.00
Kimbell, Isham	1130579	Major Med. Corps	187.50
Kopfler, Joseph Starns	905252	Capt. Med. Corps	150.00
Kopfler, Wm. F.	1301607	1st Lt. Inf.	125.00
Lacoste, Warren J.	528242	2d Lt. U. S. M. C.	106.25
LeSueur, George Buckner	1302319	Capt. Med. Corps	Deceased.
Lochte, Henry Clarence	592330	1st Lt. Med. Corps	125.00
Lyon, George Clyde	392091	1st Lt. F. A.	125.00
Mestayer, Otto Joseph	653540	2d Lt. Inf.	106.25
Miller, Benj. Wentworth	563315	1st Lt. 353th Inf. 89th Div.	125.00
Mittendorf, Bradley C.	429185	2d Lt. F. A.	106.25
Moody, Magnus M.	278283	2d Lt. Engrs.	106.25
Moon, Hartley Allen	344047	Maj. Inf.	225.00
Morrow, Bishop Lori	479076	Capt. Inf.	165.00
Nowlin, Joseph Christian	263282	1st Lt. Inf.	125.00
Padgett, William Alexander	518980	Maj. Med. Corps	225.00
Pafford, Jefferson Wilcox	1113073	1st Lt. Med. Corps	125.00
Pittman, John Luther	541245	Capt. Med. Corps	150.00
Reams, Paul Eugene	503659	Ensign, U. S. N. R. F.	106.25
Rearden, Charles Percy	436597	1st Lt. Q. M. C.	162.50
Robert, James John	156241	Major Med. Corps	187.50
Sartor, James Clarence	558896	Capt. Med. Corps	150.00
Seeman, William Henry	123289	Capt. Med. Corps	150.00
Sevier, Henry Clay	151780	2d Lt. Inf.	106.25
Sherwood, Wm. Francis	1137968	2d Lt. F. A.	106.20
Smith, Herbert Bober	17681	Capt. 155 Inf.	150.05
Summers, Edward Henry	464963	2d Lt. Inf.	137.50
Thiele, Richard E. A.	1097953	Lt. U. S. N. R. F.	150.50
Thompson, John Herndon	195492	1st Lt. C. A. C.	125.00
Tooley, Josiah Osceola	667644	2d Lt. Inf.	106.00
Van Zelfden, Cornelius	1301629	1st Lt. F. A.	125.20
Walst, Perry Henry	555657	1st Lt. 315th Engrs. Dental Corps.	125.00
Wiener, Earl Loeb	1096120	Ensign, U. S. N. R. F.	106.25
Wood, Lewis Hilliard	165109	1st Lt. 325th Inf.	125.00
Wooton, Chancellor	185302	1st Lt. Inf.	150.00
SUPPLEMENTAL			
Varnado, Samuel R.	1307651	Capt. Inf.	150.00

MAINE

Beale, Chas. Lincoln	557733	2d Lt. Q. M. C.	$106.25
Benoit, Romeo Eugene	1406252	2d Lt. Inf.	106.25
Carroll, James Henry	420739	Capt. Inf.	150.00
Cousins, Wm. Lewis	1019895	Maj. Med. Corps	187.50
Christensen, John William	275088	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MAINE—continued

Name	C No.	Rank and organization	Amount of retirement pay
Crosby, Clarence Henry	1008640	Lt. (J. G.) U. S. N. R. F.	$125.00
Dickey, Walter	1005621	Ensign (T.) U. S. N.	106.25
Garnache, William Joseph	356429	Capt. Inf.	150.00
Garney, John Ambrose	304021	1st Lt. Q. M. C.	137.50
Gould, Willis Elden	436353	1st Lt. Med. Corps	125.00
Ham, John Chellis	501522	Capt. Med. Corps	150.00
Haskell, William Langdon	430766	Maj. Med. Corps	225.00
Hermann, Solomon Andrew	1003719	Maj. C. A. C.	243.75
*Hewitt, John Everett	1251697	Maj. Med. Corps	
Love, James Albert	1001244	2d Lt. Inf.	106.25
McNeill, Harry Daniel	193681	1st Lt. Med. Corps	125.00
Maddocks, Austin Williams	690452	1st Lt. Chem. Warfare Serv.	125.00
O'Leary, Edwin Dolan	291565	2d Lt. Inf.	106.25
Pelletier, Jos. John	353385	Capt. Med. Corps	150.00
Southard, William Edward	214183	Lt. Col. Inf.	281.25
Spencer, Ralph Watson	490445	2d Lt. Inf.	106.25
Stanwood, Albert Linscott	328186	1st Lt. Med. Corps	125.00
Swett, Guy Irvin	229235	Capt. Inf.	180.00
Wright, Charles Silas	339000	Capt. Med. Corps	150.00

MARYLAND

Adams, John Myron	352675	Capt. Q. M. C.	$150.00
Ballard, Eugene C.	370339	1st Lt. Co. C, 114 Inf.	125.00
Barnes, Harry Oliver	1085895	2d Lt. F. A.	106.25
Beckner, Leslie Harry	905467	Lt. (J. G.), U. S. N. R. F.	125.00
Bennett, George	1197880	Lt. (J. G.), U. S. N. R. F.	125.00
Berger, Clyde Dolson	505373	2d Lt. Tank Corps.	103.25
Bergs, Frederick John	280352	1st Lt., Chaplain	
Beziat, Frederick Hamilton	303843	1st Lt. Inf.	125.00
Bittner, Earl Robb	293958	2d Lt. Inf.	116.87
Blades, Webster Strayer	686411	1st Lt. Inf.	125.00
Bledsoe, Edwin P.	1115834	Capt. Med. Corps	150.00
Boyden, Malcolm Cole	1094880	Lt. U. S. N. R. F.	150.00
Boyle, James Brooks	420672	1st Lt. Inf.	150.00
Brown, William Arthur	414605	2d Lt. F. A.	106.25
Burke, Edmund	906101	Capt. San. Corps	
Cadmus, Richard Young	1383102	Lt. U. S. N. R. F.	Deceased.
Casey, Arthur	487179	Maj. Inf.	243.75
Cawley, Wm. D.	139812	Capt. Med. Corps	150.00
Charles, Frederick Henry	905481	1st Lt. Med. Corps	125.00
Cochran, Harry B.	1377564	Capt. San. Corps	150.00
Cockburn, Alexander Henry	1380670	Capt. Ord.	150.00
Colley, Thos. M.	488075	1st Lt. Inf.	137.50
Coney, Edgar Heath	404418	2d Lt. Inf.	116.87
Corcoran, Matthew John	324519	1st Lt. Inf.	150.00
Costinett, Jos. Rocca	203291	1st Lt. Q. M. C.	125.00
Councill, Wilford Anderson	1094005	1st Lt. Med. Corps	125.00
Creecy, Donald Brooke	1123662	Capt. U. S. Marine Corps	150.00
Cross, George Grayson Evehart	311041	1st Lt. Med. Corps	125.00
Daly, John Francis	1035631	1st Lt. Engrs.	125.00
Downes, Joseph Watson	1382700	2d Lt. C. A. C.	106.25
Elphinstone, Douglas	480346	Capt. Air Service	150.00
Evans, Alexander Mason	1094773	1st Lt. Med. Corps	125.00
Fay, Daniel Edgar	1380677	Lt. U. S. N. R. F.	150.00
Ferrandini, Edmond Vincent	1099500	Lt. U. S. N. R. F.	150.00
Gaddess, Harry W.	204516	Capt. Med. Corps	150.00
Gillis, Alexander James	177789	Capt. Med. Corps	150.00
Gordon, Philip	418639	Maj. San. Corps, Army	225.00
Grammes, Robert Asa	1091922	Lt. Col. Ord. Corps	218.75
Gross, Harry	636584	Major Med. Corps	237.50
Grubb, James Obdeyer	195760	1st Lt. Inf.	
Guistwaite, Bruce Hetrick	485249	1st Lt. Med. Corps	125.00
Hall, Elmer Gill	1098801	1st Lt. Med. Corps	125.00
Haslup, Charles LeRoy	363774	2d Lt. Air Serv.	106.25
Hatch, Carl Tilden	412125	2d Lt. Inf.	106.25
Hopper, Pearl D.	573203	1st Lt. 305 Inf.	187.50
Huebner, Albert Frederick	224052	Capt. Inf.	150.00
Hummel, Charles Edward	246755	Capt. Inf.	210.00
Humphreys, Charles Raymond	1343384	Capt. Engrs.	Deceased.
Johannes, William Ashton	905212	Ensign, U. S. N. R. F.	116.87
Johnson, Robert William	255577	Capt. Med. Corps	150.00
Jones, Harold Curtis	202019	Ensign, U. S. N. R. F.	106.25
Kaiss, Edw. Windom	865803	2d Lt. Tank Corps.	116.87
Kane, Clinton Austin	705212	Capt. Med. Corps	150.00
Kennedy, Robt. E.	418546	Capt. 136 M. G. Bn.	165.00
Kirby, Thomas	240518	Capt. M. I. D. Gen. Staff	150.00
Kolls, Alfred Conrad	1092091	Capt. Chem. War. Corps	150.00
Krumm, Harry Wm.	1095962	Ensign, U. S. N. R. F.	106.25
Lewis, Wm. Penn, jr.	563102	1st Lt. Inf.	125.00
Linville, James Zackry	1380661	Capt. Q. M. C.	180.00
Lockwood, Willard Geo.	820865	Lt. Jr., U. S. N.	125.00
Lutz, James Augustus, jr.	240156	1st Lt. Inf.	125.00
Marcus, Lawrence	1043037	1st Lt. San. Corps	125.00
Matthai, Joseph Fleming	253277	1st Lt. Inf.	125.00
Matthews, Charles Newton	349442	1st Lt. Inf.	125.00
Mess, George Bernard	557886	2d Lt. Motor Trans. Corps	106.25
Metcalf, Arthur Boyd	422390	2d Lt. A. S.	106.25
Minor, Arthur Jacob	905777	Capt. Engrs.	150.00
Mitchell, Ezra G.	1095093	Capt. Q. M. C.	150.00
Moore, John Carroll	418642	1st Lt. Inf.	125.00
Newgirg, Michael Henry	362567	1st Lt. Engrs.	125.00
O'Connell, James Henry	1096491	2d Lt. Q. M. C.	106.25
O'Donovan, John H.	157368	2d Lt. Q. M. C.	106.25
Oliver, Fred Nash	563309	Maj. Inf.	187.50
O'Neill, Henry Hugh	684927	1st Lt. M. P. Cps.	150.00
Phelps, Joseph Spence	238740	1st Lt. Inf.	137.50
Pitcher, Edwin Hoffman	428428	1st Lt. Q. M. C.	125.00
Reuter, Francis J. G.	906229	1st Lt. Inf.	125.00
*Rice, German Wm.	905807	Capt. Inf.	180.00
Roberts, Ernest	1377907	Maj. Q. M. C.	187.50
Roberts, Robert Orson	905397	2d Lt. Engrs.	106.25
Robey, Chas. Francis	223963	2d Lt. San. Corps	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MARYLAND—continued

Name	C No.	Rank and organization	Amount of retirement pay
Rothman, Arthur Gordon	146067	1st Lt. Inf	$162.50
Sands, Richard Elbert	357956	1st Lt. A. S. A. (M. T. C.)	150.00
Sappington, Purnell Fletcher	171252	Capt. Med. Corps	150.00
Shields, Thos	420354	1st Lt. Med. Corps	125.00
Smith, Marcus Duke	1099993	1st Lt. Med. Corps	125.00
Sneeringer, Michael R	509468	2d Lt. Q. M. C	106.25
Steindler, Leo F	313817	Capt. Med. Corps	150.00
Sterling, Gordon C	186017	2d Lt. Inf	106.25
Stow, James R	32075	2d Lt. Inf	116.87
Tobey, Paul Titus	1181039	2d Lt. A. S. A	106.25
Traut, Fred G	221329	1st Lt. Inf	125.00
Turner, Harry Clyde	1087484	1st Lt. Q. M. C	150.00
Tyndall, Ira Clinton	1382464	Capt. Med. Corps	150.00
VanHollen, Donald Beauchamp	193354	Ensign, U. S. N. R. F	106.25
Vey, Edgar Alan	502204	Lt. U. S. N. R. F	150.00
Walls, William Ralph	358368	2d Lt. Air Service	106.25
Williams, Frank E., jr	221733	1st Lt. 119th, 30th Div	125.00
Wilson, Alfred C	1098578	Ensign, U. S. N. R. F	106.25
Wilson, Wm. V	249880	1st Lt. 117th Inf	125.00
Worthington, Leland Griffith	590366	1st Lt. Inf	137.50

MASSACHUSETTS

Abern, Joseph Arthur	522827	Capt. Dental Corps	$150.00
Allen, Woodward	309887	Maj. Inf	187.50
Ames, Shirley Lesquereux	400639	Capt. Inf	150.00
Andrews, George Wilson	298201	1st Lt. Inf	150.00
Austin, Walker W	224962	Capt. 104 Inf	180.00
Bachelder, Frank E	563800	1st Lt. Inf	125.00
Bacon, Henry Stuart	272543	2d Lt. M. T. C	106.25
Balch, Wm. H	1405009	Maj. Eng	187.50
Bampton, Sidney W	375482	1st Lt. Inf	125.00
Barr, Harry Hillman	664552	2d Lt. Inf	106.25
Behringer, Theodore Francis	1407759	2d Lt. San. Corps	106.25
Bell, Hollis Wescott	1015919	2d Lt. Ord. Dept	106.25
Bergan, William Michael	307411	Capt. Dental Corps	150.00
Berman, Louis	1027959	1st Lt. C. A. C	125.00
Berndes, Walter Oscar	286217	2d Lt. Air Serv	106.25
Berry, Bernard M	117461	1st Lt. Inf	150.00
Black, Dennis Leo	272182	1st Lt. Med. Corps	125.00
Blake, William J	220788	1st Lt. Inf	125.00
Blanchard, William Bradford	303847	1st Lt. Med. Corps	137.50
Blanchard, Wm. Herbert	444980	Maj. Med. Corps	206.25
Bobst, Frank T	1014519	1st Lt. 56 Pion. Inf	125.00
Brannen, Francis Annis	1015934	Lt. Com. U. S. N. R. F	187.50
Breen, Frederick	235789	1st Lt. Inf	125.00
Breen, Vincent Charles	393317	Capt. Inf	180.00
Bridges, Thomas Austin	347980	2d Lt. Inf	106.25
Brockmann, Arthur	520192	Capt. Q. M. C	71.25
Brown, Fred Parsons	509533	Lt. J. G. Temp. U. S. N	150.00
Brown, Harry Dunlap	906273	Capt. Inf	150.00
Bumps, Chas. Hadley	265315	Capt. Q. M. C	180.00
Burger, Ernest Rudolph	533262	Capt. Inf	195.00
Burr, Ernest R	9253	Ensign U. S. N. R. F	106.25
Butler, David Mathew	266364	1st Lt. Med. Corps	125.00
Butler, Joseph Francis	1003958	2d Lt. Air Serv	106.25
Butler, Patrick William	420211	Capt. Trans. Corps	150.00
Campbell, Paul J	1008742	Ensign, U. S. N. R. F	106.25
Carlson, John Rudolph	83309	1st Lt. Engrs	125.00
Carr, Barton	1004579	Lt. J. G. U. S. N. R. F	125.00
Carroll, Bernard Francis	1009271	1st Lt. Q. M. C	125.00
Casey, James Bernard	307216	2d Lt. Inf	106.25
Cavanaugh, Frank Wm	295214	Maj. F. A	187.50
Charron, Wilbur Arthur	826401	Capt. Dental Corps	150.00
Chase, Porter Belknap	1406709	Lt. Col. Engrs	281.25
Chesbro, Phillip Gordon	484710	1st Lt. 327 Inf	125.00
Choate, Joseph Burnett	239259	Capt. Cavalry	150.00
Cleary, John James	467414	2d Lt. Inf	106.25
Cogan, James Edward	1408611	2d Lt. Air Serv	106.25
Collins, Joseph John	247215	Ensign U. S. N. R. F	106.25
Comerford, Charles Aloysius	532305	2d Lt. C. A	106.25
Comerford, John Thomas	177477	Capt. M. G. Co	150.00
Connelly, John Edward	470372	1st Lt. Med. Corps	Deceased.
Cooper, Edwin Hyland	1007208	Capt. Signal Corps	150.00
Cooper, Frank Cyril	502297	2d Lt. Inf	106.25
Corbin, James Wm	326707	2d Lt. 47th Inf	106.25
Cormerais, Henry D	306850	Capt. Inf	210.00
Crafts, Addison Farwell	1406542	Maj. Sig. Corps	187.50
Crane, Chas. Allen	341383	Ensign U. S. N. R. F	106.25
Cross, Lawrence John	1019513	Ensign U. S. N. R. F	106.25
Cummings, Howard James	252137	2d Lt. Inf. Co. K	116.87
Curley, Clarence Proctor	1017792	Lt. U. S. N. R. F	150.00
Curtin, John Joseph	277455	1st Lt. Aero Sq	125.00
Daly, Arthur John	474210	Lt. U. S. N. R. F	150.00
Damon, John Warren	397790	2d Lt. Engrs	106.25
Dalzell, Arthur Herbert	346935	1st Lt. Tank Corps	125.00
Day, Wallace Clesson	295027	1st Lt. Inf	125.00
Decker, George Spencer	1010617	Lt. (J. G.) U. S. N. R. F	
Dee, Michael Jas	1405057	Capt. Inf	180.00
Dobbins, William Everett	1091439	Lt. Com. U. S. N. R. F	206.25
Dobbs, George Francis	165153	2d Lt. Inf	106.25
Donovan, Frank Leo	1003576	Maj. Inf	250.00
Doten, Max Vincent	258263	2d Lt. Air Serv	106.25
Douglas, Stephen	464039	2d Lt. Inf	116.87
Duane, James Thomas	210494	Capt. 101 Inf	165.00
Dunn, John Henry	1407699	Lt. Col. Inf	281.25
Dwyer, Wm. Joseph	534314	1st Lt. Med. Corps	125.00
Eastman, Harry N	559411	Capt. Inf	195.00
Elkins, Samuel Thomas	1010153	2d Lt. F. A	106.25
Ellinwood, Waldo Sherman	488827	2d Lt. Q. M. C	127.50
Estes, Frederick Anson	239266	Maj. Ord. Dept	206.25
Ewen, Arthur	279613	2d Lt. Inf	106.25
Farrell, Wm. J	1011506	1st Lt. Chaplain Inf	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MASSACHUSETTS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Faulkner, Ralph Lindsay	1009956	Capt. Dental Corps	$150.00
Fay, William Michael	289454	1st Lt. Inf	125.00
Ferns, James Arthur	1019890	Capt. Ord. Dept	150.00
Finnerty, Charles William	304041	1st Lt. Med. Corps	125.00
Fitchett, Seth Marshall	164328	Capt. F. A	165.00
Fitzgibbon, Edward James	340432	1st Lt. Med. Corps	137.50
Flaherty, William Augustine	210547	2d Lt. Inf	106.25
Fleischner, Herbert E	457394	Maj. M. T. C	187.50
Foley, Thomas Francis	1016512	Maj. Inf	243.75
Foote, Alfred Franklin	1405315	Lt. Col. Inspector Gen's Dept	281.25
Fowler, Edward Clinton	1012003	1st Lt. Marine Corps	137.50
Fyfe, Andrew	1009381	1st Lt. A. S. C	125.00
Gallagher, Thos. J	1001200	1st. Lt. Air. Serv	125.00
Gates, Ernest A	276897	Maj. Med. Corps	250.00
Gibbs, Warmoth Thomas	546445	2d Lt. Inf	106.25
Gilbert, Chauncey McLean	506185	1st Lt. Inf	125.00
Gillis, Frederick James	457213	1st Lt. Inf	125.00
Gillis, John A	530903	2d Lt. 23d Inf	116.87
Gillon, Edward F	1005085	1st Lt. Dental Corps	125.00
Ginivan, Robert Andrew	537808	2d Lt. Inf	106.25
Gish, Daniel B	369989	1st Lt. Air Serv	125.00
Glidden, Arthur Boynton	105289	Capt. F. A	165.00
Golden, Thomas Michael	286349	2d Lt. Inf	
Grant, Walter Bernard	326434	2d Lt. 358 Inf	106.25
Gray, Geo. Edward	278834	Capt. Engrs	150.00
Greeley, Julian F	1019705	Ensign U. S. N. R. F	106.25
Greenleaf, Merrill	513511	Lieut. U. S. N. R. F	Deceased.
Griffin, William Henry	1015221	Lieut. U. S. N. R. F	150.00
Grimes, Eustis Bernard	409678	2d Lt. Inf	106.25
Groah, Edward Herbert	296240	1st Lt. U. S. G	162.50
Guilfoil, Thomas Jefferson	1015535	Maj. Dental Corps	187.50
Hagan, Thos. Jos	328896	Maj. Med. Corps	250.00
Hall, Herbert William	279358	Capt. C. A. C	150.00
Hallberg, Carl J	387618	Lt. (J. G.) U. S. N	137.50
Harding, Arthur E	1000804	Lt. Com. U. S. N. R. F	187.50
Harding, Robert Francis	316503	1st Lt. Engrs	125.00
Harrington, Frederick, Jr	134173	2d Lt. Inf	106.25
Hartwell, Herbert Francis	383615	Capt. Inf	165.00
Harwood, Franklin Andrews	28318	1st Lt. Inf	125.00
Hawks, Horace Gilmour	1409762	2d Lt. A. S. S. C	106.25
Healey, Patrick Francis	209592	1st Lt. Inf	150.00
Healy, John James	501999	1st Lt. Inf	137.50
Heftye, William M	570985	1st Lt. A. S	Deceased.
Hepburn, William	293495	1st Lt. Inf	150.00
Hickey, Chas. Field	1014717	2d Lt. Cav	106.25
Hickey, James Francis	1005941	Maj. Inf	187.50
Hickox, Edward Junge	315081	1st Lt. M. G. Co. 16 Inf	137.50
Hobbs, Henry C	569811	1st Lt. Inf	180.00
Hodgkins, Wm. Frederick	756644	Lieut. (J. G.) U. S. N. R. F	125.00
Holmes, Joseph Gardner	538854	1st Lt. M. G. Bn	175.00
Houston, Clarence P	214947	1st Lt. Inf	150.00
Howe, Edward Jenkins	1405686	2d Lt. F. A	106.25
Hoyle, Henry Rufus	1012912	1st Lt. Inf	150.00
Hughes, Joseph Vincent	1407083	2d Lt. Air Serv	106.25
Hunting, Arthur Israel	456053	Capt. Engrs	150.00
Ingraham, Elmer Clarke	212070	2d Lt. A. S. S. R. C	106.25
Ireland, Orville Friend	288226	1st Lt. Inf	125.00
James, William Edgar	1018200	Capt. Bat. E. 51 Art. C. A. A	165.00
Johnson, Philip Ignatius	1406355	1st Lt. Dental Corps	125.00
Jones, Albert Edward Burnett	392239	2d Lt. Inf	106.25
Jones, Daniel A	2298048	2d Lt. Inf	116.87
Jones, Frederick E	498289	Lt. Col. 101 San. Trn	262.50
Jones, Robert L	197157	Capt. Med. Corps	150.00
Jones, William Emmerson	304171	1st Lt. Chaplain	125.00
Keenan, Barry	1017824	1st Lt. Inf	150.00
Keller, Paul	322089	1st Lt. Inf	137.50
Kelley, James R	412299	2d Lt. Inf	116.87
Kelley, Thos. U	477306	Ensign U. S. N. R. F	106.25
Kelly, Eugene Edmund	537807	2d Lt. Q. M. C	106.25
Kennedy, William Edward	240089	2d Lt. C. Inf. O. T. S	116.87
Kennerly, Edgar O	392070	1st Lt. Inf	125.00
Kerr, James	1011361	2d Lt. Inf	138.12
Kivlin, Alfred P	381351	2d Lt. Engrs	106.25
Knauth, Felix W	238202	1st Lt. F. A	125.00
Ladd, Walter Alexander	1408422	Capt. Q. M. C	150.00
Lahey, Jeremiah Joseph	611997	Ensign, U. S. N. R. F	106.25
Lally, Francis H	741507	1st Lt. Med. Corps	125.00
Lally, Michael Joseph	376475	2d Lt. Inf	106.25
Lane, Philip Thomas	1000388	1st Lt. Inf	162.50
Lawson, Henry Geo	554056	Capt. Ord	150.00
Leontine, Gaspare Emanuel	1019195	Maj. Med. Corps	187.50
Lydon, John Joseph	1016916	Capt. Inf	165.00
McAvey, Thomas Leonard	1405842	Lt. Com. U. S. N. R. F	187.50
McCormick, Wm. Aloysius	1015694	Capt. Med. Corps	150.00
McDonnell, Henry G	358870	2d Lt. Inf	106.25
McGay, Walter Howard	1016104	1st Lt. F. A	125.00
McGlone, Joseph Carlton	288505	2d Lt. Inf	106.25
McKenney, Harry	169117	2d Lt. Inf	106.25
McLean, Obadiah R	569279	Lt. (J. G.) U. S. N. R. F	125.00
McNellis, Bernard Joseph	569822	1st Lt. Inf	125.00
McPhail, John Gunn	1410266	Lt. U. S. N. R. F	150.00
MacCarthy, Eugene R	1407740	2d Lt. Q. M. C	106.25
Mack, Charles David Gibson	543069	1st Lt. Med. Corps	125.00
Mahoney, Augustine Francis	498038	2d Lt. Air Serv	106.25
Mahoney, John William	1012257	Capt. Inf	180.00
Maloney, Arthur M	119557	2d Lt. A. S. S. C	106.25
Malonson, James Henry	1013338	Capt. Med. Corps	180.00
Maloon, Ralph Irwin	236880	2d Lt. Inf	116.87
Menard, Henry George	424823	2d Lt. Inf	116.87
Merrill, Henry Mudgett	290722	2d Lt. Inf	106.25
Meserve, Edwin Alonzo	294300	Capt. Med. Corps	150.00
Millward, Arthur Henry	624231	2d Lt. Inf	106.25
Mix, Donald Guernsey	428020	Ensign U. S. N. R. F	106.25
Moulton, Paul Babcock	1409540	Capt. C. W. Serv	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MASSACHUSETTS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Morris, Robert Edmund	286604	2d Lt. Inf	$106.25
Mulhern, Patrick J	1046741	1st Lt. Inf	150.00
Mullaney, Jas. Jos	264423	2d Lt. Inf	106.25
Murphy, Arthur Warren	1405795	Ensign U. S. N. R. F	106.25
Murphy, Thomas Francis	338711	Maj. Inf	225.00
Nabers, Bruce Quigley	487045	Capt. Inf	150.00
Nagel, Frederick Ferdinand	363108	2d Lt. Marine Corps	106.25
Nelson, John Alfred	492901	Ensign U. S. N. R. F	106.25
Neville, Maurice Patrick	1002178	2d Lt. Inf	106.25
Newell, Joseph	1206135	Comdr. U. S. N. R. F	240.62
Newhall, Richard A	234213	2d Lt. Inf	106.25
Nicholls, Melvin H	308145	2d Lt. Inf	116.87
Norton, William Michael	1000377	2d Lt. A. S. M. A	106.25
Noxon, John Franklin, jr	188135	2d Lt. Tr. Corps	106.25
Noyes, Edwin Miles	1405436	2d Lt. Sig. Corps	106.25
Oates, Walter Alex	312346	2d Lt. Air Serv	106.25
O'Brien, Patrick F	380795	1st Lt. Inf	162.50
O'Brien, John	1006178	Lt. U. S. N. R. F	150.00
O'Connell, Fabian Vincent	743126	1st Lt. Chaplain	125.00
O'Connor, Michael Joseph	1009196	Capt. Chap. Inf	165.00
Ogden, Joseph Thomas	1408101	Lt. (J. G.) U. S. N. R. F	125.00
O'Neil, Frank Patrick	295019	Capt. Batt. Hq. Inf	150.00
Orr, Gordon Dickson	1409610	1st Lt. Air Serv	125.00
Packard, Thomas Dudley	1018051	Lt. (J. G.) U. S. N. R. F	125.00
Paglia, Jeremiah James	625682	1st Lt. Med. Corps	125.00
Parker, John Edison	297694	Capt. Inf	210.00
Parlow, Geo. Gibson	1011340	Capt. Med. Corps	150.00
Patrick, Howard	1405639	2d Lt. Air Serv	106.25
Patton, John Reynolds	1405707	Capt. Med. Corps	150.00
Penney, George Samuel	214273	Capt. Inf	210.00
Perry, Harold Clinton	1126230	2d Lt. Inf	106.25
Phillips, Chas. E	1016870	Ensign U. S. N. R. F	106.25
Poole, Walter Bertrand	1005438	Capt. Q. M. C	Deceased.
Pond, William Gilbert	410113	Capt. Inf	210.00
Power, Thos. E	185405	Capt. Med. Corps	150.00
Pratt, George Wyman	758001	2d Lt. Engrs	106.25
Pringle, James Robert	1405614	Ensign U. S. N. R. F	106.25
Putnam, Eben	435549	Capt. Q. M. C	150.00
Ramsay, Wm. Worcester	1010590	Comdr. U. S. N	240.62
Ranlett, Louis Felix	166339	2d Lt. Inf	106.25
Ratigan, Wm. Andrew	1016160	Lt. U. S. N. R. F	172.50
Reardon, Frank Joseph	1405437	Capt. Inf	180.00
Reardon, Timothy James	178053	2d Lt. Inf	106.25
Reddy, Daniel Patrick	168232	2d Lt. Inf	106.25
Reed, George Roland	703880	Ensign U. S. N. R. F	106.25
Reed, Leslie Stevens	1409830	Ensign U. S. N	106.25
Regan, Wm. Francis	449988	Lt. U. S. N. R. F. Med. Dept	150.00
Richardson, Francis Allen	333602	Capt. Med. Corps	150.00
Ricker, Maurice Stanley	419764	1st Lt. Inf	125.00
Riley, Henry Irving	1268317	1st Lt. A. S	
Riley, John J	425625	1st Lt. 101 Inf	125.00
Robinson, Arthur	399408	2d Lt. Inf	106.25
Rose, James Patrick	459744	1st Lt. Inf	137.50
Ryan, Edward Francis	555744	1st Lt. Chap	125.00
Saftel, Harry Raphael	1039127	1st Lt. Inf	125.00
Sanford, Alfred Osro	1018436	2d Lt. Inf	106.25
Sargeant, Lester Fisher	1409318	Capt. Engrs	180.00
Sawhill, John M	434524	1st Lt. Air Serv	125.00
Scarles, Herbert Law	273107	1st Lt. Inf	150.00
Scheller, Louis	388861	1st Lt. Med. Corps	125.00
Schuyler, Philip L	303475	Lt. Col. Inf	281.25
Schwartz, George Harvey	906707	1st Lt. Med. Corps	125.00
Selden, James K	127187	2d Lt. Air Serv	106.25
Shaughnessy, Paul Francis	403550	Capt. Inf	150.00
Shea, Thomas Pancratius	396607	1st Lt. Inf	125.00
Sheehan, Edward Bernard	293991	Capt. Med. Corps Inf	150.00
Sheehy, Edmund Francis	432639	2d Lt. Q. M. C	106.25
Sherry, James Peter	1088054	1st Lt. Chaplain Inf	125.00
Sirois, Edward Devlin	409103	2d Lt. F. A	106.25
Smith, Chas. Warren Henry	255288	1st Lt. 14 Inf	162.50
Smith, Clarendon W	1407000	Ensign U. S. N. R. F	106.25
Spalding, George Edw	523534	2d Lt. Inf	106.25
Spellman, Martin Henry	482565	1st Lt. Med. Corps	125.00
Spencer, Harry Lovering	905853	1st Lt. Engrs	137.50
Stanley, Gilbert	309949	1st Lt. Air Serv	125.00
Stewart, George William	1410414	Lt. U. S. N. R. F	125.00
Stirzaker, Ernest Joseph	1406383	2d Lt. F. A	106.25
Sutton, Daniel Francis	611950	1st Lt. Inf	125.00
Talbot, Robert Adams	1017909	Ensign U. S. N. R. F	106.25
Taylor, Ira Chase	280466	1st Lt. Inf	137.50
Tenney, Gerald E	1022239	Capt. Ord. Dept	150.00
Tidd, John Henry	1406641	Capt. P. M. G. D	195.00
Tierney, Thomas Francis	1013186	Capt. Med. Corps	165.00
Trask, Charles Albert	1000271	Lt. (J. G.) U. S. N. R. F	125.00
Treleaven, William	905781	Capt. Ord. Corps	150.00
Upton, Charles Louis	134794	Capt. Med. Corps	150.00
Ulrich, Francis Paul	609891	2d Lt. Inf	116.87
Vera, Frank Jerry	1006954	Lt. (J. G.) U. S. N. R. F	125.00
Vigeant, Napoleon Joseph	1019341	Ensign U. S. N. R. F	106.25
Walsh, George Walter	1016278	Lt. U. S. N. R. F	150.00
Walsh, James F	439866	1st Lt. Inf	137.50
Warner, George Vernon	380498	2d Lt. Inf	106.25
Warner, Hunt	234038	2d Lt. Inf	106.25
Webster, Edward Everett	1009485	2d Lt. A. S	106.25
Weir, James Duncan	616382	Capt. Inf	210.00
Weise, Leo	427094	1st Lt. Inf	137.50
Welsh, Peter James	1014771	Lt. (J. G.) U. S. N. R. F	125.00
White, Arthur Francis	185324	2d Lt. Inf	106.25
White, Harry Dexter	1038241	1st Lt. Inf	125.00
White, Robert James	1405704	Lt. (Temp.) U. S. N	
Williams, Haskell	18563	1st Lt. Inf	125.00
Wilson, Harvey Wm	176740	2d Lt. Inf	106.25
Windsor, King Olaf	246069	1st Lt. Inf	150.00
Winslow, Edmund John	587978	2d Lt. Sig. Corps	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MICHIGAN

Name	C No.	Rank and organization	Amount of retirement pay
Alexander, John	1029972	1st Lt. Med. Corps	$125.00
Anglemire, Raymond Lee	303259	Capt. Dental Corps	
Ashmun, Louis Henry	1155299	1st Lt. C. W. S	125.00
Ballard, Freeman Almeron	601523	2d Lt. A. S. A	106.25
Barcus, Walter Jas. E	1198130	Capt. Ord. Dept	150.00
Benker, Bernard J	1175595	Maj. Med. Cps	187.50
Bohstedt, William	252439	1st Lt. Inf	150.00
Boldon, Harry	303798	2d Lt. Inf	116.87
Bradley, Kenneth C	1187339	2d Lt. Co. M. 144th Inf	116.87
Brophy, John Wilbur	1390245	2d Lt. F. A	106.25
Brown, Howard	1191100	Capt. Inf	150.00
Brunk, Henry Jerrett	289475	Capt. Dental Corps	150.00
Bullock, Earl Sprague	396157	Major Med. Corps	187.50
Bush, Daniel Tilden	416715	1st Lt. Air Serv	125.00
Carney, James Joseph	537701	2d Lt. Engineers	106.25
Conrick, John Peck	522819	Capt. Engrs	150.00
Cooley, Randall Marvin	522056	Maj. Med. Corps	206.25
Crabbe, Geo. Simmons	238864	Capt. 125th Inf	180.00
Dicken, Hugh W	1173632	Maj. Med. Corps	187.50
Dudley, Ethelburt Leopold	305257	Capt. Inf	165.00
Dumas, Victor Morley	1437528	Major Signal Corps (Aviation Sec.).	250.00
Dunham, William Herbert	619348	Capt. Med. Corps	150.00
Ellis, Luther E	327132	Capt. 102d Inf	150.00
Etu, Walter Joseph	1198924	1st Lt. Q. M. C	125.00
Flick, Fred Sylvester	433004	2d Lt. Inf	106.25
Gambs, Ernest Rudolph	618504	1st Lt. Inf	125.00
Gansser, Augustus Herbert	232462	Lt. Col. Inf	218.75
Gilbert, Ora Bennet	409747	Capt. Q. M. C	195.00
Gilmore, Harry Frederick	288658	Capt. Inf	150.00
Grant, Harold R	583944	1st Lt. Q. M. C	125.00
Hartman, Ernest Valentine	124340	Capt. Inf	150.00
Houser, Frederick Ferris	33030	2d Lt. Inf	106.25
Hulliberger, Milo R	179359	2d Lt. Inf	106.25
Irvin, Harry Clay	367247	Capt. Med. Corps	150.00
Jameson, H. Burton	146189	Ensign U. S. N. R. F	106.25
Johnson, Henry Tegner	1179307	1st Lt. Inf	137.50
Kelly, Harry Francis	90210	2d Lt. Inf	106.25
King, Louis Andrew	1437527	Capt. Med. Corps	150.00
Kirkpatrick, Dixon Heckman	547167	Capt. Inf	150.00
Kowalski, Charles Joseph	1171487	1st Lt. Inf	137.50
Krohn, Albert H	339021	1st Lt. Med. Corps	125.00
Kunze, Lewis William	342850	1st Lt. Signal Corps	137.50
Lahmann, Charles Fred	127134	1st Lt. Inf	162.50
Lamb, Franklin	1202930	1st Lt. Q. M. C	137.50
Leneweaver, Charles Frederick	360948	2d Lt. Inf	106.25
Lewis, Raymond McKinley	1193796	Capt. Air Service	150.00
Loye, Harry August	280030	2d Lt. Inf	106.25
Lyons, Roy T	325393	1st Lt. Inf	125.00
McCullough, Jay Charles	228126	Major Inf	250.00
McIntosh, William Fraser	539875	1st Lt. Inf	125.00
Malejan, Harry M	1441436	Lt. Col. Med. Corps	218.75
Markey, Raymond Alfred	150495	1st Lt. Inf	125.00
Martindale, Edsell Herbert	1204370	1st Lt. Inf	125.00
Millberry, Mark Andrew	463352	Capt. Inf	180.00
Miller, Edwin Evans	205936	Capt. Med. Corps	150.00
Miller, Victor Anson	489380	2d Lt. Inf	116.87
Minier, Edward William	433851	Capt. Inf	150.00
Murphy, Joseph Patrick	187413	2d Lt. Inf	137.50
Nelson, Frank Justin	811362	2d Lt. Air Serv	106.25
O'Brien, Jas. F	558312	2d Lt. Inf	106.25
O'Hora, Bernard Anthony	407237	1st Lt. Med. Corps	125.00
Olli, Geo. Vernon	360641	Capt. Med. Corps	150.00
Oliver, John V	706832	2d Lt. Q. M. C	127.50
O'Neil, John Norman	573280	1st Lt. U. S. G	125.00
Owen, Edward K	136177	1st Lt. Q. M. C. Inf	125.00
Peart, Geo. Wesley	284692	Capt. Med. Corps	150.00
Peck, Ward Harrison	162243	1st Lt. F. A	125.00
Perry, Donald A	447127	1st Lt. Inf	125.00
Phillips, David D	539870	Capt. Inf. Co. C	210.00
Portmess, Robt. Chester	822649	1st Lt. Inf	125.00
Potter, Clark B	360456	1st Lt. Inf	137.50
Pyle, Wynand Van Korlaar	194068	Capt. Med. Corps	150.00
Rainwater, Joseph B	162542	2d Lt. F. A	116.87
Sergeant, Floyd Almer	87928	2d Lt. Inf	106.25
Sobie, Joseph James	427335	2d Lt. Inf	127.50
Spawr, Clarence Valentine	1194149	Lt. Med. Corps (U. S. N. R. F.).	150.00
Steinberger, Otto Charles	185602	Capt. Inf	165.00
Steinhilder, Cloyd W	88154	1st Lt. Inf	125.00
Stirling, Robert Bateman	405240	2d Lt. Q. M. C	106.25
Sullivan, John Lawrence	412641	2d Lt. Inf	106.25
Thacker, Edward Cassy	172041	2d Lt. Inf	106.25
Thompson, Wm. Darius	291955	Capt. Inf	150.00
Tinder, John William	307730	Capt. Med. Corps	150.00
Torrey, William B	87268	Capt. Inf	180.00
Tuck, Raymond George	363968	1st Lt. Med. Corps	125.00
Vis, Edward Wilbur	1202160	Capt. Med. Corps	165.00
Wacker, Benjamin Gottlieb	625726	2d Lt. Inf	106.25
Waters, George	236824	Maj. Med. Corps	187.50
Webb, Hardie Black	482131	2d Lt. U. S. Guards	116.87
Weine, Richard Henry	285296	2d Lt. Inf	106.25
Westrate, Wm	245373	1st Lt. Med. Corps	125.00
Whipple, Charles Joseph	707801	1st Lt. Serv	125.00
White, Harold Kirk	124983	2d Lt. Air Serv	106.25
Whitney, Forest Oscar	1198742	Ensign U. S. N	106.25
Wilson, James McMeekan	232437	Capt. Inf	150.00
Wilson, Merritt Baxter	219709	Capt. Inf. 125th	180.00
Wise, Andrew Boyd	326092	2d Lt. Air Serv	106.25
Woodworth, Gladwyn Anson	293645	2d Lt. San. Corps	106.25
Wright, Royale Alfred	299975	1st Lt. Inf	125.00
Wylie, Ward Lavere	122922	1st Lt. Inf	137.50
Yeager, Harry Gilmer	172428	1st Lt. Q. M. C	125.00
Zacharias, John Anthony	473479	Capt. Inf	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MINNESOTA

Name	C No.	Rank and organization	Amount of retirement pay
Allen, Raymond L	1232869	Capt. A. G. D	$150.00
Anderson, Edward Thomas	479321	Capt. Med. Corps	150.00
*Anderson, James Kerr	566152	1st Lt. Med. Corps	
Andrew, Percy Keefe	1241549	1st Lt. Cav	150.00
Ashby, Bert	677614	1st Lt. U. S. Guards	150.00
Bacon, Harry P	1239977	Capt. Med. Corps	150.00
Balch, Robert Morris, jr	244866	2d Lt. U. S. Marine Corps	106.25
Ball, Charles Riggs	1350096	Capt. Med. Corps	150.00
Barnett, Jos. Henry, jr	440950	Capt. Inf	150.00
Bissonnette, Arthur Thomas	412937	1st Lt. Air Serv	125.00
Bjorneby, Peter Cornelius	1349313	1st Lt. Med. Corps	125.00
Bush, Walter Lewis	561079	1st Lt. Inf	125.00
Chance, Jenner Perry	1347324	Maj. Med. Corps	206.25
Crichton, Preston Leslie	1233638	2d Lt. A Sqd	Deceased.
Caolter, Wm. Douglas	1238240	2d Lt. Inf	116.87
Darling, Walter Henry	322966	Maj. Med. Corps	187.50
Davy, Jesse John	254035	Capt. Engrs	150.00
DeLaine, Charles Edw	255492	2d Lt. Q. M. C	148.75
de Malignon, Francis Edwin	170828	2d Lt. Inf	127.50
Derdiger, Louis Belfair	1238653	Capt. Med. Corps	150.00
Dwyer, Wm. Dalton, Jr	700345	Ensign, U. S. N	106.25
Eckman, Louis Leonard	331268	Capt. Inf	165.00
Ernst, Henry Wm	906573	1st Lt. Dental Corps	125.00
Fiksdal, Mads Johansen	292314	Capt. Med. Corps	150.00
Flanagan, Arthur James	278191	2d Lt. Inf	106.25
Fraine, John Henry	1242648	Col. Inf	312.50
Ganfield, Roy Wm	1249773	1st Lt. Inf	125.00
Gilman, Charles Lewis	480363	Capt. Inf	150.00
Gleason, Wm. Thomas	1242741	2d Lt. S. A. T. C	106.25
Goodman, Allen Laird	329327	1st Lt. F. A. C	125.00
Gounella, Joseph Carl	492224	2d Lt. Inf	106.25
Graham, Fred David	1233671	1st Lt. Inf	150.00
Graham, Wm. Edward	216583	2d Lt. Inf	
Haggerman, Wm. F	161685	Capt. F. A	150.00
Haney, Claude Leonard	1235533	Capt. Med. Corps	150.00
Hanson, Henry Virgil	282325	Capt. Med. Corps	150.00
Hein, Joseph Francis	368429	1st Lt. Inf	Deceased.
Helmick, Alex	1243273	2d Lt. Air Serv	106.25
Hemenway, Wm. Porter	1347417	Capt. Inf	150.00
Hemp, Albert Bushnell	1240227	2d Lt. Inf	106.25
Hill, Ernest Sylvester	332102	1st Lt. Inf	150.00
Hills, Frank Joseph	312398	Capt. Inf	Deceased.
Hockridge, Richard Earl	270059	1st Lt. Inf	125.00
Huick, Harry James	379747	Capt. F. A	165.00
Hunte, August Frederick	1350227	1st Lt. Med. Corps	125.00
Jensen, Joseph Arthur	1270835	1st Lt. U. S. Marine Corps	125.00
Kaldunski, Theodore Anton	210646	2d Lt. F. A	127.50
Keeler, Claude Chas	528515	Capt. Med. Corps	150.00
Keller, Charles Clarence	235948	2d Lt. Inf	106.25
Kelly, Giles O'Connell	392312	1st Lt. Inf	137.50
Kennedy, Arthur Todd	1242033	Capt. Engrs	200.00
Lamb, Harold Ladd	716577	Maj. Med. Corps	225.00
Lindsay, Geo. Elliott	1189767	2d Lt. F. A	106.25
Lindsay, Wm. Vardeman, Dr	1347432	Maj. Med. Corps	187.50
Loughin, Charles Augustus, jr	477757	2d Lt. Inf	106.25
Luce, Erle David	314564	Col. Inf	312.50
Lund, Eli Reuben	480919	1st Lt. Q. M. C	125.00
Lynch, David Mathew	905991	2d Lt. Inf	106.25
McCauley, Philip Joseph	263154	Capt. F. A	165.00
McCrea, Herman Stanley	1232380	2d Lt. Inf	103.25
McDonough, James Paul	387250	1st Lt. Q. M. C	125.00
McKenzie, Cedric F	319872	1st Lt. M. G. Bn	125.00
McLeod, Howard Leigh	1350028	1st Lt. Inf	125.00
McVety, Edwin Robert	1174193	2d Lt. Inf	103.25
Mallon, Geo. H	1234579	Capt. Inf	165.00
Markus, Norbert Williams	191155	2d Lt. Inf	106.25
Marshall, Robert Geo	343870	Capt. Inf	150.00
Metzroth, Carl Frank	603873	1st Lt. Inf	125.00
Mollison, Wm. Theodore	1242952	Col. Inf	312.50
Monnich, Walter A	1350970	1st Lt. Med. Corps	125.00
Morriss, Herbert Alexander	1243788	Maj. Med. Corps	187.50
Moynihan, Andrew F	420026	Capt. Med. Corps	150.00
Mulcahey, Edward Patrick	331939	2d Lt. Air Service	103.25
Nannestad, Jonas Risting	1346257	1st Lt. Med. Corps	125.00
Neilon, John E	1348121	1st Lt. Dental Corps	125.00
Nelson, Edw. Geo	158275	1st Lt. Med. Corps	125.00
O'Boyle, Michael Wm	197071	2d Lt. Inf	103.25
Olson, Reinhardt Gilbert	283016	Capt. Med. Corps	150.00
Olson, Van Cleave Arthur	712882	2d Lt. U. S. M. C. R	103.25
Ormond, Frederick Clarence	558898	Capt. Inf	180.00
Patterson, Albert Love	462714	1st Lt. Inf	125.00
Pederson, Reuben Martin	1242863	Lt. Col. Med. Corps	240.00
Perry, Oliver Shiras	1237643	Lt. Col. Inf	240.62
Peterson, Elmer Otto	268385	1st Lt. Inf	125.00
Peterson, Percy Thomas	690402	2d Lt. Air Serv	106.25
Pirsch, Gregor Benjamin	275617	2d Lt. Inf	103.25
Powell, Herbert Joe	479084	1st Lt. F. A	125.00
Prentice, James Del	1351979	1st Lt. Inf	162.50
Quilling, Milton Alvin	230929	2d Lt. Inf	116.87
Reed, Ray Elmer	453535	2d Lt. Inf	127.50
Robertson, Henry Wm	1348116	2d Lt. Engrs	103.25
Robertson, John Banks	215768	Capt. Med. Corps	150.00
Ronning, Alvin N. H	865674	2d Lt. Inf	106.25
Routhier, Raymond L	1242394	2d Lt. Q. M. C	103.25
Rundlett, Deane Stanley	1230466	2d Lt. Tank Corps	103.25
Ryan, Thomas A	1350945	Capt. Inf	150.00
St. Clair Gordon Griffith	1351625	Capt. Med. Corps	150.00
Safro, Louis Lobe	1243555	2d Lt. Inf	106.25
Sanborn, Courtland Rockwell	266783	1st Lt. M. C	125.00
Sargeant, Howard Lee	1351645	1st Lt. Med. Corps	125.00
Saxton, Robert Henry	489001	1st Lt. Inf	125.00
Scott, Wm	1346662	2d Lt. Engrs	103.25
Scott, Wm. E	462803	1st Lt. Inf	125.00
Scott, Wm. F	352247	1st Lt. Inf	137.50
Sedgley, Frank Robert	1347438	Capt. Med. Corps	$150.00
Simonet, Joseph Sebastian	380054	1st Lt. Inf	125.00
Skinner, Cleveland	1346738	Maj. Inf	243.75
Soper, John Elford	210272	Capt. Med. Corps	150.00
Staley, John Clarence	1350265	Lt. Col. Med. Corps	218.75
Stevens, John	204755	1st Lt. Med. Corps	125.00
Street, Frank Willis	515832	1st Lt. Inf	125.00
Stuart, Edwin Marvin	283341	2d Lt. Cav	116.87
Sullivan, Lester E	679261	2d Lt. Inf	103.25
Swedenburg, Axel W	500098	1st Lt. Med. Corps	125.00
Ten Broeck, Louis Leonard	1233355	Maj. Med. Corps	187.50
Thompson, Charles Elliott	376392	Maj. U. S. Guards	225.00
Thompson, Richard	472603	1st Lt. Inf	125.00
Thornton, Brian Joseph	342137	2d Lt. Inf	103.25
Wahlquist, Harold Ferdinand	1231221	1st Lt. Dental Corps	125.00
Warren, Edward Richard	250899	1st Lt. Engrs	125.00
Wheeler, Merritt Whitacre	1347455	Capt. Med. Corps	150.00
Winter, Clarence Blakeslee	1349187	Maj. Inf	203.25
Wolfangle, Geo. H	1347019	2d Lt. Air Serv	103.25
*Young, Henry Gottfritz	510898	1st Lt. Inf	125.00
Zobel, Carl Julius	1238372	1st Lt. Inf	125.00
SUPPLEMENTAL			
Preston, Paul James	1234362	Capt. Med. Corps	

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MINNESOTA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Armstrong, Joseph Creath	1310383	Capt. Med. Corps	$150.00
Austin, Burnett Dayton	1305909	Capt. Med Corps	Deceased.
Aycock, Wm. J	430512	1st Lt. Med. Corps	125.00
Barkley, Claud Douglas	270452	Capt. Med. Corps	150.00
Barnwell, Frank H	189071	2d Lt. Inf	106.25
Baylis, George Warren	153379	1st Lt. Inf	125.00
Beams, Douglas E	1302777	Capt. Inf	165.00
Blank, Guy Bonnard	305360	2d Lt. Inf	106.25
Buckingham, Henry S	1335244	1st Lt. Engrs	125.00
Burns, Joseph Stratton	34261	1st Lt. Inf	150.00
Calquhoun, Walter Norman	1137226	2d Lt. Inf	106.25
Coker, Perry Ander	243018	1st Lt. 139th Inf	125.00
Crawley, David E	1135821	Capt. F. A	150.00
Daniel, Sam Hardeman	251082	2d Lt. Q. M. C	127.50
Grayson, Thomas Jackson	309874	1st Lt. Inf	125.00
Griffin, Garnett Wm	304081	Capt. Q. M. C	150.00
Green, Curtis Taylor	1309382	Capt. Bty. B. 140 F. A	150.00
Guy, Thomas Jesse	364173	2d Lt. Inf	106.25
Henson, Edw. Newell	470560	1st Lt. F. Art	125.00
Hill, Marion Lawrence	1138839	2d Lt. Inf	106.25
Hinchcliff, John W	424112	Capt. Ord. Dept	150.00
Hossley, Dennis Sylvester	27095	Capt. Inf	Deceased.
Houtz, Bumond Clyde	412178	2d Lt. Inf	106.25
Huggins, Cleveland Paul	1311462	Capt. Inf	150.00
Johnson, John Harvey	462198	Maj. Med. Corps	Deceased.
Kellis, John Howard	1301726	1st Lt. Med. Corps	125.00
Kent, Henry Cowles	1133376	Capt. Med. Corps	150.00
Lofton, Albert C	334994	1st Lt. Med. Corps	125.00
Lotterhos, George	554634	1st Lt. Med. Corps	125.00
McCalmont, John A	1306853	Maj. A. G. D	225.00
McHenry, Wiley E	344023	2d Lt. T. C	138.12
McKinley, Walter Russell	38290	Capt. Med. Corps	150.00
McVey, Eric Alexander	149825	Capt. M. C	150.00
Middleton, Caleb Scattergood	906303	Capt. Med. Corps	150.00
Miller, Francis L	474140	2d Lt. Inf	106.25
Moore, John Sterling	381823	1st Lt. Med. Corps	Deceased.
Moore, William M	334506	Capt. 314th Inf	195.00
Morgan, Lewis R	236946	Capt. 57th Inf	180.00
Murphy, James Bernard	1085233	2d Lt. Inf	106.25
Noel, Henry Leland	32768	Capt. Med. Corps	150.00
Oberschmidt, Leon Peyton	1130909	2d Lt. Inf	106.25
Owens, William Rawls	312616	1st Lt. Inf	125.00
Phyfer, Lamar Fontaine	306707	2d Lt. F. A	106.25
Polk, Phil Russell	1135309	Capt. Med. Corps	150.00
Powell, Henry B	342541	Capt. Med. Corps	150.00
Price, Frank Ray	564574	2d Lt. Engrs	106.25
Riley, Franklin O	216458	Capt. Med. Corps	150.00
Roberts, Curb Ellis	1308193	2d Lt. Inf	106.25
Russell, Presley B	1135782	1st Lt. Med. Corps	125.00
Rye, Burnie Woodfin	1308689	1st Lt. Inf	125.00
Schwam, Walter M	1307734	2d Lt. Inf	106.25
Schwartz, Grover C	1213891	1st Lt. Chap. Corps	125.00
See, Mart	905262	Maj. Cav	243.75
Shamburger, Roland L	23848	2d Lt. Inf	106.25
Walker, Charles B	240815	1st Lt. Med. Corps	125.00
Watson, Henry Willis	299494	2d Lt. A. S. S. C	106.25
Wayman, Herbert L	233819	Capt. Inf	165.00
Williams, Neal M	741606	2d Lt. Inf	106.25
Yates, Riley Barber	498594	Capt. Med. Corps	150.00

MISSISSIPPI

MISSOURI

Name	C No.	Rank and organization	Amount of retirement pay
Albers, Edward August	1438154	1st Lt. Med. Corps	$125.00
Allard, Dean Conrad	170841	2d Lt. F. A	106.25
Allen, Charles Bert	294356	2d Lt. Inf	106.25
Allen, Jacob Wood	146633	1st Lt. Inf	125.00
Amfahr, Will Penn	144488	2d Lt. Inf	106.25
Ashe, Roger	484383	Capt. Q. M. C	150.00
Ball, Logan Marshall	258509	2d Lt. Inf	106.25
Barngrove, James L	317629	Maj. Amm. Tr	206.25
Barr, Robt. W	74125	Maj. F. A	206.25
Bennett, Albert Orville	292846	2d Lt. Engrs	106.25
Boland, Philip Pierre	294370	2d Lt. Tank Corps	106.25





Emergency officers retired with pay by the United States Veterans' Bureau—Continued

MISSOURI—continued

Name	C No.	Rank and organization	Amount of retirement pay
Bolin, Frank Earl	1210974	Capt. Inf.	$150.00
Bradley, Glade Taylor	252963	Capt. Inf.	180.00
Brockmeyer, Edwin John	113345	2d Lt. Engrs.	106.25
Brooks, Louis Joshua, jr	[illegible]	Capt. Inf.	150.00
Broyles, Watkins A	87706	2d Lt. Inf.	106.25
Bruce, John Rufus	[illegible]	1st Lt. Med. Corps	125.00
Burton, Wm. Groves	1221329	1st Lt. Med. Corps	125.00
Cavaness, Ernest Worth	1221454	Capt. Medical Corps	150.00
Chambers, Wilfred Ernest	1085955	Maj. Med. Corps	206.25
Constable, John Ferdinand	276643	Maj. M. G. Bn	243.75
Cook, Scott	[illegible]	1st Lt. Med. Corps	125.00
Cox, Harvey Bernard	[illegible]	1st Lt. Inf.	125.00
Crawford, Harry Struthers	1227726	Capt. Med. Corps	150.00
Crist, Hunter C	3048852	Capt. Inf.	150.00
Cushing, John Branch	341428	1st Lt. Inf.	125.00
Davis, Charles Ludvey	253279	Capt. Med. Corps	150.00
Divine, Duke Girdner	177002	1st Lt. Med. Corps	125.00
Doggett, Sylvester	1216314	1st Lt. Med. Corps	125.00
Donaldson, Clyde Owen	1224514	Capt. Med. Corps	150.00
Edens, Louis Martin	703032	1st Lt. Med. Corps	125.00
Esserman, Eli Losos	179806	2d Lt. Q. M. C.	106.25
Fisher, Neville Charles	421754	Capt. Inf.	150.00
Foster, Forest Field	221478	1st Lt. Med. Corps	125.00
Frame, Geo. David	424825	2d Lt. Inf.	106.25
Gardner, Geo. Weedon	257912	1st Lt. Inf.	125.00
Gibson, Wm. Clement	1134669	1st Lt. Med. Corps	125.00
Gilbert, Frank	1090737	1st Lt. Inf.	187.50
Glenn, Jos. Earl	505144	1st Lt. Med. Corps	125.00
Goessling, Augustus Michael	303862	1st Lt. Inf.	125.00
Goldman, Jay Maurice	1329433	1st Lt. Q. M. C.	125.00
Grey, Wm. Andrew	905526	Maj. Q. M. C.	111.25
Hallar, Forrest	521595	1st Lt. Vet. Corps	125.00
Hamm, Geo. W	354058	1st Lt. Inf.	125.00
Heiple, Edward Eli	353032	1st Lt. Med. Corps	125.00
Heithaus, Joseph John	315043	1st Lt. Dental Corps	125.00
Henderson, James Alexander	293892	2d Lt. Inf.	106.25
Hendrick, Thos. F	246457	Capt. Inf.	210.00
Henske, Godfrey Wm	378083	1st Lt. Dental Corps	125.00
Higbee, Matt Lyman	1150049	Maj. Inf.	250.00
Hinckley, Fred Fuller	308424	2d Lt. Inf.	126.25
Hodge, Russell Lowe	1221095	Capt. Med. Corps	150.00
Hogan, Wm. Geo	122046	1st Lt. Med. Corps	125.00
Hughston, Jas. Buchanan	1205598	2d Lt. Q. M. C.	116.87
Hume, John Robert	258760	Capt. Med. Corps	150.00
Imes, Terrance Wm.	278290	2d Lt. Aero Sqd.	106.25
Jaco, Estill Luther	1153601	Maj. Engrs.	187.50
Johnson, Archie Nelson	391083	Maj. Med. Corps	206.25
Johnson, Walter Thos. Franklin	622190	2d Lt. Inf.	127.50
Johnston, Wm. Wylie	277886	Maj. Med. Corps	206.25
Jordan, Irn Wesley	171650	2d Lt. C. A. C.	106.25
Keath, Howard B	174894	2d Lt. Inf.	106.25
Keith, Alonzo Fred., jr	1430345	Capt. F. A.	150.00
Kelley, Ralph Rackett	905646	1st Lt. Med. Corps	125.00
Kelly, Joseph Patrick	1228862	Capt. Q. M. C.	
Kimberlin, Joseph Wesley	1228180	Capt. Med. Corps	150.00
King, Joseph Evan	476820	1st Lt. Vet. Corps	125.00
King, Wm. G	376390	2d Lt. Air Ser. Sqdn.	106.25
Kinsella, James Aloysius	1225481	Capt. Inf.	150.00
Knechtel, Edward Alfred, jr	347185	2d Lt. Trans. Corps	106.25
Kring, Elbert Victor	324386	1st Lt. Med. Corps	Deceased.
Lederman, Harold Plant	1229385	2d Lt. Inf.	106.25
Lee, Elbert Johnson, jr	1050033	Capt. Med. Corps	150.00
Levey, Simon A	[illegible]	Capt. Med. Corps	150.00
Lewis, Henry Clay, jr	412458	2d Lt. Inf.	106.25
Locker, Geo. Everett	[illegible]	Capt. Med. Corps	150.00
Love, Frank Wellington	482978	Capt. Inf.	195.00
Lynch, John Joseph	399595	1st Lt. Inf.	137.50
McCarty, Wm. H	[illegible]	2d Lt. Inf.	106.25
McCullough, Robt. H	237638	Capt. Engrs.	150.00
McGuinis, Elzie Virgil	246096	1st Lt. Inf.	125.00
McGuire, Bernard F	905191	Capt. Q. M. C.	195.00
McGuire, Clarence Archibald	248552	Maj. Med. Corps	187.50
McGuire, John Thos	310793	1st Lt. Inf.	125.00
McKee, Joseph Wallace	1221419	1st Lt. Med. Corps	125.00
McKinney, John V	306187	Capt. F. A.	150.00
McKinney, Joseph Lee	1222483	Capt. F. A.	180.00
McQueen, Joe Welch	[illegible]	Capt. Inf.	150.00
McWilliams, Wm. H	1210673	Capt. Q. M. C.	180.00
Machlin, Lurin Patrick	432421	1st Lt. Med. Corps	125.00
Malley, John A	1217465	1st Lt. Med. Corps	125.00
Maynard, Frank	1012747	2d Lt.	
Meier, Gunther	[illegible]	Capt. Inf.	210.00
Meyers, Montague Milton	345097	1st Lt. Med. Corps	125.00
Miller, Clarence L	309589	1st Lt. Inf.	125.00
Moore, Richard, jr	1225715	Capt. F. A.	150.00
Narrley, Geo. Raymond	[illegible]	1st Lt. Med. Corps	125.00
Naslund, Elmer	[illegible]	2d Lt. M. T. C.	106.25
Nathan, Winfrey Gatewood	315193	1st Lt. Inf.	125.00
Nelson, Wm. Lawrence	199565	Capt. Med. Corps	150.00
Nettle, Harry	15782	2d Lt. Inf.	106.25
Nieweg, Geo. Alfred	1504251	1st Lt. Med. Corps	125.00
Owens, Roy J	1215806	1st Lt. Med. Corps	125.00
Peatross, James Linwood	625082	Lt. Col. Inf.	218.75
Peistrup, Edward Casper	294702	1st Lt. Inf.	125.00
Perry, John Morris	364018	Capt. Med. Corps	150.00
Petty, Wallace Sidney	382508	Capt. Med. Corps	150.00
Pierce, Walter	255239	1st Lt. Inf.	137.50
Platter, Abram Edson	362755	1st Lt. Med. Corps	125.00
Poindexter, Francis	99805	2d Lt. Air Service	106.25
Postlethwaite, Frank McC	318554	1st Lt. Med. Corps	125.00
Rauschkolb, Geo. Henry W	113232	Capt. Inf.	165.00
Ray, Carl L	1114735	Capt. Inf.	150.00
Ray, Norman Paul	552009	1st Lt. Inf.	125.00
Richards, Thos. Carter	121884	Capt. Med. Corps	150.00
Robinson, Edward Everette	379213	1st Lt.	$125.00
Sale, Irwin	1225362	2d Lt. Q. M. C.	106.25
Sanders, Wm. P	1229155	Capt. Inf.	165.00
Schumacher, Clark Peter	577742	1st Lt. Inf.	137.50
Schuster, Geo. Arthur Robt	156828	2d Lt. Inf.	106.25
Scott, Harry Alexander	313537	1st Lt. Med. Corps	125.00
Scrafton, Wallace Todd	509147	1st Lt. Inf.	137.50
Sharp, Wm. L	539347	Capt. Med. Corps	165.00
Skinker, Thomas Julian	282529	1st Lt. Engrs.	125.00
Slaughter, Stephen O	547344	1st Lt. Inf.	125.00
Smith, Thomas Berchmans	1228950	Lt. (J. G.) U. S. N. R. F.	Deceased.
Smith, Wm. Irving	1218562	Capt. Med. Corps	150.00
Stack, Aloysius Justin	1225460	1st Lt. Inf.	125.00
Stansbury, Otis P	309786	2d Lt. Inf.	116.87
Stevens, Robert Charles	1227649	1st Lt. Inf.	116.87
Stookey, Paul Forrey	1224136	1st Lt. Med. Corps	125.00
Stout, Francis R	151088	2d Lt. Inf.	106.25
Stumberg, Bernhardt Kurt	13233	Capt. Med. Corps	150.00
Taylor, Norman Bates	604115	Capt. Inf.	150.00
Terrall, Ralph Eliot	221115	1st Lt. M. G. Bn.	125.00
Thompson, Wm. Givens	209643	1st Lt. Med. Corps	125.00
Titterington, Richard M	291347	1st Lt. Inf.	125.00
Tittman, Eugene Charles	217499	1st Lt. Inf.	125.00
Tureck, John Charles	905386	Capt. Signal Corps	71.25
Vessells, Francis Meredith	501236	Maj. Med. Corps	187.50
Waldron, Jay Clark	1213305	Ensign U. S. N. R. F.	106.25
Warren, Henri Laurens	475245	1st Lt. F. A.	125.00
Westphal, Frederick August	182326	2d Lt. F. A.	106.25
Williams, Douglas K	1213869	2d Lt. Vet. Corps	106.25
Wilson, Verne Reynolds	263799	1st Lt. Inf.	125.00
Wornall, Francis	416774	2d Lt. Inf.	106.25
Young, Clare Franklin	548822	1st Lt. F. A.	125.00

MONTANA

Akerley, Arthur Wm. K	1221614	Capt. Med. Corps	Deceased.
Bivens, Horace Waymon	287890	Capt. Inf.	$210.00
Britell, Oley Alphonso	347350	Capt. Med. Corps	150.00
Cowley, Stephen James	1348569	Maj. Judge Adv. Corps	187.50
Flachsenhar, Walter R	433449	2d Lt. Air Serv	106.25
Foot, Paul C	561807	2d Lt. Inf.	150.00
Hoskyn, Wilber John	196562	1st Lt. Ord. Dept	125.00
James, Arthur D	1255732	Ensign U. S. N. R. F.	106.25
Johnson, Harry M	1350886	Capt. Ord.	150.00
Johnson, Howard A	402607	2d Lt. Air Serv	106.25
Josephson, Joseph Theodore	1235723	1st Lt. Signal Corps	125.00
Lamey, Arthur Francis	1345628	1st Lt. U. S. M. C.	125.00
McDaniel, Winfred P	317059	Capt. Dent. Corps	150.00
Mallon, Peter Sandford	1352247	Capt. Med. Corps	150.00
Mortell, Frank Clyde	390744	2d Lt. M. T. C.	106.25
Murphy, James Clement	303742	2d Lt. Inf.	106.25
Near, Harold Keith	298893	2d Lt. A. S. A.	106.25
Newlove, John Wesley	340375	1st Lt. Med. Corps	125.00
Owen, George B	239516	Maj. Med. Corps	Deceased.
Patterson, Edward Lawrence	609776	Capt. Med. Corps	150.00
Perry, Owen H	212209	1st Lt. 307th Inf. 152d D. B.	125.00
Pippy, William	1351650	Capt. Inf.	195.00
Rader, Ralph Dennis	1352137	Maj. Engrs.	187.50
Sharp, Louis Phillip	264010	2d Lt. Vet. Corps	106.25
Sheridan, Chas. L	328532	Maj. 49th Inf.	225.00
Sickenger, Clifford	1238436	2d Lt. Inf.	106.25
Smith, Charles James	412260	Capt. Inf.	150.00
Smith, Robert P	1283805	Maj. Med. Corps	187.50
Smith, Will R	1347094	1st Lt. Med. Corps	125.00
Southmayd, LeRoy	1351489	Maj. Med. Reserve Corps	187.50
Taylor, Verne Lee	1284010	2d Lt. Inf.	106.25
Valentine, Charles Philip	1346485	2d Lt. Inf.	106.25

SUPPLEMENTAL

Fulkerson, Clarence Dale	286246	Capt. Med. Corps	150.00

NEBRASKA

Anderson, Ralph Earl	594574	2d Lt. Air Service	$106.25
Brown, Gilbert Silas	1215291	Capt. Q. M. C.	150.00
Cretsinger, Clyde Franklin	1223985	2d Lt. Air Serv	106.25
Gildersleeve, Harry Dale	1213647	2d Lt. F. A.	106.25
Haynie, Otis William	499919	Capt. Inf.	
Hlavs, Adolf Virgil	506281	2d Lt. Engrs.	106.25
Hupp, Allen Thurman	313458	Capt. Inf.	180.00
Joannis, George F	443699	1st Lt. Chaplain	125.00
Johnston, George Washington	1229273	Capt. Q. M. C.	150.00
Kline, Orval Lee	1225752	2d Lt. Inf.	116.87
Kokjer, Thomas Edgar	703294	2d Lt. Air Serv	131.25
Limburg, John I	109024	1st Lt. Med. Corps	125.00
Linquist, Arthur Lawrence	201577	Capt. Med. Corps	150.00
Major, Frank, jr	497649	1st Lt. U. S. A.	125.00
Munger, Irvia Clarence	1207702	1st Lt. Med. Corps	125.00
Racely, George Andrew	1217937	Capt. Inf & 127th F. A.	150.00
Range, Wilber Newberry	490855	Capt. F. A.	195.00
Ritchie, Wm., jr	135614	Capt. Inf.	150.00
Sellery, Alfred John	441670	2d Lt. Marine Corps	106.25
Vassell, Fred W	156751	1st Lt. 127 Inf.	125.00
Webster, Calvin	295555	2d Lt. F. A.	106.25
Yoder, Charles Albert	264164	Capt. Med. Corps	150.00
Young, Harry R	287386	2d Lt. Co. 167 Inf.	116.87

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEVADA

Name	C No.	Rank and organization	Amount of retirement pay
Aldrich, Alexander Hamilton	341381	Capt. U. S. Guards	$165.00
Hezzelwood, Geo. W	123252	2d Lt. Inf	106.25
Hunter, William Gordon	287245	Capt. Med. Corps	150.00
Martin, Thomas Johnson	1292590	1st Lt. Inf	125.00
Rains, Hugh Eugene	1264690	2d Lt. F. A	106.25
Shawe, Hamilton Bruce	294654	1st Lt. F. A	137.50
Smith, Thos. Arthur	215351	2d Lt. Inf	106.25
Whiting, Louis Wine	330921	Capt. Engrs	150.00

NEW HAMPSHIRE

Bailor, Edwin Maurice	1089966	2d Lt. Sanitary Corps	$106.25
Brokenshire, John Roy	480446	Ensign U. S. N. (Temporary).	106.25
Caddell, George W	655120	Ensign U. S. N. R. F	106.25
Casey, Patrick Aloysius	16170	Capt. Inf	180.00
Coulter, Arden Frank	1018060	Capt. Inf	150.00
Deming, Reginald Currier	1019062	2d Lt. Q. M. C	106.25
Estabrook, Clarence Ware	368073	Lt. (Jr. G.) U. S. N. R. F	125.00
Fuller, Enoch Doble	1018619	2d Lt. Air Service	106.25
Gallishaw, John	109030	2d Lt. Inf	106.25
Hay, John Russell	311312	Capt. M. G. Co. Inf	150.00
Holland, John Patrick	615590	Lt. (J. G.) U. S. N	125.00
Hultzen, Lee Sisson	444567	1st Lt. 311th Inf	137.50
Kennard, Reginald Parry	1016633	Capt. Inf	150.00
Knowlton, John G. W	176993	Maj. Med. Corps	187.50
Lee, Joseph Patrick	1013398	Capt. Inf	165.00
Main, Matthew Wm	517595	1st Lt. Inf	150.00
McClure, jr., Samuel	1391292	Capt. Ord. Dept	150.00
McKay, Arthur James	289816	2d Lt. 28th Inf., Co. K	106.25
Quirk, Thos. Joseph	343025	1st Lt. Inf	150.00
Rollins, Lyman	212137	1st Lt. Chaplain	125.00
Sayers, Wm. Joseph	497391	Capt. Inf	180.00
Shook, Harry Franklin	428918	1st Lt. Chaplain 109 Engrs	125.00
Togus, Leopold Theodore	247588	Capt. Med. Corps	150.00
Wing, Persons Walton	539819	Capt. F. A	150.00

NEW JERSEY

Aikens, John Joseph	331387	Capt. Q. M. C. Trans. Corps.	$150.00
Alberto, Joseph	530182	2d Lt. M. T. C	127.50
Apgar, George Leland	419422	1st Lt. Inf	162.50
Atwater, Benj. Leonard	438274	1st Lt. Air Serv	137.50
Baird, Thompson McDonald	1033253	Maj. Med. Corps	187.50
Baker, Franklin H	905514	Maj. Q. M. C	187.50
Bassin, John Nicholas	1027103	Lt. (J. G.) Med. Res. Corps. U. S. N.	Deceased.
Bateman, Sidney E	765615	Capt. Med. Corps	150.00
Becks, Edward	1042257	1st Lt. Q. M. C	125.00
Beers, Wm. Leroy	1045469	Lt. U. S. N. R. F	150.00
Beery, Otto Russell	174673	2d Lt. 26 Inf	106.25
Bohn, Chas. Rinehardt	210088	Capt. Inf	195.00
Bonnell, Harry Morton	220785	2d Lt. Air Serv	106.25
Brock, Arthur E	1049101	Lt. U. S. N	165.00
Bryant, Donald Reid	192588	2d Lt. Sig. Corps	106.25
Buffington, Malcolm R	178768	2d Lt. Ord. C	106.25
Caccavajo, Joseph	1028949	Maj. Engrs	187.50
Campbell, Horace Sydney	153931	1st Lt. Pioneer Inf	137.50
Carter, John Francis J	298907	Ensign U. S. N. R. F	106.25
Chambliss, William Henry	1050878	Lt. U. S. N. R. F	165.00
Childers, Robert Jefferson	1056864	Capt. Med. Corps	150.00
Clark, Wm. A	1050429	Maj. Med. Corps	187.50
Condon, Wm. Joseph	400967	Capt Med. Corps	165.00
Conlin, Alan Bruce	298546	2d Lt. Inf	106.25
Conlogue, John Augustine	296850	2d Lt. A. S	106.25
Conover, Alfred P	26446	1st Lt. Inf	175.00
Corning, Benjamin Harry	1063101	Lt. (J. G.) U. S. N	125.00
Costello, Michael	403554	Capt. Med. Corps	150.00
Crans, Joseph Morris	1048920	2d Lt. Inf	106.25
Crocheron, Hal Hamilton	415740	2d In. Inf	106.25
Crosby, Gaston E	346014	2d Lt. Inf	116.87
Dam, Andrew Colton	319201	Lt. U. S. N. R. F	165.00
Daniel, Richard C	598506	Capt. Q. M. C	150.00
Day, Benjamin Franklin	243173	Capt. Eng	150.00
DeLong, Oscar Anderson	1047952	Capt. Sig. Corps	150.00
Dempsey, Walter A	504680	Maj. Q. M. C	187.50
Dennett, Harold O	321563	1st Lt. P. M. G. D	137.50
Desmond, Charles	1062926	Lt. Com. U. S. N. R. F	187.50
Doyle, Wm. A	398116	Capt. Inf	195.00
Eager, Daniel Joseph	265237	1st Lt. Dental Corps	125.00
Ellis, Albert H	60466	Capt. Q. M. C	150.00
Endler, Joseph Charles	1024980	Capt. Air Serv	
Filer, Burrit Boynton	905443	1st Lt. Dental Corps	
Fischer, Adolph Karl	341187	2d Lt. Inf	106.25
Fryer, Loren Milliken	1028530	Capt. Q. M. C	150.00
Gaw, Scott Neill	1378730	1st Lieut. Q. M. C	125.00
Gerard, Fred Lewis	905639	1st Lt. Inf	125.00
Gracy, Leonard Rider	385382	Maj. Inf	187.50
Hacker, Homer Haynes	270416	Capt. Q. M. C	150.00
Hackett, James M	1043190	Capt. Med. Corps	150.00
Hagerty, Edwin Dillon	657653	Maj. Trans. Corps	187.50
Haines, Wm. Henry	1057336	Capt. Med. Corps	150.00
Harley, Halvor Larson	384561	Capt. Med. Corps U. S. A	150.00
Harris, Richard Francis	313429	1st Lt. Air Serv	137.50
Haste, Joseph P	365905	2d Lt. Ord. Dept	106.25
Hauser, Simeon Floyd	293503	2d Lt. Engrs	106.25
Heller, Henry, jr	215222	1st Lt. Inf	125.00
Higgins, Lucius Cornelius	905222	Capt. C. A. C	165.00
Huff, Scott Miller	906090	Capt. Med. Corps	180.00
Jersek, Walter	305304	2d Lt. Q. M. C	127.50
Josephson, Maurice	530955	1st Lt. Q. M. C	125.00
Kane, Francis Leo	118206	Capt. Inf	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEW JERSEY—continued

Name	C No.	Rank and organization	Amount of retirement pay
Kearns, John Ralph	514346	1st Lt. Air Serv	$125.00
Kemman, Hugo August	520193	2d Lt. Engrs	106.25
Kloidt, Ferdinand Herman	266610	1st Lt. Q. M. C	125.00
Knight, Isaac Warner	905920	Capt. Med. Corps	150.00
Kulp, Samuel Chestnut	905761	1st Lt. Inf	137.50
Laux, Thomas Campbell	378349	2d Lt. Inf	106.25
Legg, Henry Frederick	223874	1st Lt. Inf	125.00
LeHardy, Frank Miller	1306315	2d Lt. Air Serv	106.25
Loomis, Stanley Drake	286573	1st Lt. Co. I Inf	137.50
Lowe, John Edward	412887	2d Lt. Q. M. C	106.25
Luckemeier, Wm	240153	Capt. Q. M. C	150.00
Lundblad, Walter Edward	232725	Capt. Med. Corps	150.00
McCluskey, Edward Patrick	298323	1st Lt. Q. M. C	137.50
McIntyre, Howard Hope	509416	2d Lt. Vet. Corps	106.25
McKelway, Geo. I	475910	Maj. Med. Corps	187.50
McNally, Robert Cusack	1052448	1st Lt. Inf	150.00
MacDuffie, Robert Nichol	332591	1st Lt. Med. Corps	125.00
MacLeod, Everett Herbert	457060	1st Lt. Air Serv	125.00
MacMurrough, Francis Kean	108432	Capt. Med. Corps	150.00
Mahan, Leonard D	616561	1st Lt. Air Serv	137.50
Marion, Vincent Stanley	1084766	1st Lt. Ord. Corps	125.00
Meddaugh, Samuel Addison	1057869	Capt. Engrs	150.00
Middleton, Ulysses	117828	1st Lt. Inf	150.00
Miller, Haydock Harvey	402789	1st Lt. Inf	137.50
Miller, Louis Lesser	377959	1st Lt. Sig. Corps	125.00
Miller, Warren James	301481	2d Lt. Inf	106.25
Mitchell, Phill C	1038936	Lt. U. S. N. R. F	Deceased.
Morrow, David Warman	1379065	1st Lt. M. G. Bn	125.00
Muehlberg, Clarence Elmer	334794	2d Lt. C. A. C	
Mueller, Edw. C	203364	1st Lt. Inf	125.00
Mulrean, Leo James	267589	2d Lt. Inf	106.25
Muzzy, Chas. A	519358	Capt. Chem. Warfare Serv	150.00
Myers, William Edward	179503	2d Lt. Inf	106.25
Naismith, Robert	348384	1st Lt. Q. M. C	125.00
O'Toole, James Anton	571751	2d Lt. Air Serv	116.87
Paletz, Harry Julius	316160	1st Lt. Engrs	125.00
Pannaci, Charles Emanual	326115	Capt. Med. Corps	150.00
Perlberg, Harry James	261324	1st Lt. Med. Corps	125.00
Pierce, Matthew Alexander	252148	1st Lt. Vet. Corps	125.00
Pullis, Stephen Fowler	313802	Capt. Inf	165.00
Ralph, Kendrick James	289400	1st Lt. Engrs	125.00
Reddan, Martin William	218469	Maj. Med. Corps	187.50
Reddan, William Joseph	430002	Capt. Inf	180.00
Redfield, John J	563302	1st Lt. Air Serv	125.00
Remsen, John Leon	288961	Capt. Dental Corps	150.00
Riecke, Henry August	315633	Capt Inf	150.00
Rogers, William Norwood	239691	Capt. Med. Corps	150.00
Ryan, Jas. Francis	492397	1st Lt. Q. M. C	125.00
Schlecht, Wm. Martin	607508	2d Lt. Engrs	106.25
Schumacher, John F	352132	1st Lt. Q. M. C	125.00
Seibert, Raymond Smith	177221	Capt. Med. Corps	150.00
Shanahan, Francis Joseph	583167	2d Lt. Inf	106.25
Smith, Edw. Percy	390553	2d Lt. Inf	106.25
Steinmetz, Geo. H	1051216	Ensign U. S. N. R. F	106.25
Stern, Kenneth Gibson	1052094	1st Lt. Ord	125.00
Sutphin, William Halstead	380066	Capt. Air Serv	150.00
Sutton, Sherwood	239666	2d Lt. A. S	106.25
Thornburg, John A	306014	Capt. Inf	180.00
Truscott, Dale	539025	2d Lt. A. S	106.25
Van Buren, Henry Mandell	1045542	2d Lt. A. S. M. A	106.25
Van Mason, Chas. Emmitt	1166013	2d Lt. Marine Corps	106.25
Varley, Herbert P	333905	2d Lt. M. G. Co. Inf	106.25
Walters, John Cuthbert	477931	1st Lt. Inf	137.50
Watkins, Walter Edw., jr	1043845	2d Lt. Sig. Corps	106.25
Wenk, John Frederick	225011	2d Lt. C. A. C	106.25
Wessen, Major Frederick	496441	1st Lt. F. A	125.00
Wild, Chas. Andrew	293633	Capt. M. G. Bn	195.00
Williams, Chester Arthur	350034	Capt. Inf	180.00
Williams, Roberts	291352	1st Lt. Chap. (A)	125.00
Wilson, Gill Robb	535959	1st Lt. A. S. A	125.00
Wise, John Bernard	521852	1st Lt. F. A	150.00

NEW MEXICO

Allan, Hugh Walden	1256608	1st Lt. Med. Corps	$125.00
Andresen, Ezra	845201	2d Lt. Engrs	106.25
Angle, George Keyser	1257927	Capt. Med. Corps	150.00
Atherton, Alney L	257551	1st Lt. Inf	150.00
Atkins, Clyde Carson	211574	1st Lt. Medical Corps	125.00
Bennett, Walter Fanle	1415593	2d Lt. F. A	Deceased.
Bouldin, John Watson	1298176	2d Lt. Air Serv	106.25
Bujac, Etienne DePelissier	7790	Maj. Inf	243.75
Fulson, Glenn Allen	419236	Capt. Med. Corps	Deceased.
Cochrane, Walter Clifton	485784	1st Lt. Inf	125.00
Cohen, Melvin M	627283	2d Lt. Engrs	106.25
Cummings, Lester Alexander	1185492	1st Lt. Dental Corps	125.00
Cunningham, Peter Richard	326355	2d Lt. 338th Inf. Co. C	116.87
Douthirt, Cranford Haywood	276866	Capt. Med. Corps	150.00
Drewry, Walter	223223	Lt. (J. G.) U. S. N. R. F	125.00
Duffin, James Vincent	1376989	Ensign, U. S. N. R. F	106.25
Elfe, Harold Burney	340141	1st Lt. Sig. Corps	Deceased.
Everall, Ben Chester	1224658	Maj. Med. Corps	206.25
Farrar, Russell Johnson	1280095	2d Lt. Engrs	Deceased.
Gatling, Henry G	467923	2d Lt. C. A. C	106.25
Guild, Jas. Russell	583679	1st Lt. Inf	125.00
Harley, Wilbur Herbert	1288233	2d Lt. Air Serv	106.25
Herring, Finis Allen	610497	2d Lt. Inf	106.25
Herring, Harry T	599958	Lt. Col. Ord. Dept	262.50
Herron, Russell Gardner	537571	Ensign (T.) U. S. N	106.25
Ingalls, Henry Allison	328278	Lt. Col. Med. Corps	240.62
Johnson, Allison G	1253288	1st Lt. Inf	137.50
Johnston, Lewis Stewart	1287790	Capt. Med. Corps	150.00
Kinsinger, John Wesley	1392205	Capt. Med. Corps	150.00
Lembke, Charles Henry	85901	1st Lt. Inf	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEW MEXICO—continued

Name	C No.	Rank and organization	Amount of retirement pay
Lutz, Chas. Henry	276785	2d Lt. 127 Inf	$106.25
McAloney, Lorne Gilmore	316580	Capt. Dental Corps	150.00
McHughes, James Herbert	1251628	1st Lt. Inf	150.00
McCullough, William Henry	1250204	1st Lt. Air Service	137.50
Marchman, Cicero Cornelius	1426839	1st Lt. Inf	125.00
Matthews, William Clarence	1254376	1st Lt. Med. Corps	125.00
Miller, Pierre A	330013	2d Lt. Inf	Deceased.
Patton, Frank Henry	589914	1st Lt. Inf	125.00
Powell, William Humphreys, jr	1252810	1st Lt. F. A	125.00
Primrose, Joseph Harry	1267462	1st Lt. Inf	137.50
Reed, Carl Oliver	1246431	Capt. Med. Corps	150.00
Roberts, William Joe	548268	Capt. Med. Corps	150.00
Sanford, John Holibaugh	505352	Capt. Q. M. C	150.00
Shelton, Deane Orton	374842	1st Lt. Inf	175.00
Sisk, Arthur Henry	1253457	Capt. Inf	150.00
Spotts, Milton Arthur	1263663	Lt. U. S. N. R. F	150.00
Starts, Oscar Francis	1254334	Lt. (J. G.) U. S. N. R. F	125.00
Stevenson, Philip Edward	344667	Ensign, U. S. N. R. F	106.25
Sumner, Gordon	471492	1st Lt. Engrs	125.00
Turner, Elmer Page	1193340	2d Lt. Inf	106.25
Valentine, Leon Clare	224960	2d Lt. Inf	106.25
Vogt, Alfred Herbert	190482	1st Lt. Med. Corps	
West, William Edward	279795	2d Lt. Inf	106.25
Westhafer, Edison Keri	427241	Maj. Med. Corps	225.00
Woolford, Austin W	208028	2d Lt. 307 Inf	106.25
Woolston, William Henry	1177592	1st Lt. Med. Corps	125.00

NEW YORK

Adae, Charles Flamen	492145	Ensign U. S. N. R. F	$106.25
Adams, Purser Elder	339707	2d Lt. Inf	106.25
Adsit, Henry	196770	Capt. 107 Inf	165.00
Allen, Alfred D	312045	2d Lt. Inf	106.25
Allen, Charles Sedam	182529	1st Lt. Engrs	125.00
Allen, George Smith	14536	Capt. Med. Corps	150.00
Allen, Ira A	905295	Maj. Med. Corps	187.50
Ammermann, John	1052767	1st Lt. Trans. Corps	125.00
Andrews, Thomas Carr	1049810	1st Lt. Inf	Deceased.
Anson, Joseph	1044657	Lt. (J. G.) U. S. N. R. F	125.00
Archer, James Joseph	289408	Capt. Inf	150.00
Armstrong, William	371905	2d Lt. U. S. Guards	138.12
Ashe, George	109853	1st Lt. 144th Inf	125.00
Aten, Everett Maxwell	1099817	Capt. Motor Trans. Corps	150.00
Austin, James Allen	407698	1st Lt. Vet. Corps	125.00
Babcock, Harry A	313967	2d Lt. Air Serv	106.25
Bailey, George Thomas	149183	2d Lt. Sig. Corps	106.25
Ballman, Jacob Storch	169832	Capt. Inf	195.00
Barker, James Joseph	1033787	2d Lt. Inf. U. S. A	106.25
Barnum, Frederic Lee	238785	1st Lt. Med. Corps	125.00
Battin, John Askins	239480	Maj. Med. Corps	187.50
Beare, Clifford Livingston	585641	Maj. Q. M. C	187.50
Bence, Matthew Francis	189879	2d Lt. Inf	127.50
Benson, Chas. E	433531	1st Lt. San. Corps	125.00
Bentley, Charles Raymond	1046223	Capt. Inf	150.00
Bermingham, Franklin Andrews	477984	2d Lt. C. A. C	106.25
Bernhard, James Michael	318294	1st Lt. Med. Corps	125.00
Block, Edgar N	223426	Capt. 309th Inf	150.00
Boag, Jos. J	309021	1st Lt. Inf	125.00
Bolles, Ralph	168233	2d Lt. Inf	106.25
Booth, Burton Sylvander	1039991	Capt. Med. Corps	150.00
Boullee, Wm. H	415163	2d. Lt. Co. E. 106th Inf	116.87
Brady, Lester Strayer	452778	2d Lt. Air Serv	106.25
Brennan, Lennox Clark	188461	Capt. 106th Inf. Co. F	150.00
Brew, Paul	449530	2d Lt. Air Serv	106.25
Briggs, Robert T	519844	Capt. Med. Corps	165.00
Brill, Edward	1028793	2d Lt. Inf	106.25
Brock, Wilbur Allen	1302029	1st Lt. Q. M. C	125.00
Brod, Benjamin	518030	1st Lt. Med. Corps	125.00
Broughton, Averell Matthew	168691	1st Lt. 305th Inf	125.00
Brown, Edward Lawrence	235454	2d Lt. 102d F. A	106.25
Brown, Howard James	1056190	2d Lt. Inf	116.87
Browning, Robt. F	182709	2d Lt. Inf	106.25
Bryant, Emmons	1057421	Maj. Engrs	187.50
Burdick, Earle Leslie	206730	1st Lt. 316 Inf	125.00
Burleigh, Charles Earl	1267709	2d Lt. U. S. A	106.25
Burnett, Arthur Curtis	310021	1st Lt. Inf	125.00
Burns, Grant	1048213	Capt. Inf	150.00
Busck, Gunni Julius	317216	Capt. Med. Corps	150.00
Butkiewicz, Thomas, jr	905297	1st Lt. Amb. Service	125.00
Byrns, Robt. A	420208	1st Lt. 107th Inf	175.00
Cahill, Francis Jos	379257	Capt. Med. Corps	150.00
Campbell, Alger Leon	587864	1st Lt. Dental Corps	125.00
Campbell, Duncan	289050	1st Lt. Inf	125.00
Campbell, Dundas Ralph	1046003	Maj. Med. Corps	187.50
Carstens, Henry Alfred	354277	Ensign U. S. N. R. F	106.25
Cary, Harry Ellsworth	374412	2d Lt. Aeronautics	106.25
Case, Edgar Rapelye	482902	1st Lt. Air Serv	125.00
Cassedy, James Townsend	260985	1st Lt. Inf	125.00
Castle, Harvard de Hart	498244	1st Lt. Air Serv	125.00
Cattus, Charles B	1042021	2d Lt. Inf	116.87
Chambers, John Earl	579284	2d Lt. Inf	116.87
Clemenger, Francis Jonathan	1061005	Lt. Col. Med. Corps	240.62
Clifford, John James	230489	Capt. Inf	165.00
Clifton, Clarence Anthony	573275	Capt. Inf	180.00
Coe, Henry Clarke	1053784	Col. Med. Corps	293.00
Colligan, Arthur P	316039	2d Lt. Air Serv	106.25
Cone, Herbert Arnold	183598	2d Lt. 39th Inf. Co. A	106.25
Constable, William	261237	Lt. U. S. N. R. F	150.00
Cook, Millard F	8678	1st Lt. Inf	175.00
Cooper, Leslie E	320762	2d Lt. Inf	106.25
Cooper, Norman Scott	1043775	Lt. (J. G.) U. S. N	125.00
Corey, Thomas Vincent	1035616	Ensign U. S. N	106.25
Costigan, Leo Hubert	484683	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEW YORK—continued

Name	C No.	Rank and organization	Amount of retirement pay
Cotter, John	25683	Ensign U. S. N	$106.25
Coursey, Thos. J	583385	1st Lt. Ord. Dept	162.50
Court, Wm. Stanley	472765	1st Lt. F. A	150.00
Courtney, John	576293	Capt. C. A. C	195.00
Cowan, Herman	1050267	1st Lt. Med. Corps	125.00
Coyle, Thos. Aloysius	368158	2d Lt. Inf	106.25
Craig, Edw. Marshall, jr	201267	Ensign U. S. N. R. F	106.25
Crane, Edward F	524994	2d Lt. Inf	131.25
Crockett, William Francis	239472	Major Trans. Corps	206.25
Crommelin, George Bacon	1053202	Maj. Q. M. C	Deceased.
Crossman, Jas. E	98449	Capt. Med. Corps	150.00
Cummings, John Munso	791014	1st Lt. Inf	137.50
Curtin, Thomas Emmet	1036553	2d Lt. C. W. S	106.25
Daggett, Byron B	542994	Capt. Air Service	165.00
Daly, Daniel Joseph	235848	1st Lt. Med. Corps	125.00
Dare, Gilbert DeWitt	683307	Capt. Med. Corps	150.00
Davenport, Ralph M	317861	Capt. Inf	150.00
Dayton, Edwin Winthrop	1059533	Maj. Inf	250.00
DeBerri, Edmond Moffott	418760	1st Lt. Sig. Corps	125.00
DeBirmingham, Ferdinand H., jr	1095146	Ensign U. S. N	106.25
Decker, Ernest Raymond	400696	2d Lt. A. S. A	106.25
Delaney, John Thomas	1054230	Col. F. A	275.00
Demong, Charles W	767160	1st Lt. Med. Corps	125.00
Diedling, Rudolph F	234153	Capt. Med. Corps	150.00
Dixon, Felix Aloysius	1055928	Ensign U. S. N. R. F	106.25
Dodds, Hiram Elbert	397403	2d Lt. A. S	106.25
Donnelly, George Lewis	371344	Lt. (J. G.) U. S. N. R. F	125.00
Donnelly, Joseph Edward	331392	Lt. Col. Med. Corps	Deceased.
Dorn, Ralph Waldo	376877	Capt. Inf	165.00
Douglas, Richard	561816	Capt. 329th Inf	180.00
Doyle, Stanley Bodkin	464096	1st Lt. Med. Corps	125.00
Duflocq, John Milton	308789	2d Lt. Inf	106.25
Duncan, Floyd Reed	1206389	2d Lt. Air S	106.25
Dunham, Franklin William	405706	1st Lt. Air Serv	125.00
Durell, Anthony Woodward, jr	1041312	1st Lt. Marine Corps	125.00
Duryea, Wright	332995	1st Lt. Inf	125.00
Eagleton, John Thomas	316753	2d Lt. Air Serv	106.25
Ebert, George Walter	426737	Capt. Trans. Corps	150.00
Eddy, Harold Morton	220980	2d Lt. Inf	106.25
Eller, Louis Henry	1042234	Maj. F. A	250.00
Ellis, Thomas Frederick	1028015	Capt. Med. Corps	150.00
Estill, Jos G	483931	1st Lt. Sig. Corps	125.00
Evans, Leland G	593097	2d Lt. Q. M. C	127.50
Everett, Oscar Vincent	905180	Capt. San. Corps	71.25
Fairfax, Charles Washington	535384	Capt. Inf	Deceased.
Fairfield, Hoxie Neale	353924	2d Lt. Inf	106.25
Felsen, Joseph	448765	Capt. Med. Corps	150.00
Felt, Clement George	213547	2d Lt. Inf	106.25
Ferrier, William Henry	364694	Capt. Med. Corps	150.00
Fesselmeyer, William Thomas	2131?3	2d Lt. Inf	106.25
Fiedelbaum, Benjamin	1044299	Capt. Dental Corps	150.00
Finn, James G	567007	Capt. Co. H. Inf	180.00
Finn, John J	228599	1st Lt. Inf	125.00
Fisher, Tunis H	181909	2d Lt. Inf	106.25
Fitts, Robt. H, jr	411671	2d Lt. U. S. Guards	116.87
Fitzgerald, Wm. T	567006	2d Lt. Inf	131.25
Fitzhugh, Edward Judson	306905	2d Lt. Inf	106.25
Flood, John Vincent	203723	2d Lt. 308th Inf	106.25
Fox, William Alexander	299015	1st Lt. Inf	125.00
Fraser, Charles Edward Kingston	1039632	Capt. Engrs	150.00
Gagnon, Alfred	279964	2d Lt. A. S. A	127.50
Gallagher, Thos. John	122955	2d Lt. Inf	106.25
Gardner, Kenneth	433442	Lt. Col. Inf	281.25
Garry, James Jos	347273	2d Lt. 23d Inf	106.25
Georgi, Edwin Albert	576033	1st Lt. Air Serv	125.00
Gifford, Charles Conyngham	350410	2d Lt. Aero Sqd	106.25
Gillett, Ransom Hooker	223472	Major Inf	243.75
Gildersleeve, Donald M	458091	1st Lt. Med. Corps	125.00
Gilliam, Henry Leigh	308552	2d Lt. F. A	106.25
Gilligan, Edward	308010	Capt. Q. M. C	150.00
Gilmore, Samuel James	306808	2d Lt. Med. Corps	116.87
Godfrey, Michael Francis	313357	1st Lt. Inf	125.00
Golding, Joseph Edward	224334	Capt. Med. Corps	150.00
Goodwin, Wilder	306573	Capt. Cav	165.00
Gordon, John Hamlin	318069	1st Lt. Air Serv	125.00
Grabenstein, Joseph	1034236	1st Lt. Med. Corps	125.00
Graham, William Bennett	492228	Maj. Q. M. C	187.50
Granger, William S	604056	1st Lt. Inf	137.50
Graves, Leonard Knight	351905	Major Med. Corps	206.25
Green, Walter	369214	Capt. F. A	Deceased.
Greenfell, Frank Aloysius	553723	1st Lt. Vet. Corps	137.50
Griffiths, Albert Farnsworth	563611	Capt. Med. Corps	150.00
Grimes, Frank Edward	1033294	2d Lt. Inf	106.25
Groesbeck, Elwood	306074	1st Lt. Inf	150.00
Grosner, Joel	609713	Capt. Med. Corps	150.00
Hahn, Albert Gaither	445421	Capt. Med. Corps	150.00
Hall, George McKenzie	1281217	Capt. Med. Corps	150.00
Hall, Robert Anderson	312512	1st Lt. Inf	125.00
Hallahan, Henry Thomas	521007	1st Lt. Q. M. C	137.50
Halley, James Michael	216200	2d Lt. Inf	106.25
Halliday, Herbert R	392718	2d Lt. Inf	106.25
Halpin, John Henry	558442	2d Lt. Air Serv	106.25
Halverson, Alfred Olai	1243485	2d Lt. U. S. Marine Corps	
Harrigan, Cornelius	1038732	Lt. (J. G.) U. S. N. R. F	125.00
Hart, George C	341376	Capt. M. G. Bn	210.00
Harvey, Olin Frisbie	331496	Col. F. A	312.50
Hastings, Thomas Wood	295739	Maj. Med. Corps	187.50
Hatch, Roscoe Conkling	490559	1st Lt. Chaplain	125.00
Hay, Paul Franklin	176114	1st Lt. Inf	125.00
Heatherington, Walter Alfred	1039253	Ensign U. S. N. R. F	106.25
Helms, Birch	1043254	Maj. Inf	Deceased.
Henly, Henry Frederick	686180	Lt. (J. G.) U. S. N. R. F	125.00
Hensley, Edwin Mather	185372	2d Lt. Inf	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEW YORK—continued

Name	C No.	Rank and organization	Amount of retirement pay
Hepper, Edward Wortley	1037169	2d Lt. Q. M. C.	$148.75
Herron, Ashley, M.	559953	Capt. Q. M. C.	165.00
Hicks, Jacob Lawrence	1041406	Capt. Inf.	165.00
Hogan, John Thomas Hopkins	252892	Capt. Med. Corps	150.00
Hopes, Charles William	333090	2d Lt. Ord. Dept.	106.25
Ingalls, Paul V.	419418	2d Lt. Air Serv.	106.25
Ireland, Walter Matthews	353897	1st Lt. Inf.	125.00
Irion, Edwin Clair	654777	1st Lt. Inf.	125.00
Jackson, Stephen Ferris	452013	Capt. Inf.	165.00
Jensen, William Christian	841371	1st Lt. Med. Corps	125.00
Johnson, Cortland Arthur	158512	2d Lt. Inf.	106.25
Jones, Fred Goodwin	502747	Capt. Med. Dept.	150.00
Jones, George Russell	322244	Capt. Q. M. C.	150.00
Jones, Rochester Burnett	154139	1st Lt. Inf.	125.00
Judd, Herman	276800	Capt. Med. Corp	150.00
June, William Daniel	1380446	Major Inf.	243.75
*Kaufman, Frank	*572431	Lt. (J. G.) U. S. N. R. F.	
Keene, Charles Herbert	390146	Major Med. Corps	225.00
Kelley, Francis Alphonsus	1043555	1st Lt. Chaplain Corps	125.00
Kelley, Henry Edward	298134	1st Lt. Inf.	125.00
Kelly, Columban Francis	289204	1st Lt. Chaplain	125.00
Kerr, Mathew	1052729	Lt. U. S. N. R. F.	150.00
Kenny, John Joseph	1054049	2d Lt. Inf.	106.25
Kent, Robert Craig, jr.	1050026	Capt. Inf.	150.00
Kenyon, Harold Edward	305539	Capt. Inf.	150.00
Kerr, Edward Cornell	1035184	Capt. Ammunition Train	150.00
Kiely, William Francis	425817	1st Lt. Chaplain Inf.	125.00
Kiesling, Emil Otto	361965	1st Lt. Engrs.	125.00
Kimball, George Pryce	401418	1st Lt. Inf.	125.00
Kimbell, Ira Charles	905805	1st Lt. Inf.	125.00
King, Chester Harding	410341	Maj. Inf.	243.75
Kinlock, Osman Franklin	519093	Capt. Med. Corps	150.00
Kinney, Alfred E.	1091720	1st Lt. Med. Corps	125.00
Kirches, Harry Julius	226201	1st Lt. A. S.	
Kivlin, Charles F.	905243	Capt. Med. Corps	150.00
Kleckner, Ralph Edward	190775	Capt. Med. Corps	Deceased.
Klingsworth, Frederick Charles	403972	2d Lt. Inf.	106.25
Knight, Chandler Stanley	309428	1st Lt. Inf.	125.00
Kobbe, William Hoffman	397450	Maj. Engrs.	187.50
Koenne, Edward Albert	224681	2d Lt. Inf.	106.25
Konold, Herschel Scott	1055383	Capt. Inf.	150.00
Kramer, Joseph	171145	1st Lt. Med. Corps	125.00
Kupfer, Charles	291516	1st Lt. Inf.	125.00
Laing, Howard Wadsworth	513686	2d Lt. Engrs.	106.25
Lamb, Orin Renwick	603564	1st Lt. Dental Corps	125.00
Langer, Jerome Francis	395828	Capt. Inf.	210.00
Lanster, Edwin Bolton	358865	Capt. Air Serv.	150.00
Lansing, William, jr.	189598	Capt. Engrs.	150.00
Larawny, Frank John	509669	Maj. Inf.	243.75
Lashna, Isaac	366737	2d Lt. Air Serv.	138.12
Laughlin, Douglas E. S.	506512	2d Lt. Air Serv.	106.25
Ledford, John	182153	1st Lt. Inf.	125.00
Lee, Thomas Henry	141669	1st Lt. Inf.	125.00
LeMay, Arthur Aloysius	328320	1st Lt. Inf.	125.00
Lent, Chas. Valentine	348162	2d Lt. Inf.	106.25
Leonhardt, Heinrich Christian	381917	1st Lt. Med. Corps	125.00
Lerner, Macy Levi	240177	Capt. Med. Corps	150.00
Lersch, Joseph Ferdinand	139724	2d Lt. Sig. Corps	106.25
Lesser, Leon E.	1043469	1st Lt. Med. Corps	125.00
Lipes, Harry J.	161519	Maj. Med. Corps	225.00
Litchult, Andrew Slover	905809	2d Lt. Inf.	106.25
Livingston, Robert	1051556	1st Lt. C. A. C.	Deceased.
Loewns, Edwin H.	1336038	2d Lt. Air Serv.	106.25
Lohmann, Chas. W.	214364	2d Lt. Q. M. C.	Deceased.
Long, George Stephenson	1364098	1st Lt. Q. M. C.	125.00
Loomis, Walter O.	377741	2d Lt. 64th Inf.	116.87
Lopez, Enrique	142711	2d Lt. Inf.	106.25
Lowe, Arthur	1022089	1st Lt. Q. M. C.	125.00
Lynch, Frank Joseph	284500	2d Lt. M. Tr. Corps	106.25
McAverney, John	180803	2d Lt. Inf.	106.25
McBride, Wm. A.	164350	2d Lt. San. Corps	106.25
McClellan, George Birton	155355	2d Lt. F. A.	106.25
McClure, Donald Armstrong	143852	2d Lt. Inf.	106.25
McEntyre, Lawrence Bartholomew.	320914	2d Lt. Inf.	131.25
McEvecty, Charles Louis	219788	1st Lt. Med. Corps	125.00
McGuirk, Alexander Halleran	461563	1st Lt. Q. M. C.	125.00
McGingan, Lewis Granville	1067196	Capt. Air Serv.	150.00
McIntosh, John Francis	300843	2d Lt. A. S. A.	106.25
McKeough, Arthur F.	1080755	1st Lt. Inf.	125.00
McLean, Guy Marshall	1031679	Capt. Med. Corps	150.00
McNamara, John Finbar	905309	Lt. (J. G.) U. S. N. R. F.	Deceased.
McNaugher, Joseph Wylie	249156	2d Lt. C. W. S.	106.25
McPhail, Donald Thomas	387265	Capt. Med. Corps	150.00
McSwain, Fletcher	1035287	Lt. (J. G.) U. S. N. R. F.	125.00
MacDougall, Daniel Robert	315400	2d Lt. Engrs.	106.25
MacElroy, Andrew Jackson	466852	Maj. Air Serv.	187.50
Mack, William Jacob	404544	Maj. J. A. G.	187.50
MacRossie, Thomas Donald	294868	Capt. Med. Corps	150.00
Maloney, Edward Robert	241899	Lt. Col. Med. Corps	262.50
Maloney, John P.	386560	2d Lt Air Service	106.25
Manheimer, Louis B.	1045163	Capt. Engrs.	150.00
Marine, James Sidney	367999	1st Lt. A. S.	125.00
Maslin, Henry	492677	Capt. Inf.	210.00
Mead, Benjamin Charles	277873	Capt. Inf.	195.00
Meehan, James J.	1035418	Ensign U. S. N.	127.50
Meeker, Herman Ellsworth	538010	Capt. Med. Corps	150.00
Merrill, George Baker	91695	1st Lt. Inf.	125.00
Metcalfe, George Thos.	332431	2d Lt. Inf.	106.25
Miller, Charles Ross	356975	1st Lt. Med. Corps	125.00
Miller, Franklin Letcher	361645	Maj. F. A.	187.50
Miller, Harold A.	174800	1st Lt. Inf.	125.00
Miller, Laurence William	1026478	Capt. Air Serv.	165.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEW YORK—continued

Name	C No.	Rank and organization	Amount of retirement pay
Miller, Lonis Linton	1058107	1st Lt. Inf.	$125.00
Mills, John A.	196746	2d Lt. Inf.	106.25
Manners, Cecil Charles	1055524	Capt. M. T. C.	150.00
Mason, Arthur Vincent	1057548	Ensign U. S. N. R. F.	106.25
Mitchell, Frank M.	413402	1st Lt. 309 Inf.	125.00
Mitchell, Sidney	423131	Capt. Med. Corps	150.00
Moffatt, Nelson	442370	1st Lt. Vet. Corps	125.00
Moloney, Herbert William	340383	1st Lt. Inf.	125.00
Mollere, Joseph Francis	252485	Capt. Ord. Dept.	165.00
Montgomery, Howard L.	425646	1st Lt. A. S.	125.00
Moon, Basil Gordon	1036440	Maj. F. A.	225.00
Moore, Floyd Hazard	37371	1st Lt. Med. Corps	125.00
Morgan, George H.	321801	2d Lt. Inf.	106.25
Morse, John Dennis	348170	2d Lt. Inf.	138.12
Murphy, John Michael	1026111	2d Lt. San. Corps	106.25
Murphy, Peter James	277846	2d Lt. Q. M. C.	106.25
Murtha, William H.	433089	2d Lt. F. A.	106.25
Nash, Jos. Edward	305308	2d Lt. Inf.	116.87
Neary, Edward Joseph	313466	2d Lt. Inf.	106.25
Neelands, Ralph W.	373646	2d Lt. Inf.	
Neisen, Francis Charles	1204205	1st Lt. Chaplain	125.00
Nemser, Abraham	616485	1st Lt. Med. Corps	125.00
Nesbitt, Clarence C.	385580	1st Lt. Med. Corps	125.00
Nettleton, Albert Everett	217704	2d Lt. Inf.	116.87
Newell, William Albert	1045425	Lt. Com. U. S. N. R. F.	200.25
Newman, Jerome S.	699564	1st Lt. Q. M. C.	125.00
Nial, Thos. Matthew	346854	1st Lt. Air Serv.	125.00
Nichols, George Pardee	176842	Capt. Inf.	195.00
Nichols, John H.	611362	Capt. U. S. M. C.	165.00
Niebling, George Frederick, jr.	1055746	1st Lt. Q. M. C.	125.00
Nietz, Adolph Hugo	1053022	1st Lt. A. S.	125.00
Nixon, Albert B.	303201	2d Lt. Inf.	106.25
Norman, Seaton	386701	Maj. Med. Corps	225.00
Norvell, Richard Field	1059799	Ensign U. S. N. R. F.	116.87
O'Connell, Francis A.	434508	2d Lt. Co. L. 6th Div.	106.25
O'Connor, Richard B.	330102	1st Lt. Inf.	125.00
O'Donnell, Joseph	535949	2d Lt. Inf.	127.50
Olmstead, Bruce Chamberlin	1029647	1st Lt. M. T. C.	137.50
O'Neill, Harry Lester	531332	2d Lt. Inf.	106.25
Olsen, Wilfred F.	415783	Lt. (J. G.) U. S. N. R. F.	137.50
Oring, Nelson M.	210477	Maj. Ord. Dept.	Deceased.
Orrell, Eugene D.	320377	1st Lt. 26 Inf.	137.50
Osborn, Charles Whytlaw	428632	1st Lt. C. A. C.	150.00
Osburn, Charles	480311	Ensign U. S. N.	106.25
O'Shaughnessy, Thomas Joseph	1049390	2d Lt. Q. M. C.	103.25
Page, Frank Augustus	370246	2d Lt. Air Serv.	106.25
Parker, Emerson F.	381939	2d Lt. Inf.	106.25
Parker, Partis F.	238428	Lt. (Sr. G.) U. S. N. R. F.	150.00
Parks, Paul Blaine	331835	2d Lt. M. G. Bn.	106.25
Petross, Robert	1044549	Ensign U. S. N.	106.25
Pfohl, Harold Francis Loins	1028694	Lt. (J. G.) U. S. N.	125.00
Phelps, Stanley Smith	1349563	2d Lt. Q. M. C.	106.25
Philbin, Jos. Aloysius	519262	1st Lt. F. A.	125.00
Philips, Carlin	456905	Maj. Med. Corps	187.50
Phillips, Robert Bradley	340127	2d Lt. Inf.	106.25
Post, Frederick Ralph	67824	Capt. Inf. (U. S. Guards.)	210.00
Puffer, Chas. Edwin	600066	Capt. Q. M. C.	150.00
Quinn, William Joseph	1037534	2d Lt. Inf.	106.25
Quirk, John Howard	1051697	2d Lt. Air Serv.	103.25
Rathbun, Walter Latham	1058710	Lt. U. S. N. R. F.	150.00
Read, William Steven	286007	2d Lt. Q. M. C.	106.25
Reed, Linn Vander Hyden	1020210	1st Lt. Med. Corps	125.00
Reid, Henry J.	557439	2d Lt. Inf.	137.50
Reimann, Benjamin Carl	531101	2d Lt. Air Serv.	106.25
Reese, Ernest Eugene	389035	1st Lt. Ord.	125.00
Reynolds, William Graham	411001	Capt. Inf.	150.00
Ridgway, John Jay	191111	1st Lt. Inf.	
Riordan, Thomas Jerome	1041060	Ensign U. S. N. R. F.	106.25
Robinson, George Calvert	725050	1st Lt. Inf.	125.00
Rowan, Walter Francis	400392	2d Lt. C. W. S.	106.25
Rutledge, jr., Thomas Francis	1039858	Ensign U. S. N. R. F.	106.25
Ryan, Benedict M.	344386	2d Lt. Inf.	125.00
Ryan, Edward Leo	269677	1st Lt. Inf.	125.00
Ryan, Paul Arthur	1051340	1st Lt. Engrs.	125.00
Ryan, Richard John	259181	Capt. Inf.	180.00
Sachs, Leo Marks	599908	1st Lt. Med. Corps	Deceased.
Sanches, James Andrew	442016	2d Lt. Inf.	106.25
Sattig, John Henri	463034	Capt. Chaplain	180.00
Saunders, Thos. H.	213531	1st Lt. Field Art.	125.00
Schaible, Frank George	905841	Maj. Med. Corps	187.50
Schermerhorn, Charles Earl	362314	2d Lt. Inf.	116.87
Schlesinger, Louis	175525	2d Lt. Inf.	106.25
Schneck, Maximilian Rupprecht	347775	2d Lt. Inf.	109.25
Schoenberg, Louis	385692	2d Lt. Inf.	127.50
Scott, James Edwin	550603	1st Lt. Sig. Corps	125.00
Scott, Samuel Hubbard	321469	1st Lt. M. G. Co.	137.50
Seymour, Louis	20920	Maj. Inf.	243.75
Shannon, Samuel	367623	2d Lt. Inf.	106.25
Shaw, William Hilton	1055134	1st Lt. Chaplain	Deceased.
Shea, William	486321	2d Lt. Inf.	106.25
Sheehan, Walter Burt	563308	1st Lt. Inf.	131.25
Shelley, Wm. Risley	1020114	1st Lt. Inf.	150.00
Sheridan, Thomas William	360621	2d Lt. F. A.	106.25
Shindell, Samuel H.	133719	2d Lt. Vet. Corps	106.25
Smeallie, James D.	348003	1st Lt. Inf.	125.00
Matthews, Charles Smith	364686	1st Lt. Air Serv.	125.00
Smith, Harold Francis	283762	1st Lt. Inf.	125.00
Smith, Holmes Scudder	404737	2d Lt. Inf.	116.87
Smith, Lee Roy	1037632	2d Lt. Inf.	116.87
Smith, Raymond Goodale	1260698	2d Lt. M. G. Bn.	106.25
Snook, Theodore Page	350035	1st Lt. Inf.	125.00
Spence, Albert H.	1050754	1st Lt. 105 Engrs.	137.50
Spencer, Lorillard	311343	Maj. Inf.	243.75

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NEW YORK—continued

Name	C No.	Rank and organization	Amount of retirement pay
Spitzer, Eugene Reynolds	295570	1st Lt. A. S	$125.00
Spony, Albert	331157	1st Lt. Inf	125.00
Stafford, Bert Lanier	544942	2d Lt. Inf	106.25
Stapleton, Felix	538403	2d Lt. F. A	106.25
Stevens, Glenn Ridgeway	851018	2d Lt. Engrs	106.25
Stevenson, Maurice Sexton	535931	1st Lt. Inf	137.50
Stewart, Howard	496430	2d Lt. Cav	116.87
Stone, Henry Chase	1254421	Lt. (J. G.) U. S. N. R. F	125.00
Stout, William	1049284	Capt. Inf	210.00
Stowbridge, Robt. W	622717	1st Lt. Sig. Corps	150.00
Straley, John Alonzo	218374	2d Lt. Aero. Sqd	106.25
Stratton, John M	333937	1st Lt. C. A. C	125.00
Street, Harold H	353307	1st Lt. Inf	137.50
Stutt, George Washington	1035939	Lt. (J. G.) U. S. N. R. F	150.00
Sullivan, Jeremiah Mark	579302	Ensign U. S. N. R. F	106.25
Sullivan, Willis Edmund	1018137	Lt. (J. G.) U. S. Navy	
Taylor, Arthur John	365776	Maj. F. A	206.25
Teepell, Frank Austin	1022800	Capt. Med. Corps	150.00
Thomas, Albert Gorham	1097983	1st Lt. Inf	Deceased.
Thomas, Charles Ashford	488995	Capt. Engrs	150.00
Thomas, John Wesley M	850985	2d Lt. Inf	106.25
Thompson, Willard Cornelius	294599	1st Lt. Med. Corps	125.00
Tighe, Franklin Robert	278097	2d Lt. Inf	Deceased.
Timmons, Peter M	304484	Capt. Inf	195.00
Tobias, Wm. K	1032741	1st Lt. Inf	150.00
Towler, Gray B	538481	1st Lt. Q. M. C	125.00
Tracy, Joseph Paul	905310	2d Lt. Inf	106.25
Travis, Joseph John	1009131	Maj. Inf	206.25
Trohear, Joseph	1054161	Lt. (J. G.) U. S. N. R. F	125.00
Tuck, John Bennett	113244	Lt. Col. Inf	281.25
Tymeson, Charles Prindle	637005	1st Lt. Ord. Dept	Deceased.
Valeur, Marius T	905877	Lt. (S. G.) U. S. N. R. F	150.00
Van Nostrand, Hobart Sanford	491484	1st Lt. Med. Corps	125.00
Vincent, George Stuart	1397303	1st Lt. Air Serv	125.00
Vincent, Harry Lansing	143123	1st Lt. Engrs	125.00
Von Kokeritz, Carl John	1050561	2d Lt. Air Serv	106.25
Walker, George	325191	Capt. Sanitary Corps	125.00
Walker, Newton Wright	175133	2d Lt. Inf	106.25
Walsh, Francis William	271842	1st Lt. Chaplain Inf	125.00
Walsh, James Henry	1058180	Lt. U. S. N. R. F	150.00
Walsh, James Joseph	414534	Capt. C. A. C	150.00
Walsh, Malcolm	489605	1st Lt. M. T. C	125.00
Warner, Russell Ammon	172401	1st Lt. Engrs	125.00
Webb, Harold George	430361	1st Lt. Inf	125.00
Webber, John Daniel	312985	Capt. F. A. C	196.00
Weir, William John	1047090	Maj. Engrs	187.50
Weller, John Cyrus	1430217	Maj. Q. M. C	187.50
Wells, LeRoy	407462	2d Lt. Inf	106.25
Wende, John Anthony	194799	1st Lt. Vet. Corps	125.00
Wertz, Harold Brentana	391284	1st Lt. Inf	125.00
Wersinger, John Fred	1050132	1st Lt. Q. M. C	125.00
Wheeler, Wm. D	322616	Capt. Inf	150.00
Whinihan, Sylvester M	315432	2d Lt. Inf	106.25
Williams, James Frederick	557441	2d Lt. Inf	116.87
Williams, Thos. Charles	253610	2d Lt. Inf	127.50
Williams, Thomas Edward	1043478	2d Lt. Inf	106.25
Wilson, George Merritt	906255	Capt. F. A	165.00
Wilson, Fred DeGrande	201648	Maj. Med. Corps	187.50
Wittack, Henry Fred	289294	2d Lt. F. A	116.87
Witzke, Frederick William	1062762	2d Lt. Inf	106.25
Woarms, Edwin Hess	326328	2d Lt. Inf	106.25
Wolcott, Bernard C	460751	1st Lt. Inf	125.00
Wolcott, Chas. C	1180832	Lt. U. S. R. F	150.00
Wolf, Bernard Jacob	1038698	1st Lt. Ord. Corps	125.00
Wood, Harry Gardner	1049374	Capt. Engrs	165.00
Wooddell, Charles Edward	614490	Capt. Engrs	150.00
Woodward, Roy B	1057188	1st Lt. Med. Corps	125.00
Woolfe, Irving King	434515	2d Lt. A. S. A	106.25
Woolshlager, John F	419410	1st Lt. Inf	150.00
Yancey, Stirling Ross	1056407	Maj. F. A	225.00
Young, Harry J	1058237	2d Lt. U. S. Guards	138.12
Young, Jesse Edmondson	1044404	1st Lt. Inf	137.50
Zimmerman, Robert Francis	400165	Capt. Med. Corps	150.00
Zuckerman, Samuel	323471	1st Lt. San. Tr. Med. Corps.	125.00
SUPPLEMENTAL			
Smith, Charles	860808	1st Lt. Inf	
Taylor, George Townsend	345171	Capt. Q. M. C	

NORTH CAROLINA

Adams, Daniel W	238792	Lt. Col. Inf	$218.75
Altman, Berkeley Dixon	530406	2d Lt. Inf	106.25
Baisden, Roy Thomas, jr	567023	2d Lt. Inf	106.25
Baker, George Lathrop	506978	2d Lt. Inf	106.25
Bard, Charles L	284615	Capt. Inf	210.00
Barrett, Clement James	347846	1st Lt. Air Serv. O. R. C	Deceased.
Beckham, DeWitt Talmage	195763	2d Lt. 113th Inf. M. G. Co	116.87
Beehler, Frank	1092515	1st Lt. Inf	125.00
Black, John Wilton	267466	1st Lt. Dental Corps	125.00
Boddie, Samuel P	318958	Maj. Inf	206.25
Boyarsky, Joseph	1337636	Capt. Air Serv	165.00
Brown, Claude Victor	334690	1st Lt. 11th M. G. Bn. Co. B	Deceased.
Buchanan, Charles Augustus	307814	2d Lt. Inf	106.25
Buie, Roderick Marks	384156	Capt. Med. Corps	150.00
Burkhead, Edw. Gale	397121	1st Lt. Q. M. C	137.50
Byrd, William George	406110	Capt. Med. Corps	Deceased.
Caldwell, Joseph Henderson	576345	1st Lt. Med. Corps	Deceased.
Campbell, James Wallace	309909	Capt. Med. Corps	180.00
Cavenaugh, Micajah Bryant	255601	Capt. Q. M. C	165.00
Chaffin, Otto Ray	1377536	2d Lt. F. A	Deceased.

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

NORTH CAROLINA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Charles, William Shaw	377799	1st Lt. U. S. Guards	$150.00
Cheshire, James Webb	217362	1st Lt. Inf	125.00
Clark, Elliott Bynum	26140	1st Lt. Inf	125.00
Clement, Edward Buehler	445857	Capt. Med. Corps	150.00
Cobb, Thomas Kesler	1341323	2d Lt. Inf	106.25
Cox, Walter Ross	521312	Capt. C. A. C	
Daniels, Thos. Cowper	219953	1st Lt. Inf	175.00
Dodge, William Waldo, jr	239078	2d Lt. Inf	106.25
Dosher, Julius Arthur	555072	Capt. Med. Corps	150.00
Dunn, William H	233549	2d Lt. 119th Inf	150.00
Ellsworth, Benj. F., jr	1108123	1st Lt. Q. M. C	125.00
Ennis, Robert Sidney	1105607	Capt. Inf	150.00
Ensign, Chester O	139822	1st Lt. Inf	125.00
Fisher, Adam	359826	Capt. F. A	150.00
Fulford, Richard Berry	1120362	Lt. U. S. N. R. F	137.50
George, John Cecil	469638	Maj. Med. Corps	187.50
Goley, Kent Wallace	1124082	2d Lt. P. M. E. Co	
Gregory, Paul Anthony	306930	1st Lt. Inf	125.00
Hamilton, Wm. Armstrong	1375065	Lt. Comdr. U. S. N. R. F	206.25
Hathaway, James Alexandria	1381414	Ensign U. S. N. R. F	106.25
Hooks, Thel	396069	Capt. Med. Corps	150.00
Hudson, Norman E	1110427	2d Lt. Inf	106.25
Hutchinson, Francis Albertus	1337852	Capt. Inf	150.00
Izard, John	343342	Maj. C. A. C	187.50
Jeffords, James Ernest	1336590	2d Lt. Engrs	106.25
Jervey, Theodore Dehon	395053	Capt. Inf	180.00
Johnson, Otis Hackett	1328828	Capt. Med. Corps	150.00
Jones, Robert Duval	1340781	Lt. Com. U. S. N. R. F	187.50
Kaplan, Herman Hiram	1032132	1st Lt. Dental Corps	125.00
King, Edward	265484	1st Lt. Med. Corps	125.00
King, Parks McCombs	270062	Capt. Med. Corps	165.00
Koon, Job H	367462	1st Lt. Inf	175.00
Lazenby, Earl K	1090136	Capt. Med. Corps	150.00
Leonard, Owen Woodfin	182227	2d Lt. Inf	116.87
Luff, Frederick Ernest	297350	1st Lt. Air Service	125.00
McAdie, George	347850	Maj. Inf	243.75
McCluer, Edwin Alex	246234	1st Lt. Tank Corps	129.00
McCullen, Alpheus	290811	Maj. Chaplain	Deceased.
McIntosh, Ronald M	515037	Capt. Med. Corps	150.00
McKenzie, George Shelton	243990	2d Lt. Inf	106.25
Marsh, Thomas Benjamin, jr	14738	2d Lt. C. A. C	106.25
Martin, Ernest Moore	1336001	2d Lt. Vet. O. R. C	106.25
Maynard, George C	1094024	Lt. (J. G.) U. S. N. R. F	125.00
Miller, William Mock	1111694	2d Lt. Inf	106.25
Montgomery, Chas. Gaines	1337556	Capt. Q. M. C	150.00
Montgomery, Charles Mortimer	654707	Capt. Med. Corps	150.00
Nance, Alexander Washington	366642	1st Lt. Dental Corps	125.00
Neely, Guy Lindwood	1339031	2d Lt. Inf	106.25
Park, Wm. Edwin	293346	Capt. Med. Corps	150.00
Parker, James Roy	1333576	1st Lt. Med. Corps	125.00
Peterson, Geo. Langdon	255484	Maj. Q. M. C	250.00
Pickett, George E	411020	2d Lt. Q. M. C	106.25
Plummer, Francis Arnold	698876	2d Lt. Inf	106.25
Poate, Ernest M	239646	1st Lt. Med. Corps	125.00
Powell, Charles Glenn	1121932	2d Lt. Inf	106.25
Pratt, Joseph Hyde	341152	Col. Engrs	275.00
Rhodes, Adrian Burbank	205428	1st Lt. 47th Inf	137.50
Shupp, Roy F	377725	1st Lt. 4th Inf	125.00
Sifford, Ernest Jirard	268751	Capt. Ord	150.00
Slear, John Klump	370633	1st Lt. C. A. C	125.00
Smith, Norflett S	337594	1st Lt. Co. M. 11th Inf	125.00
Smith, Robert Lee	495990	Capt. Inf	165.00
Smith, Whitefoar G	1120659	1st Lt. U. S. Guards	150.00
Stirewalt, Neale Summers	546315	1st Lt. Med. Corps	125.00
Stoner, Ira James	617627	1st Lt. Med. Corps	125.00
Suggett, Orril L	141024	Capt. Med Corps	150.00
Taylor, John Douglas	1344534	2d Lt. Inf	106.25
Thornburg, Zebulon B	343649	1st Lt. 118th Inf	150.00
Tillery, Isaac Green	687659	2d Lt. Inf	106.25
Vining, Morgan	1119205	Capt. Inf	180.00
Wallace, John Whitlock	432182	2d Lt. F. A	106.25
Walker, Alfred H	234023	2d Lt. 113th Inf. Co. F	106.25
Washington, Bushrod Corbin, jr	159264	1st Lt. Aviation Corps	137.50
Watson, Andrew John Boyd	1040051	Lt. U. S. N. R. F	Deceased.
Watson, David Lewis	1337427	2d Lt. Q. M. C	106.25
Wetzler, Barry	497792	1st Lt. Inf	Deceased.
White, William Royall	1342354	2d Lt. Inf	106.25
Whitfield, Fitzhugh Lee	1335540	Capt. Inf	180.00
Wilson, Harry Hall	315406	Maj. Med. Corps	187.50
Winstead, Rolland Tyson	195926	2d Lt. 365 Inf	106.25
Woodley, Samuel S	372883	2d Lt. Sig. Corps	106.25
Wright, Wm. F	1112735	1st Lt. Engrs	125.00
Youngblood, Louis E	1338563	1st Lt. Inf	137.50
Brolling, Alfred Marshall	279487	2d Lt. F. A	106.25
Flett, Charles M	1351218	1st Lt. Air Serv	125.00
Flynn, James Joseph	221542	2d Lt. Chem. War Serv	106.25
Henry, Frank Selmes	1238413	Maj. Inf	250.00
Kelly, John J	1349802	2d Lt. Inf	106.25
Lonnevik, Thomas	1231598	Capt. Inf	195.00
Maercklein, Edwin Herman	262064	1st Lt. Med. Corps	125.00
Maher, Harry Ellsworth	1230898	1st Lt. Engrs	125.00
Sampson, Homer	1242728	2d Lt. Inf	106.25
Scutt, Emanuel	300975	2d Lt. Inf	106.25
Stock, Wm. John	1240545	Capt. Med. Corps	150.00
Thompson, Charles	378343	1st Lt. Inf	180.00
Voss, Carl	228642	1st Lt. Med. Corps	125.00
Weeks, Fred Lewis	420249	1st Lt. Engrs	125.00
Woodford, Stewart Lawrence	396359	1st Lt. Inf	125.00
SUPPLEMENTAL			
Ruth, Lloyd Albert	436813	2d Lt. F. A	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

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Name	C No.	Rank and organization	Amount of retirement pay
Alexander, Arthur Hadden	177828	1st Lt. Air Service	$125.00
Allen, Grover C	609807	2d Lt. Inf	127.50
Ball, Frank Wooster	396090	1st Lt. Inf	125.00
Baldwin, Francis G	212475	Maj. F. A	206.25
Barlow, Alfred M	364689	1st Lt. Inf	125.00
Barnard, Benjamin Clyde	1159879	Maj. Med. Corps	187.50
Barnes, Jean Carlyle	415187	1st Lt. Field Sig. Bn	137.50
Barry, John Eyre	26876	1st Lt. Inf	162.50
Bartlett, Edward Charles	582762	Lt. A. S	106.25
Barton, Jesse Moore	315155	2d Lt. Inf	106.25
Bass, Samuel Quincy	308960	Capt. Ordnance	150.00
Becht, Charles	1167559	Capt. U. S. Guards	210.00
Bell, Clement Laird Valandigham	273171	1st Lt. Med. Corps	125.00
Betzner, Clarence W	1159979	Capt. Med. Corps	150.00
Birnbaum, Alfred Victor	268271	1st Lt. Q. M. C	125.00
Bissell, Fred Crawford	1418064	1st Lt. Med. Corps	125.00
Blackburn, Herbert Marfield	579333	1st Lt. Inf	125.00
Bland, Arthur V	334135	1st Lt. Inf	150.00
Bleser, William Peter	1334545	Capt. Q. M. C	150.00
Bondy, Edmund Raymond	1419096	Capt. Med. Corps	150.00
Boster, Harold Augustus	366872	1st Lt. Inf	125.00
Brady, Henry Adrian	286906	Capt. Med. Corps	150.00
Braine, Elgin	266964	Capt. Tank Corps	165.00
Brainard, Albert J	236442	Capt. Med. Corps	150.00
Brenner, Jacob Paul	167873	2d Lt. F. A	106.25
Brown, Jesse Fred	1168860	1st Lt. Inf	125.00
Brown, Joseph R	473031	1st Lt. Inf	137.50
Bryant, John Lewis	496421	2d Lt. Inf	116.87
Buchman, Robert Allen	1149509	1st Lt. Dental Corps	125.00
Bunge, Robt. C	391451	Capt. Inf	165.00
Butts, Clarence R	1094411	1st Lt. Q. M. C	125.00
Cahill, Alphonse I	239051	1st Lt. C. W. S	125.00
Campbell, Charles Knight	234469	1st Lt. Inf	125.00
Carr, Raymond M	300927	Capt. F. Art	150.00
Carroll, Mark Geoffry	575919	1st Lt. Ordnance Corps	125.00
Carter, William Corvin	1167806	1st Lt. Ord	125.00
Christopher, Harry Vincent	139267	Capt. Med. C. Inf	150.00
Clark, John William	1147127	1st Lt. Med. Corps	125.00
Cleveland, Jas. Harlan	140519	1st Lt. Inf	125.00
Cooley, John McMangal	206153	Capt. Inf	150.00
Coppage, Carroll Trenchard	373337	1st Lt. Inf	125.00
Cornell, Sidney Vance	297792	Capt. Engrs	150.00
CosGrove, Louis Cooper	481129	Capt. Med. Corps	165.00
Crawford, Lewis C	155926	1st Lt. Inf	150.00
Crist, William L	708791	2d Lt. Field Art	106.25
Cross, Price Emerson	285864	2d Lt. Air Service	106.25
Curley, Harry Oswood	519195	Capt. Inf	150.00
Curry, Howard Spencer	1154119	Maj. Air Serv	187.50
Daniels, Irving Lewis	495827	Capt. Engrs	150.00
Davis, Howard Hubbell	268965	Capt. Med. Res. Corps	150.00
Dilatush, Frank Allen	353196	Capt. Inf	150.00
Dix, Charles Carey, jr	210760	2d Lt. Inf	106.25
Dolphin, James Basil	178736	1st Lt. 53d Pion. Inf	125.00
Eddy, Emmett William	156416	Capt. Inf	180.00
Edwards, Malcolm Wallace	293073	1st Lt. Inf	125.00
Ehlers, Walter Louis	101195	2d Lt. Inf	106.25
Epperson, Carrick H	208710	2d Lt. Inf	106.25
Everett, Edward Alfred	1162806	1st Lt. Med. Corps	125.00
Fisher, Amos Theodore	151020	1st Lt. Med. Corps	125.00
Frary, Lewis S	262906	2d Lt. 15th F. A. Bat. D	106.25
Funk, Perry Jefferson	440581	1st Lt. Inf	137.50
Gage, John Gray	1159487	1st Lt. Med. Corps	125.00
Gallagher, Frank Joseph	1363348	1st Lt. Med. Corps	125.00
Gamblee, Albert Ellsworth	246573	1st Lt. Inf	125.00
Garvin, Roger Baldwin	1421398	1st Lt. C. A. C	125.00
Gath, Philip	394312	Maj. Med. Corps	187.50
Gaumer, Geo. R	1154655	1st Lt. Inf	137.50
Gibson, Harold Eugene	193451	1st Lt. Med. Corps	125.00
Gill, William Craw	1169803	Lt. Col. Med. Corps	281.25
Givens, Fred George	1151625	Capt. Inf	165.00
Goddard, Chas. Curtis	129862	2d Lt. Inf	106.25
Goff, William Mitchell	296320	Capt. Med. Corps	150.00
Gordon, Elijah Joseph	300933	Maj. Med. Corps	206.25
Gossett, Eckley Gaylor	345014	Capt. Inf	150.00
Graham, James Martin	1244626	Capt. Med. Corps	150.00
Gray, Lowell Hirst	270866	2d Lt. Inf	106.25
Griffin, Oliver Herald	372337	2d Lt. Q. M. C	106.25
Grisemer, Walter	87988	2d Lt. A. S	106.25
Griswold, Glenn Elgin	1160905	1st Lt. Inf	125.00
Haefele, George Leonard	447880	1st Lt. Med. Corps	125.00
Hall, William D	199041	1st Lt. Inf	125.00
Hanabergh, Frank John	346273	Maj. Q. M. C	225.00
Hannan, Lawrence J	466499	1st Lt. Q. M. C	125.00
Hardman, Thomas Elmer	412542	1st Lt. Inf	150.00
Hartnett, Cornelius R	315476	2d Lt. 39th Inf	106.25
Hatfield, Walter Heron	816984	1st Lt. Med. Corps	125.00
Hawthorne, Edmund	1157117	Capt. Engineers	180.00
Haynes, Wm	1162531	1st Lt. Inf	150.00
Hazelwood, Walter John	1165496	2d Lt. U. S. N. R. F	180.00
Hazlett, George William	1144548	2d Lt. F. A	106.25
Helfrich, Martin Lewis	328105	Capt. Med. Corps. Engrs	150.00
Henderson, Harris Frank	262346	1st Lt. Inf	162.50
Herbert, Edward	1160945	Capt. Med. Corps	150.00
Herbert, Thomas John	470297	1st Lt. Air Serv	125.00
Heyman, Fred George	225210	2d Lt. Inf	106.25
Hill, Louis	1415534	Capt. Inf	150.00
Hilliard, Claude P	272908	2d Lt. Inf	106.25
Hinchman, Edward Merrill	1158355	1st Lt. Q. M. C	125.00
Hindman, Samuel	328104	Capt. Med. Corps	150.00
Hoover, Delbert Elias	264422	Maj. Med. Corps	187.50
Hoover, Ersil R	1155892	1st Lt. Inf	162.50
Houck, Hiram Edgar	254762	Capt. Inf	150.00
Houk, Roy Morrison	429329	Capt. Inf	180.00
Heimlich, Daniel	499107	1st Lt. Med. Corps	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

OHIO—continued

Name	C No.	Rank and organization	Amount of retirement pay
Hunter, Vernon Doy	365121	Capt. Inf	$150.00
Hurd, James Fay	341423	2d Lt. Inf	116.87
Huston, James A., jr	654056	Ensign U. S. N. R. F	106.25
Huston, Perry Wm	277783	Capt. Inf	165.00
Hutchinson, Lester Bowser	1265674	Lt. U. S. N. R. F	150.00
Ibershoff, Adolph Ernest	310876	Capt. Med. Corps	150.00
Jackson, Charles Chylon	480197	2d Lt. Inf	106.25
James, Hugh Sawyer	530645	1st Lt. Med. Corps	125.00
Jenkins, George Washington	543289	Capt. Inf	195.00
Johnson, Charles Ross	905495	1st Lt. Med. Corps	125.00
Johnston, Ervin R	367242	1st Lt. 367 Inf	175.00
Johnston, George Edward	209443	1st Lt. Air Service	125.00
Judkins, Robt. John	1147501	Capt. Med. Corps	150.00
Kaeppel, Oscar O	471866	Maj. Inf	225.00
Kaminski, Theophile Chas	526460	2d Lt. Inf	106.25
Kasinski, Theodore James	1416343	1st Lt. Med. Corps	125.00
Keenan, Willis H	317267	Capt. Med. Corps	150.00
Keiser, Jay Gould	1163515	Capt. Med. Corps	150.00
Kennedy, Clifford Charles	1165258	1st Lt. Med. Corps	125.00
Kern, Kenneth Mason	489731	1st Lt. Dental Corps	125.00
Keyser, Tedron Sylvester	591245	Capt. Med. Corps	Deceased.
Kindler, Otto John	200103	Capt. Inf	Deceased.
Kirby, Charles L	77187	2d Lt. Inf	106.25
Kolpien, Kenneth Hanchett	353631	2d Lt. Inf	106.25
Klump, Thorp Alexis	1161315	Capt. Inf	195.00
Lantz, James Morris	1145237	Capt. Medical Corps	150.00
La Page, Percy Wm	496279	2d Lt. Inf	116.87
Larimore, Harry Burr	601038	1st Lt. Med. Corps	125.00
Lehmann, Frank John Joseph	277933	1st Lt. M. C	125.00
LeRoy, Bernard R	1165924	1st Lt. Med. Corps	125.00
Leslie, Raymond Clair	572884	Capt. Inf	180.00
Limb, Marcus Robert	283836	Major Inf	250.00
Linn, William Joseph	190492	2d Lt. Inf	106.25
Litty, John C	331058	2d Lt. M. G. Bn	106.25
Long, Brice Hayden	714016	1st Lt. Air Service	125.00
Loveless, Ralph Myers	1415453	Ensign U. S. N. R. F	106.25
McCleery, John Maxwell	1166096	1st Lt. Med. Corps	125.00
McGrady, John Joseph	454442	Capt. Inf	150.00
McHenry, Joseph Bostock	1160629	Capt. M. C. 323 Inf	150.00
McIntire, James F	1163709	1st Lt., Chaplain	125.00
McKeon, Joseph Moore	1166839	1st Lt. Engrs	125.00
McMullin, James Oliver	301870	2d Lt. Q. M. C	116.87
McNamara, Michael Joseph	1162442	1st Lt. Q. M. C	137.50
McNerney, Joseph D	345952	1st Lt. Med. Corps	125.00
McNicol, Lester B	248898	2d Lt. 135 M. G. Ba	106.25
MacLane, Harry F	238092	1st Lt., Chap	150.00
MacCraken, Ralph Ransom	463970	Maj. Air Serv	187.50
Maertz, Charles	674757	Maj. Med. Corps	187.50
Majoesky, Leo Rudolph	702092	1st Lt. Med. Corps	125.00
Malone, Leo Vincent	528583	1st Lt. Med. Corps	125.00
Marquiss, Charles Ruben	520196	1st Lt. 130th M. G. Bn. Co.C	137.50
Marx, Robert S	219546	Capt. Inf	150.00
Matthews, David Jones	1421601	1st Lt. Med. Corps	125.00
Meyers, William Henry	407212	Lt. Col. Inf	362.50
Miller, Harry Theodore	884544	Capt. Med. Corps	Deceased.
Miller, John Heil	1140501	Capt. Inf	150.00
Miller, Walter John	265515	1st Lt. 148 Inf	125.00
Moodey, Robert Radcliffe	321743	1st Lt. Ord. Corps	125.00
Moore, Luman Gordon	822795	Capt. Med. Corps	150.00
Moore, Robert Glenn	690380	2d Lt. A. S	106.25
Murbach, John Frank	303537	Capt. Inf	150.00
Murphy, William Joseph	190835	2d Lt. Q. M. C	106.25
Musgrove, Charles Alva	399378	Capt. Dental Corps	180.00
Mylon, Wm	1326867	2d Lt. Inf	106.25
O'Brien, Martin Aloysious	380697	2d Lt. Inf	106.25
O'Malley, George Patrick	1422021	Major Med. Corps	187.50
Orwick, Harvey Edson	1099152	1st Lt. Inf	125.00
Osborn, Morse F	248497	Capt. Med. Corps	150.00
Owens, Otto James	132224	1st Lt. Med. Corps	125.00
Oyler, Frank Lee	17278	1st Lt. Inf	175.00
Palmer, Richard Raymond	1417905	Ensign, U. S. N. R. F	106.25
Peinert, Earl Fray	159437	1st Lt. Med. Corps	125.00
Pfeifer, William Charles	379.507	1st Lt. San. Corps	125.00
Perrung, Joseph Edward	1151788	Major Med. Corps	187.50
Portmann, Milton Claudious	209566	Major Inf	----------
Radcliffe, Frank C	1150597	Capt. Inf	165.00
Ragor, Chas. Albert	328969	2d Lt. F. A	106.25
Rank, John Elmer	1142420	2d Lt. F. A	106.25
Ransbottom, Ivah Jas	49196	1st Lt. M. C	125.00
Reed, Wilton Charles	413557	1st Lt. Inf	150.00
Rice, Robert King	527777	Ensign U. S. N. R. F	106.25
Roberts, Henry D	1334546	1st Lt. F. A	125.00
Robins, Julius Charles	1158549	2d Lt. Inf	106.25
Rock, Laylin	511997	1st Lt. Inf	125.00
Roe, Allen Perkins	811662	2d Lt. Inf	106.25
Rogers, Geo. Brydges	294517	1st Lt. Engrs	125.00
Rolph, Oliver Optic	343020	Lt. (J. G.) U. S. N. R. F	125.00
Rondebush, James Franklin	292055	Ensign U. S. N. R. F	106.25
Roseler, Edward George	1416119	2d Lt. Inf	106.25
Rowe, James Wm	391576	Maj. Med. Corps	187.50
Ruhlin, John George	1380555	2d Lt. Inf	106.25
Rylander, Wilbur Edmond	515004	2d Lt. 326 Inf. 82 Div	106.25
Sattler, Robert Ray	1158261	1st Lt. Med. Corps	125.00
Schauweker, Arthur Albert	402551	2d Lt. Air Serv	106.25
Schlesinger, Albert	307153	2d Lt. Inf	106.25
Schreck, Harold Frederick	1165234	1st Lt. Vet. Corps	----------
Schmitt, Ralph Scribner	287210	1st Lt. Air Serv	125.00
Shadrach, John Wm	183474	1st Lt. A. S. A	125.00
Shanks, Clifford Lawrence	577823	2d Lt. Inf	106.25
Seese, William R	312685	1st Lt. Inf	137.50
Silvers, Otho Lee	240917	2d Lt. Inf	106.25
Simms, Willard Eugene	1154262	1st Lt. M. G. Bn	125.00
Smith, Claude E	813566	Lt. U. S. N. R. F	150.00
Smith, Herbert Howard	147635	Capt. Inf	165.00
Smith, Maurice Leigh	1144582	1st Lt. Med. Corps	Deceased.

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

OHIO—continued

Name	C No.	Rank and organization	Amount of retirement pay
Snider, Van Absalom	288003	Maj. Inf.	$243.75
Somers, Charles Patrick	1420032	1st. Lt. Inf.	125.00
Southam, John R.	88416	Maj. 145 Inf.	Deceased.
Spencer, James	1159550	2d Lt. Inf.	106.25
Springer, John	905429	Capt. Q. M. C.	165.00
Sprow, Henry A.	1159751	Capt. 146 Inf.	180.00
Stackhouse, Frank	1163122	1st Lt. Med. Corps	Deceased.
Stanbery, Sanford Bailey	906366	Brig. Gen. Inf.	375.00
Stephens, Clarence Clark	288576	1st Lt. 112 Engrs. Co. B.	137.50
Stewart, Floyd Reynolds	202085	Capt. Ord. Dept.	180.00
Stradley, Early Ernest	905442	Capt. Sig. Corps	86.25
Stull, Charles Mohler	361996	Capt. Vet. Corps	150.00
Sutherland, Paul	126753	2d Lt. Air Service	106.25
Talcott, John Albert	1168610	1st Lt. Air Service	125.00
Texter, William H.	467403	1st Lt. Inf.	125.00
Thoburn, Theodore	1421969	1st Lt. Inf.	125.00
Thompson, Josiah Donal	1419240	Capt. F. A.	150.00
Thornberry, Albert Ewing	249745	Capt. Dental Corps.	150.00
Tilden, John Alexander	425569	1st Lt. 145 Inf.	125.00
Tuttle, Frank Osborne	1421581	2d Lt. Q. M. C.	106.25
Tuttle, Geo. Earl	1159976	Capt. Inf.	180.00
Vanderkool, David	523542	Capt. 359th Inf.	253.12
Van Gorder, Florence Spears	905242	Col. Inf.	312.50
Varney, Jas. D.	322350	Maj. Med. Corps.	187.50
Veit, Conrad	1244078	Capt. Inf.	165.00
Verwohlt, Howard W.	358880	1st Lt. 91st Aero Sqd.	125.00
Voges, John Clauss	264772	2d Lt. Inf.	106.25
Wakefield, John Dilton	383048	Capt. Med. Corps	150.00
Walker, Orville Jackson	1044277	1st Lt. Med. Corps.	125.00
Walker, Thos. E.	172227	Maj. Med. Corps.	206.25
Wallach, Charles	414604	1st Lt. Dental Corps.	125.00
Watson, Hugh	356204	2d Lt. Air Serv.	106.25
Weadock, Edward George	437453	1st Lt. Med. Corps.	125.00
Webster, Geo. Davis	232278	Capt. J. A. G. D.	150.00
Wentz, Walter	308259	2d Lt. M. T. Corps	106.25
West, John Albert	301765	Capt. Marine Corps 79 Co.	150.00
Westphal, William Carl	1155561	1st Lt. Inf.	125.00
Whitwham, Gratian P.	1415014	1st Lt. Med. Corps.	125.00
Winders, Frank	1421694	Lt. Col. Med. Corps.	218.75
Wise, Harry Wright	279873	1st Lt. Dental Corps.	125.00
Wolf, Henry William	384953	2d Lt. Engrs.	106.25
Worthington, Wilbur Blackman	292084	Capt. Engrs.	150.00
Wright, John Elmer	586751	2d Lt. F. A.	106.25
SUPPLEMENTAL			
Oldham, Ralph William	140872	2d Lt. Inf.	106.25

OKLAHOMA

Name	C No.	Rank and organization	Amount of retirement pay
Affholder, Irvin Ernest	425195	2d Lt. F. A.	$106.25
Aitken, Wallace Andrew	437549	Maj. Med. Corps.	187.50
Allison, Frank	1296090	1st Lt. Q. M. C.	125.00
Banks, Thos. Gray	275023	Capt. Engrs.	150.00
Barbee, Wyatt	175016	2d Lt. Air Serv.	106.25
Bisbee, Walter G.	218683	Capt. Med. Corps.	150.00
Bocher, Lawrence Calvin	194763	2d Lt. Inf.	106.25
Boland, Floyd Jackson	310755	Lt. Col. Med. Corps.	281.25
Breckinridge, Archie	625636	1st Lt. 140 Inf.	137.50
Brown, Alfred Afton	1296188	Capt. Eng. Corps.	150.00
Browning, Robert LeRoy	225968	1st Lt. Med. Corps.	125.00
Byrd, John Homer	197889	1st Lt. Inf.	125.00
Campbell, Novel W.	1321023	Capt. Med. Cps.	150.00
Caraker, Charles Tobias, jr.	835918	Maj. Med. Corps.	187.50
Cooley, William Henry	2638 12	1st Lt. Med. Corps.	Deceased.
Davis, Hale Virginius	1320388	1st Lt. Chaplain Inf.	125.00
Deans, Fenwick Rieff	123229	1st Lt. Med. Corps.	125.00
DePriest, Melvin Johnson	208492	1st Lt. Inf.	150.00
Emerson, John Ellis	235475	2d Lt. F. A.	106.25
Fannin, Frank Arthur	221795	Capt. Med. Corps.	
Finley, James Hubert	255842	Capt. Inf.	150.00
Galloway, Frank	253589	2d Lt. Inf.	106.25
Guthrie, Austin Lee	383875	Capt. Med. Corps.	150.00
Haggard, John Baker	12324	1st Lt. Med. Corps.	125.00
Haigh, Harry	611903	1st Lt. Engrs.	125.00
Hoffman, Arthur R.	494880	1st Lt. Q. M. C.	162.50
Holliday, Oliver Morton	1213690	Capt. Med. Corps.	150.00
Howard, Thomas Frank	380236	2d Lt. Q. M. C.	106.25
Howell, Henry Amasa	1430559	1st Lt. Med. Corps.	125.00
Hutchinson, Alva Roy	168931	2d Lt. Inf.	106.25
Jenkins, Elihu Edward	123853	2d Lt. Inf.	106.25
Johnson, Le Roy	249326	1st Lt. Engrs.	125.00
Jones, Albert Lamartine, jr.	257504	Capt. Inf.	150.00
Keefner, Edward William	142592	2d Lt. Inf.	106.25
Knoblock, Cecil Coyne	167791	2d Lt. F. A.	106.25
Lancaster, Grady	393943	2d Lt. Inf.	106.25
Lewis, Miles Leslie	313135	1st Lt. Med. Corps.	125.00
Little, Daniel Erastus	503184	Capt. Med. Corps.	150.00
Long, Ross David	212081	Maj. Med. Corps.	187.50
McIntosh, Daniel Cobb	207581	1st Lt. Inf.	125.00
McTaggert, Ernest D.	1326557	1st Lt. Inf.	125.00
Markland, Hugo Leonard	620732	2d Lt. Inf.	106.25
Morphew, John Earl	1206330	2d Lt. Inf.	106.25
Neal, Herman Ivy	770173	1st Lt. Inf.	125.00
Oakes, Gail Clifford	521875	2d Lt. A. S. S. A.	131.25
Rogers, Glenn Wells	313908	Capt. Q. M. C.	150.00
Rucks, William Ward	221735	Maj. Med. Corps.	187.50
Sayre, Horace Hendel	429666	Capt. Engrs.	150.00
Schultz, William Jennings	314411	1st Lt. 131st Inf.	137.50
Shannty, John Norris	1293788	1st Lt. Med. Corps.	125.00
Stolper, Joseph Harry	175249	Capt. Med. Corps.	150.00
Stover, Curtis Edward	401142	1st Lt. 130 Inf. 33 Div.	137.50

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

OKLAHOMA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Waite, Edson Ruble	297709	Maj. Q. M. C.	$187.50
Warren, Charles I.	1252838	1st Lt. Inf.	137.50
Webb, Floyd	1329469	1st Lt. Med. Corps.	125.00
Wenner, David John	1294988	1st Lt. San. Corps.	125.00
Whitaker, William Jerry	446271	1st Lt. Med. Corps.	125.00
SUPPLEMENTAL			
Gilstrap, Harry Benson	361845	Maj. Inf.	

OREGON

Name	C No.	Rank and organization	Amount of retirement pay
Ballou, James Larkin	476262	1st Lt. U. S. N. R. F.	$150.00
Barr, David Walton	1282955	2d Lt. Air Service	106.25
Belden, Miles Bebee	1277812	2d Lt. Inf.	106.25
Blachly, Arthur Trew	1284685	1st Lt. Medical Corps.	125.00
Blackstock, James Thomas	338038	Capt. Engrs.	150.00
Bradford, Holt William	278207	1st Lt. Air Serv.	125.00
Broughton, John Jerry	1275489	Capt. Air Service	150.00
Burdick, Bert Charles	1400790	Capt. Inf.	150.00
Burgard, William Norman	374190	1st Lt. Inf.	125.00
Burkett, Benjamin Scott	125425	1st Lt. Inf., Chaplain Corps.	125.00
Burns, James Joseph	399762	1st Lt. Inf.	125.00
Carlson, Enoch B.	505078	1st Lt. Inf.	137.50
Cook, Mortimer Parker	451532	1st Lt. Inf.	137.50
Crawford, Harry H.	315011	2d Lt. Air Serv.	106.25
Crouch, Junius Elmer	188428	Capt. Med. Corps.	150.00
Dalton, Ernest C.	1281561	Maj. Med. Cps.	187.50
Dorris, Albert Ray	1284146	2d Lt. A. S. C.	106.25
Dorris, Benj. F.	346345	1st Lt. 362 Inf.	125.00
Ernest, Foy James Mohon	1275983	Major Medical Corps.	206.25
Feldenheimer, Roy	25596	2d Lt. Q. M. C.	106.25
Firey, Frank Paul	221307	1st Lt. Med Corps.	125.00
Forsyth, Enoch Avard	1402589	Lt. Comdr. U. S. N. R. F.	187.50
Frey, George Robert	239091	2d Lt. Engrs.	106.25
Frost, Charles Ernest	429964	Capt. Med. Corps.	150.00
Greene, Fred Baxter	418634	Capt. F. A.	165.00
Greene, Herbert Merton	211412	Maj. Med. Corps.	187.50
Halverson, Henry Ferdinand	197541	Capt. Inf.	180.00
Hamill, Robert Michel	356698	2d Lt. Army Inf.	106.25
Hiddleson, Roy Deo	400677	2d Lt. Inf.	116.87
Hogan, Cicero Francis	531703	Capt. Field Art.	165.00
Huntley, Merritt B.	135575	Capt. C. A. C.	150.00
Hynson, Garrett Lee	515513	Capt. Med. Cps. U. S. A.	Deceased.
Johnson, Charles Parker	479216	1st Lt. Dental Corps.	125.00
Keeley, Ralph C.	311648	2d Lt. Air Serv.	106.25
Lane, Melvin Charles	414727	2d Lt. Air Service	127.50
Lewis, Victor Courtenay	466550	Capt. Inf.	165.00
MacCracken, Gordon	1284600	Capt. Med. Corps.	150.00
Manion, William Orville	1400633	Capt. Med. Corps.	150.00
Marcellus, Marius B.	354178	Maj. Med. Corps.	125.00
McKay, James D.	315742	1st Lieut. Inf.	125.00
Metcalf, Harry Keith	424085	Maj. C. A. C.	225.00
Mickey, Robt. D.	320916	2d Lt. Ord.	106.25
Mills, Verni Victor	1276271	2d Lt. C. A. C.	106.25
Montag, Benjamin Butler	231121	Lt. (J. G.) U. S. N. R. F.	137.50
Newmyer, Philip L.	249494	Capt. Med. C. 91 Div.	150.00
Noble, George Bernard	281195	1st Lt. Inf.	125.00
O'Sullivan, Geo. Timothy	278991	2d Lt. San. Corps.	116.87
Pargon, Jos. Augustus	206118	Capt. Med. Corps.	150.00
Phelps, Francis Marion	211320	1st Lt. Inf.	137.50
Pineo, Harold D.	1278247	1st Lt. Dental Corps.	125.00
Platt, William Paul	489212	Capt. Inf.	165.00
Price, Ray Homer	1402020	2d Lt. Inf.	106.25
Rauch, Cloyd Dixon	221558	Capt. 363d Inf.	165.00
Reddick, Joe Grant	1402771	1st Lt. Inf.	137.50
Reese, Neilson Walker	211231	2d Lt. Inf.	106.25
Reeves, Frank Hall	313216	1st Lt. Chaplain	125.00
Richeson, Austin Bresnen	296969	Major Inf.	225.00
Robbins, Urban Grant	217189	1st Lt. Air Service	125.00
Rucker, Julian Henry	417803	1st Lt. Q. M. C.	106.25
Salade, Louis A.	851140	Lieut. (J. G.) U. S. N. R. F.	125.00
Scroggs, William Paxton	830033	1st Lt. Med. Corps.	125.00
Smith, Leo Bruce	213958	Capt. U. S. Guards	180.00
Stearns, Carey Sumner	1283287	2d Lt. F. A.	106.25
Stelzner, Albert Henry	454523	2d Lt. Inf.	116.87
Stewart, John Archibald	234601	Capt. Med. Corps.	150.00
Sweeney, Thomas Arthur	1402141	Capt. Engrs.	150.00
Tator, Charles Samuel	1284200	Capt. Inf.	
Webb, James Ellsworth	445485	1st Lt. Med. Corps.	125.00
Whiteside, Edwin Eugene	275746	Capt. Med. Corps.	150.00
Williams, David Albert	400732	Capt. Med. Corps.	150.00
Wood, Joseph Frederick	1400727	Capt. Med. Corps.	150.00
Zimmerman, Edward Leo	276693	1st Lt. Med Corps.	125.00
SUPPLEMENTAL			
Burton, Albert	905436	Capt. Sig. Corps.	71.25
Hammer, Thomas Ray	905934	Lt. Col. J. A. G.	262.50

PENNSYLVANIA

Name	C No.	Rank and organization	Amount of retirement pay
Akerly, Byron Leslie	167875	1st Lt. Inf.	$125.00
Alexander, Garbutt B.	1076019	2d Lt. Inf.	106.25
Alexander, King	122644	2d Lt. Inf.	106.25
Allderdice, Lawrence	400202	2d Lt. F. A.	106.25
Anders, Daniel Webster	495574	Maj. Ord. Dept.	187.50
Anderson, Wm.	210952	Capt. Med. Corps.	150.00
Ashton, Wm. E.	1077686	Lt. Col. Med. Corps.	218.75
Austin, Henry Exum	1040000	1st Lt. Med. Corps.	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

PENNSYLVANIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Banks, Lloyd McClellan	1065103	2d Lt. San. Corps	$106.25
Barnhart, Harry H	315089	Capt. Inf	210.00
Barron, Marshall Scott	297675	1st Lt. Inf	137.50
Bash, James Erwin	185263	2d Lt. Inf	106.25
Beale, Harvey D	1080632	1st Lt. Inf	125.00
Beck, Theodore	153355	1st Lt. Chaplain Inf	125.00
Bergstein, Alfred Morton	232111	1st Lt. Med. Corps	125.00
Biddle, Justice Mitchell	25781	2d Lt. Inf	106.25
Billingsles, John Smith	18120	2d Lt. Inf	106.25
Blackman, Wm. Jackson	309022	1st Lt. Air Serv	125.00
Blain, West Elliott	181082	Capt. Inf	150.00
Blount, Reginald Mims	486924	1st Lt. U. S. G	137.50
Bogart, Clark Stetson	1083593	1st Lt. Med. Corps	125.00
Bostwick, John V	605822	Capt. Inf	150.00
Botjer, Henry George	207785	1st Lt. Inf	125.00
Boyer, Orman Leslie	1360409	2d Lt. Inf	160.25
Boyes, Andrew Mare Candlish	246784	1st Lt. Inf	125.00
Breen, Joseph Wm	286237	Maj. A. S. C	206.25
Breisch, Leigh Hedwig	1067850	1st Lt. 154 Dep. Brig	125.00
Breslin, Wm. Aloysius	1362957	Lt. (J. G.) U. S. N. R. F	
Bretz, John Thomas	297503	Capt. Trans. Corps	195.00
Brown, Thomas Edward	1364468	1st Lt. Med. Corps	125.00
Brown, Wm. Elbridge	446630	1st Lt. Q. M. C	125.00
Bryan, Saml. Smith, jr	400536	1st Lt. A. S	125.00
Buell, Wm. Collins, jr	1364969	1st Lt. Engrs	125.00
Buggy, Frank Raymond	376362	Capt. Inf. M. G. Co	165.00
Cain, Robert Sneath	87299	Capt. Inf	180.00
Caldwell, Herbert Clyde	313731	1st Lt. 313th Inf	125.00
Cannon, James Thomas	483689	Capt. Dental Corps	150.00
Clapp, George Houghton	209693	Capt. Med. Corps	150.00
Clark, Chester Fairchild	265321	1st Lt. Q. M. C	125.00
Claypoole, Ronald Semple	490834	2d Lt. Engrs	106.25
Clement, Charles Maxwell	906305	Maj. Gen. Inf	500.00
Clendenning, Robt. Mastin	397428	Capt. M. T. C	150.00
Cobb, Murray Addison	1080700	Capt. Inf	187.50
Colcher, Abraham Edward	1366120	1st Lt. Med. Corps	125.00
Condit, George Smith	298905	1st Lt. Med. Corps	125.00
Conn, Ralph Edmund	906722	1st Lt. Med. Corps	125.00
Conner, Wm. Page	395720	2d Lt. Engrs	106.25
Conway, Geo. R	1078733	2d Lt. M. C. Co. 63 Inf	116.87
Coover, Merle Edgar	156468	1st Lt. Inf	125.00
Cooper, Herbert	162950	Capt. Med. Corps	150.00
Cort, Thomas Laird	338854	Capt. Inf	150.00
Cramer, Joseph W	393567	2d Lt. M. T. C	106.25
Carwford, Harry Thomas	1084192	1st Lt. Inf	125.00
Critchfield, John B	341372	1st Lt. Med. Corps	125.00
Daniels, Clarence D'Azavado	1056151	1st Lt. Med. Corps	125.00
DaCosta, John Chalmers	1080773	Lt. Com. U. S. N. R. F	187.50
DeGraw, Charles Henry	1074664	Lt. U. S. N. R. F	150.00
DuBarry, Joseph Napolean	200543	Capt. Inf	150.00
Dale, George C	389235	1st Lt. Dental Corps	125.00
Devlin, Charles James	237447	2d Lt. Inf	106.25
Devereaux, Edward James	302213	1st Lt. A. G. Dept	125.00
Devereux, Robert Trafford	469441	Maj. Med. Dept	187.50
Diamond, Francis X	392073	2d Lt. Inf	106.25
Diller, Warren Levi	1360310	Capt. Med. Corps	150.00
Dodd, William Alexander	302938	1st Lt. Cavalry	125.00
Doheny, Frank Patrick	1083013	Ensign U. S. N	
Doyle, Edw. V	1077522	2d Lt. Inf	106.25
Doyle, Thomas Fawrence	569924	Capt. Med. Corps	150.00
Dorwart, Geo. Marks	219951	2d Lt. Inf	106.25
Drake, Daniel Webster	1083661	1st Lt. Inf	125.00
Drayton, Frederick Rogers	288975	Capt. Inf	150.00
Dussere, Louis	1065788	2d Lt. Air Service	106.25
Edwards, Harry Daniel	338879	1st Lt. Inf	137.50
Eggleston, Wm. James	405234	Capt. Dental Corps	150.00
Ege, Edward Fay	1066081	2d Lt. Inf	106.25
Ehrgood, Geo. Albert	1071435	Capt. Chaplain Reserve	150.00
Eiler, Valentine Burton	157030	Capt. Med. Corps	150.00
Elberson, Alden D	303028	1st Lt. Inf	125.00
Ellis, Thomas Biddle	1078134	Col. Hg. Tr	312.50
Embry, Talton H	321535	2d Lt. Inf	106.25
Everett, LeRoy	160287	1st Lt. Inf	137.50
Eves, Paul Wilson	608649	1st Lt. Med. Dept	125.00
Erickson, Wm. Julius	399328	Capt. Med. Corps	150.00
Fanton, Wm. Henry	480039	Capt. Inf	180.00
Farrell, Patrick Francis	346880	2d Lt. F. A	106.25
Ferguson, David M	315086	2d Lt. Inf	106.25
Fiscus, Janus Hudson	237473	Capt. Med. Corps	150.00
Fleischer, Jacob Adolph	143591	Capt. F. A	195.00
Folsom, John Henry	149282	2d Lt. Engrs	106.25
Foos, Harry Miller	182797	2d Lt. Inf	150.00
Ford, Howard Andrew	1039316	2d Lt. F. A	106.25
Forney, Charles Blain	24137	2d Lt. Q. M. C	106.25
Fravel, Hugh Clair	247009	1st Lt. Inf	125.00
Gamble, Robert Bruce	1071404	Lt. Col. Inf	281.25
Gentner, John Milton	53354	Capt. Inf	150.00
Gerhardt, Paul Henry	456243	Capt. Med. Corps	150.00
Getz, Ralph Fricker	392251	2d Lt. Engrs	106.25
Given, Ellis Edgar Willits	1360619	Lt. Col. Med Corps	218.75
Glidden, Burt R	188873	2d Lt. M. G. Bn. Inf	106.25
Glenn, Wm. S., jr	452651	Capt. Med. Corps	150.00
Goodman, Robt	1363068	1st Lt. Med. Corps	125.00
Gould, Frank Robling	376967	1st Lt. Dental Corps	125.00
Graham, James G	398181	1st Lt. Inf	125.00
Graham, Stuart Donald	272203	2d Lt. Inf	106.25
Gray, Joseph Wilson	402561	1st Lt Engrs	125.00
Greene, Albert Van Nesse	256528	2d Lt. Inf	106.25
Gregson, John LeRoy, jr	497735	1st Lt. U. S. M. C	125.00
Grimes, Robert Bruce	1363748	Maj. Med. Corps	187.50
Groff, James A	371796	Capt. Inf	180.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

PENNSYLVANIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Gruber, Charles	327453	1st Lt. Chaplain	$125.00
Gwyer, Charles Francis	503505	1st Lt. Chaplain	125.00
Hadsall, Sidney Charles	278282	2d Lt. Inf	106.25
Haley, Edward M	1046330	Capt. Med. Corps	150.00
Hallahan, Robert Francis	1044075	Capt. Signal Corps	Deceased.
Hammitt, John K	569807	2d Lt. Inf	106.25
Harris, Arthur Charles	425187	1st Lt. Chaplain	125.00
Harvey, Francis Alexander	305597	1st Lt. Inf	125.00
Hawkins, Edward Andrew	204416	1st Lt. F. A	150.00
Hebsacker, Wm. Frederick	267609	Capt. Med. Corps	150.00
Heiser, Oliver Raymond	367014	1st Lt. Inf	125.00
Hempstone, Frank Waldo	1383462	1st Lt. Inf	125.00
Hendler, Ullmann Caldwell	217145	Capt. Inf	150.00
Henninger, Allen, jr	90808	2d Lt. Inf	106.25
Higgins, Harry Shreve	174900	1st Lt. Chaplain	125.00
Hinds, Alexander M	248234	1st Lt. Inf	125.00
Hoenstine, Floyd Guanar	298162	2d Lt. Inf	106.25
Holton, Thomas Aloysius	1361040	Capt. Dental Corps	150.00
Hooper, Thornton Dayton	482914	1st Lt. Air Service	125.00
Hoover, Wesley C	503843	Capt. Q. M. C	195.00
Hopkins, Wayne Leslie	190339	2d Lt. Inf	106.25
Houhart, Harold Ernest	381869	1st Lt. F. A	137.50
Hoyt, Frank Wellington	246415	2d Lt. Engrs	
Hunt, Herbert Price	194191	1st Lt. Inf	162.50
Hunter, Andrew	342607	Capt. Med. Corps	150.00
Huston, Dell Clifford	197386	2d Lt. F. A	125.00
Joachim, Wm. Franklin	356905	1st Lt. Ord	125.00
John, Rutherford L	419415	Maj. Med. Corps	187.50
Jones, Charles E	1079818	Maj. Q. M. C	187.50
Jones, James Wormley	311905	Capt. Inf	150.00
Johnson, Wesley B	1083206	Ensign U. S. N. R. F	106.25
Johnson, Charles	1067358	Capt. Inf	165.00
Kearns, Edward Lee	905279	Col. Inf	312.50
Keiter, Wm. Alfred	513555	1st Lt. U. S. M. C	137.50
Kent, Samuel Leonard, jr	586992	1st Lt. Engrs	125.00
Kerst, Joseph E	232795	2d Lt. Inf	106.25
Kestner, Edw. Victor	260326	Maj. A. S. C	243.75
Kleinstuber, Wm. Oscar	307031	1st Lt. Inf	125.00
Kleppinger, Samuel Adams	17792	Capt. F. A	150.00
Kline, Wade Turney	314295	Capt. Inf	195.00
Kingsley, Joseph Theodore	371760	Maj. Q. M. C	187.50
Kirk, Geo. Breon	292474	1st Lt. Med. Corps	125.00
Knippel, Frederick Wm	1053547	1st Lt. Med. Corps	106.25
Koenig, Carl Frederick	329047	1st Lt. Inf	125.00
Koontz, James Byron	183333	1st Lt. Inf	125.00
Krause, Robt. S	561823	1st Lt. Inf	125.00
Kriechbaum, Roy Byron	489195	Capt. Inf	165.00
Landis, Edw. Paul, jr	1075182	2d Lt. Q. M. C	106.25
Laner, Kurvin Wm	208395	2d Lt. Inf	106.25
Lauer, Carl Frederick	376468	Capt. Chaplain Inf	150.00
Leitzell, Wilbur F	214793	Maj. M. G. Batl. Inf	187.50
Leonard, Chas. F	232580	1st Lt. Med. Corps	125.00
Lewis, Thomas Knight	541832	Capt. Med. Corps	150.00
Lightner, James Newton	1075998	Capt. Inf	195.00
Linn, Charles F	1366908	Capt. Med. Corps	150.00
Lockhart, Andrew Robert	227452	Capt. F. A	195.00
Love, Preston Armstrong	437996	1st Lt. Inf	125.00
McClelland, Quinton J	1066841	2d Lt. Inf	106.25
McDonnell, Owen F	217846	2d Lt. Inf	106.25
McFarland, Joseph	624541	Maj. Med. Corps	187.50
McGarr, Thomas Edward	358868	Capt. Engrs	150.00
McGough, Edward Alexander	1082564	2d Lt. Signal Corps	106.25
McKeon, James Stephen	354186	1st Lt. Inf	125.00
MacGee, Roy James	539503	1st Lt. San. Corps	125.00
MacLeod, Norman MacCallum	686283	1st Lt. Engrs	125.00
Maguire, Edward B	210143	1st Lt. Inf	137.50
Malcomson, Wm. H	432354	2d Lt. Inf	106.25
Martin, Jesse Penney	605445	Capt. Chaplain	180.00
Martin, Richard C	553717	1st Lt. Air Serv	125.00
Maxey, David Rexford	470214	2d Lt. Inf	106.25
Meehan, Edward J	453487	Lt. Col. Inf	262.50
Meley, Edward Jewitt	442849	Capt. Med. Corps	150.00
Mihovilovich, John	509594	Ensign, U. S. N. R. F	
Milko, John Geo	2446	2d Lt. Inf	116.87
Miller, Albert Wm	305870	1st Lt. Inf	
Miller, Geo. H	360453	2d Lt. F. A	106.25
Miller, Phillipus	442176	2d Lt. Inf	106.25
Monroe, Harry Scott	295524	1st Lt. Med. Corps	125.00
Moore, Wm. Benjamin	307043	2d Lt. Inf	116.87
Morgan, Leonard Davis	258037	2d Lt. Inf	106.25
Morrin, Hugh Barton	314534	2d Lt. Inf	106.25
Morris, Edward Aloysius	551428	1st Lt. Inf	125.00
Mosher, Jas. Sherman	188659	Capt. Med. Corps	150.00
Moyer, Albert Floyd	322817	2d Lt. Inf	106.25
Moyer, Wm. W	1082780	Capt. Dental Corps	150.00
Murphy, Geo. Wm	1360272	2d Lt. Q. M. C	106.25
Murphy, Joseph Timothy	338957	Capt. Med. Corps	150.00
Murray, Valentine	509459	Capt. Inf	195.00
Murrin, Connell Edward	381504	1st Lt. Med. Corps	125.00
Myers, Chas. H	316396	2d Lt. Inf	106.25
Myers, Harry S	150628	1st Lt. Inf	162.50
O'Brien, Raymond John	371751	1st Lt. Engrs	125.00
O'Daniel, Andrew Allison	265136	Capt. Med. Corps	150.00
O'Leary, John J	221053	Capt. Chaplain Inf	150.00
Osthaus, Robt. A	87189	2d Lt. Inf	116.87
Owens, John Jos	267103	Capt. Inf	180.00
Owens, Robt. J	272276	Capt. Q. M. C	150.00
Nelan, Thos. Gibbons	245576	Maj. Med. Corps	187.50
North, Louis Arthur	360463	2d Lt. Inf	106.25
Painter, Jackson McAbee	199213	Capt. Inf	150.00
Parker, Brantly Fuller	150299	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

PENNSYLVANIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Parks, Cornelius G	1363118	1st Lt. Chaplain, F. A	$125.00
Parsons, Isaac Ivison	338126	Capt. Med. Corps	150.00
Patten, Morgan Howarth	430436	1st Lt. Engrs	125.00
Penrose, Thomas Wm	313793	Maj. Med. Corps	243.75
Peppler, Harry A	517705	Lt. U. S. N. R. F	150.00
Peters, Jacob Markwood	169196	Maj. Med. Corps	243.75
Petty, Orlando Henderson	1069672	Lt. U. S. N. R. F	150.00
Phillips, Donovan Ralph	1381460	1st Lt. A. S	125.00
Piper, Wm. Scott	239650	Capt. Med. Corps	150.00
Plank, David Harlan	1051790	1st Lt. Engrs	125.00
Pollock, Benj. Harrison	264173	1st Lt. Inf	125.00
Potter, Hannibal E	307327	2d Lt. Engrs	106.25
Poux, Geo. Adrien	322579	1st Lt. Med. Corps	125.00
Purman, Daniel O	355926	1st Lt. Q. M. C	125.00
Quinn, James Herbert	1366469	1st Lt. F. A	125.00
Quinn, Thomas J	209961	Capt. Inf. Vet	150.00
Raeder, Wm. John	212336	1st Lt. F. A	187.50
Raken, Wm. Elkin	1365943	Maj. Med. Corps	Deceased.
Ranck, Edmund R	152376	Capt. Inf	150.00
Randolph, Geo. David	1053720	Ensign, U. S. N. R. F	106.25
Read, Harry Malcolm	1084827	1st Lt. Med. Corps	125.00
Read, Thomas Preston	258916	2d Lt. Inf	106.25
Reber, Alvin David	199163	2d Lt. Aviation Serv	106.25
Rebuck, Walter Edgar	287471	2d Lt. Inf	106.25
Rehfuss, Louis Aligaier	515231	Lt. (J. G.) U. S. N. R. F	125.00
Reed, Joseph Marshall	194070	Capt. Med. Corps	150.00
Reitzel, Quintin Octavious	267347	Maj. Inf	Deceased.
Replogle, Geo. B	1163095	Capt. Inf	150.00
Rhode, Solon Lafayette	520361	1st Lt. Med. Corps	125.00
Rhule, Wilbur Lee	238720	2d Lt. Q. M. C	106.25
Richardson, Joseph Geo	535902	Capt. C. W. S	150.00
Rikeman, Thomas Walter	221565	1st Lt. Inf	
Robinson, Gerald Austin	338758	2d Lt. Inf	106.25
Robinson, John Lowrie	309902	1st Lt. Inf	Deceased.
Rodefer, Onward Allen	776203	Ensign U. S. N. R. F	106.25
Roemer, Leon Frederick	26454	2d Lt. Inf	106.25
Rogers, John Allyn	1073676	1st Lt. F. A	106.25
Rosen, Theodore	295256	1st Lt. Inf	125.00
Rosenbloom, Hyman G	1099271	1st Lt. Inf	
Ross, Wm. Charles	381360	2d Lt. Inf	106.25
Roundtree, Wm. Lincoln	906394	Capt. Inf	210.00
Roy, Wilford Shriner	1079786	Capt. Inf	150.00
Ruhnka, Roy A	412119	Capt. Hq. Inf	150.00
Sawhill, Donald Vere	54339	2d Lt. Inf	106.25
Schickram, Paul	906437	1st Lt. U. S. Guards	175.00
School, Harry Arndt	1362591	1st Lt. San. Corps	125.00
Schug, Carl Adelbert	187349	1st Lt. Inf	125.00
Schrier, Edward Joseph	321634	2d Lt. Inf	106.25
Schwartz, Max Jacob	1075440	1st Lt. Med. Corps	125.00
Seixas, Wm. Henry	1076752	2d Lt. Q. M. C	106.25
Seligman, Louis	1082041	1st Lt. Med. Corps	125.00
Servais, Louis Joseph	1363966	2d Lt. Ordnance	106.25
Shanks, Chas. R	1361432	2d Lt. Tank Corps	127.50
Shelly, Isaac High	1078396	Maj. Med. Corps	187.50
Sheridan, Philip Joseph	1083844	Capt. Med. Corps	150.00
Sheridan, Walter D	153314	2d Lt. Inf	106.25
Shoemaker, Geo. Joseph	306016	2d Lt. Cavalry	116.87
Shoemaker, Philip C	206651	1st Lt. M. G. Bn	125.00
Sholes, Eber Corban	444534	2d Lt. Inf	106.25
Short, Philip	366396	2d Lt. Inf	116.87
Signor, De la Ray	502536	Maj. Med. Corps	187.50
Sisson, Howard Robert	282524	1st Lt. Chaplain Inf	125.00
Small, John Joseph	467751	Capt. Dental Corps	150.00
Smith, David Scull	245806	Maj. Dental Corps	187.50
Sobenheimer, Harry Bismarck	410662	1st Lt. Med. Corps	125.00
Squier, Lowell W	146110	2d Lt. F. A	106.25
Stackhouse, John Milton	524029	Ensign U. S. N. R. F	106.25
Stackpole, Edw. J	553716	Capt. Inf	150.00
Steidle, Edward	202829	Capt. C. W. S	150.00
Steen, Wm. Lewis	247708	Capt. Med. Corps	150.00
Stivanson, Archie M	905346	Capt. Inf	180.00
Stonebraker, Elias Wm	1069914	1st Lt. Chaplain Corps	125.00
Storm, Albert James	497100	Capt. Med. Corps	150.00
Sullivan, Geo. Adam	512546	Capt. Q. M. C	150.00
Sullivan, John Joseph	199685	2d Lt. Inf	148.75
Summerton, Ralph Nelson	296833	2d Lt. Inf	106.25
Supiee, Irwin Shaw	1080676	2d Lt. F. A	106.25
Taylor, Wm. Earl Gladstone	209173	Capt. Inf	180.00
Telmosse, John Charles	1054547	2d Lt. Inf	Deceased.
Tibbens, Perry McDowell	221109	1st Lt. Med. Corps	125.00
Tilghman, Chas. Henry	252766	Capt. Inf	150.00
Tinstman, Carl Clinton	1066511	1st Lt. Inf	137.50
Turner, Wm. Frederick	406835	1st Lt. Inf	125.00
Umberger, Paul Repass	296584	Capt. Inf	150.00
Umsted, Walter Rittenhouse	683382	2d Lt. Trans. Corps	106.25
Vanderlin, Carl Joe	221635	2d Lt. Tank Corps	106.25
Van Horn, Frank Augustu	239941	1st Lt. Inf	125.00
Ventress, Geo. Elmer	701989	Capt. Inf	150.00
Vieslet, Victor Pierre	1067813	1st Lt. Med. Corps	125.00
Walker, Paul Ewing	73594	2d Lt. Inf	106.25
Walsh, Richard Joseph	1077551	Capt. Dental Corps	150.00
Watson, Roy Cooper	394715	1st Lt. Inf	125.00
Weaver, John Rex	497542	Capt. Inf	150.00
Wheeler, Martin Luther	232371	1st Lt. Inf	137.50
White, John Bernard	280424	1st Lt. Chaplain	125.00
Wickham, Otto W	322450	2d Lt. F. A	106.25
Wilkinson, David Bryan	153395	1st Lt. Inf	125.00
Williams, Edward James	483289	Capt. Vet. Corps	150.00
Williams, Jas. Archibald	296772	Capt. Inf	150.00
Williams, Lyle P	782268	2d Lt. F. A	Deceased.
Williams, Ralph O	390933	2d Lt. Inf	106.25
Wilson, Benner Marshall	371785	1st Lt. Air Serv	$125.00
Wintersteen, Jeremiah Boone	529365	Capt. Med. Corps	150.00
Woods, Philip Harold	1069534	Capt. Dental Corps	150.00
Woods, Wm. Wilson	429942	Capt. Med. Corps	150.00
Woomer, Lester Elgin	209941	1st Lt. Med. Corps	125.00
Wright, Denny Dobyn	267706	1st Lt. F. A	137.50
Wurster, Lloyd Edw	247541	1st Lt. Med. Corps	125.00
Yocum, Charles Alvin, jr	346934	1st Lt. Med. Corps	125.00
Yohe, Edward Lindsay	283030	1st Lt. Dental Corps	150.00
Young, Chas. F	383198	1st Lt. Inf	125.00
Zychowicz, John F	1080031	Capt. Med. Corps	150.00
SUPPLEMENTAL			
Britten, Chester Reams	1079916	2d Lt. Q. M. C	

RHODE ISLAND

Barton, Charles Warren	278182	2d Lt. Inf	$116.87
Brownell, Jonathan Thales	86510	Ensign, U. S. N. R. F	106.25
Caldrone, Alfred Anthony	1407925	Capt. Med. Corps	150.00
Champlin, Vincent	171956	Lt. (J. G.) U. S. N. R. F	125.00
Drummond, Frank C	382200	2d Lt. F. A	116.87
Irving, William R	224676	2d Lt. 26th Inf. 1st Div	106.25
McGreen, Thomas Edward	616660	Lt. U. S. N. R. F	150.00
Persky, Myer Arthur	158317	1st Lt. Med. Corps	Deceased.
Peterson, Hans Otto	1405772	Lt. (J. G.) U. S. N. R. F	125.00
Ridlon, John	1200074	Major Med. Corps	187.50
Sayles, Arthur Updike	346698	2d Lt. U. S. Guards	127.50

SOUTH CAROLINA

Anderson, Clifton Brown	164236	2d Lt. Inf	$106.25
Bailey, Waller	1335459	1st Lt. Inf	125.00
Barnwell, Nathaniel Berners	358892	Lt. Col. J. A. G. Dept	218.75
Blaylock, Charles David	316675	2d Lt. Q. M. C	106.25
Brown, William Henry, jr	172870	1st Lt. Inf	137.50
Bostick, Bonham Hagood	1333528	1st Lt. A. S. A	125.00
Boulware, John Hugh	15730	1st Lt. Inf	125.00
Campbell, Nell Isaac	1337873	1st Lt. Med. Cps	125.00
Clement, Edward Dawson	429005	Lt. U. S. N. R. F	150.00
Collett, William Arthur	717590	Maj. Inf	250.00
Davis, Irby Dunklin	196158	1st Lt. Inf	125.00
Deas, Henry	1334946	1st Lt. Med. Corps	125.00
Dobson, James Furman	1342873	1st Lt. Med. Corps	125.00
Dozier, James Cordie	906137	1st Lt. Inf	125.00
Eason, James Lanier	1333216	2d Lt. Trans. Corps	116.87
Eaton, Robert Knight	820943	1st Lt. Chem. War. Serv	125.00
Fulmer, Roland Hoyt	1332805	Capt. F. A	180.00
Greet, Louis	440461	1st Lt. Inf. Co. F. 167	137.50
Hamilton, Reuben Gilliam	318827	Maj. Med. Corps	187.50
Harris, Henry Hollingsworth	438762	Capt. J. A. G. D	150.00
Hart, Augustus G	183400	2d Lt. Inf	116.87
Haynie, Wm. R	1107325	1st Lt. Med. Corps	125.00
Hazelhurst, John Griffin	906421	Capt. Q. M. C	150.00
Henry, Clarence Alexander	458028	2d Lt. Inf	125.00
Holmes, McGowan	364692	Capt. Field Art	150.00
Harvin, Frank Madison	1104023	Capt. Med. Corps	150.00
Hudgens, Robt. W	348190	Capt. 118th Inf. Hq. Co	165.00
Hutchinson, Hiram	197391	Capt. 118th Inf	150.00
Irby, Pierce Butler	1337910	2d Lt. Inf	116.25
Knox, Julius T	512626	Capt. Inf	150.00
Lewis, Benj. J	406740	1st Lt. Med. Corps	125.00
McDowell, James Davison	541012	Major Med. Corps	Deceased.
McLure, John Thomas	337592	Capt. Engrs	150.00
Mahon, Gabriel H	395033	Major Inf	225.00
Marshall, Thos. B	304087	1st Lt. Inf	137.50
Miller, Conner Joshua	265523	1st Lt. Med. Corps	125.00
Mills, James Henley	335967	1st Lt. Med. Corps	125.00
Moore, Wm. Andrew	324392	2d Lt. Inf	106.25
Morse, Albert A	1119342	2d Lt. Co. E	106.25
Murray, Cromwell Emory	592537	Capt. Inf	165.00
Nims, Frederick, jr	323265	2d Lt. Inf	106.25
O'Neill, Lawrence Arthur	184975	Ensign U. S. N. R. F	106.25
Peake, Theodore J	518943	Maj. Med. Corps	187.50
Pearcy, Wm. H	336874	1st Lt. 139 Aero Sqd. Air Serv	125.00
Pitts, Thomas Antley	1342394	Capt. Med. Corps	150.00
Pressly, Ebenezer Wideman	1330315	Lt. Col. Med. Corps	218.75
Pruitt, Harrison Almus	905402	1st Lt. Med. Corps	125.00
Register, David Wells	1120273	Lt. Med. Cps. U. S. N. R. F	
Rice, Max	256935	2d Lt. 34 Inf. Co. F	106.25
Ryan, Gerald Duncan	236568	1st Lt. Engrs	
Sain, Ernest	476250	2d Lt. Inf	106.25
Sansbury, Lonnie S	1332822	2d Lt. Inf	106.25
Shepherd, Grant	126739	Capt. 23 Inf. Co. E	150.00
Simmons, Benjamin Francis	308199	2d Lt. Inf	106.25
Sligh, Charles Eric	457404	Capt. F. A	150.00
Smith, Daniel Townsend, jr	194899	2d Lt. Inf	116.87
Spencer, Clarendon Rivers, jr	279109	2d Lt. F. A	106.25
Turner, James Rogers	311586	2d Lt. Inf	106.25
Weathersbee, Ashley Barrington	1114342	1st Lt. Med. Corps	125.00
White, David Lapiley	255753	1st Lt. Engrs	125.00
White, Richard G	1100912	1st Lt. Cav	125.00
Williams, Arthur M	370819	1st Lt. Inf	175.00
Wilson, Rosko Jerome	556140	1st Lt. Med. Corps	125.00
Wood, Landrum Walker	1337070	1st Lt. Med. Corps	125.00
Woodruff, Billie Alter	356309	1st Lt. Engrs	125.00
Wyman, Benjamin Franklin	268156	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

SOUTH DAKOTA

Name	C No.	Rank and organization	Amount of retirement pay
Carson, David James	548890	Capt. Med. Corps	$150.00
Crawford, James Harry	1349751	1st Lt. Med. Corps	125.00
Donley, John Stafford	517395	1st Lt. F. A	125.00
Eckert, Earl Oliver	1351417	2d Lt. Inf	106.25
Hazle, Wm. Adam	780560	Lt. Col. 147 F. A	281.25
Heck, Milton Earl	1179810	1st Lt. Air Serv	Deceased.
Kirkpatrick, Lester E	142704	1st Lt. Inf	137.50
Lowthian, George Henry	146908	Capt. Med. Corps	150.00
Mertens, John Joseph	493239	Capt. Med. Corps	150.00
Muchow, Arthur H	388387	1st Lt. Inf	150.00
Rayburn, Robert LaVerne	154298	1st Lt. Inf	125.00
Wright, Oscar Reilly	764056	Capt. Med. Corps	150.00

TENNESSEE

Adams, David Porterfield	488039	1st Lt. F. A	$125.00
Anderson, Henry Osgood	413994	1st Lt. Med. Corps	125.00
Apperson, John Wright	211373	2d Lt. F. A	
Armstrong, Bedford Estes	339281	1st Lt. Air Serv	125.00
Ballard, Leslie N	1124018	Capt. Inf	165.00
Barbee, John Taylor	160382	Major Med. Corps	187.50
Barlow, Rayford Eugene	231926	1st Lt. Inf	150.00
Beamer, Archie K	1337186	2d Lt. C. A. C	106.25
Blair, George Arnold	323892	Capt. Inf	165.00
Bly, Robert	1285218	1st Lt. 168th Inf	137.50
Boyatt, Francis Marion	436739	1st Lt. Med. Corps	Deceased.
Bradley, John William	589194	1st Lt. Med. Corps	125.00
Brown, Emmett Ezra	1110682	Capt. Med. Corps	150.00
Brown, Ernest C	220781	1st Lt. Inf	125.00
Brumit, Phillip Isaac	208018	Capt. Inf. 117th Co. E	180.00
Buckles, Walter Avory	395465	Capt. Inf	180.00
Burke, James Willis	1121890	Maj. Inf	206.25
Burnett, Paul Franklin	636874	2d Lt. Inf	106.25
Bush, Martin Marshall	263698	1st Lt. Inf	137.50
Carr, Hilton Rice	1137425	1st Lt. Med. Corps	125.00
Clary, William Franklin	283695	Major Med. Corps	187.50
Cotten, Leon D	529112	1st Lt. Med. Corps	125.00
Cross, James	256515	2d Lt. 108th Inf. Co. L	116.87
Currin, John Alexander	133581	2d Lt. Engrs	106.25
Davis, Eugene	1139337	Maj. Med. Corps	187.50
Davis, Thomas Lyles	330859	Major, Med. Corps	187.50
Dyer, Lloyd Elmer	170530	Capt. Med. Corps	150.00
Ellis, Nathaniel W	486205	1st Lt. 117 Inf	137.50
English, Thomas Y., jr	828540	Capt. M. G. Bn	150.00
Folsom, Lynn Henter	414516	Capt. Inf	Deceased.
Franklin, William Easley	252393	1st Lt. Air Serv	125.00
Frater, Homer B	209280	2d Lt. Inf	106.25
Fredrickson, John Robert	299595	2d Lt. Inf	106.25
Fry, Walter Floyd	1212324	Lt. Col. Med. Corps	218.75
Galloway, Robert Edmunds	165860	2d Lt. 39th Inf. Co. G	106.25
Gilbreth, Florian Reginald	845450	2d Lt. Inf	106.25
Griggs, Cadwell	399263	Capt. 358 Inf. Co. E	165.00
Hackney, William Lorety	1335964	Ensign U. S. N	106.25
Hammond, Le Roy Houston	616464	Capt. Inf	150.00
Hampton, John Erwin	215827	Capt. M. D	150.00
Hartman, Charles	427334	1st Lt. 29 Engrs. (A. E. F.)	125.00
Hathaway, Caleb R	198158	Maj. 117th Inf	225.00
Hendley, Charley	414385	1st Lt. Med. Corps	125.00
Hughes, William Ralph	466833	Capt. Chaplain's Corps	180.00
Jeter, Joshua Edgar	1343542	Capt. Med. Corps	150.00
Johnson, Joseph Edward	162075	Capt. Med. Corps	150.00
Johnson, Robert Tipton, jr	518149	1st Lt. F. A	125.00
Jones, Oliver	230004	Maj. Q. M. C	187.50
Kaplan, Max	204194	1st Lt. Med. Corps	125.00
Keeling, James Henry	198660	Capt. Med. Corps	150.00
King, Samuel Lee, jr	254148	2d Lt. Inf	106.25
Lansden, David Snodgrass	220910	2d Lt. F. A	106.25
Lillard, Wiley D	481560	Capt. Co. L 117 Inf	165.00
Lyons, Thos. Sebastian	294546	Capt. 58th Inf	150.00
McCall, James Henry	905326	Capt. Med. Corps	165.00
McCall, Geo. Trevathan	280883	1st Lt. Q. M. C	125.00
McCampbell, Basil Davis	850988	2d Lt. Inf	106.25
McGinnis, John Edward	331224	Capt. Med. Corps	150.00
McNeal, Archibald Walter	552122	1st Lt. Med. Corps	125.00
Matteson, Lewis C	244524	1st Lt. Inf	137.50
Miller, Thomas Peacock	137853	Capt. Med. Reserve Corps	150.00
Morgan, Jerome Logan	281575	Maj. Med. Corps	225.00
Morison, James H. S	181001	Capt. Inf	150.00
Myers, William Albert	1334573	1st Lt. Inf	137.50
Nininger, Chas. M	1121023	Capt. Inf	165.00
Oulahan, Richard	1051505	Capt. Inf	150.00
Passino, Edw. Andrew	284683	Capt. Inf	150.00
Peters, Hugh Lawson	782289	Capt. Med. Corps	150.00
Peyton, Robert Lee	1117480	1st Lt. Med. Corps	
Quinn, Jim	513903	2d Lt. Co. G	106.25
Reece, Lemuel Lafayette	1098158	2d Lt. Inf	
Roberts, Maurice McVey	1256586	1st Lt. Inf	175.00
Roulhac, John Saunders	1115135	1st Lt. F. A	125.00
Ryan, Daniel	341410	Capt. Inf	210.00
St. John, Frank Love	906230	Capt. Inf	150.00
Shea, Martin Coyle	905379	2d Lt. Field Art	106.25
Shell, Erby	319166	2d Lt. Air Service	116.87
Simpson, John Clifton	1431489	1st Lt. Med. Corps	125.00
Stevens, Leslie V	384903	2d Lt. F. A	106.25
Taylor, John Quill	1117162	Capt. Med. Corps	150.00
Teachout, Stanley Ross	1450011	Capt. Med. Corps	150.00
Thetford, Alphonso	123856	1st Lt. Q. M. C	125.00
Thomas, George Conner	625834	1st Lt. Med. Corps	125.00
Thompson, Wm. Gary	612288	2d Lt. Q. M. C	106.25
Wade, Bruce	636982	2d Lt. F. A	106.25
Walker, John Hamilton	160391	2d Lt. Inf	106.25
Wallace, John William	200634	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

TENNESSEE—continued

Name	C No.	Rank and organization	Amount of retirement pay
Weed, Lee H	187874	2d Lt. Inf	$106.25
Wiggins, Milton C	398496	1st Lt. Med. Corps	125.00
Wilcox, Robert Clive, jr	378152	1st Lt. Inf	125.00
Williams, Roby	456131	Capt. Inf	165.00
Williams, Thomas	423331	Capt. Signal Corps	210.00
Willien, William Fleming	237263	Capt. Med. Corps	150.00
SUPPLEMENTAL			
Boone, Daniel Hilliard	1123303	Capt. Inf	
DuVergey, Chas. Phillips	254919	Capt. Q. M. C	150.00
Faircloth, Guy Anton	905901	2d Lt. F. A	

TEXAS

Aiguier, Roy L	198145	1st Lt. Med. Corps	$125.00
Allison, Dwight	716692	Capt. Med. Corps	150.00
Anderson, James Leroy	1433302	1st Lt. Med. Corps	125.00
Anderson, Robert Paul	293180	Capt. Engrs	Deceased.
Arnold, Geo. Leo	390157	2d Lt. Inf	106.25
Arnold, Raymond Smith	1328542	2d Lt. Inf	106.25
Austin, Charles Jeff	832375	Capt. Inf	195.00
Baldwin, John Browning	1288595	1st Lt. Med. Corps	125.00
Barend, Ira Charles	431365	1st Lt. Inf	137.50
Barnes, Wm. Wallace	340799	2d Lt. M. G. Bn. Cav	127.50
Barr, Jesse Wm	88177	1st Lt. Inf	150.00
Bell, Alexander Deacon	315152	Capt. Engrs	180.00
Bellmont, Leo Theodore	211716	Capt. Air Service	150.00
Benson, Walter D	512864	1st Lt. Inf	137.50
Bernay, Camp Logue	313433	1st Lt. Engrs	Deceased.
Birkman, Frederick Wm	190719	2d Lt. C. A. C	106.25
Bixler, Joseph G	300151	1st Lt. Inf	125.00
Blackwell, Wm G L	1323387	1st Lt. Med. Corps	125.00
Blanchard, Carey S	275792	Capt. Inf	165.00
Blann, Joe H	452038	2d Lt. Cav	116.87
Bledsoe, Murff F	1329036	Capt. Med. Corps	Deceased.
Borden, Joseph Lee	318220	1st Lt. Med. Corps	125.00
Bowman, Charles Stewart	1390379	1st Lt. Med. Corps	125.00
Braun, Harry Edgar	275619	1st. Lt. Med. Corps	125.00
Brasher, Clarence Elmore	621962	2d Lt. Sig. Corps	106.25
Briscoe, Charles Salmon	276924	Capt. Signal Corps	150.00
Brotherson, Guy Lester	1260961	2d Lt. Inf	116.87
Brown, Clarence Sydney	286245	Maj. Med. Corps	187.50
Brown, Jos. L	567994	Capt. Dental Corps	150.00
Brown, Lindsley M	1329065	Maj. Ord. Dept	187.50
Bruce, Grover C	261629	1st Lt. Med. Corps	125.00
Bynum, Wallis Mark	301742	2d Lt. A. S	106.25
Burtis, Edwin Samuel	1394976	2d Lt. Air Service	Deceased.
Bush, Howard Marion	265316	Capt. Med. Corps	150.00
Butcher, Roger Elmer	1150048	1st Lt. F. A	125.00
Cameron, Burr Solomon	236420	2d Lt. Air Service	106.25
Campbell, Robt. K	332911	1st Lt. Inf	125.00
Campbell, Wm. Edward	252125	Capt. Med. Corps	150.00
Carlson, Geo. N	260532	Capt. Mch. G. Inf	150.00
Carpenter, Eugene R	1324922	Capt. Med. Corps	150.00
Carrick, Manton Marble	532704	Maj. Med. Corps	187.50
Carter, Leonard Joshua	398018	2d Lt. Inf	
Chadwell, Leonard Shirley	297912	2d Lt. Engrs	116.87
Chandler, Richard Olney	1431494	Ensign, U. S. N. R. F	106.25
Christman, Clarence Daniel	1301395	1st Lt. Cav	125.00
Coney, Mason Cleveland	159380	1st Lt. Inf	125.00
Cox, Lee Bowley	1433964	1st Lt U. S. M. C	125.00
Coyle, Arthur James	1323604	Capt. Air Service	165.00
Craig, Harold Lee	551337	2d Lt. U. S. M. C	106.25
Crittenden, Eugene W	154033	Capt. Inf	165.00
Crome, Conrad Fink	364252	Capt. Inf	150.00
Crosby, James H	202868	1st Lt. Inf	125.00
Crow, Floyd A	1290927	2d Lt. Inf	103.25
Culp, Alexander Banks	360481	1st Lt. Air Service	150.00
Cunningham, Wm. Burt	188626	2d Lt. F. A	106.25
Curtis, Thomas Blakemore	905182	1st Lt. U. S. G	125.00
Daffan, Geo. Quinlan	1433706	1st Lt. Inf	125.00
Darby, Tilghman Opta	1429154	Capt. Med. Corps	150.00
DeGrummond, Henry Clay	860142	1st Lt. Inf	125.00
Delano, Herman Stevens	508224	2d Lt. Air Service	106.25
Devine, Albert Elder, sr	270707	Maj. Q. M. C	187.50
DeVerts, Frank Alexander	905349	Capt. Q. M. C	150.00
Dewees, Oscar Seth	1321764	Capt. Inf	Deceased.
Dickinson, Bertram G	368874	Maj. Inf	243.75
Dickson, Albert Maxey	1123353	2d Lt. F. A	106.25
Dinwiddie, Robert Alvin	1326851	1st Lt. Med. Corps	125.00
Dotson, Eugene M	1328223	1st Lt. Inf	125.00
Durant, Ira E	1429740	Capt. Med. Corps	165.00
Durham, Louis Allen	1325731	1st Lt. Inf	150.00
Egbert, Orville Evans	319102	Capt. Med. Corps	150.00
Ellis, Robert Alvin	1328543	2d Lt. Inf	106.25
Everett, James Powelson	458015	2d Lt. Engrs	106.25
Falligant, Geo. Battey	1192870	2d Lt. F. A	125.00
Farthing, Welbourne O	1320214	2d Lt. A. S. A	106.25
Ferguson, Guy Hunter	1327277	Lt. (J. G.) U. S. N. R. F	Deceased.
Fickessen, Wm. Robert	383667	Capt. Med. Corps	150.00
Fields, Barney Winston	341341	1st Lt. Q. M. C	125.00
Fletcher, Robert Stell	235714	2d Lt. Inf	116.87
Flint, Warren Anderson	1256042	2d Lt. Inf	106.25
Franks, Grover Cleveland	211724	2d Lt. F. A	106.25
French, Frank Davis	611911	Maj. Q. M. C	206.25
Frey, Harry	1182243	Lt. (J. G.) U. S. N. R. F	125.00
Frost, Marion Morgan	440056	2d Lt. F. A	106.25
Fullerton, Clarence Bradford	443622	1st Lt. Inf	125.00
Gaston, Alpheus D	393025	1st Lt. Sig. Corps	125.00
Gill, John Louis	1303457	Capt. Med. Corps	150.00
Glick, Edward Franklin	94126	Capt. Engrs	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

TEXAS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Glover, Henry Clay	905473	Maj. Q. M. C.	$187.50
Gore, Vernon	343949	2d Lt. F. A.	106.25
Graham, Clyde B.	14742	Capt. Inf.	165.00
Graham, Malcolm J.	289840	Capt. Engrs.	
Grant, Thos. P.	450755	Capt. Inf.	150.00
Gray, Jessy Franklin	1266432	1st Lt. Inf.	125.00
Greer, Hal Irby	239480	1st Lt. Air Service	125.00
Haden, John Brammon	749108	Capt. Med. Corps	150.00
Haefer, Oscar	136649	1st Lt. Inf.	125.00
Hafer, Warren Lavere	1079112	2d Lt. Q. M. C.	106.25
Hall, John Clarence	991945	2d Lt. Air Service	106.25
Hamlin, Carl Oswald	1433354	Capt. Inf.	150.00
Harrell, Theodore Hudson	287533	Lt. Col. Med. Corps	218.75
Harrington, Sul Ross	1295736	2d Lt. Inf.	106.25
Harrison, Louis Jay	531479	1st Lt. San. Corps	175.00
Haubold, Egon Gus	1290846	Capt. Inf.	150.00
Hawkins, Stayton M.	172615	1st Lt. Inf.	125.00
Heckler, Charles Edward E., jr.	1335233	2d Lt. F. A.	106.25
Hennessey, Carleton Timothy	403401	1st Lt. Inf.	125.00
Hill, Willard D.	401771	1st Lt. Avia. Sec.	125.00
Hills, Delbert Dewitt	278975	1st Lt. Inf.	150.00
Hitt, Joe Langston	1167578	2d Lt. Air Service	106.25
Holman, Wm. S.	1431703	Maj. Inf.	225.00
Howard, Henry Lee	252295	Capt. Inf.	165.00
Howell, Robert Lee	164092	1st Lt. Med. Corps	125.00
Hyman, Joseph Henry	350046	Capt. Air. Serv.	150.00
Hyslop, Wilbur Riley	265766	1st Lt. Q. M. C.	125.00
Imel, Edw. S., sr.	106338	Capt. Med. Corps	150.00
Ingram, Thos. H.	314035	Capt. Med. Corps	150.00
Irby, Benj. Earle	199658	2d Lt. Inf.	106.25
Jackson, Joseph Brown	1299687	1st Lt. Dental Corps	125.00
Jackson, Noah Riley	1430280	1st Lt. Med. Corps	125.00
Jackson, Will Effinger	318119	Col. Inf.	312.40
Jameson, Roy Abram	1294634	Capt. Inf.	
Jennings, Wm. Americus	20264	1st Lt. Med. Corps	125.00
Johnson, James J.	255919	Capt. Med. Corps	150.00
Johnson, Wm. Byron	255921	1st Lt. Inf.	125.00
Jones, Hubert B.	230580	Capt. F. A.	150.00
Jones, Joseph Clifford	1324125	Capt. Med. Corps	150.00
Kelsey, Everett Edward	289216	1st Lt. Signal Corps	125.00
Kershner, Wm. Perry	528140	Capt. Engrs.	150.00
Kesl, Roy W.	1327376	1st Lt. Aviation Sec. Signal C.	125.00
Kievlan, Charles Edgar	521403	2d Lt. Air. Service	106.25
Kile, Sherman C.	1288159	Capt. Mil. Intel. Div.	150.00
King, John Longino	412087	Capt. Inf.	150.00
Knight, Saml. R.	802385	2d Lt. Inf.	106.25
Kregel, Mark George	1326514	2d Lt. Air Serv.	106.25
Landrum, Marvin McTyire	100141	1st Lt. Med. Corps	125.00
Lange, August F.	424961	Maj. Vet. Corps	187.50
Lansing, Dudley Kenneth	545200	Capt. F. A.	195.00
*Larrabee, Charles Harold	475248	Capt. Q. M. C.	
Leatherberry, Geo. Sinclair	1328740	2d Lt. Q. M. C.	106.25
Leftwich, Snowden M.	174952	Capt. Inf.	150.00
Legnard, John B.	163839	Capt. Med. Corps	150.00
Leonard, Stark Edward	636725	Capt. Sig. Corps	150.00
Leslie, Leland Lloyd	1292327	1st Lt. F. A.	125.00
Lincecum, Addison Lysander	1328705	Capt. Med. Corps	150.00
Linehan, Will John	819135	2d Lt. Q. M. C.	106.25
Lockhart, Delta Epsilon	1321531	Capt. Inf.	150.00
Loomis, Edgar Webb	596330	Maj. Med. Corps	200.25
Lovell, Clyde Williford	451258	1st Lt. Inf.	125.00
McCain, Clifford	471581	1st Lt. Dental Corps	125.00
McClain, John Washington	318788	1st Lt. Med. Corps	125.00
McClellan, Clarence Lucian	1246343	1st Lt. Med. Corps	125.00
McDaniel, Alfred Clifton	144650	Maj. Med. Corps	187.50
McDonnell, Aloysius Vincent	1289783	Capt. Inf.	150.00
McGale, David Albert	1323914	1st Lt. M. T. C.	
McLain, Wm. Elvage	363276	Maj. Med. Corps	187.50
McLean, John Thompson	449108	Capt. Med. Corps	180.00
Mann, Berry Duke	246676	Capt. Cav.	180.00
*Mann, Saml. Richard	905813	1st Lt. U. S. Guards	150.00
Marshall, Clyde Morgan	150555	2d Lt. Inf.	106.25
Mason, Clinton C.	221064	Capt. Inf.	150.00
Maverick, Maury	263050	1st Lt. Inf.	125.00
Maxwell, Jesse James	1428653	2d Lt. San. Corps	106.25
Merrem, Leslie Crane	208562	1st Lt. M. T. C.	125.00
Meyers, Harry	574278	Capt. F. A.	195.00
Middleton, Jackson	636560	Capt. Q. M. C.	71.25
Miller, Claude Davoll	1285167	1st Lt. Sig. Corps	125.00
Miller, Edmund Jackson	1345485	2d Lt. Sig. Corps	106.25
Miller, Robt. Finney	1290545	Capt. Med. Corps	150.00
Mitchell, Leonard G.	370076	Maj. Dental Corps	187.50
Mitchell, Merlin	1286758	Capt. Inf.	150.00
Monk, Walter Clarence	1289710	2d Lt. Q. M. C.	
Moore, Wallis Jas.	406659	Capt. Inf.	Deceased.
Morgan, James B.	85301	1st Lt. Inf.	125.00
Moses, Andrew	234055	1st Lt. Inf.	125.00
Moses, Robert Lewis	544425	1st Lt. Inf.	125.00
Murphy, Ewell Edward	262736	2d Lt. M. G. Bn.	106.25
Murray, Joseph Jackson	307931	1st Lt. Chaplain	125.00
Ostrom, Peter Victor	293901	Capt. Q. M. C.	180.00
Painter, Orval Chapman	260091	2d Lt. Inf.	106.25
Parrott, Farley C.	312521	Capt. Med. Corps	150.00
Pearsall, Francis Stanley	217587	2d Lt. Inf.	106.25
Pedigo, Wm. Sherman	238735	Capt. Med. Corps	150.00
Peel, Dock D.	1156890	2d Lt. Marine Corps	106.25
Perkins, James Irvine, jr.	782125	2d Lt. M. T. C.	106.25
Perkins, Robert E.	83453	2d Lt. Inf.	Deceased.
Porter, Irving Dalton	1297946	Maj. F. A.	150.00
Prather, Robert Marion	152653	1st Lt. Med. Corps	125.00
Price, Edward Humphrey	274512	1st Lt. Inf.	125.00
Rader, Frank Kearns	400112	1st Lt. Engrs.	125.00
Reeves, Emory West	253441	1st Lt. Med. Corps	125.00
Rickard, Herbert A.	1290997	Capt. F. A.	150.00
Rieck, Hugh W.	603265	Capt. Inf.	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

TEXAS—continued

Name	C No.	Rank and organization	Amount of retirement pay
Rike, Wm. F.	1297946	Maj. F. A.	$225.00
Robbins, John Curtl, jr.	321939	2d Lt. Trans. Corps	106.25
Robinson, Henry Meyer	477103	Ensign, U. S. N.	106.25
Rodgers, Rollin Webster, jr.	250369	1st Lt. C. W. S.	125.00
Ross, Nealie Edw.	392778	Capt. Dental Corps	150.00
Rundt, Augustus Nowell	1338087	2d Lt. Q. M. C.	106.25
Sanders, Randolph Ramsay	261950	2d Lt. Air Serv.	106.25
Sanford, Harold M.	471322	1st Lt. Air Serv.	137.50
Scott, Henry Sanford	475234	1st Lt. Inf.	125.00
Scotten, Frank D.	314584	1st Lt. Inf.	125.00
Scully, John Henry	491933	Capt. Cav.	195.00
Seagraves, Chas.	378435	1st Lt. Inf.	137.50
Seale, Christopher C., jr.	655076	1st Lt. Air Serv.	Deceased.
Sherry, Cameron B.	528920	2d Lt. Air Serv.	106.25
Simpson, Sloan	1325458	Lt. Col. F. A.	281.25
Sinclair, Wm. Carl	1288072	2d Lt. Air Serv.	106.25
Smith, Edward Coombs, jr.	235874	Capt. F. A.	150.00
Smith, Vinny L.	129110	Capt. Med. Corps	150.00
Snyder, Milton Allan	626564	1st Lt. F. A.	125.00
Southworth, Wm. Andrew	569231	1st Lt. Air Serv.	125.00
Spencer, Edwin Ray	299501	1st Lt. Inf.	125.00
Spencer, Paul Guy	285697	Capt. Dental Corps	150.00
Stackable, John B.	318452	Capt. Med. Corps	150.00
Starnes, Mest Hawkins	425133	1st Lt. Med. Corps	125.00
Standifer, Charles Herbert	822559	Capt. Med. Corps	150.00
Stephan, Karl Geo.	856500	Ensign, U. S. N. R. F.	
Stephany, Alfred Rudolph	1051345	1st Lt. Med. Corps	125.00
Stephenson, Wm. Oliver	1426683	Capt. Med. Corps	180.00
Stell, Leonard Hampton	145014	2d Lt. Inf.	106.25
Stiller, Geo. Milwayne	289036	2d Lt. Air Serv.	106.25
Stohner, Geo. Wagner	543184	Capt. Q. M. C.	165.00
Stokes, Wm. Thomas	209944	1st Lt. Med. Corps	125.00
Stradal, Elmer Stephens	1222943	1st Lt. Inf.	137.50
Strong, Elmer Dwight	1257592	1st Lt. Med. Corps	125.00
Strong, Sneed	276981	Capt. Med. Corps	150.00
Suggs, Frank	471133	Maj. Med. Corps	206.25
Swonger, J. Boyd	198103	Capt. Med. Corps	150.00
Swope, John Douglas	209474	2d Lt. Q. M. C.	106.25
Tagl, Wm.	278560	1st Lt. Inf.	Deceased.
Talmadge, Frederick Adelbert	1285935	Capt. F. A.	165.00
Taulbee, James Menfee	470716	1st Lt. Med. Corps	125.00
Temple, Thomas Lewis Latane, jr.	239903	1st Lt. Engrs.	125.00
Terrell, Alexander Watkins	163086	2d Lt. F. A.	106.25
Thomas, Lawrence Grant	1086267	1st Lt. Inf.	150.00
Thompson, Donald Raines	290774	1st Lt. F. A.	125.00
Thompson, Wm. Roy	1329185	2d Lt. Inf.	106.25
Tillman, Adolph S.	471801	Capt. M. T. C.	150.00
Toland, Wm. Arthur	1288297	Maj. Med. Corps	225.00
Tomlin, Morell	304279	Capt. F. A.	165.00
Tongate, James Monroe	197303	2d Lt. Inf.	118.37
Towery, Forrest Lee	196901	Capt. M. G. Bn.	165.00
Tyson, John Thomas	1429633	Capt. Inf.	150.00
Venable, Douglas Randolph	436658	Capt. Med. Corps	150.00
Vidrine, Grover Cleveland	430749	2d Lt. C. A. C.	106.25
Walker, Tom Percy	354755	1st Lt. F. A.	125.00
Walton, James O'Hara	332151	1st Lt. Q. M. C.	125.00
Ward, Ealson	1322840	1st Lt. Inf.	125.00
Ward, James Delano	368569	1st Lt. Inf.	106.25
Warner, Forbes H.	906600	Capt. Inf.	
Wathington, Abisha Slade	1320459	2d Lt. Q. M. C.	106.25
Watner, David Isaac	446044	2d Lt. A. S. A.	106.25
Weinfield, Louis M.	1329294	Capt. Med. Corps	150.00
Winters, Raymond Cyprian	694815	1st Lt. Inf.	125.00
Witherspoon, Louis Githens	1256906	Capt. Med. Corps	150.00
Witt, Roy R.	260700	1st Lt. Inf.	125.00
Whisenant, Herbert Wesley	376995	1st Lt. Inf.	125.00
White, Harold Leroy	1395178	1st Lt. Inf.	137.50
Whyman, Lawrence Oliver	206646	2d Lt. Q. M. C.	106.25
Womack, Jesse Lee	373051	Capt. Med. Corps	150.00
Wood, Conan Tullins	1292854	2d Lt. Inf.	106.25
Woodall, Howard	825074	Capt. Inf.	150.00
Woodson, Mortimer	1329223	1st Lt. F. A.	125.00
Yarbrough, John Welch	366608	2d Lt. Sig. Bn.	106.25
Yates, Milton Wallace	1426668	2d Lt. U. S. Guards Inf.	138.12
York, Edwin Ruthvan	177036	Capt. Inf.	
Younger, Louis Hency	1296454	Maj. Cav.	250.00

UTAH

Bardsley, Jesse	1246260	2d Lt. Engrs.	$106.25
Boyd, Fred Artemus	281634	1st Lt. M. T. C.	125.00
Clark, Oliver R.	1250907	1st Lt. Inf.	125.00
Field, George Joseph	905504	1st Lt. Med. Corps	125.00
Lemon, Frank James	1282844	Capt. Med. Corps	
Moler, Arlington Grove	599404	Capt. Trans. Corps	150.00
Murray, Arthur Lapham	246747	Capt. Med. Corps	
Openshaw, Clarence Roy	239517	Capt. Med. Corps	150.00
Snyder, Fred Fulmer	305288	2d Lt. Inf.	106.25

VERMONT

Abernethy, Landen	440239	1st Lt. Med. Corps	$125.00
Bullock, William Lyman	130370	1st Lt. Med. Corps	125.00
Burns, John James	1019547	2d Lt. Air Service	106.25
Clark, Frederick E.	525126	Maj. Med. Corps	206.25
Creed, Thomas Joseph	1017539	1st Lt. Inf.	125.00
Delehanty, Nicholas James	513387	Capt. Med. Corps	150.00
Fisher, Benjamin W.	1001233	2d Lt. A. S. A.	106.25
Hamilton, Jas. Madison	134005	Capt. Med. Corps	180.00
Hoyle, Alonzo Tracey	1008661	Capt. Engrs.	150.00
Kendrick, Jack Boyce	1009757	2d Lt. M. T. C.	106.25

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

VERMONT—continued

Name	C No.	Rank and organization	Amount of retirement pay
Kerrigan, John P	350448	Capt. Med. Corps	$150.00
McProud, Wilbur Cyrus	169663	Capt. Inf.	150.00
Mack, Elwood Loveland	1049218	1st Lt. Ordnance	Deceased.
Mayhew, Horace Charles	484723	2d Lt. Inf.	116.87
Shaw, Walter Stephen	1406077	1st Lt. Inf.	137.50
Stoughton, Perley Melbourne	1014853	1st Lt. Air Serv. Army	125.00
Summer, Charles Stewart	189636	Capt. Inf.	180.00
Wright, Raymond Sheldon	1409057	2d Lt. Inf.	106.25

VIRGINIA

Addison, John D	205585	1st Lt. Tr. Co. Engrs	$125.00
Allen, Morris Simpson	614449	Capt. Inf.	165.00
Anderson, George James	541993	Capt. Q. M. C. Trans. Corps	150.00
Barnes, Clarence E	183612	Ensign U. S. N. R. F.	106.25
Barr, Albert T	1095036	Capt. Inf.	150.00
Betts, Claude Swanson	461130	Ensign U. S. N. R. F.	106.25
Berkley, Percy C	1380662	Ensign U. S. N. R. F.	Deceased.
Brown, John Dorsey	371797	1st Lt. Inf.	125.00
Brown, Ralph Waddell	477848	Capt. Medical Corps	150.00
Boushall, Thomas Callendine	636753	1st Lt. San. Corps	125.00
Buchanan, John Joseph	1085414	2d Lt. Q. M. C.	106.25
Cammer, Claude R	120122	1st Lt. Inf.	125.00
Carrington, George Cabell	169624	Capt. Inf.	150.00
Christian, James Ramsey	675747	1st Lt. Q. M. C.	137.50
Cord, John Charshee	479646	2d Lt. Q. M. C.	106.25
Couper, Jas. Hamilton	429661	1st Lt. M. T. C.	125.00
Craddock, Abram Poindexter	1383025	Capt. Inf.	150.00
Crump, Edw. Frank Coleman	1382332	2d Lt. Field Art.	106.25
Culbertson, William Richardson	1088293	1st Lt. Inf.	125.00
Daughton, John Burlington	577731	Capt. Q. M. C.	150.00
Davant, Harry Wilton	206176	Capt. Inf.	165.00
Divine, John Parker	554926	Capt. Vet. Corps	165.00
Dodd, Thomas Franklin	583283	Maj. Med. Corps	187.50
Duncan, Edgar Elbert	1381741	1st Lt. Inf.	125.00
Eastham, Granville	13907	1st Lt. Med. Corps	125.00
Eddington, Walter John, jr	606684	Capt. U. S. Marine Corps	150.00
Egense, John Nicholas Carl	1085433	1st Lt. Q. M. C.	125.00
Elliott, Samuel Tilden	219045	Capt. Med. Corps	150.00
Ewell, Nathaniel McGregor	508001	Capt. Inf.	150.00
Fitts, John Blair	295335	1st Lt. Med. Corps	125.00
Foster, Edward Lee	1383057	1st Lt. Inf.	125.00
Frazier, Wm	521871	Capt. Inf.	150.00
Fretwell, Geo. B	342949	1st Lt. Inf.	125.00
Gay, Welland	1092597	2d Lt. F. A.	106.25
Harnsburger, Hopkins	159178	2d Lt. F. A. 130th Co.	125.00
Harris, William Aquilla	906094	Lt. Col. Med. Corps	218.75
Harrison, Gunyon M	307722	Capt. Inf.	165.00
Harrison, Robt. P	383936	2d Lt. Vet. Corps	106.25
Hasbrouck, Edwin Marble	308579	Capt. Med. Corps	150.00
Heath, Wm. Rufus	1094681	Lt. U. S. N. R. F.	106.25
Hennelly, James Harman	275893	2d Lt. 10th F. A.	106.25
Herbert, Julius Melville	258127	2d Lt. Inf.	106.25
Hewitt, Marion Stetson	1383426	Capt. Cavalry	180.00
Holladay, Gray Godwin	1099092	Lt. U. S. N. R. F.	150.00
Hughes, James Francis	477091	1st Lt. Inf.	125.00
Hulvey, Chas. Newton	517005	Maj. Inf.	187.50
Humphrey, Wm. Lodge, jr	211492	1st Lt. 20th Engrs	125.00
Hundley, Robert Garland	252335	2d Lt. Inf.	106.25
Hutcheson, Robert Steele	534309	2d Lt. F. A.	106.25
Ingram, Sylvanus L	1096886	2d Lt. Air Serv.	106.25
Jacob, Clyde Hancock	332213	1st Lt. 314 Inf. 79 Div.	125.00
Jeffers, Geo. L	351738	2d Lt. F. A.	106.25
Jones, John Whittier	179557	2d Lt. Inf.	106.25
Kinsey, Henry Clay, jr	208440	2d Lt. Tank Corps	106.25
Knight, Lawrence Edwin	205671	1st Lt. Inf.	125.00
Lancaster, Paige Irving	478618	1st Lt. Inf.	125.00
Leach, George Obad	905400	Major U. S. Guards	250.00
Lee, Henry Daniel	439857	2d Lt. Inf.	116.87
Long, Hugh Oman	1337440	2d Lt. U. S. Guards	127.50
Lovett, Wm. Conway	1084082	2d Lt. Q. M. C.	106.25
McKeaney, James Baldwin	280908	Ensign, U. S. N. R. F.	106.25
McLeod, Alexander	1382423	Capt. Med. Cps.	150.00
McClure, Barton Bates	217781	1st Lt. Med. Corps	125.00
Manley, Jethro	429208	Capt. F. A.	195.00
Martin, Edward Ward	1097086	1st Lt. Engrs.	125.00
Massey, William Broaddus	249735	Lt. (J. G.) U. S. N. R. F.	125.00
Meade, Edward K	239556	1st Lt. Air Service	125.00
Menefee, Marvin James	419401	1st Lt. Inf.	125.00
Meredith, Algienon Russell	174487	2d Lt. Air Serv.	106.25
Murray, William K	312343	Maj. Med. Corps	
Nelson, Philip	376375	1st Lt. Engrs.	Deceased.
O'Brien, John, jr	145892	1st Lt. Med. Corps	125.00
Odenthal, Hugo John	813153	1st Lt. Air Serv	125.00
Parsons, George Lake	1378382	Capt. Cav	165.00
Patterson, Frederick Wm. McL	320063	Major Inf.	206.25
Perkins, Lewis Bryant	511902	Capt. Q. M. C.	150.00
Petty, William Edward	1376903	2d Lt. Inf.	106.25
Phillips, Charles Clarence	1163413	Maj. Med. Corps	187.50
Pillow, Benjamin Thomas	281127	1st Lt. Q. M. C.	125.00
Powell, Matthew Jones	605573	2d Lt. Inf.	106.25
Prosise, Alan Brooks	169205	1st Lt. Inf.	125.00
Reynolds, Robert Henon	279252	2d Lt. Inf.	106.25
Robeson, John Maxwell	470051	Maj. Inf.	206.25
Robinson, Julian McGruder	190298	Capt. Med. Corps	150.00
Robinson, Wm. Alex	398171	2d Lt. Field Art.	106.25
Roemer, Fred Alfred	243585	1st Lt. Engrs.	125.00
Ross, John James Wise	205406	Capt. Dental Corps	150.00
Rust, Ben Wood	643608	2d Lt. Engrs.	106.25
Ryder, Ollie Allison	291788	1st Lt. Med. Corps	125.00
Sanford, Joseph Lipscomb	216850	Maj. Adj. Gen. Dept.	206.25
Sears, Charles Edward	585681	Capt. Med. Corps	150.00
Sebiakin-Ross, Vladimir A	1095840	Capt. Inf.	180.00
Shamburger, Lacy Lee	296071	1st Lt. Inf.	125.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

VIRGINIA—continued

Name	C No.	Rank and organization	Amount of retirement pay
Shriver, Alfred Wallace	283375	1st Lt. Inf.	$125.00
Sigmund, Robert	905611	Capt. Ordnance	71.25
Smith, Russell Gordon	428812	2d Lt. San. Corps	Deceased.
Standard, Hugh Conway	364516	2d Lt. A. S. C.	106.25
Stancil, Jasper Newton	1090120	Chief machinist, U. S. N. R. F.	116.87
Summers, Forest T	400926	1st Lt. Med. Corps	125.00
Teare, Charles Case	376391	Lt. Col. J. A. G. D	231.25
Tinsley, Ashton M	371740	Maj. Engrs	187.00
Trow, Walter Gordon	251020	Maj. Med. Corps	206.25
Trower, William Bell	1088110	1st Lt. Med. Corps	125.00
Tuck, David Asa	476470	2d Lt. Inf.	106.25
Turner, Robert Marshall	239706	1st Lt. Engrs	125.00
Turner, Walter Lee, jr	293166	2d Lt. Inf.	106.25
Van Derveost, Jamason	248105	1st Lieut. Engrs	125.00
Varney, Frank Burton	497137	Capt. C. A. C.	165.00
Vittum, Charles Calvin	1005975	2d Lt. Trans. Corps	106.25
Nalle, Owen	626232	1st Lt. A. G. Dept	137.50
Waller, James Augustus, jr	1375983	1st Lt. F. Art	125.00
Weaver, Robert Henry	256952	2d Lt. Inf.	127.50
Wedderburn, Frank A	305808	Capt. Inf.	180.00
Whitehouse, Edwin Hayes	258941	1st Lt. Inf.	125.00
Williamson, Wm. Thos	171470	Capt. Med. Corps	Deceased.
Wiltshire, Turner Hill	371803	Maj. Inf	187.50
Worrell, Wise	331038	1st Lt. F. A. Inf.	137.50
Wright, William Raymond	1254720	1st Lt. F. A.	125.00
Wynkoop, Daniel W	240015	Maj. 23d Engrs. M. C.	187.50
Young, Edgar Williams	144499	Capt. Med. Corps	150.00
SUPPLEMENTAL			
Fugate, Charles Radford	906038	1st Lt. Med. Corps	

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Akers, Edgar William	423757	2d Lt., 308th Inf.	$127.50
Ambler, Harry Atwood	431653	Capt. M. G. Co.	150.00
Angove, Clarence Virden	161009	2d Lt Inf.	106.25
Beach, George William	1401460	Capt. Med. Corps	150.00
Bender, Wm. Henry	1400173	2d Lt. U. S. Guards	116.87
Birchfield, George Irving	1284508	Capt. Med. Corps	150.00
Bowling, George Issac	151055	1st Lt. Engrs	36.25
Bradley, William Joseph	364728	1st Lt. Cav	137.50
Branchflower, Lyle Edward	239063	Ensign U. S. N. R. F.	106.25
Brockett, Norwood Waite	1400247	Capt. F. A.	150.00
Brown, Charles	1278018	Lt. U. S. N. R. F.	150.00
Brown, Ira C	905200	Capt. Med. Corps	180.00
Burr, Benj. Emmons	440960	1st Lt. 8th Co. Trans. Corps	125.00
Burson, Henry Clay	466155	Capt. Med. Corps	150.00
Campbell, Arthur Russell	680468	1st Lt. F. A.	125.00
Carnfel, Edward James	1284419	2d Lt. Q. M. C.	106.25
Chase, Clifford Earl	264583	Maj. Engrs	187.50
Cheney, Joseph Curtis	281751	2d Lt., 363 Inf.	106.25
Coe, Frank Aimer	430116	1st Lt. Air Serv	150.00
Coffey, Edgar Nathan, jr	1401688	1st Lt. Inf.	137.50
Coles, Paul David	266715	2d Lt. A. S. A.	106.25
Coulter, Waldo W	136170	1st Lt. Engrs	125.00
Cox, Edward Wirt	382203	Capt. Med. Corps	150.00
Crosby, Geo. J	445924	Maj. Tank Corps	243.75
Cusick, John Hackett	1400562	2d Lt. Inf.	106.25
Dean, John Ralph	472252	Capt. Q. M. C.	150.00
Dorsett, Karl Charles	375219	Capt. Engrs	150.00
Drain, Jesse Weeks	407956	1st Lt. C. A. C.	125.00
Drown, Ashley Marlin	256433	2d Lt. Engrs	106.25
Everly, Ronald Edward	1275295	1st Lt. Inf.	137.50
Evans, Donaldson Hampton	1276965	1st Lt. Engrs	165.00
Farrell, Theron Lee	317605	1st Lt. Inf.	137.50
Fotheringham, Stuart Gano	1400711	Ensign U. S. N. R. F.	106.25
Gaston, George Clair	105894	2d Lt. Inf.	106.25
Ghering, Roscoe L	308006	1st Lt. Med. Corps	125.00
Graves, Harold Francis	276385	2d Lt. Inf.	106.25
Hall, Edward E	830087	Capt. Engrs	150.00
Harkins, Earl Henry	382743	Capt. Ord Dept	165.00
Hart, DeLoss Gobin	1281567	Ensign U. S. N. R. F.	106.25
Helmer, Phil Franklin	324506	2d Lt. 354th Aero Sqdn	106.25
Hickerson, Jos. Benj. Lorenzo	383168	Maj. Sig. Corps	187.50
Hoff, Einar	322832	Lt. (J. G.) U. S. N. R. F.	125.00
Hollander, Tyre Harrison	1283371	Ensign, U. S. N. R. F.	106.25
Horr, Ralph Ashley	598928	1st Lt. Inf.	125.00
Houser, Paul Willard	445415	1st Lt. Air Serv. (Signal Reserve of Aviation Section).	125.00
Howe, George Brazier	905383	Capt. Sig. Corps	195.00
Hynds, Arthur August	283494	2d Lt. 47th Inf.	106.25
Jameson, Earle Clifton	473969	1st Lt. Inf.	125.00
Johnson, Alexius E	459756	1st Lt. Inf.	125.00
Joiner, William Edwin	1280565	Capt. Med. Corps	150.00
Kessey, Raymond Johnson	905309	Capt. C. A. C.	61.80
Keyes, Lloyd Berkley	1402516	Ensign U. S. N. R. F.	Deceased.
Keys, Walter	511705	Capt. Sig. Corps	195.00
Kroger, Harry A. R	906046	Capt. San. Corps	71.25
Legg, Emmett Jenner	1400281	1st Lt. F. A.	125.00
Lindley, William Purdy	1261522	Lt. Com. U. S. N. R. F.	187.50
Looff, Hans Walter	417374	1st Lt. A. S. S. O. R. C.	125.00
McBraun, James Bruce	1275606	2d Lt. Inf.	106.25
McDonald, Joseph M	744508	Capt. San. Corps	150.00
McGirr, Horace D	13388	2d Lt. Inf.	106.25
McIntyre, Harry John	250313	2d Lt. Inf.	106.25
McMartin, Thos. Glenn	1402055	Capt. Dental Corps	150.00
Mantor, Ralph Edgar	508183	2d Lt. Engrs	116.87
Maryatt, Roy Lincoln	566352	Lt. (J. G.) (T) U. S. N.	125.00
Matthews, Alfred Ira	334393	Capt. Engrs	150.00
Mitchell, James Buckley	1282993	1st Lt. Q. M. C.	125.00
Mitchell, Whiting Benoin	906909	1st Lt. Med. Corps	125.00
Morgan, Elmer Alan	1277154	2d Lt. Q. M. C.	127.50

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

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Name	C No.	Rank and organization	Amount of retirement pay
Murphy, Thomas B. N.	329044	Lt. (J. G.) U. S. N. R. F.	$125.00
Nelson, John Francis	701763	1st Lt. Q. M. C.	
Olsen, Amos Floyd	225541	2d Lt. Q. M. C.	106.25
Pape, Glenn E.	323447	1st Lt. Q. M. C.	125.00
Pippin, Wm. Henry	293317	1st Lt. Q. M. C.	125.00
Pittson, Harry	230542	2d Lt. Inf.	127.50
Redfern, Otto Roscoe	309975	Ensign U. S. N. R. F.	Deceased.
Rice, William Peter	545547	Capt. Med. Corps	150.00
Ristine, Earl Francis	361571	Capt. Med. Corps	150.00
Rogers, Vertus William	1401459	2d Lt. Air Serv	106.25
Rosmond, William Denzil	200703	2d Lt. Sig. Corps	106.25
Runnels, Garland Dee	403602	1st Lt. Inf.	127.50
Sayres, Arthur B.	331096	1st Lt. 316 Inf.	125.00
Schumacher, Herman O.	357713	2d Lt. Air Serv	106.25
Seibert, David Allen	365002	1st Lt. Med. Corps	125.00
Simmons, Virgil	281949	Ensign, U. S. N. R. F.	106.25
Smith, Irving D.	236743	1st Lt. Inf.	150.00
Strome, Carey Lloyd	1283584	2d Lt. A. S.	106.25
Sullivan, Mitchell Sandorn	1280038	2d Lt. Air Serv	106.25
Taft, George Courter	483324	2d Lt. F. A.	106.25
Thaanum, Dean Charles	252357	2d Lt. Inf.	106.25
Travis, Robert Raymond	321585	2d Lt. F. A.	106.25
Wardell, Henry R., jr.	1280730	Capt. Inf.	165.00
Wale, Garland Barber	172226	1st Lt. Inf.	137.50
Ware, Thos. Grant	348117	2d Lt. Inf.	106.25
Winslow, Guy H.	246729	1st Lt. Med. Corps	125.00
Winters, Henry Lawrence	906011	Maj. Inf.	187.50
Worthen, Jesse Montgomery	320431	Capt. Engrs.	150.00

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Affolter, George Richard	1088646	1st Lt. Inf.	$125.00
Arnett, Ulysses Grant	1085127	Capt. Med. Corps	150.00
Baker, James Ankrom	207519	1st Lt. Med. Corps	125.00
Bates, Charles Lewis	1094018	1st Lt. Med. Corps	125.00
Berthold, Arthur Vernon	284529	1st Lt. Inf.	137.50
Bonsall, Judson	1079864	2d Lt. Inf.	106.25
Bratt, Geo. Gerald	282222	Capt. Inf.	180.00
Brooks, Leonard Lee	212344	2d Lt. Amn. Tr.	106.25
Bunkley, Wm. H.	414637	1st Lt. 20th Aero. Sqd.	125.00
Butler, Stanley C.	247126	1st Lt. Inf.	125.00
Callison, Hayward Clay	1091784	2d Lt. Inf.	106.25
Chesley, Charles Webster	624705	1st Lt. Engrs.	125.00
Conley, Philip M.	1085584	2d Lt. San. Corps	106.25
Edmiston, Andrew, jr.	277977	2d Lt. Inf.	106.25
Ferguson, Joseph Hart	905376	Capt. Med. Corps	150.00
Ford, George Michael	200973	Capt. Inf.	165.00
Friel, William Wheeler	298558	1st Lt. Inf.	125.00
Godbey, Martin Van Buren	1376205	Capt. Med. Corps	150.00
Goff, Tib Newberry	1085637	Capt. Med. Corps	150.00
Guiher, James M.	456971	1st Lt. Inf.	125.00
Gunn, Neale Richmond	1091677	1st Lt. Dental Corps	125.00
Haan, Albert E.	418856	Capt. Inf.	165.00
Haddix, Peter E.	657908	Capt. Inf.	180.00
Hall, Charles Clifford	260854	Capt. Inf.	150.00
Hamilton, Lewis Stokes	462010	1st Lt. Inf.	125.00
Hooks, Hilary Geo	267547	Capt. Inf.	
Jones, Clarence M.	572211	1st Lt. Inf.	137.50
Jones, Thos. W.	507832	Capt. Inf.	150.00
Kearns, Frank M.	307089	Capt. Med. Corps	150.00
Kincaid, Herbert C.	1378934	Capt. Med. Corps	150.00
Kinnaird, John H.	905621	Lt. (J. G.) U. S. N. R. F.	125.00
Kirby, Luther H.	133018	Capt. Engr. Res. Corps	150.00
Knott, Arthur D.	538528	Capt. Med. Corps	150.00
Lambert, Asahel Clarence	146933	1st Lt. Med. Corps	125.00
Lee, Raymond Hansford	1375872	Lt. (J. G.) U. S. N. R. F. Med. Cps.	
McBee, Thomas Judson	1380313	1st Lt. Med. Corps	125.00
McCue, Earl Newton	565524	Maj. Dental Corps	187.50
McMillen, Herbert Chalmers	387259	Major Inf.	250.00
Mayberry, Irvin William	1376941	Capt. Med. Corps	150.00
Mayes, Howard Gorland	267191	1st Lt. Air Serv	125.00
Parker, Harry Blaney	1015261	Capt. Q. M. C.	Deceased
Parsons, Alvah L.	540740	1st Lt. Med. Corps	125.00
Peters, Albert Lee	1375764	Capt. Med. Corps	150.00
Petty, Laurence Arthur	1090483	1st Lt. Med. Corps	
Pyles, Harry Harrison	389175	2d Lt. Inf.	116.87
Robertson, Wyndham B.	1376350	Capt. Med. Dept.	150.00
Roller, Francis Oliver	324807	2d Lt. Inf. M. G. Bn.	106.25
Rucker, Claude Nelson	289008	Capt. Med. Corps	150.00
Schaffer, Wilhelm	151673	1st Lt. Engrs.	125.00
Shisler, George	364659	2d Lt. M. G. Co. Inf.	106.00
Smith, Frank Calhoon	318688	Capt. Med. Corps	150.00
Snider, Robert James	168817	Capt. Med. Corps	150.00
Staats, Charles Otmer	272904	Major Med. Corps	187.50
Stasel, Brenace Clair	1008762	2d Lt. Inf.	106.25
Stewart, Melville	431571	1st Lt. Inf.	125.00
Weltner, Fred Paul	274034	Maj. Med. Corps	206.25
Woods, Peter Dick	363026	1st Lt. Inf.	125.00
SUPPLEMENTAL			
Chamberlin, Arthur Louis	376360	1st Lt. Engrs.	

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Albert, Paul B.	479318	2d Lt. Inf.	$125.00
Andrews, Clifford William	343330	Maj. Med. Corps	187.50
Aplin, Floyd Walter	1191128	Capt. Med. Corps	150.00
Bailey, Paul Edward	276532	2d Lt. 103 M. G. Bn. Co. A.	106.25
Baldwin, Harry McLaughlin	284606	2d Lt. A. S.	106.25
Ballard, James Allen	463901	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau—Continued

WISCONSIN—continued

Name	C No.	Rank and organization	Amount of retirement pay
Barry, Howard Jerome	402259	1st Lt. Med. Corps	$125.00
Behrend, George Washington	461050	2d Lt. 150 M. G. Bn., Co. B.	127.50
Beimdieke, Henry Wendel	230981	Capt. Inf.	210.00
Bengs, August Herbert	1436887	Capt. Inf.	
Berkbigler, Leonard B.	1200627	2d Lt. Inf.	127.50
Blixt, Edw. Frederick	1188818	Capt. F. Art.	165.00
Boorke, Edison M.	440838	1st Lt. 11 Inf.	125.00
Buchholz, August Robert	257163	Capt. 128th Inf.	180.00
Buss, Victor Irving	367958	Capt. Dental Corps	150.00
Butters, Charles Edmund	262040	Capt. Inf.	
Caldwell, Edgar Newman	557448	Maj. Inf.	225.00
Christiansen, James	495531	Capt. Med. Corps	165.00
Clemens, James Peter	360287	1st Lt. Inf.	150.00
Darling, William Sylvester	1196860	Capt. Med. Corps	150.00
Darneider, Francis A.	577985	2d Lt. Co. L, 28 Inf.	106.25
Davis, Dudley H.	33464	2d Lt. F. Art.	106.25
Davis, Robert J.	277517	2d Lt. Inf.	106.25
Dempsey, Gregory Wm.	275873	Capt. Inf.	180.00
Derse, Anthony George	333398	Capt. M. G. Co. Inf.	180.00
Dieckhoff, John Carl	1181882	1st Lt. Tank Corps	125.00
Doherty, Leo Aloysius	197263	1st Lt. Vet. Corps	125.00
Donaldson, Harry Mathew	346045	1st Lt. Inf.	125.00
Drake, Frank Nathan	219658	1st Lt. Inf.	125.00
Eck, Gustave Elmer	372738	Capt. Med. Corps	150.00
Fenner, Fred A.	518391	2d Lt. 113 Inf.	116.87
Fitz, Ervin Otto	305728	1st Lt. Med. Corps	125.00
Franklin, Leonard Irwin	485320	1st Lt. Q. M. C.	125.00
Gritzmacher, Arnold Albert	245492	Capt. Inf.	150.00
Haight, Walter L.	415814	Capt. 121 F. A.	150.00
Haverstick, Frank W.	1199276	Capt. Inf.	150.00
Hawks, Earl Bedford	246387	Maj. A. G. Dept.	187.50
Hays, Harland Roger	184690	2d Lt. Inf.	106.25
Hill, Emmett C.	230233	1st Lt. Inf.	137.50
Holmes, Benjamin Harrison	289104	Capt. Med. Corps	150.00
Huberty, Raymond Charles	541216	2d Lt. Inf.	106.25
Imhoff, Martin Daniel	332027	Maj. Inf.	250.00
Jameson, Arthur Wents	384309	1st Lt. Inf.	125.00
Johannes, Jacob Anton	252375	1st Lt. Inf.	162.50
Jung, William Stanley	247772	1st Lt. Inf.	125.00
Kasak, Leo S.	492359	Capt. 127 Inf.	195.00
Krahn, George Washington	22930	1st Lt. Med. Corps	125.00
Laing, DeWitt B.	573445	1st Lt. Inf.	137.50
Lane, David Warren	1030763	2d Lt. Air Serv	106.25
Leffler, Robert Wallace	282313	1st Lt. Inf.	125.00
Lindbaum, Roland Henry	375855	Major Inf.	243.75
Linderud, Fritz V.	476038	2d Lt. Inf.	148.75
Lyksett, Albert Jennings	197270	1st Lt. Inf.	150.00
Lyon, Campbell Arthur Francis	444659	Capt. Med. Corps	150.00
McMillan, Marion B.	121004	Maj. Med. Dept.	187.50
Markham, Harold E.	496427	Capt. Inf.	230.00
Marshall, Irving Davis	244552	Ensign, U. S. N. R. F.	106.25
Meyst, Chas. Henry	291115	Capt. Med. Corps	150.00
Michels, Ervin Joseph	1197616	2d Lt. F. A.	106.25
Mitchell, Edw. Oscar	476016	2d Lt. 108th Inf.	106.25
Morley, Joseph Clark	314037	1st Lt. Inf.	125.00
Myrick, Avery Leroy	1436588	1st Lt. Med. Corps	125.00
Nathness, Albert	415939	Capt. Inf.	150.00
Nelson, Norman O.	253574	Maj. Med. Corps	187.50
Nicol, Alexander Lee	512214	1st Lt. Inf.	137.50
Nordquist, Eric	1195856	Ensign U. S. N. R. F.	106.25
O'Brien, Harold N.	150433	1st Lt. Med. Corps	125.00
O'Connell, George Francis	1196210	Major Inf.	243.75
Oliver, Lawrence Henry	208116	1st Lt. Med. Corps	125.00
Perry, Orlando Hart	352947	2d Lt. Air Serv	106.25
Plant, George Frank	488211	Capt. Air Serv	165.00
Plant, Joseph Henry	386145	1st Lt. Med. Corps	125.00
Prill, John H.	1178006	Capt. 8th Amm. Tr. Med. Corps.	150.00
Prouty, William A.	471888	Capt. Med. Corps	150.00
Pruett, Eugene	385731	2d Lt. Bat. C–120 F. A.	106.25
Rossman, Fred Alfred	185719	1st Lt. Inf.	150.00
Schoenfeld, Charles Joseph	317316	Capt. Med. Corps	150.00
Scott, Milton Harrison	747392	1st Lt. F. A.	125.00
Smith, Albert Eugene	905623	Capt. Med. Corps	150.00
Smith, Bert Louis	171729	Capt. Inf.	150.00
Sortomme, Richard Ferdinand	395456	Major Inf.	243.75
Stavrum, Edwin Richard	1269896	1st Lt. Inf.	125.00
Stophlet, Donald Stirling	206484	1st Lt. F. A.	125.00
Swarthout, Ellis F.	215265	1st Lt. Med. Corps	125.00
Taylor, Bradley Richardson	308071	2d Lt. Inf.	106.25
Thompson, Charles Norman	1239762	2d Lt. Inf.	106.25
Treadway, Lucien	273392	1st Lt. Med. Corps	125.00
West, John Mathias	486417	Capt. F. A.	195.00
Wildish, Allen	1180480	Capt. Inf.	210.00
Woodworth, Leigh J.	474901	1st Lt. Dental Corps	125.00
Yorton, Andrew Henry	214573	1st Lt. Inf.	137.50
Zink, Philip Jacob	224295	Lt. Col. 127th Inf.	281.25
SUPPLEMENTAL			
Moll, Norman Louis	236302	2d Lt. A. S. A.	106.25
Schneller, John Benjamin	448803	Lt. Col. Inf.	281.25

WYOMING

Batts, William H.	507824	Capt. Q. M. C.	$150.00
Carroll, Daniel B.	313985	1st Lt. Inf.	125.00
Esmay, Rhodolph Leslie	358828	2d Lt. Inf.	106.25
Holland, Josiah Hutton	272569	Capt. Med. Corps	165.00
Hynds, John	1357194	Capt. Med. Corps	150.00
Krueger, Herman Fred	98276	1st Lt. A. S.	125.00
Riner, Harry M.	577743	1st Lt. F. A.	137.50
Rush, Roy Leslie	266209	1st Lt. Inf.	125.00
Smith, Wm. Francis	431025	Maj. Med. Corps	225.00
Snyder, Ocot K.	556807	Capt. Med. Corps	150.00

Emergency officers retired with pay by the United States Veterans' Bureau, and residing outside the continental limits of the United States

Name	C-No.	Rank and organization	Amount of retirement pay
Argentine Republic:			
Kent, Geo. A	400372	1st Lt. A. S	$125.00
Belgium:			
Burdette, Wm. Carter	305580	Capt. Inf	165.00
Brazil:			
Bell, James McKim	172438	1st Lt. Inf	125.00
British West Indies:			
Hall, Cecil Vincent E	509916	2d Lt. M. T. C	106.25
Canada:			
Daunias, Joseph Charles Ed.	1032197	Capt. Med. Corps	150.00
Dickinson, Raymond Nettleton.	144090	1st Lt. Engrs	125.00
Drew, Chas. W	314125	1st Lt. Air Serv	150.00
Rogers, Alan	311547	2d Lt. Inf	106.25
Canal Zone:			
Bowman, Ripley	444463	Ensign, U. S. N. R. F	106.25
Keys, George G	355997	1st Lt. Q. M. C	150.00
Tatelman, Edw. I. P	682358	Ensign, U. S. N	106.25
China:			
Colbert, Jno. Wm	346179	Maj. Med. Corps	187.50
England:			
Bailey, Oscar Hiram	297746	Capt. Inf	165.00
Fox, Robt. Myron	578242	Capt. Engrs	150.00
McFarlane, Frederick Cressy.	277582	Capt. Engrs	150.00
Mellen, Chase, jr	300637	2d Lt. Inf	125.00
France:			
Allen, Samuel W. K	610488	2d Lt. Q. M. C	138.12
Ailing, Roger W	164570	2d Lt. F. A	106.25
Behar, Ely M	307984	1st Lt. Q. M. C	125.00
Bradford, Leonard George	654495	2d Lt. C. A. C	116.87
Bush, Ellsworth B	655142	Capt. Inf	165.00
Carlisle, John Griffin	558767	1st Lt. F. A	125.00
Crinkshank, Marcus Smith	1375310	2d Lt. F. A	Deceased.
Duggan, Patrick Fergus	906119	Maj. Q. M. C	111.25
Goodrich, Edson Everett	636549	Capt. Med. Cps	180.00
Hardy, Hippolyte Leou	654923	Maj. Q. M. C	187.50
Harris, Robert Fitton	570178	2d Lt. Air Serv	Deceased.
Hoornbeck, Henry G	655028	Capt. M. T. C	150.00
Kearney, William Robert, jr	655767	Capt. Cav	165.00
Lacombe, George Leo	280934	Capt. Chaplain Corps	150.00
McDermott, Paul Elmer	1276831	1st Lt. U. S. M. C	
Peck, Sedley C	360983	2d Lt. Air Serv	106.25
Riley, Thos. Erin	712893	1st Lt. 127 Bn. M. P. C	162.50
Stine, Harry Ezra	653996	Capt. F. A	195.00
Watkins, Rex Eugene	1043808	2d Lt. Inf	106.25
Woodward, Harold Chase	284647	Maj. Inf	225.00
Greece:			
Thomas, Frederick Lake	1256223	1st Lt. F. A	125.00
India:			
Heinrichs, Waldo H	303089	1st Lt. Air Serv	125.00
Irish Free State:			
Christian, Early Bickham	169693	2d Lt. 20th Aero Sqdn	106.25
Killikelly, Christopher	489428	Capt. Sanitary Corps	195.00
Italy:			
Slaughter, Edgar Harold	185834	2d Lt. Air Serv	106.25
Mexico:			
Collier, Ellsworth Bramwell	1303152	1st Lt. Chaplain Corps	125.00
Wythe, George	793172	Maj. Inf	
Norway:			
Jellum, Kristen	324935	1st Lt. Engrs	125.00
Philippine Islands:			
Clemons, Robert Schiller	665809	Major Engrs	187.50
Ferrol, Walter	905782	Capt. Inf	
Zabarte, Adriano Mallari	654493	1st Lt. Inf	137.50
Poland:			
Corcoran, William Warwick	278465	1st Lt. Ord	125.00
Porto Rico:			
Bird, Jorge	654745	1st Lt. Med. Corps	125.00
Catala, Arturo	255067	2d Lt. Inf	116.87
Forestier, Fernando	176425	2d Lt. Inf	126.25
Giuliani, Francisco	653672	2d Lt. Inf	106.25
Lippitt, William Fontaine	906174	Lt. Col. Med. Corps	281.25
Rola, Edward Ciriaco	171067	2d Lt. Inf	106.25
Serbia, Romulo	655172	2d Lt. Inf	106.25
Territory of Hawaii:			
Carlson, Leonard Henry	247053	Capt. Air Serv	180.00
Edwards, Franz Gill	1008207	Capt. Inf	150.00
Strather, Frederick	1272081	1st Lt. Cav	150.00

Mr. WILLIAMSON. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. MCCLINTIC].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I have always favored a policy of coordination and consolidation with respect to administering the affairs of the various departments of the Government. As I view this legislation, it is in the interest of economy. I have carefully listened to those who have preceded me, and up to the present time no one has furnished any proof or made the statement that the present head of the Veterans' Bureau or the Pension Bureau will be selected to administer the affairs of this new department should the same be created by this bill. Therefore, I think when some one presumes or makes the statement that any one particular person will be selected to carry out the provisions of this bill, he speaks without authority.

What does this bill do? It simply coordinates, consolidates, and places the different activities of the Veterans' and Pension Bureaus under one head, and leaves the selection of the person to be placed in charge to the President of the United States and the Senate.

As I view it, the gentleman from Mississippi, who has just preceded me, and the gentleman from Ohio, who criticized the activities of the Veterans' Bureau, gave splendid reasons why this bill should become a law. There is one thing sure, if the affairs of the Veterans' Bureau are not now being properly administered, and if more money is being expended than should be, then there is ample reason for the passage of legislation of this kind, as the same will bring about more business efficiency if managed in the proper way.

I want to call attention to one situation that reflects, as I view it, upon the management of the Veterans' Bureau, and this is a very good reason for supporting this bill, as the first section of the measure specifically provides for the consolidation and coordination of hospitals, which, in my opinion, at the present time are not being managed or looked after in a proper way by this department of the Veterans' Bureau. As I view it, the hospital department and those in charge of the same have completely fallen down when it comes to managing the same in an efficient manner. As proof of this, recently two representatives from the Veterans' Bureau came before the Naval Committee and gave testimony in support of a policy which would cause the Navy to construct hospitals at different places in the United States sufficiently large to take care of approximately three veteran patients to one Navy patient, using the argument that the Navy could hospitalize patients cheaper than the Veterans' Bureau. What does this mean? The only conclusion I can draw is that those in charge of the hospital activities of the Veterans' Bureau are unable to manage them in an efficient manner, or that there is a tendency on the part of certain officials to favor a policy that will bring about excessive expenditures without any thought of the taxpayers.

I was amazed when admissions were made by representatives of the Veterans' Bureau that the naval hospitals were better equipped, better administered, and were operated cheaper than those under the jurisdiction of the Veterans' Bureau. Such admissions are bound to cast an unsavory reflection upon the head of the department, and if I was in charge of this Bureau, I would either have proper efficiency, or there would be an entire change of personnel.

To be perfectly frank, I put no dependency in the statement that patients from the Veterans' Bureau can be hospitalized in naval hospitals cheaper than in their own institutions, for the reason everyone knows that figures can be manipulated to prove or disprove any kind of a case; also, it is a fact that the salaries of the officers in the naval hospitals have to be paid whether there is one patient or a thousand. Therefore when all of the items that should be charged to overhead are taken into consideration, if veteran patients can be taken care of more cheaply in naval hospitals, then there is something radically wrong in the hospital division of the Veterans' Bureau. I want to call attention to some information that I hope every Member of Congress will read. On page 906 of a Naval Committee hearing on a bill to provide a hospital at Washington, D. C., the information was brought out that hospitals or additions would be asked for at Chelsea, Mass.; Newport, R. I.; Philadelphia, Pa.; Quantico, Va.; Great Lakes, Ill.; Puget Sound, Wash.; Mare Island, Calif.; and San Diego, Calif. According to the amount asked for in the bills relating to Washington and Philadelphia, it will cost approximately $11,000,000 to construct these hospitals. Up to the present time the Navy has 7,284 beds in naval hospitals. The peak load for 1929, including 2,917 veteran patients, was 5,892. The $15,000,000 recently appropriated to construct additional hospitals for veteran patients will provide additional facilities for 3,900 patients. Therefore should the 2,917 veteran patients now being taken care of by the Navy be withdrawn, then there would be left 3,309 vacant beds in naval hospitals without patients to be taken care of. Bills are now pending to provide new hospitals at Washington and Philadelphia, which will cost approximately $5,500,000. If the same ratio is followed when the naval-hospital program is completed, there will be available approximately 10,000 vacant beds in naval hospitals, more than is necessary to take care of patients in the Navy and the Veterans' Bureau. Therefore it seems so utterly foolish to me that officials from the Veterans' Bureau would appear before a committee and give information for the purpose of causing abnormal expenditures to be made in the way of useless appropriations.

The proposed schedule of hospital buildings will cost more, in my opinion, to construct than private hospitals. Not long ago I requested the Veterans' Bureau to furnish me a schedule of the original cost of such hospitals as are now under the jurisdiction of this department, and notwithstanding I requested facts containing the naked cost of the buildings, a Mr. Louis H. Tripp, chief of the construction division, furnished information

which was not accurate, for the reason it included many additions that had been made after the original buildings were constructed. I called him on the telephone and requested that I be given such information as I had asked for. Instead of complying with my suggestion the matter was passed over, and up to the present time I have had nothing from this department, except that I have been advised by one individual that I was criticized by persons in this department because I sought to bring out certain information when opposing the proposed useless expenditures for hospital purposes. Some one in that department has seen fit to make such a statement that was not complimentary in the presence of one of my friends. I am not concerned with their personal attitude toward me. However, I am making mention of this situation to call attention to the inefficiency of this department and its heads, who deliberately refuse to furnish Members of Congress information requested relative to public questions. Mr. Tripp does not have to furnish me the data requested. As I view his conduct, he is the type of public official that should not be intrusted with matters of this kind, and there is no wonder that they are willing to admit that some other department of the Government is better able to take care of veteran patients than their own bureau. I only hope it will be my privilege to remain in Congress long enough to see that his personal attitude in this matter receives proper consideration.

General Hines may not be acquainted with the admissions that have been made by those in charge of certain activities with respect to the management of veteran hospitals. If he favors the policy of farming out veteran patients to military hospitals, where patients will be subject to the same kind of regulations that they were in the Army, then the public can expect to read accounts as they have in the past of patients assaulting and in some instances killing certain individuals whose services they were displeased with.

Mr. CRISP. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. Yes.

Mr. CRISP. Was the fact brought out that the Navy could operate hospitals cheaper than the Veterans' Bureau, because the Navy might use some enlisted men as attendants, and so forth, in the hospitals?

Mr. McCLINTIC of Oklahoma. It was not.

Now, as I view this question, our Pension Bureau is being properly carried on in a very efficient manner. I have no complaint to make about this bureau, but I can not understand why any person would say that the consolidation of these bureaus under one head would in any way destroy the efficiency that exists at the present time. If such a condition should arise, then the fault would be with the new head.

I am in favor of a policy which will bring about not only economy but efficiency, and then when this consolidation is brought about, if the head of the department does not put into effect the proper kind of rules and regulations he alone must stand the blame.

Mr. CONNERY. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. Yes.

Mr. CONNERY. Has not the gentleman found from observation that if we had a flat rate in the Veterans' Bureau, the same as for Spanish-American War veterans, it would be just as easy to administer the law as it is in the Pension Bureau now?

Mr. McCLINTIC of Oklahoma. I take it the Veterans' Bureau has had many more difficult problems because of the entirely different situation in connection with their patients. The Pension Bureau has been established for many years. There are practically no new laws that relate to the methods that are necessary to be followed in order to pay those who are entitled to receive a pension; but in the Veterans' Bureau there are many kinds of activities—activities that relate to insurance, hospitalization, compensation, and many others that it is not necessary to mention at this time.

I can not understand why any person would ever assume the position that we could not coordinate and consolidate these various bureaus in a way that would bring the kind of efficiency we are entitled to have. For this reason I say to you that the argument that has been presented against this bill is one reason I am supporting the measure, having in mind that somebody big enough to cause this one bureau to function in a proper way will be selected to administer its affairs.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. WILLIAMSON. Mr. Chairman, I yield the gentleman three minutes more.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. I yield to the gentleman.

Mr. CLARK of Maryland. While the gentleman is speaking on the question of economy and efficiency, will he allow me at this time to read into the RECORD four lines from the President's address of December 3, 1929, on that subject?

Mr. McCLINTIC of Oklahoma. I will be pleased to.

Mr. CLARK of Maryland. The President said:

> I am convinced that we will gain in efficiency, economy, and more uniform administration and better definition of national policies if the Pension Bureau, the National Home for Volunteer Soldiers, and the Veterans' Bureau are brought together under a single agency.

Mr. McCLINTIC of Oklahoma. I want to say in conclusion if it is good policy to scatter our different forms of administration with relation to the bureaus for the veterans, it would be good policy to scatter the various functions of government and put them all under separate heads. If we consolidate them and put them all under one head, then we know that if there is anything wrong with the administration of the various departments under that head the blame falls on one man; and if he is not big enough, then the powers that control this Government have the right to make the necessary change.

Therefore I say to you that I am speaking from the standpoint of policy, a national policy, a policy that is in line with every successful business concern in the United States, and that is to consolidate, coordinate, and put all of the different instrumentalities that are allied with each other under one head, and then there can be no strife or discord. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired; all time has expired, and the Clerk will read.

The Clerk read as follows:

> *Be it enacted, etc.*, That (a) the President is authorized, by Executive order, to consolidate and coordinate any hospitals and executive and administrative bureaus, agencies, or offices, especially created for or concerned in the administration of the laws relating to the relief and other benefits provided by law for former members of the Military and Naval Establishments of the United States, including the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau, into an establishment to be known as the Administration of Veterans' Affairs, and to transfer the duties, powers, and functions now vested by law in the hospitals, bureaus, agencies, or offices so consolidated and coordinated, including the personnel thereof, and the whole or any part of the records and public property belonging thereto to the Administration of Veterans' Affairs.
>
> (b) Under the direction of the President the Administrator of Veterans' Affairs shall have the power, by order or regulation, to consolidate, eliminate, or redistribute the functions of the bureaus, agencies, officers, or activities in the Administration of Veterans' Affairs and to create new ones therein, and, by rules and regulations not inconsistent with law, shall fix the functions thereof and the duties and powers of their respective executive heads.

With the following committee amendment:

> Page 1, line 3, before the word "That," insert the letter "(a)," and after the word "That" strike out the letter "(a)."

Mr. CONNERY. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, ladies and gentlemen of the committee, I rise at this time because I did not have an opportunity to talk during general debate merely to say after a study of this question, which I have had the opportunity to make in the Veterans' Committee during the past seven years, and listening to the discussions on the floor of the House, it is my intention to vote against this bill. I do not vote against it because I am against consolidation or against joining all these veterans' activities together but because until the Johnson bill is reported on the floor of this House I do not believe in consolidation.

The Johnson bill, which we have been trying to get up on the floor of this House and get some action on, provides that all men with diseases which have a 10 per cent or more disability up to January 1, 1925, will be automatically connected with the service. If this bill had been passed, thereby taking care of all disabled service men with a 10 per cent or more disability, I would be pleased to vote for the consolidation, because I would know that the service men were not going to be discriminated against and that there is no danger of harm coming to them under such a consolidation; but as it stands now, until the Johnson bill comes before this House taking care of the disabled service men with a 10 per cent or more disability, it is my intention to vote against this bill. [Applause.]

Mr. LUCE. As a member of the Committee on World War Veterans' Legislation since it was created, and for much of that time a member of the subcommittee on hospitalization, I have been closely in touch with this proposal, and, together with a majority of the committee, have shared in the attempts of that committee hitherto to accomplish the purpose this bill contem-

plates. For that reason I believe this is a good bill and ought to become law. [Applause.]

I wish to lay special emphasis on its importance in its effect on hospital treatment. My own conclusions in the matter were based upon learning that there are 10 soldiers' homes, mostly with large acreage upon which more hospital facilities can be placed, with economy to the Government in the matter of the initial cost of the land and then continuously in the matter of the cost of maintenance through the division of overhead charges.

Beyond this there is great desirability that we shall now embark on specialization of treatment of the disabled veterans. At the present time there are 30,000 in the hospitals. We have specialized with the tuberculous and the neuropsychiatric, popularly known as the insane, but we have made no attempt at further specialization.

Last year, for example, there were in the hospitals in the course of the year 1,387 men suffering from skin diseases. I speak without any medical knowledge, but on the basis of common understanding that skin diseases may best be treated where there are springs having certain medicinal properties.

Only a few days ago we inserted in the hospital construction bill an item providing for a million dollar hospital at Hot Springs, Ark., largely for the reason that it is desirable to treat these and some other classes of diseases in the vicinity of these springs.

On the 1st of January of this year there were 118 victims of diabetes in hospitals and at the same time 146 victims of cancer. In my judgment, the time has come to make provision for all groups of cases large enough to warrant special treatment.

My own State of Massachusetts has led the way in the establishment of a cancer hospital, and it is my hope that other States will profit by the example set and the good results we have accomplished.

It is also believed that this measure would be of value both to the veterans and to the Public Treasury by reason of the fact that in the neuropsychiatric hospitals there are many veterans who need only domiciliary treatment. By that I mean only such care and oversight as is found in the soldiers' homes. In the hospitals we must pay the full cost of day and night nurses and physicians, must furnish the costliest food for all alike, must meet all the other needs of the seriously ill. The average cost of maintenance in the hospitals, overhead and everything else included, is about $4 a day. If there could be taken out of the hospitals the considerable number of men needing only domiciliary treatment, they would be comfortably supported in soldiers' homes, all costs included, for $1.42 a day. That would be an important saving for the Government. At the same time every hospital bed thus vacated would be available for a veteran seriously ill. Specialization and classification will harm no one, and will improve conditions in the whole medical service given to the veterans. [Applause.]

Mr. KNUTSON. Mr. Chairman and gentlemen, I rise in opposition to the amendment. Both of the preceding speakers have come out in favor of this legislation because it proposes to consolidate——

Mr. CONNERY. Will the gentleman yield? I did not favor the bill.

Mr. KNUTSON. I beg the gentleman's pardon. I meant the gentleman from Massachusetts, Mr. LUCE, and the gentleman from Oklahoma [Mr. MCCLINTIC].

Mr. CONNERY. I am with the gentleman, and I am against this bill.

Mr. KNUTSON. The two speakers I have indicated favored this legislation because it is going to consolidate the Veterans' Bureau and the Pension Bureau. That, ladies and gentlemen of the House, is the very reason why I am opposed to the legislation.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I have only five minutes.

Mr. LUCE. I merely wanted to say that I made no reference to the Pension Bureau.

Mr. KNUTSON. The gentleman spoke about consolidation and, of course, it is not necessary to furnish blue prints when addressing this House. In the first place, the only bureau that will be benefited by the consolidation will be the Veterans' Bureau. Unfortunately, the Pension Bureau has only 600 clerks. Consequently, you could not infuse enough new blood into the Veterans' Bureau to materially improve conditions down in the Veterans' Bureau, where you have 24,000 clerks and doctors and God knows what else. Six hundred thrown into that amount would not have as much effect as throwing a pebble in the middle of the Atlantic Ocean.

Make no mistake, ladies and gentlemen. If this legislation is passed, you are merely spreading the evils of the Veterans' Bureau over to the Pension Bureau. I have been watching this thing for 14 years. As I stated to the House the other day, I spoke and voted against the creation of the original War Risk Insurance Bureau because I did not think it would do what its proponents claimed it would, and I believe that subsequent events have justified the course that I took back in 1917.

Mr. MCCLINTIC of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I can not yield now. The principle of coordination and consolidation is a fine thing, but I fail to see where you are going to accomplish any improvement in the move that you propose here. Amendments will be offered to this legislation in several places. If paragraph (b) of section 1 is stricken out, I may vote for the bill; otherwise not. Those of us who are against this legislation are not opposed to coordination, but we are opposed to throwing the Pension Bureau in with the Veterans' Bureau and making it a memory. All of you within the sound of my voice have had relations with both of them. Do you want to extend the principles of the Veterans' Bureau to the Pension Bureau? I make the prophecy that that will happen if this legislation is adopted. [Applause.]

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent that debate upon this amendment close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Chairman, I listened with a great deal of interest to the remarks of the gentleman from Massachusetts [Mr. LUCE]. He pointed out the real cause, the real motive behind the passage of this legislation, and that is to take over the soldiers' homes. That is what is behind this movement.

As you know, my people were in the Confederate Army, I am glad to say. If your folks had been there, they would have been in the Confederate Army; and if mine had been in your States, they would have been in the Federal Army. We boys from the South have refused to interfere with these old Federal soldiers' homes. These men are old, they are childish, and they do not want these changes made. Statistics show that they will all be dead in nine years, and we have taken the attitude that if you are going to take over the soldiers' homes, we are going to let you, the sons and the grandsons of the Federal soldiers, do it. We opposed it for some time and then withdrew our objection, but if you desire it we have no serious objection to your consolidating the soldiers' homes with the Veterans' Bureau or turning them over to the Veterans' Bureau, but why create a superbureau in doing it? Why do you need any other director? You have more directors now than you know what to do with.

Why murder the Pension Bureau? That is what I want to know. You know it is one of the oldest bureaus in existence in this Government. Those of us who are descendants of Revolutionary War soldiers can invariably trace back to where our people were under the supervision of the Pension Bureau.

Did you know that the soldiers of the War of 1812 were under the supervision of that bureau and that all of the soldiers of all of the Indian wars, and of the Mexican War were under the supervision of that bureau, which is so economically administered to-day? And in addition to that, the soldiers of the Civil War and the soldiers of the Spanish-American War are under the supervision of this ancient bureau, which they now propose to indirectly destroy. That is what this bill will do, if it is agreed to. Therefore, I do not think any amendment can make me vote for it.

I think it is one of the most useless pieces of legislation I have ever seen offered. I am opposed to it from a great many different points of view. You can render a great service by striking the Pension Bureau out of the bill and consolidating only the soldiers' homes with the Pension Bureau, if you agree with the views of the distinguished gentleman from Massachusetts [Mr. LUCE], whose views I am not criticizing on this point, that the soldiers' homes and the Veterans' Bureau ought to be consolidated in order, as he says, that we might use those institutions for veterans' hospitals in the years to come. I repeat, however, that in doing so it is quite unnecessary to turn aside and murder the Pension Bureau, which has rendered such great service in the past and which ought to go on down to render the same economical service in the future if the time should come, and it will come, when it is necessary to do so. [Applause.]

Mr. WILLIAMSON. Mr. Chairman and gentlemen of the committee, it is not my intention to take very much time now, but I rise to call attention to just a few things that have been





stated to this committee by some of the preceding speakers. We have given the opposition the long end of the time on general debate. The proponents of the bill did not try to monopolize the time.

Now, I am going to take a few minutes to call attention to some of the statements that have been made up to this time. In the first place, ladies and gentlemen of the House, this bill does not in any sense eliminate the Pension Bureau, and if there is any question at all about that, I will offer an amendment which will make it clear beyond the peradventure of a doubt.

A comparison has been made between the cost of operating the Pension Bureau and the Veterans' Bureau. Anybody who is at all familiar with the work of the two activities knows that they are in no sense comparable. The Pension Bureau has one single, solitary thing to do, and that is to pass on soldiers' applications for pensions and to pay out the money. A large part of its work is devoted to the issuance of checks that any ordinary $1,500 clerk can do as well as a $5,000 man.

Now, what is the Veterans' Bureau engaged in? The Veterans' Bureau has the largest hospitalization program on its hands in the world. There are 30,000 patients under its care to-day. There are 58,000 guardianship cases in the charge of the Veterans' Bureau, whose affairs they supervise. The Veterans' Bureau is also conducting one of the greatest insurance agencies in the United States, with total outstanding insurance of over $3,400,000,000 with a total of 675,000 policyholders. The bonus certificate paid up insurance amounts to $3,049,000,000, and in addition to that it carries term insurance to the amount of $1,400,000,000. Members have charged up to the Veterans' Bureau as overhead the expense of operating hospitals, the expense of maintaining the medical staff, and all that sort of thing. These services go directly to the veterans and are in no sense overhead chargeable to management.

Members ought to be fair with the House in discussing this matter. I want to call your attention to the table which appears on page 214 of the hearing. If you will turn to that table, you will find an analysis of the Veterans' Bureau's appropriations, showing where every dollar goes. I am going to insert the table in the RECORD at this point:

Distribution of appropriation for 1930, United States Veterans' Bureau

	Amount	Per cent of total
Administrative expense:		
Administrative salaries	$15,649,339	3.13
Printing and binding	125,000	.03
Other administrative expense [1]	2,806,657	.55
Total administrative expense	18,580,996	3.72
Direct expense:		
Salaries (medical and hospital)	25,044,004	5.01
Medical and hospital	31,650,000	6.33
Military and naval compensation	191,450,000	38.29
Adjusted service certificate fund	112,000,000	22.40
Insurance	115,250,000	23.05
Construction	6,000,000	1.20
Total direct expense	481,394,004	96.28
Grand total	499,975,000	100.00

[1] Other administrative expense includes expenses for such items as stationery, motor vehicles, telephone and telegraph, travel of employees, rents, etc.

NOTE.—If the salaries incidental to medical and hospitalization were added to administrative salaries, the total salaries would be 8.139 per cent of the grand total of all appropriations.

The total administrative expenses of the Veterans' Bureau, including administrative salaries, printing, binding, automobile transportation, telegraph and telephone charges, and other administrative expenses amount to a total of how much? The gentleman from Mississippi [Mr. RANKIN] gave it fairly accurately, I think, but in comparison with the total amount expended by the bureau it amounts to only 3.72 per cent on the dollar. In other words, for every dollar the Veterans' Bureau expends for the benefit of veterans, less than 4 cents on the dollar is for overhead. It is not a question of which bureau is the most efficient. That is not involved in this matter at all. If the Veterans' Bureau is as inefficient as some of the opponents of this bill claim, they should be quite willing to consolidate under a new head so as to have some chance to make it efficient.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. All time has expired on the pending section. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 10, after the word "regulation," insert the words "not inconsistent with law."

Mr. WILLIAMSON. Mr. Chairman, I offer an amendment to the committee amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment to the committee amendment. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMSON to the committee amendment: Page 2, line 10, after the word "with," insert the word "existing."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from South Dakota to the committee amendment.

Mr. CRAMTON and Mr. WILLIAMSON rose.

Mr. CRAMTON. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from South Dakota [Mr. WILLIAMSON] is recognized.

Mr. WILLIAMSON. Mr. Chairman, I may say that subdivision (b) with the committee amendment provides that the administrator "shall have the power, by order or regulation not inconsistent with law, to consolidate, eliminate, or redistribute the functions of the bureaus, agencies, offices, or activities in the administration of veterans' affairs and to create new ones therein, and, by rules and regulations, shall fix the functions thereof and the duties and powers of their respective executive heads." It has been suggested that it should read, "Not inconsistent with existing law." That is the purpose of the clarifying amendment.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. BURTNESS. What difference does that make?

What does it amount to when you use the word "existing"? Do you mean the law that exists at the time that this act goes into effect, or do you mean the law existing at the time the rules and regulations are adopted?

Mr. WILLIAMSON. If the proposed amendment is adopted, the language would have reference to the time the act took effect.

Mr. BURTNESS. Then if you limited it that way, you would limit it to the time of the adoption of rules and regulations that might exist later, if that situation should arise.

Mr. WILLIAMSON. I do not think it affects it in any way.

Mr. BURTNESS. That may be true, but what difference does it make?

Mr. LaGUARDIA. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LaGUARDIA. Mr. Chairman, if the committee in charge of the bill seek to satisfy everyone and to overcome opposition to the bill by apologizing for it, I will tell the committee frankly that they will so weaken their bill that there will be no justification for it. The only purpose of this bill is to concentrate all veterans' activities in one department, and the reason for that, if I understand it, is to eliminate duplication, increase the efficiency, give better service to the veterans, rid the service of a lot of useless employees, and abolish useless and costly procedure.

Now if you are going to do that, we are with you; but if you are going to apologize and going to hamper the thing so that no useless employee is going to be fired and no unnecessary bureau abolished, so that all the vices that exist in the various departments will be perpetuated, and none of the virtues retained, you make the bill worthless and it amounts to nothing. Let us be frank about it.

But I do stress the fact that the cost of the overhead in the Veterans' Bureau is out of proportion to the necessary work which they should do. [Applause.]

The trouble is they have created a great deal of unnecessary work for themselves. In my city you need a traffic policeman to get through the mob of employees at the Veterans' Bureau because there are so many employees there that they are falling over each other—applications, examinations, reexaminations, ratings, doctors' diagnosis, reratings, appeals, local board of appeals, central board of appeals. If a veteran is not crazy he will be by the time he gets his compensation. If a veteran has lost a leg, his compensation is fixed. It should not be bothered any more. So much for that. If a veteran has an organic disease contracted in line of duty during the war, it is not going to improve in three months or six months. Why these continued examinations? The hope of this bill is to eliminate the red tape, concentrate the activities, decrease cost, and increase efficiency. And instead of coming on the floor and say-

ing that no one is going to lose his job, no bureau is to be abolished, the gentleman should say, "We are going to cut down the force that is unnecessary now and consider the veteran and not the job holder."

Mr. WILLIAMSON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. WILLIAMSON. The gentleman must recognize the fact that there is a very large turnover in all departments, and the committee reasoned that the turnover will be large enough to make the necessary reduction just as rapidly as there is need for making reduction.

Mr. LAGUARDIA. My experience is that as to those on the pay roll none resign and few die. The poor veterans die, waiting for compensation.

Mr. RANKIN. They die without getting compensation.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. WILLIAMSON. The new administrator will have that question to deal with, and he can reorganize the Veterans' Bureau and eliminate one-half the employees in the Veterans' Bureau if he desires.

Mr. LAGUARDIA. But why should he be hampered by the amendment offered here? As a fundamental principle of good parliamentary practice, if he is charged with consolidating activities, give him power to do it. The bill reads:

Under the direction of the President the administrator of veterans' affairs shall have the power, by order or regulation, to consolidate, eliminate or redistribute.

That is fine. Why hamper it then with "not inconsistent with existing law"? The law for the purpose is in the bill. That is to be the law. Give the power now to do it. Do not limit that power with provisos, limitations, and "don'ts."

Mr. WILLIAMSON. I would say to the gentleman from New York that the purpose of subdivision (b), which the gentleman has just read in part, is to enable the new administrator to reorganize the Veterans' Bureau or the Pension Bureau by eliminating any bureaus which are not necessary and which ought to be eliminated. He can redistribute their functions or create new functions. In other words, he has the power to absolutely revamp the entire business.

Mr. LAGUARDIA. I favor that, and I would favor striking out the words "not inconsistent with existing law."

Mr. WILLIAMSON. That language is only to prevent the abolition of statutory bureaus, of which the Pension Bureau is one. We did not think the Pension Bureau, as a bureau, should be abolished.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from New York [Mr. LAGUARDIA] asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. I believe, Mr. Chairman, that the system adopted by the Pension Bureau in retaining reputable practicing physicians throughout the country to examine veterans is very good. I do not believe in a permanent medical staff doing paper work only. In the first place, it is impossible to secure a good physician to accept a position at $2,800 or $3,000 or $3,500. When he assumes that position, he has no hospital contacts. He is not practicing medicine. He becomes an office man. All he knows is carbon copies and files.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. WILLIAMSON. There is no reason why the administrator under this set-up proposed could not dismiss as many physicians as he desired in the Veterans' Bureau, and he can utilize the positions now in the Pension Bureau.

Mr. LAGUARDIA. What I am attempting to do is to write into the record an expression of the views of this House. This medical bureaucrat that has been created in the Veterans' Bureau, these doctors, are not even pill doctors. They are carbon-copy doctors. They deal with carbon copies, and they sit around and hand out decisions. They naturally become rusty; they are not up to date; they can not keep abreast of medical science, and the veterans are not getting the medical service to which they are entitled.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. CRAMTON. As I understand it, the gentleman from New York desires to support this bill and is trying to support it, but the gentleman also feels that the Veterans' Bureau is not conducted economically. Now, without indorsing his view on that, will the gentleman explain how we are going to get economy by taking the Bureau of Pensions, which is well administered, out of its present setting and intrusting it to the same people who are now administering the Veterans' Bureau?

Mr. LAGUARDIA. I will tell the gentleman. I am hoping to conserve the virtues of the Pension Bureau and lose the vices of the Veterans' Bureau.

Mr. CRAMTON. That is hardly as much to be expected as Daniel to save his life in the lion's den.

Mr. LAGUARDIA. Well, he got away with it.

Mr. PALMER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. PALMER. Does the gentleman wish to trade off a certainty for an uncertainty? The gentleman says the Pension Bureau is functioning satisfactorily and has had the experience of a hundred years.

Mr. LAGUARDIA. Yes.

Mr. PALMER. Now, the gentleman wants to eliminate that. And the gentleman thinks justice will be done?

Mr. LAGUARDIA. Yes. The gentleman asked me if I wanted to take chances. Well, I have been taking chances all my life. The Veterans' Bureau can not be worse than it is now. I hope that with the consolidation of all veterans' activities we may find a revamping of the entire procedure and practice of the Veterans' Bureau.

Mr. PALMER. You may.

Mr. LAGUARDIA. Oh, yes; there is nothing certain about it. Congress will still be doing business and can correct any defect that may be discovered later.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WILLIAMSON. I want to say to the gentleman that so far as the Veterans' Bureau is concerned, it has not any bureaus within it that are established by law. The whole set-up has been created by the bureau itself, so that the new administrator can revamp that bureau in any way he sees fit.

Mr. LAGUARDIA. If he does not, we will get another crack at him when the appropriation bill comes up. Congress can always control such a situation through appropriations.

Mr. CRAMTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. CRAMTON. Is not my friend damning this bill with faint praise?

Mr. LAGUARDIA. No; I am praising it with faint damns. [Laughter.] Now, Mr. Chairman, we all agree on one thing, whether we are for the bill or against it, that the conditions in the Veterans' Bureau are not satisfactory. I do not believe there is a man on the floor of this House who can take the stand and testify that he is satisfied with the efficiency of the administration of the Veterans' Bureau. The reason for that is that they are simply bound by red tape and practice; they are overmanned; and that is causing all of our trouble, and it is expensive. In addition, it is coming out of the pockets of the veterans.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. WILLIAMSON. Mr. Chairman, I have another perfecting amendment.

Mr. CRAMTON. Mr. Chairman, I want to be heard on the pending amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. CRAMTON. Mr. Chairman, I am in doubt about supporting this amendment or the one in line 14. I do not see how I could consistently support both committee amendments. In line 10 it is provided that the administrator of veterans' affairs—

Shall have the power, by order or regulation, not inconsistent with law.

The committee wants to make it "existing law." Then in line 14 it is provided that the same administrator—

By rules and regulations shall fix the functions.

The committee proposes to strike out "not inconsistent with law." I can not see that the words "not inconsistent with law" amount to anything in either place. I do not believe the administrator can validly issue a regulation inconsistent with law; but if it is held that those words have some virtue, then, not only put them in line 10 but put them in line 14, or if they should be taken out of line 14 why put them in line 10?

Mr. WILLIAMSON. I think the grammatical construction is such that "not inconsistent with law" in line 10 will also apply to the last part of the paragraph. The reason we made the shift was to prevent any doubt on that question.

Mr. CRAMTON. I think if the gentleman will consider it a little further he will conclude, if it is necessary to write in

one place "order or regulation" and in the other "rules and regulations," that the grammatical construction would not save him there. I doubt whether the phrase amounts to anything.

Mr. WILLIAMSON. To be perfectly frank with the gentleman, I do not believe the amendment is particularly material. Even with it out the Pension Bureau would remain and could not be abolished by the administrator. He could not destroy what the law has created without statutory authority, and this bill does not give it to him.

Mr. CRAMTON. My thought is this: I am personally strongly opposed to mixing the Bureau of Pensions with the Veterans' Bureau. I do not think that issue hangs on these words, but I think that whether those words are in or out there is enough left in the bill so that if it becomes law as it is reported by the committee it is good-bye Pension Bureau. So these few words are quite innocent and harmless, whether they are in or out.

The CHAIRMAN. The question is on agreeing to the amendment to the committee amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 24, noes 53.

So the amendment to the committee amendment was rejected.

Mr. JOHNSON of South Dakota. Mr. Chairman, may we have the committee amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the committee amendment.

There was no objection.

The Clerk again reported the committee amendment.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, in line 14, after the word "regulations," strike out the words "not inconsistent with law."

Mr. CRAMTON. Mr. Chairman, I rise in opposition to that amendment. The House has just decided that when it is an order or regulation it must be not inconsistent with law. Had we not better make it clear that "rules and regulations" must also be not inconsistent with law? If so, the amendment ought not to be adopted.

Mr. WILLIAMSON. Mr. Chairman, I am never very much in favor of putting into a bill something that does not have any meaning and that is useless.

The grammatical construction of subdivision (b) is such that the words "not inconsistent with law" clearly apply to the last part of the paragraph. The phrase is only separated with commas and there is no need of repeating the language. Therefore these words are not necessary in line 14. This is all I care to say about it.

Mr. SWING. Mr. Chairman, I move to strike out the last word.

The vote of the committee just had rejecting the word "existing" as an amendment leaves the committee amendment as adopted "not inconsistent with law," which, in my humble opinion, means nothing; neither will it mean anything to have it again inserted in line 14. To say that the administrator, by regulations "not inconsistent with law," can eliminate the functions of a bureau, is to say that he may eliminate the functions of the bureau if not done by him in an illegal manner. This is all it means and nothing more. Well, that is the only power he has anyway—to proceed not in an illegal manner. If he should proceed in an illegal manner—that is, inconsistent with law—he could be stopped by the courts. Therefore the addition of the language means nothing, and therefore section (b) means that the administrator may eliminate the functions of a bureau. He may not be able to abolish the bureau—I will not argue with my distinguished chairman as to that point—but if he is able to eliminate the functions, what is there left but the shadow. Everything else is gone, and the proposal, of course, is to open the door to the elimination of the Pension Bureau. There are only two bureaus in existence that are covered by this bill; one is the Pension Bureau and the other is the Veterans' Bureau. It is certain that no one thinks they are going to eliminate the functions of the Veterans' Bureau. Therefore, if there is any reason having this language they are planning to eliminate the functions of some bureau, hence it must be the Pension Bureau, and I am personally very much opposed to that.

My committee colleague across the aisle will offer an amendment to strike out section (b), and I hope the House will adopt the amendment, because it is unnecessary and it opens the door to destroying one of the most efficient agencies the Government has to-day.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. SWING. Yes.

Mr. WILLIAMSON. Do I understand the gentleman to be opposed to striking out the language in line 14?

Mr. SWING. I say that the language "not inconsistent with law" means nothing.

Mr. WILLIAMSON. Then the gentleman does not want it in there?

Mr. SWING. I do not care whether it is in or out.

Mr. BURTNESS. Is it the gentleman's contention that the word "existing" would change it?

Mr. SWING. I do not think so.

The committee amendment was agreed to.

Mr. WILLIAMSON. Mr. Chairman, I offer a perfecting amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMSON: On page 2, line 15, after the word "heads," strike out the period, insert a colon, and add the following proviso: "*Provided*, That this subdivision shall not be so construed as to authorize the administrator to abolish the Pension Bureau."

Mr. WILLIAMSON. Mr. Chairman, the contention has been made upon the floor ever since the bill was called up that the language of subdivision (b) of section 1 is such that it would result in eliminating the Pension Bureau. The amendment which I have offered is to make it clear, beyond the peradventure of a doubt, that this is not the intention and that no such construction can be given to the language.

This is all I care to say about the amendment.

Mr. CRAMTON. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. CRAMTON. As I understand, the gentleman offers an amendment at the end of the paragraph to provide that nothing herein shall be held to allow the abolition of the Bureau of Pensions. The gentleman has already stated that he does not believe in having language in a bill that does not mean anything, and hence he gives some weight to the language that is in the bill. If the administrator of veterans' affairs has the power to consolidate, eliminate, or redistribute the functions of the Pension Bureau, or, further, by rules and regulations to fix the functions of the Bureau of Pensions—that is to say, they may take away from it its functions, as has been said—why not abolish it and put it out of its misery?

Mr. WILLIAMSON. I do not understand why the gentleman from Michigan insists upon putting that construction on the language when a fair interpretation of the language will not warrant such a construction. No one would construe the language in that way if charged with administering the proposed set-up.

In the first place, as I have said over and over again, the law fixes the functions of the Pension Bureau. The bill does not repeal the law creating it. The only activities this language can reach are bureaus and offices which have been set up in an administrative way by the heads of the various bureaus. These are the only ones that you can abolish, the only ones that you can consolidate, the only ones whose functions you can redistribute.

Mr. CRAMTON. Then how do you accomplish anything in the way of elimination of duplication which has been alleged? I do not know of any such duplication, but how can you eliminate it if each bureau is to continue all the functions it now exercises?

Mr. WILLIAMSON. Wherever two bureaus or two offices or two activities within a statutory bureau are performing the same function, or approximately the same function, they can be consolidated. The same would apply where two or more activities in different statutory bureaus were doing the same or similar work.

Mr. CRAMTON. There are only two bureaus under consideration.

Mr. WILLIAMSON. There are a lot of bureaus, offices, and activities in the Veterans' Bureau set up by the head of the Veterans' Bureau. The same is true in the Pension Bureau. Some of these are now performing almost identical work. Why continue the duplication?

Mr. CRAMTON. He can redistribute all their functions at any time.

Mr. WILLIAMSON. He can do it, but we want the new administrator to be able to do that, and we do not want any doubt about it.

Mr. CRAMTON. Has the gentleman any thought that General Hines, as administrator of veterans' affairs, would take

some action that he is authorized to-day to take but does not take with reference to divisions in the Veterans' Bureau?

Mr. WILLIAMSON. I am not assuming that General Hines will be the new administrator, if the gentleman please.

Mr. CRAMTON. There are a good many gentlemen who will be much surprised if he is not.

Mr. WILLIAMSON. I am assuming somebody is going to be appointed as the new administrator who will be big enough to take hold of the problem and deal with it as a business man and get rid of the duplication we have at the present time. [Applause.] I do not care whether duplication is in the Veterans' Bureau or whether it is in the Pension Bureau or whether you have bureaus or divisions in the two separate activities which ought to be consolidated and brought together, I am assuming they are going to put a man in there who is going to do just that thing. We are not going to legislate down to details; we expect that in the way of reorganization the Director of the Veterans' Bureau will direct the details of that bureau and the Commissioner of Pensions the details of the Pension Bureau, and that the administrator will act in a supervisory capacity. I shall be greatly surprised if the new administrator does not make some radical changes.

Mr. KNUTSON. Mr. Chairman, I offer the following as a substitute for the pending amendment.

The Clerk read as follows:

On page 1, in line 9, strike out the words "Bureau of Pensions."

Mr. WILLIAMSON. Mr. Chairman, I make the point of order that the amendment is clearly not a substitute.

The CHAIRMAN. Does the gentleman from Minnesota want to be heard on the point of order?

Mr. KNUTSON. No, Mr. Chairman; I think it is so apparent that my substitute is in order that I do not.

The CHAIRMAN. The Chair sustains the point of order. The question is on the amendment offered by the gentleman from South Dakota [Mr. WILLIAMSON].

The question was taken; and on a division (demanded by Mr. KNUTSON) there were 42 ayes and 40 noes.

So the amendment was agreed to.

Mr. GASQUE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, beginning in line 8 and ending in line 15, strike out subsection b.

Mr. GASQUE. Mr. Chairman and gentlemen of the committee, if you adopt this amendment of mine you carry out the idea that the President's commission, which was appointed to investigate this matter, and which was to coordinate the activities of veterans' affairs, and you carry out the idea recommended by Secretary Wilbur, who was chairman of the committee and whom we heard at length before our committee.

I want to say as a member of the committee I am not opposed to coordinating these activities. We all know that there are overlapping activities which come about under the present law, and we ought to have some system of wiping these out. If you adopt this amendment with other amendments that I shall offer we will have a bill that will provide for coordination.

I can not understand to save me the idea of the distinguished chairman of this committee when he says you consolidate and then you have to coordinate afterwards. In my mind, when you consolidate there is no use for coordinating because it is all one. This bill provides for consolidating and coordinating——

Mr. KNUTSON. And eliminating.

Mr. GASQUE. Yes; and eliminating; and if we adopt this amendment of mine with other amendments I shall offer we will carry out the idea of coordinating the activities. I want to assure you that I will never vote for a bill, regardless of what the chairman or any other member says, which provides for coordination, consolidation, and elimination. I may not understand English very well, but I can understand what these words mean.

These are the words I move to strike out:

Under the direction of the President the administrator of veterans' affairs shall have the power by order or regulation not inconsistent with law to consolidate, eliminate, or redistribute the functions of the bureaus.

What does that mean, "to eliminate or redistribute"? There would be nothing to redistribute when you have consolidated—there would be nothing left. The—

agencies, offices, or activities in the administration of veterans' affairs and to create new ones therein, and, by rules and regulations, shall fix the functions thereof and the duties and powers of their respective executive heads.

Why it gives absolute power to this new administrator, this new officer, to eliminate every duty of the Pension Commissioner. When you eliminate every duty he has, what do you want a Pension Commissioner for? You transfer, as the distinguished chairman of this committee stated, the duties of the Pension Commissioner, which would devolve on the new administrator. Therefore, you have abolished the Pension Commissioner.

Mr. RANKIN. Will the gentleman yield?

Mr. GASQUE. I yield.

Mr. RANKIN. Under that provision would not the director, the new administrator of the veterans' affairs, have the right to transfer the activities from one bureau to the other?

Mr. GASQUE. If you try to consolidate two agencies, in one of which there are 24,000 employees and in the other 600, what becomes of the Pension Bureau? Do not you know that the first act will be to move the Pension Bureau into the Veterans' Bureau?

Mr. KNUTSON. What they are trying to do is to give the Veterans' Bureau a blood transfusion.

Mr. GASQUE. I think that is correct.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. GASQUE. Yes.

Mr. CRAMTON. I am looking at the section from the standpoint of the Bureau of Pensions, it being my thought that its functions ought not to be taken away from it. By the amendment just adopted we are assured that it will not be abolished, but under the language of subsection (b) they can send to the officials or employees of the Veterans' Bureau in the field pending applications of Civil War veterans, and they can ask all those Civil War veterans to go to Veterans' Bureau physicians for examination. They can take the issuance of all checks out of that bureau and give it to others. In other words, they will take all functions away.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. GASQUE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GASQUE. Mr. Chairman, my position on this bill, and I think the position of a good many of the members of the committee, is that we should have some legislation by which the veterans' agencies may be coordinated, so that we can cut out the overlapping work of the different institutions. I think that is as far as we should go.

I want to quote from the hearings again, when Mr. Wilbur was before the committee, while Mr. DALLINGER, a member of the committee, was asking him questions. Mr. DALLINGER said:

Mr. Secretary, the President is well known to be very much in favor of reorganizing the executive departments. Do you know whether he has arrived at a conclusion in regard to this particular phase?

Secretary WILBUR. In his message he stated that he thought these organizations should be brought together under a common head.

"Should be brought together" and "consolidated" do not mean the same thing. Secretary Wilbur went on further to say that it should be under an assistant secretary, since it is all in the same field, and he said that he thinks we can read that in the President's message—

Mr. ROWBOTTOM. You mean that he meant coordination instead of consolidation, in your opinion?

Secretary WILBUR. To be brought together.

Then he says that "brought together" is a nice word, but that consolidation bristles with antagonism, and I say so, too, and I believe every member of this committee so believes. Force these agencies together, and you will bring about nothing but antagonism and trouble, as Mr. Wilbur said, and, further, you will almost bring about revolution among the veterans of this country. I hope the amendment will prevail.

Mr. COLTON. Mr. Chairman and members of the committee, this amendment strikes at the very heart of the bill. We ought not to deceive ourselves. If you are going to take the heart out of the bill and leave only the husks, then we ought to vote to strike out paragraph (b).

Mr. GASQUE. It is a question of whether you favor coordination or consolidation.

Mr. COLTON. In my judgment, it means much more than that. What is coordination? This amendment is the very crux of the whole question. Gentlemen have complained here that there are too many employees in the Veterans' Bureau, and that there is too much red tape. The purpose of this bill is to cut through the red tape, and make it possible for the administrator to redistribute, to reorganize, to eliminate, to consolidate, to co-

ordinate and bring together so that there will not be so much of this duplication that has been mentioned.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. COLTON. Yes. I yield.

Mr. HARE. Does the gentleman not think that when this officer redistributes the affairs, he increases the red tape?

Mr. COLTON. Not at all. It will do away with it.

Mr. HARE. If he redistributes it, enlarges it?

Mr. COLTON. Not at all. If he finds, for instance, that two employees are assigned to do exactly the same duty, he can avoid that by giving the work to one of them, and in that way he increases the efficiency, and avoids the duplication of work to which I have referred.

Mr. HARE. But he does not redistribute there, he simply consolidates.

Mr. COLTON. In that particular case he may easily avoid duplication. A score of ways could be named to avoid duplication and increase efficiency. We can split hairs on the definition of words, but, after all, we may as well face the situation. The purpose of this bill is to bring about an efficient administration of veterans' affairs. We found in our investigation and study that there is a great deal of duplication. I am in favor of giving to the administrator the power to so coordinate his work that this will be avoided.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. COLTON. I yield.

Mr. CRAMTON. The gentleman's criticism seems to be directed to the Veterans' Bureau. Is there any limitation in the law on the authority of the Director of the Veterans' Bureau to reorganize, as the gentleman suggests ought to be done in the interest of efficiency?

Mr. COLTON. I can not say.

Mr. CRAMTON. If he has that authority, why should we go over into the Pension Bureau and upset that office to give the authority that already exists?

Mr. COLTON. Suppose they are doing exactly the same work in the Pension Bureau that is being done in the Veterans' Bureau. The testimony shows repeated instances where that is being done, and the same thing occurs in the soldiers' home. We have expressly provided that the Bureau of Pensions shall remain and shall not be abolished. The efficiency of the bureau will be retained. How can you give to the administrator the authority to make this consolidation, to coordinate this work, unless you give him some little discretion.

I grant you that it is almost impossible to so word a law that there will not be abuses creep in here and there, but we must proceed upon the assumption that there will be an honest endeavor to avoid duplication and that can not be done now.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. COLTON. In just a moment. It is common knowledge that there is very much duplication of effort and work in the Government service. Here is an opportunity to coordinate and consolidate the work of three activities which will not only be in the interest of economy but also efficiency. Gentlemen, imagine all sorts of possible ills arising from this movement. They are, however, imaginary. There is absolutely no foundation for most of these fears expressed here to-day.

I now yield to the gentleman from Oklahoma.

Mr. McKEOWN. What I want to know is if we pass this bill who will be responsible? For instance, in the new department, who will be responsible in the Pension Office?

Mr. COLTON. The ultimate authority, of course, if you went to the ultimate authority, would be the President of the United States, but generally it would be the administrator.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. COLTON. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. McKEOWN. Will the gentleman yield further?

Mr. COLTON. Yes.

Mr. McKEOWN. What I am trying to get at is this: If I have trouble in the Veterans' Bureau, do I have to take it to this new man whom you create, and then if he puts it up to the Pension Bureau, have I got to go again to the Pension Bureau? Will the Director of the Pension Bureau be answerable and responsible under this bill?

Mr. COLTON. The gentleman is talking about the Veterans' Bureau. We are creating an administrator of veterans' affairs.

Mr. McKEOWN. Will the head of the Veterans' Bureau be responsible for the conduct of all affairs, or will this superman be responsible?

Mr. COLTON. I know of no such office.

I do not speak of the comparative efficiency of the Bureau of Pensions or the Veterans' Bureau. The Commissioner of Pensions has not the final say as to pensions. There is an appeal from him to the Secretary of the Interior, and I have no doubt you could take an appeal to the President of the United States. There is no fundamental change along those lines at all.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield there?

Mr. COLTON. Yes.

Mr. WOODRUFF. There are many Members of the House who believe the Pension Bureau is very efficiently run under the present arrangement.

Mr. COLTON. I agree with them.

Mr. WOODRUFF. The gentleman from Utah made a distinction between the functions of the two services. Will the gentleman point out whether that distinction is of sufficient importance to make it possible to do away with the present efficiency of the bureau?

Mr. COLTON. The gentleman from Michigan by his question assumes that there will be an attempt to do away with that efficiency.

Mr. WOODRUFF. Oh, no. I do not believe there is an attempt on the part of the committee or anybody else to do away with efficiency of any activity in the Government. But that is one of the possibilities of the situation that confronts us here.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman from Utah yield?

Mr. COLTON. Yes.

Mr. JOHNSON of South Dakota. I thought I might answer the gentleman's question, whether the 60,000 veterans of the Spanish-American War who got into the World War will be dealt with by the old Pension Bureau or by the new administration of veterans' affairs. Under one law, as the gentleman knows, they are entitled to a certain amount of compensation, and under the World War legislation they are entitled to another. Nobody thinks of abolishing the Pension Bureau. Nobody has that intention.

Mr. COLTON. The gentleman is correct, but I was going to answer as to the duplication of activities.

Mr. WOODRUFF. The gentleman from South Dakota has called attention to the fact that veterans of the Spanish-American War receive pensions through the Pension Bureau and veterans of the World War receive compensation from the Veterans' Bureau. But under no circumstances can a man receive compensation from both of those bureaus. He has to accept either a pension under the Bureau of Pensions or compensation from the Veterans' Bureau. There is no duplication.

Mr. JOHNSON of South Dakota. That is true, that they can not receive compensation in both places; but untold thousands of them, not being able to tell in which war they received their injuries, have filed applications under both bureaus.

Mr. CRAMTON. I want to make this observation, that even the passage of this bill will not tell those veterans in which war they received their injuries. It will not change the law under which they will have to make application for pension or compensation. They would still have to make one application for pension in 1898 and another for compensation in 1918.

Mr. COLTON. The gentleman from Michigan will realize that there are now two tribunals to which those men are going, and this legislation will bring them under one head.

Mr. CRAMTON. One is for compensation and the other is for pension, and if you put them both into one tribunal you will establish a pension system for veterans of the World War.

The CHAIRMAN. The time of the gentleman from Utah has again expired.

Mr. COLTON. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield for another question?

Mr. COLTON. Yes.

Mr. WOODRUFF. The gentleman states that under certain circumstances the veterans who served in both the Spanish-American War and the World War have to make applications at two points. The veterans find it necessary to select which one they will apply to. They usually know when and where they received their disability. If it was during their service in the World War they apply to the Veterans' Bureau; if it was elsewhere they apply to the Pension Bureau.

Mr. COLTON. I did not mean that. I do not think the gentleman from South Dakota meant to convey any other impression than that these thousands of cases to which he has referred—cases which are now pending in the Veterans' Bureau

and in the Pension Office—were being considered by two bureaus. My point is that we will create one bureau to which all these claims will go.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. COLTON. Yes; I yield.

Mr. SCHAFER of Wisconsin. If a man served faithfully in the Spanish-American War and in the World War, he may have a claim both in the Veterans' Bureau and in the Pension Bureau by reason of his service in the two different wars. I have cases of that kind. They can not receive compensation and pension at the same time. Therefore you have to establish contact between these two independent establishments with reference to those claims.

Mr. KNUTSON. Why?

Mr. SCHAFER of Wisconsin. The gentleman knows why, as he has handled many of these cases, because in the Pension Bureau when a Spanish-American War veteran is receiving pension and then applies to the Veterans' Bureau, said bureau can not make payments on that claim until they find out what pension the claimant is getting, if any, from the Pension Bureau.

The Pension Bureau will not make payment of a Spanish-American War claim, when the veteran has served in both wars, until it has contacted the Veterans' Bureau and ascertained the amount of compensation paid to the veteran under the World War veterans' act, and vice versa. Furthermore, the Spanish War veteran who is also a World War veteran may have two claims pending, one in the Pension Bureau and one in the Veterans' Bureau. He may be receiving $50 a month under the Pension Bureau claim for nonservice disabilities, and at that time his World War compensation may be less than $50.

So he will continue to take his Spanish-American War pension. But he may later enter a Veterans' Bureau hospital and become entitled to $80 or $90 compensation and will transfer back to the compensation benefits. So there is a duplication of work between the two departments in that respect.

Mr. COLTON. Reverting again to the question the gentleman from Michigan [Mr. WOODRUFF] asked, I call attention to the matter of writing checks. Reference has been made to the large amount of money distributed by the Pension Bureau. A great part of that money is distributed simply by writing checks. That same kind of service is being performed in the Veterans' Bureau. The same agency could carry on that work in one bureau and avoid much duplication.

In the matter of field examinations, a man is sent all the way across the continent to make an examination in a pension case. It is not of such a nature that experts are required. That man could just as well look after similar work that arises in other activities while on his trip.

In the matter of medical examinations for disability in the Pension Bureau the same board which makes the examination could make an examination for compensation for a veteran. The same doctors could make the examination of the veteran. It is conservatively estimated that $9,000,000 could be saved in the matter of hospitalization by coordinating and bringing together the three activities. It is just a plain, common-sense proposition, gentlemen. If you strike out the power, as proposed by this amendment, to bring together these agencies, if you strike out the power for the coordination of the work, if you strike out the power to eliminate duplication of effort, you might just as well kill the bill. This amendment strikes out the very backbone, core, and heart of this measure. It will weaken it so much that you will defeat the very purpose of the bill.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and ladies and gentlemen of the committee, there seems to be some misconception as to the character of this legislation. It originated with the Committee on World War Veterans' Legislation after a time when the gentleman from Ohio, Mr. FITZGERALD, and the gentleman from North Carolina, Mr. Bulwinkle, were appointed a committee to survey the soldiers' homes throughout the United States. They became convinced that the Veterans' Bureau hospitals and the soldiers' homes should be consolidated. It then became apparent that some consolidation or coordination of the Pension Bureau and the Veterans' Bureau would be necessary.

I think much of the objection to this legislation does not arise because of the fact that there is fear that the Pension Bureau is going to be eliminated, because it will not be eliminated, but judging from the opposition I see it is because of fear on the part of some Members of the House that some of the pension committees will be eliminated. [Applause.]

Mr. CRAMTON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I can not yield at this time to anybody.

Mr. CRAMTON. I am not on any pension committee, but I would like to ask just how could a thing like that happen from this bill.

Mr. JOHNSON of South Dakota. It would not happen, because all of the committees will continue. I said it was on account of fear that it might happen.

Mr. KNUTSON. Oh, we have ordinary intelligence.

Mr. JOHNSON of South Dakota. I have arisen to tell the gentlemen that they need not have any such fear, because no one will abolish the Pension Bureau and no one will abolish any of the committees.

With reference to pensions, all World War veterans will come to a pension system in this country sooner or later, and all pensions will be paid through the Veterans' Bureau and not by any pension committee or Pension Bureau. The files in the Veterans' Bureau are 2 or 3 feet high——

Mr. KNUTSON (interposing). And the gentleman wants to make them thicker?

Mr. JOHNSON of South Dakota. No. Every pension claim that would be filed in the United States, practically without exception, has already been filed in the Veterans' Bureau in an application for compensation, and there will not be two organizations—one the Veterans' Bureau and the other the Pension Bureau—passing on World War pension and compensation claims. As a matter of fact, within a day after any pension committee reports a pension bill to this House the Veterans' Committee, which has that jurisdiction, will report a proportional compensation bill, a proportion of the service-connected rating on non-service-connected cases. The gentlemen who are opposing this bill want more bureaus instead of less bureaus.

This legislation has been carefully considered by many committees. It has been carefully considered by many veteran organizations. The last convention of the American Legion, at Louisville, Ky., passed a resolution that the national legislative committee be, and it hereby is, authorized and directed to endeavor to procure legislation tending to effect the amalgamation of the Pension Bureau, Veterans' Bureau, and National Soldiers' Home.

Mr. KNUTSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. No; I do not yield.

The Veterans of Foreign Wars, another one of the three great organizations, through its legislative representative, Captain Bettelheim, said to-day the Veterans of Foreign Wars favor this consolidation. The Disabled American Veterans have taken the same action.

Mr. WOODRUFF. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I do not.

The reason these organizations have wanted this legislation is not because of these bureaus. It is because of one great fundamental desire. They want the veterans of all wars of the United States treated alike. [Applause.] There is no reason in the world why a man with one leg shot off in the Civil War should be treated differently from a man who had a leg shot off in the World War. There is no reason in the world why a man who was a colonel in the war or a private in the war should be treated differently.

This attack on subdivision (b) is camouflage and is intended to indirectly and in a round-the-corner way knife this bill. This vote is the whole thing. If you eliminate this section at this time, you might as well adjourn for to-day. The members of this committee ought to know that this is the real vote.

No one intends to injure the Pension Bureau. It will be allowed to run and it will rate Civil War cases.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. I want to finish the statement I was making. There is no intention of having any other bureau than the Pension Bureau pass on Civil War pensions or on Spanish-American War pensions. No one doubts but that the Pension Bureau is doing a good job and they ought to be allowed to continue to do that job. Nevertheless somewhere in this Government there should be some way of coordinating so we will not have the trouble we have to-day between the Veterans' Bureau and the Pension Bureau. Sixty thousand men come under the jurisdiction of both bureaus. In addition, we ought to have the 50 Veterans' Bureau hospitals and the 11 soldiers' homes consolidated.

I expect to offer an amendment which will continue the Board of Managers of the Soldiers' Home in an advisory capacity for five years. Some of those men are honest, able, and intelligent, and this Government can not afford not to secure their valuable services in this coordination or consolidation period.

I now yield to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF. The gentleman has stated the position of certain World War veterans' organizations as regards this proposed consolidation. Does the gentleman know of any action taken by the Spanish-American War veterans' organization or the Civil War veterans' organization in approval of this particular proposal?

Mr. JOHNSON of South Dakota. I will say to the gentleman that at one time there was a meeting in this city of those organizations and they had an agreement. I am not certain about what happened, and I do not recall that the Spanish-American War organization or the Civil War organization have indorsed this proposal. If they have, I do not know about it.

Mr. WOODRUFF. I will agree with the gentleman that this particular amendment is, perhaps, not desirable; I will agree with him that some legislation along this line ought to be enacted, but I do not agree with him if he for a minute believes that anybody in the Veterans' Bureau ought to be given jurisdiction over any of the activities of the Pension Bureau. [Applause.]

Mr. JOHNSON of South Dakota. I will say to the gentleman that we know perfectly well that, so far as the Civil War veterans and the Spanish-American War veterans are concerned, the Pension Bureau is going to function and that, so far as the World War veterans are concerned, pensions for those veterans, when they come, are going to be administered in the Veterans' Bureau.

Mr. CRAMTON. Does not the gentleman think that inasmuch as this bill proposes the swallowing up of the Bureau of Pensions and possibly destroying all of its functions, that before Congress acts we ought to have some expression from the organizations of Civil War veterans and Spanish-American War veterans?

Mr. JOHNSON of South Dakota. I do not think so and for this reason: Every Civil War veteran who will get a pension, with perhaps a dozen exceptions, is already on the roll, and the pension is going to be paid until he dies.

Mr. CRAMTON. The difficulty is this: If we put that kind of legislation through, there are so many more World War veterans than there are the others that the whole thought of Congress is going to be directed toward the World War veterans and no more attention paid to the wants of the others than this committee has paid to those organizations in connection with this bill.

Mr. JOHNSON of South Dakota. Let me say to the gentleman that the Spanish-American War veterans never secured any legislation until the World War veterans came back, appeared before committees, and secured it for them. [Applause.]

The first thing that the Spanish-American War veterans ever secured was at the time that Captain Mattocks and myself appeared before the Committee on Public Buildings and Grounds and opened the Veterans' Bureau hospitals to the Spanish War veterans. You do not need to be afraid that the veterans of one war are going to injure the veterans of another.

Mr. KNUTSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. KNUTSON. There is no record in the Pension Committee that representatives of World War organizations appeared in behalf of the Spanish-American War veterans; and let me say to the gentleman that the Spanish War veterans can speak for themselves, and they got the pension when they asked for it.

Mr. JOHNSON of South Dakota. Yes; and I notice they came to us and we presented their claims before the congressional committees.

Mr. KNUTSON. What committee?

Mr. JOHNSON of South Dakota. The Committee on Public Buildings and Grounds, where out of order we opened the veterans' hospitals to the veterans of the Spanish-American War, contrary to the rules of the House.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Massachusetts.

Mr. CONNERY. I want to say to the gentleman that I am not in accord with all of his ideas and I intend to vote against this bill——

Mr. JOHNSON of South Dakota. May I ask the gentleman whether he voted for it when it was before the Committee on World War Veterans' Legislation?

Mr. CONNERY. No; I did not. Every member of the Committee on World War Veterans' Legislation has done everything in his power for the Spanish-American War veterans, to the extent of opening the hospitals under the Veterans' Bureau, and we would do more if it were in our power.

Mr. JOHNSON of South Dakota. If there were anything more they wanted.

Mr. WOODRUFF. Will the gentleman yield so that I may confirm what the gentleman has just stated with regard to the interest every veteran of the World War has in the welfare of the Spanish-American and Civil War veterans and their dependents?

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for two more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. JOHNSON of South Dakota. In this connection I want to add the statement that nobody is going to hurt the veterans of the Civil War in any way.

I now yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. This bill does not consolidate the Pension Bureau under the Veterans' Bureau. This bill creates a new bureau to handle all veterans' affairs. On page 107 of the hearings former Senator Rice W. Means testified as follows:

> I have authority from 42,000 survivors of the Civil War—written authority—to speak for them before this committee. I am authorized to officially represent the Spanish-American War Veterans. As to those two, they have expressed themselves in their conventions as being favorable to a joining of all agencies extending relief to veterans of this country under one head. They have both, by resolution, favored the placing of these agencies under the Secretary of the Interior. I do not believe they are married to that particular procedure at all.

This shows that the organizations of Spanish-American War and Civil War veterans are also in favor of consolidation, and that they are not wedded to the particular plan of consolidating under the Secretary of the Interior. What would be the practical difference if we enacted this bill and several days after the bill becomes law the present Secretary of the Interior should resign from the service? The President would be filling the two positions, and what would be the actual difference in the effect if we consolidated under the Interior Department, in so far as a particular man running the consolidated veteran activities is concerned?

Mr. JOHNSON of South Dakota. Why, there is no difference. It is a consolidation, call it by any name you please. It will not be a consolidation under the Veterans' Bureau, but a consolidation under a new bureau to be organized by the President.

Mr. HOWARD rose.

Mr. JOHNSON of South Dakota. I yield to the gentleman from Nebraska, if I have any time left.

Mr. HOWARD. Frankly, I may say to the gentleman I have not made much study of this bill, but I would like to have him give me his own interpretation of the language beginning at line 21, page 2, with the word "upon." If the gentleman will read that and give me his interpretation of it, I think we will all understand it a good deal better from his viewpoint.

Mr. JOHNSON of South Dakota. It means there will be an administrator of veterans' affairs and that all the duties of all these bureaus, boards, and departments named here will be conferred upon this one man so he can coordinate their activities and treat the soldiers of all wars alike.

Mr. HOWARD. Does it mean that the Commissioner of Pensions is to be eliminated?

Mr. JOHNSON of South Dakota. No; not at all.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in 10 minutes.

Mr. CRAMTON. On this amendment, but not on the section.

Mr. WILLIAMSON. Mr. Chairman, I modify my request and ask unanimous consent that all debate on the pending amendment close in 15 minutes.

Mr. GASQUE. Mr. Chairman, reserving the right to object, I would like to ask how much time that gives gentlemen on this side? I do not want to object, Mr. Chairman, if the gentleman will agree to give us the time we want over here.

The CHAIRMAN. Let the Chair state that it is not within the power of the gentleman from South Dakota to agree to assign time to anybody. The power of recognition is in the Chair.

Mr. RANKIN. Mr. Chairman, I ask that the request be amended and the time changed to 20 minutes.

Mr. WILLIAMSON. I have no objection to that and will so modify my request.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on the pending amendment be limited to 20 minutes. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Chairman, ladies and gentlemen of the committee, I do not wish to take up much time of the committee. I did not have an opportunity to talk during general debate, and that is why I am taking this time under the 5-minute rule.

When we who are on the Committee on World War Veterans' Legislation were investigating the veterans' hospitals I went through the soldiers' homes up in Maine and Massachusetts and every Spanish War veteran and every Civil War veteran I met there I asked how they felt about this consolidation or about being under the Veterans' Bureau or anybody else except the Pension Bureau, and they said they wanted to stay under the Interior Department.

I do not know whether the statement of the commander of the Spanish War veterans that was read by the gentleman from Wisconsin [Mr. SCHAFER], represented the wishes of the Spanish War veterans throughout the United States, but my belief from talking with these men is that they do not want this bill to pass. They want to stay under the Pension Bureau.

Speaking for the World War veterans I think every Member of this House will agree that every member of the Committee on World War Veterans' Legislation has tried at all times since its foundation to do everything that could be done not only for the Spanish War veterans and the World War veterans, but also for the Civil War veterans. Our desire has been to give them everything we possibly could. We opened up the hospitals to allow the veterans of all wars to enter them.

In this bill, which provides for the consolidation of the Pension Bureau under the Veterans' Bureau or to connect all veterans' activities under one bureau, we can look at it in any way we want, but if we take the Pension Bureau out of the bill, what is the use of passing the bill at all. It consolidates what? The Veterans' Bureau and the soldiers' homes of the United States, and that is all, and leaves the Pension Bureau exactly where it is. If you are basing your argument on the ground of economy or efficiency, that does not do you a bit of good. You are not saving a cent by passing a bill which leaves the Pension Bureau where it is.

Mr. WOODRUFF. Will the gentleman yield?

Mr. CONNERY. Yes; I will be pleased to yield.

Mr. WOODRUFF. Is my friend of the opinion that by putting the Pension Bureau under this proposed bureau, the expenses of running the Pension Bureau would be lessened?

Mr. CONNERY. I do not see how they would be.

Mr. WOODRUFF. I do not see it at all.

Mr. CONNERY. If you just put it on a line with the Veterans' Bureau or connect it with the Veterans' Bureau, there is not a cent saved to the Government.

Mr. WOODRUFF. I agree with the gentleman, and, certainly, the service to the beneficiaries whose interests are now looked after by the Pension Bureau, would not be improved.

Mr. CONNERY. No; I do not think so; and right there I want to say that we have heard a lot of talk to-day in reference to the Veterans' Bureau, and how much superior the Pension Bureau is. I disagree with that. We have thousands of disabled men being taken care of by the Veterans' Bureau. Under the Pension Bureau you have the law laid down clearly and distinctly, telling you how much they will get a month, exactly what the Pension Bureau is to do. In the Pension Bureau you have pensions of $30, $50, or $72, you have the rates, you have doctors examine the men, you have everything laid out in a manner that is easy for the bureau to follow, but you have a very difficult and different condition in the Veterans' Bureau. Now, I want to pay a tribute to the Veterans' Bureau, and particularly to the director. The Lord knows I have heckled them enough in committee and out, asking them why they do not do this and why they do not do that, but I think next to the office of the President of the United States General Hines has the most difficult job in the United States to-day. I have a great personal esteem for General Hines and I have always admired the way in which he has conducted himself in a position which requires the greatest tact, diplomacy, humanity, and courage. The present director of the bureau is doing, I think, a magnificent work. [Applause.]

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. McCORMACK of Massachusetts. Has the gentleman any opinion as to whether or not the pension bill for the World War veterans, the disabled service-connected veterans, is the preferable course for Congress to take?

Mr. CONNERY. Does the Gentleman mean the Swick bill?

Mr. McCORMACK of Massachusetts. Yes.

Mr. CONNERY. I am in favor of that bill. I am in favor of taking care equally of the veterans of the World War, the Spanish War veterans, and the Civil War veterans, and the veterans of every war we have been in. [Applause.]

Mr. STEVENSON. Mr. Chairman, it is with great deference that I address a little thought to this question, and first I want to say that I am not of those who are critical of the powers that be in so far as dealing with the veterans are concerned. They have great powers and great responsibilities. I have been dealing with them for 13 or 14 years, and by and large they try to do the right thing by the veterans.

However, I have always had a peculiar affection for the Pension Bureau, because we have always been able, so far as I am concerned, to get more prompt service there, and we have been generally satisfied with their services from our standpoint.

The gentleman from South Dakota [Mr. JOHNSON] said that there was no idea of abolishing the Pension Bureau, and yet he said it would be absorbed in the new institution. He said the pensions are going to be paid by the Veterans' Bureau. Well, that means that there is going to be no Pension Bureau.

Now, I am not in favor of that. A minute ago a comparison was made as to the provisions in the Veterans' Bureau, and the difference between that and the Pension Bureau. They said that in the Veterans' Bureau there were all of these different rates but there was a flat rate in the Pension Bureau. My friend overlooks the law. We have the Spanish veterans to-day getting $20 a month, and there is a rate of $30, and others get as high as $50 a month. So the same rules are applied in a moderate degree to both the Pension Bureau and the Veterans' Bureau, but in a more scientific way in the Pension Bureau than in the Veterans' Bureau.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. WILLIAMSON. The gentleman stated that I said that the Pension Bureau would be absorbed in the new institution.

Mr. STEVENSON. No; I did not refer to the gentleman; I referred to the gentleman from South Dakota [Mr. JOHNSON].

Now, that being the case, that they are not going to abolish the Pension Bureau, why talk about taking this provision out of here? You have already said that we are not going to abolish it by the amendment of the gentleman from South Dakota [Mr. WILLIAMSON]. That is proper that it should not be abolished, but when it comes to providing that the functions of the Pension Bureau and the manner of dealing with the agency may be absolutely subverted by the man at the head of the new superbureau—and you seem to be very earnestly in favor of keeping that in—which means that there will be a dissolution by taking away the powers and functions of the bureau. Those opposing this amendment are merely fighting to keep the concealed power in the bill to indirectly destroy the Pension Bureau.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. KNUTSON. Does not the gentleman believe that the passage of this bill in its present form would render the Pension Bureau a memory within 10 years?

Mr. STEVENSON. Yes. It will be denatured from the day that it is passed.

Mr. KNUTSON. It will be dehydrated.

Mr. STEVENSON. It will be decapitated. It means the destruction of the Pension Bureau if you leave subdivision (b) in the bill. So far as I am concerned I have very few veterans who draw their pay from the Pension Bureau. I have Spanish-American veterans that do. By the way, there is a great deal of talk here about the fact that they can not draw twice. I have a constituent who was in the Spanish-American War and who was getting $20 a month. He was in the World War, a captain, as he went into the line-up at home, and a major in the field when they were breaking Hindenburg's line, where he was leading his men. He has not got retirement. They held him 15 per cent disabled, and put him on at $15 a month compensation, and took away the $20 a month that he was getting as a Spanish-American War veteran. That is what they did to him, and I am having a hard time getting him retired, but I am going to do it.

Mr. MOUSER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 1, line 9, strike out the words "The Bureau of Pensions."

Mr. WILLIAMSON. Mr. Chairman, I make the point of order against the amendment that another amendment is now pending.

Mr. MOUSER. If there is another amendment now pending, the point of order is well taken.

The CHAIRMAN. There is an amendment pending offered by the gentleman from South Carolina.

Mr. WILLIAMSON. Mr. Chairman, if no one else desires recognition, I ask recognition. The assertion has repeatedly been made upon the floor here that the Spanish-American and Civil War veterans have been left out of the picture. Anybody who will take the trouble to read the hearings will see that they have not been left out of the picture; that they were represented before our committee; that they have indorsed a bill practically on all fours with the bill now before the committee. There is no man in the House who can vote against this bill without voting against the recommendation of every veterans' organization in the country, I do not care what organization you pick out.

Mr. GASQUE. Mr. Chairman, will the gentleman yield?

Mr. HULL of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Not at this time. If gentlemen will turn to page 141 of the committee hearings they will find the bill which was submitted by these various organizations to the committee. The bill for which these organizations at that time desired to substitute their bill was H. R. 6141, which provided for a consolidation in the Veterans' Bureau. Their bill set up an independent department, to be known as the department of veterans' affairs, with a director general at its head. If you will compare the two bills, you will find they are practically identical, as to the method of consolidation pursued. Their bill lacks many of the essentials in detail necessary to the proposed consolidation, and therefore we could not utilize that bill as drawn.

We drafted our own bill, but we did the very thing they sought to do, namely, set up an independent activity responsible directly to the President, into which could be taken the National Home, Veterans' Bureau, and the Pension Bureau upon exactly the same plane. In the bill now before you the committee was careful to so draft the measure that none of the activities that are brought in under one head could justly say that it was unfairly treated as compared with the other two. By amendment on the floor we have given preference by a proviso already adopted to the Pension Bureau to make certain that the bureau will remain intact. Let me assure gentlemen who have any fear that the Pension Bureau will not continue to function, that the law establishes the duties of the Pension Bureau and prescribes its functions. We are not changing these. Pensions will be taken care of as they are now, and everybody who has now a pensionable status will continue to be served under the new set-up by the Pension Bureau.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. GREEN. I am particularly interested in the establishment of a soldiers' home. I am wondering what effect this bill will have, if it passes, on the establishment of soldiers' homes. Could a soldiers' home be automatically established without further legislation?

Mr. WILLIAMSON. We are transferring to the new administrator of veterans' affairs the powers and functions of the National Home Board. There are ample funds already authorized for the Veterans' Bureau and national homes to proceed with the necessary hospital and domiciliary program. These funds can be utilized by the new administrator in exactly the same manner as they can now be used by the National Home Board and the Veterans' Bureau, and that means that if the administrator sees fit to go down into Florida or into Louisiana or into any other Southern State and establish a new hospital or home he can do so, provided that the bill is not mutilated to a point where it would become innocuous.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I ask unanimous consent that the time be extended for five minutes.

The CHAIRMAN. Is there objection?

Mr. GASQUE. Mr. Chairman, I would like to have two or three minutes.

The CHAIRMAN. Does the Chair understand that the gentleman from South Carolina objects?

Mr. GASQUE. Not if I can get two or three minutes. If not, I shall object.

The CHAIRMAN. Objection is heard.

Mr. BANKHEAD. The time for debate has been fixed by order of the committee.

The CHAIRMAN. Five minutes of debate remains. The gentleman from Wisconsin asks unanimous consent that the gentleman from South Dakota may have five minutes. Objection is heard.

Mr. WILLIAMSON. Mr. Chairman, I want only two minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for two additional minutes. Is there objection?

Mr. STEVENSON. Reserving the right to object, Mr. Chairman, the balance of the time, as I understand, is to be given to my colleague from South Carolina [Mr. GASQUE].

The CHAIRMAN. The Chair will recognize the gentleman from South Carolina after the gentleman from South Dakota [Mr. WILLIAMSON].

Mr. WILLIAMSON. Mr. Chairman and members of the committee, I want to make just one more statement, namely, that this or a similar bill has been under consideration by the committee for two years. I am telling the absolute truth when I say that during that entire time I have received only one letter from a Spanish-American War veteran in opposition to the bill. That is all. I have not received a single, solitary one from a veteran of the Civil War. It seems to me, if there had been any opposition on the part of these veterans, that the chairman of the committee would have heard of it. The opposition comes from the Pension Bureau and the national home people, and it is their fight which is being fought by enthusiastic followers on this floor, and not a fight for the veterans. They are for the bill.

That is all I care to say. I yield the rest of my time to the gentleman from South Carolina [Mr. GASQUE].

The CHAIRMAN. The gentleman from South Dakota yields back one minute. The gentleman from South Carolina [Mr. GASQUE] is recognized for four minutes.

Mr. GASQUE. Mr. Chairman and members of the committee, I wanted to say a word in regard to what the distinguished chairman of the committee has stated I want to say, that this particular bill that we are considering has never had any hearings held on it. This particular bill I had never seen, as a member of the committee, except once, when it was reported out. We did hold hearings on the bill which the leaders of the World War veterans' organizations have indorsed. I would much rather vote for that bill than vote for this bill. That bill that we had hearings on proposed to confine all the activities for disabled veterans to the Veterans' Bureau, but it did not go ahead and provide that the Veterans' Bureau shall have the right to eliminate, consolidate, and so forth.

Mr. HULL of Wisconsin. Mr. Chairman, will the gentleman yield there?

Mr. GASQUE. Yes.

Mr. HULL of Wisconsin. When we had the hearings the matter of calling up that particular bill was discussed, and the committee almost unanimously reported against reporting it out.

Mr. GASQUE. Yes; but I understand that when the committee reported the bill many of the members of the committee were sick, and we did not have a full meeting of the committee at that time; but at another time it was stated by the chairman the committee unanimously decided to report this bill.

Mr. WILLIAMSON. They were against the other bill.

Mr. GASQUE. The bill you refer to is the bill these hearings were held on. It is not nearly so pernicious a bill as the one before the committee.

Mr. WILLIAMSON. The bill now before the committee is another bill.

Mr. GASQUE. Yes; that is the point I make. The veterans' organizations then never had a chance to consider this bill.

Mr. KNUTSON. No; the veterans' organizations have not had a chance to consider this bill.

Mr. GASQUE. The veterans' organizations did indorse a bill and did it as a compromise, because all the other organizations except the American Legion were opposed to the bill we had hearings on in the committee. Mr. Means said that he had taken this bill up with the other organizations, and said they indorsed a bill he submitted. The bill they compromised upon is practically the bill you will vote upon, if you vote for the amendment I shall offer.

Mr. MOUSER. Mr. Chairman, will the gentleman yield?

Mr. GASQUE. Yes.

Mr. MOUSER. Then the different organizations did not go on record as favoring this particular bill?

Mr. GASQUE. They did not. We do not know what they think about it. I hope, gentlemen, you will give this point careful consideration before you vote on this bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina [Mr. GASQUE].

Mr. STAFFORD. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 72, noes 56.

Mr. WILLIAMSON. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. WILLIAMSON and Mr. GASQUE to act as tellers.

The committee again divided; and the tellers reported—ayes 96, noes 63.

So the amendment was agreed to.

Mr. WILLIAMSON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore [Mr. TILSON] having resumed the chair, Mr. HALE, Chairman of the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 10630) to authorize the President to consolidate and coordinate governmental activities affecting war veterans, reported that that committee had come to no resolution thereon.

NATIONAL PARK OR PRIVATE POWER PERMIT

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with reference to the bill H. R. 26, and in connection with my remarks to include certain extraneous matter not my own remarks.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD with reference to the bill H. R. 26 and to insert certain matters, as indicated. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, under the leave granted me today I desire to bring to the attention of the House further information and comment in connection with the bill (H. R. 26) providing for the acquisition of lands needed for park, parkway, and playground purposes in the National Capital and its environs.

Passage of this bill is now fought openly by Elisha Hanson, who signs himself "Attorney for the Potomac River Corporation." That is the subsidiary corporation of the Byllesby power interests which seeks Federal permit to develop power at the Great Falls of the Potomac.

The Washington Post, of Sunday, April 6, carried a letter signed by him, in which he stated in part:

> Your editorial of April 3 on the Potomac Valley apparently is based upon the false surmise that the Cramton bill, if enacted, will carry out the purpose of preserving the Potomac Valley for the Nation at national expense. Such, however, is not the case. As stated by Mr. CRAMTON himself in his appearance before the Senate committee on March 13, all that the Federal Government will do is to contribute a portion of the original cost of acquiring these lands and then forever fasten upon the taxpayers of near-by Maryland and Virginia the obligation of perpetually maintaining them for park purposes. If, as you suggest, "the preservation of the Potomac Valley primarily as a park adorning the National Capital is a national duty," then Mr. CRAMTON and the Congress should meet that issue squarely, instead of seeking to transfer the Nation's duty to a few thousand citizens of Maryland and Virginia.

That statement is entirely incorrect, as to the cost of maintenance of the George Washington Memorial Parkway if and when it comes into existence as proposed in H. R. 26, intended to preserve the scenic beauties of the Potomac area Mr. Hanson refers to. I am sure Mr. Hanson has had no thought or purpose of misleading the readers of the Post and can only conclude he has not read H. R. 26 with care, and did not honor me by paying close attention to my statement before the Senate committee. If he had done either he would know it to be the fact that H. R. 26 proposes, and I have urged the perpetual maintenance, of the George Washington Memorial Parkway at the sole expense of the Federal Government, and nothing is to be fastened on the taxpayers of near-by Maryland and Virginia for that purpose.

The bill does provide for maintenance of the Rock Creek and Anacostia Parks into adjacent Maryland by adjacent Maryland taxpayers, but that does not conflict with any plans of the Potomac River Co.

Further, Mr. Hanson, the attorney for the Potomac River Corporation, which company seeks a permit to develop power at Great Falls, gives much emphasis to what he calls the "suppression" of the minority statement of General Jadwin last August as a member of the National Capital Park and Planning Commission. Inasmuch as General Jadwin was himself the chairman of the National Capital Park and Planning Commission at the close of the last fiscal year it is to be presumed that he could have secured the inclusion of any minority statement he desired in their report for that fiscal year. Evidently he did not care to emphasize his opposition to the views of the other 10 members of the commission to that extent. Certainly until General Jadwin indicates some feeling that his views have been "suppressed" by the Planning Commission Mr. Hanson does not need to worry about it.

So far as the House of Representatives is concerned, the views of both General Jadwin and Major Somervell were brought to the attention of the House as fully as possible before H. R. 26, the bill in controversy for the establishment of a park at Great Falls, came up for consideration in the House. The bill was considered in the House on Thursday, January 30. In the CONGRESSIONAL RECORD of Tuesday, January 28, and again in the CONGRESSIONAL RECORD of Thursday, January 30, appears the General Jadwin statement in full, once inserted at the request of Representative WILSON, of Louisiana, and again at the request of Representative MCDUFFIE, of Alabama.

In my principal address on this bill in the House on Monday, January 27, I referred to the views of Major Somervell and placed in the RECORD in full the letter of Major Somervell to Representative WILLIAM E. HULL, of Illinois, in which letter was thus first given to the public by me the $100,000,000 waste conclusion of the major. Both the Jadwin and Somervell views were, therefore, before the House, and, notwithstanding, on Thursday, January 30, the House proceeded to pass H. R. 26 by a vote of 199 to 24.

I have wondered that the power company that is fighting this park bill has not made complaint at the "suppression" of the Hanson views with reference to H. R. 26. The identical predecessor of this bill was the subject of hearings in the Seventieth Congress, a year ago, before the Committee on Public Buildings and Grounds of the House and the Committee on the District of Columbia of the Senate, both hearings being publicly announced in advance, but no one appeared in opposition to the bill and the views of Mr. Elisha Hanson, attorney for the Potomac River Corporation, appear to have been "suppressed" at that time. In this Congress H. R. 26 was the subject of an announced public hearing before the Committee on Public Buildings and Grounds of the House and also the Committee on Rules of the House, in December, 1929, and January, 1930, respectively, and still the views of Mr. Elisha Hanson, of the Potomac River Corporation, continued to be "suppressed." One may have a suspicion that Mr. Hanson thought that his own quiet and unobtrusive personal activities had killed the bill, but this did not prove to be the case, and it was not until the bill had passed the House and was pending before the Senate committee that Mr. Elisha Hanson, attorney for the Potomac River Corporation, gave any public expression to his very definite and positive, but not disinterested, views concerning the proposed park at Great Falls. It is apparent that the real "suppression" of views in connection with this legislation has to do with the Elisha Hanson views, which were only presented publicly to Congress after he was surprised by the great victory gained by the legislation in the House and driven to abandon his more unobtrusive methods and take up a public activity in behalf of his corporation.

The Hanson and Somervell theory that all is loss save dollars does not enthuse either Washington or the Nation. Not one organization of residents of Washington or of near-by Virginia and Maryland has indorsed that doctrine, but all support the park program proposed by H. R. 26. The Washington Times yesterday said, editorially:

THERE MUST BE NO POWER GRAB IN POTOMAC RIVER VALLEY

> There must be no electric power grab at Great Falls and in the Potomac River gorge, and the chances are largely against there being any.
>
> Congress isn't made up of schoolboys, and Congress isn't so tied to the interests of the Power Trust as to permit any of its units getting a grip in an area that will be extremely useful to the Nation in the future.
>
> This Potomac River Valley, from Great Falls to Washington, is admittedly one of the most naturally beautiful spots in the world. It is nothing short of a national duty that this region shall be preserved for the Nation for such use as it may desire to make of it.
>
> As a magnificent park, contemplated in the Cramton bill, it would be exclusively in the hands of the Federal Government, which, besides developing it for park purposes, would still retain the right to hydroelectric development if that ever became necessary for Washington and the greater city that will grow from here along the hills overlooking the river's gorge.
>
> That's pretty smooth talk about a private commercial concern developing hydroelectricity while the Government does the job of park development. Any man with brains can see that the time would come when there would be conflict between the Government and the private interests and when the courts would be filled with litigation.

There must be no opportunity for legal conflicts, no matter what the financial benefits might be if private capital were allowed to get a grip on things. Uncle Sam must be the sole and only boss. He can not surrender any rights in this splendid river territory, to all intents and purposes part of the Federal National Capital.

And the New York Times of Tuesday carried this most impressive statement in its editorial column:

SAVING THE POTOMAC

It was said of certain men of old that they had eyes, yet saw not. The utility companies and their engineers who are opposing the Cramton bill to preserve the gorge of the Potomac at Washington are laying themselves open to that rebuke. Here is a project which has the support of every responsible group interested in preserving natural scenery and adding to the park areas which form the proper playground of the people. It is designed to exploit for public rather than for private purposes this "region of crags and cataracts" which a kindly Providence has set down almost at the gate of the National Capital. Thousands now enjoy it; tens of thousands will enjoy it in the years to come when it has been made a park and joined with the other scenic and historic attractions of the region by the George Washington Memorial Parkway along the river. Only the public utilities are opposed to the bill, raising against it the old cry of "economic waste."

In this case that argument is peculiarly specious. The engineers first figured out that the waste would amount to $48,000,000, representing mainly the doubtful savings in the regional electric-light bill resulting from the use of water power. As the support of the bill became more vigorous, they sharpened their pencils and announced that the loss would be at least $100,000,000. Anxious to reverse the course of nature and turn diamonds into coal, they calmly proceed upon the assumption that the park the Federal commission would create there would in itself involve no economic gain. As well leave the scenery out of Niagara or the parkways out of Westchester.

In Monday's Times appeared a dispatch from Washington recording the greatest traffic jam in the history of the city. What brought 75,000 automobiles and 10 excursion trains to the Capital on a rainy Sunday in April? Congress? It was not in session. The President? He was off fishing on the Rapidan. Mount Vernon? It is closed on Sunday. An "industrialized valley," like the one the engineers waxed so eloquent about in their attack on the Cramton bill before the Senate committee? It is not yet in existence. "What went ye out into the wilderness to see? A reed, shaken in the wind?" Not quite—a mile or two of cherry trees in bloom along the Potomac by the Lincoln Memorial.

Let the engineers learn to figure such imponderables before they presume to give out statements about "economic waste" in the valley of the Potomac. What makes their contentions all the more absurd is that the rights of the utilities are fully protected, Congress having explicitly reserved the right to authorize whatever navigation, flood control, or power projects the future may render desirable. All that the Cramton bill does is to put scenery first.

In the Washington Star of yesterday, Mr. Cyrus Kehr resorted to satire to express himself on the Somervell $100,000,000 waste, saying, in part:

MILLIONS OF POTENTIAL CAPITAL VALUES UNUSED

Among Washington people are found impractical dreamers whose activities need to be curbed, and what has previously been done by similar dreamers should be undone. The trouble with those dreamers is that they have an absurd view of values. They fail to see the value of money and means whereby money can be acquired.

In places throughout the city there are small pieces of land which do not earn money at all and could be made to do so. Many of these pieces could be leased to receive buildings, the builders paying a good land rental. Franklin Park, Lafayette Park, Thomas Circle, Washington Circle, Meridian Park, and other such tracts are not now used. They are idle land. They are well suited for the erection of apartment houses and hotels and groceries and filling stations. Along both borders of Rock Creek Park there are tracts covered with trees, and are idle.

Long-time leases, permitting erection of residences and apartment houses and filling stations, would bring a large revenue. The vacant land around the Capitol and around the Library of Congress would have large values for long-time leases, bringing good yearly revenues. Nearly all of the Mall and Potomac Park are idle land and well suited for various kinds of building by individuals or companies taking long-time leases and paying their rentals annually or semiannually into the District or National Treasury. Some of these dreamers might in a sentimental way object to the leasing of such grounds on which there are fine trees requiring removal to make room for buildings. For example, the large old trees on the Capitol Grounds. Manifestly, objection by such dreamers should be ignored. That brings me to say that in parts of Rock Creek Park which are too hilly to receive buildings the larger trees might be removed for lumber or for fuel, and money thus received added to the public revenues. Those trees now stand there doing nothing.

* * * * * * *

But in addition to the large aggregate of rentals, the buildings put on these lands will be taxable. The value of those privately owned buildings will be very large. Recently the Evening Star mentioned that in Chicago an unoccupied tract of land surrounded by occupied lands is to receive a group of buildings costing about $10,000,000. That will be a fine item for taxation by the city of Chicago. On the unused publicly owned lands here in Washington buildings of equally large value may be erected. Then we shall have rentals, plus taxes, making aggregates approaching the financial Government needs.

Money is of very large importance.

ADDRESS OF HON. S. D. M'REYNOLDS

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a very able address delivered by my colleague [Mr. McREYNOLDS] before the Committee on Rivers and Harbors, urging a further improvement and development of the Tennessee River.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to extend his remarks by printing the address of his colleague [Mr. McREYNOLDS] before the Committee on Rivers and Harbors urging the further improvement and development of the Tennessee River. Is there objection?

There was no objection.

The address was as follows:

IMPROVEMENT AND DEVELOPMENT OF THE TENNESSEE RIVER

Mr. Chairman and gentlemen of the committee, we, as members of the Tennessee delegation, are before you to-day requesting you to indorse and place in whatever bill is reported out by this committee the project for the improvement of the Tennessee River, as outlined by the recent submission by General Brown, the Chief Engineer of the War Department, of a full and complete report of the Tennessee River and its tributaries, and recommendation therein. The final report, about which I speak, of the survey of the Tennessee River and its tributaries, which has been placed in your hands, is the most complete that has ever been submitted to Congress in reference to any river. This committee is to be congratulated upon its wisdom exercised in authorizing the survey of the Tennessee River.

The first appropriation of $200,000 was made in 1922, and in 1926 and 1927 this authorization was raised to $790,000, and in 1928, $300,000 was appropriated—$200,000 to be spent on complete investigation, which was to be made of the Cove Creek Dam site, and $100,000 to complete the survey of the Tennessee River and tributaries; $180,000 was spent on the Cove Creek Dam site, and there has been spent on the survey of the Tennessee River and its tributaries, outside of that amount, a little over $910,000.

This report of the district engineer is complete in every respect; the data collected by the survey, including maps and profiles of the main stream, etc., the layout of the project for the development of main stream and tributaries, stream gaging for a number of stations, study of the effect which a project would have on the regulation of streams or stream flood power and flood control, investigation of dam sites, detailed core boring at Cove Creek, commercial statistics, including the commerce which may be developed for navigation, and a mineral survey of the basin, engineer's layout and estimate of cost for every project, benefits resulting in navigation, flood control, and water power; general plans for the development of the river and its major tributaries for navigation; more efficient development of potential water power and control of floods. With this complete data comes the recommendation of the district engineer, the division engineer, Mississippi River Commission, the Board of Engineers for Rivers and Harbors, and the Chief Engineer's report and recommendation.

So when we come to you to-day asking for action we do not leave you in the dark as to just what can be accomplished nor the amount that it will require for the development of the Tennessee River and the most feasible means of this development. The Tennessee River is one of the great rivers of this country. It is formed by conjunction of the Holston and French Broad Rivers near Knoxville, Tenn., in the eastern part of that State, and flows in a southwesterly direction across Tennessee into northern Alabama, and there it flows westwardly to the Mississippi line; and from that point it flows across the State of Tennessee and across Kentucky and empties into the Ohio River at Paducah, Ky. It is 652 miles long, drains an area of over 40,000 square miles, and has a fall of about 500 feet from its source to where it empties into the Ohio River. During low water it contains almost as much water as the Ohio River at the point it flows into it. The comparison is 10,500 second-feet in the Ohio and 10,000 second-feet in the Tennessee.

All engineers to whom this project has been submitted agree that it is perfectly feasible to make the Tennessee River navigable at a depth of 9 feet of water from Knoxville to where it empties into the Ohio. There is some little difference of these engineers as to when this should be done or as to what plans should be adopted.

There has been practically no money spent on the development of the Tennessee River since the authorization and appropriation of

$200,000 for its survey in 1922. There has been what we may call in recent new improvements on the Tennessee River an expenditure of $23,000,000, and some of these projects have been completed, and it will require $15,000,000 more to complete these projects, but the engineer reports that this would not make feasible transportation under the facts as now shown.

Before going farther I want to call the attention of this committee to the report of the engineer of the numerous dam sites which can be built for the manufacturing of electricity in connection with the improvement of the Tennesse River and its tributaries. This survey has revealed the possibility of the creation of a hydroelectric power to the extent of 4,000,000 horsepower. There is no section of this United States that is so wonderfully blessed with this possibility, and with its proper development this Tennessee River Basin will at some time become the great industrial center of this country. Speaking of these possibilities on the floor of the House, and the wonderful resources of this section, I have heard your most worthy chairman say that this section was destined to become the Ruhr district of America. Active water-power developments, with the wonderful mineral resources that are situated along this stream in the form of coal, iron, phosphate, copper, marble, manganese, and various other natural resources of this character, if proper development can be had, the possibilities of this section are unknown. Along this river live some 2,000,000 people—no better on earth—progressive and alert. The improvement to the Tennessee River is the key to this situation from three sources—flood control, navigation, and the development of water power.

There is not much navigation on the Tennessee River at the present time, naturally so, because of the shallow places in that river which would prevent steamboats and barges from going from one point to another. This district engineer has estimated that the freight handled on the Tennessee River in 1926 was nearly 2,000,000 tons, 48 per cent forest products, 23 per cent iron and steel, and 15 per cent sand and gravel, and the balance miscellaneous. From this basis the district engineer estimates that when transportation is completely restored on the Tennessee River that it would increase at least 5,700,000 tons at a saving of $7,300,000, and by the growth and development in that section by 1950 there would be 17,800,000 tons at a saving of $22,800,000. The district engineer also estimates flood damages in a period of 500 years, at one time, $14,000,000, would probably reach $1,780,000 per year. The damage done by the flood in 1926, along this river, was $2,650,000. In Chattanooga, one of the great industrial cities of the South, there was estimated over $600,000 damages during that particular year, so much so that the city of Chattanooga has figured on building levees for its protection, which would cost somewhere around $9,000,000 and $12,000,000, but the upkeep for each year would be as much as the estimated damage for any one year.

Thirty-three feet is a danger point at Chattanooga for floods, 22 feet at Knoxville, 18 feet at Florence, and 31 feet at Johnsonville. The building of the Cove Creek Dam and the storage of some 3,000,000 acre-feet of water there would relieve the flood situation in Chattandoga to the extent of 15 per cent, but, of course, the Cove Creek Dam project is not this Tennessee River project, but the information that we get in reference to Cove Creek comes through your order of the survey of the Tennessee River. The district engineer shows in his report, that if the project of building the big dam along the Tennessee River with 10 feet surcharge and 5 feet surcharge, on certain tributaries, that there would be no flood situation at Chattanooga. We know it will take many years of private development to finally reach what is desired in this flood situation, but we know, further, that the development of the Tennessee River by proper means is the beginning of what we finally wish to accomplish. Had the completed system been in operation in 1926, Knoxville would have had 8 feet less of water and Chattanooga 20.8 feet. From the engineer's report, there are two ways of handling the navigation of the Tennessee River so as to make it 9 feet of water—one is by the building in conjunction with private interests, seven high dams which would be power dams, along the Tennessee River, and the Government paying that portion for locks that is chargeable up to navigation; the other is the building of 32 low dams on the Tennessee River which would cost $56,000,000, if provided with locks 56 feet wide and 360 feet long; if 110 feet wide and 600 feet long, as the Ohio, the cost would be about $74,709,000.

The district engineer recommends that this last project be adopted and that it be considered within a period of 10 years; three million being appropriated at once and eight million yearly until completed. The division engineer practically concurs in this report, excepting he would stop the development at Chattanooga with an expenditure of $40,000,000. The Mississippi River Commission reports that the reported project would be practically negative as to the Mississippi River and indorses the division engineer's report. The Board of Engineers for Rivers and Harbors recommends modification of the existing project for the improvement of the Tennessee River below Knoxville, Tenn., so as to provide for navigable channels with a depth of 9 feet at low water, by the construction of power dams in accordance with plans contained in the report of the district engineer; that is, power dams shall be constructed by States, municipalities, and private interests, under license of the Federal Power Commission, and the locks necessary for navigation shall be constructed by the United States at an estimated cost of $30,000,000; provided, that whenever it shall be demonstrated that the construction of any power dam included in the project is not feasible with the participation of the United States in cost of portion of work not required solely for navigation, the Chief of Engineers shall submit to Congress a special report thereon.

The Chief Engineer concurs generally with the district engineer, and recommends that the adopted project by the United States for the improvement of the Tennessee River from its mouth to Knoxville be for a navigable depth of 9 feet at low water by low-water dams in the number and approximate location as set forth in the report of the district engineer; provided, that under the provisions of the Federal water power act, a high dam and locks may be substituted for any two or more of the low dams and built by private interests, States, or municipalities; and provided, further, that in case high dams are built before the United States shall have built the projective locks and low dams, which are to be replaced, the United States shall contribute to the cost of the substitute structures an amount equal to the estimated cost of the works of navigation for which substitute is made.

The Chief Engineer does not concur in full with other advisory authorities in the following respects:

"(a) The district engineer—he sets time limit on the completion of the project. The Chief Engineer says no time limit can be set at this time.

"(b) The division engineer—he stops the project at the edge of the area most fruitful in the prospect for tonnage.

"(c) The Board of Engineers for Rivers and Harbors—it leaves the project in the air by making navigation to depend on power development, and requires that the matter of the project be referred to Congress continually.

"The project should be definite and final, and it is possible to make it so, in this case, because there has never been presented to Congress a more thorough and exhaustive study." To this last sentence of Gen. Lytle Brown's I want to most respectfully call your attention: "There has never been presented to Congress a more thorough and exhaustive study."

The proposed and existing high-dam developments along the Tennessee River are as follows: Dam No. 52, Ohio River, already completed, backs the water up in the Tennessee River 43 miles and takes care of the river up to where a dam at Aurora Landing is to be built. It is in the edge of Kentucky. The next dam site is Pickwick Landing, in west Tennessee, near the line, 163 miles above Aurora. Fifty-two miles above Pickwick Landing is Dam No. 1, Muscle Shoals, and a mile above that is Dam No. 2, Muscle Shoals, which, of course, has been completed.

The next dam called for is Dam No. 3, Muscle Shoals, which is 16 miles above Dam No. 2. The next dam called for is at Guntersville, which is 79 miles above Dam No. 3. The next dam is Hales Bar, which is already built. The next is Chickamauga, 41 miles above Hales Bar. The next is White Creek, which is 71 miles above Chickamauga; and the next, Colters Shoals, 62 miles above White Creek, which will clear the water 72 miles up farther. Seven high dams, with the dams now in the river, will make this 9 feet of water. Applications have been made by private interests to the Federal Water Power Commission for license to build a dam at each one of these dam sites excepting that at Guntersville and Dam No. 3, above Muscle Shoals. Very little power can be developed at these two dams, hence no applications have been made for these sites. With no dams being built at Guntersville and Dam No. 3, moneys spent on the balance of the river would be useless, in so far as navigation is concerned from one end of the river to the other. At present there are shoals in the Tennessee River at Guntersville, where the water gets down during low water to a little over 1 foot, and between that and Dam No. 3 to a little less than 1 foot. For an improvement of the Tennessee River it is absolutely necessary to have these dams built. We feel that General Brown's recommendation in this matter is proper, that while low dams would furnish the navigation it would not in any way aid flood control; neither would it be the development of the water power. Wherever a dam is built upon the Tennessee River as a power dam and proper locks are placed therein for navigation, this does away with two or three similar dams that would be required. The cost of these low dams should go toward the expense of building the higher dams.

There has been no complete survey in the way of borings or plans that will be required to build a dam at either one of these sites or the small dams required, hence for the determination of the feasibility and the cost of building dams at No. 3 and at Guntersville we feel that detailed information should be gathered in reference to these projects, as there is no possibility that any corporation or individual will seek the right to erect power dams at these points. We, therefore, are asking for an authorization of some $150,000. That investigation might be made at these two points, as it will be necessary, before this project is completed, that either low dams or these two high dams be built in that section of the river. We are informed that now there is some request of the next $250,000,000 being placed in this bill and it is your purpose to hold this down to one hundred million, therefore we are only asking that it pass the project of the improvement of the Tennessee River as contained in the report and recommendation of the Chief Engi-

neer be adopted and the $150,000 be authorized for detailed information in reference to Guntersville and Dam No. 3.

We know that the President of the United States favors the development of the great rivers of this country, as reported in his speech of last summer at Louisville, Ky., at the celebration of the completion of the 52 navigation dams along the Ohio River.

I am glad that this project has been completed. I am glad that these people have been given the advantages of this great river, even at an expense of $125,000,000 in its completion, but the Tennessee River is almost as great. The dams to be built in the Tennessee River are practically all great power projects, which will mean much to the development of the hydroelectric power in this country. The improvement of the Tennessee River would not only affect power and navigation but its completion will be the end to the great destruction caused by the flood waters coming down from its hills and mountains. We have now waited since 1922 for full information in reference to this great river and its tributaries, wanting to know what can be done, what should be done, and what the cost will be to make the improvements. We have this now before you in completed form, and we ask your aid and your help. We can see no reason why it should not be granted. The Great Creator has given us these hills and these mountains, these wonderful natural resources, with a progressive people living along its borders that are ready to take advantage of these conditions. Therefore we only ask that which we feel is right—your favorable action on this report.

Mr. GASQUE. Mr. Speaker, I ask unanimous consent that all Members have five legislative days within which to extend their remarks on the consolidation of veterans' activities, the bill which has been considered to-day.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that all Members have five legislative days within which to extend their remarks on the bill under consideration. Is there objection?

There was no objection.

HON. JAMES FRENCH STROTHER

Mr. SHOTT of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER pro tempore. The gentleman from West Virginia asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. SCHOTT of West Virginia. Mr. Speaker, ladies, and gentlemen, I bring a message that will cause regret to some of the Members of the House who served with Judge James French Strother in the Sixty-ninth and Seventieth Congresses, as a Representative from the fifth West Virginia district. Judge Strother died to-day after a lingering illness, at his home at Welch, W. Va. He was the third of his family to serve in this House, his grandfather and great-grandfather having represented their districts in Congress. Judge Strother was the possessor of many splendid gifts of mind and heart, and had gained a vast wealth in friendships and in the esteem and love of his fellow citizens. He ornamented the bench for a score of years and wore the priceless jewels of fairness and impartiality as a judge. His two terms in Congress were marked by a conscientious effort to give his State and country efficient service, devoting his good judgment, high conception of duty, and tireless energy to the task until a breakdown in his health ended a career of great promise of usefulness. He was faithful in his friendships, firm in his convictions, true in his obligations, just in his dealings, clean in his politics, and worthy in citizenship.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 8. An act for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy; to the Committee on Naval Affairs.

S. 304. An act for the relief of Cullen D. O'Bryan and Lettie A. O'Bryan; to the Committee on Claims.

S. 363. An act for the relief of Charles W. Martin; to the Committee on Claims.

S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble; to the Committee on Naval Affairs.

S. 428. An act to authorize the transfer of the former naval radio station, Seawall, Me., as an addition to the Acadia National Park; to the Committee on Naval Affairs.

S. 525. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Louisiana State Museum, of the city of New Orleans, La., the silver service in use on the cruiser *New Orleans;* to the Committee on Naval Affairs.

S. 549. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

S. 684. An act to amend section 9 of the Federal reserve act, as amended, to authorize the Federal Reserve Board to waive notice by State banks and trust companies of intention to withdraw from membership in a Federal reserve bank; to the Committee on Banking and Currency.

S. 857. An act for the relief of Gilbert Peterson; to the Committee on Claims.

S. 888. An act for the relief of Francis J. McDonald; to the Committee on Claims.

S. 1045. An act for the relief of Sheldon R. Purdy; to the Committee on Claims.

S. 1101. An act to authorize the Postmaster General to investigate the conditions of the lease of the post-office garage in Boston, Mass., and to readjust the terms thereof; to the Committee on the Post Office and Post Roads.

S. 1252. An act for the relief of Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased; to the Committee on Claims.

S. 1407. An act for the relief of William Zeiss, administrator of William B. Reaney, survivor of Thomas Reaney and Samuel Archbold; to the Committee on War Claims.

S. 1638. An act for the relief of William Tell Oppenheimer, jr.; to the Committee on Naval Affairs.

S. 1641. An act for the relief of Thomas A. Dwyer; to the Committee on Naval Affairs.

S. 1742. An act authorizing Arthur S. Judy, lieutenant commander, Medical Corps, United States Navy, to accept the distinguished-service medal tendered to him by the President of the Republic of Haiti; to the Committee on Foreign Affairs.

S. 1748. An act for the relief of the Lakeside Country Club; to the Committee on Claims.

S. 1798. An act for the relief of Alice M. A. Damm; to the Committee on Claims.

S. 1945. An act for the relief of Nellie Francis; to the Committee on Claims.

S. 1952. An act providing a nautical school at the port of New Orleans, La.; to the Committee on Naval Affairs.

S. 1959. An act to authorize the creation of game sanctuaries or refuges within the Ocala National Forest, in the State of Florida; to the Committee on Agriculture.

S. 2013. An act for the relief of Germaine M. Finley; to the Committee on Claims.

S. 2166. An act for the relief of Richard Riggles; to the Committee on Claims.

S. 2219. An act for the relief of the city of New York; to the Committee on Claims.

S. 2272. An act for the relief of Harold F. Swindler; to the Committee on Naval Affairs.

S. 2400. An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital; to the Committee on the District of Columbia.

S. 2414. An act authorizing the Government of the United States to participate in the international hygiene exhibition at Dresden, Germany, from May 6, 1930, to October 1, 1930, inclusive; to the Committee on Foreign Affairs.

S. 2458. An act for the inspection of vessels propelled by internal-combustion engines; to the Committee on the Merchant Marine and Fisheries.

S. 2466. An act to carry into effect the findings of the Court of Claims in the case of William W. Danenhower; to the Committee on Claims.

S. 2467. An act for the relief of William Hensley; to the Committee on Claims.

S. 2608. An act for the relief of William C. Rives; to the Committee on Naval Affairs.

S. 2662. An act for the relief of Della D. Ledendecker; to the Committee on the District of Columbia.

S. 2718. An act for the relief of Stephen W. Douglas, chief pharmacist, United States Navy, retired; to the Committee on Naval Affairs.

S. 2873. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

S. 2908. An act extending protection to the bald eagle, the emblem of the United States, and for other purposes, to the Committee on Agriculture.

S. 3026. An act authorizing the General Accounting Office to make certain credits in the accounts of Horace Lee Washington and Arthur B. Cooke, United States Consular Service; to the Committee on Claims.

S. 3038. An act for the relief of the National Surety Co.; to the Committee on Claims.

S. 3039. An act for the relief of the estate of George B. Spearin, deceased; to the Committee on Claims.

S. 3043. An act authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Depart-

ment of Commerce and the construction of a building therefor; to the Committee on Rivers and Harbors.

S. 3045. An act for the relief of Walter P. Crowley; to the Committee on Naval Affairs.

S. 3184. An act to permit the county of Solano in the State of California to lay, construct, install, and maintain sewer outlets over and across the Navy longitudinal dike and accretions thereto, in Mare Island Straits, Calif.; to the Committee on Naval Affairs.

S. 3185. An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy; to the Committee on Naval Affairs.

S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium"; to the Committee on the District of Columbia.

S. 3449. An act to amend section 4404 of the Revised Statutes of the United States, as amended by the act approved July 2, 1918, placing the supervising inspectors of the Steamboat Inspection Service under the classified civil service; to the Committee on the Civil Service.

S. 3538. An act to authorize the Secretary of Commerce to convey to the city of Port Angeles, Wash., a portion of the Ediz Hook Lighthouse Reservation, Wash.; to the Committee on Interstate and Foreign Commerce.

S. 3566. An act authorizing the President to place Lieut. (Junior Grade) Christopher S. Long, Chaplain Corps, United States Navy, upon the retired list of the Navy; to the Committee on Naval Affairs.

S. 3642. An act for the relief of Mary Elizabeth Council; to the Committee on Claims.

S. 3648. An act to correct the naval record of Edward Earle; to the Committee on Naval Affairs.

S. 3653. An act to amend an act entitled "An act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes," approved May 17, 1928; to the Committee on the District of Columbia.

S. 3741. An act to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 3742. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 3743. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 3744. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 3746. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 3784. An act for the relief of John Marks, alias John Bell; to the Committee on Naval Affairs.

S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee; to the Committee on Interstate and Foreign Commerce.

S. 3893. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the State of South Dakota the silver service presented to the United States for the cruiser *South Dakota*; to the Committee on Naval Affairs.

S. 3895. An act to authorize the Commissioners of the District of Columbia to widen Wisconsin Avenue abutting squares 1299, 1300, and 1935; to the Committee on the District of Columbia.

S. J. Res. 24. Joint resolution for the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for March 4, 1929; to the Committee on Expenditures in Executive Departments.

S. J. Res. 127. Joint resolution authorizing the erection on the public grounds in the city of Washington, District of Columbia, of a memorial to William Jennings Bryan; to the Committee on the Library.

S. J. Res. 140. Joint resolution to provide for the erection of a memorial tablet at the United States Naval Academy to commemorate the officers and men lost in the United States Submarine *S-4*; to the Committee on Naval Affairs.

S. J. Res. 143. Joint resolution creating a commission to prepare plans for a monument in the city of Washington commemorating the achievements of Orville and Wilbur Wright in the development of aviation; to the Committee on the Library.

S. Con. Res. 14. Concurrent resolution requesting the Secretary of the Navy to detail a medical officer for duty as physician to the Senate and House of Representatives; to the Committee on Accounts.

S. Con. Res. 26. Concurrent resolution authorizing the holding of hearings by the joint committee to investigate the pay and allowances of personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Rules.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 3714. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 155. An act providing compensation to the Crow Indians for Custer Battle Field National Cemetery, and for other purposes;

H. R. 565. An act for the relief of Clarence L. Stevens;

H. R. 2020. An act to authorize the coinage of silver 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden Purchase;

H. R. 2331. An act for the relief of Leonard T. Newton;

H. R. 2825. An act to amend section 5 of the act entitled "An act to establish a national military park at the battle field of Stones River, Tenn." approved March 3, 1927;

H. R. 3097. An act for the relief of Capt. George C. Seibels, Supply Corps, United States Navy;

H. R. 3098. An act for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy;

H. R. 3100. An act for the relief of Capt. P. J. Willett, Supply Corps, United States Navy;

H. R. 3101. An act for the relief of Lieut. Arthur W. Babcock, Supply Corps, United States Navy;

H. R. 3104. An act for the relief of Lieut. Edward F. Ney, Supply Corps, United States Navy;

H. R. 3105. An act for the relief of Lieut. Henry Guilmette, Supply Corps, United States Navy;

H. R. 3107. An act for the relief of Lieut. Edward Mixon, Supply Corps, United States Navy;

H. R. 3108. An act for the relief of Lieut. Archy W. Barnes, Supply Corps, United States Navy;

H. R. 3109. An act for the relief of Capt. William L. F. Simonpietri, Supply Corps, United States Navy;

H. R. 3110. An act for the relief of Capt. John H. Merriam, Supply Corps, United States Navy;

H. R. 3112. An act for the relief of Lieut. Commander Thomas Cochran, Supply Corps, United States Navy;

H. R. 4055. An act to authorize a cash award to William P. Flood for beneficial suggestions resulting in improvement in naval material;

H. R. 564. An act for the relief of Josephine Laforge (Sage Woman);

H. R. 4289. An act to approve Act No. 55 of the Session Laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, island and county of Hawaii";

H. R. 5693. An act providing for retired pay for certain members of the former Life Saving Service equivalent to compensation granted to members of the Coast Guard;

H. R. 6119. An act for the relief of the Gray Artesian Well Co.;

H. R. 6131. An act authorizing the Secretary of the Interior to erect a marker or tablet on the site of the battle between Nez Perces Indians under Chief Joseph and the command of Nelson A. Miles;

H. R. 7391. An act that the Secretary of the Navy is authorized, in his discretion, upon request from the Governor of the State of North Carolina, to deliver to such governor as custodian for such State the silver service presented to the United States for the U. S. S. *North Carolina* (now the U. S. S. *Charlotte*), but out of commission;

H. R. 7701. An act to authorize fraternal and benevolent corporations heretofore created by special act of Congress to divide and separate the insurance activities from the fraternal activities by an act of its supreme legislative body, subject to

the approval of the superintendent of insurance of the District of Columbia;

H. R. 7830. An act to amend section 5 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900;

H. R. 7855. An act for the relief of Carl Stanley Sloan, minor Flathead allottee;

H. R. 7984. An act to approve Act No. 29 of the session laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Hanalei, in the district of Hanalei, island and county of Kauai";

H. R. 8143. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Pocahontas, Ark.;

H. R. 8294. An act to amend the act of Congress approved June 28, 1921 (42 Stat. 67, 68), entitled "An act to provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Territory of Hawaii";

H. R. 8559. An act to authorize the incorporated town of Cordova, Alaska, to issue bonds for the construction of a trunk sewer system and a bulkhead or retaining wall, and for other purposes;

H. R. 9046. An act to amend the fourth paragraph of section 13 of the Federal reserve act, as amended;

H. R. 9306. An act to authorize per capita payments to the Indians of the Pine Ridge Indian Reservation, S. Dak.;

H. R. 9894. An act to discontinue the coinage of the two and one-half dollar gold piece;

H. R. 9988. An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Red House, N. Y.; and

H. R. 10076. An act to amend sections 476, 482, and 4934 of the Revised Statutes, sections 1 and 14 of the trade-mark act of February 20, 1905, as amended, and section 1 (b) of the trade-mark act of March 19, 1920, and for other purposes.

H. R. 10653. An act to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a foreign commerce service of the United States, and for other purposes," approved March 3, 1927;

H. R. 7960. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. J. Res. 195. Joint resolution authorizing and requesting the President to invite representatives of the Governments of the countries members of the Pan American Union to attend an Inter-American Conference on Agriculture, Forestry, and Animal Industry, and providing for the expenses of such meeting;

H. J. Res. 197. Joint resolution to authorize the purchase of a motor lifeboat, with its equipment and necessary spare parts, from foreign life-saving services; and

H. J. Res. 227. Joint resolution authorizing the erection of a Federal reserve branch building in the city of Pittsburgh, Pa.

ADJOURNMENT

Mr. WILLIAMSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 26 minutes p. m.) the House adjourned until to-morrow, Friday, April 11, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, April 11, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE POST OFFICE AND POST ROADS—SUBCOMMITTEE NO. 9

(10 a. m.)

To increase the balance to the credit of any one person in a postal savings depository from $2,500 to $5,000 (H. R. 7407).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS

(10 a. m.)

To consider proposals for veterans' hospitals in Missouri and Nevada.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To exclude certain citizens of the Philippine Islands from the United States (H. R. 8708).

COMMITTEE ON MILITARY AFFAIRS

(10 a. m.)

To consider proposals for legislation concerning Muscle Shoals.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To subject shipments of pistols in interstate commerce to the police powers of the several States and Territories upon arrival therein (H. R. 2569).

Prohibiting the interstate shipment of machine guns and automatic rifles (H. R. 3665).

To regulate the interstate shipment of firearms (H. R. 6607).

To divest certain classes of firearms and ammunition of their character as subjects of interstate or foreign commerce (H. R. 6606).

To regulate the shipment in interstate commerce of pistols, revolvers, shotguns, or rifles which have had their barrels sawed off or shortened, machine guns, or any firearms which can be concealed on the person (H. R. 8633).

To regulate the shipment in interstate commerce of pistols, revolvers, shotguns, rifles, machine guns, or any firearms which can be concealed on the person (H. R. 11325).

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 3

(10 a. m.)

To amend an act approved July 1, 1898, establishing a uniform system of bankruptcy throughout the United States, and acts amendatory thereof (H. R. 9997).

To amend an act approved March 3, 1911, relating to the Judiciary, for the purpose of fixing the time and manner of filing claims in suits in equity in district courts of the United States (H. R. 9998).

To amend an act approved March 3, 1911, relating to the judiciary, for the purpose of enabling receivers to sue in district courts of the United States other than those of their appointment (H. R. 9999).

To amend an act approved March 3, 1911, relating to the judiciary, for the purpose of extending the jurisdiction of receivers appointed by the district courts (H. R. 10000).

COMMITTEE ON ROADS

(10.30 a. m.)

For the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929 (H. R. 10382).

For the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1929 (H. R. 10417).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To provide for the expenses of participation by the United States in the International Conference on Load Lines, London, England, 1930 (H. J. Res. 297).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

400. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of the Mobile Bay-New Orleans section of the inland waterway from New Orleans, La., to Apalachicola River, Fla., and the Apalachicola and Chattahoochee Rivers to Columbus, Ga., with a view of securing a depth suitable to the economical operation of self-propelled barges (H. Doc. No. 341); to the Committee on Rivers and Harbors and ordered to be printed.

401. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of Black River, Ark., with a view to the control of the floods; to the Committee on Flood Control.

402. A letter from the Secretary of the Treasury, transmitting draft of legislation to provide relief for and to adjust certain accounts of officers and employees of the Treasury Department and to cover the settlement of outstanding claims of certain individuals, representing unrecovered amounts due them (H. Doc. No. 342); to the Committee on Claims and ordered to be printed.

403. A letter from the president of the Washington Rapid Transit Co., transmitting balance sheet of the Washington Rapid Transit Co., and a list of stockholders of record as of December 31, 1929; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PURNELL: Committee on Rules. H. Res. 205. A resolution providing for the consideration of H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended; without amendment (Rept. No. 1117). Referred to the House Calendar.

Mr. STEVENSON: Committee on Printing. H. Con. Res. 29. A concurrent resolution to print 3,000 additional copies of House Document No. 328, Seventieth Congress, first session, entitled "Historical Statements Concerning the Battle of King's Mountain and the Battle of the Cowpens in South Carolina," with illustrations (Rept. No. 1118). Ordered to be printed.

Mr. McKEOWN: Committee on the Judiciary. H. R. 6347. A bill to amend the act establishing the western judicial district of Oklahoma; with amendment (Rept. No. 1121). Referred to the House Calendar.

Mr. HOGG: Committee on the Post Office and Post Roads. H. R. 8806. A bill to authorize the Postmaster General to impose fines on steamship and aircraft carriers transporting the mails beyond the borders of the United States for unreasonable and unnecessary delays and for other delinquencies; with amendment (Rept. No. 1122). Referred to the House Calendar.

Mr. PARKER: Committee on Interstate and Foreign Commerce. S. 2719. An act granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy; without amendment (Rept. No. 1123). Referred to the House Calendar.

Mr. MAPES: Committee on Interstate and Foreign Commerce. S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.; without amendment (Rept. No. 1124). Referred to the House Calendar.

Mr. HOOPER: Committee on the Library. H. R. 5271. A bill authorizing the Secretary of the Interior to acquire land and erect a monument at the site near Crookston, in Polk County, Minn., to commemorate the signing of a treaty on October 2, 1863, between the United States of America and the Chippewa Indians; without amendment (Rept. No. 1126). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11514. A bill to define preserves, jam, jelly, and apple butter, to provide standards therefor, and to amend the food and drugs act of June 30, 1906, as amended; without amendment (Rept. No. 1127). Referred to the House Calendar.

Mr. RANSLEY: Committee on Military Affairs. H. R. 9843. A bill to enable the Secretary of War to accomplish the construction of approaches and surroundings, together with the necessary adjacent roadways, to the Tomb of the Unknown Soldier in the Arlington National Cemetery, Va.; without amendment (Rept. No. 1128). Referred to the House Calendar.

Mr. VESTAL: Committee on Patents. H. R. 11372. A bill to provide for plant patents; with amendment (Rept. No. 1129). Referred to the House Calendar.

Mr. REECE: Committee on Military Affairs. S. 3498. An act to aid the Grand Army of the Republic in its Memorial Day services May 30, 1930; without amendment (Rept. No. 1131). Referred to the Committee of the Whole House on the state of the Union.

Mr. BOWMAN: Committee on the District of Columbia. S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium"; with amendment (Rept. No. 1132). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTWRIGHT: Committee on Indian Affairs. H. R. 9939. A bill authorizing the Secretary of the Interior to lease any or all of the remaining tribal lands of the Choctaw and Chickasaw Nations for oil and gas purposes, and for other purposes; with amendment (Rept. No. 1133). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. R. 11433. A bill to amend the act entitled "An act to provide for the acquisition of certain property in the District of Columbia for the Library of Congress, and for other purposes," approved May 21, 1928, relating to the condemnation of land; without amendment (Rept. No. 1134). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. LANGLEY: Committee on Claims. H. R. 1712. A bill for the relief of the heirs of Jacob Gussin; with amendment (Rept. No. 1119). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 2170. A bill for the relief of Clyde Cornish; with amendment (Rept. No. 1120). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 4595. A bill for the relief of Maurice J. O'Leary; without amendment (Rept. No. 1125). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 6264. A bill to authorize the Secretary of War to donate a bronze cannon to the town of Avon, Mass.; without amendment (Rept. No. 1130). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Ways and Means was discharged from the consideration of the bill (H. R. 11256) for the relief of Shrader Drug Co., and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLANCY: A bill (H. R. 11545) to provide for the immediate payment to veterans of the face value of their adjusted service certificates; to the Committee on Ways and Means.

By Mr. PATTERSON: A bill (H. R. 11546) authorizing the construction of public buildings at West Point, Ga., and Lanett, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. WARREN: A bill (H. R. 11547) to provide for the erection of a marker or tablet to the memory of Joseph Hewes, signer of the Declaration of Independence, member of the Continental Congress, and patriot of the Revolution, at Edenton, N. C.; to the Committee on the Library.

By Mr. WILSON: A bill (H. R. 11548) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928; to the Committee on Flood Control.

By Mr. BRAND of Georgia: A bill (H. R. 11549) for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods; to the Committee on Roads.

By Mr. CARTER of Wyoming: A bill (H. R. 11550) to add certain lands to the Ashley National Forest in the State of Wyoming; to the Committee on the Public Lands.

By Mr. MILLIGAN: A bill (H. R. 11551) granting pensions to certain soldiers, sailors, and marines of the World War, to certain widows, minor children, and helpless children of such soldiers, sailors, and marines, and for other purposes; to the Committee on Pensions.

By Mr. LUDLOW: Joint resolution (H. J. Res. 298) creating a commission on centralization; to the Committee on Rules.

By Mr. MAAS: Joint resolution (H. J. Res. 299) to provide an annual appropriation to meet the quota of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY: A bill (H. R. 11552) granting a pension to Ada Vermont Lincoln; to the Committee on Pensions.

By Mr. ALLGOOD: A bill (H. R. 11553) granting a pension to Nancy A. Watson; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 11554) granting an increase of pension to Matilda A. E. Wilson; to the Committee on Invalid Pensions.

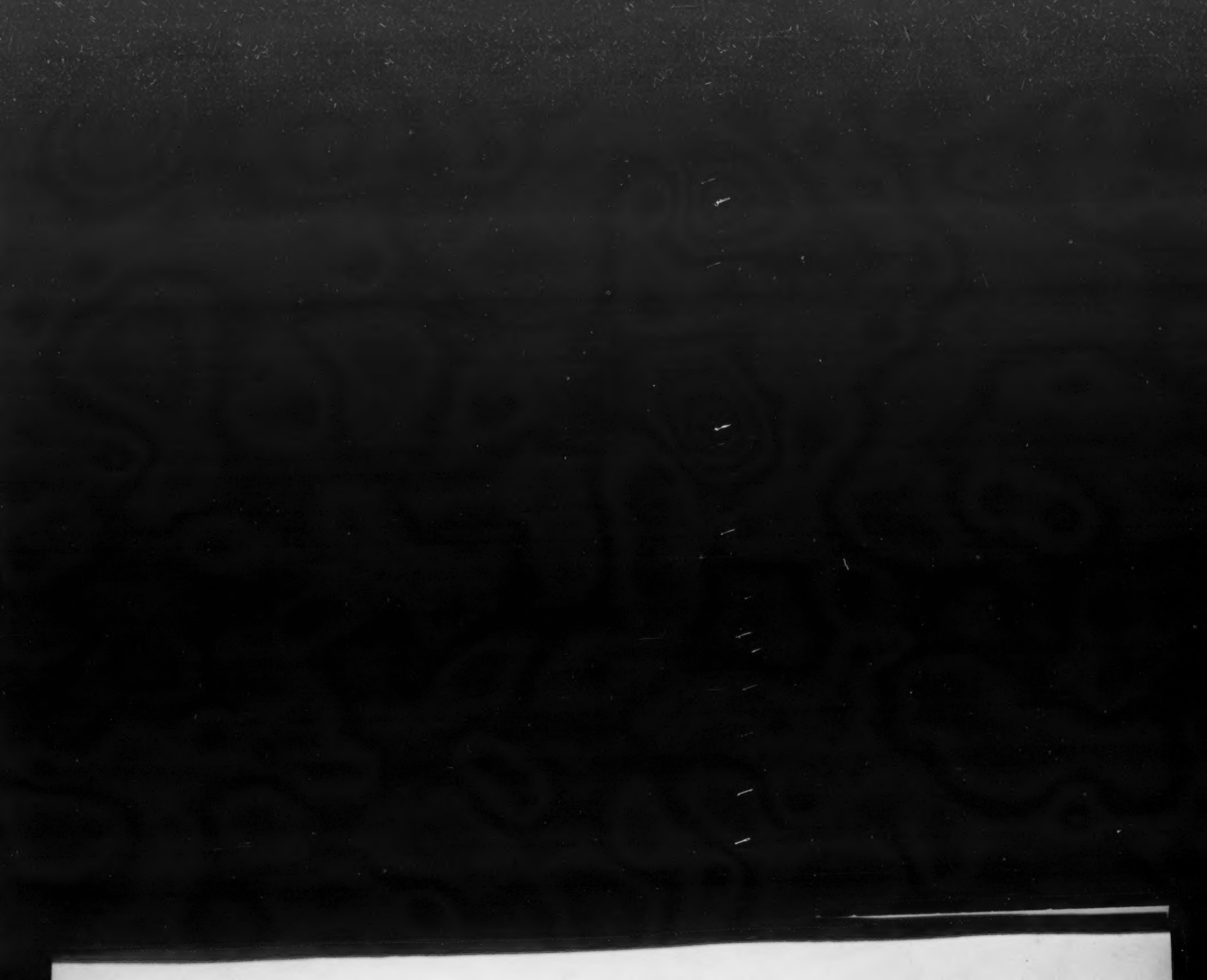
By Mr. GAMBRILL: A bill (H. R. 11555) granting a pension to Rachel E. Stewart; to the Committee on Pensions.

By Mr. CORNING: A bill (H. R. 11556) granting an increase of pension to Almira E. Van Benscoten; to the Committee on Invalid Pensions.

By Mr. COYLE: A bill (H. R. 11557) granting an increase of pension to Emma Lewis; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 11558) providing for the disposition of orders, medals, decorations, diplomas, certificates, and gifts now deposited in the Department of State, tendered by foreign governments to certain retired, resigned, or deceased officers of the United States; to the Committee on Foreign Affairs.

By Mr. CHALMERS: A bill (H. R. 11559) for the refund of $455.10 to be paid to Ida L. Randels, guardian of Meredith L. Randels, for premiums paid on a converted insurance policy; to the Committee on Claims.



By Mr. COCHRAN of Pennsylvania: A bill (H. R. 11560) granting a pension to Margaret E. King; to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 11561) granting a pension to Mary L. Davis; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 11562) for the relief of sundry building and loan associations; to the Committee on Claims.

By Mr. HARTLEY: A bill (H. R. 11563) granting a pension to Richard J. Barrett; to the Committee on Pensions.

By Mr. LEAVITT: A bill (H. R. 11564) to reimburse William Whitright for expenses incurred as an authorized delegate of the Fort Peck Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 11565) to reimburse Charles Thompson for expenses incurred as an authorized delegate of the Fort Peck Indians; to the Committee on Indian Affairs.

By Mr. MANLOVE: A bill (H. R. 11566) granting an increase of pension to Lydia A. Keller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11567) granting an increase of pension to Olive H. Woods; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 11568) granting an increase of pension to Eliza R. Maginnis; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 11569) for the relief of James T. Barkley; to the Committee on Military Affairs.

By Mr. UNDERHILL: A bill (H. R. 11570) authorizing the Secretary of War to posthumously award a distinguished-service cross to Lawrence J. Flaherty; to the Committee on Military Affairs.

By Mr. WAINWRIGHT: A bill (H. R. 11571) for the relief of the owner of the barge *Mary M.;* to the Committee on Claims.

By Mr. WATRES: A bill (H. R. 11572) granting a pension to Sarah H. Burgess; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 11573) granting an increase of pension to Fred F. Harris; to the Committee on Pensions.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 11574) granting an increase of pension to Mary A. Gray; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6669. Petition of the Mercantile School, urging Congress for complete and immediate independence of the Philippine Islands; to the Committee on Insular Affairs.

6670. Petition of Moving Picture Machine Operators, Local No. 159, Portland, Oreg., memoralizing Congress affecting the navigation, water power, and irrigation development of the Columbia River; to the Committee on Rivers and Harbors.

6671. By Mr. BLACKBURN: Petition of W. H. Wilson, Sam Bixler, Gaylen W. Bell, and numerous other citizens of Woodford County, Ky., praying for the speedy enactment of House bill 2562 and Senate bill 476, granting increased pensions to veterans of the Spanish-American War; to the Committee on Pensions.

6672. Also, memorial of the Kentucky division of the Daughters of the Confederacy, at Frankfort, Ky., signed by Annie Belle Fogg, as president, and Mrs. Gipp Watkins, as secretary, petitioning for the enactment of a Federal statute regulating the production and distribution of motion pictures; to the Committee on Interstate and Foreign Commerce.

6673. By Mr. BLOOM: Petition of citizens of Cincinnati, Ohio, opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

6674. By Mr. BOYLAN: Resolution adopted by National Organization of Masters, Mates, and Pilots of America, New York City, favoring House bill 10343; to the Committee on Immigration and Naturalization.

6675. By Mr. BRUNNER: Petition of the Post Office Square Club, of New York City, indorsing Senate bill 2540 and House bill 6603, La Follette-Kendall short Saturday workday bill; to the Committee on the Post Office and Post Roads.

6676. By Mr. FOSS: Memorial of the board of selectmen of the town of Webster, Mass., memoralizing Congress to enact House Joint Resolution 167, directing the President to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

6677. By Mr. FULLER: Petition of various citizens of Benton County, Ark., urging the speedy consideration and passage of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6678. By Mr. FITZPATRICK: Petition of the congregation of Bnai David Aguduth Achim, of 832–838 Fox Street, Borough of the Bronx, city of New York, urging favorable consideration of House Concurrent Resolution 20, extending the sympathy of the Congress of the United States of America to the persecuted Christians and Jews in Soviet Russia and to cooperate with other nations to persuade the Russian Soviet Government to put an end to religious persecutions; to the Committee on Rules.

6679. By Mr. HOPKINS: Petition submitted by Adam Sanlan, 613 South Twenty-first Street, St. Joseph, Mo., signed by many citizens of St. Joseph, appealing for the early passage of the legislation now pending in behalf of our Spanish War veterans; to the Committee on Pensions.

6680. By Mr. HUDSPETH: Petition of citizens of Ector County, Tex., urging favorable action on House bill 2562, a bill providing for increased pension to veterans of the Spanish-American War; to the Committee on Pensions.

6681. By Mr. LINDSAY: Petition of Piel Bros. (Inc.), Brooklyn, N. Y., on behalf of over 300 family members, employees of their plant, urging that the duty of 18 cents per pound on dried egg albumen be eliminated and declaring that any increase in this tariff duty is wholly unwarranted; to the Committee on Ways and Means.

6682. Also, petition of Apprentice National Organization of Masters, Mates, and Pilots of America, New York, N. Y., indorsing House bill 10343, intended to limit immigration into the United States from Mexico; to the Committee on Immigration and Naturalization.

6683. Also, petition consisting of individual letters, registering protests against the Federal education bill, and contending that education is a local matter, and not for Government administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Mrs. Basquill, Elizabeth Brill, Margaret Burns, Mary A. Byrne, Mrs. J. Byrne, Mary Campion, Catherine Canaran, Annie E. Clemens, Nellie M. Coffin, Edna J. Collins, Frank J. Collins, Agnes Connell, Alice Connolly, Mrs. M. Connolly, Margaret Coughlin, Catherine Cummings, Peter Dalton, Debora Dee, Thomas F. Denan, J. A. Edward and Margaret E. Donnelly, Mrs. P. Donohue, Mary Donney, Delia Durseith, Clementine A. Edel, Rose M. Farrel, Maria Fierro, Anna Finneran, Daniel D. Fitzgerald, Mary Fitzpatrick, Mary Flemen, Emma Flynn, Bridget Forase, Margaret Freidel, Mrs. C. Furgette, Mrs. K. Gaylord, Rose Gaynor, Helen Gegan, Joseph Gilligen, Mary Gilligan, Mrs. M. Grammalvo, Anna Greene, Catherine E. Grody, Mrs. Thomas Harte, Mary Heslin, Cecelia M. Hillary, Mrs. J. Houlihan, Mary M. Hynes, M. Jackanin, Mary Keaveny, Elizabeth J. Kelty, John J. Kelty, Cecelia Kennedy, Irene Kurtz, Mrs. Sylvester Lane, Delia Mahon, Sadie McAdam, Anna McAllister, Mary McAuliffe, Elizabeth McCaffrey, Alice McCarron, Mrs. M. McCollum, Mary F. McDermott, Mary McGaurn, Margaret McGeorge, Bridget McHugh, Nora McKenna, Mary McNeill, Hannah Megan, Gertrude E. Moloney, Mary D. Moloney, Mrs. T. Murmane, Mary A. Murphy, Mrs. Thomas F. Murphy, Anna Murtha, Annie Frank, Mary K. and Susanna Murtha, William F. Murtha, Winifred Nolan, Mary J. O'Boyle, Anne O'Brien, Helen V. O'Brien, Catherine O'Connell, Agnes O'Donnell, Charles O'Donnell, Eilen O'Donnell, Hugh O'Donnell, Delia O'Mally, Della Owens, August J. Rick, Rosalie Rieger, Annie Reilly, Nellie Rogan, Agnes Schwintek, Mrs. C. Sharkey, Hattie Shelton, Mrs. A. Smith, Catherine Smith, Mrs. James Smyth, J. P. Soyka, Miss K. Soyka, Mary Strong, Catherine Sundlinger, Genevieve Trinkleback, Julia Vaughan, Mary Velka, Ida Vollmer, Joseph Vollmer, Mrs. N. Voltz, Nellie Wallace, Maria Walsh, and Josephine Weeser; to the Committee on Education.

6684. By Mr. LINTHICUM: Petition of Central Fire Insurance Co., of Baltimore, registering opposition to House bill 10423, proposed repeal of Dyer Act covering interstate transportation of stolen automobiles; to the Committee on Interstate and Foreign Commerce.

6685. Also, petition of Maryland Farm Bureau Federation, of Baltimore, urging favorable action on House bill 3921, which authorizes the Secretary of Agriculture to establish grades and an inspection service at point of origin for canned goods; to the Committee on Agriculture.

6686. Also, petition of Maryland Lumber Co., of Baltimore, urging defeat of proposed duty of $1.50 per thousand feet on lumber from Canada; to the Committee on Ways and Means.

6687. By Mr. McFADDEN: Petition of residents of Wyoming County, Pa., petitioning the Congress to support the Robsion-Capper school bill; to the Committee on Education.

6688. Also, petition of residents of Wyoming County, Pa., petitioning Congress to use every endeavor to secure speedy action on House bill 2562 and Senate bill 476, providing for increased rates for Spanish War veterans; to the Committee on Pensions.

6689. By Mr. O'CONNELL of New York: Petition of the Apprentice National Organization of Masters, Mates, and Pilots of America, New York City, favoring the passage of House bill 10343, limiting immigration into the United States, with special reference to Mexico; to the Committee on Immigration and Naturalization.

6690. By Mr. SELVIG: Petition of Scabbard and Blade Twin City Alumni Post, Minnesota, favoring increased pay for the personnel of the Army and Navy; to the Committee on Appropriations.

6691. By Mr. SMITH of West Virginia: Resolution adopted by the Woman's Christian Temperance Union, of Logan, W. Va., favoring legislation for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6692. By Mr. SPEAKS: Petition signed by 46 citizens of Columbus and Chillicothe, urging passage of House bill 2562 and Senate bill 476, proposing increased pension allowances to veterans of the Spanish War; to the Committee on Pensions.

6693. By Mr. UNDERHILL: Petition of the board of aldermen of the city of Somerville, Mass., in behalf of House Joint Resolution 167, to observe and commemorate the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6694. By Mr. YATES: Petition of Hogel Leetly, 9019 Bishop Street, Chicago, and other citizens of Cook County, Ill., urging the passage of House bill 2562; to the Committee on Pensions.

6695. Also, petition of Alon E. Campbell, 2119 Ohio Street, Quincy, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6696. Also, petition of M. J. Ballestro, 4807 Washington Boulevard, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6697. Also, petition of W. L. McFetridge, 130 North Wells Street, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6698. Also, petition of Herman Fehling, 2629 Orchard Street, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6699. Also, petition of Mark Larsen, Elevator Operators and Starters' Union, Chicago, Ill., urging the immediate passage by Congress of the seamen's bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6700. Also, petition of Eric Pihl, Carpenters and Joiners of America, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6701. Also, petition of John R. Ograin, 311 South Ashland Avenue, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6702. Also, petition of W. S. Leidig, 315 South Ashland Boulevard, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6703. Also, petition of R. H. McDaniel, 209 West Jackson Boulevard, McKinlock Building, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6704. Also, petition of D. A. Manning, 130 North Wells Street, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6705. Also, petition of Elizabeth A. Grady, 130 North Wells Street, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6706. Also, petition of K. G. Eneborg, 400 South State Street, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6707. Also, petition of G. Daniels, 113 South Ashland Boulevard, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6708. Also, petition of Casper Zeitler, jr., of Illinois, urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6709. Also, petition of H. E. Larson, Whiting, Ind., urging the immediate passage by Congress of House bill 9889, in regard to increase in pay for locomotive inspectors, and also the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6710. Also, petition of Floyd Long, 1206 East B Street, Belleville, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6711. Also, petition of James Loughridge, Local Union No. 9, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6712. Also, petition of Michael E. McCauley, 1010 West Madison Street, Chicago, Ill., urging the immediate passage by Congress of the La Follette bill (S. 306); to the Committee on the Merchant Marine and Fisheries.

6713. Also, petition of Adelaide Hushaw and 23 other citizens of Industry, Ill., urging the immediate passage by Congress of the Stalker House Joint Resolution 20; to the Committee on the Judiciary.

6714. Also, petition of Ralph R. Pihl, Zion, Ill., urging the immediate passage by Congress of House bill 10290; to the Committee on Ways and Means.

6715. Also, petition of S. Gorton, 1168 North Second Street, Springfield, Ill., urging the suspension of the rule and the passage of the Johnson bill (H. R. 10381); to the Committee on World War Veterans' Legislation.

SENATE

FRIDAY, *April 11, 1930*

(Legislative day of Tuesday, April 8, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker pro tempore of the House had signed the enrolled bill (S. 3714) to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill., and it was signed by the Vice President.

PETITION AND MEMORIAL

The VICE PRESIDENT laid before the Senate the petition of John T. Cuppy, of Arizona, praying that he be heard before a subcommittee of the Senate "In re a matter of the Papago Pueblos: Consolidated Indian citizens and John T. Cuppy, citizen of the United States in and of the State of Arizona," which, with the accompanying papers, was referred to the Committee on Indian Affairs.

Mr. WHEELER presented a resolution adopted by Farmers' Union, Local No. 367, of Dagmar, Mont., which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

At the regular meeting of the Farmers' Union, Local No. 367, of Dagmar, Mont., held on April 1, 1930, the following resolution was read and unanimously adopted:

"Whereas it has been brought to our attention that the Federal Farm Board has made a further cut of 15 cents per bushel in the loan value on wheat; and

"Whereas this cut was made without ample notice to the growers; and

"Whereas the Farm Board had given the impression they would keep the former price of $1.25 per bushel (based on Minneapolis) in effect until June 30, 1930, and the farmers have been persistently urged to withhold their wheat from the market and to keep it on their farms until the above date; and

"Whereas the above action by the Farm Board tends to break the confidence of the farmers in the farm marketing program: Therefore be it

"*Resolved*, That we denounce such action as unfaithful to the wheat growers; and further be it

"*Resolved*, That the Farm Board give better assurances of fulfilling its promises in the future, and that more ample notice be given any future action of this nature; and be it further

"*Resolved*, That a copy of this resolution be sent to the Farm Board, the Senators and Representatives of our State, as well as to the Union Herald.

"EDGAR I. STVERUD,
"NIELS C. SUNSTED,
"CARL HANSEN,
"Committee on Resolutions."

REPORTS OF COMMITTEES

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3531) authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests east of the Rocky Mountains, and for other purposes, reported it with amendments and submitted a report (No. 375) thereon.

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 328) for the relief of Edward C. Dunlap (Rept. No. 376); and

A bill (S. 968) for the relief of Anna Facelna (Rept. No. 377).

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 3836) for the relief of David McD. Shearer, reported it without amendment and submitted a report (No. 386) thereon.

Mr. NYE, from the Committee on Public Lands and Surveys, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

A bill (S. 3934) granting certain lands in the city of Sault Ste. Marie, State of Michigan (Rept. No. 379);

A bill (S. 3960) to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stats. 616) (Rept. No. 380);

A bill (H. R. 5619) to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes (Rept. No. 381);

A bill (H. R. 6121) to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses (Rept. No. 382);

A bill (H. R. 6809) to exempt from cancellation certain desert-land entries in Riverside County, Calif. (Rept. No. 383);

A bill (H. R. 9183) to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes (Rept. No. 384); and

A joint resolution (S. J. Res. 155) to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson (Rept. No. 385).

Mr. NYE also, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 6874) to authorize exchanges of lands with owners of private-land holdings within the Petrified Forest National Monument, Ariz., reported it with an amendment and submitted a report (No. 389) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 195) to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes (Rept. No. 393); and

A bill (S. 3477) validating certain applications for and entries of public lands, and for other purposes (Rept. No. 388).

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 2189) for the relief of certain stock-raising homestead entrymen in the State of Wyoming, reported it with amendments and submitted a report (No. 390) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2865) granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States (Rept. No. 391); and

A bill (H. R. 3568) to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress (Rept. No. 392).

Mr. SHEPPARD (for Mr. FLETCHER), from the Committee on Military Affairs, to which was referred the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," reported it with an amendment and submitted a report (No. 387) thereon.

He also (for Mr. FLETCHER), from the same committee, to which was recommitted the bill (H. R. 8527) to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929, reported it without amendment.

Mr. BROOKHART, from the Committee on Civil Service, to which was referred the bill (H. R. 7414) to provide for a uniform retirement date for authorized retirements of Federal personnel, reported it without amendment and submitted a report (No. 394) thereon.

REORGANIZATION OF THE FEDERAL POWER COMMISSION

Mr. COUZENS. From the Committee on Interstate Commerce I report back favorably with amendments the bill (S. 3619) to reorganize the Federal Power Commission, and I submit a report (No. 378) thereon. I will ask that this bill be brought up next week.

The PRESIDING OFFICER (Mr. HOWELL in the chair). The bill will be placed on the calendar.

REPORTS OF NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. JONES (for Mr. NORRIS), from the Committee on the Judiciary, reported the nomination of William J. Carter, of Tennessee, to be United States attorney, eastern district of Tennessee, to succeed Everett Greer, resigned, which was placed on the Executive Calendar.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 11, 1930, that committee presented to the President of the United States the enrolled bill (S. 3714) to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 4141) granting an increase of pension to Eva S. Coe (with accompanying papers); to the Committee on Pensions.

By Mr. PHIPPS:

A bill (S. 4142) to fix the salary of the Governor of the Territory of Alaska; to the Committee on Territories and Insular Affairs.

By Mr. COPELAND:

A bill (S. 4143) to amend an act entitled "An act making it a felony with penalty for certain aliens to enter the United States of America under certain conditions in violation of law," approved March 4, 1929; to the Committee on Immigration.

By Mr. TYDINGS:

A bill (S. 4144) to amend paragraph (4) of section 15 of the interstate commerce act, as amended; to the Committee on Interstate Commerce.

By Mr. HAWES:

A bill (S. 4145) to amend the act approved May 15, 1928, entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes"; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 4146) to authorize the Secretary of the Interior to convey certain buildings in Coalville, Utah, to the Summit County Fair Association, Utah; to the Committee on Public Lands and Surveys.

By Mr. WAGNER:

A bill (S. 4147) making unlawful the shipment in interstate or foreign commerce of misbranded antiques, and imposing a penalty therefor; to the Committee on Interstate Commerce.

By Mr. CAPPER:

A bill (S. 4148) to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys in the interest of public health, com-

fort, morals, safety, and welfare, and for other purposes; to the Committee on the District of Columbia.

By Mr. KENDRICK:

A bill (S. 4149) to add certain lands to the Ashley National Forest in the State of Wyoming; to the Committee on Agriculture and Forestry.

By Mr. NYE (for Mr. SHIPSTEAD):

A joint resolution (S. J. Res. 166) to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms; to the Committee on Claims.

CHANGE OF REFERENCE

Mr. THOMAS of Oklahoma. Mr. President, there is now pending before the Committee on the Library the bill (S. 1158) to provide for the erection of a monument, in the State of Oklahoma, at a point to be selected by the Secretary of War, to the memory of the soldiers of the War of 1812 who garrisoned the early forts and who died in the military service and who have been buried in the territory now comprising the State of Oklahoma.

The Committee on the Library is of the opinion that this bill should be referred to the Committee on Military Affairs. Concurring in that opinion, I ask unanimous consent that the Committee on the Library be discharged from the further consideration of the bill, and that it be referred to the Committee on Military Affairs.

The VICE PRESIDENT. Without objection, the Committee on the Library will be discharged from the further consideration of the bill named by the Senator from Oklahoma, and the bill will be referred to the Committee on Military Affairs.

CONSERVATION OF WILD ANIMAL LIFE

Mr. HAWES (for himself and Mr. WALCOTT) submitted the following resolution (S. Res. 246), which was referred to the Committee on Agriculture and Forestry:

Resolved, That a special committee of 5 Senators, to be composed of 3 members from the majority political party and 2 members from the minority political party, to be appointed by the President of the Senate, is authorized and directed (1) to investigate all matters pertaining to the replacement and conservation of wild animal life (including aquatic and bird life) with a view to determining the most appropriate methods for carrying out such purposes, and (2) to report to the Senate as soon as practicable, but not later than the beginning of the first regular session of the Seventy-second Congress, the results of its investigations, together with its recommendations for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-first Congress until the final report is submitted, to employ such clerical and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $20,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

COURT-MARTIAL OF H. K. SABINS

Mr. TRAMMELL submitted the following resolution (S. Res. 247), which was ordered to lie over under the rule:

Resolved, That the Committee on Naval Affairs, or any duly authorized subcommittee thereof, is authorized and directed (1) to investigate the alleged irregularities in connection with the summary court-martial and the proceedings of the court of inquiry in the case of H. K. Sabins, former yeoman, first class, United States Navy, which resulted in the issuance of a bad-conduct discharge to the said H. K. Sabins on September 23, 1929, and (2) to report to the Senate as soon as practicable the results of its investigation, together with its recommendations for necessary legislation.

HOUSE CONCURRENT RESOLUTION REFERRED

The following concurrent resolution (H. Con. Res. 29) was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That 3,000 additional copies of House Document No. 328, Seventieth Congress, first session, entitled "Historical Statements Concerning the Battle of Kings Mountain and the Battle of the Cowpens in South Carolina," by Lieut. Col. H. L. Landers, be printed with illustrations and bound for the use of the Committee on Printing of the House of Representatives.

EXECUTIVE MESSAGES

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

RETIREMENT OF GOVERNMENT EMPLOYEES

Mr. BROOKHART. Mr. President, I have asked Mr. McReynolds to prepare a comparison of the Dale bill, the Lehlbach substitute, and the present law with reference to the retirement of Government employees. I think it is a very thorough statement of the situation. I ask that it be printed in the RECORD, together with a table showing the annuities after 30 years or more of service and after 15 years of service. This will enable each Member of the Senate to get an accurate comparison of the three measures. I ask that the statement and the tables may be printed in the RECORD and ordered to lie on the table.

There being no objection, the statement and tables were ordered to lie on the table and to be printed in the RECORD, as follows:

APRIL 10, 1930.

Memorandum for Senator BROOKHART:

Complying with your request of this morning I am submitting the following statement making a comparison of the provisions of the civil service retirement bill (S. 15) as it originally passed the Senate and as it passed the House of Representatives.

The original bill contained provisions materially modifying the present retirement law in the following respects:

1. Employees of the various classes are made eligible for retirement at their own option two years earlier than under the present law, although the normal and maximum retirement ages are left unchanged; that is, those now eligible for retirement at age 62 are permitted to retire at 60, those now retiring at 65 may retire at 63, and those now retiring at 70 may retire at 68. These same provisions are included in the bill as it passed the House of Representatives.

2. The retirement annuity is increased by providing that the annuity shall be computed by multiplying the average annual salary, not in excess of $1,600 (changed from $1,500 in the present law), received during the last five years by the number of years of service, not exceeding 30, and dividing the product by 40 (changed from 45 in the present law). This results in increasing the amount of allowable annuity by $200 and fixing the maximum annuity at $1,200 instead of $1,000 as under the present law.

The provisions of the present law with respect to contributions by the employees of 3½ per cent of their pay, and the refund of these deductions to them or their estates in the case of withdrawal or death remain unchanged.

Stated generally, therefore, the original Dale bill leaves the present retirement system unchanged, but provides a somewhat higher retirement annuity under the system.

S. 15, as passed by the House of Representatives, provides an entirely different system of retirement benefits, with a view to eliminating certain inequities which result from the present system. The unfairness of the present system is illustrated by the following examples: (1) The employee who enters the service at age 40 and receives an average annual salary of $1,600 for 30 years and retires at age 70 will have to his credit at retirement on account of deductions of 3½ per cent of his salary the sum of $3,204.

The value of his annuity—that is, the amount of annuity that the average annuitant retiring at age 70 will draw at the annual rate of $1,200 during his life—plus the amount that will be refunded to the estate of the annuitant who dies before his contributions have been exhausted will be $8,975. The Government's contribution toward the annuity of such employee would be the excess of the value of the annuity over the amount of the contributions which the employee has to his credit at retirement; that is, $5,771.

(2) The employee who enters the service at age 20 and receives the same average annual salary ($1,600) for 50 years and retires at age 70 will have to his credit at retirement on account of deductions of 3½ per cent of his salary the sum of $8,720. The value of his annuity—that is, the amount of annuity that the average annuitant retiring at age 70 will draw at the annual rate of $1,200 during his life—plus the amount that will be refunded to the estate of the annuitant who dies before his contributions have been exhausted will be $10,521. The Government's contribution toward the annuity of such employee would be the excess of the value of the annuity over the amount of the contributions which the employee has to his credit at retirement; that is, $1,801.

(3) The employee who enters the service at age 40 and receives an average annual salary of $6,000 for 30 years and retires at age 70 will have to his credit at retirement on account of deductions of 3½ per cent of his salary the sum of $12,014. The value of his annuity—that is, the amount of annuity that the average annuitant retiring at age 70 will draw at the annual rate of $1,200 during his life—plus the amount that will be refunded to the estate of the annuitant who dies before his contributions have been exhausted will be $12,929. The Government's

contribution toward the annuity of such employee would be the excess of the value of the annuity over the amount of the contributions which the employee has to his credit at retirement; that is, $915.

(4) The employee who enters the service at age 20 and receives an annual salary of $6,000 for 50 years and retires at age 70 will have to his credit at retirement the sum of $32,701. The value of his annuity will be $32,701. The Government's contribution toward the annuity of such employee would, therefore, be nothing.

These illustrations show that under the retirement system provided by the original Dale bill, as between two employees who receive the same salary rates during their entire service, and who retire at the same age and at the same annuity rate, the Government will contribute more than three times as much toward the retirement benefits of the one as it does toward the other; and that for the higher paid employees with long service the Government not only makes no contribution whatever toward his retirement benefit but withholds from his pay several thousands of dollars more than is necessary to pay his annuity, which, although returned to his estate at death, he is unable to use during his lifetime.

The theory outlined in the retirement bill as it passed the House of Representatives is:

(a) That the Government's contributions toward retirement benefits shall be ultimately the same for all employees with comparable lengths of service regardless of the salary rates of those employees; and

(b) That the employees shall be permitted to supplement this uniform benefit by purchasing from the retirement fund such additional annuity as he is able to buy with the amount which he has to his credit at the time of retirement.

To assist the Government in financing its share of the retirement benefits the bill provides that an amount of $1 a month shall be deducted from the contributions of each employee, and that this amount shall be placed to the credit of the fund and shall not be returned to any employee unless he shall be involuntarily separated from the service on account of reduction in force. This amount is also to be returned to the estates of employees who die prior to retirement. This will provide about three and one-half million dollars a year toward the Government's side of the annuity.

For the purpose of insuring that the annuity of those retiring during the next few years, while the amounts to the credits of employees is till relatively small, a provision was included that no annuity shall be less than that provided by the Dale bill as it passed the Senate.

Under the bill which passed the House of Representatives the annuities of retiring employees would be computed as follows:

1. Thirty dollars a year for each year of service not in excess of 30, to be paid for by the Government with the assistance of the $1 a month contribution by each employee.

2. An indefinite amount to be purchased with the contributions to the credit of the employees at the time of retirement.

3. If the annuity provided under 1 and 2 is less than would be granted under the provisions of the bill which originally passed the Senate, the difference shall be added at the Government's expense.

The annuities which would be paid in the four cases cited above as illustrations would be as follows:

1. Employees with 30 years of service at average annual salaries of $1,600

Paid by Government and $1 a month contributions of employees, 30×30	$900
Paid by employees, $2,517÷9.679	260
Paid by Government: Difference between original Dale bill annuity and the total of items 1 and 2	40
Total annuity	1,200

2. Employees with 50 years of service at average annual salary of $1,600

Paid by Government and $1 a month contributions of employees, 30×30	$900
Paid by employees, $6,851÷9.679	707
Total annuity	1,607

3. Employees with 30 years of service at average annual salary of $6,000

Paid by Government and $1 a month contributions of employees, 30×30	$900
Paid by employees, $11,327÷9.679	1,170
Total annuity	2,070

4. Employees with 50 years of service at average annual salary of $6,000

Paid by Government and $1 a month contributions of employees, 30×30	$900
Paid by employees, $30,833÷9.679	3,185
Total annuity	4,085

It will be observed that under the bill as it passed the House of Representatives the annuity provided by the Government and the $1 a month employees' contributions is identical in all cases, although the amount of annuity purchased with the contributions to the credit of the employee at retirement varies, according to the amount actually contributed, from $260 to $3,185, while under the original Dale bill the total annuity is identical in all cases ($1,200), and the Government's contribution toward that amount ranges from $5,771, or about $800 a year to nothing.

The total cost to the Government of the annuities which would be paid under the system provided by the bill as it passed the House of Representatives would be approximately $3,000,000 a year greater than the cost under the original Dale bill as it passed the Senate.

The optional retirement benefit authorized under the last proviso in section 4 of the bill as it passed the House of Representatives permits the employee to purchase an annuity under an agreement that any unused contributions at time of death of the annuitant shall be forfeited to the fund. This will result in a somewhat greater annuity being paid during the life of the annuitant, but the total amount withdrawn from the fund will be the same, because if the smaller annuity is paid the balance goes to the annuitant's estate.

Approximate annuities under S. 18 after 30 or more years of service—To employees who entered prior to August 1, 1920

Year of retirement	Average salary during contributing period									
	$840[1]	$900[1]	$1,080[1]	$1,500[1]	$2,000	$2,500	$3,000	$4,000	$5,000	$6,000
Retired at age 58; average retirement age (disability):										
1930	865	927	993	1,125	1,200	1,200	1,200	1,200	1,200	1,200
1935	880	943	953	1,125	1,200	1,200	1,200	1,200	1,200	1,219
1940	897	962	977	1,125	1,200	1,200	1,200	1,220	1,303	1,386
1945	918	985	1,006	1,125	1,200	1,200	1,234	1,352	1,471	1,589
1950	943	1,013	1,042	1,125	1,200	1,271	1,352	1,514	1,675	1,837
1955	974	1,047	1,085	1,175	1,282	1,389	1,496	1,710	1,924	2,138
1960	1,012	1,088	1,138	1,255	1,394	1,533	1,671	1,949	2,227	2,504
Retired at age 63 (62 group):										
1930	870	932	998	1,125	1,200	1,200	1,200	1,200	1,200	1,200
1935	886	950	962	1,125	1,200	1,200	1,200	1,200	1,210	1,274
1940	906	972	990	1,125	1,200	1,200	1,200	1,275	1,373	1,470
1945	931	999	1,024	1,125	1,200	1,222	1,292	1,431	1,570	1,709
1950	961	1,032	1,066	1,146	1,241	1,335	1,431	1,620	1,810	1,999
1955	997	1,072	1,117	1,223	1,349	1,474	1,600	1,851	2,102	2,353
1960	1,041	1,121	1,180	1,316	1,479	1,642	1,805	2,131	2,457	2,783
Retired at age 68 (65 group):										
1930	876	939	946	1,125	1,200	1,200	1,200	1,200	1,200	1,200
1935	896	961	975	1,125	1,200	1,200	1,200	1,200	1,276	1,352
1940	920	988	1,000	1,125	1,200	1,200	1,235	1,353	1,471	1,590
1945	950	1,020	1,050	1,125	1,206	1,289	1,373	1,542	1,710	1,878
1950	986	1,060	1,101	1,197	1,312	1,427	1,541	1,771	2,000	2,229
1955	1,030	1,108	1,163	1,290	1,442	1,594	1,746	2,049	2,353	2,656
1960	1,083	1,167	1,238	1,404	1,601	1,798	1,994	2,388	2,782	3,176
Retired at age 73 (70 group):										
1930	884	947	956	1,125	1,200	1,200	1,200	1,200	1,200	1,213
1935	908	974	991	1,125	1,200	1,200	1,200	1,203	1,356	1,450
1940	938	1,006	1,032	1,125	1,200	1,236	1,308	1,451	1,595	1,738
1945	974	1,046	1,083	1,169	1,271	1,373	1,475	1,680	1,884	2,089
1950	1,018	1,094	1,145	1,262	1,401	1,540	1,680	1,958	2,237	2,516
1955	1,071	1,153	1,220	1,375	1,559	1,744	1,928	2,297	2,666	3,035
1960	1,136	1,225	1,311	1,512	1,751	1,991	2,230	2,709	3,188	3,667
Dale bill	630	675	810	1,125	1,200	1,200	1,200	1,200	1,200	1,200
Existing law	560	600	720	1,000	1,000	1,000	1,000	1,000	1,000	1,000

[1] Assuming that the average salaries during the five years of service next preceding retirement are $840, $900, $1,080, and $1,500, respectively. The final salaries would, of course, generally exceed the average for the entire contributing period.

Approximate annuities under H. R. 9679 after 15 years of service

Year of retirement	Average salary during contributing period									
	$840	$900	$1,080	$1,500	$2,000	$2,500	$3,000	$4,000	$5,000	$6,000
Age 58:										
1930	475	477	483	562	600	600	600	600	601	631
1935 [1]	490	493	503	562	600	600	606	660	715	769
Age 63:										
1930	480	482	488	562	600	600	600	600	627	663
1935 [1]	496	500	512	562	600	602	634	697	760	824
Age 68:										
1930	486	489	496	562	600	600	600	622	664	707
1935 [1]	506	511	525	562	600	633	672	749	825	902
Age 73:										
1930	494	497	506	562	600	600	606	658	711	763
1935 [1]	518	524	541	580	626	673	720	813	906	1,000
Dale bill	315	338	405	562	600	600	600	600	600	600
Existing law	280	300	360	500	500	500	500	500	500	500

[1] The fund will have been in operation 15 years on August 1, 1935. The annuities under H. R. 9679 for those retiring after 15 years of service will reach their ultimate level at that time, since all such retired employees will have contributed for their entire period of service.

JOHN J. RASKOB BEFORE THE LOBBY COMMITTEE

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the Washington Star of April 4, 1930, giving an account of John J. Raskob's appearance before the lobby committee.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the Washington Star, April 4, 1930]

WET STAND IS NOT LINKED WITH PARTY WORK, SAYS RASKOB—DEMOCRATIC CHAIRMAN SMILES AS SENATORS TILT AT LOBBY INVESTIGATION—ROBINSON ASKS LEADER IF HE PLANS TO RESIGN—WITNESS TESTIFIES HE GAVE $64,000 TO ASSOCIATION IN 5-YEAR PERIOD

Smiling calmly while Senate lobby committee members engaged in heated quarrels among themselves, John J. Raskob to-day denied that his activities as a director of the Association Against the Prohibition Amendment were mixed with his work as chairman of the Democratic National Committee.

Raskob testified that he had contributed $64,000 to the association over a period of five years, but added that he was careful not to mix his personal beliefs on prohibition in the affairs of the Democratic National Committee. He asserted that "no one can commit the Democratic Party on the liquor question except the national convention."

M'BRIDE AT HEARING

The committee room was packed as Raskob began his testimony, with three members of the committee, ROBINSON of Indiana, Republican, and Chairman CARAWAY, of Arkansas, and WALSH of Montana, Democrats, present. F. Scott McBride, superintendent of the Anti-Saloon League, was standing in the back of the room as first WALSH and then ROBINSON questioned the Democratic leader.

From the beginning the Democrats and Republicans tilted over questions that ROBINSON put to Raskob, and finally all three joined in warm exchanges after the Indiana Senator asked Raskob if he intended to resign the Democratic chairmanship in response to a suggestion made by Josephus Daniels in his North Carolina newspaper.

The question went unanswered after CARAWAY and WALSH vehemently protested that it was irrelevant.

ROBINSON insisted the same question had been asked Claudius Huston, chairman of the Republican National Committee, before the lobby committee. Disputing this, Senator WALSH shouted, "It makes no difference; we are not going to transform this hearing into a show."

Daniels, Navy Secretary in the Wilson Cabinet, had attacked Raskob for his membership in the Association Against the Prohibition Amendment while holding the post of Democratic chairman.

The clashes between the committee members continued throughout the hearing. At one point CARAWAY said to the spectators:

"Don't laugh, this is Senator ROBINSON's show."

Raskob said he took no part in the work of the association other than to look over its reports occasionally as a director. He testified that its activities were centered in the election of wet Members of Congress rather than in the "persuasion of those in Congress."

After the hearing Chairman CARAWAY announced that William H. Stayton, of Washington, chairman of the board of directors of the Association Against the Prohibition Amendment, would be called by the committee for questioning.

ANSWERS BRING LAUGHTER

The crowded committee room frequently resounded with laughter as Raskob, always smiling, shot back "yes" or "no" answers to Senator ROBINSON.

After the committee session newspaper men asked Raskob if he had any objection to answering the Robinson question. He replied that he had none. He asserted he had no intention of resigning.

Asked by CARAWAY if he had hopes of repeal of the eighteenth amendment, Raskob replied he had some hopes "of modification at least."

Raskob testified that the Association Against the Prohibition Amendment was a bipartisan organization and named as members W. W. Atterbury, Republican national committeeman for Pennsylvania, and Charles H. Sabin, husband of the former Republican national committeewoman for New York.

OPENING TESTIMONY

Chairman CARAWAY asked the perfunctory opening questions, inquiring as to Raskob's occupation.

The witness replied "Executive."

"Of what?" Chairman CARAWAY continued.

Raskob said of the Du Pont Co.

CARAWAY asked his relation to the Association Against Prohibition.

"I don't know the full name of it," the Arkansas Senator added.

Raskob said he was a director of the association and had been for five years.

"Its purpose is to attempt by education to convince the people of the United States that the eighteenth amendment ought to be repealed," Raskob asserted.

"Have you much hope?" asked CARAWAY.

Raskob laughed before he answered, "Yes; I think I have a great deal of hope that we are making progress toward modification."

The Democratic chairman said he contributed $12,500 in 1928, $30,000 in 1929, and had pledged $30,000 for 1930. Part of the year's amount already has been paid, he added.

Other contributions, he said, were made before 1928.

Raskob read a list of the names of men composing the board of the association.

"I note some Irish names on it, and I judge it is bipartisan," remarked Chairman CARAWAY.

"Yes; I think there are more Republicans than Democrats on it," added Raskob with a laugh.

"There usually are on election day, anyway," put in CARAWAY.

Included in the list of directors was the name of James W. Wadsworth, former Republican Senator from New York.

CARAWAY asked Raskob if he had seen Members of Congress in regard to their views on prohibition since he became a director.

"No," said the witness.

Senator WALSH asked the names of other contributors to the association, but Raskob said he did not know them, aside from Pierre S. du Pont, of Delaware.

Senator WALSH asked the extent of Raskob's participation in the association.

"I am not active," Raskob explained. "I am largely in the position of a contributor. As a director I attend some meetings to hear reports."

INQUIRIES ABOUT CHARTS

Replying to WALSH, the witness said the association was interested in the election of wet Members to Congress, but that he had not taken part in such a campaign.

Senator WALSH asked about the charts giving statistics on liquor conditions hung on the Senate walls recently by Senator TYDINGS, Democrat, Maryland. TYDINGS is a wet.

Raskob said he didn't know where the charts came from, but he said the association "is making an honest effort to ascertain the facts and is reducing these facts to charts."

Under persistent inquiry by WALSH, Mr. Raskob said he had never been interested in the manufacture of liquor, and, so far as he knew, none of those connected with the association were interested now, as in the past, in the manufacture of liquor.

Replying again to WALSH, the witness said that the interest of the association was in the election of wets to Congress, "rather than the persuasion of those in Congress."

Raskob identified W. W. Atterbury, Republican national committeeman for Pennsylvania, and Charles W. Sabin, husband of the former Republican national committeewoman from New York, as directors of the Association Against Prohibition.

Raskob said he was careful not to mix his personal beliefs on prohibition in the affairs of the Democratic National Committee.

"I have no right to commit the Democratic Party on either side of the prohibition question," he asserted, adding, "My opinion is that no one can commit the Democratic Party on this question except the national convention. I shall not try to influence any Democratic Member on this question."

FAVORS MODIFICATION

Senator ROBINSON, Republican, Indiana, then took up the questioning.

"When was the association organized?"

"I don't know."

"You were a contributor, why don't you know?" came back ROBINSON.

"Well, I don't," answered Raskob.

"Do you favor repeal or modification of prohibition?" asked ROBINSON.

"I do, or at least modification."

The Indiana Senator then clashed with Raskob over the location of the headquarters of the association. Raskob insisted the main offices were in New York and ROBINSON contended that literature of the association named Washington as headquarters.

The subject was dropped after Raskob said he met as a director with other directors of the association in New York.

The Democratic chairman testified he was no longer active in the Du Pont Co., although he was a vice president. Senator ROBINSON brought up this point by referring to an old speech by Senator HARRISON, Democrat, Mississippi, stating that Raskob was not active with the Du Pont corporation.

CARAWAY AND ROBINSON CLASH

Chairman CARAWAY and Senator ROBINSON engaged in a brief tilt after ROBINSON questioned Raskob about a recent statement attributed to Senator HARRISON, that Raskob was no longer an officer of the E. I. du Pont de Nemours & Co.

Raskob explained he was a vice president of the company, but said the position was largely honorary.

CARAWAY asked ROBINSON what Senator HARRISON'S statement had to do with the inquiry.

"It will have a great deal to do with it," ROBINSON retorted.

"Then we'll get HARRISON before the committee," countered CARAWAY.

"Some of them we can't get," ROBINSON shot back, referring to Senator KING, Democrat, Utah, who is in Europe.

"Yes; and he went there with your consent," CARAWAY said.

"I didn't know anything about him going," ROBINSON insisted.

"Then GEORGE MOSES [Republican Senator from New Hampshire] is utterly unreliable," CARAWAY retorted, adding:

"He told me you did."

ROBINSON reiterated that he knew nothing about KING'S departure until after he had left.

KING, who has been ill for several months, went to Europe for his health. It was testified before the committee that H. A. Metz, of New York, chemical importer, had contributed $1,000 in 1922 and $1,000 in 1928 to the Senator's campaign fund.

KING has denied knowledge of the 1922 contribution and said the 1928 fund was not used.

RASKOB DENIES LOBBYING

Raskob denied that the association was a lobbying organization.

"Of course, I don't knew the correct definition of lobbying," he added.

ROBINSON read from association literature that "the fundamental purpose of the association is to take the eighteenth amendment out of the Constitution."

"That's right," said Raskob.

"That's what I wanted to know."

Raskob said his contribution of $30,000 to the association in 1928 was made prior to his becoming chairman of the Democratic National Committee.

Senator WALSH broke in at this point and insisted that Senator ROBINSON permit the witness to answer questions.

"I am the judge of whether he answers," shot back ROBINSON.

"Well, let him answer," returned WALSH.

Raskob denied the accuracy of an interview published in the Philadelphia Public Ledger during the last presidential campaign in which he was quoted as saying he wanted "to get rid of this damnable affliction of prohibition."

Another tilt took place between ROBINSON and WALSH when the Indianan asked Raskob:

"Did you think in accepting the position of Democratic chairman that you could serve the cause of repealing the prohibition amendment?"

"That question is wholly irrelevant," WALSH put in.

ROBINSON insisted that the question be answered and WALSH retorted: "I don't like to see this inquiry into lobbying diverted into wholly irrelevant questions."

"No," Senator ROBINSON retorted, "this inquiry has never been directed into political questions."

WALSH again said the question of Raskob's motive in accepting the position of Democratic chairman had no part in the hearing, and finally ROBINSON withdrew the question.

As questioning continued, F. Scott McBride, general counsel for the Anti-Saloon League, stood with the crowd near the back door.

Raskob said he did not know about the expenditures of the association.

DID NOT KNOW PLANS

ROBINSON asked him about plans of the association, but the witness again said he did not know about them.

"As a prudent business man you wouldn't spend $66,000 on something you didn't know anything about, would you?" persisted ROBINSON.

"No," answered the witness.

"What did you spend this money for?"

"For the purposes to which I have testified," Raskob answered.

Raskob smiled as laughter broke out in the crowd at his abrupt answers to ROBINSON, who asked his questions in a loud voice.

Persisting, ROBINSON asked Raskob if he knew how much money was spent by the association last year.

"I don't know," the witness replied.

"Would it surprise you to learn $468,000 was spent last year?" ROBINSON continued.

"I have no knowledge of it," Raskob answered evenly.

A sharp tilt came after ROBINSON asked Raskob if he intended to resign as chairman of the Democratic National Committee. Both CARAWAY and WALSH objected immediately and refused to let the witness answer.

MET DANIELS ONCE

Shooting a rapid fire of questions at the witness, ROBINSON asked Raskob if he knew Josephus Daniels, Secretary of the Navy in the Wilson Cabinet.

"I met him once," Raskob said.

"Was he ever the Democratic national committeeman from North Carolina?" ROBINSON inquired.

"I don't know," Raskob answered.

ROBINSON appeared surprised that Raskob did not know.

CARAWAY then demanded that ROBINSON give the year.

"I don't know," ROBINSON replied.

The packed committee room broke into an uproar, and CARAWAY commented:

"This is Senator ROBINSON'S show. Now, don't laugh at it."

"I'm not versed in the affairs of the Democratic Party," ROBINSON explained.

WALSH HALTS ANSWER

ROBINSON asked the question after reading an editorial in the newspaper published by Daniels in Raleigh, N. C., condemning Raskob for serving as a director on the Association Against the Prohibition Amendment while chairman of the Democratic National Committee.

"Don't answer that," shouted Senator WALSH.

"That is the same sort of question that was asked Claudius Huston, chairman of the Republican National Committee, on this stand the other day when I was not here," retorted ROBINSON.

"We are not going to transform this into a show," replied Senator WALSH. "I advise Mr. Raskob he does not have to answer that question. The Senator can appeal to the Senate."

CARAWAY DENIES QUESTION

Chairman CARAWAY denied that Huston had been asked by the committee if he would resign.

"It makes no difference," Senator WALSH said loudly. "I don't think Mr. Huston was asked such a question. This question to Mr. Raskob is wholly irrelevant to this inquiry."

ROBINSON called for the record of the hearings on Huston to look for the question to which he referred.

The excitement subsided as ROBINSON changed the questioning.

Raskob sat calmly by as CARAWAY and WALSH battled with ROBINSON. All three Senators were talking at the same time during part of the exchange.

Finally, Raskob said, "I don't believe, Senator ROBINSON, that you want to understand my answers."

TRIED TO EXPLAIN

"I have tried to make it clear how I have spent this money," he added. "I am willing to contribute the money I have to be spent by these men. I have confidence in them. Naturally, any executive would leave the matters of details to the officers of the company."

Raskob then again denied that his activities as chairman of the Democratic National Committee and as a director of the Association Against the Eighteenth Amendment were intertwined.

"I asked that, because this serious charge has been made by a leader of the party, Josephus Daniels," said ROBINSON.

CARAWAY said, "Don't answer that."

The hearing was interrupted by the arrival of William Tyler Page, the Clerk of the House, with the reports filed by the Association Against the Prohibition Amendment of its receipts and expenditures.

In answer to a question by ROBINSON, Raskob said he had spoken to no one about the rayon schedule in the tariff bill.

NEVER HEARD REPORTS

"Are you familiar with reports that you organized a lobby on the rayon schedule?" inquired ROBINSON.

"Never heard of it," replied Raskob.

Raskob said the Du Pont corporation had a rayon subsidiary company. He said he had no stock in these companies.

Senator ROBINSON read a letter signed "Gertrude M. Duncan," calling attention to "reports" of a rayon lobby with which prominent Democrats were reported to be connected. The letter mentioned Joseph Tumulty, Lieutenant Governor Lehman, of New York, and Representative CELLER, of New York.

Raskob reiterated that he had never heard of the lobby.

Chairman CARAWAY asked Senator ROBINSON if he wished to inquire into the rayon lobby.

"I believe we should," replied the Indiana Senator.

Raskob was then dismissed as a witness.

THE OREGON TRAIL—RADIO ADDRESS BY SENATOR HAWES

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a radio address delivered last night at St. Louis by the senior Senator from Missouri [Mr. HAWES], entitled "The Covered Wagon," on the occasion of the opening of the nation-wide celebration for the Oregon Trail Memorial Association.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Friends of the frontier spirit, typified by the covered wagon, you have just heard the kind words of my friend, CHARLES MCNARY, senior Senator from Oregon.

Senator MCNARY is of original pioneer stock. His grandfather crossed the old trail in a covered wagon in 1845. The Senator is a leader in the United States Senate, popular in Oregon and throughout the Nation.

Senator MCNARY is the author of the bill which gave the Oregon trail its official name, preserving for the future the traditions of those sturdy pioneers who 100 years ago to-day, April 10, set out to face the hazards of adventure and to carry the vanguard of American home seekers across the virgin fields and forests of the unexplored West.

It is my pleasant duty, as a Senator from Missouri, where the Oregon Trail began, on behalf of the Oregon Trail Memorial Association, to respond to an official approval by the Congress and a proclamation by President Hoover.

We begin to-day, in St. Louis, to commemorate the beginning of the trail. My brief remarks will be confined to the times of 1830. As this celebration will extend to December, you may later hear Senator MCNARY commemorating the conclusion of the great adventure.

Along the route of this historic trail, between the first speech to-night and the last next December, there will be meetings, parades, and demonstrations. School children, Boy Scouts, the American Legion, War Mothers, and patriotic and civic organizations will tell again the story of the home seekers crossing the plains and deserts, fording streams, scaling mountains, and fighting Indians; all the while braving shortage of food, sickness, and death.

We are, in fact, blazing a new trail of inspiration and patriotism, lighting a way for another 100 years.

Smith, Jackson, and Sublette did it a century ago under trying circumstances; our effort will be to recall their spirit and emulate it.

Later, as we follow the trail of 1930, different speakers will give you the names and tell you the story of other men, especially of Ezra Meeker, Jim Bridger, and Kit Carson.

I can refer to only three: Members of the trapper firm of Smith, Jackson & Sublette.

The old Missouri Republican of that year states that they engaged 70 men and had 10 heavy wagons; that it was the design to proceed the whole distance with wagons, a means of transportation never before used in expeditions to that country.

Then, on October 7, the St. Louis Beacon reports that Messrs. Smith and Jackson had just returned from the Rocky Mountains; that they had done well and brought in a large quantity of furs which richly rewarded them for their perils. They brought back 190 packs of beaver skins.

So large a wagon train and such a great quantity of valuable furs had never before been brought from the mountains. Their arrival in St. Louis created a sensation.

Over the mantelpiece in my study is a painting by Berninghaus, the Missouri artist who specialized in frontier life. It is called the Home Seekers. A Conestoga covered wagon fills the foreground, moving over a prairie trail.

The powerful wagon with its familiar canvas cover, the straining horses, the great expanse of territory, all portrayed in the brilliant colors of our favorite artist, has long been an inspiration to me. It tells anew the story of the West, of hardships, of patriotism, and real freedom.

The covered wagon was built for strength and defense. Of sturdy construction, with broad steel tires, it traveled over a trackless country, forded streams, climbed mountains, and often through clouds of dust, with hostile Indians watching for the stragglers. With little water or food aboard, it went rolling, lurching, struggling on, stopping only for birth or death along the roadside, carrying its pioneers and building deep the foundation of American civilization for generations to come.

We must remember that at this date Arkansas was only a defined territory; that foreign powers owned all that section of our country now occupied by the States of Texas, Arizona, Nevada, Oklahoma, California, New Mexico, Utah, and part of Colorado. The only State west of the Mississippi River was 9-year old Missouri, and the vast area occupied now by the States of Kansas, Iowa, Nebraska, South Dakota, North Dakota, Minnesota, and Montana, was unorganized territory.

The Oregon territory itself extended up into what are now the States of Oregon, Washington, Idaho, and the western portion of Montana.

To fully realize the significance of this trail and the hazards it presented, it must be remembered that these pioneers set out in their wagons across an area of undeveloped country as large as France, Germany, Spain, Portugal, Austria-Hungary, Italy, Denmark, and Belgium.

To-day, as we travel on inflated rubber tires supported on finely adjusted springs, with shock absorbers as aids to comfort, over smooth macadam roads and scientifically constructed bridges, and with thermos bottles of ice water, or a radio picking music from the air, let us try to quickly visualize the United States in 1830, with a total population of some 12,500,000 people, of whom 2,300,000 were slaves.

The center of population was in a small town in West Virginia. The Black Hawk War was fomenting in which, strange to say, Abraham Lincoln served as a captain and Jefferson Davis as a lieutenant.

I have always wished that Lincoln and Davis might have continued to fight Indians and have never fought each other.

In the year when the trailers set out for Oregon, the Baltimore & Ohio Railroad (America's first railroad) had just built its first 24 miles of track; Robert E. Lee was graduating from West Point; James A. Garfield (the twentieth President), was born; and James Monroe (the fifth President) died. A free-trade convention opened in Philadelphia and a high-tariff convention began in New York.

Settlers were planning to lay out Chicago.

Andrew Jackson, "Old Hickory," was President of the United States, and John C. Calhoun, his bitter enemy, was Vice President.

When Smith, Jackson, and Sublette returned from their adventure they wrote a description of their trip to Secretary of War Eaton, who had married that fascinating Peggy O'Neill. President Jackson's defense of Mrs. Eaton nearly caused the disruption of his Cabinet, and because Van Buren was the only member besides her husband who defended her he became a favorite, this being one of the main reasons for his election as President of the United States.

So, in this year 1830, there were not only interesting but spicy events which at various times brought all of the West and the Northwest and much of the South and the East to gossip at the little settlement of St. Louis.

Through the Louisiana Purchase by Jefferson in 1804 this western territory became part of the United States, and Missouri made application for admission to the Union in 1818.

After three years of bitter national controversy, resulting in what is called the Missouri compromise, Missouri was admitted to Statehood only nine years before the movement to perfect the Oregon Trail was started.

And it was about in this same year that the Mormons' western settlement was founded near Independence, Mo.

Around the admission of Missouri were fought the first great political battles between protection and free trade and between slavery and abolition.

Statesmen with long vision anticipated the development of the West and the Northwest, knowing that new States would be carved out of this great unexplored territory, which States when admitted to the Union would upset the balance of power.

The Missouri compromise suggested by Henry Clay prevailed, but this compromise involved the precedent for congressional exclusion of slavery from public territory.

What of the little trading post, St. Louis, named for a French king? Situated on the mighty Mississippi River near the junction of the Missouri, not far from the mouth of the Illinois, it had the canoe and river transportation for nearly 1,000 miles due north and nearly 1,000 miles northwest; and just to the south there entered the great Ohio, a water highway that brought the seacoast colonists down that stream.

So they came from New York and New England, from Pennsylvania and old Virginia, and then to the far South the father of waters found its way to the Gulf and the old city of New Orleans, and up the river came the pioneers of the Gulf Coast States.

At various times St. Louis had flying over it the flags of Spain, France, England, and the United States.

I read an original letter from the good bishop of Bardstown, Ky., deposited in the archives of old Ste. Genevieve, in which he said after his visit to the village of St. Louis that it was a wicked place, where there was a playhouse and that people danced.

I wonder what the bishop would say of the same city and its early settlers if he could look in to-night at the Coronado Hotel, where patriotic citizens are meeting to extol the virtues and valor of the Oregon Trail pioneers?

Even back in 1830 St. Louis was a cosmopolitan center; it was the metting place of the fur traders and trappers, of the alligator horses who came down the Ohio and up the Mississippi, called "alligator horses" because they wielded long oars on the river barges. Men from the farthest north and the farthest south bartered their goods here. It was the pivot, the hub, of the Central West.

Here Aaron Burr plotted with General Wilkinson for a western empire. It was the beginning of what we sometimes call the western trail and, while this is geographically correct, it is said that historically it is the end of the eastern trail; for, at the beginning, the far West was only a transplanted East. Here there blended both the North and the South and the East. The pathfinders came from every State east of the Mississippi.

St. Louis, Independence, and St. Joseph are Missouri's constribution to the start of the great western trails.

St. Joseph became especially noted as the home of the pony express, where began the fastest horse service in the delivery of mail in the history of the world.

The picture of the day is word painted in some lines from the poem, The Oregon Trail:

"From East and South and North they flock, to muster row on row,
A fleet of ten-score prairie ships besides Missouri's flow.
The bull whips crack, the oxen strain, the canvas-hooded files
Are off upon the long, long trail of sixteen hundred miles.
The women hold the guiding lines; beside the rocking steers
With goad and ready rifle walk the bearded pioneers."

One hundred years ago to-day, Jedediah S. Smith, William L. Sublette, and David E. Jackson organized a caravan, taking with them 10 covered wagons and 2 Dearborns, and demonstrated for the first time that a round trip to the Pacific coast could be made in six months. Their wagons did not come back empty. They were filled with $150,000 in furs for the greatest fur market in all the West, as it is to-day, the greatest fur market in all the world—St. Louis.

Time will not permit telling the complete story of these three men; their personal appearance; their exploits and adventures, only reference to their departure was chronicled in the little newspapers of the day, and of their triumphant return.

Many started on that western trip across the plains and mountains who never came back, and there were some who spent more than two years in making the trip.

But this St. Louis expedition made the round trip in six months. That was the significant, the appealing thought which inspired the Nation and started the great march across the plains through the hospitable door of St. Louis.

Men would no longer be required to go to sea, suffer the rigors of Cape Horn, and circle the North and South American seacoasts to reach the western coast of America.

These three men, setting out from St. Louis, demonstrated that it could be done in six months.

May I be pardoned a little home pride in saying that it was the "spirit of St. Louis" in 1830 that guided the pioneers of the Oregon Trail, just as it was the *Spirit of St. Louis* that took Lndbergh over a new trail across 3,000 miles of sea.

It is estimated that 350,000 covered wagons followed across the 2,000-mile trail between St. Louis and Oregon City. Estimates of the deaths on the trail vary from 10,000 to 20,000.

It is difficult at this time to measure the importance of the achievement of these three men. We must go far back in history to make it clear.

Spain, at one time the great maritime power, had early colonized in South America, built settlements upon the Pacific coast, and even controlled many islands in the Pacific. The Philippines, one of our dependencies to-day, were under its control for over 300 years before Dewey brought release.

All the old sea captains believed that there existed a northern water passage from the Atlantic to the Pacific Oceans, and the Spanish, Portuguese, and English explorers made many voyages of discovery. But the water route was never changed until American genius built the Panama Canal.

The Spanish took the gold from the south and from the islands of the east, and then Sir Francis Drake took Spanish ships and Spanish gold in the early days, and he, too, tried to find the northern passage for the return of his prizes, but the fabled passage was not there; the Pacific could be reached only by the long voyage around Cape Horn until the covered wagon found the way across and brought eastern and western North America into contact through a land route.

It was not until 30 years later, in 1869, that a golden spike united iron rails from East and West, and the covered wagon, having played its part in history, passed into memory.

It is to preserve the story of their achievement that we meet in St. Louis to-night, with the hope that its retelling will make us better men and women.

When our settlers reached the great northwest country and Oregon, a national dispute between Spain and the United States had been followed by a boundary discussion between the United States and Great Britain. It is said that when men arrived there the query was first, "Did you come over the plains, cross the Isthmus, or go around the Horn?"

At this time was heard the national aspiration proclaimed in the famous phrase, "Fifty-four forty or fight."

The covered wagon, by its settlement, won the boundary fight, and Oregon and that wonderful territory was won for the United States.

Over 250 years of fruitless maritime effort was ended, and a boundary dispute which might have brought war was settled by the trappers who left St. Louis 100 years ago to-day to link the East and the West.

Old Ezra Meeker, a pioneer of the Northwest who founded the Oregon Trail Memorial Association, has passed away. He is succeeded by Howard R. Driggs, George P. Pratt, Lorne W. Barclay, and J. C. Rochester, of New York; by Julius F. Stone, of Columbus, Ohio; and E. D. Nims, of our city of St. Louis.

We start to-day with these men to follow Smith, Jackson, and Sublette in spirit. We shall cross with them in imagination the old unbroken trail. We will keep alive their memories and the traditions of their times and try to preserve their spirit, their courage.

May the lights burn bright along the new trail, and may the voices of Americans in 1930, in speech and prayer, unite in this memorial for the heroic men and women, the frontier home builders of 1830.

WORLD COURT SENTIMENT IN MONTANA

Mr. WHEELER. Mr. President, I ask leave to have printed in the RECORD a statement of Mrs. E. K. Bowman with reference to a survey she has made as to sentiment in Montana on the World Court.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MONTANA BUSINESS MEN FOR WORLD COURT

Ninety-five per cent of the men interviewed and those voting by mail favor entrance of the United States into the World Court. Mrs. E. K. Bowman, of the League of Women Voters, has been making a canvass of persons who represent the public opinion of the State and these are the justified conclusions.

Preferential vote has been taken of over 250 professional and business men throughout the State. About 50 per cent of these men are lawyers and the rest of the group are bankers, editors, legislators, and men from farm labor and various trade groups. The list following is hurriedly gathered and could be increased many times:

J. E. Erickson, Governor of Montana; Lew L. Callaway, chief justice supreme court; Col. A. J. Galen, justice supreme court; John A. Mathews, justice supreme court; S. C. Ford, justice supreme court; A. H. Angstman, justice supreme court; Frank Hazelbaker, lieutenant governor, Dillon; Maj. L. A. Foot, attorney general; George W. Porter, State auditor; M. A. Brannon, chancellor Montana University; S. V. Stewart, former governor; I. M. Brandjord, commissioner of State lands; J. C. Lyndes, State land office; T. J. WALSH, United States Senator; W. A. Campbell, editor Helena Independent; Charles Reifenrath, business manager Record Herald; Rev. Wallace E. Brown, bishop Helena area, Methodist Episcopal; Right Rev. William Faber, bishop Episcopal Church; E. C. Day, Scottish Rite; Col. G. I. Reiche, patriotic instructor State Grand Army of the Republic; Herbert Kibler, Montana American Legion; Right Rev. N. C. Hoff, president Mount St. Charles College; James D. Graham, president Montana Federation of Labor; F. W. Mettler, attorney; E. G. Toomey, attorney; Ray Nagle, attorney; R. J. Cunningham, secretary Montana Educational Association; Norman Winestine, treasurer New York Store; Lester Loble, attorney; Frank Bogart, Union Bank & Trust Co.; Joseph M. Dixon, former governor, Missoula; Hon. John M. Evans, United States Congressman; W. H. Beacom, mayor of Missoula; Albert Besancon, attorney, Missoula; Dr. Asa Willard, osteopath physician, Missoula; Glenn W. Prether, manager Golden Rule Store, Missoula; S. J. Coffee, president Missoula Drug Co.; Howard Green, banker, Missoula; Asa L. Duncan, judge, Missoula; John E. Patterson, judge, Missoula; Dean Leaphart, law school, Missoula; Dwight Mason, county attorney, Missoula; Ralph Arnold, attorney, Missoula; S. G. Skulason, attorney, Missoula; Walter Pope, attorney, Missoula; C. H. Clapp, president Montana University, Missoula; Dr. George M. Jennings, N. P. surgeon, Missoula; Alfred Atkinson, president Montana State College, Bozeman; I. W.

Choate, former Assistant Attorney General, Bozeman; George Y. Patten, former judge supreme court, Bozeman; W. S. Davidson, banker; Bozeman; R. E. Bodley, county agent, Bozeman; Dr. W. C. Dawes, physician, Bozeman; Walter S. Hartman, attorney, Bozeman; B. B. Law, district judge, Bozeman; H. G. Klemme, Bozeman; L. E. Hathaway, Bozeman; Frank O. Wilton, Bozeman; David C. Morris, Bozeman; H. J. Miller, former district judge, Livingston; George B. Winston, district judge, Anaconda; Charles R. Nevin, chairman State Democratic committee, Butte; A. F. Lamey, State governor, Rotary; R. G. Linebarger, president State Press Association, Havre; E. O. Hedrick, county treasurer, Lewistown; W. W. Blackford, attorney, Lewistown; R. E. McHugh, county attorney, Philipsburg; W. C. Husband, attorney, Harlowton; Charles Gordon, attorney, Wolf Point; A. F. Ziebarth, farmer, Plentywood; Stanley E. Felt, district judge, Baker; John Hurley, district judge, Glasgow; Hans Walachi, attorney, Kalispell; Julius J. Wuerthner, attorney, Great Falls; C. W. Pomeroy, district judge, Kalispell; A. L. Stone, banker, Dillon; W. M. Johnston, Billings; H. Leonard DeKalb, attorney, Lewistown; G. S. Schmidt, attorney, Fort Benton; T. H. Pridham, attorney, Choteau; A. H. Stafford, secretary of agriculture, Helena; Pearl Smith, attorney, Dillon; E. A. Peterson, attorney, Bozeman; E. H. Goodman, Townsend; John B. Muzzy, attorney, Stanford; Henry G. Rodgers, attorney, Dillon; J. B. Knight, county attorney, Anaconda; T. J. Davis, Butte; Leo Graybill, Great Falls; Frank W. Haskins, attorney, Butte; H. V. Beeman, attorney, Forsyth; O. W. Belden, banker and former speaker of house, Lewistown; O. F. Goddard, district judge, Billings; V. C. Miller, attorney, Livingston; Frank Linderman, editor, Kalispell; G. M. Moss, editor, Whitefish; A. H. Bowman, former secretary agriculture, Hardin; Leon Shaw, editor Billings Gazette, Billings; Henry L. Myers, former judge supreme court, Billings; Ed. Davies, State coal-mine inspector; W. J. Jamison, jr., attorney, Billings; J. J. O'Shea, secretary National Farmers' Union, Roberts; J. T. Kelly, president Montana Farmers' Union, Castagne; James Griffin, senator, Chinook; R. C. Battey, district manager International Harvester, Billings; G. W. Farr, attorney, Miles City; J. R. Scanlon, editor Miles City Star; Charles L. Tyman, attorney, White Sulphur Springs; C. E. Collette, attorney, Sidney; Hon. SCOTT LEAVITT, Congressman, Great Falls; H. B. Mitchell, former mayor, Great Falls; J. L. Dobell, Butte; William Daly, Butte; Earle Genzberger, Butte; Curtis L. Wilson, Butte; J. R. Thomas, Butte; W. T. Scott, school of mines, Butte; Rabbi Emanuel Sternheim, Butte; Malcom Gillis, Butte; P. J. Anderson, farmer, Conrad; B. J. Anderson, farmer, Fairview; George E. Ericson, attorney, Bagley; L. J. Onstad, attorney, Plentywood; Howard M. Lewis, attorney, Plentywood; Walter Aitken, president Montana Bar Association, Bozeman; Charles W. Gardiner, trade unionist, Butte; Ike E. O. Pace, attorney, Whitehall; Walter D. Kemmism, State senator, Sidney; D. G. Stivers, attorney, Butte; H. L. Wolfe, attorney, Malta; William H. Bartley, attorney, Miles City; Andrew Ueland, banker, Outlook.

STATE LEGISLATURE

W. K. Adams, Sidney; Robert Brownley, Big Timber; William H. Buttleman, Willow Creek; G. H. Corrington, Ryegate; Ray Church, Helena; C. C. Conser, Plevna; George Cooper, Haugen; William T. Cowan, Box Elder; C. W. Demel, Billings; M. M. Duncan, Virginia City; J. D. Garber, Plains; C. F. Delwo, Valier; John A. Green, Vida; James Griffin, Chinook; Frank Hazelbaker, Dillon; W. C. Henderson, Miles City; J. H. Leuthold, Molt; C. A. Linn, White Sulphur Springs; F. T. McCormick, Roundup; J. L. Mears, Geyser; John Oliver, Ekalaka; H. E. Pomeroy, Eureka; S. H. Porter, Big Sandy; H. M. Shelver, Livingston; J. C. Smith, Miles City; J. W. Speer, Great Falls; J. T. Spencer, Bridger; Burton Watson, Missoula; W. L. Staggs, Wibaux; John Survant, Malta; George R. Swift, Hysham; R. R. Tower, Polson; A. S. Aynsworth, Thompson Falls; Charles A. Akofer, Valier; P. J. Anderson, Twete; T. R. Bergstrom, Willard; N. J. Brandt, Whitewater; Albert Budas, Roberts; Henry L. Burno, Harlem; John L. Campbell, Missoula; William Castles, Superior; W. E. Clarke, Forsyth; William Cusick, Kalispell; Glen T. Davis, Helena; H. C. Donaldson, Fort Benton; Ted Doran, Butte; Houghton A. Duncan, Great Falls; Ernest Eaton, Billings; Mark Fitzgerald, Stevensville; W. P. Flynn, Miles City; Fred E. Gordon, Hardin; F. L. Greybill, Great Falls; H. W. Greene, Lindsey; Orville Harris, White Sulphur Springs; Hugh C. Hawley, Harlem; E. O. Hedrick, Lewistown; J. O. Higham, Belfry; Joe Hoffman, Reed Point; C. F. Holt, Great Falls; Albert Holton, Cohagen; E. N. Joffre, Clancy; Albert Johnson, Denton; Elmer Johnson, Glasgow; J. D. Kennedy, Philipsburg; H. E. Larson, Plentywood; Robert Leavens, Billings; C. A. Lemon, Anaconda; T. E. Lincoln, Kalispell; Lester Loble, Helena; H. S. Masters, Livingston; T. A. Meagher, Choteau; Timothy Miller, Libby; J. J. Moriarity, Circle; D. C. Morris, Fort Benton; G. M. Moss, Whitefish; W. A. Ruffcorn, Opheim; Harry Schoening, Wolf Point; W. T. Wait, Broadus; Noble M. Walker, Lewistown; Ole M. Wold, Laurel; Julius Wuerthner, Great Falls; Fred W. Zeh, Missoula; Ralph Bricker, speaker of house, Windham.

A recent poll of the Butte Rotary at one of their luncheons gave 46 ayes, 6 noes.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws.

Mr. BINGHAM obtained the floor.

Mr. FESS. Mr. President, will the Senator yield to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Connecticut yield for that purpose?

Mr. BINGHAM. I yield.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	Kean	Steck
Ashurst	Gillett	Kendrick	Stelwer
Baird	Glass	McKellar	Stephens
Bingham	Glenn	McNary	Sullivan
Black	Goff	Norbeck	Swanson
Blaine	Gould	Norris	Thomas, Idaho
Borah	Greene	Nye	Thomas, Okla.
Brookhart	Hale	Overman	Trammell
Broussard	Harris	Phipps	Tydings
Capper	Harrison	Pittman	Vandenberg
Caraway	Hatfield	Ransdell	Wagner
Connally	Hawes	Robinson, Ind.	Walsh, Mass.
Copeland	Hayden	Robsion, Ky.	Walsh, Mont.
Couzens	Hebert	Sheppard	Watson
Dale	Heflin	Shipstead	Wheeler
Dill	Howell	Shortridge	
Fess	Johnson	Simmons	
Frazier	Jones	Smoot	

Mr. FESS. My colleague the junior Senator from Ohio [Mr. McCULLOCH] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

I wish to announce that the Senator from Nevada [Mr. ODDIE] and the Senator from Connecticut [Mr. WALCOTT] are absent on official business.

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also wish to announce that the junior Senator from Tennessee [Mr. BROCK] and the junior Senator from South Carolina [Mr. BLEASE] are absent because of illness in their families.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. I wish to announce that my colleague [Mr. McMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

Mr. BINGHAM. Mr. President, on yesterday I gave some figures in regard to the volume of our exports to South America. One of the Senators who comes from a State which manufactures a large proportion of the articles exported to South America has told me that there is considerable unemployment in his State. It has occurred to me that he might be interested to know that in 1929 we sold to Latin America automobiles, motor trucks, busses, and passenger cars to the value of $90,471,000. In other words, Latin America buys from us at the present time about $100,000,000 worth of automobiles each year. It is well known that European countries are engaged in producing automobiles, which they think are just as good as ours, and are trying to compete with us in price. I should like, Mr. President, to call the attention of the Senator to whom I have referred and others in whose States automobiles are manufactured, and who are looking to the Latin-American market to dispose of them, to the fact that if we shall pass the bill now before us, America is likely to become far more unpopular than she is to-day. There is likely to be placed on the purchaser of an American automobile in those countries a certain odium which attaches to those who purchase goods from a country which is extremely unpopular. It is my profound belief, Mr. President, that the passage of the proposed legislation is likely to lead to more unemployment in this country rather than to increase the chances of employment by keeping out immigrants from the countries to the south of us.

Mr. COUZENS. Mr. President, will the Senator yield at that point?

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Michigan?

Mr. BINGHAM. I yield.

Mr. COUZENS. Was the Senator so considerate of the attitude of foreign countries when he was voting for high tariff rates?

Mr. BINGHAM. The Senator was absent yesterday when I stated that in an editorial from a leading newspaper published in Latin America, La Prensa, a newspaper which has in Latin America an influence similar to that of the London Times in England, it was pointed out that the people of Argentina would prefer rather to have shut off several million dollars' worth of their trade with the United States on account of the tariff than to have their immigration into this country limited to 375 a year, which is the total number of persons who came in from Argentina in 1928 for the purposes of study, travel, and as merchants. In other words, the newspaper La Prensa pointed out the fact that the injury to their pride, the injury to their feelings, the injury to their honor and their self-respect was in their minds a far graver matter than the tariff, and that they would prefer to go without several million dollars' worth of our trade rather than to be told by the United States that they were not wanted in this country any more than were immigrants from Europe, and that they were to receive no different treatment from that accorded to immigrants from the countries of Europe.

Mr. COUZENS. Mr. President, the Senator, as I recall, was in favor of the restriction of immigration from European countries, notwithstanding the fact they may have similar sensibilities.

Mr. BINGHAM. Yes; but, as I pointed out yesterday at a time when the Senator was not present, we have for the last hundred years endeavored to build up what we have called Pan Americanism, a feeling of brotherhood with the South and Central American countries. We have endeavored for the sake of peace on the American continent, and for the sake of our commerce with those countries, to say to our friends down there that we did not regard them as being on the same basis as Europeans. We have endeavored to show them that, since they have copied our Constitution, since they have copied our institutions, since they are striving toward the same objects politically and governmentally that we are, we wish to put them on a different basis. When the immigration act was before Congress in 1924 the late Senator Willis, of Ohio, offered an amendment which he described in these words:

> This amendment, in effect, simply provides that the same rule which is applied to the remainder of the world shall be applied to the American continent.

When that amendment was voted upon 33 Senators now sitting in the Senate voted against it: Messrs. BROOKHART, BROUSSARD, CAPPER, CARAWAY, DALE, DILL, FESS, FLETCHER, FRAZIER, HALE, HOWELL, JONES, KENDRICK, KEYES, KING, MCKELLAR, MCNARY, NORRIS, ODDIE, OVERMAN, PHIPPS, PITTMAN, REED, ROBINSON of Arkansas, SHIPSTEAD, SHORTRIDGE, SIMMONS, SMOOT, STEPHENS, SWANSON, TRAMMELL, WALSH of Massachusetts, and WALSH of Montana.

In that debate the Senator from Ohio [Mr. FESS], who was one of those who argued against the amendment offered by his colleague, said:

> I think we must accord a different treatment, a different code of treatment, to South and Central American countries and Canada from what we accord to Europe. Juxtaposition, geographically speaking, makes them different.

Mr. GLASS. Mr. President, may I inquire to what the roll call from which the Senator has just read related?

Mr. BINGHAM. The roll call related to an amendment offered by the late Senator Willis, of Ohio, to the immigration bill which, the Senator will remember, was being discussed in April, 1924, which amendment I did not read but described in Senator Willis's own language as an amendment, in effect, which "provides that the same rule which is applied to the remainder of the world shall be applied to the American Continent." The junior Senator from Virginia is not recorded as having voted at that time.

From the figures of visas issued by our consular officials during the fiscal year ended June 30, 1929, it appears that 4,556 persons applied for visas in their desire to come to the United States from the 18 South and Central American republics south of Mexico. The figures are rather interesting, Mr. President: Argentina, 375; Bolivia, 52; Brazil, 517; Chile, 230; Colombia, 548; Costa Rica, 163; Dominican Republic, 240; Ecuador, 129; Salvador, 188; Guatemala, 236; Haiti, 63; Honduras, 208; Nicaragua, 278; Panama, 355; Paraguay, 3; Peru, 305; Uruguay, 80; Venezuela, 586. In only three cases are there more than 500 from any one country, and in nearly all cases there are less than 300. I am informed by Doctor Rowe, the distinguished Director General of the Pan American Union, who is more familiar with Latin America than is any other person in this country, that nearly all of those included in the above number who came to the United States belonged to classes known as students, visitors, travelers, and merchants, who came to this country for temporary residence. They could come to this country perfectly well under the bill offered by the Senator from Georgia and now before us for consideration. Practically none of them were laborers; practically none of them came to this country to seek employment now held or which could be held by Americans; practically none of them would be kept out by this bill.

In other words, Mr. President, the effect of the bill offered by the Senator from Georgia would not be to decrease the number of persons now coming to the United States from South America. It would permit them to come, because they would not come under the quota, being temporary visitors. And it would also permit about 2,000 laborers to come, or about 100 from each of the countries, and perhaps a few more from Brazil. But those laborers do not want to come. They never have come. There will be no effect whatsoever on these 18 countries except to produce hard feelings; except to produce the impression that we regard them as inferior to us and to our race; except to show them that, while we are perfectly willing that persons shall come in from Canada to any extent, we are unwilling that there may be permitted freely to come what few persons desire to come to the United States from the 18 South and Central American Republics that are now sending us practically no immigrants who compete with our laborers, with our wage-earning classes. The only effect will be to show them that, in our opinion, there is nothing in the ideal of so-called Pan Americanism; to show them that we are now willing to regard them on the same basis as the rest of the world, and that the statement of our public men, our Presidents and Secretaries of State for many years past really have all to be put in the discard to-day, and that we propose to regard our neighbors to the south, even though there is no logical reason for doing so, as on the same basis as are European countries.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Massachusetts?

Mr. BINGHAM. I yield.

Mr. WALSH of Massachusetts. Has the Senator given the figures as to number of immigrants who would be permitted to enter the United States from South and Central America under both the so-called Harris bill and the so-called Johnson bill, which is pending in the House?

Mr. BINGHAM. Under the Harris bill, I will say to the Senator from Massachusetts, the number from these 18 countries would be on the quota basis, or 2 per cent of the persons now in this country whose origin was in those countries. Due to the fact that we have never kept an accurate list of persons coming in from those countries, due to the fact that in our censuses we have never set forth that a given person was of Argentine origin or Brazilian origin or Chilean origin, but have only said "South American" or "Central American," as the case might be, it is impossible for our officials to state how many persons there are in this country from each one of those countries, and therefore the best that they could do would be to estimate the total number from those countries and to allow a 2 per cent quota, which would amount to about 2,000 persons.

Mr. WALSH of Massachusetts. Is that what the Senator has just read?

Mr. BINGHAM. No; I will say to the Senator.

Mr. WALSH of Massachusetts. Did he indicate the number of possible immigrants from the various South and Central American countries?

Mr. BINGHAM. What I read was the number of persons entering the United States from these 18 Republics in 1929. The so-called Johnson bill now on the House Calendar, and which I believe some Senator is proposing to offer as an amendment to the bill introduced by the Senator from Georgia, takes those figures as a basis for a quota and states that wherever those figures are less than 100 that country shall have the minimum number, which is 100, and in other cases shall have the same number; so that the quota under the Johnson bill would amount to 4,758. The quota under the Harris bill would amount to about 2,000; but, as I pointed out, due to the fact that practically all persons now desiring to come in from these 18 countries are tourists or students or merchants not desiring permanent residence, it would not affect the situation at all. In other words, it would not relieve our labor market one-millionth of 1 per cent, but it would offend the people of 18 countries that are to-day among our very best customers; for, as I pointed out yesterday, we sell to the countries of Latin America nearly $1,000,000,000 worth of goods a year.

Mr. WALSH of Massachusetts. Mr. President, do the figures which the Senator has given include a quota to Mexico?

Mr. BINGHAM. They do not.

Mr. WALSH of Massachusetts. They include all of the countries, other than Mexico, to the south?

Mr. BINGHAM. Other than Mexico, and other than Cuba.

Mr. WALSH of Massachusetts. Then the total net difference between the Harris bill and the Johnson bill is that the Johnson bill will possibly permit 2,000 more persons to emigrate to this country than the Harris bill permits?

Mr. BINGHAM. About 2,700 more.

Mr. WALSH of Massachusetts. Will the Senator give us the figures as to Mexico with respect to these two bills?

Mr. BINGHAM. I stated at the beginning of my remarks yesterday—I think the Senator was not present—that the Senator from Arizona [Mr. HAYDEN] would take up the Mexican situation and treat it at length. As he comes from the State of Arizona, which is contiguous to Mexico, and as he is much more familiar with the Mexican situation than I am, I have eliminated from my remarks all reference to Mexico.

Mr. WALSH of Massachusetts. May I ask the Senator a further question? Does the so-called Johnson bill fix a quota for Canadians?

Mr. BINGHAM. It does. It fixes it at the amount of the number of visas of Canadians that came into this country a year or two ago.

Mr. WALSH of Massachusetts. So that the Johnson bill is different from the Harris bill in the fact that it does fix a quota upon immigration from Canada, with which the Harris bill does not deal?

Mr. BINGHAM. That is correct; but if the Senator desires to know the opinion of the leading South American people and of the leading newspaper in South America on the Johnson bill, he will find two editorials referring to the Johnson bill placed in the RECORD in my remarks of yesterday.

Mr. WALSH of Massachusetts. I thank the Senator. Will the Senator permit me to have read at the desk, at the conclusion of his speech, an editorial from a Boston paper in opposition to a quota being based upon immigration from Canada?

Mr. BINGHAM. I shall be very glad to have that done.

Mr. WALSH of Massachusetts. I ask that at the close of the remarks of the Senator from Connecticut an editorial from the Boston Post of yesterday be read at the desk.

The PRESIDING OFFICER (Mr. HOWELL in the chair). Without objection, it is so ordered.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield to the able Senator from Michigan.

Mr. VANDENBERG. On the abstract question of South and Central American sensibilities—which I readily concede we must take into consideration—does not the Senator think that we shall remove all just cause for criticism if we establish more liberal quotas for the Western Hemisphere than we do for the Old World?

Mr. BINGHAM. There is no doubt that it would somewhat alleviate the feelings of our neighbors to the south if the proposal which has been made at various times that the quota from the American Republics be 10 per cent, instead of 2 per cent, were adopted. It would make them feel that we were not treating them exactly like the European nations. There is no doubt about that. That would be preferable to the bill now before us.

Mr. VANDENBERG. The Johnson bill at least in lesser degree undertakes to discriminate; does it not?

Mr. BINGHAM. It does. There is no question about the fact that the Johnson bill would remove a certain part of the sting, and is preferable to the Harris bill.

Mr. VANDENBERG. The Senator would not take the position, then, that under no circumstances would we ever be entitled to apply any quotas to Western Hemisphere countries?

Mr. BINGHAM. Mr. President, as one who has spent a good part of his more active life in those countries, and as one who perhaps appreciates their point of view now far better than he did before, and knows their pride of race, their pride in their history, the fact that for many years they looked up to us as their model, they copied our Constitution, they copied our institutions—as one who remembers they have been told repeatedly by our public men, as I pointed out yesterday and as I shall put into the RECORD later to-day, that they are our neighbors, that we want them to regard us differently from Europe; that we do not want them to believe the people who have been constantly preaching anti-Americanism to them with the idea that we were not their friends—as one familiar with these facts, I should regret extremely to see anything done, until the need arises, which would say to these 18 Republics that send us no labor, that send us no immigrants except students and teachers and merchants and others who really do not come under the quota, that send us practically no one to compete with our wage earners here: "Notwithstanding the fact that you do not compete with us, we propose to treat you on the same basis as Europe."

Mr. VANDENBERG. It does seem to me, if the Senator will permit me, that it would be most unfortunate to leave the abstract statement standing that we have failed to differentiate between the Old World and the New World. If in this measure which we are about to perfect we should grant more liberal quotas to the Western Hemisphere than we do to the Old World, it seems to me that that does distinctly acknowledge a larger measure of Western Hemisphere unity, and does satisfy these sensibilities to which the Senator refers in South and Central America.

Mr. BINGHAM. There is no question about that, Mr. President. The Senator is quite right, provided that no distinction is made between the English-speaking countries to the north of us and the Latin-speaking countries to the south of us.

Mr. VANDENBERG. That probably is true.

Mr. JOHNSON. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield to the Senator from California.

Mr. JOHNSON. Does the Senator recognize that there is a sore spot in our immigration problem so far as the Western Hemisphere is concerned?

Mr. BINGHAM. Yes, Mr. President; but the arguments which I have heard—and I have read most of the hearings—relate almost entirely to the immigrants from one country, Mexico. There is no objection to any persons that have come to us from the other 18 Latin American countries.

Mr. JOHNSON. Now let me pursue that with the Senator, if he will permit me, for just a moment.

There is recognized a situation in regard to Mexico that ought, if it can be, to be remedied. The situation as regards the Latin American countries of the hemisphere, however, is a situation that is negligible in character in the numbers that come here and the reasons for their coming. The situation in regard to Canada I do not regard as comparable to that which exists in reference to Mexico. Is the Senator in accord with that?

Mr. BINGHAM. I agree with the Senator in that regard.

Mr. JOHNSON. What is troubling me in this matter is this: If there is a situation that we ought to remedy concerning Mexico I should like to touch it; but if it be offensive to touch Latin America otherwise, and there is no occasion at the present time to deal with it at all, and if the Canadian situation is one that does not require treatment at the moment, then why not deal with the one sore spot of Mexico in the legislation we are now seeking?

Mr. BINGHAM. May I say to the Senator that if he were able to persuade the Senate to do that he would then appeal to the logical minds of the people in the great countries to the south of us. They have repeatedly stated in editorials in their leading newspapers that they could see some reason for our dealing with a vast immigration from Mexico of a character not desired, because they themselves do not desire to have a certain class of immigrants come into their countries. What "riles" them, what feeds the appetite of the anti-American spirit down there, what leads to an intense feeling on the part of their logical minds is the fact that although there is only one country of the 19 that is sending to us what might perhaps be called undesirable immigrants, we propose to punish all the 19. We propose to "insult," as they say, the other 18.

Mr. JOHNSON. If the Senator will permit me a step further, without for an instant conceding that it is an "insult," or conceding that there is any right to protest, except, of course, in their own land to write such editorials as they desire, here is a situation presented, if the Senator is familiar with the Johnson bill—and I presume he is; I mean the bill introduced by Congressman JOHNSON of the House——

Mr. BINGHAM. I am familiar with it.

Mr. JOHNSON. Here is a situation presented wherein arbitrary, specific quotas are fixed for the Latin American countries that are inconsequential in character and in number. That is a fact that can not be gainsaid.

Mr. BINGHAM. I have given most of those figures this morning in reading the numbers of those that came to us in 1929.

Mr. JOHNSON. I realize that. So far as Canada is concerned, the bill that he presents makes a mere gesture by fixing the number of those who may be admitted at the number that has just come in. All right. Now, the one thing that is of consequence and of moment is the portion of the bill that deals with Mexico. We have a problem there, and a sore spot there. I would rather take this bill and deal, so far as I am concerned, with that problem and that sore spot, instead of making a gesture respecting Canadian immigration, and instead

of dealing with a wholly infinitesimal quantity in relation to the remainder of Latin America.

That was the thought that I desired to suggest to the Senator in interrupting him.

Mr. BINGHAM. I hope very much that what the Senator proposes may be done, because I am sure it would relieve a very large part of the animosity which is sure to arise in Latin America if this bill passes in its present form, or even in the form of the Johnson bill.

The Senator will remember that there appeared before his committee, when he was chairman of the Committee on Immigration, Secretary of State Kellogg, in March, 1928, who stated that his department had endeavored to find out, through our representatives throughout Latin America, how the various bills limiting immigration from the other countries in this hemisphere were regarded in Latin America. He became convinced that such a measure would adversely affect the present good relations of the United States with Latin America and Canada, and would be prejudicial to the very considerable American interests in the countries under discussion. He said:

The department has therefore considered it necessary to a proper discharge of its responsibilities in this connection to present this statement with regard to its findings as to the reaction to be expected if the legislation in question is enacted and as to the importance of the American interests which are involved.

An examination of the situation indicates that there is no immigration problem of importance with any American country with the possible exception of Mexico.

As the Senator from California has just pointed out.

He went further, and stated that the extension to these countries of quota restrictions on the basis of only 2 per cent of the persons born in the Latin American countries, and the resulting limitation of immigrants to 1,900 from all those 19 countries, exclusive of Mexico, would have a most unfortunate effect upon the efforts which the State Department has been making to encourage greater travel of citizens of the United States to Latin America and of Latin American citizens to the United States, and indirectly would have an adverse effect upon our efforts to bring about a larger exchange of students between the United States and the countries to the south of us.

He went on to say:

I want to say further that the greatest field for commercial enterprise to-day is in Central and South America, and I will show you the extent to which the United States is becoming interested there when later I read to you our investments in those countries.

I am not going to give the figures at the point where they are given in his statement, so I will merely say at the present time that the estimated American investments in South America at the time that Secretary Kellogg made this statement to the committee were $2,115,000,000; in Central America, $225,000,000.

Mr. Kellogg also said:

I mention those matters as showing that the amount of trade of the United States in Latin American countries, which is the largest, as you will find, of any country in the world—the solidarity between the United States and those countries, which was evidenced in the last conference, shows that as far as we are concerned it is of the utmost importance for us, not only on account of trade and commerce but on other accounts, to have the best feeling between ourselves and the Latin American countries.

I shall not read at this time, as my time is limited, but I shall ask to have inserted in the RECORD quotations from Secretary Kellogg's testimony at this point, as well as quotations from leading citizens who are personally familiar with the situation in South America, and of some of our diplomatic representatives, all of which go to show that the effect of this legislation on Latin America would be disastrous, so far as their attitude toward us is concerned.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Extracts from statement of Hon. Frank B. Kellogg, ex-Secretary of State]

The State Department is convinced that such a measure would adversely affect the present good relations of the United States with Latin America and Canada and would be prejudicial to the very considerable American interests in the countries under discussion. The department has therefore considered it necessary to a proper discharge of its responsibilities in this connection to present this statement with regard to its findings as to the reaction to be expected if the legislation in question is enacted and as to the importance of the American interests which are involved.

An examination of the situation indicates that there is no immigration problem of importance with any American country with the possible exception of Mexico.

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The extension of the quota system to those countries would be distinctly objectionable. The extension to those countries, however, of quota restrictions on the basis of only 2 per cent of the persons born in the Latin American countries and the resulting limitation of immigrants to 1,900 from all those 19 countries exclusive of Mexico would have a most unfortunate effect upon the efforts which the State Department has been making to encourage greater travel of citizens of the United States to Latin America and of Latin American citizens to the United States, and indirectly would have an adverse effect upon our efforts to bring about a larger exchange of students between the United States and the countries to the south of us. I want to say further that the greatest field for commercial enterprise to-day is in Central and South America, and I will show you the extent to which the United States is becoming interested there when later I read to you our investments in those countries.

I mention those matters as showing that the amount of trade of the United States in Latin American countries, which is the largest, as you will find, of any country in the world—the solidarity between the United States and those countries, which was evidenced in the last conference, shows that as far as we are concerned it is of the utmost importance for us, not only on account of trade and commerce but on other accounts, to have the best feeling between ourselves and the Latin American countries.

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In July of last year the diplomatic missions of the United States in Central and South America were asked to submit reports based on their knowledge of official and public opinion in the countries to which they were accredited as to the probable effect upon relations of such countries with the United States of the enactment of legislation applying quota restrictions to immigrants from Latin America. The replies justify the statement that the imposition of numerical limitations on the Central and South American countries would be deeply resented by them.

The reports indicate that these countries feel that there should be the greatest freedom of travel and communication between the countries of this hemisphere, and that they are cognizant and appreciative of the privileged status they now enjoy under the immigration act of 1924. They are disposed to consider it in fact a manifestation of that high regard which this Government has for them, and a tangible evidence of the close association of the American countries. Under existing law in these countries, American citizens are now permitted to travel and settle in their territory quite freely. Moreover there is now a certain community of interest among the American countries having similar immigration problems and some indication of a tendency to follow similar policies.

The reports from American diplomatic representatives in these countries are practically unanimous in their statement that the application of quota restrictions to the countries of Central and South America could not fail to be interpreted by them as a radical departure from the traditional policy of this country toward Latin America and as evidence of unwillingness to continue to regard them as equals and neighbors having common problems, interests, and aims. They have given and are giving their fair share toward the development of the Western Hemisphere in cooperation with the United States. They have a sense of real pride in their achievements and in the qualities of their people. They are well aware of the fact that there is no danger of considerable immigration to the United States from anyone of them except Mexico—and the increase of immigration from that country is problematical.

The enactment of such legislation would be seized upon by certain elements within those countries and abroad which are unfriendly to the United States in general and to its policies on immigration in particular as an excuse to stir up feeling against this country, its citizens, and its interests. It is certain that the Latin American press would indulge in considerable hostile comment and thus materially assist those who wish to impair the good relations which now exist between the United States and Latin America. Action of the kind contemplated at this time could easily result in a campaign of anti-Americanism which would go far toward undoing all that has been accomplished toward effecting closer relations with other American countries during the past quarter of a century and make difficult further efforts in that direction. Not only would this be very regrettable from a point of view of international policy, but it would be apt to have an adverse effect upon the prosperity of American business interests in those countries.

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The vice president of a mining company writes under date of February 15, 1928, saying:

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"The attitude of the Chilean toward the United States has ranged from animosity to friendship. The American business interests in Chile

have used every endeavor to establish friendly relations between the two nations and with some success. The national feeling that would result from the restriction of immigration from Latin American countries would be a serious handicap to the continuance of such relations and make more difficult the negotiation of business problems that are continually arising between American business interests and the Chilean Government.

"In all Latin American countries public sentiment is very sensitive to anything which seems to reflect on their civilization. Whatever may be the economic reasons alleged for the proposed legislation it will be interpreted as an affront. National pride will be wounded and resentment engendered. This unquestionably will react on the business and political relations with the United States. * * * General business would be affected unfavorably, and there is the further possibility of hostile legislation toward the industrial companies with a view to hampering their employment of North Americans in their enterprises. The policy of the North American companies engaged in development enterprises in South America, and also of the commercial firms, is to employ natives wherever possible. It is, however, necessary to have a certain proportion of citizens of the United States in all these enterprises."

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Here is a very important letter from our minister at Bogota, Colombia, who reports in speaking of our relations with Colombia [reading]:

"Some country will provide the money, material, and skilled labor necessary to make this one of the most prosperous and attractive lands of South America. If we do not furnish it, it will come from Europe, and with it perhaps a large European immigration. * * *

"While from an economic point of view the extension of the quota law to South America is both unnecessary and undesirable, from a political and diplomatic standpoint it would, in my opinion, be a serious mistake and a great setback to our efforts for effecting more good will and better understanding between the United States and the countries to her south. Since no good reason can be advanced, as the Colombian views it, for extending that law to him, its application here would, I fear, lead him to conclude that we regard him as an inferior, as he is very proud of his race. He would undoubtedly resent the restrictions and show his resentment by placing many obstacles in the way of our citizens entering here for commercial and other business purposes. This would be another hindrance to our participating in the development of this country and a serious setback to our growing commerce here. * * * Such a law * * * would give added strength to the persistent efforts of Europeans to foster anti-Americanism for their own commercial ends. * * *."

The report from the embassy at Habana contains the following statement with regard to the Cubans:

"The enactment of any such measure as that envisaged in the department's instruction under reference would certainly wound them deeply, and I can readily foresee a campaign of intense anti-Americanism if such a measure is passed. The vast American interests here would certainly suffer to a greater or lesser degree."

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"It is my opinion that, in so far as Uruguay is concerned, it would be seized upon by the ever alert anti-American propagandists in this country and exploited as a deliberately unfriendly act toward Latin Americans."

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A tangible disadvantage to be expected as a result of the ill feeling in the countries of Central and South America against this country occasioned by the imposition of quota restrictions on them would be in the matter of retaliatory measures restricting and limiting the entry of American citizens to their territory. Serious harm to the important American interests in these countries could not but result from such measures, and this Government, having taken the initiative, would not be in a position to make any representations nor could it hope to succeed in any endeavor to limit such restrictions to the scope of those imposed by this country.

In the first place, it is the opinion of the accredited representatives of the United States in the countries concerned as well as representative business men and others in a position to have first-hand knowledge of the situation that the measure contemplated would, if put into effect at this time, seriously injure the relations of the United States with the American countries and that it might even threaten Pan Americanism. Needless to say this phase of the question is of great national importance as far as the foreign policy of the United States is concerned. In the second place, the economic situation of the country is involved since an important part of the foreign investments and trade of the United States are in those countries and would be vitally affected by any disturbance of the good relations now obtaining.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield.

Mr. WALSH of Massachusetts. I want to ask the Senator whether he or any other Senator has in contemplation an amendment striking out the application of any quota provision as to countries other than Mexico?

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Mr. JOHNSON rose.

Mr. WALSH of Massachusetts. I will say to the Senator from California that I inquired of the Senator from Connecticut whether he knew of any amendment in contemplation to strike out the quota provision with reference to any countries other than Mexico.

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Mr. JOHNSON. That has been in my mind, if it can be worked out.

Mr. BINGHAM. I hope very much the Senator can do that, because I believe it will have a very salutary effect on public opinion in South America.

Mr. President, the Senators who are doing me the honor to listen to these remarks have probably seen in the newspapers, during the past three or four years, repeated references to certain agitators in South America. Who pays their expenses, I do not know. There are two or three well-known agitators who have traveled from the Rio Grande to Patagonia and have even made speeches in Porto Rico and in the other islands of the Caribbean Sea. They have made impassioned speeches attempting to arouse the Latin-speaking peoples of those countries against the United States. They have painted us in the blackest colors. They have pictured us as tyrants, as imperialists, who sooner or later would gobble up their countries and put them under tutelage. They have referred to the taking of Porto Rico, to the taking of the Canal Zone, and they have exaggerated a great many things which have occurred, in an effort to build up a spirit of anti-Americanism.

At times their efforts have been successful in making a real difference in those countries. During the European war the two Temperate Zone countries in South America—Argentine and Chile—having the best navies and the best armies in South America, refused to follow us, as did Cuba and Panama and other countries, in joining with the Allies in that war. In fact, it was stated at that time that they gave comfort to our enemies. There was certainly an enormous amount of anti-American feeling apparent in both Argentina and Chile at that time.

Our public men have repeatedly made efforts to overcome that. The present President of the United States did a very unusual thing in taking a part of the time between his election and his inauguration for a trip through all those countries. He was met everywhere with the greatest cordiality. The significance of his trip was appreciated. He was met by the Presidents of those countries. The expressions of opinion which he received and which appeared in the newspapers down there showed that his trip had accomplished a great deal of good in cementing good relations, which lend not only to greater commerce but to a greater influence on the part of the United States in promoting peace.

I have been told on the highest authority that the passage of this bill in its present form would do away entirely with all the good which the President's trip accomplished. Not only that, but it would lead to embarrassment on the part of many Americans now living in those countries, who are subject to their laws, and who could be kept out of employment very easily by a slight change in the laws regarding the employment of engineers and other technical persons, frequently Americans, now employed very advantageously to us in those countries.

It seems to me it would be most unfortunate, the blackest blow which Pan Americanism had ever received, if this measure were passed. There is no doubt that immediately upon its passage the anti-American agitators would say, "There you go. There you see that what we have been saying is correct. The great country to the north of you has no real friendship for you. Although they have tried to prove that what we have said in the past was not correct, this very act of theirs shows we were correct, that they have no real friendship for you, that they do not regard you as real brothers. Although there are practically none of you going into the United States as immigrants, as laborers, they propose to put you on the same quota basis with countries which are ready to send hundreds of thousands of immigrants, who are ready to compete with their labor supply."

In addition to the commercial aspect of this situation, there is an aspect of promoting peace in the Western Hemisphere. Senators will realize that several times during the last 50 years we have been called upon to act as arbiters in boundary disputes. In the boundary dispute between Argentina and Chile President Cleveland was asked to act as the arbiter. In the great boundary dispute, which has lasted for so many years, over the question of Tacna and Arica, between Peru and Chile, President Coolidge was asked to arbitrate, and he appointed General Pershing to go down there and see what could be done in settling that very difficult situation. Thanks to the friendship of both Peru and Chile, and their admiration for the United States, it has been possible to work out that dispute, which had been unsettled for nearly 60 years, and that dispute now is in process of peaceful settlement.

At this very moment there are sitting in the city of Washington representatives of the countries of Paraguay and Bolivia who are engaged in an effort, under our friendly supervision, to try to settle their disputes without recourse to war.

I might multiply instances, but it is not necessary. We all know that the efforts of the United States, particularly in Central America and among some of the South American Republics, have been toward the promotion of peace, chiefly because we have shown a friendly spirit to them.

Mr. President, there is no question whatever in the minds of our diplomatic representatives, there is no question whatever in the opinion of the administration and of the State Department, there is no question whatever in the minds of those who have had commercial and personal and intellectual relations with South America, that the passage of this measure would result in a spirit of unfriendliness being promoted throughout South America to an extent which would interfere with our being selected or accepted as an arbiter in these disputes.

I shall ask that there be placed in the RECORD at this point a number of quotations from President Roosevelt, President Wilson, and Secretary of State Hughes, in regard to the attitude of this country toward Pan Americanism, which have given the countries to the south of us reason to believe that in the past we really desired to be their friends and brothers.

The PRESIDING OFFICER. Is there objection?

There being no objection, the quotations were ordered to be printed in the RECORD, as follows:

[President Roosevelt, on the occasion of the laying of the corner stone of the Bureau of American Republics]

This is a memorable occasion for all the peoples of the Western Hemisphere. The building, the corner stone of which we lay to-day, emphasizes by its existence the growing sense of solidarity of interest and aspiration among all the peoples of the New World. It marks our recognition of the need to knit ever closer together all the Republics of the Western Hemisphere, through the kindly bonds of mutual justice, good will, and sympathetic comprehension.

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In the next place, as President of this Republic, I greet the representatives of all our sister Republics to the south of us. In a sense, you are our elder sisters and we the younger people, for you represent a more ancient civilization on this continent than we do. Your fathers, the Spanish and Portuguese explorers, conquerors, lawgivers, and commonwealth-builders, had founded a flourishing civilization in the Tropics and the South Temperate Zone while all America north of the Rio Grande was still unmapped wilderness. Your people had founded American universities, were building beautiful cities, were laying deep the foundations of future national life at many different points in the vast territory stretching from the Colorado to the Plata before the ships of the Frenchman and the Englishman, the Swede and the Hollander, had found permanent havens on the North Atlantic seacoast. For centuries our several civilizations grew, each in its own way, but each sundered from the others. Now we are growing together.

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His voyage [Secretary of State Elihu Root] was unique in character and in value. It was undertaken only because we citizens of this Republic recognize that our interests are more closely intertwined with the interests of the other peoples of this continent than with those of any other nations. I believe that history will say that though we have had other great Secretaries of State, we have had none greater than Elihu Root; and that though in his office he had done much for the good of his Nation and of mankind, yet that his greatest achievement has been the success which has come as the result of his devoted labor to bring closer together all the Republics of the New World, and to unite them in the effort to work valiantly for our common betterment, for the material and moral welfare of all who dwell in the Western Hemisphere.

[Message of President Wilson to Pan American conference, January 19, 1920]

The great privileges that have been showered upon us, both by reason of our geographical position and because of the high political and social ideals that have determined the national development of every country of the American Continent, carry with them obligations, the fulfillment of which must be regarded as a real privilege of every true American. It is no small achievement that the Americas are to-day able to say to the world, "Here is an important section of the globe which has to-day eliminated the idea of conquest from its national thought and from its international policy." The spirit of mutual helpfulness which animates this conference supplements and strengthens this important achievement of international policy. I rejoice with you that we are privileged to assemble with the sole purpose of ascertaining how we can serve one another, for in so doing we best serve the world.

[Address of President Wilson before Second Pan American Scientific Congress, January 6, 1916]

The drawing together of the Americas, ladies and gentlemen, has long been dreamed of and desired. It is a matter of peculiar gratification, therefore, to see this great thing happen; to see the Americas drawing together, and not drawing together upon any insubstantial foundation of mere sentiment.

After all, even friendship must be based upon a perception of common sympathies, of common interests, of common ideals, and of common purposes.

Men can not be friends unless they intend the same things, and the Americas have more and more realized that in all essential particulars they intend the same thing with regard to their thought and their life and their activities.

[Charles E. Hughes's radio adress January 20, 1925]

This Pan American cooperation rests upon the conviction that there are primary and mutual interests which are peculiar to the Republics of this hemisphere, and that these can best be conserved by taking counsel together and by devising appropriate means of collaboration. This implies no antagonism to any other people or part of the world, no menace to the prosperity of others, but in itself constitutes a most important contribution to world peace. Some of our people may think of Pan American endenvor as of especial concern to the interests of the Latin American Republics rather than to our own. But this is a serious mistake. We have the inescapable relations created by propinquity. We have the privileges and obligations of neighborhood; our activities are destined to be more and more interlaced; resistless economic forces draw us together. What could be more shortsighted than to ignore our mutual interests?

[From Our Relations to the Nations of the Western Hemisphere, by Charles E. Hughes]

There can be no doubt that there are Pan American interests and that there is a Pan American sentiment which demands the special cooperation of the American States. Those who deride it find fault with the small measure of achievement. Unless they are able to see solidarity effected by political union, they are disposed to minimize the advantages of such cooperation as is possible.

Mr. BINGHAM. In such phrases, in the recent decades, has Pan Americanism been preached by our leading statesmen.

Mr. President, all these quotations have given expression to the belief that these neighbors of ours were not to be regarded in the same light as our friends across the water in Europe, that we were desirous of treating them differently.

It has been extremely difficult for our Secretaries of State and our Presidents to overcome the natural sympathy of the Spanish-speaking countries for Spain and France, the natural sympathy against English-speaking countries. They have worked for years. Our statesmen, like Root and Hughes and Bacon, and our present President, by visits to those countries, have endeavored to sow the seeds of friendship in the Western Hemisphere. The seeds have sprouted and are bearing fruit. Our trade with South America at the present time is larger than that of any other country.

American goods are regarded as desirable, American intervention in times of trouble is regarded as desirable, because the leaders in those countries believe we have an unusual friend-

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This is a memorable occasion for all the peoples of the Western Hemisphere. The building, the corner stone of which we lay to-day, emphasizes by its existence the growing sense of solidarity of interest and aspiration among all the peoples of the New World. It marks our recognition of the need to knit ever closer together all the Republics of the Western Hemisphere, through the kindly bonds of mutual justice, good will, and sympathetic comprehension.

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In the next place, as President of this Republic, I greet the representatives of all our sister Republics to the south of us. In a sense, you are our elder sisters and we the younger people, for you represent a more ancient civilization on this continent than we do. Your fathers, the Spanish and Portuguese explorers, conquerors, lawgivers, and commonwealth-builders, had founded a flourishing civilization in the Tropics and the South Temperate Zone while all America north of the Rio Grande was still unmapped wilderness. Your people had founded American universities, were building beautiful cities, were laying deep the foundations of future national life at many different points in the vast territory stretching from the Colorado to the Plata before the ships of the Frenchman and the Englishman, the Swede and the Hollander, had found permanent havens on the North Atlantic seacoast. For centuries our several civilisations grew, each in its own way, but each sundered from the others. Now we are growing together.

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His voyage [Secretary of State Elihu Root] was unique in character and in value. It was undertaken only because we citizens of this Republic recognize that our interests are more closely intertwined with the interests of the other peoples of this continent than with those of any other nations. I believe that history will say that though we have had other great Secretaries of State, we have had none greater than Elihu Root; and that though in his office he had done much for the good of his Nation and of mankind, yet that his greatest achievement has been the success which has come as the result of his devoted labor to bring closer together all the Republics of the New World, and to unite them in the effort to work valiantly for our common betterment, for the material and moral welfare of all who dwell in the Western Hemisphere.

[Message of President Wilson to Pan American conference, January 19, 1920]

The great privileges that have been showered upon us, both by reason of our geographical position and because of the high political and social ideals that have determined the national development of every country of the American Continent, carry with them obligations, the fulfillment of which must be regarded as a real privilege of every true American. It is no small achievement that the Americas are to-day able to say to the world, "Here is an important section of the globe which has to-day eliminated the idea of conquest from its national thought and from its international policy." The spirit of mutual helpfulness which animates this conference supplements and strengthens this important achievement of international policy. I rejoice with you that we are privileged to assemble with the sole purpose of ascertaining how we can serve one another, for in so doing we best serve the world.

[Address of President Wilson before Second Pan American Scientific Congress, January 6, 1916]

The drawing together of the Americas, ladies and gentlemen, has long been dreamed of and desired. It is a matter of peculiar gratification, therefore, to see this great thing happen; to see the Americas drawing together, and not drawing together upon any insubstantial foundation of mere sentiment.

After all, even friendship must be based upon a perception of common sympathies, of common interests, of common ideals, and of common purposes.

Men can not be friends unless they intend the same things, and the Americas have more and more realized that in all essential particulars they intend the same thing with regard to their thought and their life and their activities.

[Charles E. Hughes's radio adress January 20, 1925]

This Pan American cooperation rests upon the conviction that there are primary and mutual interests which are peculiar to the Republics of this hemisphere, and that these can best be conserved by taking counsel together and by devising appropriate means of collaboration. This implies no antagonism to any other people or part of the world, no menace to the prosperity of others, but in itself constitutes a most important contribution to world peace. Some of our people may think of Pan American endeavor as of especial concern to the interests of the Latin American Republics rather than to our own. But this is a serious mistake. We have the inescapable relations created by propinquity. We have the privileges and obligations of neighborhood; our activities are destined to be more and more interlaced; resistless economic forces draw us together. What could be more shortsighted than to ignore our mutual interests?

[From Our Relations to the Nations of the Western Hemisphere, by Charles E. Hughes]

There can be no doubt that there are Pan American interests and that there is a Pan American sentiment which demands the special cooperation of the American States. Those who deride it find fault with the small measure of achievement. Unless they are able to see solidarity effected by political union, they are disposed to minimize the advantages of such cooperation as is possible.

Mr. BINGHAM. In such phrases, in the recent decades, has Pan Americanism been preached by our leading statesmen.

Mr. President, all these quotations have given expression to the belief that these neighbors of ours were not to be regarded in the same light as our friends across the water in Europe, that we were desirous of treating them differently.

It has been extremely difficult for our Secretaries of State and our Presidents to overcome the natural sympathy of the Spanish-speaking countries for Spain and France, the natural sympathy against English-speaking countries. They have worked for years. Our statesmen, like Root and Hughes and Bacon, and our present President, by visits to those countries, have endeavored to sow the seeds of friendship in the Western Hemisphere. The seeds have sprouted and are bearing fruit. Our trade with South America at the present time is larger than that of any other country.

American goods are regarded as desirable, American intervention in times of trouble is regarded as desirable, because the leaders in those countries believe we have an unusual friend-

ship for them and a desire to establish friendly relations with all the countries of the Western Hemisphere. But the passage of this measure would strike the death blow to such hopes, for it would give to our enemies in those countries—and those countries are full of enemies of the United States—a real, practical argument to show that we of the United States no longer regard them as friends and brothers.

Mr. President, we know that that is not so. We know that there is just as friendly regard for South America and the South and Central American countries in the United States as there always has been. We know that the trouble is that there have been too many immigrants representing cheap labor coming in from Mexico, and they have competed in some of the States with American labor. We know that there is no sentiment against the immigrants from the other 18 countries. We know that in the United States we have just as friendly feeling toward them as we have always had and just as much respect for their people and for their institutions and their glorious history.

Friends of Latin America throughout the United States have long respected the lives of Bolivar, and of San Martin, who helped in the liberation of Argentina, Chile, and Peru; and the great Chilean patriot, O'Higgins; and the Colombian patriot, Santander; and the Ecuadorian patriot, Sucre, whose centenary is soon to be celebrated. We have respected their struggles for independence. We have respected their history. We have admired their institutions and we still do so. We admire their courage, their courtesy, their splendid heritage.

I desire to appeal to those within the sound of my voice, who have not already committed themselves in this regard, not to vote for a measure which in effect will say to 18 of those countries: "Although you have never sent us any immigrants to compete with our labor, we no longer desire to give you a favored status, but wish to regard you on the same basis as the nations across the Atlantic Ocean, and no longer as nations under the ægis of Pan Americanism, citizens of our sister Republics to the south."

I hope some way may be found, as suggested by the Senator from California or the Senator from Michigan or the Senator from Massachusetts, to avoid this serious blow to our friendly relations with these countries, to that fraternal spirit which we have endeavored for the past century to build up. I hope some way may be found which will satisfy those of us who desire to protect American labor, to protect American blood in this country, without offering anything which may be regarded in the 18 Republics to the south of Mexico as an affront to their civilization or to the spirit and history of their people. We still have the kindliest feelings for them. We still believe in Pan Americanism.

The PRESIDING OFFICER (Mr. HOWELL in the chair). The clerk will read the editorial sent to the desk by the Senator from Massachusetts.

The legislative clerk read as follows:

[From the Boston Post, April 10, 1930]

A CANADIAN QUOTA?

With all due respect to Henry E. Hull, Commissioner General of Immigration, who is a very conscientious and efficient public official, we do not see that he makes out a good case when he says that there should be a quota on Canadians coming into this country to live; or that there should be any system of "selective immigration," either, for that matter.

No one doubts that, as the commissioner says, the United States should have and has the right to restrict the number of immigrants that comes in here; that it has the right to put up the bars against Canada or any and all countries that it chooses. Any nation has the right to judge of the amount or the fitness of immigration just as it pleases. But there are sometimes cases where the right of a government is not the whole test of the fitness of its action. We believe that is the case with this attempt to limit the Canadians who come to the United States by means of a quota or any other restrictive measures.

Our Canadian citizens are among the best we have. They have the same language—or, in the case of French-Canadians, soon acquire it. They are united to us by similarities of government, of judicial methods, and by a hundred kindred ideas and customs. Will it, in the long run, pay to antagonize them, as it surely would to bar their free entrance into the country?

Mr. WALSH of Massachusetts. Mr. President, I desire to add that the editorial just read represents my sentiments in the matter of our immigration quota from Canada.

Mr. JONES. Mr. President——

Mr. HEFLIN. Mr. President, I had intended to reply to the Senator from Connecticut [Mr. BINGHAM]. Does the Senator from Washington want to proceed at this time with the appropriation bill of which he has charge?

Mr. JONES. Yes. I do not think it will take very long.

Mr. HEFLIN. All right.

INTERNATIONAL AFFAIRS—ADDRESS BY OWEN D. YOUNG

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Mr. Owen D. Young at the University of Southern California as contained in the New York Times of March 25, 1930.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York Times March 25, 1930]

Mr. President, ladies and gentlemen of the University of California, if one were to speak on international affairs, it would be fitting to do so at one or the other of those great ports which are our most sensitive contacts with the outside world. Through New York and San Francisco, inward and outward, flow in substantial part the great movement of men and things which constitute international transportation; of voices and records which make up international communication; of finance, that essential mechanism through which all these interchanges are made possible.

It is true that Washington, as the political focus of the Nation, makes our political contacts abroad, but they are relatively superficial and inconsequential compared with these sensitive forces of quick and constant action which represent our participation in the economic activities of the world. So, after the completion of the Dawes plan, I spoke of my experiences abroad, first in New York. Now, after the completion of the new plan, I consider it a privilege to say my first word at the great port of entry of the West. It is perhaps not inappropriate that it be said as a part of the celebration of this significant anniversary in the life of the University of California.

On the 11th day of November, 1918, the military forces engaged in the Great War suspended operations. For more than four years they had been our masters. They commanded our thoughts and our ambitions; they held as hostages our property and our lives; Politics had retired to second place; Economics had temporarily been forgotten.

POLITICS COMES TO THE FORE

After the military had suspended its act in the tragic drama, Politics and Economics again came on the stage. Politics, as she advanced to the footlights, had never seemed so charming. She received the applause of all the world. How delightful it was to get rid of that old witch of war who destroyed our wealth and our peace of mind, who murdered our sons, and who disarranged all the notions of our daughters! Is it any wonder that Politics commanded our admiration?

What high hopes we had of her! True, there was on the stage also a very modest being, ragged in clothing, bewildered in her senses, known as Economics. No one paid much attention to her in comparison with their lovely idol. Truly, Politics was mistress of the world. And with that setting, the play went on.

Politics, conscious of her power and with impatient hand, wrote a treaty while all the world was lost in admiration of her daring. In those days a part of her charm lay in her many moods. One day she spoke through Woodrow Wilson, and the audience sat breathless, moved by the high idealism of a great man and the rich expression of a master. Another day, by contrast, she was hard and cynical, and what the world calls practical, as she spoke through Clemenceau. And still another time she had the delightful abandon and irresponsibility of a mischievous mistress as she was impersonated by Lord George. And she had courage, too, because she swept away age-old boundaries and made new ones.

True, occasionally was heard the weak voice of Economics modestly protesting here and there, occasionally even offering advice, only to be silenced by the imperious gesture of the leading lady. And one day she decided what Germany was to pay by way of reparations, the sum of 132,000,000,000 marks, or one-quarter as many dollars. Then it was indeed time for Economics to speak, and she did, in protest. But she was quickly silenced by the great party in the palace of Versailles, the scene of so many grand affairs. Had not Politics always been mistress of Versailles? Had not Economics adways been a scullery maid? Why break the precedent now? Why listen to her in these great councils—and they didn't. And then—

"The tumult and the shouting dies,
The captains and the kings depart."

TAKES ECONOMICS ON TOUR

Permit me to carry the figure one step farther. Politics now goes on tour, always taking her bedraggled associate with her, because even Politics knows that Economics must do the work. Politics in France says, and properly and sympathetically so:

"Your houses and lands have been destroyed, rebuild them, and do it handsomely—others will pay the costs." That was the program which Politics could start but which Politics could not stop. So the building went extravagantly on, and a few years later, when Germany failed to pay the cost and consequently there overhung France this addition to her vast interior debt, Politics said:

"We will make Germany pay. We will move our armies into the Ruhr and compel by force the production of coal and manufactured goods for reparation account."



But it turned out that the sword was a poor instrument with which to get economic results. Politics could put a French army in the Ruhr, but Politics could not take it out.

Politics in England said "If there be people out of work, or even people who do not want to work, give them a dole from the public treasury."

How generous she was. But there was a program which Politics could start but which Politics could not stop.

Politics in Germany said to Economics: "You seem depressed this morning with the great work you have to do. Let me give you a cocktail. I do not intend to get you intoxicated. Take a little stimulant, and after you are started, we will cut it out."

So Politics gave to Economics inflation. That was something which Politics could start but which Politics could not stop. As a result the currency of Germany was destroyed and her people were plunged into the depths of want and despair. Yes; it is easy for Politics, with her appeal to the emotions and her ingratiating manner, to start things in the field of economics which she can not stop.

ECONOMICS GETS A HEARING

And so it happened in the autumn of 1923. Then for the first time Economics got a hearing. The world began to doubt whether Politics, with all her charm, was safe and sound. Losing the applause of her audience, and with that something of her confidence, wringing her hands in despair, Politics finally called to Economics and said, "If I give you the opportunity, will you try to save the show?"

The Dawes committee convened in Paris on the 14th day of January, 1924. Its task was to provide a plan for the balancing of the German budget and for the stabilization of the German currency. It was not permitted to revise the amount of 132,000,000,000 marks which Politics had fixed for Germany to pay. So the Dawes committee did the very simple thing of fixing the annual installments which Germany should pay on account of reparations. These being fixed, the budget could be balanced and the currency stabilized. The Dawes committee did not specify the number of years which the installments were to run. No one ever computed the years, because it was apparent to the world from the size of the installments that the earlier reparation figures had been in fact if not in law abandoned.

The Dawes committee brought out its plan on the 9th day of April, 1924. It was made effective on August 16, 1924, at the conference of London by a treaty signed by the nations which were the beneficiaries of German reparations. By it a new central bank was established for Germany and a new currency was created with an adequate gold supply.

And to give you an idea of the results of the inflationary intoxication let me say that one mark of the new currency was exchangeable for a billion marks of the old currency, and I mean the continental billion, not ours; that is to say, a million million old marks for one new mark.

WORLD LEARNS FIRST BIG LESSON

And so Economics took the stage in Germany on the 1st day of September, 1924. A few days later the French armies began to move out of the Ruhr back home. The Germans began to work their mines and factories. The world learned its first great lesson—that economics does not function under political threats or military coercion. It performs obligations which are reasonably fair. It recognizes in the long run only self-interest and honor.

In a word, the world learned that coal and steel for reparations would come at the point of a pen on a check book, and would not come at the point of the bayonet in the hands of the soldier. Certainly it was demonstrated that in this field the pen is mightier than the sword.

You all know the story of Germany's economic recovery under the Dawes plan. She paid to her creditors during those five years the full amount set out in the plan, namely, 7,600,000,000 marks, which is the equivalent of $1,917,000,000. Nevertheless the Dawes plan was a receivership plan for Germany. It was not a plan of permanent reorganization. Under it S. Parker Gilbert, a brilliant young American, was the receiver, and let me take this opportunity of saying that the success of the Dawes plan was largely made possible by his wise and efficient administration of the receivership. May I step aside long enough to call the attention of the students of California to the fact that Parker Gilbert was made agent general for reparations payments at the age of 32? He was graduated from Rutgers College in the class of 1912 and from the Harvard law school in the class of 1915. I speak of it here only because I want you to know that great opportunities and great responsibilities lie before you, not somewhere in the distant future, but almost here and now.

As I have said, the Dawes plan was an interval receivership plan—it did not even fix the total amount of the debt, although all the world knew that the original sum fixed by politics was quite impossible. Then, too, one could not expect a great nation of 60,000,000 people to function permanently in the hands of a receiver, and so at Geneva on October 20, 1928, Economics was again called by Politics, in the form of an experts committee, to make proposals for a complete and final settlement of the reparation problem. That committee met on February 11, 1929, in Paris, and on June 7 signed and transmitted its report of final settlement. That report is popularly known as the Young plan.

SPIRIT IN WHICH PLAN WAS MADE

May I say in passing that this habit of adopting the name of the chairman as the name of the committee began when the first experts committee was christened the Dawes committee. General Dawes was not keen about that change of name, but he said, you will remember, that somebody had to take the garbage and the garlands. It was in that same spirit that the Young committee and the Young plan were so named—and you may be sure that the chairman will receive more than his fair share of social prestige at the front door and a proportionate amount from the can at the back door, depending wholly on whether the affair is an afternoon tea or the "morning after" clean-up.

By the Young plan, the annual installment of the Dawes plan of 2,500,000,000 reichsmarks, plus a variable resulting from an index of prosperity, was reduced to an average for the first 37 years of 2,050,000,000 gold marks, that is to say, a reduction of 20 per cent or more. The annuities begin at 1,707,900,000 marks and advance slowly toward a maximum of 2,428,800,000 marks. After the first 37 years, the German installments gradually diminish from approximately 1,600,000,000 gold marks in 1966 to 897,800,000 in 1988.

Under the plan, the receivership of Germany is withdrawn. The mortgage of $2,500,000,000 on the German railway system, created by the Dawes plan, is discharged. The general mortgage on German industry of over $1,000,000,000 is also lifted. Germany is given a specific task to perform. Foreign armies provided by the political treaty are withdrawn. The Reparations Commission is wound up.

GERMAN HONOR ALONE AT STAKE

Care was taken in the plan to avoid the term "reparations." And so at last, 10 years after the armistice, under the new plan as drawn in Paris, Germany is free. She has a debt to pay, but that is all. Her honor, not her freedom, is at stake.

May I say a word about the problems and difficulties in Paris? I have told you that the Dawes payments were reduced something like 20 per cent and the total number of years which Germany should pay was also fixed. These installments, computed at their present value, represented a charge on Germany of something like $9,000,000,000, or 36,000,000,000 marks. Politics, you will remember, fixed Germany's obligations at 132,000,000,000 marks, or $33,000,000,000. In a word, our kitchen-maid, Economics, was compelled to cut the menu of her leading lady by more than 70 per cent to make it fit the prospects of the larder.

POLITICS REAPPEARS AT HAGUE

At The Hague Politics again appeared, and while protesting that she did not wish to put larger burdens on Germany, did increase somewhat—sufficiently for political purposes, I dare say—the burdens of the Paris plan; and most of those burdens do, in fact, ultimately fall on Germany. Then, too, at the Second Hague Conference, Politics again made an effort to substitute military sanctions for Germany's nonperformance, and in a most attenuated form such sanctions were provided.

Economics does not like military sanctions. Doctor Schacht protested, and has recently resigned the presidency of the Reichsbank because he was unwilling to assume responsibility for the execution of a plan which carried burdens additional to those imposed at Paris, and which had any color of military sanctions. Doctor Schacht has been accused in taking this action of having domestic political ambitions. It is fair to him to say that his protest arose, not because there was politics in Doctor Schacht, but because politics had again crept into the plan.

However, I have no fear of the slight political tinge which the plan took on at The Hague. Certainly this settlement was better than none. It would have been a great catastrophe for Germany and all the world had the plan agreed upon at Paris by the representatives of all the countries, including Germany, failed in the hands of politics at The Hague. We are all to be congratulated that it did not do so, and perhaps, most of all, the Government of the United States.

AMERICA TO GET MORE THAN 60 PER CENT

I speak of my own country, because more than 60 per cent of the total sum to be paid by Germany must find its way to the United States in payment to us of the so-called international debts. You see that was one of our serious problems at Paris. Roughly, one-half of the Dawes payments were needed by the creditors of Germany to pay their debts to the United States. That obligation was fixed. So the entire reduction by the creditor countries in the Dawes payments, so far as their respective budgets were concerned, had to be made out of one-half of the payments; that is, every 5 per cent reduction to Germany in the Dawes plan payments meant a 10 per cent reduction in the net budget benefits of the creditor countries.

Now, a 20 per cent reduction in the Dawes plan payments looked small to Germany, but a resulting 40 per cent reduction in net budget benefits to the creditor countries looked very large to them. That was one serious problem at Paris.

Another was that the Dawes plan payments were distributed under what was known as the Spa percentages. Now, as the reduction in the German payments took place, some of the countries, notably Italy, under those percentages, would not have received enough to pay their indebtedness to the United States, while others would have a considerable surplus. Therefore, in order to secure a settlement at all, it was necessary at Paris to remake these percentages.

We not only had to set the total amount which Germany should pay but we had to redistribute that diminished amount among the creditor countries so that all would be satisfied. The problem of fixing Germany's total amount was not as difficult as the redistribution among the creditors. The German problem was largely an economic one. The redistribution problem was largely a political one.

So, unfortunately, from my point of view, the Young committee in Paris had to deal with these combined problems of economics and politics. If I show some dislike for Politics to-day, it results largely from my experience with her in Paris. Charming as she may be at times on the stage, she is often petulent and petty, and always selfish in the dressing rooms, and, habitually, she puts a low estimate on the intelligence of her audience.

BEST THAT COULD BE DONE

However, as I say, a settlement was made in Paris. It was the best settlement that could be made. Strictly speaking, it was neither an economic settlement nor a political one. It was a compromise between the two.

The compromise was difficult. Both Politics and Economics in all countries had been waiting for this day of final settlement to even up some of their old scores. Things which had been said and actions which had been taken, things which had been left unsaid and actions which had been withheld, were now to be brought on the stage for the last time.

So in a sense our committee at Paris was compelled to review and reargue and, so far as possible, adjust all of the conflicts involving reparations and their redistribution and everything collateral thereto which had arisen during the preceding 10-year period. Questions of parity and ratios, which are so important to guns and ships, were not by any means absent in dealing with a limitation program expressed in currency.

Perhaps you will pardon me if I stop here long enough to pay a slight tribute to my associates in Paris. They were men of competence and independence in thought and action. Economic theorists could not dominate them. They had the highest regard for the specialized expert, but they also had experience in making practical application of expert theories. Financial or business interests could not coerce them. They had the greatest respect for men of business, but they were not blind to the large social and political factors also involved. Politics could not control them, because they held no public offices and were not responsible to political constituencies.

FRIENDSHIP A FACTOR OF SUCCESS

From such a group only could a settlement come. That does not mean that it could come from these individuals only, but it does mean that individuals, to be successful, must have the qualifications which I have indicated. Then, too, the members of this committee had the good fortune of intimate personal acquaintance. Most of them had been friends for many years. This was a contributing factor to success.

I wish I might take the time to speak of each member of the committee individually and give you some idea of the value of his contribution, particularly as to my American associates. It must suffice here for me to say that no man ever had more competent and loyal associates than I had in J. P. Morgan, Thomas W. Lamont, and Thomas Nelson Perkins. The respect in which they held each other and in which they were held by their European associates had a very great influence on our work.

Whether the burden placed on Germany is too great, only time will tell. It is true that the countries participating in the Paris plan have added all of their indebtedness to the United States together, and added approximately 50 per cent to it, in fixing the sum which Germany is to pay. Each of those countries, you will remember, had protested against the burden of their indebtedness to the United States even under the favorable debt settlements made.

Yet they have paid Germany the compliment of assuming that she can bear the burden of them all, together with a substantial premium.

But I have great confidence in Germany's capacity to pay. True, she has not a large supply of what the world calls basic raw material. She has, in large measure, however, a supply of that kind of raw material too little taken into account in the world's affairs, namely, a capacity for scientific research, and the ability to apply it and organize it in production. It is not unlikely that in the years to come this particular kind of raw material with which Germany is well endowed may be the reservoir out of which these vast sums will be produced and paid.

If Germany does make the payments out of such a reservoir, the rest of the world must be careful to avoid the enervating effects resulting from the receipt of such payments. We should all remember that the discipline of hard work and of heavy responsibility is likely to do much for a people as well as for an individual. Let no man be sure, let no nation be sure, merely because he is a creditor of some one else's labor, that therefore he is strong and will always remain so.

THE INTERNATIONAL BANK

The most striking feature of the new plan is the Bank for International Settlements. That institution is unlike anything which has existed in the world before. It was not created merely for the sport of inflaming the imagination of men, or even for the laudable purpose of providing a new subject for the debaters of the world. Like all inventions and new creations, it arose out of the mind of man to meet a new need.

Obligations, as I have said, are to be delivered by Germany of approximately $9,000,000,000, payable over a period of nearly 60 years, in fixed annual installments. As these obligations mature, vast sums must be paid over frontiers and translated into the currencies of other countries. Who should hold these obligations and control these transfers?

Should they be put in the hands of political treasuries of more than a dozen nations, where, in case of slight difficulties, they might become the football of domestic or international politics? Even more dangerous would it be to have them become the trading medium in all kinds of international negotiations.

Should they be left where Germany, if she chose, might default in the payments to one power and continue those to another?

Should they be left where these transfers in political hands might become a menace to the normal economic exchanges of the world?

No; it was quite apparent in the interest of all, creditor and debtor alike, that these obligations of Germany should be held and the payments managed by a single organization for the account and benefit of all. Any default by Germany must be a common default for all creditors. Any moratorium must be a common moratorium. Therefore it seemed to our committee necessary to mobilize the German obligations in single hands.

STATUS OF THE INSTITUTION

For that purpose the Bank for International Settlements was created. Any difficulties in German payments must be between Germany and the bank. The bank should be, as far as possible, insulated from politics, both domestic and international, and be free from government domination and control. To accomplish this the charter and by-laws of the bank were established by international treaty and evidenced by a protocol signed at The Hague on January 20 of this year. Corporate entity is to come into existence by an act of the Legislature of Switzerland, where the bank is to be located, Switzerland being a party to the treaty.

The capital of the bank is to be $100,000,000 and its stock is to be sold to private persons in the principal countries of the world. Its directorate is to consist principally of the governors of the central banks of Europe or their nominees, America having declined to participate.

The earning power of the bank is to come from small commissions on reparation payments, and certain deposits from governmental treasuries provided in the plan. The bank has power to accept deposits from or to make deposits in central banks of countries on a gold-exchange basis. Thus the endeavor has been made in the interest of the world to eliminate politics from the control of reparation payments, and from the machinery which will handle them. The bank is to be truly the insulator between the political treasuries of the creditor powers and their debtor, Germany.

THINGS THE BANK CAN NOT DO

The bank is in no sense a superbank. It can not operate in any country in which the central bank of that country objects. It can not issue demand notes in any form, and therefore there is no danger of an international currency.

It may be used as a clearing house by central banks to the extent which they may elect to do so. This lies in the future. But there is no question in my mind that some such development will come about if the diminishing supply of gold in the world threatens a general deflation in the price level. The proper handling of price stability is one of the most important matters facing the capitalistic system to-day. In it will be found the roots of those maladjustments which result in the unequal and unfair distribution of wealth, in unemployment, and other serious problems.

The international bank may turn out to be an essential and useful piece of machinery for an economic world which of necessity is becoming more and more closely integrated. Politics becomes dangerous on a stage so small unless economics function well. Fortunately the bank has the power of growth, but it will grow only as our needs compel it. It will grow only as the central banks of the world wish to use it. In a word, it is the servant of all and the master of none.

WILL STAY INDEPENDENT OF LEAGUE

The question has been raised whether the League of Nations and the Bank for International Settlements might not unite their forces. The league represents international political cooperation, and the bank international financial cooperation. Well, if that means that the bank will come under the domination of the league, and so there will be added to the political forces of the league the financial resources of the bank,

I think we may dismiss once and for all our fears if we are opposed to the league, or our hopes if we are its proponents.

Nothing is clearer, from the experience of the last 10 years, than the necessity of keeping our economic machinery, and especially our finance, free from the domination and control of politics. That seems to me one great lesson which we have learned. I do not mean that the struggle of politics to control economics is ended. It is going on in every country, and will continue to do so.

But what about the relationship of economics to politics in international cooperation? Well, my answer is this: Economic integration of the world is a necessary prerequisite to effective political cooperation in the world. America, as the greatest creditor Nation, is more interested than any other in economic integration. It is inevitable that from an economic point of view she take an interest in and be concerned in the material problems and affairs of every country on the globe.

OUR ISOLATION SEEN AS IMPOSSIBLE

Isolation to America, either economic or political, is impossible. The material development of countries will necessarily be to us a matter of great concern, both from an idealistic and practical point of view. If all peoples everywhere could be lifted in productive capacity and consuming power to a point equal to our own, envy and hatred would be alleviated; capital would be better employed; markets would be enlarged; unemployment would diminish, and a much more peaceful world would be insured.

Let no man think that the living standards of America can be permanently maintained at a measurably higher level than those of the other civilized countries. Either we shall lift theirs to ours or they will drag ours down to theirs. Tariffs and other petty political barriers, temporarily justifiable, will, in the long run, only accentuate the trouble.

Our experience at home during the last generation should teach us that segregation into different groups for the selfish purpose of benefiting one at the expense of the other is a failure. It was not so many years ago that our industrial leaders in the United States thought that a low wage scale was necessary to enable capital to earn a profit. Now, we have learned that a high wage scale may be consistent not only with low production costs but also with the greatest security to and return on capital investment.

In a word, we are learning in America that the highest welfare of all rather than of any class is a wise objective, even for the group previously privileged. How long will it take us to learn that fact in a world so small that Commander Byrd talks from New Zealand on Wednesday at noon in the fall of the year with Adolph S. Ochs in Schenectady, on Tuesday at 7.30 a. m. in the spring of the year—and that conversation can be heard by practically everybody in the world at varying times and seasons.

MUST PASS POLITICAL FRONTIERS

It is too late, in our own interest, to think in terms of selfish isolation. To secure the advantages of economic equilibrium we must go beyond political frontiers. We may sign great declarations of peace, but we shall concurrently find, if we follow a narrow economic policy, an increasing resistance in countries less well off than ourselves to that disarmament, which is the insurance of the peace we seek. Politics in America may start a program which Politics can not stop.

After all, we must remember that Politics and Economics are not the masters of men—they are their servants. The managers of both too often think and sometimes act as if human beings were merely the fodder of political and economic mills. Merely because I have spoken of economics and politics I would not wish you to think that I consider them in any sense ends in themselves. Back of them stand myriads of human faces, some young, some old, some prosperous, some needy, some charitable, some selfish, some generous, some envious, but all vitally affected not only in their material but in their cultural and spiritual development by these organizations, political and economic, which they have imposed upon themselves.

So long as such organizations render an uplifting service, just so long can we go forward in reaping the advantages which civilization has brought. But those faces in these days of a closely compact world can no longer be segregated into compartments, one of which shall be prosperous and the others not; one of which shall go forward and the others back. Those faces must all move together for good or ill. So Politics and Economics, their servants, must move together, too, not in one country alone but everywhere. That way only can the benefits of civilization be enlarged—that way only can peace come.

AMERICA TOO RICH TO BE LOVED

And one word more. America is too rich to be loved. She is well enough off to be envied. The attitude of the world toward her will be largely influenced by her spirit.

If it be one of selfishness in isolation, she will have failed in her great responsibilities. If it be one of boastfulness in her success, she will have misused the things which God has given her.

I pray for sober and sensible responsibility, a spirit of gratitude for the things we have, a spirit of friendliness and helpfulness and cooperation for all, a spirit of restraint in the use of any power which has been intrusted to us, and, most of all, restraint in speech.

"If drunk with sight of power we loose
Wild tongues that have not Thee in awe,
* * * * *
For frantic boast and foolish word
Thy mercy on Thy people, Lord."

CAMPAIGN EXPENDITURES—ADDRESS BY SENATOR WHEELER

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an address by the junior Senator from Montana [Mr. WHEELER] delivered in the National Radio Forum over the Columbia Broadcasting System on the subject of Campaign Expenditures.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Ladies and gentlemen of the radio audience, I have been requested to speak to you to-night upon the subject of "Campaign Expenditures" and in view of the approaching election I feel it quite appropriate.

In the now famous case of Truman H. Newberry, the friends of Mr. Newberry offered a resolution, which passed the Senate of the United States, stating, "that Newberry be declared a duly elected Senator from the State of Michigan for the term of six years" and it also declared that "the expenditure of such excessive sums in behalf of a candidate, either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved." Having first seated Mr. Newberry, the Senate of the United States then declared that the acts which he had committed or permitted to be committed were harmful to the honor and dignity of the Senate and dangerous to the perpetuity of free government. It was as if the judge of a court should say to the defendant, "I find you guilty but permit you to go free to ply your trade as before."

In the short space of time allotted to me this evening, it will be impossible for me to discuss all of the phases of campaign contributions, but at the outset I want to say that I am not so much interested in the amount of money that is raised as I am in the sources from which it is collected and the method by which it is expended. It seems to me that it must be apparent to any thinking man that it is next to impossible to spend legitimately the huge sums of money which have been recently spent in some of the senatorial campaigns, and, of course, the evidence before the committees of Congress showed that the inevitable did happen, and that the money was used for the purpose of corralling the illiterate voters of some of the big cities and in employing thousands of workers on election day, which was merely a subterfuge for buying votes.

Bribery and corruption in elections are not new in the history of the peoples of the world, but it has had a far-reaching effect upon most civilizations, whether it was in Rome, England, or some other country. In order that those who scoff and seek to ridicule some of us who are insisting upon the purity of the ballot box, let me briefly recall how the crime of bribery in elections was looked upon and what effect it had in some of the other countries. Let us for a brief moment see what took place in Rome.

Bribery in elections was one of the first symptoms of the decay of the great Roman Empire. Patriotic statesmen of that time clearly saw that it would end the liberties of the Roman people and the people instinctively felt that they must throttle this evil if they were to continue to exist as a free people. As early as 180 B. C. Lex Cornelia punished bribery of voters with exile, but severe as this penalty was, the abuses continued and increased. Heavy fines were added and citizens were deprived from holding office, but in spite of what was supposed to be the strong Roman character, financiers and politicians of that day trampled it beneath their reckless and sordid feet and were able to prevent the execution of the laws because of the growing indifference of the Roman people themselves. "Sufficient unto the day are the benefits thereof," became the unspoken rule which guided the great body of that once mighty people. The Roman citizen had become debauched, so far that he was ready to cast his suffrage for anybody who would do him any favor or even entertain him. Bribery in all its forms, gross and subtle, had utterly corrupted Roman character. The financiers and politicians understood this well and laughed at the corrupt practice act because they knew they could disregard it.

Is there no parallel between this absence of Roman civic virtue and the low ideals of the politicians and voters in some of our large cities to-day? Listen to Mr. Mackey, mayor of Philadelphia, when he testified before a committee of the Senate:

"Senator KING. But they vote the Republican ticket?

"Mr. MACKEY. Absolutely [laughter] because the leader is Republican. When they move from one ward to another and you ask them what ticket they voted in the last division, they will say, 'Eddie Green.' He happens to be the leader in one division. That is the way they are loyal.

"Senator KING. What proportion of voters in Philadelphia reside in the wards you just referred to?

"Mr. MACKEY. About one-third.

"Senator KING. Then one-third of the voters in Philadelphia have no knowledge of American institutions, but just follow their leader?"

Now let us for a brief moment turn to England. By the English common law, bribery was treated as treason, especially in the case of judges. Lord Chief Justice Thorp was beheaded for accepting bribes. The Earl of Middlesex was fined £50,000, one quarter of a million dollars.

We all recall the terrible fate imposed upon one of the greatest intellects in Great Britain—Lord Bacon—that mighty man in law and philosophy.

Bribery in elections as well as of public officials went hand-in-hand in England and began to be scandalously noticed under the Stuarts. It grew until its highest reign of corruption came under George III, from whom our forefathers successfully rebelled.

If we accept the philosophy of the defenders of huge campaign contributions, we never should have rebelled against George III. That monarch was a superb practical politician. He would be greatly admired by a certain class of American politicians were he living to-day. Indeed, George III would compare favorably with our so-called ablest party managers. He used offices to influence votes in Parliament. He distributed cash in order to secure election of members of Parliament; he resorted to every device of political manipulation so much admired in the United States by some of our financiers and so-called stand-pat politicians. He was highly skilled in the technique of influence, thoroughly practiced in the art of practical politics. He would have been one of the first to join with the Senator from New Hampshire in denouncing the progressive Democrats and Republicans of the Northwest as the "sons of wild jackasses," and he would likewise have been one of the first to have thought that after insulting them he could get them back into the party fold in exchange for "30 pieces of silver," as it is apparent the Old Guard are seeking to do with the progressives at this time by promising to assist them financially in the coming elections. But unless I miss my guess, you will not find the progressive Republican elections tainted with the corrupt funds of the Old Guard politicians.

The present corrupt practice act of the United Kingdom grew out of the so-called practical politics of George III. In support of my statement of the common law as it relates to corruption, I read from Shepherd on the law of elections as follows: "Bribery by a candidate, though in one instance and though a majority of unbribed votes remain in his favor, will void the particular election and disqualify him from being reelected to fill such vacancy."

The Senate of the United States has never adopted the harsh rule that has been adopted in Great Britain by their courts, namely, that bribery of one elector by a candidate or his party managers or agents without his knowledge or consent will void the whole election. It has never been necessary to do so in this country for the reason that in all of the cases where Senators have been refused seats there has not only been evidence of expenditures of huge sums of money which shock the sensibilities of decent people but there has likewise been evidence that it came from corrupt sources or had been used to corrupt the electorate of the country. As an example of wholesale corruption I call your attention to what took place in Allegheny County, Pa., where 11,000 people were put on the pay roll on election day. They were, according to Senator CARAWAY, taken from the largest families so as to get the most for their money. It was a device for buying votes.

Justice Keating, a British jurist, in the Norwich case said: "It seems hard at first sight that a single act of bribery should void an election, but when an act of bribery is committed, the whole election of the party bribed is tainted. It is no longer an election. It is utterly void."

I cite these authorities to show the policy of the people of Great Britain in dealing with this public cancer which grew to such magnitude under George III and which has ended the life of more than one great nation.

The argument is always made in these cases that it is hard on the candidate and that the people of a State have a right to select whomsoever they see fit to represent them in the United States Senate regardless of whether or not he corrupts the voters by the expenditures of money in the primaries to such an extent that British courts have held and the Senate of the United States has held that it is dangerous to the perpetuity of free institutions. Those who would defend this sort of thing on the ground that it is hard on the candidate or on the ground that it is entirely within the province of the State to elect that sort of a man overlook entirely that fact that our forefathers in drafting the Constitution provided that the Senate of the United States should be the judge of the qualifications of their own Members, and they entirely overlook the fact that the office is not created to satisfy the ambitions of any candidate. The office was created as an instrument of the people who made it and it does not belong to the candidate but belongs to the people of the United States.

It might be well to ask what had been the results of this drastic treatment of corruption by the English law and English courts? First of all, from a greater debauchery of elections than the world ever knew since the time of the fall of the Roman Empire, England has developed into a period of remarkable purity of elections. Purity of elections is of utmost public consequence.

Why are large contributions made to political parties in the United States? Listen to the testimony given by Senator GRUNDY before the lobby committee. Mr. GRUNDY after testifying to the large sums of money which he collected for the Republican national committee was questioned by Senator CARAWAY, as follows:

"Senator CARAWAY. They put up the money to bring that mandate about and they ought to get the legislation they bought and paid for?

"Mr. GRUNDY. If that platform was put into law they would get their money back.

"Senator CARAWAY. They would get their money back?

"Mr. GRUNDY. Yes, sir.

"Senator CARAWAY. And you were down here to see that they got their money back?

"Mr. GRUNDY. Yes, sir. I was helping every way I could."

Here is a frank and open statement by Mr. GRUNDY of the reasons why great campaign funds are collected. It is for the purpose of influencing legislation in favor of those seeking special favors at the hands of Congress.

It is not uncommon to hear it said that if such legislation is passed, the party responsible for its passage will not be able to receive revenue for party purposes.

The extensive use of money in elections in this country did not really begin until the early nineties. In 1896 one of the most successful national politicians this country has ever produced, Mark Hanna, whose daughter, RUTH HANNA MCCORMICK, just received the Republican nomination for Senator in the State of Illinois, managed McKinley's campaign. He systemized and developed a practice which was rooted deep in the soil of American politics, namely, the practice of assessing corporations and business men who might be benefited or injured by legislative action. The campaign fund of 1896 was unprecedented in its size and in the rapidity with which it was collected during the closing days of the campaign. Mr. Hanna established the necessary connections with financial circles and then organized the collection of contributions as carefully as he had previously organized the distribution of reading matter. Banks, insurance companies, and other large corporations were assessed in accordance with their wealth and in accordance with the benefits which they were supposed to receive. As a corollary to the practice of assessing corporations, it was found that large corporations would contribute to both parties in order to make sure that their business interests would be protected whichever was in power. Sometimes the money was given freely and voluntarily and sometimes it was demanded by political leaders.

Following the enactment of the Federal law prohibiting corporate contributions, men of great wealth connected with great enterprises would give the money. This was the case of Mr. Smith in Illinois, for whose campaign Mr. Insull, connected with the public-service corporations in Illinois and throughout the country, put up most of his money.

While corrupt practices acts have been enacted in practically all of the States in the Union to-day, and we have a law upon the statute books of the United States passed in 1925 relating to the election of United States Senators, there is no law upon the statute books at the present time relating to primary elections of persons to the United States Senate or to Congress.

The first national publicity law was passed in 1910. The next year the law was amended extending its application to candidates for nomination and election to the offices of Representatives and Senators in Congress. Another amendment was passed in 1918. These constitute the sum total of the Federal laws up to 1925.

The decision by the Supreme Court of the United States in the Newberry case was a severe blow to those who favored legislation prohibiting corrupt practices in elections. The Newberry case was a 5-to-4 decision, 5 members of the Supreme Court holding the law unconstitutional, 4 members holding in substance that Congress had no authority to pass laws regulating primary expenditures, and 1 member of the court, Mr. Justice McKenna, holding it unconstitutional because it was passed before the enactment of the law providing for the election of Senators by the direct vote of the people.

While we have no adequate laws upon the statute books dealing with campaign expenditures and their uses, the Constitution of the United States, in section 5, Article I, referring to the House and Senate, reads: "Each House shall be the judge of the election returns and qualifications of its own Members." There is no limitation of this power. The Senate of the United States in the Vare case and in the Smith case decided under this provision that they were empowered to refuse seats to these men and did so. The undisputed testimony was that Vare spent to secure his nomination in the neighborhood of $800,000 and Mr. Smith spent something like $450,000.

Let there be no mistake about this matter. Those who are seeking seats in the United States Senate in the coming elections might just as well make up their minds that if they expend huge sums of money in corrupting the voters of their States they will be denied seats in the upper branch of the Congress of the United States of America, because

the Senate is determined as far as that body is concerned to prevent the seats in that body from being bought and sold on the auction block.

Why shouldn't they? It is not a question of personal fortunes, feelings, or career of the Senator elect applying for admission; if that were the only thing involved, it could and would be undoubtedly forgiven; but it is the integrity of the election that is in question and the election to a seat in the Senate of the United States. What does that mean? What duties devolve upon a Member of the United States Senate? They are the most varied and far-reaching with which any officer under any free government is clothed in any country in the world to-day.

We ratify every treaty with foreign nations; only by the advice and consent of the Members of this body are appointment to office made under the laws and Constitution of the United States.

We pass upon every law affecting taxation, tariff, interstate and foreign commerce, banking, trusts, and our great undeveloped natural resources. Nor is that all; we are also members of a court, the highest court known to man; we alone can try the impeachment of judges of the Nation; the Senate of the United States is the only tribunal that can unseat a President.

You are all familiar with the powers of the Senate. I enumerate them only that we may understand the magnitude of the election to that body. The founders of this Nation placed in the hands of the United States Senator as much power, if not more, than any other official of the Government. Therefore, it is expected that the election to a place in that body would be defended zealously, determinedly, and fiercely by the people and if not the people by the Senate itself, not because of personal feelings of the individual Senators in regard to the matter but in order that our institutions might not be polluted at the fountain head.

Ladies and gentlemen, the voting polls of this country must not be made a market place. The electorate of this country must not be debauched. With the concentration of wealth into fewer and fewer hands, public opinion must be aroused to the necessity of becoming more and more vigilant for the protection of their own rights and privileges. I am glad to stand here to-night before this microphone and issue a warning to those who are seeking entrance into the upper body of Congress that they must come here with clean hands and even though they may be successful in debauching the electorate of their own State, they will not be successful in obtaining a seat in the Senate of the United States.

INDEPENDENT OFFICES APPROPRIATIONS

Mr. JONES. Mr. President, I have spoken to the Senator from Georgia [Mr. HARRIS], who has charge of the unfinished business, the immigration bill, and he is perfectly willing that it shall be temporarily laid aside so that I may call up the independent offices appropriation bill. Therefore I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate may proceed to the consideration of the independent offices appropriation bill.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside for that purpose.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. JONES. I ask that the formal reading of the bill may be dispensed with, that the bill may be read for amendment, and that the committee amendments may be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JONES. Mr. President, I desire to make a brief statement. The Senator from New Hampshire [Mr. KEYES] has had charge of this bill. He has not been feeling well for several days and asked me to ask the Senate to proceed with its consideration, as he does not want to have it delayed any longer. It is urgent, of course, that we should get all the appropriation bills disposed of as soon as possible. That is the reason why I am taking it up at this time.

The PRESIDING OFFICER. The clerk will read the bill.

The legislative clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Federal Trade Commission," on page 19, at the end of line 20, to strike out "$1,040,000" and insert "$1,160,000," so as to make the paragraph read:

For all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the commission and other personal services, contract stenographic reporting services to be obtained on and after the approval of this act by the commission, in its discretion, through the civil service or by contract, or renewal of existing contract, or otherwise, supplies and equipment, law books, books of reference, periodicals, garage rental, traveling expenses, including not to exceed $900 for expenses of attendance, when specifically authorized by the commission, at meetings concerned with the work of the Federal Trade Commission, not to exceed $300 for newspapers, payments for which may be made in advance, not to exceed $200 for newspaper clippings, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission act, $1,500,000, of which amount not to exceed $1,160,000 may be expended for personal services in the District of Columbia, including witness fees.

The amendment was agreed to.

The next amendment was, under the heading "Interstate Commerce Commission," on page 26, line 19, to strike out "$2,540,000" and insert "$3,547,313," so as to read:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913 (U. S. C., title 49, sec. 19a), including one director of valuation at $10,000 per annum, one supervisor of land appraisals, one supervising engineer, one supervisor of accounts, and one principal valuation examiner, at $9,000 each per annum, and traveling expenses, $3,547,313.

The amendment was agreed to.

The next amendment was, on page 27, at the end of line 17, to increase the total appropriation for the Interstate Commerce Commission, from $8,322,650 to $9,329,963.

The amendment was agreed to.

The next amendment was, on page 50, at the end of line 10, to increase the total amount appropriated in the bill from $552,514,753 to $553,522,066.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. JONES. I offer the following amendment in behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 37, line 8, strike out "$4,900" and insert in lieu thereof "$6,000, of which $1,100 shall be immediately available."

The amendment was agreed to.

Mr. JONES. I offer now the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 39, line 3, after the word "ships," insert:

Including operation through an agreement to pay a lump-sum compensation.

The amendment was agreed to.

Mr. JONES. That concludes the committee amendments.

Mr. FESS. Mr. President, recently we authorized a deficiency appropriation to print the works of Washington as a memorial. I had intended to have an amendment providing the apportionment necessary to be expended in the fiscal year ready for insertion in this bill, but unfortunately we did not get the data soon enough and we have not been able to get the item through the Bureau of the Budget. Consequently I wish to announce to the chairman of the Committee on Appropriations that I hope to have that item ready for the next deficiency appropriation bill, because it will be very embarrassing if we overlook it.

Mr. JONES. I ask unanimous consent that the clerks at the desk may be authorized to correct the totals where necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLAINE. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. The Senator from Wisconsin moves to insert on page 21, after line 24:

Washington, D. C., Government Hotel for Government workers: For maintenance, operation, and management of the hotel and restaurants therein, including purchase and replacement of equipment and personal services, and including not to exceed $300 for the repair and maintenance of an automobile for official use, $250,000, of which amount not to exceed $159,240 may be expended for personal services in the District of Columbia in addition to any meals and lodging allowed employees: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $5,000 per annum, in addition to any meals and lodging, and only one person may be employed at that rate.

Mr. JONES. Mr. President, this has been estimated for, so it is not subject to a point of order.

Mr. BLAINE. Mr. President, briefly explaining the amendment, I want to say that it reinstates in the appropriation bill the language which was in the appropriation act for the fiscal

year ending June 30, 1930, with some change in the amount of the appropriation. The amount proposed for the next fiscal year by this amendment is less than was provided for the current fiscal year.

The amendment is designed to continue the operation of what are known as the Government Hotels. Senators will recall that the Government Hotels were formerly operated in temporary buildings just opposite the Senate Office Building to the west. By an act of Congress those buildings were ordered to be torn down to make way for the plaza between the Capitol and the Union Station. The Government Hotels operations were continued in similar buildings which were constructed during the war and for war-time purposes, which are now just north of where the Government Hotels were formerly operated. The proposal is to continue the operation for just one year.

I want to suggest that a census is being taken, and as a result thereof there will be several thousand additional clerks employed in the District of Columbia. Many of those clerks will be women, and if the five or six hundred women now domiciled in the Government Hotels must find other quarters beginning July 1 in all probability there will be a great congestion respecting housing conditions for the Government clerks. The purpose, therefore, is merely to continue the occupancy and operation of the buildings for another year.

Of course I understand there is a celebration in 1932 proposed to be held in the District and it is desired that these buildings be wrecked and cleared away before the commencement of that celebration. This amendment, however, will not prevent the removal of the buildings in time for the celebration. In fact, there will be quite sufficient time to tear down the buildings and to improve the land. The improvement, of course, will not be extensive. It will consist primarily in filling in old cellars, leveling the ground and planting some shrubs, all of which can be accomplished long prior to the opening of the celebration.

I think it is only fair to the women employees of the Government to permit them to continue in these buildings just as long as possible. Particularly is it desirable to permit them to continue there in view of the fact that there will be an influx here of thousands and thousands of additional clerical employees necessary to take care of the compilation of the census. The purpose of the amendment is simply to take care of that temporary period.

Mr. President, these hotels are being operated without any expense whatever to the Government. They pay their own way. In fact, they more than pay their own way. There is a considerable surplus on hand at the present time. The women who have been occupying the buildings ought to have the benefit of that surplus for at least the balance of the possible time when the Government Hotels can be operated without bringing about any inconvenience whatever to the Government or the contemplated celebration.

I have here the House hearings relating to the independent offices appropriation bill for 1931, and I will quote from page 156 respecting the receipts and disbursements of Government Hotels:

> The Government Hotels, which have operated with a plant of reduced capacity since July 1, 1929, continue to give excellent room and food service to 600 guests—

The "guests" are women who are employed by the Government—

> pressing the limit of their room accommodations; to furnish towel laundry service to practically all Government departments in Washington, and to maintain buildings which are utilized for housing other branches of the Government.

These hotels have been used for more than merely the housing of women employees.

> Costs of operation (appropriation disbursements) are maintained under the revenue return (cash receipts deposited in the United States Treasury). Figures of operation follow. The excess of receipts over expenditures is not profit in the sense of business accounting, for interest and depreciation upon capital outlay is not taken into consideration.

For the fiscal year 1929 the excess in receipts over disbursements was $7,556.12, according to this report, and according to the evidence in the hearings. For the fiscal year 1930 the excess was $5,000; for the fiscal year 1931 it is estimated that the excess will be $20,000. I find that the total excess of receipts over disbursements during the operation of these hotels has been $300,902.92. Following the table from which I have quoted are the estimates for 1931, as stated by Mrs. Andrews, but it is not necessary for the purpose of my remarks to go into details. However, I ask that the table to which I have referred may be inserted at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

	Expenditures	Receipts
Salaries	$31,250	
Contingent expenses	4,000	
Printing and binding	600	
Collections	11,000	
Maintenance, unsold property	100	
Miscellaneous, account property sold	2,000	
Subtotal	48,950	$774,500
Government Hotels	250,000	270,000
Total	298,950	1,044,500

Mr. BLAINE. The table shows that what I propose will not cost the Government one single dollar and that those who live at the hotels will bear the entire expense.

Mr. FRAZIER. Mr. President, will the Senator from Wisconsin yield to me?

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. BLAINE. I yield.

Mr. FRAZIER. Can the Senator from Wisconsin state the number of Government employees who are now occupying these buildings?

Mr. BLAINE. My information is, from what I have read, that there are about 600 women occupying those quarters.

Mr. FRAZIER. So that there is really need for a continuation of the service there?

Mr. BLAINE. Yes; I think there is a very pressing need for it.

I find on page 173 of the hearings that Mr. WASON makes this statement:

> We will take up the item for the maintenance and operation of the Government Hotels, as follows.

Then there is a statement, which I need not quote, but continuing the evidence, I quote as follows:

> Your current appropriation appears to be $204,000 plus an unexpended balance of $144,000, while the estimate for 1931 is $250,000.

Mrs. Sumner, who, I understand, is in charge, said:

> For the fiscal year 1931 the Government Hotel is asking for an appropriation of $250,000, which is $98,000 less than was granted for the current year. This decrease is made possible by the gradual decrease in the number of buildings operated. During the summer six dormitories, one administration building, and the infirmary were razed to make way for the park which is to stretch from the Capitol to the Union Station. The kitchen, dining room, and the infirmary were transferred to buildings in the Plaza group. This necessitated the moving of approximately 400 guests who were living in the Capitol group.

Then the statement goes on in more detail, which it is not necessary to quote. Further quoting from page 176, Mr. WOODRUM, putting interrogatories, asked this question:

> What rates does the Government hotel charge the guests?
>
> Mrs. SUMNER. Fifty dollars per month for a single room.
>
> Mr. WOODRUM. And how many meals?
>
> Mrs. SUMNER. Two meals.
>
> Mr. WOODRUM. Your request for appropriations for 1931 is practically the same as your appropriation for the current year.
>
> Mrs. SUMNER. We are asking this year for $250,000, and last year we actually spent $280,465.42. That is the actual expenditure for the fiscal year 1929.
>
> Mr. WOODRUM. That would be a decrease of $30,000.
>
> Mrs. SUMNER. That is the actual amount expended. If you will notice, last year we were granted $348,000, and this year we are asking $250,000, which is $98,000 less than the amount we were granted last year.

She testified at the time these hearings were held that there were 550 women living there instead of 600, the number which I mentioned in my reply to the Senator from North Dakota, and 350 taking meals there. Mrs. Sumner further testified:

> Guests pay different rates, according to the room desired. With two in a room the rate is $22.50 each; single room, $25; small double, $35; large double, $37.50.

What I have quoted is sufficient to give the essential details of the operation of the Government Hotels.

Mr. President, the women employees of the Government residing there are very vitally interested in this matter. They have sent to me a petition which contains names from 43 States. In other words, there are living at the Government Hotels women who come from 43 out of the 48 States of the Union, and 14

come from the District of Columbia. The only States which have no representation at the Government hotels are Arizona, Idaho, Nevada, Rhode Island, and Wyoming. All the other States have representation there.

I have here before me the petition, together with the number who signed from each State. I will ask that the schedule of the number be made a part of my remarks at this point, and I present the petition signed by these guests, to be disposed of in the usual way that petitions are ordinarily disposed of.

The VICE PRESIDENT. Without objection, the paper referred to by the Senator from Wisconsin will be printed in the RECORD, and the petition will lie on the table.

The paper referred to is as follows:

Number from each of 43 States who signed Government Hotel petition

Alabama	6
Arkansas	2
California	7
Colorado	5
Connecticut	4
Delaware	5
Florida	6
Georgia	13
Illinois	36
Indiana	20
Iowa	15
Kansas	5
Kentucky	16
Louisiana	5
Maine	7
Maryland	27
Massachusetts	35
Michigan	7
Minnesota	16
Mississippi	4
Missouri	24
Montana	2
Nebraska	9
New Hampshire	3
New Jersey	10
New Mexico	1
New York	52
North Carolina	5
North Dakota	1
Ohio	28
Oklahoma	2
Oregon	1
Pennsylvania	41
South Carolina	2
South Dakota	3
Tennessee	16
Texas	4
Utah	1
Vermont	6
Virginia	20
Washington	5
West Virginia	4
Wisconsin	11
District of Columbia	14
Paris, France	1

States not represented: Arizona, Idaho, Nevada, Rhode Island, and Wyoming.

Mr. BLAINE. Mr. President, I merely wish to read what the petitioners say:

A PETITION TO CONGRESS, DATED AT WASHINGTON, D. C., FEBRUARY 11, 1930

We, the undersigned, residents of the Government Hotels in Washington, D. C., hereby petition Congress to amend H. R. 9546 to carry the appropriation estimated by the Bureau of the Budget for operation of the Government Hotels for the fiscal year ending June 30, 1931.

In view of the fact that the work of the 1930 census will bring to Washington this year between 6,000 and 7,000 clerks, whose entrance salaries will range from $1,260 to $1,440 per annum, we believe such action would be especially wise and just at this time.

The additional clerks who are coming to Washington will receive small salaries. If these 550 or 600 guests shall be removed from the Government Hotels it will mean congestion in other rooming houses, which no doubt will lead to an increase in rentals. I submit that the clerks who are coming, who are going to be temporary employees, will be burdened with a heavy rental while they are receiving only a very small salary. Furthermore, the women who have occupied these buildings are entitled to consideration from the fact that they have paid the entire cost of this operation and yielded a profit to the Government.

Further quoting from the petition they say:

We further express the hope that the operation of the Government Hotels may be continued at least until such time as action can be had on bill S. 1157, authorizing the construction of permanent dormitories for women employees in Government service.

The bill to which they refer is a bill introduced by me some time ago, providing for a dormitory system for the women employees of the Government in the District of Columbia. The provisions of that bill outline a plan by which the employees would pay for the construction and operation of such dormitories, asking the Government only to advance the necessary funds for capital account out of which to erect the buildings and equip them. I will not discuss that bill at this time.

So, Mr. President, under the circumstances, I trust that the chairman of the committee will accept this amendment applying to the next fiscal year, one year from now. Of course, under the circumstances we can not hope to continue the Government Hotels in operation beyond June 30, 1931. I repeat, I trust that the chairman of the committee will accept the amendment; and if not, that the Senate will adopt the amendment.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Wisconsin.

Mr. TRAMMELL. Mr. President, I desire to know if the Senator can inform me as to when it is contemplated to begin the razing of the Government buildings under the present plan?

Mr. BLAINE. I presume those in charge might begin to raze those buildings any time after July 1, 1930, but the necessity therefor will not obtain until at least a year from then. It does not take very long to raze such buildings and make the improvements which are contemplated. A year will be ample time. I remember that it only took a short time to raze the buildings opposite the Senate Office Building which have been torn down, and, had the grounds been improved, it would only have taken a short time to make those improvements.

Mr. TRAMMELL. Mr. President, I am heartily in sympathy with the idea of continuing in operation, for a while at least, these buildings as Government Hotels. I think the women employees who reside in them are entitled to that much consideration. If we go ahead and destroy the buildings, in all probability the ground will stand idle and be an eyesore, just as is the case on the block to the west of the Senate Office Building, where the buildings have been destroyed. On that site the buildings were razed many months ago, but nothing has been done toward improving the ground. That is one trouble in regard to improvements in the District of Columbia undertaken by the Government. The idea seems to be to begin pell-mell to destroy the buildings on every site which has been condemned and then allow the ground to stand idle for months and months, perhaps for a year or two at times. The result is a very unsightly condition.

The tenants in the buildings on the site where the new Supreme Court building is to be erected have been told that they were going to be moved out of those buildings on the 1st of June, and then on the 1st of July. A gentleman who lives there was talking to me only yesterday, and I understand the time has now been extended a little longer. In my opinion, when those in charge are ready to make the improvements, then they should raze the buildings on the property; but I do not believe in destroying buildings 6 or 12 months prior to the time when the improvements will be made, and in this particular instance I have no idea that the property will be improved for six months or a year, even if the buildings should be removed.

So, Mr. President, I think that some extension along the line suggested by the Senator from Wisconsin would be very wise and would not interfere at all with the Government's plan of making improvements. I desire that the improvements shall be made, but there is no use doing a foolish thing by withdrawing the privilege of the use of those buildings from the tenants 6 or 12 months prior to any necessity for doing so.

Mr. JONES. Mr. President, I do not feel that I can accept this amendment. This matter was presented to the House committee, and they left out this item; and the Appropriations Committee of the Senate did not feel justified in recommending its adoption.

Referring to the suggestion of the Senator from Florida [Mr. TRAMMELL], an estimate has been sent down—and I hope the Senator will note this—for $3,614,668, which will doubtless be carried in the legislative appropriation bill and will be available the 1st day of July, for taking care of the very matter to which the Senator has referred; and that is one reason why these buildings should be removed as promptly as possible.

We have a Commission on Public Buildings, I think it is called, headed by the Senator from Utah [Mr. SMOOT]. That commission has recommended that these buildings be taken away just as quickly as possible. Then we have a Commission on Enlarging the Capitol Grounds, of which our Vice President is chairman, and the Speaker of the House, Mr. LONGWORTH, and others are members of that commission. They have urged that these buildings be taken down for the very purpose of doing what the Senator suggests—beginning promptly to put these grounds in the shape in which they were intended to be. I understand, through the Architect of the Capitol, that they are prepared to start in to do that when this appropriation is made, practically on the 1st day of July.

One of the reasons, as I understand, why this matter is pressed is because of the Washington centennial exposition that we expect to have in 1932, when it is expected, of course, that

many thousands of the citizens of the country will come here; and it would really be an eyesore to have things in the condition they are in now with our people coming down to the National Capital upon an occasion of that kind.

As I understand, the preparation of the lands here where the buildings have already been razed is really awaiting the razing of these buildings, because it is a proposition that can be better carried on as one unit than if it were divided up into different units. The preparation of the one depends very largely upon the preparation of the other; and the plan to be carried out can be more properly carried out by taking the whole tract between here and the Union Station.

I think I should put in the RECORD at this point a copy of a letter from the United States Housing Corporation. While I have heard nothing of the rumors referred to in this letter, evidently some have, and I think I am entirely justified in putting in this communication. The United States Housing Corporation says that its attention has been called to a rumor that that corporation is quietly or secretly working against the razing of these buildings. It desires that it should appear that this is not the case, and that it is cooperating in every way it can in regard to this situation.

I ask, therefore, that the letter may be printed in the RECORD.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The letter is as follows:

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF INDUSTRIAL HOUSING AND TRANSPORTATION,
UNITED STATES HOUSING CORPORATION,
Washington, D. C.

Hon. DAVID LYNN,
Architect of the Capitol, Washington, D. C.

MY DEAR MR. LYNN: My attention has been called to a rumor that the United States Housing Corporation is tacitly, if not actively, encouraging a movement to secure the restoration of the 1931 appropriation for the operation of the Government Hotels.

The United States Housing Corporation is not a party to this movement but, in obedience to the will of Congress as expressed by the failure to appropriate for the hotels for the next fiscal year, is actively cooperating with you and the Commission for the Enlarging of the Capitol Grounds, to the end that the 14 buildings known as the Plaza Group may be vacated and turned over to your commission on July 1, 1930.

Respectfully,

UNITED STATES HOUSING CORPORATION,
LULAH T. ANDREWS, *President.*

Mr. JONES. Mr. President, I do not know of anything special that I might say. It is true, of course, that these buildings are housing four or five hundred Government employees. It is also true that possibly several thousand Government employees will be brought here temporarily in connection with the census. These accommodations for 550 will not go very far toward meeting that situation. As a matter of fact, I think I have seen it intimated or suggested—at any rate, it is likely to be intimated or suggested—that if the Government brings thousands of employees here, and furnishes what might be termed cheap quarters for five or six hundred, that is a very serious discrimination against those who are not furnished with such quarters, and who are just as deserving as those who may be housed in these quarters.

I have understood that an organization has been formed under which buildings are being constructed—some, I think, have already been constructed—primarily for Government employees. The matter is arranged so that they will pay a certain amount per month for their lodging and board, and a certain amount of this monthly payment is applied to the cost of the buildings and the property, so that in the end these buildings will belong to the Government employees or, I suppose, to an association representing them. Some of these buildings, I understand, have been completed. Some are now under way. Of course, this has been done, as I say, by private capital and under private organizations and private arrangements.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. JONES. I yield to the Senator from Wisconsin.

Mr. BLAINE. Does the Senator recall that he received a letter—I know that I did—from one of these corporations which are building so-called Government-employee hotels, soliciting the Congress of the United States to raise $250,000, saying that they were going to be unable to carry out any project unless they had some money? Does the Senator recall receiving such a letter?

Mr. JONES. I do not recall receiving such a letter, but very likely I did. I receive a great many letters that I do not recall; but I do not recall having received such a letter. I do not question at all but that the Senator did, however.

Mr. BLAINE. I should like to ask the Senator if the two blocks just north of the Senate Office Building have not been vacant for years without any improvements?

Mr. JONES. They have.

Mr. BLAINE. And the two blocks just north of the Capitol, where the buildings were razed, have been vacant now for over a year, and no improvements have been put upon the ground.

Mr. JONES. But, as I said a moment ago, I take it—of course, I am not an architect or anything of that kind, and so my opinion may not be worth anything—I take it, however, that the improvement of these grounds should be carried on practically as one unit; and I assume that that is one reason why the property just north of the Senate Office Building has not been put in shape, although it is possible that the Government has not secured the title to some of the lands there until lately. On one of the corners across from the Senate Office Building, I think, there was an old building for a long time, and it was not razed until possibly a year ago, or something like that. That is only a surmise on my part as to the reason why that improvement has not been made.

Mr. BLAINE. Will the Senator yield for another question? Then I will desist.

Mr. JONES. I yield to the Senator.

Mr. BLAINE. Will not the Senator concede that beginning July 1, 1931, there will be ample time in which to raze these buildings and improve the grounds for the anticipated celebration? In fact, it will take only a short time to do the work, and yet there will be about a year in which to do it.

Mr. JONES. I doubt that very seriously. The Senator from Ohio [Mr. FESS] knows better about the plan for this centennial than I do. I do not know when they intend or expect to begin the exercises; but I take it that not only should they get these buildings off and the ground leveled, and all that, but that they ought to have a pretty good sod on this area as a park before the time set for the opening of the centennial. So if the razing of these buildings and putting in shape of these grounds is not commenced before June of 1931, we shall have nothing of that kind done in time for this centennial in 1932.

Mr. FESS. Mr. President, will the Senator yield?

Mr. JONES. I yield to the Senator.

Mr. FESS. If the Senator will permit me, the matter has been discussed before the Committee on Public Buildings and Grounds, and also before the Park and Planning Commission, headed by Colonel Grant, and also by the Housing Commission, headed by the Senator from Utah [Mr. SMOOT]. Complaint has been made that we have not been able to get more progress made toward clearing out these buildings and getting the grounds ready prior to 1932.

We had the assurance that this work would be begun on the 1st of July, or shortly after the 1st of July, of this year. Four years ago the Committee on Public Buildings and Grounds considered the discontinuance or the razing of the hotels. At that time the question came up as to housing facilities, and our committee recommended the appointment of a survey commission to make a survey of the housing situation to determine whether or not we would be justified in razing the hotels.

That commission, in making its report, did not supply evidence that we ought to continue the hotels, but it took positive action to discontinue them; and the committee let the matter drift along until last year. Now it is in shape; they have ordered these buildings discontinued or razed, and some of them have been; but it has been done by piecemeal, taking the buildings next to the Capitol first and reserving the others until later.

I had some correspondence with parties who are interested in continuing these buildings. Being on the committee, naturally they applied to me. I notified them that we had been suspending the work on that sort of a plea now for six years. Every time the matter comes up, some one suggests that an emergency will arise, and that we ought not to do it. So I anticipated that there would be something of the kind in reference to the census; and I communicated with the Director of the Census as to the probable inflow of additional clerks. He said that there might possibly be 4,000 clerks brought here for this temporary purpose; that no suggestion had been made to him as to the matter of housing.

In view of the fact that we have been trying to do this for six years, and have not made progress, and especially in view of the fact that we have been deferring the time to get this ground ready for the celebration in 1932, I think it would be very unfortunate to continue these buildings another year; for, if we do, it is quite obvious that the situation will not be inviting in 1932.

The chairman of the committee has made a proper statement as to the reason of the delay. It is because it is desired to plan

the improvement as a whole. They have an idea of bringing in a new avenue that will cut from the Union Station into Pennsylvania Avenue somewhere between Second and Third Streets. That will necessitate taking possession of certain ground which we do not yet have. The ground beyond B Street we virtually have, but we do not have the ground between B Street and Pennsylvania Avenue. If we do defer this work for another year; if we do not take action now and allow this procedure to go on as it has been ordered—already the order is issued that these buildings shall be razed beginning with the 1st of July—if we defer it for another year, I am sure we are going to be very much embarrassed in getting those grounds ready for the celebration in 1932. If there were any real emergency in the case, it would appeal to me differently, but I do not see any emergency.

Mr. BLAINE. What is the date of the beginning of the celebration?

Mr. FESS. It is proposed to have the first celebration on the 31st of October next year, 1931. The first great performance in this city will be in February, 1932, a year from next February. If we let this go another year there will not be very much time.

Mr. BLAINE. Does not the Senator conceive that it will be utterly impossible for the Government to go through the necessary condemnation proceedings to acquire the property to be obtained for the new avenue or boulevard by that time?

Mr. FESS. Not as to all of it.

Mr. BLAINE. Such proceedings take a long time.

Mr. FESS. It is the serious contemplation to me, and I confess we are going to be somewhat disturbed over that very thing in getting ready by 1932; but I do hope we can get the grounds about the Union Station cleared up.

As I have said, if there were an emergency, I would not feel so deeply about going ahead with the work; in fact, I have sympathy with the suggestion which has been made in various quarters that there ought to be an effort to build in some section of the city, either through the cooperation of the employees here or in some other way, desirable edifices for those of the Government employees who would like to live under the conditions which obtain with regard to the present buildings. I would join in a movement of that kind, and I think it could be worked out to be a very desirable thing.

Mr. BLAINE. I am somewhat reliably informed that the President, who has been interested in the question of housing, and has discussed it a great deal, takes the same view of the matter. I do not mean that he has expressly declared it to Congress, but his attitude is favorable to that proposal.

Mr. FESS. I would look with favor on a proposal of that sort. I think it would be very worth while.

Mr. BLAINE. I want to ask the Senator if he does not believe that 60 or 90 days is a sufficient time to raze the buildings and do the leveling and other improving?

Mr. FESS. No; not to get the grounds in shape.

Mr. BLAINE. On the blocks which have been cleared the work was done within a few weeks.

Mr. FESS. Yes; but the grounds are in terrible shape, and will be for some time.

Mr. BLAINE. I appreciate that; but it would not take very long to prepare the ground.

Mr. FESS. I think it would, particularly after the ground had just been worked on, and with thousands upon thousands of people coming into the Capital. I think it would be very unfortunate to delay this matter another year.

Mr. BLAINE. In 1932 in all probability we will not find the two blocks north of the Senate Office Building improved and in all probability will not have this contemplated improvement completed.

Mr. FESS. I will be distressed if conditions in 1932 are as the Senator suggests.

Mr. BLAINE. My own impression is that that is not going to happen; but even if it does happen, I have no doubt there will be sufficient time to raze these buildings and make the improvements of the land essential and desirable by the 1st of October, 1931.

Mr. FESS. I fear not. I am quite convinced that if we permit this matter to go over another year there will be just the same effort that has been heretofore made for five years, and I think that would be very unwise. As I said to the Senator, if there were an emergency which we could not meet otherwise I would be inclined to yield to the pressure that is being made upon us. It has been made on me, as on others, but it does not seem to me that there is any emergency at all.

Mr. President, I think it would be very unfortunate, so near the time when we are planning the greatest celebration in the history of the world, not to take steps now to beautify the grounds about the station by removing the temporary buildings, which are not essential, as it appears to me, and whose removal would only cause a little inconvenience to certain people which could be very easily relieved, and should not be considered as an argument against the beautifying of the city for the coming event.

I sincerely hope the House view in the matter, which is in accordance with the view of the commission of which the Vice President is a member, and the commission of which the Senator from Utah, the chairman of the Finance Committee, is chairman, will be agreed to. In view of the position the Committee on Public Buildings and Grounds has taken in recommending this action, and the decision to begin the razing of these buildings on July 1, I think it would be very unfortunate if we should interrupt that program now, and I hope the amendment will not be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. BLAINE].

Mr. BLAINE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Kean	Smoot
Ashurst	Gillett	Kendrick	Steck
Baird	Glass	McKellar	Steiwer
Black	Glenn	McNary	Stephens
Blaine	Goff	Norbeck	Sullivan
Borah	Gould	Norris	Swanson
Brookhart	Greene	Nye	Thomas, Idaho
Broussard	Hale	Overman	Thomas, Okla.
Capper	Harris	Phipps	Trammell
Caraway	Harrison	Pittman	Tydings
Connally	Hatfield	Ransdell	Vandenberg
Copeland	Hayden	Robinson, Ind.	Wagner
Couzens	Hebert	Robsion, Ky.	Walsh, Mass.
Dale	Heflin	Sheppard	Walsh, Mont.
Dill	Howell	Shipstead	Watson
Fess	Johnson	Shortridge	Wheeler
Frazier	Jones	Simmons	

The VICE PRESIDENT. Sixty-seven Senators have answered to their names. A quorum is present.

Mr. McNARY. Mr. President, I ask unanimous consent that at the conclusion of to-day's business the Senate shall adjourn until Monday next at 12 o'clock.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, I can remain in the Chamber only a few moments, but I desire to say a word about the pending amendment. I understand the question is in regard to abolishing the old shacks, the hotels between the Capitol and the Union Station.

I hope the Senate will take no action other than what has been decided upon by the Public Buildings Commission. The removal of those buildings has been postponed and postponed. We have tried in every way to make room for the occupants of those shacks. Those old buildings are an eyesore. The whole program covering that land has been laid out, and it should be carried out as a whole and not piecemeal. I think it would be cheaper for the Government of the United States to do the work as a whole rather than to divide it up and take one part and work on it and then another part.

I sincerely hope the Senate of the United States will not take any action whereby the time for the removal of the remaining shacks will be extended.

Mr. FESS. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. FESS. The question has been asked by several Senators whether, under the order to remove the buildings, they will be taken down or whether they will continue to be occupied.

Mr. SMOOT. We intend to take them down when it is necessary. That does not mean that they will be torn down tomorrow, but when it becomes necessary we are going to demolish them. We want to give those who are living in the buildings time to arrange for other places to go.

Senators will remember that this matter has been in contemplation for years and years. A time will come when the buildings must be removed, and it seems to me the time has arrived and that we should make that improvement all at once, rather than piecemeal.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield.

Mr. DILL. I am concerned about whether or not the buildings are really going to be torn down, or whether these women are merely going to be turned out of them and then the buildings used for National Guard purposes.

Mr. SMOOT. The only reason why that building was used at the time for that purpose is because we compelled the National Guard to get out of the basement of Poli's Theater Build-

ing. There was no other place for them. The District of Columbia took the position and the National Guard took the position that it was a national activity and therefore the Federal Government had to provide for them. I appealed to the Attorney General for an opinion. The Attorney General stated just exactly as I knew he would state, that it was not a Federal Government activity and therefore the District of Columbia had to look after the National Guard, just the same as our own States look after their National Guard.

Mr. DILL. My point is not that I am objecting to the National Guard having a place to drill, but the objection I make is to compelling the women to leave the buildings and then allowing the buildings to remain standing. If the buildings are to stand, then I think the women ought to be permitted to occupy them. If we are not going to tear the buildings down, then we ought not to have made the appropriation for that purpose. If we are going to take them down, then let us take them down. They are a disgrace to the community.

Mr. SMOOT. The program calls for tearing them down, and I hope the program will be carried out.

Mr. GLASS. Mr. President, I quite agree with the Senator from Washington [Mr. DILL] that if the buildings are going to be permitted to stand we might as well permit them to be used; but it certainly seems to some of us that the time has come, in fact the time long ago arrived, when those buildings should be demolished and the Plaza put in proper condition.

My immediate interest in the matter arises from the fact that I happen to be by appointment a member of the commission on the George Washington memorial celebration, which celebration takes place in 1932. Certainly every vestige of these shoddy buildings should be gotten rid of by that time.

People from all over the country, and very likely from all over the world will be visiting Washington then, and the city ought to be presented in its most beautiful garb and not have one of its principal parks marred by the presence of these miserable huts. They ought to have been torn down long ago. I think the Senate ought to order their destruction immediately.

Mr. COPELAND obtained the floor.

Mr. WAGNER. Mr. President, will my colleague yield?

The VICE PRESIDENT. Does the Senator from New York yield to his colleague?

Mr. COPELAND. I yield.

Mr. WAGNER. I understand the senior Senator from Washington [Mr. JONES] has withdrawn his objection to making Senate bill 3060 a special order for next Tuesday with the other two bills which have already been made a special order.

Mr. JONES. I hope the Senator will not submit that request now. One of the Senators who is absent for a short time asked me, if the matter came up, to object to the request. He asked whether I was going to object, and I told him under the circumstances I was not going to do so. Then he said, "I want you to object for me." I would rather the Senator would withhold his request a little while.

Mr. HEFLIN. Mr. President, I want to suggest since we are going to adjourn over until Monday that it is very important that we should get the Harris immigration bill out of the way. I would not want to make some other measure the unfinished business unless we are certainly going to pass the immigration bill on Monday. I would be willing for the Senator to ask to have it made the unfinished business following the disposition of the immigration bill.

The VICE PRESIDENT. Making it a special order would not interfere with the unfinished business. Under the rule it would not come up until the unfinished business was disposed of.

Mr. JONES. I ask the Senator from New York to defer his request.

Mr. WAGNER. Does the Senator from Washington expect the particular Senator who desires to object to return to the Senate Chamber to-day?

Mr. JONES. Yes; he said he would be gone only a little while.

Mr. WAGNER. Very well.

Mr. COPELAND. Mr. President, I want to vote intelligently on this question. I am sorry I was not here when the early part of the debate occurred. How many persons are housed in these buildings?

Mr. JONES. About 500 or 550.

Mr. BLAINE. The testimony shows 550. A report made in connection with the testimony shows 600, but I assume it is between 550 and 600 women.

Mr. COPELAND. How soon would these women be asked to vacate the property if we proceed as the Senator from Wisconsin desires?

Mr. BLAINE. If my amendment is not agreed to, they will be required to vacate next July 1, about two months from now.

Mr. COPELAND. There never has been any doubt in the minds of those good persons over there that their abode was a temporary one, I assume, and they must have anticipated that the buildings would be vacated. I am in the greatest sympathy with all those who live there. I know how difficult it will be for them to move, and probably there are sentimental reasons why they would like to stay in those old war buildings, but of necessity they must know that this act on the part of Congress was contemplated. I know that I voted years ago in favor of the plan. The plan was presented to us by the then Senator from Maine, Mr. Fernald, and at that time Congress took action looking to the vacating of this property. There must come a time when we reach the dead line. In view of what the Senator from Utah and others have said about the approaching Washington celebration, I fear that, unhappily as it may seem for us to do this thing, the time has come, apparently, when we must determine upon this action.

Mr. BLAINE. Mr. President, the Senator from New Hampshire [Mr. KEYES] is chairman of the Committee on Public Buildings and Grounds. I do not recall who are the other members. I believe the senior Senator from Virginia [Mr. SWANSON] is a member of that committee. The Senator from Ohio [Mr. FESS] and the Senator from Florida [Mr. TRAMMELL] are likewise members. I notice these Senators in the Chamber. I want to submit to the members of that committee who are present that there is a bill pending before their committee providing for a housing corporation, a cooperative plan under public authority, whereby Government women employees will have the opportunity to have a proper housing institution erected merely by the Government advancing the money, and under that plan the organization proposed by the bill will repay the principal with interest.

I would like to inquire of some member of the committee if the committee will take up that bill for an early hearing and report it out, whichever way the committee decides to report it, favorably or unfavorably, but at least get a report on it so the matter can be debated and considered by the Senate at a very early date. It does not involve a great deal of argument. It is a very simple matter. So far as I am concerned, I am prepared to present the facts in a very few minutes before the committee if they desire to hear me and will then report the bill out in some form.

Mr. GLASS. Mr. President, not assuming to answer the question for my colleague [Mr. SWANSON] or any member of the committee, I want to inquire of the Senator if it is not a fact that quite a large number of the employees have anticipated such an enterprise and for that very purpose have already erected a building, which is completed or soon will be completed, just opposite the Grace Dodge Hotel?

Mr. BLAINE. We have been investigating the question of apartment houses in the city of Washington. I do not want to bring special condemnation upon any particular building. I am not going to discuss that now. But I am sure if I were to inform the Senator of the financial manipulations that have been going on in the District of Columbia he would at once be convinced that they are purely private schemes to get a few shekels from Government employees instead of being real, genuine cooperative buildings.

Mr. GLASS. I will state to the Senator that I know, as he knows, a great deal about financial manipulations of building enterprises in this city. I did not know any of it applied to this particular building. I know, in fact, nothing about it except that I have seen the building there.

Mr. BLAINE. I do not want to discuss that particular building, and I am not going to do so now.

Mr. GLASS. My only point is that we have to-day the same reasons that have almost interminably been presented for the destruction of this eyesore in this particular part of Washington City. It is a thing seen by every visitor to the city. It has seemed to me that it certainly ought to be removed immediately.

Mr. BLAINE. I know there is no real legitimate cooperative undertaking in the District for Government employees. I would like to have an expression of opinion from the Senator from Ohio [Mr. FESS] or the senior Senator from Virginia [Mr. SWANSON], who are on the committee, as to the prospect for having an early hearing upon the bill to which I have referred, with a view of having it reported out, either favorably or unfavorably, so it may be given consideration. I ask for an expression of opinion on the part of the members of that committee who are present.

Mr. FESS. Mr. President, the matter has been presented from different sources by different Members. I look upon the general proposal with considerable favor, but I have not examined at all the particular proposal the Senator mentions.

Mr. BLAINE. I was not asking the Senator to give his approval of it. I was merely asking if the Senator would favor an early hearing upon the bill and have it reported out in some form.

Mr. FESS. Personally, I should be very glad to have it done.

The VICE PRESIDENT. The question is upon agreeing to the amendment of the Senator from Wisconsin [Mr. BLAINE].

The amendment was rejected.

The VICE PRESIDENT. The bill is still as in Committee of the Whole and open to amendment.

Mr. JONES. Mr. President, the Senator from Connecticut [Mr. BINGHAM] was necessarily called away. He has an amendment which he would like to have presented to the bill, and for him I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment submitted by the Senator from Washington in behalf of the Senator from Connecticut will be stated.

The LEGISLATIVE CLERK. On page 29, line 6, it is proposed to strike out "$1,000,000" and the word "to" and to insert "$2,000,000; for the rebuilding and repairing of schoolhouses damaged or destroyed by the hurricane in the small towns and rural districts of Porto Rico, and for the employment of labor and the purchase of supplies, materials, and equipment for repairing and constructing insular and rural municipal roads, $2,000,000; in all, $4,000,000, of which $3,000,000 shall become available upon the approval of this act, and the balance shall."

Mr. JONES. Mr. President, this amendment is pursuant to an estimate of the Budget Bureau. I know the attitude of the House conferees, but we shall do the very best we possibly can if the amendment is put on the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JONES. On behalf of the Senator from Connecticut I also offer another amendment, which I ask may be stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. In line 9, it is proposed to change the period to a comma and to add the words "and Public Resolution No. 33, approved January 22, 1930."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. FESS. Mr. President, adverting to the matter which I mentioned a while ago I have now received, duly classified, the items as to the printing expenses in connection with the George Washington bicentennial. They are as follows:

George Washington definitive writings; preparation of manuscript, $11,525; printing and binding, $25,000; preparation, printing, binding, and distribution of authorized pamphlets, $17,000; preparation of and material for mailing portraits, $7,000; preparation, printing, binding, and distribution of George Washington atlas and map, $19,000; in all, $79,525, to be immediately available.

I ask the chairman of the committee whether it would be a violation of the rule of his committee for him to accept the amendment at this time?

Mr. JONES. It would be contrary to the direction of the committee, and I should have to make a point of order against the amendment on the ground that it is not estimated for and has not been reported by a standing committee. It can very well be taken care of in the next deficiency appropriation bill.

Mr. FESS. When shall we have another deficiency appropriation bill?

Mr. JONES. Probably within a month, anyway, if not earlier.

Mr. FESS. The Senator from Washington knows that the organization is now working under the leadership of Doctor Fitzpatrick and collecting material. Some expense is involved and there is no money available for the purpose. I hope we may have no difficulty in getting through an appropriation for this purpose very soon.

Mr. JONES. I think those interested should take this matter up with the Budget Bureau as soon as possible.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 2719) granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CRAMTON, Mr. MURPHY, and Mr. TAYLOR of Colorado were appointed managers on the part of the House at the conference.

INVESTIGATION OF LEASES FOR POST-OFFICE BUILDINGS

Mr. BLAINE. I ask unanimous consent that Senate Resolution 244, providing for an investigation of leases for post-office buildings, which was submitted by me on the 8th instant, and is now on the table, be taken from the table and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Is there objection?

Mr. JONES. Mr. President, I do not know whether or not there is objection. The Senator from Colorado [Mr. PHIPPS] is the Senator who previously objected, and he is not here. Will the Senator from Wisconsin wait until the Senator from Colorado shall have returned to the Chamber?

Mr. BLAINE. Is the Senator from Colorado in the city?

Mr. JONES. Yes; he has been on the floor to-day.

Mr. BLAINE. Then, I shall be very glad to renew my request later.

INTERIOR DEPARTMENT APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SMOOT, Mr. JONES, Mr. PHIPPS, Mr. HARRIS, and Mr. MCKELLAR conferees on the part of the Senate.

RELIEF FOR UNEMPLOYMENT

Mr. WAGNER. Mr. President, the Senator from Connecticut [Mr. BINGHAM] now being in the Chamber, I renew my request that the bill introduced by me relating to employment exchanges and reported by the Committee on Commerce be made a special order, together with the other two bills which heretofore have been made a special order for April 15.

Mr. BINGHAM. Mr. President, I regret very much to say to my good friend from New York, for whom I have the very highest regard, that, having read the bill and finding that it adds to Federal aid projects already under way and forces the States to expend money which they may not think it wise to expend, and being very much opposed to that kind of legislation, I hope the bill may be allowed to remain on the calendar for the present. Therefore, I am constrained to object.

Mr. WAGNER. May I say to the Senator that he must have read the bill rather hurriedly because there is no compulsion of any kind or character; the bill does not compel a State to make an appropriation, but action on the part of the State is entirely voluntary.

Mr. BINGHAM. Of course, the Government can not compel a State.

Mr. JOHNSON. Mr. President, as chairman of the Committee on Commerce, I should like to say just a word to the Senator from Connecticut in relation to this matter. Three bills, which were introduced by the Senator from New York [Mr. WAGNER], have been reported favorably by that committee. The three form a particular series to accomplish a specific result. It is quite appropriate that they should be heard practically together. A special order has been accorded him by unanimous consent for two of the bills. The third one was held up merely as a matter of courtesy, to permit some persons to present information, which has been presented and printed in the RECORD.

Recognizing, of course, that the Senator's position is one that ought to be accorded the highest respect, will not the Senator consent that the third bill take the like course as the other two, because they all relate to the same subject and they ought to be disposed of as one specific matter?

Mr. BINGHAM. Mr. President, I regret that I shall have to object at this time.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants,

born in countries of the Western Hemisphere, to the quota under the immigration laws.

AMERICA FOR AMERICANS

Mr. HEFLIN. Mr. President, I shall not detain the Senate very long in my remarks to-day. I have already had something to say on this subject and will probably have something else to say before a vote shall be taken. I merely wish to speak now so that what I will say may appear in the same RECORD following the remarks of the Senator from Connecticut [Mr. BINGHAM].

For many, many years, Mr. President, the question of immigration has been a very serious and important one. For many years outside influences—foreign influences—have undertaken to direct congressional action on this question in the United States. They have through certain channels had to do with immigration measures which we were endeavoring to pass and finally did pass in other days. I have witnessed the defeat of measures on the immigration question since I have been in Congress because of those influences. When measures have been introduced looking to the restriction of immigration we have been told from time to time, just as the Senator from Connecticut told us yesterday and to-day, that we would offend our foreign friends if we were to impose restrictions against the coming of their people into the United States. Mr. President, the first duty I owe is to my country. "Be true to thyself" is a good motto, and it applies to nations as well as to individuals.

Mr. HARRIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). Does the Senator from Alabama yield to the Senator from Georgia?

Mr. HEFLIN. I yield.

Mr. HARRIS. In line with the statement of the Senator from Alabama let me say that I am a member of the Immigration Committee and attended all the hearings. Many people came from various sections of the country and protested against the immigration bill, but not one of them, as I recall—and I remember many and noted the fact at the time—urged that we pass a bill that would be for the best interests for the United States. Every one of those people, as the record will show, protested against the bill because it might discriminate or injure some other country. They did not, however, say a word about what would be best for our country.

Mr. HEFLIN. I thank the Senator from Georgia. He states the situation precisely.

Mr. President, the Senator from Connecticut occupies rather an amusing position. He has been pleading for our neighbors in South America. Of course, we want always to maintain amicable relations with them, but he has told us how we might offend them if we should decide that we wanted to establish a quota for various countries to the south of us. I did not hear him pleading for the millions of unemployed here at home, for the men who are walking the streets of the big cities, asking for something to do, for the men who hear their wives and children crying for something to eat.

Furthermore, following his address on yesterday, he offered an amendment, which was adopted, on the appropriation bill providing an appropriation to rebuild schoolhouses which had been blown down in Porto Rico. The Senator seems to have a long-distance affection for foreigners, and he comes to their rescue when anything happens to them.

Mr. BINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Connecticut?

Mr. HEFLIN. I yield.

Mr. BINGHAM. I hope the Senator will not use the word "foreigners," when the appropriation to which he refers was entirely for the relief of American citizens.

Mr. HEFLIN. I understand that, but they are outside of our immediate territory.

Mr. BINGHAM. They are outside of the State of Alabama, does the Senator mean?

Mr. HEFLIN. And outside of Connecticut, too.

Mr. President, I want charity to begin at home. I want to see every man who wants work in America to find work; I want every woman who wants work to have it; I want the hungry mouths of the people under that flag fed before I go off reaching into foreign countries, even into the possessions of the Government of the United States. Let us look after the old stock, those who are already here, who are good Americans. It is high time that we were getting back to the old American principle of protecting this country from all kinds of isms from abroad.

The Senator read copiously from various authorities upon this proposition. I want to read him a line or two from the Father of our Country, George Washington, in his Farewell Address, said:

> Against the insidious wiles of foreign influence, I conjure you to believe me, fellow citizens, the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government.

Whenever we reach the point where we have got to decide who shall come to America, according to the whim and caprice of any foreign country, we have reached a dangerous stage of national degeneracy. The great mass of Americans will never take such a position as that. We can not afford to be governed in this matter by what foreign countries may think about it. Each country ought always to be free to say who shall come to dwell within its borders and who shall be kept out.

I want the countries south of us, if they desire to do so, to say that so many shall be permitted to go there from America. I am perfectly willing for them to do that. I am willing for Mexico to do that. I am not asking anything for the United States that I would withhold from foreigners on this question.

Now, let me read to the Senator what another President of the United States said upon the subject—James Madison, he who wrote the Constitution of the United States. Speaking upon this immigration question, he said:

> What is the language of reason on this subject? That we should not be polite at the expense of prudence.

The Senator from Connecticut is very anxious that we shall be exceedingly kind and affable to our neighbors south of us; but Madison says that we must not forget our duty to our own country in an attempt to be pleasing to other countries.

Then I want to read from another one of the Presidents in the earlier days—John Adams. He said:

> Why should we take the bread out of the mouths of our own children and give it to strangers?

That has the real American ring to it.

Then I read from the president of the American Federation of Labor, Mr. William Green. He says:

> During the past quarter of a century, the American Federation of Labor has advocated legislation to control immigration into the United States. We felt that such control was necessary in order to keep the United States a land of opportunity. To guard our gates we feel is necessary to the preservation of our national characteristics and to our physical and our mental health. In addition we believe immigration restriction is necessary to our economic progress. This labor believes is a constructive, practical view of one aspect of our population problem.
>
> The fact that several European nations have passed under the rule of dictators for their own preservation in the last few years is enlightening. A republican form of government is the result of centuries of growth and of training in the exercise of self-restraint in political affairs. Its maintenance demands a high degree of intelligence. It can not be successfully adopted by a nation inexperienced in the exercise of rational liberty any more than the language of a people can be changed instantaneously.

Then, concluding, he said:

> The political institutions of each given country are recorded in history, and in the long run are due to the self-development of the people of that country. Our republican institutions are the outgrowth of 10 centuries of the same people in England and America. They can only be preserved if the country contains at all times a great preponderance of those of British descent.

So the president of the American Federation of Labor is with us on this question.

Mr. President, Thomas Jefferson, the author of the Declaration of Independence and the father of the great Democratic Party, said:

> The mobs of great cities add just so much to the support of pure government as sores do to the strength of the human body. It is the manners and spirit of a people which preserve a republic in vigor. A degeneracy in these is a canker which soon eats to the heart of its laws and constitution.

I stand with Jefferson on this question and not with the Senator from Connecticut.

Mr. President, I know that the concerns that make money out of this immigration traffic do not want this bill passed. I know that those who send their agents across the border line into Mexico, bringing in these peons, this cheap labor out of Mexico, bringing them over by the hundreds and thousands to take the places of American men and women, do not want this bill passed.

The Senator from Georgia [Mr. HARRIS] is rendering a great service in his effort to restrict this immigration, to place a quota at the door of Mexico and the countries south of us. There is no sound argument in the suggestion that we never

have done that. The situation years ago was not as serious as now. The necessity for action was not so great; but the necessity is here now.

What do we see? We see those who traffic in these Mexicans bringing over hundreds and thousands of them every year; and what are those Mexicans doing? They are not only working in the beet fields, they are not only working in the fruit orchards and vineyards, they are not only working on the railroads and in the American mines now, but they are working in some of the cotton factories of the country. Formerly we were told, "Why, they are just a handful of them and they just go and work in the beet fields, doing something that no white person will do." Now, however, they have come to be a serious problem in the United States.

I was up in Michigan—I called attention to that once before—coming into Detroit, and for miles and miles I saw Mexicans, nobody but Mexicans, working on the railroad, building and reconstructing railroad tracks. There was not a white man or an American negro in the group; nobody but this cheap Mexican labor. Do you tell me that Americans will not do that kind of work? It is not true. There are hundreds of thousands of men in Michigan who would be glad to do that work. They would be glad of a chance to do it. But what is the situation? Why, the people who are constructing those railroads can get that labor so much cheaper; and these Mexicans are a mixed breed, low-type, docile people. They can treat them almost any way; and what do they do to get them here?

They go down to the border line and bring these Mexicans in, pay their railroad fare and expenses to the point where they are going to work, and when they finish the work what do they do with them? Do they pay their way back and turn them over to the Government of Mexico? No; they leave them in the community where they did the work. They have no means with which to return, so they stay in the community or go into some other American community. They begin to wander around seeking jobs. Here is an American boy doing a certain kind of work, and a Mexican comes up and says, "I will do that for half what you are paying him."

And in too many instances he gets his job. That is what is going on in the country; and now since 1917 a million of them have come into the United States, and most of them have remained. Just think of that!

Mr. President, that presents a serious question, one that should give grave concern to every Senator who really loves his country. The population of Mexico is only 14,000,000. One-fourteenth of them, we are told, have come into this country inside of less than 15 years. That presents a serious problem. Are we going to do anything to keep them out? We certainly are. In spite of the appeal of the Senator from Connecticut, I expect to see the Senate pass this measure by a large vote. The toiling masses of America have rights; and if their friends in this body respond to their wants and to their needs they will vote for this bill, and we will put a stop to this sort of thing and send all Mexicans out of the country who did not come here under the laws of our country.

What kind of people are they? We are told that we ought not to act in haste in this matter; that it is a very serious matter; that we should take plenty of time to consider it. That is what they told us in 1920, when we had hearings on the immigration bill. They said the same thing again in 1926, and they said it again in 1928 on this very question, and here they are to-day, these everlasting postponers and delayers, asking us not to be in a hurry about it. The opponents of this measure now have the gall to wait until they can have a commission appointed to study the question and report to the Senate.

Mr. President, what is that for? That is for delay and maybe for the purpose of defeating this measure. I have already referred to a statement shown to me by Mr. J. H. Patten, of South Carolina, an able and excellent man, well informed upon this subject. He has fought for restricted immigration for 25 years, and has been very instrumental in helping to get the general immigration law that we have to-day. He showed me a statement sent out by the United States Chamber of Commerce to the effect that there would be no legislation on this subject at this session of Congress.

Mr. President, I wonder how that chamber of commerce man got hold of that information, or misinformation. I think he is mistaken. I think we will have legislation upon this subject at this session of Congress. The interest of the American farmer and the American laboring man and the interest of the whole people demand that we pass this legislation at this session of Congress.

Who are these Mexicans peons being brought into our country? Here is the way they were referred to in the hearings in the House. The hearings were on temporary admission of illiterate Mexican laborers.

This was in 1920; and still they want more time in which to investigate and in which to report to the Senate!

A Mr. Roberts, from Texas, I think, was testifying. Speaking about the matter of bringing these people over, Mr. Welty, then a Congressman from Ohio, said:

> I understand these concessions are granted by the Mexican Government?
>
> Mr. ROBERTS. To individuals to make money out of the proposition.

Listen:

> They are his cattle. He does not call them human beings.

"Cattle"—such a low type of human beings, the lowest kind of the peon type—among the very cheapest labor on earth. They refer to them as cattle; and we are bringing them in, thousands and thousands each year, using them for a time, and leaving them stranded in the community. They are not confined now to Texas; they are not confined to California, to New Mexico, and Arizona, the border States. We had a map before the Committee on Agriculture and Forestry the other day which showed that they had gone into all the 48 States but 6. They are being slipped in here and yonder and carried into the various States and they are leaving them there; and what else is suggested in this hearing in the House committee?

Many of them are diseased. Some of them almost reach the point of starvation. They become a charge upon the American community. They are put into American hospitals, and they are a dead expense to our people; and we are giving substance to take care of them that should be spent upon deserving American men and women who have been made sick because they could not get food and because the Mexicans get the work that should go to them.

Mr. President, I do not see how any American Senator can vote against the measure of the Senator from Georgia.

Let me just bring to the attention of the Senate another thing. Assistant Secretary of Labor White, testifying before the House Immigration Committee on January 5, 1928, stated, in effect, that the department makes no attempt to apprehend deportable aliens. Do Senators get the significance of that? They make no attempt to apprehend deportable aliens, these Mexicans who are here, left in the community where they were carried to work, left with no possible means of support, becoming a charge upon the community, taken in and given seasonal employment which Americans are entitled to have. Such a man has no business here.

The law has not permitted him to come here, so he is here in violation of the law. Yet this Assistant Secretary testifies that they make no effort to pick them up and send them back.

Is it not high time we were legislating on the subject? The argument in favor of this legislation is simply unanswerable. The department, Mr. White said, made no attempt to apprehend deportable aliens, but contented itself "with handling such cases as are forced upon it, and these come almost entirely from State institutions."

Still the Senator from Connecticut bids us open wide the door to this class of foreigners and stand with smiling face as this serious problem becomes more harmful and dangerous year by year in the United States. I would that I could arouse his sympathy for these millions of unemployed Americans in his own country. Let us be just to them before we are generous to foreigners.

Mr. President, just recently up in the city of Detroit it has been discovered that the city government had 1,500 aliens on the pay roll, while thousands of American citizens walked the streets of Detroit half clad and hungry. Again I say to the Senator from Connecticut, let charity begin at home. Assistant Secretary White said that the department could not do more than it was doing because there was a lack of certain machinery in the law, a lack of personnel necessary to apprehend, and a lack of appropriation for deportation. If that has not been corrected, I will vote for every dollar necessary to give them the needed equipment to do this work. We must and we will put a stop to the deplorable condition that we now have with regard to peon labor from Mexico. Mr. President, I know there are some people who have been relying on Mexican labor, and they say they do not see how they can get along without it. But I know, and everyone who hears me knows, that if we shut this Mexican labor out, they will have to get somebody to do the work, and when they are driven to that necessity they will find Americans who will do this work and be glad to do it.

You can not tell me that the millions in this country now unemployed, eager and anxious to find something in order to feed their wives and children and themselves, would stand with folded arms and be indifferent to an invitation to go out and gather fruit in orchards or grapes in vineyards or to pull the grass and weeds from the beet fields. They can find them. They must find them. This is the greatest Government on

earth, with the finest people in all the world. In order to keep it such a Government and such a people, we have to weed out certain degrading and undesirable elements that have been coming in here and spreading their poison in the body politic of America. O Mr. President, what a terrible situation we have now in many places. In our big cities there are organized racketeers, composed mainly of foreigners, in our midst. They are organized into lawless and murderous bands. They have arms of nearly every kind and are equipped with machine guns. And what do they do? They go to our merchants, large and small, and say to them, "Would you like to have this place broken into and robbed from time to time? Would you like to have your show windows broken and your property taken?" "Oh, no." "Well, you pay me $100 or $200 a month or more, and I will see that you are not disturbed."

My God! Think of such a thing as that, in this great country of ours. A band, an army of organized racketeers terrorize and hold the merchants of Chicago and other large cities in dread and fear, and rob them monthly, take so much from them to protect their property from themselves, the burglars and the robbers. That is the result of the coming in of criminal foreigners. They should be, and they must be deported. Pass my resolution on this subject and we will be rid of them.

Added to this problem of the unemployed there are 7,000,000 aliens who have never sworn allegiance to our flag, who have never taken out naturalization papers. Still some people go on placidly, like the Senator from Connecticut [Mr. BINGHAM], bowing and smiling, asking that we do nothing, not even let foreign countries see us looking serious when we discuss the immigration question.

I know what my duty is. I took an oath when I came into this body that I would protect my own country against all enemies, both foreign and domestic, and I am going to be true to my oath?

The suggestion that some foreign country will be offended with the United States if we insist on doing what we think we should do on the immigration question has no terrors for me. I shall not hesitate to do what I feel that I should do to promote the security, the well-being, and happiness of the people here at home. Let the Senator from Connecticut [Mr. BINGHAM] preach his foreign philosophy to his heart's content. It is not my philosophy, it is not the philosophy of my country, and I have but little patience with it.

If we ever weaken or waver on the question of our absolute right to do what we deem best regarding immigration to the United States, we are undone as a nation—we are lost.

The right and power, undisturbed by any foreign influence, to do what we feel is best for our country regarding immigration constitute the thing necessary to preserve free government in America.

Mr. President, some of these foreigners, whose names you would have difficulty in pronouncing, have resorted to kidnaping for a livelihood. They go and steal some innocent child, some little American boy or girl playing around home, seize it and carry it away into the woods or somewhere and hold it for days and weeks for ransom in this free country of ours. Father and mother frantic, terrorized, grief stricken, and crazed that such a thing could happen to any offspring of an American home.

Mr. President, the day will come, and conditions are nearly ripe for that day now, when somebody will lead the American people back to the mountain top of old-time American principles, where there will be no question about where real Americans stand on all questions that affect constitutional government in America. Then we may shut out all immigrants for a time. I would like to vote for a bill to cut out all immigration for five years, until we could take stock, as I have said before, and see who is who in the United States. There are a lot of things about this question that we need to know in the United States. We know that we have a large army of the unemployed and we are adding to it. We are not increasing the comforts and the happiness of our people. The situation that I complain about is adding to their distress.

On the border line Mexicans, a sorry type of cheap peons, are trooping over by the thousands and tens of thousands and they are coming in competition with the cotton producers of the South. The Anglo-Saxons of my State, as fine people as ever drew the breath of life, cotton producers of Alabama and of Georgia and of the other Southern States, are now forced into competition with this low-grade, cheap, dirty, peon labor of Mexico. That Mexican labor comes across the line and helps to produce the cotton crop in Texas, Arizona, and Oklahoma. They constitute a serious menace and danger to the cotton producers of the South. And I know that the Senator from Georgia feels just as I do about this question and I am sure that he will not accept any amendment permitting seasonal labor to come over into the cotton-producing area of the United States. If we should grant them permission to come, thousands and tens of thousands will come across the border line and produce cotton in abundance in Texas and Oklahoma in competition with the producers of my State and the other great cotton-producing States of the Cotton Belt.

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However, I have no disposition whatever to treat it as such. I take note of the threat of Mr. Marsh that because I indicated an opposition to a resolution which he desired to have some one present in the Senate and urge its passage, he would oppose my reelection. Well, I shall endeavor to bear with what fortitude I can any attack which may be made upon me by Mr. Marsh. I bear no resentment even toward him for his attitude in the matter. I am sure that the declaration on his part was the ebullition of the moment, and that it was made without reflection. I am sure that his conclusion upon further thought upon the matter will be that he probably would not improve the situation very much from his point of view by substituting some one else for the two Senators who now represent the State of Montana in this Chamber.

I note, however, Mr. President, that Mr. Marsh takes the position that the attitude of the two Senators from Montana with respect to his resolution and with respect to the whole matter is because of some dominant position which the Montana Power Co. and the Anaconda Copper Co. have in the politics in the State of Montana. It is a part of the history of our State, well known to most public men, that neither my colleague nor myself is here by the grace of the Anaconda Copper Co., and that neither of us would be here if it had its way about matters in our State. I say this likewise without any purpose to reflect upon the attitude of either the Anaconda Copper Co. or the Montana Power Co. Their opposition to me is an affair of nearly 20 years ago and I apprehend that the asperities of those days have very largely passed away. As is said by Mr. Marsh in the article, the fight which I have made in this body in order to have the public more accurately and fully apprised concerning the affairs and business of the power companies in the United States will make it unnecessary for me to justify my attitude in that regard.

However, Mr. President, because so much has been said regarding the matter about the corridors of the Senate and the press I think it would not be inappropriate for me at this time to indicate why I was opposed to the resolution which Mr. Marsh was desirous of having considered by this body. It, in effect, provided that all action by the Federal Power Commission on applications for permits to develop the power sites on the Flathead River be suspended until an investigation should be had of charges made by one subordinate of the commission against another subordinate of the commission. It occurred to me that that was no reason whatever for deferring or delaying action by the commission itself.

I ought to say, Mr. President, that this is one of the great water powers of the country, comprising five sites in the State

earth, with the finest people in all the world. In order to keep it such a Government and such a people, we have to weed out certain degrading and undesirable elements that have been coming in here and spreading their poison in the body politic of America. O Mr. President, what a terrible situation we have now in many places. In our big cities there are organized racketeers, composed mainly of foreigners, in our midst. They are organized into lawless and murderous bands. They have arms of nearly every kind and are equipped with machine guns. And what do they do? They go to our merchants, large and small, and say to them, "Would you like to have this place broken into and robbed from time to time? Would you like to have your show windows broken and your property taken?" "Oh, no." "Well, you pay me $100 or $200 a month or more, and I will see that you are not disturbed."

My God! Think of such a thing as that, in this great country of ours. A band, an army of organized racketeers terrorize and hold the merchants of Chicago and other large cities in dread and fear, and rob them monthly, take so much from them to protect their property from themselves, the burglars and the robbers. That is the result of the coming in of criminal foreigners. They should be, and they must be deported. Pass my resolution on this subject and we will be rid of them.

Added to this problem of the unemployed there are 7,000,000 aliens who have never sworn allegiance to our flag, who have never taken out naturalization papers. Still some people go on placidly, like the Senator from Connecticut [Mr. BINGHAM], bowing and smiling, asking that we do nothing, not even let foreign countries see us looking serious when we discuss the immigration question.

I know what my duty is. I took an oath when I came into this body that I would protect my own country against all enemies, both foreign and domestic, and I am going to be true to my oath?

The suggestion that some foreign country will be offended with the United States if we insist on doing what we think we should do on the immigration question has no terrors for me. I shall not hesitate to do what I feel that I should do to promote the security, the well-being, and happiness of the people here at home. Let the Senator from Connecticut [Mr. BINGHAM] preach his foreign philosophy to his heart's content. It is not my philosophy, it is not the philosophy of my country, and I have but little patience with it.

If we ever weaken or waver on the question of our absolute right to do what we deem best regarding immigration to the United States, we are undone as a nation—we are lost.

The right and power, undisturbed by any foreign influence, to do what we feel is best for our country regarding immigration constitute the thing necessary to preserve free government in America.

Mr. President, some of these foreigners, whose names you would have difficulty in pronouncing, have resorted to kidnaping for a livelihood. They go and steal some innocent child, some little American boy or girl playing around home, seize it and carry it away into the woods or somewhere and hold it for days and weeks for ransom in this free country of ours. Father and mother frantic, terrorized, grief stricken, and crazed that such a thing could happen to any offspring of an American home.

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However, Mr. President, because so much has been said regarding the matter about the corridors of the Senate and the press I think it would not be inappropriate for me at this time to indicate why I was opposed to the resolution which Mr. Marsh was desirous of having considered by this body. It, in effect, provided that all action by the Federal Power Commission on applications for permits to develop the power sites on the Flathead River be suspended until an investigation should be had of charges made by one subordinate of the commission against another subordinate of the commission. It occurred to me that that was no reason whatever for deferring or delaying action by the commission itself.

I ought to say, Mr. President, that this is one of the great water powers of the country, comprising five sites in the State

of Montana on the Flathead River which empties into Flathead Lake, which is thus a great natural reservoir. The Flathead Lake is one of the largest bodies of fresh water between the Mississippi River and the Pacific Ocean. The five sites on the Flathead River are capable of the development of something over 200,000 horsepower. It thus ranks with one of the great water powers of the country. Even before I came to the Senate, Mr. President, I had taken a keen interest in the development of those sites. For more than 30 years the people of the State of Montana have looked forward to that great development with hope and expectation. The sites are situated within the Flathead Reservation in the State of Montana, and are, perhaps justly, regarded as one of the great assets of the Flathead Tribe.

The present condition of that tribe, Mr. President, is far from what their friends might reasonably hope it would be. Poverty and destitution are by no means lacking within the tribe. The best of the Indians on that reservation are not too well fixed in respect to this world's goods. Whatever may come from the development of these power sites will go to the benefit of those Indians, and very naturally they, and their friends likewise, have been hoping year after year for the development of these resources; and year after year they have been dragging along at the very edge of penury, if not entirely within that domain, waiting and hoping for something to be done to enable them to receive some benefit from this property of theirs. So, when I came to the Senate 17 years ago, one of the things with which I charged myself was the promotion of some legislation that would unlock the power sites of the country and permit their development, and particularly the development of the Flathead power sites.

I was accordingly, Mr. President, deeply interested and active in the enactment of legislation which culminated in the act of 1920. Shortly after the passage of that act, in the year 1921, the Rocky Mountain Power Co. filed application for a preliminary permit looking to the development of this power site, and two or three other companies likewise filed applications for preliminary permits, but no action was taken for several years thereafter, until I finally went to the executive secretary of the Power Commission, Mr. Merrill, on several occasions, and insisted that he put before the commission these applications and ask for action upon them; in other words, Mr. President, during the entire time of my 17 years' service in the Senate I have had this matter on my mind and have been active in endeavoring to get this development under way.

Finally, in 1927, the Rocky Mountain Power Co., a subsidiary of the Montana Power Co., which is now a subsidiary of the American Power & Light Co., which is a subsidiary of the Electric Bond & Share Co., made an application for a license to develop one of these sites; perhaps not at all unlikely the most eligible of the five, capable of producing primary horsepower to the extent of from 68,000 to 70,000 horsepower. We understood some time ago that it was capable of producing 100,000 horsepower, but that figure appears by later information to have been somewhat reduced. Shortly thereafter, however, applications for a preliminary permit covering all five sites was filed by an engineer of the city of Minneapolis, Mr. Walter H. Wheeler.

In the year 1927, Mr. President, I made a speech on the Flathead Indian Reservation, at Polson, upon this general subject. At that time, as my recollection now serves me, Mr. Wheeler's application had not been filed. The question then at issue was whether development should be undertaken by private parties under the operation of the act of 1920 or, as suggested in some quarters, it should be carried on by the Government itself.

I ought to say in this connection, Mr. President, that in the year 1926 the House of Representatives, apparently despairing of any development under the act of 1920, and being desirous of making some use of the power for the purpose of pumping water for the irrigation project on the reservation, made provision for a small development of 7,500 horsepower by the Government. If that work were to go on—indeed, I might say it was projected quite a number of years ago by the Reclamation Service and subsequently abandoned for many years and revived in the year 1926—if it were to go on, it would entirely arrest the development in a large way of these power sites, or if the development in a large way should proceed the smaller development by the Government would be entirely inundated. In order to carry on the large development it would be necessary to pay the cost of the small development, which would be utterly destroyed. That situation being represented to the Congress, the provision of the act of 1926 was repealed in 1928, the discussion on the floor here having been quite generally participated in. So that legislation being out of the way, finally it looked as if there was going to be development of these power sites.

There was then the application of the Montana Power Co. for a license to develop the one power site and the application for a preliminary permit by Mr. Wheeler for all five sites; that is to say, Mr. Wheeler desired to get a permit to carry on explorations for three years, in order to determine for himself whether he would care to enter into an agreement for the development of any or all these sites.

Considerable testimony was taken by the Power Commission with respect to this matter. However, before I discuss that phase of the question I wish to refer for a moment to an address which I made upon this subject in 1927. At that time I said:

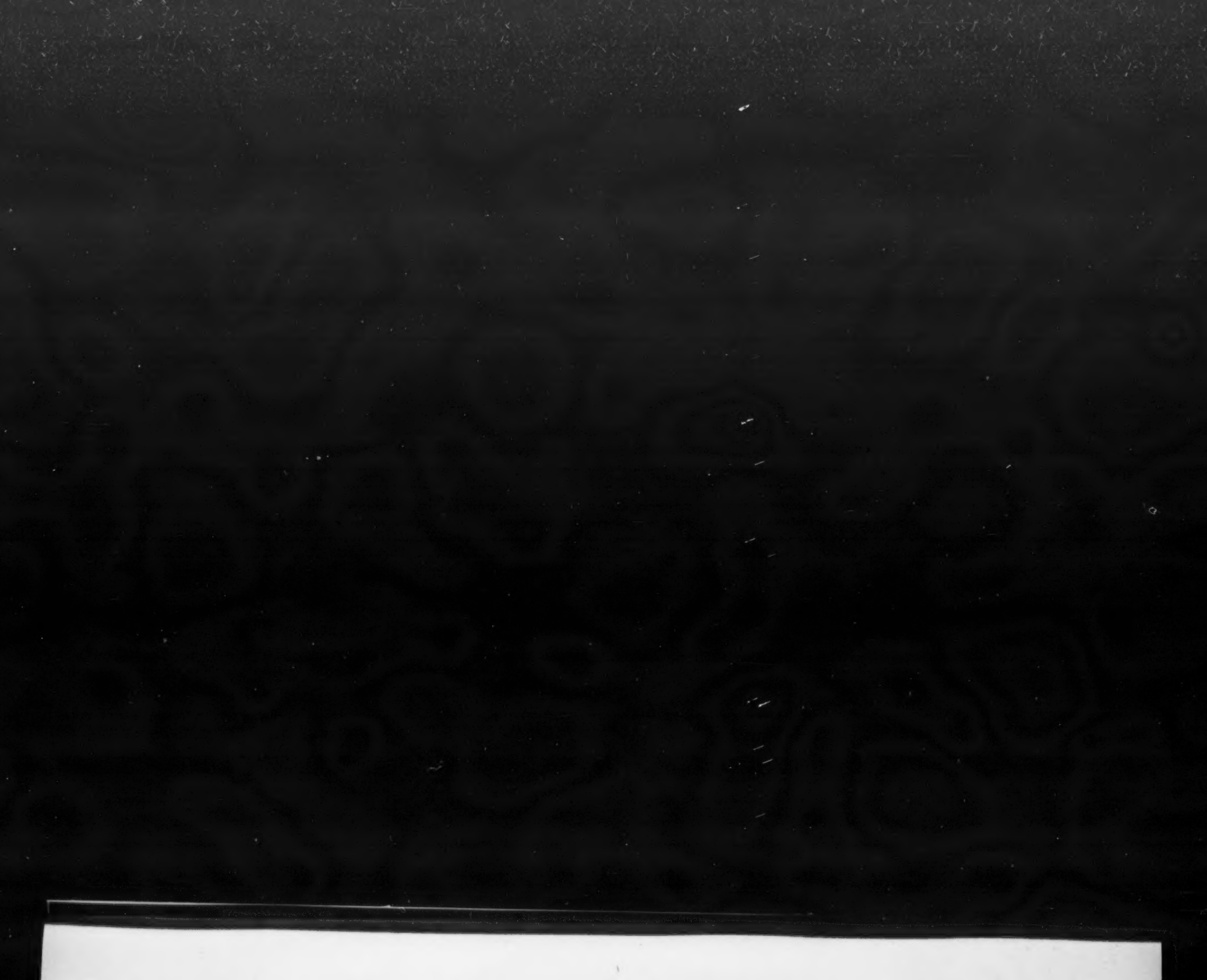
> If we were going to have this power developed by private enterprise I would like to see that permit go to some other company than the Montana Power Co. I have nothing against the Montana Power Co.; they have done a lot to develop the country; but I would like to see some other company come into this State and divide up the business with it. I am old-fashioned enough to believe that competition is the life of trade. But there doesn't seem to be any other company looking for it. I think that probably the friendly relations existing between great organizations carrying on such work make them regard this as Montana Power Co. territory.
>
> I thought possibly that the Byllesby Co. might want to come in and contend for the permit. The J. G. White Co. owns the light and railway system in Helena; they engage in such interests. Stone & Webster have great interests of this kind in Seattle; they built the first dam across the Missouri River at Canyon Ferry. But none of them are asking for the permit.

So, Mr. President, the situation was this, that none of the great companies, with the necessary financial support, have made any application whatever under the act of 1920 as against the Montana Power Co. or its subsidiary, the Rocky Mountain Power Co. The only other contender was Mr. Wheeler. At my earnest solicitation, addressed to the secretary of the Power Commission, he informed me, as I understood, that there would be a hearing of the rival applications before the Power Commission, and, much to my surprise, I was advised that instead of the hearing to take place before the Power Commission it was to take place before the secretary himself, Mr. Bonner, the testimony thus taken afterwards to be reviewed as in the nature of an appeal by the commission. Likewise I understood from the talk I had with Mr. Bonner, the secretary, that there would be an open hearing, with an opportunity for every applicant to present whatever case he had and to make whatever case he could against his antagonists. Much to my surprise my attention was called to a notice given out by Mr. Bonner which seems to be entirely inconsistent with that idea. That notice is as follows:

> NOTICE OF HEARING
>
> Notice is hereby given that a public hearing will be held before the executive secretary of the Federal Power Commission in room 2335, Interior Building, Washington, D. C., at 10 a. m., Monday, October 28, 1929, under authority of the Federal water power act (41 Stat. 1063), in the matter of the pending applications of Rocky Mountain Power Co. (No. 5) and Walter H. Wheeler (No. 868), contemplating hydroelectric developments affecting Flathead Lake and Flathead River, Mont.
>
> The purposes of this hearing are to afford Walter H. Wheeler opportunity to present evidence in support of his petition for reconsideration of the tentative decision of the executive secretary to recommend to the commission that his application be denied; to afford opportunity to other parties who may be affected by the power development proposed by Mr. Wheeler or by the Rocky Mountain Power Co. to present their views; to permit the public expression of views relating to interest of the tribal Indians and of the mission irrigation project in the proposed developments; and to allow full and frank discussion of other matters pertinent to the present power projects which involve Flathead Lake and Flathead River.
>
> All interested parties are invited to be present or to be represented at the above time and place.
>
> Except for briefs and oral arguments submitted in accordance with Section IV of the Rules of Practice and Procedure of the Commission, dated May 1, 1929, the hearing will be confined to the presentation of oral or documentary evidence respecting pertinent facts of which the witnesses have personal or expert knowledge.
>
> F. E. BONNER, *Executive Secretary.*
>
> SEPTEMBER 10, 1929.

Upon receipt of that communication, I addressed a letter to Mr. Bonner indicating that it did not by any means conform to my understanding of what was to take place.

I addressed him, accordingly, and had from him in reply a letter under date of October 25, 1929, as follows:





FEDERAL POWER COMMISSION,
Washington, October 25, 1929.

Hon. T. J. WALSH,
United States Senate.

DEAR SENATOR WALSH: In reference to your letter of October 19 and our discussion Monday concerning the Flathead matter.

I am sorry, indeed, you received the impression that hearing in this case would be held before the commission itself. As Colonel Tyler and I explained to you Monday, the procedure followed is in accord with the established practice and procedure. Recognizing, however, that this case presents some very involved questions, the parties at interest will be given an opportunity to move for a hearing in the first instance before the commission if they so desire. I am advised that prior appointments will make it impossible, however, for all members of the commission to attend all sessions on this short notice.

Very truly yours,

F. E. BONNER, *Executive Secretary.*

I did not content myself, however, with the communication to the executive secretary; but I waited upon two of the members of the commission—the Secretary of the Interior and the Secretary of Agriculture, the Secretary of War then being ill, making it impossible for me to see him—and specifically and personally requested the members of the commission that the hearing be before the commission and not before the executive secretary. I addressed identical communications to them as well, that to the Secretary of the Interior being as follows:

OCTOBER 19, 1929.

Hon. RAY L. WILBUR,
Commissioner, Federal Power Commission.

DEAR MR. COMMISSIONER: I am inclosing a copy of a letter I am this morning sending to the executive secretary of the Federal Power Commission, together with a copy of notice of hearings on the matter of award of a permit to develop what is known as the Flathead power site. You are perhaps not unaware that the site in question is one of the great power sites of the country, the development of which is much needed to meet the industrial wants of our State and adjacent territory.

May I have the assurance from you that the hearings contemplated will be before the commission and not before the executive secretary upon the issue as indicated in the notice?

Very respectfully yours,

T. J. WALSH.

The answer of the Secretary of the Interior to that is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, October 21, 1929.

Hon. T. J. WALSH,
United States Senate.

DEAR SENATOR WALSH: Acknowledging your letter of October 19, together with the copy of one sent to the executive secretary of the Federal Power Commission, may I state that I will be glad to give the most careful attention to this important question. I realize this Flathead power site is one of the great power sites of the country and have every desire to do justice to all interests concerned.

While I may not be able to come to the preliminary hearing of which you speak, you can rest assured that before decision is made the whole question will be carefully reviewed by me as a member of the Federal Power Commission; also that I will be glad to hear any protests as to the findings of the executive officers of the Federal Power Commission.

Sincerely yours,

RAY LYMAN WILBUR.

I had a further communication from the executive assistant to the Secretary, of date October 25, 1929, which reads as follows:

THE SECRETARY OF THE INTERIOR,
Washington, October 25, 1929.

Hon. THOMAS J. WALSH,
United States Senate.

MY DEAR SENATOR WALSH: Confirming my conversation Thursday afternoon with you regarding the Flathead power hearing, scheduled for Monday next, I have made the following suggestion to Mr. Bonner, executive secretary of the commission: When the hearing convenes before him the question of whether it is to continue before the executive secretary or before the full commission may be brought up by motion of Mr. Wheeler, the applicant, if he desires that course. If such motion is made, it should be explained to him that because of shortness of notice (dating from your communication of Wednesday) it will be impossible for the three commissioners to adjust their appointments so as to sit personally throughout the hearing, and it will therefore be necessary, if the motion is granted, that the commissioners be represented through a great part of the time by their assistants. Under these circumstances Mr. Wheeler may prefer to have his case heard in regular course; that is, first before the executive secretary, with right of appeal to the commission. But if he prefers to adopt the special course, which you considered advisable in your communication to the commission, I know that the commissioners will do what they can to accommodate him.

Very truly yours,

NORTHCUTT ELY,
Executive Assistant to the Secretary.

When the hearing came on I appeared there, called attention to the communication thus addressed to the various Secretaries, and action was taken as indicated by the record of the hearing, from which I read, as follows.

At page 7:

Senator WALSH. Mr. Secretary, do you recall that I addressed a communication to you, and also to the members of the commission, asking that the hearing be had before the commission—the secretary, of course, sitting with them, with the aides in his office. I understood that a motion was to be made by one of the parties to that end. I suppose this will be the appropriate time for the consideration of that motion.

Secretary BONNER. It would, Senator WALSH, if there is such a motion to be presented.

Mr. FORBES (representing Mr. Wheeler). Mr. Chairman, the motion has already been presented and been, in part, answered by yourself as executive secretary.

I present a copy of my motion, a statement of facts in support of it, and Mr. Bonner's action upon it, and ask that it be made a part of the record.

Secretary BONNER. The documents may be made a part of the record. Would you care to read them into the record, Mr. Forbes?

Mr. FORBES. Yes, sir. [Reading:]

WASHINGTON, D. C., *October 28, 1929.*

To the FEDERAL POWER COMMISSION:

In the matter of the applications of Walter H. Wheeler (No. 868) and the Rocky Mountain Power Co. (No. 5).

Petition for joinder of public hearings on the aforesaid pending application.

Now comes Walter H. Wheeler, an applicant, before the Federal Power Commission for the issuance of a preliminary permit contemplating hydroelectric developments affecting Flathead Lake and Flathead River, Mont., and respectfully petitions the honorable the Federal Power Commission to hold joint public hearings on both the above-numbered applications, and it is further respectfully petitioned that the notice of hearing, dated September 10, 1929, issued by the executive secretary of the commission, be modified to the extent of placing both the said applicants in the same position at said hearing before the commission; that both of said applicants be served with formal notice of said joint hearing to be held at 10 a. m. on Monday, October 28, 1929.

A statement of fact in support of this petition is attached hereto and made a part hereof.

WALTER H. WHEELER, *Applicant.*
DANIEL R. FORBES, *Attorney.*

The statement of fact submitted at that time by Mr. Wheeler being rather lengthy, and not altogether relevant to the matter before us, I pass that. It having been read, however, Mr. McCormack, representing certain interests, arose and said:

If permissible, Mr. Chairman, I should like to join in that motion on behalf of the county of Flathead.

Then Mr. Kelly, representing the Rocky Mountain Power Co., said:

On behalf of the Rocky Mountain Power Co., I will join in that motion, and will be glad to participate in a hearing before the full commission, if that is agreeable.

Senator WALSH of Montana said:

Nothing that I have said here this morning, Mr. Secretary, or elsewhere, is to be construed into associating myself with any representations that may be made in the petitions that have just been read, or in the nature of a criticism of any action heretofore taken by any member of the force of the Federal Power Commission. Without any regard to those matters, I am very glad to note that all of these representatives unite in asking a hearing before the commission as a whole. It seems to me that, although the practice which is prescribed by the rules of a preliminary hearing before the executive secretary is, perhaps, entirely wise applied to applications generally, possibly for the development of 5,000 or 10,000 horsepower, where there is no real serious controversy about the matter, it should be borne in mind that this is one of the great water powers of the country; that there are sharply contesting claimants for the permit, and there is a great general interest in the subject, as is manifested by the appearances which have been made here this morning.

And those facts seem to me to set this application apart from the general run of applications.

And it was for these reasons that I suggested the hearing before the commission in the first instance, before the commission itself. I am not to be understood as otherwise joining in the application that has been read. I thought the commission and the members thereof ought to see the parties who testify, and themselves interrogate the witnesses, if it is deemed necessary or desirable on their part, for the purpose of fully informing themselves about the matter.

I also feel that no one need concern himself particularly in the proceeding before the commission, or before the executive secretary, on the question of where the burden of proof is. I think that any applicant will be borrowing trouble if he concerns himself with respect to that. I am perfectly certain that the commission will regard the matter as an open thing, to be heard upon such representations as each contending party may make with respect to the matter.

Secretary BONNER. Are there any other arguments on this motion?

Mr. GROSUD (representing the Flathead Indians). I also join in the application.

Mr. DELLWO. And the Flathead irrigation district also joins in that.

Mr. HARBERT. Mr. Chairman, I join in that request.

Secretary BONNER. Is there anyone that has any objection to offer to the motion?

You will understand, gentlemen, that this question was raised only a few days ago by Senator WALSH's letter. And it is difficult to secure the attendance of the members of the commission on short notice, and if the motion is granted it will be on the understanding that the commission will participate only to the extent of their ability, but will endeavor to have one of their representatives sit in case of their being absent for a part of the time. Will there be any objection to it on that basis?

And there being none, that order was made and the hearing was thereafter had before the commission, the assistants to the Secretaries sitting when the Secretaries were unable themselvs to be present.

Mr. President, at this point I desire to put in the RECORD a copy of my letter to Mr. Bonner. I read it, as follows:

OCTOBER 19, 1929.

Hon. F. E. BONNER,

Executive Secretary, Federal Power Commission.

MY DEAR MR. BONNER: My attention has just been called to the particular wording of the notice of hearing in relation to the Flathead power site issued by you under date of September 10, 1929. I am somewhat surprised at its language in view of the talk I had with you some days prior to the date of the notice, from which I gained the very distinct impression, and so notified many of my constituents, that the hearing would be before the commission and not before the executive secretary as to the recommendation he should make to the commission in the premises. Furthermore, I understood that the hearing would be open and general and not in the nature of a hearing on the protest of Mr. Wheeler against the application of the Rocky Mountain Power Co. I certainly gathered the idea from our talk that Mr. Wheeler would be on exactly the same footing with respect to his application as the Rocky Mountain Power Co., and that the matter would not assume the attitude, as indicated by the notice, of a hearing on an application for a reconsideration of the decision already made by you.

I am deeply concerned about the speedy award of a permit under proper conditions and restrictions, but without any preference whatever as between rival applicants for it. I went to your office for the purpose of assuring myself that there would be a hearing on the subject by the commission and supposed I had assurance from you that such a hearing would be had.

In view of the present situation I am sending a copy of this letter to the members of the commission, with a copy of the notice issued by you. The matter seems to me of sufficient importance to call for an open hearing before the commission itself.

Very truly yours,

T. J. WALSH.

Mr. President, that being the situation of affairs, having labored, and having labored successfully, to take this hearing away from Mr. Bonner and have it before the commissioners themselves, as it was had before the commissioners themselves, I was unable to give any countenance to the resolution which Mr. Marsh desired to have presented to the Senate to suspend action because, forsooth, there was some kind of a quarrel between Mr. Bonner, the executive secretary, and Mr. Russell, one of the attorneys for the Power Commission, each indulging in charges against the other. That, and my eager desire to have this work go forward, was the reason, and the only reason, why I objected to Mr. Marsh's resolution, and signified to him that I should fight it if it came on the floor.

But, Mr. President, in this connection, Mr. Marsh's statement quotes a remark attributed to the Senator from Michigan [Mr. COUZENS], made before the Committee on Interstate Commerce when some testimony was being adduced with respect to this matter before that committee, to the effect that "this was the rottenest mess in government" that had come under his notice, evidently intending to carry the impression that this matter of the award of a permit for the development of the power sites on the Flathead was thus characterized by the Senator from Michigan.

The record discloses that when the Senator from Michigan made the remark thus attributed to him, he was referring to matters entirely disassociated with the award of a permit for the development of the Flathead power sites. The testimony will be found on pages 64 and 65 of the hearings before the Committee on Interstate Commerce, United States Senate, Seventy-first Congress, second session, pursuant to Senate Resolution No. 80, from which I read, as follows.

Mr. King, the auditor of the Power Commission, was testifying, and he said:

Mr. KING. In August or September, 1929, and we have had no particular difficulty, Senator, except that that was not served upon licensees in just the way it should have been served. You understand that we have first the investment in the original project, and then each year thereafter in some cases we have additions and betterments. It is just as important to have the details of cost of additions and betterments as of the original project. The executive secretary served that accounting bulletin on all licensees to which it was applicable and asked for an analysis of the costs of the original project as provided by the form or schedule. But so far as additions and betterments were concerned, he told them it would apply only to major additions and betterments. Now, I do not know what major additions and betterments mean. It is a term that is not defined, and is one which will create controversy over the meaning of it, and will permit, if his instructions are observed, the power companies to report in more or less lump sums without any analysis of additions and betterments to plants.

Senator WHEELER. That is the situation, then?

Mr. KING. Yes.

The CHAIRMAN. Have you had any occasion to look into the prelicense cost of the Cumberland River Power Co. project?

Mr. KING. Yes, sir; we did that rather carefully.

The CHAIRMAN. Have you found anything wrong with it?

Mr. KING. There were a number of items that were criticized and eliminated, or perhaps are to be eliminated, and that matter has been referred to the solicitor, and I think a couple of opinions issued upon certain items included in the preliminary cost statement.

The CHAIRMAN. I am going to have a statement prepared by counsel calling for all these facts with respect to these major projects. We seem to be getting piecemeal information here about these different cases, but we have no complete statement of the major controversies. I think the task of getting that out is much overrated. I do not think we will have any trouble in getting the major cases.

Mr. KING. It can be done, Mr. Chairman, but will involve considerable work.

The CHAIRMAN. I should like to know also how much trouble it would be to find how much time has elapsed between the making of application for these licenses and the granting of them. I have understood that there has been intolerable delay in the matter of taking action. In other words, the whole set-up of the commission is so incomprehensible that it is one of the rottenest exhibitions of government I have ever heard of.

Senator WHEELER. Some of these applications have been pending for many years, have they not?

Mr. KING. I think so. I am not well enough informed to testify regarding that except in a general way. But I know that certain applications have been pending for years.

Those who know Mr. Marsh will, of course, very readily realize that what he really objects to in this matter is the development by private interests at all. He wants these power sites held up until at some time in the more or less distant future the Government of the United States shall enter upon the work of developing the power sites of the country.

That is an entirely different question from the question as to whether under certain particular conditions and circumstances the Government may not itself engage in power development as incidental to other work. For instance, in the case of the Salt River irrigation project in the State of Arizona, it became necessary to store water for the purposes of irrigation, and in the storage of the water it was convenient and economical to develop power, and the Government went on and developed power, and they are now disposing of that power at very satisfactory prices.

In the matter of the Muscle Shoals, with which we have been so lately concerned, the Government found it necessary to provide itself with an adequate supply of nitrates for use in time of war, and in order to do so it was deemed necessary to develop the power of Muscle Shoals.

Mr. President, we have had before use the development of the St. Lawrence River for navigation and power, the work to go on for both purposes.

The Government has developed power to a very large extent at the Sault Ste. Marie incidental to its work of improvement of the navigation of the channel between Lake Superior and the lower lake.

Many circumstances and conditions may arise in which one who would not think for a moment of having the Government engage generally in the development of power sites all over the country would be quite willing that under particular circumstances and under particular conditions the Government should undertake that work. But Mr. Marsh does not want any power development whatever to be carried on by private parties.

As stated in the address delivered by me as far back as 1927, if there were any reasonable probability of the Government of the United States taking hold of and developing this power itself, within any time we can look forward to, it would present itself in quite a different aspect. But I am not willing in the present state of the public mind with respect to the public development of power sites of the country to let this project lie idle until that sentiment is developed sufficiently to warrant the belief that the time is at hand when the Government will engage in such activities.

Mr. President, let us see what this signifies. According to information lately compiled by the Geological Survey, the United States has potential water-power resources aggregating, as a minimum, 38,110,000 horsepower; as a maximum, 59,166,000 horsepower. Of that there had been developed by January 1, 1928, approximately 12,000,000 horsepower, leaving a minimum of 26,000,000 and a maximum of 47,000,000 horsepower in the United States still undeveloped. If that horsepower can be developed at an average of even $100 a horsepower, it means an investment by the Government of the United States in the one case of $2,600,000,000 and in the other case of $4,700,000,000. Of course, there would be all manner of contention from all parts of the country for appropriations by Congress for the development of power sites.

I undertake to say we are a generation at least away from any such policy, and accordingly I can see no reason for arresting this development to await such a radical change in public sentiment or in the policy of our Government.

I have a letter here from Mr. Norman Thomas, late Socialist candidate for President of the United States, with my reply to him, and I refer to his letter here because it expresses, to my mind, very much the same idea, very much the same thought, that has actuated Mr. Marsh in his activities in this matter. This letter is of date January 13, 1930, and reads as follows:

LEAGUE FOR INDUSTRIAL DEMOCRACY (INC.),
New York City, January 30, 1930.

Senator THOMAS WALSH,
Washington, D. C.

MY DEAR SENATOR WALSH: I am addressing this identical letter of inquiry on the Flathead power situation in your State to you and Senator WHEELER.

As I understand matters, the Federal Power Commission is about to grant to the Rocky Mountain Power Co., a dummy of the Montana Power Co., which, in turn, is associated with the Power Trust through its connections with the Electric Bond & Share Co., immensely valuable water-power rights on the Flathead River capable of generating more primary power than Muscle Shoals. I am further informed that in this grant the rights of the Flathead Indians are involved and that a more favorable offer for the power has been made to the Indians. Finally, I understand that the Montana Power Co. and the Anaconda Copper Co., with which the Montana Power Co. is closely identified, want this power less to use it themselves than to keep it out of use by their competitors.

But I do not write to argue the merits of one private application for this power as against another. I am committed, as I thought you were, by your own statements and the position of your presidential candidate in 1928, to public development of power, at least, on the remaining water-power sites, of which the Flathead sites are among the best. Even if you believe that President Hoover and a Republican majority in Congress will force some kind of lease I should think you would be obliged to oppose this lease at this time to the Montana Power Co. for the following reasons:

1. President Hoover himself is on record concerning the inadequacy of a power commission made up of busy Cabinet officers, who, I understand, were present less than half the time during the hearing on this case. There is absolutely no reason for haste which requires that this lease be made before a proper commission has been set up.

2. The secretary to the Power Commission is now under charges by reason of a resolution in the Senate alleging that he has disrupted the accounting system of the commission by farming out the work to two separate governmental departments. While these charges are pending it is criminal that a commission of which he is the active officer should be giving a long lease on one of the Nation's great natural resources.

After the lease has been granted there will be nothing the Federal Government can do about rates. The State commission, I understand, is under the thumb of the Montana Power Co. The time to act is now, and the country has a right to look to you, not only because you are Senator from Montana but because you have been a leading progressive, to take some vigorous stand in the matter.

I write not only as a citizen but as executive director of the League for Industrial Democracy and chairman of the public affairs committee of the Socialist Party, both of which organizations are in different ways deeply interested in the matter. I am making my letter public, and assume that you will do the same with your reply.

Sincerely yours,

NORMAN THOMAS.

To that I replied, as follows:

FEBRUARY 1, 1930.

Hon. NORMAN THOMAS,
League for Industrial Democracy,
112 East Nineteenth Street, New York.

MY DEAR MR. THOMAS: I am in receipt of your letter of January 30 in relation to the applications pending before the Federal Power Commission for a permit to develop the Polson power site.

Were the question before us one of the development of the power site by the public on the one hand or by private interests on the other, it is quite likely that I should be in favor of the development by the organized public; but you can not be unaware that that is not the question, but whether the site shall be developed by private interests or not developed at all; at least, not developed within any period that can now be estimated or forecast.

For 30 years of my residence in the State of Montana our people have looked with hope deferred on the utilization of this great natural resource for the upbuilding of our sparsely settled country. Now when the prospect of its development is at hand to be told that we must wait for an indefinite period, probably not less than a generation, until the General Government or the State enters upon the policy of power development naturally arouses no very sympathetic response. I should, as I stated publicly in an address in Montana, prefer to see some reliable company other than the Montana Power Co. get the permit, but I should rather see the Montana Power Co. get it than that it should longer lie idle.

You appear to be somewhat better informed than I am concerning what the commission will do with respect to the two rival applications now under consideration by it. I am entirely uninformed as to whether it will or will not grant the permit to the Montana Power Co. or to either of the applicants now seeking it.

You are quite accurately informed that the Montana Power Co. is closely related to the Anaconda Co.; indeed, to all intents and purposes the management of the two companies is identical, and you may be right that it has no purpose to make use of the power to be generated, but seeing that the enterprise involves an expenditure estimated at $8,000,000, the cost of keeping the plant idle will not be inconsiderable. I prefer to believe that it will, from business reasons, be forced to find a profitable use for the power it produces.

You are correctly informed that the Indians are deeply interested in the development. Many of them are in a state bordering on penury, if not destitution. The royalty will be a godsend to them. Their interests are being very carefully looked after by Commissioner Rhoads and Assistant Commissioner Scattergood. The latter has, to my knowledge, been giving the most intensive study to the question and has made elaborate figures of the amount which the permittee ought to pay for the benefit of the Indians.

I note what you say about deferring action until charges pending against the executive secretary of the commission are disposed of, and your very expressive assertion that it would be criminal for the commission to act favorably upon either of the applications while the charges are pending against its secretary. I pass the implication that I would be participating in a crime in urging, as I am, reaching a speedy disposition.

You may not have been informed that in accordance with the alleged practice of the commission, the secretary directed that a hearing would take place before himself, the notice indicating that he had tentatively determined to award the permit to the subsidiary of the Montana Power Co. I went before the Secretary of the Interior and the Secretary of Agriculture, the Secretary of War being ill at the time and subsequently dying, and prayed that the hearing be had before the commission itself. This was done. Unfortunately, the members of the commission were unable to attend at all times, but in the absence of any of them an assistant sat in his stead. There is, accordingly, no reason for delaying proceedings to await an investigation of the executive secretary. Nor can I consent to delay to await a reorganization of the commission, not likely to be accomplished during this session of Congress, at least, in view of the tremendous volume of business before us.

I regret that we should differ about this matter, but my attitude is plainly stated above.

Very truly yours,

T. J. WALSH.

Mr. President, as indicated there is really only one application before the commission for the development of any of the power sites. That is the application of the Rocky Mountain Power Co. The other application, I repeat, is not an application to develop any of those sites, but is an application for a preliminary permit extending over a period of three years to make preliminary investigations in order to determine whether the applicant, Mr. Wheeler, will apply for a license to develop the five power sites or any of them.

It is not a secret at all that since the letter was written which has last been read the Power Commission, or at least the Secretary of the Interior, speaking for the commission, has been carrying on negotiations with the Montana Power Co. with a view to fixing the rate of royalty under which a license should be granted to that company. I speak of this because testimony to that effect was given before one of the committees of the Senate. It must be assumed that the Power Commission is now prepared to award the license to the Montana Power Co. if they can agree on the royalty which is to be paid. That means, I take it, a rejection of the application for a preliminary permit preferred by Mr. Wheeler.

What it was that actuated the Power Commission in thus in effect rejecting the application of Mr. Wheeler I am, of course, not prepared to say, but I am prepared to say how his application has addressed itself to me. Mr. Wheeler has called to see me on many occasions with respect to the matter, and I have at all times indicated to him that he ought very clearly and convincingly to establish to the satisfaction of the ordinary mind that he is financially able to carry on the development if the permit should be awarded to him. He appeared before the commission and submitted a large amount of testimony concerning the possibility of utilizing power in the production of fertilizer of various kinds. Much has been said about his project.

I might say in this connection that the Montana Power Co. offers to pay to the Indians $1 per horsepower for the average amount of power capable of being developed by the work they are to carry on throughout the year. It is estimated now that that will be somewhere about 68,000 to 70,000 horsepower. Accordingly their proposal is that they shall pay that amount. The figures tendered by the commission through the Secretary of the Interior, as I understand it, fix the rate which they ask of the Montana Power Co. at $104,000 until the development of power reaches 68,000 horsepower, and after that it increases as the amount of power developed increases.

Mr. Wheeler offers to pay $1.50 per kilowatt, which is equivalent, it is understood, to $112.50 per horsepower. That is, if the license should eventually be issued to him that is what he agrees to pay.

Mr. FRAZIER. Mr. President——

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from North Dakota?

Mr. WALSH of Montana. I yield.

Mr. FRAZIER. In speaking of the permit applied for by Walter H. Wheeler, as I understand it, the Rocky Mountain Power Co. made application for a permit, too, and that was their only application until after Mr. Wheeler came in asking for a permit, and since that time the Rocky Mountain Power Co. have changed their bid and now ask for a lease instead of a permit.

Mr. WALSH of Montana. I have not the dates.

Mr. FRAZIER. That is as I recall it.

Mr. WALSH of Montana. That may be. The Rocky Mountain Power Co. had an application for a preliminary permit. That dates way back in 1921. It may be that after Mr. Wheeler filed his application for a preliminary permit the Rocky Mountain Power Co. came in and asked for a license.

Mr. FRAZIER. I understand that is the case.

Mr. WALSH of Montana. I am not prepared to say. Mr. Wheeler submitted a large amount of testimony in relation to the development of fertilizer and the possibility of utilizing the power in the production of fertilizer and other electrochemical products. It appears quite likely that Mr. Wheeler addressed communications, which was entirely proper on his part, to corporations and other organizations throughout the country engaged in the production of electrochemical products and had letters from them in relation to the matter. But the testimony is entirely lacking in any assurance whatever that he can find a customer for a single unit of power, and the record is equally lacking in any testimony that would satisfy anybody that he is financially able to expend anything like $8,000,000 to $10,000,000 for the development.

I read as follows at page 86 from the testimony of Mr. Wheeler:

Now, as I have said before, I have found a very keen interest in the fertilizer industry among the largest manufacturers of fertilizer and the best electrochemical concerns in the country in this water power at $15 per horsepower. I have gone into the matter extensively with a number of these concerns, and have found that they were keenly interested; and I am convinced that they will enter into contracts for the use of this power and establish fertilizer factories in the vicinity of these power sites.

By Mr. FORBES:

Q. Mr. Wheeler, you are referring to some of those concerns that you have interviewed and corresponded with?

A. Yes, sir.

Mr. FORBES. I would like to say to the commission that as I read the statute and understand the rules, it is not incumbent upon an applicant to show executed contracts for the use of power when a preliminary permit or even a license is pending; but it is incumbent upon him to show, first, a market for the power, and, next, financial ability to construct and develop and equip that plant.

I hope the members of the commission will appreciate the situation that we are in, facing the opposition that we have here, and being required more or less to disclose the customers that we might have for the sale of this power. But I am going to ask Mr. Wheeler to mention one or two of the outstanding concerns that he has negotiated with and to state how much interest he found and what their opinion seemed to be upon his project, and anything else he might care to add.

Mr. WHEELER. I have gone into this matter extensively with one concern, who have authorized me to make certain statements to this commission in their behalf. That concern is the Mathieson Alkali Co., of 250 Park Avenue, New York City, one of the largest electrochemical manufacturing concerns in this country and also in the world.

This company is one of the largest chemical fertilizer manufacturers of America. They now have a plant at Niagara Falls and one in Virginia. They manufacture varied chemical products by chemical processes.

I have had extensive correspondence with Mr. E. M. Allen, president of the company, regarding the use of power from Flathead River power sites.

In October I met him in New York by appointment. I met Mr. Allen at his office on Thursday, October 3, at 12.30. He was called out to a meeting at 1 o'clock. We discussed the power matter briefly and made an appointment to see him again at 9.30 the next morning.

I discussed the power matter the next morning until 11 o'clock and arrived at a tentative understanding with him. He told me to draw up a contract for me to submit to his executive committee, and meet him at 3.45 in the afternoon to go over it.

I met him as agreed and submited the contract to him. He agreed to submit it to his executive committee on Monday, and asked me to meet him again at his office on Tuesday.

I met him on Tuesday morning, and he said that he hadn't been able to hold the meeting, but would do so that day; and he made an appointment to see me the next day at 10 o'clock.

I met him the next day. He told me his committee did not believe that their company would be justified in signing an agreement with me now in advance of my having a permit; but that if the permit is issued to me I could say to the commission that they will put their engineer on the work immediately investigating the power with a view to the construction of an electrochemical plant for the manufacture of fertilizer that will use 100,000 horsepower of prime electric power.

The sum and substance of this is that this company agreed that if he got the permit they would send an engineer out there to see whether at the price fixed they could profitably manufacture fertilizer, and if they could they would enter into a contract.

I continue reading:

Mr. Allen further advised me that his company has a definite plan for the construction of such a plant, and he authorized me to name his company to the commission and to say that he will confirm my statement to the commission by long-distance telephone if they desire to call him.

By Mr. Forbes:

Q. Mr. Wheeler, was this interview with Mr. Allen which you say you had in New York personally subsequent to extended correspondence with him on the subject?—A. That followed extensive correspondence with him.

Q. Can you mention another firm interested in the manufacture of fertilizer which you have found to be keenly interested in the combination of cheap power and raw materials such as they exist in the Montana fields?—A. Well, there are eight of the large chemical fertilizer companies that were actively interested in this matter and with whom I have had considerable correspondence. I have met with a number of them on several different occasions; and, as my attorney has stated, I do not like to disclose the names of all of these companies

at this hearing. But I will say that one of the companies which has shown a very keen interest is Swift & Co., of Chicago.

Q. Do I understand, Mr. Wheeler, that you are not representing to the commission that you have any understandings or executed contracts or options with either of the two companies that you mentioned?—A. I have no contracts with either of the two companies. It is their position very universally—and I think it would be mine if I were in their place—that they do not care to execute a contract with anyone in advance of the issuance of a preliminary permit.

So much for the chance that Mr. Wheeler would have to dispose of his power, which, of course, he could use as the basis for arranging his finances. What is the testimony in relation to his financial ability to carry out an $8,000,000 or $10,000,000 project for power development? I read from page 126 of the testimony:

By Mr. FORBES:

Q. Have you submitted your estimates of cost of development to any financial houses with the idea of securing an opinion as to the ability of financing the project along the lines you have suggested?—A. Yes, sir; I have submitted this matter to one of the very largest investment banking houses, and they have given me their opinion that the project would be readily financed with the set-up which I have made.

Q. Would you care to give the name of that investment house?—A. Yes; I am willing to do that; it was Rollins & Sons.

By Secretary WILBUR:

Q. Rollins & Sons?—A. Yes, sir.

By Mr. FORBES:

Q. Where are they located?—A. I believe their principal place of business is Boston. I took the matter up with their Chicago office. The correct name is E. H. Rollins & Sons.

It will be observed that they do not say they will invest in the proposition. They say to him they believe it can be financed. That is all there is to it—that they believe it can be financed. So likewise, Mr. President, Mr. Wheeler submitted the following:

Q. Have you submitted those estimates to the consulting engineers or executives of managing companies?—A. Yes, sir.

Q. Or contractors competent to render an opinion?—A. I have submitted them to Mr. Burch and have submitted them to Rollins & Sons. I submitted them to a large contracting firm, which firm has offered, provided the permit and license are issued to me, and sufficient contracts for the sale of the power can be made on the basis which I have outlined—has offered to finance and construct the entire project.

Q. What was the opinion of the finance houses and of Mr. Burch as to the accuracy of your figures?—A. In their opinion they were conservative.

Q. Would you care to name the contracting company that you have referred to?—A. No, sir; I do not wish to do so, because they specifically asked me not to bring their names into this hearing.

Then Mr. Wheeler was interrogated further:

By Mr. FORBES:

Q. Mr. Wheeler, please state whether or not you are yourself financially able to finance the work that would be required of you upon the granting to you of a preliminary permit.—A. I am.

Q. Do you care at this time to offer any reference, financial or otherwise, to demonstrate your ability to finance the permit work?—A. Well, shortly after my application was filed and it was sent to Major Butler at Seattle to make a field report upon, Major Butler wrote me a letter stating that if I cared to do so I could submit some evidence of my financial ability to carry out this project. I took that letter over to Mr. F. N. Prince, who was chairman of the board of the First National Bank of Minneapolis, which is, I believe, the largest bank between Chicago and the Pacific coast, and asked him if he would answer the letter to Major Butler for me, which he did.

And I find, in looking over Major Butler's report, that he has included Mr. Prince's letter in it.

Mr. FORBES. If the chairman please, I am now referring to the report of Maj. John S. Butler, dated March 17, 1928, to the Chief of Engineers, and in turn forwarded to the Federal Power Commission and made part of its files, this document having been produced upon my application yesterday. And I ask that it be considered part of the official record of the hearings.

On page 9 of Major Butler's report the letter of Mr. Prince is set out. The original, I suppose, is somewhere in the files of the commission. It reads:

"I have known Mr. Wheeler for a number of years. He is a man of excellent standing, ability, and integrity, and I believe he has means of his own which would be sufficient to do the preliminary work mentioned, and in connection with the people he has interested with him would be able to fully finance the completion of the work, should license be issued to him."

That is to say, Mr. Prince says he believes Mr. Wheeler has funds of his own adequate to do the preliminary work, and he believes he has connections with people who are amply able to finance the project. As I have said, I do not know upon what ground the commission, apparently, rejected the application of Mr. Wheeler and chose to negotiate with the Montana Power Co.; but I have always been impressed with the belief that the showing of Mr. Wheeler with respect to his financial ability to carry out this project was of the very weakest character, suggesting that he desires a preliminary permit for three years, and in the meantime he will try to bring about some financial arrangement by which he will be able to carry on the project. Whether he will or whether he will not is a matter of mere doubt and speculation, upon which, I should think, the Federal Power Commission would scarcely be justified in relying.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from North Dakota?

Mr. WALSH of Montana. I yield.

Mr. FRAZIER. As I understand, Walter H. Wheeler has done quite a lot of preliminary work and has gone to considerable expense. I think it would be practically impossible as a business proposition for any big company to make a contract with an engineer who was simply bidding on a permit or even on a lease before he got the permit or lease. Personally, I can not see how he can be expected to get a contract with any fertilizer company or any other industrial company on the basis of an application for a lease or permit. As I understand, however, he is willing to cut down the time limit from three years to two years, and in view of the fact that the site has been undeveloped for all these years in the past two years more would not amount to a great deal anyway.

Of course, my interest is, first, on behalf of the Indians, because I happen to be on the Committee on Indian Affairs and have been on the ground and made a personal investigation. I know the Indians are anxious to have the power site developed, but they are also anxious, of course, to get the best terms and arrangements they can obtain.

Mr. WALSH of Montana. Of course, I appreciate the difficulty that Mr. Wheeler would have in getting contracts without having even a preliminary permit. I appreciate how difficult it would be to get contracts even if he had an agreement for the development, because we all realize, Mr. President, that with the enormous development of power at the Boulder Dam there will be all manner of competition from whatever electrochemical development can be made possible in the western section of the country.

I want to say in this connection that the Rocky Mountain Power Co. is practically a paper company, but its proposal is guaranteed by the Montana Power Co., which, of course, has ample resources to carry on the work.

It seems to me that Mr. Wheeler ought either to show contracts for power which would warrant the conclusion that the project could be well financed or else he ought to show financial resources of his own or of others who are associated with him ample to carry out the project. It would seem to me that that would be expected of almost any applicant for a large power development, in order that the permit or the license, as the case might be, might not be hawked around to anybody, the permittee or licensee simply to take off the profit and turn it over to some one else.

Mr. FRAZIER. Mr. President——

Mr. WALSH of Montana. I yield to the Senator from North Dakota.

Mr. FRAZIER. Of course, Mr. Wheeler, as the Senator has indicated, has furnished a large number of letters from various concerns and from banking institutions which he thinks, at least, demonstrate that he can finance the proposition, and also get some power contracts.

Mr. WALSH of Montana. I intended to give the Senate a sample of such letters as he has received, and I thought I took a fair sample from quite a large number of letters of that character which he produced.

Mr. FRAZIER. I think the Senator did give a fair sample. On the other hand, the Rocky Mountain Power Co., as I understand, is a very small company——

Mr. WALSH of Montana. That is quite right.

Mr. FRAZIER. And of itself would not be any more capable of financing the project than would Mr. Wheeler. Its capital stock, as I understand, is only a very few thousand dollars—a very small amount.

Mr. WALSH of Montana. Quite so.

Mr. FRAZIER. So that company would not be any more capable, and, perhaps, not so capable, in view of their capital stock, of financing this proposition than would Mr. Wheeler.

Mr. WALSH of Montana. Quite so, and accordingly they filed a guaranty by which the Montana Power Co. guaranteed that the Rocky Mountain Power Co. would carry out the contract.

Mr. FRAZIER. Then, Mr. President, I can not see what advantage there would be in making the lease to the Rocky Mountain Power Co. instead of, in the first place, to the Montana Power Co.

Mr. WALSH of Montana. Neither can I; I have no information as to why that course was taken; but I can not conceive that that would make any particular difference.

Mr. President, I feel very proud of the compliment paid me by Mr. Marsh, or, rather, by my colleagues in this body, who, when Mr. Marsh importuned them to present his resolution, inquired of him whether it would be opposed by the Senators from Montana, and on being advised that it would be opposed by the Senators from Montana, and particularly that it would be opposed by myself, apparently none of my colleagues were quite willing to offer the resolution for the consideration of the Senate. I should like to think that that was because my colleagues felt that there must be some good reasons why such a resolution as that ought not to be adopted by the Senate, and that if I did oppose it I should be able to offer very substantial reasons why it ought not to be adopted by the Senate. I have endeavored to give those reasons; and I believe that there is no justification for the passage of such a resolution. I think there is no justification whatever for arresting or delaying action by the commission with respect to this project; but there may be some comfort to Mr. Marsh and those associated with him in this matter to be advised, as I am advised to-day, that the Rocky Mountain Power Co. has declined to agree to pay the amount which the Power Commission are exacting as royalty for the lease, so that, for the present at least, the negotiations are terminated.

CONSTRUCTION OF BRIDGES

Mr. HOWELL. Mr. President, I ask unanimous consent for the consideration at this time of Order of Business No. 347, being the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States.

Mr. McNARY. Mr. President, I understand that is a House bill?

Mr. HOWELL. It is a House bill.

Mr. McNARY. It has been reported favorably by the committee, of course?

Mr. HOWELL. It has been reported favorably by the Committee on Commerce.

Mr. McNARY. I think, as a rule, it is bad practice to take up a bill on the calendar out of order so late in the day, but inasmuch as it is a bridge bill and has been reported favorably by the committee and there is no opposition to it, as I understand——

Mr. HOWELL. I trust there is no opposition to it; there is none, so far as I know.

Mr. McNARY. In view of the circumstances, I shall not object to the consideration of the bill.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment of the Committee on Commerce was, on page 11, line 5, before the name "Omaha," to strike out "South," so as to make the heading read:

Missouri River at Omaha, Nebr.

The amendment was agreed to.

The next amendment was, on page 11, line 8, after the word "purposes," to strike out "Charles B. Morearty, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation, at or near South," and in lieu thereof to insert:

Richard L. Metcalf, mayor of Omaha, Nebr., and his successors in office, Oscar H. Brown, mayor of Council Bluffs, Iowa, and his successors in office, Harry H. Lapidus, of Omaha, Nebr., Mathew E. O'Keefe, of Council Bluffs, Iowa, and C. A. Sorensen, Attorney General of the State of Nebraska, and his successors in office, all as trustees, are hereby authorized and empowered to cause to be prepared and to adopt plans and specifications for, and to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, and to own and hold the same in trust for said cities of Omaha and Council Bluffs and the States of Iowa and Nebraska. Said bridge shall be constructed at a point suitable to the interests of navigation, at or near Farnam Street.

And on page 12, line 4, after the word "act," to insert:

Said five trustees shall act jointly under the designation and style of "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees" and in that name may construct, operate, and hold said bridge. No act of said board shall be valid unless concurred in by not less than three members thereof. The first meeting of said board after the passage of this act shall be called not less than 20 days subsequent thereto and by not less than three members thereof, and the written notice of said first meeting shall designate the exact place and time. The board shall select a chairman from its own number but its secretary and treasurer need not be members thereof. The board shall have all the ordinary and usual powers necessary to carry out the purposes of section 3 of this act, and in connection therewith may adopt rules of procedure and by-laws; enter into contracts and employ such managers, agents, and clerical help as may be necessary; fill any vacancy caused by the death, resignation, or refusal and failure to act of any one of the two nonpublic-officer members of the board, or the refusal and failure to act of any one of the three public-officer members of the board. The term of any person selected to fill a vacancy caused by the refusal and failure to act of any one of the three public-officer members shall terminate with the election and qualification of said official member's successor in office.

So as to read:

SEC. 3. (a) That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Richard L. Metcalf, mayor of Omaha, Nebr., and his successors in office, Oscar H. Brown, mayor of Council Bluffs, Iowa, and his successors in office, Harry H. Lapidus, of Omaha, Nebr., Mathew E. O'Keefe, of Council Bluffs, Iowa, and C. A. Sorensen, attorney general of the State of Nebraska, and his successors in office, all as trustees, are hereby authorized and empowered to cause to be prepared and to adopt plans and specifications for, and to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, and to own and hold the same in trust for said cities of Omaha and Council Bluffs and the States of Iowa and Nebraska. Said bridge shall be constructed at a point suitable to the interests of navigation, at or near Farnam Street, Omaha, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. Said five trustees shall act jointly under the designation and style of "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees," and in that name may construct, operate, and hold said bridge. No act of said board shall be valid unless concurred in by not less than three members thereof. The first meeting of said board after the passage of this act shall be called not less than 20 days subsequent thereto and by not less than three members thereof, and the written notice of said first meeting shall designate the exact place and time. The board shall select a chairman from its own number, but its secretary and treasurer need not be members thereof. The board shall have all the ordinary and usual powers necessary to carry out the purposes of section 3 of this act, and in connection therewith may adopt rules of procedure and by-laws; enter into contracts and employ such managers, agents, and clerical help as may be necessary; fill any vacancy caused by the death, resignation, or refusal and failure to act of any one of the two nonpublic officer members of the board, or the refusal or failure to act of any one of the three public officer members of the board. The term of any person selected to fill a vacancy caused by the refusal and failure to act of any one of the three public officer members shall terminate with the election and qualification of said official member's successor in office.

The amendment was agreed to.

The next amendment was, on page 13, line 4, after the word "upon," to strike out "Charles B. Morearty, his heirs" and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its," so as to read:

(b) There is hereby conferred upon the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

The amendment was agreed to.

The next amendment was, on page 13, line 18, after the word "said," to strike out "Charles B. Morearty, his heirs," and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its," and in line 22, after the word "be," to insert "such as will amortize the cost of said bridge within a period

fixed by said board but not to exceed 20 years and such rates of toll so fixed shall be," so as to read:

(c) The said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be such as will amortize the cost of said bridge within a period fixed by said board but not to exceed 20 years and such rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

The amendment was agreed to.

The next amendment was, on page 14, line 5, after the name "Nebraska," to strike out the comma and insert "and"; in the same line, after the name "Iowa," to strike out "any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two of them" and insert "jointly, or said cities of Omaha and Council Bluffs, jointly, or the counties of Douglas, Nebr., and Pottawattamie, Iowa"; and in line 14, after the word "said," to strike out "Charles B. Morearty, his heirs," and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its," so as to read:

(d) If, after the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska and the State of Iowa, jointly, or said cities of Omaha and Council Bluffs, jointly, or the counties of Douglas, Nebr., and Pottawattamie, Iowa, jointly, may at any time desire to acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, it shall not be necessary to condemn or expropriate such property, but the said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, shall deliver to such public agency, by proper instrument of conveyance, all right, title, and interest in such bridge and its approaches; and no damages or compensation whatsoever shall be allowed for any such right, title, or interest, but if such bridge is so acquired it shall be taken over subject to the bonds, debentures, or other instruments of indebtedness, including accrued interest thereon, actually issued in payment for the bridge, its approaches, and improvements and outstanding at the time of such taking over. Such instrument of conveyance shall be executed and delivered within a period of 30 days after receiving from such public agency a written notice of such intention to take over such property.

The amendment was agreed to.

The next amendment was, on page 16, line 4, after the word "said," to strike out "Charles B. Morearty, his heirs," and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its," and in line 22, after the word "said," to strike out "Charles B. Morearty, his heirs," and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its," so as to read:

(f) The said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees its legal representatives and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Nebraska and Iowa a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the amount of bonds, debentures, or other evidences of indebtedness issued in connection with the construction of such bridge. The Secretary of War may, and upon request of the highway departments of either of such States shall, at any time within three years after the completion of such bridge investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing and financing such bridge. For the purpose of such investigation the said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, shall make available all of his records in connection with the construction and financing thereof. The findings of the Secretary of War as to the reasonable costs of the construction and financing of the bridge shall be conclusive for the purposes mentioned in section 3 (d) of this act, subject only to a review in a court of equity for fraud or gross mistake.

The amendment was agreed to.

The next amendment was, on page 17, line 8, before the word "this" to insert "section 3 of," and in the same line, after the word "to," to strike out "Charles B. Morearty, his heirs" and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its," so as to read:

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by section 3 of this act is hereby granted to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

The amendment was agreed to.

The next amendment was, on page 18, line 10, after the word "bridge," to strike out "a commission shall be created, composed of three members, one of whom shall be appointed by the mayor of Omaha, Nebr., one by the mayor of Council Bluffs, Iowa, and one by Charles B. Morearty, his heirs, legal representatives, or assigns; it shall be the duty of the commission" and insert "it shall be the duty thereafter of said board, until said bridge shall be taken over or acquired by such States or political agencies or subdivisions thereof, as provided for in section 3 of this act"; on page 19, line 4, after the word "and," to strike out "Charles B. Morearty, his heirs," and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its"; in line 10, after the word "jointly," to strike out "or to the highway departments thereof,"; in line 11, before the word "shall," to strike out "or their highway departments"; in line 12, after the word "States," to strike out "or their highway departments"; in line 14, after the word "said," to strike out "Charles B. Morearty, his heirs," and insert "the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its"; in line 17, after the word "either," to strike out "of such States, or to either of the counties thereof" and insert "the State of Nebraska, or the State of Iowa, or to said counties of Douglas and Pottawatamie, jointly"; in line 22, after the word "jointly," to strike out "or to either of them, as shall" and insert "as shall first by duly authorized action"; and in line 24, after the word "bridge," to insert a colon and the following proviso: "*Provided, however*, That if said two States, due to the fault of one of them shall fail to agree to accept and operate said bridge, jointly, as a free bridge, then in no event shall said board convey said bridge to the State at fault," so as to read:

(i) Upon the completion of such bridge it shall be the duty thereafter of said board, until said bridge shall be taken over or acquired by such States or political agencies or subdivisions thereof, as provided for in section 3 of this act, to supervise the collection of tolls and to authorize and audit all expenditures of money received from the collection of tolls; it shall be their duty to see that all revenues received from the bridge, except such amounts as may be necessary for the repair, operation, and maintenance, under economical management, of the bridge, shall be paid into the sinking fund and used for the amortization of the outstanding indebtedness incurred for the construction or improvement of the bridge. After a sinking fund sufficient for such amortization shall have been so provided the bridge shall thereafter be maintained and operated free of tolls; and the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns shall thereupon convey, by proper instrument of conveyance, all right, title, and interest in said bridge and its approaches to the State of Nebraska and the State of Iowa, jointly, if such States shall agree to accept and to maintain and operate the same; if such States refuse to agree to accept and maintain and operate the bridge as a free bridge, then the said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives, and assigns shall convey said bridge to either the State of Nebraska, or the State of Iowa, or to said counties of Douglas and Pottawatamie, jointly, in which such bridge is located in whole or in part, or to the cities of Omaha, Nebr., and Council Bluffs, Iowa, jointly, as shall first by duly authorized action agree to accept and maintain and operate the same as a free bridge: *Provided, however*, That if said two States, due to the fault of one of them shall fail to agree to accept and operate said bridge, jointly, as a free bridge, then in no event shall said board convey said bridge to the State at fault.

The amendment was agreed to.

The next amendment was, on page 20, line 4, before the name "Omaha," to insert "South," so as to make the heading read:

Missouri River at South Omaha, Nebr.

The amendment was agreed to.

The next amendment was, on page 20, after line 4, to strike out:

SEC. 4. (a) That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, Charles B. Morearty, his heirs, legal representatives, and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Omaha, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

(b) There is hereby conferred upon Charles B. Morearty, his heirs, legal representatives, and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, opera-

tion, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

(c) The said Charles B. Morearty, his heirs, legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

(d) If, after the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two of them jointly, may at any time desire to acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, it shall not be necessary to condemn or expropriate such property, but the said Charles B. Morearty, his heirs, legal representatives, and assigns, shall deliver to such public agency by proper instrument of conveyance all right, title, and interest in such bridge and its approaches; and no damages or compensation whatsoever shall be allowed for any such right, title, or interest, but if such bridge is so acquired it shall be taken over subject to the bonds, debentures, or other instruments of indebtedness, including accrued interest thereon, actually issued in payment for the bridge, its approaches, and improvements and outstanding at the time of such taking over. Such instrument of conveyance shall be executed and delivered within a period of 30 days after receiving from such public agency a written notice of such intention to take over such property.

(e) If such bridge shall at any time be taken over or acquired by such States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 (d) of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including only those items named in section 4 (d) of this act, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

(f) The said Charles B. Morearty, his heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Nebraska and Iowa a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor and the amount of bonds, debentures, or other evidences of indebtedness issued in connection with the construction of such bridge. The Secretary of War may, and upon request of the highway departments of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing and financing such bridge. For the purpose of such investigation the said Charles B. Morearty, his heirs, legal representatives, and assigns, shall make available all of his records in connection with the construction and financing thereof. The findings of the Secretary of War as to the reasonable costs of the construction and financing of the bridge shall be conclusive for the purposes mentioned in section 4 (d) of this act, subject only to a review in a court of equity for fraud or gross mistake.

(g) The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Charles B. Morearty, his heirs, legal representatives, and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

(h) All contracts made in connection with the construction of the bridge authorized by section 4 of this act and which shall involve the expenditure of more than $5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which the bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

(i) Upon the completion of such bridge a commission shall be created, composed of three members, one of whom shall be appointed by the mayor of Omaha, Nebr., one by the mayor of Council Bluffs, Iowa, and one by Charles B. Morearty, his heirs, legal representatives, or assigns. It shall be the duty of the commission to supervise the collection of tolls and to authorize and audit all expenditures of money received from the collection of tolls; it shall be their duty to see that all revenues received from the bridge, except such amounts as may be necessary for the repair, operation, and maintenance, under economical management, of the bridge, shall be paid into the sinking fund and used for the amortization of the outstanding indebtedness incurred for the construction or improvement of the bridge. After a sinking fund sufficient for such amortization shall have been so provided the bridge shall thereafter be maintained and operated free of tolls, and Charles B. Morearty, his heirs, legal representatives, and assigns, shall thereupon convey, by proper instrument of conveyance, all right, title, and interest in said bridge and its approaches, to the State of Nebraska and the State of Iowa, jointly, or to the highway departments thereof, if such States or their highway departments shall agree to accept and to maintain and operate the same; if such States or their highway departments refuse to agree to accept and maintain and operate said bridge as a free bridge, then the said Charles B. Morearty, his heirs, legal representatives, and assigns, shall convey said bridge to either of such States, or to either of the counties thereof in which such bridge is located in whole or in part, or to the cities of Omaha, Nebr., and Council Bluffs, Iowa, jointly, or to either of them, as shall agree to accept and maintain and operate the same as a free bridge.

The amendment was agreed to.

The next amendment was, on page 26, after line 16, to insert the following section:

SEC. 4. There is hereby authorized to be constructed, maintained, and operated a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near South Omaha, Nebr., and also a bridge at or near Florence, Nebr., by the persons specified in section 3 of this act and in accordance with the authority therein conferred upon such persons and subject to all the provisions and limitations of such section.

The amendment was agreed to.

The next amendment was, on page 32, after line 8, to insert:

REGULATION OF TOLLS OVER CERTAIN BRIDGES

SEC. 16. In the case of bridges heretofore authorized by acts of Congress specifically reserving to Congress the right to subsequently regulate tolls on such bridges, such bridges shall, in respect of the regulation of all tolls, be subject to the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendment was agreed to.

The next amendment was, on page 32, line 17, to change the section number from 16 to 17.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GRANT OF LANDS TO CITY OF SAULT STE. MARIE, MICH.

Mr. VANDENBERG. Mr. President, the Committee on Public Lands and Surveys to-day reported Senate bill 3934. It is a purely local measure, involving a small piece of Federal land in the city of Sault Ste. Marie, which has been in municipal use since 1874. The desire of the city at present is to expand the character of the use. That is the sole involvement in the measure. The bill has the approval of all the departments, and I should greatly appreciate it if we might have action on it this afternoon.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3934) granting certain lands to the city of Sault Ste. Marie, State of Michigan, which was read, as follows:

Whereas the land donated to school district No. 1, Sault Ste. Marie township, Chippewa County, Mich., under the provisions of the act of

March 3, 1875 (18 Stat. 519), is not being used for the purpose for which granted: Therefore

Be it enacted, etc., That the land donated to school district No. 1, Sault Ste. Marie township, Chippewa County, Mich., under the provisions of the act of March 3, 1875, be, and it is hereby, forfeited to the United States, and the United States hereby resumes the title thereto.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to issue patent in fee to the city of Sault Ste. Marie, State of Michigan, for the land donated to school district No. 1, Sault Ste. Marie township, Chippewa County, Mich., under the provisions of an act entitled "An act to donate a certain portion of the military reservation at Fort Brady to school district No. 1, in township of Sault Ste. Marie and State of Michigan, for school purposes," approved March 3, 1875, and to make whatever supplemental survey is necessary to secure the definite location, identification, and description of the tract to be conveyed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

BATTLE OF THE MONONGAHELA

Mr. FESS. Mr. President, next July the one hundred and seventy-fifth anniversary of the Battle of the Monongahela will be celebrated in Pennsylvania. The House has unanimously reported and passed a joint resolution providing for a commission to join in the celebration, without expense to the Government. The Senate committee to-day unanimously authorized a favorable report on the joint resolution.

I present the report and ask for its immediate consideration. As I say, there is no expense to the Government connected with the matter.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 171) providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a commission to be known as the United States Battle of the Monongahela Commission, which was read, as follows:

Resolved, etc., That there is hereby established a commission to be known as the Battle of the Monongahela Commission (hereinafter referred to as the commission) and to be composed of five commissioners, as follows: 1 person to be appointed by the President of the United States, 2 Senators by the President of the Senate, and 2 Members of the House of Representatives by the Speaker of the House of Representatives. Any vacancy in the office of a commissioner shall be filled in the same manner as the original appointment. The commissioners shall serve without compensation therefor from the United States. The commission shall select a chairman from among its members.

SEC. 2. The commission is authorized to arrange, in cooperation with any organization or society without cost to the United States, an appropriate observance and commemoration to take place in the month of July, 1930, of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, referred to as "Braddock's defeat," and to participate on behalf of the United States, in such manner as it deems advisable, in any other observance or celebration of such anniversary which may be held in the United States during the year 1930.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate executive messages making nominations, which were referred to the appropriate committees.

ADJOURNMENT UNTIL MONDAY

Mr. McNARY. Mr. President, carrying out the unanimous-consent agreement made earlier in the day, I move that the Senate adjourn until Monday next at 12 o'clock.

The motion was agreed to; and (at 4 o'clock and 33 minutes p. m.) the Senate adjourned, adjournment being, under the order previously entered, until Monday, April 14, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 11 (legislative day of April 8), 1930

APPOINTMENTS IN THE ARMY

VETERINARY CORPS

To be second lieutenant

Second Lieut. Ralph William Mohri, Veterinary Corps Reserve, with rank from April 7, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be second lieutenants

Staff Sergt. Leonard George Tate Perkins, Medical Department, with rank from April 3, 1930.

Staff Sergt. Harold Lincoln Gard, Medical Department, with rank from April 3, 1930.

Staff Sergt. Joe Edward McKnight, Medical Department, with rank from April 3, 1930.

APPOINTMENT, BY TRANSFER, IN THE ARMY

TO SIGNAL CORPS

First. Lieut. Tyree Rivers Horn, Field Artillery (detailed in Signal Corps), with rank from March 13, 1925.

PROMOTIONS IN THE ARMY

To be captains

First Lieut. Osgood Cook McIntyre, Field Artillery, from April 3, 1930.

First Lieut. James Emerson Bush, Field Artillery, from April 5, 1930.

To be first lieutenants

Second Lieut. Harrison Wells Davison, Cavalry, from April 3, 1930.

Second Lieut. Thomas Clagett Wood, jr., Field Artillery, from April 5, 1930.

MEDICAL CORPS

To be majors

Capt. William Donaldson Fleming, Medical Corps, from April 6, 1930.

Capt. Samuel Demetrius Avery, Medical Corps, from April 9, 1930.

Capt. William Robert Lewis Reinhardt, Medical Corps, from April 9, 1930.

To be captain

First Lieut. Merritt Gartley Ringer, Medical Corps, from April 6, 1930.

POSTMASTERS

ALABAMA

Stella M. Stallworth to be postmaster at Chapman, Ala., in place of S. M. Stallworth. Incumbent's commission expired December 15, 1929.

ARIZONA

Charles F. Mater to be postmaster at Morenci, Ariz., in place of C. F. Mater. Incumbent's commission expired March 2, 1930.

Mary W. Hand to be postmaster at Winkelman, Ariz., in place of C. E. Hand, deceased.

ARKANSAS

James H. Elkins to be postmaster at Blytheville, Ark., in place of J. H. Elkins. Incumbent's commission expired March 30, 1930.

Oscar W. McClintock to be postmaster at Monticello, Ark., in place of O. W. McClintock. Incumbent's commission expired March 22, 1930.

Shafter A. King to be postmaster at Salem, Ark., in place of W. C. King. Incumbent's commission expired December 17, 1929.

Joseph T. Todd to be postmaster at Smithville, Ark. Office became presidential July 1, 1929.

CALIFORNIA

Frank J. Biglow to be postmaster at Antioch, Calif., in place of of A. C. Webster, resigned.

Christian F. Richter to be postmaster at Auburn, Calif., in place of C. F. Richter. Incumbent's commission expired March 23, 1930.

Oscar E. Bailey to be postmaster at Avalon, Calif., in place of G. R. Ashbridge, resigned.

Joseph M. Hamilton to be postmaster at Crescent City, Calif., in place of J. M. Hamilton. Incumbent's commission expired February 6, 1930.

Nels S. Petersen to be postmaster at Del Rey, Calif., in place of W. S. Smith. Incumbent's commission expired December 21, 1929.

John L. Pope to be postmaster at Lower Lake, Calif., in place of J. L. Pope. Incumbent's commission expired April 5, 1930.

Miriam I. Paine to be postmaster at Mariposa, Calif., in place of M. I. Paine. Incumbent's commission expired March 11, 1930.

Philip G. Scadden to be postmaster at Nevada City, Calif., in place of P. G. Scadden. Incumbent's position expired March 11, 1930.

Charles H. Silva to be postmaster at Newcastle, Calif., in place of C. H. Silva. Incumbent's commission expired March 23, 1930.

John Z. Shelton to be postmaster at Oroville, Calif., in place of J. Z. Shelton. Incumbent's commission expired March 2, 1930.

George E. Cross to be postmaster at Puente, Calif., in place of Wat Tyler. Incumbent's commission expired December 21, 1929.

Shirley S. Abeel to be postmaster at Sebastopol, Calif., in place of S. S. Abeel. Incumbent's commission expired March 31, 1930.

COLORADO

Mary H. Cowie to be postmaster at Boulder, Colo., in place of M. H. Cowie. Incumbent's commission expired April 5, 1930.

William J. Orr to be postmaster at Leadville, Colo., in place of A. G. Thomson. Incumbent's commission expired January 21, 1930.

Robert R. Finley to be postmaster at Loveland, Colo., in place of J. H. Cunningham. Incumbent's commission expired December 14, 1929.

Mary McConnell to be postmaster at Minturn, Colo., in place of Mary McConnell. Incumbent's commission expired February 4, 1930.

Gwendolyn Oyler to be postmaster at Pritchett, Colo. Office became presidential July 1, 1929.

CONNECTICUT

Helen G. Miller to be postmaster at Coscob, Conn., in place of H. G. Miller. Incumbent's commission expires April 15, 1930.

Anders Jacobsen to be postmaster at Stafford Springs, Conn., in place of Anders Jacobsen. Incumbent's commission expired April 3, 1930.

William P. Gourlie to be postmaster at Thompsonville, Conn., in place of W. P. Gourlie. Incumbent's commission expired April 5, 1930.

DELAWARE

W. Bateman Cullen to be postmaster at Clayton, Del., in place of W. B. Cullen. Incumbent's commission expired March 3, 1930.

Robert E. Harrington to be postmaster at Felton, Del., in place of J. W. Godwin. Incumbent's commission expired January 7, 1930.

William H. Rogers to be postmaster at Frederica, Del., in place of W. H. Rogers. Incumbent's commission expired March 11, 1930.

FLORIDA

Effie M. Robinson to be postmaster at Coleman, Fla., in place of E. M. Robinson. Incumbent's commission expired March 11, 1930.

GEORGIA

Edwin K. Large to be postmaster at Atlanta, Ga., in place of E. K. Large. Incumbent's commission expires May 17, 1930.

Eldon A. McCollum to be postmaster at Baconton, Ga., in place of E. A. McCollum. Incumbent's commission expired December 14, 1929.

John P. Herring to be postmaster at Climax, Ga., in place of J. P. Herring. Incumbent's commission expired January 15, 1930.

Mary L. Ellis to be postmaster at Experiment, Ga., in place of C. L. Claridy, resigned.

Franklin W. Withoft to be postmaster at Fort Valley, Ga., in place of F. W. Withoft. Incumbent's commission expired January 15, 1930.

Robert L. Williams to be postmaster at Griffin, Ga., in place of R. L. Williams. Incumbent's commission expired December 14, 1929.

John H. Hendrix to be postmaster at Hawkinsville, Ga., in place of J. H. Hendrix. Incumbent's commission expired December 18, 1929.

Jefferson D. Stalvey to be postmaster at Lake Park, Ga., in place of J. D. Stalvey. Incumbent's commission expired December 14, 1929.

Loyd W. English to be postmaster at Pelham, Ga., in place of L. W. English. Incumbent's commission expired December 14, 1929.

Emma S. Brindle to be postmaster at Surrency, Ga., in place of E. S. Brindle. Incumbent's commission expired January 10, 1929.

William O. Wolfe to be postmaster at Uvalda, Ga., in place of H. A. Moses, removed.

Ila M. Simpson to be postmaster at Warwick, Ga. Office became presidential July 1, 1929.

IDAHO

Joseph Morley to be postmaster at Idaho Falls, Idaho, in place of Joseph Morley. Incumbent's commission expired April 5, 1930.

Guy Swain to be postmaster at Roselake, Idaho, in place of A. H. Smith, resigned.

ILLINOIS

Emma H. Paine to be postmaster at Alpha, Ill., in place of E. H. Paine. Incumbent's commission expired March 27, 1930.

Gustav H. Beckemeyer to be postmaster at Beckemeyer, Ill., in place of G. H. Beckemeyer. Incumbent's commission expired March 27, 1930.

Henry C. Norcross to be postmaster at Carlyle, Ill., in place of H. C. Norcross. Incumbent's commission expired March 3, 1930.

Edgar C. Selk to be postmaster at Grafton, Ill., in place of E. C. Selk. Incumbent's commission expired March 3, 1930.

Arthur F. Eberlin to be postmaster at Hardin, Ill., in place of A. F. Eberlin. Incumbent's commission expired March 23, 1930.

Ira L. Heern to be postmaster at Makanda, Ill., in place of B. H. West, removed.

Asa L. Kiser to be postmaster at Pittsfield, Ill., in place of A. L. Kiser. Incumbent's commission expired January 18, 1930.

Roy C. Tarrant to be postmaster at Versailles, Ill., in place of R. C. Tarrant. Incumbent's commission expired December 18, 1929.

INDIANA

Ethel J. Pinney to be postmaster at La Crosse, Ind., in place of E. J. Pinney. Incumbent's commission expired December 15, 1929.

Joseph D. Bartlett to be postmaster at La Fayette, Ind., in place of R. M. Campbell. Incumbent's commission expired January 29, 1930.

Stephen M. Isom to be postmaster at Mitchell, Ind., in place of Howard Chitty. Incumbent's commission expired January 29, 1930.

Harry Kretschman to be postmaster at Otterbein, Ind., in place of C. W. Burkett. Incumbent's commission expired December 15, 1929.

IOWA

Guy T. Hardenburgh to be postmaster at Baxter, Iowa, in place of W. H. Herzog, resigned.

Lou A. Brink to be postmaster at Clarence, Iowa, in place of L. A. Brink. Incumbent's commission expired March 30, 1930.

Joseph H. Dickens to be postmaster at Diagonal, Iowa, in place of J. H. Dickens. Incumbent's commission expired April 3, 1930.

Lester J. Garrett to be postmaster at Early, Iowa, in place of Harold Kelley, resigned.

George E. Gates to be postmaster at Edgewood, Iowa, in place of G. A. Gates. Incumbent's commission expired March 25, 1930.

Clarissa A. Peck to be postmaster at Lawler, Iowa, in place of C. A. Peck. Incumbent's commission expired April 5, 1930.

Laura M. Smith to be postmaster at Montour, Iowa, in place of L. M. Smith. Incumbent's commission expired March 29, 1930.

John H. Taylor to be postmaster at New Sharon, Iowa, in place of J. H. Taylor. Incumbent's commission expired March 11, 1930.

Ida G. Schloeman to be postmaster at Norway, Iowa, in place of I. G. Schloeman. Incumbent's commission expired March 16, 1930.

George H. Kinney to be postmaster at Stacyville, Iowa, in place of G. H. Kinney. Incumbent's commission expired March 25, 1930.

Glenn F. Shortess to be postmaster at Traer, Iowa, in place of G. F. Shortess. Incumbent's commission expired March 29, 1930.

Frederick W. Steele to be postmaster at Walker, Iowa, in place of F. W. Steele. Incumbent's commission expires April 13, 1930.

Boyd W. Smith to be postmaster at Waukon, Iowa, in place of B. W. Smith. Incumbent's commission expired March 5, 1930.

KANSAS

Harry T. Hill to be postmaster at Colony, Kans., in place of H. T. Hill. Incumbent's commission expired March 16, 1930.

Mae Boyd to be postmaster at Dorrance, Kans., in place of Mae Boyd. Incumbent's commission expired April 8, 1930.

George D. Gibson to be postmaster at Edmond, Kans., in place of E. M. Johnston. Incumbent's commission expired January 18, 1930.

Benjamin F. Liebst to be postmaster at Greeley, Kans., in place of B. F. Liebst. Incumbent's commission expired March 26, 1930.

Clare J. Anderson to be postmaster at Gypsum, Kans., in place of C. M. Tinkler. Incumbent's commission expired December 14, 1929.

Elva M. Woodward to be postmaster at Haviland, Kans., in place of E. M. Woodward. Incumbent's commission expired April 5, 1930.

Grace Wilson to be postmaster at Hoxie, Kans., in place of M. M. McKinney. Incumbent's commission expired December 14, 1929.

Floyd B. Martin to be postmaster at Lane, Kans., in place of F. B. Martin. Incumbent's commission expired April 5, 1930.

Otto L. Walmer to be postmaster at Lucas, Kans., in place of O. L. Walmer. Incumbent's commission expired April 5, 1930.

Fred T. Elliot to be postmaster at Morrill, Kans., in place of D. M. Meyers. Incumbent's commission expired January 18, 1930.

Ralph E. Ellson to be postmaster at Muscotah, Kans., in place of Carl Rork. Incumbent's commission expired January 18, 1930.

William F. Greer to be postmaster at St. Francis, Kans., in place of W. F. Greer. Incumbent's commission expired April 5, 1930.

Reuben W. Walquist to be postmaster at Savonburg, Kans., in place of R. W. Walquist. Incumbent's commission expired March 30, 1930.

KENTUCKY

Henry I. Neely to be postmaster at Hazel, Ky., in place of H. I. Neely. Incumbent's commission expired February 15, 1930.

Luther G. Bernard to be postmaster at Jamestown, Ky., in place of L. G. Bernard. Incumbent's commission expired March 23, 1930.

Mattie B. Griffin to be postmaster at Mount Vernon, Ky., in place of M. B. Griffin. Incumbent's commission expired December 15, 1929.

MAINE

Mae L. Jack to be postmaster at Denmark, Me., in place of M. L. Jack. Incumbent's commission expired April 5, 1930.

Etta S. Maddocks to be postmaster at Dryden, Me., in place of D. C. Buck, resigned.

MARYLAND

John M. Reed, jr., to be postmaster at Chesapeake City, Md., in place of J. M. Reed, jr. Incumbent's commission expired April 3, 1930.

Herbert C. Leighton to be postmaster at Mountain Lake Park, Md., in place of H. C. Leighton. Incumbent's commission expired April 9, 1930.

Frederick M. Gambrill to be postmaster at White Marsh, Md. Office became presidential July 1, 1929.

MASSACHUSETTS

Harriett L. Green to be postmaster at East Brookfield, Mass., in place of H. L. Green. Incumbent's commission expired March 2, 1930.

Ursula G. Dehey to be postmaster at Hatfield, Mass., in place of U. G. Dehey. Incumbent's commission expired January 14, 1930.

Samuel F. Brown to be postmaster at Indian Orchard, Mass., in place of S. F. Brown. Incumbent's commission expired March 29, 1930.

Delano E. Chase to be postmaster at Linwood, Mass., in place of D. E. Chase. Incumbent's commission expires April 13, 1930.

MICHIGAN

Henry M. Cosier to be postmaster at Bear Lake, Mich., in place of H. M. Cosier. Incumbent's commission expires April 13, 1930.

Benjamin F. Scamehorn to be postmaster at Bloomingdale, Mich., in place of B. F. Scamehorn. Incumbent's commission expires April 13, 1930.

Herbert E. McElheny to be postmaster at Gobles, Mich., in place of H. E. McElheny. Incumbent's commission expired April 5, 1930.

Harold Stecker to be postmaster at Hermansville, Mich., in place of L. E. Bultman, resigned.

Amos H. Crosby to be postmaster at New Buffalo, Mich., in place of A. H. Crosby. Incumbent's commission expired March 10, 1930.

Jesse M. Green to be postmaster at Roscommon, Mich., in place of J. M. Green. Incumbent's commission expires April 13, 1930.

John M. Klipp to be postmaster at Watervliet, Mich., in place of J. M. Klipp. Incumbent's commission expires April 13, 1930.

MINNESOTA

Emil A. Voelz to be postmaster at Danube, Minn., in place of E. A. Voelz. Incumbent's commission expired December 18, 1929.

Elmer C. Hutchinson to be postmaster at Eagle Bend, Minn., in place of E. C. Hutchinson. Incumbent's commission expired January 21, 1930.

William Pennar to be postmaster at Laporte, Minn., in place of William Pennar. Incumbent's commission expires April 15, 1930.

Wallace R. Ackerman to be postmaster at Mapleton, Minn., in place of W. R. Ackerman. Incumbent's commission expired March 11, 1930.

MISSISSIPPI

Annie Laws to be postmaster at Hickory Flat, Miss., in place of Annie Laws. Incumbent's commission expired March 2, 1930.

Kathleen J. Martin to be postmaster at Louise, Miss., in place of K. J. Martin. Incumbent's commission expires April 13, 1930.

Curtis S. Ricketts to be postmaster at Macon, Miss., in place of T. C. Moore. Incumbent's commission expired February 16, 1929.

Marion W. Thornton to be postmaster at Pachuta, Miss., in place of M. W. Thornton. Incumbent's commission expired February 15, 1930.

Robert R. Smith to be postmaster at Poplarville, Miss., in place of R. R. Smith. Incumbent's commission expired March 2, 1930.

Beall A. Brock to be postmaster at West, Miss., in place of W. W. Cain, deceased.

MISSOURI

Kinzie K. Gittings to be postmaster at Chilhowee, Mo., in place of K. K. Gittings. Incumbent's commission expired March 6, 1930.

Vaughn Hammitt to be postmaster at Curryville, Mo., in place of Vaughn Hammitt. Incumbent's commission expired April 5, 1930.

Archie C. Witt to be postmaster at Gower, Mo., in place of A. C. Witt. Incumbent's commission expired April 3, 1930.

Dwight A. Dawson to be postmaster at Lowry City, Mo., in place of D. A. Dawson. Incumbent's commission expired December 18, 1929.

John H. Fisher to be postmaster at Sullivan, Mo., in place of J. H. Fisher. Incumbent's commission expired February 23, 1930.

MONTANA

Harry D. Crandall to be postmaster at Bainville, Mont., in place of C. W. Allison, resigned.

Pauline Polutnik to be postmaster at Belt, Mont., in place of R. H. Bemis, deceased.

Mary J. Tasa to be postmaster at Flaxville, Mont., in place of M. J. Tasa. Incumbent's commission expires April 15, 1930.

Blanche E. Breckenridge to be postmaster at Grassrange, Mont., in place of B. E. Breckenridge. Incumbent's commission expires April 15, 1930.

Francis P. Blair to be postmaster at Richey, Mont., in place of H. O. Gregg, removed.

NEBRASKA

Alvin O. Jones to be postmaster at Adams, Nebr., in place of A. O. Jones. Incumbent's commission expired April 5, 1930.

Daniel B. Dick to be postmaster at Cambridge, Nebr., in place of Esther Schwerdtfeger. Incumbent's commission expired December 16, 1929.

John T. Bierbower to be postmaster at Giltner, Nebr., in place of J. T. Bierbower. Incumbent's commission expires April 13, 1930.

Howard L. Sergeant to be postmaster at Juniata, Nebr., in place of H. L. Sergeant. Incumbent's commission expires April 13, 1930.

Minnie Johansen to be postmaster at Loup City, Nebr., in place of Minnie Johansen. Incumbent's commission expired April 5, 1930.

Edith R. Hunt to be postmaster at Niobrara, Nebr., in place of F. L. Hunt, deceased.

Clarence Rosecrans to be postmaster at Odell, Nebr., in place of Clarence Rosecrans. Incumbent's commission expired April 5, 1930.

Rolland C. Shetler to be postmaster at Riverton, Nebr., in place of R. C. Shetler. Incumbent's commission expired April 5, 1930.

Stewart J. Kennedy to be postmaster at St. Edward, Nebr., in place of C. C. Wake. Incumbent's commission expired January 15, 1930.

Philip J. Seefus to be postmaster at Scotia, Nebr., in place of T. W. Cook, resigned.

NEW HAMPSHIRE

Raymond E. Kelley to be postmaster at Center Harbor, N. H., in place of A. A. Bennett, resigned.

NEW JERSEY

Charles H. Conner to be postmaster at Bayonne, N. J., in place of C. H. Conner. Incumbent's commission expired March 11, 1930.

Stephen H. Dayton to be postmaster at Mountain Lakes, N. J., in place of L. C. Higgins, resigned.

Edward W. Vanaman to be postmaster at Newfield, N. J., in place of E. W. Vanaman. Incumbent's commission expired March 31, 1930.

Luther J. Higinson to be postmaster at Oradell, N. J., in place of G. F. Moore, resigned.

Harry J. Manning to be postmaster at South Plainfield, N. J., in place of H. J. Manning. Incumbent's commission expired March 16, 1930.

NEW YORK

Harold F. Kimball to be postmaster at Ballston Lake, N. Y. Office became presidential July 1, 1929.

George E. Rockwood to be postmaster at Bombay, N. Y., in place of R. S. Barlow. Incumbent's commission expired December 21, 1929.

Walter Carr to be postmaster at Chappaqua, N. Y., in place of Walter Carr. Incumbent's commission expired March 30, 1930.

Daphine M. Brehme to be postmaster at Greenlawn, N. Y. Office became presidential July 1, 1929.

C. Homer Hook to be postmaster at Greenville, N. Y., in place of C. H. Hook. Incumbent's commission expires April 13, 1930.

Sara H. Scott to be postmaster at Hague, N. Y., in place of B. M. Burt. Incumbent's commission expired December 21, 1929.

George P. Baumer to be postmaster at Kendall, N. Y. Office became presidential July 1, 1929.

Clinton D. Drumm to be postmaster at Malverne, N. Y., in place of C. D. Drumm. Incumbent's commission expired March 25, 1930.

Theodore W. Cook to be postmaster at Montauk, N. Y., in place of J. E. Harris, removed.

Chester J. Hinman to be postmaster at Palenville, N. Y., in place of C. J. Hinman. Incumbent's commission expired March 22, 1930.

George M. Grant to be postmaster at Parksville, N. Y., in place of G. M. Grant. Incumbent's commission expired April 5, 1930.

James R. Rodman to be postmaster at Port Ewen, N. Y., in place of J. R. Rodman. Incumbent's commission expired April 5, 1930.

Sutherland Lent to be postmaster at Sloatsburg, N. Y., in place of Sutherland Lent. Incumbent's commission expired March 25, 1930.

Howard M. Brush to be postmaster at Smithtown Branch, N. Y., in place of H. M. Brush. Incumbent's commission expired March 22, 1930.

NORTH CAROLINA

Loyd V. Sorrell to be postmaster at Cary, N. C., in place of L. V. Sorrell. Incumbent's commission expired March 11, 1930.

Dorsie C. Upton to be postmaster at Cherryville, N. C., in place of J. B. Houser. Incumbent's commission expired December 17, 1929.

Mary W. Turner to be postmaster at Gatesville, N. C., in place of M. W. Turner. Incumbent's commission expired January 26, 1930.

Lula G. Harris to be postmaster at Macon, N. C., in place of L. G. Harris. Incumbent's commission expired April 3, 1930.

Charles R. Grant to be postmaster at Mebane, N. C., in place of C. R. Grant. Incumbent's commission expires April 13, 1930.

James L. Sheek to be postmaster at Mocksville, N. C., in place of J. L. Scheek. Incumbent's commission expires April 13, 1930.

Maud A. Murray to be postmaster at Moyock, N. C., in place of F. E. Schlabach, resigned.

Wade E. Vick to be postmaster at Robersonville, N. C., in place of W. E. Vick. Incumbent's commission expired March 25, 1930.

Gideon T. Matthews to be postmaster at Rocky Mount, N. C., in place of G. T. Matthews. Incumbent's commission expired March 16, 1930.

Albert P. Clayton to be postmaster at Roxboro, N. C., in place of A. P. Clayton. Incumbent's commission expired January 29, 1930.

William E. Linney to be postmaster at Wilkesboro, N. C., in place of W. E. Linney. Incumbent's commission expired March 30, 1930.

NORTH DAKOTA

Howard S. Powlison to be postmaster at Wheatland, N. Dak., in place of R. M. Mares, resigned.

OHIO

Helen M. Roley to be postmaster at Basil, Ohio, in place of H. M. Roley. Incumbent's commission expired April 10, 1930.

Harry E. Hawley to be postmaster at Mansfield, Ohio, in place of H. E. Hawley. Incumbent's commission expires May 6, 1930.

Edward W. Williams to be postmaster at New Carlisle, Ohio, in place of E. W. Williams. Incumbent's commission expired March 25, 1930.

Monto B. Coffin to be postmaster at New Vienna, Ohio, in place of M. B. Coffin. Incumbent's commission expired March 22, 1930.

Albert E. Gale to be postmaster at Lima, Ohio, in place of A. E. Gale. Incumbent's commission expired April 10, 1930.

Edwin M. Stover to be postmaster at Oakwood, Ohio, in place of E. M. Stover. Incumbent's commission expired March 25, 1930.

Francis M. Hiett to be postmaster at Spring Valley, Ohio, in place of F. M. Hiett. Incumbent's commission expired March 22, 1930.

Jesse A. Hayes to be postmaster at Stockport, Ohio, in place of J. A. Hayes. Incumbent's commission expired April 5, 1930.

Elmer E. Garner to be postmaster at Tiltonsville, Ohio, in place of M. C. Lauer. Incumbent's commission expired December 17, 1929.

George W. Smith to be postmaster at Wheelersburg, Ohio, in place of G. W. Smith. Incumbent's commission expired April 5, 1930.

OKLAHOMA

Gavin D. Duncan to be postmaster at Boswell, Okla., in place of G. D. Duncan. Incumbent's commission expires April 13, 1930.

Zee Schlein to be postmaster at Clemscot, Okla., in place of Viola Smith, resigned.

Thomas E. Miller to be postmaster at Francis, Okla., in place of T. E. Miller. Incumbent's commission expired March 16, 1930.

John M. Tyler to be postmaster at Idabel, Okla., in place of J. M. Tyler. Incumbent's commission expired March 16, 1930.

Ida A. McAdams to be postmaster at Minco, Okla., in place of S. C. McAdams, deceased.

Marshal H. Whaley to be postmaster at Morrison, Okla., in place of M. H. Whaley. Incumbent's commission expired March 11, 1930.

Grace M. Johnson to be postmaster at Mulhall, Okla., in place of G. M. Johnson. Incumbent's commission expires April 13, 1930.

Rita Lewis to be postmaster at Snomac, Okla., in place of S. M. Stone, removed.

OREGON

Frank L. Laughrige to be postmaster at Condon, Oreg., in place of F. L. Laughrige. Incumbent's commission expired March 6, 1930.

Ralph R. Huron to be postmaster at La Grande, Oreg., in place of R. R. Huron. Incumbent's commission expires April 14, 1930.

PENNSYLVANIA

Arthur A. Butz to be postmaster at Alburtis, Pa., in place of A. A. Butz. Incumbent's commission expired March 30, 1930.

Ira R. Burns to be postmaster at Bellwood, Pa., in place of I. R. Burns. Incumbent's commission expired March 24, 1930.

John R. Diemer to be postmaster at Catawissa, Pa., in place of J. R. Diemer. Incumbent's commission expired April 9, 1930.

Charles S. Bentley to be postmaster at Corry, Pa., in place of C. S. Bentley. Incumbent's commission expired January 21, 1930.

Anna M. Hess to be postmaster at Duncansville, Pa., in place of A. M. Hess. Incumbent's commission expired March 24, 1930.

John W. Aumiller to be postmaster at Eagles Mere, Pa., in place of J. W. Aumiller. Incumbent's commission expires April 14, 1930.

David K. Mead to be postmaster at Glenfield, Pa., in place of E. K. Schofield, resigned.

Hattie C. Liston to be postmaster at Isabella, Pa., in place of H. G. Miller, resigned.

Claire A. Bower to be postmaster at Mather, Pa., in place of J. H. Evans, resigned.

Frank A. Householder to be postmaster at Oakmont, Pa., in place of F. A. Householder. Incumbent's commission expired April 1, 1930.

Archibald E. Patterson to be postmaster at Orangeville, Pa., in place A. E. Patterson. Incumbent's commission expired March 22, 1930.

John F. Harshey to be postmaster at Penn, Pa., in place of J. F. Harshey. Incumbent's commission expired March 29, 1930.

Charles A. Graeff to be postmaster at Schuylkill Haven, Pa., in place of C. A. Graeff. Incumbent's commission expired March 18, 1930.

Harry P. Medland to be postmaster at Waymart, Pa., in place of H. P. Medland. Incumbent's commission expired April 8, 1930.

RHODE ISLAND

Lloyd B. Langworthy to be postmaster at Ashaway, R. I., in place of A. G. Lewis, resigned.

George W. Burgess to be postmaster at Pawtucket, R. I., in place of G. W. Burgess. Incumbent's commission expired January 30, 1930.

SOUTH CAROLINA

Dewey Stephens to be postmaster at Dillon, S. C., in place of W. J. Galloway, resigned.

William B. Gross to be postmaster at Holly Hill, S. C., in place of W. B. Gross. Incumbent's commission expired March 30, 1930.

Stephen E. Leverette to be postmaster at Iva, S. C., in place of Lemuel Reid, resigned.

Harris P. DuBose to be postmaster at Jefferson, S. C., in place of S. J. Miller, resigned.

Louis Stackley to be postmaster at Kingstree, S. C., in place of Louis Stackley. Incumbent's commission expired March 11, 1930.

Horace A. White to be postmaster at Simpsonville, S. C., in place of H. A. White. Incumbent's commission expires April 13, 1930.

SOUTH DAKOTA

Samuel G. Mortimer to be postmaster at Belle Fourche, S. Dak., in place of S. G. Mortimer. Incumbent's commission expired March 29, 1930.

Emanuel W. Aisenbrey to be postmaster at Menno, S. Dak., in place of E. V. Schnaidt. Incumbent's commission expired December 21, 1929.

TENNESSEE

Charles L. Bitner to be postmaster at Chuckey, Tenn., in place of C. L. Bitner. Incumbent's commission expired January 25, 1930.

Glenn C. Hodges to be postmaster at Cowan, Tenn., in place of G. C. Hodges. Incumbent's commission expired April 2, 1930.

Thomas W. Thompson to be postmaster at Mount Juliet, Tenn., in place of T. W. Thompson. Incumbent's commission expired December 16, 1929

TEXAS

James T. Shaw, jr., to be postmaster at Anna, Tex., in place of J. T. Shaw, jr. Incumbent's commission expires April 13, 1930.

Roy K. Duphorne to be postmaster at Aransas Pass, Tex., in place of R. K. Duphorne. Incumbent's commission expired April 5, 1930.

Myrtle W. Meyer to be postmaster at Archer City, Tex., in place of J. A. Meyer, removed.

Arthur H. O'Kelley to be postmaster at Atlanta, Tex., in place of A. H. O'Kelley. Incumbent's commission expires April 13, 1930.

Benno B. Volkening to be postmaster at Bellville, Tex., in place of B. B. Volkening. Incumbent's commission expired March 15, 1930.

Gerhard Dube to be postmaster at Bishop, Tex., in place of Gerhard Dube. Incumbent's commission expired March 30, 1930.

Lee Brown to be postmaster at Blanco, Tex., in place of Lee Brown. Incumbent's commission expired March 22, 1930.

Alois J. Skardo to be postmaster at Bloomington, Tex., in place of A. J. Skardo. Incumbent's commission expired December 17, 1929.

Nancy Lehmann to be postmaster at Boerne, Tex., in place of Nancy Lehmann. Incumbent's commission expired December 17, 1929.

Robert S. Brennand to be postmaster at Colorado, Tex., in place of R. S. Brennand. Incumbent's commission expires April 13, 1930.

Leo Yell to be postmaster at Conroe, Tex., in place of Leo Yell. Incumbent's commission expired April 3, 1930.

Opal Farris to be postmaster at Daisetta, Tex., in place of Opal Farris. Incumbent's commission expired March 3, 1929.

William C. Guest to be postmaster at Dayton, Tex., in place of W. C. Guest. Incumbent's commission expires April 13, 1930.

Andrew Schmidt to be postmaster at Edna, Tex., in place of Andrew Schmidt. Incumbent's commission expires April 13, 1930.

Okey B. Cline to be postmaster at Emory, Tex., in place of O. B. Cline. Incumbent's commission expired March 15, 1930.

William Reese to be postmaster at Floresville, Tex., in place of William Reese. Incumbent's commission expired January 25, 1930.

McKinley H. Frank to be postmaster at Grapevine, Tex., in place of M. H. Frank. Incumbent's commission expired April 5, 1930.

Marion Dillon to be postmaster at Happy, Tex., in place of Eva Currie, resigned.

William L. Allen to be postmaster at Hawkins, Tex., in place of W. L. Allen. Incumbent's commission expired April 5, 1930.

James W. Johnson to be postmaster at Italy, Tex., in place of J. W. Johnson. Incumbent's commission expired April 5, 1930.

John F. Range to be postmaster at Justin, Tex., in place of J. F. Range. Incumbent's commission expired December 10, 1928.

Joel W. Moore to be postmaster at McDade, Tex., in place of J. M. Moore. Incumbent's commission expires April 13, 1930.

Alide Schneider to be postmaster at Marion, Tex., in place of Alide Schneider. Incumbent's commission expired January 13, 1930.

Thomas L. Darden to be postmaster at Meridian, Tex., in place of T. L. Darden. Incumbent's commission expired March 11, 1930.

Arthur C. Wahl to be postmaster at Odem, Tex., in place of A. C. Wahl. Incumbent's commission expired December 17, 1929.

John W. Neese to be postmaster at Pflugerville, Tex., in place of J. W. Neese. Incumbent's commission expired March 15, 1930.

Hermon R. Ivie to be postmaster at Point, Tex., in place of H. R. Ivie. Incumbent's commission expired March 15, 1930.

Leland S. Howard to be postmaster at Roscoe, Tex., in place of L. S. Howard. Incumbent's commission expired January 13, 1930.

Ralph D. Sterling to be postmaster at Somerville, Tex., in place of R. D. Sterling. Incumbent's commission expires April 20, 1930.

Hugh D. Burleson to be postmaster at Streetman, Tex., in place of H. D. Burleson. Incumbent's commission expired March 29, 1930.

Mary E. Holtzclaw to be postmaster at Tatum, Tex., in place of M. E. Holtzclaw. Incumbent's commission expired March 16, 1930.

UTAH

Frank M. Shafer to be postmaster at Moab, Utah, in place of F. M. Shafer. Incumbent's commission expired March 10, 1930.

VIRGINIA

Edward A. Lindsey to be postmaster at Boyce, Va., in place of E. A. Lindsey. Incumbent's commission expired April 8, 1930.

Mary F. Cunningham to be postmaster at Fort Myer, Va., in place of M. F. Cunningham. Incumbent's commission expired April 3, 1930.

Ruth E. Orrison to be postmaster at Hamilton, Va., in place of R. E. Orrison. Incumbent's commission expired April 1, 1930.

Lilly G. Cook to be postmaster at Madison, Va., in place of L. G. Cook. Incumbent's commission expired April 8, 1930.

Robert E. Newman to be postmaster at Manassas, Va., in place of R. E. Newman. Incumbent's commission expired April 8, 1930.

James W. Moore to be postmaster at Rapidan, Va., in place of J. W. Moore. Incumbent's commission expired April 8, 1930.

Mandly K. Payne to be postmaster at Remington, Va., in place of T. C. McConchie. Removed.

James R. Miller to be postmaster at Strasburg, Va., in place of J. R. Miller. Incumbent's commission expired April 1, 1930.

WASHINGTON

George D. Montfort to be postmaster at Blaine, Wash., in place of G. D. Montfort. Incumbent's commission expired April 10, 1930.

Helen L. Hadenfeldt to be postmaster at Mukilteo, Wash., in place of H. L. Hadenfeldt. Incumbent's commission expired March 2, 1930.

Lawrence C. McLean to be postmaster at Selleck, Wash., in place of L. C. McLean. Incumbent's commission expired April 10, 1930.

Fanny I. Jennings to be postmaster at Spangle, Wash., in place of F. E. Jennings. Incumbent's commission expired April 10, 1930.

May V. Garrison to be postmaster at Sumas, Wash., in place of M. V. Garrison. Incumbent's commission expired April 10, 1930.

H. Robert Nelson to be postmaster at Wilkeson, Wash., in place of H. R. Nelson. Incumbent's commission expired April 10, 1930.

WEST VIRGINIA

Henry N. Murphy to be postmaster at Anawalt, W. Va., in place of H. N. Murphy. Incumbent's commission expired March 30, 1930.

Hattie Brown to be postmaster at Bramwell, W. Va., in place of Hattie Brown. Incumbent's commission expired March 16, 1930.

Harper B. Kinzer to be postmaster at Ethel, W. Va., in place of L. E. Winston, resigned.

Mary E. Hill to be postmaster at Mabscott, W. Va., in place of J. P. Peck. Incumbent's commission expired December 17, 1929.

Raymond Walls to be postmaster at Man, W. Va., in place of J. M. Stratton, removed.

Easter Y. Shafer to be postmaster at Rupert, W. Va. Office became presidential July 1, 1929.

Jesse H. Miller to be postmaster at Switchback, W. Va., in place of J. C. Turley, resigned.

WISCONSIN

Victor F. Platta to be postmaster at Hatley, Wis., in place of V. F. Platta. Incumbent's commission expired December 21, 1929.

Frank E. Munroe to be postmaster at Ladysmith, Wis., in place of F. E. Munroe. Incumbent's commission expired March 10, 1930.

Carl C. Corbett to be postmaster at Plymouth, Wis., in place of A. W. Wiggin, removed.

John H. Zahrte to be postmaster at Sparta, Wis., in place of J. H. Zahrte. Incumbent's commission expired April 5, 1930.

WYOMING

Charles A. Ackenhausen to be postmaster at Worland, Wyo., in place of C. A. Ackenhausen. Incumbent's commission expires April 13, 1930.

HOUSE OF REPRESENTATIVES

FRIDAY, *April 11, 1930*

The House was called to order at 12 o'clock noon by the Speaker pro tempore [Mr. TILSON].

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinitely Holy Father, we ask Thee to maintain Thy covenant with us, that by Thy gentleness and sweet attractions we may be drawn more and more to Thee. Thou art not only a God of wisdom and a God of might, for we discern Thee in the wonders of our deepest loves, in the beauty and glory of Thy all-abounding mercy and goodness. Over against every yearning, over against every temptation, over against every fear, over against every affliction is Thy beloved Son, meeting every want and supplying every need. May the memory of Him who took little children in His arms and put His holy hands upon their heads and blest them, direct and encourage us until the latest year of our earthly lives. Do Thou inspire our faith in the glorified cross of the Saviour of the world. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, without amendment, a bill of the House of the following title:

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6564. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes; and

H. R. 8531. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes.

ADJOURNMENT OVER UNTIL MONDAY NEXT

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next. Is there objection?

There was no objection.

CALENDAR WEDNESDAY

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent that Wednesday the 16th, which would be the Calendar Wednesday of the Committee on Rivers and Harbors, be exchanged to the Committee on the Merchant Marine and Fisheries, by agreement with that committee, which would have the 23d, and that the latter committee, the Committee on the Merchant Marine and Fisheries, have the 16th, and that the Committee on Rivers and Harbors have the 23d.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the Committees on Rivers and Harbors and the Merchant Marine and Fisheries, by agreement between themselves, may exchange the next two Calendar Wednesday days so that the Merchant Marine and Fisheries Committee may have Wednesday the 16th and the Committee on Rivers and Harbors the 23d. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would be glad if some one from the Committee on the Merchant Marine and Fisheries would give us information as to what will be brought up on that Wednesday, particularly with reference to the construction program bill which was passed in the last Congress and vetoed by the President. Is that bill to be brought up on that Wednesday?

Mr. LEHLBACH. What is that bill?

Mr. CRAMTON. The fish cultural station bill.

Mr. LEHLBACH. No; that will not be brought up. It is purposed to bring up a bill amending in certain administrative particulars the radio act and possibly a bill permitting the Government to dispose of certain property in the form of piers to which it now holds title.

Mr. CRAMTON. My only interest was in the bill I mentioned.

Mr. LEHLBACH. I might say further that this interchange does not in any way inconvenience the Committee on the Merchant Marine and Fisheries, but will materially assist in the orderly presentation of the business of the Committee on Rivers and Harbors.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. LAGUARDIA. Without seeking to bind the committee, does the Committee on the Merchant Marine and Fisheries intend to bring up any bill amending or changing the merchant marine act of 1928 and amendments thereof?

Mr. LEHLBACH. No; only in so far as the disposal of certain terminals is concerned.

Mr. LAGUARDIA. But not ships?

Mr. LEHLBACH. Not ships.

The SPEAKER pro tempore. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from New York the object of transferring from the 16th to the 23d?

Mr. DEMPSEY. While we have the consideration of the bill practically completed, it would be almost impossible, if not quite impossible, to be ready for next Wednesday, but we will be ready for the succeeding Wednesday.

Mr. GARNER. The gentleman and myself have had a number of conversations about the passage of a rivers and harbors bill. I have been told for the last two months that within a week this bill would be ready; that within a week it certainly would be ready; it would be ready not later than the 15th, and the other day I queried the gentleman from New York, and he said it would be reported not later than next Monday. What is the reason for the delay? Is it for the purpose of defeating this legislation?

Mr. DEMPSEY. No. The reason is just this: There has been no rivers and harbors bill for three years. We have been obliged to consider something over 100 projects, many of them involving highly controversial questions which required a very great deal of time, both in the committee and by the chairman personally outside of the committee. I will say to the gentleman from Texas that the chairman of the committee has been working literally pretty nearly night and day and Sundays.

Mr. GARNER. I take it, the chairman has been working outside of the committee room?

Mr. DEMPSEY. Let me tell the gentleman. There are in this bill some items that required very prolonged and very delicate handling in order to insure our having a rivers and harbors bill, and instead of the delay threatening the passage of the bill, the delay, I believe, will insure practically, if not entirely, complete harmony in the consideration of the bill before the House. I can not see myself where we are going to

have any real contest or real objection to the bill. I think that the gentlemen who believed they had highly controversial questions have been entirely satisfied, and I think that is going to be true of every important question in the bill.

Mr. GARNER. If the gentleman will yield further, the President of the United States urged waterways as one of the principal things he wanted to have accomplished by this Congress. He not only urged it in his message but in his speeches prior to the election and after the election. Now we are reaching the latter part of the session, and the gentleman's committee has not yet been able to report a bill. There are rumors to the effect that when this bill is reported it will pass the House of Representatives. As the gentleman knows, he could have brought the bill up two months ago if he had wanted to do so. I understand that when the bill goes to the other end of the Capitol that certain Senators, on account of possible legislation in the bill, will undertake to defeat it, if necessary, by filibustering. What does the gentleman know about that?

Mr. DEMPSEY. I was advised of the rumor which the gentleman mentioned and I was also told yesterday in what I regard as a perfectly dependable and wholly reliable way that all of that rumor of filibuster had disappeared.

Mr. GARNER. The gentleman has been conferring with the President of the United States?

Mr. DEMPSEY. Yes.

Mr. GARNER. And the President of the United States, if I understand it, desires a rivers and harbors bill passed at this session?

Mr. DEMPSEY. He is very earnest for it.

Mr. GARNER. Is that correct?

Mr. DEMPSEY. That is correct.

Mr. GARNER. And the gentleman is going to bring the bill in on the 23d?

Mr. DEMPSEY. Yes.

Mr. GARNER. For the purpose of passing it?

Mr. DEMPSEY. We expect to pass it; yes.

Mr. GARNER. And there will be no question about it next Wednesday week.

Mr. DEMPSEY. None at all.

Mr. GARNER. I queried the gentleman about the matter last week and he assured me that he would have it ready on Monday and the bill would be considered on Wednesday, and in view of the several conversations we have had I would like to have it just as specific as the English language can possibly make it that we will consider it on the 23d.

Mr. DEMPSEY. Let me say in answer to the gentleman that the committee has been most diligent. It has not been through any lack of work, through any lack of effort, or through any lack of desire; it has simply been because we have met with obstacles, and the chairman has met with obstacles outside of the committee room, and it was necessary in the interest of the speedy and the practically unanimous passage of the bill to dispose of that.

I will also say to the gentleman I believe every one of them of any consequence has been adjusted, and I do not think there will be anything to what the gentleman has heard by way of rumor with respect to action in the other body. I think the bill will pass there just as readily and by just as big a vote as it will here.

Mr. GARNER. I hope that statement is correct.

Mr. McDUFFIE. Mr. Speaker, reserving the right to object, let me ask the gentleman this question: If this unanimous-consent request is granted by the House to-day, is there any way by which any question could arise whereby we would be prevented from presenting this bill to the House on the 23d?

Mr. DEMPSEY. I do not know of any.

Mr. CRAMTON. Of course, the question of consideration can always be raised. You would be in the same position then as you would be on the 16th.

Mr. STAFFORD. And also, I may say, Mr. Speaker, there could be raised the question of whether it is privileged under the rules to be considered on Calendar Wednesday.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I could not hear the gentleman from New York [Mr. DEMPSEY] when he was under the grueling cross-examination by the gentleman from Texas. Just what is it that has delayed the presenting of this epoch making bill that the gentleman is going to bring in?

Mr. DEMPSEY. Well, two things. The situation is somewhat the same as the one with respect to the committee of the gentleman from Texas, the Ways and Means Committee. They had the tariff bill and they had about six months before we convened to consider it. When we came back here, we had not had a rivers and harbors bill for three years, when ordinarily we have one each year. We ought to have one each year, but owing to peculiar circumstances we had not had one for three years. The result was the accumulation of an enormous number of projects, many of them long projects. For instance, we had one report of between 800 and 900 printed pages. We had many reports of great length, and in order to deal fairly with the projects and at the same time be assured that the interests of the Government were protected it was necessary to carefully consider these projects.

Mr. LaGUARDIA. I understand that, but may I ask the gentleman, without intending to be offensive and in all kindliness, is there any trading going on just now?

Mr. DEMPSEY. Trading is not possible. [Laughter.]

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6564) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes, with Senate amendments, disagree to the Senate amendments, ask for a conference, and appoint conferees; and in presenting this request, I may say I have discussed the matter with the ranking minority member of the subcommittee, the gentleman from Colorado [Mr. TAYLOR], and this request is agreeable to him.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill H. R. 6564, the Interior Department appropriation bill, with Senate amendments, disagree to the Senate amendments, and request a conference with the Senate. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and announces the following conferees: Messrs. CRAMTON, MURPHY, and TAYLOR of Colorado.

MEETING OF THE COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that the Committee on World War Veterans' Legislation be authorized some time next week to hold an evening session of the committee to take testimony concerning certain medical subjects.

Mr. CRAMTON. Mr. Speaker, what is the purpose of the request?

Mr. JOHNSON of South Dakota. Simply to have a hearing.

Mr. CRAMTON. Does the gentleman mean while the House is in session?

Mr. RAMSEYER. Mr. Speaker, reserving the right to object, may I inquire of the Chair whether this request is necessary unless the House should happen to be in session that evening, which is not likely to occur?

The SPEAKER pro tempore. It does not seem to the Chair necessary unless the House should be in session.

Mr. CRAMTON. If the gentleman is seeking our approval, he can be assured of that.

Mr. JOHNSON of South Dakota. The House might be in session at that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

PROBABLE COST OF THE DEBENTURE SYSTEM

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to print in the RECORD a letter and tables prepared by the Tariff Commission giving an estimate of the probable cost of the debenture system as outlined in identic bills presented by the gentleman from Michigan [Mr. KETCHAM] and myself, prepared in cooperation with the master of the National Grange.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated by him. Is there objection?

Mr. RAMSEYER. Reserving the right to object, a table was placed in the RECORD showing the benefit to different agricultural commodities and also burdens on the Treasury on March 13 last by myself. Are the tables the gentleman wants to insert the same that were inserted by me?

Mr. JONES of Texas. They are not the same tables, but are prepared on the same basis. The gentleman's proposal covered all commodities that could be possibly classed as agricultural, and did not apply to any bill ever presented in either body.

Mr. RAMSEYER. Oh, yes; there was such a bill in the Senate.

Mr. JONES of Texas. No; the bill pending in the Senate, the Norris amendment leaves it optional and discretionary with the Farm Board to place a debenture on any agricultural commodities.

Mr. RAMSEYER. The Norris amendment is in the tariff bill. I had reference to another bill in the Senate which would make it mandatory on all agricultural products.

Mr. JONES of Texas. The Senate never took any favorable action on that bill, and it was introduced by an individual Senator.

Mr. RAMSEYER. That is true, and there was also a bill introduced by the gentleman from Michigan [Mr. KETCHAM], which differed from the Norris plan.

Mr. JONES of Texas. It differs in this, that it uses practically the same basis but sets out specific schedules. The gentleman understands that in the ordinary classification under our tariff system a great many commodities are classified as agricultural that are not strictly in that class, and ought not to be so classed in any plan to relieve agriculture. This table sets out specific articles as natural agricultural commodities. The bills prepared by Mr. KETCHAM and myself also give authority to include other farm commodities in the event of an emergency, which might increase the cost somewhat. But this table includes all of the mandatory schedules.

Mr. RAMSEYER. I have no objection; but I shall examine with interest the tables the gentleman inserts.

Mr. JONES of Texas. I think the gentleman may do so with profit; at least, I hope he finds them informative.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include a letter and tables prepared by the Tariff Commission giving an estimate of the probable cost of the debenture system.

The matter is as follows:

UNITED STATES TARIFF COMMISSION,
Washington, April 9, 1930.

Hon. MARVIN JONES,
House of Representatives, Washington, D. C.

MY DEAR MR. JONES: In accordance with your verbal request of April 4 to Mr. Lewis, we are sending the inclosed tabulations of estimates of debentures payable under H. R. 2667.

The tables are identical with those sent you April 4, except that the calculations are made on the basis of exports during the calendar year 1929 rather than on the basis of the 5-year average annual exports during the period 1925–1929.

You will note that the grand total of the estimated debentures payable under the bill as calculated on the basis of exports during 1929 amounts to $137,000,000, as compared with $141,000,000 on the basis of exports during the 5-year period 1925–1929.

Sincerely yours,

E. B. BROSSARD, *Chairman.*

A.—Debentures payable under section 7 (a), H. R. 12893, calculated on the basis of exports during the calendar year 1929

Commodity	Unit	Paragraph No.	Debenture rate	Quantity of exports, 1929	Debenture costs	Notes
Hogs	Number	1	¼ cent per pound	27,017	$16,886	On assumption of average weight of 250 pounds per head.
Pork:						
Fresh	Pound	1	3/16 cent per pound	13,539,070	50,772	
Wiltshire sides, shoulder sides, and hams	do	1	1 cent per pound	5,039,034	50,390	
Hams and shoulders, cured	do	1	do	125,796,826	1,257,968	
Bacon	do	1	do	138,423,370	1,384,234	
Cumberland sides	do	1	do	5,858,054	58,581	
Pickled	do	1	do	44,787,116	447,871	
Canned	do	1	do	10,239,914	102,399	
Sausage, not canned	do	1	do	3,724,042	37,240	
Sausage, canned	do	1	do	2,139,100	21,391	
Lard	do	1	½ cent per pound	847,867,918	4,239,340	
Cattle:						
Breeding bulls	Number	2	¾ cent per pound	2,196	13,176	Assuming 800 pounds per head.
Breeding cows	do	2	1 cent per pound	1,376	16,512	Assuming 1,200 pounds per head.
Other cattle	do	2	¾ cent per pound	3,937	14,764	Assuming 500 pounds per head.
Beef and veal, fresh	Pound	2	1½ cents per pound	2,917,859	43,768	
Corn	Bushel	3	7½ cents per bushel of 56 pounds.	33,745,270	2,530,895	
Corn meal	Barrel	3	15 cents per 100 pounds	267,121	78,534	Assuming 196 pounds per barrel.
Hominy and corn grits	Pound	3	do	14,383,857	21,576	
Corn starch and corn flour	do	3	do	235,041,590	352,562	
Rice	do	4	½ cent per pound	315,441,412	1,577,207	
Rice flour, meal, and broken rice	do	4	¼ cent per pound	70,593,596	176,484	
Wheat	Bushel	5	21 cents per bushel of 60 pounds.	90,129,600	18,927,216	
Wheat flour	Barrel	5	52 cents per 100 pounds	13,663,457	13,925,795	Do.
Total of items other than cotton and tobacco.					45,345,561	
Cotton, unmanufactured	Pound	6	2 cents per pound	3,481,509,485	69,630,190	
Leaf tobacco	do	7	do	555,415,451	11,108,309	
Grand total					126,084,060	

B.—Debentures payable under section 7 (c) (1), H. R. 12893, calculated on the basis of exports during the calendar year 1929, at debenture rates equal to one-half the duties in H. R. 2667 as passed by the House

Commodity	Unit	Par. No., House bill 2667	Tariff classification of commodity, one-half the duty on which is used as the debenture rate.	Tariff rate	Quantity or value of exports, 1929	Debenture cost
Wheat:						
Biscuits and crackers—						
Plain		733	Biscuits, etc	30 per cent ad valorem	$1,114,887	$167,233
Sweetened		733	do	do	$916,221	137,433
Macaroni, etc	Pound	725	Macaroni, etc., containing no eggs	2 cents per pound	10,740,479	107,405
Breakfast foods—						
Ready to eat		732	Cereal breakfast foods	20 per cent ad valorem	$181,511	18,151
To be cooked		733	do	do	$140,740	14,074
Corn:						
Breakfast foods ready to eat		732	do	do	$525,341	52,534
Corn oil		54	Oils, n. s. p. f	do	$42,329	4,233
Glucose (corn sirup)	Pound	503	Dextrose	2 cents per pound	118,523,086	1,185,231
Grape sugar (corn sugar)	do	503	do	do	7,238,983	72,390
Swine:						
Lard compounds containing animal fats	do	703	Lard compounds and lard substitutes.	5 cents per pound	3,632,219	90,805
Cattle:						
Beef and veal, pickled or cured	do	706	Meats, preserved	6 cents per pound but not less than 20 per cent.	10,824,870 $1,321,002	[1] 324,746
Beef, canned	do	706	do	do	2,606,162 $945,462	[2] 94,546
Oleo oil	do	701	Oleo oil	1 cent per pound	68,208,850	341,044
Oleo stock	do	701	Tallow	½ cent per pound	8,095,202	20,238
Tallow	do	701	Tallow	do	3,840,020	9,600
Oleo and lard stearin	do	701	Oleo oil	1 cent per pound	3,930,682	19,653
Oleomargarine of animal and vegetable fats	do	709	Oleomargarine	14 cents per pound	901,625	63,114
Meat extracts and bouillon cubes	do	705	Extract of meat, including fluid	15 cents per pound	185,116	13,884
Gelatin	do	42	Edible gelatin, valued at 40 cents or more per pound.	20 per cent and 7 cents per pound.	269,620 $168,696	26,305
Total						2,762,620

[1] Specific rate used.

[2] Ad valorem rate used.



C.—Debentures payable under section 7 (c) (9), H. R. 12893, calculated on the basis of equivalent exports of raw cotton or leaf tobacco at the raw cotton or leaf tobacco debenture rates

Commodity	Unit	Debenture rate	Conversion factor	Quantity or value of exports, 1929	Equivalent exports of raw materials	Debenture costs
(1) COTTON PRODUCTS						
Cotton mill waste	Pound	2 cents per pound	1.1	59,129,559	65,042,515	$1,300,850
Cotton rags, except paper stock	do	do	1.18	21,095,634	24,892,848	497,857
Cotton batting, carded cotton, and roving	do	do	1.05	446,301	468,616	9,372
Cotton yarn:						
Carded yarns, not combed	do	do	1.18	13,919,250	16,424,715	328,494
Combed yarns	do	do	1.43	13,571,962	19,407,906	388,158
Cotton thread and cordage:						
Sewing thread	do	do	1.43	1,053,882	1,507,051	30,141
Crochet, darning, and embroidery cotton	do	do	1.43	82,825	118,440	2,369
Twine and cordage	do	do	1.18	4,588,069	5,413,921	108,278
Cotton cloth, duck, and tire fabric:						
Tire fabric—						
Cord	Square yard	do	1.25	4,960,963	6,212,454	124,249
Other	do	do	1.25	1,355,239	1,694,049	33,881
Cotton duck—						
Heavy filter paper, dryer hose, and belting duck	do	do	2.36	688,618	1,625,138	32,503
Unbleached, ounce and number	do	do	1.18	10,294,888	12,147,968	242,959
Bleached	do	do	1.18	2,293,417	2,706,232	54,125
Colored	do	do	1.18	1,842,948	2,174,679	43,494
Cotton cloth, unbleached	do	do	0.34	137,836,942	47,127,841	942,557
Cotton cloth, bleached	do	do	0.25	89,303,349	22,604,385	452,087
Cotton cloth, colored	do	do	0.27	233,370,528	62,216,396	1,244,327
All other piece-dyed fabrics	do	do	0.21	43,918,973	9,441,527	188,831
All other yarn-dyed fabrics	do	do	0.22	19,807,137	4,357,570	87,151
Cotton and rayon mixtures (chief value cotton)	do	do	0.22	18,766,787	4,128,693	82,574
Other cotton fabrics:						
Blankets	Pound	do	1.25	1,569,156	1,961,445	39,229
Damasks	Square yard	do	0.37	780,072	288,627	5,773
Pile fabrics, plushes, velveteen, corduroys	do	do	0.74	494,061	365,605	7,312
Tapestry and other upholstery goods	do	do	1.00	293,125	293,125	5,862
Cotton fabrics sold by the pound	Pound	do	1.17	10,129,620	11,851,655	237,033
Cotton wearing apparel:						
Knit goods—						
Gloves	Dozen pairs	do	1.20	125,563	150,676	3,014
Hosiery	do	do	1.63	3,777,534	6,148,867	122,977
Underwear	Dozen	do	12	610,616	7,327,392	146,548
Sweaters, shawls, and other knit outerwear	Number	do	1.50	504,912	757,368	15,147
Other wearing apparel—						
Collars and cuffs	Dozen	do	(1)	231,206		
Cotton overalls, breeches, and pants	do	do	(1)	53,965		
Underwear, not knit	do	do	(1)	116,511		
Shirts	do	do	8	236,450	1,891,600	37,832
Dresses, skirts, and waists		do	$1.50 per pound	$596,117	397,451	7,949
Other cotton clothing		do	$1.25 per pound	$1,310,938	1,048,750	20,975
Other cotton manufactures—						
Handkerchiefs	Dozen	do	75 per cent men's, 0.14; 25 per cent women's, 0.125.	213,752	76,433	1,528
Laces, embroideries, and lace window curtains		do	$3 per pound	215,750	71,917	1,438
Woven belting for machinery	Pound	do	$1.18	424,119	500,460	10,009
Cotton bags	do	do	$1.17	5,906,325	6,910,401	138,208
Quilts, comforts, counterpanes, and bedspreads	Number	do	$4.00	184,863	739,452	14,789
Bed sheets, pillow, bolster, and mattress cases	Dozen	do	$18.00	36,803	662,454	13,249
Towels, bathmats, and wash cloths	do	do	$4.00	907,073	3,628,292	72,566
Other cotton manufactures		do	(1)	4,686,196		
Absorbent cotton, gauze, and surgical dressing	Pound	do	$1.10	3,687,623	4,056,385	81,128
Total, cotton products						7,176,823
(2) TOBACCO PRODUCTS						
Stems, trimming, and scrap tobacco	Pound	2 cents per pound	1.0	10,549,278	10,549,278	210,986
Cigarettes	do	do	2.85 pounds per 1,000.	8,455,851	24,099,175	481,984
Chewing tobacco, plug, and other	do	do	0.759	3,885,754	2,949,287	58,986
Smoking tobacco	do	do	0.759	1,120,235	850,258	17,005
Other tobacco manufactures	do	do	0.759	197,734	150,080	3,002
Total, tobacco products						771,963

[1] Statistics not available for conversion factor.

LEAVE TO ADDRESS THE HOUSE

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of matters on the Speaker's table and special orders already granted, the gentleman from New York, Mr. CULKIN, may address the House for 30 minutes.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that on Monday next, after the disposition of matters on the Speaker's table and at the conclusion of special orders, the gentleman from New York, Mr. CULKIN, may address the House for 30 minutes. Is there objection?

There was no objection.

EMERGENCY OFFICERS RETIREMENT BILL

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SIMMONS. Mr. Speaker, for some five years the House of Representatives had before it what is known as the emergency officers' retirement bill. It passed two years ago and was vetoed by the President and passed over the President's veto.

I have no apologies to make for having opposed that bill. Yesterday there was placed in the CONGRESSIONAL RECORD a list of those who are the beneficiaries of it. I call it to the attention of the House because it will be extremely interesting reading to those enlisted men in your district who have asked for compensation and been denied to find out how generously you have taken care of the emergency officers during the World War. I call it to your attention because it will give you an opportunity for thought and prayerful study. [Applause.]

FREE HIGHWAY BRIDGE ACROSS THE HUDSON RIVER AT TROY, N. Y.

Mr. PARKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2719) granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy, now on the House Calendar. It is an emergency bridge bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. GARNER. Reserving the right to object, I understand from the gentleman that this is an emergency matter?

Mr. PARKER. It is.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, at or near the southerly extremity of the city of Troy, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DR. WILLIAM H. WELCH

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, on Tuesday last, April 8, at noon there was celebrated at the Memorial Continental Hall in this city the eightieth birthday of Dr. William H. Welch, one of the professors of the Johns Hopkins University Medical School, who, together with Sir William H. Osler, Dr. Howard Kelly, and Doctor Halstead founded this medical school. There was present at the gathering in Continental Hall a vast concourse of friends and admirers of Doctor Welch.

Dr. Livingston Farrand, president of Cornell University, opened the ceremonies, and after making an address in which he outlined the life and work of Doctor Welch, he introduced Dr. Simon Flexner, of the Rockefeller Foundation. Then the Hon. Herbert Hoover, President of the United States, addressed the gathering, eulogizing Doctor Welch and speaking of his friendship for him. The response was made by Doctor Welch himself, who, in his very able and at times humorous way, acknowledged the great tribute paid him on the part of the speakers and by the presence of the vast audience.

At the same time that we were celebrating in Baltimore there were also celebrations in New York, Chicago, Philadelphia, and other cities of our country, as well as Peiping, China; Tokyo, Japan; London; and Paris. There has, perhaps, never been a celebration of any American citizen so universally observed as that of Doctor Welch. I have known Doctor Welch for many years; in fact, he lives only about a block from my home in Baltimore. He is and has been for many years president of the University Club, of which I am a member, and through which I come in frequent contact with this distinguished gentleman.

There are few, if any, men who combine such a universal knowledge upon so many subjects in addition to that of his profession as does Doctor Welch. The educational, the public health, as well as the medical profession have all profited greatly through the life and work of our friend. One of our strongest impressions in the work of Doctor Welch is the great amount of good he has accomplished in preventing disease. He has largely changed the aspect of the medical profession since he came to Baltimore and since the foundation of the Johns Hopkins Medical School. Through the discoveries of Doctor Welch and those of his students we have been relieved of many diseases which harassed humanity and brought about epidemics resulting in widespread sickness and death; his attitude has been to prevent rather than to await contraction and then cure.

Another strong feature particularly noticeable in Doctor Welch is his great love for humanity and his sympathy for and with the efforts of those with whom he is associated; especially do I speak of his interest in young men who are starting out on their life work. My brother, Dr. G. Milton Linthicum, who gave me considerable data in the preparation of this speech, spoke of Doctor Welch as "the first citizen in the scientific world," and this I believe is what the medical men and those who know him best delight in terming him.

Doctor Welch was born in Norfolk, Conn., in 1850, the only son of a family who had been noted for physicians for generations, his father and his grandfather also being doctors. He graduated from Yale in the class of 1870, the second of 150 men. For a short while he taught Latin and Greek in Norwich, N. Y., studied chemistry at Sheffield Scientific School, and graduated in medicine at the College of Physicians and Surgeons in New York (now Columbia University) in 1875. Following this graduation he studied at Strassburg, Leipzig, Vienna, Berlin, and Breslau.

In the laboratory of Cohnheim, the great pathologist of that time, and through the faculty of Breslau University, Doctor Welch was brought in contact with this new science. At that time Pasteur, working in France, and Koch, working in Germany, were delving into the world of the little creatures called germs which cause tuberculosis, diphtheria, scarlet fever, and other deadly maladies. Pasteur was not a physician; Koch, who isolated the organism of tuberculosis, was.

Doctor Welch saw Doctor Koch demonstrate the theory of the cause and spread of anthrax, and was one of a small group of students who shared this experience which was really the birth of the new science which has led to the relief of so many men and women from suffering and death. Following this stimulating experience he returned to America in 1879. Shortly afterwards he was offered a lectureship in pathology at Columbia University, but no laboratory being there at that time he declined. A short time later he accepted an offer of the Bellevue Hospital Medical College with its laboratory. He not only conducted his classes through the day but opened night classes and taught men who had graduated, thus really beginning postgraduate instruction. While at Bellevue the Johns Hopkins University was opened, and Dr. Daniel C. Gilman, the president and my friend, was searching for men to fill the various departments in the school of medicine. A friend of Doctor Gilman was in Europe, part of whose business was to find a man suitable to fill the chair of pathology. In an interview with one high in medical authority, who had worked with Doctor Welch in his earlier life, it was suggested that Dr. William H. Welch, because of his eminent ability, be called to the chair rather than some European.

Thus it was that Doctor Welch became one of the four original members of the faculty of the new medical school of which I have spoken. These four men have been immortalized in portraiture by the artist, John Singer Sargent.

The pathological laboratory under Doctor Welch was opened in 1885; from that time on to the present, not only has he developed through research work of various orders, the great advancement in the study of bacteriology and pathology upon the foundation of which have been laid measures for the protection of the health of the Nation in a practical way in the form of sewer systems, filtration plants, control of milk supply, vaccination for typhoid and various other preventative medical measures, but the greatest amount of success in his life work has been the development of men who have gone out to teach and advance the science with which he is so intimately associated. Such men do we find in Walter Reed and James Carroll, who made the discovery of the cause of yellow fever and sacrificed themselves to this work, the result of which was responsible for making possible the construction of the Panama Canal and removing from our Southern States and South America the scourge of yellow fever.

Dr. Simon Flexner, who discovered a curative serum for spinal meningitis, now the head of the Rockefeller Institute, was a pupil of Doctor Welch for eight years, and such work as he has done is largely attributable to the great impetus and influence obtained through his contract with Doctor Welch.

Aside from his research work, Doctor Welch reorganized and advanced the Maryland Board of Health of which he was a member. He was, perhaps, the most potent influence in the establishment of the School of Hygiene and Public Health, the first institution of its kind in the world. It has devoted itself to the training of men for public-health work and has been a great influence in bringing about better health conditions throughout the United States. As a member of the International Health Board, he made two trips to China for the sole purpose of giving aid to China in the establishment of modern medicine, ultimately leading to the organization of the Peking Union Medical College.

Doctor Welch is best known as a teacher and a leader rather than as a scientific discoverer. A man of broad, deep, general culture, with a most attractive personality. While not having occupied a seat in a legislative body at any time, as is customary in European countries, yet he has doubtless influenced more legislation in health measures than any other one individual in the world. By his sympathetic and appealing personality, he doubtless has influenced more wealth to the endowment of the Johns Hopkins Medical School than anyone.

Among other things, he played a great part in the establishment of the Harriett Lane Hospital for children, the Phipps Tuberculosis Clinic, the Phipps Psychiatric Clinic, and finally the great medical library associated with which is a chair of medical history, the honor of which has been conferred upon Doctor Welch, and for which he was the great influence which brought about its fruition. His long association with Baltimore has made his figure and personality familiar to every citizen.

On occasions of public functions there is no greater "drawing card" than Doctor Welch. His geniality and ease of contact have made for him great friends.

He has been president of the University Club of Baltimore for many years, and there his familiar figure may frequently be seen browsing through its library. A great man whose life has been spent in the scientific world, and of such broad sympathies that he has kept himself in contact with the world's citizens, with his feet on the ground, and thereby has influenced for good not only the medical profession but the laymen as well. He was engaged in the World War, where he did valiant service, and is now a brigadier general of the reserve officers' medical corps. He has not only been honored by the world, but has had conferred upon him the Legion of Honor by the French Republic.

At a dinner to Doctor Welch, on April 2, 1910, Dr. William S. Thayer, of Johns Hopkins, the toastmaster, said:

In the laboratory by his side in the early years worked Sternberg and Councilman and Booker and Halsted and Sewall and Bolton and Nuttall and Mall and Abbott and Williams and Howard and Flexner and Hewetson and Barker and Reed and Cullen and Wright and many others. And what suggestion and encouragement did we all receive from the delightful talks when the "Father," as we lovingly called him—when we didn't call him "Popsy"—passed from desk to desk, and from his words at the meetings of the little medical society in the hospital library. But that inspiration was for no small group of men. One by one these students have carried abroad his spirit and his teachings until there is scarcely a laboratory in this country that does not contain men who owe their success to that which Welch has given them.

How rich already are the fruits of his work!

It is to you, Doctor Welch, that Councilman owes the inspiration that has guided his useful and eminent career.

It was your teachings that led to the able work of Mall and indirectly to the establishment of his department of which we are so justly proud.

It was your student, MacCallum, whose contributions to our knowledge of malaria have been referred to by one of the most eminent students in this field, as the most brilliant since the discovery of the parasite.

Reed, Lazear, and Carroll were all your pupils, and it was with you and your old coworker, Sternberg, that Reed discussed and planned the work which led to the greatest achievement of American medicine—the discovery of the method of transmission of yellow fever.

It is your student, assistant and colleague, Flexner, whose absence to-night we so deeply regret, who presides over that great institution in New York, which the world owes to the generosity of Mr. Rockefeller. What a contrast, Doctor Welch, between that magnificent institution and your little laboratory—its legitimate mother!

It is your student, Flexner, whose noble discovery of a curative serum for cerebrospinal meningitis is saving so many precious lives to-day.

It is to your wisdom and initiative more than to any other one influence that are due any successes of the medical school started under your guidance.

SPEECH OF THE PRESIDENT OF THE UNITED STATES

The many years that I have been honored with Doctor Welch's friendship make it a privilege to join in this day of tribute to him by his friends and by the great scientific societies of our country. Doctor Welch has reached his eightieth year, and a whole Nation joins in good wishes to him.

Doctor Welch is our greatest statesman in the field of public health, and his public service to the Nation well warrants our appreciation of him. With profound knowledge, wide experience and skill in dealing with men, sound judgment, and a vision of the future he has been a great asset to the Nation, and we may fortunately hope that he will continue for many years more to bless mankind with his invaluable leadership.

Our age is marked by two tendencies, the democratic and the scientific. In Doctor Welch and his work we find an expression of the best in both tendencies. He not only represents the spirit of pure science but constantly sees and seizes opportunities to direct its results into service of humankind.

Medicine until modern times was a species of dramatic play upon emotions rather than a science made useful through technology. It combined centuries of experience in trial and error in reactions from many drugs, with a maximum of skill on the part of the practitioner in a kindly art of making the patient feel as hopeful and comfortable as possible while he was dying of the disease, the origin and treatment of which was as yet undiscovered. Providence was made responsible for his fate rather than the bacillus, which should never have been allowed to infect him.

Modern medical practice, however, is based upon a vast background of scientific research and discovery. In the creation of this science, in the conversion of its principles into technical methods for use in actual practice, in the diffusion of knowledge of these principles and methods, and in the application of them upon a national and world-wide scale, Doctor Welch has played a leading American part. As a research worker in pure science he has made original and valuable discoveries. As a technologist he has devised practical methods of applying pure science. As a teacher he has spread true knowledge and inspiration among thousands. But in organizing and directing research and application of medical knowledge on a wider field of prevention of disease he is among the preeminent few who deserve the title of statesman.

No valuable change in everyday practice of any of the great arts has ever been made that was not preceded by the accretion of basic truths through ardent and painstaking research. This sequence that precedes effective action in medicine is equally important in every field of progress in the modern world. It is not the method of stirred public emotions, with its drama of headlines; it is rather the quiet, patient, powerful, and sure method of nature herself.

Doctor Welch has happily combined in his character and intellect the love of truth and the patient experimental habit of the pure scientist, with the ingenuity of the inventor and the organizing vision and energy of the promoter of sound enterprise—and combines all these things with a worldly wisdom and gracious charm that has made him a leader amongst men.

I know that I express the affection of our countrymen and the esteem of his profession in every country when I convey to him their wishes for many years of continued happiness.

ORDER OF BUSINESS—VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, I could not hear all of the colloquy about the procedure next week. I understand that it is generally agreed that we will take up the veterans' legislation on Tuesday next under the rule reported on yesterday, and have 12 hours of general debate. If we do not finish the bill on Tuesday, which we probably will not, then it will be in order the first thing on Thursday, will it not?

The SPEAKER pro tempore. The gentleman is correct.

Mr. RANKIN. And on Friday and Saturday, and so forth, until the bill is finished?

The SPEAKER pro tempore. It will be the unfinished business.

Mr. RANKIN. And it will take precedence over any other legislation?

The SPEAKER pro tempore. It will simply be the unfinished business of the House, privileged to be called up.

Mr. RANKIN. Would it be subject to be superseded by the so-called Williamson bill, which we had here yesterday?

The SPEAKER pro tempore. That would be for the House to decide. There will be two unfinished bills.

INVITATION TO VISIT SHENANDOAH VALLEY

The SPEAKER pro tempore. The Chair lays before the House the following invitation for the information and convenience of the Members of the House.

The Clerk read as follows:

WASHINGTON, D. C., *April 9, 1930.*

The Hon. NICHOLAS LONGWORTH,

Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Permit me to extend to you and the entire membership of the House a cordial invitation to visit the Shenandoah Valley and make a tour through the enchanted buried city—Grand Caverns. Words nor photographs can describe the beauty and mystery of the place. In one of the great palaces the entire membership of both Houses of Congress could convene, giving you some idea of this wonderland. World travelers justly claim the Grand Caverns to be nature's masterpiece of art work and color in stone and really the world's greatest show place.

In connection with our invitation we suggest that Sunday, May 4, would be an ideal day to make the trip, leaving Washington on a special train at 8 a. m., arriving at Grand Caverns at noon, where luncheon will be served, and then the tour through the Grand Caverns. From the entrance you get a bird's-eye view of the southern entrance of the Shenandoah National Park along the Blue Ridge; you will also see the Piedmont and Shenandoah Valleys in their full spring foliage and the great orchards in full bloom, with the Blue Ridge Mountains wooded to the sky line with riot of colors, presenting a picture no mortal artist could match.

Returning over the Blue Ridge, a stop would be made at Charlottesville and side trip to Jefferson's home at Monticello and through the grounds of Virginia's great university, dinner, and board train for Washington, arriving at bedtime.

No other trip would give to the Nation's public servants more than the one outlined, and the citizens of the old mother State who are donating 400,000 acres of land for the Shenandoah Park would be honored to have as its guests Members of Congress. The only expense

involved would be about $5 per person for railway transportation. It will be my pleasure to entertain you, and I hope you will endeavor to make the trip.

Awaiting the decision of your great body, I beg to remain,

Sincerely yours,

HOLLY STOVER.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia [Mr. GARBER] for a few moments.

Mr. GARBER of Virginia. Mr. Speaker and gentlemen of the House, I feel I would be somewhat remiss in my duty if I did not add one word by way of emphasis to the invitation that has been extended to the membership of the House to make this unusual trip on May 4. I sometimes think, Mr. Speaker, that the debt of gratitude that the Nation owes to the Old Dominion is temporarily forgotten. I take a moment to suggest that on May 4, if you accept this gracious invitation, you will have an opportunity to visit the State that has given seven Presidents to the Nation. [Applause.] More than that, it is not only the mother of Presidents and the mother of statesmen, but I would remind you that it is also the mother of States, because out of the great Northwest Territory, ceded to the Nation by Virginia in the colonial days, it should be remembered that there were carved out of this wilderness empire the States of Ohio, Kentucky, Indiana, Illinois, Wisconsin, Minnesota, and a large portion of Michigan. So I urge that you ladies and gentlemen come back to see, metaphorically speaking, your mother on May 4.

Our great old State institution, the University of Virginia, so rich in history and tradition, bids you welcome.

We will show you in your travels through the Shenandoah Valley a scene of unsurpassed beauty. You have here your rolling hills, lying between the mountains, standing in their silent majesty as sentinels guarding the glory of this wondrous valley. You will have here panorama after panorama of beautiful rolling hills, watered by hundreds of crystal streams as they find their way back to the sea. You will literally see here your cattle upon a thousand hills.

The Old Dominion will be most happy to welcome the membership of this House on May 4. I have no interest in the particular caverns whose management extends this invitation. Permit me to say that in my district we have seven of these marvelous subterranean cities hidden away in the earth. The Master was in a very kind mood when he built the great valley of Virginia. He could not spread out before us enough of the glory of His handiwork, and so went beneath the surface and there planted these marvelous cities of idyllic beauty and charm. You are invited to one of the greatest of these on May 4, and I hope very much that you may find it convenient to honor the State with your presence. [Applause.]

THE CONSENT CALENDAR

The SPEAKER pro tempore. Under special order of the House, the Consent Calendar is in order, and the Clerk will begin at the point in the call where we left off last.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that instead of commencing at the star, we commence at No. 271 of the calendar. I was not here when the calendar was called, and it was passed over without objection.

Mr. LaGUARDIA. Mr. Speaker, I am very friendly to the bill the gentleman refers to, but we can not start there now. With due deference to the gentleman from Ohio, to be fair with all, I must object.

AGREEMENT BETWEEN COLORADO, NEW MEXICO, UTAH, AND WYOMING

The first business on the Consent Calendar was the bill (H. R. 200) granting the consent of Congress to compacts or agreements between the States of Colorado, New Mexico, Utah, and Wyoming with respect to the division and apportionment of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and all other streams in which such States or any thereof are jointly interested.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. EATON of Colorado. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

COMPACTS BETWEEN COLORADO, NEBRASKA, AND WYOMING

The next business on the Consent Calendar was the bill (H. R. 201) granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. EATON of Colorado. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ARENTZ. Mr. Speaker, in view of the interest taken in these two bills by the gentleman from Colorado [Mr. TAYLOR], who is on his sick bed and can not be here, I think it would be well for his colleague [Mr. EATON] to say just a word in extenuation, so to speak, of the action he has taken in reference to this bill.

The first bill makes a division of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers between the States of Colorado, New Mexico, Utah, and Wyoming, and the next bill relates to the division of the waters of the North Platte River between the States of Colorado, Nebraska, and Wyoming.

Mr. SIMMONS. The second bill affects only the States of Colorado, Nebraska, and Wyoming.

Mr. ARENTZ. The gentleman from Nevada could not get in a word edgewise when the first bill was being considered. The gentleman from Colorado asked to pass over the bill affecting the States of Colorado, New Mexico, Utah, and Wyoming. That was on the first bill.

Mr. EATON of Colorado. Mr. Speaker, my request was made on account of the illness of my colleague from Colorado [Mr. TAYLOR]. I think the bill should be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

POLICE FORCE AND FIRE DEPARTMENT, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 5713) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Mr. Speaker, I think these bills affecting questions of salaries ought not to come up by unanimous consent, but in a regular way. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

PRIZE FIGHTING IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I am not sure that the bill is properly drawn.

Mr. HOOPER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I hope when it comes up again there will be here a copy of a report of the District Commissioners on this bill and the one to follow it. I think we ought not to be expected to act on these District bills without an expression from them.

Mr. LaGUARDIA. Mr. Speaker, I renew the request of the gentleman from Michigan [Mr. HOOPER] that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

CLAIMS AND SUITS AGAINST THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 9996) to amend the act entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," approved February 11, 1929.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, I make the point of order that the bill is not properly before the House, in that it does not meet the requirements of the rule in regard to requirements of the Ramseyer rule pertaining to bills amending existing law.

Mr. GREENWOOD. The gentleman means that it does not conform to the Ramseyer rule?

Mr. LAGUARDIA. Yes.

The SPEAKER pro tempore. The Chair sustains the point of order inasmuch as the report does not comply with the rule. The Clerk will report the next bill.

BOARD OF PUBLIC WELFARE, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 9602) to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, inasmuch as there seems to be no one here to explain this bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

AMENDMENT OF SECTIONS 599, 600, AND 601 OF SUBCHAPTER 3, CODE OF LAWS, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 3144) to amend sections 599, 600, and 601 of subchapter 3 of the Code of Laws of the District of Columbia.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, what is the purpose of the bill?

Mr. STOBBS. Mr. Speaker, replying to the inquiry of the gentleman from New York as to the purpose of this bill, I may say that it passed at the last session of Congress and its purpose is to make it possible for these charitable and educational corporations chartered by the District of Columbia to provide in their by-laws that a quorum of such corporations may consist of less than a majority of the total number of trustees. The reason for that is that many of these charitable and educational corporations desire to have trustees and directors chosen from all over the United States. In order to transact business under the present law they have to have a majority of the trustees present in order to do business.

Mr. LAGUARDIA. Mr. Speaker, the practice seems to be that they want to have window-dressing directorates, which lend respectability, if you please, to the standing of the organization, but many of the trustees and directors decline to take any active part in the activities of the organizations, so that you have organizations that are really conducted by the professional paid workers. I am not referring to any particular organization.

Mr. GREENWOOD. Does not the gentleman think it bad business to allow trustees from different parts of the country to transact business of organizations chartered in the District of Columbia?

Mr. STOBBS. The idea is to have the by-laws provide that a smaller number than a majority shall constitute a quorum. For example, the church that I have the honor to be associated with, the National Memorial Church of the Universalist denomination, desires such a code of by-laws, and I have been asked to be a member of the board of trustees. We can not do any business or transact business as a board of trustees unless we have a majority as a quorum.

Mr. GREENWOOD. If you had an active institution or an effective board, you could transact business, could you not?

Mr. STOBBS. It is not asked to change the law, but to make it possible for a smaller number to constitute a quorum.

Mr. GREENWOOD. I think it is poor policy to allow less than a majority of the board of directors to transact the business of any corporation.

Mr. STOBBS. It is the only way by which national memorial churches, such as the Episcopal Foundation Cathedral, can be handled.

Mr. GREENWOOD. Are they not allowed to have any number of trustees that they want now?

Mr. STOBBS. They can have any number of trustees, but they can not transact business except by a majority.

Mr. GREENWOOD. Then, it is in their control, under existing law, to provide a less number of trustees so that they can have a majority present.

Mr. STOBBS. But as a practical matter that does not work out. I hope the gentleman will not object. This is in behalf of a church.

Mr. LAGUARDIA. Reserving the right to object, the difficulty is that the instance of which the gentleman is speaking and of which he has personal knowledge, is a really meritorious case, but the bill is too broad. It will permit all societies to do that. It may be necessary and expedient in the case of the church mentioned by the gentleman from Massachusetts, but it is a very bad precedent to establish by law in a general statute, so that all societies may do the same thing.

Mr. STOBBS. May I answer that by saying that Congress is absolutely opposed to national incorporations.

Mr. LAGUARDIA. Yes; I have objected to every one of them.

Mr. STOBBS. Therefore the only way any body of national character may be incorporated is to be incorporated under the laws of the District of Columbia. If that is done, no business can be transacted if a majority of the board is required to constitute a quorum, where the trustees are scattered throughout the country. If the law remains as it is at present, and a majority of the directors or trustees is required to constitute a quorum, it is impossible to transact business. The gentleman knows that all the veteran organizations desire to be incorporated under a national act. That has been impossible. We are all opposed to it. They must come to the District of Columbia and be incorporated to give them a national character.

Mr. LAGUARDIA. If they are not here, of what use are they as directors?

Mr. STOBBS. They come here once or twice a year, but they are interested in the general policy of veteran organizations. It applies not only to veteran organizations but to church organizations and many others that can not get any relief unless this bill is passed.

Mr. GREENWOOD. Will the gentleman yield?

Mr. STOBBS. I yield.

Mr. GREENWOOD. We are not only providing legislation for the corporation which the gentleman has in mind, but many others, and we are providing that they can transact business where less than a majority will constitute a quorum. Unless the gentleman will agree to strike that part of the bill, I intend to object.

Mr. STOBBS. The present law provides for what the gentleman has said, and the only thing I am trying to secure is an amendment which will allow the by-laws to stipulate that a less number than a majority shall constitute a quorum.

Mr. GREENWOOD. I object to that.

Mr. STOBBS. I hope the gentleman will reserve his objection.

Mr. GREENWOOD. I object.

UNITED STATES NAVAL DESTROYER AND MARINE BASE, SQUANTUM, MASS.

The next business on the Consent Calendar was the bill (H. R. 6142) to authorize the Secretary of the Navy to lease the United States naval destroyer and submarine base, Squantum, Mass.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object, with notice that I am going to object.

Mr. ANDREW. Mr. Speaker, this is a thoroughly meritorious bill. It concerns a large area on the edge of Boston Harbor bought by the Navy during the war for the construction of submarines and destroyers—732 acres.

The Government built upon that property buildings which cost $12,700,000. Of the 732 acres which the Navy Department possessed, there has been turned over to the War Department 468 acres for aviation and such purpose as the War Department desires.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. ANDREW. I yield.

Mr. LAGUARDIA. We are all familiar with the history of it. There is one question I would like to ask the gentleman from Massachusetts. How does the gentleman justify taking property valued at $13,000,000 and leasing it out on an agreement to keep up the property?

Mr. ANDREW. There is not any such proposal. There is no lease in existence to-day.

Mr. LAGUARDIA. But the gentleman desires to lease it?

Mr. ANDREW. We want to lease the property because it is of no use. The 124 acres which remain, on which buildings are erected, are of no immediate purpose to the Navy.

Mr. LAGUARDIA. The bill provides for leasing for a period of 25 years.

Mr. ANDREW. Yes.

Mr. LAGUARDIA. At an annual rental, the consideration payable in cash or in the form of repairs, maintenance, and upkeep of such property?

Mr. ANDREW. Yes.

Mr. LAGUARDIA. It is ridiculous.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. ANDREW. I yield.

Mr. VINSON of Georgia. As a matter of fact, the Navy Department has already leased this property to a corporation for a period of five years.

Mr. ANDREW. Yes. Which was canceled last year.

Mr. VINSON of Georgia. The purpose of this bill is to authorize the Navy Department to enter into negotiations to lease it to some people for a period of 25 years?

Mr. ANDREW. Yes.

Mr. VINSON of Georgia. And that is the entire purpose of the bill?

Mr. ANDREW. That is the only purpose of the bill. The only purpose is to lease it for such length of time as will yield to the Government advantageous terms.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. ANDREW. I yield.

Mr. LAGUARDIA. The gentleman will not find that in the bill. That can be done under existing law.

Mr. ANDREW. Only for five years.

Mr. LAGUARDIA. Will the gentleman accept an amendment to lease it for 25 years under existing law?

Mr. ANDREW. I do not understand what the gentleman means.

Mr. LAGUARDIA. I mean exactly what I say.

Mr. COLLINS. Will the gentleman yield?

Mr. ANDREW. I yield.

Mr. COLLINS. The Navy Department now has a right to lease this property for five years?

Mr. ANDREW. Yes.

Mr. COLLINS. With the privilege of extending the lease for an additional 5-year period, and so on?

Mr. ANDREW. Yes.

Mr. COLLINS. Now, if the bill should pass and a lease for 25 years was made and an emergency occurred, then the damages that would accrue to the lessee corporation would be much larger than it would be if a lease was made under existing law? Is that not true?

Mr. ANDREW. This bill provides that the lease shall be revocable at the discretion of the Secretary, in case of national emergency.

Mr. COLLINS. Yes; but the person, corporation, or partnership who leased the property would receive damages?

Mr. ANDREW. There is no provision here of that character.

Mr. COLLINS. But that is the case anyway. It exists as a matter of right.

Mr. ANDREW. The difficulty in leasing these expensive buildings has been that the Government can not lease them advantageously for five years at a time. They are in bad repair; they are deteriorating; it is a continual loss to the Government. The buildings are of no use.

Mr. COLLINS. But they are under lease now?

Mr. ANDREW. They are not under lease now; no, sir.

Mr. COLLINS. Oh, I beg the gentleman's pardon. They are under lease at this moment for a 2-year period. I secured this information this morning.

Mr. ANDREW. They were under lease, issued in 1927, and the lease was canceled last year because the terms were not complied with.

Mr. COLLINS. In a telephone conversation this morning I was advised that this property was under lease now for a 2-year period of time.

Mr. ANDREW. Some one who informed the gentleman, I think, was mistaken, because they were leased for five years, and the lease was canceled last year.

Mr. LAGUARDIA. They did not pay the rent?

Mr. ANDREW. They did not pay the insurance.

Mr. COLLINS. The Navy Department should know whether it is under lease or not.

Mr. LAGUARDIA. Perhaps that is the squatter, the gentleman who is going to get the lease?

For all the reasons stated by the gentleman from Massachusetts, I object, Mr. Speaker.

A DIALOGUE BETWEEN A CITIZEN AND A SOLDIER ON H. R. 3547

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on H. R. 3547, a bill introduced by myself.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on a bill which he has introduced. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, under the leave to extend, I submit a discussion of H. R. 3547 in the form of a dialogue:

CITIZEN. I am surprised that an ex-soldier should offer a bill of this kind and that any soldier should attempt to defend it.

SOLDIER. Then you must be amazed at Justice Oliver Wendell Holmes, the venerable justice of the Supreme Court, for it was his dissenting opinion in the Schwimmer case which prompted the introduction of this bill.

CITIZEN. Indeed, I am amazed.

JUSTICE HOLMES'S OPINION

SOLDIER. Well, Justice Holmes is a veteran of the Civil War, with three battle wounds as permanent symbols and guaranties of his patriotism. Notwithstanding his own opposition to pacifism, he held that one's opinions on the abolition of war should not debar an applicant from citizenship. And he adds this strong language:

"I would suggest that the Quakers have done their share to make the country what it is, that many citizens agree with the applicant's belief, and that I had not supposed hitherto that we regretted our inability to expel them because they believed more than some of us do in the Sermon on the Mount."

Referring specifically to Madam Schwimmer, whose rejection was the subject of this classic dissenting opinion, he states:

"Surely it can not show lack of attachment to the Constitution that she thinks that it can be improved. I suppose that most intelligent people think that it might be. Her particular improvement looking to the abolition of war seems to me not materially different in its bearing on this case from a wish to establish * * * one term of seven years for the President. To touch a more burning question, only a judge mad with partisanship would exclude because the applicant thought that the eighteenth amendment should be repealed."

THE GRIFFIN BILL

CITIZEN. Well, all that I know about this Griffin bill is that they say it proposes to relieve the citizen from the obligation to defend the Constitution in time of war.

SOLDIER. It does nothing of the kind.

CITIZEN. What does it do, then?

SOLDIER. Now, you are getting down to brass tacks. Your bias against the bill is obviously a snap judgment influenced by the groundless deductions of a few supersensitive patriots who fear that applicants for citizenship are going to be excused from the obligation to defend the Constitution and the laws—nothing is further from its intent. It would be absurd to grant to naturalized citizens a privilege that was not accorded to native citizens.

CITIZEN. I believe that every citizen—native or naturalized—should not only promise to but actually defend the Constitution.

SOLDIER. Right! But "agreeing to defend" is different from the act of defending. A person might swear to defend the Constitution and yet fall down on the test when war comes.

THE TERM "DEFEND"

CITIZEN. But can we defend the Constitution and the laws without bearing arms?

SOLDIER. Yes; in innumerable ways—as nurses, doctors, teachers, as workers on the farm and in the factory—providing the things necessary to carry on the war.

CITIZEN. That's right, now that I think of it. That's why I didn't enlist myself. I had to run my farm to help feed the brave boys at the front.

SOLDIER. And you were probably a "3-minute man" who pepped the boys up to enlist?

CITIZEN. Exactly! I didn't enlist myself, but I stood on the grand stand right next to the chairman of the local draft board when the boys marched away while the band played "Over There." Yes; those were great days and I'll always believe in war.

BELIEF IN WAR

SOLDIER. If that's the case, then you differ from any soldier I ever knew who has suffered the hardships of war. You will find yourself differing from the mothers of the sons whom you, and other patriots like you, sicked on to go to the front and—who never came back! You will find yourself differing from the President of the United States, and also you will find yourself at loggerheads with the actual laws of our country.

CITIZEN. How is that?

THE KELLOGG PEACE PACT

SOLDIER. Did you never hear of the Kellogg peace pact, more precisely known as the General Pact for the Renunciation of War?

CITIZEN. Yes; but what has that to do with the case?

SOLDIER. Simply this: That from the moment the ratification of the Kellogg peace pact was announced by the President of the United States on July 24, 1929, war has been outlawed.

CITIZEN. Yes; but what does it say?

SOLDIER. It's very short. Here it is:

"ARTICLE 1. The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for

the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

"ART. 2. The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

CITIZEN. Yes; but that's only a treaty.

SOLDIER. Yes; but a treaty is the supreme law of the land under clause 2 of Article VI of the Constitution of the United States, which reads as follows:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding."

CITIZEN. Then, according to that, this country, as well as all other countries signing the Kellogg peace pact, are committed against war as a means of settling international differences.

A SLIGHT INCONSISTENCY

SOLDIER. Yes. And do you not think it strange that an individual, citizen or otherwise, should be penalized for agreeing with the policy and the laws of his or her country?

CITIZEN. Yes. It does seem odd. But suppose that we should get into a defensive war, shouldn't every citizen be compelled to do his duty in defending the country?

SOLDIER. Yes; according to his or her qualifications and in the work for which they are best fitted. This country has never called upon women, for instance, to bear arms and engage in battles.

CITIZEN. No; and, thank God, it never will.

SOLDIER. But it has utilized their services in many ways, and valuable aids they were. It has never called upon persons having religious convictions against war to actually bear arms, and yet they, too, have rendered most valuable services in times of war.

CITIZEN. But there are not many of them, are there?

RELIGIOUS BODIES AGAINST WAR

SOLDIER. The World Almanac says that in 1926 there were about 343,000 members of sects in the United States who have conscientious objections to war, divided as follows: Dunkers, 157,000; Friends, 111,000; Mennonites, 75,000. So you see there are quite a number of decent people in these United States who anticipated the Kellogg peace pact long before it was thought of.

CITIZEN. So it would seem.

SOLDIER. Notwithstanding their convictions, it is interesting to note that many of these good people have actually waived their convictions and served in our armies in times of war. For instance, the famous Gen. Nathanael Greene in our Revolutionary War and Sergeant York in the World War.

CITIZEN. That's news!

THE POINT OF THE BILL

SOLDIER. In short, the point of this bill is that while the probability exists that persons might change their minds it is not necessary to reject otherwise good citizens on the mere question as to what they might or might not do in a remote contingency.

CITIZEN. It would seem so.

SOLDIER. All this bill does is to waive the requirement that a person should answer under oath, at the time of naturalization, just precisely what he or she would do in the event of war.

CITIZEN. And it does not excuse them from serving the country in time of war?

SOLDIER. No. In time of war, as at all other times, every citizen must obey the laws and do his or her duty. What that duty is or what that service shall be can well be left to determination when the event of war happens.

CITIZEN. I guess that's about right. I can now see that if it is made a condition precedent of good citizenship that one must believe in war the next step might be to disfranchise all who do not.

SOLDIER. That would hardly be fair, in view of the law on our statute books outlawing war, would it?

CITIZEN. Hardly.

GREAT SMOKY MOUNTAINS NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 6343) to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stats. 616).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the boundary limits of the tract of land in the Great Smoky Mountains in the States of North Carolina and Tennessee, recommended by the Secretary of the Interior in his report of April 14, 1926, for the establishment of the Great Smoky Mountains National Park, be, and the same are hereby, extended to include lands adjacent to the east boundary as defined in said report to a line approximately as follows:

From a point on top of the Balsam Mountains at the boundary of Swain and Hayward Counties just north of Black Camp Gap; thence following east the top of the mountain range to Jonathan Knob and Hemphill Bald; thence along top of ridge through Camp Gap to Bent Knee Knob; thence following the main ridge to Cataloochee Creek to a point on the boundary of the area described in report of the Secretary of the Interior of April 14, 1926; and the lands within said boundary extension, or any part thereof, may be accepted on behalf of the United States in accordance with the provisions of the act of May 22, 1926, for inclusion in the area to be known as the Great Smoky Mountains National Park.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

MARINE BAND

The next business on the Consent Calendar was the bill (H. R. 6349) authorizing the attendance of the Marine Band at the Confederate veterans' reunion to be held at Biloxi, Miss.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

TRANSPORTATION ACT

The next business on the Consent Calendar was the bill (H. R. 8639) to amend and reenact subdivision (a) of section 209 of the transportation act, 1920.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HOCH. I object.

TRADE-MARKS

The next business on the Consent Calendar was the bill (H. R. 2828) to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, I do not like to object to this bill, but it is almost a code of law in itself.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. HOOPER. Certainly.

Mr. STAFFORD. Although this bill has passed prior Congresses, I would like to have the matter go over for two weeks, so that I may have an opportunity to further consider the bill. Therefore I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GRATUITY TO DEPENDENT RELATIVES OF OFFICERS, ENLISTED MEN, OR NURSES

The next business on the Consent Calendar was the bill (H. R. 7639) to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relatives of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve a point of order.

Mr. BRITTEN. Mr. Speaker, this bill will not cost the Treasury a dollar. It merely provides additional language desired by the Navy Department so that the determination of the fact of dependency shall rest with the Secretary of the Navy and not with the Comptroller General.

The reason for that language is this: That in many cases of deaths in line of duty the Comptroller General has drawn very fine decisions as to just what the dependency actually was. The language inserted in the bill is in addition to existing law. It is the first proviso on page 3:

Provided, That the determination of the fact of dependency in all cases of dependent relatives, of personnel of the Navy or Marine Corps, whether previously designated or not, by the Secretary of Navy, shall be final and conclusive upon the accounting officers of the Government.

That is all there is to this legislation. It takes from the Comptroller General the right to determine whether a dependency had in fact existed.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. VINSON of Georgia. It has oftentimes happened, has it not, that an enlisted man or officer designates some one as entitled to the six months' gratuity; the officer or enlisted man dies, and then when the Navy Department seeks to settle with his estate and give it the six months' gratuity, the Comptroller's office says they are not dependent.

Mr. BRITTEN. That is true.

Mr. VINSON of Georgia. This leaves it entirely within the discretion of the Navy Department to say who is dependent and not the Comptroller General.

Mr. BRITTEN. In addition to what the gentleman has well said it expedites the settlement of that very unimportant account from the Government's viewpoint.

Mr. LAGUARDIA. If the gentleman will permit, I am in sympathy with the purpose of the bill. But, gentlemen, after a great deal of trouble, this Congress created the office of the Comptroller General. Now, are we to destroy the purpose of that office? Are we going to cut down his duties and powers by bills of this kind? It seems to me the Comptroller General can pass upon the question of dependency just as well as the Secretary of the Navy or one of his subordinates.

Mr. COLLINS. And he is a disinterested party.

Mr. VINSON of Georgia. If the gentleman will yield further, a great many cases have gone to court in view of the fact that the Comptroller General would hold differently from the Navy Department as to what constituted dependency. An officer or enlisted man designates some particular one of his family who is classified by law as a dependent, and then the Comptroller General comes along and says that although you classify this person as a dependent, in my judgment he is not dependent. Then we say let the Navy Department reach the determination and the man reach the determination instead of the comptroller's office.

Mr. LAGUARDIA. Let me suggest that the way to correct that condition is to bring in a bill describing exactly who the dependent may be, in the judgment of your committee and the department, and when it comes to the matter of discretion——

Mr. VINSON of Georgia. The law already does that.

Mr. LAGUARDIA. Just a moment. When it comes to a matter of discretion, or when it comes to construing whether or not the law has been followed, you can not take that power away from the Comptroller General; or, rather, it would be very unwise to do that.

Mr. BRITTEN. If the gentleman will permit a suggestion, my thought, and the committee agrees with me——

The CHAIRMAN. Is the gentleman discussing the point of order?

Mr. LAGUARDIA. Mr. Speaker, I have reserved a point of order and in order to give the gentleman an opportunity to discuss it, I now make the point of order the bill is not properly before the House in that it is a bill amending existing law and the report does not show the matters omitted or the new matter inserted in the existing law.

Mr. BRITTEN. Is the gentleman going to insist upon his point of order irrespective of what is said?

Mr. LAGUARDIA. Of course, the Speaker will decide the point of order.

Mr. BRITTEN. I shall not argue the point of order.

The SPEAKER pro tempore (Mr. MICHENER). The gentleman from New York [Mr. LAGUARDIA] makes the point of order that the report accompanying the bill (H. R. 7639) does not comply with the so-called Ramseyer rule. The Chair has inspected the report and finds it does not so comply, sustains the point of order, and rerefers the bill to the Committee on Naval Affairs.

The Clerk will report the next bill on the Consent Calendar.

INDIAN HOMESTEADS ON THE CROW, THE BLACKFEET, AND THE FORT BELKNAP RESERVATIONS

The next business on the Consent Calendar was the bill (H. R. 9761) to authorize the issuance of patents in fee for Indian homesteads on the Crow Reservation, the Blackfeet Reservation, and the Fort Belknap Reservation, in the State of Montana, upon written application therefor.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to cause to be issued a patent in fee simple, upon written application therefor, to any Indian allottee of the Crow, Blackfeet, or Fort Belknap Reservations, in Montana, for land allotted as a homestead and now inalienable, whenever he shall be satisfied that any such allottee is competent and capable of managing his or her affairs, and thereafter all restrictions as to sale, encumbrance, or taxation of said land shall be removed and said land shall not be liable to the satisfaction of any debt contracted prior to issuance of such patent.

SEC. 2. That any Crow, Blackfeet, or Fort Belknap Indian allottee may sell, upon petition, all or part of any land allotted as a homestead, and the heirs of any deceased Fort Belknap allottee may sell all or any part of an inherited homestead: *Provided*, That such sales shall be made only with the approval of the Secretary of the Interior under such rules and regulations as he may prescribe.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

TRIBAL FUNDS OF THE YANKTON SIOUX TRIBE OF INDIANS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 188) authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation to the members of the tribal business committee for services in connection with their pipestone claim.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill a question. I do not think this is a serious matter, but I notice in the joint resolution, in line 4, the amount originally appeared as $400 and a line has been stricken through that and $4,000 substituted.

Mr. CHRISTOPHERSON. It should have been $4,000 in the original drafting of the bill.

Mr. HOOPER. Then that is a mistake; it is not $400?

Mr. CHRISTOPHERSON. No; $4,000.

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, I would like to make a few observations. How many members were on this committee?

Mr. CHRISTOPHERSON. I am not able to say; but it was a business committee appointed at a meeting of this tribe on August 23, 1924.

Mr. LAGUARDIA. I suppose they were the politicians of the tribe?

Mr. CHRISTOPHERSON. Well, I do not know. They were the ones who had in hand the matter of securing this claim. They are the ones the tribe selected to gather the evidence and prosecute the claim.

Mr. LAGUARDIA. They came to Washington, did they?

Mr. CHRISTOPHERSON. Yes; they came here, and they also gathered evidence elsewhere.

Mr. LAGUARDIA. Were there more than four of them?

Mr. CHRISTOPHERSON. Yes; I think there were some six or eight, as I recall, although my memory on that is not clear at this time. It was the business committee selected by the tribe for this purpose.

Mr. LAGUARDIA. Four thousand dollars is a lot of money to give a voluntary commission. There was nothing of this kind in contemplation at the time.

Mr. CHRISTOPHERSON. Let me say that this matter extended over a number of years, and it was largely due to their activity that the claim was approved, and the department held out of the distriontion this $4,000 as a reasonable amount to cover their expenses and the fees, but felt it could not pay this over to this committee without authority to do so from the Congress.

Mr. LAGUARDIA. Did the tribe get the $328,558.90?

Mr. CHRISTOPHERSON. Yes.

Mr. LAGUARDIA. I suppose it was not paid to them, but went into the tribal funds?

Mr. CHRISTOPHERSON. No; I think distribution has been made and this $4,000 was retained at that time by the commissioner.

Mr. LAGUARDIA. And the tribe is satisfied with this arrangement?

Mr. CHRISTOPHERSON. Yes. So far as I have been advised and informed, this meets with their approval.

Mr. HOOPER. As I understand, there was a considerable amount actually paid out of the tribal fund for the expenses about which the gentleman has spoken?

Mr. CHRISTOPHERSON. Not to this committee. My understanding is they have not been paid anything.

Mr. HOOPER. They have not received anything at all?

Mr. CHRISTOPHERSON. That is my understanding; and this $4,000 includes their expenses.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CHRISTOPHERSON. Yes.

Mr. SCHAFER of Wisconsin. What was the amount of the judgment in the Court of Claims?

Mr. CHRISTOPHERSON. The original claim as found, I think, was something over $100,000, but when the settlement was made it all amounted to $328,558.90.

Mr. SCHAFER of Wisconsin. What were these Indians, who are to receive the benefit of this bill, doing down here, lobbying?

Mr. CHRISTOPHERSON. That I really do not know. They were here and doing the same as anyone who is prosecuting a claim—gathering evidence and presenting it to their attorney and getting it in shape to present to the court.

Mr. SCHAFER of Wisconsin. Does the gentleman know whether the attorneys who received attorneys' fees by reason of their services in this claim before the court brought these Indians to Washington? If so, why should not the attorneys pay their expenses?

Mr. CHRISTOPHERSON. No; that was not the case. This business committee was appointed by the tribe at a meeting on August 23, 1924, to take up the matter of the prosecution of this claim, which had been pending for many years. I presume they are the ones who engaged attorneys and looked after the details of the prosecution, the same as any other client would do.

Mr. SCHAFER of Wisconsin. The gentleman is absolutely certain that the tribe had directed these Indians, who are the beneficiaries under this bill, to come down to Washington and represent the tribe, and that they did not come here voluntarily, and then after the claim went through request compensation?

Mr. CHRISTOPHERSON. No; they had a meeting of the tribe down at Greenwood in August, 1924, and these men were selected as a business committee to take charge of the case, secure legislation submitting the claim to the court, and follow up the claim through the court. I believe they also gave the matter attention after the court had passed on the case in the way of securing the proper appropriation, but especially they were to gather the evidence necessary to sustain the claim.

Mr. SCHAFER of Wisconsin. And the amount in the bill covers the actual expenses only.

Mr. CHRISTOPHERSON. Expenses and compensation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Resolved, etc., That the Secretary of the Interior is hereby authorized and directed to use not to exceed $400 of the tribal funds standing to the credit of the Yankton Sioux Tribe of Indians, in the State of South Dakota, in the Treasury of the United States arising from a judgment of the Court of Claims on claim No. D–546, known as the pipestone claim, decided April 16, 1928, to pay the expenses and compensation of the members of their tribal business committee on a quantum meruit basis for service rendered the tribe and expenses in connection with the prosecution of said claim No. D–546 in pursuance of the action taken by the general tribal council held by the tribe at Greenwood, S. Dak., on August 23, 1924, by authority of the Commissioner of Indian Affairs, whereby the said tribal business committee was created and members duly appointed to serve thereon to carry out the wishes of the tribe.

With the following committee amendments:

Page 1, line 4, strike out the figures "$400" and insert "$4,000."

Page 2, line 3, after the word "committee," insert "or their heirs."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The motion to reconsider was laid on the table.

COLLECTION OF FEES FOR WORK DONE FOR THE BENEFIT OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 10627) to amend the act of February 14, 1920, authorizing and directing the collection of fees for work done for the benefit of Indians.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the item contained in the act approved February 14, 1920 (41 Stat. L. 415; U. S. C., title 25, sec. 413), authorizing and directing the collection of fees to cover the cost of certain specified work performed for the benefit of Indians, be, and the same is hereby, amended so as to read as follows:

"That the Secretary of the Interior is hereby authorized in his discretion, and under such rules and regulations as he may prescribe, to collect reasonable fees to cover the cost of any and all work performed for Indian tribes or for individual Indians, to be paid by vendees, lessees, or assignees, or deducted from the proceeds of sales, leases, or other sources of revenue: *Provided*, That the amounts so collected shall be covered into the Treasury as miscellaneous receipts, except when the expenses of the work are paid from Indian tribal funds, in which event they shall be credited to such funds: *Provided further*, That where fees for work paid for from Indian tribal funds have heretofore been collected and deposited as miscellaneous receipts under the said act of February 14, 1920, the amounts thereof are hereby authorized to be appropriated and credited on the books of the Treasury to the funds charged with the cost of the work."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ACQUISITION OF TIDELANDS AT FORT LEWIS, WASH.

The next business on the Consent Calendar was the bill (H. R. 3311) to authorize the acquisition of certain tidelands for sewer purposes at Fort Lewis, Wash.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection.

Mr. BARBOUR, Mr. LaGUARDIA, and Mr. CRAMTON objected.

TO PROVIDE FOR THE USE OF THE U. S. S. "OLYMPIA" AS A MEMORIAL

The next business on the Consent Calendar was the bill (H. R. 10296) to provide for the use of the U. S. S. *Olympia* as a memorial to the men and women who served the United States in the war with Spain.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LaGUARDIA. I object.

Mr. COCHRAN of Missouri. Will the gentleman reserve his objection?

Mr. LaGUARDIA. I will.

Mr. COCHRAN of Missouri. Last summer a board of officers of the Navy ordered this historical vessel junked. A nation-wide protest from Spanish War veterans resulted.

I telegraphed the Secretary of the Navy at the request of the Spanish War organization in my city, and the Secretary said that he would withhold action to see whether or not Congress desired to preserve the ship. The ship, as the gentleman knows, was the flagship of Admiral Dewey at the Battle of Manila Bay, and is a historical vessel. Every Spanish War organization in the country has indorsed by resolution this bill to save the ship. The bill carries an appropriation of $25,000. The purpose is to use the ship as a memorial in the city of Washington to the men who served in the Spanish War. If it was proposed to construct a memorial to those who served in the war with Spain it would cost several million dollars, and there would be no objection to such a measure. Here is an opportunity to save the Government money and have a suitable memorial. This is to cost $25,000, and we ask for the $25,000 to paint and get the ship here, and a small amount for maintaining it.

Mr. LaGUARDIA. The gentleman has another bill on the calendar, a very good bill. The gentleman is industrious. His bill pertains to public lands for the veterans and is an excellent bill, and I am with it on that. But, the gentleman recognizes, of course, that this will cost $25,000 to paint the vessel and tow her here. It will cost half a million dollars to recondition her, and it will take a personnel of 10 or 12 men to keep the vessel in good shape. You can not leave a vessel without any care.

Now, we have on the floor a great naval expert, in the person of the gentleman from Illinois [Mr. BRITTEN], who will corroborate this. This ship would serve no scientific purpose. It is not a large ship, and it does not justify the cost of maintenance.

Mr. COCHRAN of Missouri. I have talked with experts of the Navy Department and they told me they can scrape the bottom for $2,500 and paint the ship for $5,000, and that is all it is necessary to do. The ship is now in first-class condition for the purpose for which it is to be used. The Spanish War veterans are going to hold services on it in the Philadelphia Navy Yard on the anniversary of the sinking of the *Maine*. It will not cost a nickel to recondition it because there is no use in reconditioning it.

Mr. BRITTEN. The gentleman says that I am an expert, and I am going to try and prove it.

The question before the House is as to whether we are going to preserve this historic ship. The most interesting features of Paris, Berlin, London, of all of the old cities of the Old World are their historic monuments and relics. To bring the *Olympia* to Washington, where the school children from this area and visitors from all over the United States can see it, is worth a thousand times more than the paltry $20,000 or $25,000 that is authorized under this bill. It will not cost anything like that to

bring the ship here and to paint and scrape it. As to reconditioning, it will not be reconditioned; it will be kept clean, and left as it is. It should be preserved. We ought to keep it for a hundred years, or a thousand years, for those that come after us—for the Spanish-American War veterans and their children and their grandchildren to look at. It is the preservation of an historic relic, and the expenditure of $25,000 is nothing for so important a cause. I hope the gentleman will withdraw his objection.

Mr. LAGUARDIA. The Secretary of the Navy says that after the vessel has been located a force of 10 or 12 men will probably be required for cleaning and watchmen, and the cost of that would, according to the bill, be borne by the Office of the Public Buildings and Public Parks.

Mr. BRITTEN. It may take four or five men. They will be enlisted personnel, and they will be around there working just as they are around obsolete ships at the navy yard. As far as the appropriation is concerned, the House will never hear of it, if the Navy takes care of it. The bill provides that the Superintendent of Public Buildings and Parks may have charge of it. I think it is a good bill, and I hope that the gentleman will not insist upon his objection.

Mr. LAGUARDIA. Would the gentleman prefer to have it go over without prejudice?

Mr. BRITTEN. I would like to have the gentleman withdraw his objection.

Mr. COCHRAN of Missouri. I prefer, if the gentleman is going to ask that the bill go over, that the gentleman object, because it will require three objectors next time.

Mr. LAGUARDIA. Then, Mr. Speaker, at the request of the gentleman from Missouri, I object.

SALARIES OF NAVAL ACADEMY BAND

The next business on the Consent Calendar was the bill (H. R. 10380) adjusting the salaries of the Naval Academy Band.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, reserving the right to object, I shall object unless some explanation is made of it.

Mr. VINSON of Georgia. Will the gentleman permit me to make an explanation of the bill, so that his objection may be removed?

Mr. CRAMTON. I have an objection which I do not think the gentleman can remove.

Mr. STAFFORD. I have another one also.

Mr. VINSON of Georgia. Oh, let us take one at a time. Will the gentleman from Michigan withhold his objection for a moment?

Mr. CRAMTON. I am simply trying to conserve the time of the House. If the gentleman desires, I shall reserve the objection.

Mr. VINSON of Georgia. Mr. Speaker, the author of this bill, Mr. GAMBRILL, of Maryland, is unavoidably absent to-day on account of the death and funeral of his father. Being quite familiar with the bill, I consented to explain any objections that might arise.

Mr. CRAMTON. There is one that is definite with me. We have a joint committee studying the pay of the Army and the Navy and of other services. Why should we be fooling along here piecemeal with certain members of the Navy?

Mr. VINSON of Georgia. I am glad the gentleman raised that question, because his statement is not applicable at all. This bill has no relation whatsoever to, nor does it interfere with, the prerogatives of the joint pay bill. I grant you that if it did I would say, let the joint pay committee settle the question of compensation and not take it up in this way.

What does this bill do? It merely assigns a rating to the Naval Academy Band. What does the joint pay bill do? It makes the basis of compensation according to the rating, and so the joint-pay committee would have no jurisdiction over this matter at all.

Mr. CRAMTON. Is it not possible that the joint committee may want to give some consideration to ratings as well as to terms of pay?

Mr. VINSON of Georgia. Let me call the attention of the gentleman to the fact that it would require a repeal by the joint-pay committee of two acts of Congress.

Mr. CRAMTON. That would be all right, if it saves money.

Mr. VINSON of Georgia. But there is no assurance that it will save money. Before the joint-pay committee can consider the Naval Academy Band, you must repeal the act of 1919 or the act of 1925.

Mr. CRAMTON. There is no one in the Army and the Navy getting pay who does not get it because of some existing law. I will either consent to this bill being passed over without prejudice or object to it.

Mr. VINSON of Georgia. Of course, when a gentleman makes an objection, he is usually willing for any Member on the floor to endeavor to satisfy his objection and show that it is not well founded. I am satisfied the gentleman from Michigan is broad-minded enough, if I can demonstrate his objection is not meritorious, not to insist on it. The joint-pay committee deals with the question of compensation, and not with the question of rating.

Mr. CRAMTON. I shall be disappointed as one Member, if that committee permits itself to be hedged about by such technicalities as the gentleman suggests.

Mr. VINSON of Georgia. All right. I know no better answer than to state that that is exactly what happened to the 1922 pay bill. What happened to the 1922 pay bill when we had a joint pay bill was that they did not even take it into consideration.

Mr. JENKINS. What is the reason why the Navy Department opposes this?

Mr. VINSON of Georgia. I suppose they do not want these musicians to receive a higher rate of pay. The Naval Academy band was created by special act of Congress in 1919. That act designated a certain number of first-class musicians and a certain number of second-class musicians. The Navy Department does not insist that the band must be made up of musicians of the first class and second class. The purpose is to repeal the act of 1919 and put it in the discretion of the department to determine how many musicians shall be put in these different classes. The Navy Department can increase or decrease the number in the Navy Band, but can not do it in the case of the Naval Academy Band. For that reason the pay bill will not touch this matter at all. It did not touch it in 1922, and it will not now, because in order to touch it you must repeal the act of 1919 and the act of 1922.

Mr. CRAMTON. The only way that the joint committee can accomplish anything as to the Army and Navy pay is to consider the various statutes fixing the rates of pay. They will have to recommend amendments to the law in proposing any change. The report of the committee on this bill says:

> If this bill becomes a law, the complement and pay of the Naval Academy Band will be substantially the same as the Navy Band, and the increased cost to the Government will be between ten and eleven thousand dollars.

That statement makes it clear that the purpose of this bill is to fix the pay, whether you do it through the means of changing the pay of these men or changing the rating. Whatever naval technicalities you resort to, it is to change the pay.

Mr. VINSON of Georgia. The gentleman has just read a statement from the report regarding the purpose of the bill, to permit the Navy Department to change the complement.

Mr. CRAMTON. It says, "If this bill becomes a law, the complement"—I suppose that means the number; it is not a compliment to their musical ability?

Mr. VINSON of Georgia. No.

Mr. CRAMTON. It provides that the pay shall be substantially as that of the Navy Band.

Mr. VINSON of Georgia. Under the act of 1919 the Navy Department can not do that, because the act of 1919, creating the band, says there must be 45 first-class musicians and 27 second-class musicians. There is no assurance by the passage of this law that the Navy Academy Band will cost more than it is costing to-day, or that the men will get more money.

Mr. CRAMTON. They might cut it in two and reduce the number; but, knowing the Navy, I do not think that will happen.

Mr. VINSON of Georgia. There is a great deal of reduction taking place in the Navy to-day.

Mr. CRAMTON. So far as this statute is concerned, if the committee is studying the pay of the Army and Navy and trying to adjust inequalities that exist—and there may be inequalities—in their effort to adjust inequalities they will recommend a change in the law of 1919.

Mr. VINSON of Georgia. Does the gentleman think that they are going to come back here with a report repealing the organic law? It can not say it will reduce the number of the Coast Guard or any other organization, but it can fix the pay.

Mr. CRAMTON. The report says that if this bill becomes a law the pay of the Naval Academy Band will be substantially that of the Navy Band.

Mr. VINSON of Georgia. The joint committee can not fix the complement.

Mr. CRAMTON. I am not talking about the complement. The committee reported that if this bill becomes a law the pay of the Naval Academy Band will be substantially the same as the Navy Band.

Mr. VINSON of Georgia. The pay can not be substantially the same as that of the Navy Band unless you change the as-

signments. Suppose this joint committee had the right to consider the compensation of Members of Congress. Do you think they could go into the question of how many Members of Congress shall be here? Their jurisdiction is as to compensation and not complement. You have first got to have the proper complement, and the bill is entirely one of assignment and not of pay.

Mr. CRAMTON. What would the gentleman say to striking out of this bill everything but that they can have as many musicians as the Secretary of the Navy shall prescribe? That would take care of the complement.

Mr. VINSON of Georgia. A subcommittee was appointed, and that subcommittee made an investigation. The subcommittee included the distinguished gentleman from Washington [Mr. MILLER] and the gentleman from Michigan [Mr. WOODRUFF] and others, and they worked together; and we think that the bill as now drafted does justice to the Naval Academy Band by giving them a new assignment, not dealing with the question of pay.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. LAGUARDIA. May I call the attention of the gentleman from Michigan [Mr. CRAMTON], whose judgment I always follow in matters of Indian Affairs and the Department of the Interior, that this band is just as much a part of the faculty as any professional man there. This band works more than any band in the service, I believe. In fact, they are split up into three parts in the mornings for the various drills. It is impossible to get musicians to remain in the service at the present pay. The gentleman from Michigan will recall that some years ago there was a great deal of trouble because the musicians at Annapolis were engaging in trades just outside of the reservation. That was prohibited by law. We must have a band at Annapolis. The pay of the band will not be reached by the joint pay committee which is studying the pay of commissioned officers.

Mr. VINSON of Georgia. That is true. These men are enlisted men. Not a single man here is an officer. The gentleman from New York [Mr. LAGUARDIA] has brought up a very important question.

Mr. CRAMTON. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. CRAMTON. Does either gentleman assert that these enlisted men are considered as a part of the faculty of the Naval Academy?

Mr. LAGUARDIA. Well, the faculty can not get along without them.

Mr. VINSON of Georgia. They are enlisted men. Every one is a warrant officer, and he may be assigned anywhere.

Mr. LAGUARDIA. Does the gentleman from Michigan [Mr. CRAMTON] say that music is not a cultural part of the education of a young officer of the United States Navy?

Mr. CRAMTON. It is highly desirable, but not everyone who contributes to the education and development of the young midshipman is considered a member of the faculty.

Mr. VINSON of Georgia. Under the law to-day, a member that is assigned to the Navy Band may be ordered by the Bureau of Navigation to any place in the service. In view of the law of 1919 the Navy Department can not order one of the enlisted men who has been assigned to the Naval Academy Band to any other place except that one place. That is one great advantage of getting away from this hard, fixed rule, and having some elasticity in the law.

Mr. LAGUARDIA. I think it would be better to give them more pay.

Mr. VINSON of Georgia. I am not asking for pay. I am asking for the proper rating, and then the joint pay committee can discuss that question when it considers it.

Mr. LAGUARDIA. Will not this bill give them more pay?

Mr. VINSON of Georgia. Of course not. It gives them the proper assignment, and then the assignment takes care of the pay.

Mr. WOODRUFF. The men are already in the service.

Mr. CRAMTON. What would the gentleman from Georgia think of the substitute which I have offered for his bill?

Mr. VINSON of Georgia. I hope the gentleman will not offer any substitute, because I would like to see this band put upon an equality with the band in Washington.

Mr. CRAMTON. When the Board of Visitors of which my friend from Georgia [Mr. VINSON] may be a member at any time, goes to Annapolis and the band turns out to meet it, I hope it will be a good big band, and therefore I propose, as a substitute, to strike out all after the enacting clause and insert the following:

That the Naval Academy Band shall hereafter consist of one leader, one second leader, and of such enlisted men as may be assigned to that band by the Navy Department.

That will give the Secretary of the Navy authority to make just as large a band as he thinks ought to be proper for the arrival of the Naval Affairs Committee.

Mr. VINSON of Georgia. The gentleman is placing me in an embarrassing position. If the gentleman will withdraw his objection, then I will not object to him offering it on the floor, but, of course, I would have to oppose his amendment. If the gentleman from Michigan feels there is something in the amendment, the committee will take up the amendment if the gentleman will withdraw his point of order.

Mr. CRAMTON. I fear that the influence of the gentleman from Georgia, together with the assistance of my friend from New York [Mr. LAGUARDIA], might make it difficult to get away from this pay bill.

Mr. VINSON of Georgia. The gentleman does not have to bring up any such proposition as this.

Mr. CRAMTON. I have in my hand the joint resolution which was passed by this Congress, and it deals with a tremendously important subject, the pay of the Army and Navy, and as far as I am concerned while that committee is at work I am not going to permit any legislation to pass which either directly or indirectly changes the pay of the members of the Army or Navy establishments.

Mr. VINSON of Georgia. I agree with the gentleman.

Mr. CRAMTON. That resolution provides that—

A joint committee to be composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make an investigation and report recommendations by bill or otherwise to their respective Houses relative to the readjustment of the pay and allowances of the commissioned and enlisted personnel of the several services mentioned in the title of this joint resolution.

Now, whatever should be done with reference to pay I think can wait until that joint committee completes its work. Therefore I am obliged to object.

Mr. LAGUARDIA. Will the gentleman withhold his objection for a moment?

Mr. CRAMTON. I will withhold my objection.

Mr. GREENWOOD. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. GREENWOOD. I would like to ask, as a matter of information, what is the difference in pay between an enlisted man and a man who is in the band?

Mr. VINSON of Georgia. It all depends upon his rating. Of course, an enlisted man begins as a seaman, first class, and he receives so much. After being in the service he may become a warrant officer and be eligible for assignment to the band. It depends entirely upon the rating received.

Mr. GREENWOOD. He does get additional pay for being in the band?

Mr. VINSON of Georgia. He gets the rating of that class. If he is a warrant officer, first class, he gets the pay of a warrant officer, first class. He does not get any additional compensation because he is in the band.

Mr. GREENWOOD. Is he elevated to this class because he is in the band?

Mr. VINSON of Georgia. Yes.

Mr. LAGUARDIA. One of the suggestions made by the gentleman from Michigan [Mr. CRAMTON] is that this joint commission will study the pay of the entire Army and Navy. We, however, have only one Naval Academy Band. This situation is comparable only to the band at the Military Academy at West Point, and we have already taken care of that. So that in all likelihood they will be forgotten and they will be entirely out of the picture when the report of the joint pay commission is submitted to Congress.

Mr. BURTNESS. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. BURTNESS. The gentleman has referred to a matter that I wanted to inquire about. How does the situation at the Naval Academy compare with the situation at the Military Academy at this time? Surely they should be comparable.

Mr. VINSON of Georgia. I imagine that the injustice that is so apparent in the Navy Band does not exist in the Army, but I can not speak of that.

Mr. CRAMTON. I would like to submit another reason for objecting.

Mr. VINSON of Georgia. I will state to the gentleman that he does not have to offer to the House any reason why he objects. He has a right to object any time he pleases.

Mr. CRAMTON. But I have another objection for the gentleman to shoot at. If the President is going to succeed in his effort to keep down expenditures, the Budget system must amount to something. I imagine there are a dozen bills on this Consent Calendar coming from the Committee on Naval Affairs, of which not more than one or two are recommended to Congress by the department.

Mr. VINSON of Georgia. I ask the gentleman from Michigan to point them out.

Mr. CRAMTON. The bill under consideration is not recommended by the department.

Mr. VINSON of Georgia. I agree with the gentleman.

Mr. CRAMTON. For the reason that the Budget advises against it.

Mr. VINSON of Georgia. Exactly.

Mr. CRAMTON. The next one is exactly in the same position. No. 299 is the one we have before us. No. 300, by my colleague from Michigan [Mr. WOODRUFF], is likewise not recommended by the department or the Budget. No. 301 is not recommended by the department or the Budget. I think that No. 302, introduced by the gentleman from Georgia, is not recommended by the department or the Budget. I have not taken a complete census, but inasmuch as I ran onto four or five, one after another, none of them recommended by the Budget, I concluded that the Committee on Naval Affairs has no sympathy with the Budget system.

Mr. VINSON of Georgia. The members of the Committee on Naval Affairs believe they know as much about these bills as the Budget.

Mr. CRAMTON. I will not dispute that; but I will say the Budget must have some weight if we are to have Federal economy.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I object.

RETIREMENT OF DISABLED NURSES IN THE NAVY

The next business on the Consent Calendar was the bill (H. R. 10375) to provide for the retirement of disabled nurses in the Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to know how the provisions for the retirement of these Navy nurses compare with the provisions made for other nonmilitary employees of the Government?

Mr. WOODRUFF. I do not know that there is anything comparable to it.

Mr. LAGUARDIA. How does the gentleman justify taking these employees and providing that if they are disabled in line of duty they shall then and there be retired on three-fourths pay and allowances, while if an employee of the Post Office Department is crushed by a mail truck and his case goes before the Employees' Compensation Bureau, he does not receive anything like three-fourths of his pay.

Mr. WOODRUFF. I think the circumstances are entirely different. A Navy nurse is not a civilian employee. A Navy nurse, as every Member of this House ought to know, is subject to all the hazards of her profession here and elsewhere.

Mr. LAGUARDIA. So is every other employee.

Mr. WOODRUFF. I have reference to things other than those met with by civilian employees of the Government. For instance, a Navy nurse finds it necessary at times to do duty in the Tropics; she finds it necessary to serve aboard hospital ships and transports at sea. Before she can be appointed as a member of the Navy Nurse Corps she is given a very careful and a very thorough physical examination. This examination is so very rigid that comparatively few are successful in passing it. Everyone will agree, I think, that the Government should be given this protection. After her appointment she serves for three years at $70 per month, or approximately $2.33 per day. Nurses serving in a civilian capacity make anywhere from $6.50 to $10 per day.

The Navy nurse works for less than one-half what the civilian receives. In addition she gets her quarters. That is all she gets beyond what a civilian nurse receives as a daily or weekly stipend.

Mr. LAGUARDIA. She gets permanent employment.

Mr. WOODRUFF. Yes; but a good civilian nurse has no difficulty whatsoever in finding all the employment she wants, and when she is so employed she receives more than twice as much as the Navy nurse.

Mr. LAGUARDIA. The gentleman should not make it as broad as that. She gets retirement and she gets permanent employment.

Mr. WOODRUFF. She only receives retirement after at least 20 years' service, and, as I have said before, she comes into the service at pay far below that which she could get as a civilian nurse. What happens to her in case she is disabled by reason of her service? Certainly she has not been able to lay aside enough money from her meager salary upon which to live. She does have a pensionable status, which would, probably, pay her not to exceed $30 per month. Does any Member of this House believe that a nurse or any woman can live in any way comfortably on $30 per month?

Mr. LAGUARDIA. No; neither can an employee of the Post Office Department.

Mr. WOODRUFF. On the other hand, an employee of the Post Office Department is not subject to the same hazards of employment that a nurse in the Navy is subjected to.

Mr. LAGUARDIA. I would not say that.

Mr. WOODRUFF. Yes; the gentleman would if he would be fair.

Mr. LAGUARDIA. Do not quarrel with me, because I am not going to object.

Mr. COLLINS. Mr. Speaker, reserving the right to object, because I am going to object, the Secretary of the Navy reports adversely against this bill.

Mr. WOODRUFF. No. The Secretary of the Navy, I think, makes no report on it.

Mr. COLLINS. The committee report states that he recommends against the enactment of the bill.

Mr. WOODRUFF. That is all right, but in the same report, if the gentleman will scan it carefully, he suggests to the Naval Affairs Committee that if they propose to act favorably on the bill that he be permitted to give us an outline of the bill which he thinks should be adopted. The bill now before the House is the bill suggested by the Secretary of the Navy.

Mr. COLLINS. In addition, the Secretary of the Navy suggests that the enactment of this bill will cost additional money. In addition he adds this statement:

> Had this legislation been in effect in all probability there would have been additional retirements for physical disability.

In other words, if this had been the law we would have had more on the retired list than we have now.

Mr. WOODRUFF. No; because, as I understand it, we have no nurses on the retired list at the present time for physical disability.

Mr. COLLINS. Then the Secretary of the Navy is wrong in his statement.

Mr. WOODRUFF. I am telling the gentleman what the facts are, and if he will examine the hearings he will find I am speaking with full knowledge of the facts.

Mr. COLLINS. I am quoting from a letter to the Committee on Naval Affairs from the Secretary of the Navy.

Mr. WOODRUFF. I understand that; and let me say to the gentleman that the members of the Naval Affairs Committee could not understand just how the Navy Department arrived at its conclusion, because these are the facts.

Mr. COLLINS. In other words, the Secretary of the Navy does not know what he is talking about.

Mr. WOODRUFF. I am stating he did not know what he was talking about in this instance, and I am going to tell the gentleman why. If he will scan the hearings, he will find testimony from several high ranking officers of the Navy to the effect that at the present time nurses who are disabled in line of duty are not retired. There are a number of these unfortunate women scattered about the country in the several Navy hospitals. Three or four suffering from tuberculosis are in the Denver hospital; one in Washington, one in Philadelphia, and others in other hospitals. To the everlasting credit of the Navy Department I will say that they are kept on the pay roll in hospitals under treatment at full pay, and it must be apparent that if the law and the conditions were such that these nurses could be retired on three-fourths pay, we would be saving at least one-fourth of the money we are paying them now.

Mr. STAFFORD. Will the gentleman yield?

Mr. WOODRUFF. I will be very pleased to yield.

Mr. STAFFORD. The gentleman stated there is no retirement feature granted to the nurses of the Navy to-day.

Mr. WOODRUFF. For disability, no.

Mr. STAFFORD. As I read the law, after they have served 30 years or reached the age of 50, having served 20 years, then they have the retirement privilege.

Mr. WOODRUFF. But not for disability. That is retirement for service. They can retire at any time after they reach the age of 50, provided they have served 20 years.

Mr. STAFFORD. And they have a pensionable status prior to reaching the age of 50?

Mr. WOODRUFF. A very modest one at all times. They can secure a pension, but it is so utterly inadequate for their needs that it is unthinkable the Navy would under present conditions dismiss them because of disability.

Mr. STAFFORD. I am referring to their retired pay after 30 years of service.

Mr. WOODRUFF. Yes; they can secure not more than 75 per cent of their pay.

Mr. BURTNESS. Will the gentleman yield?

Mr. WOODRUFF. Yes.

Mr. BURTNESS. How does the law applicable to the Navy nurses compare with the law applicable to Army nurses?

Mr. WOODRUFF. Under the law as it is at present they are on exactly the same status.

Mr. COLLINS. Another objection I have to the bill is that it is a bill carrying an increase in pay, and it should be considered by the joint committee on pay for these two services.

Mr. WOODRUFF. I do not think it is. In my opinion, it is simply giving to this very splendid body of women——

Mr. COLLINS. An increase in pay.

Mr. WOODRUFF (continuing). A measure of justice they are entitled to and some inducement to come into the nursing service of the Navy and stay there. There is nothing in the bill which changes the pay status as provided by existing law. I wonder if the gentleman understands and realizes how difficult it is to-day to secure the requisite number of nurses for the Navy. There has not been a time in the last five years when we have had all the nurses in the Navy we are supposed to have, simply because of the fact it is difficult to get them into this service. It must not be forgotten that this bill gives nothing to the nurse who voluntarily leaves the service. In order to receive the benefits of it she must be disabled in line of duty.

Mr. COLLINS. I understand you have around 300 applicants.

Mr. WOODRUFF. And out of that 300 we would perhaps secure 30 or 40. We are right now below what we should have in the Navy. There are 520 nurses authorized, and there are now in the corps 507, I believe.

Mr. COLLINS. Mr. Speaker, I object.

HOSPITALIZATION—FLEET NAVAL RESERVE AND FLEET MARINE CORPS

The next business on the Consent Calendar was the bill (H. R. 10662) providing for hospitalization and medical treatment of transferred members of the Fleet Naval Reserve and the Fleet Marine Corps Reserve in Government hospitals, without expense to the reservist.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this is another bill that is in harmony with the general policy of the Naval Affairs Committee of disregarding the Budget. It is true the Secretary of the Navy makes a report from which one might infer that the Navy is in favor of the bill, and then concludes with the statement that it was referred to the Budget and the Budget recommended against its enactment, and hence the department does not make a recommendation.

I do not care so much about any of these little bills, but I am concerned with whether our Budget system is going to be shot full of holes by the Navy Department. If the administration will permit the submission of these reports—that I will not call hypocritical, but reports that are at least ingenious, going as far as they can in manifesting approval without saying in so many words that they approve of the bill—if the administration is going to permit any department to indulge in this kind of pastime, a kind of blindman's buff game with the Budget, you are going to ruin the Budget system. I submit that the Navy Department ought not to have any privileges that any other department does not have. If the Navy Department can make this kind of very smooth and adroit report indicating approval without saying so, the other departments not only will have the right but they will be alert enough to adopt the policy, and then you might as well throw your Budget in the discard.

Mr. LAGUARDIA. And if the gentleman will permit, the Navy Department indulges in that more than any other department.

Mr. CRAMTON. The Navy Department does it more than any other, unless it is the Army. [Laughter.]

Mr. EVANS of California. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. EVANS of California. Since the Navy Department's letter was written to the chairman of the Committee on Naval Affairs, a very substantial part of the expense that would be incurred by the passage of this bill has been eliminated by cutting out of the bill the refund feature.

Mr. JENKINS. If the gentleman will permit right there, is that the difference between the bill H. R. 2944 and the present bill?

Mr. EVANS of California. Exactly.

Mr. CRAMTON. May I ask why the committee has done that?

Mr. VINSON of Georgia. The gentleman from Michigan has criticized the Navy Department and the Army for overriding the Budget. Is it not a fact that the Navy got into that habit due to the policy ofttimes practiced by the Appropriation Committee by making appropriations for unexpended balances and overriding the Budget? When the gentleman comes to criticize any department for overriding the Budget he must bear in mind that the gentleman's own committee has been guilty of the same practice.

Mr. CRAMTON. The only difference between the gentleman and myself is that my statement is in accordance with the facts whereas his statement is not in accordance with the facts; otherwise we are in agreement. [Laughter.] I will say this: The gentleman may refer to the subcommittee with reference to naval appropriations, but I am sure that he would never make the charge against the subcommittee on the Interior Department appropriations. And let me say for the subcommittee handling appropriations for the Navy Department that it is entitled to the full sympathy for when it takes the job of trying to hold down the demands of the Army and the Navy it may have to resort to extreme measures.

Mr. VINSON of Georgia. I am not criticizing the subcommittee.

Mr. BURTNESS. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. BURTNESS. I would like to ask the gentleman a serious question: Where a department is in favor of legislation which they may have worked for and desired for a number of years, and in which they are interested in getting legislation of that type, and in the regular course of legislation they find that the Bureau of the Budget is opposed to it for financial reasons—where the department actually wants it and where it is confronted by the Bureau of the Budget, just what sort of a report should the department make to a congressional committee that would be fair to all parties?

Mr. CRAMTON. I will say to the gentleman that what will have to be done if the Budget means anything, that it should be remembered that the Commissioner of the Budget is the right hand of the President. He is supposed to be carrying out the policy of the President with reference to appropriations.

The Secretary of Navy and the Secretary of War and every other Cabinet officer is also an aide to the President, and is supposed to be carrying out the administration's policy. When a Cabinet officer ceases to support the President in his financial policy the administration will be demoralized and the Budget system will cease to be of any value.

Hence the Secretary of the Navy can report that the matter has been discussed with the Budget and the Budget renders an adverse report; they can go further and present the facts as to what the bill is and what it does without the phrases that they so adroitly put in.

Mr. BURTNESS. If the department is favorable to the legislation except for the fact that the Bureau of the Budget is against it for financial reasons, and Congress asks for a report, is it not entitled to the facts from the department on the general merits?

Mr. CRAMTON. If this kind of a report continues you will have the Budget system shot full of holes.

Now, I would like an answer to the question I asked, why the committee did make the change referred to?

Mr. EVANS of California. In the hearings the gentleman has observed in reference to this that Admiral Leigh, representing the Navy Department, appeared before the committee and states unequivocally that he is in favor of this bill.

Mr. CRAMTON. The gentleman does not answer my question.

Mr. EVANS of California. What is it?

Mr. CRAMTON. Why did the committee make the change?

Mr. EVANS of California. Because the committee was not in favor of the refund feature of the bill.

This bill was introduced originally by the gentleman from New Jersey [Mr. WOLVERTON] when he was a member of the Naval Affairs Committee. It was considered at length by the committee and unanimously approved after the gentleman from New Jersey ceased to be a member of that committee. He is entitled to the credit for introducing the legislation; I am not, although my name happens to appear as the author of the bill.

Mr. JENKINS. What became of H. R. 2944 in the Seventieth Congress?

Mr. WOLVERTON of New Jersey. Mr. Speaker, H. R. 2944 was introduced, as the gentleman from California [Mr. EVANS] has stated, by me while I was a member of the Committee on Naval Affairs. After the introduction of that bill on May 14, 1929, the opinion of the Navy Department concerning the provisions of the bill was requested by the committee. The letter of January 14, 1930, which appears in the committee report accompanying H. R. 10662, and which is now under consideration, is in answer to the request of the committee, and refers to H. R. 2944, which was introduced, as already stated, by me. The report of the Navy Department contained in the letter which I have referred to indicates that the Bureau of the Budget had advised the Navy Department that the proposed legislation would not be in accord with the financial program of the President. This evidently refers to that portion of H. R. 2944 which provides a refund to the beneficiaries of the bill for subsistence already deducted. The Committee on Naval Affairs has undoubtedly given careful consideration to this feature of the bill and has considered that, in view of the objection, it might be well to eliminate that portion of the measure.

However, whether this be the exact reason or not, the fact is that on March 12, 1930, Mr. EVANS, a member of the Committee on Naval Affairs, introduced H. R. 10662, which is identical with the bill introduced by myself, except the retroactive feature.

The purpose of the bill is to provide for the hospitalization of retired men of the Navy and Marine Corps and transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve without deduction for hospital rations from their pay.

The very carefully prepared report of the committee in this matter informs us that:

> At present hospitalization of all naval personnel is paid for out of the naval hospital fund. This is a trust fund of which the Secretary of the Navy is the sole trustee. It is made up of money drawn from various sources, of which the following are pertinent:
>
> Twenty cents per month deducted from the pay of each officer, seaman, and marine of the Navy, including those on the retired list and those in the reserve.
>
> Ration allowance of one ration per day for each officer, seaman, and marine during his continuance in hospital. The value of the ration for this purpose being provided under appropriation "Provisions, Navy," in the naval appropriation act.
>
> Enlisted personnel on active duty are allowed a ration or commutation thereof in money, and in their case this allowed ration is balanced against the deduction authorized. Retired enlisted men and men of the fleet reserve transferred thereto after 16 or more years' service, however, are required to defray hospital subsistence charges at the rate of 75 cents per diem, which is deducted from their retired or retainer pay.
>
> It is from the necessity of thus further contributing to the hospital fund that the bill H. R. 10662 is designed to relieve them.

I think the merit of this bill can be readily appreciated when it is realized that the average retired pay of those whom the bill seeks to benefit amounts to only $784.84 per annum; also, that it is an injustice to make any deduction from this small amount for rations when confined in a Government hospital. While I realize that at the present time objection is being made to the bill, yet I am hopeful that a further consideration will be given to it by those objecting, to the end that it may receive favorable action at a subsequent day.

Mr. EVANS of California. The reservists who will be benefited by this legislation have been paying into this fund 20 cents per month for 20 years, and it is for the purpose of enabling them to receive the benefit from this fund which they created themselves, that this legislation is proposed.

Mr. JENKINS. Mr. Speaker, I withdraw my reservation of objection.

Mr. FRENCH. Mr. Speaker, I object.

PAYMENT OF DEATH GRATUITY—FLEET NAVAL RESERVE AND FLEET MARINE CORPS RESERVE

The next business on the Consent Calendar was the bill (H. R. 10674) authorizing payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who died while on active duty.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object.

Mr. COLLINS. Mr. Speaker, I reserve the right to object. I understand that there are about 300 of these men in the reserve, employed as ship keepers on laid-up ships. All are on active duty.

Mr. VINSON of Georgia. I think the gentleman is approximately correct.

Mr. COLLINS. I have no objection to the bill, providing the gentleman will eliminate the two provisos on page 2.

Mr. VINSON of Georgia. I think the retroactive feature should be eliminated, and in view of the policy the committee has adopted to-day to leave the discretion in the Accounting Office, I am willing to accept those two amendments.

Mr. LAGUARDIA. That is the reason I reserved the objection. It is understood that an amendment striking out the proviso will not be resisted and will be accepted, and that the withdrawal of the reservation is made on that stipulation.

Mr. VINSON of Georgia. It is. I will move to strike out the two provisos, and ask the committee to concur in the motion.

Mr. LAGUARDIA. And the withdrawal of the reservation is under that agreement?

Mr. VINSON of Georgia. Exactly.

Mr. COLLINS. Mr. Speaker, I withdraw my reservation of objection.

Mr. WOLVERTON of New Jersey. Mr. Speaker, this present bill is also one that I introduced while a member of the Committee on Naval Affairs. I have no objection to the elimination of that retroactive feature.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of June 4, 1920, as amended, which authorized the payment of an amount equal to six months' pay to the beneficiaries of personnel of the regular Navy or Marine Corps, and retired personnel of the Navy and Marine Corps, when on active duty, shall be extended to transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty and not as a result of their own misconduct, and transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve shall be required to file with the Navy Department the name of beneficiary other than wife or child to which payment of the amount equal to six months' pay shall be made in the event of their death while on active duty and not the result of their own misconduct: *Provided*, That the determination of the fact of dependency in all cases of dependent relatives, of personnel of the Fleet Naval Reserve or Fleet Marine Corps Reserve, whether previously designated or not, by the Secretary of the Navy, shall be final and conclusive upon the accounting officers of the Government: *Provided further*, That this act shall be retroactive to June 4, 1920.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 6, strike out the colon, insert a period, and strike out the remainder of the bill.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

INQUIRIES CONCERNING REGISTERED MAIL, ETC.

The next business on the Consent Calendar was the bill (H. R. 5659) to authorize the Postmaster General to charge a fee for inquiries made for patrons concerning registered, insured, or collect-on-delivery mail, and for postal money orders.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. LAGUARDIA. I object.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. MURPHY. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. MAPES). Three objections are noted, and the bill is stricken from the calendar.

TIME FOR SOLDIERS, SAILORS, ETC., TO ENTER PUBLIC LANDS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 181) to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, reserving the right to object, on page 2, lines 9 and 10, are the words "any war, military occupation, or military expedition." If the gentleman in charge of the bill will agree to strike out "military occupation or military expedition," and will also agree to strike out the pro-

viso beginning with the colon in line 17, I shall have no objection to the passage of the bill.

Mr. SWING. Does the gentleman state that if those are not stricken out he will object?

Mr. COLLINS. I do.

Mr. SWING. Then I will agree to have them stricken out.

Mr. LAGUARDIA. I do not get the purport of the amendment.

Mr. COLLINS. The bill has added military occupation or military expedition. Heretofore these ex-soldiers have been soldiers or sailors of a war. Now it is proposed to add "military occupation or military expedition."

Mr. SWING. Those words will add about one half of 1 per cent to the total number of citizens who will be benefited by the bill.

Mr. LAGUARDIA. Let me suggest to the gentleman from Mississippi that he is not going to find a soldier in the Regular Army who is desirous of taking the benefit of this. This means real work.

Mr. COLLINS. I do not think we ought to begin that practice at this late day. The second objection undertakes to state that the war with Spain includes the period from April 21, 1898, to July 4, 1902.

Mr. LAGUARDIA. That takes in the Philippine insurrection.

Mr. SWING. That is what it is intended to cover. It was put in at the request of the representatives of the Spanish-American War veterans.

Mr. LAGUARDIA. They were citizen soldiers; they were not professional soldiers at that time.

Mr. COLLINS. If they were soldiers in the war, you do not need this language.

Mr. LAGUARDIA. The war was declared at an end and we were then not engaged in warfare with any country. We had taken over the Philippines, but the Philippine insurrection, for the purposes of legislation, has always been included in the war with Spain.

Mr. COCHRAN of Missouri. The bill was introduced at the request of the Spanish-American War veterans' organization and that proviso was placed in it.

Mr. COLLINS. Will the gentleman accept the amendments I propose?

Mr. COCHRAN of Missouri. Is the gentleman going to object unless we do?

Mr. COLLINS. Yes.

Mr. COCHRAN of Missouri. Then I accept the amendments, but express the hope the language will be restored in the Senate.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, be, and the same is hereby, amended to read as follows:

"That hereafter, for the period of 10 years following the passage of this joint resolution, on the opening of public or Indian lands to entry, or the restoration to entry of public lands theretofore withdrawn from entry, such opening or restoration shall, in the order therefor, provide for a period of not less than 90 days before the general opening of such lands to disposal in which officers, soldiers, sailors, or marines who have served in the Army or Navy of the United States in the war with Germany and been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve shall have a preferred right of entry under the homestead or desert land laws, if qualified thereunder, except as against prior existing valid settlement rights and as against preference rights conferred by existing laws or equitable claims subject to allowance and confirmation: *Provided further,* That the rights and benefits conferred by this joint resolution shall not extend to any person who, having been drafted for service under the provisions of the selective service act, shall have refused to render such service or to wear the uniform of such service of the United States."

SEC. 2. That the Secretary of the Interior is hereby authorized to make any and all regulations necessary to carry into full force and effect the provisions hereof.

With committee amendments as follows:

On page 1, line 5, after the figures "1920," insert "as amended by joint resolution approved January 21, 1922, and as extended by joint resolution approved December 28, 1922."

On page 2, line 1, after the word "following," strike out "the passage of this joint resolution" and insert "February 14, 1930."

On page 2, line 9, strike out "the war with Germany" and insert "any war, military occupation, or military expedition."

On page 2, line 17, after the word "confirmation," insert "*Provided,* That for the purposes of this resolution, the war with Spain shall be considered to include the period from April 21, 1898, to July 4, 1902: *Provided further,* That the same preference rights are hereby extended to apply to those citizens of the United States who served with the allied armies during the World War and who were honorably discharged, upon their resumption of citizenship in the United States, provided the service with the allied armies shall be similar to the service with the Army of the United States for which recognition is granted in this joint resolution."

Mr. COLLINS. Mr. Speaker, I have an amendment to the committee amendment.

The SPEAKER pro tempore. The gentleman from Mississippi offers an amendment to the committee amendments, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLINS to the committee amendment: Strike out, in line 10, the words "military occupation or military expedition," and on line 17 strike out "*Provided,* That for the purposes of this resolution the war with Spain shall be considered to include the period from April 21, 1898, to July 4, 1902."

The SPEAKER pro tempore. The question is on agreeing to the amendment to the committee amendments.

The amendment to the committee amendments was agreed to.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments as amended.

The committee amendments as amended were agreed to.

Mr. SWING. Mr. Speaker, since the proviso is stricken out it is proper to strike out the word "*further,*" after the word "*Provided,*" on line 20. I move that the word "*further*" be stricken out.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from California.

The motion was agreed to.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, after the word "States," on line 7, insert: "*Provided,* That the lands known as the Oregon-California land grants shall be subject to said entry, and when filed on the same shall be exempt from taxation by the counties where the same are located.

Mr. LAGUARDIA. Mr. Speaker, I make a point of order on that.

Mr. SWING. Mr. Speaker, I make a point of order on that as not being germane.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I desire to say that in making an investigation at one of the departments a few days ago I found that this land, although public land and subject to homestead entry, is now being assessed for taxation by various counties in Oregon and possibly one county in California, and that the amount of taxes collected up to the present time is more than $7,000,000. In other words, the Government is being unjustly penalized because of a law that was passed which was not understood by many Members of Congress, and I think it is time that the matter was brought to the attention of this body.

I am told that a portion of this land was reserved by the Government in order that the same might be used for watersheds in connection with the water supply of some cities in this area. An opinion was written exempting same from assessment, but the Attorney General overruled the opinion, and this portion is not subject to homestead entry unless my amendment should be adopted. Yet the counties are allowed to assess such areas up to as high as $100 per acre, and the Treasury has to pay on this basis.

Mr. LAGUARDIA. Does the gentleman believe that that is a proper amendment to the bill before the House?

Mr. CRAMTON. Mr. Speaker, this amendment is not at all germane to this bill.

Mr. McCLINTIC of Oklahoma. I was told that this was a bill that gave preference rights to certain persons who performed services in our military operations and gave them a right to make homestead entries; therefore it would seem that my amendment would be germane.

Mr. CRAMTON. The general subject of the public-land system is not before the House. This is a proposition as to the rights of soldiers and sailors to homestead entry. That is what is before the House. The gentleman brings in something which, though it has to do with the public lands, has nothing at all to do with the rights of soldiers and sailors in homestead entries. I make a point of order on the amendment.

The SPEAKER pro tempore. Does the gentleman from California renew his point of order?

Mr. SWING. Yes.

Mr. McCLINTIC of Oklahoma. I wanted to conclude a sentence. Will the gentleman withhold his point of order?

Mr. SWING. Yes.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I know that a certain portion of this public land has been reserved for certain purposes. I wanted to make these reserves eligible for homestead entry. If what I have offered is not germane to the subject then I am willing that it should go out on a point of order.

Mr. SWING. Mr. Speaker, I insist on the point of order.

Mr. COLTON. Will the gentleman yield?

Mr. SWING. I will withhold the point of order.

Mr. COLTON. An amendment is unnecessary. This law will be applicable to these lands.

Mr. SWING. Mr. Speaker, I insist upon the point of order.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I would like to be heard on the point of order.

The SPEAKER. The gentleman from Oklahoma [Mr. McCLINTIC] is recognized.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, a point of order is made against the amendment offered by me on the ground that it is not germane to the bill now under consideration.

I assert that the land I refer to is public land, and public lands, unless there are certain restrictions levied against them, are subject to homestead entry. I have been advised that a portion of this particular area has been withdrawn in order that it might furnish ample protection to certain reservoir systems that now supply cities in that particular area. Therefore I offered the amendment in order that these public lands which now have a temporary withdrawal order levied against them might be eligible for homestead entry, thereby giving to those who are named as a favored class in this legislation the right to make a filing without being bothered by some existing regulation that might prevent them from exercising such a right. I desire that this legislative body should adopt an amendment that would say to this favored class that they have a right to make homestead entry on the lands in this particular area. I have been confidentially advised that President Coolidge, when he signed the bill giving certain counties the right to assess these lands for taxation, did not have any conception of the amount of money that this Government would have to pay in carrying out the provisions of the law. When it is known that they can be homesteaded and paid for at a rate of approximately $1.25 per acre, and the county authorities are assessing them as high as $100 per acre, Members of Congress should realize that such favoritism in the way of legislation is not ethical or right. Therefore I am offering this amendment, believing the same to be germane, with the hope that this cruel method of taxing the people of the United States for the purpose of supporting certain counties in Oregon will soon be brought to an end.

The SPEAKER pro tempore. The Chair is of the opinion that the amendment of the gentleman from Oklahoma is not germane to this legislation, and therefore sustains the point of order.

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Amend the title so as to read: "Joint resolution to amend a joint resolution entitled 'Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry,' approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922."

NATIONAL CONVENTION, AMERICAN LEGION

The next business on the Consent Calendar was the bill (H. R. 10118), to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion, at Boston, Mass., during the month of October, 1930.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorised to lend, at his discretion, to the American Legion 1930 Convention Corporation, for use at the Twelfth National Convention of the American Legion to be held at Boston, Mass., in the month of October, 1930, 15,000 cots, 30,000 blankets, 30,000 bed sheets, 15,000 pillows, 15,000 pillowcases, and 15,000 mattresses or bed sacks: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said convention as may be agreed upon by the Secretary of War and the American Legion 1930 Convention Corporation, through the director of housing of the American Legion 1930 Convention Corporation, Raymond O. Brackett: *Provided further*, That the Secretary of War, before delivering said property, shall take from the said American Legion 1930 Convention Corporation a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

POST-OFFICE SITE, AKRON, OHIO

The next business on the Consent Calendar was the bill (H. R. 3246) to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, there does not seem to be any provision as to the minimum amount for which the remaining property is to be sold. In the original act of March 4, 1913, it was provided that the building and site should not be sold for any sum less than $100,000.

Mr. CRAMTON. If the gentleman will yield, this bill, it will be noticed, provides that the remainder of the site will be sold upon the terms and conditions provided in the act of Congress of 1913. Hence, under that restriction, the remainder must be sold for at least the amount named in the original act, notwithstanding the small portion that has been diverted to street use.

Mr. LaGUARDIA. That was my construction, but I wanted to make it clear that that was the intent of the bill; that it refers back to the act of 1913 and to the conditions there imposed.

Mr. CRAMTON. That would seem to be quite clear.

Mr. SCHAFER of Wisconsin. Reserving the right to object, has the Post Office Department decided they would not build a new Federal building in Akron?

Mr. CRAMTON. The act of 1913 definitely provided for the sale of this site. The only question involved in the bill that is now before the House is whether a small portion of the old site may be used for street purposes. Perhaps the gentleman from Ohio [Mr. SEIBERLING] could explain it.

Mr. SEIBERLING. Answering the gentleman from Wisconsin, we have a new post office. This bill provides for the sale of the old site.

Mr. SCHAFER of Wisconsin. But, if this bill is passed, will the site be sold to the public under competitive bids, or will it be a one-man transaction, such as these scandalous post-office leases we have recently found in the Post Office Department.

Mr. SEIBERLING. It will be sold in accordance with the law.

Mr. CRAMTON. It provides for advertisement; either public or private sale, after proper advertisement, under the existing law. The bill before the House only relates to the use of a small part of the property for a street.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to dispose of the Government property acquired for a post-office site at Akron, Ohio, located on the southeast corner of East Market and South High Streets, in the following manner: To transfer by the usual quitclaim deed to the city of Akron for the purpose of widening said East Market Street the northerly portion of said site, beginning at the intersection of the southerly line of East Market Street (between South Main and South High Streets) extended easterly with the eastern line of South High Street; thence with the eastern line of South High Street north 18° 25′ east, 11.20 feet, to the southern line of East Market Street; thence with the southern line of East Market Street south 66° 13′ east, 133.77 feet, to the western line of Wheeler Lane Alley; thence with the western line of Wheeler Lane Alley south 18° 21′ west, 10.18 feet; thence north 60° 43′ west, 63.04 feet; thence north 71° 54′ west, 71.28 feet, to the place of beginning; and to sell the remainder of the site upon the terms and conditions provided in the act of Congress approved March 4, 1913, authorizing the sale of the above old post-office property in Akron, Ohio.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FACILITIES FOR THE ENFORCEMENT OF THE CUSTOMS AND IMMIGRATION LAWS

The next business on the Consent Calendar was the bill (H. R. 10416) to provide better facilities for the enforcement of the customs and immigration laws.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, this bill introduces an entirely new policy in the method of constructing buildings by the departments. It gives a sort of blanket authority to the Secretary of Labor to erect buildings—small buildings, it is true—when, in his discretion, they are necessary, and to take the money out of the general appropriation fund. The next bill on the calendar provides the proper way of authorizing the construction of a building. I do not believe we should establish this policy and custom because, although small buildings are involved in this instance, such a policy and custom may grow into something very important.

Mr. CRAMTON. The precedent is not as serious as my friend conceives it to be. This permits funds to be expended from an appropriation for the general maintenance and operation of the Customs and Immigration Services, respectively, and for the acquisition of land and the erection of buildings, the expenditure for any one site, land and building, not to exceed $3,000, unless it serves both services, when the limit would be $6,000, of which, I suppose, part would come from the appropriation of one service and part from the appropriation of the other service.

This has to do with rather remote places, where some accommodations are necessary. Of course, it would not be at important points. Congress would not want to be disturbed by passing legislation each time they wanted to put up a $3,000 building, including the cost of the site. If we did do that, it would probably result in raising the price demanded for the land because there had been some definite action of Congress upon it. As a matter of fact, we do this same thing, in effect, in many branches of the public service. I have in mind that in the item for the conduct of education in the Indian Service it is provided that a certain amount of the sum appropriated may be used for a purpose like this. I think the amount is $2,500, or something like that. If the amount necessary is more than that, then there must be the specific approval of Congress.

Mr. LaGUARDIA. Are they portable schools?

Mr. CRAMTON. No; they are small structures.

Mr. LaGUARDIA. We appropriate for the erection of small structures for the Lighthouse Service and other departments.

Mr. CRAMTON. But not for items as small as $3,000, including the site. Then, the gentleman must understand that the Customs and Immigration Services are facing special emergencies these days, and the setting up of new headquarters here and there on the borders is sometimes rather essential and urgent.

Mr. GREENWOOD. Does the gentleman know of any reason why this item should not come in the regular way in the regular appropriation bill?

Mr. CRAMTON. I do not think it would be in order. I would not want to say offhand, because I am not familiar with existing law, but I am rather inclined to assume that the thought of the department was that this would be of a legislative character, and if it were included in an appropriation bill it might be subject to a point of order. As a matter of fact, the expenditure would be supervised each year in connection with the appropriation bill.

Mr. GREENWOOD. If this bill should pass, then it would come in the regular way if they should make a recommendation.

Mr. CRAMTON. Yes. When an appropriation for this purpose is requested there would naturally be a set-up indicating how many of these buildings are to be put up and how much they would cost. However, I will admit this: The appropriations for the fiscal year 1931 have gone through the House, both as to the Labor Department and as to the Treasury Department. This bill would authorize them to use some part of that in the fiscal year 1931 for these purposes without any further action by Congress.

Mr. GREENWOOD. It occurred to me it would be unnecessary and would cause annoyance to have the departments come in with these small items, and that it might be better to have a general law covering propositions of this kind.

Mr. LaGUARDIA. And the next thing we know they will be putting up post-office buildings.

Mr. CRAMTON. The protection here is the limitation as to the amount.

Mr. LaGUARDIA. Would the gentleman object to this: On page 1, line 4, after the word "points," insert the words "along the Canadian and Mexican borders." I want to narrow it as much as I can.

Mr. CRAMTON. I will say that I am a sort of pinch hitter here. The gentleman from Indiana [Mr. ELLIOTT], who fully understands the measure, was here earlier in the afternoon, but was called away. I promised to do what I could to explain the measure. I do not think an amendment of that kind would be an injury.

Mr. LaGUARDIA. I want to narrow it so there will be no abuse of the authority.

Mr. CRAMTON. I am not in authority, but I would not object to the amendment.

Mr. JENKINS. Here would be the trouble about that. As a member of the Committee on Immigration I have had some experience with the matter. These Customs and Immigration Service men are what we call the border patrol, but they do not operate altogether on the border. Sometimes they operate as far back as 200 miles from the border, and I think the main reason for this legislation is that they want to establish certain headquarters. For instance, I was on the Mexican border last year and met the border patrol there. They wanted to build a radio station out there in the mountains, and they wanted to make provision for it. This would have been a very great help to the border patrol and would not have cost much, and, of course, it would not have been on any permanent roadway.

Mr. LaGUARDIA. I will say to the gentleman that I have lived through the old pork-barrel days of appropriating for public buildings. I was on the Committee on Public Buildings when we brought in the bill which changed our whole system, and I think it is a great improvement, although there may be dissatisfaction here and there. I do not want to destroy that system by allowing a harmless bill to creep in, if you please, that may mean the establishment of a new policy.

Mr. CRAMTON. The gentleman would be satisfied if the amendment is agreed to?

Mr. LaGUARDIA. I think with a limitation on the amount and a limitation with respect to the locality, it would be all right.

Mr. CRAMTON. If that will get the bill by, I think it will be quite satisfactory.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to have the opinion of the gentleman from Michigan as to the authority conferred by the proviso. The language is that the total amount which may be expended from any one appropriation shall not exceed $3,000.

Mr. CRAMTON. No; for any one project.

Mr. STAFFORD (reading):

> That the total amount which may be expended from any one appropriation for any one project.

Mr. CRAMTON. Yes.

Mr. STAFFORD. That might mean that from one appropriation for one year they may expend $3,000.

Mr. CRAMTON. I see what the gentleman has in mind.

Mr. STAFFORD. Does not the gentleman think that should be eliminated?

Mr. CRAMTON. No; what they mean is this: They are treating of two services in two departments, Customs and Immigration, in Treasury and Labor and the language following provides that where it is from two appropriations, that is, appropriations for the two departments, it can be $6,000.

Mr. STAFFORD. There is no criticism as to the latter language, but as to the former language it is susceptible of the construction that the limitation only applies to one appropriation.

Mr. CRAMTON. What would the gentleman suggest, from the appropriation of one department?

Mr. STAFFORD (reading):

> That the total amount which may be expended for any one project, including the cost of the site, shall not exceed $3,000.

This gives full authority, and the language that follows is:

> And that where quarters are erected or facilities provided for the joint use of the Customs and Immigration Services the combined cost charged to the two appropriations concerned shall not exceed $6,000—

And so forth. My thought is to strike out the clause "from any one appropriation." The authority is still there and the limit of cost remains. It is not intended, I presume, to have the same amount taken from successive appropriations, but it seems to me the language would bear that construction.

Mr. CRAMTON. Suppose we strike out the language and after the word "construct," put in "for the use of the department."

Mr. STAFFORD. That is all right.

Mr. CRAMTON. That would clarify it.

Mr. STAFFORD. Now, one further suggestion. In reading the report I noted they wished authority at one time to have considered the buying of a piece of land with a building on it. The language restricts them merely to the acquistion of land.

Mr. CRAMTON. Where is the language that requires that?

Mr. STAFFORD. For instance, beginning at line 10, page 1, and continuing, "the necessary amounts for the acquisition of land." I would suggest there "and appurtenances, if any."

Mr. CRAMTON. I think that is included now, but I would not object to that.

Mr. STAFFORD. I think that might be included now, but a technical construction might be otherwise.

Mr. CRAMTON. If you buy the land, you get whatever is attached to it.

Mr. STAFFORD. That would be true if it were not for the following language which is, "and the erection of buildings, sheds, and office quarters," and so forth. For this reason I think it would be necessary to put in the qualifying phrase, "and appurtenances, if any."

Mr. CRAMTON. That would be agreeable.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to ask the proponents of this bill to explain why we should pass a bill with the sky the limit, practically authorizing appropriations of hundreds of thousands of dollars, without any consideration by the Bureau of the Budget?

Mr. CRAMTON. Well, this does not increase the appropriations, it widens their availability. In the report signed jointly by the Secretary of the Treasury and the Secretary of Labor, Secretary Mellon and Secretary Davis—and I think the gentleman will agree that whatever these gentlemen agree on these days we ought to think is probably all right—in their joint report——

Mr. SCHAFER of Wisconsin. I will say to the gentleman that while I may agree with these two Cabinet officers, in the future we may have a man in the Cabinet who is just about as responsible, when it comes to the taxpayer's money as a former member of the Cabinet has been with respect to post-office building leases.

Mr. CRAMTON. Let me say to the gentleman, he did not get my remark. These two Cabinet officers agree on the necessity, and they make this statement:

> The highways at these points are not permanently improved, nor is there definite assurance that the present locations of the roads will be maintained when improvement is finally made. It would, therefore, be unwise to expend considerable sums of Government funds to provide buildings for office purposes and living quarters at these points. The existing conditions, however, are deplorable and the facilities inadequate. Such situations could be remedied inexpensively if the respective appropriations for the Customs and Immigration Services were available for constructing modest but neat and comfortable offices and living quarters.
>
> The sites in such localities could often be obtained without expense and in all cases at a nominal cost.

If this bill passes it will not authorize any new appropriation. It simply authorizes the use of the appropriations available and Congress always has an opportunity to review them.

Mr. SCHAFER of Wisconsin. Available for construction or available for salaries and for other purposes?

Mr. CRAMTON. They will necessarily be restricted, because other demands on these appropriations are so pressing all the time.

Mr. SCHAFER of Wisconsin. Will the same buildings be used as an arsenal to house shotguns of Federal agents who are waging war against violators of the prohibition law?

Mr. CRAMTON. They might use one as a kind of fortress of defense against well-armed rum runners, but the report does not mention it. [Laughter.]

Mr. SCHAFER of Wisconsin. It is clear that the necessity for this bill shows that it is another extraordinary expense put on the taxpayers as the result of prohibition. I shall not object. [Laughter.]

Mr. LAGUARDIA. Reserving the right to object, it is understood that I shall offer an amendment which will not be resisted?

Mr. CRAMTON. If the gentleman from New York will make it clear—I do not want to agree to an amendment that could be construed as meaning that the building must be exactly on the border line. If it is to be construed simply as having to do with enforcement on the border that is all right.

Mr. LAGUARDIA. It is understood that it means along the Canadian and Mexican borders—that it means the border service—anywhere within the area of the border service.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted, etc.,* That to provide better facilities for the enforcement of the customs and immigration laws at points where no Federal buildings are available or buildings adapted or suitably located for the purpose are available for rental, the Secretary of the Treasury and the Secretary of Labor are hereby authorized to expend from the funds appropriated for the general maintenance and operation of the Customs and Immigration Services, respectively, the necessary amounts for the acquisition of land and the erection of buildings, sheds, and office quarters, including living quarters for officers where none are otherwise available: *Provided,* That the total amount which may be expended from any one appropriation for any one project, including the cost of the site, shall not exceed $3,000, and that where quarters are erected or facilities provided for the joint use of the Customs and Immigration Services the combined cost charged to the two appropriations concerned shall not exceed $6,000 for any one project, including the site.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

> Page 1, line 4, after the word "points," insert "along the Canadian and Mexican borders."

Mr. CRAMTON. Mr. Speaker, I think if the gentleman will insert that after the word "laws" in the same line it will be a little clearer.

Mr. LAGUARDIA. I will modify my amendment to that extent.

The SPEAKER pro tempore. The Clerk will report the modified amendment.

The Clerk read as follows:

> Page 1, line 4, after the word "laws," insert "along the Canadian and Mexican borders."

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

> Page 2, line 4, strike out the words "from any one appropriation," and after the word "project," in line 5, insert "for the use of one department."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CONSTRUCTION OF BUILDING FOR RADIO RESEARCH INVESTIGATION

The next business on the Consent Calendar was the bill (H. R. 10652) to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, the report does not give any information as to what is being done in the way of radio research by universities. I know there is considerable research work being undertaken by certain of our larger universities. In fact the Navy Department is sending to certain universities their advanced students, members of the Signal Corps, or what corresponds to that service if in the Army, to take advanced studies. I have read the report rather carefully, and I had difficulty in seeing why we should establish special centers for this work away from the Bureau of Standards.

There is some argument made, it is true, as to the need of these investigational studies in radio broadcasting free from electrical and other disturbances, but what possesses me mostly is that there is no showing here that it is necessary to have this work undertaken under the auspices of the Bureau of Standards. I am especially interested in learning whether it is necessary to have the Bureau of Standards to undertake this work if similar studies are being undertaken by private establishments. As this involves considerable expense, I ask unanimous consent, as the gentleman from Indiana is not present to explain the real purposes of the bill, that it may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONSTRUCTION OF RURAL POST ROADS

The next business on the Consent Calendar was the bill (H. R. 7585) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of

rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this is merely an authorization for an appropriation?

Mr. COLTON. This amends the basic law. It is a little more than an authorization bill. There would have to be an authorization bill passed later. This amends the law of July 11, 1916, and would make it possible for an authorization bill to follow.

Mr. LAGUARDIA. But you would have to come here for an authorization bill?

Mr. COLTON. Yes. That is as I understand the situation.

Mr. CRAMTON. What does the gentleman mean by an authorization bill?

Mr. COLTON. Take as an illustration the Dowell bill. The Dowell bill is bottomed on the same legislation that this bill seeks to amend, and yet each two years we bring in an authorization bill for an appropriation. If we follow that precedent, we would pass an authorization bill.

Mr. COLLINS. This bill, as I understand it, simply permits these public-land States to get an additional sum of money other than that they now get under the regular road appropriation bill. Under present law in determining the amount that these States receive, the extent of public land is considered, but this bill will enable these States to get an additional sum of money.

Mr. COLTON. Yes. We are working, of course, as the gentleman knows——

Mr. COLLINS. To get more.

Mr. COLTON. On a general road-building program in the United States, and as is the case with forest reserves, there are tracts of land owned by the Government of the United States that are not within forests across which we need to build connecting links, and this would authorize the Congress in the future to make special appropriations to take care of those cases in the public-land States where, under existing conditions, roads on the Federal-aid system can not be built. It would enable us to do on a smaller scale what we are doing in the national forests.

Mr. COLLINS. When the authorization bill was enacted, all of these things about which the gentleman speaks were considered.

Mr. COLTON. So far as I am informed, the hearings do not so disclose. There was an attempt only to provide for a general system of Federal-aid roads and to appropriate for that Federal-aid system in a general way, and also for the forests' highways, but no special consideration given to the roads on the public domain. No provision has ever been made for them. Yet there are many places where help is imperative if we are ever to have a completed road system.

Mr. COLLINS. The result of the passage of this bill would be to give these particular States all that they ordinarily get out of general road appropriations and in addition this added amount.

Mr. COLTON. Whatever Congress should see fit to appropriate to build roads across the Government land would, of course, be added.

Mr. COLLINS. And at the present time you can not get what you would get if this bill should pass?

Mr. COLTON. No; and we can not get roads that form connecting links on the public domain without special appropriations.

Mr. COLLINS. And if this bill should be agreed to, what would it cost to build the roads through these States?

Mr. COLTON. It is understood that we would ask for perhaps two or three million dollars for three years, until some of the absolutely necessary links in Federal-aid roads are constructed.

Mr. COLLINS. Thirty million dollars has been suggested to me.

Mr. COLTON. Oh, no such amounts are contemplated. I say two or three million dollars for a period of two or three years, and not to exceed nine or ten millions. Two years ago Congress passed a special authorization act authorizing three and a half million dollars for three years, or a total of ten and a half million dollars for this purpose. The bill passed both Houses but was vetoed by the President.

Mr. COLLINS. And this is the same bill?

Mr. COLTON. No.

Mr. COLLINS. Or practically the same bill that Mr. Coolidge vetoed?

Mr. COLTON. No. That was a special appropriation bill. This bill would amend the basic law and enable Congress to pass special appropriation bills as the circumstances justified. This legislation has been indorsed by the National Association of Highway Officials and by many other associations all over the country which are interested in securing good roads. There is no other way of raising the money to build the roads across the Government land except for Congress to appropriate.

Mr. COLLINS. I much prefer an authorization, so that Congress can know the outside figure to be expended.

Mr. CRAMTON. The other bill that was vetoed by President Coolidge I thought I could understand, but I am at rather a loss on this one. It provides, first:

> The Secretary of Agriculture is authorized to cooperate with the State highway departments and with the Department of the Interior in the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations.

I do not understand that the Department of Agriculture cooperates with State authorities in maintaining roads now in Federal highway systems. That would be a new departure there, would it not?

Mr. COLTON. They cooperate in maintaining forest roads, but not on the Federal-aid system of roads outside the national forests.

Mr. CRAMTON. But on this they do cooperate?

Mr. COLTON. Yes. They would cooperate until there was some other way of maintaining the roads.

Mr. CRAMTON. That first sentence is based purely on a question of cooperation between the Federal and the State Governments. Then the bill provides:

> Such sums as the Congress may hereafter authorize to be expended under the provisions of this section shall be apportioned among those States having more than 5 per cent of their area in the lands hereinbefore described and shall be prorated and apportioned to said States in the proportion that said lands in each of said States is to the total area of said lands in the States eligible under the provisions of this section, and no contribution from the States shall be required in the expenditure thereof.

That would seem to mean that when Congress passes the agricultural appropriation bill at this Congress with $125,000,000 for the fiscal year 1931, under this authority a portion of that $125,000,000—and the bill has not yet passed the House and Senate but is in conference and will not become a law inside of several weeks—would be available for the construction of roads across these lands without State cooperation.

Mr. COLLINS. The gentleman is exactly right.

Mr. CRAMTON. Because the language is not "such sums as Congress may hereafter authorize to be appropriated," but "such sums as Congress may hereafter authorize to be expended." When we pass an appropriation bill we authorize the expenditure of that money, and hence any road item in an appropriation bill that becomes a law after this bill becomes a law would be available for the construction of these roads.

Mr. COLTON. There was no intention of doing that. I am willing to change that language so as to provide that, "such sums as Congress shall hereafter authorize to be appropriated," shall be substituted for the language just read. There is no intention to divert any of the $125,000,000 to this special purpose. There are connecting links in our Federal-aid system that cross large areas of public domain, where there is no privately owned property at all, nothing to be taxed. We want help for such areas.

It is an impossibility to build roads in some sections now.

Mr. CRAMTON. I will say to the gentleman from Utah that I am in thorough sympathy with what he is trying to do. I have been through those regions where the Government owns all the land, with nothing taxable. I think the Government, if it is going to have a national system of highways, needs to connect them up across its own property, and I would like to see the bill, if it goes through, made clear enough and extensive enough to accomplish what is wanted. The first sentence authorizes the department to cooperate. The second sentence says the money shall be apportioned among the States—

> And no contribution from the States shall be required in the expenditure thereof.

Mr. COLTON. The gentleman will realize that in most of the States the money for building roads is raised by taxation in the counties, and the counties are the units. There are large areas of land where there is no taxable property, and if we made it on the basis of cooperation we would get nowhere in building the roads to which I am referring.

Mr. CRAMTON. But there is a conflict between those two sentences.

Further, a later sentence reads:

> The roads constructed and maintained under the provisions of this section shall be of the same standard as to width and character of construction as the Federal Government requires of the States under like conditions.

This is a question that I went into a couple of years ago with Mr. MacDonald and Mr. Hughes, of the Bureau of Public Roads. In fact, I met them when they were making a study of this very problem in New Mexico. At that time Mr. MacDonald had come to the conclusion—and so far as I know he still holds to that belief—that a great deal of good could be done by building not the sort of paved highways that we require of the States in connected highways, roads that run into large amounts of money, but roads that would be sufficient to take care of the traffic that is calling for them; and it would seem to me that this sentence to which I have called attention would be contrary to the belief of Mr. MacDonald.

Mr. STAFFORD. Would not this requirement also compel the service to make the same width of road going over the mountains, which would be very expensive?

Mr. CRAMTON. You take the Navajo country and other Indian reservations. There is no occasion there for a paved highway. Your money would not last long enough if you made the highways to cover those areas.

Mr. COLTON. In none of these places are they building even a paved highway. The most we hope to get is a gravel road.

Mr. CRAMTON. What is the minimum standard that the Government requires in the expenditures of Federal funds in cooperation with the States? They are higher, in my opinion, than the standard Mr. MacDonald has in mind here.

Mr. COLTON. I think those standards vary. I do not think you could state exactly what they are in all cases. They vary.

Mr. MacDonald, the Director of the Bureau of Public Roads, has heartily indorsed this bill. He came before the committee and urged the passage of the bill. The only reason for this measure is that if we are building through a section—and I may say that the gentleman must not get the impression that our States are not building roads, even across Government lands, because we are building many roads across Government-owned land—the only reason I say is simply to take care of instances where we can not raise money for building the type of roads absolutely needed and recommended by the Bureau of Public Roads without Government aid. Where these connecting links are built they should be built to the same standard as the approaching roads, in order that they may carry the same traffic.

Mr. GREENWOOD. Mr. Speaker, my objection to this bill was as to the distribution of funds. My understanding is that the Bureau of Public Roads has a restriction on the spending of the money to places where the department believes it should be spent. But under this bill you will allocate the funds in the public domain.

Mr. COLTON. I would rather leave the discretion in the Bureau of Public Roads in accordance with the suggestion made by the gentleman from Michigan [Mr. CRAMTON]. We make the allocation of the funds to the various States, and after they are allocated the department should use its discretion in cooperation with the States in deciding upon particular places for its use. The allotments are made on the ratio of the publicly owned land to the privately owned lands within each State.

Mr. GREENWOOD. How is it allocated?

Mr. COLTON. It is allocated by the Department of Agriculture on the basis of the public domain within the various States, if that is what the gentleman means. Of course, the original allocation is made under the provisions of the basic road act, but the per cent of participation by the Federal Government is determined by the amount of public lands.

Mr. GREENWOOD. Is it the purpose to base it on the proportion of the Government-owned land in the public-land States?

Mr. COLTON. Yes; the participation by the Government is on that basis.

No doubt it would give a larger assignment to that State where it is absolutely needed, than to some State where not so much was needed.

Mr. GREENWOOD. But they are held down to a percentage basis. They have no discretion now in distributing the fund, except on a fixed percentage basis.

Mr. COLTON. No. It is exactly the same as under the provisions of the forest act.

Mr. CRAMTON. Is it not a fact that this greatly extends our maintenance obligation?

Mr. COLTON. It extends it to that part that we would build on the public domain until there is some method of maintaining the roads; yes.

Mr. CRAMTON. Well, we will assume permanently, as long as these are Federal lands, the maintenance as well as the construction. I have the impression that the Colton bill, which was passed by the House, provided for State maintenance.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. COLLINS] asks unanimous consent that the bill go over without prejudice. Is there objection?

There was no objection.

REIMBURSABLE CHARGES AGAINST INDIAN TRIBES

The next business on the Consent Calendar was the bill (H. R. 10879) directing the Secretary of the Interior to investigate reimbursable charges against Indian tribes, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this subject is one of very great importance in which the department has already a very large amount of authority. There is nothing to prevent the department studying this question, and using funds now available, and making such recommendations as they desire. Not only that, but considerable has been done with reference to this subject. In the last two or three years I have been somewhat responsible for wiping off the slate certain charges that were put on the books as reimbursable charges. They have just reorganized the bureau. The commissioner and assistant commissioner are new men of good ability and high ideals. They are trying to familiarize themselves with conditions. I think it will be better to let them have a little time to get familiar with conditions before thrusting upon them heavy new burdens.

Mr. LEAVITT. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. LEAVITT. As I understand the gentleman's position, this is work which should be done, but——

Mr. CRAMTON. But should be done properly.

Mr. LEAVITT. But which does not require this particular piece of legislation?

Mr. CRAMTON. Legislation no doubt would be required before the job is completed. But legislation is not required to authorize the department to make the study and funds are not required.

Mr. LEAVITT. But the department states, and the Commissioner of Indian Affairs states, that they do require some additional funds in order to make the study of the reclamation projects on the Indian reservations.

Mr. CRAMTON. My thought is that they have no need for $50,000, and I do not believe it is desirable to go out with a brass band and try to organize a demand for wiping charges off the slate. I would like to see it done in some kind of a judicial spirit, without regard to local demands that may be aroused through the passage of this bill.

Mr. LEAVITT. Of course, the purpose of this bill, in the mind of the Committee on Indian Affairs, is to meet one of the most fundamental problems in solving the entire Indian question. It is to make possible the adjustment of some of these charges that exist against Indian tribes from long times in the past and which are hampering their advancement.

Mr. CRAMTON. I think something should be done.

Mr. LAGUARDIA. Why could we not wipe them off the books?

Mr. CRAMTON. The new Commissioner of Indian Affairs and the Assistant Commissioner of Indian Affairs have been identified with organizations which had high ideals and theories but not in touch with facts. They are going into the field, as they have an opportunity, to study conditions. In six months or a year they will be much better able to judge of those conditions. I believe they have enough troubles without thrusting this burden precipitately upon them.

Mr. LEAVITT. In reply to the gentleman from New York [Mr. LAGUARDIA], I introduced a bill about a year ago that would authorize the Secretary of the Interior, on his own investigation, to wipe out charges that are unjustly standing against Indian tribes.

Mr. LAGUARDIA. And these are old, uncollected charges?

Mr. LEAVITT. Yes. On one Indian reservation years ago, by authority of Congress, an irrigation ditch was built and a wooden flume. The Indians were not taught how to use the water. The wooden flume has fallen down for many years, and still the cost of that project rests against that Indian tribe. We are at this time trying to get lands allotted to them and bring them closer to being self-supporting, but when it comes to a question of funds to enable them to do this which is now constructively necessary we find these old charges; in that case, the reclamation charge. As far as this same tribe is concerned, there is another instance where the Government said to these Indians, "We ought to use your money to buy a herd of cattle"; and then the Government, handling their herd of cattle, lost nearly all of them. Still, the charges are against the Indians.

When the Indians get a little money, using reason, of course, because they do not want to injure the Indians, the authorities take, as opportunity comes, money from those Indians to meet these old charges.

Mr. CRAMTON. I think it is doubtful, Mr. Speaker, whether a dollar has ever been taken to pay off these old charges. Not recently, in any event.

Mr. LEAVITT. I know it has been done.

Mr. CRAMTON. But not in recent years.

Mr. LEAVITT. Congress should authorize the Indian Bureau to wipe out these charges, just as would be the case if the gentleman from Michigan and myself, owing money to a bank, should fall into difficulties, or ill health, or something like that, the bank could adjust that debt with us and give us more time to wipe out some of it; but there is no authority with regard to these debts against the Indians at this time to readjust them and charge them off, and it must be done.

Mr. CRAMTON. But, in the last 10 years, I think I am safe in saying that not one dollar of Indian funds has been used to pay construction irrigation charges.

Mr. LEAVITT. I have received a letter within the last two weeks from a man who owns land in one of these irrigation projects, who got authority and sold some other land thinking it would enable him to plant his crops and help educate his children, and he found that that entire amount, or much of it, had been taken to pay off some accumulated water charges on other lands that he owned, under an irrigation project.

Mr. CRAMTON. Was he a restricted Indian?

Mr. LEAVITT. He is a restricted Indian or they could not handle his funds.

Mr. CRAMTON. Well, that is something new to me. Year after year we go over all of these Indian irrigation projects and we find the amount that has been expended for construction and that nothing is being collected. We have not urged that there ought to be any collections. I think it is desirable that there be a study of these things. There is ample authority of law for them to make the study and there is no limit of the authority to make appropriations. If this bill passes, then they can spend $50,000, and after that they can not spend anything.

Mr. LEAVITT. This $50,000 is merely to pay the cost of a careful study, including the services of two men not now a part of the Indian Bureau and who, under the present situation, could not be hired.

Mr. CRAMTON. There is nothing to prevent them from getting the money from the Committee on Appropriations through an appropriation bill, and if anything had been said to our committee showing the need of those two men for that purpose I am sure it would have met the approval of the committee. I am sure there is nothing to prevent them from hiring those men now to make this study.

Mr. LEAVITT. That entirely satisfies me.

Mr. CRAMTON. They have as much right to have those men as they have to have a Commissioner of Indian Affairs.

Mr. LEAVITT. If they have the money.

Mr. CRAMTON. If they need money, they should ask for it.

Mr. LEAVITT. I will present the matter in connection with the next deficiency bill, because all I am interested in is not the passage of this bill but to get the study made and these old charges adjusted.

Mr. CRAMTON. However, we are not going to have men appointed who think the Treasury of the United States only exists for the purpose of relieving Indians.

Mr. LEAVITT. There is nothing in this bill which contemplates that.

Mr. CRAMTON. I am sure of that, because it is presented by the gentleman from Montana, in whom I have a great deal of confidence. If men are selected who will use good, common horse sense and have some regard for the Treasury of the United States, I think nobody will object to their appointment.

Mr. LaGUARDIA. And the gentleman from Michigan says if you will apply for the appropriation you will get it.

Mr. LEAVITT. That is very, very good news to me.

Mr. LaGUARDIA. So that is eliminated. Now, assuming this study is made, has the commissioner or the Secretary of the Interior authority at the present time to wipe off some of these old charges?

Mr. LEAVITT. No, he has not; and this bill would not give it to him.

Mr. LaGUARDIA. Then you are all right if you get your appropriation.

Mr. CRAMTON. I think I am justified in saying that within the last year or two, through the cooperation of the gentleman from Montana and myself, from $1,000,000 to $2,000,000 of such charges have been wiped off, where the propriety for such action was very clear and recommended by the bureau.

Mr. LEAVITT. Yes. The gentleman from Michigan has been very helpful in that direction. This bill is the result of a proposal made by me along the line of the suggestion of the gentleman from New York, that the Secretary be given authority to adjust these old charges. The department reported that the method in this bill is the better method, but I do not agree with them. I think there should be direct authority to do that.

Mr. LaGUARDIA. Well, the gentleman has the direct commitment of the distinguished chairman of the Subcommittee on Appropriations.

Mr. LEAVITT. I will state that I am entirely satisfied with to-day's developments in the advancement of this idea.

Mr. CRAMTON. Of course, I can not speak for the committee but am expressing my own views.

Mr. BUTLER. If the gentleman will permit, I would like to ask if this bill contemplates an investigation such as is covered in a bill I introduced, authorizing a suit—and which has been indorsed, as I understand, by the Department of the Interior—for the Warm Springs Indians. Does this bill contemplate an investigation of their claims?

Mr. LEAVITT. This bill would authorize and call for an investigation of all outstanding reimbursable charges against Indian tribes, and would appropriate $50,000 for expenses on the statement of the Commissioner of Indian Affairs that that amount is necessary to make the proper investigation of reimbursable charges having to do with reclamation projects on Indian reservations. Then, as the next step it would require that the report of the findings be made to the Congress so that Congress could then take such action as was necessary or justified under the circumstances.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I object.

UTAH STATE TREASURER

The next business on the Consent Calendar was the bill (H. R. 1601) to authorize the Department of Agriculture to issue two duplicate checks in favor of Utah State treasurer where the originals have been lost.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the disbursing clerk of the Department of Agriculture is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check No. 42772, drawn March 17, 1928, in favor of Utah State treasurer for $1,066.27 and original check No. 52754, drawn March 17, 1928, in favor of Utah State treasurer for $21,848.06, and lost, stolen, or miscarried in the mails.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ADMINISTRATION OF THE NATIONAL PARKS

The next business on the Consent Calendar was the bill (H. R. 8163) to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the bill is one that is very desirable.

Mr. STAFFORD. The Consent Calendar will be reached again within 10 days.

Mr. CRAMTON. As the bill is to be passed over, I would like to make this statement: That the committee has eliminated sections 3 and 11, as I understand. That is upon the theory that those matters are sufficiently taken care of in H. R. 5568, which is now pending. I happen to be the introducer of H. R. 5568, the uniform contract bill, and while I am hopeful it may pass and become law, it has not yet been reported by the committee and no one can guarantee it will become law. Hence it is my suggestion that the committee consider leaving sections 3 and 11 in the bill. Then, of course, if the contract bill does become law, all right; otherwise they would be in and effective.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that this bill may be passed over without prejudice. Is there objection?

There was no objection.

CARLSBAD CAVERNS NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 9895) to establish the Carlsbad Caverns National Park, in the State of New Mexico, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, reserving the right to object, I would like to ask the author of this bill what is the probable cost and what is the real reason for the enactment of the legislation?

Mr. COLLINS. I am not the author, but I have given some thought to this bill. The Carlsbad Caverns undoubtedly are the greatest caverns in this country and, perhaps, in the whole world. They were discovered, so I understand, in 1900, by a man by the name of Jim White, and were brought to the attention of Dr. George Otis Smith, Director of the Geological Survey, by Hon. Richard F. Burges, of El Paso, Tex., not only one of the great lawyers of this country, but one of our foremost bibliophiles. The interest of this distinguished American in these caverns, without doubt, hastened the Interior Department in making investigations which will ultimately disclose underground scenic beauties not elsewhere to be found.

Mr. SIMMS. Mr. Speaker, it is not contemplated, as I understand, under the terms of the bill to substantially increase the annual outlay for the operation of this natural wonder. It is thought by the Director of the National Park Service and others in authority that the Carlsbad Caverns Monument, as it is now, is of sufficient importance and interest from many standpoints to justify its inclusion among the national parks of the country. It has attracted the favorable attention of hundreds of thousands of people of the country.

Mr. JONES of Texas. If the gentleman will yield I would like to suggest that the folks in my section of the country regard this, as I think it is generally regarded, as the most wonderful thing of its kind in the world. I think the adoption of this measure is thoroughly justified.

Mr. JENKINS. What I am particularly interested in is this: I notice it has been considered heretofore as a national monument. What change is it proposed to make?

Mr. SIMMS. No change in the expenditure of money, simply a change in status to include it among the more important areas of the country.

Mr. COLTON. In other words, this makes of it a national park instead of a national monument.

Mr. LEAVITT. If the gentleman will permit, it was a national monument to begin with because, as a great natural wonder that had been discovered and partly explored, it could be withdrawn by proclamation of the President and preserved during its development. This development has shown it to be what the other gentlemen speaking for the bill have said, one of the greatest natural wonders in the world, and action of Congress is required to give it national park status.

Mr. JENKINS. This carries with it, naturally——

Mr. LEAVITT. No increased appropriation, because it has been developed already on the standard of a national park. The same thing happened, let me add, in connection with the great canyon known as the Grand Canyon of the Colorado. It went through this same process, first presidential proclamation and then an act of Congress creating it a national park.

Mr. GREENWOOD. Is this a part of the public domain at the present time, so it will not be necessary to buy any of the land?

Mr. SIMMS. It is a part of the public domain. It may interest gentlemen to know that the receipts from the park are greater than the annual outlay.

Mr. JENKINS. I am pleased to have that information.

Mr. BRIGGS. As I understand, it is not contemplated to place any heavier burden upon the Government than now obtains in connection with its upkeep?

Mr. SIMMS. Not at all.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tract of land heretofore known as the Carlsbad Cave National Monument, in the State of New Mexico, established and designated as a national monument under the act of June 8, 1906, entitled "An act for the preservation of American antiquities," and by presidential proclamation of October 25, 1923, be, and the same is hereby, declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Carlsbad Caverns National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Carlsbad Cave National Monument.

SEC. 2. That the administration, protection, and development of said Carlsbad Caverns National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," and acts supplementary thereto or amendatory thereof.

SEC. 3. That the provisions of the act of June 10, 1920, known as the Federal water power act, shall not apply to or extend over the land hereby or hereafter reserved and dedicated as the Carlsbad Caverns National Park.

SEC. 4. That the boundaries of said Carlsbad Caverns National Park may be enlarged by subsequent proclamation or proclamations of the President upon the recommendations of the Secretary of the Interior.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SALE OF TIMBERLAND IN MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 9934) providing for the sale of timberland in four townships in the State of Minnesota.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to ask a question with reference to the application of existing law. I find on page 2 of the committee report that the commissioner states that:

These lands are subject to sale under section 2455, Revised Statutes, if isolated tracts, at public auction at not less than the appraised price.

Why is it necessary to enact this legislation and provide for closed sale without the public having an opportunity to buy under competitive conditions?

Mr. KNUTSON. Mr. Speaker, may I say in reply to the gentleman that an attempt was made by various individuals to buy some of these tracts last fall but the land office at Cass Lake held they were not isolated tracts and would therefore have to be entered as agricultural lands. The purpose of this legislation is to permit the sale of these lands under the same conditions as those carried in the stone and timber act, which would not require residence thereon.

As the gentleman will observe, these lands are to be sold at $2.50 an acre, and the money is to be paid into the tribal funds of the Chippewa Indians in accordance with treaty.

Mr. LAGUARDIA. And this is limited to only four townships?

Mr. KNUTSON. Yes; and I might say further that terming these lands timberlands is erroneous, because they were burnt over very severely last fall; in fact, my best judgment is that all they would be good for now would be for pasturage.

Mr. SCHAFER of Wisconsin. Would the gentleman have any objection to incorporating an amendment inserting the words, "at public sale," after the word "sold," in line 7?

Mr. KNUTSON. I do not know that I would object, but I do not think that would make any material difference. The treaty with the Chippewa Indians provides that these lands shall be sold for $2.50 an acre, and I can assure the gentleman that is all the lands are worth. I do not see why it should be necessary to hold a public sale. In the first place, it would probably not be possible to dispose of all of them at one time, and under the gentleman's amendment they could only be sold at public sale. Under the language of the bill as it now stands anyone could go to the land office at Cass Lake and buy these lands at any time for $2.50 an acre. They may sell 40 acres now and 40 acres next month or next year, but if they were compelled to advertise these lands every so often probably they would not be able to get them up for sale more than once or twice and they could not be sold after that were done. Then, too, the cost of advertising would probably consume the total receipts.

Mr. SCHAFER of Wisconsin. Inasmuch as the author of the bill, the distinguished gentleman from Minnesota [Mr. KNUTSON], is a chief of the Chippewas and seems to think that the bill without the amendment will produce more revenue for the Chippewas I shall withdraw my objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That vacant, unappropriated, unreserved lands valued chiefly for timber in townships 158 and 159 north, range 32 west and in townships 158 and 159, range 33 west, fifth principal

meridian, Beltrami County, Minn., in the former Red Lake Indian Reservation, may be sold to citizens of the United States, or to persons who have declared their intention to become such, under regulations to be prescribed by the Secretary of the Interior, in quantities not exceeding 160 acres to any one person or association of persons, at the appraised value, but in no case less than $2.50 per acre: *Provided*, That nothing herein contained shall defeat or impair any bona fide claim under any law of the United States, or authorize the sale of the improvements of any bona fide settler.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FIXING THE SIZE OF FARM UNITS ON DESERT-LAND ENTRIES

The next business on the Consent Calendar was the bill (H. R. 1186) to amend section 5 of the act of June 27, 1906, conferring authority upon the Secretary of the Interior to fix the size of farm units on desert-land entries when included within national reclamation projects.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, I would like to ask the author of the bill a question. I notice on page 2 of the bill it provides that certain homestead rights given to people, under certain conditions, are required to relinquish them. From the standpoint of the law against confiscation of property, how can you justify that?

Mr. FRENCH. I am glad to answer the gentleman. The bill refers to lands upon which entries under the desert land act were made before reclamation withdrawal. Following the withdrawal an entryman under the desert land law could go ahead and develop a water system of his own with which to reclaim his land, and thus would not need to come under the reclamation project. On the other hand, should he prefer to come under the general reclamation law and receive the advantages through the development of the reclamation project that other settlers receive, he ought to conform to the conditions imposed on other people who have homesteaded lands or who own private property.

Mr. JENKINS. My idea was that you were going to establish a water system and compel him to give up half of his land.

Mr. FRENCH. No; we do not compel him to unless he prefers the system and wants to come in and develop his land under the same conditions that other people accept, some, even, who own property in fee——

Mr. JENKINS. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the proviso to section 5 of the act of June 27, 1906, chapter 3359, Thirty-fourth Statutes, page 520, be amended so as to read as follows:

"*Provided*, That if after investigation the irrigation project has been or may be abandoned by the Government, time for compliance with the desert land law by any such entryman shall begin to run from the date of notice of such abandonment of the project and the restoration to the public domain of the lands withdrawn in connection therewith, and credit shall be allowed for all expenditures and improvements heretofore made on any such desert-land entry of which proof has been or may be filed; but if the reclamation project is carried to completion so as to make available a water supply for the land embraced in any such desert-land entry the entryman shall thereupon comply with all the provisions of the aforesaid action of June 17, 1902, and shall relinquish all land embraced within his desert-land entry in excess of one farm unit, as determined by the Secretary of the Interior, and as to such retained farm unit he shall be entitled to make final proof and obtain patent upon compliance with the regulations of said Secretary applicable to the remainder of the irrigable land of the project and with the terms of payment prescribed in said act of June 17, 1902, and not otherwise. But nothing herein contained shall be held to require a desert-land entryman who owns a water right and reclaims the land embraced in his entry to accept the conditions of said reclamation act."

With the following committee amendment:

Page 2, line 14, after the word "relinquish," insert "within a reasonable time after notice as the Secretary may prescribe and not less than two years."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

INVESTIGATIONS OF COTTON GINNING

The next business on the Consent Calendar was the bill (H. R. 10173) to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LaGUARDIA. Reserving the right to object, I want to inquiry if this study is on the mechanical end of the process, or is it the agricultural study that is contemplated?

Mr. BUCHANAN. It is the mechanical process.

Mr. LaGUARDIA. Would it not fit better in the Bureau of Standards than in the Department of Agriculture?

Mr. BUCHANAN. No, I think not; because $50,000,000 damages done to the lint cotton produced each year is caused by the gin saws tearing and cutting the staple of the lint cotton all to pieces, greatly decreasing the spinnable value of the staple. In addition to this, the uniformity of the staple is destroyed, both elements of damage resulting in a greater cost to the spinners in manufacturing the lint into cloth and in the production of inferior cloth. You understand the length, strength, and the uniformity of the staple or fiber are three of the most valuable spinnable factors in cotton. These are destroyed from the present ginning process, and the results contemplated by this bill are desired by both the cotton producer and the spinners.

You understand manufacturers of ginning machinery seek to manufacture that which is desired by their customers. Their customers, the ginners, want machinery that will turn out the most lint per hour or per day, as they charge for ginning by the 100 pounds. Thus, no attention has in the past been paid to the proper ginning of cotton with a view of conserving its value as produced in nature. As a result, $50,000,000 of created wealth is destroyed each year through the ginning process of cotton. The Bureau of Standards have no expert scientists on the length, strength, and uniformity of cotton staple, and no way of determining when it had been damaged, and could not possibly solve the problem.

Mr. LaGUARDIA. It seems to me that if this was a research of the mechanical end that it would be better for the Bureau of Standards to do it.

Mr. JONES of Texas. The grading of the staple is done by the Department of Agriculture.

Mr. CRAMTON. I think the Bureau of Standards carries on practically all of its work in Washington, whereas this would be done necessarily in the field.

Mr. STAFFORD. A very strong point why it should be in the Department of Agriculture is that the work of the Bureau of Standards is confined at their headquarters here, while this work is done in the field in various agricultural States.

Mr. COLLINS. Cotton farmers are greatly interested in the experimental gin plant. There is general complaint that the staple, and frequently the grade of cotton, are greatly injured by present methods of ginning. This is especially true of the public gin.

The bill provides for experiments to improve cotton ginning by the Department of Agriculture. The proper conditions of ginning will be studied and types of machinery will be investigated. The matters of moisture and temperature will be investigated. The purpose is to eliminate the losses now sustained by cotton farmers. It is estimated that the farmers of the South are now losing about $30,000,000 annually on account of insufficient ginning. A better fiber will result, and the manufacturer and the consumer will be benefited.

The public gin operates too fast, and cotton is frequently gin cut as a result of being too green when ginned.

The farmer knows that there is a defect in modern ginning, and the aim of the bill is to ascertain and correct the faults and defects which are quite general. The cotton grower will greatly benefit. The legislation is in aid of agriculture.

Mr. LaGUARDIA. If you gentlemen from the cotton region think this is all right, it is satisfactory to me.

Mr. JOHNSON of Texas. In my district there is a mechanical department of the agricultural college which has an experiment station, and they carry on a bureau of engineering and experimentation.

Mr. CRAMTON. Would the gentleman suggest that we leave it to that establishment to work out, instead of having the Federal Government undertake it?

Mr. BUCHANAN. Oh, certainly not. Agricultural colleges are very essential in cooperation with the Department of Agriculture but are not equipped to solve problems like this one.

Mr. CRAMTON. Would it be agreeable to the gentleman to have section 2 amended and make it "not more than $100,000," so that the committee handling the appropriation, of which the gentleman from Texas is a member, can decide whether or not as much money as this is necessary?

Mr. BUCHANAN. That will be perfectly satisfactory to me.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to investigate the ginning of cotton; to establish and maintain experimental ginning plants and laboratories; and to make such farm demonstrations and experiments, and such technical and scientific studies in relation to cotton ginning as he shall deem necessary, and to publish the results thereof, with a view to developing improved ginning equipment and encouraging the use of improved methods, and he may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, as he shall find to be necessary.

SEC. 2. That for the purpose of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 for the fiscal year ending June 30, 1931, and thereafter such sums as may be necessary.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 2, line 7, after the word "appropriated," insert the words "not more than."

The amendment was agreed to.

Mr. WHITTINGTON. Mr. Speaker, it is difficult to estimate the value of the pending legislation to the cotton industry. There is much need for the proposed investigations of cotton ginning. The studies already made by the Department of Agriculture indicate many benefits to cotton growers.

The bill was introduced and fostered by the gentleman from Texas (Mr. BUCHANAN), and I take occasion in this connection to say that the agricultural interests of the Nation, and especially the cotton growers of the South, are indebted to Mr. BUCHANAN for his efficient and effective work as a member of the powerful Committee on Appropriations and as the ranking member of the Subcommittee on Agricultural Appropriations. He is ever alert to take advantage of any opportunity in behalf of agriculture, and his long experience and comprehensive studies combine to make him an invaluable member of the Committee on Appropriations.

DETERIORATION

Largely as a result of his activity, the agricultural appropriation bill of 1929, and subsequent years, contains an annual appropriation of $10,000 for ginning studies. The bill for the current year also carries an additional $10,000 for laboratory studies of cotton fibers, and a further item of $10,000 for the studies of the engineering phases of cotton ginning.

Mr. BUCHANAN is an authority on agricultural legislation, and he is always receptive to any plans to promote the progress of cotton growing and other agricultural pursuits.

Senator PAT HARRISON, of Mississippi, who is always active in behalf of the cotton growers of the South, introduced a companion bill, known as S. 3687, in the Senate, which has been unanimously and favorably reported by the Senate Committee on Agriculture.

As a cotton grower and as a cotton ginner, I have been interested in the improvement of cotton ginning for years. On December 19, 1929, as shown by page 981 of the CONGRESSIONAL RECORD, during the consideration of the current agricultural appropriation bill, I made an argument in support of more adequate appropriations for the investigations of cotton ginning. I am thoroughly familiar with the pending bill and have conferred from time to time during the session with Mr. BUCHANAN, Senator HARRISON, and many other Members of the House and Senate, to promote the legislation, and have had the matter up with the Bureau of Agricultural Economics and with the Bureau of Standards. There is cooperation between these two bureaus in improving the standards of cotton ginning. It has been thought best that the investigations should continue to be under the supervision of the Bureau of Agricultural Economics, because the problem is primarily an agricultural one.

Cotton is the oldest and most universal of all fibers. It was found in the Western Hemisphere when Columbus discovered America. It is grown on all continents. Generally cultivated, it sometimes grows without cultivation and is known as wild cotton. Cotton was cultivated 800 years before Christ. Separation of the fiber from the seed was first done by hand. This primitive method obtains in remote parts of Africa, India, and China to-day. Machinery now, however, is almost universally used. I can recall the old hand or horse gins. The feeding of the gins by hand and the tramping of the cotton into the press by foot have been succeeded by modern suction saw gins and by hydraulic presses. The hand and the horse have been succeeded by steam, oil, and electricity.

Gins are of two kinds, the roller and the saw types. The roller type of gin was first employed and Egyptian cotton is now ginned on roller gins. The invention of the saw gin by Eli Whitney in 1792 revolutionized cotton production. The saw gin stands out in contrast to the roller gin and is now generally used in ginning not only short-staple but long-staple cotton. Formerly sea-island cotton was produced in southeastern United States, in the ginning of which roller gins were used. It is believed that ginning of the longer Delta staples would be materially improved by the use of roller gins. All types of ginning will be investigated under the pending bill. Both the brush and the air-blast types of gins will be studied.

There is universal complaint that Delta staples and other long-staple cottons are being seriously injured by improper cotton ginning to-day. Just recently Mr. David R. Coker, of South Carolina, the outstanding cottonseed breeder in the entire country, informed me that he almost despaired of the future of staple-cotton production because of the inability to secure proper ginning. In the fall of 1929 Mr. Coker examined the staple of a certain cotton in the field as it was being harvested and was later greatly disappointed to find that this staple had been materially shortened at the gin. In 1925 two cotton growers in the Mississippi Delta planted the same seed on similar land. The cotton was ginned on different gins. There was a difference of one-sixteenth of an inch in the staple, or one planter lost 8 cents per pound, or $15 a bale, on his cotton.

The separation of the cotton fiber from the seed by hand results in a very much better staple than the separation by the use of machinery. The hand gin, with its slow processes, gave much better staples than modern gin machinery.

There is a deterioration in long and short cotton as a result of improper ginning. It is a difficult, if not a delicate, process to gin short-staple cotton. It is more difficult to gin long-staple cotton. Inadequate ginning may change a profit in cotton production to a loss.

EXPERIMENTS

Improper ginning results in a loss of wealth already created. There is a great economic waste in ginning. The preparation of cotton for the market is frequently neglected by the grower. The cotton gin and the cotton ginner occupy a strategic point in the movement of the cotton from the farm to the factory.

The grade and staple of cotton are influenced by the method of ginning. The cotton merchants and the cotton spinners are complaining that the ginning of American cotton has deteriorated. They assert that the lint is rougher, more gin cut, and more neppy than formerly. They maintain that the fibers are damaged and that the spinning qualities are reduced as a result of improper ginning. There is special complaint that there has been deterioration in the ginning of Delta staple cotton. The Department of Agriculture, as a result of the action of the International Universal Cotton Standards Conference in Washington, D. C., in March, 1929, has established three types or standards for each grade of staple cotton. For instance, there is strict middling, excellent preparation, strict middling, normal preparation, strict middling, fair preparation. The grower is being penalized for inadequate ginning. Cotton is being more carefully graded than heretofore. Standards have been universally adopted. The average annual cotton crop in the United States amounts to approximately 14,500,000 bales. It is conservatively estimated that the cotton growers are losing from three to five dollars a bale annually on account of insufficient and inadequate ginning.

The Department of Agriculture was established to do for the individual what he can not do for himself. It was never the purpose that the Department of Agriculture should engage in business. It is their function to study and investigate and to give the public the benefits of their studies and investigations.

The proposed legislation is peculiarly appropriate. It may be suggested that the manufacturers of ginning machinery could solve the problem. The answer is that the trouble has never been definitely located. There must be further study. There is no available knowledge upon which to base changes in machinery. There is no experimental equipment at hand. A plant must be constructed. There must be a well-equipped machine shop. At first blush, it might be thought that the equipment could be constructed in machine shops that are already available. I repeat, nobody knows what is needed. There must be trial and there must be corrections. There must be changes. As Pascal, the philosopher, has said, the individual or the mechanic must shut himself up in his shop and work, as he invents and discovers. There must be experiments. It is a matter of common knowledge that inventions are not made by the great manufacturing plants but are the result of the dreams and experiments of some individual.

STANDARDS

The Bureau of Standards illustrates the point. The great value of this bureau is that it experiments and invents. The aim is to reduce economic loss. The results are for the public.

As I have said, the Bureau of Standards will cooperate with the Bureau of Agricultural Economics in the solution of this difficult question. When the machinery has been invented, adapted, or perfected it will be built by the gin manufacturers. There are mechanical cotton pickers on the market to-day. They have not been produced by the great commercial plants of the country. They have been promoted by the individuals in their shops where changes could be made promptly, where ideas could be evolved, and where development could be utilized.

The Delta Experiment Station, located at Stoneville, Miss., is probably the best equipped agricultural experiment station in the South. It is the pride of the Mississippi Delta. Mr. W. B. Ayres is the capable and efficient director of the Delta Station and for some years has studied the problem of cotton ginning. He has brought the matter to the attention of the Department of Agriculture. He has cooperated with Dr. Arthur W. Palmer, of the cotton division of the Bureau of Agricultural Economics, Dr. J. W. Wells, cotton technologist, Dr. B. Youngblood, principal economist, Office of Experiment Stations, Washington, D. C., Mr. S. H. McCrory, chief of the division of agricultural engineering, and with Mr. Charles A. Bennett, assistant mechanical engineer of the division of agricultural engineering, in an effort to eliminate the losses resulting from improper ginning. In fact, Mr. Ayres first brought the matter to my attention. It was because of the example conducted by him that for some time I have endeavored to impress upon the Bureau of Agricultural Economics and upon Congress the importance of further investigations.

LOSSES.

In 1929 Mr. Ayres took the matter up with the buyers of Delta cotton, in an effort to ascertain the loss due to improper ginning. The average of 23 estimates by these buyers indicated that an average of $15 a bale is the loss to the Delta farmer through rough ginning of green or wet cotton, to say nothing at all of the shortening of the staple.

It has been estimated that one-third, or 300,000 bales, of the Delta crop are ginned roughly annually at a loss of about $4,500,000 to the growers. The losses are also increased by the shortening of the staple. It is estimated that 90 per cent of the Delta crop is being shortened from one thirty-second to one-sixteenth of an inch at the gin. This applies to both public and private gins. It is estimated that the cotton growers of the South lose annually fifty millions of dollars because of improper ginning.

Emphasis is being placed upon purebred cotton and better methods of cultivation. Longer staples are being advocated. There must be improvement in American cotton. We have increased our production. We must increase our grade and staple. Rayon is fast becoming a competitor of cotton. There is just as much difference between the rayon of to-day and the rayon of 25 years ago as there is between the appearance of the Ford car of to-day and the Ford car of 25 years ago. The quality of rayon is increasing. It is becoming more and more a competitor of cotton every day. The quality of cotton must be improved if the farmer is to keep pace with his competitor.

The spinner is interested in properly ginned cotton. Every speck of seed, every short fiber, and every nep has to be taken out by the cotton-mill machinery before the yarn is acceptable in its highest form. Much yarn is rejected on account of neppy cotton. In the very nature of the case, the spinner can not pay as much for poorly ginned cotton, where his fabric will be defective, as he can for adequately prepared cotton.

While it is true that the producer and the consumer are both interested, it is obvious that the losses, because of inadequate and improper ginning, fall heaviest upon the farmer. It is nothing short of a tragedy, when planting seed is carefully selected, the land properly cultivated, and the cotton carefully picked, that in the final stage of the movement from the field to the factory so much damage should be done at the gin.

The proposed legislation will enable the efficient farmer to help himself. While the damages to long-staple cotton, on account of inadequate ginning, are more pronounced than the injury to short cotton, it is proposed to establish the plant at a location that will be available to both long and short cotton. Personally, I believe that the investigations of the gin machinery will be productive of other beneficial results. Enormous savings would accrue to the cotton grower if the commercial bale took up less space. Proper pressing is important.

FIBER TESTING.

The appropriations already made by Congress for studies in cotton ginning have already borne fruit. The results obtained show that every sample of cotton thus far tested is composed of many different lengths. The percentage of different lengths varies in samples of the same staple length and there is wide variation in samples of different staple lengths, which depend upon the variety of cotton, growing conditions, and ginning. There is marked uniformity of fiber lengths in the hand pulled or separated sample, and there is a decreased uniformity of fiber lengths in the saw-gin sample. The hand method gives the better result.

LABORATORY METHODS.

The Bureau of Agricultural Economics is utilizing laboratory methods and employs a sorting machine in arraying different lengths and in measuring and in weighing fibers under proper humidity conditions. The fibers removed by hand, by the small roller gin, and by the large commercial gin, are arrayed separately and records of different lengths are made.

SPINNING TESTS.

I have had occasion, not only to observe the laboratory methods and the fiber studies, but I have visited the cotton division of the Bureau of Agricultural Economics and observed the spinning tests that are being conducted to determine the spinning qualities of lint cotton, whose qualities were changed by known conditions of ginning. There has been cooperation with other Federal departments, with the experiment stations, and with the agricultural colleges, as well as with public and private gins, and with the manufacturers of ginning machinery and cleaning equipment, in an effort to improve ginning conditions that will result in better fibers, with more uniform spinning qualities.

There is a place for the engineer and for the fiber scientist in the solution of the question. All of the gin work now being conducted by the Bureau of Agricultural Economics is being done in cooperation with the division of agricultural engineering in the Bureau of Public Roads.

CONCLUSION.

It is regrettable that there is a lack of scientific data relating to gin machinery and to the organization and operation of gins. There has been much discussion. Some facts have been ascertained but much is yet to be learned. There is a growing demand for information with respect to correct cotton ginning. The public ginner is the servant of the farmer and he is interested to increase the income of the farmer. There are many breaks in the chain of information now available. Little is known about the effects of different mechanical devices for cleaning and ginning on the spinning qualities of the ginned lint. Less is probably known as to the influence of various cleaning and ginning processes on the fibers, staple length, and the moisture content. In the very nature of the case, answers to these and many other questions can only be supplied by systematic and scientific experiments, to be conducted in the proposed experimental gin plant.

THE PROBLEM.

There is a problem in cotton ginning and both the producer and the consumer are interested in its solution. The cotton grower, the ginner, the gin manufacturer, and the textile operator would be benefited by the proper solution of the problem. It is a national question. The solution will benefit not only the cotton-growing States but the country at large. Many problems present themselves, such as density of the gin roll, speed of the saws, the moisture in raw cotton, saw-tooth projection over breast roll, the manner of sharpening, and the positions of the teeth on the saws, types and adjustment of cleaning equipment, and other related factors.

I can not overemphasize that ginning is almost as important as breeding in cotton production. The results of years of careful selection and improvement in varieties of seed may be nullified at the gin.

The farmer can solve some of the problems while other questions must be settled at the gin. Inadequate machinery is not the only difficulty. The farmer can help. He can contribute to the elimination of rough or gin-cut cotton. The cotton house in the field has almost entirely disappeared. Cotton is picked and emptied into the wagon. The first cotton picked in the morning is wet with dew and is put into the bottom of the wagon. It never has a chance to dry out. There is small wonder that when it reaches the gin that it is gin cut. Cotton mills are complaining bitterly with respect to rough cotton. Less in spinning value is excessive and rough cotton, as well as neppy cotton, makes very defective yarn. The cotton house gives an opportunity for the green cotton to dry and an opportunity for all cotton to dry before it is carried to the gin. The farmer can help the ginner. It is impossible to gin wet or green cotton well or fast.

I want to be practical and helpful. While experiments are being conducted and machinery being improved, I call attention to the causes that intensify the problem and result in great losses to the farmer:

First. At the beginning of the cotton season cotton is delivered to the gin when it is too green. There is too much haste in converting the crop into cash. It should be dried. Cotton

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to investigate the ginning of cotton; to establish and maintain experimental ginning plants and laboratories; and to make such tests, demonstrations, and experiments, and such technical and scientific studies in relation to cotton ginning as he shall deem necessary, and to publish the results thereof, with a view to developing improved ginning equipment and encouraging the use of improved methods, and he may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, as he shall find to be necessary.

SEC. 2. That for the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 for the fiscal year ending June 30, 1931, and thereafter such sums as may be necessary.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 2, line 7, after the word "appropriated," insert the words "not more than."

The amendment was agreed to.

Mr. WHITTINGTON. Mr. Speaker, it is difficult to estimate the value of the pending legislation to the cotton industry. There is much need for the proposed investigations of cotton ginning. The studies already made by the Department of Agriculture indicate many benefits to cotton growers.

The bill was introduced and fostered by the gentleman from Texas [Mr. BUCHANAN], and I take occasion in this connection to say that the agricultural interests of the Nation, and especially the cotton growers of the South, are indebted to Mr. BUCHANAN for his efficient and effective work as a member of the powerful Committee on Appropriations and as the ranking member of the Subcommittee on Agricultural Appropriations. He is ever alert to take advantage of any opportunity in behalf of agriculture, and his long experience and comprehensive studies combine to make him an invaluable member of the Committee on Appropriations.

DETERIORATION

Largely as a result of his activity, the agricultural appropriation bill of 1928, and subsequent years, contains an annual appropriation of $10,000 for ginning studies. The bill for the current year also carries an additional $10,000 for laboratory studies of cotton fibers, and a further item of $10,000 for the studies of the engineering phases of cotton ginning.

Mr. BUCHANAN is an authority on agricultural legislation, and he is always receptive to any plans to promote the progress of cotton growing and other agricultural pursuits.

Senator PAT HARRISON, of Mississippi, who is always active in behalf of the cotton growers of the South, introduced a companion bill, known as S. 3687, in the Senate, which has been unanimously and favorably reported by the Senate Committee on Agriculture.

As a cotton grower and as a cotton ginner, I have been interested in the improvement of cotton ginning for years. On December 19, 1929, as shown by page 981 of the CONGRESSIONAL RECORD, during the consideration of the current agricultural appropriation bill, I made an argument in support of more adequate appropriations for the investigations of cotton ginning. I am thoroughly familiar with the pending bill and have conferred from time to time during the session with Mr. BUCHANAN, Senator HARRISON, and many other Members of the House and Senate, to promote the legislation, and have had the matter up with the Bureau of Agricultural Economics and with the Bureau of Standards. There is cooperation between these two bureaus in improving the standards of cotton ginning. It has been thought best that the investigations should continue to be under the supervision of the Bureau of Agricultural Economics, because the problem is primarily an agricultural one.

Cotton is the oldest and most universal of all fibers. It was found in the Western Hemisphere when Columbus discovered America. It is grown on all continents. Generally cultivated, it sometimes grows without cultivation and is known as wild cotton. Cotton was cultivated 800 years before Christ. Separation of the fiber from the seed was first done by hand. This primitive method obtains in remote parts of Africa, India, and China to-day. Machinery now, however, is almost universally used. I can recall the old hand or horse gins. The feeding of the gins by hand and the tramping of the cotton into the press by foot have been succeeded by modern suction saw gins and by hydraulic presses. The hand and the horse have been succeeded by steam, oil, and electricity.

Gins are of two kinds, the roller and the saw types. The roller type of gin was first employed and Egyptian cotton is now ginned on roller gins. The invention of the saw gin by Eli Whitney in 1792 revolutionized cotton production. The saw gin stands out in contrast to the roller gin and is now generally used in ginning not only short-staple but long-staple cotton. Formerly sea-island cotton was produced in southeastern United States, in the ginning of which roller gins were used. It is believed that ginning of the longer Delta staples would be materially improved by the use of roller gins. All types of ginning will be investigated under the pending bill. Both the brush and the air-blast types of gins will be studied.

There is universal complaint that Delta staples and other long-staple cottons are being seriously injured by improper cotton ginning to-day. Just recently Mr. David R. Coker, of South Carolina, the outstanding cottonseed breeder in the entire country, informed me that he almost despaired of the future of staple-cotton production because of the inability to secure proper ginning. In the fall of 1929 Mr. Coker examined the staple of a certain cotton in the field as it was being harvested and was later greatly disappointed to find that this staple had been materially shortened at the gin. In 1925 two cotton growers in the Mississippi Delta planted the same seed on similar land. The cotton was ginned on different gins. There was a difference of one-sixteenth of an inch in the staple, or one planter lost 3 cents per pound, or $15 a bale, on his cotton.

The separation of the cotton fiber from the seed by hand results in a very much better staple than the separation by the use of machinery. The hand gin, with its slow processes, gave much better staples than modern gin machinery.

There is a deterioration in long and short cotton as a result of improper ginning. It is a difficult, if not a delicate, process to gin short-staple cotton. It is more difficult to gin long-staple cotton. Inadequate ginning may change a profit in cotton production to a loss.

EXPERIMENTS

Improper ginning results in a loss of wealth already created. There is a great economic waste in ginning. The preparation of cotton for the market is frequently neglected by the grower. The cotton gin and the cotton ginner occupy a strategic point in the movement of the cotton from the farm to the factory.

The grade and staple of cotton are influenced by the method of ginning. The cotton merchants and the cotton spinners are complaining that the ginning of American cotton has deteriorated. They assert that the lint is rougher, more gin cut, and more neppy than formerly. They maintain that the fibers are damaged and that the spinning qualities are reduced as a result of improper ginning. There is special complaint that there has been deterioration in the ginning of Delta staple cotton. The Department of Agriculture, as a result of the action of the International Universal Cotton Standards Conference in Washington, D. C., in March, 1929, has established three types or standards for each grade of staple cotton. For instance, there is strict middling, excellent preparation, strict middling, normal preparation, strict middling, fair preparation. The grower is being penalized for inadequate ginning. Cotton is being more carefully graded than heretofore. Standards have been universally adopted. The average annual cotton crop in the United States amounts to approximately 14,500,000 bales. It is conservatively estimated that the cotton growers are losing from three to five dollars a bale annually on account of insufficient and inadequate ginning.

The Department of Agriculture was established to do for the individual what he can not do for himself. It was never the purpose that the Department of Agriculture should engage in business. It is their function to study and investigate and to give the public the benefits of their studies and investigations.

The proposed legislation is peculiarly appropriate. It may be suggested that the manufacturers of ginning machinery could solve the problem. The answer is that the trouble has never been definitely located. There must be further study. There is no available knowledge upon which to base changes in machinery. There is no experimental equipment at hand. A plant must be constructed. There must be a well-equipped machine shop. At first blush, it might be thought that the equipment could be constructed in machine shops that are already available. I repeat, nobody knows what is needed. There must be trial and there must be corrections. There must be changes. As Pascal, the philosopher, has said, the individual or the mechanic must shut himself up in his shop and work, as he invents and discovers. There must be experiments. It is a matter of common knowledge that inventions are not made by the great manufacturing plants but are the result of the dreams and experiments of some individual.

STANDARDS

The Bureau of Standards illustrates the point. The great value of this bureau is that it experiments and invents. The aim is to reduce economic loss. The results are for the public.

As I have said, the Bureau of Standards will cooperate with the Bureau of Agricultural Economics in the solution of this difficult question. When the machinery has been invented, adjusted, or perfected it will be built by the gin manufacturers. There are mechanical cotton pickers on the market to-day. They have not been produced by the great commercial plants of the country. They have been promoted by the individuals in their shops, where changes could be made promptly, where ideas could be evolved, and where developments could be utilized.

The Delta Experiment Station, located at Stoneville, Miss., is probably the best equipped agricultural experiment station in the South. It is the pride of the Mississippi Delta. Mr. W. E. Ayres is the capable and efficient director of the Delta Station and for some years has studied the problem of cotton ginning. He has brought the matter to the attention of the Department of Agriculture. He has cooperated with Dr. Arthur W. Palmer, of the cotton division of the Bureau of Agricultural Economics, Dr. R. W. Webb, cotton technologist, Dr. B. Youngblood, principal economist, Office of Experiment Stations, Washington, D. C., Mr. S. H. McCrory, chief of the division of agricultural engineering, and with Mr. Charles A. Bennett, assistant mechanical engineer of the division of agricultural engineering, in an effort to eliminate the losses resulting from improper ginning. In fact, Mr. Ayres first brought the matter to my attention. It was because of the campaign conducted by him that for some time I have endeavored to impress upon the Bureau of Agricultural Economics and upon Congress the importance of further investigations.

LOSSES

In 1929 Mr. Ayres took the matter up with the buyers of Delta cotton, in an effort to ascertain the loss due to improper ginning. The average of 23 estimates by these buyers indicated that an average of $15 a bale is the loss to the Delta farmer through rough ginning of green or wet cotton, to say nothing at all of the shortening of the staple.

It has been estimated that one-third, or 300,000 bales, of the Delta crop are ginned roughly annually at a loss of about $4,500,000 to the growers. The losses are also increased by the shortening of the staple. It is estimated that 90 per cent of the Delta crop is being shortened from one thirty-second to one-sixteenth of an inch at the gin. This applies to both public and private gins. It is estimated that the cotton growers of the South lose annually fifty millions of dollars because of improper ginning.

Emphasis is being placed upon purebred cotton and better methods of cultivation. Longer staples are being advocated. There must be improvement in American cotton. We have increased our production. We must increase our grade and staple. Rayon is fast becoming a competitor of cotton. There is just as much difference between the rayon of to-day and the rayon of 25 years ago as there is between the appearance of the Ford car of to-day and the Ford car of 25 years ago. The quality of rayon is increasing. It is becoming more and more a competitor of cotton every day. The quality of cotton must be improved if the farmer is to keep pace with his competitor.

The spinner is interested in properly ginned cotton. Every speck of seed, every short fiber, and every nep has to be taken out by the cotton-mill machinery before the yarn is acceptable in its highest form. Much yarn is rejected on account of neppy cotton. In the very nature of the case, the spinner can not pay as much for poorly ginned cotton, where his fabric will be defective, as he can for adequately prepared cotton.

While it is true that the producer and the consumer are both interested, it is obvious that the losses, because of inadequate and improper ginning, fall heaviest upon the farmer. It is nothing short of a tragedy, when planting seed is carefully selected, the land properly cultivated, and the cotton carefully picked, that in the final stage of the movement from the field to the factory so much damage should be done at the gin.

The proposed legislation will enable the efficient farmer to help himself. While the damages to long-staple cotton, on account of inadequate ginning, are more pronounced than the injury to short cotton, it is proposed to establish the plant at a location that will be available to both long and short cotton. Personally, I believe that the investigations of the gin machinery will be productive of other beneficial results. Enormous savings would accrue to the cotton grower if the commercial bale took up less space. Proper pressing is important.

FIBER RESULTS

The appropriations already made by Congress for studies in cotton ginning have already borne fruit. The results obtained show that every sample of cotton thus far tested is composed of many different lengths. The percentage of different lengths varies in samples of the same staple length and there is wide variation in samples of different staple lengths, which depend upon the variety of cotton, growing conditions, and ginning. There is marked uniformity of fiber lengths in the hand pulled or separated sample, and there is a decreased uniformity of fiber lengths in the saw-gin sample. The hand method gives the better result.

LABORATORY METHODS

The Bureau of Agricultural Economics is utilizing laboratory methods and employs a sorting machine in arraying different lengths and in measuring and in weighing fibers under proper humidity conditions. The fibers removed by hand, by the small roller gin, and by the large commercial gin, are arrayed separately and records of different lengths are made.

SPINNING TESTS

I have had occasion, not only to observe the laboratory methods and the fiber studies, but I have visited the cotton division of the Bureau of Agricultural Economics and observed the spinning tests that are being conducted to determine the spinning qualities of lint cotton, whose qualities were changed by known conditions of ginning. There has been cooperation with other Federal departments, with the experiment stations, and with the agricultural colleges, as well as with public and private gins, and with the manufacturers of ginning machinery and cleaning equipment, in an effort to improve ginning conditions that will result in better fibers, with more uniform spinning qualities.

There is a place for the engineer and for the fiber scientist in the solution of the question. All of the gin work now being conducted by the Bureau of Agricultural Economics is being done in cooperation with the division of agricultural engineering in the Bureau of Public Roads.

INFORMATION

It is regrettable that there is a lack of scientific data relating to gin machinery and to the organization and operation of gins. There has been much discussion. Some facts have been ascertained but much is yet to be learned. There is a growing demand for information with respect to correct cotton ginning. The public ginner is the servant of the farmer and he is interested to increase the income of the farmer. There are many breaks in the chain of information now available. Little is known about the effects of different mechanical devices for cleaning and ginning on the spinning qualities of the ginned lint. Less is probably known as to the influence of various cleaning and ginning processes on the fibers, staple length, and the moisture content. In the very nature of the case, answers to these and many other questions can only be supplied by systematic and scientific experiments, to be conducted in the proposed experimental gin plant.

THE PROBLEM

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I can not overemphasize that ginning is almost as important as breeding in cotton production. The results of years of careful selection and improvement in varieties of seed may be nullified at the gin.

The farmer can solve some of the problems while other questions must be settled at the gin. Inadequate machinery is not the only difficulty. The farmer can help. He can contribute to the elimination of rough or gin-cut cotton. The cotton house in the field has almost entirely disappeared. Cotton is picked and emptied into the wagon. The first cotton picked in the morning is wet with dew and is put into the bottom of the wagon. It never has a chance to dry out. There is small wonder that when it reaches the gin that it is gin cut. Cotton mills are complaining bitterly with respect to rough cotton. Loss in spinning value is excessive and rough cotton, as well as neppy cotton, makes very defective yarn. The cotton house gives an opportunity for the green cotton to dry and an opportunity for all cotton to dry before it is carried to the gin. The farmer can help the ginner. It is impossible to gin wet or green cotton well or fast.

I want to be practical and helpful. While experiments are being conducted and machinery being improved, I call attention to the causes that intensify the problem and result in great losses to the farmer:

First. At the beginning of the cotton season cotton is delivered to the gin when it is too green. There is too much haste in converting the crop into cash. It should be dried. Cotton

houses can be used by the farmer, and drying machinery by the ginner. Mr. Charles A. Bennett, assistant mechanical engineer, to whom I have already referred, is an accomplished and practical mechanic and engineer. He has installed several drying equipments in connection with Delta ginneries during the past season. They will be of material benefit, not only in handling the cotton that is first picked but in drying the cotton after inclement weather.

Second. Too much cotton that is either wet from dew or rain is carried to the gin. The farmer can remedy the situation. The cotton house can be used to advantage, but the probability is that it will be more economical for drying equipments to be installed in cotton gins. I am watching the experiments in cotton drying being conducted by Mr. Bennett with a great deal of interest. There is a field for improvement in all cotton by drying. It will benefit not only the green and sappy cotton but the wet and damp cotton. During the season of 1929 two bales of early green cotton in the Mississippi Delta from the same field were carried to the gin. The first bale was dried in about 30 minutes and at a cost of about a dollar in the cotton drier. The second bale was ginned without drying and sold for 3 cents less per pound than the first bale.

Third. Gins are running too fast. There is too much capacity even with dry cotton. A ginnery is turning out 50 bales when it should be turning out only 30 bales a day. Efficiency is being sacrificed to speed. The farmer is losing. It is not necessarily too much saw speed, but a tight roll and high speed means injury to the staple. Dry cotton is being ginned too fast.

Fourth. The fuzz or seed coat is being cut from the seed. Neps result and there is much loss to the grower. These neps are not the cotton fibers, but they are formed from the fuzz that should remain on the seed. Spinners can pay more for cotton without the fuzz. The oil mill can pay more for the seed with the fuzz on it, as it makes better linters. The grade of the bale is frequently injured by the desire of the ginner to increase the turnout.

Fifth. The matter of cleaning cotton is a no less important or delicate process than the matter of ginning cotton. If the machinery is not properly constructed, the operation of cleaning may very materially affect the spinning qualities of the ginned lint. It is always better to pick cotton by hand, if possible. Machine picking means a poorer grade. Leaves, stems, burrs, and foreign matter materially reduce the grade. Rainy weather conditions, of course, account for deteriorations. Snapping and sledding increase the problems of cotton ginning. In many cases if hand-picked cotton is run through cleaners, injury results, for the fibers are damaged. The spinning qualities are reduced in an effort to improve the grade.

CONCLUSION

Much progress has been made in the preliminary gin studies, but further progress is hampered by the necessity of using commercial-type gins, which do not afford the range of conditions, the flexibility of adjustment, or the humidity control needed in scientific work.

Further experiments are necessary and additional facilities and equipment especially designed to permit the easy variation and control of the large number of conditions are important.

An experimental gin plant and equipment, with air-conditioning apparatus and uniform humidity, would clear up many questions about which there is now much discussion and result in improvement in the quality of ginning. The proposed legislation will provide for an experimental gin plant, equipped with adequate temperature and humidity control, and with all types of commercial and experimental ginning and cleaning equipments. The needed facilities for an effective attack upon the problem of cotton ginning will be provided. Better cotton ginning will result, and there will follow a general improvement in the cotton crop that will increase the income of the cotton grower by reducing the losses now sustained by reason of inadequate and insufficient ginning.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

INTERNATIONAL PETROLEUM EXPOSITION

The next business on the Consent Calendar was House Joint Resolution 244, authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to October 11, 1930, inclusive.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, who is going to pay the expense of this conference?

Mr. O'CONNOR of Oklahoma. The oil industry has always paid the expense of it.

Mr. SCHAFER of Wisconsin. The gentleman is certain that we will not have this situation occur again: Several years ago we passed a resolution recognizing an exposition in Philadelphia and were told that the Government would not be called upon to pay any of the expense. Later on we found that the people who urged the passage of the original resolution were pressing very hard for an appropriation running into millions of dollars, and the Government did appropriate millions of dollars over the protest of some of us. I want to ask the gentleman from Oklahoma whether in the future there is any possibility that the Congress will be called upon to make an appropriation to take part in the conference and then be told at that time that it is a moral obligation because Congress recognized the conference when we passed this House Joint Resolution No. 244.

Mr. O'CONNOR of Oklahoma. I believe nothing could be more easily answered than the gentleman's question. This exposition has been conducted on a number of occasions and similar resolutions have been passed. We pay our way down there. We are not like some of these older States.

Mr. CRAMTON. Reserving the right to object, the thought that the gentleman from Wisconsin expressed has also been in my mind. I have here an amendment which I am ready to offer, the same as I offered to a resolution some time ago for the Chicago Exposition, to the effect that "the Government of the United States is not by this resolution obligated to any expense in connection with the holding of the exposition and will not hereafter be so obligated except for suitable representation thereat."

Mr. O'CONNOR of Oklahoma. That is perfectly satisfactory to me.

Mr. SCHAFER of Wisconsin. Will the independent oil producers take part in this conference, or will the conference be confined to the Standard, the Dutch Shell, and the Sinclair oil monopoly, which was very happy indeed when the members of another body rejected a protective tariff on oil which the independent oil producers were demanding?

Mr. O'CONNOR of Oklahoma. The exposition is open to everyone and is participated in by everyone. It is world-wide, and every phase of the industry is shown. It is an educational matter.

Mr. LAGUARDIA. The only purpose of this resolution is to give it a national status, so that the State Department may issue invitations to other countries to attend.

Mr. O'CONNOR of Oklahoma. That is all that is involved—asking other governments to come here and participate in the exposition.

Mr. SCHAFER of Wisconsin. In view of the strong argument of the proponent of the resolution, the gentleman from Oklahoma [Mr. O'CONNOR], who is one of the most able, diligent, efficient, and useful Members of the House, I withdraw my objection.

The SPEAKER pro tempore (Mr. TILSON). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

House Joint Resolution 244

Resolved, etc., That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed international petroleum exposition to be held at Tulsa, Okla., from October 4 to October 11, 1930, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries used in the petroleum industry and bringing together buyers and sellers for promotion of trade and commerce in such products.

SEC. 2. All articles that shall be imported from foreign countries for the sole purpose of exhibition at the international petroleum exposition upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell any goods or property imported for and actually on exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: Provided, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure, the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale, use, or withdrawal.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 2, after line 24, insert a new section, as follows:

"SEC. 3. That the Government of the United States is not by this resolution obligated to pay any expense in connection with the holding of such exposition, and is not hereafter to be so obligated, other than for suitable representation thereat."

The amendment was agreed to, and the House joint resolution, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the House joint resolution was agreed to was laid on the table.

BOISE NATIONAL FOREST

The next business on the Consent Calendar was the bill (H. R. 4189) to add certain lands to the Boise National Forest.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker—and I hope I shall not be obliged to do it—this bill adds 150,000 acres of land to a national forest. Whenever we want to take a little piece of land out of a national forest to add to a national park, the national forest people claim to us that it has got to be paid for, that it has certain value on their books, that certain income is to be received, that the counties will get certain income to be used for roads, and so forth, so that the result is that we have hardly a national park where the boundaries have been straightened out as they ought to be. I will say this, that the present administration of the National Forest Service is much broader minded now than was formerly the case. There will not be as much ground for criticism in this as formerly, I am inclined to hope, under the administration of Major Stuart. But in order to keep the books straight, if they are going to keep books on this proposition, I offer an amendment on page 5, line 23, after the word "act," to insert the following:

Provided further, That on the books of the Forestry Service there shall be set up a credit for such lands, to be repaid by transfer of like amount of other national-forest lands, where essential for national-park purposes as may be at any time determined by Congress.

Mr. SMITH of Idaho. Mr. Speaker, while I am the author of the bill, I will ask my colleague [Mr. FRENCH] to explain the situation.

Mr. FRENCH. Mr. Speaker, I do not see any serious objection to the amendment, though I hope the gentleman from Michigan will not press it upon the pending bill, as there is no national park within the area affected.

Mr. CRAMTON. When there is an occasion where the national park people would like to take a little piece of land out of a national forest, the national forest people are not very quick to come up to the mark. A year ago I think I would have pressed this amendment. But the national forest administration is better now than it was then, and I hope for better things. Therefore, in response to the eloquent appeal of my very good friend from Idaho, I shall not press the amendment. [Applause.]

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I notice the justification for taking in all this large acreage is the fact that the public lands are now being used by private interests in grazing, and the consequent injury to the land by the herds impairing the surface.

Mr. FRENCH. Yes; and serious erosion is occurring.

Mr. STAFFORD. For some years past I have been acquainted with the large profits made by the range holders using the public domain for their special benefit. Can the gentleman give us an idea as to how much of the public domain is used by these ranch holders with their flocks of sheep herding on the public range?

Mr. FRENCH. The public domain of the United States that is available for public use, unregulated and uncontrolled, is approximately 235,000,000 acres. The land that is referred to in the pending bill is almost an infinitesimally small part of that area. It is my hope that as the result of the study that will be made by the Public Domain Commission, which has been appointed by the President, and for which this House has passed a resolution authorizing appropriation for expenses, a program for adequate control will be worked out touching the surface rights generally. Here I am seeking control of a limited area only embraced within the watershed of the Arrowrock Reservoir.

Mr. STAFFORD. I understand that these large sheep owners have caused their flocks to graze over the public domain without any opposition.

Mr. FRENCH. That is true.

Mr. STAFFORD. That condition has been repeatedly called to the attention of Congress, dating back to Roosevelt's time. I will ask the gentleman whether any recent action has been considered by the committee as to the taking over of this large domain by these ranch holders for their personal aggrandizement and to the great injury to the lands; all without the payment of a penny for such use?

Mr. FRENCH. Bills have been introduced from year to year, looking to control—I have a bill pending at this time—but up to the present it has not been possible to obtain the support of the Congress in the enactment of legislation, and therefore it has been necessary sometimes to bring in piecemeal legislation to take care of critical situations such as this.

Mr. STAFFORD. I do not know of any bill ever reported to any body of Congress that sought to regulate the use of the public domain by the millionaire ranch holders of the West.

Mr. FRENCH. My bill has not been reported. I do not know whether or not the bill of the gentleman from Utah has ever received the approval of his committee. But sentiment has been developing looking to the correction of the situation. I am glad to say that in many of the range States that sentiment is growing. Personally, I have long felt that it is imperative that corrective legislation of general character should be enacted. Unfortunately all States of the West have not been in accord upon this subject.

Mr. LEAVITT. This land has been used in the past in such a way without regulation, but under this bill it will come within the area of the national forest.

Mr. STAFFORD. The purpose of this bill is to restrict this land which has heretofore been used by the large owners of the range herds as they have been doing for the past quarter century?

Mr. LEAVITT. Yes. We passed in this House not long ago, and later there was passed in the Senate, a bill making an authorization to cover the expenses of this commission to look into the entire subject of these public lands belonging to the Nation.

The gentleman will recall that the Members from the West, from the public-land States, were largely those who led the fight on the floor of the House for the enactment of that legislation.

Mr. STAFFORD. It is problematical, in my mind, why, with this strong cooperative sympathy on the part of the Representatives from the West, some legislation has not in all of these years been brought out on the floor of the House.

Mr. COLTON. Will the gentleman yield?

Mr. STAFFORD. I yield gladly to the gentleman who controls the policy of the Public Lands Committee.

Mr. COLTON. The gentleman will recall that for five or six years there has been such legislation pending before the Congress.

Mr. STAFFORD. The gentleman means in committee, not in the House.

Mr. COLTON. Yes; in the committee. Heretofore it has been almost impossible to get anything like a united sentiment among the Members from the West. But that condition is disappearing and the very men to whom the gentleman is referring, who have used these lands in the past, recognize that we are ruining the lands by overgrazing, and they are asking for action. I am glad that the gentleman himself is interested. I want to bring out this legislation.

Mr. STAFFORD. I have been interested in this for the last 25 years, and I know the robber barons of the West who have been appropriating these lands for their own selfish ends have throttled all regulatory legislation in the committees, so that it never saw the light of day on the floors of Congress.

Mr. COLTON. It has been difficult to arouse any public sentiment on this matter. I have delivered several speeches and the membership of the House have seemed indifferent to the entire proposition. I am glad that interest is being awakened.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I have no objection, but approve the purpose of this bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following-described lands are hereby added to the Boise National Forest, Idaho, and made subject to all laws applicable to national forests:

Sections 2 to 11, inclusive; sections 14, 15, 16, 21, 22, 23, and 26, township 2 south, range 9 east, Boise meridian.

Sections 2, 3, 10, 11, and 12, township 1 south, range 7 east, Boise meridian.

Sections 1 to 5, inclusive; north half northeast quarter southeast quarter northeast quarter and lots 1, 4, and 5, section 6; sections 7 to 26, inclusive; and sections 35 and 36, township 1 south, range 8 east, Boise meridian.

All of township 1 south, range 9 east, Boise meridian.

Sections 1 to 32, inclusive, township 1 south, range 10 east, Boise meridian.

Sections 3, 4, 5, and 6, township 1 south, range 11 east, Boise meridian.

Sections 1, 2, 3, 4, 5, east half sections 6 and 7; sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, east half section 18; sections 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, and 36, township 1 north, range 6 east, Boise meridian.

Sections 1, 2, 3, 7; east half east half northwest quarter and lots 1, 2, 5, and 6, section 10; sections 11, 12, 13, 14, northeast quarter northeast quarter and lots 1, 4, 5, and 6, section 15; sections 18, 19, 20, northeast quarter northeast quarter northwest quarter, northeast quarter southeast quarter and lots 1, 4, 5, and 9, section 23; north half and lots 1, 2, 3, and 4, section 24; and sections 29 to 33, inclusive, township 1 north, range 7 east, Boise meridian.

North half section 5; sections 6 and 7; sections 13 to 18, inclusive; all of section 19 excepting lot 4; sections 20 to 29, inclusive; north half northeast quarter southeast quarter northeast quarter and lots 1, 5, 6, and 11, section 30; east half southeast quarter southwest quarter southeast quarter southeast quarter northeast quarter and lots 1, 6, 7, and 10, section 31; and sections 32 to 36, inclusive, township 1 north, range 8 east, Boise meridian.

Section 1; sections 11 to 36, inclusive, township 1 north, range 9 east, Boise meridian.

Sections 4, 5, 6, 7, 8, 9; sections 16 to 36, inclusive, township 1 north, range 10 east, Boise meridian.

South half township 1 north, range 11 east, Boise meridian.

Sections 1 to 11, inclusive, and sections 17, 18, 19, 20, 29, and 30, township 1 north, range 12 east, Boise meridian.

Section 1; east half sections 2 and 11; sections 12 and 13; and east half section 14, township 2 north, range 4 east, Boise meridian.

Sections 1 to 28, inclusive; east half section 29; and section 36, township 2 north, range 5 east, Boise meridian.

Section 1; northeast quarter northeast quarter southeast quarter and lots 3, 4, 6, 7, and 10, section 2; sections 5 to 9, inclusive; lot 1, section 11; east half, northeast quarter northwest quarter and lots 2, 4, 7, and 10, section 12; east half and lots 2, 5, 8, and 11, section 13; sections 16 to 21, inclusive; northwest quarter northeast quarter and lots 1, 2, 5, 6, 7, 8, and 11; section 24; lots 1 and 4, section 25; and sections 27 to 35, inclusive, township 2 north, range 6 east, Boise meridian.

Sections 3 to 28, inclusive; north half, north half southeast quarter, southeast quarter southeast quarter and lots 1, 2, 3, section 29; north half and lots 3, 4, 5, and 6, section 30; lots 1 and 2, section 32; north half north half and lots 1, 2, 3, 4, and 5, section 33; and sections 34, 35, and 36, township 2 north, range 7 east, Boise meridian.

Sections 7, 16, 18, 19, 21; southwest quarter section 22; west half section 27; sections 28, 29, 30, 31, 32; north half section 33; and northwest quarter section 34, township 2 north, range 8 east, Boise meridian.

South half section 25; and section 36, township 2 north, range 9 east, Boise meridian.

Sections 4, 5, 8, 9, 16, 17, 18, 19, 20, 21; and sections 28 to 33, inclusive, township 2 north, range 10 east, Boise meridian.

Sections 31 to 36, inclusive, township 2 north, range 12 east, Boise meridian.

East half and southwest quarter section 14; east half section 23; sections 24 and 25; east half sections 26 and 35; and section 36, township 3 north, range 4 east, Boise meridian.

All of township 3 north, range 5 east, Boise meridian.

Section 6 and south half of township 3 north, range 6 east, Boise meridian.

North half section 30 and south half section 32, township 3 north, range 7 east, Boise meridian.

South half section 1; sections 2, 3, 10; north half sections 11 and 12; sections 15, 16, 21, 22, 27, 28, 33, and 34, township 3 north, range 10 east, Boise meridian.

Sections 4 and 5; south half section 6; and north half section 7, township 3 north, range 11 east, Boise meridian.

Southwest quarter section 19; west half sections 30 and 31; northeast quarter south half section 32; and sections 33 and 36, township 4 north, range 5 east, Boise meridian.

Sections 13, 23, 24, 26, 27, 28, 29, 30, and 31, township 4 north, range 6 east, Boise meridian.

Sections 7, 8, and 18, township 4 north, range 7 east, Boise meridian.

Sections 4, 8, 9, 15, 16, 21, 27, 28, and 34, township 4 north, range 10 east, Boise meridian; not heretofore included within the Boise National Forest, Idaho, all ranges east Boise meridian: *Provided*, That the inclusion of these lands in the Boise National Forest shall not affect adversely any valid entry or settlement claim existing prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MOUSE RIVER, N. DAK.

The next business on the Consent Calendar was the bill (H. R. 10017) to provide for a survey of the Mouse River, N. Dak., with a view to the prevention and control of its floods.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, there are two or three bills of like character on the Consent Calendar. I would like to know what the procedure may be for these surveys for flood relief. We passed a general law in 1927, but it was not a very good law. Some of the gentlemen, anxious to get the bill passed, would not cooperate to make it a good law. But that is a thing of the past. Is the system going to be to bring in one stream at a time for survey, and then when you get your survey, costing $14,000 or $15,000, propose a project costing several million dollars? How are we to consider this great flood-relief problem intelligently or comprehensively?

Mr. VINSON of Georgia. Mr. Speaker, the gentleman has asked the very questions that I had in mind. I am not against the bill, but I want to know what policy the Flood Control Committee is going to establish in matters of this kind. The act of 1927 enumerated some 200 rivers providing for flood control, irrigation, power investigation, and for navigation. I understand the Board of Engineers of the War Department is making these surveys, and I judge from this report that it has made a preliminary survey and examination and has reached the conclusion that this is a local project. If the Committee on Flood Control is going to sponsor legislation like this, I want to know it, because I am in the same position as the gentleman from North Dakota. I have a project that came within that group of rivers that was surveyed, and it is local in its nature, and I would like to know if they are going to take up bills like this.

Mr. SINCLAIR. I will say to the gentleman from New York and also to the gentleman from Georgia that this particular river was not contained in the general legislation. It does not belong properly to any of the river systems of the country which were taken in, in a general way, by the flood control bill.

It is a stream which rises in Canada and comes down into the United States for about 150 miles and then runs back into Canada. Consequently, it was not properly before the Army engineers, or at least the Army engineers so considered, as a river to be in the general legislation.

Mr. LAGUARDIA. What are the rights of Canada now, if you are going to divert its flow?

Mr. SINCLAIR. We are not going to divert its flow, but we are going to try to take care of the property that it destroys in this country, and ascertain if some means can not be devised by the Army engineers to take care of property that is being destroyed on this side of the line.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. SINCLAIR. I yield.

Mr. VINSON of Georgia. The justification for this bill is based upon the fact that this river was not included in the act of 1927 that embraced a great many rivers throughout the country?

Mr. SINCLAIR. That is right.

Mr. VINSON of Georgia. There is no policy to take rivers enumerated in the act of 1927, on which adverse reports have been reached, and ask for a survey?

Mr. SINCLAIR. Not at all. Those are being taken care of as the Army engineers reach them.

Mr. STAFFORD. Will the gentleman yield?

Mr. SINCLAIR. I yield.

Mr. STAFFORD. It was my great pleasure in the campaign of 1896 in speaking for the sound-money cause and gold monometalism——

Mr. SINCLAIR. 1896? The gentleman is going back a long way.

Mr. STAFFORD. I am antediluvian in my service with the Republican Party—to visit Minot and spend a delightful weekend at the home of a State senator whose home bordered on the stream under consideration, the Mouse. It is a small, peaceful flowing river that gave no evidence of ever reaching any flood proportion. If I thought this survey was going to be the basis of national appropriation for some local purpose, I would feel compelled to object. The district engineer says it is local in its

character. The division engineer, however, says that the survey should be undertaken by the National Government. A survey is one thing. The conditions that apply on the Milwaukee River, navigable in character, but not international, are much more dangerous with respect to floods than this little stream, the Mouse. Is it the purpose of the gentleman from North Dakota to follow this up by having the United States Government build some construction works to protect Minot because once in every 8 or 10 years the stream reaches a flood stage as it comes down from Saskatchewan?

Mr. SINCLAIR. In answer to the gentleman from Wisconsin I will say what future action I will take will depend on what the survey discloses. The facts of the matter are that there are no persons or individuals or groups of engineers that we can properly approach to do this work other than the United States Army Engineers.

Mr. STAFFORD. That is what impressed me when I was reading the report, that the little city of Minot, of some 15,000 people——

Mr. SINCLAIR. Oh, 18,000 or 20,000, and one of the leading commercial centers of the Northwest.

Mr. STAFFORD. Or 50,000, did not have the facilities to make this investigation and called upon the Corps of Engineers of the National Government for a survey, and for that reason, I did not intend to interpose objection.

Mr. BURTNESS. In view of the fact that the distinguished gentleman from Wisconsin went out to the Mouse River back in 1896 in the interest of the Republican Party——

Mr. STAFFORD. Not only in the interest of the Republican Party but in favor of gold monometalism and against the Bryan crusade for free silver.

Mr. BURTNESS. I think it might be appropriate to call attention to the fact that this river is located in that part of the country where the rivers run north and the Irish vote the Republican ticket.

Mr. LaGUARDIA. I know the gentleman wants to be fair with the House. You can not control floods with a blue print and all you will get out of this survey will be a blue print. If your community can not afford to make a survey and you want the Federal Government to do it, is it not reasonable to expect that you will come back to the Federal Government and ask them to regulate your floods and carry on at the expense of the Government such construction as may be necessary?

Mr. SINCLAIR. We certainly would not expect the Government to contribute to the construction of works any more than their proper share. I think there is a duty that the Federal Government owes in handling this particular stream. It is an international stream and we do not know how far we can go in preparing works, and yet that city is being destroyed. Over $1,000,000 worth of property in that city was destroyed two years ago.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Mouse River, N. Dak., with a view to preparing plans and estimates for the cost of such work as may be necessary for the prevention and control of its floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917, and the recommendations of the Chief of Engineers, United States Army, contained in House Document No. 282, Seventy-first Congress, second session, and the sum of $15,000 is hereby authorized to be appropriated for this purpose.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE CUMBERLAND RIVER

The next business on the Consent Calendar was the bill (H. R. 10213) granting the consent of Congress to rebuild and reconstruct and to maintain and operate the existing railroad bridge across the Cumberland River, near the town of Burnside, in the State of Kentucky.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent that Senate bill 3618, identical with the House bill, and which, I understand, is on the Speaker's desk, be considered in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to substitute Senate bill 3618 for the bill called up. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Cincinnati, New Orleans & Texas Pacific Railway Co., lessee of the Cincinnati Southern Railway, and to its successors and assigns, to rebuild, reconstruct, maintain, and operate its existing railroad bridge and the approaches thereto across the Cumberland River in the county of Pulaski, in the State of Kentucky, near the town of Burnside, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

House bill 10213 was laid on the table.

BRIDGE ACROSS THE OHIO RIVER

The next business on the Consent Calendar was the bill (H. R. 10248) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River, at or near Moundsville, W. Va., authorized to be built by the Moundsville Bridge Co., its successors and assigns, by an act of Congress approved March 1, 1929, are hereby extended one and three years, respectively, from March 1, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE OHIO RIVER

The next business on the Consent Calendar was the bill (H. R. 10258) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice and that it retain its place on the calendar.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that this bill be passed over without prejudice and retain its place on the calendar. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I notice on page 2 of the committee report there is incorporated a letter from the secretary of the Hawesville & Cannelton Bridge Co., and that in the letter there is a name left blank. Is my information correct that the name which is deleted is the name of the notorious bridge racketeer and speculator, Mr. Elliott?

Mr. DUNBAR. Mr. Speaker, it is surmised by some that Mr. Elliott is referred to. I have letters from the bridge company stating most emphatically that Mr. Elliott is in no way associated with them in preparing the plans and promoting the work of building this bridge, and that the money so far expended has been raised by the citizens of the community of Cannelton. Further than that I have received a letter from them stating that Mr. Elliott will not be associated with them.

Mr. SCHAFER of Wisconsin. But he has been associated with them and has, no doubt, already received his handsome profits out of the bridge, has he not?

Mr. DUNBAR. No. Where does the gentleman get such information?

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. COCHRAN of Missouri. It was at my request that the gentleman from Indiana, the author of this bill, asked that it go over without prejudice. Mr. Elliott made a statement

before the State's attorney of Maryland while on the stand there in a fraud order case that he owned this franchise. I found, in the case of a bill introduced by the gentleman from Oregon [Mr. BUTLER], that Elliott was in on the bridge in Oregon but they got rid of him. The gentleman from Indiana said the same thing, but I suggested to him that he follow the procedure that the gentleman from Oregon followed and secure affidavits from the people who are promoting the bridge showing that Elliott no longer has any connection with the bridge.

Mr. SCHAFER of Wisconsin. Those affidavits should also show the amount of money he received from the proposition up to the time he left their service.

Mr. COCHRAN of Missouri. That will be up to the gentleman from Indiana.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana that this bill go over without prejudice?

There was no objection.

BRIDGE ACROSS THE SAVANNAH RIVER

The next business on the Consent Calendar was the bill (H. R. 10291) authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Caroline, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to substitute in lieu of the House bill an identical Senate bill (S. 3715), which is now on the Speaker's table.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to consider the bill S. 3715 in lieu of the bill called up. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Savannah River, at a point suitable to the interests of navigation, at or near Fifth Street, Augusta, Ga., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. There is hereby conferred upon the State Highway Board of Georgia, the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE WHITE RIVER IN ARKANSAS

The next business on the Consent Calendar was the bill (H. R. 10340) granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Calico Rock, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the White River, at a point suitable to the interest of navigation, at or near Calico Rock, Ark., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE COOSA RIVER IN ALABAMA

The next business on the Consent Calendar was the bill (H. R. 10461) authorizing Royce Kershaw, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Coosa River at or near Gilberts Ferry, about 8 miles southwest of Gadsden, in Etowah County, Ala.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object, for the present.

Mr. ALLGOOD. Will the gentleman withhold his objection a moment?

Mr. LAGUARDIA. Certainly.

Mr. ALLGOOD. I would like to know the gentleman's reason for objecting.

Mr. LAGUARDIA. It is a private bridge.

Mr. ALLGOOD. The bridge is to be taken over by the county.

Mr. LAGUARDIA. When?

Mr. ALLGOOD. Immediately upon its construction.

Mr. LAGUARDIA. Did the letter which the gentleman showed me refer to this bridge?

Mr. ALLGOOD. Yes.

Mr. LAGUARDIA. We are to understand, then, that notwithstanding the provisions of the bill, arrangements have been made that on the completion of the bridge it is to be taken over by the county, and you are going through this process by reason of your local laws?

Mr. ALLGOOD. That is it exactly.

Mr. LAGUARDIA. I withdraw the objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, Royce Kershaw, his heirs, legal representatives, and assigns, be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Coosa River, at a point suitable to the interests of navigation, at or near Gilberts Ferry, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Alabama, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 10 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Alabama, or by any municipality or other political subdivision or public agency thereof, under the provisions of section 2 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 10 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and the operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The said Royce Kershaw, his heirs, legal representatives, and assigns, shall within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Department of the State of Alabama a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the Highway Department of the State of Alabama shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable cost of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Royce Kershaw, his heirs, legal representatives, and assigns, shall make available all of the records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Royce Kershaw, his heirs, legal representatives, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 9, after the word "Ferry," insert "about 8 miles southwest of Gadsden, in Etowah County, Ala."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS WHITE RIVER IN ARKANSAS

The next business on the Consent Calendar was the bill (H. R. 10474) granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the White River, at a point suitable to the interests of navigation, at or near Sylamore, Ark., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGES IN THE STATE OF TENNESSEE

The next business on the Consent Calendar was the bill (H. R. 10526) to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BURTNESS. Mr. Speaker, a similar bill to this has been passed by the Senate, and yesterday it was referred to the Committee on Interstate and Foreign Commerce. I ask unanimous consent that the committee be discharged from further consideration of the Senate bill and that the Senate bill be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., (a) That the times for commencing and completing the construction of a bridge authorized by an act of Congress approved June 20, 1929, to be built across the Cumberland River on the projected Gallatin-Martha Road, between Sumner and Wilson Counties, in the State of Tennessee, by the highway department of the State of Tennessee, are hereby extended one and three years, respectively, from June 20, 1930.

(b) That the times for commencing and completing the construction of a bridge authorized by act of Congress approved June 20, 1929, to be built across the Cumberland River between Gainesboro and Granville, in the county of Jackson, in the State of Tennessee, by the highway department of the State of Tennessee, are hereby extended one and three years, respectively, from June 20, 1930.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE OHIO RIVER AT WELLSBURG, W. VA.

The next business on the Consent Calendar was the bill (H. R. 10651) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, what has been the delay in this matter?

Mr. MORGAN. There was some preliminary work done in connection with surveys and construction of abutments. The franchise has been purchased by the Mount Vernon Bridge Co.

Mr. LAGUARDIA. The gentleman says that preliminary work has been done?

Mr. MORGAN. Yes.

Mr. LAGUARDIA. I withdraw the reservation.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Ohio River at or near Wellsburg, W. Va., authorized to be built by an act approved May 14, 1928, and extended March 2, 1929, are hereby extended one year and three years, respectively, from May 14, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Line 5, after the word "built" insert the following: "by the J. K. Mahone Bridge Co., it successors and assigns,"; after the word "act" add "of Congress."

Line 6, strike out the words "and extended" and insert in lieu thereof "heretofore extended by an act of Congress approved."

Line 7, after the word "hereby" insert the word "further."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DAM ACROSS ROBINS COVE, CHESTER RIVER, MD.

The next business on the Consent Calendar was the bill (S. 3135) granting the consent of Congress to Helena S. Ruskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Reserving the right to object, I would like to have the author of the bill tell us something about it. The committee report is very meager. There is not one substantial fact stated in the report.

Mr. BURTNESS. This is only a very minor proposition. It is no power proposition.

Mr. SCHAFER of Wisconsin. We do not know just what it is.

Mr. BURTNESS. I was on the subcommitte, but I can not recall all of the details of these numerous bills. This is a dam across some little narrow cove of the river and is a simple matter for the convenience of the local people.

Mr. SCHAFER of Wisconsin. In view of the fact that the report does not contain any material facts to show why it should be passed, and we can not obtain the facts on the floor of the House, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGES ACROSS THE CUMBERLAND RIVER AT OR NEAR SMITHLAND, KY.

The next business on the Consent Calendar was the bill (S. 3745) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Cumberland River at or near Smithland, Ky., authorized to be built by the State Highway Commission, Commonwealth of Kentucky, by the act of Congress approved May 18, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 18, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE TENNESSEE RIVER AT MOUTH OF CLARKS RIVER

The next business on the Consent Calendar was the bill (S. 3747) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Tennessee River at or near the mouth of Clarks River authorized to be built by the State Highway Commission, Commonwealth of Kentucky, by the act of Congress approved May 18, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 18, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ADDRESS OF HON. GORDON BROWNING

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a very eloquent address delivered by my colleague, Hon. GORDON BROWNING, on the evening of April 10, 1930, at Johnstown, Pa., to the State convention of Women's Federated Democratic Clubs.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The address was as follows:

ADDRESS BEFORE THE STATE CONVENTION OF WOMEN'S FEDERATED DEMOCRATIC CLUBS OF PENNSYLVANIA

Madam Chairman, ladies, and gentlemen, the significance of an important era is pictured most perfectly in the biographies of the great contemporaneous characters who shaped it. If you would know the magic of a great cause, that in it which fastens onto and holds the affections of people, study the ideals of its leaders. No different has been the political development of our Nation; and although we had Washington and Franklin and Madison and Henry, each indispensable in our battle for freedom and the launching of our ship of State, it remained for two other characters of that day to fashion and mold the rival political philosophies that have stood at Armageddon from Yorktown to this good hour. I refer, of course, to Hamilton and Jefferson. And their fundamentals of government, with application to our Government in action, are beckoning to us to-day at the crossroads.

Hamilton, though born in obscurity, was one of the most dominating intellects of all time, and at heart was wedded to the idols of class rule as against diffusion of governmental powers among the people. Anent this view he offered a sketch of government to the Constitutional Convention on June 18, 1787, which embodied his imperialistic ideas. It provided for a Congress with power to pass all laws whatsoever, subject to absolute veto power in the President, who was to be elected for life or during good behavior. The Senate, elected for life, was to have the sole power of declaring war. The governors of all States were to be appointed for life by the General Government, with absolute power of veto over any act of their State legislature, and every law of a State contrary to a law or the Constitution of the United States was declared void.

No one was eligible to vote for election of the President or the Senate unless he owned a certain amount of property. No skeptical medieval despot could have been more distrustful of the rule of the people than the author of this plan. But when he was defeated and our Constitution was submitted, providing for rule by the people, with a central government of a few delegated powers and all else reserved to the States or to the people, his efforts for its ratification were tremendous and decisive. His partisan biographers concede that the basis of Hamilton's scheme for the success of the Government was to bring property and wealthy classes to its support with mercenary ties by assuring them an immediate and personal pecuniary profit from its operation. He had failed to write class rule and property domination into the body of governmental structure, but he sought to accomplish the same ends by administration of government. Thus, special privilege and centralization were the cardinal principles of this patron saint of the Republican Party, and to those principles that party to-day adheres in both theory and action.

The system of government adopted was the antithesis of Hamilton fundamentals. It ordained rule by the people, and reserved to them all powers and liberties not expressly surrendered through the Constitution to the common necessity. The old order insisted that the people were incapable of intelligent exercise of these powers, and must be governed by overlordism. In answer to this, Jefferson laid bare their fallacy when he said:

"Sometimes it is said that man can not be trusted to govern himself. Can he then be trusted with the government of others?"

Jefferson, born to the purple, with every encouragement of environment and training to lean toward aristocracy, became the greatest apostle of the common man's vested rights, his ability to govern himself, his right to protection against monopoly, the placing of human rights above property rights; in short, the exponent of true Americanism.

Standing on these fundamentals, the Democratic Party, marshaled by Jefferson, began the struggle for the people against organized and privilege-seeking greed, which struggle has continued unabated to now. Those of his convictions had written the Constitution, and he laid down the policy in administration of holding wide open the door of opportunity to all classes of people; of stimulating growth and self-reliance by placing on the people themselves the obligation and necessity to govern.

The statement that "Eternal vigilance is the price of liberty," was never more conclusively proven than in the experience of our people. When the people periodically wrest their heritage from the invisible usurpers it is a habit in them to then relax in a false sense of security. That is when selfish interests intrigue and scheme to recapture control. Andrew Jackson found this process at work when he came to power on a wave of popular uprising against class rule. The Bank of Nicholas Biddle was the embodiment and directing force of this sinister control over Government. Jackson did not temporize with it, or quibble over a course of action. He saw an octopus holding in its embrace the machinery of Government. He destroyed it and gave a rebirth to popular rule. He was the sword of Jeffersonian Democracy, dauntless in courage, lofty in patriotism, and unbending in will. Because of his example and accomplishments we may to-day take courage in the impending struggle to restore once more their Government to the people.

Hamilton's theories have come down to us through the vehicles of the Federalist, the Whig, and the Republican Parties. Under the rule of the latter for more than 50 years they have had their fullest fruition in corruption as the inevitable consequence of favoritism in government. Throughout its history at only two brief intervals, under Lincoln and Roosevelt, has the Republican Party tried to appear at ease in the stolen garb of Democracy; but it has never been able to conquer its yearning for the old regalia of stripes worn by it so much more becomingly. Lincoln no more belonged to that system than did Jefferson fit in with the Federalistic theories. And had Lincoln lived he would have been the target for the same cruel shafts that struck the armor of old stout-hearted Andrew Johnson. When the assassin's bullet found its mark, Thad Stevens and his ilk were brewing the hemlock which they hoped to press to the lips of the great liberator. But upon his demise those who hated him, yet were controlled by a stronger passion, that of an "immediate and personal pecuniary interest" in the favors of government, were quick to reckon the value of his martyrdom for a moral cause and the force of the sectional hatred they could build around it. So they tacked his banner to their masthead and sailed forth to plunder the gullible and the helpless. Ever since then their war emblem has been the "Bloody Shirt," but their war aim has been booty. Since 1861 their leaders have sought, and largely succeeded in linking the Democratic Party and secession and bloody Civil War together as a screen to conceal their real purpose of getting, through administration of government, that which they have no legal or moral right to, namely, favors at the expense of merely ordinary citizens. It was uncovered in the multitudinous scandals under Grant, Harding, and others, the theft of a Presidency from Tilden, the free rein to plunder given the favored throughout their party's history.

But, to establish this charge we do not have to revert to ancient political history. We do not even have to rely on the recent chapter of thievery under the "Harding gang," that mantled the face of America with the blush of shame. They only grew a little crude and careless. Their code was the time-honored one promulgated by the national Republican organization years before this debacle, and the one yet in force. That is why not a single leader of the Harding, Coolidge, or Hoover administrations has condemned the thieves or the thieveries. To them the offense was not in the crimes against the people; it rested solely in their having been caught.

The trend toward centralized power in Washington under the Republican rule has gone on apace, till now we have 600,000 Federal employees, with less than 600 of them elected by the people. The others





are removed two or three times from responsibility to anyone who votes. They are reckless in disregard of liberty since they have no responsibility for it, they undertake to supervise personal conduct, and think they should order the life of each citizen from the cradle to the grave. This results from the necessity that Congress has when it assumes jurisdiction of every phase of regulation which should be left to the States and to the communities to delegate the administration of its laws to bureaus whose agents swarm over the land to plague and consume.

Sad and gloomy is our path if our people are to be driven to surveillance, robbed of initiative and responsibility. The genius of our peculiar society lies in the necessity of the people to govern. Without it no leadership can develop, no progress will cheer us. Our hope is in self-reliance, not in paternalism. Our political structure was builded on the liberty and responsibility of the citizen, not for his regulation.

I maintain that the manipulations of the Treasury Department under Mr. Mellon have been such as to arouse the justified suspicion of deceptive design and rank favoritism. But they are so typical of Republican administration! When he wanted to defeat the adjusted-compensation measure he willfully made an error of $1,000,000,000 in the estimate of the Treasury receipts for one year. This was the first time a Secretary of the Treasury ever missed a yearly estimate of receipts more than $25,000,000. That is only one of the many instances of deceptive design. As to rank favoritism, under his administration, and up to last year, $2,800,000,000 had been given back in taxes to the large favored corporations in the form of refunds and abatements of moneys collected on their own returns under the Wilson administration. Some of the fabulous sums now being paid back in this way are for collections beyond the year 1917. A large part of the most recent "charities" of this nature went to Pennsylvania corporations. In July, 1928, Mr. Andrew Mellon sat as Secretary of the Treasury on one side of the table with Mr. Andrew Mellon of the Aluminum Trust on the other side, agreed to and did refund $1,287,426 in back taxes to the Aluminum Co. with the sole comment, "It was an inventory adjustment." Since 1925 the United States Steel Corporation has received approximately $100,000,000 in this manner.

In 1919, through an error, I was forced to pay $4.50 income tax on my 1917 Army salary, which was exempt. When I inquire of that I am politely advised that the statute of limitations has long since run against its refund. But corporations have no trouble reopening their claims for millions back to that year. They seem to know the combination. It is presumptuous for a mere citizen to expect any such consideration or attention.

I have no doubt many of these cases are reopened on invitation or suggestion. Big business owns this Government under Republican rule. Mellon treats with arrogant contempt the clamor of the Democratic leaders for him to show the public a record of these surreptitious "settlements." He cares not what you think of his ethics in dealing with himself and friends; his logic is that they bought a controlling interest in the Government through campaign contributions, therefore should be allowed to partition as spoils that which they own. That is Republican rule.

Mergers, consolidations, combines are forming to such an extent that monopoly is becoming our national policy. The Sherman anti-trust law and other measures designed to curb monopoly are being looked upon as relics of an age when we had some regard for individual rights and interests as opposed to corporate greed. The Federal Trade Commission and other agencies set up by the Democrats for the protection of the public have been deliberately "stacked" to defeat their original purposes. Big business, as such, may be with us to stay. It will either be master or servant. We must control it, if at all, by forced competition or by regulation. It is imperative that the people have a voice in that control. They will never have it so long as the very interests to be regulated name the commissions and dictate their activities. If the Federal Trade Commission by chance should expose a flagrant violation of the laws and court decrees against monopoly, as it did in the merger of the Aluminum Co. with the Duke interests, some Mellon on the inside administers an opiate to the Attorney General and the travesty is left exposed but unmolested. The case made out against the Aluminum Co. was dismissed on April 4 without comment.

It was stated at a recent bankers' convention, without challenge, that 80 per cent of the capitalization of all the banks in the Nation is now held by 12 financial concerns. These 12 concerns have a working understanding, no doubt, with power to dominate or crush all independent institutions. All industries are traveling the same road, passing at will, and unchallenged, those who are supposed to be the sentinels of our liberties. Greed has a taste of profit and can not listen to the counsels of wisdom. Its motto is "Let things be unrestrained, though the result is the destruction of man."

The forces now driving us to inevitable reform or revolution are blind, for the people will some day rise in righteous wrath and smite them, even if, like Samson, they bring the temple down on their own heads. In my judgment, they are ready to right the wrongs without resort to radical measures. But any worthy cause must have stalwart leaders. What we need is a Jefferson, a Jackson, or a Wilson. What a pitiful comparison to them would be our last three Presidents! Harding and Coolidge were acceptable to those in control only because they would obey implicitly. The present occupant does not even know how to obey.

If uncertainty of mind and timidity of soul are qualities of leadership, Herbert Hoover is a born leader. Sound legal opinion will hold with the view that an election is a contract between the people and the party chosen President for a term of four years. And without doubt an action could now be sustained in any court of equity in the land to cancel that contract with him on the grounds of failure of consideration on his part. Were I bringing the suit, I would rest my case after filing a certified copy of his official accomplishments.

There is an old common-law writ known as audita querela by which even a judgment defendant can be relieved if he shows developments after judgment that would make it unconscionable to enforce it. Undoubtedly it was just such predicaments in which the whole American people find themselves enmeshed to-day that provoked the origin of that rule. A majority of those voting for President Hoover did it in good faith, and I submit that in equity and good conscience even they should not be punished further.

Heralded as a superman with a scientific mind and a definite plan, we inaugurated him with a confession from him and his party that every industry, every activity of the Nation was prosperous and happy except agriculture, which they admitted was languishing under eight years of Republican rule. In addition to the creation of a Farm Board, which has been used only for purposes of persuading the farmers to curtail production, he proposed a limited revision of the tariff in favor of the farmer. It would be as reasonable to contend that one suffering from poison should have a heavy dose of arsenic. But the program was launched, with the result that farm prices have consistently fallen, and a third of our consuming public is thereby financially prostrate. The index price of all staple farm products has fallen 15 points since the creation of the board, with a falling-off in production from the last season. The farmer is about to be "relieved" of what little he had left over from the ravages of eight years of Republican prosperity!

No sooner had this "limited revision" begun than the cloven-hoof beats of "Grundyism" could be heard rattling on the marble floors of the Republican council chambers. The destitute farmer was used to pry open the door, then was stood up against the wall and shown that he was only to be butchered to make a political holiday for those who own the Government under Republican rule.

The revelries of insatiate greed began, with JOE GRUNDY as master of ceremonies. He warned that those who paid for the election of Hoover had come for a reckoning, and proceeded to dictate the highest program of legalized robbery that ever quickened the dream of avarice. Fifteen Republican members of the Ways and Means Committee sanctioned what GRUNDY told them to write, and a Republican House stultified its honor by doltish compliance, without granting the privilege of amendment. The people were put on notice that their payment of tribute has merely begun. The President was importuned in vain to take a stand against such treachery.

This child of iniquity, designed to serve every interest except the common interest, was escorted to the Senate, where the same arrogant gang of privilege employed the chief lobbyist of the Connecticut Manufacturers' Association and placed him in the executive sessions to nurse it through the committee. It came forth from that committee with many added frills and embellishments, to encounter a coalition formed of the Democrats and those progressive Republicans, who did not feel bound by the Old Guard agreement to permit those who paid the campaign expenses to rob the farmer and the consuming public.

At this point again came a logical demand for the President to make known his position. The Old Guard claimed they represented his views. The Progressives claimed he was with them in standing by his platform. Some of the Democrats made bold to hope he was fair enough to share their views. No term describes the way he faced this great opportunity so well as "groveling." Before they finished the bill in the Senate every faction was denying that they had any connection with the President's views, for if they claimed him defeat was certain, so contemptuous is the general feeling toward him. How the mighty hath fallen! What an auspicious beginning!

"But yesterday the word of Cæsar might
Have stood against the world; now lies he there,
And none so poor to do him reverence."

As usual, the effort to write a tariff bill has degenerated into a snarling brawl over the booty. No Democrat wants to injure legitimate business. The time-honored position of our party has been a tariff to cover the difference in cost of production at home and abroad. That is all any honest business wants; it is all any dishonest business ought to have. To carry out this policy, President Wilson procured the creation of a Tariff Commission to determine scientifically these differences. Had this plan been followed, we would have been spared the spectacle of logrolling and deceit we now behold.

Additional reasons for a Democratic tariff are that infant industries no longer exist; we are an export Nation and need foreign markets; we

need the friendship of other peoples who are now retaliating; we are a creditor Nation, and our debtors can only pay in products; an American laborer can produce five times as much as one of his competitors. America can outstrip the world in mass production, and we need foreign markets for our surplus products and farm crops. The destruction of foreign markets for farm surpluses has destroyed the purchasing power of one-third of our consuming public.

It is proposed to add more than a billion dollars to the tariff burden already on the consuming public. Before this is done the people should be reminded that they now pay a yearly tribute of $4,000,000,000 to the tariff barons who are demanding this increase. They have placed a toll-gate across the portal of every home in the land and have barred with it the doors to the wardrobe and the pantry. You must pay before you enter. The chief merit to be claimed for the present exorbitant system is that it places more than a half billion dollars revenue in the Treasury each year. But it is a rather extravagant system when it costs you $8 to get one into the Treasury. The farmer will pay $10 toll for every dollar made effective on his products in this bill.

If prohibitive tariffs can bring prosperity, may I ask what is wrong now? For 10 years we have been protected by a Chinese wall. No tariff before then ever approached the rates now in force. Twenty billions of dollars were wiped away in the most recent panic. Where is this vaunted prosperity? Distress is prevalent throughout the land, and that with a man in the White House who promised to banish poverty from America! Somewhere between 4,000,000 and 10,000,000 men are idle. They and their families are hungry. They want to work.

In a court recently a man who had applied for naturalization was being examined by the judge when the following colloquy took place:

The COURT. Who is President of the United States?

The APPLICANT. Al Smith.

The COURT. Why do you say Al Smith?

The APPLICANT. Well, I was told that if he was elected we would have hard times, and I certainly thought he was, from the times we are having.

A newspaper item announced not long since that "Sam Lomax broke his back last week trying to shoulder a dollar's worth of Hoover oats."

Hard times under Democratic rule; good times under Republican rule! This ancient lie has been repeated so often that some of the most credulous have been made to believe it. How can anyone fall out of the bed when he is already lying on the floor? With the great engineer Hoover in the White House, with a majority of 104 in the House and 16 majority in the Senate; with prosperity in industry proclaimed throughout the Nation; yet in less than a year millions are clamoring for bread and begging for work. From the housetops the administration leaders are shouting "reds" at them. They can see a Bolshevik in every bush; and if they find a man with corns on his hands they look for a bomb concealed under his ragged coat.

How can a man reason when he is being tortured by the pangs of hunger? These conditions are the direct result of the Dives kind of prosperity given us by Republican rule. The Bourbons, preceding the French Revolution, were content with a rule that brought luxury and ease to the nobility. They were disdainful of the empty pots on the hearthstones of the peasants. The consequences were written in the blood tragedy of fearful years.

The Democratic Party has often been called upon in a crisis, and it has never failed to restore the Government to the people when they became surfeited with misrule and corruption. It was done under Jefferson, it was done under Jackson, it was done under Cleveland, and it was done under Wilson. The task now confronting us is to restore honesty in government; to preserve the liberties of the people; to safeguard equality in all privileges of living; to reestablish the necessity and responsibility of self-government by the people themselves. These are the sacred jewels of our heritage, the golden candlesticks and vessels ensconced in a charter of liberties. Well may we bear that charter aloft as we circle the walls of Jericho. And, like the unholy Jew who steadied the Ark of the Covenant, all who dare to raise a profane hand to pollute it should be stricken to earth.

The Democratic Party is the only one that has survived throughout the life of the Nation because it is the only one founded on the ideals of permanent justice and true Americanism. If we could eliminate the false issues and prejudices so often determinative in a national election, we would never lose a battle, for a great majority of the American people in their hearts are Democrats. But somehow they permit the sirens of sordid materialism or the passions of false moral issues to becloud or beguile their judgment. Just as was done in 1928 when a man's religion and a bogus issue of prohibition elected a President who never had an honest intention of enforcing the prohibition law, if we are to judge by a barren record of more than a year in responsibility.

Candidates are as transient as the passing clouds. But the fundamentals of our party are as permanent as the shrines of freedom, as the love of liberty, or the temporal hope of mankind. We do not have to win as a matter of temporary political expediency, but we do have to be true to those ideals. Let us fight the good fight and keep the faith. I have confidence in the ultimate untrammeled judgment of the American people. They are now conscious of the false prophecies and betrayals of the unfaithful Republican leaders. The responsibility is soon to be ours. May we meet it with a leadership worthy the ideals we profess.

ELECTION TO A COMMITTEE

Mr. FRENCH. Mr. Speaker, I send to the desk the following privileged resolution and ask its adoption.

The Clerk read as follows:

House Resolution 207

Resolved, That JOHN M. WOLVERTON, of West Virginia, be, and he is hereby, elected a member of the standing Committee of the House on Military Affairs.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 6564) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMOOT, Mr. JONES, Mr. PHIPPS, Mr. HARRIS, and Mr. MCKELLAR to be the conferees on the part of the Senate.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 215. An act to amend section 13 of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," as amended by the act of May 28, 1928; to the Committee on the Civil Service.

BRIDGE ACROSS DETROIT RIVER AT GROSSE ISLE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent for the present consideration of S. 4027, to legalize a bridge across the American channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich. This has been favorably reported from the committee and is on the calendar. It is a free bridge and is an emergency matter.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent for the consideration of S. 4027. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the bridge now being reconstructed by the Board of County Road Commissioners of Wayne County, Mich., across the American channel of the Detroit River, leading from the mainland to Grosse Isle, Mich., about 16 miles below the city of Detroit, Mich., if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War, as providing suitable facilities for navigation, shall be a lawful structure, and shall be subject to the conditions and limitations of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT

Mr. MICHENER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and, in accordance with the order heretofore made (at 4 o'clock and 26 minutes p. m.), the House adjourned until Monday, April 14, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, April 12, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

For the relief of Frank J. Boudinot (H. R. 5847).

For Monday, April 14, 1930:

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS

(10 a. m.)

To consider proposals for veterans' hospitals in California and Washington.

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To provide for the expenses of participation by the United States in the International Conference on Load Lines, London, England, 1930 (H. J. Res. 297).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To amend the national defense act of June 3, 1916, as amended (H. R. 10478).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

404. A letter from the Acting Secretary of War, transmitting a report from the Chief of Engineers on preliminary examination of Salmon River, Alaska, with a view to the control of the floods (H. Doc. No. 346); to the Committee on Flood Control and ordered to be printed with illustrations.

405. A letter from the Acting Secretary of War, transmitting a report from the Chief of Engineers on survey of the Escambia River, Ala. and Fla., with a view to the control of the floods; to the Committee on Flood Control.

406. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment under the Architect of the Capitol for the fiscal year 1931 (H. Doc. No. 343); to the Committee on Appropriations and ordered to be printed.

407. A communication from the President of the United States, transmitting five drafts of proposed legislation affecting existing appropriations of the War Department for the fiscal year ending June 30, 1928, 1929, and 1930 (H. Doc. No. 344); to the Committee on Appropriations and ordered to be printed.

408. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the George Washington Bicentennial Commission for the fiscal year 1931, amounting to $148,200 (H. Doc. No. 345); to the Committee on Appropriations and ordered to be printed.

409. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1931, amounting to $50,000 (H. Doc. No. 347); to the Committee on Appropriations and ordered to be printed.

410. A letter from the Secretary of the Treasury, transmitting the thirteenth annual report of the Federal Farm Loan Board for the year ended December 31, 1929 (H. Doc. No. 212); to the Committee on Banking and Currency and ordered to be printed with accompanying papers and illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. NELSON of Wisconsin: Committee on Invalid Pensions. H. R. 11588. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; without amendment (Rept. No. 1135). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHALMERS: A bill (H. R. 11575) authorizing the construction, maintenance, repair, and preservation of certain public works for the improvement of navigation and the development of power on that section of the St. Lawrence River extending from Lake Ontario to the towns of Ogdensburg, N. Y., and Prescott, Ontario; to the Committee on Rivers and Harbors.

By Mr. CLARK of Maryland: A bill (H. R. 11576) to amend section 6, chapter 389, approved August 24, 1912 (37 Stat. 555; U. S. C. title 5, sec. 652), entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes"; to the Committee on the Civil Service.

By Mr. GASQUE: A bill (H. R. 11577) to provide for the establishment of a branch home of the National Home for Disabled Volunteer Soldiers in the State of South Carolina; to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 11578) to restore certain persons to their former rank as officers on the retired list of the Army; to the Committee on Military Affairs.

By Mr. KORELL: A bill (H. R. 11579) to provide for the partial payment of the expenses of foreign delegates to the Eleventh Annual Convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930; to the Committee on Foreign Affairs.

By Mr. MAAS: A bill (H. R. 11580) to amend section 1709 of the Revised Statutes, as amended by the act of March 3, 1911 (36 Stats. 1083), and section 304 of the Budget and Accounting Act, 1921 (42 Stats. 24); to the Committee on Foreign Affairs.

By Mr. MERRITT: A bill (H. R. 11581) to improve the efficiency of the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Virginia: A bill (H. R. 11582) to provide monuments to mark the birthplaces of deceased Presidents of the United States; to the Committee on the Library.

By Mr. SIMMONS: A bill (H. R. 11583) for the acquisition of private lands within the exterior boundaries of the Niobrara Reservation; to the Committee on Agriculture.

By Mr. SWICK: A bill (H. R. 11584) to amend the World War veterans' act of 1924; to the Committee on World War Veterans' Legislation.

By Mr. DOUGLAS of Arizona: A bill (H. R. 11585) to authorize the President of the United States to lease Muscle Shoals on certain terms and conditions; to the Committee on Military Affairs.

By Mrs. OWEN: A bill (H. R. 11586) authorizing the Secretary of Agriculture to acquire toll bridges and maintain them as free bridges, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LANKFORD of Virginia: A bill (H. R. 11587) to authorize the acquisition of certain land required by the United States Bureau of Lighthouses; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSON of Wisconsin: A bill (H. R. 11588) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Invalid Pensions.

By Mr. STEVENSON: A bill (H. R. 11589) to provide for the immediate payment to veterans of the present value of their adjusted service certificates; to the Committee on Ways and Means.

By Mr. WURZBACH: A bill (H. R. 11590) to amend section 1, act of March 2, 1907 (34 Stat. 1217); to the Committee on Military Affairs.

By Mr. MOREHEAD: A bill (H. R. 11591) to amend the act entitled "An act authorizing the construction of a bridge across the Missouri River opposite to or within the corporate limits of Nebraska City, Nebr.," approved June 4, 1872; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTWRIGHT: A bill (H. R. 11592) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes; to the Committee on Indian Affairs.

By Mr. ESTERLY: Resolution (H. Res. 206) that the Committee on Immigration and Naturalization is authorized to conduct an investigation relative to importation of skilled labor under the immigration act, 1917; to the Committee on Rules.

By Mr. WATSON: Joint resolution (H. J. Res. 300) to permit the Pennsylvania Gift Fountain Association to erect a fountain in the District of Columbia; to the Committee on the Library.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

By Mr. O'CONNELL of Rhode Island: Memorial of the General Assembly of the State of Rhode Island, recommending to Congress the passage of House bill 2562, providing for increase in pension for the veterans of the Spanish-American War; to the Committee on Pensions.

By Mr. BURDICK: Resolution of the General Assembly of the State of Rhode Island and Providence Plantations, recommending to Congress the passage of House bill 2526, providing for an increase of pensions for the veterans of the Spanish-American War; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAIRD: A bill (H. R. 11593) granting an increase of pension to Lydia Wagner; to the Committee on Invalid Pensions.

By Mr. BRAND of Georgia: A bill (H. R. 11594) to amend an act for the relief of Augusta Cornog, approved May 29, 1929; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 11595) granting an increase of pension to Lizzie Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11596) granting a pension to Charles C. Pruitt; to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 11597) granting an increase of pension to Cynthia E. Oliver; to the Committee on Invalid Pensions.

By Mr. CHALMERS: A bill (H. R. 11598) granting an increase of pension to Josephine Powell; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 11599) granting a pension to Wilhelmina Sigrist; to the Committee on Pensions.

Also, a bill (H. R. 11600) granting a pension to Lida I. Slevin; to the Committee on Pensions.

Also, a bill (H. R. 11601) for the relief of William J. Dillon; to the Committee on Naval Affairs.

By Mr. DOMINICK: A bill (H. R. 11602) for the relief of G. T. Fleming; to the Committee on Claims.

Also, a bill (H. R. 11603) for the relief of C. J. Holliday; to the Committee on Claims.

Also, a bill (H. R. 11604) for the relief of J. B. Trotter; to the Committee on Claims.

By Mr. DOYLE: A bill (H. R. 11605) for the relief of Frank Bernard Crilly; to the Committee on Naval Affairs.

By Mr. HUDSON: A bill (H. R. 11606) for the relief of Edwin L. Menzer; to the Committee on Military Affairs.

By Mr. JOHNSON of Indiana: A bill (H. R. 11607) granting a pension to Lydia Fox; to the Committee on Invalid Pensions.

By Mr. LaGUARDIA: A bill (H. R. 11608) for the relief of Jerry Esposito; to the Committee on Claims.

By Mr. MURPHY: A bill (H. R. 11609) granting an increase of pension to Ann Lowmiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11610) to extend the benefits of the employees' compensation act of September 7, 1916, to Page B. Myler, a former rural carrier out of East Liverpool, Ohio; to the Committee on Claims.

By Mr. REECE: A bill (H. R. 11611) for the relief of Capt. George R. Armstrong, United States Army, retired; to the Committee on Military Affairs.

By Mr. SHREVE: A bill (H. R. 11612) granting a pension to Edwin H. McSloy; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 11613) granting an increase of pension to Caroline G. Mitchell; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 11614) granting an increase of pension to Tillie E. Shryock; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 11615) granting a pension to William Fry; to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 11616) granting a pension to Della Martin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6716. By Mr. BLOOM: Petition of the officers and members of the Post Office Square Club, urging the passage of the La Follette-Kendall short Saturday workday bill, S. 2540, as they feel that in granting the worker this additional time for a rest and recreation that his efficiency and productivity are greatly increased; and postal employees who perform arduous service and are subjected to the inclemencies of the weather should have the benefit of at least a shorter workday on Saturday in order to give them an opportunity to rest and return to duty on Monday morning refreshed and able to perform their work in such manner as must produce greater efficiency and productivity; to the Committee on the Civil Service.

6717. By Mr. COOPER of Wisconsin: Memorial of Common Council of Kenosha, Wis., urging the enactment of legislation to proclaim October 11 of each year as Pulaski memorial day; to the Committee on the Judiciary.

6718. By Mr. CRAIL: Petition of many citizens of Los Angeles County, Calif., favoring Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products; to the Committee on Interstate and Foreign Commerce.

6719. Also, petition of many citizens of Los Angeles County, Calif., favoring increased pensions for Spanish War veterans; to the Committee on Pensions.

6720. By Mr. DeROUEN: Resolution of the common council of the city of Merryville, La., memoralizing the Congress of the United States for the adoption of House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

6721. By Mr. EVANS of California: Petition of A. J. Bell and approximately 50 others, indorsing an increased rate of pension for Spanish-American War veterans; to the Committee on Pensions.

6722. By Mr. GARBER of Oklahoma: Petition of Rhode Island State Nurses Association, urging support of Goodwin bill, House bill 10574; to the Committee on Interstate and Foreign Commerce.

6723. Also, petition of Martin W. Law, San Francisco, Calif., in support of House bill 7765—Spanish-American War—payment in lieu of transportation in kind; to the Committee on Military Affairs.

6724. Also, petition of Railway Mail Association, Oklahoma City, Okla., in support of House bills 6603 and 3087; to the Committee on the Post Office and Post Roads.

6725. Also, petition of George Minchak, Yonkers, N. Y., in support of Kendall bill providing shorter workday on Saturday for postal employees; to the Committee on the Post Office and Post Roads.

6726. Also, petition of Joseph Gawler's Sons (Inc.), morticians, District of Columbia, urging enactment of legislation to control sale of narcotics by providing for issuance of specific prescription blanks by physicians; to the Committee on Ways and Means.

6727. Also, petition of National Association of Retail Grocers, St. Paul, Minn., in support of House bill 11, Capper-Kelly bill; to the Committee on Ways and Means.

6728. Also, petition of Southwestern Millers' League, Kansas City, Mo., calling attention to importance of retaining amendment No. 1213 on page 476 of the Senate tariff bill; to the Committee on Ways and Means.

6729. Also, petition of Philadelphia Ocean Traffic Bureau, protesting against enactment of legislation granting consent of Congress to construct and maintain a bridge across the Delaware River at Wilmington; to the Committee on Interstate and Foreign Commerce.

6730. By Mr. HICKEY: Resolution of Warsaw Progress Club, Warsaw, Ind., urging the passage of a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6731. Also, resolution of the East Side Mothers Study Club, Warsaw, Ind., urging the passage of a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6732. Also, resolutions of common council of the city of South Bend, Ind., memorializing Congress to enact House bill 9143, for the payment in full of the face value of adjusted-service certificates and memorializing Congress to enact House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

6733. By Mr. KELLY: Petition of citizens of Allegheny County, Pa., favoring increased pensions for veterans of Spanish-American War; to the Committee on Pensions.

6734. By Mr. LINDSAY: Petition consisting of individual letters, registering protests against the Federal education bill, and contending that education is a local matter, and not for Government administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Mary Alstead, Agnes Bradshaw, Charles Carney, Ellen Connolly, Alice Dempsey, Mary Dunlevy, Mrs. M. Fannegan, Johanna Fee, Matthew Flyn, Frank A. Gilbride, James Guidera, P. J. Gunning, jr., Jennie A. Hemian, Mrs. B. Higgins, Thomas P. Higgins, Mary Howard, Mary E. Keilly, John McDade, Mrs. McDonnell, Mary McGowan, E. McMahon, David Moss, Joseph Moss, Mary E. Murphy, Anna O'Connell, Elizabeth Oggari, Catherine Quinlan, Bridget Reynolds, Mrs. Patrick Ryan, William Shelton, Charles Slickler, Mrs. S. Swain, and William E. Trinkleback; to the Committee on Education.

6735. By Mr. MANLOVE: Petition of 33 citizens of Philadelphia, Pa., urging the passage of House bill 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

6736. By Mr. MOORE of Kentucky: Petition of citizens of Berrys Lick, Ky., urging passage of bill to increase pensions

of men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6737. By Mr. PITTENGER: Petition of Board of County Commissioners of St. Louis County, Minn., protesting against proposed merger of Great Northern and Northern Pacific Railway Cos.; to the Committee on Interstate and Foreign Commerce.

6738. By Mr. ROBINSON: Petition of Mrs. John Ulm, of Dubuque, Iowa, and many other citizens in favor of House bill 2562, providing an increased rate of pension for Spanish-American War veterans; to the Committee on Pensions.

6739. By Mrs. ROGERS: Petition of John H. Donahue and other members of the National Soldiers' Home at Togus, Me., petitioning Congress for a pension for the veterans of the World War; to the Committee on Pensions.

6740. By Mr. THATCHER: Petition signed by Eugene M. Carter and other residents of Jefferson County, Ky., supporting Spanish War veterans' legislation; to the Committee on Pensions.

6741. By Mr. WALKER: Petition signed by Mrs. L. L. Bryant and Mrs. W. B. Poor, of the Danville Union of the Woman's Christian Temperance Union, asking for Federal supervision of motion pictures requiring higher standards before production which are to be used interstate and internationally; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, *April 14, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, who transcendest all our thoughts of Thee, yet comest to us in the things that are seen, enable us to realize the presence of eternity, that we may wisely employ our time; the nearness of Thy judgment, lest we forget what manner of men we are; the long-suffering of Thy love, lest at thought of Thee we grow afraid. Bring us from our diverse views into the realm of the common truth, from the cares of our self-love to the ardors of self-abnegation, that united to Thee in the fundamental law of duty Thy presence may surround our ignorance, Thy holiness our sin, Thy peace the disquiet of our souls.

Grant this, we beseech Thee, for the sake of Thy Son, who took upon Him our flesh and suffered death upon the cross that all mankind should follow the example of His great humility, Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, April 8, 1930, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills of the Senate:

S. 3618. An act granting the consent of Congress to rebuild, reconstruct, maintain, and operate the existing railroad bridge across the Cumberland River near the town of Burnside, in the State of Kentucky;

S. 3715. An act authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.;

S. 3745. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.;

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River;

S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee; and

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., about 16 miles below the city of Detroit, Mich.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1186. An act to amend section 5 of the act of June 27, 1906, conferring authority upon the Secretary of the Interior to fix the size of farm units on desert-land entries when included within national reclamation projects;

H. R. 1601. An act to authorize the Department of Agriculture to issue two duplicate checks in favor of Utah State treasurer where the originals have been lost;

H. R. 3246. An act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio;

H. R. 4189. An act to add certain lands to the Boise National Forest;

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stats. p. 616);

H. R. 9761. An act to authorize the issuance of patents in fee for Indian homesteads on the Crow Reservation, the Blackfeet Reservation, and the Fort Belknap Reservation, in the State of Montana, upon written application therefor;

H. R. 9895. An act to establish the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes;

H. R. 9934. An act providing for the sale of timberland in four townships in the State of Minnesota;

H. R. 10017. An act to provide for a survey of the Mouse River, N. Dak., with a view to the prevention and control of its floods;

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning;

H. R. 10248. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.;

H. R. 10340. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Calico Rock, Ark.;

H. R. 10416. An act to provide better facilities for the enforcement of the customs and immigration laws;

H. R. 10461. An act authorizing Royce Kershaw, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Coosa River at or near Gilberts Ferry, about 8 miles southwest of Gadsden, in Etowah County, Ala.;

H. R. 10474. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark.;

H. R. 10627. An act to amend the act of February 14, 1920, authorizing and directing the collection of fees for work done for the benefit of Indians;

H. R. 10651. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.;

H. R. 10674. An act authorizing the payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty;

H. J. Res. 181. Joint resolution to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922;

H. J. Res. 188. Joint resolution authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim; and

H. J. Res. 244. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to October 11, 1930, inclusive.

ENROLLED BILLS SIGNED

The message further announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2719. An act granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy;

S. 3618. An act granting the consent of Congress to rebuild, reconstruct, maintain, and operate the existing railroad bridge across the Cumberland River near the town of Burnside, in the State of Kentucky;

S. 3745. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.;

S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee; and

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

The VICE PRESIDENT. The Chair desires to make the following announcement: The Senator from California [Mr. JOHNSON] and the Senator from Nevada [Mr. PITTMAN] having asked to be excused from service upon the special committee appointed to investigate campaign expenditures in the 1930 campaign, without objection they will be excused from service. The Chair makes the following appointments: The Senator from North Dakota [Mr. NYE] to succeed the Senator from California [Mr. JOHNSON] and the Senator from Washington [Mr. DILL] to succeed the Senator from Nevada [Mr. PITTMAN].

WABASH RIVER BRIDGE, ILLINOIS

The VICE PRESIDENT laid before the Senate the bill (H. R. 9980) to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill., which was read twice by its title.

The VICE PRESIDENT. The Chair calls the attention of the Senator from Illinois [Mr. GLENN] to the bill.

Mr. GLENN. Inasmuch as the Senate has passed a bill for the identical purpose covered by the House bill, and that bill has been passed by the House, I move that House bill 9980 be indefinitely postponed.

The motion was agreed to.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Smoot
Ashurst	Gillett	Keyes	Steck
Bingham	Glass	McKellar	Steiwer
Black	Glenn	McNary	Stephens
Blaine	Goff	Norbeck	Sullivan
Blease	Goldsborough	Norris	Swanson
Borah	Greene	Nye	Thomas, Idaho
Brock	Hale	Overman	Thomas, Okla.
Brookhart	Harris	Patterson	Townsend
Capper	Harrison	Phipps	Trammell
Caraway	Hatfield	Pine	Vandenberg
Connally	Hawes	Pittman	Wagner
Copeland	Hayden	Ransdell	Walcott
Couzens	Hebert	Robinson, Ind.	Walsh, Mass.
Dale	Heflin	Robsion, Ky.	Walsh, Mont.
Deneen	Howell	Sheppard	Watson
Dill	Johnson	Shipstead	Wheeler
Fess	Jones	Shortridge	
Frazier	Kean	Simmons	

Mr. TOWNSEND. I wish to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is absent on account of serious illness in his family. I ask that this announcement may stand for the day.

Mr. FESS. I desire to announce that my colleague [Mr. MCCULLOCH] is unavoidably detained from the Chamber. I ask that this announcement may stand for the day.

Mr. BLAINE. I wish to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. This announcement I will let stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

SALE OF SHIPS BY SHIPPING BOARD

Mr. MCKELLAR. Mr. President, on October 5 last I introduced a resolution (S. Res. 129) providing for the appointment of a special committee to investigate the sale of ships by the United States Shipping Board and Merchant Fleet Corporation. The resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate and later was favorably reported from that committee. I have spoken to the Senator from California [Mr. JOHNSON], chairman of the Commerce Committee, about it this morning, and also to the Senator from Washington [Mr. JONES], who was long chairman of the committee. The Senator from Washington feels that the resolution ought to be referred to the Committee on Commerce. I ask unanimous consent that it be now referred to that committee.

The VICE PRESIDENT. Without objection, it is so referred.

REPORT OF THE FEDERAL FARM LOAN BOARD

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, the Thirteenth Annual Report of the Federal Farm Loan Board for the year ended December 31, 1929, which, with the accompanying report, was referred to the Committee on Banking and Currency.

NARCOTICS IN THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a communication from the United States attorney for the District of Columbia, transmitting copy of recommendations made by the grand jury of the District in their report to the chief justice of the Supreme Court of the District of Columbia on March 31, 1930, relative to the enactment of more stringent laws regarding the prescribing of narcotics by physicians in the District of Columbia, which, with the accompanying paper, was referred to the Committee on the Judiciary.

FRANCES MOSER HOCKER

The VICE PRESIDENT laid before the Senate a communication from Frances Moser Hocker, of Germantown, Pa., transmitting additional papers in connection with her claim against the Government for services rendered during the World War, which, with the accompanying papers, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

Mr. HEBERT presented the following resolution adopted by the General Assembly of the State of Rhode Island, which was ordered to lie on the table:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January Session, A. D. 1930.

Resolution by the General Assembly of Rhode Island recommending to the Congress of the United States the passage of H. R. 2526, providing for an increase in pensions for the veterans of the Spanish-American War

(Approved April 8, 1930)

Whereas there is at the present time before the Congress of the United States for consideration a measure (H. R. 2562) which makes provision for an increase in pensions for the veterans of the Spanish-American War; and

Whereas the veterans of the Spanish-American War are justly entitled to every assistance that the Government can render because of their distinguished service; and

Whereas these men are fast approaching that time of life when it is difficult for them to labor, and as difficult to find labor to sufficiently support them when they find themselves thrust aside by the more youthful and energetic: Now, therefore, be it

Resolved, That the General Assembly of Rhode Island, having high regard for the services these Spanish War veterans rendered following the flag, most respectfully requests that the Senators and Representatives of this State, now in attendance upon the Congress of the United States, do give urgent heed to the merits of this particular legislation, and use every effort in securing its early consideration and passage by both Houses of Congress; and be it further

Resolved, That copies of this resolution be sent by the secretary of state to the Senators and Representatives of Rhode Island in the Congress of the United States.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, April 10, 1930.

I hereby certify the foregoing to be a true copy of the original (H-895) resolution by the General Assembly of Rhode Island recommending to the Congress of the United States the passage of H. R. 2562, providing for an increase in pension for the veterans of the Spanish-American War, passed by the General Assembly of the State of Rhode Island and approved by the governor on the 8th day of April, A. D. 1930.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid this 10th day of April, in the year 1930.

[SEAL.] ERNEST L. SPRAGUE,
Secretary of State.

Mr. THOMAS of Oklahoma presented a petition of sundry citizens of Osage County, Okla., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

Mr. VANDENBERG presented a resolution adopted by the City Commission of Ironwood, Mich., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

Mr. COPELAND presented resolutions adopted by numerous aeries of the Fraternal Order of Eagles in the States of New

York, California, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Minnesota, Montana, Michigan, New Jersey, Nebraska, Ohio, Pennsylvania, Wisconsin, Washington, Georgia, Louisiana, New Hampshire, Oregon, Rhode Island, South Dakota, Texas, Utah, Virginia, Wyoming, and West Virginia, favoring the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

Mr. BLAINE presented a resolution adopted by the Woman's Christian Temperance Union, of Chippewa Falls, Wis., favoring the Federal supervision of motion pictures and the establishment of higher standards for motion-picture films, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of the State of Wisconsin, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

He also presented a resolution adopted by Ashland Aerie, No. 239, Fraternal Order of Eagles, of Ashland, Wis., favoring the passage of legislation providing an appropriation for old-age pensions, which was referred to the Committee on Pensions.

He also presented resolutions adopted by the common councils of the cities of Kenosha and Manitowoc, Wis., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which were referred to the Committee on the Library.

Mr. WALCOTT presented a resolution adopted by Arawanna Tribe, No. 17, Improved Order of Red Men, of Middletown, Conn., favoring the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

He also presented petitions of members of the Young Women's Christian Association of Bridgeport and the League of Women Voters, of Norwich, in the State of Connecticut, praying for the ratification of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of the State of Connecticut, remonstrating against the ratification of the proposed World Court protocol, which was referred to the Committee on Foreign Relations.

He also presented the memorial of Share Torah Lodge, No. 219, I. O. B. A., of Hartford, Conn., remonstrating against the passage of legislation providing for the registration of aliens, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the City Council of Bristol, Conn., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

He also presented a telegram in the nature of a petition from the Department of Connecticut Veterans of Foreign Wars, at Danbury, Conn., praying for the passage of the so-called Swick bill for the benefit of disabled veterans of the World War, which was referred to the Committee on Finance.

He also presented the petition of International Hod Carriers' Building and Common Laborers' Union of America, Local No. 611, of New Britain, Conn., praying for the passage of the bill (H. R. 9232) to regulate the rates of wages to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia, which was referred to the Committee on Education and Labor.

He also presented the memorial of the executive board of the Norwich League of Women Voters, of Norwich, Conn., opposing the passage of House bill 9888, relative to the financing of the maternity and infancy hygiene program, which was referred to the Committee on Commerce.

He also presented papers in the nature of petitions from the American Legion Auxiliary, Rau Locke Post, No. 8, of Hartford; American Legion Auxiliary No. 37, of Chester; and American Legion Auxiliary, Carlson-Sjovall Unit, No. 105, of Cromwell, all in the State of Connecticut, praying for the passage of legislation providing for the conscription of property in time of war, which were referred to the Committee on Finance.

REGULATION OF INTERSTATE MOTOR CARRIERS

Mr. COUZENS. From the Committee on Interstate Commerce I report back favorably with amendments the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, and I submit a report (No. 396) thereon. On behalf of the Senator from Washington [Mr. DILL], I wish to state that he desires later to submit a minority report on this bill.

REPORTS OF COMMITTEES

Mr. JOHNSON, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3404) authorizing the Secretary of Commerce to dispose of a portion of the Amelia Island Lighthouse Reservation, Fla. (Rept. No. 397);

A bill (H. R. 8293) to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929 (Rept. No. 398); and

A bill (H. R. 8637) to fix the rank and pay of the commandant of the Coast Guard (Rept. No. 399).

Mr. ASHURST, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 261) amending the act of January 25, 1917 (39 Stat. L. 868), and other acts relating to the Yuma auxiliary project, Ariz., reported it without amendment and submitted a report (No. 400) thereon.

Mr. RANSDELL, from the Committee on Commerce, to which was recommitted the bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, reported it with amendments and submitted a report (No. 401) thereon.

Mr. KENDRICK, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 2863) granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River, and other streams in which such States are jointly interested, reported it without amendment and submitted a report (No. 402) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, reported it without amendment and submitted a report (No. 403) thereon.

Mr. THOMAS of Idaho, from the Committee on Irrigation and Reclamation, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 4291) to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes" (Rept. No. 404); and

A bill (H. R. 8296) to amend the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes" (Rept. No. 405).

Mr. WALSH of Montana, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes, reported it with an amendment and submitted a report (No. 406) thereon.

He also, from the same committee, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

A bill (S. 413) authorizing the issuance to Wesley A. Howard of a patent for certain lands (Rept. No. 407);

A bill (H. R. 4810) to add certain lands to the Helena National Forest in the State of Montana (Rept. No. 408); and

A joint resolution (S. J. Res. 165) authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware (Rept. No. 409).

Mr. NORBECK, from the Committee on the Library, to which was referred the bill (S. 3051) authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifice and the service of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe, reported it with amendments and submitted a report (No. 410) thereon.

Mr. CARAWAY, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1963) for the relief of members of the crew of the transport *Antilles* (Rept. No. 412); and

A bill (S. 2972) for the relief of DeWitt & Shobe (Rept. No. 411).

Mr. STEPHENS, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 671) for the relief of E. M. Davis (Rept. No. 416); and

A bill (S. 1979) for the relief of Warren J. Clear (Rept. No. 415).

Mr. STEPHENS, also, from the Committee on Claims, to which were referred the following bills, reported them each with amendment and submitted reports thereon:

A bill (S. 1702) for the relief of George W. Burgess (Rept. No. 414); and

A bill (S. 1756) granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927 (Rept. No. 413).

Mr. STECK, from the Committee on Military Affairs, to which was referred the bill (S. 1011) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes, reported it with amendments and submitted a report (No. 417) thereon.

Mr. BLACK, from the Committee on Claims, to which was referred the bill (H. R. 7356) for the relief of the American Foreign Trade Corporation and Fils d'Asian Fresco, reported it with an amendment and submitted a report (No. 418) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 9671) to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at or near Stillwater, Minn. (Rept. No. 422);

A bill (H. R. 9672) to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn. (Rept. No. 421);

A bill (H. R. 9901) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn. (Rept. No. 420); and

A bill (H. R. 9931) granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa. (Rept. No. 419).

Mr. McNARY, from the Committee on Commerce, to which was referred the bill (S. 3898) granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith, reported it with amendments and submitted a report (No. 423) thereon.

Mr. HARRIS. from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3783) for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929, reported it with an amendment.

REPORTS OF NOMINATIONS

As in open executive session,

Mr. BORAH, from the Committee on the Judiciary, reported the nomination of Tom W. Dutton, of Louisiana, to be United States marshal, eastern district of Louisiana, which was placed on the Executive Calendar.

Mr. GILLETT, from the Committee on the Judiciary, reported the nomination of Clark B. Wasson, of Oklahoma, to be United States marshal, eastern district of Oklahoma, which was placed on the Executive Calendar.

Mr. HEBERT, from the Committee on the Judiciary, reported the nominations of Phil E. Baer, of Texas, to be United States marshal, eastern district of Texas, and Charles B. Kennamer, of Alabama, to be United States attorney, northern district of Alabama, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. GREENE, from the Committee on Military Affairs, reported the nominations of sundry officers in the Army, which were placed on the Executive Calendar.

Mr. HALE, from the Committee on Naval Affairs, reported the nominations of sundry officers in the Navy, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE:

A bill (S. 4150) granting an increase of pension to Myrtle Pounds Williams; to the Committee on Pensions.

By Mr. GLENN:

A bill (S. 4151) granting a pension to Belle A. Clark; to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 4152) granting an increase of pension to Elizabeth Bartley; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 4153) granting an increase of pension to Charles H. Trudeau (with accompanying papers); to the Committee on Pensions.

By Mr. DILL:

A bill (S. 4154) granting a pension to Sophronia M. Shepler;

A bill (S. 4155) granting a pension to John Pleas Rader; and

A bill (S. 4156) granting an increase of pension to Mary J. Edwards; to the Committee on Pensions.

By Mr. BROCK:

A bill (S. 4157) to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.; to the Committee on Commerce.

By Mr. SWANSON:

A bill (S. 4158) to authorize the acquisition of certain land required by the United States Bureau of Lighthouses; to the Committee on Commerce.

A bill (S. 4159) to authorize the appointment of Capt. Lester T. Gayle, retired, to the grade of major, retired, in the United States Army; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 4160) authorizing the Secretary of the Interior to lease any or all of the remaining tribal lands of the Choctaw and Chickasaw Nations for oil and gas purposes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHORTRIDGE:

A bill (S. 4161) granting a pension to Robert E. Blair;

A bill (S. 4162) granting a pension to Mary J. Grace; and

A bill (S. 4163) granting an increase of pension to Frederick L. Hughes; to the Committee on Pensions.

By Mr. NYE:

A bill (S. 4164) authorizing the repayment of rents and royalties in excess of requirements made under leases executed in accordance with the general leasing act of February 25, 1920; to the Committee on Public Lands and Surveys.

By Mr. McNARY:

A bill (S. 4165) for the incorporation of the Klamath Indian Corporation, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 4166) to facilitate the use and occupancy of national forest lands for purposes of residence, recreation, education, industry, and commerce; and

A bill (S. 4167) to make the regulations of the Secretary of Agriculture relating to fire trespass on the national forests applicable to lands the title to which revested in the United States by the act approved June 9, 1916 (39 Stat. 218), and to certain other lands known as the Coos Bay Wagon Road lands; to the Committee on Agriculture and Forestry.

By Mr. TOWNSEND (for Mr. HASTINGS):

A bill (S. 4168) granting an increase of pension to Emma F. Shilling (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO RIVER AND HARBOR BILL

Mr. McNARY submitted an amendment intended to be proposed by him to the river and harbor bill, which was referred to the Committee on Commerce and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"SEC. —. The Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of the Willamette River and its tributaries, Oregon, with a view to providing a navigable channel from Portland to Eugene. The cost of such examination and survey shall be paid from appropriations heretofore or hereafter made for examinations and surveys."

TUSAYAN NATIONAL FOREST LAND, ARIZONA

Mr. HAYDEN submitted an amendment intended to be proposed by him to the bill (S. 3585) to eliminate certain land from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation, which was referred to the Committee on Indian Affairs and ordered to be printed.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, ETC.

Mr. JONES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8060) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of

Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 24, 25, 28, 29, 36, 44, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 17, 18, 19, 20, 21, 22, 26, 27, 31, 32, 33, 34, 35, 37, 40, 41, 42, 43, 45, 46, 47, 48, and 50, and agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Protecting interests of the United States under settlement of war claims act of 1928: For protecting the interests of the United States in claims arising under the settlement of war claims act of 1928, including legal and clerical services in the District of Columbia and elsewhere, traveling expenses, and the employment of experts at such rates of compensation as may be determined by the Attorney General, $60,750: *Provided*, That no part of this sum shall be used to pay any salary at a yearly rate in excess of $9,000."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the act approved April 12, 1930, amending an act entitled 'An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes,' approved March 3, 1927, to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this appropriation, allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), $200,000."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,886,660"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,916,015"; and the Senate agree to the same.

W. L. JONES,
FREDERICK HALE,
H. W. KEYES,
W. E. BORAH,
LEE S. OVERMAN,
W. J. HARRIS,
Managers on the part of the Senate.

MILTON W. SHREVE,
GEORGE HOLDEN TINKHAM,
ERNEST R. ACKERMAN,
ROBERT L. BACON,
W. B. OLIVER,
ANTHONY J. GRIFFIN,
Managers on the part of the House.

The report was agreed to.

NOMINATION OF JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I send to the desk and ask to have read a telegram from the Hon. Clark Howell, editor of the Atlanta Constitution, and an editorial written by him.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read the telegram and editorial, as follows:

ATLANTA, GA., *April 13, 1930.*

Hon. LEE S. OVERMAN,
Powhatan Hotel, Washington, D. C.:

In to-day's Constitution I have taken editorial position favoring Judge Parker's confirmation. His mental power, his character, and his reputation will make him exceedingly valuable to those who may have need of having their rights protected against public clamor. The negroes and the labor unions may well find in him their best bulwark in time of stress.

CLARK HOWELL.

[From the Atlanta (Ga.) Constitution, April 13, 1930]

THE JUDGE PARKER CASE

The confirmation by the Senate of the nomination of Judge Parker, of North Carolina, to be a justice of the Supreme Court of the United States is opposed from two sources. The American Federation of Labor object to Judge Parker because of an opinion by him as a Federal circuit judge upholding the legality of so-called "yellow-dog contracts," which mean contracts by employees who agree with employers not to join labor unions. The other objectors are the Association for the Advancement of Colored People, because Judge Parker, when the Republican candidate for Governor of North Carolina, deprecated the participation of negroes in the politics of that State.

These protests raise two interesting issues for the Senate to decide. One is the legal correctness of the decision of Judge Parker in the labor-contract case and the other is the political right of a citizen to believe it unwise for the interests of both races for negroes to seek political power in a Southern State notoriously committed to white supremacy.

In the first case it appears to be generally conceded that the decision written by Judge Parker for the circuit court in the "yellow dog contracts" case tracked the precedent decisions of the Supreme Court of the United States and is therefore not assailable with reason upon legal grounds. It is only attackable by the labor leaders from the angle of a labor rights policy which the federation desires to see established and affirmed by the courts of the nation. It is therefore put up to the Senate whether it will make the precedent that no man, however honest and qualified, shall sit upon the Supreme Bench because his views of the law do not accord with those of the leaders of a class of the population.

One may thoroughly sympathize with the contention that the "yellow-dog contracts" are unfair requisitions made of workingmen, but the greater constitutional right of contract is superior to sentiment and sympathy. Until such contracts are specifically made illegal it will be the duty of all courts to protect the right of persons to make them.

As for the opposition by the negro association, it is based on a campaign speech by Judge Parker, in which he said:

"The negro, as a class, does not desire to enter politics. The Republican Party of North Carolina does not desire him to do so. We recognize the fact that he has not yet reached the stage in his development when he can share the burdens and responsibilities of Government. This being true, and every intelligent man in North Carolina knows that it is true * * * the participation of the negro in politics is a source of evil and danger to both races."

The qualified negro voters of North Carolina do not appear to have resented the views of Judge Parker, but are reported to have voted strongly for him as the Republican candidate for governor. It is the hell-raising negro political vampires of New York and Boston who are fighting the Parker nomination, purely on color-line contentions. But the Supreme Court, in its most Republican complexion, has uniformly decided that it will pass upon no such contentions of political character except in cases where a State abridges the right of a person of proper qualifications to vote on account of his "race, color, or previous condition of servitude."

The Senate, therefore, knowing the "yellow-dog contracts" decision to be in harmony with the precedents and that Judge Parker's views as to the qualifications generally of the negroes to "share the burdens and responsibilities of Government" are only personal and political, will have to travel far away from both justice and precedents to refuse confirmation of his nomination to the Supreme Bench. Its decision on the show-down will be watched for with curious interest in both legal and political circles.

Mr. OVERMAN. Mr. President, I also send to the desk an article from the Birmingham (Ala.) News, which is very instructive. I ask that it may be read.

The VICE PRESIDENT. Without objection, the Secretary will read, as requested.

The Chief Clerk read as follows:

[From the Birmingham (Ala.) News of March 30, 1930]

JUDGE PARKER AND ONE OF HIS CRITICS

Mr. Green, head of the American Federation of Labor, makes known that that organization will oppose the nomination of Judge John J. Parker to be Associate Justice of the Supreme Court of the United States. Specifically, Mr. Green sets out his own reasons for this opposition. These reasons are that, in Mr. Green's judgment, one of Judge Parker's judicial decisions is adverse to what Mr. Green believes to be the rights of organized labor. The familiar phrase "property rights are placed above human rights" is employed by Mr. Green in characterizing Judge Parker's decision.

This is Mr. Green's opinion. To form this opinion, to state it, and to adhere to it is clearly Mr. Green's right. Yet Mr. Green speaks, in this case, for one particular group of his countrymen. He admits that he does so. This group is numerous. Undeniably this group has its rights. Undeniably, also, Mr. Green is justified in defending this group's rights as these rights are understood by Mr. Green. But the group rep-

resented by Mr. Green in this case is not the only group that has rights under the law Judge Parker is sworn to interpret as a member of the Supreme Court. What the law is in such cases may not always be accurately determined by a man of Mr. Green's qualifications and experience. By this statement no disparagement of Mr. Green's peculiar qualities is intended. There are perhaps some things that Mr. Green knows far more of than does Judge Parker. But is the law one of these things?

Group control of legislation has its terrors. Group control of the Government's executive acts has its terrors also. But group control of the judicial department of the Government has terrors for this Nation undreamed of by a people already afflicted with legislative and executive group control. The point now raised by Mr. Green against Judge Parker is no new thing. John Marshall was denounced for more than one of his decisions far more vehemently than Judge Parker is now denounced by Mr. Green. Roger B. Taney was denounced far more virulently than Judge Parker now is. Indeed, the majority of the Supreme Court that handed down the income-tax decision was arraigned by some groups even more bitterly than Judge Parker is now arraigned. In each case it was some one group or groups in the country's life that engaged in these attacks upon the integrity of the court.

Our reiterated judgment on this subject is unaltered. That judgment is that integrity of character and knowledge of law rather than interpretative viewpoint concerning any one question should be the determining factor in the nomination and confirmation of all members of the bench. To be "popular" is the last thing that needs to be wished for by or in a judge. It is not the judge who makes the law. It is Congress that makes the law. Congress that makes law can unmake law. Congress has unmade law. It unmade law when the fugitive slave law was repealed. It unmade law when the income tax was adopted. It unmade law when popular election of United States Senators was provided. It unmade law when woman suffrage was insured. If Mr. Green imagines that his group has been wronged by Judge Parker, his remedy is to take his case, first, to the Supreme Court. If he can not get relief there, Mr. Green should go straight to Congress for relief. Indeed, if the decision quoted by him actually does place property rights above human rights, why is it that Mr. Green has not already taken his case on appeal to the Supreme Court of the United States?

Not too often may it be repeated that "ours is a government, not of men, but of laws." The Senate of the United States should understand that the moment its Members heed the clamor of any one group of men—no matter whether the individual group be composed of organized laboring men or of organized capitalists—that moment just and stable government in this country ends. It is high time that Senators like Mr. BORAH and Mr. NORRIS make clear to their constituents that, in fact as well as in name, ours is a government, not of men with special interests to serve, but rather and always of laws fairly enacted and intelligently interpreted and honestly executed.

Until some competent critic with conclusive evidence proves that Judge Parker is lacking either in legal acumen or in integrity of character, protests like this one of Mr. Green's should—after respectful consideration—be rejected by the Senate.

Mr. OVERMAN. Mr. President, I also have a telegram from the Right Rev. Joseph B. Cheshire, Bishop of the Episcopal Church, of Raleigh, N. C., and a short letter from Dr. William Louis Poteat, head of Wake Forest College, a Baptist college and one of the great institutions of North Carolina, which I ask to have read.

The VICE PRESIDENT. Without objection, the Secretary will read, as requested.

The Chief Clerk read as follows:

RALEIGH, N. C., *April 13, 1930.*

Hon. LEE S. OVERMAN,

United States Senate, Washington, D. C.:

As a lifelong friend of the negro and active in my efforts for his higher education and development I wish to say that in my judgment the opposition to Judge Parker's confirmation on account of his attitude toward the negro is entirely unjust. I believe him to be a high-minded, impartial judge, incapable of being influenced by race prejudice.

JOS. BLOUNT CHESHIRE.

WAKE FOREST, N. C., *April 12, 1930.*

Senator LEE S. OVERMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: I very much regret the development of opposition to the confirmation of Judge Parker for the Supreme Court. The considerations offered in support of that opposition do not appear impressive to me. I have wondered how many lawyers of distinction in the country have not at some time appeared for corporations, and whether corporations never have standing or rights in courts, and so must invariably look for nothing in their favor except as they are able to "influence" the trial judge.

Another consideration urged by negroes, I believe, is even less impressive. If they should carry their point and upon that particular point should defeat Judge Parker, I wonder if it would not accentuate the race issue in politics and otherwise react unfavorably upon them. Besides, Judge Parker is an honorable and fair-minded man, and I can not bring myself to believe that in any sense or degree he is unfriendly to the negroes of our State or country, or would deny them their rights under the Constitution.

Very truly yours,

WM. LOUIS POTEAT.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 1186. An act to amend section 5 of the act of June 27, 1906, conferring authority upon the Secretary of the Interior to fix the size of farm units on desert-land entries when included within national reclamation projects; to the Committee on Immigration and Reclamation.

H. R. 1601. An act to authorize the Department of Agriculture to issue two duplicate checks in favor of Utah State treasurer where the originals have been lost; to the Committee on Claims.

H. R. 3246. An act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio; and

H. R. 10416. An act to provide better facilities for the enforcement of the customs and immigration laws; to the Committee on Public Buildings and Grounds.

H. R. 4189. An act to add certain lands to the Boise National Forest;

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. p. 616);

H. R. 9895. An act to establish the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes;

H. R. 9934. An act providing for the sale of timberland in four townships in the State of Minnesota; and

H. J. Res. 181. Joint resolution to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922; to the Committee on Public Lands and Surveys.

H. R. 9761. An act to authorize the issuance of patents in fee for Indian homesteads on the Crow Reservation, the Blackfeet Reservation, and the Fort Belknap Reservation, in the State of Montana, upon written application therefor;

H. R. 10627. An act to amend the act of February 14, 1920, authorizing and directing the collection of fees for work done for the benefit of Indians; and

H. J. Res. 188. Joint resolution authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim; to the Committee on Indian Affairs.

H. R. 10017. An act to provide for a survey of the Mouse River, N. Dak., with a view to the prevention and control of its floods;

H. R. 10248. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.;

H. R. 10340. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Calico Rock, Ark.;

H. R. 10461. An act authorizing Royce Kershaw, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Coosa River at or near Gilberts Ferry, about eight miles southwest of Gadsden, in Etowah County, Ala.;

H. R. 10474. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark; and

H. R. 10651. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.; to the Committee on Commerce.

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning; to the Committee on Agriculture and Forestry.

H. R. 10674. An act authorizing the payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty; to the Committee on Naval Affairs.

H. J. Res. 244. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to October 11, 1930, inclusive; to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WASON, Mr. SUMMERS of Washington, and Mr. WOODRUM were appointed managers on the part of the House at the conference.

ALLEGHENY RIVER BRIDGE, NEW YORK

The VICE PRESIDENT laid before the Senate a message from the House returning to the Senate in compliance with its request the bill (S. 3007) granting the consent of Congress to the State of New York to construct, maintain, and operate a free State highway bridge across the Allegheny River, at or near Red House, N. Y.

Mr. COPELAND. Mr. President, I ask unanimous consent that the votes whereby the bill was ordered to a third reading, read the third time, and passed, by reconsidered and that the bill be indefinitely postponed.

The VICE PRESIDENT. In the absence of objection, the votes are reconsidered and the bill is indefinitely postponed.

TARIFF ON BEESWAX

Mr. BLAINE. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by Prof. H. F. Wilson, of the University of Wisconsin, concerning the tariff on beeswax.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CONCERNING THE PROPOSED TARIFF ON BEESWAX

As you perhaps know, there is at the present time an amendment to the tariff schedule which would create a 12 per cent tariff on beeswax. Just where and how this movement was started I have not been able to determine, but from the CONGRESSIONAL RECORD it appears that it might have been started in Michigan, although I understand that the Minnesota State Beekeepers' Association passed a resolution to this effect last summer.

It is not my purpose to suggest that anyone might have made an effort to put over a tariff without consulting all the beekeeping interests of the United States, for the idea may have come suddenly and may have been instigated without carefully looking into the matter.

I do not presume to say whether we should, or should not, have a tariff on beeswax at some later period, but I am very doubtful of the advisability of putting over any tariff measure on beeswax without a thorough survey and careful study of the situation.

From all appearances, no such consideration has been given in the present instance. And only the representatives from a few of our States where large quantities of extracted honey are produced seem to be concerned in this proposed tariff. Representatives from Michigan, Iowa, Minnesota, North Dakota, and Idaho have been working in favor of the tariff, while some other States, including New York and Wisconsin, are opposed to the tariff.

And why should we have a tariff on beeswax? The only reason that has any merit is for the purpose of raising the price of beeswax so that our commercial beekeepers can secure a better price. And if the price of beeswax were increased to from 5 cents to 10 cents a pound more, what would it mean to the commercial beekeeper?

The theory is that the commercial beekeepers who are producing extracted honey have already or will soon have a sufficient number of bee combs for their yards, so that it will not be necessary for them to buy wax foundation. The average amount of beeswax secured from the cappings removed from the extracting combs for any one of our average commercial beekeepers would probably be about 1,000 pounds per year. The present price of this wax may be figured at perhaps 35 cents a pound. The price which the beekeepers might be expected to get per pound if the proposed tariff is put on beeswax, might run from 40 cents to 45 cents per pound, giving each one of these commercial beekeepers an increase of from $50 to $100 on his beeswax.

But it is estimated that there are 800,000 people in the United States who are keeping bees, and of this 800,000, there are probably less than 100,000 who might materially benefit from such a tariff, while the other 700,000 will suffer more or less from zero to a considerable per cent.

Now, let us consider the beeswax problem as a whole.

Beeswax is a commercial product, used by a number of different manufacturing concerns in the United States, having no relation to beekeeping.

The beeswax bought by beekeepers is in the form of foundation, of which there are ordinarily two kinds, a very thin foundation for comb-honey sections and a heavier foundation for brood frames. Many of our commercial beekeepers are buying large quantities of comb-honey foundations, even though they may have plenty of honeycombs already built for the raising of bees.

Hundreds of thousands of smaller or amateur beekeepers are buying both types of foundation, but perhaps more of the regular brood foundation, since the most of them are likely to be in the extracted honey-producing class.

It is a much more difficult task to produce comb honey than it is to produce extracted honey. It has been variously estimated that the average amount of comb honey to be produced by one colony of bees is about one-half as much as extracted honey. The comb-honey producer has a much more difficult task in securing a reasonable rate for his comb honey than does the producer of extracted honey. Why? Because he produces less and the cost of materials for producing comb honey is much greater. For each section of comb honey produced the beekeeper must buy the wooden section inside of which the section of comb honey is built. Then within each wooden section he must place pieces of comb-honey foundation. The sections cost a cent or more a piece, and the comb foundation varies from 75 cents to 90 cents, or even more, per pound.

On the basis of the cost of production the comb-honey producer should receive more than twice as much per pound as the beekeeper who produces extracted honey. Average wholesale prices indicate that the extracted honey producer receives from 7½ to 8½ cents per pound for extracted honey while the comb-honey producer receives approximately 12½ cents per section. The comb-honey producer should receive at least 15 cents per pound or section to be on an equal basis with the extracted-honey producer.

The net result of placing any tariff on beeswax will perhaps raise the price which the beekeeper can get for his beeswax, but beeswax is of very small importance compared with honey production, and I know of no beekeeper in the United States who is attempting to produce beeswax commercially, and beeswax is not a product which we should attempt to produce commercially in the United States. Nor can I see any reason why our beekeepers should not favor bringing in beeswax as cheaply as possible to keep down the cost of foundation.

If the commercial beekeepers insist on a tariff on beeswax it will increase the costs of comb-honey production for the comb-honey producer. The comb-honey producer will not quit business, but perhaps will go to the production of extracted honey, and the quantity of extracted honey will be increased, and we already have more than is easily marketed.

The commercial beekeeper is continually faced with a problem of cheap honey being sold by the smaller beekeepers, and this keeps the wholesale price of honey at a low ebb. Mr. A. W. B. Kjosness, a very fine and commendable man and one who is attempting to do a great work in helping beekeepers market honey, has been one of those who asked for a tariff on beeswax. During the past year, while attempting to market honey wholesale, Mr. Kjosness has said that he could not do anything in the Chicago market because beekeepers from Wisconsin and Iowa were shipping their honey into Chicago at 7½ cents a pound, which is 2 cents below the price which the Mountain States Cooperative Association, of which Mr. Kjosness is manager, must secure for its members in order to make a reasonable profit for them.

The beekeeping industry is not well organized, and at the present time we are doing our best to try to get the beekeepers to organize and sell their honey cooperatively. Should the smaller beekeepers of the United States arrive at a position where they might feel that they are unjustly treated, they would be very likely to work against the cooperative movement which is now being developed, and with five or six hundred thousand smaller beekeepers opposed to 100,000 larger beekeepers, the influence which could be brought to bear is likely to be so great that the Members in Congress who have worked for the tariff are likely to feel compelled to change their decision.

I wonder if those who are working for the tariff have stopped to consider what the net result may be. Perhaps a split in the beekeeping ranks, which nine times out of ten brings about a demoralized market. Supposing the commercial beekeepers do make $150 or $250 a year extra on their beeswax, and then lose $400 or $500 in selling their honey crop.

It is my opinion that this is no time to propose any measure that is likely to split the ranks of the beekeepers, and when the leaders in the beekeeping industry are not in accord in a movement of this kind, there is bound to be considerable disturbance which is more likely to be detrimental than beneficial to the beekeeping industry.

Whether or not there was any purpose in keeping this matter generally quiet I do not know, but certainly the matter has not been brought before the beekeepers of the United States as a whole. And Congress should not give consideration to this matter until all the beekeepers of the United States have had an opportunity to consider the matter and see whether or not a tariff on beeswax is a desirable thing from the standpoint of the beekeeping industry as a whole.

With the exception of half a dozen commercial beekeepers in Wisconsin the entire Wisconsin Beekeeping Association and other beekeepers as well are opposed to even a 12 per cent tariff on beeswax.

I have secured information from the comb foundation manufacturers in the United States, both directly and indirectly, and it is their opinion that the price of foundation will be much higher, and that such a con-

dition will not only be detrimental to their business but to the beekeeping industry as a whole. The bee supply dealers are continually accused by the beekeepers of charging too much for bee supplies. The truth of the matter is that the supply manufacturers have been forced to increase their prices because of the increased cost of materials and labor following the war.

The beekeeping industry happens to be one of those in which the dealers are as much a part of the industry as the beekeepers themselves. And the beekeepers have continually depended upon them for aid in holding meetings and in sending representatives to Congress in behalf of legislative matters affecting the bee industry. It would be quite unfair for the beekeepers to ask for such a tariff without first consulting the manufacturers and taking their side into consideration. And while the manufacturers of foundation indicate that they feel that the tariff is a mistake, they do not feel that they are in a position to openly take sides one way or the other.

In conclusion I wish to state that I do not believe that the proposed tariff of even 12 per cent is desirable. Nor do I believe that those who have asked for a tariff have carefully investigated the matter and are therefore not in a position to know whether or not a tariff on beeswax is a benefit to the industry. This effort has all the earmarks of having been instigated by one or two persons who have secured the aid of others, simply because on the surface a tariff on beeswax would appear to be good.

My whole contention is that before a tariff is put on beeswax a very careful and thorough investigation should be made to determine what effect such a tariff would have on the whole industry. And such a tariff would more likely be harmful to the commercial beekeepers through indirect results than the good that they would get from a higher price on beeswax.

When an effort is being made through the American Honey Institute, the American Honey Producers' League, the Mountain States Cooperative Association, and the various State associations to develop cooperation among all classes of beekeepers, and when we have other much more important problems to face, why inject a new problem of unknown importance?

H. F. WILSON,
Secretary Wisconsin State Beekeepers' Association.

RESTRICTION OF IMMIGRATION

Mr. HARRIS. Mr. President, I should like to inquire of the Senator from Oregon if we can now secure an agreement to limit debate to speeches of 20 minutes on the immigration bill, the unfinished business, beginning with to-morrow at 12 o'clock, immediately after the speech of the Senator from Arizona [Mr. HAYDEN]?

Mr. McNARY. Mr. President, I do not think that this is the proper time to present the matter. I suggest to the Senator that he wait until the morning business shall have been concluded.

Mr. HARRIS. I will be very glad to wait.

ADVICE AND CONSENT OF SENATE AS TO NOMINATIONS

Mr. GLASS. Mr. President, when the Senate had under consideration not long ago a judicial appointment I took occasion to refer to the fact that the provision of the Constitution which requires the advice and consent of the Senate had come into complete disuse; that it now constituted a misnomer. I ask unanimous consent, as a part of my remarks, to insert in the RECORD at this point an admirable editorial from to-day's Baltimore Sun, which comments on the complete abdication of the Senate and the disuse of that constitutional function.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial referred to is as follows:

[From the Baltimore Sun, April 14, 1930]

ADVICE AND CONSENT

The Federal Constitution provides that the President shall appoint Justices of the United States Supreme Court "by and with the advice and consent of the Senate." Primarily because the Senate has been shiftless in the exercise of its constitutional prerogatives, a part of this formula has come to be neglected. The Senate does not advise the President on Supreme Court appointments in any real sense. The appointment of Chief Justice Hughes, for example, was announced almost before the bearer of the resignation of the late Chief Justice Taft was out of the White House. The Senate merely consents, or, on rare occasions, refuses to give its consent.

As a result of this neglect of the Constitution the Senate's share in the naming of Supreme Court Justices has come to be predominantly negative in character. It consists primarily in considering what there is against presidential appointees which might warrant a withholding of Senate confirmation rather than determining the qualifications that make elevation to the Supreme Bench advisable. That this is true is illustrated strikingly in the case of Judge John J. Parker, whose confirmation as a Supreme Court Justice is at present awaiting Senate action. The subcommittee of the Senate Judiciary Committee which conducted hearings on the confirmation of Judge Parker did not conceive its job to be a comprehensive examination of his qualifications to see if he is the kind of a man which the Senate should advise the President to appoint. Instead, it was concerned primarily with the consideration of complaints against Judge Parker to determine whether they were serious enough to warrant a recommendation that the Senate withhold its approval of the nomination.

It obviously may be a far different thing to consent to a Supreme Court appointment than to advise it. Refusing to give consent is, of course, tantamount to advising against a particular appointment, but the granting of consent is not necessarily equivalent to advice in favor of the appointment. When a small boy hounds his mother interminably for another piece of candy and she, in a desperate desire for quiet finally consents, it does not follow by any means that she advised this course of action. So the Senate, in merely consenting or refusing to consent to Supreme Court appointments does not necessarily comply with the provision of the Constitution calling for its advice on the appointments.

Just how this provision can be fully complied with is not clear at this time because the Senate for so long has allowed it to be neglected. The first step toward law observance in this regard, however, is moderately clear. It is a declaration of policy by the Senate that it intends to assume the rôle of adviser on Supreme Court appointments and not merely limit itself to the consideration of complaints that might justify it in withholding its consent.

In following such a policy, regardless of any particular machinery that might be devised to carry it out, the Senate would consider not merely what there is against a Supreme Court appointment that might justify the Senate in turning it down but what, with reference to the requirements of the post and the talent available in the country, it is that makes the appointment seem advisable or inadvisable to the Senate. In the case of Judge Parker it would mean that there would have to be an affirmative showing that he is peculiarly qualified for elevation to the Supreme Bench, and not merely a satisfactory disposition of certain complaints arising from a few more or less isolated phases of his career.

On the assumption that President Hoover did his duty to the country and searched for the man he regarded as preeminently fitted for a vacancy on the Supreme Court, such a method of procedure would be entirely fair to the President and to Judge Parker. It would bring forth Judge Parker's qualifications which somehow have thus far remained rather obscured, perhaps, because of concentration on complaints made against the appointment. It would provide a far more satisfactory basis for selection of judicial personnel than the present system, which makes an absence of conspicuous faults more important than the possession of outstanding virtues. It would be a move back to the Constitution, which, in this period of administraton enthusiasm for law observance, should be singularly appealing.

CRIME CONDITIONS IN THE DISTRICT OF COLUMBIA

Mr. BLEASE. Mr. President, on April 3, 1930—page 6417, CONGRESSIONAL RECORD—I said:

I ask to be permitted to insert in the RECORD along with my remarks clippings showing a few of the crimes that have taken place in Washington within the last few days, and to say watch early developments, early exposures.

I now ask, Mr. President, to have inserted in the RECORD, along with these remarks, certain clippings. I also said on April 3:

Right to-night there will be whisky and dope sold, as it was sold last night, within 300 yards of the room in which I am now standing.

The morning after I made that statement certain raids were made on narcotic and whisky joints, clippings as to which I now ask to have placed in the RECORD as part of these remarks. The developments came quickly.

Mr. President, I also said that while some people might not pay any attention to what I am warning them against, when some man's wife or pretty daughter is the victim possibly they would change their minds. In that connection I desire to submit, and ask to have printed as part of my remarks, a clipping. My heart goes out in deepest sympathy to this poor father and mother; but it is no more than I expected from conditions as I know them in Washington.

I said to Senator ROBSION, chairman of our subcommittee, that I thought it would be a good idea to withhold action on my resolution to investigate crime here and to turn over all the affidavits, letters, and so forth, which we now have to General Crosby and let him make a thorough investigation of them and make such disposition as he thinks best. Senator ROBSION agreed with me, and I think gave out an interview to that effect. I mentioned this to Senator VANDENBERG, another member of this subcommittee, and he also agreed with me. When the committee meets I shall make a motion in accordance with these views; and, with this, I pass the matter up to the new commissioners and wish them "good luck and Godspeed," and may they make this city a safe place for women and children to visit and to live in, as it is not at this time, as crime conditions here show, notwithstanding Pratt, the Washington Post, and some others who have denied my statements in attempting

to shield themselves. See CONGRESSIONAL RECORD of March 21, 1930, page 5786, and previous issues of the CONGRESSIONAL RECORD.

I would have called these matters to the attention of the Senate earlier had I not been absent for the past week on account of illness in my family.

The VICE PRESIDENT. Without objection, the clippings will be printed in the RECORD.

The matter referred to is as follows:

[From the Evening Star, Washington, D. C., Saturday, April 5, 1930]

NARCOTIC RAIDERS SEIZE 21 CHINESE—OPIUM FINDS MADE AT TWO PLACES ON AVENUE BY POLICE AND FEDERAL MEN—HAUL IS VALUED AT SEVERAL HUNDRED DOLLARS—VISIT TO THIRD SUSPECTED DEN IS FRUITLESS

Staging three spectacular raids early to-day, Federal and local narcotic agents seized several hundred dollars' worth of opium and pipes and arrested 21 Chinese in dens only a few doors from the tong's headquarters in the 300 block of Pennsylvania Avenue.

The prisoners were charged with possessing opium and smoking paraphernalia and bond fixed at $10,000 each by United States Commissioner Needham C. Turnage pending hearing later in the month.

The contraband and prisoners were taken when the raiders swooped down on two poorly furnished parlors at 318 and 345 Pennsylvania Avenue in rapid succession, but word of the police invasion quickly spread through Chinatown and a third raid on another building, suspected of housing a gang of "dope" peddlers, failed to reveal any evidence of unlawful operation.

The raiding party, made up of six Federal agents, led by Bruce Greason, of Baltimore, chief of the Federal narcotic forces in this division; Dective Sergts. Robert Sanders and John C. Daiglish, of the detective bureau's narcotic squad, and a detail of 15 uniformed policemen, walked into a store at 318 Pennsylvania Avenue about 2.30 a. m. to make its first capture.

BREAK THREE DOORS

Breaking through three doors the police plunged into a room on the second floor, in which a number of Chinese were lying around on "grass" mats smoking opium from long pipes. They were quickly herded together, the "dope" collected, and the prisoners dispatched in two patrol wagons for the ninth and sixth precincts.

Many small tins of opium were found in the room, and police said that the operators of the den apparently had laid in a heavy stock. A few moments later a clever ruse employed by Detective Sergeant Sanders, chief of the detective bureau narcotic squad, gained the raiders admission to a den at 345 Pennsylvania Avenue, where more prisoners, dope, and pipes were seized. Walking up to the front door of the establishment, Sergeant Sanders rapped softly. The voice of a man stationed behind the barred door inquired in Chinese, "Who is there?"

"A friend," Sergeant Sanders replied in the native language of the sentry.

Bolts rattled in their catches and the heavy doors swung back and the police rushed past the surprised doorman and grabbed the astonished smokers before they had any opportunity to make a break for safety. Men were found smoking in improvised parlors on all three floors of the building, police said.

PRISONERS NOT COUNTED

Both raids were conducted so quickly that police made no attempt to count the prisoners or the amount of opium taken, realizing that any delay would result in the news being spread through Chinatown and their plans for the apprehension of the "dope" peddling gangs foiled.

The wisdom of this was borne out when they entered another alleged den which they had been told catered to the opium trade, and nothing to indicate that any smoking had been going on there could be found.

Those caught in the first two raids are being held at the sixth and ninth precincts on technical charges of investigation. Federal and local narcotic heads were to confer to-day, after which formal charges will be preferred against a number of the prisoners, while the others will be released.

Police said to-day that they had been informed that the Chinatown dens would lay in large supplies of opium for the convention and that the raids were the result of much careful preparation.

Several out-of-town delegates to the On Leong Tong convention, which opens to-day, were caught in the net this morning, including representatives of the tong from Uniontown, Pa., Philadelphia, and New York.

[From the Washington Daily News, Washington, D. C., Saturday, April 5, 1930]

TWENTY-ONE CHINESE ARRESTED IN TWO OPIUM RAIDS ON PENNSYLVANIA AVENUE—HUNDREDS OF DOLLARS' WORTH OF DRUGS TAKEN IN RAIDS; THREE DOORS BROKEN AT ONE PLACE—DETECTIVE SPEAKS CHINESE—ABILITY OF LOCAL SLEUTH TO GIVE PASSWORD GAINS ENTRANCE TO ONE OF RAIDED ESTABLISHMENTS

Opium valued at hundreds of dollars was seized and 21 Chinese arrested when police and Federal raiders swooped down on two buildings with the shadow of the Capitol Dome.

The arrests were made at 318 and 345 Pennsylvania Avenue NW. while the buildings were covered with flags in honor of the On Leong convention, which opened here to-day.

Many of those held were from New York and Philadelphia.

It was the ability of Detective Sergt. Robert A. Sanders to speak Chinese which aided the raiders to gain admission into the buildings.

At 345 Pennsylvania Avenue, the detective spoke to a man on guard at the main door. Evidently his ability to converse in Chinese assured the guard that Sanders was all right for the door was opened and the raiders rushed in.

LYING ON MATS

Several men were found lying on mats scattered on the floors of the building and a quantity of small tins of opium and pipes were confiscated. The raiders said the opium was contained in small toys.

At 318 Pennsylvania Avenue the officers were forced to break down three doors. Three floors of the building were found to be occupied and a number of pipes and opium were seized there.

FROM BALTIMORE

The Federal agents were from Baltimore and Sanders was aided by Detective Sergeant Daiglish.

All of those arrested were taken to police headquarters this morning, fingerprinted, and photographed. They are being held at the sixth and ninth precincts.

[From the Washington Times, Saturday, April 5, 1930]

TWENTY-ONE CHINESE HELD IN OPIUM RAID—BEAT DOWN DOORS IN TWO HOUSES—FEDERAL AGENTS TAKE STOCK OF GUM OPIUM SAID TO BE BROUGHT FOR THE CONVENTION

Battering their way through heavy doors, Treasury narcotic agents and headquarters detectives early to-day raided two houses in the 300 block Pennsylvania Avenue NW., where they arrested 21 Chinese and seized several hundred dollars' worth of gum opium and a number of smoking outfits.

The raids were staged on the eve of the opening of the On Leong Convention here to-day. The tong, which is comprised of Chinese merchants, had prepared an elaborate program for visiting merchants from other cities.

ON EVERY FLOOR

In one of the raided houses Chinese were arrested on every floor of the building. In the other house a man was taken into custody who, it was later ascertained, had been arrested in a recent raid in the same building and is at present under bond of $5,000 on a charge of having opium in his possession.

In one house the officers were forced to batter down three heavy doors before reaching a roughly furnished room, which they stated was equipped with straw mats and a number of smoking outfits.

FOR INVESTIGATION

At the second house strategy was resorted to by Detective Sergt. Robert Saunders, who, after rapping on the door, answered a query from within in Chinese.

All of those arrested have been booked at the sixth and ninth precinct stations on charges of investigation.

The raiding detail was headed by Bruce Greason, of the narcotic squad of the Treasury Department, and five of his men. Saunders and Detective John Daiglish and a police detail accompanied the Federal men.

[From the Washington Post, Sunday, April 6, 1930]

SIXTEEN CHINESE HELD FOR $160,000 IN DRUG RAID—ALL PRISONERS PRESENT PLEA OF NOT GUILTY—FIVE OTHERS ARRESTED IN FORAY ARE FREED OF CHARGES—LAWYERS IN CLASH OVER BOND AMOUNT—UNITED STATES AGENTS AND CITY POLICE JOIN FORCES IN SPECTACULAR ARREST OF ORIENTALS

Sixteen Chinese, most of whom are said to be in Washington to attend a convention of the On Leong Tong, were arraigned yesterday before United States Commissioner Needham C. Turnage and were held under aggregate bonds of $160,000 to answer charges of possessing opium, yen shee, and drug-smoking equipment in violation of the Harrison narcotic law. Five other Chinese arrested were released.

The Chinese were arrested early yesterday morning by Federal narcotic agents and policemen in raids on three establishments in the heart of Washington's Chinatown in the 300 block of Pennsylvania Avenue NW. A quantity of opium, yen shee, and smoking paraphernalia was seized by the raiders and is expected to be used as evidence at the commissioner's hearings, which are set for Thursday, Friday, and Saturday of this week.

ALL PLEAD NOT GUILTY

All the Chinese pleaded not guilty and each was assessed bond in the sum of $10,000. Assistant United States Attorney James F. Hughes asked the commissioner to set a $15,000 bond for Lee Gong, setting out that he is already under a $10,000 bond on another narcotic charge, but the commissioner refused to grant the request, after Attorney E. Russel Kelly, appearing for all the defendants, had argued that a $10,000 bond would hold the man as well as a $15,000 bond.

Sixteen deputy United States marshals, under the direction of Deputy Marshal John J. Clarkson, were on hand in the commissioner's office when the Chinese were brought up from the sixth precinct and guarded all exits to prevent any possible getaway.

In addition to Lee Gong, those held are Lee Roy, Frank Wasne, Thomas Shee, Lee Pong, Lee Park, Lee D. Yow, Lee Foon, Muck Suey Soon, Lee Young, Lee Kim, Jew Yum Jung, Lee Sing, Lee Lei Heigh, Lee Tet, and Charlie Winn.

Narcotic Agents Boyd M. Martin, William T. Atkinson, and C. D. Fortner, assisted by Policemen J. C. Dalglish, W. T. Murphy, and W. E. Atkinson, made the raids and the arrests. The warrant on which the men were arraigned was sworn to by Agent Fortner.

[From the Washington Herald, Sunday, April 6, 1930]

CHINATOWN DOPE RAIDS HERB DAMPEN TONG CONVENTION—TWO BUILDINGS YIELD 14 MEN AND NARCOTICS—WARNING SPREAD QUICKLY AND THIRD SORTIE IS A FAILURE—SOURCE OF OPIUM IS SOUGHT

The source of Washington's illicit opium supply is being sought by Federal agents and headquarters detectives as a result of three spectacular raids staged in the Chinese colony early yesterday.

Fourteen Chinese arrested in the raids were arraigned before United States Commissioner Needham C. Turnage on charges of violating the Harrison narcotic law. They will be given preliminary hearings on Thursday, Friday, and Saturday.

FLIGHT IS QUICK

Several hundred dollars' worth of opium and smoking equipment was seized when raiding squads forced their way into poorly furnished parlors at 318 and 345 Pennsylvania Avenue NW. Word of the police invasion quickly spread through Chinatown and a third raid on another building failed to reveal any evidence of law violation.

As a result of the raids Chinatown quickly shed the carnival spirit it had assumed for the national convention of the On Leon Tong, which convened yesterday. Several out-of-town delegates to the convention were caught in the raids.

A tip that an unusually large supply of opium had been brought to this city several days ago for the entertainment of visiting Chinese led to the raids.

PLANS CAREFULLY LAID

Detective Sergeants Robert Sanders and John Dalglish, of the narcotic squad, and six Federal agents, led by Bruce Greason, chief of the Federal narcotic force in this division, made careful plans for the raids.

Just before dawn they battered through three heavy doors in the first building, made their way to the second floor, and, according to their reports, found a number of Chinese lying on grass mats smoking opium through long pipes. Many small tins of opium were seized.

At the second establishment Sanders knocked on a barricaded door and a Chinese sentry asked who desired entrance. Speaking in the Chinese, Sanders replied, "A friend." The door swung open and the raiders rushed in.

By this time every house in the Chinese quarter was lighted, and when the raiders made their way into a third building they found nothing.

[From the Sunday Star, Washington, D. C., April 6, 1930]

SIXTEEN CHINESE HELD FOR DRUG HEARING—DETECTIVE SERGEANT FINDS SCANT KNOWLEDGE OF CHINESE VALUABLE IN RAIDS

If the young Chinese on sentry duty at an exclusive opium party in Chinatown early yesterday had asked, "What do you want?" instead of "Who's there?" Detective Sergeant Robert Sanders would have found himself in something of a predicament despite the fact that in 31 years' police work he has learned to speak three phrases in Chinese.

The guardian of the door, however, elected to inquire as to the identity of the caller and the sergeant, bringing into play one-third of his speaking knowledge of the language, answered in perfect Chinese, "A friend."

Reassured, the sentinel opened the door of the house in the 300 block of Pennsylvania Avenue and before he was fully awake to the identity of the "friend," Sanders and the raiding squad had taken him into custody.

FOUND OPIUM-SMOKING PARTY

Inside the police found what they described as an opium-smoking party in full progress.

At this establishment and at another near-by address 16 Chinese were taken into custody. When arraigned before United States Commissioner Needham C. Turnage yesterday afternoon their cases were postponed until next Thursday.

Sergeant Sanders was first assigned to Chinatown 31 years ago, when he went on duty in that district as a patrolman. He has had various assignments since that time but has always kept up his contacts with the Chinese, particularly since he became chief of the detective bureau's narcotic squad.

He has studied the ways of the Chinese and their language, but has found both extremely difficult. Through Chinese friends he has picked up a few phrases of the language and was able to think of three offhand when questioned yesterday.

In addition to the words he used to deceive the sentry he can say "lady" and "new year," but just how the latter two would have helped him get by the doorman is a little obscure.

His third phrase was enough, however, and now Sanders is firmly convinced that even a little bit of knowledge is not to be sneezed at.

HELD UNDER HEAVY BOND

The Metropolitan police, assisted by Federal and local narcotic agents, seized several hundred dollars' worth of opium and pipes and arrested 21 Chinese in the two establishments. Five of the latter were released without arraignment.

The others were charged with possessing opium and smoking paraphernalia and bond fixed at $10,000 each by United States Commissioner Needham C. Turnage, pending arraignment later in the month.

News of the raid spread quickly through Chinatown and when the police went to a third place where they had been informed opium was being used, they found no evidence of law violations.

At one of the places raided the police had to break down three doors before reaching the inner sanctum of the smokers. The inner rooms were bare and poorly furnished, police said.

[From the Evening Star of Saturday, April 12, 1930]

PASTOR'S DAUGHTER FOUND SLAIN IN CULVERT—MAN BEING SOUGHT AS OFFICIALS BEGIN PROBING MURDER OF MISS MARY BAKER—BODY OF YOUNG LYON PARK WOMAN IS FOUND NEAR ARLINGTON CEMETERY WITH BULLET THROUGH HEAD

Police of Arlington County and the Washington homicide squad this afternoon spread a net throughout the Capital and near-by Virginia for a man wanted for questioning in connection with the murder of Miss Mary Baker, of Lyon Park, Va., whose body was found at noon to-day in the mouth of a culvert near the Sheridan Gate of Arlington National Cemetery.

The search for the man was started by William C. Gloth, Arlington County prosecuting attorney, following brief questioning of Miss Mildred Sperry and Miss Elga Skinner, who shared with Miss Baker a small house at 217 Beech Street, Lyon Park.

Miss Baker's body was found by Arlington County Policeman Ray Cobean during a search started after the finding earlier to-day of the blood-stained machine of Miss Baker about three-quarters of a mile from where the body lay.

BULLET PIERCES HEAD

Miss Baker when found was lying face downward in the stream of water flowing through the culvert. A bullet had entered her right cheek and torn its way through her head, coming out of the left ear. Marks on her throat were thought by County Coroner B. H. Swain to have been received in a struggle before the shot was fired. Her wrist watch had stopped at 9.15 o'clock.

The body remained at the mouth of culvert until about 2 o'clock this afternoon, until identified by Miss Skinner, who was brought to the scene by Mr. Gloth. When shown the body Miss Skinner nearly collapsed and had to be helped back to Mr. Gloth's machine by the prosecutor and Virginia State policemen.

Miss Baker's body then was placed in a casket from Arlington Cemetery and taken in charge by Arlington County policemen, pending the investigation of the death.

NO CLUE TO COMPANION

Immediately following the removal of the body Misses Skinner and Sperry were taken to their home by Prosecutor Gloth, accompanied by Lieut. Edward J. Kelly, chief of the homicide squad of the Washington detective bureau, and questioning was started.

During the questioning Gloth came out of the house for a few minutes and told newspaper men about the names of the two girls. He said at this time he had no clue as to the identity of the person or persons with whom Miss Baker was riding when she was slain.

It was further learned from police that while the car was registered in Miss Baker's name it was owned by all three girls.

Miss Baker's body was discovered about three-quarters of a mile from the place where her blood-stained automobile was found this morning. Her wrist watch, which was lying in the water, had stopped at 9.15 o'clock.

Miss Baker is the daughter of the Rev. Thomas P. Baker, minister of an Episcopalian church at Oak Grove, Va., 90 miles from Washington, in Westmoreland County.

ATTENDS CHURCH SERVICE

Miss Baker left her office at the usual time yesterday afternoon with a friend, Miss Ines M. Eyre, of the Evangeline Hotel, to attend a service at the Epiphany Church. The service did not start until 5 o'clock, so the two friends decided to walk to the church, on G Street near Thirteenth.

Miss Baker's car was parked at Seventeenth and B Streets, but she told Miss Eyre she preferred to leave it there because of the difficulty of parking uptown.

After the services were over the two women separated.

Looking at her wrist watch, Miss Baker said: "It's only 20 minutes to 6; I guess I'll walk down and get my car, because I don't have to meet Mildred until 6 o'clock."

She was referring to Mildred Sperry, whom she was supposed to meet in front of Kann's department store.

Miss Eyre said she watched her companion for a moment until she turned the corner at Fourteenth Street. That was the last time she was seen alive by her friends.

Miss Sperry waited in front of the store until 8.15, and when Miss Baker failed to arrive she started home with Miss Skinner.

According to Miss Eyre, the slain girl was in excellent spirits when she last saw her.

"She wasn't the type of girl to run around," Miss Eyre said, "and, so far as I know, she had few men friends."

Detectives investigating the case are puzzled by Miss Baker's failure to arrive at Kann's to keep her appointment. They point out that the 35 minutes from the time she left Miss Eyre until Miss Sperry left their meeting place was more than sufficient for her to have reached her destination unless something intervened to delay her.

MAY HAVE BEEN KIDNAPED

They are considering the possibility that she may have been kidnaped when she returned for her car, or that she may have met a friend who had accompanied her on a ride.

When Miss Baker did not come to her office this morning Miss Eyre became worried, knowing that she had not planned to stay away from work.

With Mrs. Pauline Ford, 1575 Spring Place, she decided to search for her. They called their friend's home and were told she had not been there last night. They were just preparing to go to police headquarters when they learned of the discovery of the blood-stained car.

Miss Eyre and the roommates of Miss Baker were interviewed at the Navy Department this morning by William C. Gloth and Washington detectives.

Mr. Gloth brought to the department a fragment of the covering of a blue silk parasol which was believed to have belonged to Miss Baker.

BELIEVES SHE JUMPED

The strip of silk had blood on it and was found some distance from her automobile. This, police believe, indicates that Miss Baker jumped from her car and tried to escape on foot when she realized her assailant's intention.

They reason that she must have snatched the parasol as she jumped from the car, and then, when overtaken, used it as a weapon in a futile attempt to defend herself. The torn fragment was found trampled in the mud, but the rest of the parasol had not been located.

Friends of the dead girl said the torn strip resembled in color a parasol which Miss Baker habitually carried on the back seat of her machine.

Miss Baker entered the service of the Navy Department in 1918, being transferred several years ago to the Bureau of Aeronautics. She was one of the most popular employees in the bureau and was regarded by her superiors as above the average in ability. She was rated as a numbering clerk.

Miss Baker lived for two years at the Evangeline Hotel, 1330 L Street, where she became acquainted with a number of young women working in the Government departments.

The slain woman left the hotel here March 31 to live in her new home. Other close friends included Miss Fannie Pitzer, of 2308 Ashmeade Place, employed by the Southern Railway, and Miss Georgia Alles, of the Evangeline, with whom she roomed.

The rector and Mrs. Baker were prostrate when informed by the Star early this afternoon of their daughter's fate.

The Bakers have resided in Oak Grove for 10 years.

HELD IN HIGH ESTEEM

Oak Grove citizens informed the Star this afternoon that the entire community was well acquainted with Miss Baker and that she was held in the highest esteem.

They said she visited her parents regularly.

Rev. Mr. Baker told the Star over the long-distance telephone that his daughter came to Washington in April, 1918. She lived at the Evangeline Hotel, conducted by the Salvation Army, at 1330 L Street, until March 31 of this year, when she moved to Lyon Village. Rev. Mr. Baker said he and her mother had received a letter from Miss Baker last week—her usual weekly letter.

[From the Evening Star of Saturday, April 12, 1930]

TWO MEN ARE SOUGHT IN KILLING OF DRY AGENT HERE—COLORED DRIVERS OF RUM AUTO ARE WANTED FOR QUIZ IN DEATH OF YORK—OFFICER IS SHOT TO DEATH IN ALLEY NEAR FIRST AND P STREETS EARLY THIS MORNING AFTER CORNERING CAR

Police and Federal prohibition agents were combing the city and near-by Virginia and Maryland to-day for two colored men identified as the drivers of a rum car which Prohibition Agent Lamar Watson York, 33 years old, followed into Brooks Court, an alley near First and P Streets, shortly before he was shot to death there early this morning.

The police announced that they were searching for John Logan, alias Roy Logan, 22 years old, and John Burroughs, alias John Burham, whom they wished to question in connection with the killing.

A clue led to Calvert County, Md., where the headquarters of an illicit liquor ring is reported located. The two suspects are said to have been employed by this ring to run liquor into Washington. Still another scent led into Virginia, and a headquarters detective was dispatched there.

AUTO IS CONFISCATED

Shortly before noon police spotted a roadster which they said belonged to one of the colored suspects in the shooting. Traffic Policeman L. C. Johnson saw the car parked on Ninth Street near P Street and took up a watch some distance away in the hope that the driver would return. After waiting for more than an hour, he telephoned to No. 2 precinct and the automobile was confiscated by Federal prohibition agents, who found 30 gallons of whisky in the rumble seat.

Bystanders said the car was parked there shortly before Johnson's arrival by a colored man who went into a house near-by. Policemen organized a search of the neighborhood, but could not locate the suspect.

Police say the colored man apparently was attempting to sell whisky for funds on which to leave town.

Meanwhile, the police investigation, under direction of Lieut. Edward J. Kelly of the homicide squad, had disclosed the names of the two men believed to have been the drivers of an automobile which York had followed into the alley and had seized a car found before the home of one of the suspects. Witnesses virtually identified the machine as the one which entered the alley.

TESTIMONY CONFLICTS

Police heard conflicting stories from a dozen men and women held for questioning.

Headed by Lieutenant Kelly, who had been summoned from his sleep after the first flash on the murder, a squad of policemen barricaded half a dozen houses in the immediate vicinity and located Milton Guy, colored, who told them that the drivers of the liquor car were delivering a case of whisky to him. Guy called the police after the shooting and said he had seen the shooting, but did not know the suspects.

Guy furnished the names of the two men, described the events leading up to York's sudden appearance, and recalled other details that the policemen pieced together.

York, the father of two small children, was off duty at the time of his death. He left his partner, Federal Prohibition Agent Eugene Jackson, at a downtown garage some time around 12.30 o'clock and drove off in his automobile presumably on his way home. York is believed to have sighted the suspected rum car some time later, which he followed into the alley.

From that point the police pieced together this story:

York parked his car near First and O Streets, going into the alley on foot when the lead automobile, a high-powered touring car, turned off the main street. When York walked into the alley he came upon the rum car which had halted to make a delivery. Two colored men leaped from the machine and fled up the alley, whereupon York went up to the car and sounded the horn in an attempt to lure the customer to the car. Investigators were told that York kept the siren blowing for almost 20 minutes, while a throng of people collected about the automobile. Trying to locate the owner, York accosted an elderly colored man and was conversing with him at a distance of about 20 feet from the abandoned automobile when another colored man shot him.

York was set upon so suddenly he failed even to make an attempt to draw his gun. The prohibition agent fell flat on his back under a lamp-post at the curb and the murderer fled.

After the shooting, York's assailant leaped into the rum car and drove away after he had been joined by his companion.

When Sergt. J. L. Norris and Pvt. W. W. Whitemore, of No. 2 precinct, arrived in response to the telephone call from Guy, they found York still lying in the alley. They picked him up and rushed him to Freedman's Hospital, where he was pronounced dead.

SUSPECTED CAR FOUND

The automobile partially identified as the one which the rum runners were driving, was recovered by police of No. 6 precinct this morning near the home of one of the suspects. Witnesses told police the car was equipped with a smoke screen and contained a load of whisky at the time of the shooting, but neither whisky nor the smoke apparatus was found when the car was located.

Guy said he had contracted for the liquor at about 4 o'clock yesterday afternoon. The two men knocked at the door of his house, two doors from the alley where York was shot, at about midnight, Guy said, and one identified himself. He started downstairs, he said, and heard a spirited tooting of an automobile horn before reaching the door and did not go out just then.

From another recalcitrant witness the police learned that the two rum runners talked in muffled tones as they approached York from

P Street, through the alley. This witness said he heard one of the men say, "Let's shoot him and take his car." A few seconds later York fell, his revolver still in its holster.

The alley in which York was killed was described by police as a "tough spot." It had been York's custom to work with his partner on similar cases, but the prohibition agent presumably broke this practice when the suspected rum car appeared.

York was rated as an able agent by the Prohibition Department, and was a huge man physically. He stood 5 feet 11½ inches in height and weighed about 240 pounds.

Born in Lobelville, Tenn., August 1, 1894, he came to Washington many years ago and was first employed at the navy yard. At different times from then on he worked at the city post office, Carnegie Endowment, Star Laundry, the National Federation of Federal Employees, American Railway Express, Wirz & Waidermann Provision Co., Washington Terminal Co., and Casualty Hospital. From Casualty Hospital, where he had been in charge of medicinal alcohol and narcotics, he went to the Prohibition Unit, as it was then called, as a prohibition agent, in September, 1927.

Pursing his education further here in Washington, York attended McKinley High School for three years, 1907 to 1910; Temple School of Shorthand from 1914 to 1915, and Benjamin Franklin University, 1925 to 1927.

York was employed as a prohibition agent in the office of Deputy Prohibition Administrator William R. Blandford, in charge of this area.

[From the Evening Star, Washington, D. C., Saturday, April 5, 1930]

CHLOROFORM USED ON GUARDS, BUT FOUR FAIL TO BURN WAY INTO STORE'S SAFE—BANDITS' CARBIDE TORCH FUTILE IN EFFORT TO ROB SEARS-ROEBUCK AFTER TWO WATCHMEN ARE OVERCOME

After disarming and chloroforming two night watchmen, whom they trussed together with adhesive tape, four yeggmen labored with an acetylene torch for almost two hours early to-day in a futile effort to cut their way into a heavy safe at the Sears, Roebuck Co.'s store at 911 Bladensburg Road NE. The safe was understood to have contained several thousand dollars in cash and a large amount of jewelry.

The robbers had learned from the night watchmen that a crew of colored porters were expected in about 3.30 o'clock, and abandoned their effort a few minutes before one of the watchmen, Raymond Mansfield, of 915 Third Street, managed to free himself and sever the tape which bound the wrists of his companion, Joseph L. Waters, of 1415 G Street SE.

Neither of the middle-aged watchmen were seriously injured, although both received rough treatment at the hands of the yeggmen and were in a weakened condition to-day from the effects of chloroform administered through handkerchief blindfolds.

WORE STOCKING MASKS

All four of the robbers wore cotton stockings over their heads for masks and were gloved, while one of them, presumably the operator of the acetylene torch, had on goggles, the watchman reported.

Abandoning two large tanks of acetylene gas and their torch, the robbers made their escape through a rear door after the cement lining of the strong box had balked their attempt to cut through.

A preliminary check-up at the store to-day failed to disclose anything missing, either from the offices or from the stock of merchandise.

At 1 o'clock Mansfield, who was making his rounds, stopped to punch his clock at the box in the basement boiler room. He had just done this and turned, when three men appeared suddenly on either hand with drawn guns.

"Stick 'em up and keep quiet; stick 'em up and keep quiet," the spokesman said, "and you won't get hurt!"

After one glance at the masked men, Mansfield complied. One man went behind him, roughly jerked his arms down and taped his wrists together, while a confederate took the watchman's gun and keys.

THREATEN MANSFIELD'S LIFE

Then they propped Mansfield against the boiler-room wall and demanded to know when his relief was expected.

The robbers, threatening Mansfield's life, learned that the relief watchman was expected about 1.15 o'clock.

While one of the thugs remained with Mansfield the two others went to the south entrance of the store and let a fourth into the vestibule with Mansfield's keys.

By listening as best he could, Mansfield learned that the three were waiting in the vestibule for Waters, who appeared outside a moment later.

As Waters came up, he told police, the door opened suddenly from inside and the men emerged with drawn guns. Waters, taken unawares, made no resistance and was led into the boiler room.

There the four men questioned the watchmen as to when the next employees could be expected, and after obtaining this information led their captives to the furniture department on the second floor, made them lie flat on some rugs, and bound their wrists and ankles together with tape and rope.

Both watchmen were blindfolded with handkerchiefs, which were taped to their foreheads, whereupon one robber tapped at the noses and mouths of the captives with a rag saturated in chloroform.

Either from haste or inexperience, the thugs failed to render either watchman unconscious, although both were strongly affected and in a daze for several hours.

WATCHMEN NOTIFY POLICE

Shortly after 3 o'clock Mansfield, still in a semistupor from the chloroform, managed to twist the fingers of his right hand free of the tape and produce his knife from a pants pocket. He cut his bonds and those of his companion and they telephoned police.

Neither man could say how the robbers came to the plant or how they made their escape after leaving the building. Police believe, however, they came in a large touring car or a truck, since the acetylene torch and tanks were cumbersome and weighed several hundred pounds.

The robbers informed their captives they had been "working on this job for several months," and that the store had been under surveillance most of that time.

Police later learned that the acetylene torch and two "bottles" of gas had been stolen some time last night from the welding shop of Worth G. Gatewood, at 477½ C Street SW. Gatewood identified the equipment at No. 9 precinct this morning.

The shop had been entered by some one who broke the lock on a rear door. No one in the neighborhood had been aroused by the robbery, police of No. 4 precinct learned.

The three robbers who accosted Mansfield got into the store by breaking the lock on a grating over the boiler-room window in the rear of the building. They left by a freight entrance in the rear, using the watchman's keys to let themselves out.

Police to-day located one mask left by the intruders, made of a cheap cotton stocking. Waters's gun later was found on the floor of the cashier's office, on the second floor, near the safe.

Mansfield and Waters were able to describe only two of the men. All four, they agreed, were white men.

One was about 5 feet 10 inches tall, weighed some 170 pounds, and wore a brown suit and greasy gray cap over his mask. He was wearing the goggles.

The second was of slightly smaller stature and build. He wore a gray felt hat over his mask and spoke with a pronounced racial accent.

One of the four was called "Pete" and apparently was the leader of the band.

INFORMER SOUGHT BY DETECTIVES AS ROBBERY SUSPECT—$1,650 IN CASH AND DIAMOND PIN TAKEN FROM BARBER BY THREE MEN—VICTIM SAYS ONE OF TRIO HAD VISITED SHOP BEFORE—MAN TAKEN TO HOSPITAL WITH INJURED JAW, LACERATIONS, AND BRUISES

A police liquor informer was being sought by detectives to-day after he had been tentatively identified as one of the three men who last night slugged George Kapsaly in his barber shop at 300½ Tenth Street and robbed him of $1,650 in cash and a diamond stickpin.

Kapsaly told headquarters detectives he was almost certain one of the trio appeared at his place of business some time ago and attempted to purchase liquor. He said that he learned later this man was a police informer.

Kapsalay, who is 46 years old, was arrested in January, 1927, after he is said to have accidentally shot a woman who was visiting him at his shop. A charge of assault with a dangerous weapon was placed against him at the time, but was dropped when the woman refused to prosecute.

PREPARING TO CLOSE

The barber was getting ready to close his shop last night when the three young men, all well dressed, walked in. They asked him if he was closing up, but before he could reply they attacked him.

He was slugged into insensibility and bound with a piece of rope. The money, principally in $20 bills, was removed from a pouch which he carried under his shirt, and the pin was taken from his tie. His left wrist was badly bruised as a result of unsuccessful attempts to remove a diamond ring.

After the men had secured the money and pin they pulled down the window shades in the shop and fled. Kapsaly lay on the floor until he was discovered by a milkman making deliveries. He was taken to Emergency Hospital and treated for a possible fractured jaw and severe lacerations and bruises on the face.

ALWAYS CARRIED MONEY

Kapsaly said he has operated the barber shop at the Tenth Street address for 17 years. He has always carried his surplus money with him, he said.

On March 26 last he was arrested by Precinct Detectives H. D. Carroll, H. C. Wanamaker, and A. D. Mansfield on charges of sale and possession of liquor. The sale charge was dropped in police court, and a jury trial was demanded on the other.

When Kapsaly was searched at the station house, the money he lost last night was found in his clothing, and police said they warned



him at that time that it was dangerous to carry such a large sum with him.

GIRL ARRESTED IN RUM RAID IS HELD FOR JURY UNDER BOND—19-YEAR-OLD WAITRESS PLEADS NOT GUILTY—COLLATERAL SET AT $2,000—TWO MEN ALSO SEIZED BY VICE SQUAD AT LA BOHEME RESTAURANT

Beatrice Griffin, a pretty 19-year-old girl, arrested last night with two men when the vice squad of Sergt. O. J. Letterman raided the La Boheme Restaurant, 1100 block Fourteenth Street, pleaded not guilty to charges of possession of liquor and maintaining a nuisance when arraigned in police court to-day. She was released under $2,000 bond for jury trial.

Police say that about a week ago an officer entered the restaurant and bought some wine from Miss Griffin, a waitress. A warrant for entry and search of the premises was immediately obtained from Needham C. Turnage, United States commissioner.

Last night the raiding party reported finding 104 bottles of beer and a quantity of wine and mash. Louis LaGiarini and Nicholas Corillo were arrested at the same time, and although charged by police with sale, manufacture, and possession of liquor and maintaining a nuisance, David A. Hart, assistant district attorney, only held them on the last two charges.

Hart also ignored a police charge of sale against Miss Griffin. She gave an address on L Street near Ninth.

[From the Washington Post, Saturday, April 5, 1930]

BARBER, SLUGGED, TIED, AND ROBBED OF $1,650—POLICE SEEK LINK BETWEEN HOLDUP AND ALLEGED RUM OPERATIONS

Slugged into insensibility after he was trussed up with rope by three well-dressed men who entered his barber shop at 300½ Tenth Street NW., while he was closing at 6.40 o'clock last night, George Kapsaly, 46 years old, was robbed of $1,650 in bills which he carried in his pockets, and a $300 diamond ring.

Kapsaly, revived quickly by tradesmen in the block, furnished headquarters and first precinct police with a description of two of the men, one about 25 years old and the other about 35 years old, both of whom he said he had seen on previous occasions, but whose names he did not know. A third man stood guard outside.

The description of the two men suggested to police that the pair may have been the same which staged a reign of terror in holdups at Sanitary Grocery Co. stores throughout the city a few months ago.

Police recalled that Kapsaly was arrested on the afternoon of March 26 at his barber shop by First Precinct Detectives H. C. Wanamaker, H. D. Carroll, and A. D. Mansfield on charges of sale of three drinks of liquor and possession of 5 quarts of liquor. They reported that they were seeking to determine whether there was any connection between his alleged liquor operations and the beating last night.

"I was alone in the shop, just getting ready to close up, when two of the men walked in and asked me if I was closing," declared Kapsaly to police. "I told them I was, and then the one in front suddenly jumped behind me and tied my hands back of me with rope.

"Then they both cracked me terrific blows in the jaw and I went down, just remembering that one of them was sticking his hands in my pockets and taking my money. Neither one of them had on a mask nor showed any weapons."

Kapsaly was removed in the first precinct patrol to Emergency Hospital, where he was treated for a possible fracture of the jaw and severe lacerations about the face, being dismissed at his request.

In police court the charge of sale of three drinks was dropped, and a jury trial was ordered on the charge of possessing liquor.

FOUR ARE HELD IN THEFT OF POTATO SHIPMENT

Charged with stealing 21 sacks of potatoes from a freight car of the Baltimore & Ohio Railroad, four negroes yesterday were ordered held for grand jury action following their arraignment in police court.

The negroes—Leroy Johnson, Harry Jackson, Lawrence Young, and William Hightower—were alleged to have stolen the potatoes from a shipment consigned to Edward Widmayer, a merchant of 919 B Street NW. Detectives who investigated found the empty sacks at a grocery store in the southwest, where the potatoes are said to have been sold for $76. Pending grand jury action, bonds of $500 were fixed by Judge Isaac R. Hitt.

WOMAN SHOT, MAY DIE; JEWELER IS ARRESTED

Shot through the chest during an altercation yesterday afternoon, Julia Watson, colored, 48 years old, of Ninth Street near Florida Avenue NW., was probably fatally wounded, and George Thomas, colored jeweler, of Fifteenth Street between R and S Streets NW., who, police reported, fired the shot, was arrested on a charge of investigation by eighth precinct police.

The shooting occurred at the Ninth Street address. The woman was taken to Freedmen's Hospital, where her condition was said to be serious.

FORMER TRACK STAR AND TAXI MAN HELD—THEFT FROM COMMISSARY OF UNIVERSITY TOTALING $200 LAID TO PAIR—TWELVE CHARGES ARE FILED

Thomas L. Milstead, 24 years old, of N Street near Thirty-third Street NW., former track captain at Georgetown University, and Blase R. Meany, 22 years old, a cab driver, of Harrison Street, near Thirty-ninth Street NW., were booked at the seventh precinct station yesterday morning on housebreaking and petit larceny charges arising from the theft of approximately $200 in cash and foodstuffs from the commissary of Georgetown University during the last year.

F. D. Cronin, in charge of the commissary, was complainant in four charges of housebreaking and four charges of petit larceny against Milstead and two charges each against Meany.

Milstead was caught in the act of stealing in the commissary Thursday morning by Cronin, according to Detective N. L. Hodkinson, who took the track star in custody for investigation. The detective declared that Milstead implicated Meany and that the latter was arrested a short time later. They were booked formally at 9 o'clock yesterday morning.

Milstead, who university officials declared has not been in school since February, figured in an accident on February 21 on the Baltimore Boulevard near Laurel, when he and three other Georgetown students were injured when the automobile in which they were returning to Washington from Baltimore struck a parked machine.

With Milstead, a resident of Ocean City, N. J., were Maurice J. McCarthy, jr., of Brooklyn, N. Y., basket-ball captain and former intercollegiate golf champion; Joseph Cranley, of Chicago, member of the track team; and Tom Murphy, of Phillipsburg, N. J., a substitute football end.

SHOT FROM AMBUSH—SEQUEL TO SLASHING—FAIRFAX COUNTY MAN IS NEAR DEATH AFTER GUN TEARS HOLE IN BACK—ONE HELD AS HUNT ENDS

Marked by the slashing of two men, a family quarrel over the disappearance of a pocketbook in a Fairfax County farmhouse near Clifton Station Thursday night culminated several hours later when one of the cut men was shot down from behind and wounded, possibly fatally.

Suffering from a gaping wound in his back made by a charge from a shotgun, Emmett Edwards, 55-year-old farmer and owner of the house where the incidents occurred, last night lay in a critical condition in the Alexandria Hospital, where he was taken by his son, Floyd Edwards, 21 years old, who had been cut in the first affray.

Meanwhile Sheriff E. P. Kirby and Deputy Sheriff Henry Magarity ended a prolonged hunt for the brother of the elder Edwards, Taylor S. Edwards, 47 years old, of Free State, in Fauquier County, Va., with his capture in the dense woods about a mile from the home, on charges of assault with a weapon in connection with the slashing and for investigation in connection with the shooting.

Taken in custody a few yards from a cleverly hidden lean-to of brush and leaves, the man was lodged in the Fairfax Jail pending the outcome of the brother's condition. He steadfastly denied knowledge of the crimes.

The altercation started at the house about 7 o'clock Thursday night when Taylor, according to police, suddenly drew a knife and slashed Floyd about the throat, the arms, and back when he accused his nephew of stealing a pocketbook from him. Police said Taylor, a visitor at the house since last fall, then cut his brother slightly about the hands and face when he rushed into the room.

Seizing a shotgun, they declared, Taylor, in making his get-away, shouted a warning that if any report was made to authorities he would return and "kill both of you, and Sheriff Kirby, too."

The two men, receiving medical aid at their home, summoned Sheriff Kirby and Deputy Sheriff Magarity, whose search of the section had proved unsuccessful.

About midnight, after both policemen had gone, Emmett was shot down from behind while completing his nightly tour of inspection of livestock on his farm. Police said the wound had been inflicted by a charge from a shotgun fired at a range of about 20 yards.

EIGHT PLEAD GUILTY IN KIT KAT CLUB CASE—SENTENCES TOTALING EIGHT YEARS GIVEN FOUR MEN AND FOUR WOMEN—$1,500 BOND FORFEITED

Sentences totaling eight years in the house of correction and $1,500 in fines were passed by Judge William H. Forsythe in the Howard County Circuit Court at Ellicott City, Md., yesterday, after eight defendants had entered pleas of guilty to charges in connection with a raid on the Kit Kat Club on the Baltimore Boulevard near Elkridge.

The defendants included four men and four women. Betty Dalton, one of the defendants, failed to appear to answer charges, and her bond of $1,500 will be forfeited if she does not appear to-day.

The grand jury had returned 20 indictments against the defendants. After they had pleaded guilty to the charges on which they were sentenced the other charges were dropped by State's Attorney James Clark.

Nickles Harris, who pleaded guilty to maintaining and operating a disorderly house, was sentenced to a year in the House of Correction and a $500 fine on one count and was given another year on a second count. The terms will run consecutively. Jacob Cramer was given a year's term and also fined $500. John White and Patrick Morgan were sentenced to six months each on charges of disorderly conduct. Mrs. Tillie Harris, wife of Nickles Harris, was sentenced to a term of one year and fined $500 and costs. The Misses Marjorie Call, Mary Larkins, and Alice Taylor were given a year each.

POLICE OUST WOMEN IN RUM RAID AT CAFÉ—FEMININE PATRONS CAUGHT DRINKING BEER AND WINE, SQUAD DECLARES—WAITRESS IS ARRESTED

Sergt. Oscar J. Letterman's vice squad visited the La Boheme restaurant at 1115 Fourteenth Street NW. late yesterday and disturbed groups of fashionably dressed young women who were seated at tables drinking alleged home-brew and wine.

The members of the squad told the young women to leave the place quietly. The squad then confiscated 104 bottles of alleged home-brew and a quantity of wine and mash.

Beatrice Griffin, pretty 19-year-old waitress was taken in custody and locked up at the first precinct station on a charge of sale, possession, and manufacturing liquor. An additional charge of maintaining a nuisance was also placed against her.

Two men who gave their names as Louis La Grarini and Nicholas Corrillo were also arrested at the restaurant on a charge of possession and manufacturing liquor and maintaining a nuisance.

The vice squad also raided a house in Florida Avenue near Thirteenth Street and arrested Margaret Young, colored. She was locked up at the eighth precinct station on a charge of sale and possession of liquor.

COMMISSIONERS UPHOLD POLICEMAN'S DISMISSAL

The District Commissioners yesterday refused to set aside the police trial board verdict dismissing Policeman J. M. Crawford from the force. The trial board found Crawford guilty of intoxication and of discharging his pistol.

It was charged that he had been found in a house in Shott's Alley in a drunken stupor. His revolver was beside him. It had been discharged and there was a bullet hole in the wall of the room. He appealed to the commissioners from the verdict of dismissal, but his appeal was denied.

FIREMAN ARRESTED AS OWNER OF STILL—CAP AND UNIFORM FOUND IN RAIDED HOUSE RESULT IN CHARGES

William Capps, a fireman of No. 9 engine company, and Charles Welch were arraigned in police court yesterday on charges of conducting a nuisance, possessing apparatus for the manufacture of liquor, and possession of whisky. After pleading not guilty and demanding jury trial, they were ordered held under $2,000 bonds.

Capps was arrested earlier in the day on a warrant sworn out by Assistant United States Attorney David Aiken Hart after a fireman's cap bearing the number 237, a uniform, an overcoat, and a blouse had been discovered by police, along with four stills and a quantity of liquor at a house on Eighteenth Street NW., near U Street. Welch was arrested in the house and is alleged to have told the police that Capps lived at the place and that he merely was a visitor.

Police reported that they investigated the place on April 1 when they detected the odor of liquor in process of being manufactured, and that the following day they made the raid on a warrant issued by United States Commissioner Needham C. Turnage.

OBJECTION TO LONG SKIRT COSTS CRUSADER $325

The dislike of Eugene Patterson, colored, of B Street NE., near Third Street, for long skirts, yesterday resulted in his being fined $325 by Judge Isaac R. Hitt in police court.

Patterson faced the court on charges of assault and threats, and testimony was to the effect that he had shortened his wife's dress with a pair of scissors and at the same time had threatened Angus Fairley, colored, who sought to intervene. The court records show that $25 was assessed on the assault charge and $300 on the threats charge.

[From the Washington Times, Saturday, April 12, 1930]

GIRLS ATTACKED IN STREET

Headquarters detectives rushed to the 1500 block of Sixteenth Street NW. this afternoon on receiving a report that two school girls had been attacked on the street.

According to reports at police headquarters, the girls, both about 15, walking on Fifteenth Street near P Street NW., when a shabbily dressed stranger accosted them.

The man tore part of the clothing off one of the girls, her mother informed police, and both of them, screaming, ran home, as their assailant fled.

Detectives were sent to interview the girls, while a cordon of police from the third precinct scoured the neighborhood in search of the would-be assaulter.

CHOCTAWHATCHEE RIVER, FLA. AND ALA.

Mr. JOHNSON. From the Committee on Commerce I report back favorably House bill 8799, to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods; and I submit a report (No. 395) thereon. I call to the attention of the Senators from Alabama that favorable report.

Mr. BLACK. Mr. President, before the Senator sits down I desire to ask unanimous consent at this time that House bill 8799, which has just been unanimously reported by the committee, and which relates to a survey of this stream, may be taken up and passed by the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, this is the morning hour, and this is morning business. Later on the calendar will automatically come up, when this bill can be considered.

Mr. BLACK. May I state to the Senator the reasons for the request?

Mr. McNARY. We can pass it before the Senator can state the reasons, when we come to it.

Mr. BLACK. It will not be reached to-day.

Mr. McNARY. It certainly will. If not, I will give way, but not during the morning hour. Let us finish it logically. I object at the present time.

Mr. BLACK. I understand, then, that the Senator agrees to withdraw his objection later on.

Mr. HEFLIN. This bill has been reported unanimously.

LAKE CHAMPLAIN BRIDGE

Mr. DALE. From the Committee on Commerce I make four favorable reports; and I ask that House bill 9637, which is identically the same as the Senate bill just passed, be substituted for the Senate bill and passed, and that the Senate bill be laid aside.

Mr. McNARY. Mr. President, I shall have to make the same objection to that that I made to the bill a moment ago.

We shall reach the calendar in a few moments.

The VICE PRESIDENT. Objection is made.

CHANGE IN DATE OF INAUGURATION

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 245, submitted by Mr. NORRIS on the 9th instant, relative to Senate Joint Resolution 3, fixing the commencement of the terms of the President, Vice President, and Members of Congress.

Mr. NORRIS. Mr. President, at the request of several Senators who want to look up some matters in connection with the resolution, I ask that it may go over without prejudice.

The VICE PRESIDENT. Without objection, it is so ordered.

COURT-MARTIAL OF H. K. SABINS

The VICE PRESIDENT. The Chair lays before the Senate another resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 247, submitted by Mr. TRAMMELL on the 11th instant, relative to court-martial of H. K. Sabins.

Mr. TRAMMELL. I should like to have that resolution adopted, Mr. President.

Mr. McNARY. Mr. President, will the Senator permit the matter to go over for a few days, so that we may have an opportunity to investigate it?

Mr. TRAMMELL. I should like to have the resolution considered at an early date. Of course, I do not object to its going over at the request of the Senator from Oregon; but I do not care to have it go over indefinitely.

The VICE PRESIDENT. The resolution will go over without prejudice.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

Mr. NORRIS. Mr. President, I have a motion to discharge the Committee on Privileges and Elections which went over under the rule. It relates to Senate Resolution 215. I desire to withdraw the motion.

The VICE PRESIDENT. Without objection, the motion will be withdrawn.

INVESTIGATION OF LEASES FOR POST-OFFICE BUILDINGS

Mr. BLAINE. Mr. President, I ask unanimous consent that Senate Resolution 244 be taken from the table for the purpose of permitting me to perfect it, and then I shall ask that it go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Without objection, the resolution will be taken from the table and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PHIPPS. Mr. President, I should like to have the modification read first, please.

The VICE PRESIDENT. The modification will be read.

The CHIEF CLERK. It is proposed to modify Senate Resolution 244 as follows:

On page 2, line 1, strike out the word "three" and insert "five."

In lines 7 and 8, strike out the words "on the opening of the Senate on the first Monday in December, 1930."

In line 13, after the word "employ," insert the words "the necessary assistants, and to employ."

After line 16, insert the following:

Said committee is authorized to act through a subcommittee thereof, and oaths may be administered by any member of the committee, and the chairman of the committee and the chairman of any subcommittee are authorized to issue subpœnas, and the committee or a subcommittee thereof may sit at such times and places as it deems proper and necessary.

In line 18, after the word "Senate," strike out the period and insert a comma and the following words: "on vouchers signed by the chairman of said committee or of a subcommittee."

Mr. JONES. Mr. President, I understand that this resolution relates to a matter that was quite fully discussed the other day. For that reason I shall not ask that it go to the Post Office Committee.

Generally, I think these resolutions should go to the committee having jurisdiction of the subject matter for action by that committee before going to the Committee to Audit and Control the Contingent Expenses of the Senate. As I say, however, this subject was pretty thoroughly discussed a day or two ago; so I shall not make the request in this case.

Mr. FESS. Mr. President, as I listened to the amendment it seemed to me that an innovation is written in the resolution which would permit a subcommittee to make its report directly to the Senate. I think that is a matter that ought to be pretty thoroughly investigated.

Mr. BLAINE. No, Mr. President; that is not the purpose. The purpose is to permit a subcommittee of one or two members to issue subpœnas. The whole committee will make the report to the Senate.

Mr. FESS. I do not object to that. The feature I had in mind was the one I have stated.

Mr. President, as a member of the Committee to Audit and Control the Contingent Expenses of the Senate I do not want this resolution to be considered as a precedent. I think we ought always to have resolutions go to the standing committee which has charge of legislation on the subject in view of the fact that our committee can not go into the merits of the matter at all, and we are limited simply to voting "yes" or "no" on the amount of money.

I think the precedent would be a very bad one. I am perfectly willing to let this resolution take the course suggested if it is not to be considered a precedent in matters of this kind.

Mr. PHIPPS. Mr. President, the other day, when the resolution was called up, I asked that it go over because the first reading of it rather impressed me that it was not as complete as it should be; that the details of the authority were not fully covered. The amendments now suggested by the author of the resolution appear to cover that point. For that reason I have no objection to its going to the Committee to Audit and Control the Contingent Expenses of the Senate, although I agree with the Senator from Ohio in his view that resolutions of this nature should first go to a standing committee.

The VICE PRESIDENT. Without objection, the resolution as modified will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

RESTRICTION OF IMMIGRATION

Mr. HARRIS. Mr. President, I ask the attention of the senior Senator from Oregon [Mr. MCNARY].

I had hoped that we might go on with the immigration bill to-day, but I understand that it will be impossible to hold a quorum. I desire to ask the senior Senator from Oregon if he would have any objection to getting an agreement to limit debate on amendments, beginning to-morrow at 12 o'clock, after the speech of the Senator from Arizona [Mr. HAYDEN]?

Mr. MCNARY. Mr. President, I have no objection to the Senator attempting to get such an understanding, but in view of the speech the Senator from Arizona is to make, I doubt that he could get a limitation at this time.

Mr. HARRIS. I propose to make the limitation apply after the speech of the Senator from Arizona.

Mr. DILL. Mr. President, I do not think we can get an agreement like that now.

Mr. MCNARY. Mr. President, let me state to the Senator that after debate proceeds for a day, or perhaps a day and a half, I think there will be no difficulty whatsoever in getting a limitation on debate.

Mr. HARRIS. Then, if I can not get unanimous consent to-day, I propose to renew the request to-morrow, and I shall do my utmost to prevent any measures coming up that would delay the immigration bill. I am anxious to get a vote the first day possible.

LOBBY INVESTIGATION—CHURCH ACTIVITIES

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed by me to the so-called lobby committee of the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *April 10, 1930.*

The SENATE LOBBY COMMITTEE,
Senate Office Building, Washington, D. C.

MY DEAR SENATORS: In reading last night's Washington papers, I noticed Representative GEORGE HOLDEN TINKHAM, Republican, Massachusetts, urges investigation of the Church Board of Temperance and the Federal Council of Churches. The papers quote you as saying that you will give the Methodist Board and the Federal Council an opportunity to appear before the committee and explain their alleged lobbying activities.

The Methodist Board of Temperance and the Federal Council of Churches are both Protestant organizations and the question arises, Why did Representative TINKHAM only base his attack on Protestant churches, and not the Roman Catholic Church, which has a powerful lobby in Washington, with many times as many buildings as those occupied by Protestant organizations, and which, according to Priest Ryan's own statement, teaches in their colleges here in Washington the union of church and state.

I have in my possession the reports of the National Catholic Welfare Conference made at the conference of the hierarchy of the United States in Washington. Rev. Edward Joseph Hanna, D. D., Archbishop of San Francisco, as chairman of the administrative committee of the conference, made these statements:

"The executive department has to treat directly with the United States Government and its numerous departments on matters that affect Catholic interests, and this has been almost a daily task. Our experience has taught us this: For the safeguarding of our interests, a body of trained workers must be at our service in the National Capital. It is there that organizations of every kind first begin their national activity.

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"The executive department supervises the coordinated activities of the other departments. It keeps in direct personal touch with the officials of the Government from the President and Cabinet members to Members of Congress.

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"But the most important point to remember is not the particular instances cited, but the fact that your administrative committee is officially recognized and is consulted before important steps on matters affecting the religious and moral interests of the people are taken.

"Perhaps the heaviest obligation resting upon the executive department during the last year was the mandate issued by you at the National Catholic Council that the Smith-Towner bill should be opposed and defeated. It has been defeated. Nor will any similar measure pass the present Congress. But, in order to defeat it, the executive department had to call to its aid every other department of the council; direct a national campaign of protest; send representatives repeatedly to the House and Senate hearings, for we had the obligation of preventing a bill from being presented on either floor; secure a defense of Catholic education on the floor of the Senate itself; interview and explain to neutral educational associations; carry on a campaign of public speakers, and during the months of January and February at least 40 conferences on the matter were attended by the executive department. And may we add here that the pronouncement of the administrative committee, through the department of education, was the determining factor as to their attitude on the Smith-Towner bill of a sufficient number of Senators and Representatives to forecast its defeat were it presented to either House.

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"During the year the Associated Press distributed unfairly a gross attack on the Catholic Church and certain Catholic countries. Our department protested to the Associated Press; the manager of that organization made a public apology. The effect has been evident in the great care shown in the publication by secular papers of Catholic news and comment.

"Written statements were obtained from members of the Senate Committee on Finance and from experts of the Treasury Department

clearly interpreting the new revenue law as exempting from taxation our religious and charitable institutions. These statements are in the files of the council and will be invaluable should the intent of Congress ever be questioned in any tax litigation affecting the property of the church or related associations or societies."

The head of the hierarchy's bureau of immigration, in his report, said:

"The official recognition by the United States Government of our immigration bureau has given it exceptional opportunity. Moreover, through careful organization and standardization of methods, it has been possible to increase the work and secure greater efficiency."

The following is taken from the introduction in the official report of the hierarchy and shows the complete and thorough set-up this organization has for lobbying at the Nation's Capital:

"Administrative committee: Chairman, Most Rev. Edward J. Hanna, D. D., Archbishop of San Francisco.

"Department on education: Chairman, Most Rev. Austin Dowling, D. D., Archbishop of St. Paul.

"Department on laws and legislation: Chairman, Most Rev. D. J. Dougherty, D. D., Archbishop of Philadelphia.

"Department on social action: Chairman, Right Rev. P. J. Muldoon, D. D., Bishop of Rockford.

"Department on lay organizations: Chairman, Right Rev. Joseph Schrembs, D. D., Bishop of Toledo.

"Department of press and publicity: Chairman, Right Rev. William T. Russell, D. D., Bishop of Charleston; Right Rev. Edmund F. Gibbons, D. D., Bishop of Albany."

Reports have gone out over the United States that the Protestant churches are guilty of lobbying, and not one word did I notice in last night's papers in regard to the lobbying of the Roman Catholic Church.

As a Senator may I suggest to you that while you are inviting the Protestant Board of Temperance and the Federal Council of Churches to appear before your committee that you also invite the Catholic Welfare Conference to explain the report from which I have quoted, and also ask them to furnish you the reports of the hierarchy subsequent to the 1920 report.

It is unfair and unjust that our Protestant churches should be pictured before the American people as great lobbying institutions and not one word said in regard to the Roman Catholic Church.

I sincerely hope that your committee will show no discrimination in this investigation of alleged church lobbying and that all will be treated on the same basis.

Yours very truly,

J. THOMAS HEFLIN.

"PARTY BOLTERS NOT BARRED IN GEORGIA"

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a short article from the Columbus (Ga.) Enquirer-Sun of recent date entitled "Party Bolters Not Barred in Georgia."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PARTY BOLTERS NOT BARRED IN GEORGIA—RESOLUTION TO EXCLUDE "HOOVERCRAT" LOSES IN COMMITTEE

ATLANTA, April 11.—The State Democratic executive committee to-day defeated by a vote of 63 to 4 a resolution demanding that party bolters be barred from becoming candidates in the Democratic primary September 10.

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RESOLUTION TABLED

The resolution opposing party bolters as candidates was introduced by Robert Humphreys, of Swainsboro, a former member of the legislature from Emanuel County. The resolution would have required candidates before qualifying to file with the secretary of the State committee an affidavit that he had not supported or voted for the candidate of any other political party within a period of two years. The resolution, on a motion to table, was defeated by a viva voce vote. Humphreys demanded a roll call, and the recorded vote brought the 63 to 4 rejection of the resolution.

"STATE LIQUOR CONTROL IN COUNTRIES ONCE DRY"

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD an article written by a former Member of this body, Hon. William Cabell Bruce, in his usual masterly style, on the subject of State Liquor Control in Countries Once Dry, appearing in the New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, April 6, 1930]

STATE LIQUOR CONTROL IN COUNTRIES ONCE DRY—NATURE OF THE METHODS OF GOVERNMENT REGULATION EVOLVED IN SWEDEN AND IN THE CANADIAN PROVINCES, WHERE PROHIBITION AND LICENSED SELLING FAILED

By William Cabell Bruce

With the ever-increasing hostility to prohibition, the agitation against it is happily beginning to assume a constructive character and, aside from reformatory suggestions, seeking merely to mitigate it through the modification or repeal of the national prohibition act, the ultimate object of the present movement against it is the substitution for it of temperance, safeguarded by some system of Government control.

The devil which was supposed by the prohibitionists to reside in licensed drink was cast out by the eighteenth amendment only to take to him seven other devils more wicked than himself—tyrannous violence to personal liberty, despicable legislative hypocrisy, loathsome official corruption, marked social demoralization, general disrespect for law, syndicated crime, and reckless bloodshed. That these seven devils, too, rage and rend as they may, will in time be cast out we confidently believe.

What then? Why, plainly, the history of drink reform in other countries than ours, which have first discarded the private management of drink and then prohibition, as even more undesirable, should help to answer this question. In each of these other countries prohibition has been succeeded by Government control; and the practical working of that control in two of them—Sweden and Canada—is full of rich instruction for us; though it should be borne in mind that the short-lived prohibition which has twice obtained in Sweden was only temporary in one instance and only partial in its nature in the other.

Owing to its cold climate, its long and dark winter, the fact that it produced no hops or wine grapes, and the facility with which spirits could be distilled from one of its chief products—potatoes—Sweden acquired during the first half of the nineteenth century the reputation of being one of the most intemperate countries in the world. In time this state of things brought about a moral revolt that did not cease until it had resulted in a system of liquor regulation, based upon the idea of disinterested management, which had its beginnings as far back as 1855 and culminated in what in the latter half of the nineteenth century became known far and wide as the Gothenburg system.

Under this system, which took its name from the ancient Swedish city of Gothenburg, most of the Swedish retail trade in spirits passed into the hand of companies licensed by the Government, which were required to pay over all their net profits in excess of a certain percentage to the public authorities for the benefit of local charities and public works. In Gothenburg a company which held the Government concession for that city acquired possession of most of its dram shops and converted them into restaurants for the working classes at which food was served hot at moderate prices to their patrons who could obtain drinks only with meals. These restaurants became social centers for the workers and their families and reduced drunkenness and its affiliated offenses to such an extent that other licensed companies in other Swedish towns followed suit by converting their barrooms, too, into popular restaurants.

FAULTS OF THE SYSTEM

There was a worm, however, at the core of the Gothenburg system, for its concession company had no monopoly of the manufacture and sale of intoxicating beverages generally, but only of the right to sell potato and other native spirits. Other dealers were free to sell imported wines and liquors, and as time went on restaurants for their sale became so numerous that the public value of the Gothenburg system was much impaired. Then ensued a reaction in favor of prohibition, which had been going on under the altered conditions just mentioned, but received a great additional impetus in 1909, when Sweden became involved in a general industrial strike, and the Swedish Government in its efforts to subdue this strike resorted to the extreme measure of closing for six weeks every dram shop and liquor store in Sweden.

The immediate effects of this policy seemed so salutary that, making hay while the sun shone, total-abstinence societies in Sweden circulated a petition to the Swedish Government asking for the enactment of a prohibition law, and secured an overwhelming expression of public opinion in favor of the proposal. This informal plebiscite, however, had no legal force. It was then that Dr. Ivan Bratt, a young Swedish physician who had made a special study of alcohol, had become widely known among the members of his profession and public men, and possessed too much sagacity and firmness to be swept off his feet by a gust of popular hysteria, came forward with his system of liquor control.

BRATT METHOD INSTITUTED

This system is founded upon the belief that the idea of disinterested management which underlies the Gothenburg system is a sound one, but that it should be supplemented by the study of the special wants, the pecuniary standing, and the personal character of each individual drinker. What is moderate drinking for one man may be immoderate drinking for another. What is temperance in a man may be intemperance in a woman, while youthful individuals may reasonably be debarred from drinking at all. An austere standard of indulgence may well be exacted of persons engaged in occupations hazardous to themselves and others not necessary for persons engaged in ordinary occupations. One man can not afford to spend one-tenth as much for drink as another; and so on. Such was the reasoning of Doctor Bratt.

It followed, he thought, that not only should every man who wishes to sell liquor be licensed but also every man who wishes to buy it; and, even though one is licensed to buy it, he should not be permitted to buy more of it than is suited to his individual needs, means, and ability to withstand temptation.

In or about 1913 Doctor Bratt became the manager of a company which later was given a Government concession covering all of Stockholm. Eventually, as the result of new public regulations and extensive purchases of competing concerns, the business of importing, manufacturing, and selling wines and spirits in Sweden became, for all practical purposes, the monopoly of Doctor Bratt's company, and a still larger company operated on the same principles as his. With an exception or so, there were no longer any places in Sweden where drinks without food were sold, and only in company stores could bottles of wine and spirits be bought.

Under the influence of the rationing to which Sweden was compelled to resort during the World War, the characteristic abuses which attend every period of total or partial prohibition revived. Again there was a popular clamor for prohibition, and again Doctor Bratt proved an invincible exemplar of sanity. If things could be so bad under partial prohibition, he argued, how bad would they be under total prohibition? However, the issue of prohibition or no prohibition was, in 1922, submitted by the Swedish Government to popular vote. The result was 925,000 votes against, and 889,000 votes for prohibition, and even in rural districts more than 46 per cent of the women voted against it.

Subsequently the Bratt system was extended and invigorated; and, in 1923, the exclusive right of manufacturing and selling wine and spirits at wholesale and retail throughout the length and breadth of Sweden was conferred by law upon Doctor Bratt's company, the Central Wine & Spirit Co., and its subsidiaries. The Central Wine & Spirit Co. is a private corporation, but one-half of its board of managers, including the chairman of the board and its controlling director, are appointed by the Government. Moreover, the Government keeps up an oversight of its transactions and audits its accounts.

A STOCK COMPANY

It has a capital stock of about $5,400,000, consisting mainly of preference shares, which are entitled to earn a maximum dividend of 7 per cent. A much smaller part of its capital stock consists of ordinary shares, entitled to a limited dividend, which are owned by a group of 10 managers, approved by the Government, who command a majority of the votes at company meetings. This group is usually composed of men of the very best repute, and they are under the obligation to sell their shares at par to the State at any time on demand. After payment of expenses and dividends, and after due provision made for contingencies, the entire profits of the company, which are very large, are paid into the Swedish treasury.

In brief, the Bratt system is now administered under the general supervision of a royal board of control appointed by the King; the importation, manufacture, and wholesale distribution of spirits and wine are handled by the Central Wine & Spirit Co. under the conditions just mentioned; and the retail distribution of spirits and wine is handled by some 125 separate and independent private corporations known as system companies, which are obliged to pay all their net profits above 5 per cent into the Swedish treasury. Only two of the five directors of each of these companies are appointed by the companies themselves. Two are appointed by local authorities, and the fifth, who is the chairman of the board, is appointed by the royal board of control.

TWO KINDS OF BEER

Beer does not fall within the scope of the Bratt system. That can be obtained at groceries and ordinary stores by the bottle or at any restaurant or hotel by the glass. It consists of two kinds of beer, one containing less than 1.8 per cent alcohol by weight and the other 1.8 to 3.2 per cent. The manufacture and sale of malt beverages with a higher alcoholic percentage than 3.2 is prohibited.

The Bratt system is fortified by due provision for the committal of alcoholic addicts to inebriate asylums, the creation of a temperance board in each parish of Sweden to look after such addicts, when deemed not wholly incorrigible, and an enlightened system of temperance instruction in public and private schools.

Drinking in restaurants is subject to definite regulations. To buy spirits or wine by the glass in one of them the patron must also buy a hot meal. He can buy no spirits at all before noon, and after noon only a fixed quantity. He can buy no wine at all before a certain hour of the forenoon, and after that hour only a fixed quantity. The hotel or restaurant proprietor, like everyone else, has to obtain a license to buy, and in his application he is required to state the size of his house and the average number of guests that he entertains monthly, and the hotel keeper has to state, besides, the number and size of the dining rooms in which he serves outside patrons.

LOCAL-OPTION PROVISIONS

Proper provision is made by the laws of Sweden for local option, and the great majority of its districts are "dry." There is no law, however, to prevent the resident of a "dry" district from gratifying at once both his moral and physical instincts by living in such a district and importing into it from external sources intoxicants for his individual consumption.

If a Swede wishes to buy spirits or wine for home consumption he applies to the system company for the area in which he resides and fills out a blank on which he states his name, place and date of birth, home and business addresses, his occupation, his status as respects marriage, and, if married, the number of persons in his family, the size of his house, how much he entertains, the amount of taxes that he pays, and the extent to which he has received public relief.

This information is then all investigated by the company, and if found true the company follows it up by an inquiry of the proper municipal officials as to whether the applicant has ever been reported as an alcoholic, or been arrested for drunkenness, or been convicted of any major or minor crime, or been guilty of any offense of a nature to negative his fitness to use intoxicants. If the record of the applicant is satisfactory, a little book, one of the famous Swedish motboks, is issued to him by the company, and he is told how much spirits he is entitled to buy each month.

Practically speaking, the quantity of wine that he may buy is unrestricted, but if he is reported by the company as buying unreasonable amounts of strong wines, such as sherry or port, he receives a notice from the Central Wine & Spirit Co. that his allowance has been cut down. The maximum allotment of spirits, which is made, if made at all, only to responsible heads of families, is a little more than 4 quarts a month, and should the holder of a motbok persist, after a warning, in drinking immoderately, or in spending more of his income in drink than he can really afford, or should he sell or give his quota of spirits to others, or be convicted of crime, his motbok is either taken away from him or automatically comes to an end.

UNDER THE BRATT SYSTEM

That the practical results of the Bratt system have been highly beneficent can not be gainsaid. Some illicit traffic by the bottle, or in bulk, still goes on in Sweden, a considerable amount of liquor being smuggled into it, chiefly from Germany; but blind pigs, speak-easies, and the other squalid resorts spawned by prohibition, at which liquor is sold by the glass, no longer exist in Sweden.

Under the Bratt system of control the per capita consumption of alcoholic beverages has greatly diminished. Convictions for drunkenness per 1,000 population have declined from 10.5 in 1913 to 4.5 in 1928; deaths from chronic alcoholism, per 100,000 population, from 2.2 in 1911 to 0.3 in 1924; cases of alcoholic insanity, per 100,000 population, from 2.3 in 1911 to 1 in 1926, and crimes of violence, per 10,000 population, from 6.4 in 1911 to 3.5 in 1927.

Much drink of one kind or another is still drunk in Sweden. It would be far from being the happy land that it is, we think, if none were drunk. Nor are prohibitionists by any means lacking in Sweden. The religious fanatic, described by the old poet "as that worst of madmen, a saint run mad"; the crack-brained enthusiast, who would make man all over from the crown of his head to the tips of his toes; the sour Puritan, whose English prototype, as Macaulay said, decried bear-baiting not because of the pain that it gave to the bear but because of the pleasure that it gave to the spectators, will always dog the footsteps of humanity in every civilized community. But, taking the world and rational human happiness as they are, the Bratt system of control may safely be pronounced a marked success.

HOME RULE IN CANADIAN PROVINCES

Canada also has a warning and not a few fruitful suggestions for us. She, too, with the exception of the Province of Quebec, lost her wits for a time and wandered off into the bog of prohibition. First of all, it should be understood that, strictly speaking, there is, and can be, no such thing as a general Canadian system of liquor control. The authority of the Federal Government of Canada does not extend to the sale of liquor, but relates only to its manufacture, importation, exportation, and interprovincial shipment and the collection of the customs and excise revenue arising from its manufacture or its importation. The sale of liquor is a provincial matter and each Province of Canada has its own peculiar methods of sale.

The Canada temperance act of 1878 authorized local communities in the Provinces to exercise the privilege of local option. This act is still in force and many communities in the Canadian Provinces are dry even at the present time. For instance, in 1928–29, even in such a liberal Province as Quebec, the population of municipalities in which local option prevailed fell but little short of those in which it did not prevail. The World War, with its rationing necessities and emotional stirrings, brought public opinion in Canada, as it did in the United States, to the prohibition point.

In 1919 all of the nine Provinces of Canada, with the exception of Quebec, which contented itself, after some vacillation, with interdicting the use of spirits only, had voted all intoxicating beverages out, but at the beginning of the present year every one of the nine Canadian Provinces, with the exception of Prince Edward Island, a Province of only 88,000 dwindling population, had, as the result of the natural process of morbid regurgitation which prohibition, total or partial, invariably sets up, adopted the principle of government control.

The accession of Nova Scotia by popular vote to this principle took place as late as October, 1929; and if Prince Edward Island, a sea-girt area into which liquor can be and is copiously smuggled with little difficulty, has not yet come over to it the explanation is not to be found in the merits of prohibition, for during a period of 10 months in

1928 more persons were arrested for drunkenness in Charlottetown, the chief town of the island, than ever had been arrested previously for that cause in any year for 27 years.

The Government-control systems of the different Canadian Provinces vary widely from each other. At the present time the liquor laws of all the Canadian Provinces in which Government control obtains are administered by boards or commissions. They are endowed with the exclusive right to purchase and sell liquor stocks, to buy or lease property for their administrative needs, to grant and cancel licenses, and to appoint their official staffs.

The leading objects of each of the Canadian systems of control are the creation of a Government monopoly and the consequent exclusion, so far as possible, of all private gain and its selfish incentives to abuse from the sale of intoxicants; but each Province seeks to accomplish these objects in its own way. In all of the Provinces spirits can be sold only by Government stores; in none can any be drunk on the premises.

DIFFERING PROVINCIAL REGULATIONS

In Ontario to buy spirits a permit is necessary, but not to purchase wine, and in that Province there is no such thing at all as public drinking. Sales of spirits are restricted to one case at a time, and the containers in which they are sold must be taken home before they are opened. Wines are exempt from permit restrictions because of the desire of Ontario to promote her native wine industry and to foster the use of wine instead of spirits.

The policy of Quebec is more liberal. She permits the sale of beer by the glass in beer taverns, and both wine and beer may be served with meals in licensed hotels, restaurants, clubs, and on steamships and dining cars. A Government store in Quebec will not sell more than one bottle of spirits at a time to a customer, but he may go off and return and buy another. Quebec, it must be admitted, is more indulgently mindful that she should be of Milton's line, "Short retirement urges sweet return."

In addition to the Government stores there are also beer depots in most of the Provinces. Beer, but beer alone, can likewise be sold at the stores of brewery agencies in Alberta, at breweries and brewery warehouses in Manitoba, at brewers' warehouses in Ontario, at beer stores, groceries, and breweries in Quebec, and at Government beer stores in Saskatchewan. In Ontario, alone, can wine be sold in bulk at any place except a Government store. In that Province, native wines can be sold by vintners in that manner from licensed stores and wineries, though imported wines can be sold in bulk by Government stores only.

WHERE PERMITS ARE REQUIRED

In Alberta, British Columbia, and Manitoba are found beer parlors resembling the Quebec beer taverns, but no one of these Provinces allows the sale of beer or wine with meals, and the customer sits at a table when he is drinking his beer. Individual permits to buy liquor are not required in Quebec, New Brunswick, or Saskatchewan, but are required in Alberta, British Columbia, Manitoba, and Ontario; and, in Ontario, these permits are issued under conditions and subject to disciplinary sanctions not unlike those that belong to the Swedish motbok.

In the permit Provinces a variety of permits, each answering the special needs of the applicant, are issued. In these Provinces purchasers are listed on the permit in such a way that it can be seen at a glance how much and how often the purchaser has been buying. Permits can be refused for cause, and, in proper cases, an interdiction order may be passed, directing the cancellation of a permit.

Bootlegging still persists, to a certain extent, in Canada, but it is largely a hang over from the lawless conditions begotten by prohibition, and will doubtless in time become as insignificant as bootlegging usually is when the sale of liquor is licensed. Singular to say, there is some bootleg backwash from prohibition in the United States, and the thousands of bibulous tourists from the United States who seek Canada each year, because of the freedom that it affords them from spies and snoopers, make the task in some Canadian Provinces of working Government control distinctly more difficult.

But after stating in one of its admirable pamphlets, entitled "Government Liquor Control in Canada," that its representatives had interviewed several hundred Canadians in many different stations of private and public life, touching the Canadian systems of liquor control, the Association Against the Prohibition Amendment is able to report: "Outside the ranks of irreconcilable drys there was no one who did not indorse the principle of Government control, and no one who did not feel that conditions were much better than they had been under prohibition. The consensus was that the liquor problem was well in hand; changes might be made in operating details, but the merits of the general scheme had been tested and proved."

That this is a fair summary of public opinion in Canada in relation to Government control is confirmed by the return of Premier Ferguson of Ontario to power for the third time by an increased majority as a result of the general election in Ontario on October 30, 1929, which turned on the prohibition issue; the fact that there has been an increase of more than 20 per cent in the number of municipalities in Quebec which prefer Government control to local option, and the fact that a popular referendum in Nova Scotia as late as October, 1929, resulted in the repeal of prohibition and the approval of Government control as a substitute for it.

After a study of the Swedish and Canadian systems of control it is believed that they are all decidedly better than our former system of licensed drink, and immeasurably better than our present system of prohibition, and that the Swedish system of control is the best model, broadly speaking, for our imitation, and the Quebec the next best, but that when the inevitable amendment of the eighteenth amendment takes place many changes in point of increased strictness and otherwise will have to be made in even the Swedish or Quebec system of control to render it entirely suitable to our circumstances.

THE CALENDAR

The VICE PRESIDENT. The calendar is in order. The clerk will report the first bill on the calendar.

The first business on the calendar was the bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands.

Mr. PITTMAN. I object. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

LAKE CHAMPLAIN BRIDGE

Mr. DALE. Mr. President, the bill to which objection was made a few minutes ago is not on the calendar. I ask unanimous consent that the bill, House bill 9637, to extend the time for building a bridge on Lake Champlain be considered now and passed.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, inasmuch as we have finished the morning business and reached the calendar, I have no objection at this time, to have the Senate proceed to the consideration of the bridge bill proposed by the Senator from Alabama and the bridge bill now referred to by the Senator from Vermont.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9637) to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHOCTAWHATCHEE RIVER BRIDGE

Mr. BLACK. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 8799, to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

Mr. JONES. Mr. President, what is the nature of this survey?

Mr. BLACK. I will state to the Senator that the bill was unanimously reported by the Committee on Commerce. It is a House bill, to make a survey of the stream which flooded last year and caused one town damages to the extent of $2,066,000.

Mr. JONES. It is with a view to flood control?

Mr. BLACK. That is the object of the legislation.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MANUFACTURE AND SALE OF DELETERIOUS FOODS

The bill (S. 1133) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, was announced as next in order.

Mr. COPELAND. Mr. President, I would like to say, largely for the benefit of my genial friend the Senator from Oregon [Mr. McNARY], that I have conferred with Mr. Campbell and Doctor Dunbar, of the Agricultural Department, and they, in connection with Mr. Lee, of the legislative drafting bureau, are preparing certain amendments which I have in my mind relative to this bill.

May I say to the Senator and to the Senate that there has been no delay about this measure. It was the activity of the Agricultural Department which made it necessary to defer definite action. Therefore I request that the bill go over without prejudice.

Mr. McNARY. Mr. President, I am not going to object to that course, but I ask the Senator whether in a seasonable and reasonable length of time he will have his amendments ready to propose?

Mr. COPELAND. I trust to have them ready very shortly. I had hoped to have them ready for to-day; but it will be a matter of only a few days.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT OF THE RULES

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate, relating to the privilege of the floor, was announced as next in order.

Mr. JONES. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

PROMOTIONS IN THE MARINE CORPS

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. JONES. Mr. President, at the request of the Senator from Iowa [Mr. BROOKHART], I will have to ask that the bill may go over.

The PRESIDING OFFICER (Mr. FESS in the chair). The bill will be passed over.

WORKING CONDITIONS IN THE TEXTILE INDUSTRY OF THE SOUTH

The resolution (S. Res. 49) authorizing the Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee, was announced as next in order.

Mr. OVERMAN. Mr. President, I do not know whether the Senator from Montana [Mr. WHEELER] is in the Chamber or not. This matter should not be taken up in his absence. Therefore I ask that the resolution may go over.

The PRESIDING OFFICER. The resolution will be passed over.

BAY OF SAN FRANCISCO BRIDGE

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. JOHNSON. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

INDEPENDENT OFFICES APPROPRIATIONS

The PRESIDING OFFICER (Mr. FESS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JONES. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KEYES, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS conferees on the part of the Senate.

INVESTIGATION OF AIRCRAFT ACCIDENTS

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

Mr. McNARY. Mr. President, at the request of the Senator from Connecticut [Mr. BINGHAM], I ask that the resolution may go over.

The PRESIDING OFFICER. The resolution will be passed over.

PROMOTION OF PEACE

The joint resolution (S. J. Res. 20) to promote peace and to equalize the burdens and to minimize the profits of war was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

STATE BRANCH BANKS

The bill (S. 2605) to amend section 9 of the Federal reserve act, to permit State member banks of the Federal reserve system to establish or retain branches in foreign countries or in dependencies or insular possessions of the United States, was announced as next in order, and was read, as follows:

Be it enacted, etc., That the second paragraph of section 9 of the Federal reserve act (U. S. C., title 12, sec. 321) be amended by changing the period at the end thereof to a comma, and by adding the following words: "*Provided, however*, That, with the permission of the Federal Reserve Board, which permission said board may grant or withhold at its discretion, any such State bank having a capital and surplus of $1,000,000 or more may establish or retain branches in foreign countries or in dependencies or insular possessions of the United States, subject to such conditions and under such regulations as may be prescribed by the Federal Reserve Board."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GOLD-STAR MOTHERS' PILGRIMAGE

The bill (S. 3062) to amend the act entitled "An act to enable the mothers and widows of deceased soldiers, sailors, or marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929, was announced as next in order.

Mr. BLACK. Mr. President, was not this bill sent back to the committee?

The PRESIDING OFFICER. The vote by which it was passed was reconsidered, and it went back to the calendar.

Mr. PHIPPS. Mr. President, I call attention to Order of Business 387, House bill 4138, which relates to the same subject.

Mr. SHEPPARD. Mr. President, the bill is embodied as an amendment in another bill, and, so far as this bill is concerned, it may be indefinitely postponed.

The PRESIDING OFFICER. Is there objection to indefinitely postponing the bill? The Chair hears none, and it is so ordered.

COLUMBIA RIVER BRIDGE, OREGON

The bill (S. 2491) authorizing J. C. Ten Brook, his successors and assigns (or his heirs, legal representatives, and assigns), to construct, maintain, and operate a bridge across the Columbia River at or near Astoria, Oreg., to connect Roosevelt Military Highway in Oregon with Washington Ocean Beach Highway, was announced as next in order.

Mr. McNARY. Mr. President, this proposal is contained in the omnibus bridge bill which was passed last week, and I ask that it be indefinitely postponed.

The PRESIDING OFFICER. Without objection, the bill will be indefinitely postponed.

AIRCRAFT ACCIDENTS

The resolution (S. Res. 206) requesting the Secretary of Commerce to furnish the Senate certain information respecting aircraft accidents since May 20, 1926, was announced as next in order.

Mr. McNARY. Mr. President, at the request of the Senator from Connecticut [Mr. BINGHAM], I ask that the resolution may go over.

The PRESIDING OFFICER. The resolution will be passed over.

DEFINITION OF OLEOMARGARINE

The bill (H. R. 6) to amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended, was announced as next in order.

Mr. HEBERT. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

COLORADO RIVER INVESTIGATIONS

The bill (S. 3413) to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity of the Colorado River, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to make all necessary engineering and economic investigations and studies of conditions in the Palo Verde and Cibola Valleys and vicinity of the Colorado River in California and Arizona to determine how best to protect the lands in this vicinity from damage by overflow and seepage. Report shall be made and plans and estimates prepared showing cost of additional works necessary, together with a statement of the value of works already constructed, which can be merged with and made a part of a completed system.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VOCATIONAL AGRICULTURE

The bill (S. 2113) to aid in effectuating the purposes of the Federal laws for promotion of vocational agriculture was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That in order more effectively to accomplish, without additional expense to the United States, the purposes of the Federal vocational education laws in so far as they apply to agriculture,

those individuals who, on the date of the approval of this act, constitute the board of trustees of the Future Farmers of America, a corporation of the State of Virginia, and their associates and successors, are hereby incorporated and declared to be a Federal corporation under the same name. The corporation shall be a nonstock membership corporation conducted without pecuniary profit to its members.

SEC. 2. The purposes of the corporation shall be to promote vocational education in agriculture in the public schools of the United States pursuant to the Federal vocational education laws, to create more interest in the intelligent choice of farming occupations, to create and nurture a love of country life, to encourage recreational and educational activities for students of vocational agriculture, to promote thrift, to encourage cooperative effort among students of vocational agriculture, to strengthen the confidence of the farm boy in himself and in his work, to develop rural leadership, and to promote scholarship among students of vocational agriculture.

SEC. 3. The corporation shall have perpetual succession with power to sue and to be sued in its corporate name; to make contracts; to take, hold, and dispose of such property as may be necessary for its corporate purposes (including the assets of the existing corporation of the State of Virginia, known as the Future Farmers of America, upon discharging or making adequate provision for the payment and discharge of all debts and liabilities of such existing corporation); to adopt a corporate seal and alter it at pleasure; to adopt and alter a constitution and by-laws not inconsistent with law; to establish and maintain offices for the conduct of its affairs; to establish at any place in the United States local chapters composed as hereinafter specified, and State organizations thereof; and to do any and all acts necessary or appropriate to carry into effect the purposes of the corporation.

SEC. 4. Membership in the corporation shall be confined to State organizations of affiliated local chapters composed exclusively of students of vocational agriculture in public schools providing instruction therein pursuant to the provisions of the Federal vocational education laws. The corporation shall hold an annual national convention of delegates from the State organizations, at which there shall be elected a board of trustees for the corporation. The board shall manage the affairs of the corporation subject to the limitations of the constitution and by-laws of the corporation as adopted and altered by the national convention of delegates.

SEC. 5. The principal office of the corporation shall be maintained in the District of Columbia, but annual or other meetings of the national convention of delegates may be held any place within the United States.

SEC. 6. On or before the 1st day of April of each year, the corporation shall make and transmit to the Congress a report of its activities for the year ending December 31 preceding, including a full and complete report of its receipts and expenditures, but such report shall not be printed as a public document.

SEC. 7. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL STORES

The bill (S. 2354) to amend the agricultural marketing act so as to include naval stores was considered as in Committee of the Whole.

The PRESIDING OFFICER. The bill has been considered heretofore. The pending question is on the amendment offered by the Senator from Georgia [Mr. GEORGE], which will be stated.

The CHIEF CLERK. On page 1, line 7, in lieu of the committee amendment, it is proposed to insert "gum, spirits of turpentine and rosin as processed by the original producer," so as to make the bill read:

Be it enacted, etc., That section 15 of the agricultural marketing act is amended by adding at the end thereof a new subdivision to read as follows:

"(g) As used in this act, the term 'agricultural commodity' includes gum, spirits of turpentine, and rosin as processed by the original producer in addition to other agricultural commodities.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the agricultural marketing act so as to include dip or crude gum."

NAME OF IOWA CIRCLE CHANGED TO LOGAN CIRCLE

The bill (S. 2224) to change the name of Iowa Circle, in the city of Washington, to Logan Circle was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the name of the circle now known as Iowa Circle, in the city of Washington, is hereby changed to Logan Circle in recognition of the services rendered the United States by Gen. John A. Logan during the Civil War and in civil life, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SPECIAL ASSISTANTS TO THE ATTORNEY GENERAL

The bill (H. R. 5260) to amend section 366 of the Revised Statutes was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 366 of the Revised Statutes of the United States (sec. 315, title 5, U. S. C.) be, and the same is hereby, amended to read as follows:

"SEC. 366. Every attorney or counselor who is specially retained, under the authority of the Department of Justice, to assist in the trial of any case in which the Government is interested, shall receive a commission from the head of such department as a special assistant to the Attorney General, or to some one of the district attorneys, or as a special attorney, as the nature of the appointment may require; and shall take the oath required by law to be taken by the district attorneys, and shall be subject to all the liabilities imposed upon them by law. Foreign counsel employed by the Attorney General in special cases shall not be required to take the oath required by this section."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOLIET NATIONAL BANK

The bill (S. 1264) for the relief of Joliet National Bank, Commercial Trust & Savings Bank, and H. William, John J., Edward F., and Ellen C. Sharpe was considered as in Committee of the Whole.

The PRESIDING OFFICER. The bill was reported from the Committee on Claims with amendments, and the amendments have been heretofore agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

POLICE AND FIRE DEPARTMENT SALARIES

The bill (S. 2370) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia was announced as next in order.

Mr. McNARY. At the request of the Senator from Colorado [Mr. PHIPPS], who is detained from the Senate, I ask that the bill may go over.

Mr. ROBSION of Kentucky. The Senator is referring to the police and fire department pay bill?

Mr. McNARY. Yes. I want to state that I am heartily in favor of the proposal, but the Senator from Colorado asked me to object to its consideration in his absence. When he returns to the floor, probably the bill can be brought up.

Mr. COPELAND. Mr. President, is it probable that at some early time, I ask the Senator from Oregon, the measure may be considered by the Senate?

Mr. McNARY. I know nothing about that. I stated that I am in favor of this legislation, but the Senator from Colorado was called out, and asked me to object to its consideration while he was not on the floor of the Senate. If he comes back before the morning hour is over, probably the bill can be taken up to-day.

PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

The bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That paragraphs 64, 65, 66, 67, and 68 of section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913 (37 U. S. Stats.), are amended to read as follows:

"PAR. 64. That any public utility or any person or corporation affected by an order or decision of the commission fixing any rate, toll, charge, schedule, joint rate, regulation, requirement, act, service, or other thing complained of (not including a valuation) may commence an action or proceeding in the Supreme Court of the District of Columbia to review any such order or decision. The answer of the commission in any such action or proceeding shall be filed within 30 days from the date upon which such proceeding is commenced. In any such action or proceeding the findings of the commission as to the facts upon which such order or decision is based shall be conclusive, if such findings are supported by evidence and if such order or decision is not confiscatory.

"PAR. 65. That all such proceedings shall have precedence over any civil cause of a different nature pending in such court, and the Supreme Court of the District of Columbia shall always be deemed open for the trial thereof and the same shall be tried and determined in the same manner as other actions and proceedings in equity in such courts, except as herein provided. The judgment and decree of the court shall be final, except that an appeal therefrom may be taken to the Court of Appeals of the District of Columbia, and the judgment and decree on such appeal shall be subject to review by the Supreme Court of the United States upon certiorari as provided in section 240 of the Judicial Code.

"The commission may suspend the decision or order appealed from for such period as it may deem fair and reasonable under the circumstances, but no appeal, unless the court or the commission shall so order, shall operate to stay any order or decision of the commission. Neither the commission nor any of its members, officers, agents, or employees shall be taxed with any costs, or be required to give any supersedeas, bond, or security for costs or damages on any appeal, or be liable to suit for any judgment or decree for damage, loss, or injury claimed to have been sustained by any public utility or any person or corporation affected by an order or decision of the commission, or required in any case to make any deposit for costs, or to pay for any service to the clerk of any court, or to the marshal of the United States.

"PAR. 66. That the method of review of the orders and decisions of the commission provided in paragraphs 64 and 65 shall be exclusive; and, upon such review, such court shall have the power to affirm, or, if the decision or order of the commission is not in accordance with law, to modify or to reverse such order or decision in the manner following:

"(1) If, upon the trial of such action or proceeding, evidence shall be introduced which is found by the court to be different from that offered upon the hearing before the commission, or additional thereto, the court, before proceeding to render judgment unless the parties to such action or proceeding stipulate in writing to the contrary, shall transmit a copy of such evidence to the commission and shall stay further proceedings in said action for 15 days from the date of such transmission.

"(2) Upon the receipt of such evidence the commission shall consider the same and may modify or reverse its order or decision relating to such rate, toll, charge, schedule, joint rate, regulation, requirement, act, service, or other thing complained of (not including a valuation) in said action or proceeding, and shall report its action thereon to said court within 10 days from the receipt of such evidence.

"PAR. 67. If the commission shall reverse its order or decision complained of, the action or proceeding shall be dismissed; if it shall modify the same, such modified order or decision shall take the place of the original order or decision complained of, and judgment shall be rendered thereon as though made by the commission in the first instance. If the original order or decision shall not be reversed or modified by the commission judgment shall be rendered upon such original order.

"PAR. 68. That every action or proceeding to modify or reverse an order or decision of the commission shall be commenced within 60 days after the entry of such order or decision."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT OF COLUMBIA AIRPORT

The bill (S. 3901) to establish a commercial airport for the District of Columbia was announced as next in order.

Mr. VANDENBERG. Mr. President, this bill is on the suggested order of unfinished business for special consideration.

The PRESIDING OFFICER. The bill will be passed over.

LOANS TO BANK EXAMINERS

The bill (S. 3541) to amend section 22 of the Federal reserve act, as amended, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That subsection (a) of section 22 of the Federal reserve act (U. S. C., title 12, sec. 593), as amended, be amended and reenacted to read as follows:

"SEC. 22. (a) No member bank and no officer, director, or employee thereof shall hereafter make any loan or grant any gratuity to any bank examiner or assistant examiner who examines such bank. Any bank officer, director, or employee violating this provision shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year, or fined not more than $5,000, or both, and may be fined a further sum equal to the money so loaned or gratuity given.

"Any examiner or assistant examiner who shall accept a loan or gratuity from any bank examined by him, or from an officer, director, or employee thereof, or who shall steal, or unlawfully take, or unlawfully conceal any money, note, draft, bond, or security or any other property of value in the possession of any member bank or from any safe-deposit box in or adjacent to the premises of such bank, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof in any district court of the United States, be imprisoned for not exceeding one year, or fined not more than $5,000, or both, and may be fined a further sum equal to the money so loaned, gratuity given, or property stolen, and shall forever thereafter be disqualified from holding office as a national-bank examiner.

"The provisions of this subsection shall apply to all public examiners and assistant examiners who examine member banks of the Federal reserve system, whether appointed by the Comptroller of the Currency, by the Federal Reserve Board, by a Federal reserve agent, or by a Federal reserve bank, or appointed or elected under the laws of any State; but shall not apply to private examiners or assistant examiners employed only by a clearing house association or by the directors of a bank."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PATENTS FOR DISCOVERIES IN PLANTS

The bill (S. 4015) to provide for plant patents was announced as next in order.

Mr. DILL. Mr. President, the Senator from Tennessee [Mr. MCKELLAR] had an amendment to offer to this bill. I do not know whether it is pending or not.

Mr. TOWNSEND. I have consented to the amendment of the Senator from Tennessee.

Mr. DILL. Has the amendment been offered?

Mr. TOWNSEND. The amendment was offered by the Senator from Tennessee.

Mr. DILL. Has it been adopted?

Mr. TOWNSEND. It is on the table. There is no objection on my part to the amendment.

Mr. DILL. Mr. President, I want to say just a few words about this bill.

The bill proposes to extend the right to secure a patent to those who invent or develop new plants by what we would call grafting. They use a different term. They call it "asexual reproduction." I have been in very great doubt as to the wisdom of this legislation. The experience we have had with the monopolization of patents, on the granting of patents for inventions, raises grave doubt as to the wisdom of granting patents on new kinds of plants of a food-producing nature. On the other hand, the nurserymen and the various people engaged in the development of plant and food products are very anxious to have this bill passed.

I have some doubt about the constitutionality of patenting a new form of plant somebody may develop through the processes of nature, but I rather think I ought to resolve the doubts in favor of those who want the law. It may go to the courts if anyone desires to take it there.

Whether it will be possible for those who get patents on new plants and new food products produced by nature to monopolize them by agreements, as has been done as to some of the mechanical inventions, of course, I can not foresee.

Mr. CARAWAY. What is the thing they are going to patent?

Mr. DILL. This is simply an amendment to the patent laws, and the Senator will find by reading the bill that it provides for the securing of patents on new plants that are asexually reproduced, according to the language.

Mr. CARAWAY. I am curious to know. One is evolved gradually from the other?

Mr. DILL. Yes.

Mr. CARAWAY. At what stage do they fix their absolute right so that nobody else can further produce or benefit?

Mr. DILL. That would be decided by the Patent Office, I suppose, when the Patent Office determined that they had produced a plant sufficiently different. I have very grave doubts about the constitutionality of the provision.

Mr. CARAWAY. The practicability of it is questionable. When are we going to lay our hand on nature and say, "You can go only this way and that way?" How are we going to control it? Are we going to say to everybody, "You can not take this plant and further improve on it"?

Mr. DILL. How can we say, "For 17 years this plant is a product under control of the patentee"?

Mr. CARAWAY. Nobody may further improve it or touch it?

Mr. DILL. I will not say they could not improve it. They could not produce it without the consent of the man who developed it.

Mr. BLACK. Mr. President, I object to the present consideration of the bill until I can have time to consider it.

Mr. DILL. May I say that my reason for speaking was simply that the Senate might understand the remarkable kind of legislation it is. I do not want alone to take the responsibility of stopping the passage of the bill, for it may be that my

doubts are not justified; but I have felt that it is such a departure from anything we have ever done in the Senate that Senators ought to realize what kind of legislation it is.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BLACK. I object.

Mr. McKELLAR. Mr. President, before the Senator's objection is made I would like to offer an amendment and explain it while we have a good attendance of Senators. On page 3, after line 21, I desire to offer as an amendment to add a new section, as follows:

SEC. 5. Notwithstanding the foregoing provisions of this act, no variety of plant which has been introduced to the public prior to the approval of this act shall be subject to patent.

It occurred to me from reading the bill that fruits or plants which had already been evolved and introduced to the public and were now on the market might be attempted to be covered by the patents, that some one might attempt to apply a patent to such a plant or fruit. I offer the amendment, and if the Senator from Alabama has no objection I should like to have the amendment considered and agreed to.

Mr. BLACK. I have no objection to the amendment, but I do object to the present consideration of the bill.

The PRESIDING OFFICER. Without objection the amendment is agreed to, and on objection of the Senator from Alabama the bill as amended will be passed over.

Mr. TOWNSEND. Mr. President, may I ask the Senator from Alabama [Mr. BLACK] if he will not withdraw his objection? The bill has been approved by practically all of the national agricultural and horticultural organizations representing the interests of millions of citizens. The widest publicity has been given to the bill through the press and otherwise. There has been but one objection to the bill, and that was voiced by a man from Tennessee. His objection is covered by the amendment just offered by the Senator from Tennessee and agreed to. This is a very important bill for agriculture and horticulture, and I sincerely hope the Senator from Alabama will permit it to pass.

Mr. COPELAND. Mr. President, may I say to my friend from Delaware that I too wish to look into the bill? I have no disposition at this moment to interfere with its passage in due time, but I have had protests from people in my State about the bill and I wish to study them before I consent to the passage of the bill.

The PRESIDING OFFICER. The bill will be passed over, and the clerk will state the next bill on the calendar.

AMENDMENT OF SECTION 9 OF FEDERAL RESERVE ACT

The bill (H. R. 8877) to amend section 9 of the Federal reserve act, as amended, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the ninth paragraph of section 9 of the Federal reserve act (U. S. C., title 12, sec. 328), as amended, be further amended by inserting therein, immediately before the proviso now contained therein, the following: "*Provided*, That the Federal Reserve Board, in its discretion and subject to such conditions as it may prescribe, may waive such six months' notice in individual cases and may permit any such State bank or trust company to withdraw from membership in a Federal reserve bank prior to the expiration of six months from the date of the written notice of its intention to withdraw."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXPENSES OF BANK EXAMINATIONS

The bill (S. 485) to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the seventh paragraph of section 9 of the Federal reserve act, as amended (U. S. C., title 12, sec. 326), is further amended by striking out the last sentence thereof and inserting the following:

"The expenses of all examinations, other than those made by State authorities, may, in the discretion of the Federal Reserve Board, be assessed against the banks examined and, when so assessed, shall be paid by the banks examined. Copies of the reports of such examinations may, in the discretion of the Federal Reserve Board, be furnished to the State authorities having supervision of such banks, to officers, directors, or receivers of such banks, and to any other proper persons."

SEC. 2. That section 5240, United States Revised Statutes, as amended by section 21 of the Federal reserve act, is further amended in the third paragraph thereof (U. S. C., title 12, sec. 483) by striking out the second sentence of such paragraph and inserting in lieu thereof the following:

"The expense of such examinations may, in the discretion of the Federal Reserve Board, be assessed against the banks examined, and when so assessed, shall be paid by the banks examined."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND RESOLUTION PASSED OVER

The bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression; and the bill (S. 3061) to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, were announced as next in order.

The PRESIDING OFFICER. The two bills just announced having been made a special order for April 15, they will be passed over.

The resolution (S. Res. 227) to amend the Senate rules so as to abolish proceedings in Committee of the Whole on bills, joint resolutions, and treaties was announced as next in order.

Mr. DILL. That likewise is a special order.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 1455) to amend the immigration act of 1924 in respect of quota preferences was announced as next in order.

Mr. NORBECK. Mr. President, I would like to have an explanation of the bill.

The PRESIDING OFFICER. The author of the bill [Mr. METCALF] is not present.

Mr. NORBECK. Let it go over, then.

Mr. COPELAND. Mr. President, I was asked to report the bill. It provides that a very limited number of persons who have peculiar executive, administrative, or supervisory ability in connection with any industry—the propagation of plants, for instance, since we were just discussing such a bill—or some technical industry or some other industry which has been developed abroad, which has not been developed here, might, under certain conditions, be permitted to come here for the purpose of establishing that given industry in the United States. The bill is hedged about with the greatest care.

The committee and the Department of Labor had half a dozen hearings on the matter. It is made very clear that not more than two persons, exclusive of their wives, dependents, and children in each instance, may come in, and that under no circumstances should anybody come in under the bill if persons of like training or with equal knowledge could be found in the United States.

It was thought by the committee and by the Department of Labor that various industries in America which are now in their infancy, or which perhaps have not been developed here at all, might be established or aided by bringing such talent from abroad. It was with that thought in mind that the bill was prepared, worked over repeatedly, and finally there came forth a bill which received the unanimous consideration of the Committee on Immigration. For my part, I feel that it ought to pass.

Mr. NORBECK. The explanation is interesting, and I do not know that I would care to object to the passage of the bill. It seems to have merit. Can we not pass it over for the time being, as another immigration measure, now the unfinished business, will be debated for another day or two, and we shall be in a better position to take up this bill at a later time.

Mr. COPELAND. If the Senator feels that way, of course, I can not insist.

The PRESIDING OFFICER. On request of the Senator from South Dakota, the bill will be passed over.

RELIEF OF MEMBERS OF NAVAL RESERVE FORCE

The bill (S. 548) for the relief of retired and transferred members of the Naval Reserve Force, Naval Reserve, and Marine Corps Reserve was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the assignments of provisional ranks, grades, or ratings heretofore made to members of the Naval Reserve Force or Marine Corps Reserve, including the assignments of higher provisional ranks, grades, or ratings than those first assigned, are hereby validated and shall be conclusive for all purposes from the dates of such assignments. The transfers to the retired list of all members of the Naval Reserve Force or Marine Corps Reserve heretofore made in the provisional ranks or grades held at the date of their retirement are hereby validated and shall be conclusive for all purposes.

SEC. 2. All transfers of enlisted men of the Navy or Marine Corps to the Fleet Naval Reserve or Fleet Marine Corps Reserve created by the acts of August 29, 1916, and February 28, 1925, and all transfers of

members of the Fleet Naval Reserve or Fleet Marine Corps Reserve to the retired list heretofore or hereafter made by the Navy Department shall be conclusive for all purposes, and all men so transferred shall, from date of transfer, be entitled to pay and allowances in accordance with their rank or rating and length of service as determined by the Navy Department at time of transfer.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS L. LINDLEY

The bill (S. 1696) for the relief of Frank B. Lindley was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with amendments on page 1, line 4, to strike out "Frank B. Lindley, father of"; in line 5, after the word "Lindley," to insert the words "minor son of Frank B. Lindley"; and in line 8, to strike out the words "by his son Thomas L. Lindley," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Thomas L. Lindley, minor son of Frank B. Lindley, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 in full and final settlement of all claims against the Government because of the loss of his right hand, through the explosion of a 37-millimeter subcaliber shell at Edgewood Arsenal, Md., on June 9, 1929.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill for the relief of Thomas L. Lindley, minor son of Frank B. Lindley."

MADDUX AIR LINES (INC.)

The bill (S. 1955) for the relief of the Maddux Air Lines (Inc.) was considered as in Committee of the Whole and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Maddux Air Lines (Inc.), of Los Angeles, Calif., the sum of $42,377.45 as reimbursement for loss by the destruction of its certain tri-motored Ford airplane bearing factory number 5-AT-10, license number NC 9636, destroyed near San Diego, Calif., on April 21, 1929, without fault on its part, through collision with an airplane belonging to the War Department of the United States, and then and there operated in a wrongful and negligent manner by Lieut. Howard Keefer, a United States pilot, then and there flying under orders and in line of duty.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

C. A. CHITWOOD

The bill (S. 2465) for the relief of C. A. Chitwood was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission shall be, and is hereby, authorized and directed to extend to C. A. Chitwood, former employee in the Forest Service, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1906, as amended, compensation hereunder to commence from and after the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

C. L. BEARDSLEY

The bill (H. R. 1251) for the relief of C. L. Beardsley was considered as in Committee of the Whole. The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "$325" and insert in lieu thereof "$162.50," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. L. Beardsley, of Rock Island, Ill., the sum of $162.50. Such sum shall be in full satisfaction of all claims against the United States on account of the loss at Wallace Field, Bettendorf, Iowa, on December 27, 1924, of personal property owned by the said C. L. Beardsley and contained in a frame building which, with its contents, was destroyed by fire while the Wallace Aero Co. was aiding a stranded Air Service officer to recondition his plane in order to enable him to return to his proper station.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

A. R. JOHNSTON

The bill (S. 2788) for the relief of A. R. Johnston was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to A. R. Johnston, member of the United States Assay Commission, out of any money in the Treasury not otherwise appropriated, the sum of $120.76, being the amount expended by him for traveling expenses incurred in the discharge of official duty from February 10, 1919, to February 16, 1919.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VIDA T. LAYMAN

The bill (S. 3605) for the relief of Vida T. Layman was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of Vida T. Layman for traveling expenses incurred by her in going from Arlington, Kans., to Southern Navajo Indian Agency, Ariz., and return in connection with her appointment as a teacher at the Indian agency, which was not consummated, and to allow in full and final settlement of said claim an amount not in excess of $66.01. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $66.01 for the payment of such claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HUNTER P. MULFORD

The bill (S. 3301) for the relief of Hunter P. Mulford was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of the revenues of the District of Columbia, the sum of $150 to enable the Commissioners of the District of Columbia to pay such sum to Hunter P. Mulford, in full settlement of his claim for damages against the District for personal injuries and for damaging his automobile as the result of being struck by certain apparatus of the fire department of the District at Fourteenth and E Streets NW. on November 22, 1929.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

T. B. COWPER

The bill (S. 3664) for the relief of T. B. Cowper was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of T. B. Cowper for legal services rendered to the United States in connection with the extradition from Canada in May, 1929, of one "Red" Stevens, alias "Ife" Stevens, charged with a violation of the United States narcotic law at Buffalo, N. Y., and to allow in full and final settlement of said claim not to exceed the sum of $175. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $175, or so much thereof as may be necessary, to pay said claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OREGON SHORT LINE RAILROAD CO.

The bill (S. 3666) for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be authorized and directed to allow the Oregon Short Line Railroad Co., Salt Lake City, Utah, the sum of $567.50 in payment of transportation charges on a shipment of 25 automobile truck bodies from Fort Bliss, Tex., to Boise, Idaho, on Government bill of lading No. WQ/A-1068213, issued March 26, 1921, by the Quartermaster General's office at Fort Bliss, Tex. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $567.50 for payment of the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES E. ANDERSON

The bill (S. 670) for the relief of Charles E. Anderson was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay Charles E. Anderson, out of any money in the Treasury not otherwise appropriated, the sum of $40 representing loss sustained by him in the purchase of horses for the United States Geological Survey in April, 1910.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MAKING UNITED STATES PARTY DEFENDANT

The bill (H. R. 980) to permit the United States to be made a party defendant in certain cases was considered as in Committee of the Whole. The bill had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the consent of the United States be, and it is hereby, given to be named a party in any suit which is now pending or which may hereafter be instituted in any State or Federal court or the courts of any Territory or of the District of Columbia for the foreclosure of a mortgage or lien upon any real estate for the purpose of securing an adjudication touching any lien or claim the United States may have on the premises involved.

SEC. 2. That in all suits or proceedings that may be instituted under this act in which the United States has been made a party, the process of the court shall be served upon the United States district attorney for the district within which suit may be or may have been instituted, whose duty it shall be to appear and defend the interest of the United States in said real estate.

SEC. 3. After the entry of final judgment or decree by the court in any suit or proceeding in which the United States has been made a party under the provisions of this act pursuant to a finding in the court that a lien exists in favor of the United States the effect of any sale which may thereafter be made by writ of execution or otherwise under the terms of the said judgment or decree, shall be the same, as to the discharge from the property sold of liens and encumbrances, and otherwise howsoever, as shall be provided by the law of the State within which such real estate may be situated in connection with such sales in the courts of that State, and the lien of the United States upon such property shall be subject to discharge from said property by such sale in the same manner as may be provided by the laws of such State as to other liens of a similar nature, and shall be relegated to the fund provided by such sale, subject only to such other liens and encumbrances as the court may find to be prior to the lien thereto.

SEC. 4. That upon the application of the Attorney General, the court in which any such suit may be pending may, for good cause, stay the sale of the property involved under any decree that may be entered in such suit, until the expiration of the next succeeding session of Congress.

SEC. 5. That no judgment for costs or other money judgment shall be rendered against the United States in any suit or proceeding which may be instituted under the provisions of this act, nor shall the United States be or become liable for the payment of the costs of any such suit or proceeding or any part thereof.

Mr. WALSH of Montana. Mr. President, perhaps a slight explanation will be in order. The bill is intended to allow the United States to be made a party defendant in actions to foreclose mortgages and other liens. The United States can not be sued without its consent and therefore, when it holds a lien against any property, it is next to impossible to get a foreclosure of a preexisting mortgage or lien by reason of that situation. The matter has had the attention of both Houses for some years. In the last Congress the differences were adjusted and the conferees agreed upon a bill substantially that which is now recommended by the Senate Committee on the Judiciary. The conference report was adopted by the Senate.

The House has again passed a bill substantially like that which was disagreed to by the Senate, and the Senate Committee on the Judiciary has substituted its bill which has heretofore twice been adopted by the Senate and which was at one time agreed to by the House conferees.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DEPORTATION OF CERTAIN ALIEN SEAMEN

The bill (S. 202) to provide for the deportation of certain alien seamen, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That this act may be cited as the "Alien seamen act of 1926."

SEC. 2. Every alien employed on board of any vessel arriving in the United States from any place outside thereof shall be examined by an immigration inspector to determine whether or not he (1) is a bona fide seaman, and (2) is an alien of the class described in section 7 of this act; and by a surgeon of the United States Public Health Service to determine (3) whether or not he is suffering with any of the disabilities or diseases specified in section 35 of the immigration act of 1917.

SEC. 3. Unless such alien was shipped in a port in continental United States prior to the passage of this act, then if it is found that such alien is not a bona fide seaman, he shall be regarded as an immigrant and immediately be ordered removed from the vessel to an immigration station; and the various provisions of this act and of the immigration laws applicable to immigrants shall be enforced in his case. From a decision holding such alien not to be a bona fide seaman the alien shall be entitled to appeal to the Secretary of Labor, and on the question of his admissibility as an immigrant he shall be entitled to appeal to said Secretary, except where exclusion is based upon grounds nonappealable under the immigration laws. If found inadmissible, such alien shall be deported, as a passenger, on a vessel other than that by which brought, at the expense of the vessel by which brought, and the vessel by which brought shall not be granted clearance until such expenses are paid or their payment satisfactorily guaranteed.

SEC. 4. If it is found that such alien is subject to exclusion under section 7 of this act, the inspector shall give immediately order to the master to remove such alien together with his effects and wages, if any, to an immigration station, and such alien shall then be deported in accordance with the provisions of said section 7.

SEC. 5. If it is found that, although a bona fide seaman, such alien is afflicted with any of the disabilities or diseases specified in section 35 of the immigration act of 1917, disposition shall be made of his case in accordance with the provisions of the act approved December 26, 1920, entitled "An act to provide for the treatment in hospital of diseased alien seaman."

SEC. 6. All vessels entering ports of the United States manned with crews the majority of which, exclusive of licensed officers, have been engaged and taken on at foreign ports shall, when departing from the United States ports, carry a crew of at least equal number, and any such vessel which fails to comply with this requirement shall be refused clearance: *Provided, however,* That such vessel shall not be required when departing to carry in the crew any person to fill the place made vacant by the death or hospitalization of any member of the incoming crew.

SEC. 7. No vessel shall, unless such vessel is in distress, bring into a port of the United States as a member of her crew any alien who if he were applying for admission to the United States as an immigrant would be subject to exclusion under subdivision (c) of section 13 of the immigration act of 1924, except that any ship of the merchant marine of any one of the countries, islands, dependencies, or colonies immigrants coming from which are excluded by the said provisions of law, shall be permitted to enter ports of the United States having on board in their crews aliens of said description who are natives of the particular country, island, dependency, or colony to the merchant marine of which such vessel belongs. Any alien seaman brought into a port of the United States in violation of this provision shall be excluded from admission or temporary landing and shall be deported, either to the place of shipment or to the country of his nativity, as a passenger, on a vessel other than that on which brought, at the expense of the vessel by which brought, and the vessel by which brought shall not be granted clearance until such expenses are paid or their payment satisfactorily guaranteed.

SEC. 8. This act shall take effect on July 1, 1928.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT

The bill (S. 4079) to amend section 4 of the Federal reserve act was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That that part of section 4 of the Federal reserve act as amended (U. S. C., title 12, sec. 303) which reads as follows, "No director of class B shall be an officer, director, or employee of any bank.", be amended by changing the period at the end thereof to a comma and by adding the following words: "other than a mutual savings bank not having a capital stock represented by shares."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CAUSE OF DECLINE OF COTTON PRICES IN 1926

The Senate proceeded to consider the resolution (S. Res. 149) which had been submitted by Mr. SHEPPARD, October 30 (calendar day of November 6), 1929, which was read, as follows:

Resolved, That the Secretary of Agriculture is hereby requested and directed to investigate through the grain futures administration the cause of the 1926 decline in cotton, ascertaining the amount of cotton futures sold in 1926, the amount of short selling when the drastic slump occurred, who did this short selling, and the effect of this heavy short selling on prices, and any further information which will enable the farmers to know the true state of conditions and the parties responsible for this decline; also to make a similar investigation for 1927 and 1928, giving the amount of short selling and the amount of public participation induced to take part in these futures and to ascertain whether or not the majority of the public lost or won on the deals, and to report this information to the Senate.

Mr. SHEPPARD. I send to the desk an amendment to the resolution, which I ask may be adopted.

The VICE PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The CHIEF CLERK. It is proposed to insert after the date "1928," in line 10, the words "and 1929."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution, as amended, was agreed to.

INVESTIGATIONS OF COTTON GINNING

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3687) to authorize the Secretary of Agriculture to conduct investigations of cotton ginning, which was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to investigate the ginning of cotton; to establish and maintain experimental ginning plants and laboratories; and to make such tests, demonstrations, and experiments, and such technical and scientific studies in relation to cotton ginning as he shall deem necessary and to publish the results thereof, with a view to developing improved ginning equipment and encouraging the use of improved methods, and he may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, as he shall find to be necessary.

SEC. 2. That for the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 for the fiscal year ending June 30, 1931, and thereafter such sums as may be necessary.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL FOREST ADMINISTRATION

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3817) to facilitate and simplify national forest administration, which was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized to expend not to exceed $8,000 annually, out of any money appropriated for the improvement or protection of the national forests, for the fiscal year 1930 or for subsequent years, in the completion of water supply or sanitary systems costing in excess of the $500 limitation as imposed by the act of March 3, 1925 (43 Stat. 1132).

SEC. 2. That the Secretary of Agriculture is authorized to reimburse owners of private property for damage or destruction thereof caused by employees of the United States in connection with the protection, administration, or improvement of the national forests, payment to be made from any funds appropriated for the protection, administration, and improvement of the national forests: *Provided*, That no payment in excess of $500 shall be made on any such claim.

SEC. 3. That the Secretary of Agriculture is authorized in cases of emergency to incur such expenses as may be necessary in searching for persons lost in the national forests and in transporting persons seriously ill, injured, or who die within the national forests to the nearest place where the sick or injured person, or the body, may be transferred to interested parties or local authorities.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COAST GUARD VESSEL ON LAKE MICHIGAN

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4899) to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to construct and equip one Coast Guard cutter, to be of appropriate design and construction suitable for service in assisting shipping on the waters of Lake Michigan: *Provided*, That the total cost of construction and of original equipment of said Coast Guard cutter shall not exceed the sum of $650,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALE OF SHIPPING BOARD PROPERTY IN HOBOKEN, N. J.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2757) to authorize and direct the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J., which has been reported from the Committee on Commerce with an amendment.

Mr. HOWELL. Mr. President, I ask that this bill go over for the time being.

Mr. KEAN and Mr. COPELAND addressed the Chair.

The VICE PRESIDENT. Objection to the consideration of the bill is made.

Mr. COPELAND. I wish the Senator from Nebraska might relent and let this bill be passed. It is a very important matter to the city of Hoboken, as the Senator from New Jersey [Mr. KEAN] can advise the Senator.

Mr. HOWELL. I should have no objection to having the bill taken up and considered later, but I merely wish an opportunity to look into it.

The VICE PRESIDENT. The bill will be passed over without prejudice.

Mr. COPELAND subsequently said: Mr. President, I understand the Senator from Nebraska [Mr. HOWELL] desires to suggest a very proper amendment to Senate bill 2757, and that, if the amendment he desires to offer may be accepted, the Senator from Nebraska is willing to withdraw his objection to the consideration of the bill. The amendment the Senator desires to offer is, I understand, in line 6, page 4, to strike out the words "or private."

The VICE PRESIDENT. Is there objection to returning to the bill indicated by the Senator from New York?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2757) to authorize and direct the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J., which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That the United States Shipping Board is authorized for and on behalf of the United States to sell the right, title, and interest of the United States in the real property described in Schedule A appended to a proclamation of the President of the United States dated December 3, 1918, which was taken over by the United States by a proclamation of the President of the United States dated June 28, 1918, pursuant to the authority vested in him by the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," approved March 28, 1918. The property transferred to the Treasury Department by the second deficiency act, fiscal year 1929, shall not be sold under the provisions of this act.

There shall also be excluded a piece or parcel of land in said city contiguous to the east line of the present post-office site as transferred under the second deficiency act, 1929, fronting 25 feet along the north line of Newark Street and extending at that width in a northerly direction 175 feet; also a piece or parcel of land 25 feet wide on the northerly side of said post-office site and contiguous thereto, as extended herein, running westerly along the south side of First Street extended 225 feet, more or less, to the easterly side of River Street.

SEC. 2. Said property shall be sold, in whole or in part, at public or private competitive sale, for use and operation as piers or terminals, on such terms and conditions as said United States Shipping Board may prescribe, giving due consideration to the interests of the United States and to the development and maintenance of an adequate American merchant marine, but in no case for less than 25 per cent of the purchase price in cash, and payment of the balance of the purchase price, with interest at 5 per cent per annum, shall not be deferred more than five years from date of sale. The right is expressly granted said United States Shipping Board to reject any or all bids for any reason it may deem sufficient.

SEC. 3. The United States Shipping Board shall publish the terms of such sale, and the date and time, and the final date of filing bids, if by the acceptance of bids, at least once in each week during the four weeks preceding such sale, in the Jersey Observer, a daily newspaper printed and published in the city of Hoboken, N. J., in the Jersey Journal, a daily newspaper printed and published in the city of Jersey City, N. J., and in the Journal of Commerce, a daily newspaper printed and published in the city of New York, N. Y., and may publish such notice in such other newspapers or publications, or advertise said sale in such other manner as the United States Shipping Board deems most advisable as affording adequate notice of such sale.

SEC. 4. All sums received as a result of the sale of such property shall be deposited in the construction loan fund created by section 11 of the merchant marine act, 1920, as amended (U. S. C., supp. 3, title 46, sec. 870).

SEC. 5. The United States Shipping Board, in making said sale and the terms and conditions thereof, shall keep in view the policy and primary purposes declared in section 1, merchant marine act, 1920, and confirmed in section 1, merchant marine act, 1928.

Mr. HOWELL. Mr. President, I move to amend the amendment, on page 4, line 6, after the word "public," to strike out the words "or private," and, after the words "Merchant Marine," in line 11, on the same page, to insert the words "in the case of equal bids."

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 4, section 2, line 6, after the word "public," it is proposed to strike out the words "or private," and in line 11, after the words "Merchant Marine," to insert "in the case of equal bids," so as to make the section read:

SEC. 2. Said property shall be sold, in whole or in part, at public competitive sale, for use and operation as piers or terminals, on such terms and conditions as said United States Shipping Board may prescribe, giving due consideration to the interests of the United States and to the development and maintenance of an adequate American merchant marine, in the case of equal bids, but in no case for less than 25 per cent of the purchase price in cash and payment of the balance of the purchase price, with interest at 5 per cent per annum, shall not be deferred more than five years from date of sale. The right is expressly granted said United States Shipping Board to reject any or all bids for any reason it may deem sufficient.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J."

MINING LOCATION IN NATIONAL FORESTS IN SOUTH DAKOTA

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3774) to amend the United States mining law applicable to the national forests within the State of South Dakota, which had been reported from the Committee on Public Lands with an amendment, page 2, section 2, line 22, before the word "timber," to strike out the word "mature," so as to make the bill read:

Be it enacted, etc., That hereafter mining locations made under the United States mining laws upon lands within the national forests in the State of South Dakota shall confer on the locator the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however,* That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

SEC. 2. That hereafter all patents issued under the United States mining laws affecting lands within the national forests within the State of South Dakota shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Forest Service.

SEC. 3. That valid mining claims within the national forests in the State of South Dakota existing on the date of enactment of this act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of South Dakota, may be perfected under this act, or under the law under which they were initiated, as the claimant may desire.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDMENT OF MERCHANT MARINE ACT, 1928

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9553) to amend sections 401, 402, and 404 of the merchant marine act, 1928, which was read, as follows:

Be it enacted, etc., That section 401 of title 4, merchant marine act, 1928 (U. S. C., title 46, sec. 891e; 45 Stat. L., pt. 1, p. 692), is amended by striking out the words in parenthesis "exclusive of ports in the Dominion of Canada other than ports in Nova Scotia."

SEC. 2. Section 402 of said act (U. S. C., title 46, sec. 891f; 45 Stat. L., pt. 1, p. 692) is amended by striking out the words in parenthesis "exclusive of ports in the Dominion of Canada other than ports in Nova Scotia," and by adding, after the words "volume of mail," the words "and commerce."

SEC. 3. Section 404 of said act (U. S. C., title 46, sec. 891h; 45 Stat. L., pt. 1, p. 693) is amended by striking out the words in parenthesis "exclusive of ports in the Dominion of Canada other than ports in Nova Scotia."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, this bill, and Order of Business 371, being the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the State in the promotion of such system, and for other purposes, I desire to go over, at the request of the Senator from Connecticut [Mr. BINGHAM], who is temporarily absent from the Chamber.

The VICE PRESIDENT. The bills will be passed over.

ADDITION TO HOT SPRINGS RESERVE, WYO.

The bill (H. R. 9562) to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated from funds on deposit in the Treasury of the United States to the credit of the Indians of the Shoshone or Wind River Indian Reservation, Wyo., the sum of $500 to be expended in purchasing 20 acres of land for addition to the Hot Springs Reserve, title thereto to be taken in the name of the United States of America in trust for said Indians.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CREATION OF A NATIONAL EMPLOYMENT SYSTEM

The bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, was announced as next in order.

The VICE PRESIDENT. The bill will be passed over.

Mr. WAGNER. Mr. President, may I inquire who objected to the consideration of Senate bill 3060?

The VICE PRESIDENT. The Senator from Oregon [Mr. McNARY] asked that the bill go over at the request of the Senator from Connecticut [Mr. BINGHAM].

WAHPETON BANDS OF SIOUX INDIANS

The bill (S. 1372) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians was announced as next in order.

Mr. WHEELER. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

SURRENDER OF TRUST POWERS BY NATIONAL BANKS

The bill (S. 3627) to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes, was announced as next in order.

Mr. COUZENS. Mr. President, unless the chairman of the Committee on Banking and Currency shall explain the bill, I will have to ask that it go over.

Mr. NORBECK. Mr. President, this is a bill that has been sent down by the Federal Reserve Board. They have asked for its passage. It merely waives the period of six months' notice that a bank must now give in order to abandon the exercise of trust powers. The bill will leave it discretionary with the Federal Reserve Board as to whether or not it will allow a bank to surrender such functions without the six months' notice now required by law. That is all there is to it.

Mr. BLEASE. Does it apply to national banks?

Mr. NORBECK. This has reference to national banks.

Mr. COUZENS. It has reference to all banks in the Federal reserve system?

Mr. NORBECK. No; it is limited to national banks.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BLEASE. I object.

Mr. COPELAND. Mr. President, I wonder if my friend from South Carolina will not withdraw his objection? Some banks have taken over trust powers, but have found that their facilities are not equal to the task. It is a very important branch of the banking business, and I can see how it would be wise to leave the discretion proposed by the bill in the Federal Reserve Board. A bank can not, under the bill, divest itself of such powers after having once assumed them without the knowledge and consent of the board. The reasons for the proposed legislation are amply set forth in the report, and, as I view this particular matter, it is in the interest of the public that the bill should be passed. When a bank assumes to act as trustee or to carry on trust work, it involves a tremendously important fiduciary relationship, which ought not to be undertaken except in the most solemn way; but when it has been once undertaken, and the bank finds for any reason to be wise that it should not continue to exercise such functions, I think it is a very proper thing that the Federal Reserve Board should be permitted to release the bank from the obligation to carry on such work.

Mr. BLEASE. Mr. President, when will this proposed act go into effect?

Mr. COPELAND. It will take effect immediately after its passage.

Mr. BLEASE. What about a bank that is now in the hands of a receiver, would this bill relieve it of any responsibility?

Mr. COPELAND. Oh, no; not at all. Furthermore, the bill covers the very point the Senator has in mind, where it says, beginning in line 7, page 2:

Upon receipt of such a resolution—

That is, that the bank desires to be relieved of its trust functions—

the Federal Reserve Board, after satisfying itself that such bank has been relieved in accordance with State law of all duties as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or other fiduciary, under court, private, or other appointments previously accepted—

Then it will be in the discretion of the Federal Reserve Board to relieve such bank of its trust powers.

Mr. BLEASE. Mr. President, I have not had an opportunity to read the bill, and that is one reason I objected. There is a situation in my State with which I did not want this bill to interfere.

Mr. COPELAND. I am confident that the bill will not affect any situation which may exist in the State of the Senator from South Carolina.

The VICE PRESIDENT. Does the Senator from South Carolina withdraw his objection?

Mr. BLEASE. Yes, sir.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That subsection (k) of section 11 of the Federal reserve act (subsection (k) of sec. 248, U. S. C., title 12), as amended, be further amended by adding at the end thereof a new paragraph reading as follows:

"Any national banking association desiring to surrender its right to exercise the powers granted under this subsection, in order to relieve itself from the necessity of complying with the requirements of this subsection, or to have returned to it any securities which it may have deposited with the State authorities for the protection of private or court trusts, or for any other purpose, may file with the Federal Reserve Board a certified copy of a resolution of its board of directors signifying such desire. Upon receipt of such a resolution, the Federal Reserve Board, after satisfying itself that such bank has been relieved in accordance with State law of all duties as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics or other fiduciary, under court, private, or other appointments previously accepted under authority of this subsection, may, in its discretion, issue to such bank a certificate certifying that such bank is no longer authorized to exercise the powers granted by this subsection. Upon the issuance of such a certificate by the Federal Reserve Board, such bank (1) shall no longer be subject to the provisions of this subsection or the regulations of the Federal Reserve Board made pursuant thereto, (2) shall be entitled to have returned to it any securities which it may have deposited with the State authorities for the protection of private or court trusts, and (3) shall not exercise thereafter any of the powers granted by this subsection without first applying for and obtaining a new permit to exercise such powers pursuant to the provisions of this subsection. The Federal Reserve Board is authorized and empowered to promulgate such regulations as it may deem necessary to enforce compliance with the provisions of this subsection and the proper exercise of the powers granted therein."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BUCK CREEK OIL CO.

The bill (S. 3284) for the relief of the Buck Creek Oil Co. was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, after line 2, to strike out:

That the Secretary of the Interior be, and he is hereby, authorized and directed to certify to the Secretary of the Treasury the amount paid as rentals and royalties, over and above the amounts due under the law and regulations, in connection with oil and gas leases, Cheyenne, Wyo., Serial No. 036291, executed December 24, 1927, for the southeast quarter of the southwest quarter of section 5, the northeast quarter of the northeast quarter of section 7, and the north half of the northwest quarter of section 8, all in township 35 north, range 65 west of the sixth principal meridian, Wyoming.

SEC. 2. That upon receipt of certificate from the Secretary of the Interior, as provided in the preceding section, the Secretary of the Treasury be, and he is hereby, authorized and directed to make payment of the amounts so certified, out of any moneys in the Treasury not otherwise appropriated, and to issue his warrant in settlement thereof.

And insert:

That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to the Buck Creek Oil Co., a Wyoming corporation, such amount as may be necessary, not in excess of $2,903.08, in reimbursement of amount paid as rentals and royalties, over and above the amounts due under the law and regulations, in connection with oil and gas lease, Cheyenne, Wyo., Serial No. 036291, executed December 24, 1927, for the southeast quarter of the southwest quarter of section 5, the northeast quarter of the northeast quarter of section 7, and the north half of the northwest quarter of section 8, all in township 35 north, range 65 west of the sixth principal meridian, Wyoming.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TREE-PLANTING OPERATIONS ON NATIONAL FORESTS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3531) authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests east of the Rocky Mountains, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, after line 2, to strike out:

That the Secretary of Agriculture is hereby authorized to establish forest-tree nurseries and do all other things needful in preparation for planting on national forests east of the one hundred and second meridian of longitude on the scale possible under the appropriations authorized by this act: *Provided*, That nothing in this act shall be deemed to restrict the authority of the said Secretary under other authority of law.

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1932, $150,000; for the fiscal year ending June 30, 1933, $300,000; and for each fiscal year thereafter, $400,000, to enable the Secretary of Agriculture to establish and operate nurseries, to collect or to purchase tree seed or young trees, to plant trees, and to do all other things necessary for reforestation by planting or seeding national forests east of the one hundred and second meridian of longitude and for the additional protection, care, and improvement of the resulting plantations or young growth.

And insert:

That the Secretary of Agriculture is hereby authorized to establish forest-tree nurseries and do all other things needful in preparation for planting on national forests on the scale possible under the appropriations authorized by this act: *Provided*, That nothing in this act shall be deemed to restrict the authority of the said Secretary under other authority of law.

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1932, not to exceed $300,000; for the fiscal year ending June 30, 1933, not to exceed $450,000; for the fiscal year ending June 30, 1934, not to exceed $600,000; for the fiscal year ending June 30, 1935, not to exceed $1,000,000; for the fiscal year ending June 30, 1936, not to exceed $1,500,000; for the fiscal year ending June 30, 1937, not to exceed $2,000,000; and for each fiscal year thereafter such amounts as may be necessary, to enable the Secretary of Agriculture

to establish and operate nurseries, to collect or to purchase tree seed or young trees, to plant trees, and to do all other things necessary for reforestation by planting or seeding on national forests, and for the additional protection, care, and improvement of the resulting plantations or young growth.

So as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to establish forest-tree nurseries and do all other things needful in preparation for planting on national forests on the scale possible under the appropriations authorized by this act: *Provided*, That nothing in this act shall be deemed to restrict the authority of the said Secretary under other authority of law.

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1932, not to exceed $300,000; for the fiscal year ending June 30, 1933, not to exceed $450,000; for the fiscal year ending June 30, 1934, not to exceed $600,000; for the fiscal year ending June 30, 1935, not to exceed $1,000,000; for the fiscal year ending June 30, 1936, not to exceed $1,500,000; for the fiscal year ending June 30, 1937, not to exceed $2,000,000; and for each fiscal year thereafter such amounts as may be necessary, to enable the Secretary of Agriculture to establish and operate nurseries, to collect or to purchase tree seed or young trees, to plant trees, and to do all other things necessary for reforestation by planting or seeding on national forests, and for the additional protection, care, and improvement of the resulting plantations or young growth.

SEC. 3. The Secretary of Agriculture may, when in his judgment such action will be in public interest, require deposits from purchasers of national-forest timber to cover the cost to the United States of planting, including the production or purchase of young trees, or of sowing with tree seeds, including the collection or purchase of such seeds, national-forest lands cut over in timber sales, or the costs of cutting, destroying, or otherwise removing undesirable trees or other growth on such areas to improve the future stand of timber; such deposits shall be covered into the Treasury and shall constitute a special fund, which is hereby appropriated and made available until expended, to cover the cost to the United States of such work as the Secretary of Agriculture may direct and for refunds to depositors of amounts found by the Secretary of Agriculture not to be due the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests, and for other purposes."

EDWARD C. DUNLAP

The bill (S. 328) for the relief of Edward C. Dunlap was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Edward C. Dunlap, on account of injuries sustained on January 25, 1909, while employed by the Reclamation Service in the construction of the Gunnison Tunnel, the provisions of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, without regard to the time of the filing of his claim for such benefits.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANNA FACEINA

The bill (S. 968) for the relief of Anna Faceina was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna Faceina, of New York City, the sum of $5,000, in full settlement against the Government, as compensation for injuries sustained when run down by a United States mail wagon on August 20, 1920.

SEC. 2. That no part of the amount appropriated in this act in excess of 3 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered or advances made in connection with said claim. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding $1,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3619) to reorganize the Federal Power Commission was announced as next in order.

Mr. COUZENS. I ask that that bill may go over in conformity with the program which has been arranged.

The VICE PRESIDENT. The bill will be passed over.

NAMING OF PEAK IN HONOR OF CARL BEN EIELSON

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 155) to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson, which was read, as follows:

Resolved, etc., That a mountain or peak, unofficially known as Copper Mountain, located at the headwaters of the Mount McKinley River, lying in a northeasterly direction from Mount McKinley in the Mount McKinley National Park, Alaska, is hereby permanently named Mount Eielson in honor of the pioneer work in aviation performed in Alaska and the North by Carl Ben Eielson.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GREAT SMOKY MOUNTAINS NATIONAL PARK

The bill (S. 3960) to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616), was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the boundary limits of the tract of land in the Great Smoky Mountains in the States of North Carolina and Tennessee, recommended by the Secretary of the Interior in his report of April 14, 1926, for the establishment of the Great Smoky Mountains National Park, be, and the same are hereby, extended to include lands adjacent to the east boundary as defined in said report to a line approximately as follows:

From a point on top of the Balsam Mountains at the boundary of Swain and Hayward Counties just north of Black Camp Gap; thence following east the top of the mountain range to Jonathan Knob and Hemphill Bald; thence along top of ridge through Camp Gap to Bent Knee Knob; thence following the main ridge to Cataloochee Creek to a point on the boundary of the area described in report of the Secretary of the Interior of April 14, 1926; and the lands within said boundary extension, or any part thereof, may be accepted on behalf of the United States in accordance with the provisions of the act of May 22, 1926, for inclusion in the area to be known as the Great Smoky Mountains National Park.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LASSEN VOLCANIC NATIONAL PARK

The bill (H. R. 5619) to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private lands adjoining the park and to adjust the park boundary accordingly, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to accept on behalf of the United States, for inclusion in the Lassen Volcanic National Park, fee-simple title to the tract of land containing 10 acres, now adjoining said park, and described as the west half west half northwest quarter northeast quarter section 30, township 30 north, range 6 east, Mount Diablo base and meridian, and in exchange therefor is authorized and empowered to patent to the owner of said land 10 acres of land now within said park and described as the southwest quarter northeast quarter northeast quarter section 30, township 30 north, range 6 east, Mount Diablo base and meridian: *Provided*, That the land acquired by the United States under this act shall, upon acceptance of title, become and be a part of the Lassen Volcanic National Park and subject to all laws and regulations relating to the lands therein, and the land exchanged therefor shall, upon issuance of patent, be excluded from the park.

SEC. 2. The provisions of the act of June 10, 1920, entitled "An act to create a Federal Power Commission, to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto, and to repeal section 18 of the rivers and harbors appropriation act, approved August 8, 1917, and for other purposes," shall not apply to or extend over the land acquired for inclusion in the Lassen Volcanic National Park in accordance with the provisions of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.



WAREHOUSES IN NATIONAL PARKS

The bill (H. R. 6121) to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That hereafter the Secretary of the Interior, in his administration of the national parks and national monuments, is authorized to maintain central warehouses at said parks and monuments, and appropriations made for the administration, protection, maintenance, and improvement of the said parks and monuments shall be available for the purchase of supplies and materials to be kept in said central warehouses for distribution at cost, including transportation and handling, to projects under specific appropriations, and transfers between the various appropriations made for the national parks and national monuments are hereby authorized for the purpose of charging the cost of supplies and materials, including transportation and handling, drawn from central warehouses maintained under this authority to the particular appropriation benefited; and such supplies and materials as remain therein at the end of any fiscal year shall be continuously available for issuance during subsequent fiscal years and to be charged for by such transfers of funds between appropriations made for the administration, protection, maintenance, and improvement of said parks and monuments for the fiscal year then current without decreasing in any way the appropriations made for that fiscal year: *Provided*, That supplies and materials shall not be purchased solely for the purpose of increasing the value of storehouse stock beyond reasonable requirements for any current fiscal year.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DESERT-LAND ENTRIES IN RIVERSIDE COUNTY, CALIF.

The bill (H. R. 6809) to exempt from cancellation certain desert-land entries in Riverside County, Calif., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That no desert-land entry heretofore made in good faith under the public land laws for lands in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 20 east; townships 4, 5, 6, 7, and 8 south, range 21 east; townships 5, 6, and sections 3, 4, 5, 6, 7, 8, 18, and 19, township 7 south, range 22 east; township 5 south, range 23 east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1933, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been made. If the said entrymen are unable to procure water to irrigate the said lands above described through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pending and undetermined by said May 1, 1935, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding five years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HAWAII NATIONAL PARK

The bill (H. R. 9183) to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That hereafter sole and exclusive jurisdiction shall be exercised by the United States over the territory which is now or may hereafter be included in the Hawaii National Park in the Territory of Hawaii, saving, however, to the Territory of Hawaii the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed outside of said park, and saving further to the Territory of Hawaii the right to tax persons and corporations, their franchises, and property on the lands included in said park. All the laws applicable to places under the sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the Territory of Hawaii.

SEC. 2. That the District Court of the United States in and for the Territory of Hawaii shall have jurisdiction of all offenses committed within the boundaries of said park.

SEC. 3. That if any offense shall be committed in the Hawaii National Park, which offense is not prohibited or the punishment for which is not specifically provided for by any law of the United States, the offender shall be subject to the same punishment as the laws of the Territory of Hawaii in force at the time of the commission of the offense may provide for a like offense in said Territory and no subsequent repeal of any such law of the Territory of Hawaii shall affect any prosecution for said offense committed within said park.

SEC. 4. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of the waters of the park in any other way than by hook and line, and then only at such seasons and in such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the park. Possession within said park of the dead bodies, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the provisions of this act or any rule or regulation that may be promulgated by the Secretary of the Interior with reference to the management and care of the park or for the protection of the property therein, for the preservation from injury or spoliation of timber, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the park, or who shall within said park willfully commit any damage, injury, or spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, natural curiosities, or other matter or thing growing or being thereon or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all costs of the proceedings.

SEC. 5. That all guns, traps, teams, horses, or means of transportation of every nature or description used by any person or persons within said park limits when engaged in killing, trapping, ensnaring, or capturing such wild beasts, birds, or animals shall be forfeited to the United States and may be seized by the officers in said park and held pending the prosecution of any person or persons arrested under charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment provided in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

SEC. 6. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Territory of Hawaii shall appoint a commissioner who shall reside in the park and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this act.

Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed.

In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Territory of Hawaii, and the United States district court in said district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district court.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said boundaries of any criminal offense not covered by the provisions of section 4 of this act, to hear the evidence introduced, and if he is of opinion that probable cause is shown for holding the person so charged for trial shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Territory of Hawaii, and certify a

transcript of the record of his proceedings and the testimony in the case to said court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said Territory.

SEC. 8. That all process issued by the commissioner shall be directed to the marshal of the United States for the district of Hawaii, but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States in the policing of said reservation within said boundaries without process of any person taken in the act of violating the law or this act or the regulations prescribed by the said Secretary as aforesaid.

SEC. 9. That the commissioner provided for in this act shall be paid an annual salary as appropriated for by Congress, payable quarterly: *Provided*, That the said commissioner shall reside within exterior boundaries of said Hawaii National Park at a place to be designated by the Secretary of the Interior: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this act.

SEC. 10. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the Territory of Hawaii.

SEC. 12. That the Secretary of the Interior shall notify, in writing, the Governor of the Territory of Hawaii of the passage and approval of this act and of the fact that the United States assumes police jurisdiction over said park.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID M'D. SHEARER

The bill (S. 3836) for the relief of David McD. Shearer was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of David McD. Shearer for compensation for the adoption and use by the Government of the United States of certain inventions relating to reinforced-concrete revetment and construction and laying of same, made by said David McD. Shearer, and for which letters patent of the United States, Nos. 1173879, 1173880, and 1229152 were issued to him, be, and the same is hereby, referred to the Court of Claims, which court is hereby vested with jurisdiction in the premises, and whose duty it shall be to hear and determine any statute limiting the time within which such an action may be brought to the contrary notwithstanding, first, whether the said David McD. Shearer was the first, original, and sole inventor of the inventions described in said letters patent or any of them; and if said court shall find that he was such first, original, and sole inventor of any of the same, then to determine, second, what amount of compensation, if any, he is justly entitled to receive from the United States for the use of his said inventions or any of them, either before or since the date of said letters patent, up to the time of adjudication. The Court of Claims shall ascertain whether or not it is to the interest of the Government of the United States to use such patents, or any of them, after the date of said adjudication and, if it shall find that the said David McD. Shearer was the first, original, and sole inventor of said inventions and that it is to the interest of the Government of the United States to use said inventions, or any of them, after such adjudication, the Court of Claims shall render such judgment as will assure a full and entire transfer of said patents or such of them as should be so transferred and shall award to the said David McD. Shearer such compensation therefor as shall represent the value of the patent or patents awarded to the Government of the United States. In determining whether or not said David McD. Shearer is entitled to compensation and the amount of compensation, if any, for the use of said inventions and transfer of said patents, the court shall take into consideration, if and so far as the facts may warrant, the facts, if proved, that while said David McD. Shearer was engaged in perfecting the invention he was in the service of the United States as a junior engineer superintendent in charge of willow bank revetment construction under the Mississippi River Commission, and whether and, if at all, to what extent said inventions or any of them were discovered or developed during the working hours of his Government service, and to what extent his said inventions for protection of river channels and banks differ from the methods previously used, in material, method of laying, permanency, and value, and whether, if at all, to what extent the expense of making experiments, trials, and tests for the purpose of perfecting said inventions was paid by the United States, and if any such expense was incurred by the United States, whether and, if at all, to what extent the United States received compensation for such expense.

Either party may appeal to the Supreme Court of the United States upon any such question where appeals now lie in other cases, arising during the progress of the hearing of said claim, and from any judgment in said case, at any time within 90 days after the rendition thereof; and any judgment rendered in favor of the claimant shall be paid in the same manner as other judgments of said Court of Claims; and the payment of such judgment shall vest the full and absolute right to said patents, and each of them, in the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PILGRIMAGE OF GOLD-STAR MOTHERS

The bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries" was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, after line 2, to strike out:

That the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," be, and is hereby, amended to authorize the Secretary of War to arrange for pilgrimages to cemeteries in Europe by mothers and widows of those members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, wherein death and burial of the member occurred at sea or wherein the death of the member occurred at sea or overseas, but whose place of interment is unknown, the same as is provided in the case of mothers and widows of members of said forces whose remains are now interred in identified graves in cemeteries in Europe, at the expense of the United States and under the conditions set forth in section 2 of said act.

And insert:

That section 1 of the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929, is hereby amended to read as follows: "That the Secretary of War is hereby authorized to arrange for pilgrimages to cemeteries or to identified graves in Europe by mothers and widows of members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, and whose remains are now interred in such cemeteries or identified graves. Such pilgrimages shall be made at the expense of the United States under the conditions set forth in section 2."

So as to make the bill read:

Be it enacted, etc., That section 1 of the entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929, is hereby amended to read as follows: "That the Secretary of War is hereby authorized to arrange for pilgrimages to cemeteries or to identified graves in Europe by mothers and widows of members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, and whose remains are now interred in such cemeteries or identified graves. Such pilgrimages shall be made at the expense of the United States under the conditions set forth in section 2."

SEC. 2. That paragraph (b) of section 2 be, and is hereby, amended to consist of only the following, to wit: "Upon acceptance of the invitation the mother or widow shall be entitled to make one such pilgrimage at Government expense."

SEC. 3. That paragraph (a), section 4, be amended to read as follows: "The term 'mother' means mother, stepmother, mother through adoption, or any woman who stood in loco parentis to the deceased member of the military or naval forces for a period of not less than five years at any time prior to the soldier, sailor, or marine becoming 18 years of age."

The amendment was agreed to.

Mr. VANDENBERG. Mr. President, I merely wish the RECORD to show that the bill as now framed conforms with the criticism that I submitted against it a week ago, and I am very happy to have it passed in its present form.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8527) to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the

cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929, which was read, as follows:

Be it enacted, etc., That paragraph (e) of section 2 of the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929 (45 Stat., p. 1508), be, and the same is hereby, amended to read as follows:

"(e) The pilgrimages shall be by the shortest practicable route and for the shortest practicable time, to be designated by the Secretary of War. No mother or widow shall be provided for at Government expense in Europe for a longer period than two weeks from the time of disembarkation in Europe to the time of reembarkation in Europe, except in case of illness or other unavoidable cause. In the event of the death of a mother or widow while engaged upon the pilgrimage herein provided for the United States shall pay the cost of preparation of the body for burial (including the cost of a suitable casket) and transportation of same with escort to the home of the deceased. In the case of any mother or widow willfully failing to continue the pilgrimage of her particular group the United States shall not incur or be subject to any expense with regard to her pilgrimage after such failure."

SEC. 2. That section 3 of said act be, and the same is hereby, amended by adding two new paragraphs, as follows:

"(a) In carrying into effect the provisions of this act the Secretary of War is authorized to do all things necessary to accomplish the purpose prescribed, by contract or otherwise, with or without advertising, including the engagement by contract or otherwise of such personal services as may be necessary without regard to civil-service requirements and restriction of laws governing the employment and compensation of employees of the United States, and to detail for duty in connection with the pilgrimage such officers of the Army of the United States for such time as may be necessary without regard to existing laws and regulations governing the detail of officers. Any appropriations for carrying this act into effect shall be available for the payment in advance of such per diem allowance in lieu of subsistence and other traveling expenses as may be prescribed by the Secretary of War for the travel of pilgrims and for the payment of mileage, reimbursement of actual traveling expenses or per diem in lieu thereof, as authorized by law, to officers of the Army, and pay and traveling expenses of civilian employees, including civilian employees of the War Department who may be temporarily detailed for this service.

"(b) The Secretary of War may detail to active duty in connection with the execution of the provisions of this act and any amendments thereto Maj. Gen. B. F. Cheatham, United States Army, retired, who, while on such active duty, shall receive the full pay and allowances of a major general on the active list, notwithstanding existing laws relative to the pay of officers of the Army."

Mr. SHEPPARD. Mr. President, this bill is different from the one which was just passed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETRIFIED FOREST NATIONAL MONUMENT, ARIZ.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6874) to authorize exchanges of lands with owners of private-land holdings within the Petrified Forest National Monument, Ariz., which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 2, line 10, after the word "lands," to insert the words "located outside the exterior boundaries of the said monument," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior, for the purpose of eliminating private holdings of land within the Petrified Forest National Monument, Ariz., is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private ownership within the boundaries of the Petrified Forest National Monument, Ariz., as now or as may be hereafter defined, by accepting from the owners of such privately owned lands complete relinquishment thereof and by granting and patenting to such owners, in exchange therefor, in each instance, like public lands of equal value situated in Navajo and/or Apache Counties in the State of Arizona, after due notice of the proposed exchange has been given by publication for not less than 30 days in the counties where the lands proposed to be exchanged or taken in exchange are located: *Provided*, That the Secretary of the Interior shall, on application or otherwise, designate public lands located outside the exterior boundaries of the said monument subject to exchange under this act which are, in his opinion, chiefly valuable for grazing and raising forage crops, do not contain merchantable timber, are not susceptible of irrigation from any known source of water supply, and are of character similar to the privately owned lands offered in exchange.

SEC. 2. That the value of all patented lands within said monument offered for exchange, and the value of the lands of the United States to be given in exchange therefor, shall be ascertained in such manner as the Secretary of the Interior may direct; and the owners of such privately owned lands within said monument shall, before any exchange is effective, furnish the Secretary of the Interior evidence satisfactory to him of title to the patented lands offered in exchange; and lands conveyed to the United States under this act shall be and remain a part of the Petrified Forest National Monument.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

STOCK-RAISING HOMESTEAD ENTRYMEN IN WYOMING

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2189) for the relief of certain stock-raising homestead entrymen in the State of Wyoming, which had been reported from the Committee on Public Lands and Surveys with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized and directed to permit the persons named in section 2 of this act, whose homestead entries for lands in the Salt Creek Oil Field, Natrona County, Wyo., were canceled after residence had been established and improvements made and who had complied with the provisions of the applicable law as to residence and improvements upon said entries, to exercise their homestead rights on any public lands in the State of Wyoming subject to entry under the homestead laws, and in connection with final proofs upon the lands so entered, to credit the entrymen with residence performed and improvements made upon their said original canceled entries: *Provided, however*, That all selections or entries authorized herein shall be made within two years from the date of the approval of this act.

SEC. 2. The following persons shall be entitled to the benefit of this act: Lewis M. Brown (former application No. 024868, Douglas, Wyo., series); Robert Wheeler (former application No. 024886, Douglas, Wyo., series); Armin H. Ziehlsdorff (former application No. 024888, Douglas, Wyo., series); James L. Brown (former application No. 025254, Douglas, Wyo., series); Rex Snyder (former application No. 027064, Douglas, Wyo., series); Tom Bales (former application No. 025137, Douglas, Wyo., series); David Roy Shidler (former application No. 026919 and 026920, Douglas, Wyo., series); and Claude Collett (former application No. 024870, Douglas, Wyo., series).

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of certain homestead entrymen in the State of Wyoming."

VALIDATION OF CERTAIN PUBLIC LAND ENTRIES

The bill (S. 3477) validating certain applications for and entries of public lands, and for other purposes, was considered as in Committee of the Whole. The bill had been reported from the Committee on Public Lands and Surveys with amendments. The first amendment was, on page 2, after line 12, to insert:

Stock-raising homestead entries, Cheyenne, Wyo., Nos. 044849 and 045077, made by Edwin M. Ballinger on November 8, 1924, and September 8, 1926, respectively, for lots 3 and 4, section 11, south half of the southwest quarter, northeast quarter of the southwest quarter, southwest quarter of the southeast quarter, and lot 6, section 12, and northwest quarter of the northeast quarter, and northwest quarter of the northwest quarter, section 13, township 51 north, range 103 west, sixth principal meridian.

The amendment was agreed to.

The next amendment was, on page 5, after line 6, to insert:

SEC. 8. That the Secretary of the Interior be, and he is hereby, authorized to accept the final proof submitted by Orange A. Roode on January 15, 1929, in support of his additional stock-raising homestead entry, Buffalo, Wyo., No. 017490, made on November 15, 1923, for the southeast quarter of the southwest quarter and southwest quarter of southeast quarter, section 19, township 55 north, range 81 west, sixth principal meridian, upon payment therefor at the rate of $1.25 per acre.

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized to exchange, under the provisions of section 44 of the act of Congress approved May 25, 1926 (44 Stat. L. 636), lots one and two, and south half of the northeast quarter, section 5, township 30 north, range 31 east, Montana principal meridian, for east half of the southeast quarter, section 24, township 30 north, range 31 east, and lots two, three, and four, section 19, township 30 north, range 32 east, Montana principal meridian, and issue to James Kennedy, an unrestricted patent therefor.

SEC. 10. That stock-raising homestead entry, Cheyenne, Wyo., No. 041699, made by Warren F. Deuel on January 15, 1926, for the southwest quarter, south half of southeast quarter, section 13, and north half of northeast quarter, section 24, township 38 north, range 66 west, sixth principal meridian, be, and the same is hereby, validated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BOUNDARY LINE BETWEEN WYOMING AND IDAHO

The bill (S. 2865) granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Wyoming and Idaho to negotiate and enter into compacts or agreements with respect to the boundary line between said States.

SEC. 2. Such consent is given upon condition that a representative of the United States from the Department of the Interior, to be appointed by the President, shall participate in the negotiations and shall make report to Congress of the proceedings and of any compact or agreement entered into. Other than the compensation and expenses of such representative the United States shall not be liable for any expenses in connection with such negotiations, compact, or agreement.

SEC. 3. No such compact or agreement shall be binding or obligatory upon either of such States unless and until it has been approved by the legislature of each of such States and by the Congress of the United States.

SEC. 4. The right to alter, amend, or repeal this act is herewith expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BOUNDARIES OF YELLOWSTONE NATIONAL PARK

The bill (H. R. 3568) to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADMINISTRATION OF NATIONAL PARKS

The bill (S. 195) to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, at the end of line 4, to insert "*Provided*, That he may authorize not to exceed 10 cents per mile for an automobile used in localities where poor road conditions or high cost of motor supplies prevail and he finds that the average cost to the operator is in excess of 7 cents per mile: *Provided further*, That he may authorize the payment of toll and ferry charges, storage, and towage for such automobiles in addition to mileage allowances"; to strike out all of section 3, in the following words: "That the Secretary of the Interior is hereby authorized to contract for services or other accommodations provided in the national parks and national monuments for the public under contract with the Department of the Interior, as may be required in the administration of the National Park Service, at rates approved by him for the furnishing of such services or accommodations to the Government and without compliance with the provisions of section 3709 of the Revised Statutes of the United States," and to renumber the subsequent sections; on page 3, line 2, after the word "cost," to strike out "plus 10 per cent" and insert "including transportation and handling"; in line 12, after the words "prohibit the," to strike out "acceptance" and insert "cashing"; in line 14, after the word "travelers," to insert "exclusive of personal checks, when tendered"; in line 15, after the word "automobile," to strike out "licensee" and insert "license"; in line 17, after the word "Interior," to insert "or other collections made within the national parks or national monuments"; to strike out all of section 6, in the following words: "Appropriations made for the general administration of the various national parks under the jurisdiction of the Secretary of the Interior shall hereafter be available for the purchase of supplies and materials to be kept in central warehouses at said parks for distribution at cost to projects under specific appropriations, and transfers of funds to the general park appropriation to cover payment therefor are hereby authorized"; on page 4, line 6, after the words "for the," to insert "temporary"; in the same line, after the word "care," to insert "and removal from the park"; in line 10, after the word "Interior," to insert "in his administration of the National Park Service"; in line 21, after the words "of the," to strike out "Department of the Interior" and insert "National Park Service"; on page 5, line 6, after the words "of the," to strike out "department" and insert "National Park Service"; and after line 7 to insert: "SEC. 9. Appropriations whenever made for the National Park Service which are available for general administration may be used for the payment of traveling expenses, including the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to purchase personal equipment and supplies for employees of the National Park Service, and to make deductions therefor from moneys appropriated for salary payments or otherwise due such employees.

SEC. 2. That the Secretary of the Interior, in his administration of the National Park Service, may authorize the payment of not to exceed 3 cents per mile for a motor cycle or 7 cents per mile for an automobile used for official business, including travel at official stations, when, in his judgment, the expense of travel can be reduced thereby: *Provided*, That he may authorize not to exceed 10 cents per mile for an automobile used in localities where poor road conditions or high cost of motor supplies prevail and he finds that the average cost to the operator is in excess of 7 cents per mile: *Provided further*, That he may authorize the payment of toll and ferry charges, storage, and towage for such automobiles in addition to mileage allowances.

SEC. 3. That the Secretary of the Interior be, and is hereby, authorized in emergencies when no other source is available for the immediate procurement of supplies, materials, or special services, to aid and assist grantees, permittees, or licensees conducting operations for the benefit of the public in the national parks and national monuments by the sale at cost, including transportation and handling of such supplies, materials, or special services as may be necessary to relieve the emergency and insure uninterrupted service to the public: *Provided*, That the receipts from such sales shall be deposited as a refund to the appropriation or appropriations current at the date of covering in of such deposit, and shall be available for expenditure for national park and national monument purposes.

SEC. 4. The provisions of section 3651 of the Revised Statutes shall not be construed so as to prohibit the cashing of traveler's checks or other forms of money equivalent in customary use by travelers, exclusive of personal checks, when tendered in payment of automobile license fees charged at national parks under the jurisdiction of the Secretary of the Interior, or other collections made within the national parks or national monuments.

SEC. 5. That the Secretary of the Interior is hereby authorized, in his discretion, to provide, out of moneys appropriated for the general expenses of the several national parks, for the temporary care and removal from the park of indigents, and in case of death to provide for their burial, in those national parks not under local jurisdiction for these purposes.

SEC. 6. That hereafter the Secretary of the Interior in his administration of the National Park Service is authorized to reimburse employees and other owners of horses, vehicles, and other equipment lost, damaged, or destroyed while in the custody of such employee or the Department of the Interior, under authorization, contract, or loan, for necessary fire fighting, trail, or other official business, such reimbursement to be made from any available funds in the appropriation to which the hire of such equipment would be properly chargeable.

SEC. 7. That the Secretary of the Interior may require field employees of the National Park Service to furnish horses, motor and other vehicles, and miscellaneous equipment necessary for the performance of their official work; and he may provide, at Government expense, forage, care, and housing for animals, and housing or storage and fuel for vehicles and other equipment so required to be furnished.

SEC. 8. That hereafter the Secretary of the Interior may, under such regulations as he may prescribe, authorize the hire, rental, or purchase of property from employees of the National Park Service whenever the public interest will be promoted thereby.

SEC. 9. Appropriations whenever made for the National Park Service which are available for general administration may be used for the payment of traveling expenses, including the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RETIREMENTS OF FEDERAL PERSONNEL

The bill (H. R. 7414) to provide for a uniform retirement date for authorized retirements of Federal personnel was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. That completes the calendar.

SINCLAIR CRUDE OIL PURCHASING CO.

Mr. WALSH of Montana. Mr. President, in reporting this morning the joint resolution which I sent to the desk, I said that I should ask unanimous consent for its immediate consideration. I ask that now.

Mr. McNARY. I have no objection, Mr. President.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S. J. Res. 165) authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware, was read, as follows:

Resolved, etc., That Special Counsel Atlee Pomerene and Owen J. Roberts, representing the United States, be, and they are hereby, authorized to settle the case of United States against Sinclair Crude Oil Purchasing Co. (No. 1431, civil), now pending in the District Court of the United States for the District of Delaware for the sum of $2,906,484.32, which sum is now deposited by the defendant in escrow pending approval of such settlement by the Congress.

Resolved, That upon receipt of said sum by the Treasurer of the United States said special counsel be, and hereby are, authorized to satisfy any judgment which may be entered in said cause against the defendant pursuant to such settlement, upon payment by defendant of the record costs therein.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. WALSH of Montana. Mr. President, the nature of this joint resolution was explained by me at the time of its introduction. It represents the recovery by the Government of the United States from the Sinclair Crude Oil Purchasing Co. of oil extracted from the Teapot Dome and sold by the Mammoth Oil Co. to the Sinclair Crude Oil Purchasing Co.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECESS

Mr. McNARY. Mr. President, there are certain Members of the Senate who are not able to go forward with the discussion of the immigration bill to-day. For that reason I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 1 o'clock and 33 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, April 15, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, *April 14, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our God, we marvel at Thy patience and the resources of Thy love. In the ages to come how adorable will Thou be to our astonished and enraptured vision. O grant us deeper thoughts and experiences of Thy infinite nature. May we more truly understand those qualities of soul out of which have sprung all the sweet affections of men and of angels. We pray that there may be more true humanity, unselfish sympathy, and less suspicion and selfishness throughout the world. Graciously remember our President, our Speaker, and this Congress. Bless all our people with that most glorious release—liberty of conscience, liberty of faith, and unobstructed happiness. In the name of Jesus. Amen.

The Journal of the proceedings of Friday, April 11, 1930, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a commission to be known as the United States Battle of the Monongahela Commission.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 9546. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes; and

H. R. 9806. An act to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3934. An act granting certain lands to the city of Sault Ste. Marie, State of Michigan.

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, I wish to make a brief announcement in regard to the order of business for the day. There are a number of special orders which will take up possibly two hours. I have not figured out the exact time.

Mr. RANKIN. One hour and a half.

Mr. TILSON. There may be some extensions of time. We may figure that the time taken will probably be two hours before we proceed to business. I am informed that both the chairman of the Committee on Expenditures in the Executive Departments and the ranking member of the minority of that committee have stated that they would prefer that the so-called Williamson bill should not come up this afternoon.

Therefore it is the expectation that after the special orders a number of District of Columbia bills, not controversial in their character, will be called up, and after these are finished it is probable that no controverted matters will be taken up for consideration.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BANKHEAD. I have interrogated the gentleman privately about this. After we have disposed of the Williamson bill and the veterans' bill, the so-called Reed bill, reported from the Committee on Education, has a rule providing for its consideration. That is a bill somewhat of the nature of an emergency. Some of us would like to have an assurance from the gentleman from Connecticut as to when it will come up.

Mr. TILSON. It is our purpose to have that measure come up as soon as practicable after the unfinished business, which is the Williamson bill and the Johnson bill, is out of the way.

SUPPLEMENTAL REPORT ON THE BILL H. R. 6347

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent that I may file a supplemental report on the bill H. R. 6347 in order to make it comply with the Ramseyer rule.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent that on Tuesday of next week, April 22, after the reading of the Journal and the disposal of the business on the Speaker's table, I may address the House for 25 minutes on the subject of the congestion of business in the United States courts.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LUMBER, SHINGLES, AND THE TARIFF BILL

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the tariff on lumber and shingles and to incorporate a brief and letter in relation thereto from the Long-Bell Lumber Co.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. KORELL. Mr. Speaker, I have just received the following letter regarding the present condition of the lumber industry from one of the largest lumber manufacturers in the United States:

THE LONG-BELL LUMBER CO.,
Longview, Wash., April 7, 1930.

Hon. FRANKLIN F. KORELL,
United States House of Representatives, Washington, D. C.

DEAR MR. KORELL: With reference to the tariff bill now in the hands of the House and Senate conferees:

I have no doubt that from various quarters you have had presented to you many reasons for and against the proposed duty on lumber. At

some risk, therefore, of boring you with facts with which you are already familiar, I want to stress several features that should be given earnest consideration by the Members of the House.

The situation facing the lumber industry is very grave. Just how critical this is no one not directly connected with this industry can realize, but it is a fact easily susceptible of verification that unless some way of materially improving this condition is soon found, the results to many operators will be disastrous. Only the stronger concerns will be able to weather the storm.

A large number of mills on the Pacific coast are completely closed down, many are operating 50 to 70 per cent of capacity, and practically none at anything like full time. In spite of this enforced curtailment applicable also in greater or less degree in all lumber-producing sections, production in this country is now far in excess of sales, and there is nothing in prospect that promises relief.

Unemployment in this industry is now widespread, and the incomes of the men who are employed have been reduced by reason of working short time. Wages have not been cut, not because the mills can afford to pay the existing rates, for they can not, but because their men are finding it difficult to live decently on what they are earning. Business in many lines is seriously affected by the stagnant conditions referred to. Men can not buy if they do not earn, and the mills' purchases of equipment and supplies are regulated by the hours they run.

The effect of a tariff on lumber on the cost of this commodity to the consumer will not be felt. To prove this it is only necessary for one to ascertain how many feet of lumber the average farmer, as an example, uses over a period of 8 or 10 years and compute the additional cost to him at $1.50 per thousand, which is the rate carried by the Senate bill. The cost per year would not exceed $5, even if the full amount of the tariff were all passed on to him, and the chance that this would apply is very remote.

I am now making this earnest appeal to you for support of a duty on lumber when this question is again before the House for consideration. This industry is in greater need of protection than any other I know of. Please help us to obtain it if you can consistently do so.

Yours very truly,

J. D. TENNANT,
Vice President and Manager.

The Long-Bell Lumber Co. has large sums invested in timber and operates a number of sawmill plants in the Northwest. It employs many thousand workingmen in the States of Washington and Oregon and has branch offices and retail yards in many other places in the United States. The city of Longview, Wash., a city having an estimated population of 20,000 people, is directly dependent upon the pay roll of one of its sawmills that employs upward of 5,000 workingmen.

The statements contained in my correspondent's letter are supported by the contents of many similar letters and wires that I have been receiving from lumbermen and persons acquainted with the critical condition of the lumber industry ever since the pending tariff bill was introduced in the House, and especially within the past few weeks.

Obviously the letter was written from the standpoint of a private lumber manufacturer. However, the fact that its subject matter relates to the prosperity of the second largest agricultural product, lumber is only exceeded by wheat, and to an industry that stands third amongst the industries of the Nation in importance and fourth in the number of wage earners should not be overlooked.

The greatest single timber holder in the United States is the Government itself. According to statistics, there are over 637,000,000,000 feet of merchantable standing timber situated in our national forests or on public lands. Each year the people of the United States are obliged to sell large blocks of this public-owned timber to prevent loss through overripening, disease, infestation, and various other forms of deterioration. The receipt from these sales runs into millions of dollars annually and is reflected in the balance sheet of the Treasury Department. Accordingly, every taxpayer, large and small, has a direct, as well as an indirect, personal interest in safeguarding the prosperity of the lumber industry.

In order to bring before the Members of Congress in a plain and succinct manner the exact facts about the present condition of the lumber industry in the United States, friends of the industry have prepared a statement relative to the lumber and shingle tariffs that is based exclusively on Government records, which I herewith incorporate in the RECORD, feeling sure that if the Members will but take time to weigh the contents of this statement that they will be impressed with the necessity of supporting the duties already voted on lumber and shingles in the pending tariff bill.

THE PLAIN FACTS ABOUT LUMBER AND SHINGLE TARIFFS

THE UNEMPLOYMENT PROBLEM

There is no current problem that the people of the United States are more anxious to have solved than that of unemployment. It is a problem now receiving the attention of Congress and the thoughtful consideration of the Nation. Unemployment of American lumber and shingle workers has annually approximated fully 160,000 for the past several years, but there has nevertheless been a regular yearly importation of about 1,500,000 feet of softwood lumber and more than 2,500,000,000 shingles to American markets.

This is the complaint of labor, and it is soluble to the mutual interest and benefit of labor, business, and industry alike. Labor needs employment, business a pay roll, and the farmer and industry must have a consuming public with purchasing power to purchase and consume the products of farm and factory.

Many appeals have been made to Congress for tariffs or increased tariffs during the consideration of the pending tariff bill, but there are few that have been able to present as clear and convincing proof of the need for and justification of tariff protection as have the American lumber and shingle workers and their industries.

OPPONENTS OF LUMBER AND SHINGLE TARIFFS

It has been asked, Why if there is need and justification for lumber and shingle tariffs is there opposition to the enactment of such tariffs? The question is easily answered.

Every witness that appeared before the Ways and Means Committee of the House or Finance Committee of the Senate opposing lumber and shingle tariffs was an owner of foreign mill and timber or importing interests, an importer, or the agent or employee of foreign mill and timber or importing interests.

These are the interests that organized an association to oppose the enactment of lumber and shingle tariffs. They are the interests that sent agents to farm and grange meetings soliciting opposition to lumber and shingle tariffs; that solicited retail lumber and shingle dealers throughout the Nation to oppose lumber and shingle tariffs; that secured publicity opposing lumber and shingle tariffs; that have repeatedly charged that lumber and shingle tariffs would greatly increase building costs and add to the burden of the farmer; and they are the foreign interests that have maintained and are now maintaining offices and employees in the city of Washington and which have spent large sums of money in an effort to induce the Congress of the United States not to enact American lumber and shingle tariffs to protect American lumber and shingle workers and their industries from unfair foreign competition, but they are not really concerned, even if they so pretend, over possible increased building costs, nor are they interested in the welfare of the American farmer or consumer, as they claim. What they want is a free and unrestricted American market for their foreign lumber and shingle products. That is their only desire and it is their only reason for opposing the enactment of lumber and shingle tariffs.

This association styles itself the National Association Against a Lumber and Shingle Tariff, and its activities and efforts are directed solely in an effort to protect foreign mill and timber investments and importing interests.

The most persistent opposition to lumber and shingle tariffs emanates from the State of Minnesota. The same opposition appeared in 1922, when the present tariff act was passed. The Senate was then advised that—

"The British Columbia Drafting & Blue Print Co., of 413 Granville Street, Vancouver, British Columbia, has issued a publication on British Columbia timber, which shows that Minnesota people contract leases and licenses amounting to 458,240 acres and that North Dakota people control 71,400 acres." (CONGRESSIONAL RECORD, vol. 62, pt. 9, p. 9384.)

Since that date American interest in British Columbia mills and timber has greatly increased. Canadian records now disclose American ownership of more than 1,000,000 acres of timberlands in British Columbia alone, and the Canadian Facts Publishing Co., of Toronto, Canada, in its booklet of Facts About Canada, 1929 issue, recites that United States investment in Canadian lumbering operations now total $443,806,000.

The reasons for strenuous objection and persistent opposition to American lumber and shingle tariff by American and foreign owners of foreign mill and timber interests are therefore clearly obvious—merely the desire to protect foreign investments, regardless of the detriment or damage to American labor, American business, and American industry.

WHO WANTS A LUMBER AND SHINGLE TARIFF?

That exposition has been made of the opponents of lumber and shingle tariffs the next question to arise is who are the advocates of such tariffs? That, too, is easily answered.

The request for lumber and shingle tariffs comes primarily from approximately 800,000 American lumbering workers; from about 20,000 American lumber manufacturers; from kindred activities, and from the business interests of the Nation whose progress and prosperity is largely dependent upon the American lumbering pay roll. Labor is asking the right, under at least equal competitive conditions, to work in the production of American lumbering products for American markets. Lumbering product producers request that they too may have at least an equal opportunity to manufacture and produce American lumbering products for American markets, and kindred and business interests ask protection to lumbering operations that there may be increased American pay rolls to the benefit and advantage of all American interests.

It is safe to say that, if the serious distress of the American lumber and shingle workers could be fully and completely explained to all of the people of the United States, they would freely admit that there should be fair tariffs granted by Congress to protect American lumber workers from unequal foreign competition.

IMPORTANCE OF AMERICAN LUMBERING OPERATIONS

Lumbering, according to census figures, stands third among the industries and fourth in the number of wage earners. There are 46 lumber-producing States. Each of 10 States annually produce more than 1,000,000,000 feet; each of 18 States more than 500,000,000 feet, and each of 33 States more than 100,000,000.

Forestry records show that 946,871 farmers, located in every State in the Union, own 35,270,527 acres of timberlands.

The total timber stand of the Nation is given as 2,314,000,000,000 board feet, of which 637,000,000,000 feet is situate in national forests or on public lands.

Approximately 20,000,000,000 feet of the yearly lumber product is annually reworked in planing mills, located in every State in the Union. These mills yearly employ about 125,000 workmen, and pay annual wages totaling fully $125,000,000.

Labor employment in lumbering is reported as having been 650,122 in 1923, as 552,787 in 1927, and in all probability it did not exceed 550,000 in 1929, which shows decreased lumbering employment of about 100,000 workmen in the past six years, and the workmen of thousands of smaller mills are not included in Government reports.

LUMBERING INDUSTRY DISTRESS

The distress of the American lumber and shingle industries is extremely serious, and American markets are dangerously threatened with greater and increased invasion from foreign competition. Export markets for American lumbering products are certain to be decreased, because of definitely known and certain increased foreign lumber production.

Lumbering industry distress is of sufficient importance to have gained the recognition of the President, who in his message to Congress, of date of December 3, 1929, stated:

"Progress has, or course, been unequal among industries, and some, such as coal, lumber, leather, and textiles, still lag behind."

In view of the foregoing statement of the President, and his former message of April 16, 1929, asking for tariff revision for: "Farm relief and limited changes in the tariff," in which he said:

"It would seem to me that the test of necessity for revision is in the main, whether there has been a substantial slackening of activity in an industry during the past few years, and a consequent decrease of employment due to insurmountable competition in the products of that industry. It is not as if we were setting up a new basis of protective duties. We did that seven years ago. What we need to remedy now is whatever substantial loss of employment may have resulted from shifts since that time."

It is fair to assume that lumber and shingles come well within the terms of the President's request for tariff revision. The President makes special mention of lumber as one of the industries that is lagging behind, and it is clear that the lumber and shingle industries have suffered "a substantial slackening of activity in industry during the past few years, due to insurmountable competition in the products of that industry."

ALLEGED BUILDING COST INCREASES FROM LUMBERING TARIFFS—MISLEADING AND UNFOUNDED

It has been repeatedly charged that the proposed lumber and shingle tariffs will annually increase building costs from $100,000,000 to $300,000,000. Such an assertion has no foundation of fact and is a definite misrepresentation. Lumber and shingle production and importations are known to all, as are the tariffs that are sought to apply, and it is easy to determine the maximum possible tariff charge on such items. If both lumber and shingle tariffs could become completely effective in price increases on all lumber and shingle products they could total approximately $42,000,000 yearly, even including several million feet of hardwood lumber, not covered by the requested tariff on softwood, and could equal a total tariff charge on a building using 5,000 feet of lumber (fully one-third of which would be rough and not dutiable) covered with shingles, of about $16.25, and on a building using 10,000 feet of lumber, roofed with shingles, of about $25, or if figured on a per capita basis, could total 35 cents per year. Lumbering workmen wonder, in view of the fact that the farm tariffs proposed can equal about $36.50 per capita per year, if effective in price increases, whether there is any farmer in the United States who would object to lumbering workmen sharing in moderate tariff benefits, or if in view of the tariff charges on nearly all other commodities, there might be any who would be unwilling to contribute as much as 35 cents in tariff charges to assist in affording employment for 160,000 idle American lumber workmen.

However, it is not believed lumbering tariffs can increase building costs in any amount. Competitive substitute building materials govern the retail price of lumbering products, and have governed such prices for years. They will continue to do so as long as substitute building materials are produced, and substitute building materials will be produced as long as there is a demand for any kind of structural materials. Substitute competition, therefore, stands as a perpetual guaranty that only fair prices may be charged for lumbering products or structural substitutes will supplant lumbering products as leading materials for building purposes. A Government guaranty could be no stronger than is the competitive guaranty of competitive American substitute building materials.

A further guaranty that lumbering tariffs will not increase building costs, nor be passed to the ultimate consumer, is that American lumber production capacity is far in excess of consumption demand, and competition for orders is now and will remain so strong that the lowest possible mill prices will prevail. What lumber producers want and hope to obtain is the opportunity to produce the lumber for American markets, instead of importing, and to save the present waste expenses of forced periods of idleness. That is the only gain lumber and shingle manufacturers can expect to secure from lumber and shingle tariffs.

LUMBERING TARIFF BENEFITS

Lumber and shingle tariff opponents charge that the benefits of lumbering tariffs will go to timber owners. That, too, is a baseless charge. Even casual consideration will instantly lead to the conclusion that the first and primary benefit of lumbering tariffs will be more labor employment. The timber owner will not collect the wage that is paid to the workman. Second in line of benefit will be commercial interests, because of increased pay rolls, and the timber owner will not receive that benefit. Next will come farming interests, because of increased purchases of farm products, and the timber owner will not participate in that benefit. Then will follow savings of waste expenses to mill operations, caused at present from periods of forced idleness, and that benefit can not be reached by the timber owner, but the timber owner will be benefited by not being compelled to share in general wage and price reductions in order to meet the low wage and low cost productions of foreign competing nations.

However, it is certain the farmer would receive benefits from lumber and shingle tariffs far in excess of any tariff charges he could possibly be called on to pay. No American interest is more completely dependent on the pay roll of the American workman than the farmer. Idle labor consumes little, and decreased consumption produces farm surpluses. Surpluses are the primary cause of farm distress, but it can not be relieved by driving American workmen into idleness and denying them the chance to earn money with which to purchase the produce of the farm, and it is a certainty that the farmer can not sell his produce to the orientals of Canada nor to the low-priced workmen of Europe.

Labor Department records show American lumber workmen were idle 20 per cent of the usual working period during the past year. That would equal total idleness for 160,000 workmen for the entire year, and represent a loss in the American lumbering pay roll of $182,000,000, of which the farmer's natural share would be about $110,000,000. That amount is six and one-half times as large as the total possible lumber and shingle tariffs, under the highest amounts in either Senate or House bill, and the American farmer who opposes lumbering tariffs has been misled by false foreign propaganda to oppose the interest of his best customer and the largest consumer of his products.

TIMBER OWNERSHIP

In an effort to detract from the real issue of the need and justice of lumber and shingle tariffs astonishing figures have been published concerning timber ownerships. Claim has been made that a few large timber-holding companies own practically all of the timber of the Nation. It is stated that one western timber-holding company owns 60 per cent of the timber in the State of Washington. Actual facts, fully verified, are that all of the timber-holding companies named do not own as much as 4.5 per cent of the national timber, and that the timber-holding company, said to own 60 per cent of the timber in Washington, actually owns about 11 per cent of the timber in that State, or 2.3 per cent of the Nation's timber, and that the stock of that company is distributed among 107 families. More than 27 per cent of the remaining timber belongs to the United States or States, and the balance of 66.2 per cent is owned by numerous individuals or companies, including 946,871 farmers.

FOREIGN TIMBER PRODUCTION ADVANTAGES

Lower wages and lower log costs in British Columbia have been thoroughly proven. They are Tariff Commission findings from actual investigation; not guesses or unsupported assertions.

The United States Tariff Commission's report on logs definitely states that logging costs in the Puget Sound region of Washington are $1.66 higher per 1,000 feet of log than in the Vancouver forest district of British Columbia. The same report states that the sale price of logs in the Puget Sound region of Washington is $2.13 higher than in British Columbia. Pages 7, 11, and 21 of log report.

A careful check of wage schedules of Washington and Oregon and British Columbia has been made to ascertain the differences in wages paid in the Canadian and American mills. See pages 4400 and 4401, CONGRESSIONAL RECORD, February 27, 1930. By applying shown wage differences to actual mill operations it reveals that the costs of lumber

production are at least 48 cents higher per 1,000 feet in the American mills than in the mills of British Columbia. Adding these two cost differences shows a higher cost of production in American mills of $2.61 per 1,000 feet, and a production advantage favoring Canadian mills in that amount.

Due to American navigation laws a large amount of Canadian lumber exports have lower water transportation rates to American markets than are afforded Northwest United States mills. In many instances these lower rates amount to as much as $3 per 1,000 feet of lumber, and average at least $2 per 1,000 feet. The several advantages therefore give a total advantage to Canadian lumber production over American lumber production of at least $4.61 per 1,000 feet of lumber.

Tax charges on timberlands in British Columbia run $140 per 640 acres of timberlands, and tax charges in the United States run as high as $2,000 to $3,000 on the same amount of acreage. This, too, could be added to show a further and material advantage favoring Canadian lumbering operations.

Owing to extreme low wages in Russia and the nationalization of Russian timber a comparison of American lumber production costs with Russian costs is valueless. Russian labor receives 4 rubles per day for wages, of a value of about 50 cents in American money. Western lumbering wages run from $4 to $12 per day. Latest advices from Russia are to the effect that refusal to work in Russian lumbering operations is to be regarded as a political offense, subject to punishment and to forced labor in woods and mills. Regardless of the present small lumber imports from the Soviet Union the Russian menace to American labor and the American lumber industry can not be stressed too strongly.

LABOR COSTS IN LUMBER PRODUCTION

Labor costs, which, of course, do not include charges of taxes, interest, insurance, supplies, stumpage, and other incident lumber production costs, ascertained from department records, totaled $17.73 in 1923, $16.95 in 1925, $16.84 in 1927, and because of unusual forced periods of idleness and production curtailment, are estimated to have run close to $18 in 1929 per 1,000 feet of lumber.

The increased cost of lumber production is of necessity carried into the total cost of lumber, added to the sale price at the mill, and if it be that the increased cost is passed to the consumer such consumer is now paying the cost of idleness instead of a tariff, to the loss of the American lumber worker as well as to the loss of revenue to the United States Government; and to those who argue that moderate American lumbering tariffs will increase building costs it might be well to suggest that it is no more expensive to pay tariffs than to pay increased costs of production necessitated from forced periods of idleness.

American lumbering wages have not been reduced to date. It is not the desire of American lumber manufacturers to reduce wages, but it may be they will be forced to such resort by foreign competition unless they can receive some measure of protection to enable them to fairly compete in the production of lumber products. On the contrary, lumbering wages have been increased, and average annual per capita earnings, notwithstanding periods of forced idleness, according to department records, were $1,012 in 1923, $1,040 in 1925, $1,052 in 1927, and, based on past production costs, are estimated to have been $1,063 in 1929; but the value of the wage dollar has been reduced, having been $1.242 in 1890, $1.009 in 1912, $1 in 1926, $0.892 in 1927, and $0.831 in 1929; and now many American lumber workmen, out of work with families in need, are offering to work longer than usual hours and for less wages.

Department records show that $77,248,213 less wages were paid to lumbering workers in 1927 than were paid in 1923, and at that it should not be overlooked that thousands of small mills are not included in department reports, nearly all of which are forced into complete idleness during periods of lumbering-industry distress.

The wage earner is the chief sufferer from lack of lumber tariffs. Careful comparisons of wage losses to mill losses caused by forced idleness shows a wage loss of $20 to each $1 of mill loss. The idle workman has no chance to recoup his loss. His wage loss is a loss for all time to come, and as all lines of activities are tremendously dependent on pay rolls, the losses to commercial activities are shared in proportion to the extent of their operations.

DECREASES IN MILL PRICES OF LUMBER

Department records show that mill prices for lumber were $31.78 in 1923, $28.02 in 1925, $25.80 in 1927, and they are estimated to have been about $25.50 in 1929, but the lowering of mill prices has not been reflected in reduced prices to the consumer. Although mill prices have decreased a total of $5.98 in the past seven years, retail prices have remained unchanged. Such being the case, it affords further and fairly convincing evidence that a small lumbering tariff protecting American labor and American industry will likewise not be passed to the ultimate consumer of lumbering products.

In reality there is no actual fear of increased building costs from small lumbering tariffs, but propaganda has been spread in an effort to produce such a fear by foreign ownerships and importing interests, who are seeking to protect their foreign investments at the expense of American labor and the American taxpayer.

FOREIGN SHINGLE-PRODUCTION ADVANTAGES

No industry in the United States is at present suffering more serious distress or has been forced to endeavor to compete under such insurmountable difficulties arising from foreign competition and unfair tariff laws as has the red-cedar shingle industry. Since 1922 more than half of the American cedar mills have been forced into bankruptcy or out of business, and at the present fully half of all the remaining American cedar mills are actually bankrupt or on the verge of failure.

Opponents of shingle tariffs are precisely the same as those opposing lumbering tariffs. They have exactly the same reasons for their opposition—foreign ownerships and importing interests—and all of the opposition to shingle tariffs can be traced directly to such foreign ownerships and importing interests.

A report of the Commissioner of Internal Revenue of date of April 9, 1929, covering 37 representative cedar mills, shows deficits in excess of receipts for each of the years of 1923 to 1927, both inclusive, except the year of 1925, and that the net income in excess of deficit for 1925 amounted to only $2,608 to the mill.

At the request of the President the red-cedar shingle industry was investigated in 1926 by the United States Tariff Commission. It happened that the data on which the commission based its report was taken from 1925 operations, the only year in the past seven years in which the cedar industry has been able to show an income in excess of deficit, but the commission nevertheless found pointed findings, as follows:

"It will be noted that daily wage rates are lower in British Columbia than in Washington and Oregon" (p. 23, shingle report).

"Although, as would be expected, piece labor on grades designated as comparable average higher in Washington and Oregon than in British Columbia" (p. 49).

"It appears from the whole five and one-half years covered by table 5–A log prices in Washington and Oregon have exceeded those in British Columbia, on the average, by $2.25. In 1925, the year for which cost data were obtained by the commission, the excess was $2.31; in the first six months of 1926, * * * it had risen to $2.52" (p. 11).

"British Columbia shippers sometimes have an advantage in charter rates * * * not being limited to ships flying the American flag."

"A considerable part of the shipment of shingles from both sides of the line is by water" (p. 72).

These findings of the commission, therefore, clearly evidence lower daily wages, lower piecework costs, lower log costs, and part lower transportation costs, which afford British Columbia shingle producers a decided advantage over American producers of like products, and the cost items named constitute practically the total cost items of production and delivery of shingles.

Careful computations of the differences in production costs between American and Canadian shingle production, made by the most expert accountants of the industry, agree that the cost advantages favoring British Columbia shingle production, over American shingle production, have averaged in excess of 20 per cent ad valorem on mill prices for the past six years.

Repeated charges have been made by shingle tariff opponents that American shingles are not of the grade and quality of the shingles of British Columbia. The Tariff Commission has clearly expressed its opinion on that point. It stated:

"Official grading specifications in Washington-Oregon and British Columbia are identical. Moreover, in actual practice they are approximately equal, whether made on the northern or southern side of the international boundary" (p. 32).

The commission further states, seemingly to emphasize the equality of grades, that:

"Most Washington and Oregon mills producing high-grade shingles now turn out fully as good product as do the British Columbia mills" (p. 72).

Claims have been made that American mills have scale advantages in log purchases, but actual log measurements, if the scale rules are followed, show a 3 per cent scale advantage to British Columbia mills (p. 8, shingle report). However, the forestry branch of the Canadian Government also disputes any American scale advantage, as is shown on page 146 of the British Columbia Trade Directory and Yearbook for 1929.

Shingle tariff opponents assert that American shingle buyers can not buy high-grade shingles from American mills. This claim is merely an assertion, to test the correctness of which a special survey of the American shingle industry was made in September, 1929, and that survey disclosed that there were then on hand, and unsold, a surplus of about 60,000,000 high-grade shingles of the kind it was claimed could not be bought from American mills, and it was further shown at the same time that the American industry was not operating and had not operated in excess of 66 per cent of capacity for the preceding 60 days. (See p. 5449, CONGRESSIONAL RECORD, November 12, 1929.)

American cedar industry records will clearly show that for the past five years industry operations have been curtailed on an average of 33 to 40 per cent of the usual yearly working period. Decreased American

production of shingles, shown by department records, proves that statement to be correct.

Canadian shingle exports to United States markets have totaled more than 90 per cent of their entire yearly production since 1913, are five and six-tenths times larger than in 1913, when the tariff was removed from shingles, and British Columbia shingle production gain, since 1913, has totaled 400 per cent. American shingle production has sustained an annual average production loss of about 10 per cent during the same period.

At the present, when shingle mills should be normally operating full capacity, filling spring orders, fully 75 per cent are closed, and the workmen are idle. British Columbia cedar mills are operating to capacity.

Both House and Senate tariff bills at present provide tariffs on all roofing materials, save only that wooden shingles are not included in the Senate bill. Wooden shingles, according to the Tariff Commission's report, constituted 14.75 per cent of the total roofing values in 1923. Since that date wooden shingle production has greatly decreased, and it now totals less than 11 per cent of total roofing values (p. 59, shingle report).

THE RUSSIAN MENACE

The Russian expansion program, and the intent of the Soviet Union to export immense quantities of lumber, is well described by Russian authorities and in the Soviet Union Yearbook 1929, quotations from which are as follows:

"United States industrial activities serve as a model for the Soviet Union."

"Lumber industry: Construction of 126 sawmills, of which 20 mills will cost over 3,000,000 rubles ($1,500,000); 100 woodworking plants, 48 of which will cost 2,000,000 rubles ($1,000,000) each."

"In addition to the 126 state-constructed sawmills, the Soviet Union is offering timber concessions in areas which when operative will produce considerably in excess of a billion feet annually for a substantial number of years."

"The 5-year plan provides for the total investment of about 860,000,000 rubles ($430,000,000) for the organization and development of the production of building materials."

"The total invested capital in forestry in 1927–28 was 12,800,000 rubles ($6,400,000), and investments for the 5-year period are estimated at about 247,000,000 rubles ($123,500,000)."

"The gross production of the industry will increase 275 per cent in the 5-year period, and the output of the sawmills for building materials 267 per cent."

"The program will provide for the production of lumber for export in amounts greatly exceeding the present export of the Soviet Union."

"It is common knowledge that the Soviet Union possesses enormous natural resources, but owing to lack of free capital is unable to develop them. * * * The program for development could be infinitely speeded up by investment of foreign capital in the Soviet industry and transport. It was with this aim in view that the Union of Socialist Soviet Republics embarked upon its concessionary policy."

"The timber resources of the Soviet Union are estimated at 913,040,000 hectares (2,282,000,000 acres), or 27.9 per cent of the total world resource. The union holds first place in the world of timber."

"These forests are conveniently situated in relation to Pacific markets. China, Japan, Australia, India, as well as South Africa, require to import 300,000,000 cubic feet (3,600,000,000 board feet) per year, for which they depend on American lumber dealers."

Reference to the export markets for American lumber can not be considered otherwise than a plain notice that it is the intent of the Soviet Union to endeavor to take those markets from American lumber producers, and late information from Russia reveals that the Soviet Union is planning extensive lumber exports to United States markets.

Japan has already secured timber concessions from the Soviet Union totaling 2,750,000 acres in far east Russia, which is now being developed, and it is noted in export circles that American exports to Japan decreased over 33 per cent during the past year. It is safe to say they will be reduced to unimportant quantities within the next two years.

Russian timber sales to Great Britain increased from $4,235,000 in 1921 to $34,400,000 in 1928.

According to statements of Russian importing agents, Russian lumber has been sold at Atlantic coast points at from $30 to $36 per 1,000 feet, which amounts are about half the usual f. o. b. price that is charged for North Carolina pine at the same points, and they are less than the average production and delivery costs of western lumber.

Declared valuations for Russian imports of lumber totaled $22.04 for 1928, and returns to Russian exporters, as shown by the Soviet Union Yearbook, amounted to $14.50 per 1,000 feet.

Russian lumber shipments have been made to Atlantic coast points on rates as low as $5 per 1,000 feet. The declared valuations, compared to returns to exporters, evidences a transport rate of but $7.46, and a profit and commission to the wholesaler and retailer, compared to the prices at which it is said the lumber was sold, of from $8 to $16 per 1,000 feet of lumber.

Russian lumber export to the United States is in its infancy. Only 10,000 feet were imported in 1925, 5,592,000 in 1927, 23,884,000 in 1928, and 38,000,000 in 1929.

The announced expansion program for Russian lumber production shows that Russian production is planned to fill all requirements of European markets and still leave a surplus sufficiently large to ship approximately 2,000,000,000 feet yearly to American markets.

Approximate production and the convert of the proposed production, under the Russian lumber-expansion program, as described in the Soviet Union Year Book, is:

	Feet
1927–28	3,570,000,000
1932–33	12,720,000,000

There is contention that Russia will not be able to expand lumber production as rapidly as is contemplated, but the fact remains that lumber production in Russia has expanded faster than was anticipated or planned.

ORIENTAL LABOR COMPETITION

According to the report of the Tariff Commission (p. 21) 45 per cent of the British Columbia cedar mills employees are orientals, and Canadian statistics state that 39 per cent of the sawmill employees of British Columbia are of Asiatic extraction. American workmen are, therefore, forced into direct and open competition with the orientals of a foreign lumber and shingle producing nation, and the intended benefits of the United States exclusion act, so far as American lumber and shingle workers are concerned, are therefore nullified. No orientals have ever been employed in the American cedar mills.

FOREIGN LUMBERING TARIFFS

At the present the United States is one of the few nations that does not impose tariffs on lumber products. Australia, Japan, China, New Zealand, Canada, nearly every nation bordering on the Pacific Ocean, and other lumber producing and lumber consuming nations provide tariffs against lumber importations. Their aim is to protect their home lumbering activities and provide employment for home labor in their lumber operations. These foreign tariffs, as well as increased foreign lumber production, are decreasing the former export markets for American lumber products, and American lumber producers are being compelled to seek new fields of outlet, while foreign lumber and shingle producing nations, that impose tariffs to protect their own home markets against American lumbering products, are exporting enormous amounts of lumber products to the free markets of the United States. See CONGRESSIONAL RECORD, pages 4411–4413, February 27, 1930.

CONSERVATION

In 1922 it was contended that free lumber and free shingles were necessary to conserve American forests. A few still hold to that theory, but it has been completely abandoned by all students of forestry. Actual experiences of many years has proven that free lumbering products have forced devastation instead of producing conservation, because of the forced necessity to produce cheaply in order to compete with low-cost foreign production. Not all of the timber is at present used, and true conservation consists in closer utilization as well as reforestation, but the unprofitableness of lumbering operations has enormously retarded reforestation activities and almost completely stopped the reclamation of cut-over lands. It is safe to assert that timber conservation and reforestation will never become a reality as long as lumbering operations are unprofitable.

American lumber and shingle workers and the American lumber and shingle industries respectfully state as a positive and definite fact that unless some fair measure of tariff protection is afforded American lumbering interests increased idleness will be forced on thousands of American lumber workmen and that hundreds of American lumber and shingle mills will be driven into bankruptcy or forced out of business.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent to take from the Speaker's table the bill H. R. 9546, the independent offices appropriation bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, I understand the gentleman from New Hampshire asks unanimous consent to take from the Speaker's table the independent offices appropriation bill, disagree to the Senate amendments, and send the bill to conference. Do I understand that that is entirely agreeable to the gentleman from Virginia [Mr. WOODRUM]?

Mr. WASON. Yes.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9546) making appropriations for the Executive Office and sundry executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes.

The SPEAKER. Without objection, the Senate amendments will be considered as having been disagreed to and the conference asked for.

There was no objection.

The SPEAKER. The Chair appoints as the conferees on the part of the House Mr. WASON, Mr. SUMMERS of Washington, and Mr. WOODRUM.

APPROPRIATIONS FOR DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND THE DEPARTMENTS OF COMMERCE AND LABOR

Mr. SHREVE. Mr. Speaker, I present a conference report on the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes.

Mr. GARNER. Will the gentleman yield?

Mr. SHREVE. I yield.

Mr. GARNER. May I ask the gentleman from Pennsylvania [Mr. SHREVE] when he expects to call up the conference report?

Mr. SHREVE. I have just entered into an agreement with the gentleman from Alabama, Mr. OLIVER, the ranking Democratic member of the committee, to take it up to-morrow morning.

SUGAR

Mr. TILSON. Mr. Speaker, I ask for the special orders.

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from Louisiana [Mr. MONTET] for 30 minutes.

Mr. MONTET. Mr. Speaker, it would be most unfortunate for the American consumers of sugar if those charged with the responsibility of tariff making would yield to the selfish foreign interests now concentrating their efforts to the destruction of the sugar industry in continental United States. It would be a sad day indeed if the American housewives were left at the mercy of the Cuban sugar monopoly now so zealously engaged in the effort of destroying all competition on this continent, and if successful, permit that monopoly to gouge the American consumer as it sought to do in the summer of 1917. Its then purpose would have been accomplished had not the patriotic American sugar producers come to the rescue by agreeing with the Food Administration to forestall that threatened steal of the American consumer by actually selling their 1917 crop at a price of 1½ cents per pound below the then price of imported cane sugar. Had the American sugar industry yielded to the natural selfish inclinations by joining with this sugar octopus in a holdup of the American people, it could and would have then reaped the tempting huge profits appearing on the horizon.

Fortunate indeed were the American people that at the time sufficient sugar was grown and manufactured in this country by patriotic Americans, who stood ready and willing to let their product go upon the American market at a price below that demanded by the Cuban monopoly, thereby holding the price of sugar at a low level and saving the American people millions of dollars, which they otherwise would have been called upon to pay as a result of this foreign monopoly, whose designs were thwarted only by the stabilization influences of the continental sugar crop thrown upon the market at a monetary sacrifice to the producers.

This patriotism was applauded not only by the American public generally but also by the present Chief Executive, who was then acting in the capacity of Food Administrator, and who, in a statement appearing in the New York Times on August 27, 1917, said:

> The beet-sugar producers of the country patriotically agreed with the Food Administration to limit the price of their sugar to a basis which should result to a reduction of about 1½ cents per pound from the present price, affecting a saving of about $30,000,000 to the consuming public between now and the first of the year. This patriotic action of the domestic sugar-beet industry in acting as a control over the price demanded for imported sugar will not only make the saving mentioned above between now and the end of the year but will contribute largely to establish a low price for imported sugar throughout the year.

Had it not been for the patriotic disposition of the American sugar growers, no one can tell how many hundreds of millions of dollars would have been extracted unreasonably from the American people at that time.

In 1920 we had a repetition of what the American people can expect if the continental sugar crop is destroyed. It took the Cuban monopoly but a few months then to raise the price of sugar from 6 cents to 24 cents per pound. The press at the time reported that this monopoly was holding back 500,000 tons of sugar, with a view of forcing the price of raw sugar to 30 cents per pound. Those prices and that situation were made possible only by reason of the fact that our own crop was exhausted. The American people paid this Cuban monopoly in that one year nearly $700,000,000 for a crop worth about 40 per cent of that amount.

The high market of 1920 precipitated a castle-building program by the Cuban sugar barons the like of which the world has never known. Knowing the strategic market position they enjoyed, in anticipation of a 30-cent raw-sugar market, elaborate mansions and castles sprung up on the Cuban isle. The barons felt that at last they had the American consumers at their mercy, with no telling to what heights the price of sugar would be pyramided. The situation became so alarming and the consumers' protests so dinning that the American Government was compelled to enter the fray and save the consumers. It will be recalled that this manipulation of the sugar market by the Cuban interests was so universally condemned by the American press that our Government caused sugar to be imported from the Argentine and Java for the purpose of beating down the then ever-climbing price of sugar. As a result of this universal press condemnation and the activities of our own Government, we saw the price of sugar tumble from 24 cents to 5 cents per pound within a fortnight. However, those castles still stand in Cuba as a monument to their ability to rob the American people when given a free hand to deal with the American sugar consumers when continental competition is destroyed.

These experiences should demonstrate conclusively the necessity in maintaining a sugar industry in this country, at least of sufficient proportions to stabilize the sugar market. As a business proposition, it is far cheaper and more economically sound for the American people to contribute a few dollars of protection to this industry, and thereby encourage its further development, than to be left at the mercy of this Cuban monopoly. In so far as the Cuban sugar barons are concerned, they demonstrated no patriotic sacrifices during the war. Their patriotism and appreciation of the efforts and sacrifices made by the people who saved this and future generations from a world cataclysm was inspired only by their desire to gouge the American public, and to know that that monopoly was and is controlled by American citizens is a shameful truth which none can deny. In the light of these experiences it seems inevitable to me that in carrying out our solicitudes for the American consumer our duty lies in the encouragement and further development of our continental sugar industry so as to insure the American consumer against any possibility of control of the sugar market by the Cuban producers, whose output is practically sufficient to satisfy the American market, and thereby save the American consumer from a recurrence of the debacle of 1920. That is the only way to effectuate our cleavings to principles in opposition to monopolies.

The testimony adduced before the Ways and Means Committee of the House and the Finance Committee of the Senate proved conclusively that unless a substantial increase in the tariff rate on sugar is provided for, the present depression in that industry is only a forerunner of its complete disappearance on American soil.

If our vote on the present tariff rate were to bring about the inevitable destruction of this industry, the condemnation that some of us seem to anticipate from the American people if the rate on sugar is increased will be nothing as compared to that criticism which will come as sure as the night follows the day if we place the American people solely at the mercy of that sugar octopus to the south of us. The day would be dim for the American people if this Congress were to yield to the advocates of the sugar monopoly. This monopoly is not only opposed to any increase whatever in the present sugar rate, but it would not feel its purpose thoroughly accomplished unless it saw a complete destruction of our own industry and thereby permit it to enjoy the uncontested privilege of gouging the American consumer at such prices as its selfishness may determine. When we consider the advantages heretofore sought to be taken of the American consumer by that monopoly it is our bounden duty to do everything possible to maintain a sugar industry in this country sufficient in size to at least stabilize the sugar market so as to insure the safety of the consumers from unreasonable prices which are bound to follow in the wake of the destruction of our own industry. We can not surrender our own independence and the safety and welfare of the American people to a foreign industry which produces sugar cheaper than any country except, possibly, Java.

Mr. HOGG. Will the gentleman yield?

Mr. MONTET. I yield for a question.

Mr. HOGG. I am very much interested in the remarks of the gentleman, and I am heartily in accord with them. I would like to ask the gentleman what is the potential limit of cane-sugar production in the United States?

Mr. MONTET. If the gentleman will bear with me, I shall cover that in a few moments.

Mr. HOGG. May I ask the gentleman another question? Is there a difference in the utility of cane and of beet sugar as the gentleman understands it? In other words, can the sugars be substituted indiscriminately?

Mr. MONTET. Sugar as such?

Mr. HOGG. Yes.

Mr. MONTET. Yes. That is my opinion. The first question asked by the gentleman will be fully answered in a few moments.

By granting rebates to Cuba under our reciprocity treaty the United States Treasury has already surrendered over $300,000,000 to the Cubans, and unless we grant further tariff assistance to our sugar industry it is rather hard to estimate how many more hundreds of millions of dollars will be paid within a decade to the Cuban industry directly from the American pockets by reason of the destruction of the only competition it fears. The trade balance also is in favor of Cuba to the tune of more than $2,000,000,000, or nearly $600 per capita. She now supplies us with 99.9 per cent of all sugar coming from duty-paying countries, and on account of her geographical location she can expect and fears no further competition from other foreign countries.

A further increase will be no detriment to the Cuban industry. That can not be denied in the light of past experiences because, since the duty on Cuban sugar was raised from 1.60 to 1.76 per pound, Cuba increased her production over 40 per cent within two years after the increase was enacted.

It strikes me that that fact alone smashes the Cuban propaganda that an increase in the sugar rate will be detrimental to it. Further, will anyone assert that the welfare of any American industry should be subordinated to that of any foreign country?

The House rate of 2.40 as against Cuba is certainly not out of line with the tariff provisions of other sugar-producing countries on the same article. Brazil levies a tariff of 17½ cents per pound. Germany 3.84 cents per pound. Spain more than 9 cents per pound. Japan 4½ cents per pound and England not only levies a tariff of 1.81 cents per pound but besides pays a bounty of 2 cents per pound and it might be interesting to note the effect England's protective policy has had upon that industry. That policy was assumed by the British Parliament in 1924 and by reason thereof the production of beet sugar has increased in that country from 22,000 tons in 1924 to 230,000 tons in 1929. England realized the necessity of building up and maintaining a sugar industry within its bounds. The experiences of the war taught her that she should not depend for her supply of sugar upon Cuba and other sugar-producing countries and I do not believe that anyone will stand upon the floor of this House and proclaim that the British people are any wiser in their anticipation of national needs than are the American people. Our patriotic duty demands that a substantial sugar industry be built up and maintained in this country.

Evidence of the cost of producing sugarcane in this country was adduced in detail by the American Sugar Cane League, composed of over 4,000 cane growers in the South. The State of Louisiana is, of course, the largest sugarcane producing State in this country. We have been producing sugarcane for over 130 years and the detailed costs of production show that it costs $4.96 to produce a ton of sugarcane in that State.

The cane growers are paid $1 and a fractional part thereof per ton of cane for each cent or fraction of a cent of the prevailing price of raw sugar per pound on the New Orleans market at the time the cane is delivered to the factory. For instance, the prevailing price of raw sugar during the last sugarcane harvesting season was approximately 3.8 cents per pound. To the sugarcane grower it meant a price of $3.80 for each ton of sugarcane. Such a price spells disaster, because a ton of sugarcane can not be produced for such a price in this country. The average wholesale price of raw sugar on the New York market for the year 1923 was 7 cents; for 1924 it was 6 cents; 1925, 4.3 cents; 1926, 4.3 cents; 1927, 4.7 cents; 1928, 4.2 cents; 1929, 3.8 cents. It is, therefore, apparent that considering the average price of sugar for the last seven years, except for the year 1927, when there was a slight rise of 0.4 cent per pound, it has shown a steady decline, and the article is now so cheap that the finished product, or granulated sugar, is now advertised at 10 pounds for 49 cents or 100 pounds for $4.90.

Mr. SLOAN. Will the gentleman yield?

Mr. MONTET. I yield.

Mr. SLOAN. I desire to ask the gentleman if it is a fact that the sugar price in this country is less than any other non-exporting country of the world?

Mr. MONTET. It is. In a few moments I shall answer the gentleman's question in detail, indicating what the prices are in other countries, particularly in Europe.

That price is 6 cents below the production cost of 1 ton of sugarcane. Under that price level, the industry can neither thrive nor continue in existence. As heretofore stated, all other sugar-producing countries of the world carry a duty far in excess of ours. The prevailing price of that article runs anywhere from 8 cents per pound in Great Britain to 21 cents in other European countries, while in this, the most prosperous country in the world, the finished article is sold to the consumer for less than 5 cents per pound, all at the expense of a worthy and suffering industry.

Well-informed opinions assert that Louisiana can produce 1,000,000 tons of sugar annually if that industry is stabilized and properly encouraged by necessary tariff protection. Louisiana has often had an annual production far in excess of 300,000 tons. The sugar industry of that State was at its lowest ebb in 1926 when it produced 47,165 tons. Since that time, however, our production has shown a remarkable increase when in 1929 we exceeded 200,000 tons. Prospects for a continued increase in production are very favorable. Louisiana has not produced in excess of 300,000 tons in any one year since the year 1922. In that year we produced 324,429 tons, thereafter our production decreased each year until 1926 when the production was just a little in excess of 47,000 tons. Diseases beyond our control and flood ravages brought about this decrease in production. The cane borer, mosaic, and other diseases played havoc with our old varieties of sugarcane; however, as a result of the cooperation and assistance of the United States Department of Agriculture a new disease-resisting variety of cane, known as P. O. J., has been introduced in Louisiana. As a result, the industry has been rejuvenated, and if the existing insurmountable disadvantages of foreign competition with Cuba are equitably adjusted, judging from the increased development of the industry since 1926, and the enthusiasm demonstrated by our people since the introduction of the new cane variety, with the lands available for sugarcane production in Louisiana, I look for the annual production in Louisiana to increase to approximately 1,000,000 tons of sugar within the next five years.

I do not believe that a wild prediction. Sugar being one of the necessities of life, why should we not safeguard the American people by maintaining within our bounds an industry of sufficient proportions to at least protect us against unreasonable manipulation of prices by a foreign monopoly? This industry is an American industry representing an investment of millions of dollars. Some 10,000 farmers have their all invested in this industry in Louisiana and the immediate well-being of some 100,000 people in that State depends entirely upon that industry. Besides that, of course, you have the great sugar-beet industry of the West now producing in excess of 900,000 tons of sugar annually.

The sugar industry as a whole has been anything but prosperous for some years. In Louisiana one has only to travel through the sugar-producing area and the distress existing there catches the attention immediately. In 1915, 136 sugar factories were in operation in Louisiana; that number has decreased each year, when in 1928 the number was only 55. While our ability to produce more sugar has been optimistically encouraged since the introduction of the new cane variety, and while our people are thoroughly convinced that they can completely revive the industry and increase it to proportions heretofore undreamed of, still when brought face to face with the proposition that granulated sugar can be purchased at retail prices cheaper than raw sugar can be produced in this country, in spite of this bright outlook for an increase in production, they are necessarily deterred and will be compelled to abandon this industry for some other endeavor in order to provide their daily necessities unless this Congress comes to their rescue. Let no one beguile you with visions of prosperity in the sugar district of Louisiana. There is none.

Conditions are appalling and our people are awaiting the final action of this Congress on the present tariff bill for a final decision as to what will be their future course in that industry, for under present conditions of competition there is no earthly chance for their survival.

Without a substantial increase in the sugar rate for our people it is only a question of how long the jack pot will last.

I am reliably informed that conditions in the sugar-beet section of this country are comparable to those in the sugarcane section of Louisiana. Those opposed to the maintenance of this American industry and those opposed to the doctrine of a pro-

tective tariff are often prone to address their attention to one fairly prosperous sugar company in the West as evidence of the general conditions of the industry. As I understand it, that particular concern enjoys favorable conditions not prevailing in any other section of the sugar-producing area, and the selection of one concern alone as an example of general conditions does not and can not reflect the conditions existing in the industry as a whole. Coming from the center of the sugar area of Louisiana and knowing the conditions existing therein, I believe I am competent to testify to those conditions. I can truthfully tell this House that none of our sugarcane producers nor factory operators are enjoying any prosperity and expect none unless we provide more adequate tariff protection. Believing the American people fair and just, and appreciating that the majority of the Members of this House believe in a protective tariff in aid of all industries suffering as a result of foreign competition supported by cheap foreign labor and like conditions, I feel that this particular industry can expect the same measure of protection as is extended to all others similarly situated.

Mr. MORGAN. Will the gentleman yield?

Mr. MONTET. I yield.

Mr. MORGAN. Is it not the judgment of the gentleman that there are many industries which are suffering a similar condition to that of sugar and which need similar consideration from a tariff standpoint?

Mr. MONTET. Yes; and each industry should be given similar consideration, and in this effort I stand ready and willing to assist as far as I can.

Abundant testimony was adduced at the hearing showing that the House rate on sugar is necessary for the existence and development of this industry. Representatives of the beet-sugar industry have gone so far as to admit the ability of that industry to exist if a 2.20 rate is provided for as against Cuba. The sugarcane producers assert that a rate of 2.40 as against Cuba is necessary for the existence and future development of the sugarcane industry. The rate provided by the Senate lends optimism to neither industry and I necessarily hope that the House in its wisdom, and in fairness to this necessary industry, will insistently demand that this tariff bill carry a rate in excess of that provided by the Senate and sufficient to insure the American consumers that a sugar industry will be maintained in this country, thereby maintaining competition and preventing a recurrence of the gouging practised by the Cuban monopoly during the late war and immediately thereafter.

Much ado has been made over the report of the United States Tariff Commission to the President, transmitted July 21, 1924, relative to the commission's so-called investigation of the difference in the production cost of sugar between the American product and that of Cuba, Hawaii, and Porto Rico. As you will recall, that report was anything but unanimous. Of the 6 members of the commission but 3 approved the report; 1 of the members was disqualified from taking any part in this investigation. The other two were of the opinion that the difference in the cost of production in this country and in Cuba was far in excess of 1.76 per pound.

From the commission's preliminary report, of date December 1, 1923, and on page 13 thereof, relative to the cost of production here and in Cuba, is found the following:

> The average cost in cents per pound of sugar in the cane in Cuba was 1.1563; in Hawaii, 2.6362; and in Porto Rico, 2.9335.
>
> In 1922–23 in Louisiana the average cost in cents per pound of sugar in the cane was 3.5314, and in the same years the average cost in cents per pound of sugar in the beet in the United States was 3.3729.

That was an unqualified admission that there was a difference of nearly 2½ cents per pound between the cost of Cuban cane production and that of sugar beets in this country, and it also showed that the cost of sugarcane production in this country is just a little in excess of the cost of sugar beets.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. MONTET. I yield for a question.

Mr. GARBER of Oklahoma. If there are no restrictions on the importation of free sugar from the Philippines, how can the gentleman hope to make the tariff effective on sugar?

Mr. MONTET. The present tariff rates are now effective, in spite of all the conditions which the gentleman mentioned. With the agitation now prevailing in reference to the granting of independence to the Filipino people, no one can expect any material increase in the production of sugarcane in those islands. Until the question of independence is settled and settled on a basis of right and justice to the Filipino people, there will be no material increase in their sugar production. In so far as Porto Rico and Hawaii are concerned, they have probably reached the zenith of their production.

Mr. GARBER of Oklahoma. The figures will show a materially increased production and importation from those islands and from the Philippines, but not a material increase in production in the United States of either cane or beet sugar. It has been suggested by one of the recognized authorities of the House that in order to make the tariff effective there should be some restrictions on importations from the Philippines, or, as suggested in the other body, a bounty direct to the producers of beet and other sugars.

Mr. MONTET. I think Congress should go the entire route and grant complete independence to the Filipinos. Restricted imports would be partial relief however.

Mr. GARBER of Oklahoma. I join in that statement.

Mr. MONTET. With reference to the effect of the present sugar rate, I wish to say that it is my opinion that if we did not have the present rate of 1.76 as against Cuban production, raw sugar would be selling on the American market to-day for 2 cents or less.

Mr. MORGAN. Will the gentleman yield?

Mr. MONTET. I yield for a question.

Mr. MORGAN. Is it not a fact, however, that our imports come largely from Cuba, and that we import a great percentage of our consumption?

Mr. MONTET. Ninety-nine and nine-tenths per cent of the sugar imported into this country comes from Cuba. One-half of the sugar consumed in this country is imported from Cuba.

While the commission seems to have taken a great deal of time in the making of this study and the preparation of this report, still the fairness of the commissioners who brought in this report has always been open to question.

The SPEAKER pro tempore (Mrs. MCCORMICK). The time of the gentleman from Louisiana has expired.

Mr. MONTET. Mr. Speaker, I ask unanimous consent to proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DUNBAR. Will the gentleman yield?

Mr. MONTET. Yes.

Mr. DUNBAR. Did I understand the gentleman to make the statement that but little additional importation of sugar could be expected from the Philippines?

Mr. MONTET. No; I said from Hawaii and Porto Rico, because they have just about reached their full ability to produce sugar.

Mr. DUNBAR. Is it the gentleman's opinion that the importation of sugar from the Philippines will gradually be increased from year to year?

Mr. MONTET. It will not be materially increased for the time being, sir. I do not believe you could induce any capital to attempt to increase the production of sugar in the Philippines because of the prevailing agitation for the island's freedom, which I certainly hope will soon come about. It has always been notoriously known that both Commissioners Costigan and Lewis were advocates of free sugar; that Mr. Lewis supported the sugar provision in the Underwood Act, is also well known. It is apparent that those two partisans of free sugar in carrying out their prejudices against the continental industry, managed to win over to their side another member and were successful in disqualifying a fourth member from participating in the deliberations so that they managed to deliver their so-called report to the President, but the wisdom and the courage of Mr. Coolidge, then President, saved this industry from the almost free-trade views of the three members making this report. In connection with this report President Coolidge said:

> There are economic features of broad national importance, having the greatest bearing upon the welfare of our farmers and our consumers of sugar, which are worthy of careful consideration before any steps are taken to disturb present conditions. Our agricultural production to-day is badly ill balanced. We produce great surpluses of wheat and some other commodities for which, over a term of years, we find a market abroad only with difficulty and loss, and at the same time we produce an insufficiency, and are thus forced to import some other agricultural commodities, of which sugar is by far the most important, and in which at times there are world shortages in supplies. Our export farmers are subject to fortuitous circumstances in other parts of the world over which we can have no control, and our consumers of sugar are likewise affected in both supplies and price by fortuitous circumstances of foreign production.
>
> It is important that as a nation we should be independent as far as we may of overseas imports of food. Further, it is most important that our farmers by diversification of their production shall have an opportunity to adjust their crops as far as possible to our domestic rather than foreign markets if we would attain high degrees of stability in our agriculture. I am informed by the Department of Agriculture that the land in our country which could be planted with sugar beets, if pro-

tection to the industry is continued, is capable of producing quantities of sugar far in excess of our domestic requirements. While we can not expect to arrive at complete direct or indirect displacement of our excessive wheat acreage by an increase in sugar-beet planting, yet in so far as this may be brought about it is undoubtedly in the interest of American agriculture and, therefore, of our people as a whole.

It, therefore, does not appear to me that the report of those commissioners was clothed with much impartiality, but, on the other hand, seems to have been garbed in the livery of partisanship.

No one has ever successfully asserted that the commission made more than a superficial investigation of the cost of production in Cuba, or that it was able to make more than a perfunctory investigation. The refusal of the Cuban operators, except in very few instances, to grant the commission access to their books is also a notoriously known fact. While in Cuba the commissioners were feted under illusive Spanish skies, where they were very courteously but positively informed that, while their mission was laudable, it would not be very businesslike for low-cost producers to submit their data to too scrutinous eyes, and thus the Cubans carried on. Existing conditions in the sugar area of this country refute the findings of the three members of that commission.

Sugar is a product of the farm, and those evidencing solicitudes for the welfare of the toilers on the farm should rally to the support of the sugar farmer. The sugar grower does not begrudge the prosperity of the dairymen, wool, wheat, corn, and other farm producers which may result from the benefits of a protective tariff on their products, nor do I believe that those farmers feel that the sugar growers are entitled to a lesser measure of protection than they. We in the sugar district of Louisiana are not only solicitous for the welfare of other farmers but we are equally desirous of extending to the industries of this country the same degree of prosperity which we feel entitled to. We do not believe that sugar alone is entitled to protection by tariff. If prosperity can be brought to all of the industries in this country by proper protective-tariff measures, we are ready and willing to bear our share of the attending burdens so as to extend prosperity to every section. We are not so selfish as to want protection just for ourselves.

While the majority of the people I represent are affiliated with the Democratic Party, we do not find that in subscribing to the theory of a protective tariff that such policy is inconsistent with the principles of that party. A protective policy was the bulwark of the Democratic Party as founded by Thomas Jefferson. While that party strayed from those principles for some time, the Democrats of Louisiana were elated in 1928 when our party returned to its original moorings and in the Houston platform embodied the following plank, favoring:

(d) Duties that will permit effective competition, insure against monopoly, and at the same time produce a fair revenue for the support of the Government. Actual difference between the cost at home and abroad with adequate safeguard for the wage of the American laborer, must be the extreme measure of every tariff rate.

Wage earner, farmer, stockman, producer, and legitimate business in general have everything to gain from Democratic tariff based on justice to all.

It is my opinion that the people of this country, irrespective of political affiliations now generally and overwhelmingly favor a protective tariff policy, and in upholding tariff schedules necessary for the maintenance and prosperity of any one industry, no Democrat is violating either the principles upon which his party was founded or the party's platform. On the contrary, by so doing a Democrat is only living up to both, and in appealing to the Members of this House to support an increase in the Senate rate on sugar, I feel that I am only asking that the protective tariff planks of both parties be carried out. We are only asking for that which every industry in this country is entitled to; that in the distribution of the benefits of a protective tariff, sugar be given a square deal. [Applause.] I appeal to the fairness of every Member of this House and not only ask that for those engaged in this industry but as the only insurance the American people have that they will not be left at the mercy of the unconscionable Cuban monopoly. [Applause.]

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. MONTET. Yes.

Mr. TIMBERLAKE. I want to congratulate the gentleman for the splendid speech he has made in favor of the protection of such a valuable industry as the sugar industry.

Mr. MONTET. I thank the gentleman.

Mr. TIMBERLAKE. I would like to have the gentleman insert in the extension of his remarks the difference in the price of sugar in this country and other countries producing sugar.

Mr. MONTET. In detail?

Mr. TIMBERLAKE. In detail; yes. Also to emphasize the fact that to-day sugar is the cheapest food commodity there is in the country.

Mr. MONTET. I thank the gentleman.

IMMIGRATION

The SPEAKER pro tempore. Under the order of the House the Chair recognizes the gentleman from New York [Mr. DICKSTEIN] for 20 minutes.

Mr. DICKSTEIN. Madame Speaker, ladies and gentlemen of the House, I am not going to ask for any appropriation or ask you for any bridge bills. I am not going to ask you for highways and byways. I am not going to ask you for anything but what I think is human. I believe that if the membership of the House could understand the problem I am about to present they would find it just as human as I find it. It is the greatest human problem that ever confronted the Congress of the United States.

I have seen bills passed on this floor appropriating millions of dollars, bad bills and good bills. Everything went along on an equality, but there was not one voice in this House to join with me and other members of the Committee on Immigration in the way of doing something for the human element in the United States of America. Oh, we pay no attention to that element. We vote for $10,000,000 and $200,000,000, but we pay little attention to the home life and the home fires of American citizens.

I have a bill before this Congress, H. R. 5646, and in support of my bill I desire to state that the Immigration Committee saw fit by a majority to report this bill so as to enable American citizens to bring in their parents if they be over 55 years of age, without any quota restrictions or limitations.

I did not anticipate that there would be any opposition to this humane measure. After all, the number of those affected would be small, and the happiness and well-being of these aged parents would be promoted by this legislation, and we would be able to make ourselves worthy of the great commandment—

Honor thy father and mother so that thy days be prolonged upon this earth.

The fifth commandment has always been honored and obeyed by the people of this land, and I did not for a moment imagine that there could be men on this floor who would seriously oppose a measure of such decided fairness to our people and the well-being of aged parents who may live abroad.

On the other hand, we find a minority report which is so full of misstatements, erroneous conclusions, and far-fetched innuendos that the mere reading of it is sufficient to convince a person of its utter uselessness.

The bill which I have introduced and which the majority of the committee has reported favorably proposes to do one thing, and that is to exempt from the quota restrictions only those parents of American citizens who are of advanced years, being 55 years of age or over, leaving parents who are younger under the immigration law where they are to-day, and that is in a preferred visa class.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. O'CONNELL of New York. Did not the committee hold thorough hearings on this bill?

Mr. DICKSTEIN. Yes. The minority report immediately charges that the parents over 55 years of age who may be admitted under the proposed bill will number 15,000 people. Where these figures are gotten from, God knows. We have not been able to determine how many parents over 55 years of age may wish to come to the United States under this law.

Now, in order to best illustrate my point, I want to tell the membership of this House that only this morning I received a letter from a man whom you all know very well. His name is Arthur J. Morris, the head of the Morris Plan, one of the greatest institutions in America to-day. He writes me in behalf of a man by the name of Alois W. Ott, now connected or formerly connected with his institution. There are three Ott brothers in the United States, all men of high standing in the community, all representatives of industry, and they have a mother residing in Paris, born in Czechoslovakia. Here is what Mr. Morris says in his letter to the American consul in behalf of an application to let the mother and sister in the United States:

The members of this family have always been exceptionally devoted to one another. They have now been separated for six years by the immigration laws, and are naturally very anxious to be reunited. The mother desires to spend the last years of her life with her children in a united family and the sons are very anxious to have their mother

with them. They are all educated and well employed and earning substantial amounts of money and are in a position to take care of their mother.

Mr. Morris's letter indicates that they are in a position to give her an excellent home and in addition thereto a beautiful country home. Now, why can not these men, all representing a high type of citizenship, bring in their mother? If they have to wait for a preference under the present law, I want to predict now it will take about 16 years, and by that time the poor lady will probably have died. In some cases I venture to say it would take 410 years before you could bring in a mother of an American citizen. If any man in this House can stand up and write a minority report and call himself a Christian, then I think something is wrong with this civilized world.

Now, what does Mr. Morris, the gentleman I have spoken about, say in behalf of Mr. Ott? Here is what Mr. Morris says:

In order that you may have justification for taking my statements at face value, I am the founder of the Morris Plan of industrial banking in America and president of its holding company, Industrial Finance Corporation, New York. I am also president of the Morris Plan Co. of New York, the system's largest operating institution. I refer you to President Hoover or any bank in New York or any other large city of the United States.

He vouches for these good Americans and prospective Americans of this alien who seek to bring in their old mother, who can not come in under your present law.

I have hundreds of such cases; but here is a letter that comes from a doctor of medicine, a great educator, who has a mother in Canada. She has been there for many years and is charged to the Russian quota.

He is a man of great ability and a man of means, but he can not bring that mother in, because under the present law a preference would not be available as against the Russian quota, and it would take about 18 years before she could come in, and she would probably be dead by that time.

Mr. Speaker, ladies and gentlemen of the House, I am at a loss to understand the source of this objection to the bill, and, really, I do not understand the attitude of the authors of the minority report—Mr. JENKINS, of Ohio; Mr. BOX, of Texas; Mr. GREEN, of Florida; Mr. MOORE of Kentucky; Mr. TAYLOR of Tennessee; and Mr. RUTHERFORD, of Georgia. I have heard referred to in the House the four horsemen, and in the Committee on Immigration we have the six horsemen.

Mr. CULKIN. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. CULKIN. As I understand, the gentleman's bill has been reported by the Committee on Immigration?

Mr. DICKSTEIN. Yes; it has been reported, thank God, with the aid of Mr. ALBERT JOHNSON, chairman of the committee, and the majority of the Republican Party, and I give them credit where credit is due.

Mr. CULKIN. Then the gentleman is simply disciplining the minority of the committee?

Mr. DICKSTEIN. Not alone that, but I call upon the Republican Party and its leaders, the chairman of the Rules Committee, as well as the Speaker, to give me a rule on this bill. It would not take more than 20 minutes to dispose of it, and I venture to say that no man can honestly be against it.

Mr. CULKIN. If the gentleman will permit one more question, Is it not a fact that the provisions in the bill constitute one of the engagements and promises of both political parties in the last campaign?

Mr. DICKSTEIN. Absolutely; both platforms declared that the families should be united, but that was about as far as they went.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. LAGUARDIA. The minority report is submitted by gentlemen on that side of the aisle.

Mr. DICKSTEIN. Yes; but only four members of the Democratic Party and two members of the Republican Party.

Mr. LAGUARDIA. If the gentleman will work on them, some of us will try to do our end of it over here.

Mr. DICKSTEIN. I do not think I shall pay any attention to the gentlemen who filed the minority report, because in my opinion there is really and honestly nothing in there to make it objectionable. It is just a minority report attempting to tell the House that if they are going to let 15,000 fathers and mothers come in, then after the fathers and mothers get here, they are going to get divorced and then they are going to remarry and then they are going to bring in stepchildren. I have been trying for a whole week to figure that out and I can not do it.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. O'CONNELL of New York. Is it not a fact that whether we get the legislation before the House for consideration or not depends entirely upon the Republican leadership of the House?

Mr. DICKSTEIN. Absolutely; and I think the Republican Party and this House should be very glad to dispose of this humane legislation.

Mr. LAGUARDIA. This is a human question, and we are all for it. The gentleman makes a mistake in trying to bring party politics into it.

Mr. O'CONNELL of New York. Oh, I am not doing that.

Mr. LAGUARDIA. I am the last man in the world to stand up and defend any party. This question is bigger than any party. It is a humane question, and we ought to all work together.

Mr. O'CONNELL of New York. My colleague from New York misunderstands me. My statement is that the legislation must go through that process and that we will have to have a rule from the Republican leadership to bring it before the House.

Mr. DICKSTEIN. My object in explaining this humane measure is for the purpose of having it brought to the attention of the House, so that every Member may have an opportunity to know that this is not going to open the door of immigration. I am willing to recognize the principle of the restrictive act of 1924. I am not one of the men who is attempting to open the doors; and I am ready, on the other hand, to deport every undesirable alien. I am speaking now for the home fires, for the union of such families as I enumerated a moment ago.

Mr. CULKIN. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. CULKIN. Can the gentleman give the House an estimate of the probable number that would come in under this provision?

Mr. DICKSTEIN. Well, in the last seven years, because of this preference, there is an accumulation of about 12,000 fathers and mothers who can not come in. This is an accumulation of over six or seven years, and once they come in you are through with them. Now, there may be a few hundred during the next fiscal year, as they come along, but the number lessens day by day.

Mr. CULKIN. And they are of an age where they will not come in competition with the rest of the labor of America.

Mr. DICKSTEIN. No; they will not interfere with labor conditions, or any other conditions. As a matter of fact, I may tell the gentleman from New York that we send abroad $100,000,000 to support these old people. These old people really do not get their money. It is taken away from them. Now, why can we not keep this $100,000,000 in the United States to help the farmer, the butcher and the grocer? Why can we not benefit our own people in the United States with this amount of money that we send over?

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. SCHAFER of Wisconsin. Pass your bill and then pass the bill putting the Mexicans and the South Americans under the quota, and you will benefit not only the people employed in industry but the farmers of the country.

Mr. DICKSTEIN. As I have said, I am not at this moment discussing the Mexican question. I have troubles enough with this matter.

Mr. LAGUARDIA. If the gentleman will permit right there, by cutting down the proposed Mexican quota one-half or 0.1 of 1 per cent, they could save this 15,000 they are complaining now are going to flood the labor market.

Mr. DICKSTEIN. That may be all right in theory, but when it comes to actual practice I am afraid I could not promise anything. I am only a member of the minority on the committee, but I would be pleased to join with any Member of this House to bring about legislation for the best interests of America.

I am at a loss to understand the source of this objection, and really do not think that the authors of the minority report are really serious in what they say or sincere in what they contemplate.

It is so utterly incomprehensible. What harm could come to this country if these inconspicuous old people are admitted to these shores? Think of it.

There are a number of parents of American citizens who are waiting to join their children in the United States. Owing to our quota limitations, especially as they affect some countries of Europe, some of them may never come into this country in spite of the preference. Some of them will come ultimately, but it will take years, and since they are old they may die before their turn should come. Is it not a humane act to let them come in now, irrespective as to what particular country they may come from? Why discriminate against American citizens

who may have been of a different nationality before they were naturalized? Why should an English-born citizen be preferred to a citizen born in Turkey or Spain?

Now, as has been pointed out, there is no such figure like 15,000 either contemplated or at issue. Where Mr. JENKINS got these figures is a mystery. He, however, takes that 15,000 as a definite number and bases the rest of his argument on that premise. He says: "Look here, you are admitting 15,000 new immigrants; and look what may happen. Why, these immigrants will bring in others, and as a result we will have about a million new immigrants in the United States."

Mr. JENKINS should have gone further and said that if we do that we may perhaps swamp this whole country with immigrants, and all because we seek to exempt from the quota aged parents of American citizens.

Mr. JENKINS, however, will not stop at that. Listen to what he says. For instance, the mother of an American citizen over 55 years of age is separated by death or divorce from the father of the American citizen and married another husband prior to June 1, 1928. Now, will not that admit her second husband without the quota? And if so, maybe he will have his minor children admitted to the United States. Suppose there be grandchildren or great-grandchildren. Why, the danger of this country is beyond words. How silly this argument is can best be seen from reading it, and how foolish it is to speak of the danger that may be created by the admission of a second husband of the mother over 55 years of age of an American citizen. Does it not strike you as ridiculous to speak of this small class of parents of American citizens, well over the age when they can neither procreate additional children or come into competition with our labor market as a danger to our civilization?

The SPEAKER pro tempore (Mr. CHINDBLOM). The time of the gentleman from New York has expired.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent for 10 minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DICKSTEIN. The whole minority report is based on the fact that the American citizen will bring in his father and mother, say at the age of 70 years, and if they should happen to be divorced from each other one may marry another person and that person will bring in his minor children from the other side.

Figure that out. I can not figure it out, and I do not suppose the minority can figure it out. It is a bugaboo which they stuck into the minority report to scare the Members of the House that by passing this bill you are opening the doors.

You are not opening the door, you are limiting your legislation to one single act, and that is exempting from the quota law parents of American citizens over the age of 55. You are uniting families and bringing happiness to citizens of the United States; you are doing the same thing that you said you were going to do in the platform of your respective parties. You would do the most honorable and rightful thing, and no person, restrictionist or otherwise, could criticize you.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. McCORMACK of Massachusetts. If any of the gentlemen who signed the minority report had, as a matter of fact, in Europe a father or mother they would not have signed this minority report.

Mr. DICKSTEIN. If these men had given a second thought they never would have placed their names to that report, because it is obstructing the very foundation of home, it is obstructing the very union of the family, which both the Democratic and Republican Parties have guaranteed in their platforms in the convention of 1928.

But even assume for the sake of argument that neither party had recommended this provision of the law, is it not human to exempt from the law a mother 55 years and over?

Let me tell you of a case. What would you do in a case of this kind? Here is a Syrian who served in the World War, was wounded in the World War. His father died and he has a lonely mother. The only thing left in the world that he has. She has been on the preference list for seven years. Do you want to know how long it will take her before she comes here into the United States? It will take her 397 years before she can enter this country.

Do you call that human rights, do you call that equity, do you call that proper legislation for the American people? I venture to say that if a referendum is taken there would be very few votes in opposition to this humane legislation.

Of course, Mr. JENKINS forgets that this alleged potential danger in the shape of a wife who is separated from her husband and marries again requires that the wife be a citizen of the United States; and, of course, she can not become a citizen until she has been five years in this country, so that this 55-year old woman will not be able to bring in her second husband until she is at least 60 or 70 years of age at which time her husband will probably be reaching his seventieth or seventy-fifth year. Now, how many women over 55 years of age marry second husbands, and how many will there be in the class of which Mr. JENKINS is so much afraid of? I venture to say that, assuming he is right, there can not be more than 10 to 15 such persons in any fiscal year, and that I doubt very much. I do not believe that we have very much to fear the "influx" of these 10 to 15 immigrants every year, and, assuming that this bill is not passed, are not these parents entitled to come into this country anyhow as preferred immigrants, and will not the same situation arise whether or not these women who may be separated from their husbands will be admitted as nonquota immigrants or preferred immigrants? Is not this whole argument so futile as to require anything further to be said to show its uselessness?

This narrow view which Mr. JENKINS and his associates have taken in this matter is so thoroughly unjust and against the interests of our American people that it should be branded once for all with the most infamous terms a person is capable of.

Let us go a step farther and assume for the sake of argument that 15,000 immigrants will be admitted under this law. All of these immigrants are of advanced years, being over 55 years of age, and their mortality of course will be very great. If admitted, they will be admitted at once and there will be no recurrence of admission of these aliens. As a matter of fact, very few parents are 55. They run much older.

Here we have a number of parents of American citizens who must be supported by their children, and instead of making them send their support abroad we permit them to come to the United States and make their children support them at home. Is there any harm in that?

Again referring to the question of the number of people who may be affected by this legislation we simply anticipate the time when they can come to the United States and in some cases permit them to come in, where otherwise they can not possibly reach these shores. As I said before, Mr. Jenkins's figure of 15,000 is decidedly too high; and as I understand, the last fiscal year saw but 8,000 applications for admission into the United States for parents of American citizens. Assuming that this number were 15,000, it would not be more than once in the history of the United States and will not recur in any subsequent year.

We therefore start with this supposition and for the present fiscal year we will have 15,000 old immigrants added to the population of this country. In the natural course of things these immigrants will die within the next 10 or 15 years. New admissions can not be many. Unless their number decreases we may have 300 or 400 parents brought into this country year by year without quota limitations. Does that strike the House as extraordinary or dangerous to the welfare of America? Since when has it become a crime for children to take care of their aged parents? Are we not better off to have these parents in the country instead of sending money to them out of the country for their support and maintenance in their old age?

Anyone studying the situation will agree with the majority of the committee that no harm can be done by the exemption of these aged parents for quota restriction limitations, and our Commissioner General of Immigration heartily recognizes this policy.

Again referring to the question of the number of people affected by this legislation, I have a letter from the State Department and that letter clearly shows that there are only 8,000 applications and not 15,000, as charged in the report, and this letter can be seen at any time. I am not exaggerating the situation at all in the slightest degree. We start with the supposition that for the present fiscal year, let us assume, there are 15,000 added to our population in the United States, but in the natural course of things these immigrants will die within five or ten years, and new admissions can not be had. I ask the gentleman from New York [Mr. SNELL], the chairman of the Committee on Rules, and the Republican Party, and the members of the Democratic Party, as Americans, as legislators, to grant us this piece of humanitarian legislation. We do not ask for any appropriation, we do not ask for millions, we ask you to do a kindly and a humanitarian thing, to unite families and to fulfill the pledge made by both the Democratic and Republican Parties to the American people in their last conventions. [Applause.]

Mr. GREEN. Mr. Speaker, if there are no further special orders, I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore (Mr. CHINDBLOM). There are two other special orders. Under the special order the Chair recognizes the gentleman from New York [Mr. LAGUARDIA] for 10 minutes.

Mr. LAGUARDIA. Mr. Speaker, I want to take only a moment or two to refer to the bill which the gentleman from New York [Mr. DICKSTEIN] has been discussing, a bill to give nonquota status to parents of American citizens. It is entirely a human problem, and you can not solve a human question with cold statistics and ruthless bureaucratic regulations.

The only proposition here is to amend the present immigration act so as to admit as nonquota immigrants the parents of American citizens who are over 55 years of age. This in the United States, where we have less population per acre or per square mile and more wealth than in any country in the world. It is easy to submit a minority report and so distort facts and juggle figures so as to create the impression that thousands of people would thereby enter the United States and compete in the present overcrowded labor market and thus frighten people into opposing this humanitarian measure. This House of Representatives and the Committee on Immigration are estopped from raising the labor question, because if you want to hit at the source of the labor that is bringing down wages and the American standard of living, you have it right at the Mexican border, and the Committee on Immigration knows it. They have had hearings upon it, they have facts and figures, and they do not do a thing about it. Gentlemen, talk about mothers and fathers 55 years of age, who are the mothers and fathers of American citizens, and object to their coming in, and at the same time permitting Mexican peon laborers to come in by the tens of thousands and work in beet fields and for the western railroads at starvation wages. If there is an oversupply of labor, it comes from that source. Remember that before the mother or father could come in under the proposed legislation, the children must be citizens, and they must show affirmatively that their parents are not coming here to perform labor, that they, the children, American citizens, are able and willing to support their parents, giving the Government assurance that the parents will not become public charges. Furthermore, these old folks must be in good health and otherwise meet all requirements of the present severe immigration law.

Mr. DICKSTEIN. And they are not exempted from passing every test required by the present immigration laws.

Mr. LAGUARDIA. Certainly not.

Mr. JENKINS. The gentleman recognizes that the law gives first preference to fathers and mothers of people to whom the gentleman is referring?

Mr. LAGUARDIA. Exactly. That is all right in theory; but what good is a preference to a mother and father of a citizen who happen to be in Lithuania, or Latvia, or Rumania, or Italy, or Czechoslovakia, or Palestine, where they have to wait for 10 or 15 years before they are reached under this so-called preference. Such a preference is only a sham.

Mr. JENKINS. Is the gentleman sure of his figures in making that statement?

Mr. LAGUARDIA. Certainly. I have some here which I will refer to in just a minute.

Mr. JENKINS. The gentleman is not correct in the statement.

Mr. LAGUARDIA. How long will they have to wait?

Mr. JENKINS. I can not give the gentleman the exact figures, but not 10 or 15 years from those countries.

Mr. LAGUARDIA. From Lithuania?

Mr. JENKINS. I can not answer.

Mr. LAGUARDIA. I will tell the gentleman that from Lithuania and Rumania and Poland and Palestine they would have to wait several years, and the old people die in the meantime. So what good is that preferential right? We have no immigration problem in this country to-day. The European immigrants here are so well established that they do not bring down wages or reduce the standard of living. In fact, the opposition now comes from the manufacturers' associations and open shoppers against European labor. European immigration is now well organized, and exploiters of labor now say, "Give us Mexican peons, give us impoverished West Indians," because they can work them under conditions of long hours and low wages that the European immigrant to-day does not desire to work under, because he knows better and maintains the American standard. Let me show you a living example.

Here is a photograph of the finest cooperative dwelling house in the city of New York. It occupies an entire city block. It was put up by the Amalgamated Clothing Workers' Union. I do not believe there are 2 per cent of native born in that union. They are all former immigrants. These people are the tailors of New York, every one of them an immigrant. The other photograph here shows the courtyard of that building. Just look at that cheerful, beautiful garden. They have their own auditorium, their own playgrounds, their own nursery, and their own sanitation department. Observe the splendid layout of the building—a window in every room and a bit of sunshine in every window. The owners of these apartments have solved for themselves the question of congestion and the immigration problem.

This is the immigrant of to-day. You are going to keep these good workingmen and working women who have established their homes here from sending for their parents. This is the immigrant of to-day, and this is a living demonstration of the desirability of these immigrants in spite of the abuse and vilification heaped upon them for years by narrow-minded and prejudiced restrictionists. Are you going to say, will you not say, "We will give you the right to bring your fathers and mothers to this country now so that they may share your contentment"? To say the contrary would not be right and would not be based on any sound reason. The children of the immigrants are going into the high schools and colleges. You said, "Let us Americanize the immigrant." We did so; and because we have done so do you want to make their lives miserable by keeping their aged parents out of the country?

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. JENKINS. From what the gentleman said, I understood him to intimate that this Committee on Immigration and Naturalization has done nothing toward solving that problem. Has not the committee provided a measure that will promote a comprehensive solution of that problem?

Mr. LAGUARDIA. Yes. It is true there is a bill now. It has been before the committee for four years, but somehow the Mexican peons have come in and parents of citizens have been kept out.

Mr. JENKINS. The gentleman has given the impression that members of the committee have been opposed to it.

Mr. LAGUARDIA. Your committee proposed a drastic bill four years ago, and it was later withdrawn.

Mr. JENKINS. In the gentleman's opinion, what is the reason why it is not passed now?

Mr. LAGUARDIA. It is because of the sugar industry and the Southern Pacific Railroad.

Mr. JENKINS. What else can the committee do?

Mr. LAGUARDIA. They can force the bill through. I was present in the committee room when the representatives of the railroad testified that they were in favor of the admission of Mexican labor but were in favor of restrictions to be imposed upon immigration from other countries. There has been no action on the bill. I even heard a railroad executive say that they wanted Mexican labor fresh and green from Mexico and did not care for the United States born Mexican.

Mr. JENKINS. The bill has been reported out. There is nothing else that our committee can do.

Mr. LAGUARDIA. I am not a member of the Committee on Immigration and Naturalization; but in my opinion if the committee wanted to do so, it would have no trouble in putting it through.

I submit, Mr. Speaker and Members of the House, that the House should be given an opportunity to vote for this father and mother bill. You want a permanent immigration. You do not want an itinerant immigration. You want families to come here and establish themselves, and when these families are established and the children are going to school, and when they have built their homes here and have acquired property here, is it not the proper thing to do to let them send over for their fathers and mothers? I know that this House is kindly disposed. This measure will not open the doors without restriction. It will simply unite families. [Applause.]

Table showing action taken in certain quotas on petitions approved for parents of American citizens, for whom petition Form 633 has been approved, July 1, 1924, to April 1, 1930

(These figures are approximate, being the best estimate now available)

Country	From 1924 to 1930		Balance
	Approved	Issued	
Italy	24,507	9,550	14,957
Russia	7,228	3,880	3,348
Rumania	2,191	991	1,200
Turkey	1,818	305	1,513
Palestine	80	63	17
Lithuania	1,307	774	533
Latvia	314	247	67
Yugoslavia	1,648	1,089	559
Poland	11,711	8,566	3,145
Hungary	1,778	1,016	762
Austria	516	370	146
England	516	370	146
Ireland	2,952	2,205	747
	486	298	188
Total	56,536	29,354	27,182

According to this figure it will readily be seen that it will take several years for parents who are waiting their turn to receive a preferential visa. A casual glance at the number of visas issued as contained in the second column during a period of six years will give an idea of how long it will take the number contained in the third column to receive their visas for which they have been waiting already for five years.

PERMISSION TO ADDRESS THE HOUSE

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on the results of the naval conference, following the address of the gentleman from New York [Mr. CULKIN].

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent to address the House for 10 minutes after the special order granted to the gentleman from New York. Is there objection?

Mr. GREEN. Reserving the right to object, Mr. Speaker, I would like to couple with that request a request of my own to address the House for five minutes.

Mr. HALL of Indiana. Mr. Speaker, reserving the right to object, this is the first day that has been set apart during this session for the consideration of District business. I shall not object to the requests that have been made, but I shall have to object to other requests for special orders covering to-day.

The SPEAKER pro tempore. The Chair will state that it is not customary to couple requests for special orders with other similar requests. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida asks unanimous consent to proceed for five minutes following the gentleman from Idaho. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. CULKIN] is recognized for 30 minutes.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SENDING STOLEN PROPERTY THROUGH INTERSTATE AND FOREIGN COMMERCE

Mr. CULKIN. Mr. Speaker, ladies and gentlemen of the House, on February 5 we passed in this House H. R. 119. It is an act to prohibit the sending and receipt of stolen property through interstate and foreign commerce. The bill is now pending in the Senate and it would be gratuitous to discuss this measure at this time except for the fact that recently the distinguished Member from Iowa [Mr. RAMSEYER] reopened the question here. It is likewise possible that the bill may be amended and returned to this House for action. I am further influenced to discuss it as I regard this measure as one of the most notable contributions to criminal jurisprudence that has been made in many a year. I regard the opposition to this bill as unfortunate and believe that the Members of this House who voted against this measure did so under a misapprehension of the facts and the great public need for its enactment.

AMERICA'S LOSING BATTLE WITH CRIME

The indisputable fact is that America is fighting a losing battle with the underworld. The economic loss due to crime yearly for the past three years has been variously estimated from ten to sixteen billions of dollars. The country is carrying an increasing crime bill yearly, which, in the long run, will result in civic and economic bankruptcy for America unless the situation is cured. Over 12,000 murders are being committed in America annually, most of them in commission of felonies. The annual murder rate in this country has increased 350 per cent since 1900.

In other words, while 2 persons in every 100,000 were murdered in 1900, the proportion is now 7 in every 100,000. Human life is no longer sacred here. In some of our larger centers the underworld has fixed rates for murder. For this condition, which makes our government of laws a mockery and the Nation the laughingstock of the civilized world, the enactment and enforcement of this measure promises great things.

NOT DUE TO PROHIBITION

The claim is made that prohibition has caused this saturnalia of crime. I deny this. Long before prohibition came, and as early as 1910, the underworld was in action and crime was rampant. As time has gone on it has been more efficiently organized. It has become so thoroughly organized that the master minds who control, direct, marshal, and recruit the criminal forces enjoy well nigh complete immunity from punishment. They outclass in ability and resourcefulness the law-enforcement group. The interstate fence through organization and great resources has slowed down or corrupted our law-enforcement agencies. In some localities law-enforcement officers, State and Nation, have formed a partnership with crime.

Mark O. Prentiss, an authority on crime, who organized the National Crime Commission, stated in an article in the Manufacturers Record of February 24, 1927, as follows:

> Crime is one of the biggest businesses in this country. Taking even the low figure of $10,000,000,000 as the annual cost, we find that it stands above the entire foreign trade of the United States, amounting annually to $9,239,000,000 in 1926. The cost of crime each year is greater than the aggregate value of all the agricultural products of the United States in 1926. Crime is a huge and organized business, with a direct cost of $4,000,000,000 and overhead of $4,000,000,000 and a waste of $5,000,000,000 more. Crime is, from an economic and business point of view, the greatest single problem which the United States faces to-day.

Wade H. Ellis, a member of the American Bar Association's crime commission which has given the crime situation a careful survey, is an authority on this question. Mr. Ellis was formerly Assistant Attorney General of the United States and before that was attorney general of Ohio. He characterizes the report of the commission to its parent body as being the story of our national dishonor. The report fixes the national crime bill in America at $12,933,000,000. This figure includes loss from fraud, burglary, robbery, and larceny, the cost of law enforcement, and the economic waste of crime. This staggering bill is paid by the American people. Every citizen, however humble, is paying tribute to crime. The cost of our crime bill is added to the cost of production and transportation. Our country is so rich and so potential that we have been thus far able to survive economically. Eventually, however, crime will bleed us white, both physically and spiritually.

PROPOSED LAW CONSTRUCTIVE

This bill, fathered by the gentleman from New York [Mr. LAGUARDIA], is the most constructive piece of legislation that has been offered to correct this most alarming situation. It strikes at the root of this evil. It will destroy the interstate fence. With vision, ability, and vigor back of its enforcement, it will carry the war successfully to the criminal receiver who now makes possible the vending of the spoils of theft, robbery, and murder; spoils that are said to amount to more than $2,000,000,000 in merchandise, jewelry, bonds, and other items of value. It carries the war to the interstate receiver of stolen property, upon whose technique, to convert their booty into cash, the burglar, the thief, and robber almost always depends.

THE FENCE

In a book entitled "Criminal Receivers in the United States," issued by the prison committee of the Association of Grand Jurors of New York County, the receiver and his part in crime are admirably set forth as follows:

> These backers and "fences" are the real master minds. They not only finance the criminals, dispose of their loot, and keep them in the field, but they procure lawyers and political influence; they pull every pullable wire and they actually get the basic information and lay the broader plan of underworld operation. In a military comparison they take care of the strategy of crime and leave the actual tactics of individual crimes to the middleman.

The New York State commission has gone into the question of crime very exhaustively and made certain recommendations to the legislature, some of which have been carried out. I quote its findings on receivers of stolen goods from page 42 of its report:

> One of the distinctive features of crime as it exists at the present time is that thefts are no longer confined to the mere stealing of money but have been extended to the stealing on a large scale of valuable goods, silks, furs, rubber—almost every commodity is stolen in large quantities, for which the thieves apparently find a ready market.
>
> Because of this situation the receiver of stolen goods or "fence" has become a dominant factor in the underworld. In many cases he is the real instigator of the crime and the master mind behind it. Cases are reported where a "fence" has boldly visited a loft building with his chief accomplices, and in the guise of wishing to buy furs has pointed out to those accomplices the particular furs which he desires to have stolen and for which he has a ready market.

Newton D. Baker, whose position on public matters has never been of a punitive character, testified before the House Committee on the Judiciary in favor of this legislation. Mr. Baker

is a close student of sociology and at this time is a member of the national crime commission. He testified in part as follows:

As a matter of fact, if this committee please, crime has both a local and an interstate aspect, and it is the interstate aspects of crime that are baffling and difficult.

There are organized gangs in the United States that have names and have a kind of lodge association, so that when one of their members is arrested in Seattle, Wash., the president of the organization arranges his bond by telegraph from Chicago, or wherever else the headquarters may be, and organizes his defense—employs counsel for him out of the common treasury.

They are highly organized, and when bad men conspire good men must combine, and the only combination we can have that will be effective against this interstate organization of crime is the organization that is represented by this committee, speaking for Congress.

I file here some two hundred and fifty and odd editorials which have appeared in newspapers in all the States in this country, including practically all of the leading metropolitan papers, and letters from editors.

The committee will have a list of these editorials by States, but we are filing at this time the editorials themselves that have appeared. We are filing letters from city prosecuting attorneys. We are filing letters from attorneys general of numerous States.

Perhaps the most illuminating testimony given before the Judiciary Committee was that of President Green, of the American Federation of Labor. His testimony strips the situation of all technical camouflage and is in part as follows:

Labor is interested in it, deeply interested in it, and I know when I come here this morning to tell you that labor is in thorough accord with the work of the crime commission and of this proposed legislation, I am but reflecting the sentiment and the feelings of the millions of working men and women in this country.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Yes.

Mr. LAGUARDIA. Has the gentleman stated that he has had seven years' experience as district attorney and six years' experience as county judge in New York, and has thereby had opportunity of getting real first-hand information?

Mr. CULKIN. I was perhaps too modest to mention it. Sometimes it is a pleasant memory and sometimes it is not. I was 10 years a district attorney and 7 years a county judge, most of the time engaged in the trial of felonies. I have given the matter a great deal of study, and this bill naturally attracted my interest and attention because of its potentialities.

This bill, if enacted into law and properly enforced, will, I repeat, destroy the immunity from punishment which the fence now enjoys. It will enable the Federal authorities to follow the loot interstate and bring to book the high-powered Fagins who are destroying hundreds of thousands of our young people by affording them highly paid employment in the fields of theft, robbery, and murder.

LOCAL DISTRICT ATTORNEYS POWERLESS

My able colleague from Iowa, Mr. RAMSEYER, with whom I rarely differ on legislative matters, is mistaken in his opposition to this bill. The basis of his argument is that the detection of receivers is a State function; that it is the duty of the county attorney or district attorney to enforce this phase of the law. The fact is that the State attorney or district attorney is absolutely helpless in this field. The gentleman must know that his subpœna can not reach beyond the State line. The local machinery is inadequate in other respects. The local district attorney may succeed in convicting the man on the firing line. The loot meanwhile has passed three or four State lines and is in the hands of some white-collared gentleman who occupies an elaborate suite of offices in some distant city. So far as the jurisdiction of the local district attorney is concerned, the receiver and the loot might as well be in South America as in a State even adjacent.

I trust the gentleman from Iowa [Mr. RAMSEYER] will reverse his position on this bill both in the interests of law enforcement and the youth that is being destroyed. I desire to again emphasize for the benefit of the gentleman from Iowa that it is these fences who organize the criminal and make the crime possible. They are responsible for 75 per cent of the crimes of violence in America to-day. They sit in high places and ostensibly are men of influence in the communities where they live. They receive 75 per cent of the proceeds of crimes of violence, breaches of trust, and larceny. I am wondering if the gentleman from Iowa ever heard of one of these interstate receivers being convicted. I have not, and I have studied the situation with some care.

DYER ACT

The only winning fight that is being waged against organized crime in America is in the field of stolen automobiles. This would supposedly be a prolific field for interstate larceny with recovery and conviction of the defendant difficult. Due to a Federal law, the Dyer Act, a splendidly constructive piece of legislation for which my distinguished colleague from Missouri need not apologize, 93 per cent of the stolen cars in the United States are recovered. Considering the mobility of the automobile this is most remarkable, yet in the absence of this admirable law which the gentleman from Missouri [Mr. DYER] sponsored, the percentage of recoveries would be as low as in the field of stocks, bonds, jewelry, and other merchandise. I have the exact tables on recoveries of stolen automobiles for 28 cities. I cite only 1927 and 1928. They are as follows:

Year	Stolen	Recovered	Not recovered	Per cent recovered	Per cent not recovered
1927	95,083	87,186	7,897	91.7	8.3
1928	74,846	69,196	5,350	92.8	7.2

21 per cent decrease in one year.

The newspapers recently carried a statement from the law officer of the National Automobile Dealers' Association that the Dyer Act was responsible for recoveries of 93 per cent of the automobiles stolen in America during the year 1929. What the Dyer Act has done in the automobile field this measure will do in the fields of larceny, robbery, and theft. The gentleman from Missouri [Mr. DYER], to whom the country is indebted for this admirable legislation, is faint-hearted over the sentences imposed on boys for the commission of this crime. I also deplore the practice of committing youth to prisons or penitentiaries if reconstruction is possible. The judge who sentences a first offender or a casual joy rider to a term in State's prison or in a penitentiary is just as antisocial as the defendant himself. Courts which are abreast of the times no longer sentence without an adequate investigation into the history, background, and antecedents of the defendant. We have recently provided probation officers for the Federal courts. This should cure this condition if it exists.

YOUTH OF CRIMINALS

But the gentleman from Missouri should remember that a large percentage of those on the criminal firing line in America are youths between 16 and 20 years of age. Many of them are already third and fourth offenders, with a long history of juvenile delinquencies. Many of them are extremely dangerous to the community.

The crimes of which they are convicted were principally crimes of violence. An automatic revolver in the hands of these boys is just as deadly as when it is used by a man 40 years of age. I mention this to show the gentleman from Missouri [Mr. DYER] that the fences and the receivers who are back of this criminal mob recruit them young. If society is not to be overwhelmed by these young criminals incarceration is absolutely necessary; but in urging this measure I wish to emphasize again that if the fence were destroyed and there were no field for the disposition of the proceeds of robbery and murder that these youths would be saved.

I have long believed that proper technical education which would graduate youth into gainful employment in the trades would help to solve this problem. I believe that present-day education has broken down. It should include proper trade schools which would save many of these youths from the fence by giving them a place in the economic sun.

The gentleman from New York [Mr. LAGUARDIA] is not property minded. His purpose in introducing this bill is to save the youth, more particularly in the cities, who are being exploited and destroyed by the professional fence. He is not apt to introduce penal legislation in this body, but he understands the psychology of city life and recognizes that the sleek, undercover fence always escapes the consequences of the crime which he promotes and receives 75 per cent of the proceeds. Recently the gentleman from New York performed a signal service to his community by calling attention to the alliance between a multimillionaire fence and a sitting magistrate. The leadership of the gentleman from New York can be followed on this measure.

ATTITUDE OF ATTORNEY GENERAL

I have endeavored to discuss the objections to this measure. There remains but one major objection as brought forth in the House. The gentleman from Iowa [Mr. RAMSEYER] placed in the RECORD a letter addressed to a distinguished Member of the other body, Senator NORRIS, of Nebraska, written by the Attorney General of the United States. In this communication Mr. Mitchell says there are no good reasons for extending the activities of the Federal Government into fields heretofore occupied by the States.

The fact is that the State has never prosecuted the interstate fence because of lack of jurisdiction. It is admitted that the Federal machinery is now and has been inadequate. The preliminary report of the Wickersham Commission is familiar to the Members of this House. It states that criminal law enforcement machinery in the country is entirely inadequate and that a remedy will be suggested in due time. It is indisputable that unless the machinery of enforcement is strengthened and increased through the medium of additional judges, district attorneys, and investigators that crime will absolutely get the upper hand. Let the Attorney General tell us what the country needs in the way of additional judges and enforcement officers. I am confident that Congress will give him all he asks.

The State authorities are convicting the criminal on the firing line while the Federal arm is impotent on the interstate phase of the crime and the detection of the receiver. But the mob on the firing line is only a symptom of the disease. The Attorney General should likewise remember that it is the function of Congress to select the ground on which he shall give battle to crime. His advice is welcome, but should not be controlling. But the Nation and the Attorney General must recognize that we have burst our swaddling clothes and that the country is bigger than it was 50 years ago and that transportation has been completely revolutionized. Congress must recognize that crime at its present rate of increase will in a few years spell the destruction of the Nation. This proposed machinery which the Attorney General mistakenly rejects is in fact an important weapon in the hands of the Government against the interstate "fence," who is a national and not a State problem.

May I say that expert opinion on this question goes further than this proposed law. It urges a central bureau for crime detection patterned after Scotland Yard. I am personally for this unless conditions speedily change. Crime, under the leadership of the highly organized interstate fence is rapidly destroying the Nation. May I say it is no time to prate about State rights when the Nation is in peril? The Attorney General must recognize that the interstate fence who is largely responsible for the terrific crime and murder rate in America to-day is a national and not a State problem. The Attorney General must recognize the country is in a state of war with crime and that crime is getting the upper hand. When we went into the World War each State did not go in on its own initiative or make war in its own way. The whole Nation was enlisted. To follow the advice of the Attorney General in this particular would be to invite chaos and turn the Nation over to the criminals. It is my honest judgment that the effect of a losing battle against crime, which seems possible with the national enforcement agencies sulking in their tents, will be much more disastrous to the Nation than the loss of an international war.

I trust that Congress will pass this legislation so necessary for the security and progress of the country. [Applause.]

THE LONDON NAVAL CONFERENCE—RESULTS ATTAINED

The SPEAKER pro tempore (Mr. CHINDBLOM). The gentleman from Idaho [Mr. FRENCH] is recognized for 10 minutes.

Mr. FRENCH. Mr. Speaker, the London Naval Conference is approaching an end under terms that indicate that the program inaugurated by President Hoover looking to further reduction of naval armaments of the world has been carried to a successful conclusion.

The delegates to the conference are perfecting an agreement that will limit the tonnage in all the categories of ships for the United States, Great Britain, and Japan, and certain features will be included that will have the approval of France and Italy, though these two latter nations will not at this time subscribe to the entire program.

To President Hoover and to the delegates who have represented the United States and the other great powers at the conference table are due the profound gratitude of the people of all nations for their patience, their wisdom, their untiring devotion in meeting a most difficult responsibility.

The reports from London indicate the results in terms of tonnage for the United States, Great Britain, and Japan. Very frankly, it is my profound conviction that had the conferees been able to agree upon tonnage in one-half the totals that have been announced, the outcome would have meant the cutting in two of naval budgets and, what is of vastly more importance, world peace thereby would have been made more secure. However, the other powers were not able to see the question in the light of the proposal of President Hoover in his Armistice Day address, November 11, 1929—that reduction of naval armaments could not be too low for the United States—and hence the terms of agreement that have been reached are in the nature of a compromise.

While the details and exact terms of the treaty have not been composed, the general result has been announced by President Hoover and by the Secretary of State, Colonel Stimson, and to this general result I invite your attention.

It is my sincere judgment that the outcome is so much worthwhile that should the treaty be framed upon the basis of the tentative agreement it should command the most earnest approval upon the part of the people of the United States and the entire world.

DEFINITE LIMITATION IN ALL CATEGORIES

The London conference, first of all, fixes a limitation in tonnage in all categories of ships.

This achievement alone, upon the basis of tonnage agreement, is an accomplishment of transcendent importance. In the absence of such agreement, rivalry in shipbuilding programs would continue. This rivalry would produce fear and suspicion. Fear and suspicion would produce larger and still larger demands for armaments in all unrestricted categories, just as was the case following the Washington conference with respect to the cruiser type, when programs were adopted and ships were constructed, not because they were needed by world powers, but because other nations were going forward with extravagant programs. Definite agreement will end this vicious circle.

LIMITATION WITHIN CATEGORIES

The second accomplishment of the London conference, if it may be carried to consummation, has to do with the tonnage fixed for the several categories. Let us consider what the apparent program means.

That it may stand out in graphic manner, I shall place the data in columns showing the tonnage of the three great powers, the United States, Great Britain, and Japan, when the conference convened and as it will be under the proposed agreement.

Tonnage built, building, appropriated for, or fixed by Washington conference as of January 15, 1930, contrasted with tonnage under London conference agreement

[Data for January 15, 1930, from data sheet compiled by Office of Naval Intelligence, except authorization for aircraft carriers, which is taken from Washington treaty; data for London conference is from statement of President Hoover of April 11, 1930, and from apparently authentic press dispatches]

	United States		Great Britain		Japan	
	Tonnage, Jan. 15, 1930	London conference agreement	Tonnage, Jan. 15, 1930	London conference agreement	Tonnage, Jan. 15, 1930	London conference agreement
	Tons	*Tons*	*Tons*	*Tons*	*Tons*	*Tons*
Battleships	523,400	[1] 460,000	606,450	[1] 460,000	292,000	[1] 264,900
Aircraft carriers	[2] 135,000	135,000	[2] 135,000	135,000	[4] 81,000	81,000
Cruisers	[3] 250,500		[3] 405,911		[7] 206,815	
8-inch guns		[5] 180,000		[5] 150,000		108,450
6-inch guns		[6] 143,500		[8] 189,000		100,450
Destroyers	290,304	150,000	196,761	150,000	129,375	105,500
Submarines	87,232	52,700	69,201	52,700	78,497	52,700
	[9] 1,286,436	1,121,200	[10] 1,414,323	1,136,700	[11] 788,087	713,000

[1] About.
[2] 90,086 tons, built and building.
[3] 115,350 tons, built and building.
[4] 68,870 tons, built and building.
[5] 18 cruisers.
[6] 15 cruisers.
[7] 12 cruisers.
[8] These figures for United States and Great Britain are interchangeable.
[9] Exclusive of 47,598 tons of craft in service but over effective age. Exclusive of 86,915 tons of craft listed for disposal.
[10] Exclusive of 1,605 tons of craft in service but over effective age.
[11] Exclusive of 69,160 tons of craft in service but over effective age.

The figures speak for themselves. It is idle to exclaim that extravagant reductions have been made, and yet reductions have been made that are substantial.

For the United States, it means reduction of more than 165,000 tons; for Great Britain, more than 275,000 tons; and for Japan, more than 75,000 tons.

CONTRAST WITH GENEVA CONFERENCE

Consider the question from the standpoint of proposals that were made at the Geneva Conference in 1927.

At that conference, no nation proposed reduction of tonnage in capital ships or aircraft carriers. The London conference has found it possible to strike from the capital ship class, 3 battleships for the United States, 5 for Great Britain, and 1 for Japan, and has deferred replacement upon all capital ships until 1936.

At the Geneva conference, the United States proposed cruiser tonnage of from 250,000 to 300,000 tons, each for the United

States and Great Britain; destroyer tonnage of from 200,000 to 250,000 tons; and submarine tonnage of 60,000 to 90,000 tons—a total in these three classes of from 510,000 to 640,000 tons. Great Britain proposed for each nation a combined tonnage in these classes of 651,800 to 660,500 tons, including a limited amount of tonnage that was built or building.

In these three categories, the London agreement is about 125,000 tons under the Geneva proposals.

Mr. DUNBAR. In the course of the gentleman's remarks, will he inform us as to the amount of money that will be saved to the United States by reason of this reduction? I ask that because it has been published in the newspapers that the total saving to the United States during the next six years in the construction of vessels and in their operations will amount to $1,000,000,000.

Mr. FRENCH. Yes; I am just coming to that point.

Translated into money, I estimate that the London agreement, upon the basis of construction programs alone during the next six years, will mean for the United States from $400,000,000 to $500,000,000 under what they would have been had the proposals of the United States at Geneva been adopted. More than that, additional millions would need to have been added for operation and maintenance of a larger naval establishment. Similar costs would have been required of other powers.

It is impossible to estimate with any degree of accuracy the hundreds of millions of money that in all probability the United States and the other world powers would have been called upon to meet had the London conference failed and had the rule of competitive building of naval craft come to dominate the political thought of nations. It is quite possible they would have exceeded the amount of $1,000,000,000 as has been estimated by students of the problem over what they will be upon the basis of the London agreement.

FRANCE AND ITALY

The failure of France and Italy to adhere to the features of the London treaty touching limitation in categories can not be taken as seriously as would need to be had France and Italy built up to their authorization under the terms of the Washington treaty. Both nations are some 70,000 tons behind in replacement programs in battleships. In aircraft carriers France has built but 21,653 tons of her allocated 60,000 tons, and Italy has no carriers at all, though she was allotted the same tonnage as France.

The statesmanship of France and of Italy, in my judgment, will be equal to adjustment of the differences between the people of these great powers.

The results that have been attained by the London conference, together with the results attained by the conference of Washington in 1922 and the Kellogg-Briand peace pact, will make easier the problem of the conference that will assemble in 1935. The one conference preceded the Kellogg-Briand peace pact, the other has followed it, and to that treaty both are ancillary.

With rivalries removed in shipbuilding construction programs, with world stability looking toward peace better secured, the problem five years from now ought to be, and I believe will be, more confidently met, and under conditions that should mean radical reductions in tonnage of all the different types.

All in all, the results of the London conference have profound significance. The path toward peace bears imprint of short and sometimes faltering steps. We had hoped for longer strides and greater programs of reduction, but maybe we had not appraised fully the factors of international importance that have admonished caution upon the part of nations.

But we have accomplished much. The footprints in the pathway are directed forward and not backward and they are pointing toward the goal of international understandings through exchange of ideas, through the acquaintanceship of world peoples with problems of their fellows and through the realization that the might of justice stands behind a course that is grounded in righteousness, and that it will prevail.

IMMIGRATION

The SPEAKER pro tempore. Under an order previously entered the gentleman from Florida [Mr. GREEN] is recognized for five minutes.

Mr. GREEN. Mr. Speaker, much has been said to-day about the bill introduced by my colleague from New York [Mr. DICKSTEIN] and about the report thereon as well as the minority views. I will admit for those who are inclined against restriction of immigration this bill is one of particular merit. If I could go along and vote for bills which would have to do with letting down the bars of immigration, the Dickstein bill is one I would support.

Under the quota and national origins laws which were passed and finally put into effect the countries of the world are, of course, permitted to enter their citizens for American citizenship. It happens there are twelve or fifteen thousand parents of persons who have already entered and obtained citizenship, parents who can not come into America under the existing quotas because the quotas from those countries have apparently already been exhausted. If they are not entitled, under national origin, to make these further entries, it seems to me that this is the wrong time for our country to have anything to do with letting down the bars to admit additional aliens.

I would like to remind my colleagues that, as they well know, there are something like 14,000,000 persons of foreign birth in the United States. Of these there are probably one-half not American citizens; they are aliens.

I would also like to remind you that on the west coast of the United States the yellow man and the bronze man are entering. On the southwest coast of the United States, on the Mexican border, the red, the tan, and the white are entering. On the southeast coast of the United States the blacks are finding their way from the islands to my own great State of Florida. In New York and other eastern cities great hordes from European and Asiatic countries are coming in at the rate of about a half million per year, when approximately only 50,000 American citizens are annually departing to other countries for residence.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. GREEN. Not now. I will later.

These figures indicate an income of almost one-half million aliens annually, besides the thousands who are unlawfully entering.

I would like to ask, when we have from three to five million people in America unemployed, when we have bread lines and soup lines in many places in this country, when we have people begging for work in order to maintain their families, is this the time to let down the bars on immigration? Only recently I read of a man who was shot because he was stealing a little food for his wife and children. He said he had been trying to find employment but failed, that his wife and children were suffering from hunger, and he had to obtain food for them.

When such conditions exist, with possibly 5,000,000 people unemployed, begging for employment, is this the time to let down the immigration bars? When American labor is appealing in every manner to obtain employment, is this the time to let down the immigration bars? When we are receiving from 50,000 to 60,000 from Canada, and from 30,000 to 40,000 from Mexico, and thousands from other foreign countries per year, competing with American labor, is this the time to let down the immigration bars? When the American dollar has taken a plunge overnight almost from 90 cents to 75 cents on the dollar, is this the time to let down the immigration bars? When the stock market has carried millions and millions down with it in one crash, is this the time to admit more aliens into America? When the reds and communists are demonstrating and propagating their anti-American feelings, is this the time to let down the immigration bars?

If I could vote for letting down the bars on immigration, I would join my friend from New York [Mr. DICKSTEIN], because I regret to see families separated; but in face of existing conditions, different by far from the time when the platforms of the two parties were adopted nearly two years ago, I can not support such a bill. At that time conditions as now were not facing the American people. Now we are face to face with increasing unemployment. We are face to face with unrest, social problems, race problems, crime waves, riots, anti-American propaganda, wage reduction, and other evils which are largely brought about by the seething hordes of undesirable aliens already in America. No, my friends; this is no time to let down our immigration bars. [Applause.]

Mr. DICKSTEIN. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. DICKSTEIN. Will the gentleman, in fairness to me and in fairness to the Members of the House, point out in what respect these old people will have to do with the commerce that the gentleman is talking about?

Mr. GREEN. I just stated to the gentleman that undoubtedly if anybody could vote to admit aliens, to such his bill is plausible, but I would be glad to vote to slam the door of America against all aliens for at least five years, until we can at least partially Americanize and assimilate some of the foreign population already in America. I am for restriction of immigration because America must be protected for Americans first.

The SPEAKER. The time of the gentleman has expired.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to proceed for two additional minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. SCHAFER of Wisconsin. Will the gentleman follow that same principle as to the protective tariff? What is the difference whether you permit the aliens to come to this country without restriction or permit the products of their industry and labor to come in under a tariff advocated by the Democratic-left wing Republican coalition?

Mr. GREEN. I would like to say to my friend from Wisconsin that he well knows my position on the tariff. The gentleman knows that I appeared before the Ways and Means Committee and advocated protection on the products of my State. I would like to say to my friend on that side of the aisle that I believe in protecting American agriculture, American industry, and American labor.

Mr. SCHAFER of Wisconsin. In the gentleman's own State or in other States?

Mr. GREEN. Well, as my friend knows, a tariff bill is fair only when it protects alike all sections of our country, and gives protection equally to agriculture, industry, and labor.

Mr. SCHAFER of Wisconsin. The trouble with the Democrats is that they generally advocate a protective tariff for the products of their own State. They generally do not advocate, but oppose, a protective tariff for products of other States. The distinguished gentleman from Louisiana [Mr. MONTET] made a very good Republican speech in favor of protection a few moments ago. In view of the gentleman's attitude on immigration I want to say that I believe the products of foreign labor coming into this country do more harm than the aliens we have coming here. I hope the gentleman from Florida will follow the distinguished gentleman from Louisiana and vote for a tariff bill which will protect the products of all of the States of our country from unfair competition of cheaply produced foreign products.

Mr. GREEN. I would like to say to my friend that it is primary that we protect our people and secondary that we solve our problems of trade and industry. Immigration should and does take precedence over the tariff. However, the recent tariff bill, I believe, will carry much aid and relief to my State of Florida. [Applause.]

The SPEAKER. The time of the gentleman from Florida has again expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I hope this will be the last request for permission to address the House this afternoon, because we have some District bills—virtually unanimous consent bills—which it is desired to have considered this afternoon.

Mr. HALL of Indiana. Mr. Speaker, I must object to any further requests for time this afternoon.

Mr. DICKSTEIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DICKSTEIN. I understood the Speaker to put the question, and that there was no objection.

The SPEAKER. The right to object was reserved.

Mr. HALL of Indiana. Mr. Speaker, I object.

CHILDREN'S TUBERCULOSIS SANATORIUM

Mr. McLEOD. Mr. Speaker, I call up Senate bill 3425, to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium."

The SPEAKER. The gentleman from Michigan calls up a bill, which the Clerk will report.

The Clerk read the title of the bill.

Mr. McLEOD. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Michigan asks unanimous consent that this bill may be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium," is hereby amended by increasing the sum authorized to be appropriated to carry out the provisions of this act from $500,000 to $625,000, or so much thereof as may be necessary, to be appropriated in like manner as other appropriations for the District of Columbia.

With the following committee amendment:

Page 1, line 10, after the word "Columbia" insert:

"That if the land proposed to be acquired as a site for the said sanatorium is without the District of Columbia the title to said property shall be taken directly to and in the name of the United States, and in case a satisfactory price can not be agreed upon for the purchase of said land, the Attorney General of the United States, at the request of the Commissioners of the District of Columbia, shall institute condemnation proceedings to acquire such land as may be selected for said site either in the State of Maryland or in the State of Virginia in accordance with the laws of said States, and expenses of procuring evidence of title or of condemnation, or both, shall be paid out of the appropriation herein made for the purchase of said site."

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word.

I rise largely to obtain a brief explanation of the bill. As I understand, the purpose of the bill it is to increase the authorization of appropriation from $500,000 to $625,000 for this children's tuberculosis sanatorium.

Mr. McLEOD. It merely amends the act of 1929 by increasing the amount $125,000. This was found necessary after a survey which was authorized, with an appropriation of $15,000, by the last Congress. The measure is supported by the District Commissioners, the Bureau of the Budget, and does not conflict with the financial program of the President.

Mr. STAFFORD. There is one other provision, I believe, that the bill seeks to amend, and that is to authorize the commissioners to purchase land outside of the District in adjoining States.

Mr. McLEOD. That is correct.

Mr. STAFFORD. Otherwise the present law is in no way changed?

Mr. McLEOD. That is correct.

Mr. STAFFORD. Mr. Speaker, I withdraw the pro forma amendment.

The committee amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

IOWA CIRCLE

Mr. McLEOD. Mr. Speaker, I call up the bill (H. R. 7996) to change the name of Iowa Circle in the city of Washington to Logan Circle.

The SPEAKER. The gentleman from Michigan calls up a bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the name of the circle now known as Iowa Circle, in the city of Washington, is hereby changed to Logan Circle in recognition of the services rendered the United States by Gen. John A. Logan during the Civil War and in civil life, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CLOSING STREETS AND ALLEYS FOR PUBLIC-SCHOOL PURPOSES

Mr. McLEOD. Mr. Speaker, I call up the bill (H. R. 9758) to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes.

The SPEAKER. The gentleman from Michigan calls up the bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and directed to close all the alleys in square 1107, and all the alleys in that part of square 1093 lying east of Seventeenth Place; to close B Street NE. for its full width between the east line of Seventeenth Place and the west line of Nineteenth Street; to close Eighteenth Street NE. for its full width between the north line of B Street and the south line of C Street; and to close Eighteenth Place NE. between the north line of B Street and the south line of C Street: *Provided*, That the title to the land lying within the alleys and streets hereby closed shall revert to the District of Columbia for public-school purposes.

With the following committee amendments:

Page 1, lines 6, 7, and 8, strike out "to close B Street NE. for its full width between the east line of Seventeenth Place and the west line of Nineteenth Street."

Page 2, line 2, insert immediately preceding the proviso the following: "The title to the land abutting on said alleys and streets to be closed being in the District of Columbia."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

Mr. McLEOD. Mr. Speaker, I call up the bill (H. R. 10528) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910.

The SPEAKER. The gentleman from Michigan calls up a bill, which the Clerk will report.

The Clerk read the title of the bill.

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill (S. 686) for the House bill.

The SPEAKER. The gentleman from Michigan asks unanimous consent to substitute a similar Senate bill (S. 686). Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That an act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, be, and it is hereby, amended by adding at the end of paragraph 5 of said act the following provisos:

"*And provided further*, That the building to be erected on property known as the Dean tract, comprising 9¼ acres, bounded on the west by Connecticut Avenue and Columbia Road, on the south by Florida Avenue, on the east by Nineteenth Street, and on the north by a property line running east and west 564 feet in length, said building to cover an area not exceeding 14,000 square feet and to be located on said property not less than 40 feet distant from the north property line, not less than 320 feet distant from the Connecticut Avenue property line, not less than 160 feet distant from Nineteenth Street property line, and not less than 360 feet distant from the Florida Avenue line, measured at the point on the Florida Avenue boundary where the center line of Twentieth Street meets said boundary, be permitted to be erected to a height not to exceed 180 feet above the level of the existing grade at the center of the location above described: *And provided further*, That the design of said building and the layout of said ground be subject to approval by the Fine Arts Commission and the National Capital Park and Planning Commission, both of the District of Columbia."

Mr. STAFFORD. Will the gentleman yield?

Mr. McLEOD. Yes.

Mr. STAFFORD. As the report of the committee indicates, it is not the purpose of the committee in recommending an exception to the building height law that it shall be considered a precedent. I rise largely to inquire what is the established height under the present zoning law for buildings in the District?

Mr. McLEOD. The only precedent that this might tend to support would be a down-town building. This building in question was considered to be so far away from other buildings and in a location not surrounded by residential property, and comprising one whole square that it would not necessarily establish such a precedent as the gentleman refers to. The provision of the bill, that in violation to the existing code, is the monumental tower to this Masonic building. It in no way shuts out light from the abutting owners.

Mr. STAFFORD. Can the gentleman inform the House to what height buildings may now be constructed under the existing code?

Mr. McLEOD. I can not.

Mr. STAFFORD. In this bill we are authorizing the Masonic fraternity to build a building to the height of 180 feet. It has been the established practice in down-town districts and in the suburban district where this building is to be erected, which is surrounded by apartment buildings of a standard height, to have them conform to a certain height. I only know of one building that mars the harmony of the skyline, and that is the Cairo Hotel. Very likely that apartment building was erected before we had any prescribed limit for construction heights.

I am rising largely to get the established height under existing law.

Mr. McLEOD. I may be mistaken, but in the location of this proposed building the limit is about 100 feet, and this exceeds it by 80 feet, in the form of a tower.

Mr. CRAMTON. Will the gentleman yield?

Mr. McLEOD. I yield.

Mr. CRAMTON. I understand that the location of this property is such, the building being removed from other buildings, that the exception made in this case was held to contribute to the attractiveness of the city. That is based somewhat on the thought that the balance of the property on which the building is to be erected is to remain in its natural condition, with a grove of trees, and so forth. There has been some suggestion that they might turn that over to the people of the District.

Was there any assurance before the gentleman's committee that the property will be turned over and maintained as a public park, or that it will be maintained by the Masonic owners in its present condition as a park?

Mr. McLEOD. The present owners indicate that they will turn the balance over to the District of Columbia for park purposes for the exact price that they paid; that if the District does not purchase, no one else will be allowed to purchase it, and that it will be maintained by the Masonic fraternity.

Mr. CRAMTON. Personally, I do not think consent ought to be granted except there is a definite assurance that that area about it is to be kept in its present condition. Is there any definite assurance that either one of these conditions will be maintained—either that they will sell it at a reasonable price to the District or maintain it themselves.

Mr. McLEOD. They say that the building will be far enough back from the proposed park that the gentleman mentioned, and that it will only be considered for park purposes.

Mr. CRAMTON. Mr. Speaker, I was in hopes when I read the title to this bill that it was the bill known as the Shipstead bill, to regulate the height of building fronting upon Government reservations. Can the gentleman give us any idea as to the possibility of having a chance to vote on the Shipstead bill, which recently passed the Senate. It is a bill of very great importance in the District, particularly in view of the great building and park program that we have now under way.

Mr. HALL of Indiana. Mr. Speaker, the Shipstead bill is now under consideration in the subcommittee of which I happen to be chairman. Public hearings have been asked upon the bill. There seems to be a necessity for that.

Mr. CRAMTON. I suppose some of the landowners who would be affected are asking for a hearing to oppose the bill?

Mr. HALL of Indiana. I do not know who have asked. They have only listed their names with the committee and have been notified that at the proper time, when the hearings are held, they will be permitted to place whatever evidence they have before the committee.

Mr. CRAMTON. Can the gentleman give us any idea of when the hearings will be held, and whether the House can hope for an early report upon the bill if it meets the approval of the committee?

Mr. HALL of Indiana. It is the present plan to hold hearings within a short time, and I sincerely hope to present the bill to the House within the near future.

Mr. CRAMTON. If we are to preserve such areas as Lafayette Square and other important reservations, that bill, or one like it, is of very great importance.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. HALL of Indiana. Yes.

Mr. STRONG of Kansas. I have been advised that recently application was made to build a hotel at East Capitol and Third Streets, and that the application has been refused by the authorities. In view of the fact that the building of the new House Office Building is depriving us of two hotels in this part of the city, it looks as though an effort were being made to deprive this part of the town near the Capitol of adequate hotel accommodations. Does the gentleman know anything about the situation?

Mr. HALL of Indiana. That subject has not come to my attention, and I know nothing about it whatever.

Mr. STRONG of Kansas. This smacks a little bit of real-estate interests trying to take advantage of these laws regarding the height of buildings. I think the matter ought to be looked into.

Mr. McLEOD. I might say to the gentleman that the evidence before the committee was that this building would cost somewhere between two and three million dollars, and is to be of a monumental type and will be an asset to the city. In this location it will be far from interfering with apartment buildings.

Mr. STRONG of Kansas. I was not talking about the bill under consideration. I was trying to get some information regarding the refusal to permit a hotel to be built at East Capitol and Third Street, across from the Library.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed; and a motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

ACQUISITION OF LAND FOR PARK PURPOSES

Mr. McLEOD. Mr. Speaker, I call up the bill (H. R. 6595) authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital, and ask unanimous consent to substitute for this bill S. 3440, of similar title, which has already passed the Senate.

The SPEAKER. The gentleman from Michigan asks unanimous consent to substitute the Senate bill, S. 3440, for the House bill. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3440

Authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital

Be it enacted, etc., That for and in consideration of the grant and conveyance to the United States of America by the Ell & Kay Building & Investment Co., a corporation duly incorporated under the laws of Delaware, of a fee simple title, with general warranty, of part of lot 86 of the subdivision by Ell & Kay Building & Investment Co. and others, in square 2106, as recorded in liber 90, folio 70, of the records of the office of the surveyor of the District of Columbia, described as follows: Beginning for the same at an angle formed by the intersection of the westerly boundary of said lot 86 with the northwesterly boundary of said lot, said point of beginning being on the arc of a circle the radius of which is 80.64 feet and distant easterly 19.50 feet, measured on said arc and deflecting to the left, from the intersection of the easterly line of Klingle Road with the northerly boundary of parcel formerly known as parcel 54/95, and running thence from said beginning point with the boundary of said lot 86, deflecting to the left with the arc of a circle the radius of which is 80.64 feet, northeasterly 89.12 feet, thence leaving said boundary and running south 17° 18′ west 56.70 feet to an angle; thence south 33° 43′ west 59.67 feet to a boundary line of said lot; thence with said boundary line, deflecting to the right with the arc of a circle the radius of which is 130.64 feet, westerly 29.56 feet; thence with the westerly boundary of said lot, with the arc of a circle the radius of which is 495 feet, deflecting to the left, northerly 53.36 feet to the point of beginning, containing 2,436 square feet, all as shown in survey book No. 97, page 12, office of the surveyor of the District of Columbia. The Director of Public Buildings and Public Parks of the National Capital, acting for and in behalf of the United States of America, be, and he is hereby, authorized and directed to convey to the Ell & Kay Building & Investment Co., a corporation duly incorporated under the laws of Delaware, all the right, title, and interest of the United States of America in and to the following property, to wit: Part of the tract of land numbered on the assessment records of the District of Columbia as parcel 54/72, and described as follows: Beginning for the same at the most northerly corner of said parcel 54/72, said point of beginning being distant 58.36 feet, measured along the northerly boundary of said parcel, on the arc of a circle the radius of which is 130.64 feet, northeasterly from the most westerly corner of lot 86, square 2106, and running thence from said beginning point with the southeasterly boundary of said parcel 54/72 south 41° 43′ west 70.65 feet; thence leaving said boundary and running with the arc of a circle the radius of which is 9.22 feet, deflecting to the right, northerly 13.20 feet to a point of tangent; thence north 33° 43′ east 38.28 feet to the northerly boundary of said parcel; thence with said northerly boundary, deflecting to the left with the arc of a circle the radius of which is 130.64 feet, northeasterly 28.80 feet to the point of beginning, containing 663 square feet, all as shown on plat of computation in survey book No. 97, page 12, office of the surveyor of the District of Columbia.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. McLEOD. Yes.

Mr. STAFFORD. When this bill came up on the Consent Calendar last Friday, attention was called by the gentleman from Michigan [Mr. HOOPER] to the fact that there should be some change in punctuation. The Senate bill is exactly the same as the House bill. The bill starts out:

That for and in consideration of the grant and conveyance to the United States of America—

And so forth, following with a description of the land and then a sentence:

The Director of Public Parks of the National Capital, acting for and in behalf of the United States of America, be, and he is hereby authorized—

And so forth.

I suggest to the chairman of the committee that the period after the word "Columbia" should be changed to a comma, and that the following word should begin with a small "t" instead of a capital "T," and I offer that as an amendment.

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 6, after the word "Columbia," strike out the period, insert a comma, and strike out the capital "T" in the word "the" and insert a small "t."

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

TURKEY THICKET PLAYGROUND

Mr. McLEOD. Mr. Speaker, I call up the bill H. R. 6596, to effect the consolidation of the Turkey Thicket Playground, Recreation, and Athletic Field, and ask unanimous consent to substitute for it the bill S. 3441, of similar title.

The SPEAKER. The gentleman from Michigan calls up the bill H. R. 6596 and asks unanimous consent to substitute therefor the Senate bill 3441. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object, largely for the purpose of directing the attention of the chairman of the committee to an improved form of phraseology. I assume the Senate bill is in the identical phraseology of the House bill. It would be in far better legislative form to strike out the first paragraph, which is largely in the nature of a preamble, and also the first clause of the second sentence, "For this purpose," and substitute the word "That."

The gentleman will notice that the first sentence of the bill is explanatory:

That in order to effect the consolidation and better development of the Turkey Thicket playground—

And so forth. That is similar to a whereas. It is not essential, but it is good legislative form to have that stricken out, so that it will read:

That the exchange of certain land in the District of Columbia recently acquired for park and playground purposes for the same area of other land better located for the purpose, at an equal valuation, acre for acre, is hereby authorized for and in consideration of the conveyance to the United States of fee simple title of the following lands, to wit.

Mr. McLEOD. Mr. Speaker, does the gentleman insist on the amendment?

Mr. STAFFORD. I think it should be made. I have no objection to the consideration of the bill if that amendment is made.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in order to effect the consolidation and better development of the Turkey Thicket Playground, Recreation, and Athletic Field between the Baltimore & Ohio Railroad and Bunker Hill Road, the exchange of certain land in the District of Columbia recently acquired for park and playground purposes for the same area of other land better located for the purpose, at an equal valuation, acre for acre, is hereby authorized. For this purpose, for and in consideration of the conveyance to the United States of fee-simple title of the following land, to wit:

Part of a tract of land taxed as parcel 134/36, described as follows:

Beginning for the same at the intersection of the south line of Randolph Street (90 feet wide) with the northeasterly line of parcel 134/36 and running thence with said northeasterly line south 25° 20′ 20″ east 96.48 feet to the most easterly corner of said parcel; thence with the northwesterly line of Bunker Hill Road south 41° west 133.54 feet to the southeast corner of said parcel 134/36; thence with the south line of said parcel west 622.06 feet; thence leaving said south line and running thence north 21° 19′ 40″ east 778.11 feet; thence east 18 feet; thence south 536.85 feet; thence east 373.37 feet to the point of beginning, containing 183,003 square feet, or 4.2012 acres, all as shown on plat of computation in survey book No. 89, page 287, of the office of the surveyor of the District of Columbia, the Director of Public Buildings and Public Parks of the National Capital, acting for and in behalf of the United States of America, is hereby authorized to grant and quitclaim to the grantor of the above-described property, all the rights, title, and interest of the United States of America in and to the following:

Part of a tract of land taxed as parcel 134/33, described as follows:

Beginning for the same at the southwest corner of parcel 134/33 and running thence with the westerly boundary of said parcel north 17° 47′ west 519.50 feet to the northwest corner of said parcel 134/33; thence with the north boundary of said parcel east 403.24 feet; thence leaving said north boundary and running thence south 21° 19′ 40″ west 88.32 feet to an angle; then south 16° 56′ 20″ east 501.84 feet to the southerly boundary of said parcel 134/33; thence with said southerly boundary north 79° 19′ west 365 feet to the point of beginning, containing 183,001 square feet, or 4.2012 acres, all as shown on plat of computation in survey book No. 89, page 287, of the office of the surveyor of the District of Columbia.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment: Strike out the first sentence and also the first clause in

the next sentence, "For this purpose," and insert the word "that," so that it will read:

That for and in consideration of the conveyance to the United States of fee simple title of the following land, to wit.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Beginning on line 3, page 1, strike out all down to and including the word "purpose"; on line 10, insert the word "That."

Mr. McLEOD. That is the first 10 lines of the bill?

Mr. STAFFORD. Yes; it is in the nature of a preamble.

Mr. HOOPER. It does not modify the purpose of the legislation?

Mr. STAFFORD. Not at all.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Wisconsin [Mr. STAFFORD].

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BOARD OF PUBLIC WELFARE, DISTRICT OF COLUMBIA

Mr. McLEOD. Mr. Speaker, I call up the bill H. R. 9602.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 9602) to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes."

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to substitute Senate bill 3473.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

S. 3473

A bill to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes

Be it enacted, etc., That the act approved March 16, 1926, being "An act to establish a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes," be, and the same is hereby, amended by striking out section 3 thereof and inserting in lieu thereof the following:

"SEC. 3. That the board shall consist of nine members, who shall be appointed by the Commissioners of the District of Columbia for terms of six years: *Provided*, That the first appointments made under this act shall be for the following terms: Three persons shall be appointed for terms of two years, three persons shall be appointed for terms of four years, and three persons shall be appointed for terms of six years. Thereafter all appointments shall be for six years: *Provided, however*, That vacancies for unexpired terms, caused by death, resignation, removal, or otherwise, shall be filled by the Commissioners of the District of Columbia for such unexpired terms. No person shall be eligible for membership on the board who has not been a legal resident of the District of Columbia for at least three years. Any member of such board may be removed at any time for cause by the Commissioners of the District of Columbia. Appointments to the board shall be made without discrimination as to sex, color, religion, or political affiliation. The members of the board shall serve without compensation."

The SPEAKER. Is there objection to the consideration of the Senate bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

AMENDMENT OF SECTIONS 599, 600, AND 601, CHAPTER 3, CODE OF LAWS, DISTRICT OF COLUMBIA

Mr. McLEOD. Mr. Speaker, I call up the bill (H. R. 3144) to amend sections 599, 600, and 601 of subchapter 3 of the Code of Laws for the District of Columbia.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That sections 599, 600, and 601 of subchapter 3 of the Code of Laws for the District of Columbia be, and the same are hereby, amended to read as follows:

"SEC. 599. CERTIFICATE.—Any three or more persons of full age, citizens of the United States, who desire to associate themselves for benevolent, charitable, educational, literary, musical, scientific, religious, or missionary purposes, including societies formed for mutual improvement or for the purpose of religious worship may make, sign, and acknowledge, before any officer authorized to take acknowledgment of deeds in the District, and file in the office of the recorder of deeds, to be recorded by him, a certificate in writing, in which shall be stated—

"First. The name or title by which such society shall be known in law.

"Second. The term for which it is organized, which may be perpetual.

"Third. The particular business and objects of the society.

"Fourth. The number of its trustees, directors, or managers for the first year of its existence.

"SEC. 600. Signers incorporated: Upon filing their certificates the persons who shall have signed and acknowledged the same and their associates and successors shall be a body politic and corporate, by the name stated in such certificate; and by that name they and their successors may have and use a common seal, and may alter and change the same at pleasure, and may make by-laws and elect officers and agents, and may take, receive, hold, and convey real and personal estate necessary for the purposes of the society as stated in their certificate: *Provided, however*, That this section shall not be construed to exempt any property from taxation in addition to that now specifically exempted by law.

"SEC. 601. Trustees: Such incorporated society may elect its trustees, directors, or managers at such time and place and in such manner as may be specified in its by-laws, who shall have the control and management of the affairs and funds of the society, and a majority of whom shall be a quorum for the transaction of business, unless a less number be specified as a quorum in the by-laws; and whenever any vacancy shall happen in such board of trustees, directors, or managers the vacancies shall be filled in such manner as shall be provided by the by-laws of the society."

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that only that part which has been recommended favorably by the committee be considered.

The Clerk read as follows:

With committee amendments as follows:

Strike out, in line 3, the figures "599" and "600."

In line 4, strike out the word "are" and insert in lieu thereof the word "is."

Beginning with line 6 on page 1, strike out line 6 to line 10, inclusive, and on page 2 from line 1 to line 24, inclusive, and on page 3 lines 1 and 2.

Amend the title so as to read: "A bill to amend section 601 of chapter 3 of the code of laws of the District of Columbia."

Mr. SCHAFER of Wisconsin. Mr. Speaker, this is a controversial bill that failed of consideration on the Consent Calendar. I do not think that under the conditions we are operating under to-day a controversial bill like this should be considered. If we are to consider it, we shall have to have a quorum.

Mr. STAFFORD. Mr. Speaker, will my colleague yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. STAFFORD. This is the bill that the gentleman from Massachusetts [Mr. STOBBS] introduced, and it is the same bill that, as my colleague states, the gentleman from Indiana [Mr. GREENWOOD] objected to on Friday. I am informed by the gentleman from Massachusetts [Mr. STOBBS] that the gentleman from Indiana has withdrawn his objection. As will be recalled, he was the only gentleman who raised an objection to it when it was called up on the Consent Calendar.

Mr. SCHAFER of Wisconsin. If the gentleman from Indiana has withdrawn his objection, I shall not demand a quorum.

Mr. STAFFORD. I will give the gentleman that assurance as given me by the gentleman from Massachusetts [Mr. STOBBS].

Mr. PATTERSON. What is the purpose of this bill?

Mr. STAFFORD. If the gentleman will allow me, I will state, as the gentleman from Massachusetts [Mr. STOBBS] stated the other day, that there are some corporations chartered by the District of Columbia which have a large directorate, many of the directorate being honorary in character, living elsewhere than in the District of Columbia, which desire a smaller number than a majority to constitute an effective quorum. The gentleman from Massachusetts cited the case of his being himself a member of the board of trustees of the Universalist Church here, and said that there were a great number of other members on the board, while the real active members are comparatively few. The bill provides that less than a majority of the trustees shall be regarded as a quorum to do business.

It is a matter purely within the purview of the corporation to establish a by-law to authorize less than a majority of the board of directors to constitute a quorum to do business.

Mr. PATTERSON. Of a church or society?

Mr. STAFFORD. Yes.

Mr. PATTERSON. Do they not have that power now?

Mr. STAFFORD. Apparently not, or the gentleman from Massachusetts [Mr. STOBBS] would not have urged this bill. This is the explanation he offered on the floor last Friday when this bill was called up on the Consent Calendar.

Mr. PATMAN. Mr. Speaker, I would not object to the bill suggested for the purpose which the gentleman from Massachusetts [Mr. STOBBS] had in mind or to take care of the situation that the gentleman has outlined. But this bill is rather far-reaching.

It will permit all those who desire to associate themselves for benevolent, charitable, literary, scientific, religious, or missionary purposes, and many other purposes, by mutual agreement, to incorporate in the District of Columbia, and they can have a trustee from each State in the Union and one from the District of Columbia. They can provide in their by-laws that three can act as a quorum, and, in effect, it will be a national organization. I would not object to a bill to take care of the situation which Mr. STOBBS suggested, but unless the gentleman withdraws this bill I shall be compelled to object to it.

The SPEAKER. The Chair will state that the bill is properly before the House. The only question is that it might be considered as violating the agreement made; but the bill is properly before the House.

Mr. PATMAN. That is, that no matter which was controversial was to be taken up?

The SPEAKER. Yes.

Mr. PATMAN. I spoke to the gentleman about it while the Speaker was taking the matter up, and I thought the gentleman would withdraw it.

Mr. McLEOD. Mr. Speaker, I ask unanimous consent that all proceedings with reference to this bill to-day be vacated.

The SPEAKER. The gentleman from Michigan asks unanimous consent that all proceedings to-day with reference to the bill under consideration be vacated. Is there objection?

There was no objection.

AMATEUR BOXING IN THE DISTRICT OF COLUMBIA

Mr. McLEOD. Mr. Speaker, I call up the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes, and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Michigan calls up the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and asks unanimous consent that the bill may be considered in the House, as in Committee of the Whole House. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. PATMAN. Mr. Speaker, reserving the right to object, this is the boxing bill. I hope the gentleman from Michigan [Mr. McLEOD] will not bring this bill up, as I shall be compelled to object to it. There are certain parts of the bill I object to that have not been corrected.

Mr. McLEOD. I understand there are some amendments to be offered which will probably correct the situation referred to by the gentleman from Texas.

Mr. PATMAN. I have talked to the gentleman from New Jersey [Mr. HARTLEY], and the amendments he has prepared do not meet the objections. It is stated the bill is to prevent professional prize fighting in the District of Columbia. Instead of preventing professional prize fighting it is lowering the penalty. Under the present law there is a penalty of not less than one or more than five years to engage in a professional prize fight in the District of Columbia.

This proposed act if it becomes a law will eliminate from the present law the minimum punishment of one year. It takes it out. It will encourage professional prize fighting rather than prevent professional prize fighting.

Furthermore, there is an admission fee of $2 provided for, which may be charged, and under the peculiar wording of the act it might be charged for each bout. If there were five bouts in an evening, $10 could be charged. Considerable money could be made I think by promoting amateur boxing, and for these reasons I would be compelled to object to the further consideration of the bill.

Mr. STAFFORD. Will the gentleman yield before pressing his objection?

Mr. PATMAN. I yield.

Mr. STAFFORD. I wish to call the attention of the gentleman from Michigan, the acting chairman, to the fact that all bills that have been considered to-day have been subject to points of order under the Ramseyer rule. A further comment is that many of the bills were without report from the commissioners, simply the assurance that the commissioners approved them. I think it would be good practice if the bills that the gentleman reports from his committee comply with the so-called Ramseyer rule, and also to incorporate in the report, as is customary with other committees, the letter of the Commissioners of the District of Columbia.

Mr. McLEOD. The commissioner's report would readily have been given in the event it was requested.

Mr. STAFFORD. There are several instances, for instance, in the report on the bill providing for the exchange of certain properties, where it is stated it has the approval of the commissioners, but the letter of the commissioners is not present.

Mr. McLEOD. I have the letter.

Mr. STAFFORD. But it is not incorporated in the report. I am directing the gentleman's attention to the value of having the views of the department; and, in the case of District bills, the views of the commissioners incorporated in the report.

Mr. McLEOD. Mr. Speaker, I would like to have this bill read because there are amendments to be suggested which, I believe, will answer all the troublesome questions.

The SPEAKER. The gentleman has the right to move that the House go into the Committee of the Whole House on the state of the Union, but the gentleman must have unanimous consent to have the bill considered in the House.

Mr. McLEOD. Mr. Speaker, by reason of the understanding as to how these bills were to be considered to-day, and in view of the trouble that is threatened, I ask unanimous consent to vacate all proceedings on this bill thus far.

The SPEAKER. The gentleman from Michigan [Mr. McLEOD] asks unanimous consent that all proceeding on the bill thus far be vacated. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2719. An act granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy;

S. 3618. An act granting the consent of Congress to rebuild, reconstruct, maintain, and operate the existing railroad bridge across the Cumberland River near the town of Burnside, in the State of Kentucky;

S. 3715. An act authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.;

S. 3745. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.; and

S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee.

ADJOURNMENT

Mr. McLEOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 15, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, April 15, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To provide for the renewal of passports (H. R. 10826).

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 2

(10 a. m.)

To establish uniform requirements for Government contracts (H. R. 5568).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON AGRICULTURE

(10 a. m)

To consider bills relating to cotton exchanges.

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES

(10.30 a. m.)

To establish an assay office at Dahlonega, Lumpkin County, Ga. (H. R. 6998).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

411. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers of preliminary examination and survey of New Bedford Harbor, Mass., and approaches thereto (H. Doc. No. 348); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

412. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of San Juan Harbor, P. R.; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MANLOVE: Committee on Roads. H. R. 10382. A bill for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929; with amendment (Rept. No. 1149). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEHLBACH: Committee on the Merchant Marine and Fisheries. H. R. 11509. A bill to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.; with amendment (Rept. No. 1150). Referred to the Committee of the Whole House on the state of the Union.

Mr. MANLOVE: Committee on Roads. S. 3189. An act for the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1929; with amendment (Rept. No. 1151). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUTHERLAND: Committee on the Territories. H. R. 9707. A bill to authorize the incorporated town of Ketchikan, Alaska, to issue bonds in any sum not to exceed $1,000,000 for the purpose of acquiring public-utility properties, and for other purposes; without amendment (Rept. No. 1159). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CLARK of Maryland: Committee on Claims. H. R. 574. A bill for the relief of Moreau M. Casler; with amendment (Rept. No. 1136). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 6416. A bill for the relief of Myrtle M. Hitzing; with amendment (Rept. No. 1137). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 6627. A bill for the relief of A. C. Elmore; without amendment (Rept. No. 1138). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 6825. A bill to extend the measure of relief provided in the employees' compensation act of September 7, 1916, to Robert W. Vail; with amendment (Rept. No. 1139). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 7207. A bill for the relief of W. R. McLeod; without amendment (Rept. No. 1140). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 687. A bill for the relief of John S. Conkright; with amendment (Rept. No. 1142). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 1452. A bill for the relief of Francis Stone; with amendment (Rept. No. 1143). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 2120. A bill for the relief of Malven A. Williams; without amendment (Rept. No. 1144). Referred to the Committee of the Whole House.

Mr. GARRETT: Committee on Military Affairs. H. R. 2863. A bill for the relief of Harvey O. Willis; without amendment (Rept. No. 1145). Referred to the Committee of the Whole House.

Mr. GARRETT: Committee on Military Affairs. H. R. 3122. A bill for the relief of William J. Frost; without amendment (Rept. No. 1146). Referred to the Committee of the Whole House.

Mr. WURZBACH: Committee on Military Affairs. H. R. 4269. A bill for the relief of William L. Wiles; with amendment (Rept. No. 1147). Referred to the Committee of the Whole House.

Mr. McSWAIN: Committee on Military Affairs. H. R. 4946. A bill for the relief of Ned Anderson; without amendment (Rept. No. 1148). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 1717. A bill for the relief of F. G. Baum; with amendment (Rept. No. 1152). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 2464. A bill for the relief of Paul A. Hodapp; without amendment (Rept. No. 1153). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 4564. A bill for the relief of E. J. Kerlee; with amendment (Rept. No. 1154). Referred to the Committee of the Whole House.

Mr. RANSLEY: Committee on Military Affairs. H. R. 2173. A bill for the relief of Thomas F. Nicholas; with amendment (Rept. No. 1155). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 2831. A bill for the relief of Jasper Johnson; with amendment (Rept. No. 1156). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 3231. A bill for the relief of Walter P. Hagan; without amendment (Rept. No. 1157). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 11268. A bill for the relief of Mary C. Bolling; with amendment (Rept. No. 1158). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACHMANN: A bill (H. R. 11617) to provide for the appointment of an additional district judge for the northern district of New York; to the Committee on the Judiciary.

Also, a bill (H. R. 11618) to provide for the appointment of an additional district judge for the eastern district of New York; to the Committee on the Judiciary.

Also, a bill (H. R. 11619) to provide for the appointment of two additional district judges for the southern district of New York; to the Committee on the Judiciary.

Also, a bill (H. R. 11620) to provide for the appointment of an additional district judge for the eastern district of Michigan; to the Committee on the Judiciary.

Also, a bill (H. R. 11621) to provide for the appointment of an additional district judge for the northern district of Georgia; to the Committee on the Judiciary.

Also, a bill (H. R. 11622) to provide for the appointment of an additional district judge for the eastern district of Louisiana; to the Committee on the Judiciary.

Also, a bill (H. R. 11623) to provide for the appointment of an additional district judge for the southern district of Texas; to the Committee on the Judiciary.

Also, a bill (H. R. 11624) for the appointment of an additional circuit judge for the fifth judicial circuit; to the Committee on the Judiciary.

Also, a bill (H. R. 11625) to provide for the appointment of an additional district judge for the western district of Washington; to the Committee on the Judiciary.

Also, a bill (H. R. 11626) to provide for the appointment of an additional district judge for the western district of New York; to the Committee on the Judiciary.

Also, a bill (H. R. 11627) to provide for the appointment of one additional district judge for the eastern and western districts of Missouri; to the Committee on the Judiciary.

Also, a bill (H. R. 11628) to provide for the appointment of one additional district judge for the northern and southern districts of California; to the Committee on the Judiciary.

Also, a bill (H. R. 11629) to provide for the appointment of one additional district judge for the northern, eastern, and western districts of Oklahoma; to the Committee on the Judiciary.

Also, a bill (H. R. 11630) to provide for the appointment of two additional supreme court judges for the District of Columbia; to the Committee on the Judiciary.

Also, a bill (H. R. 11631) to amend section 83 of the Judicial Code, as amended; to the Committee on the Judiciary.

Also, a bill (H. R. 11632) to amend section 113 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. EDWARDS: A bill (H. R. 11633) to provide for a conference looking to the standardizing of harbor depths and draft of ships in world trade; to the Committee on Foreign Affairs.

By Mr. EVANS of California: A bill (H. R. 11634) to grant nonquota status to American-born women; to the Committee on Immigration and Naturalization.

By Mr. WHITE: A bill (H. R. 11635) to amend the radio act of 1927, approved February 23, 1927, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ESLICK: A bill (H. R. 11636) to grant consent of Congress to the Highway Department of the State of Tennessee to maintain a bridge across Duck River on the Nashville-Centerville Road, near Centerville in Hickman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road; to the Committee on Interstate and Foreign Commerce.

By Mr. HAUGEN: A bill (H. R. 11637) to facilitate the use and occupancy of national forest lands for purposes of residence, recreation, education, industry, and commerce; to the Committee on Agriculture.

By Mr. THATCHER: A bill (H. R. 11638) to provide for an additional district judge for eastern and western districts of Kentucky, and to amend section 83 of the Judicial Code, as amended; to the Committee on the Judiciary.

By Mr. SINCLAIR: Joint resolution (H. J. Res. 303) to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms; to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 11639) granting an increase of pension to Elizabeth Carver; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 11640) granting an increase of pension to Rachel A. Norris; to the Committee on Invalid Pensions.

By Mr. DOYLE: A bill (H. R. 11641) granting a pension to Bridget Ryan; to the Committee on Pensions.

Also, a bill (H. R. 11642) for the relief of Harry Francis King; to the Committee on Naval Affairs.

By Mr. FRENCH: A bill (H. R. 11643) granting a pension to Milton F. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 11644) granting a pension to William J. Langiewicz; to the Committee on Pensions.

By Mr. HUDSPETH: A bill (H. R. 11645) granting a pension to Francis Marion Buckelew; to the Committee on Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 11646) granting an increase of pension to John W. Harmon; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 11647) for the relief of George R. Wise; to the Committee on Naval Affairs.

By Mr. KENDALL of Kentucky: A bill (H. R. 11648) granting a pension to Lewis J. Barber; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11649) granting a pension to Pauline Carl; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 11650) granting an increase of pension to Mary C. Watkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11651) granting a pension to Irene Dick; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 11652) granting an increase of pension to Margaret W. Bassett; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 11653) granting a pension to Marshall S. Durham; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 11654) granting an increase of pension to Frances F. Godown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11655) granting a pension to Rosetta Hamilton; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 11656) granting a pension to Leon P. Chesley; to the Committee on Pensions.

By Mr. McCORMACK of Massachusetts: A bill (H. R. 11657) granting a pension to Annie J. Heller; to the Committee on Pensions.

By Mr. MANLOVE: A bill (H. R. 11658) granting an increase of pension to John F. Graper; to the Committee on Pensions.

By Mr. MANSFIELD: A bill (H. R. 11659) to provide for a survey of the Colorado River, Tex., with a view to the prevention and control of floods; to the Committee on Flood Control.

By Mr. MENGES: A bill (H. R. 11660) granting an increase of pension to Lydia A. Shindel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11661) granting an increase of pension to Annie Arnold; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 11662) granting an increase of pension to Caroline Weigand; to the Committee on Invalid Pensions.

By Mr. OLIVER of New York: A bill (H. R. 11663) for the appointment of Lieut. Alford J. Williams, jr., United States Navy, as a captain in the Naval Reserve of the United States; to the Committee on Naval Affairs.

By Mr. REECE: A bill (H. R. 11664) granting a pension to William A. Harden; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11665) granting a pension to Lee Hollon; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 11666) granting an increase of pension to Francis E. Shaffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11667) granting an increase of pension to Annie E. Ferree; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11668) granting a pension to Harold G. Potter; to the Committee on Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 11669) granting a pension to Robert E. Swingle; to the Committee on Pensions.

By Mr. THURSTON: A bill (H. R. 11670) granting an increase of pension to Eliza M. Young; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 11671) granting an increase of pension to Annie E. Calderwood; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 11672) granting an increase of pension to Jennie Barclay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11673) granting an increase of pension to Sarah Elizabeth Walter; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: Joint resolution (H. J. Res. 301) for the relief of Earl A. Ross; to the Committee on the Public Lands.

Also, joint resolution (H. J. Res. 302) for the relief of Frank P. Ross; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6742. By Mr. BLACKBURN: Memorial of the Chilesburg branch of the Woman's Christian Temperance Union of Lexington, Ky., signed by Sara G. Clark, president, and Mary McCarty, secretary, memorializing Congress to enact a law for the Federal supervision of the production and distribution of motion pictures; to the Committee on Interstate and Foreign Commerce.

6743. Also, memorial of the Macedonia Aid Society of Lexington, Ky., signed by Mrs. R. B. Couchman, president, and Mrs. William Overby, secretary, memorializing Congress to enact a law for the Federal supervision of the production and distribution of motion pictures; to the Committee on Interstate and Foreign Commerce.

6744. By Mr. BLOOM: Petition of citizens of Cincinnati, Ohio, opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto, definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

6745. By Mr. EATON of New Jersey: Resolution of the Common Council of the Borough of North Plainfield and State of New Jersey, favoring the enactment of House Joint Resolution 167, memorializing October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

6746. By Mr. FRENCH: Petition of 62 citizens of Lemhi County, Idaho, indorsing Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6747. Also, petition of 29 citizens of Gem County, Idaho, indorsing Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6748. By Mr. FULLER: Petition of E. J. Crampton and 69 citizens of St. Joe, Searcy County, Ark., urging the speedy consideration and passage of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6749. By Mr. JOHNSON of Nebraska: Petition of 52 sugar-beet growers residing near Kearney and Grand Island, Nebr., asking for the House rate of 2.40 on sugar; to the Committee on Ways and Means.

6750. By Mr. LINDSAY: Petition consisting of individual letters, registering protests against the Federal education bill, and contending that education is a local matter, and not for Government administration, from the following citizens of the third congressional district, Brooklyn, N. Y.; Mrs. George Blasius, Esther Bradley, Daniel H. Cullen, Mary Donohue, James Dunne, Mrs. M. Guinessey, Julia Lang, Ellen McCann, Sarah McGarry, Nellie McGill, Anna McKay, Catherine McNeill, Mary Murphy, Francis B. O'Donnell, John J. Rainey, Margaret Ryan, Mrs. M. McShane, Ellen Slevin, Delia Seibold, Joseph A. Seibold, and Mrs. J. Wolf; to the Committee on Education.

6751. Also, petition of Central Union Label Council, Brooklyn, N. Y., urging enactment of House bill 10343, on the ground that it will minimize to a great extent the competition that comes from Latin countries; to the Committee on Immigration and Naturalization.

6752. By Mr. LUDLOW: Petition of sundry clerks of the post office at Indianapolis, Ind., in favor of the early passage of House bill 6603, by Mr. KENDALL of Pennsylvania, providing for a shorter week for postal employees, and House bill 3087, by Mr. KELLY, providing sick leave and vacation for regular substitute clerks; to the Committee on the Post Office and Post Roads.

6753. Also, memorial of the Common Council of the city of Indianapolis and the State of Indiana, requesting the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6754. By Mr. MAGRADY: Petition of numerous citizens of Berwick, Pa., urging speedy enactment of legislation providing increased rates of pension for Spanish War veterans; to the Committee on Pensions.

6755. Also, petition signed by 54 citizens of Berwick, Pa., appealing for the early passage of the legislation now pending in behalf of Spanish War veterans; to the Committee on Pensions.

6756. Also, petition of citizens of Catawissa, Pa., urging speedy enactment of legislation providing increased rates of pension for Spanish War veterans; to the Committee on Pensions.

6757. By Mr. MANLOVE: Petition of Chief White Eagle and 78 residents of Jasper County, Mo., urging favorable consideration of file 4-M-L-E-33 for 1-hour daytime schedule for radio experimental station W (9XV), of Carterville, Mo.; to the Committee on the Merchant Marine and Fisheries.

6758. By Mr. O'CONNELL of New York: Petition of Adrian J. Drez, 1180 Hancock Street, Brooklyn, N. Y., and 29 other citizens of Brooklyn, N. Y., favoring the passage of Senate bill 476 and House bill 2562, for increases of pension for Spanish War veterans; to the Committee on Pensions.

6759. Also, petition of Central Trades and Labor Council of greater New York and vicinity, favoring the passage of House bill 10343; to the Committee on Immigration and Naturalization.

6760. By Mr. O'CONNELL of Rhode Island: Resolution of the Town Council of Barrington, R. I., memorializing the Congress of the United States to enact House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

6761. By Mr. OSIAS: Petition signed by Petronilo Viray, Bangar, La Union; Tomas de la Cruz, Bas Pinas, Rizal; Juan Mendoza, Esteban Sapaula, and Bonifacio Trinidad, Manila; Lino Ruiz and 17 others, from Zambales, all from the Philippine Islands, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6762. Also, petition signed by Urbano Cabanatan and 19 others from the municipality of Calbayog, Samar, P. I., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6763. Also, petition signed by the following persons from Cuyo, Palawan, P. I.: Antonio de la Torre and 17 others, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6764. Also, petition signed by some Americans residing in Port Lebak, Cotabato, P. I., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6765. Also, petition signed by Leon Obrero, Santa Lucia, Ilocos Sur; Juan Bayuya and five others from Bayombong, Nueva Vizcaya; Fernando Tumaliuan and five others from Bayombong, Nueva Vizcaya; Marciano Loria, Lingayen, Pangasinan; Crispinon Orig and four others from Pagbilao, Tayabas; Alejandro Aurelio and three others from Dagupan, Pangasinan; Doroteo Ortola, Carigara, Leyte; Fortunato S. Calluengand four others from Bagabag, Nueva Vizcaya; Vincente Martinez and Augustin Mangulabnan, Cainta, Rizal, all from the Philippine Islands, urging passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6766. Also, petition signed by Epifanio Roman and 20 others from Calbayog, Samar; Gabriel Canson and 19 others from Tabaco, Albay; Meliton Mendiola, Tanauan, Leyte; Nicolas Cabristante and 34 others from Cuyo, Palawan; Numerian Turbanos and 6 others from Bacolod, Occidental Negros; Raymundo Miranda and 18 others from Pangasinan; Antonio Domingo and Lucino C. de Cabatero, La Castellana, Occidental Negros, all from the Philippine Islands, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6767. Also, petition signed by George L. Rickard and five other Americans living in Camarines Sur, Albay, and Catanduanes, P. I., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6768. Also, petition signed by Juan Sardalan and 67 others from Nueva Vizcaya; Celestino Arbiso and 14 others from Zambales; Paulo Onipeg and 17 others from Zambales; Eugenio Domingo and 16 others from Zambales, Lorenzo Estrella, Ilagan, Isabela; Fortunato Martinez, Damortis, La Union, all from the Philippine Islands, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6769. By Mr. WYANT: Petition of Latrobe Council, No. 239, Junior Order United American Mechanics, favoring House bill 10343; to the Committee on Immigration and Naturalization.

6770. Also, petition of Scottdale Council, No. 178, Junior Order United American Mechanics, favoring House bill 10343; to the Committee on Immigration and Naturalization.

SENATE

TUESDAY, *April 15, 1930*

(Legislative day of Monday, April 14, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

INVESTIGATIONS OF COTTON GINNING

Mr. HARRISON. Mr. President, yesterday there was passed through the Senate a bill which had been reported from the Committee on Agriculture and Forestry, the bill (S. 3687) to authorize the Secretary of Agriculture to conduct investigations of cotton ginning. It is similar to a bill which passed the House and came to the Senate and was referred to the Committee on Agriculture and Forestry, that being the bill (H. R. 10173) to authorize the Secretary of Agriculture to conduct investigations of cotton ginning. The House bill is identical with the Senate bill except that there is a very slight change in language; there is no material change in it. I ask that the Committee on Agriculture and Forestry be discharged from the further consideration of House bill 10173 and that the bill be placed upon its passage at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Committee on Agriculture and Forestry is discharged from the further consideration of the House bill.

Mr. HARRISON. I now ask unanimous consent that the House bill be considered and passed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10173) to authorize the Secretary of Agriculture to conduct investigations of cotton ginning, which was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to investigate the ginning of cotton; to establish and maintain experimental ginning plants and laboratories; and to make such tests, demonstrations, and experiments, and such technical and scientific studies in relation to cotton ginning as he shall deem necessary and to publish the results thereof, with a view to developing improved ginning equipment and encouraging the use of improved methods, and he may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, as he shall find to be necessary.

SEC. 2. That for the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of $100,000 for the fiscal year ending June 30, 1931, and thereafter such sums as may be necessary.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, the votes whereby Senate bill 3687 was ordered to a third reading and passed will be reconsidered and the bill will be indefinitely postponed.

PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

Mr. GLASS. Mr. President, on yesterday, as I note in the RECORD, when apparently there was no member of the Committee on the District of Columbia present in the Chamber, in the consideration of the calendar the bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was passed. That bill was reported to the Senate under a misconception. The Committee on the District of Columbia had unanimously resolved that it should be recalled and further considered by the committee, because as reported there was omitted from the text a vital amendment to which the committee had agreed. I ask unanimous consent for a reconsideration of the votes by which the bill was ordered to a third reading and passed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. GLASS. I shall await the presence of the chairman of the committee, Mr. CAPPER, and let him move to refer the bill back to the committee.

The VICE PRESIDENT. The bill will be restored to the calendar.

CONDITIONS IN PALO VERDE AND CIBOLA VALLEYS

Mr. JOHNSON. Mr. President, I have a matter quite similar to that just suggested by the Senator from Mississippi [Mr. HARRISON]. On yesterday upon the calendar was the bill (S. 3413) to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes. The bill was duly considered and passed. However, prior to that time, indeed on the 7th day of April, an exactly similar bill was passed by the House, came to the Senate, was read twice, and referred to the Committee on Irrigation and Reclamation.

I now ask that the Committee on Irrigation and Reclamation be discharged from the further consideration of House bill 9442 of the same title, that the Senate reconsider the votes by which Senate bill 3413 was ordered to a third reading and passed on yesterday, and then, if I may have unanimous consent, I wish to have the House bill considered and passed.

The VICE PRESIDENT. Is there objection to the request of the Senator from California? The Chair hears none. The Committee on Irrigation and Reclamation is discharged from the further consideration of House bill 9442, and, if there is no objection, it will be considered at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9442) to authorize the Secretary of the Interior to make engineering and economic investigations and studies in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to make all necessary engineering and economic investigations and studies of conditions in the Palo Verde and Cibola Valleys and vicinity on the Colorado River in California and Arizona to determine how best to protect the lands in this vicinity from damage by overflow and seepage. Report shall be made and plans and estimates prepared showing cost of additional works necessary, together with a statement of the value of works already constructed which can be merged with and made a part of a completed system.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. Without objection, the votes whereby Senate bill 3413 was ordered to a third reading and passed will be reconsidered and the bill will be indefinitely postponed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills of the Senate:

S. 686. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; and

S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital; and

S. 3441. An act to effect the consolidation of the Turkey Thicket Playground, Recreation, and Athletic Field.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9758. An act to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes; and

H. R. 7996. An act to change the name of Iowa Circle in the city of Washington to Logan Circle.

ENROLLED BILL SIGNED

The message also announced the the Speaker had affixed his signature to the enrolled bill (S. 3715) authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga., and it was signed by the Vice President.

PETITIONS

Mr. SHIPSTEAD presented a resolution adopted by the City Council of St. Paul, Minn., favoring the passage of the bill (H. R. 8976) to amend an act entitled "An act granting pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes," approved March 3, 1927, which was referred to the Committee on Pensions.

He also presented resolutions adopted by the city councils of the cities of Crookston, South St. Paul, Rochester, Cloquet, and Duluth, all in the State of Minnesota, praying for the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which were referred to the Committee on the Library.

Mr. FESS presented petitions of members of the Congregational Church of Atwater, the Congregational Church of Zanesville, and the First Congregational Church of Painesville, in the State of Ohio, praying for the ratification of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

He also presented a petition numerously signed by sundry citizens of Cincinnati and vicinity, in the State of Ohio, praying for the ratification of the proposed World Court protocol, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. STEIWER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 193) for the relief of the Union Shipping & Trading Co. (Ltd.) (Rept. No. 424);

A bill (S. 3641) for the relief of owners of cargo aboard the steamship *Boxley* (Rept. No. 425);

A bill (S. 3726) for the relief of the owner of the American steam tug *Charles Runyon* (Rept. No. 426);

A bill (S. 3727) for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918 (Rept. No. 427); and

A bill (S. 3728) for the relief of the owner of barge *Consolidation Coastwise No. 10* (Rept. No. 428).

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 1254) for the relief of Kremer & Hog, a partnership (Rept. No. 430);

A bill (S. 1255) for the relief of the Gulf Refining Co. (Rept. No. 431);

A bill (S. 1256) for the relief of the Federation Bank & Trust Co., New York, N. Y. (Rept. No. 432);

A bill (S. 1257) for the relief of the Beaver Valley Milling Co. (Rept. No. 433);

A bill (S. 3577) for the relief of John Wilcox, jr. (Rept. No. 434); and

A bill (S. 3623) for reimbursement of James R. Sheffield, formerly American ambassador to Mexico City (Rept. No. 435).

Mr. COUZENS, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 3141) to amend paragraph (11) of section 20 of the interstate commerce act, as amended, reported it without amendment and submited a report (No. 429) thereon.

He also, from the same committee, to which was referred the bill (S. 3845) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924, reported it with an amendment and submitted a report (No. 436) thereon.

Mr. WALCOTT, from the Committee on Banking and Currency, to which was referred the bill (H. R. 6604) to amend sections 6 and 9 of the Federal reserve act, and for other purposes, reported it without amendment and submitted a report (No. 437) thereon.

Mr. SHIPSTEAD, from the Committee on Printing, to which was referred the concurrent resolution (H. Con. Res. 29) authorizing the printing of House Document No. 328, reported it without amendment and submitted a report (No. 439) thereon.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, submitted a report (No. 438) to accompany the bill (S. 3783) for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929, heretofore reported from that committee.

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 15, 1930, that committee presented to the President of the United States the following enrolled bills:

S. 2719. An act granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy;

S. 3618. An act granting the consent of Congress to rebuild, reconstruct, maintain, and operate the existing railroad bridge across the Cumberland River near the town of Burnside, in the State of Kentucky;

S. 3745. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky.; and

S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee.

REPORT OF POSTAL NOMINATIONS

As in open executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4169) to add certain lands to the Zion National Park in the State of Utah, and for other purposes; and

A bill (S. 4170) to provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. WATSON:

A bill (S. 4171) granting an increase of pension to Anna B. Collins (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 4172) to aid in the maintenance of engineering experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplemental thereto; to the Committee on Agriculture and Forestry.

By Mr. ROBSION of Kentucky:

A bill (S. 4173) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Carrollton, Ky.; to the Committee on Commerce.

By Mr. BROCK:

A bill (S. 4174) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Board River on the Dandridge-Newport Road in Jefferson County, Tenn.; and

A bill (S. 4175) to grant the consent of Congress to the Highway Department of the State of Tennessee to maintain a bridge across Duck River on the Nashville-Centerville Road near Centerville, in Hickman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road (with an accompanying paper); to the Committee on Commerce.

By Mr. WALSH of Massachusetts:

A bill (S. 4176) granting a pension to Thomas King; to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 4177) granting a pension to Martha J. Young (with accompanying papers); to the Committee on Pensions.

By Mr. ALLEN:

A bill (S. 4178) granting a pension to Rebecca Barnes (with accompanying papers); to the Committee on Pensions.

By Mr. METCALF:

A bill (S. 4179) granting a pension to Rachel Morgan (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4180) to amend the act entitled "An act to provide for the establishment of a municipal center in the District of Columbia," approved February 28, 1929; to the Committee on the District of Columbia.

By Mr. COPELAND:

A bill (S. 4181) to amend an act entitled "An act to create a revenue in the District of Columbia by levying tax upon all dogs therein, to make such dogs personal property, and for other purposes," as amended; to the Committee on the District of Columbia.

AMENDMENT TO RIVERS AND HARBORS BILL—PORT ORFORD, OREG.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 10965) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

INDEPENDENT OFFICES APPROPRIATIONS

Mr. KEYES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, and 9, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$553,523,166"; and the Senate agree to the same.

HENRY W. KEYES,
REED SMOOT,
W. L. JONES,
LEE S. OVERMAN,
CARTER GLASS,
Managers on the part of the Senate.

EDWARD H. WASON,
JOHN W. SUMMERS,
C. A. WOODRUM,
Managers on the part of the House.

The report was agreed to.

HOUSE BILL REFERRED

The bill (H. R. 9758) to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes was read twice by its title and referred to the Committee on the District of Columbia.

RELIEF OF THE STATE OF GEORGIA

Mr. HARRIS. Mr. President, I ask unanimous consent for the immediate consideration of the bill (S. 3783) for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929. The bill is recommended by the department. There is no objection to it on the part of anybody. It is similar to several other bills which have already passed the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Post Offices and Post Roads with an

amendment, on page 1, line 5, to strike out "$2,500,000" and insert "$506,067.50," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $506,067.50 for the relief of the State of Georgia, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the unusually serious financial loss to the State of Georgia through the damage to or destruction of roads and bridges by floods in 1929, imposing a public charge against the property of the State beyond its reasonable capacity to bear. Such portion of the sum hereby authorized to be appropriated as will be available for future construction shall be expended by the State highway department, with the approval of the Secretary of Agriculture, for the restoration, including relocation, of roads and bridges of the Federal-aid highway system so damaged or destroyed, together with interstate bridges across the Savannah River at or near Augusta, Ga., in such manner as to give the largest measure of permanent relief, under rules and regulations to be prescribed by the Secretary of Agriculture. Any portion of the sum hereby authorized to be appropriated shall become available when the State of Georgia shows to the satisfaction of the Secretary of Agriculture that it has, either before or after the approval of this act, actually expended, or made available for expenditure, for the restoration, including relocation, of roads and bridges so damaged or destroyed, a like sum from State funds. Nothing in this act shall be construed as an acknowledgment of any liability on the part of the United States in connection with the restoration of such roads and bridges: *Provided*, That out of any appropriations made for carrying out the provisions of this act, not to exceed 2½ per cent may be used by the Secretary of Agriculture to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase supplies, material, equipment, and office fixtures and to incur such travel and other expense as he may deem necessary for carrying out the purpose of this act: *Provided further*, That no portion of this appropriation shall be used except on highways and bridges now in the Federal-aid highway system in Georgia, or the necessary relocation of such roads and bridges.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Simmons
Ashurst	George	Kendrick	Smoot
Barkley	Gillett	Keyes	Steck
Bingham	Glass	McKellar	Steiwer
Black	Glenn	McNary	Stephens
Blaine	Goff	Metcalf	Sullivan
Blease	Goldsborough	Norbeck	Swanson
Borah	Gould	Norris	Thomas, Idaho
Brock	Greene	Nye	Thomas, Okla.
Brookhart	Hale	Overman	Townsend
Broussard	Harris	Patterson	Trammell
Capper	Harrison	Phipps	Tydings
Caraway	Hatfield	Pine	Vandenberg
Connally	Hawes	Pittman	Wagner
Copeland	Hayden	Ransdell	Walcott
Couzens	Hebert	Robinson, Ind.	Walsh, Mass.
Dale	Heflin	Robsion, Ky.	Walsh, Mont.
Deneen	Howell	Sheppard	Watson
Dill	Johnson	Shipstead	Wheeler
Fess	Jones	Shortridge	

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is detained on account of the death of his brother. I ask that this announcement may stand for the remainder of the week.

Mr. FESS. I desire to announce that my colleague [Mr. MCCULLOCH] is unavoidably detained from the Chamber. I ask that this announcement may stand for the day.

Mr. BLAINE. I wish to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. This announcement I will let stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I send to the desk certain communications which I ask to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

The following telegrams passed between Justice Blease, of the South Carolina Supreme Court, and his brother, Senator BLEASE, of South Carolina:

COLUMBIA, S. C., *April 14, 1930.*

Hon. COLE. L. BLEASE,
Washington Hotel, Washington, D. C.:

Our court asked indorse Parker confirmation. Wish to do so but prefer your advice. Wire.

EUGENE S. BLEASE.

WASHINGTON, D. C., *April 14, 1930.*

Hon. EUGENE S. BLEASE,
State Supreme Court, Columbia, S. C.:

Your wire. South's only hope. I shall vote to confirm.

COLE. L. BLEASE.

COURT-MARTIAL OF H. K. SABINS

Mr. HALE. Mr. President, I ask that Senate Resolution 247, which is on the calendar under "resolutions over under the rule," be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 247) submitted by Mr. TRAMMELL on the 11th instant, as follows:

Resolved, That the Committee on Naval Affairs, or any duly authorized subcommittee thereof, is authorized and directed (1) to investigate the alleged irregularities in connection with the summary court-martial and the proceedings of the court of inquiry in the case of H. K. Sabins, former yeoman, first class, United States Navy, which resulted in the issuance of a bad-conduct discharge to the said H. K. Sabins on September 23, 1929, and (2) to report to the Senate as soon as practicable the results of its investigation, together with its recommendations for necessary legislation.

Mr. HALE. I have talked with the Senator from Florida [Mr. TRAMMELL] about the matter and he is satisfied to have the resolution referred to the Committee on Naval Affairs.

Mr. TRAMMELL. Mr. President, at the request of the chairman of the committee I have agreed to let the resolution take the course suggested by him. I would like, however, to request the Senator from Maine to invite Mr. Sabins also before the committee and not merely to make inquiry of the Navy Department. I think if the committee are going to investigate whether the resolution should be reported favorably or not they should give this man an opportunity to be heard before the committee reports upon the resolution.

Mr. HALE. The Senator from Florida is a member of the Committee on Naval Affairs and proper action, of course, will be taken by the committee.

The VICE PRESIDENT. The resolution will be referred to the Committee on Naval Affairs.

DEPORTATION OF CERTAIN ALIEN SEAMEN

Mr. BINGHAM. Mr. President, on yesterday there was passed by unanimous consent the bill (S. 202) to provide for the deportation of certain alien seamen, and for other purposes, a bill to which I have been objecting for some years past because it requires a certain amount of discussion and I believe a very important amendment. In accordance with the usual practice I ask unanimous consent that the votes by which the bill was ordered to a third reading and passed may be reconsidered and that the bill may be returned to the calendar.

Mr. HEFLIN. Mr. President, is the author of the bill present?

Mr. BINGHAM. It is a bill of the Senator from Utah [Mr. KING].

Mr. HEFLIN. I wonder if the Senator from Utah would consent to this action if he were here?

Mr. BINGHAM. I will say to the Senator from Alabama that the bill has been before the Senate for some time, and each time it has come up I have objected. I was not on the floor when it came up yesterday. I understood that the Senator from Maine [Mr. GOULD] was to object to it, but he also was absent.

Mr. HEFLIN. I would rather have the request go over. I would like to look into it.

Mr. BINGHAM. The Senator will realize that when a Senator, who was not present when a bill was passed by unanimous consent, asks the next day for a reconsideration, it is granted as a matter of courtesy and universal custom.

Mr. HEFLIN. The author of the bill is a sick man, and he is not here.

Mr. BINGHAM. That is all the more reason why we should wait until he comes back before debating it.

Mr. HEFLIN. I should like to have it go over until I can look into it.

Mr. BINGHAM. If we do not reconsider the vote by which the bill was passed, it will be sent to the House.

Mr. HEFLIN. I ask that it be held up for the day until I can look into it.

Mr. BINGHAM. Then, I give notice that I shall move to reconsider the vote by which the bill was passed if it is impossible to secure unanimous consent to do so.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed the bill (S. 3425) to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium," with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 8799. An act to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs reserve on the Shoshone or Wind River Indian Reservation, Wyo.; and

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a commission to be known as the United States Battle of the Monongahela Commission.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following bills and joint resolution:

On April 9, 1930:

S. 2657. An act granting a renewal of patent No. 21053, relating to the badge of the Daughters of the American Revolution.

On April 10, 1930:

S. 3621. An act granting a right of way across the land of the United States for bridge purposes over the Louisiana and Texas Intracoastal Waterway.

On April 12, 1930:

S. J. Res. 151. Joint resolution to authorize the Secretary of the Interior to deliver water during the irrigation season of 1930 on the Uncompahgre project, Colorado; and

S. 2763. An act authorizing the cities of Omaha, Nebr., and Council Bluffs, Iowa, and the counties of Douglas, Nebr., and Pottawattamie, Iowa, to construct, maintain, and operate one or more but not to exceed three toll or free bridges across the Missouri River.

On April 14, 1930:

S. 3448. An act to amend the act of February 21, 1929, entitled "An act to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant frequency monitoring radio station, and for other purposes."

On April 15, 1930:

S. 3714. An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at Mount Carmel, Ill.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws.

Mr. HAYDEN addressed the Senate in opposition to the bill. After having spoken with interruption for several hours he yielded the floor for the day. Mr. HAYDEN's speech will be published entire after it shall have been concluded.

Mr. HEFLIN. Mr. President, I ask that there be printed in the RECORD an editorial from the Winston-Salem Journal of Friday, April 11, 1930, entitled "The Immigration Issue."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Winston-Salem Journal, Friday, April 11, 1930]

THE IMMIGRATION ISSUE

In the last campaign Josiah William Bailey warmly defended Governor Smith's position on the immigration issue. Now this is an issue that has long been close to the hearts of North Carolinians. Our American purity to-day is due to this feeling.

As far back as 1774 certain citizens of Rowan County protested against the bringing in of undesirables, calling attention to the fact that such people would tend to keep others of a better class away and discourage the coming of gainful enterprises. The general assembly of 1784 went after it and also took another shot in 1794. This feeling has grown with the years and to-day we have associations with large membership banded together for the sole purpose of keeping us clean, and the governor who now directs the affairs of state is calling on us for pure, homemade feed, seed, and sires.

If you do not believe this feeling is here, try it out in the manufacturing Piedmont.

Here is what Governor Smith's attitude on immigration did for the Democratic Party in this section. He lost the ninth congressional district by 21,000, the manufacturing counties of the eighth by 11,000, and the fifth district by over 25,000 making a total of 57,000 of the 62,000 by which he lost the State. On the other hand, you will be surprised at the small change in the vote in counties where there is little or no manufacturing.

Senator SIMMONS knows the extent of this sentiment in North Carolina, and as a Senator of such a people he has always fought for and has been successful in getting laws enacted which help to restrict our immigration to a small number of the better class. The law now on the books which requires an immigrant to be able to read and write the language of his or her own nationality is a Simmons amendment.

This being a matter upon which we have to depend upon the National Government for relief, what did our national Democratic platform promise the people and pledge its candidates upon this subject? Did Governor Smith abide by this platform, promise and pledge? Read the following and you will be obliged to say that he did not.

NATIONAL DEMOCRATIC PLATFORM 1928	GOVERNOR SMITH'S POSITION IN HIS SPEECH OF ACCEPTANCE
"Laws which limit immigration must be preserved in full force and effect, but provision contained in these laws that separate husbands from wives and parents from infant children are inhuman and not essential to the purpose or efficacy of such law."	"I am opposed to the principle of restriction based upon figures of immigrant population contained in a census 38 years old. I believe this is designed to discriminate against certain nationalities, and is an unwise policy."

What is the law to which this plank of our platform pledges the Democrats? It is this: It provides for the admission of a small per cent of people of the same nationalities as those who made up our population as shown in the census of 1890, as Governor Smith says, "38 years ago."





The adoption of this law was deliberate. Congress had all the facts before it, it knew exactly what it was doing, as did the Democrats in convention assembled at Houston. The purpose of the law is to get "quality" and not "quantity" and the effect being to keep out the very people Governor Smith wishes to let come in.

The platform committee of the national convention had as a part of its membership Democratic United States Senators (KEY PITTMAN, who was very prominent in the conduct of the campaign, being one) who knew all about this legislation, its intent and purpose, and, with this knowledge, the convention adopted this plank, the convention approved it, it was given out to the country as the Democratic position, yet Governor Smith calls the deliberate action of his national convention "unwise." Surely the National Democratic Convention would not adopt a plank upon a matter of such nation-wide importance without knowing what they were doing and one which they believed to be wise. Governor Smith is right when he says it was "designed to discriminate." It was so designed and does discriminate, in that it keeps out the scum of immigrants—the very people he wishes to let come in.

If you want North Carolina's support, don't go wrong on this immigration issue.

Mr. McNARY. Mr. President, I ask unanimous consent that when the Senate concludes its business to-day it recess until 12 o'clock noon to-morrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BROUSSARD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Simmons
Ashurst	George	Kendrick	Smoot
Barkley	Gillett	Keyes	Steck
Bingham	Glass	McKellar	Steiwer
Black	Glenn	McNary	Stephens
Blaine	Goff	Metcalf	Sullivan
Blease	Goldsborough	Norbeck	Swanson
Borah	Gould	Norris	Thomas, Idaho
Brock	Greene	Nye	Thomas, Okla.
Brookhart	Hale	Overman	Townsend
Broussard	Harris	Patterson	Trammell
Capper	Harrison	Phipps	Tydings
Caraway	Hatfield	Pine	Vandenberg
Connally	Hawes	Pittman	Wagner
Copeland	Hayden	Ransdell	Walcott
Couzens	Hebert	Robinson, Ind.	Walsh, Mass.
Dale	Heflin	Robsion, Ky.	Walsh, Mont.
Deneen	Howell	Sheppard	Watson
Dill	Johnson	Shipstead	Wheeler
Fess	Jones	Shortridge	

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. NORBECK. Mr. President, it is my intention to offer an amendment as an additional section to the pending measure. It is not in conflict with the bill as it is now pending before the Senate. The bill relates to immigrants coming from countries of the Western Hemisphere. My amendment will deal with the quotas of countries of the Eastern Hemisphere.

I have two purposes in mind:

First. To reduce the number of aliens now permitted to come into the United States.

Second. To get away from the national origins plan as a basis for immigration and to substitute the national census of 1890.

In other words, Mr. President, I propose to restore the quota basis which prevailed in this country from the very inception of the restriction of immigration down to June 30, 1929, except that under my proposal a lesser number of immigrants will be admitted to our shores.

The national origins theory is open to many criticisms, but the most common one is that it gives preference to those countries in southern Europe that have abandoned self-government and turned their affairs over to dictators. It discriminates against north European countries that have shown real capacity for self-government.

We all realize that the change was brought about last June on account of a misunderstanding and a misapprehension. It was argued that on the national origins basis a smaller number of immigrants would be admitted than under a system providing the 1890 census as the basis. While the difference was small, it was sufficient foundation for a real argument. It led the American Legion to indorse increased immigration from southern Europe, on the theory it was a bill to restrict immigration.

The national origins theory was indorsed by patriotic societies, with the same understanding, or rather, lack of understanding. The bill was acted on hurriedly, and we can not blame busy people for not having a full knowledge of the different laws and plans proposed; but if patriotic societies, including the American Legion, favor restriction of immigration, as I know they do, then they will be heartily in favor of the amendment which I propose.

I repeat, my amendment deals only with immigration from countries of the eastern hemisphere. It does not seek to amend the pending measure. It seeks to amend the existing law that went into operation a few months ago through a misunderstanding as to its effect. That law was in direct opposition to the recommendation of the President of the United States. He has for years held to the view and expressed a preference for the 1890 census basis as against the national origins theory.

Mr. President, as I have said, my amendment aims to make only two changes, namely, to reduce the percentage basis from 2 per cent to 1½ per cent. It will reduce immigration to our shores practically one-fourth, or, approximately, 30,000 persons annually; and, second, it will restore the quota basis that prevailed up to July 1, 1929.

Mr. President, I ask that the amendment which I intend to propose to the bill may be printed in the usual form and also printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table and to be printed in the RECORD, as follows:

Add as an additional section at the end of the bill the following:

"SEC. —. That with respect to quotas after June 30, 1930, for any nationality other than those within section 4 (c) of the immigration act of 1924 (43 Stat. L. 153), such provisions of that act, or any act amendatory thereof, as relate to quotas based on national origins (as referred to in subdivision (b) of section 11 of such act) are hereby repealed; subdivision (a) of section 11 of the immigration act of 1924 (which provides for quotas based on the United States Census of 1890) is amended by striking out the figure "2" and inserting in lieu thereof the figure "1½"; and the quotas for the fiscal year beginning July 1, 1930, and for each fiscal year thereafter shall be determined and proclaimed (including any annual revision thereof, if necessary) in the same manner as such act prescribed for quotas for the fiscal year beginning July 1, 1924, and shall be final and conclusive for every purpose."

ADDRESS ON THOMAS JEFFERSON BY SENATOR DILL

Mr. BLACK. Mr. President, I ask unanimous consent to insert in the RECORD an address upon the subject of "Thomas Jefferson, the Architect of Americanism," delivered by the Senator from Washington [Mr. DILL] at Monticello, Va., on April 13, 1930.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THOMAS JEFFERSON, THE ARCHITECT OF AMERICANISM

Thomas Jefferson was born when God Almighty said: "Let all men be free." God endowed Jefferson with talents so great that he could not only help to win political freedom from British tyranny for his own generation, but he could also proclaim those principles of government by which all men ever afterwards can maintain their freedom.

Thomas Jefferson knew well the part he was playing in establishing the freedom of mankind. He proved it by his epitaph. In that epitaph he mentioned what he believed to be his three greatest achievements for humanity. First was the Declaration of Independence, designed to guarantee political freedom; second, Virginia's religious statute, to guarantee religious freedom; and, third, the founding of the University of Virginia, to guarantee mental freedom.

He worked, fought, and wrote always for freedom from autocracy, freedom from creeds, and freedom from ignorance. There is, therefore, no more appropriate spot in all our land for perpetuation as a shrine to American freedom than his old home, known to all the world as Monticello.

Just as Thomas Jefferson was the architect of the mansion at Monticello, so was he the architect of Americanism. The principles of freedom which he set forth in the Declaration of Independence and in the first ten amendments to the Constitution have become the foundation principles of our free American institutions.

Just as he leveled down the hilltop and enlarged the grounds to surround the building of which he was the architect, so did he exercise his great power as President to enlarge the Republic to more than double its previous size so that the Americanism of which he was the architect might reach its full flower of development here in the western world.

When Jefferson bought Louisiana and sent the Lewis and Clark expedition to lay claim to Oregon he brought under this country's flag the heart of the North American Continent. He provided for the young Republic a virgin territory where the white race could create a new civilization based on the principles of government which he had proclaimed. In that vast domain no monarchical traditions, no class prejudices, and no historic precedents would restrain or delay the development of the America which he had planned. Thus did Jefferson prove himself the most practical statesman of his day. The greatest philosopher of all time entered the arena of public affairs and won peacefully territory and resources which have made the United States the richest and most powerful nation the world has ever known.

When Jefferson secured this vast territory, smaller men, men without his vision or his faith, criticized him and abused him. They

charged he had exceeded his presidential powers. They predicted no democracy could ever rule such a vast and varied land.

How little they knew what Jeffersonian principles would do in a new world! Equal rights for all, freedom to worship God according to the dictates of conscience, and universal education, with free press, free speech, and right of trial by jury, made America the land of hope, the land of opportunity, the land of progress.

When this new kind of government, based on Jeffersonian principles, freed the minds of men it lit the Aladdin's lamp of American progress. When it opened the doors of opportunity to the children of the poor, it inspired achievements such as the world had never seen. That is why Americans were first to supplant the steamboat and the stage coach with the railroad train. That is why Americans were first to develop the telegraph and telephone for instantaneous use by all the people. That is why labor-saving machinery, automobiles, talking-moving pictures, and radio are most advanced and most used in America. That is why American labor produces most and receives the highest wage. That is why American women have the highest status in the world. That is why our public-school system has become the cornerstone of the temple of Americanism.

These are the things that characterize America and differentiate her from every other nation in history. The world has never before seen a people with such commerce, such high standards of living for those who toil, such vast religious and educational institutions, all the creation of a free people, designed to help most those who are in need.

Such are the fruits of Jeffersonian principles. Such is our silent example to all the world—more powerful than force of arms—to extend the sway of democracy among the peoples of the earth.

It is not enough to celebrate Jeffersons' memory. We can not truly honor him by simply paying tribute to his greatness. Had the generations since his time done only that the Republic would have perished long ago. No; if we would prove worthy followers of the Sage of Monticello we must apply his principles to the problems of our own time. If Jefferson were alive to-day he would be the first to insist that we change our laws, and even the form of Government itself, if need be, to remedy existing public ills.

What would be his attitude on the public questions of our day? First of all, he would be a progressive. Of all the Revolutionary leaders he was the most revolutionary. He advocated not only the overthrow of British rule, but also the overthrow of British institutions. A Jeffersonian does not ask that all be rich or great, but that none be poor and all be free.

His writings and his speeches on the subject of labor, the courts, and the rights of the poor were so advanced that when any public man now dares to express those sentiments the reactionaries of to-day call him a radical and sometimes a bolshevik. He condemned those who exploited labor then by saying that their actions prove that "man is the only animal that devours his own kind."

He described reactionary judges of the courts as "sappers and miners constantly working underground to undermine the foundations of our confederated fabric." If he were a Senator to-day, I am sure he would fight the confirmation of any man for judge of the United States Supreme Court who has placed property rights above human rights.

Nor would he favor entanglements with European nations. At the ripe age of 80 years, in June, 1823, he wrote President Monroe to let the people of Europe "act their follies and their crimes among themselves, while we pursue the paths of peace and prosperity." In October of that same year he wrote Monroe again "never to entangle ourselves in the broils of Europe." That was good advice then. It is better advice now.

If we were to write a new Declaration of Independence under the inspiration of Jefferson's principles, we should write it not in terms of 1776 but in terms of 1930. That new declaration should not be a repudiation of monarchy but a revolt against the rule of money. It should not be a breaking away from feudalism but an overturning of monopolies and mergers whereby a few individuals exploit millions of people by profiteering practices that defy the Government. That new declaration should not attempt to incite a revolution with bullets against our remaining as subjects of a foreign king but should be a clarion call to a revolution with ballots to prevent our becoming a Nation of employees under an oligarchy of money kings. Only such a declaration would breathe the spirit of Thomas Jefferson, who was freedom's herald and prophet in his day.

I saw once a painting of a beautiful girl, lithe of limbs, with shapely figure and smiling face, lying on fleecy clouds, floating through the sky, and it was labeled "Freedom." But that did not represent freedom. That was an artist's fantasy.

If an artist would paint freedom, let him paint a warrior, old and wrinkled, but heavily muscled, with gnarled hands, brawny arms, and hairy breast. Let him have the fire of battle in his eyes—the hero of thousands of encounters with weaker but more cunning tyranny. Let him picture freedom as old as mankind, but ready always to fight with those who struggle for justice and for the right.

"For freedom was not made with the mountains;
It was not one with the deep;
Men, not gods, devised it,
And men, not gods, must keep."

EXECUTIVE SESSION

Mr. McNARY. Mr. President, I am informed by the able Senator from Arizona [Mr. HAYDEN] that he desires to discuss in the morning the Philippine question and its relationship to the pending bill. The Senator from Idaho [Mr. BORAH] desires an executive session, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business in open session.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President making nominations, which were referred to the appropriate committees.

TREATY—RIGHTS AND DUTIES OF STATES IN EVENT OF CIVIL STRIFE

The legislative clerk announced as first in order on the Executive Calendar the treaty Executive EE (70th Cong., 2d sess.), convention on the rights and duties of states in event of civil strife, adopted by the Sixth International Congress of American States, which assembled at Habana, January 16 to February 20, 1928, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The treaty was read, as follows:

CONVENTION

[Rights and Duties of States in the Event of Civil Strife]

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928, desirous of reaching an agreement as to the duties and rights of States in the event of civil strife, have appointed the following plenipotentiaries:

Perú: Jesús Melquiades Salazar, Víctor Maúrtua, Enrique Castro Oyanguren, Luis Ernesto Denegri.

Uruguay: Jacobo Varela Acevedo, Juan José Amézaga, Leonel Aguirre, Pedro Erasmo Callorda.

Panamá: Ricardo J. Alfaro, Eduardo Chiari.

Ecuador: Gonzalo Zaldumbide, Víctor Zevallos, Colón Eloy Alfaro.

Mexico: Julio García, Fernando González Roa, Salvador Urbina, Aquiles Elorduy.

Salvador: Gustavo Guerrero, Héctor David Castro, Eduardo Alvarez.

Guatemala: Carlos Salazar, Bernardo Alvarado Tello, Luis Beltranena, José Azurdia.

Nicaragua: Carlos Cuadra Pazos, Joaquín Gómez, Máximo H. Zepeda.

Bolivia: José Antezana, Adolfo Costa du Rels.

Venezuela: Santiago Key Ayala, Francisco Gerardo Yanes, Rafael Angel Arraiz.

Colombia: Enrique Olaya Herrera, Jesús M. Ypes, Roberto Urdaneta Arbeláez, Ricardo Gutiérrez Lee.

Honduras: Fausto Dávila, Mariano Vázquez.

Costa Rica: Ricardo Castro Beeche, J. Rafael Oreamuno, Arturo Tinoco.

Chile: Alejandro Lira, Alejandro Alvarez, Carlos Silva Vildósola, Manuel Bianchi.

Brazil: Raúl Fernandes, Lindolfo Collor, Alarico da Silveira, Sampaio Correa, Eduardo Espínola.

Argentina: Honorio Pueyrredón, (Later resigned), Laurentino Olascoaga, Felipe A. Espil.

Paraguay: Lisandro Díaz León.

Haiti: Fernando Dennis, Charles Riboul.

Dominican Republic: Francisco J. Peynado, Gustavo A. Díaz, Elías Brache, Angel Morales, Tulio M. Cestero, Ricardo Pérez Alfonseca, Jacinto R. de Castro, Federico C. Alvarez.

United States of America: Charles Evans Hughes, Noble Brandon Judah, Henry P. Fletcher, Oscar W. Underwood, Dwight W. Morrow, Morgan J. O'Brien, James Brown Scott, Ray Lyman Wilbur, Leo S. Rowe.

Cuba: Antonio S. de Bustamante, Orestes Ferrara, Enrique Hernández Cartaya, José Manuel Cortina, Arístides Agüero, José B. Alemán, Manuel Márquez Sterling, Fernando Ortiz, Néstor Carbonell, Jesús María Barraqué.

Who, after exchanging their respective full powers, which were found to be in good and due form, have agreed upon the following:

ARTICLE 1

The contracting states bind themselves to observe the following rules with regard to civil strife in another one of them:

1. To use all means at their disposal to prevent the inhabitants of their territory, nationals or aliens, from participating in, gathering elements, crossing the boundary or sailing from their territory for the purpose of starting or promoting civil strife.

2. To disarm and intern every rebel force crossing their boundaries, the expenses of internment to be borne by the state

where public order may have been disturbed. The arms found in the hands of the rebels may be seized and withdrawn by the government of the country granting asylum, to be returned, once the struggle has ended, to the state in civil strife.

3. To forbid the traffic in arms and war material, except when intended for the government, while the belligerency of the rebels has not been recognized, in which latter case the rules of neutrality shall be applied.

4. To prevent that within their jurisdiction there be equipped, armed or adapted for warlike purposes any vessel intended to operate in favor of the rebellion.

ARTICLE 2

The declaration of piracy against vessels which have risen in arms, emanating from a government, is not binding upon the other states.

The State that may be injured by depredations originating from insurgent vessels is entitled to adopt the following punitive measures against them: Should the authors of the damages be warships, it may capture and return them to the Government of the State to which they belong, for their trial; should the damage originate with merchantmen, the injured State may capture and subject them to the appropriate penal laws.

The insurgent vessel, whether a warship or a merchantman, which flies the flag of a foreign country to shield its actions, may also be captured and tried by the State of said flag.

ARTICLE 3

The insurgent vessel, whether a warship or a merchantman, equipped by the rebels, which arrives at a foreign country or seeks refuge therein, shall be delivered by the Government of the latter to the constituted Government of the State in civil strife, and the members of the crew shall be considered as political refugees.

ARTICLE 4

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

ARTICLE 5

After being signed, the present convention shall be submitted to the ratification of the signatory States. The Government of Cuba is charged with transmitting authentic certified copies to the Governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory Governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of nonsignatory States.

In witness whereof the aforenamed plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

Perú: Jesús M. Salazar, Víctor M. Maúrtua, Luis Ernesto Denegri, E. Castro Oyanguren.

Uruguay: Varela, Pedro Erasmo Callorda.

Panamá: R. J. Alfaro, Eduardo Chiari.

Ecuador: Gonzalo Zaldumbide Víctor Zevallos, C. E. Alfaro.

Mexico: Julio García, Fernando González Roa, Salvador Urbina, Aquiles Elorduy.

Salvador: J. Gustavo Guerrero, Héctor David Castro, Ed. Alvarez.

Guatemala: Carlos Salazar, B. Alvarado, Luis Beltranena, J. Azurdia.

Nicaragua: Carlos Cuadra Pazos, Máximo H. Zepeda, Joaquín Gómez.

Bolivia: José Antezana, A. Costa du R.

Venezuela: Santiago Key Ayala, Francisco G. Yanes, Rafael Angel Arraiz.

Colombia: Enrique Olaya Herrera, R. Gutiérrez Lee, J. M. Yepes.

Honduras: F. Dávila, Mariano Vázquez.

Costa Rica: Ricardo Castro Beeche, J. Rafael Oreamuno, A. Tinoco Jiménez.

Chile: Alejandro Lira, Alejandro Alvarez, C. Silva Vildósola, Manuel Bianchi.

Brazil: Raúl Fernandes, Lindolfo Collor.

Argentina: Laurentino Olascoaga, Felipe A. Espil, Carlos Alberto Alcorta.

Paraguay: Lisandro Díaz León, Juan Vicente Ramírez.

Haiti: Fernando Dennis.

Dominican Republic: Fraco. J. Peynado, Tulio M. Cestero, Jacinto R. de Castro, Elías Brache, R. Pérez Alfonseca.

United States of America: Charles Evans Hughes, Noble Brandon Judah, Henry P. Fletcher, Oscar W. Underwood, Morgan J. O'Brien, James Brown Scott, Ray Lyman Wilbur, Leo S. Rowe.

Cuba: Antonio S. de Bustamante, Orestes Ferrara, E. Hernández Cartaya, Arístides de Agüero Bethencourt, M. Márquez Sterling, Néstor Carbonell.

Certified to be the English text of the convention on rights and duties of States in the event of civil strife as contained in the final act signed at the closing session of the Sixth International Conference of American States.

FRANK B. KELLOGG,
Secretary of State of the United States of America.

Mr. BORAH. Mr. President, this treaty and the one following on the Executive Calendar, Executive HH, are treaties that grew out of what is known as the Habana conference. The Committee on Foreign Relations has approved the treaties with certain reservations. The reservations are also approved by the State Department. The first treaty defines the duties of American States in the event of civil strife, I do not know that it is necessary for me to refer to the terms of the treaty, but it has the unanimous support of the committee.

The treaty was reported to the Senate without amendment.

The VICE PRESIDENT. The resolution of ratification with the reservation reported by the committee will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive EE, Seventieth Congress, second session, a convention on the rights and duties of American States in the event of civil strife, adopted on February 20, 1928, by the Sixth International Conference of American States at Habana, Cuba, subject, however, to the understanding that the provisions of article 3 of the said convention shall not apply where a state of belligerency has been recognized.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the ratification of the treaty with the reservation? [Putting the question.] Two-thirds of the Senators present concurring therein, the treaty is ratified with the reservation.

TREATY—STATUS OF ALIENS

The legislative clerk announced the next order of business on the Executive Calendar to be Executive HH (70th Cong., 2d sess.), convention regarding the status of aliens, adopted at the Sixth International Conference of American States assembled at Habana, January 16 to February 20, 1928, which had been reported by the Committee on Foreign Relations with an amendment to strike out articles 3 and 4.

There being no objection, the treaty was considered as in Committee of the Whole and was read, as follows:

CONVENTION

[Status of Aliens]

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928;

Have decided to conclude a convention for the purpose of determining the status of aliens within their respective territories and to that end have appointed the following plenipotentiaries:

Perú: Jesús Melquiades Salazar, Víctor Maúrtua, Enrique Castro Oyanguren, Luis Ernesto Denegri.

Uruguay: Jacobo Varela Acevedo, Juan José Amézaga, Leonel Aguirre, Pedro Erasmo Callorda.

Panamá: Ricardo J. Alfaro, Eduardo Chiari.

Ecuador: Gonzalo Zaldumbide, Víctor Zevallos, Colón Eloy Alfaro.

Mexico: Julio García, Fernando González Roa, Salvador, Urbina, Aquiles Elorduy.

Salvador: Gustavo Guerrero, Héctor David Castro, Eduardo Alvarez.

Guatemala: Carlos Salazar, Bernardo Alvarado Tello, Luis Beltranena, José Azurdia.

Nicaragua: Carlos Cuadra Pazos, Joaquín Gómez, Máximo H. Zepeda.

Bolivia: José Antezana, Adolfo Costa du Rels.

Venezuela: Santiago Key Ayala, Francisco Gerardo Yanes, Rafael Angel Arraiz.

Colombia: Enrique Olaya Herrera, Jesús M. Yepes, Roberto Urdaneta Arbeláez, Ricardo Gutiérrez Lee.

Honduras: Fausto Dávila, Mariano Vázquez.

Costa Rica: Ricardo Castro Beeche, J. Rafael Oreamuno, Arturo Tinoco.

Chile: Alejandro Lira, Alejandro Alvarez, Carlos Silva Vildósola, Manuel Bianchi.

Brazil: Raúl Fernandes, Lindolfo Collor, Alarico da Silveira, Sampaio Correa, Eduardo Espínola.

Argentina: Honorio Pueyrredón, (Later resigned), Laurentino Olascoaga, Felipe A. Espil.

Paraguay: Lisandro Díaz León.

Haiti: Fernando Dennis, Charles Riboul.

Dominican Republic: Francisco J. Peynado, Gustavo A. Díaz, Elías Brache, Angel Morales, Tulio M. Cestero, Ricardo Pérez Alfonseca, Jacinto R. de Castro, Frederico C. Alvarez.

United States of America: Charles Evans Hughes, Noble Brandon Judah, Henry P. Fletcher, Oscar W. Underwood, Dwight W. Morrow, Morgan J. O'Brien, James Brown Scott, Ray Lyman Wilbur, Leo S. Rowe.

Cuba: Antonio S. de Bustamante, Orestes Ferrara, Enrique Hernández Cartaya, José Manuel Cortina, Arístides Agüero, José B. Alemán, Manuel Márquez Sterling, Fernando Ortiz, Néstor Carbonell, Jesús María Barraqué.

Who, after depositing their full powers, which were found to be in good and due form, have agreed upon the following provisions:

ARTICLE 1

States have the right to establish by means of laws the conditions under which foreigners may enter and reside in their territory.

ARTICLE 2

Foreigners are subject as are nationals to local jurisdiction and laws, due consideration being given to the limitations expressed in conventions and treaties.

ARTICLE 3

Foreigners may not be obliged to perform military service; but those foreigners who are domiciled, unless they prefer to leave the country, may be compelled, under the same conditions as nationals, to perform police, fire-protection, or militia duty for the protection of the place of their domicile against natural catastrophes or dangers not resulting from war.

ARTICLE 4

Foreigners are obliged to make ordinary or extraordinary contributions, as well as forced loans, always provided that such measures apply to the population generally.

ARTICLE 5

States should extend to foreigners, domiciled or in transit through their territory, all individual guaranties extended to their own nationals, and the enjoyment of essential civil rights without detriment, as regards foreigners, to legal provisions governing the scope of and usages for the exercise of said rights and guaranties.

ARTICLE 6

For reasons of public order or safety, states may expel foreigners domiciled, resident, or merely in transit through their territory.

States are required to receive their nationals expelled from foreign soil who seek to enter their territory.

ARTICLE 7

Foreigners must not mix in political activities, which are the exclusive province of citizens of the country in which they happen to be; in cases of such interference, they shall be liable to the penalties established by local law.

ARTICLE 8

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

ARTICLE 9

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of nonsignatory states.

In witness whereof, the aforenamed plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

Peru: Jesús M. Salazar, Víctor M. Maúrtua, Luis Ernesto Denegri, E. Castro Oyanguren.

Uruguay: Varela, Pedro Erasmo Callorda.

Panamá: R. J. Alfaro, Eduardo Chiari.

Ecuador: Gonzalo Zaldumbide, Víctor Zevallos, C. E. Alfaro.

Mexico: Julio García, Fernando González Roa, Salvador Urbina, Aquiles Elorduy.

Salvador: J. Gustavo Guerrero, Héctor David Castro, Ed. Alvarez.

Guatemala: Carlos Salazar, B. Alvarado, Luis Beltranena, J. Azurdia.

Nicaragua: Carlos Cuadra Pazos, Máximo H. Zepeda, Joaquín Gómez.

Bolivia: José Antezana, A. Costa du R.

Venezuela: Santiago Key Ayala, Francisco G. Yanes, Rafael Angel Arraiz.

Colombia: Enrique Olaya Herrera, R. Gutiérrez Lee, J. M. Yepes.

Honduras: F. Dávila, Mariano Vázquez.

Costa Rica: Ricardo Castro Beeche, J. Rafael Oreamuno, A. Tinoco Jiménez.

Chile: Alejandro Lira, Alejandro Alvarez, C. Silva Vildósola, Manuel Bianchi.

Brazil: Raúl Fernandes, Lindolfo Collor.

Argentina: Laurentino Olascoaga, Felipe A. Espil, Carlos Alberto Alcorta.

Paraguay: Lisandro Díaz León, Juan Vicente Ramírez.

Haiti: Fernando Dennis.

Dominican Republic: Fraco. J. Peynado, Tulio M. Cestero, Jacinto R. de Castro, Elías Brache, R. Pérez Alfonseca.

RESERVATION OF THE DELEGATION OF THE UNITED STATES OF AMERICA

The delegation of the United States of America signs the present convention making express reservation to Article 3 of the same, which refers to military service of foreigners in case of war.

United States of America: Charles Evans Hughes, Noble Brandon Judah, Henry P. Fletcher, Oscar W. Underwood, Morgan J. O'Brien, James Brown Scott, Ray Lyman Wilbur, Leo S. Rowe.

Cuba: Antonio S. de Bustamante, Orestes Ferrara, E. Hernández Cartaya, Arístides de Agüero Bethencourt, M. Márquez Sterling, Néstor Carbonell.

Certified to be the English text of the convention on status of aliens as contained in the final act signed at the closing session of the Sixth International Conference of American States.

FRANK B. KELLOGG,
Secretary of State of the United States of America.

The amendment was agreed to.

The treaty was reported to the Senate as amended, and the amendment was concurred in.

The VICE PRESIDENT. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of (Executive HH, 70th Cong., 2d sess.) a convention regarding the status of aliens, adopted at the Sixth International Conference of American States, which assembled at Habana, Cuba, from January 16 to February 20, 1928, with the following amendment:

Strike out articles 3 and 4.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the ratification of the treaty as amended? [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution is adopted and the treaty is ratified.

DIPLOMATIC AND FOREIGN SERVICE NOMINATIONS

The legislative clerk proceeded to read sundry nominations for the Diplomatic and Foreign Service.

The VICE PRESIDENT. Without objection, the nominations for the Diplomatic and Foreign Service are confirmed en bloc, and the President will be notified.

THE JUDICIARY

The legislative clerk announced the nomination of William J. Carter to be United States attorney, eastern district of Tennessee, vice Everett Greer, resigned.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The legislative clerk announced the nomination of Charles B. Kennamer to be United States attorney, northern district of Alabama.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The legislative clerk announced the nomination of Tom W. Dutton to be United States marshal, eastern district of Louisiana, vice Victor Loisel, term expired.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The legislative clerk announced the nomination of Clark B. Wasson to be United States marshal, eastern district of Oklahoma, vice Henry F. Cooper, term expired.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The legislative clerk announced the nomination of Phil E. Baer to be United States marshal, eastern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The legislative clerk announced as next on the Executive Calendar the nominations of sundry postmasters.

Mr. McNARY. I ask unanimous consent that the postmasters may be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc, and the President will be notified.

THE ARMY

The legislative clerk proceeded to announce sundry nominations in the Army.

The VICE PRESIDENT. Without objection, the nominations will be confirmed en bloc, and the President will be notified.

THE NAVY

The legislative clerk proceeded to announce sundry nominations in the Navy.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc, and the President will be notified.

THE MARINE CORPS

The legislative clerk proceeded to announce sundry nominations in the Marine Corps.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc, and the President will be notified.

LEGISLATIVE SESSION

Mr. McNARY. I move that the Senate return to legislative business.

The motion was agreed to.

RECESS

Mr. McNARY. Pursuant to the unanimous-consent agreement heretofore entered into, I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 31 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Wednesday, April 16, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 15 (legislative day of April 14), 1930

CONSULS

The following-named Foreign Service officers to be consuls of the United States of America:

Knox Alexander, of Missouri.
Vinton Chapin, of Massachusetts.
Prescott Childs, of Massachusetts.
Lewis Clark, of Alabama.
William M. Gwynn, of California.
George F. Kennan, of Wisconsin.
Gordon P. Merriam, of Massachusetts.
Samuel Reber, jr., of New York.
Joseph C. Satterthwaite, of Michigan.
S. Walter Washington, of West Virginia.

FOREIGN SERVICE OFFICERS

The following-named persons for promotion in the Foreign Service of the United States, as follows:

CLASS 1

From Foreign Service officer of class 2 to Foreign Service officer of class 1:

John K. Caldwell, of Kentucky, from April 11, 1930.
Louis G. Dreyfus, jr., of California, from April 11, 1930.
Douglas Jenkins, of South Carolina, from April 11, 1930.
Marion Letcher, of Georgia, from April 11, 1930.
Alexander R. Magruder, of Maryland, from April 11, 1930.
George S. Messersmith, of Delaware, from April 11, 1930.
Willys R. Peck, of California, from April 11, 1930.
Roger Culver Tredwell, of Indiana, from April 11, 1930.

CLASS 2

From Foreign Service officer of class 3 to Foreign Service officer of class 2:

Coert du Bois, of California, from April 11, 1930.
Ernest L. Harris, of Illinois, from April 11, 1930.
Theodore Jaeckel, of New York, from April 11, 1930.
Dana G. Munro, of New Jersey, from April 11, 1930.
R. Henry Norweb, of Ohio, from April 11, 1930.
John Ball Osborne, of Pennsylvania, from April 11, 1930.
Louis Sussdorff, jr., of New York, from April 11, 1930.
Benjamin Thaw, jr., of Pennsylvania, from April 11, 1930.
John C. Wiley, of Indiana, from April 11, 1930.

CLASS 3

From Foreign Service officer of class 4 to Foreign Service officer of class 3:

H. Merle Cochran, of Arizona, from April 11, 1930.
Leon Dominian, of New York, from April 11, 1930.
Edward A. Dow, of Nebraska, from April 11, 1930.
Paul Knabenshue, of Ohio, from April 11, 1930.
Maxwell K. Moorhead, of Pennsylvania, from April 11, 1930.
Kenneth S. Patton, of Virginia, from April 11, 1930.
Lowell C. Pinkerton, of Missouri, from April 11, 1930.
Edward L. Reed, of Pennsylvania, from April 11, 1930.
James B. Young, of Pennsylvania, from April 11, 1930.

CLASS 4

From Foreign Service officer of class 5 to Foreign Service officer of class 4:

Ralph C. Busser, of Pennsylvania, from April 11, 1930.
Hasell H. Dick, of South Carolina, from April 11, 1930.
Oscar S. Heizer, of Iowa, from April 11, 1930.
John D. Johnson, of Vermont, from April 11, 1930.
David J. D. Myers, of Georgia, from April 11, 1930.
Leslie E. Reed, of Minnesota, from April 11, 1930.
Benjamin Reath Riggs, of Pennsylvania, from April 11, 1930.
Walter H. Sholes, of Oklahoma, from April 11, 1930.
Merritt Swift, of the District of Columbia, from April 11, 1930.
Avra M. Warren, of Maryland, from April 11, 1930.
Warden McK. Wilson, of Indiana, from April 11, 1930.

CLASS 5

From Foreign Service officer of class 6 to Foreign Service officer of class 5:

J. Webb Benton, of Pennsylvania, from April 11, 1930.
William P. Blocker, of Texas, from April 11, 1930.
Richard F. Boyce, of Michigan, from April 11, 1930.
Austin C. Brady, of New Mexico, from April 11, 1930.
Robert Harnden, of California, from April 11, 1930.
Henry B. Hitchcock, of New York, from April 11, 1930.
Karl deG. MacVitty, of Illinois, from April 11, 1930.
James P. Moffitt, of New York, from April 11, 1930.
Rudolf E. Schoenfeld, of the District of Columbia, from April 11, 1930.
Samuel Sokobin, of New Jersey, from April 11, 1930.
Francis R. Stewart, of New York, from April 11, 1930.
John J. C. Watson, of Kentucky, from April 11, 1930.

CLASS 6

From Foreign Service officer of class 7 to Foreign Service officer of class 6:

Donald F. Bigelow, of Minnesota, from April 11, 1930.
Thomas D. Davis, of Oklahoma, from April 11, 1930.
Samuel S. Dickson, of New Mexico, from April 11, 1930.
Harold D. Finley, of New York, from April 11, 1930.
Walter A. Foote, of Pennsylvania, from April 11, 1930.
Bernard Gotlieb, of New York, from April 11, 1930.
William J. Grace, of New York, from April 11, 1930.
Stanley Hawks, of New York, from April 11, 1930.
Stewart E. McMillin, of Kansas, from April 11, 1930.
Walter T. Prendergast, of Ohio, from April 11, 1930.
Gaston Smith, of Louisiana, from April 11, 1930.
Gilbert R. Willson, of Texas, from April 11, 1930.

CLASS 7

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

Maurice W. Altaffer, of Ohio, from April 11, 1930.
Paul Bowerman, of Michigan, from April 11, 1930.
Paul H. Foster, of Texas, from April 11, 1930.
Bernard F. Hale, of Vermont, from April 11, 1930.
John F. Huddleston, of Ohio, from April 11, 1930.
Carl D. Meinhardt, of New York, from April 11, 1930.
Harvey Lee Milbourne, of West Virginia, from April 11, 1930.
Hugh S. Miller, of Illinois, from April 11, 1930.
Julian L. Pinkerton, of Kentucky, from April 11, 1930.
Leland L. Smith, of Oregon, from April 11, 1930.
Edward B. Thomas, of Illinois, from April 11, 1930.
Mason Turner, of Connecticut, from April 11, 1930.

CLASS 8

From Foreign Service officer, unclassified, at $3,000, to Foreign Service officer of class 8:

Knox Alexander, of Missouri, from April 11, 1930.
Vinton Chapin, of Massachusetts, from April 11, 1930.
Prescott Childs, of Massachusetts, from April 11, 1930.
Lewis Clark, of Alabama, from April 11, 1930.
William M. Gwynn, of California, from April 11, 1930.
George F. Kennan, of Wisconsin, from April 11, 1930.
Gordon P. Merriam, of Massachusetts, from April 11, 1930.
Samuel Reber, jr., of New York, from April 11, 1930.
Joseph C. Satterthwaite, of Michigan, from April 11, 1930.
S. Walter Washington, of West Virginia, from April 11, 1930.

UNITED STATES ATTORNEY

Charles E. Sandall, of Nebraska, to be United States attorney, district of Nebraska, to succeed James C. Kinsler, whose term expired December 15, 1929.

UNITED STATES MARSHAL

Robert M. Vail, of Pennsylvania, to be United States marshal, middle district of Pennsylvania, to succeed John H. Glass, whose term expired December 14, 1929.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 15 (legislative day of April 14), 1930

SECRETARIES IN THE DIPLOMATIC SERVICE

Gerald A. Drew.	Paul C. Hutton, jr.
Sidney H. Browne, jr.	Albert E. Kane.
Roger Sumner.	Sherburne Dillingham.
Edward J. Sparks.	John C. Pool.
Hugh C. Fox.	Henry B. Day.
George V. Allen.	H. Gordon Minnigerode.
James K. Penfield.	Donald D. Edgar.
Elbridge Durbrow.	John J. Macdonald.
Easton T. Kelsey.	William D. Moreland, jr.
Constance R. Harvey.	Gerald F. McNerney.
Robert Newbegin, 2d.	Harrison A. Lewis.

CONSUL

John M. Cabot.

VICE CONSULS OF CAREER

Hugh C. Fox.	Sherburne Dillingham.
George V. Allen.	John C. Pool.
James K. Penfield.	Henry B. Day.
Elbridge Durbrow.	H. Gordon Minnigerode.
Easton T. Kelsey.	Donald D. Edgar.
Constance R. Harvey.	John J. Macdonald.
Robert Newbegin, 2d.	William D. Moreland, jr.
Paul C. Hutton, jr.	Gerald F. McNerney.
Albert E. Kane.	Harrison A. Lewis.

FOREIGN SERVICE OFFICERS

CLASS 8

William A. Bickers.
John M. Cabot.

UNCLASSIFIED

Hugh C. Fox.	Sherburne Dillingham.
George V. Allen.	John C. Pool.
James K. Penfield.	Henry B. Day.
Elbridge Durbrow.	H. Gordon Minnigerode.
Easton T. Kelsey.	Donald D. Edgar.
Constance R. Harvey.	John J. Macdonald.
Robert Newbegin, 2d.	William D. Moreland, jr.
Paul C. Hutton, jr.	Gerald F. McNerney.
Albert E. Kane.	Harrison A. Lewis.

UNITED STATES ATTORNEYS

William J. Carter, eastern district of Tennessee.
Charles B. Kennamer, northern district of Alabama.

UNITED STATES MARSHALS

Tom W. Dutton, eastern district of Louisiana.
Clark B. Wasson, eastern district of Oklahoma.
Phil E. Baer, eastern district of Texas.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

Capt. Sargent Prentiss Huff to Ordnance Department.

First Lieut. William Joseph D'Espinosa to Ordnance Department.

First Lieut. Lewis Spencer Kirkpatrick to Coast Artillery Corps.

PROMOTIONS IN THE ARMY

Martin Fred Du Frenne to be major, Medical Corps.
Philip Lewis Cook to be major, Medical Corps.
Walter Chambers Jones to be colonel, Quartermaster Corps.
George Ross Greene to be colonel, Field Artillery.
Rene Edward deRussy Hoyle to be lieutenant colonel, Field Artillery.
Ralph Allen Jones to be lieutenant colonel, Infantry.
Frank August Heileman to be major, Corps of Engineers.
Clinton Albert Pierce to be major, Cavalry.
Otto Rudolph Stillinger to be captain, Cavalry.
Murray Charles Wilson to be captain, Field Artillery.
Bruce Craighill Hill to be captain, Corps of Engineers.
Nunez Christian Pilet to be first lieutenant, Infantry.
Arthur Willink to be first lieutenant, Ordnance Department.
Stephen Smith Hamilton to be first lieutenant, Infantry.
Farris Newton Latimer to be first lieutenant, Infantry.
Charles Fremont Snell to be major, Medical Corps.
Milton Omar Beebe to be chaplain with the rank of major.
LaVergne L. Gregg to be colonel, Infantry.
Horace Fletcher Spurgin to be lieutenant colonel, Coast Artillery Corps.
Hugo Daniel Selton to be lieutenant colonel, Infantry.
Max Akin Elser to be lieutenant colonel, Quartermaster Corps.
Thomas McFarland Cockrill to be major, Cavalry.
Delmore Stephen Wood to be major, Cavalry.
Edward Clarence Seeds to be major, Coast Artillery Corps.
Edwin Douglass McCoy to be captain, Infantry.
Dewitt Talmage Mullett to be captain, Infantry.
Hugh Gibson Culton to be captain, Cavalry.
Byron Earle Shirley to be captain, Cavalry.
Paul Allen Reichle to be captain, Field Artillery.
Gerald Bradford Devore to be captain, Infantry.
Carl Joseph Crane to be first lieutenant, Air Corps.
John Douglas Salmon to be first lieutenant, Infantry.
James Peurifoy Hill to be first lieutenant, Infantry.
William Arthur Cole to be first lieutenant, Infantry.
Raymond Dishmann Palmer to be first lieutenant, Cavalry.
Murray Eberhart McGowan to be first lieutenant, Infantry.
Clarence Ulm Snider to be major, Medical Corps.
Donald Carl Snyder to be captain, Medical Corps.

PROMOTIONS IN THE NAVY

William A. Glassford, jr., to be captain.
Frank H. Luckel to be commander.
Ernest B. Colton to be lieutenant commander.
Edward R. Durgin to be lieutenant.
Anthony R. Brady to be lieutenant.
Harry St. J. Butler to be lieutenant.
Edward L. D. Roach, 2d, to be lieutenant (junior grade).
David P. Polatty to be paymaster.
Louis H. Huebner to be paymaster.
William H. Funk to be surgeon.
Benjamin Knight to be chief machinist.
Eric O. Kessler to be chief machinist.
Troy N. Reynolds to be chief machinist.
Milton H. Dickey to be chief machinist.
Walter W. Rush to be chief machinist.
George W. Snyder, 3d, to be lieutenant.
Charles A. Havard to be lieutenant.
Thomas T. Beattie to be lieutenant.
Alfred R. Mead to be lieutenant.
Charles O. Humphreys to be lieutenant.
George R. Cooper to be lieutenant.
Valvin R. Sinclair to be lieutenant.
Harry Keeler, jr., to be lieutenant.
Augustus D. Clark to be lieutenant.
Charles O. Comp to be lieutenant.
Horatio D. Smith to be lieutenant.
Jesse G. Coward to be lieutenant.
Peter J. Neimo to be lieutenant.
Howard B. Hutchinson to be lieutenant.
Horace B. Butterfield to be lieutenant.
John P. Cady to be lieutenant.
Edwin E. Woods to be lieutenant.
Edwin V. Raines to be lieutenant.
Hubert W. Chanler to be lieutenant.
Edward H. Pierce to be lieutenant.
Raymond H. Tuttle to be lieutenant.
Frank Akers to be lieutenant.
William R. Terrell to be lieutenant.
William B. Whaley, jr., to be lieutenant.
Robert C. Strong, jr., to be lieutenant.
Charles M. Furlow, jr., to be lieutenant.
Harry C. Woodward to be chief electrician.

MARINE CORPS

To be captains

George E. Monson.
Arthur D. Challacombe.

To be first lieutenants

William C. Purple.	Ralph D. McAfee.
Perry K. Smith.	James H. N. Hudnall.
Prentice A. Shiebler.	Frank E. Sessions, jr.
Charles L. Fike.	Thomas C. Perrin.
Arthur G. Bliesener.	Lenard B. Cresswell.
Gerald H. Steenberg.	St. Julien R. Marshall.
George H. Bellinger, jr.	Tilghman H. Saunders.
Donald G. Willis.	LePage Cronmiller, jr.
Raymond A. Anderson.	Kenneth B. Chappell.
Charles F. Cresswell.	William A. Hamilton.
Walter J. Stuart.	Samuel K. Bird.

POSTMASTERS

ALABAMA

Henry H. Farrar, Blocton.
Kate B. Quillin, Clayton.
John H. Walls, Guntersville.
Frank M. Johnson, Haleyville.
George C. Adams, Ragland.
Exa B. Carroll, Slocomb.

ARKANSAS

James R. Demby, Hot Springs National Park.

COLORADO

William A. Baghott, Kit Carson.

CONNECTICUT

Oliver F. Toop, South Manchester.

DELAWARE

Katherine M. Prettyman, Ellendale.

INDIANA

William M. Lyon, Hillsboro.
Clen Miller, Rushville.

KANSAS

Laura Kesler, Edna.
Charles N. Shafer, Fredonia.
Elizabeth Simpson, Medicine Lodge.
Minnie C. True, Pittsburg.
John M. Cable, Toronto.

MASSACHUSETTS

Raymond C. Hazeltine, Chelmsford.
James R. Tetler, Lawrence.
William F. Searle, Peabody.
Myron M. White, South Duxbury.
Sarah H. Jones, West Barnstable.

MICHIGAN

James R. Dean, Boyne City.
Fred W. Cutler, Fairgrove.
Harvey Tewksbury, Kingston.
Florence J. Smith, Ortonville.
Fred J. Smith, Pickford.
Charles P. Neumann, Rochester.

MISSISSIPPI

James C. Reddoch, Quitman.

MISSOURI

Ada M. Pattee, Amsterdam.
Arthur F. Goetz, Canton.
Hulie J. Walker, Cardwell.
Ralph E. Carr, Eminence.
Edwin H. Vemmer, Gerald.
Avery P. Blankenship, Holcomb.
Benjamin S. Lacy, Malden.
Frank J. Black, Meadville.
Herbert H. A. Redeker, Morrison.
William P. Murphy, Wheatland.

NEBRASKA

Fred H. Herrlein, Deshler.
Herbert H. Ottens, Dunbar.
Henry E. Schemmel, Hooper.

NEVADA

John E. Drendel, Minden.

NEW HAMPSHIRE

Archie W. Johnson, Bartlett.
George W. Robie, Hooksett.
Benjamin H. Dodge, New Boston.

NEW YORK

Warren C. King, Dobbs Ferry.
Isaac Bedford, Thiells.
Earl B. Templer, Valley Falls.

NORTH CAROLINA

Claude C. Tillman, Dover.
Jethro A. Hooper, Elizabeth City.
Laura M. Gavin, Kenansville.

NORTH DAKOTA

Victoria Quesnel, Bathgate.

OHIO

James K. Fulks, Ada.
John W. Swing, Bethel.
Elmore J. Phares, Camden.
George M. Simes, Covington.
Louis A. Conklin, Forest.
John R. Miller, Franklin.
Mae E. Crane, Hudson.
Howard C. Moorman, Jamestown.
Peter Weishaupt, Lynchburg.
Reed Wilson, Pleasant City.
Paul E. Muckley, Waynesburg.
John Q. Sanders, Waynesfield.
Frank A. Hawkins, West Farmington.

OKLAHOMA

Jeannette E. Perry, Boley.
Orlo H. Wills, Delaware.
Arthur W. Crawford, Mooreland.
Merrill M. Barbee, Spiro.
Albert Ross, Thomas.

OREGON

James E. Whitehead, Turner.

TENNESSEE

Mabel W. Hughes, Arlington.
Bethel C. Brown, Cleveland.
Albert F. Adair, Decaturville.
William J. Whitsett, Lewisburg.
Will F. Sherwood, Petersburg.
Helen M. Ruef, Sewanee.
Fred Hawkins, Tellico Plains.
Ocie C. Hawkins, Stanton.
Warren S. Yell, Wartrace.

TEXAS

James T. Shaw, jr., Anna.
Roy K. Duphorne, Aransas Pass.
Myrtle W. Meyer, Archer City.
Arthur H. O'Kelley, Atlanta.
Walter W. Layman, Bangs.
Benno B. Volkening, Bellville.
Gerhard Dube, Bishop.
Lee Brown, Blanco.
Alois J. Skardo, Bloomington.
Nancy Lehmann, Boerne.
Wilce V. Garton, Booker.
Claud A. Howard, Bronson.
William H. Tallant, Chico.
Robert S. Brennand, Colorado.
Leo Yell, Conroe.
Opal Farris, Daisetta.
William C. Guest, Dayton.
Andrew Schmidt, Edna.
Jesse C. Miller, Elgin.
Okey B. Cline, Emory.
Elam O. Wright, Estelline.
William Reese, Floresville.
Basil L. Garrett, Frankston.
Arnold H. Kneese, Fredericksburg.
McKinley H. Frank, Grapevine.
James W. Hampton, Handley.
Marion Dillon, Happy.
William L. Allen, Hawkins.
James W. Johnson, Italy.
John F. Range, Justin.
Joel W. Moore, McDade.
Alide Schneider, Marion.
Thomas L. Darden, Meridian.
Arthur C. Wahl, Odem.
James A. Weaver, Panhandle.
John W. Neese, Pflugerville.
Hermon R. Ivie, Point.
Leland S. Howard, Roscoe.
Thomas J. Bailey, Royse City.
Peter G. Lucas, San Antonio.
Ralph D. Sterling, Somerville.
Hugh D. Burleson, Streetman.
Mary E. Holtzclaw, Tatum.
Dee A. Morgan, Toyah.

VERMONT

Earle J. Rogers, Cabot.
George F. Flint, Chelsea.
Burton M. Swett, East Hardwick.
Frank C. Stewart, Fairfax.
Milton B. Hoag, Grand Isle.
Otto R. Bennett, Manchester.
Arthur G. Hinman, Middlebury.
Laura B. Stokes, Waitsfield.

WEST VIRGINIA

Ila Lawson, Jane Lew.
Lucille Hupp, Power.
James D. Huber, Reedsville.
D. Alton Jackson, Rowlesburg.

HOUSE OF REPRESENTATIVES

TUESDAY, *April 15, 1930*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, give us this day our daily bread, such as shall feed our minds, enrich our hearts, and forgive us when we fail to appreciate the daily blessings of life. Be unto us such a reality so that we shall be able to repress the harsh words and confess our faults. O Thou whose ways are always right because wisdom and love are always over them, allow nothing that is human to be alien to our hearts. When we think of the weak, the ignorant, and the poor, remind us, our Father, that the law of service is one of the supreme laws of men. Through doubt, temptation, and privation may our faith cleave steadfastly to the Galilean Teacher. Let Him be the consummation of our love and hope. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 8799. An act to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.; and

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 980. An act to permit the United States to be made a party defendant in certain cases;

H. R. 1251. An act for the relief of C. L. Beardsley;

H. R. 4138. An act to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries"; and

H. R. 6874. An act to authorize exchanges of lands with owners of private-land holdings within the Petrified Forest National Monument, Ariz.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 195. An act to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes;

S. 328. An act for the relief of Edward C. Dunlap;

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes;

S. 548. An act for the relief of retired and transferred members of the Naval Reserve Force, Naval Reserve, and Marine Corps Reserve;

S. 670. An act for the relief of Charles E. Anderson;

S. 968. An act for the relief of Anna Faceina;

S. 1264. An act for the relief of Joliet National Bank, Commercial Trust & Savings Bank, and H. William, John J., Edward F., and Ellen C. Sharpe;

S. 1696. An act for the relief of Thomas L. Lindley, minor son of Frank B. Lindley;

S. 1955. An act for the relief of the Maddux Air Lines (Inc.);

S. 2113. An act to aid in effectuating the purposes of the Federal laws for promotion of vocational agriculture;

S. 2189. An act for the relief of certain homestead entrymen in the State of Wyoming;

S. 2224. An act to change the name of Iowa Circle in the city of Washington to Logan Circle;

S. 2354. An act to amend the agricultural marketing act so as to include dip or crude gum;

S. 2465. An act for the relief of C. A. Chitwood;

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 2788. An act for the relief of A. R. Johnston;

S. 2865. An act granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States;

S. 3284. An act for the relief of the Buck Creek Oil Co.;

S. 3301. An act for the relief of Hunter P. Mulford;

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes;

S. 3531. An act authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests, and for other purposes;

S. 3541. An act to amend section 22 of the Federal reserve act, as amended;

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes;

S. 3664. An act for the relief of T. B. Cowper;

S. 3665. An act for the relief of Vida T. Layman;

S. 3666. An act for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah;

S. 3774. An act to amend the United States mining laws applicable to the national forests within the State of South Dakota;

S. 3817. An act to facilitate and simplify national-forest administration;

S. 3836. An act for the relief of David McD. Shearer;

S. 4079. An act to amend section 4 of the Federal reserve act;

S. J. Res. 155. Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson; and

S. J. Res. 165. Joint resolution authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States district court in and for the district of Delaware.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) entitled "An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9546) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes," disagreed to by the House; agrees to the conference asked by the House

on the disagreeing votes of the two Houses thereon, and appoints Mr. KEYES, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS to be the conferees on the part of the Senate.

MINORITY VIEWS ON H. R. 6603

Mr. BELL. Mr. Speaker, I ask unanimous consent to print in the RECORD the minority views on H. R. 6603, commonly known as the 44-hour bill.

Mr. SPEAKER. The gentleman from Georgia asks unanimous consent to file minority views on House bill 6603. Is there objection?

There was no objection.

Mr. BELL. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following minority views on H. R. 6603, the 44-hour bill:

[H. Rept. No. 1092, pt. 2, 71st Cong., 2d sess.]

44-HOUR WEEK IN POSTAL SERVICE

Mr. BELL, from the Committee on the Post Office and Post Roads, submitted the following minority views (to accompany H. R. 6603):

I am unable to agree with the report of the Committee on the Post Office and Post Roads recommending the passage of the bill (H. R. 6603) to provide a shorter workday on Saturday for postal employees.

The legislation is not warranted at the present time in view of all the facts and circumstances which should be considered by the Congress in connection with the subject. Whatever merit there may be in the proposition, and however desirable it may be to shorten the workday in the Postal Service, it should not be done regardless of the conditions of postal revenues and expenditures and the relations of the Postal Service to business in general.

The Postmaster General has reported that the deficiency in postal revenues for the fiscal year 1930 will be approximately $87,000,000, and that the passage of the 44-hour bill would add approximately $13,626,000 more to the annual expenses of the department, bringing the deficit up to a sum in excess of $100,000,000.

The deficiency is not the result of uneconomical administration, but has been materially effected by legislation enacted by Congress affecting both receipts and expenditures and by a decision of the Interstate Commerce Commission adding $15,000,000 to the amount the department is required to pay the railroads annually for transporting the mails.

Under these circumstances special consideration should be given to the question whether it is an opportune time to make further increases in postal salaries or expenditures for personal postal services, and whether it is just to the public to do so under the circumstances. The employees have not been illiberally treated. It has been shown that during the period from 1921 to 1929 they have been paid in salaries $1,502,893,000 more than they would have been paid for the same period if the acts of Congress increasing their salaries during the past 11 years had not been passed. This is not a claim that the increases in salaries were not justified.

The Post Office Department is the servant of the people and its facilities should not be withdrawn from business until business itself adjusts its requirements to allow it to be done. The report of the committee shows that in some trades and it is stated that in other lines of business the hours of labor for the week have been reduced, but it is not shown that the business interests generally which are served by the department have readjusted their Saturday hours to permit a reduction in postal service.

The department has not been illiberal or backward in granting a reduced-hour week by curtailing personal services on Saturday where it is practicable to do so without interfering with business. The postmasters have been authorized in cases where it can be done without interference with service to give as much respite as possible from work on Saturday afternoons. This general practice was extended on September 3, 1924, to cover the entire year. It appears, therefore, that the action the department has taken meets the situation as far as it is practicable under existing conditions. As those conditions change the relief will automatically become effective.

There may be a difference of opinion as to whether the Government could afford to assume the extra financial burden at this time which the proposed legislation in its present form would entail.

Laying aside for the moment the question of the extra financial obligation the Government would assume under the legislation, let us see how the legislation would meet the pretended purpose of this bill. For instance, the fundamental and real purpose of this legislation is said to be based on the ground that a half holiday each week is needed by those affected by it. There are many, I think, who are quite willing to extend the half holiday each Saturday afternoon who find objections to granting the half holiday and paying the party regular pay for taking a rest. Notwithstanding the profession that the bill is for the purpose of giving the employed a half holiday, the bill, if enacted into law in its present form will prove that the employed will continue to work in nine cases out of ten and draw the pay for the holiday time.

There is a great amount of unemployment throughout the country at the present time. Would it not be better, rather than to grant a half holiday each week to those employed at a regular salary and then pay them for taking it, to grant the half holiday outright and allow the substitutes to carry on the Saturday afternoon's work? This would give those who say they want the half holiday "to rest" the certain and positive privilege "to rest." It would give others who are in much more need of an opportunity to earn something upon which to live, an opportunity to do more substitute work and, in time, such substitutes would increase and those who are in part unemployed would be given an opportunity to serve for wages to a greater extent than they now have and in addition, in the course of time, a splendid substitute list would be developed that would be ready to take up positions now held by employees when vacancies should occur by death, retirement, resignation, or otherwise. It is a doubtful policy of legislation to extend additional holiday privileges to those having regular employment, with the extra burden for increased pay for those who take it, while at the same time other citizens are totally without work and walking the streets in hunger, but begging only for the privilege of working for a regular wage for the time and service actually rendered.

For the above reasons I submit this minority report against the passage of the bill.

THOS. M. BELL.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Thursday, April 24, after the disposition of matters on the Speaker's table, I may be permitted to address the House for 20 minutes.

The SPEAKER. The gentleman from New York asks unanimous consent that on Thursday, April 24, after the disposition of matters on the Speaker's table, he may be permitted to address the House for 20 minutes. Is there objection?

There was no objection.

CONFERENCE REPORT—INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON. Mr. Speaker, I present a conference report on the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes, for printing under the rule.

Mr. GARNER. When does the gentleman expect to call up this conference report for consideration?

Mr. WASON. Perhaps Thursday.

Mr. GARNER. Some gentlemen would like to be here when conference reports are considered, and I think it would always be well to state when the report is made just when you expect to call up the report so the record may show.

Mr. WASON. I will be glad to tell my colleague that I intend to take it up Thursday.

CONFERENCE REPORT—STATE, JUSTICE, COMMERCE, AND LABOR DEPARTMENTS APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I call up the conference report on the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Pennsylvania calls up a conference report and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement accompanying the report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 24, 25, 28, 29, 36, 44, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 17, 18, 19, 20, 21, 22, 26, 27, 31, 32, 33, 34, 35, 37, 40, 41, 42, 43, 45, 46, 47, 48, and 50, and agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Protecting interests of the United States under settlement of war claims act of 1928: For protecting the interests of the United States in claims arising under the settlement of war

claims act of 1928, including legal and clerical services in the District of Columbia and elsewhere, traveling expenses, and the employment of experts at such rates of compensation as may be determined by the Attorney General, $60,750: *Provided*, That no part of this sum shall be used to pay any salary at a yearly rate in excess of $9,000."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the act approved April 12, 1930, amending an act entitled 'An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States, and for other purposes,' approved March 3, 1927, to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this appropriation, allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), $200,000."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$4,886,660"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,916,015"; and the Senate agree to the same.

MILTON W. SHREVE,
GEORGE HOLDEN TINKHAM,
ERNEST R. ACKERMAN,
ROBERT L. BACON,
W. B. OLIVER,
ANTHONY J. GRIFFIN,
Managers on the part of the House.

W. L. JONES,
FREDERICK HALE,
H. W. KEYES,
W. E. BORAH,
LEE OVERMAN,
W. J. HARRIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes, submit the following statement explaining the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

DEPARTMENT OF STATE

On No. 1: Transfers a proviso originally approved by the House from the beginning of the bill to the end of the bill under section 2 created for this purpose.

On No. 2: Inserts the words "and telephone service" as proposed by the Senate in a paragraph originally allowing the Secretary of State, in his discretion, to procure information on behalf of corporations, firms, and individuals, the expense of which may be charged against the respective appropriations for the service utilized and reimbursement made at a later date.

On Nos. 3 to 8, relating to contingent expenses for foreign missions: Appropriates $1,336,325, as proposed by the House, instead of $843,240, as proposed by the Senate; and strikes out certain language proposed by the Senate, the purpose of which was to segregate all rental allocations under this fund in a separate paragraph.

On No. 9, relating to clerk hire at United States consulates: Appropriates $1,853,266, as proposed by the House, instead of $1,884,266, as proposed by the Senate.

On Nos. 10 to 13, relating to contingent expenses, United States consulates: Appropriates $1,737,140, as proposed by the House, instead of $792,303, as proposed by the Senate; and strikes out certain language as proposed by the Senate, the purpose of which was to segregate all rental allocations under this fund in a separate paragraph.

On No. 14: Reinserts a paragraph as proposed by the House permitting the Secretary to make rental allowances and strikes out a paragraph proposed by the Senate segregating all appropriations for rent of offices and rental allowances in one fund and permitting the Secretary of State to make rental allowances to Foreign Service officers. The result of such action is to eliminate $100,000 of increase proposed by the Senate and to restore to the appropriations "Contingent expenses, foreign missions," and "Contingent expenses, United States consulates," the amounts for rentals transferred to the separate paragraph by the Senate.

On No. 15, relating to immigration of aliens: Appropriates $600,000, as proposed by the House, instead of $516,000, as proposed by the Senate.

On No. 16: Appropriates $50,000, as proposed by the House, instead of $70,000, as proposed by the Senate, for the relief and protection of American seamen.

On No. 17: Appropriates $518,000, as proposed by the Senate, instead of $510,000, as proposed by the House, for the transportation of Foreign Service officers.

On No. 18: Appropriates $120,000, as proposed by the Senate, for completing the construction and furnishing of buildings at Tokyo, Japan.

On No. 19: Appropriates $92,000, as proposed by the Senate, for representation allowances.

On No. 20: Appropriates $60,355, as proposed by the Senate, instead of $46,655, as proposed by the House, for salaries and expenses in carrying out the waterways treaty between United States and Great Britain.

DEPARTMENT OF JUSTICE

On Nos. 21 and 22: Strikes out two unnecessary titles to appropriation units, as proposed by the Senate.

On No. 23: Appropriates $60,750, instead of $62,750, as proposed by the Senate, for protecting interests of the United States under settlement of war claims act of 1928, strikes out a proviso as proposed by the Senate providing that no salary thereunder at a yearly rate in excess of $10,000, and not more than two salaries at a yearly rate of $9,000, and inserts a proviso, as proposed by the House, that no salary thereunder should be at a yearly rate in excess of $9,000.

On Nos. 24 and 25: Appropriates $152,338, as proposed by the House, instead of $192,878, as proposed by the Senate, for salaries and expenses for the office of the superintendent of prisons.

On No. 26: Inserts the words "and under the following heads," as proposed by the Senate, in the general authorizing paragraph for the appropriations for the different penal institutions.

On No. 27: Corrects a typographical error, as proposed by the Senate.

On Nos. 28 and 29: Appropriates $377,125, as proposed by the House, instead of $393,125, as proposed by the Senate, for the Federal Industrial Institute for Women.

DEPARTMENT OF COMMERCE

On No. 30: Appropriates $200,000, as proposed by the Senate, permitting the Secretary of Commerce to furnish Foreign Service officers of the Bureau of Foreign and Domestic Commerce rental allowances abroad, strikes out the words "outside the continental limits of the United States," as proposed by the Senate, and inserts in lieu thereof the words "in a foreign country," as proposed by the House, and inserts the title of the act authorizing the practice of making rental allowances into the paragraph, as proposed by the House.

On Nos. 31, 32, and 33: Makes some money immediately available, as proposed by the Senate, in the appropriation paragraph for aircraft in commerce.

On No. 34: Appropriates $419,000, as proposed by the Senate, instead of $384,000, as proposed by the House, for promoting commerce in the Far East.

On No. 35: Appropriates $710,000, as proposed by the Senate, instead of $685,000, as proposed by the House, for district and cooperative offices.

On Nos. 36: Appropriates $973,000, as proposed by the House, instead of $1,008,000, as proposed by the Senate, for export industries.

On No. 37: Corrects a typographical error, as proposed by the Senate.

On Nos. 38 and 39: Corrects totals under the Bureau of Foreign and Domestic Commerce, as proposed by the House.

On No. 40: Inserts the words "more durable," under the appropriation for investigation of textiles, as proposed by the Senate.

On No. 41: Appropriates $235,000, as proposed by the Senate, instead of $250,000, as proposed by the House, for standardization of equipment under the Bureau of Standards.

On No. 42: Corrects the total for the Bureau of Standards, as proposed by the Senate.

On No. 43: Appropriates $106,500 for completing the construction of a surveying vessel in the Coast and Geodetic Survey, as proposed by the Senate.

On Nos. 44 and 45: Appropriates $3,474,930, as proposed by the House, instead of $3,319,450, as proposed by the Senate, for the Patent Office and strikes out a proviso, proposed by the House, making the expenditure of some of the funds appropriated contingent upon the passage and approval of recent legislation affecting the Patent Office.

On No. 46: Inserts a comma, as proposed by the Senate.

On No. 47: Inserts a proviso, as proposed by the Senate, making the term "fuel" include fuel oil under the Government fuel yards.

DEPARTMENT OF LABOR

On No. 48: Makes available for the purchase of newspaper clippings $1,800, as proposed by the Senate, instead of $1,000, as proposed by the House.

On No. 49: Appropriates $240,500, as proposed by the House, instead of $205,000, as proposed by the Senate, for printing and binding.

On No. 50: Transfers a paragraph, as proposed by the Senate, from the beginning of the bill to the end of the bill, creating section 2 for that purpose.

MILTON W. SHREVE,
GEORGE HOLDEN TINKHAM,
ERNEST R. ACKERMAN,
ROBERT L. BACON,
W. B. OLIVER,
ANTHONY J. GRIFFIN,
Managers on the part of the House.

Mr. SHREVE. Mr. Speaker, I wish to say that the Budget estimates, including supplemental estimates, which were presented to Congress for its consideration, amounted to $114,179,473.14. After agreement in conference the sum total, as represented by the conference report before the House to-day, amounts to $114,268,236.14, an increase over the estimate of $88,763. This is money that was added by the Senate in many instances because of matters that came to the Senate after the bill passed the House.

I want to say in this connection that since the first days of November this committee has had this bill in charge, and the same uniform courtesy which has always existed and the fine spirit that has always been demonstrated in the consideration of this bill has been found now as in the past. I desire to congratulate and compliment the members of my committee for the very loyal support they have given in the passage of this bill.

Mr. BYRNS. I want to ask the gentleman a question in regard to one of the amendments which has been agreed upon by the conference. Just what is meant by the amendment carrying $92,000 called "representation allowances"?

Mr. SHREVE. That means that this money is to be allocated to foreign missions where large expenditures have to be made. For instance, this year the Pan American conference is to be held in Montevideo, Uruguay, and this conference will necessitate the expenditure of considerable money there on the part of the United States, and unfortunately, the official representative of our Government who is in charge of that station at the present time has to depend entirely upon his salary. This is one instance and there are others. Of course, the amount appropriated, $92,000, would not be a drop in the bucket in comparison with the money spent all over the world, but it will help materially in a number of instances where the men are not able to take care of expenditures for dinners and entertainment of that sort. This is going to help out some.

Mr. BYRNS. Do I understand the gentleman to mean that this money is to be appropriated for entertainment expenses?

Mr. SHREVE. Not exactly for entertainment.

Mr. BYRNS. Then for what is it to be appropriated? The gentleman said something about the meeting in Montevideo——

Mr. SHREVE. If the gentleman wants to call it entertainment, then call it that.

Mr. BYRNS. That is what I had understood about it.

Mr. SHREVE. This fund is to allow the official representatives of our Government to represent our country in its official capacity when certain official entertainment and national representation is necessary. Men from all over North and South America are going to be at Montevideo and the United States Government is one of the principal parties to the conference.

I am pleased to say that we have always endeavored to be most friendly with our South American neighbors, and have always felt that the South American countries should stand absolutely on an equality, and we are going down there and bear our share of the burden, whatever it is, in the conduct of this conference. Other conferences are taking place in other countries.

Mr. BYRNS. I will say to the gentleman when I saw this amendment, which does not mean anything on its face, because it is simply headed "Representation allowances," naturally I was a little curious to know what it meant and I made inquiry, and I was told that this $92,000 which was put on the bill by the Senate is intended to cover entertainment expenses incurred not only in South America but by embassies all over the world; is this correct or incorrect?

Mr. SHREVE. We will grant that that story is true. The amount that could be allotted to each individual mission would not exceed $1,500 a year.

Mr. BYRNS. I understand that; but in all it amounts to $92,000 this year, and I predict that this will simply be the camel getting his nose under the tent, and in the course of a year or two we will be appropriating hundreds of thousands of dollars for this purpose.

Mr. SHREVE. I am not in agreement with the gentleman on that. The authorizing law was passed several years ago.

Mr. BYRNS. Yes; but Congress has never made any appropriation to cover it.

Mr. SHREVE. It is legally authorized.

Mr. BYRNS. Yes.

Mr. SHREVE. We find now that conditions are entirely different. I traveled all over Europe last year myself. I was in 9 different countries and visited 27 cities. I found the official representatives of our Government stationed at these different points living on salaries that were not sufficient to maintain them, and they had to spend their own money all the time. In view of the position of this great Government, I would be ashamed to travel abroad again and find that our foreign representatives are not receiving enough to live on decently.

Mr. BYRNS. This is not to increase salaries. This is for social activities, and, so far as I am concerned, I am opposed to appropriating money out of the public funds for social activities, whether it is in another part of the world or in this country. I do not think the Congress has any such authority, and I do not think Congress should exercise the authority if it has it, in appropriating public money for the social activities of any employee of the Government. There may be cases where delegates are invited here and where we participate in conferences, and this may be necessary. I have voted for such appropriations, but in every case the bill or the amendment on its face would show just what it was to be used for and it was limited to that specific purpose.

I would like to ask the gentleman, before he moves the previous question, to give me 5 or 10 minutes so that I may speak on the subject.

Mr. SHREVE. I will be very happy to yield the gentleman 5 or 10 minutes right now.

Mr. BYRNS. Mr. Speaker, I will only take 5 minutes. I think I can get through in that time.

Mr. Speaker, I have said practically all I can say on this particular subject. I remember that eight or nine years ago, for the first time, so far as I know, in the history of the Congress, the appropriations for the traveling expenses of the President were made available for entertainment. I opposed it on the floor at the time. It was inserted as a Senate amendment, as I recall, and, of course, it has been carried in the bill ever since that time.

Now, here for the first time we are confronted with a proposition to appropriate $92,000 for entertainment and social purposes, as the gentleman says, for the embassies throughout the world.

I understand that in the allocation which was submitted, it was proposed to allocate as much as $2,000 in some instances, and in no instance less than $1,500.

The gentleman says that $92,000 is not much money. Well, I am not going to agree with that statement, and if we are going to start appropriating money to enable embassies to entertain I can see there will be no limit to it. This is simply the camel putting his nose under the tent, and you will be confronted year after year, not only with $92,000, but with Budget estimates requesting much more than $92,000.

Mr. CLARKE of New York. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. CLARKE of New York. Does not the gentleman think that by the conferees agreeing to this expenditure that we are going to open up all the floodgates of precedent? With all the inhibition and prohibition in this country what are they going to do? Talk about the camel getting his nose under the tent—

there will be a whole group of them in a short time, and each with a horrible thirst. [Laughter.]

Mr. BYRNS. The gentleman is clearly correct. I am not criticizing the conferees on the part of the House, although I regret very much that they yielded to this proposition. I think they should have brought a proposition of this kind, which was new and for which there is no precedent—I think they should have brought it back to the House and given us an opportunity to vote on it and express our own convictions. Here we are confronted with a conference report and this amendment is embodied in the report. In order to defeat this amendment we must vote against the whole report. I recognize that any protest that I may make is not only a feeble one but a useless one, but I did want to register my own opposition to it.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. LAGUARDIA. Regardless of the merits, is there any law authorizing it?

Mr. BYRNS. Yes; I understand there is a law which was passed in 1924; but Congress has never seen fit up to this time to make an appropriation under that law, evidently for the reason that heretofore Congress has felt that it was not a proper appropriation to make.

Mr. BACON. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. BACON. I suggest that the Budget heretofore has never passed this item, but it was fully debated when the Rogers bill was before the House, and it is authorized by a provision in the Rogers bill. No appropriation could be made under it unless it was approved in all its details by the Secretary of State.

Mr. BYRNS. I do not question but every dollar of the money will be spent, and I do not question but that every dollar that is spent will be approved by the Secretary of State. But I think it is being spent for an entirely improper purpose and one foreign to the objects for which taxes are levied and collected and placed in the Treasury.

The gentleman from New York says the law was passed in 1924. We are confronted with statements recently issued from the White House in which the inference was contained that Congress was appropriating money carelessly and uselessly, and unless Congress exercises more care and economy it might be necessary to increase taxes over the reduction that was made at this session.

The SPEAKER. The time of the gentleman has expired.

Mr. SHREVE. I yield the gentleman five minutes more.

Mr. BYRNS. I am surprised that the Budget and the President of the United States, in the face of the warning given Congress and the country, should approve this proposition. I am protesting against this policy that we are now inaugurating, and, what is more, I want to call attention to the fact that this is put in merely as a "representation allowance." There is nothing to show what it is really for. There is not a man on the floor of the House except the conferees who was not in the same position I was yesterday when I saw this amendment written into the bill. I went to a conferee and asked him just what it meant. I say that this Senate amendment ought to show on its face just what it is for and not be covered up under the general and indefinite term of "representation allowance," so that Members would not know what they are voting for.

Mr. RANKIN. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. RANKIN. Does not the gentleman think that within a short time they will be including the attachés and appropriating money for their entertainment?

Mr. BYRNS. Undoubtedly—there is no limit to what it may lead to—not only allowance appropriated for the State Department but other foreign services of this Government. Of course some might draw a distinction, but I would not be prepared to say that if we are going to appropriate money for social entertainment for embassies all over the world that it would not be proper and fair to these commercial attachés in other foreign services to appropriate money for them.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. CRISP. How is this money to be allocated? Is it left to the discretion of the Secretary of State?

Mr. BYRNS. Entirely so. It is a lump sum of $92,000, appropriated for what would appear to be a very indefinite thing, "Representation allowances." Of course the Secretary of State will make the allocation. I am not questioning the fact that he will be fair with the embassies. It is the policy that we are inaugurating here against which I most earnestly protest.

Mr. SHREVE. Mr. Speaker, if the gentleman will read the hearings he will find that $1,500 is estimated to be allocated to each embassy out of this appropriation, and no more. That amount will not go very far. These ambassadorial representatives of this Government of ours, of course, are in foreign countries. They have to maintain the dignity of the United States, and when a national event, such as the Fourth of July, is being celebrated, quite frequently it is necessary to give a celebration, which will probably cost them $1,500. For instance, in the city of Paris many Americans visit the embassy; also there is another thing, and that is when the boys in training and coming from Annapolis make a trip abroad or go around the world there is no available money to allow the diplomatic representatives of our Government to arrange a meeting and give an entertainment officially. I was in Seville last year when these men were there, and there was no money to arrange such an undertaking.

Mr. BYRNS. But if we are going to take care of that situation, let us be honest about it, and write it into the bill.

Mr. SHREVE. We have written into the bill the exact language that is in the Rogers Act.

Mr. BYRNS. I understand that with reference to the amount that will be allocated, the allocation submitted in the hearings, as I recall, said it would not exceed $2,000, and that the minimum would be $1,500; but whether it is $1,500, $2,000, or $500, I say that I do not believe, especially at this time, when the people are crying for bread all over the country, that we should undertake to make appropriations out of public funds for high social entertainment in any embassy in the world. [Applause.] I protest as vigorously as I can against this appropriation, and I hope that it will not be continued.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. STAFFORD. Has any explanation ever been made why this appropriation is for the first time now being made, although the authorization was carried as far back as 1924?

Mr. BYRNS. I have never heard any explanation of that fact. It came in here, as I say, by way of a Senate amendment, which I do not think was even discussed or explained on the floor of the Senate, under the head of "Representation allowances."

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. SHREVE. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Mr. Speaker, we will find, when Congress meets in December to consider another bill for the Department of State, that the gentleman from Tennessee [Mr. BYRNS] has rendered a distinct service to the country in calling attention to this item. I concur in the views expressed by him as to this item. The gentleman from Wisconsin [Mr. STAFFORD] asked what explanation had been offered as to why, for the first time, this item had been approved by the President. The only real explanation that I have heard at any time was a suggestion by some one that the Secretary of State, Mr. Stimson, took it up with the President while they were in Virginia on a recreational visit, and after the matter was fully discussed the President gave his approval thereto. The House Appropriation Committee was so little impressed with this item that they disallowed it; and when the chairman of the committee was discussing this bill before the House some one inquired of him about this item, and he stated the committee had disallowed it, and the House passed the bill without anyone insisting on the inclusion of the item. The Senate inserted it, and I regret that a majority of the conferees favored its retention. The gentleman from New York [Mr. CLARKE] made a very important observation in connection with the remarks made by the gentleman from Tennessee [Mr. BYRNS], and those matters were adverted to by members of our committee and were partly responsible for our committee's refusal to recommend the same to the House.

Before the House disposes of the conference report on this bill carrying appropriations for the Department of State for the fiscal year ending June 30, 1931, I deem it important that some facts in reference to other items now fresh in the minds of the members of the committee be written into the record. I venture to predict that these facts will present the basis for an interesting study by the next Congress, and I am hopeful it may restrain the State Department from making an unreasonable and unwise expenditure of public funds.

The Budget estimate submitted this year to the Committee on Appropriations for the Department of State carried for the first time estimates for rent, heat, fuel, and light, and what is commonly called "representation allowances" for its Foreign Service officers. The committee disapproved the Budget recommendation for representation allowances, amounting to $92,000, and also reduced the Budget estimate for rent, heat, fuel, and

light $100,000. The House approved the action of the committee as to these matters.

An item of $200,000 to provide heat, light, and fuel for the Foreign Service in the Department of Commerce was stricken out on a point of order by the House.

The Senate restored the $92,000 for representation allowances to the State Department and also increased for the State Department the amount carried for rent, fuel, and light by $100,000, which was the amount the House deducted from the Budget estimate. The Senate also carried $200,000 for the Foreign Service in the Department of Commerce, and this appropriation was inserted in the bill on a supplemental estimate submitted by the Bureau of the Budget, with the approval of the President, before any legislation was passed either in the House or Senate authorizing the same. Before this bill was taken up in conference, the bill reported by the Committee on Interstate and Foreign Commerce authorizing rent, fuel, and light allowances for the Foreign Service in the Department of Commerce had been approved by the President, thus making such item in order when the conferees met. The gentleman from Pennsylvania [Mr. SHREVE] understands why I call attention to the Budget estimate being sent to the Senate before there was legal authority therefor.

I wish to here submit a letter from Hon. W. L. Cooper, Director of the Bureau of Foreign and Domestic Commerce, showing that $200,000 will care for the needs of the Foreign Service and further showing a reasonable and prudent allocation of such funds for the purposes appropriated.

The letter follows:

Hon. MILTON W. SHREVE,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I understand that a question has arisen with reference to the proposed distribution of the appropriation of $200,000 which we have requested in order to provide for quarters for our men abroad. The following is an estimate of the requirements of our men abroad under present conditions:

Class	Number of men	Annual rate (maximum)	Annual amount
I	8	$1,800	$14,400
II	29	1,500	43,500
III	76	1,200	91,200
IV	54	900	48,600
V	22	600	13,200
Total			210,900

It is anticipated, however, that, on account of our foreign field men who are now assigned to duty in the United States, and because of men returning home on leave, the required amount will be well below the $200,000 limit. The above list also includes our field officers who are stationed in the Philippines and Porto Rico, who will not be eligible for quarters' allowance because it was decided that the regulations would apply only to those in foreign countries.

Trusting that this will give you the desired information, I am,

Yours very truly,

W. L. COOPER, *Director.*

This letter shows that the Bureau of Foreign and Domestic Commerce, of which Mr. Cooper is the director, appears to have made a very reasonable allocation of the $200,000 provided for rent, heat, and light for foreign officials serving under the Bureau of Foreign and Domestic Commerce, and such an allocation as Mr. Cooper suggests in his letter can well be approved.

I felt that it was important that the House have this information, since it was this letter by Mr. Cooper that led the House conferees on this bill to make further inquiry of the State Department as to its allocation of funds carried in the bill for rent, heat, and light for its Foreign Service, and which amount the Senate had increased by $100,000. In conference with a representative of the State Department the committee felt that the tentative allocation of this fund was not reasonable, prudent, or fair, and the House conferees then concluded to place a limitation on the amount carried in the Senate bill, so that the State Department could not allocate to its officials what, in the judgment of the House conferees, would have been unreasonable sums.

The Senate conferees were unwilling to consider any limitation, and announced they would not insist on the language inserted by the Senate and would concur in the action originally taken by the House, even though it carried a smaller appropriation. This action by the Senate conferees prevented the House conferees from further insisting on a limitation being imposed on this fund. The House conferees, however, are still of the opinion that some limitation should have been fixed on the expenditure of this fund by the State Department, but the refusal of the Senate conferees to agree thereto made it impossible to write any limitation in the bill.

The gentleman from Tennessee [Mr. BYRNS] was correct in stating that the fund carried under the head, "Representation allowances," had been tentatively allocated by the State Department in sums of $2,000 and $1,500 to ambassadors and ministers, respectively. Although we have some important consulates at foreign capitals, the tentative allocation of this fund did not include any in the Consular Service. On page 177 of the hearings before the House committee will be found a table showing the tentative allocation of the fund by the State Department. This table, you will find, has a column headed "rent," and the representative of the State Department, when his attention was called by the House conferees to the amount appearing in this column, stated that those amounts represented the tentative maximum allowance that would be made to the foreign representatives and that such amounts in the rent column included rent, heat, and light. It was further stated by this representative of the State Department that though it appears that separate allocations had been made for heat and light, yet the entire amount for heat, light, and rent appeared in the rent column. I will ask the chairman, Mr. SHREVE, if I am correct in my recollection as to this.

Mr. SHREVE. Yes.

Mr. OLIVER of Alabama. It was after we discovered this tentative allocation by the State Department that the House conferees proposed to the Senate conferees a limitation on the expenditure of this fund as previously stated.

This House has appointed a joint committee to make further study of the pay and allowance to the Army, the Navy, the Coast and Geodetic Survey, the Coast Guard, the Marine Corps, and the Public Health Service. To all of these there are allowances for rent, fuel, and light, but the maximum amount allowed to any officer in any of these services for rent, fuel and light approximates $1,500. You will understand that when the House conferees found that the State Department was considering making for this same purpose an allowance to a foreign official in the State Department as much as $9,000, that they felt it important to place some limitation on the amount that could be expended for such purposes, and the limitation proposed would have allowed to some officials more than $4,000 for rent, heat, and light at certain foreign posts. If the State Department is permitted to establish an unreasonable basis for rent, fuel, and light for officers in its services, it requires no stretch of imagination to see how other services will demand a like basis of allowances. When you allow for fuel, rent, and light a certain sum to any Government department for its officials, then other services which are entitled to rent, fuel, and light will insist that like treatment be accorded to them.

Congress has fixed as the maximum traveling allowance in continental America, which covers rent, heat, light, and subsistence, $6 per day, yet if the proposal of the State Department should be approved, we would permit $9,000 allocated to a single official for rent, heat, and light per annum.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. LINTHICUM. Where is the $9,000?

Mr. OLIVER of Alabama. On page 177 of the hearings before the Committee on Appropriations you will find the allocation. Looking at the table I find $9,000 for Madrid, $9,000 for Habana, $9,000 for Berlin, and other places. In this case attention may be called to Berlin.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. May I have two minutes more?

Mr. SHREVE. I yield to the gentleman two minutes more.

Mr. OLIVER of Alabama. At Berlin, for instance, we find that ambassadors would be allowed $9,000 for rent, fuel, and light. The solicitor who is the next highest official at that post, with a salary of $9,000, would be allowed $1,500 for rent, heat, and light. A secretary, with a salary of $4,000, under the tentative proposal, would be allowed for rent, heat, and light $3,000. This difference between these officials being explained on the ground that the rent now paid by the ambassador was more than $9,000, by the solicitor was $1,500, and by the secretary was more than $3,000.

My reason for calling the attention of the House to this tentative allocation by the State Department of this appropriation was prompted by the hope that it would serve to check the State Department in making unreasonable allocations for rent, heat, and light.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. LINTHICUM. The gentleman knows that through the authority of Congress we have built a number of embassies and other buildings abroad, and it was thought by the State De-

partment that if you gave a man a new home and paid the expenses of that home you ought at least to give the other man the rent that his home is costing. Is not the purpose to give everybody the same treatment, fairly and alike?

Mr. OLIVER of Alabama. The gentleman from Maryland has been a Member of Congress even longer than I have. He was here when we revised the pay bill in 1922 for the Army, Navy, Public Health Service, Coast and Geodetic Survey, and Coast Guard, all of them important agencies of the Government, with a capable personnel assigned to important duties, yet Congress gave approval to a plan whereby many in these services occupied Government-owned quarters and allowed to others for rent, fuel, and light not exceeding $1,500. In other words, there are not sufficient Government quarters for officers in the allied services to which I have referred, and those who are not so fortunate as to be assigned to Government quarters are given a fixed allowance for rent, fuel, and light in a reasonable sum. I think this presents a parallel case to that to which the gentleman calls attention. I recognize that rental allowance in some foreign posts should be larger than at others, but Congress must be careful in giving approval to any unreasonable allowance for rent, fuel, and light to the officials in any service, because it sets a dangerous precedent, which will arise to trouble us when we come to provide for other important services which, under the law, are entitled to such allowances.

Mr. SHREVE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. BYRNS) the vote was 156 ayes and 62 noes.

Mr. BYRNS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 226, nays 108, answered "present" 2, not voting 92, as follows:

[Roll No. 22]

YEAS—226

Ackerman	Denison	Johnston, Mo.	Reed, N. Y.
Adkins	De Priest	Jonas, N. C.	Reid, Ill.
Allen	Dickstein	Kearns	Robinson
Andresen	Doutrich	Kelly	Rogers
Andrew	Dowell	Kendall, Ky.	Sanders, N.Y.
Arents	Dunbar	Kendall, Pa.	Schafer, Wis.
Bacharach	Dyer	Ketcham	Seger
Bachmann	Eaton, Colo.	Kiefner	Seiberling
Bacon	Eaton, N. J.	Kinzer	Selvig
Baird	Elliott	Knutson	Shaffer, Va.
Barbour	Ellis	Kopp	Short, Mo.
Beedy	Englebright	LaGuardia	Shott, W. Va.
Beers	Estep	Lambertson	Shreve
Blackburn	Evans, Calif.	Lankford, Va.	Simmons
Bloom	Fenn	Lea, Calif.	Simms
Bohn	Fish	Leavitt	Sloan
Bolton	Fitzgerald	Lehlbach	Smith, Idaho
Bowman	Fitzpatrick	Letts	Snell
Boylan	Fort	Linthicum	Snow
Brand, Ohio	Foss	Luce	Sparks
Briggs	Frear	McClintock, Ohio	Speaks
Brigham	Free	McCormack, Mass.	Sproul, Ill.
Britten	Freeman	McLaughlin	Stalker
Browne	French	McLeod	Stobbs
Brumm	Fulmer	Maas	Stone
Buckbee	Garber, Okla.	Magrady	Strong, Kans.
Burdick	Gasque	Manlove	Strong, Pa.
Cable	Gibson	Mapes	Summers, Wash.
Campbell, Iowa	Gifford	Martin	Swanson
Campbell, Pa.	Golder	Merritt	Swick
Carter, Calif.	Goodwin	Michener	Swing
Carter, Wyo.	Granfield	Miller	Thatcher
Chalmers	Guyer	Montague	Thompson
Chase	Hadley	Moore, Ohio	Thurston
Chindblom	Hale	Morgan	Tilson
Christgau	Hall, Ill.	Mouser	Tinkham
Christopherson	Hall, Ind.	Murphy	Treadway
Clague	Hall, N. Dak.	Nelson, Me.	Underhill
Clark, Md.	Halsey	Newhall	Vestal
Clarke, N. Y.	Hancock	Niedringhaus	Wainwright
Cochran, Pa.	Hardy	Nolan	Walker
Cole	Hartley	O'Connell, N. Y.	Wason
Colton	Haugen	O'Connor, N. Y.	Watres
Connolly	Hickey	O'Connor, Okla.	Watson
Cooke	Hoch	Owen	Welch, Calif.
Cooper, Ohio	Hoffman	Palmer	Welsh, Pa.
Corning	Hogg	Parker	Whitley
Coyle	Holaday	Perkins	Wigglesworth
Craddock	Hooper	Pittenger	Williamson
Crail	Hope	Prall	Wolfenden
Cramton	Houston, Del.	Pratt, Harcourt J.	Wolverton, N. J.
Crowther	Hudson	Pratt, Ruth	Wolverton, W. Va.
Culkin	Hull, Morton D.	Purnell	Woodruff
Cullen	Hull, William E.	Ramey, Frank M.	Wurzbach
Dallinger	Jenkins	Ramseyer	Zihlman
Darrow	Johnson, Nebr.	Ransley	
Davenport	Johnson, S. Dak.	Reece	

NAYS—108

Allgood	Ayres	Brand, Ga.	Canfield
Almon	Bankhead	Browning	Cannon
Arnold	Bell	Buchanan	Cartwright
Aswell	Bland	Busby	Clark, N. C.
Auf der Heide	Box	Byrns	Cochran, Mo.
Collier	Glover	Lankford, Ga.	Quin
Collins	Goldsborough	Lozier	Ragon
Connery	Green	Ludlow	Ramspeck
Cox	Greenwood	McClintic, Okla.	Rankin
Crisp	Hall, Miss.	McKeown	Rayburn
Cross	Hare	McMillan	Romjue
Crosser	Hastings	McReynolds	Sanders, Tex.
Davis	Hill, Ala.	McSwain	Sandlin
DeRouen	Hill, Wash.	Mansfield	Schneider
Dominick	Huddleston	Milligan	Smith, W. Va.
Doughton	Hull, Tenn.	Montet	Stafford
Doxey	Hull, Wis.	Mooney	Sumners, Tex.
Drane	Jeffers	Moore, Ky.	Tarver
Drewry	Johnson, Okla.	Moore, Va.	Tucker
Driver	Johnson, Tex.	Morehead	Vinson, Ga.
Edwards	Jones, Tex.	Nelson, Mo.	Warren
Eslick	Kading	O'Connell, R. I.	Whittington
Evans, Mont.	Kemp	Oldfield	Williams
Fisher	Kincheloe	Parks	Wilson
Gambrill	Kvale	Patman	Wingo
Garner	Lampert	Patterson	Woodrum
Garrett	Lanham	Peavy	Yon

ANSWERED "PRESENT"—2

Griffin	Oliver, Ala.

NOT VOTING—92

Abernethy	Graham	Leech	Sirovich
Aldrich	Gregory	Lindsay	Somers, N. Y.
Beck	Hammer	McCormick, Ill.	Spearing
Black	Hawley	McDuffie	Sproul, Kans.
Brunner	Hess	McFadden	Steagall
Burtness	Hopkins	Mead	Stedman
Butler	Howard	Menges	Stevenson
Carley	Hudspeth	Michaelson	Sullivan, N. Y.
Celler	Igoe	Nelson, Wis.	Sullivan, Pa.
Clancy	Irwin	Norton	Taber
Cooper, Tenn.	James	O'Connor, La.	Taylor, Colo.
Cooper, Wis.	Johnson, Ill.	Oliver, N. Y.	Taylor, Tenn.
Curry	Johnson, Ind.	Palmisano	Temple
Dempsey	Johnson, Wash.	Porter	Timberlake
Dickinson	Kahn	Pou	Turpin
Douglas, Ariz.	Kerr	Pritchard	Underwood
Douglass, Mass.	Kiess	Quayle	Vincent, Mich.
Doyle	Korell	Rainey, Henry T.	White
Esterly	Kunz	Rowbottom	Whitehead
Finley	Kurtz	Rutherford	Wood
Fuller	Langley	Sabath	Wright
Garber, Va.	Larsen	Sears	Wyant
Gavagan	Lee, Tex.	Sinclair	Yates

So the conference report was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Kiess (for) with Mr. Rutherford (against).
Mr. Yates (for) with Mr. Kerr (against).
Mr. Wyant (for) with Mr. Stedman (against).
Mr. Aldrich (for) with Mr. McDuffie (against).
Mr. McFadden (for) with Mr. Steagall (against).
Mr. Graham (for) with Mr. Cooper of Tennessee (against).
Mr. Michaelson (for) with Mr. Henry T. Rainey (against).
Mr. Temple (for) with Mr. Wright (against).
Mr. Clancy (for) with Mr. Stevenson (against).
Mr. Hawley (for) with Mr. Larsen (against).
Mr. Hopkins (for) with Mrs. Norton (against).
Mr. Johnson of Indiana (for) with Mr. Pou (against).
Mr. Kurtz (for) with Mr. Howard (against).
Mr. Wood (for) with Mr. Hammer (against).
Mr. Johnson of Washington (for) with Mr. Abernethy (against).

General pairs until further notice:

Mr. Porter with Mr. Douglas of Arizona.
Mr. Dempsey with Mr. Sullivan of New York.
Mr. Sullivan of Pennsylvania with Mr. Lee of Texas.
Mr. Timberlake with Mr. O'Connor of Louisiana.
Mr. Johnson of Illinois with Mr. Somers of New York.
Mrs. Langley with Mr. Doyle.
Mr. Vincent of Michigan with Mr. Black.
Mr. Sinclair with Mr. Spearing.
Mr. Menges with Mr. Brunner.
Mr. Garber of Virginia with Mr. Taylor of Colorado.
Mr. Irwin with Mr. Quayle.
Mr. Leech with Mr. Igoe.
Mr. Beck with Mr. Mead.
Mr. James with Mr. Underwood.
Mrs. McCormick of Illinois with Mr. Carley.
Mr. White with Mr. Kunz.
Mr. Taber with Mr. Lindsay.
Mr. Nelson of Wisconsin with Mr. Whitehead.
Mr. Taylor of Tennessee with Mr. Oliver of New York.
Mr. Dickinson with Mr. Douglass of Massachusetts.
Mr. Butler with Mr. Gavagan.
Mrs. Kahn with Mr. Sabath.
Mr. Cooper of Wisconsin with Mr. Fuller.
Mr. Sears with Mr. Sirovich.
Mr. Esterly with Mr. Gregory.
Mr. Curry with Mr. Hudspeth.
Mr. Rowbottom with Mr Palmisano.

Mr. HOWARD. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. HOWARD. Mr. Speaker, I was just outside the door.

The SPEAKER. The gentleman does not qualify.

Mr. GARBER of Virginia. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. GARBER of Virginia. I was not present.

The SPEAKER. The gentleman does not qualify.

Mr. O'CONNELL of New York. Mr. Speaker, I announce the necessary absence of the gentlewoman from New Jersey, Mrs. NORTON. If she were here, she would vote "no."

The result of the vote was announced as above recorded.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, without amendment, bills of the House of the following titles:

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2605. An act to amend section 9 of the Federal reserve act to permit State member banks of the Federal reserve system to establish or retain branches in foreign countries or in dependencies or insular possessions of the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9546) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes."

WORLD WAR VETERANS

Mr. PURNELL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 205) providing for the consideration of H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended.

The SPEAKER. The gentleman from Indiana offers a resolution, which the Clerk will report.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed 12 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on World War Veterans' Legislation, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PURNELL. Mr. Speaker, ladies and gentlemen of the House, this resolution, reported by the Committee on Rules, will make in order, if adopted, the bill H. R. 10381, the purpose of which is to amend the World War veterans' act of 1924, as amended. I shall not attempt, in presenting the rule to the House, to enter into a discussion of the various items contained in the bill. Its provisions are very generally known to the membership of the House, as are the amendments which will be offered at the proper time, after the bill is taken up for consideration under the 5-minute rule.

I want to say, more or less in retrospection, that my mind goes back to another April day, almost exactly 13 years ago, when in this very Chamber at a late hour of night, many of us who are here to-day voted for the declaration of war. When we voted for that declaration of war on April 6, 1917, I am not sure that all of us fully realized the serious consequences that were to follow nor the vast responsibilities that would be heaped upon the individual Members of Congress, as well as the citizens of the United States. I do believe, however, that many of us, in voting for the declaration of war, realized that we were sending thousands of American soldiers upon that last great adventure and that the Nation would forever thereafter owe a debt of gratitude to the survivors, particularly those who were injured, that could never be paid in dollars and cents.

We were also familiar with our history; at least to the extent of knowing that one of the fundamental policies of our Government has been to take care of the disabled and treat with the utmost liberality their dependents.

The war having been brought to a successful conclusion, our next thought was of those who had borne the brunt of the conflict. In accordance with our established policy, as well as our own personal desires, we set about to enact legislation in the interest of the survivors of that war, particularly the disabled and the dependents of those who had made the supreme sacrifice.

In this connection I wish to remind you that having emerged from the World War, which was the greatest war in all history, we had no lamp by which to guide our action in this effort. There were no precedents to be followed. We struck out blindly in the dark, with a determined purpose to do everything humanly possible and proper for the survivors of that struggle as well as for their dependents. Without precedent, without experience, and without any established rule to guide us we drafted the original World War veterans' act.

I grant you that if we had had foresight, had been experienced, and could have looked into the future and guided our steps by our past history, plus our new experiences, we might have written into law an act that would have served for all time. Unfortunately, as many of you know, we were unable to do that. So we groped in the dark and did our best to pass some intelligent and helpful legislation, legislation that would not only be fair to the survivors of the war but would be equally fair to the Nation itself.

We had a lot of things to contend with. At one time we had four armies in the field. We had the Regulars, the Reserves, the Emergency men, and the National Guard. Some of our soldiers fought in Russia long after the close of the war. Another small army was detained in Germany in the army of occupation long after the signing of the armistice in 1918.

We have amended the World War veterans' act every single year since it was adopted, if I remember correctly, giving each time renewed evidence of our sincere solicitude for the men and women who served in the Great War. And here we are to-day, almost exactly 13 years to the day from the date of the declaration of war, and we still must stand before the country, as the highest legislative body in all the world, and admit that our present law, though it has been amended each year since it was adopted, is still filled with inconsistencies and injustices and needs further amendment. Injustices have developed from day to day as we have met new conditions, while technical obstacles and frequent discrimination have seemed to defeat in many instances the very purposes for which the legislation was enacted.

The bill which this resolution will make in order has for its prime purpose the removal of technical obstacles and the wiping out of the discrimination which all admit exists in the present law. It is far-reaching and has in it a widespread interest. It is of greatest interest, of course, to the soldiers themselves and their dependents. We must not lose sight of that group. It is not only our sincere desire but our duty to do full justice by them. Then there is another group. The Nation itself likewise has a deep interest in this proposed legislation. Then there are a lot of us in this House, many of whom I see on the floor to-day, who have a further interest. There are a lot of us who sat in this Chamber on the night of April 6, 1917, in the most solemn session ever held in it, and who as the roll was called voted for a declaration of war, knowing that these things at which I have hinted would follow. We feel a personal responsibility by reason of the fact that it was through our affirmative action that our Government selected throughout the length and breadth of this Nation the flower of American manhood and sent them to European soil to carry and defend the American flag.

I shall not undertake to suggest at this time the many changes proposed in this bill. But knowing our common experiences with these so-called "border-line" cases particularly, I want to say that if this proposed legislation is adopted and serves no other purpose except to relieve the great proportion of these "border-line" cases, it will have served a most useful and patriotic purpose. If this bill is finally enacted into law, I predict it will still contain many, many inequalities and injustices which future Congresses will be called upon to correct.

Realizing the importance of this question, the tremendous number interested, and the divergent views held by Members on both sides of this House and throughout the country, the Rules Committee, very wisely, I think, has brought in this resolution providing for 12 hours' debate. Certainly a liberal amount of time has been allotted in which this matter may be discussed in detail by all who wish to speak.

I sincerely hope the resolution will be adopted and that we may proceed with the debate provided for by the rule. [Applause.]

Mr. Speaker, I yield 30 minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker, ladies and gentlemen of the House, I do not know that I can add anything of value to the

excellent statement just concluded by the gentleman from Indiana [Mr. PURNELL] with reference to the general purposes had in mind by the Rules Committee in reporting this resolution.

I dare say there has been no question presented for the consideration of the House of Representatives in several years that held a more profound human interest for the Members of the House of Representatives, as well as those who are affected by the proposed legislation, than the bill which will soon be brought up for consideration.

The state of my heart this day is entirely in accord with the sentiment expressed by the gentleman from Indiana, when our memory returns to that fateful period of our history some 13 years ago, when, by the deliberate act of the Congress of the United States and the Chief Executive of the Nation, we called upon the young manhood of America to mobilize its strength, its limb, and its life for the preservation of American institutions. Under the universal draft law, which I think was very providently enacted, we called upon young men from every section of America, in the very prime, vigor, and flower of their strength and manhood, to make the necessary sacrifices for a victorious conclusion of that war. The heroism with which they followed all of the honored traditions of our country are matters of history.

As has been suggested, the duty has devolved upon the Congress of the United States in the succeeding years to pass legislation that would in some measure compensate them for the sacrifice of time and health that they endured in the cause of our country.

The progress of that legislation has necessarily been in the nature of an evolution to meet the various necessities as they arose. It has been progressive in its nature in order that we might try to meet the just claims of every man as they arose by reason of the advancing years that fell upon them. I do not think that the veterans themselves or the veteran organizations have much complaint to make with reference to the legislation we have enacted for their benefit, except in connection with the main question involved in this proposed legislation. I think my experience in handling the cases of disabled veterans has been along the same line as those met by every other Member of this House. In the handling of these cases I have come face to face with the proposition that either no adequate law had been enacted for the protection of disabled men and their dependents or that in its administration the real spirit and purpose of the Congress of the United States had not been carried into effect. In my opinion—and I think this criticism is justified—the medical branch of the Veterans' Bureau has been entirely too technical and too legalistic in its consideration of the benefits bestowed upon disabled ex-service men by the laws we have enacted. [Applause.] I have had case after case come to my office, as you have, where, to the mind of a layman merely seeking to do abstract justice between the Government of the United States and men who had been stricken in mind or body as the result of the service, I was convinced, as any reasonable jury in the country would be convinced, of the justice of the man's claim and of the proof of service connection for the disability, but where such claims have been turned down by the Veterans' Bureau upon these technical constructions of the law. The burden of proof in all cases has been laid on the disabled man, instead of giving him the benefit of the doubt.

Men have come to my office when I have been at home on vacation and related to me the circumstances and the origin of their disabilities. Many of them in the relation of their experiences have gone back to those turbulent and trying times after the war was over, after they had endured the hardships of the camp and the rigors of the march and the dangers of the battle field; stricken in mind and body with the anxiety and nervousness that naturally attends military service. They themselves were conscious they had some physical infirmity that they feared would progress and make them lose their strength and their earning capacity; but they had been long away from home, they were homesick for the old fireside, they were craving the embrace of the arms of their loved ones when they got back home, and they were not thinking about compensation. They were not thinking about pensions. They were not thinking of disabilities on their discharge from the service. They were thinking about putting behind them all the cruel and bitter memories of the war and getting back to the hearthstones from which they had been drawn by the strong arm of the Federal Government; and many of them went up to the officers who were discharging them from the service and deliberately said there was nothing wrong with them, when they had in their bodies the germs of disability and of disease which subsequently have stricken many of them and sent them to hospitals. And for these reasons such men have been unable to prove their disability by the records and have been denied compensation.

There is another factor that has entered into this proposition—the inadequacy of the hospital records in connection with the disabilities of many of our men. Then, I have had cases where the evidence was presented in a file where Government doctors themselves—public-health officers in the county seats of my district, physicians in Government hospitals where men had been sent for observation with reference particularly to arrested tuberculosis—certified in writing that the man himself had been diagnosed as having tuberculosis, and yet the Veterans' Bureau has turned down his claim because of their technical construction of this law.

I have four cases in my office to-day where Veterans' Bureau doctors and hospital doctors have certified that these men had chronic pulmonary tuberculosis at the time of their examination, and yet they had been turned down by the bureau because they said there was no proof they had active tuberculosis prior to January 1, 1925. How a man can have chronic illness without it ever having been active is beyond my understanding. Your files are filled with cases of this sort.

Gentlemen, I say that the veterans of the World War have a right to make just complaint that the Congress has not met its obligations to them as far as remedial legislation for disabled veterans is concerned, and I rejoiced that as a member of the Committee on Rules the opportunity was offered me to promote the consideration of this bill, because I feel that every Representative upon this floor realizes that it is not a question of any maudlin sentimentality with reference to the ex-service men, but that we will soon have a full and a fair opportunity to administer abstract justice to them, and that alone is what they are seeking. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. POU. Mr. Speaker, I yield the gentleman five minutes more.

Mr. RANKIN. Will the gentleman from Alabama yield?

Mr. BANKHEAD. I yield for a brief question.

Mr. RANKIN. I agree with the gentleman from Alabama with reference to the men having tuberculosis and the other veterans who have broken down and can not prove service connection with reference to their disabilities; but if this bill passes without the amendment which we expect to offer, those who broke down after 1925 would be excluded from its provisions. I just want to know if the gentleman from Alabama, when he speaks of the bill bringing full and adequate relief, has in mind the adoption of the amendment to which I have referred?

Mr. BANKHEAD. I will say to my friend from Mississippi, in reply to his question, that the Committee on Rules has thrown this proposition entirely open for full and fair consideration and judgment and action by the House of Representatives, and I think properly so, because of a very pronounced difference of opinion with reference to the question of the period of the extension of presumption of service connection. I will say to the gentleman that my remarks were addressed with reference to the opportunity that was being given here for the exercise of the collective judgment of the House upon the questions involved; but if the gentleman interrogates me directly upon the proposition with reference to his amendment or the proposed Johnson bill, I will state to the gentleman that my expectation is to vote for the provisions of the Rankin bill because I think it is more generous in its terms than the other. [Applause.]

This may not be in conformity with the best argument involved on this question. If I should be convinced during the course of this debate that my present conviction with reference to the propriety of the Rankin amendment is wrong, I would not hesitate for a moment to change my opinion before the debate closes and vote to sustain the provisions of the Johnson bill.

I think this is the spirit, gentlemen, in which we should enter upon this argument. [Applause.] I think we should hear the facts; that we should hear the arguments and look solely to the best interests and the fair interests of the service men and of the Government, and when the time comes to register our deliberate judgment upon the question involved, follow the dictates of our judgment and our conscience upon the merits of the proposed legislation, and this course I shall pursue. [Applause.]

From what I have heard them say, the ex-service men who came out of the war safe and sound and who have no physical handicaps as a result of their service, are not asking any favors from the Government. They were patriotic men who served their Government as a matter of duty in time of war, as their fathers before them had done. But, while asking nothing for themselves they are deeply and rightly interested in seeing that their comrades who did suffer in body and mind as a result of service shall have fair and just treatment at the hands of Congress.



The bill now before us gives us an opportunity to meet that duty. I am earnestly in favor of the principles involved in this legislation. We have already delayed it too long.

I have always consistently supported every measure proposed to protect justly the interests of the veterans of the World War. As long as I am in Congress I shall continue to do so.

If the pending bill is passed it will extend the benefits of compensation to every disability incurred between the date of the veteran's entrance into the military service and January 1, 1925, if within that time a 10 per cent degree of disability was manifested and unless there is in the record clear and convincing evidence that the condition is not due directly to some intervening cause not associated with military life. If the Rankin amendment is adopted it will extend the presumption of the connection of disability with military service until January 1, 1930, but does not cover all clauses of disability as does the Johnson bill. Another good feature of the bill is that it provides that where a veteran is sick and needs hospital treatment and has not been able to obtain compensation, if the veteran has a dependent family and there is established an actual family need of financial relief while the veteran is being treated in a Government hospital the Government will afford such relief to the dependents while the veteran is being treated, at the rate of $30 per month for the wife, and $6 per month for each child. There are other features of the bill liberalizing the consideration of the claims of veterans which are highly desirable.

Mr. POU. Mr. Speaker and gentlemen, I wish to supplement what my colleague has so well said with just a few words. We have all had experience with the Veterans' Bureau. There are two ways a law can be construed. One is the technical way, confining decisions simply to the wording of the law, and the other is in a broader sense, having in view the doing of justice in each and every case.

Now, I have always insisted it was the purpose of Congress that as far as possible the law should be construed in the interest of the veterans. [Applause.] I have insisted that doubts should be resolved in favor of the honorably discharged veteran.

I want to record the statement here and now as we are about to take up the consideration of another great measure that I believe it is now the sense of this body—and I do not think I am mistaken—that where substantial justice will be done, every doubt should be resolved in favor of the veterans. The people of America do not desire their Government to take refuge behind technicalities in dealing with the men who brought Germany to her knees. [Applause.]

Now, if I am mistaken, I hope it will be developed during this debate, and I hope the Veterans' Bureau will take notice that it is the sentiment of this House that the bill under consideration should be liberally construed, humanely construed; that technicalities should not be permitted to defeat manifest justice; that when the former service man makes application for what we intend he shall have, he shall not be treated as if he were trying to defraud the Government. Let it be understood that where a strict construction of the law results in a denial of manifest justice, it is the purpose of Congress that the law should be liberally construed, and particularly that doubts should be resolved in favor of the veteran. [Applause.]

Mr. PURNELL. Does the gentleman from North Carolina desire any more time?

Mr. POU. I do not.

Mr. BANKHEAD. Will not the gentleman from Indiana, before he moves the previous question, allow me to suggest that he ask unanimous consent that Members may have time to extend their remarks?

Mr. PURNELL. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days after the conclusion of the bill in which to extend their remarks on this bill.

The SPEAKER pro tempore (Mr. DALLINGER). The gentleman from Indiana asks unanimous consent that all Members may have five legislative days after the passage of the bill to extend their remarks on the bill in the RECORD. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, ladies and gentlemen of the House, I shall attempt to discuss this bill somewhat in detail, and to answer any questions that may be asked me by any Member of the House as to the bill or as to the construction placed upon it by the committee or by myself. But I desire to proceed consecutively in the opening statement, and therefore until I finish I request that no one ask me to yield. Later I shall be glad to yield for questions.

This is the first time since the World War that veteran legislation has in its entirety been considered upon the floor of the House with full liberty to make amendments to the legislation.

Under the rule which has been adopted and proposed by the Rules Committee, when we consider the bill under the 5-minute rule any Member of this body will have the privilege of offering any amendment that he desires to offer, which is germane to the legislation as reported from the Committee on World War Veterans' Legislation. There have been many reasons for the previous method of presenting this legislation, although I have not always been in favor of taking the legislation up under suspension of the rules; but there comes a time when great public policies are being formulated, when this body and the Senate must decide a governmental policy, and I think that that time has now arrived, and that the membership of this House must express itself upon the future policy that shall be followed with reference to service men. I know what this method offers. I know that it would be possible for Members of this body if they so desired to use memorial addresses and Fourth of July speeches to discuss many things that are not under consideration. I do not think anyone would desire to verbally take the membership of this body or the service men back to the Argonne Forest and allow them to again wade knee-deep in blood, and I do not think it is necessary in discussing this great economic problem that anyone weep briny tears. Nor do I think it necessary for anyone to demagogue upon the bill. I know that no one would do that in a discussion affecting important legislation.

The effect of the bill has been well set out in the report, No. 874, dated March 10, 1930, and, Mr. Chairman, I ask unanimous consent to be permitted to extend my remarks in the RECORD by including that report and other documents which I think will be of benefit to the House in the discussion of the legislation.

The CHAIRMAN. Is there objection?

Mr. RANKIN. Mr. Chairman, reserving the right to object, does the gentleman mean to include both the minority and the majority reports?

Mr. JOHNSON of South Dakota. They may be both inserted. Does the gentleman from Mississippi desire to have the minority report inserted in my remarks?

Mr. RANKIN. Yes; I think the two reports should be inserted together.

Mr. JOHNSON of South Dakota. I have no objection to that; I believe they should be put in together. I believe we should have all of the information collected in one place, as much as possible.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that in the extension of his remarks he may be permitted to incorporate the majority and minority reports of the committee and other documents in his discussion. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, these reports I insert at this point, and they are as follows:

[H. Rept. No. 874, 71st Cong., 2d sess.]

AMEND WORLD WAR VETERANS' ACT, 1924

Mr. LUCE, from the Committee on World War Veterans' Legislation, submitted the following report (to accompany H. R. 10381):

The Committee on World War Veterans' Legislation, to which was referred the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, having had the same under consideration, report it back to the House with the recommendation that the bill do pass.

In general this bill conforms to the legislative program of the American Legion, which as far as it went was indorsed by other organizations

of veterans. It grants important additional benefits, and it cures sundry administrative defects that experience has disclosed.

Various proposals of wide range looking to the further relief of veterans of the World War have been submitted to your committee. The most important of them have sprung from the difficulty in connecting with service many cases thought to be of service origin or aggravation, but incapable of meeting existing requirements, especially those calling for medical proof that disability had appeared prior to the date specified by the law. Immediately after the war an early date was set, inasmuch as it was thought that a brief time would suffice to disclose injurious effects of service. In 1924 the time limit for connecting with service five specified types of disease was extended to January 1, 1925, connection to be presumed if the disease had appeared in the interval. All other disease must still have manifested itself before July 2, 1921, and as time passed the proof of this became more and more difficult.

It developed that in many cases service connection could not be established because of lack of medical record at the time of treatment. It seemed altogether probable that this was often not the fault of the sufferer, but was due to the inexact recording inevitable under war conditions, to loss of records, or to some other excusable cause. Your committee became convinced that in these and some other particulars the technical requirements in the matter of proof have been too strict, and that reasonable evidence of any sort should suffice.

Believing the time had come to go still further in removing technical obstacles and wiping out discriminations, your committee decided to recommend important modification of section 200 of the World War veterans' act—the section dealing with service connection of disabilities incurred or aggravated in the course of military service. As amended this section will extend the benefits of compensation to every disability incurred between the date of the veteran's entrance into the military service and January 1, 1925, if within that time a 10 per cent degree of disability was manifested, and unless there is in the record clear and convincing evidence that the condition is due directly to some intervening cause not in any way associated with military life.

The justification for this is to be found in the disclosure by the testimony that there exists discrimination in favor of sufferers from certain specific diseases, notably tuberculosis and ailments of the nervous system, whereas many other veterans just as disabled or even worse off, whose service records bear witness to honorable and extensive exposure to the hardships of warfare, have been unable to obtain any of the benefits granted by the Government. To put an end to this discrimination may be costly, but it will be just.

As far as the principle of compensation for bodily harm resulting from war service is concerned, this will clean up practically all difficulties and differences of opinion as to disease and injury shown to have been suffered before January 1, 1925, and will meet the great bulk of so-called border-line cases that have seriously disturbed Members of Congress and the public at large.

There remained the problem of disease developing or injury sustained after January 1, 1925. The question at issue was whether and to what extent such disease or injury should be presumed to be of service origin. This question was raised most prominently by H. R. 7825, which was introduced by Representative RANKIN, of Mississippi. In this it was proposed that the time limit on presumptions should be extended to January 1, 1930, and that diseases of a chronic or constitutional nature other than those already named in the law should be included in the privilege of presumption. It will be seen that this proposal did not contemplate the far-reaching and very important benefits the committee advises giving in the case of disabilities developing before January 1, 1925, and that it did contemplate a continuance of classification under which some suffering veterans would benefit and others would not. For instance, it did contemplate that a man attacked with gout in 1929 would be presumed to have incurred it as a result of something that took place before July 2, 1921, but shut out the man attacked by pneumonia, even though it might be urged that he fell as easy prey to it because his powers of resistance had been weakened by poison gas in the war.

This illustration is not presented to suggest that all disease appearing from 1925 to 1930 should be presumed to be of service origin, but to show that any classification may result in gross unfairness. As a matter of fact the medical testimony given to your committee was to the effect that it is not logical in the case of any disease whatever to presume that its origin goes back more than from one to two years beyond the appearance of symptoms. In extending the limit of the presumptive period to January 1, 1925, which was more than six years after the armistice, Congress in its desire to be completely generous and to avoid all risk of error went far beyond anything that the medical experts appearing before your committee would justify as logical. Any further extension would, if their judgment as to the development of disease is sound, be a pure fiction, wholly artificial, with the names "presumption" and "compensation" altogether inaccurate and misleading.

The proper description of money paid out under such a provision would be "disability pension" and as such it may fairly be examined.

The proposal was that the payments to sufferers from chronic constitutional disease—including the six diseases that the law had already recognized as warranting special consideration of a designated type—should be the same as those now provided by law for service-connected cases. The amount payable for temporary total disability at present ranges from $80 a month upward, depending upon the number of dependents of the veteran. In addition, the present cost of hospitalization approximates $120 a month and there is likewise provision for an additional allowance in certain cases for a nurse or attendant care in the amount of $50 a month. In case permanent and total disability exists by reason of a condition either directly or presumptively connected with service, and if at such time war-risk insurance is in effect, payments under such policy become payable to the disabled veteran out of the military and naval insurance fund authorized by the Government.

It follows that if the Rankin bill, so called, were enacted, a claimant might have entered the military service nearly three years after the armistice, up to July 1, 1921, and after serving but a short time, be discharged without any defect noted or claimed and with absolutely no medical record of any treatment in the course of service. He might have returned to industrial life and carried on continuously until December 31, 1929. If on that date he were found to have a 10 per cent degree of disability by reason of gout, service connection could be established, with compensation payments and the other benefits above referred to legally obtainable in amounts depending upon the degree of severity of the disease. If such service man had a wife and three children and were temporarily totally disabled, his compensation for himself and dependents would be $105. If he also received hospitalization the monthly charge on the Government for him would be $225. In other words, such a claimant, who saw no service in the war, would receive a pension of $225 a month for a disability no reasonable man would hold to be service-connected, a disability developing 10 years after the World War.

This would, of course, be nothing more nor less than a disability pension. As such it might or might not be justifiable. The aspect of it here to be pointed out is that if and when disability pensions are to be considered, they should not have the glaring inequalities of such an initial step. The man with the gout should not be preferred while the man who through some industrial accident may have wholly lost his capacity to support himself and his family, is excluded.

The comparison is extreme, but it shows the danger of embarking on the policy of disability pensions without the careful study necessary to secure fair and reasonable treatment of all veterans of the war. Pensions and compensation are quite different things. Your committee was unwilling to commit the Government to pensions on the basis of the compensation rates now in existence.

Furthermore, it was not convinced that the situation calls for resorting to the makeshift device of artificial presumptions. No medical testimony presented to the committee lent any support to the theory that time extension of the presumptive features of existing law would be sound. Many cases of apparent hardship indicating otherwise were presented, but after discussion it was admitted in all instances that if the facts were as alleged, direct service connection would be in order and there would be no need to resort to any presumption, even such as now contained in the law.

If it is true that no medical ground exists for presumptions based on the appearance of disability after January 1, 1925, and if nevertheless they should be created by legal fiction, the validity of any time limit can not be established. To set January 1, 1930, as the date would meet the troubles arising up to that time from those diseases specified in the Rankin bill, but while the rest would remain to perplex by reason of the unfair discrimination, a fresh growth of perplexities would begin with the date in question, and inside of a few years their accumulation would bring demand that the date be set forward once again. Rather than invite this by continuing an illogical and unsatisfactory procedure, your committee deemed it best to try to correct all existing discriminations, establishing for every veteran equality before the law; to add such benefits as experience has shown to be justifiable; and to leave to a special congressional committee the question of formulating within the three years to which the operation of section 200 of the bill submitted herewith is limited, a consistent national policy.

The additional benefits to be given will be set forth in the detailed description of the bill that follows, but especial attention may here be usefully called to two of particular interest. One is the provision for paying an additional amount of $25 a month to certain veterans whose disabilities were incurred in line of duty between April 6, 1917, and November 11, 1918. Although this is in reality a specific preferment of one class over another, yet your committee is of the opinion that such preferment is warranted as a special recognition of the irreparable physical loss suffered in battle by the men affected—those known as battle casualties.

Secondly, your committee, knowing that there would be many ill veterans who still might not be able to obtain compensation or relief in spite of the broadening provisions of the amendment proposed, felt

that such veterans should be granted some measure of pecuniary aid when illness forces them to give up their work and seek treatment in a Government hospital under the authority of the bureau. Therefore there will be found in the bill a provision to the effect that if the veteran has a dependent family, and if there is established an actual family need of financial relief, the Government will afford such relief to the dependents while the breadwinner is away seeking cure of his physical disabilities. The rates provided are the same as those now granted to widows and children of men who died in battle, viz:

If there is a widow but not child, $30.

If there is a widow and one child, $40, with $6 for each additional child.

If there is a widow but no child, $30.

If there is no widow, but there are three children, $40, with $5 for each additional child; payments to be continued for two months after the veteran's discharge from the hospital. It was felt, however, that unless a period of more than 30 days of hospitalization was necessary, a definite need could not be clearly established and therefore such relief is not to become payable until the first 30 days of hospitalization have passed.

A detailed description of the bill follows:

DESCRIPTION BY SECTIONS

Section 1 amends section 5 by making the decisions of the director affecting a claimant's right to the benefits of Titles II, III, or IV of the act conclusive except for a review by the courts under section 19 of the act. The Comptroller General of the United States is directed to allow credit in the accounts of disbursing officers of the United States Veterans' Bureau for all payments authorized heretofore or hereafter made from moneys appropriated for carrying out the provisions of the act. This provision has for its purpose conferring on the director, or his duly authorized representatives, final and conclusive authority in all matters except for a review of claims for insurance by the courts as is provided in section 19 of the act, and the penalty provisions of Title V of the act. The effect of this amendment will be to prohibit the Comptroller General, or his agents, from disallowing payments upon disagreement with the director on matters of law or fact involved in the interpretation or application of the World War veterans' act, 1924, as amended, but will not interfere, upon a preaudit or postaudit, with the right of the Comptroller General to disallow expenditures by disbursing officers not in conformity with the decisions of the director. It is intended that under this amendment the director shall have the power to review any decision of the Comptroller General heretofore rendered and notwithstanding such decision to pay the claim or claims affected thereby if he believes them to be payable.

This section also amends section 5 by adding thereto a proviso to the effect that regulations issued under section 5 relating to the nature and extent of proof and evidence shall provide that due regard shall be given to lay and other evidence not of a medical nature. Testimony before the committee shows that in adjudicating cases the bureau heretofore has been largely governed by medical theory and medical evidence of a technical nature. The purpose of this amendment is to insure that in the adjudication of cases all evidence will be considered and that such consideration will be from the same viewpoint that a court would take in considering like evidence, and to prevent as much as possible the disallowance of claims where the evidence of physicians is not sufficient to connect the disability with the service, or to show the required degree of disability, or that the person is permanently and totally disabled, etc., but competent lay evidence exists which, if properly considered, would warrant favorable action on the claim. It is realized that under the present law the bureau can undoubtedly give the proper weight to this evidence, but by adopting this amendment it is believed that any question in the mind of the Director of the United States Veterans' Bureau concerning the desires of Congress in the premises will be cleared up. While the committee does not desire to interfere with the director's discretion in administering the law it is believed advisable to point out the desirability of having cases decided by lawyers trained to evaluate evidence, who will take into consideration medical advice, rather than by physicians untrained in evaluating evidence and who are governed entirely by medical theory.

Section 2 amends section 10 of the statute by adding thereto a paragraph authorizing the director to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals and for employees at isolated stations, as he may deem necessary, and the appropriations made available for the carrying out of the present provisions of section 10, which relate to the furnishing of medical and hospital treatment, are authorized to be expended for this purpose. The bureau is authorized under existing legislation to provide recreational facilities for patients in hospitals, but has no authority to provide such facilities for employees. Many of the employees are stationed at isolated places, so far removed from facilities provided by municipalities or clubs that it is practically impossible for them to avail themselves thereof. The committee, therefore, believes that the director should be authorized to provide facilities as part of the hospital reservation where they are needed. Funds for the construction will be taken care of in making estimates on future hospital construction programs.

This section also amends section 10 by authorizing and directing the transfer of the Battle Mountain Sanitarium and the Battle Mountain Sanitarium Reserve from the jurisdiction of the Board of Managers of the National Home for Disabled Volunteer Soldiers to the United States Veterans' Bureau. Provision is made, if necessary, for the deeding of this property by the Board of Managers of the National Home for Disabled Volunteer Soldiers to the United States.

Section 3 amends section 16 of the World War veterans' act, as amended, for the purpose of specifically authorizing the refund of premiums on war-risk term insurance. The bureau has always, wherever a retroactive rating of permanent and total disability has been made as of a date prior to the time when the insured ceased the payment of premiums, refunded such premiums. This practice is in accord with that of all commercial insurance companies. However, in the Harvey Ned Howard case the Comptroller General (decisions of November 9, 1928, and January 7, 1929) stated that the appropriations for yearly renewable term insurance were not available for the refund of premiums. Your committee thought that the bureau's practice was in accord with the existing law, but in order to overcome the decisions of the Comptroller General and to insure expedited action on the refund of such premiums the authorization is included in this bill.

Section 4 amends section 19 of the World War veterans' act, 1924, as amended, which relates to the filing of suits on insurance, in several respects:

(1) Authorizes the courts to include as part of judgments entered under that section direction for the refund of unearned premiums.

(2) Authorizes the issuance of subpœnas for witnesses who are required to attend trials and who live at a greater distance than 100 miles from the place where the case is to be tried. This provision is extremely important from the point of view of both the veteran and the Government, as under existing law it is necessary that the testimony of such witnesses be taken by depositions, which is highly unsatisfactory.

(3) Authorizes the director to order part-time and fee-basis employees of the bureau to appear as witnesses in suits against the Government under this section and to pay them in his discretion a fee in an amount not to exceed $20 a day.

(4) Authorizes the payment of regular travel and subsistence allowances to attorneys of the bureau when assigned to assist at the trials of cases, and to employees of the bureau when ordered in writing by the director to appear as witnesses.

(5) Authorizes official leave for bureau employees subpœnaed to attend trials as witnesses for veteran plaintiffs in suits under this section. At the present time these employees are required, in answering subpœnas, to take the time on annual leave. This is a hardship of which the committee believes they should be relieved.

(6) Extends the time for bringing suits on insurance claims for one year from the date of the approval of this amendatory act.

(7) A paragraph is added to define the meaning of the term "claim" and the term "disagreement" as used therein. It has for its purpose the establishment of a definite rule that before suit is brought a claimant must make a claim for insurance and prosecute his case on appeal through the appellate agencies of the bureau before he shall have the right to enter suit. Your committee felt that in view of the fact that the Government has set up in the bureau expensive machinery for hearing claims it was unfair for a veteran to disregard this machinery on the basis of the disallowance of his claim by some subordinate board and enter suit.

(8) A savings clause was added at the end to protect the suits already brought, from adverse effect by any amendment included in this section.

The committee's attention was called to the large number of suits now pending in the courts. After listening to the representatives of service organizations and many Members of Congress it came to the conclusion that the bureau has adopted too strict a definition for permanent and total disability and that in the application of such definition it has not been as liberal as it should be. This is reflected in the criticisms by the many courts that have heard these cases and undoubtedly is the cause for many of these suits. The committee was also advised that in connection with these suits, recommendations have been made in many instances by United States attorneys that the claims be paid without proceeding to trial and the Assistant Attorney General in charge of these cases and the general counsel of the bureau have concurred in such recommendations, but, notwithstanding such recommendations, the bureau has disallowed the cases. It seems to your committee only reasonable that where the attorneys representing the Government are performing their duties properly and advise that a case can not be defended, the claim should be allowed instead of forcing the claimant to the expense of a trial and needlessly to take up the time of the court because of some theoretical idea of a rating agency of the bureau that is largely governed by medical theory. From the statements made, it is believed that if the bureau would adjudicate these cases from a legal point of view as they are considered by the courts, a more equitable adjudication would result, there would be less com-

plaint on the part of the courts, the United States attorneys, the claimants and their representatives, and there would be fewer suits.

Section 5 adds a subdivision to section 21 to place authority in the director to pay compensation to the person having custody and control of an incompetent or minor beneficiary during the time compensation payments to a guardian may be suspended or withheld under section 21 of the statute as it now stands. At the present time, when the director suspends payments to a guardian, there is no authority to pay any compensation unless the veteran is in a hospital, in which case all or any part of the compensation may be apportioned to his dependents, if any, and also to the medical officer in charge of the hospital for the benefit of the veteran himself under authority of section 202, subdivision (7). Section 23 of the war risk insurance act contained a provision similar to the one proposed by this bill, but it was eliminated by the act of June 7, 1924, apparently upon the assumption that these cases would be taken care of by section 202 (7). It has developed, however, that the provision of section 202 (7) is not adequate.

Also authorizes the reestablishment of the fund known as "fund due incompetent beneficiaries," which was established under section 23 of the war risk insurance act and into which the bureau has always paid to the credit of an incompetent beneficiary any part of the funds not paid to the chief officer of the institution in which he is an inmate, now apportioned to his dependents under the provisions of section 202 (7). The Comptroller General has ruled, however, that subsequent to June 7, 1924, no legal authority existed for this fund, and although he has permitted it to be continued until June 30, 1930, it will be necessary to amend the law to provide therefor subsequent to that date.

Also provides that in case the incompetent veteran recovers and is found competent, the balance remaining in the fund may be paid to him, or, if he does not recover, to his guardian, or in the event of his death to his personal representative. In case, however, escheat would result upon death of the veteran, it is provided that the escheat shall be to the United States, as will also be the case with any funds derived from compensation or insurance that are in the hands of a guardian, curator, conservator, or other fiduciary at the time of the veteran's death.

Section 6 proposes to amend section 28 of the World War veterans' act, as amended, to provide that said section, as amended, shall be deemed to be in effect as of June 7, 1924. Section 28 of the World War veterans' act, as amended, authorizes the waiver of recovery of payments from any person, who, in the judgment of the director is without fault on his part, and where, in the judgment of the director such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience, and further provides that no disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section. The last-mentioned provision, relieving the disbursing officers from liability, was inserted in the statute at the second session of the Seventieth Congress on recommendation of the Director of the United States Veterans' Bureau, it having been shown that the Comptroller General of the United States had held that, although recovery might be waived so far as the payee was concerned, the disbursing officer was nevertheless liable under his bond for any erroneous disbursement. Although the committee believed that the language was sufficiently clear and unambiguous to express the intention of Congress that these disbursing officers should no longer be liable for amounts, the recovery of which had been waived prior to the amendment, as well as those which might be waived subsequent thereto, the Comptroller General has ruled that there is no authority to apply this amendment retroactively so as to relieve disbursing officers for disallowances set up against their accounts prior to May 29, 1928. This amendment specifically declaring that section 28, as amended, shall be deemed to be in effect as of June 7, 1924, is therefore now included at the request of the director of the bureau. It is estimated that the cost of this amendment will be approximately $218,500.

Section 7 adds a section to Title I of the World War veterans' act, as amended, to provide that checks properly issued to beneficiaries, which are undelivered for any reason, shall be retained in the files of the bureau until such time as delivery may be accomplished, or until three full fiscal years have elapsed after the end of the fiscal year in which issued. This amendment is included at the request of the director. At present the General Accounting Office insists that all undelivered checks more than 3 months old be forwarded to that office for safe-keeping, with the requirement that a claim be submitted by the payee before they may be remailed. This procedure was established under regulations issued by the Comptroller General under his general authority to regulate the settlement and adjustment of the accounts of the Government of the United States. It is not believed, however, that this procedure properly considers the great numbers of checks issued by the bureau which upon failure of delivery to beneficiaries are returned. It it not thought that a beneficiary who has once filed a proper claim for the benefits conferred by the legislation administered by the bureau, and who very often is receiving current payments on an award, should be required to file another claim in order to secure a check that has been issued to him and returned to the bureau undelivered for any reason. Further, the work of the bureau is complicated unduly, especially in the supervision of the accounts of fiduciaries for minor and incompetent beneficiaries, inasmuch as when these checks are remailed by the General Accounting Office the bureau receives no notice thereof unless certification is made to the payee other than the one in whose favor the check was originally drawn, and it will readily be seen, therefore, that a fiduciary may receive payments of which the bureau will have no knowledge, and will therefore be unable to require a proper accounting as contemplated by section 21 of the World War veterans' act, as amended. The amendment recommended whereby the bureau will be authorized to retain those checks for a period of not more than three years will be less costly, in the opinion of the bureau, than the present procedure under which they are required to be delivered to the General Accounting Office, to be held for a period of not less than three years before final disposal is made of them.

Section 8 adds a section to Title I of the World War veterans' act, as amended, to be known as section 38, to authorize the director to buy uniforms for all personnel employed as watchmen, elevator operators, and elevator starters in the Arlington Building in order that they may present an appearance indicating the official capacity in which they serve. This follows the practice in other governmental departments.

Section 9 adds a section to be known as section 39 to enable the Secretary of War to accumulate in the city of Washington all medical and service records now scattered throughout the United States in many Army stations. The records are with particular regard to veterans of the World War and are of inestimable value in enabling both the veterans and the Veterans' Bureau to determine if certain allegations made in connection with claim for compensation can be supported by the records, thus eliminating delay and the necessity for much affidavit evidence which must now be furnished in lieu of such records. The approximate cost of the enactment is not estimated, but it has several times been recommended in connection with appropriation acts submitted for the War Department.

Section 10 amends section 200 by eliminating the necessity for the showing of the existence of any particular disease prior to January 1, 1925, this being accomplished by providing a presumption of service connection for all men who can show a 10 per cent disability prior to January 1, 1925. This presumption is to be rebuttable by clear and convincing evidence in all cases except those of tuberculosis, spinal meningitis, paralysis, paresis, blindness, and veterans permanently helpless or permanently bedridden. Rebutting evidence will, of course, be restricted to such matters as accidents, intervening causes such as epidemics, etc. It is not the intention of the committee by the passage of this section to affect in any way adversely the rights of persons under the present law but to add to the rights of such persons. Payments as a result of new presumptions, however, are not to be retroactive and are to continue only for a period of three years following enactment of the bill. The purpose of this amendment is to place all cases wherein a disability of 10 per cent or more is shown prior to January 1, 1925, on a parity and to pay them for three years. Your committee feels that during this period a joint committee of Congress proposed to be appointed under H. R. 222 could be appointed and make a study as to the future policy of the Government with respect to veterans' relief. It should not be understood that this measure is in any way to be considered a permanent one.

Section 11 proposes to amend section 201, subdivisions (f) and (l), of the World War veterans' act, as amended. Subdivision (f) now provides that the status of dependency of a father or mother of a deceased veteran who is receiving dependency compensation, shall be determined as of the first day of each year, by the substitution of language, which, although requiring an annual determination of dependency, will not require it as of the first day of each year, which has been construed by the bureau and the Comptroller General to mean the first day of each calendar year. The administrative burden placed upon the bureau through the necessity of reviewing all of these cases as of the 1st day of January in each year is so great that the director has recommended that the language be changed to permit of the annual review as of the anniversary date of the award. This will spread the reviews throughout the entire year, and not only relieve the burden upon the bureau but also that upon the dependent parents, especially in those cases where the first award is made toward the end of one calendar year, only to be reviewed, with the submission of such proof as may be required, as of the first of the next calendar year.

In amending subdivision (l) of section 201, relating to burial expenses, this bill also proposes making the present allowances for burial and funeral expenses payable in all cases where death occurs in a national military home, irrespective of whether the veteran is receiving compensation or other benefits.

A new proviso is added to the burial allowance provision authorizing the director to furnish a flag to drape the casket of a deceased veteran of any war regardless of the cause of death. At the present time flags are furnished when burial expenses are allowed, but the committee believes the Government should provide a flag in all cases. The cost of this item is estimated at $40,250 for the year 1930.

Section 12 amends subdivisions (3) and (5) of section 202 by providing compensation of $25 a month independent of any other com-

pensation that may be payable under the World War veterans' act, 1924, as amended, to any person who suffered the loss of the use of a creative organ or one foot or one hand or both feet or both hands in the active service in the line of duty between April 6, 1917, and November 11, 1918, and removes the necessity for showing the constant need of a nurse or attendant where claim for a nurse or attendant allowance is made. Your committee felt that these men who suffered a disability in line of duty during the period of actual warfare are entitled to this additional amount. The purpose of the amendment with reference to nurse or attendant allowance is to overcome the ruling of the bureau which prohibits the payment of this allowance in certain bed cases, simply because there is not a "constant" need for a nurse or attendant, whereas there is an actual need for all practical purposes.

Section 13 amends subdivision (7) of section 202 of the act to provide that in any case where the estate of an insane veteran who has no dependents equals or exceeds $3,000, further payment of compensation shall be suspended until the estate is reduced below that amount, in which event payment will again be resumed up to $3,000. The purpose of this amendment is to avoid the building up of big estates of these insane veterans who have no dependent relatives and whose estates might otherwise escheat.

This section also amends subdivision (7) by striking out the requirement in connection with the $50 statutory award for tuberculosis that active tuberculosis must be shown to have existed. The purpose of this amendment is to overcome a decision of the Comptroller General, which held that active tuberculosis had actually to be shown to exist before the condition of arrest was reached, in order for the statutory award to be payable. Your committee felt that if a man who has had active tuberculosis service connected, which has reached a condition of arrest, is entitled to $50, the man who has arrested tuberculosis service connected, although he can show no activity after entrance into the service and prior to January 1, 1925, is equally entitled to that award. In order that there may be no mistake as to the intention of Congress, the requirement for showing activity in tuberculosis cases under the presumption provisions has been removed. This section also directs the director to insert in the schedule of disability ratings a minimum rating of 25 per cent for arrested or apparently cured tuberculosis. At the present time, after two years of arrest the rating schedule of the bureau provides no per cent for apparently cured cases. In view of the fact that the Congress has authorized a statutory rate of $50 a month it would seem to the committee that the provision of the rating schedule is out of line, and that the payments made to the man as a result of a combination of ratings is too low a rate for men suffering with arrested tuberculosis and other disabilities. Your committee was advised by the director about three years ago that his medical council had advised him that persons with arrested tuberculosis had a minimum industrial handicap of 25 per cent.

Section 14 adds a paragraph to subdivision (10) of section 202 of the act by authorizing payment of compensation at specific rates to the dependents of World War veterans hospitalized under that section, who file an affidavit with the commanding officer of the hospital to the effect that their annual income is less than $1,000. The purpose of this amendment is to take care of the dependents of the uncompensated veterans in hospitals or those veterans in receipt of a small amount of compensation who may be hospitalized for nonservice connected disabilities.

Section 15 amends subdivision (15) of section 202, which provides that any person who is now receiving a gratuity or pension from the United States shall not receive compensation under this section unless he shall first surrender all claim to further payments of such gratuity or pension, by providing that where such surrender of pension is made, any disability incurred in the military service of the United States, by reason of which said pension would be payable, shall be evaluated in accordance with the provisions of subdivision (4), section 202, and shall be payable as compensation under this act. Provision is also made for the combining of such rate with other ratings. The purpose of this amendment is to permit a person to receive adequate compensation for all disabilities incurred in the service.

Sections 16 and 17 propose to repeal sections 206 and 209 of the statute, which now limit the time for filing claim and proof thereof to April 6, 1930. There would be no immediate increased cost involved in this amendment in view of the fact that the termination date will not be reached until April 6, 1930. It is impossible to estimate the effect of the repeal of these sections prior to that date. It is the opinion of the committee that no restrictions should be placed upon the filing of claims and proof thereof.

Section 18 amends section 210 of the World War veterans' act, as amended, by the addition of a proviso to the effect that nothing therein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924. This amendment is designed to place the stamp of approval on the interpretation of the World War veterans' act, 1924, by the bureau to the effect that in cases first brought within the purview of the statute by the act of June 7, 1924, no compensation could be paid for any period prior to that date.

Section 19 adds two provisos to section 212 of the World War veterans' act, 1924, as amended, by adding (1) that where a veteran dies after June 7, 1924, as a result of disease or injury for which he was entitled to compensation by virtue of an accrued right under the war risk insurance act, as amended, his dependents shall be entitled to the compensation provided by section 201 of the act; and (2) that an application for compensation under the provisions of the war risk insurance act, as amended, or the World War veterans' act, 1924, as amended, shall be deemed to be a claim for compensation under all subsequent amendments. In connection with the first of these matters it has come to the attention of the committee that there was a small number of veterans who incurred disabilities between July 2, 1921, and June 7, 1924, and who, under the war risk insurance act as amended August 9, 1921, were entitled to disability compensation. The World War veterans act, 1924, as amended, however, provides for payment of compensation only where death or disability was incurred between April 6, 1917, and July 2, 1921. Where a veteran of this class died before June 7, 1924, his dependents acquired an accrued right to compensation under the war risk insurance act, as amended, which is payable under the World War veterans' act, 1924, as amended, but in the event the veteran died subsequent to June 7, 1924, although he received disability compensation up to the time of his death by virtue of an accrued right under the war risk insurance act, as amended, his dependents—who acquired no such accrued right—are not entitled to death compensation. It is the opinion of the committee that the widows, children, and dependent parents of these veterans should be entitled to compensation.

The second proviso is designed to overcome the ruling of the Comptroller General to the effect that a claim which has been disallowed under an early statute can not be reviewed and paid, under a subsequent amendment bringing the case within the purview of the law, without the filing of a new claim. The bureau has always followed the practice of reviewing these cases without requiring another application, on the theory that section 305 of the war risk insurance act, as amended, and section 205 of the World War veterans act, 1924, as amended, which authorize the bureau at any time, upon its own motion or upon application, to review disallowed cases, permitted such action. The committee believes the practice of the bureau to be legally sound, administratively advisable, and reasonable from the point of view of both the veteran and the Government.

Section 20 adds a new section to the World War veterans' act, 1924, as amended, to be known as section 214 and to authorize the director in his discretion to pay to the wife, child, or children of a compensable incompetent veteran who disappears the same amount of compensation as is provided in section 201 of the World War veterans' act, 1924, as amended, for dependents of veterans. When a veteran disappears it is necessary for the bureau to suspend all payments of compensation pending his reappearance or proof of his death. This works great hardship upon the dependents and it is the opinion of the committee that there should be legal authority for paying an allowance to the dependents under such circumstances.

Section 21 proposes a slight amendment to paragraph 3 of section 301 of the statute. This section now provides that where an insured whose yearly renewable term insurance has matured by reason of permanent and total disability is found and declared to be no longer totally disabled and is required to renew payment of premiums on said term insurance, and this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given an additional period of two years in which to renew payment of premiums and to convert said term insurance. The amendment provides that during the same two years he shall also have the right to reinstate his term insurance should it lapse. There are a number of cases in which the insured has permitted his insurance to lapse either by failure to pay the first premium at the required time or, having once renewed the payment of premiums and before conversion, has permitted the insurance to lapse. In such cases the insured, unless in a state of health which would meet the requirements for direct application for converted insurance under section 310 of the World War veterans' act, as amended, is precluded from carrying Government insurance. This amendment would, within the 2-year period described, permit him to reinstate his old term insurance and convert it under less rigid requirements as to good health. The records of the bureau show that there are at present 100 cases in which insurance has been allowed to lapse after recovery from a disability rated permanent and total, 48 of which lapsed for the nonpayment of the first premium due after the rerating and 52 for the nonpayment of premiums subsequent to the first. In a number of cases the remittance to cover the monthly premium was only a few days late. The fourth paragraph of this section is also amended, the purpose being merely to carry through the entire act the amendment included in section 3 of this bill, which, as explained heretofore, amends section 16 of the World War veterans' act, as amended, to authorize specifically refund of unearned premiums on yearly renewable term insurance.

Section 22 amends section 304 of the World War veterans' act as amended, by changing the language of the last proviso thereof, which now states that no yearly renewable term insurance shall be reinstated after July 2, 1927, to provide an exception in favor of those who will

reinstate term insurance during the 2-year period allowed in section 301 for those who have recovered from permanent and total disability.

Section 23 amends section 307, which relates to the incontestability of insurance contracts. The purpose is to make all contracts or policies of insurance incontestable from date of issuance, reinstatement, or conversion, for all reasons except fraud, nonpayment of premiums, or that the applicant was not a member of the military or naval forces of the United States. This incontestability would protect contracts where they were not applied for within the time limit required, where the applicant was not in the required state of health, or was permanently and totally disabled prior to the date of application, or for any other reasons except those specifically mentioned in the statute. It is appreciated that this is a broad provision, but it was felt that it was necessary in order to do justice to the veterans, to place this insurance on a parity with commercial insurance companies from a stability standpoint, and to overcome decisions of the Comptroller General which practically nullify the section as it now exists. Further provision is made permitting the insured to elect after a reinstatement or conversion to go back to some prior contract and claim rights thereunder; and if he proves himself entitled to such rights, upon surrender of the latter contract or contracts, to be paid under the prior contract. The purpose is to prohibit the raising of estoppel against the claimant either in or out of the courts because of his reinstatement or conversion of his insurance. The effect of the present practice of the bureau in raising estoppel is to penalize the man who pays his premiums or tries to continue all or a part of his insurance in force. This amendment is specifically made retroactive in order that in any case where the claim has been heretofore disallowed on the ground of estoppel, or because of the policy not being incontestable, the insured, or the beneficiary under such contract or policy may, if he/she so elects, have the benefit thereof. It is contemplated that payments in cases of contracts or policies incontestable under this section will begin from date of maturity of such contracts or policies.

Section 24 proposes to amend section 311 of the statute, which was added to the law at the last Congress (Public, No. 585, 70th Cong.), and was designed to authorize the director to include in the present United States Government life (converted) insurance policy a clause providing a new maturing factor. This amendment provided that where an insured was totally disabled for a period of 12 consecutive months he should receive disability benefits as if he were permanently and totally disabled, thus authorizing the payment of disability benefits of $5.75 for each $1,000 of insurance, the face of the policy being depleted by such payments. Prior to this amendment the man must have been permanently and totally disabled before any disability benefit was payable under his policy. The amendment in the present bill, however, provides for a disability benefit of $5.75 per $1,000 upon application of the insured, which upon the happening of the contingency on which it is based, i. e., total disability for a period of four months or more, shall be paid independent of the present permanent and total disability clause in the policy and shall not deplete the face value of the policy. Payments begin on the first day of the fifth consecutive month. In the event the insured becomes actually permanently and totally disabled within the meaning of the present provision in the converted insurance policy, he is, under the amendment, to receive payments under the new total disability clause concurrently with the payments under the permanent and total disability clause now in the converted policy, payments under the latter only depleting the face value. This new disability feature is limited to a rate of $5.75 on each $1,000 of insurance carried and may be less than the total amount carried, but not more. It is to be handled as a separate liability from the present provision for a permanent and total disability and will be so shown on the records, so that the present United States Government life insurance fund shall not be assessed for any losses to be paid under this provision. This insurance will be paid for by the insured and will not result in any increased cost to the Government except so far as the cost of administration is concerned.

Section 25 has for its purpose the protecting of rights existing under the World War veterans' act, 1924, and amendments thereto in effect prior to the passage of this amendatory bill. Your committee was of the opinion that the rights granted by this amendatory bill should be in addition to those previously conferred, and in order that there might be no misunderstanding concerning the intention of Congress this section is included in the bill.

THE PROBABLE EXPENSE

In response to request from the chairman of the committee, the director of the bureau replied as follows:

UNITED STATES VETERANS' BUREAU,
Washington, February 28, 1930.

Hon. ROYAL C. JOHNSON,
Chairman Committee on World War Veterans' Legislation,
House of Representatives, Washington, D. C.

MY DEAR MR. JOHNSON: Reference is made to your recent request for an estimate of the cost on H. R. 10381, a bill to amend the World War veterans' act, which was ordered reported out by the Committee on World War Veterans' Legislation February 26, 1930, with amendments.

In response to your request, the following information is furnished:

Section 1. No estimate possible. The section in its entirety deals with administration.

Section 2. No estimate possible.

Section 3. No estimate possible. This section establishes by law the policy heretofore followed by the bureau with regard to refund of premiums, but which has been held by the Comptroller General to be unauthorized.

Section 4. No estimate possible.

Section 5. The section is administrative and will undoubtedly result in a considerable saving.

Section 6. Will result in a cost of $218,500. As a matter of fact, these payments have already been made, and the section is merely to relieve disbursing officers of liability thereunder.

Section 7. No cost involved.

Section 8. The section will cost approximately $1,800.

Section 9. No estimate possible.

Section 10. Estimated increased cost $76,028,000 per annum.

Section 11. Subdivision (f). No increased cost. Subdivision (1), estimated cost of provision with reference to flags $40,250 in 1930. No estimate possible with reference to cost of paying funeral expenses for those dying in military homes.

Section 12. Estimated cost based on known cases of amputation as shown in the bureau records $1,016,700 annually. It is impossible to estimate the number of cases affected or the cost of the provision referred to as "loss of use." No estimate possible regarding the changed provisions relative to the allowance for nurse or attendant.

Section 13. No increased cost involved in the provision regarding reduction of estates of hospitalized incompetent veterans having neither wife, children, nor dependent parent. The estimated cost of the last provision with reference to the insertion of a 25 per cent permanent partial rating for arrested tuberculosis in the Schedule of Disability Ratings is $1,966,284.

Section 14. Estimated cost, $9,753,400. This estimate is based only upon the number of cases hospitalized during the last year in bureau hospitals under the provisions of section 202 (10) of the World War veterans' act. It is impossible to estimate how many additional veterans may become entitled to this provision as hospital facilities are increased.

Section 15. No estimate possible.

Section 16. No immediate cost involved.

Section 17. No immediate cost involved.

Section 18. This section is a confirmation of the bureau interpretation with reference to the World War veterans' act, as amended, regarding the effective date of payments thereunder. Were this provision not enacted, it would be necessary to expend an additional $42,000,000. However, this section can not be considered as a saving as the bureau does not believe that such payments are authorized by law.

Section 19. No estimate possible, but a very small group is involved.

Section 20. No estimate possible.

Section 21. No estimate possible.

Section 22. No estimate possible.

Section 23. No estimate possible.

Section 24. No increased cost.

Section 25. No increased cost.

Total estimated cost per annum, $89,024,934.

In connection with the figures referred to above it may be stated that the same are based upon the records of the bureau regarding disallowed cases in so far as compensation cost is concerned. Obviously, there is no method of estimating the increased cost which would result from new claims filed subsequent to the enactment of the amendment which are found to come within its provisions. As a result, it may be definitely stated that the cost referred to herein is the minimum cost of the Government for the first year following the passage of the proposed enactment.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Giving weight to the uncertain factors as to which no definite estimate is possible, it is expected that this bill will add at least $100,000,000 a year to the annual appropriations, now amounting to about $500,000,000, for the benefit of veterans of the World War and their dependents.

THE BILL IN FULL

In accordance with the rules of the House, the bill by Mr. JOHNSON of South Dakota in full is here printed, the typography showing by use of brackets matter to be stricken from existing law, and by use of italics the new matter to be inserted.

"A bill to amend the World War veterans' act, 1924, as amended

"*Be it enacted, etc.*, That section 5 of the World War veterans' act, 1924, as amended (sec. 426, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 5. The director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this act,

and for that purpose shall have full power and authority to make rules and regulations, not inconsistent with the provisions of this act, which are necessary or appropriate to carry out its purposes, and shall decide all questions arising under this act and all decisions [of questions of fact] affecting any [claimant] *claimant's rights* to the benefits of Titles II, III, or IV of this act, shall be conclusive except as otherwise provided herein. *Notwithstanding the provisions of section 71, title 31, United States Code, the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of the disbursing officers of the United States Veterans' Bureau for all payments authorized by the director heretofore or hereafter made from moneys appropriated for carrying out the provisions of the World War veterans' act, as amended.* All officers and employees of the bureau shall perform such duties as may be assigned them by the director. All official acts performed by such officers or employees specially designated therefor by the director shall have the same force and effect as though performed by the director in person. Wherever under any provision or provisions of the act regulations are directed or authorized to be made, such regulations, unless the context otherwise requires, shall or may be made by the director. The director shall adopt reasonable and proper rules to govern the procedure of the divisions and to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits of compensation, insurance, vocational training, or maintenance and support allowance provided for in this act, the forms of application of those claiming to be entitled to such benefits, the methods of making investigations and medical examinations, and the manner and form of adjudications and awards: *Provided, That regulations relating to the nature and extent of the proofs and evidence shall provide that due regard shall be given to lay and other evidence not of a medical nature.'*

"SEC. 2. That section 10 of the World War veterans' act, 1924, as amended (sec. 434, title 38, U. S. C.), be hereby amended by adding thereto the following paragraphs:

"'The director is further authorized to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals and for employees at isolated stations as he, in his discretion, may deem necessary, and the appropriations made available for the carrying out of the provisions of this section may be expended for that purpose.

"'There is hereby transferred to the jurisdiction and control of the United States Veterans' Bureau the property referred to in acts of Congress of May 29, 1902 (sec. 13½, title 10, U. S. C.), and March 22, 1906 (secs. 151–154, title 24, U. S. C.), and known as the Battle Mountain Sanitarium Reserve, and the Board of Managers of the National Home for Disabled Volunteer Soldiers, is hereby authorized and directed to execute a deed to said property running to the United States.'

"SEC. 3. That section 16 of the World War veterans' act, 1924, as amended (sec. 442, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 16. All sums heretofore appropriated for the military and naval insurance appropriation and all premiums collected for the yearly renewable term insurance provided by the provisions of Title III deposited and covered into the Treasury to the credit of this appropriation, shall, where unexpended, be made available for the bureau. All premiums that may hereafter be collected for the yearly renewable term insurance provided by the provisions of Title III hereof shall be deposited and covered into the Treasury for the credit of this appropriation. Such sum, including all premium payments, is made available for the payment of the liabilities of the United States incurred under contracts of yearly renewable term insurance made under the provisions of Title III, including *the refund of premiums and* such liabilities as shall have been or shall hereafter be reduced to judgment in a district court of the United States or in the Supreme Court of the District of Columbia. Payments from this appropriation shall be made upon and in accordance with the awards by the director.'

"SEC. 4. That section 19 of the World War veterans' act, 1924, as amended (sec. 445, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 19. In the event of disagreement as to claim, *including claim for refund of premiums,* under a contract of insurance between the bureau and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the district court of the United States in and for the district in which such persons or any one of them resides, and jurisdiction is hereby conferred upon such courts to hear and determine all such controversies. The procedure in such suits shall be the same as that provided in sections 5 and 6 of the act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and section 10 thereof so far as applicable. All persons having or claiming to have an interest in such insurance may be made parties to such suit and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the bureau acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought by the bureau in the name of the United States against all persons having or claiming to have any interest in such insurance in the Supreme Court of the District of Columbia or in the district court in and for the district in which any of such claimants reside: *Provided,* That not less than 30 days prior to instituting such suit the bureau shall mail a notice of such intention to each of the persons to be made parties to the suit. The circuit courts of appeal and the Court of Appeals of the District of Columbia shall, respectively, exercise appellate jurisdiction and, except as provided in sections [239 and 240 of the Judicial Code] *346 and 347, title 28, United States Code,* the decrees of the circuit courts of appeal and the Court of Appeals of the District of Columbia shall be final. [This section shall apply to all suits now pending against the United States under the provisions of the war-risk insurance act as amended or of the World War veterans' act, 1924, and amendments thereto.]

"'No suit shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made, or within one year from the date of the approval of this amendatory act, whichever is the later date: *Provided,* That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: *Provided further,* That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year, though the period of limitations has elapsed. Judgments heretofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section. [This section shall apply to all suits now pending against the United States under the provisions of this section.]

"'In any suit, action, or proceeding brought under the provisions of this act, subpœnas for witnesses who are required to attend a court of the United States in any district may run into any other district: Provided, That no writ of subpœna shall issue for witnesses living out of the district in which the court is held at a greater distance than 100 miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown. The word "district" and the words "district court" as used herein shall be construed to include the District of Columbia and the Supreme Court of the District of Columbia.

"'Attorneys of the bureau when assigned to assist in the trial of cases, and employees of the bureau when ordered in writing by the director to appear as witnesses shall be paid the regular travel and subsistence allowance paid to other employees when on official travel status.

"'Part time and fee basis employees of the bureau, in addition to their regular travel and subsistence allowance, when ordered in writing by the director to appear as witnesses in suits under this section, may be allowed, within the discretion and under written orders of the director, a fee in an amount not to exceed $20 per day.

"'Employees of the United States Veterans' Bureau who are subpœnaed to attend the trial of any suit, under the provisions of this act, as witnesses for plaintiffs shall be granted official leave for the period they are required to be away from the bureau in answer to such subpœnas.

"'The term "claim" as used in this section means any writing which alleges permanent and total disability at a time when the contract of insurance was in force, or which uses words showing an intention to claim insurance benefits, and the term "disagreement" means a denial of the claim by the director or some one acting in his name on an appeal to the director. This section, as amended, with the exception of this paragraph, shall apply to all suits now pending against the United States under the provisions of the war-risk insurance act, as amended, or the World War veterans' act, 1924, as amended.'

"SEC. 5. That a new subdivision be added to section 21 of the World War veterans' act, 1924, as amended (sec. 450, title 38, U. S. C.), to be known as subdivision (3), and to read as follows:

"'(3) All or any part of the compensation or insurance, the payment of which is suspended or withheld under this section, may, in the discretion of the director, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate, nor apportioned to his dependent or dependents, under the provisions of section 202 (7) of this act, may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order, and in the discretion of the director, for the benefit of such veteran or his dependents. Any balance remaining in such funds to the credit of any

veteran may be paid to him if he recovers and is found competent, or otherwise to his guardian, curator, or conservator, or in the event of his death to his personal representative, except as provided in section 26 of this act: Provided, That payment will not be made to his personal representative if, under the law of the State of his last legal residence, his estate would escheat to the State: Provided further, That any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, derived from compensation, automatic or term insurance payable under said acts, which, under the law of the State wherein the veteran had his last legal residence, would escheat to the State shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the veteran or his estate less legal expenses of any administration necessary to determine that an escheat is in order, to the bureau, and shall be deposited to the credit of the current appropriations provided for payment of compensation and insurance.'

"SEC. 6. That section 28 of the World War veterans' act, 1924, as amended (sec. 453, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 28. There shall be no recovery of payments from any person who, in the judgment of the director, is without fault on his part and where, in the judgment of the director, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

"'When under the provisions of this section the recovery of a payment made from the United States Government life insurance fund is waived, the United States Government life insurance fund shall be reimbursed for the amount involved from the current appropriation for military and naval insurance.

"'*This section, as amended, shall be deemed to be in effect as of June 7, 1924.*'

"SEC. 7. That a new section be added to Title I of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 37, and to read as follows:

"'*SEC. 37. Checks properly issued to beneficiaries and undelivered for any reason shall be retained in the files of the bureau until such time as delivery may be accomplished, or, until three full fiscal years have elapsed after the end of the fiscal year in which issued.*'

"SEC. 8. That a new section be added to Title I of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 38, and to read as follows:

"'*SEC. 38. The director is hereby authorized to purchase uniforms for all personnel employed as watchmen, elevator operators, and elevator starters in the Arlington Building, city of Washington, District of Columbia.*'

"SEC. 9. That a new section be added to Title I of the World War veterans act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 39, and to read as follows:

"'*SEC. 39. The Secretary of War is hereby authorized and directed to transfer to and accumulate in the War Department in the city of Washington, District of Columbia, all records and files containing information regarding medical and service records of veterans of the World War: Provided, That the necessary appropriation to accomplish the transfer of such records and files is hereby authorized.*'

"SEC. 10. That section 200 of the World War veterans' act, 1924, as amended (sec. 471, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, or shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defect, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925 [neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amœbic dysentery], *a disability* developing a 10 per cent degree [of disability] or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting [neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amœbic dysentery] *disability* in such service between said dates, and said presumption shall be conclusive in cases of [active] tuberculosis [disease], *paralysis, paresis, blindness, those permanently helpless or permanently bedridden*, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability [due to these diseases] of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further, That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress.*'

"SEC. 11. That section 201 subdivisions (f) and (1), of the World War veterans' act, 1924, as amended (secs. 472, title 38, U. S. C.), be hereby amended to read as follows:

"'(f) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. Such compensation shall be payable, whether the dependency of the father or mother or both arises before or after the death of the person: *Provided*, That the status of dependency shall be determined *annually* as of the [first day of each year] *anniversary date of the approval of the award*, and the director is authorized to require a submission of such proof of dependency as he, in his discretion, may deem necessary: *Provided further*, That upon refusal or neglect of the claimant or claimants to supply such proof of dependency in a reasonable time, the payment of compensation shall be suspended or discontinued.

"'(1) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed $100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director, in his discretion, and with due regard to the circumstances of each case, shall pay, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $107 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, *or in a national military home*, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, *or in a national military home*, the above benefits shall be payable in all cases, and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *Provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed: *Provided further*, That the director may, in his discretion, make contracts for burial and funeral services within the limits of the amounts allowed herein without regard to the laws prescribing advertisement for proposals for supplies and services for the United States Veterans' Bureau: *Provided further*, That section 5, title 41, of the United States Code shall not be applied to contracts for burial and funeral expenses heretofore entered into by the director so as to deny payment for services rendered thereunder, and all suspensions of payment heretofore made in connection with such contracts are hereby removed, and any and all payments which are now or may hereafter become due on such contracts are hereby expressly authorized: *Provided*

further, That no deduction shall be made from the sum allowed because of any contribution toward the burial which shall be made by any State, county, or municipality, but the aggregate of the sum allowed plus such contribution or contributions shall not exceed the actual cost of the burial.

"'*Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director shall furnish a flag to drape the casket of such veteran and afterwards to be given to his next of kin regardless of the cause of death of such veteran.*'

"SEC. 12. That subdivisions (3) and (5) of section 202 of the World War veterans' act, 1924, as amended (secs. 473, 478, 479, title 38, U. S. C.), be hereby amended to read as follows:

"'(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month: *Provided, however,* That the permanent loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further,* That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *Provided further,* That for double total permanent disability the rate of compensation shall be $200 per month.

"'That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as temporarily totally disabled, said rating to continue for the period of three years: *Provided, however,* That nothing in this subdivision shall deny the beneficiary the right, upon presentation of satisfactory evidence, to be adjudged to be permanently and totally disabled: *Provided further,* That in addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for care and treatment of the insane, and shall be furnished with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided,* That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided further,* That where any person entitled to the benefits of this paragraph has heretofore been hospitalized in a State institution, the United States Veterans' Bureau is hereby authorized to reimburse such person, or his estate where payment has been made to the State out of the funds of such person, or to reimburse the State or any subdivision thereof where no payment has been made for the reasonable cost of such services from the date of admission.

"'*There shall be paid to any person who suffered the loss of the use of a creative organ or one or more feet or hands in the active service in line of duty between April 6, 1917, and November 11, 1918, compensation of $25 per month, independent of any other compensation which may be payable under this act.*

"'(5) If the disabled person is so helpless as to be in [constant] need of a nurse or attendant, such additional sum shall be paid, but not exceeding $50 per month, as the director may deem reasonable.'

"SEC. 13. That subdivision (7) of section 202 of the World War veterans' act, 1924, as amended (secs. 480, 481, title 38, U. S. C.), be hereby amended to read as follows:

"'(7) Where any disabled person having neither wife, child, nor dependent parent shall after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be $20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however, That in any case where the estate of such veteran derived from funds paid under the war risk insurance act, as amended, and/or the World War veterans' act, 1924, as amended, equals or exceeds $3,000, payment of the $20 per month shall be discontinued until the estate is reduced to $3,000: Provided* [however] *further,* That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his compensation has been reduced *or discontinued* through the provisions of this subdivision.

"'All or any part of the compensation of any mentally incompetent inmate of an institution may, in the discretion of the director, be paid to the chief officer of said institution, to be properly accounted for and to be used for the benefit of such inmate, or may, in the discretion of the director, be apportioned to wife, child, or children, or dependent parents in accordance with regulations.

"'That any ex-service person shown to have had a tuberculous disease of [a compensable degree, who in the judgment of the director has reached a condition of complete arrest of his disease,] *service origin, whether active or otherwise,* shall receive compensation of not less than $50 per month: *Provided, however,* That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further,* That no payments under this provision shall be retroactive, and the payments hereunder shall commence from the date of the passage of this *amendatory* act or the date the disease reaches a condition of arrest, whichever be the later date.

"'*The director is hereby authorized and directed to insert in the rating schedule a minimum rating of permanent partial 25 per cent for arrested or apparently cured tuberculosis.*'

"SEC. 14. That two new paragraphs be added to subdivision (10) of section 202 of the World War veterans' act, 1924, as amended (sec. 484, title 38, U. S. C.), to read as follows:

"'*Where a World War veteran hospitalized under this section for a period of more than 90 days files an affidavit with the commanding officer of the hospital to the effect that his annual income, inclusive of compensation or pension, is less than $1,000, there shall be paid to the dependents of such veteran (commencing with the expiration of such 90-day period and to be payable) during the period of any further continuous hospitalization and for two calendar months thereafter the following amount of compensation:*

"'*(a) If there is a wife but no child, $30 per month;*

"'*(b) If there is a wife and one child, $40 per month, with $6 for each additional child;*

"'*(c) If there is no wife but one child, $20 per month;*

"'*(d) If there is no wife but two children, $30 per month;*

"'*(e) If there is no wife but three children, $40 per month, with $6 for each additional child.*

"'*For the purposes of this section the Spanish-American War shall be construed to mean service between April 21, 1898, and July 4, 1902, and the term "veteran" shall be deemed to include those persons retired or otherwise not dishonorably separated from the active list of the Army or Navy.*'

"SEC. 15. That subdivision (15) of section 202 of the World War veterans' act, 1924, as amended (sec. 489, title 38, U. S. C.), be hereby amended to read as follows:

"'(15) That any person who is now receiving a gratuity or pension from the United States under existing law shall not receive compensation under this section unless he shall first surrender all claim to further payments of such gratuity or pension, except as *hereafter* provided *and* in subdivision (7) of section 201: *Provided, That in the event of surrender of pension as hereinbefore set forth, any disability incurred in the military service of the United States, by reason of which said pension would be payable, shall be evaluated in accordance with the provisions of subdivision (4), section 202, and shall be payable as compensation under this act: Provided further, That such compensation rating shall be combined with any other compensation rating awarded by reason of active service in the World War.*'

"SEC. 16. That section 206 of the World War veterans' act, 1924, as amended (sec. 495, title 38, U. S. C.), be hereby repealed.

["'SEC. 206. That no compensation shall be payable for death or disability which does not occur prior to or within one year after discharge or resignation from the service, except as provided in section 200 of this act, and except where there is an official record of the injury during service or at the time of separation from active service, or where prior to April 6, 1930, satisfactory evidence is furnished the bureau to establish that the injury was suffered or aggravated during active service. Where there is official record of injury during service, compensation shall be payable in accordance with the provisions of this title, for death or disability whenever occurring, proximately resulting from such injury.'

"SEC. 17. That section 209 of the World War veterans' act, 1924, as amended (sec. 498, title 38, U. S. C.), be hereby repealed.

["'SEC. 209. That no compensation shall be payable and that (except as provided by subdivision (10) of sec. 202 hereof) no treatment shall be furnished unless a claim therefor be filed in case of disability within five years after discharge or resignation from the service, or in case of death during the service, within five years after such death is officially recorded in the department under which he may be serving: *Provided, however,* That where compensation is payable for death or disability occurring after discharge or resignation from the service, claim must be made within five years after such death or the beginning of such disability.

["'The time herein provided may be extended by the director up to April 6, 1930, for good cause shown. If at the time that any right

accrues to any person under the provisions of this title such person is a minor, or is of unsound mind or physically unable to make a claim, the time herein provided shall not begin to run until such disability ceases.']

"SEC. 18. That section 210 of the World War veterans' act, 1924, as amended (sec. 499, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 210. That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924.* Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive. *This section, as amended, shall be effective as of June 7, 1924.*'

"SEC. 19. That section 212 of the World War veterans' act, 1924, as amended (sec. 422, title 38, U. S. C.), be hereby amended by adding thereto the following proviso: *'Provided further, That where death occurs subsequent to June 7, 1924, as a result of a disease or injury for which the veteran was entitled to compensation by virtue of an accrued right under the war risk insurance act, as amended, his dependents shall be entitled to the compensation provided by section 201 of this act: Provided further, That an application for compensation under the war risk insurance act, as amended, shall be deemed to be a claim for compensation under this act, and an application for compensation under the provisions of this act shall be deemed to be a claim for compensation under all subsequent amendments to said act, this proviso to be effective as of June 7, 1924.*'

"SEC. 20. That a new section be added to Title II of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 214, and to read as follows:

"*SEC. 214. Where an incompetent veteran receiving disability compensation under the provisions of this act disappears, the director, in his discretion, may pay to the wife, child, or children of such veteran the amount of compensation provided in section 201 of the World War veterans' act, 1924, as amended, for dependents of veterans.*'

"SEC. 21. That section 301, paragraphs 3 and 4, of the World War veterans' act, 1924, as amended (sec. 512, title 38, U. S. C.), be hereby amended to read as follows:

"'In case where an insured whose yearly renewable term insurance has matured by reason of total permanent disability is found and declared to be no longer permanently and totally disabled, and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to *reinstate or* convert said term insurance as hereinbefore provided: *Provided,* That where the time for conversion has been extended under the second paragraph of this section because of the mental condition or disappearance of the insured, there shall be allowed to the insured an additional period of two years from the date on which he recovers from his mental disability or reappears in which to convert.

"'The insurance, except as provided herein, shall be payable in 240 equal monthly installments: *Provided,* That when the amount of an individual monthly payment is less than $5, such amount may, in the discretion of the director, be allowed to accumulate without interest and be disbursed annually. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for *refund of premiums,* cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries without the consent of such beneficiary or beneficiaries, but only within the classes herein provided.'

"SEC. 22. That the last proviso of section 304 of the World War veterans' act, 1924, as amended (sec. 515, title 38, U. S. C.), be hereby amended to read as follows: '*And provided further,* That, *except as provided in section 301 of the World War veterans' act, as amended,* no yearly renewable term insurance shall be reinstated after July 2, 1927.'

"SEC. 23. That section 307 of the World War veterans' act, 1924, as amended (sec. 518, title 38, U. S. C.), be hereby amended to read as follows:

"'SEC. 307. All [such] *contracts or* policies of insurance heretofore or hereafter issued, *reinstated, or converted* shall be incontestable [after the insurance has been in force six months] from the date of issuance, [or] reinstatement, *or conversion,* except for fraud, [or] nonpayment of premiums, *or on the ground that the applicant was not a member of the military or naval forces of the United States,* and subject to the provisions of section 23: [*Provided,* That a letter mailed by the bureau to the insured at his last known address informing him of the invalidity of his insurance shall be deemed a contest within the meaning of this section:] *Provided, That the insured under such contract or policy may, without prejudicing his rights, elect to make claim to the bureau or to bring suit under section 19 of this act on any prior contract or policy and, if found entitled thereto, shall, upon surrender of any subsequent contract or policy, be entitled to payments under the prior contract or policy: Provided further,* That this section shall be deemed to be [in effect] *effective* as of April 6, 1917, *and applicable from that date to all contracts or policies of insurance.*'

"SEC. 24. That section 311 of the World War veterans' act, 1924, as amended (sec. 512b, title 38, U. S. C.) be hereby amended to read as follows:

"'SEC. 311. The director is hereby authorized and directed to include in [the] United States Government life (converted) insurance [policy] *policies* provision whereby an insured, who is totally disabled *as a result of disease or injury* for a period of [twelve] *four* consecutive months *or more before attaining the age of 65 years and before default in payment of any premium,* shall be paid disability benefits [under the contract as though he or she were permanently and totally disabled] *at the rate of $5.75 monthly for each $1,000 of converted insurance in force when total disability benefits become payable. The amount of such monthly payment under the provisions of this section shall not be reduced because of payment of permanent and total disability benefits under the United States Government life (converted) insurance policy.* Such payments shall be effective as of the [date of beginning of total disability] *first day of the fifth consecutive month,* and shall be made monthly [in accordance with the terms of the contract] during the continuance of such total disability. *Such* payments [under this section] shall be [made] *concurrent with* or independent of [any other benefit provided in the contract, and during the period of such payments all premiums on such insurance shall be waived] *permanent total disability benefits under the United States Government life (converted) insurance policy. In addition to the monthly disability benefits the payment of premiums on the United States Government life (converted) insurance policy and for the total disability benefits authorized by this section shall be waived during the continuance of such total disability.* Regulations shall provide for reexaminations of beneficiaries under this section; and, in the event *that* it is found that an insured is no longer totally disabled, *the waiver of premiums and* payment of benefits shall cease and the [provisions of the] United States Government life (converted) insurance policy, [with reference to permanent total disability shall apply: Provided, That the] *including the total disability provision authorized by this section, may be continued by payment of premiums as provided in said policy and the total disability provision authorized by this section. Neither the dividends nor the amount payable in any settlement under any United States Government life (converted) insurance policy shall be decreased because of disability benefits granted under the provisions of this section. The payment of total disability* benefits [of this section] shall not prejudice the right of any insured, who is [otherwise permanently] *totally* and [totally] *permanently* disabled [Provided further, That the] *to total permanent disability* benefits [of this section shall only be granted upon application made by the insured at the time of the original application for] *under his* United States Government life (*converted*) insurance *policy:* [or after such application at any time during the life of the contract, upon] *Provided, That the provision authorized by this section shall not be included in any United States Government life (converted) insurance policy heretofore or hereafter issued, except upon application, payment of premium by the insured, and* proof of good health satisfactory to the director. *The benefits granted under this section shall be on the basis of multiples of $500, and not less than $1,000 or more than the amount of United States Government life (converted) insurance in force at time of application.* The director shall determine the amount of the monthly premium [necessary] to cover the benefits of this section, and *in order to continue such benefits in force the monthly premiums shall be payable until the insured attains the age of 65 years or until the prior maturity of the policy. In all other respects* such monthly premium [must] *shall be* [paid by the insured] *payable* under the same terms and conditions as the regular monthly premium on [this] *the United States Government life (converted)* insurance [contract] *policy.*'

"*SEC. 25. This amendment shall not affect rights which have accrued under the World War veterans' act, 1924, as amended, prior to the approval of this amendatory act, but all such rights shall continue and may be enforced in the same manner as if said amendatory act had not been approved.*"

[H. Rept. 874, pt. 2, 71st Cong., 2d sess.]

AMEND WORLD WAR VETERANS' ACT, 1924

Mr. RANKIN et al., from the Committee on World War Veterans' Legislation, submitted the following minority report (to accompany H. R. 10381):

We have read with interest the majority report on this bill.

It is amazing for its inconsistencies and amusing for its attacks on the Rankin bill (H. R. 7825).

It reveals to the world what we members of the committee already knew; that is, if it had not been for our fight for the Rankin bill the chances are there never would have been any bill reported. This so-called Johnson bill would never have seen the light of day. In fact, the majority report is more an attack on the Rankin bill than it is an argument in favor of the so-called Johnson bill.

The reason for this is evident. The veterans wanted, and still want, the Rankin bill. It was supported from the beginning by the disabled veterans of the World War and by American Legion posts throughout the country. It has practically the unanimous indorsement of our disabled veterans whether they come within its provisions or not.

Hon. Thomas Kirby, legislative chairman of the Disabled American Veterans of the World War, and Hon. William J. Murphy, of California, national commander of that organization, gave the Rankin bill their unqualified and enthusiastic support. Hon. Watson B. Miller, chairman of the national rehabilitation committee of the American Legion, stated on the witness stand that while the question had not been passed upon by the national organization of the American Legion, he personally favored certain features in the Rankin bill.

The American Legion of the State of Pennsylvania passed resolutions favoring its passage.

In fact, this bill (H. R. 7825) expresses the wishes of the ex-service men throughout the country, as well as the wishes of the American people as a whole. We make this statement in answer to the propaganda that has been whispered around by those opposing the Rankin bill in order to try to build up sentiment against it.

Three times on the first three pages of this majority report they take as a typical case coming under the Rankin bill a veteran with the gout. From reading this report one would think that our uncompensated disabled veterans are suffering largely from gout. The chances are that fewer of our disabled ex-service men are suffering from the gout under the present administration than from any other known malady. And yet the majority members of the Veterans' Committee, judging from their report, seem to be laboring under the impression that one of the general ailments of our uncompensated disabled veterans is that of gout.

Their report goes on to show that under certain imaginary conditions a World War veteran who broke down in 1929 could receive as much as $225 a month. The same thing is happening under the present law, and the same thing would happen under the Johnson bill if he broke down in 1924—even if he had had the gout.

It is also stated in this majority report that the Rankin bill is not sustained by medical testimony. That statement is incorrect. The reading of the hearings will show that the provisions of the Rankin bill are as well sustained by medical testimony as are the provisions of this so-called Johnson bill.

But the majority report shows that the Rankin bill would provide a pension instead of compensation. If so, the Johnson bill would, too. After all, what does a disabled veteran, who is penniless and whose wife and children are hungry and in distress—what does he care whether you call it a pension, compensation, or retirement pay, so long as it pays the bills?

Even the Johnson bill recognizes our obligations to those veterans who broke down after 1925 by paying the families of those in hospitals a small compensation, which is not sufficient to take care of them, while refusing to pay a penny of compensation to the veteran himself. It also penalizes the wives and children even of those veterans who are unable to go to a hospital, or who are unwilling to leave their wives and children without support and are increasing their maladies by staying at home and attempting to earn a livelihood for them with their own hands.

We are not opposing the Johnson bill, as far as it goes, in taking care of our disabled veterans; but we submit that it is at best a pitiable substitute for the Rankin bill (H. R. 7825), which would have extended the presumptive period for tuberculosis and for other chronic constitutional diseases to January 1, 1930, and thus have brought relief to approximately 80,000 of our uncompensated disabled veterans, who gave the best they had in defense of their country and who are now unable to defend themselves.

The Rankin bill, according to the testimony of the Director of the Veterans' Bureau, would cost approximately $44,000,000 a year, which is considerably less than the estimate which the writer of the majority report has placed upon the so-called Johnson bill.

The Johnson bill shuts the door of hope in the face of the disabled man who tried to carry on until after 1925 without making complaint, even though he may now be in the last stages of tuberculosis which owes its origin to his services in the World War.

We proposed an amendment to the Johnson bill to extend the presumptive period to January 1, 1930, for tubercular men alone, but that was rejected.

We then proposed one to extend the presumptive period for tubercular men alone to January 1, 1930, and to pay those placed on the roll by presumption only 60 per cent of the regular schedule of pay under the present law. That was rejected by the majority members of the committee.

We then went so far as to propose an amendment that would extend the presumptive period for tubercular men alone to January 1, 1928, and to pay them only 60 per cent of the schedule of pay, and to our surprise they rejected that.

Surely the fear of compensating some one with the gout did not arise in the minds of the majority of the committee when they were voting down these amendments that would have carried relief to our uncompensated disabled tubercular veterans, many of whose disabilities are of service origin.

We owe a lasting debt of gratitude to these men which we can only pay, or partially pay, by passing some such legislation as the Rankin bill to extend the presumptive period to 1930. To that end we have dedicated our efforts, and we expect to continue our fight until that goal is achieved.

Since the so-called Johnson bill has been inserted in full in the majority report, we here insert the Rankin bill (H. R. 7825) for the convenience of those who read this report.

H. R. 7825, Seventy-first Congress, second session

"A bill to amend the World War veterans' act, 1924

"*Be it enacted, etc.*, That section 200 of the World War veterans' act, 1924, be amended as follows:

"'SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided, but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who, on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have, or, if deceased, to have had, prior to January 1, 1930, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly all diseases enumerated on page 76 of the schedule of disability ratings of the United States Veterans' Bureau, 1925, or amœbic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly all diseases enumerated on page 75 of the schedule or disability ratings of the United States Veterans' Bureau, 1925, or amœbic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1930, if the facts in the case substantiate his claim;'

"SEC. 2. Sections 206 and 209 of the World War veterans' act, 1924, as amended, are hereby repealed.

"SEC. 3. These amendments shall take effect and be in force from and after the date of their enactment."

We understand that an effort will be made to bring this so-called Johnson bill up under suspension of the rules, which would shut off all chances for amendments. We sincerely trust that instead of pursuing that course, the Rules Committee will report a rule giving the

House a reasonable time in which to debate this measure, and allowing us opportunity to offer amendments to perfect it so as to take care of those uncompensated disabled men who are excluded by its present provisions, and thereby make it conform to the wishes of the ex-service men throughout the country as well as to the will of the American people in general.

Respectfully submitted.

J. E. RANKIN.
LAMAR JEFFERS.
WILLIAM P. CONNERY, Jr.
MARY T. NORTON.
EDGAR HOWARD.
WRIGHT PATMAN.

[H. Rept. No. 874, pt. 3, 71st Cong., 2d sess.]

AMEND WORLD WAR VETERANS' ACT, 1924

Mr. LUDLOW, from the Committee on World War Veterans' Legislation, submitted the following minority report (to accompany H. R. 10381):

In my opinion H. R. 10381 is an excellent measure but too limited in scope. I am for the Rankin bill because I believe it would take in many most urgent and worthy cases that can not be reached by H. R. 10381. I am for the Rankin bill frankly because the extension of service-connection presumption until January 1, 1930, which is the cardinal feature of that measure, would bring 86,000 veterans into a compensable status who are now beyond the pale of the law. It would do this clumsily and illogically, perhaps, but I believe it would do it effectively. I concede that in some instances the service connection which it would establish would be a legal fiction, but it is better that now and then a worthy, disabled veteran should receive compensation by a legal fiction than that thousands who are entitled to service connection should be denied.

If I needed a sustaining prop to bear me up in this theory, I would find it in the valuable and constructive testimony given by Director Frank T. Hines before our committee. His broad-minded attitude reflected the experience of seven years of able and conscientious administration of the Veterans' Bureau under most trying circumstances. He did not indorse any particular measure in his testimony, but repeatedly he dwelt upon the Nation's obligation to render aid to veterans based on their "needs." While he saw pensions as the inevitable final outcome, he thought that the Congress and country probably are not yet ready for that step, but as an equitable relief measure for immediate consideration he went so far as to recommend compensation for all veterans who are disabled and in need, with a 20 per cent increase for those whose disabilities are directly chargeable to service. In view of this testimony from the man whose vision takes in the broad sweep of veterans' problems from every angle I can not feel that the canons of propriety and morals will be very grievously violated if now and then we give relief to a sick, disabled veteran by legal fiction.

It is a significant fact that Capt. Thomas Kirby, legislative representative of the Disabled American War Veterans, has given his public indorsement to the Rankin bill. He is a qualified witness, known and beloved throughout the country for his devotion to the disabled veterans. In conversation with outstanding leaders of other veterans' organizations I have found them generally sympathetic with the purposes of the Rankin bill. In so far as sentiment has crystallized I believe it is the choice of the rank and file of World War veterans.

In the hearings much was said about what other countries are doing in the matter of veterans' relief, but all of that testimony was quite beside the mark. America never has shaped its beneficences to its veterans by any foreign standards, and it never will. It could not do so without being guilty of inexcusable shortcomings, for America is the richest Nation on the globe and the most able to treat its defenders generously. A glimpse at the tables in the annual report of the Commissioner of Pensions will show that it always has been so. To the pensioners in the State of Indiana alone the Government pays twenty times the amount paid by all of the foreign countries in the world to their pensioners.

The heart of America approves this liberality to the soldiers, their widows and children. The Nation's debt to its defenders is its first and most important debt of honor. In the interest of greatest justice to the veterans the Rankin bill should pass.

LOUIS LUDLOW.

As will be seen, they outline every provision of the bill, and I am very shortly going to discuss some of the salient features. Perhaps the greatest change in existing law is that provision extending the presumption of service connection in all cases of disability contracted by disease prior to January 1, 1925. That is not justifiable in one respect, but it is justifiable from another standpoint. In one of the laws we passed Congress provided that presumption of service connection in respect to spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, and dysentery. That law was not scientifically framed. There was no particular reason why those particular diseases should have been given a preference over other diseases, and this measure simply brings all diseases to the same plane as the diseases which are already presumptive. For the first time in this legislation we find a recognition of battle casualties. There is a provision in the law that those who have lost an arm or a leg between the dates of April 6, 1917, and November 11, 1918, shall receive $25 per month. There is much justification for that provision. It is possible that the same thing could have been done by the Veterans' Bureau by a rating table, but it seemed a better way to establish that rule by legislation.

One other thing that is vital in this bill is the assembling of the records of the World War. There are 15,000,000 pieces of paper scattered throughout the world which contain part of the records of service men, and they ought to be collected in one place so that every disabled man may have the benefit of and an opportunity to examine the official records with reference to himself. It is going to cost a few million dollars to do this, but it is due those men that these papers be collected. As I say, they are scattered all over the world and they will be brought back to Washington. There is another provision of this law which in many ways is unscientific.

You will recall that the Congress of the United States provided great hospital facilities for service-connected cases, and then provided that if there were vacant beds those beds could be used for non-service-connected cases. Forty per cent of the load to-day is non-service-connected cases. Those men have been brought into hospitals, and they have not received compensation. They have felt they should receive something. As a result of this we find a provision that if a man is hospitalized with a non-service-connected case his dependents will receive a certain allowance if the man is needy. We may as well face the fact that that is a pension for dependents when the man himself does not secure a pension. There was great demand for the enactment of this particular provision and we have placed it in the bill.

Also, you will find in the bill a provision affecting Spanish War veterans. The official date of that war and the date of the war as set out in pension legislation varies by two years. We have provided that the later date shall apply to Spanish War veterans, so that they may be hospitalized.

One thing that we have noted in the administration of the law has been that there is great disagreement sometimes between the Comptroller General and the Director of the Veterans' Bureau. Some of us have felt that there should be one responsible bureau charged with the construction of this law, and that it is not good administration that the director could take one state of facts and construe the law in a certain way, and then that the comptroller could take the same state of facts and construe the law differently. By the enactment of this proposed law the comptroller is taken from the picture, except as to the actual accounting, the figuring of accounts, and the director will be the final authority.

One provision that you will find in this statute which has never been in any statute proposed by the Committee on Veterans' Legislation heretofore is the 3-year limitation. That limitation is attached to section 200 of the proposed law, and it provides that no man who receives the "presumption" under this statute shall be given any vested right in the compensation he shall receive. In other words, we admit, in bringing this law before the House, that the laws as now drawn are not scientific and equitable, and we have inserted in this law a provision to the effect that such cases shall be taken care of only for three years, until Congress can cause a survey to be made and can amend the existing law. I do not think there is objection from any source to this particular provision. It would be useless, however, to insert it if we did not make such a survey and investigation, and therefore on January 21 of this year I submitted to the Committee on Rules a resolution, H. Res. 222, providing for an additional investigation to cover veterans of all wars and their dependents. The present existing legislation has been proposed by different committees, and under different administrations, and it is necessary for us to lay down a national policy. At this point I will insert the resolution 222 which I presume the Committee on Rules will report to this body for consideration:

House Joint Resolution 222

Joint resolution for the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war

Resolved, etc., That a joint committee, composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make a survey and investigation and report recommendations by bill or otherwise to their respective Houses

relative to the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war.

You will notice this resolution provides for a survey. If this were not done, the President might be justified in vetoing this legislation, because we are opening an avenue for the payment of a straight pension, in some cases amounting to $225 a month, for men who should not receive that amount.

One of the inconsistencies and absurdities consequent upon this provision will be that a young man who enlisted in the Army on July 1, 1921, two years after the war, can still get some disease in 1924 and will in some cases receive a straight pension of $225. The whole subject should be looked into and thoroughly worked out, and a policy adopted on which we can stand in the future.

I will say that this bill is not drafted exactly as I would draft it. If I were drafting this statute, I would draft it somewhat differently.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of South Dakota. Yes.

Mr. WOODRUFF. Will not the gentleman itemize the amounts that would make up that $225 pension per month?

Mr. JOHNSON of South Dakota. Yes; I will be glad to do that, because it should be done.

The hospitalization of one of these men costs the Government $120 on the average per month, so that under this bill, in the case of a man who enlisted on July 1, 1921, two years after the World War, in case he should go to a hospital it would cost the Government $120 a month for his hospitalization. He would then be rated as temporarily totally disabled, for which he would receive disability compensation from the Government in the sum of $80 a month, and he might also receive for his dependents a sum that would amount to $220 a month, depending on the number of his dependents.

That is not scientific. There are many of these inequalities. This gives the same compensation to cases of actual service connection as to cases that are only presumptively service connected. In my judgment that should not be done. In other cases the highest allowances are given to some and not to others. If a man is fortunate enough to be sent to a hospital, it costs the Government $120 a month, and while he is there an allowance is given to his dependents, whereas another man who is not sent to a hospital does not cost the Government $120 a month for hospitalization and nothing is given to his dependents.

Again there has been unfair treatment because of the law passed a couple of years ago relating to retirement pay of emergency officers. I may say that I was opposed to that bill in the House at the time of its enactment and I am still opposed to it. [Applause.] Naturally my sympathies would have been with those men, because it is only 13 years since I was one of them, a second lieutenant of Infantry, and I know something about it by personal experience. I know you can not pay everybody in the service for 30 per cent disability, and such matters as those I have here outlined should be equalized. Preferences have been given to men afflicted with tuberculosis, so that they receive $50 a month if arrested. If it is fair to give one group a presumptive payment of $50 a month, it would be fair to give other groups the same. Therefore there should be a survey.

Now a man was just as much injured if he was injured in the Civil War or in the Spanish-American War as in the World War. There should be some committee having jurisdiction of these matters which could make a general survey and lay down a future veteran's policy of the country on which we can stand. I have simply pointed out some of the inequalities that have grown up under the present laws.

Now there are some people who contend that the Government has never done anything for the ex-service men. To controvert that contention I submit that we are spending half a billion dollars a year at present, and I shall go into that further in the course of this talk. The Government has done other things for the service men.

Following are some of the provisions of existing law for ex-service men over and above those with reference to the payment of compensation when a service-connected disability is established:

First. Free examination and transportation with meal and lodging requests to the nearest office are granted those filing claim for disability.

Second. Physical examination, free of charge, given to such claimants and such examinations include reports on all necessary X ray and technical medical tests of the highest type.

Third. In the event hospital facilities are available and such a veteran is in need thereof, he is entitled to transportation to and from the hospital, necessary treatment and upkeep while hospitalized, including free clothing, or artificial limbs if necessary and financial need is shown.

Fourth. He is eligible to carry Government insurance up to the amount of $10,000, the lowest rate at which insurance has ever been sold, the insurance carrying a provision for permanent and total disability, and if said disability is traceable to service, the Government paying the cost of this provision.

Fifth. Adjusted-compensation certificates (bonus) have been granted based on the length of service of each veteran.

Sixth. In connection with civil-service positions, all veterans have a preferred classification and a 5 per cent rating is added to the grade made by the veteran in examination.

Seventh. An employment bureau in the Department of Labor has been established, the duties of which is to assist all ex-service men in securing employment.

Eighth. Homestead rights to certain lands have been granted by the Government to veterans.

Ninth. Special rights under immigration laws are given.

Tenth. Under certain conditions, payment of funeral and burial expenses are provided and a flag is furnished to drape the casket.

A bonus was given to the man when he left the service. A law was passed granting patent extensions to men who were in the service. Anyone who says that Congress has not done anything for the ex-service man should consider the laws to which I have referred; and I have not yet taken up or discussed the compensation allowance. These are things that have been done, to which no one has ever called attention, and many people have not thought about.

As the Government's chief agency for administering veteran relief, the United States Veterans' Bureau to-day is carrying on the most enormous program ever devised by a grateful Nation to care for its disabled veterans. Its hospital activities alone transcend in volume and completeness anything ever known in the world, and its beneficiaries outnumber any group which has ever been the subject of special legislation of this nature.

Maintaining and operating 47 hospitals in different sections of the country and utilizing other governmental as well as civil institutions, the bureau is at present hospitalizing 30,916 veterans and is furnishing medical treatment, outside of hospitals, to nearly 70,000 monthly. During the past seven years, the construction of 22 new hospitals has been completed and three permanent hospitals purchased, furnishing 11,500 additional beds. To-day, 4,000 additional beds at 14 hospitals are under construction, and, over and above these, 4,000 more beds are being planned. More than 80,000 admissions to these hospitals are reported each year.

Yet to-day, a subcommittee of the Veterans' Committee, the chairman of which is the distinguished lady from Massachusetts [Mrs. ROGERS] is hearing 26 different States who are demanding 26 more hospitals at the present time, each one of them apparently not caring one iota about the total load or necessity of hospitalization, so long as they secure their particular individual hospital.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will yield for a question.

Mr. EVANS of Montana. The gentleman from South Dakota suggested that the subcommittee is contemplating the establishment of 26 more hospitals.

Mr. JOHNSON of South Dakota. No. I said they were having hearings.

Mr. EVANS of Montana. Is not the gentleman in error when he says there are 26 more? There is one in my State, but it is only an enlargement of a hospital that is already there.

Mr. JOHNSON of South Dakota. Perhaps I did not make that clear. Some are additions, but the practical effect is an additional hospital.

Through its 54 regional offices and central office the bureau is handling 364,647 active compensation awards, requiring payments of nearly $17,000,000 monthly, and 163,445 insurance awards, requiring monthly payments of over $12,000,000.

Through its legal service the bureau exercises supervisory authority over the accounts of fiduciaries and the management of the estates of its minor or incompetent beneficiaries. Dishonest or unfit guardians have been weeded out and thousands of dollars have been recovered for these dependent wards of the Government.

Nearly three and one-half million adjusted-compensation certificates have been issued to veterans and nearly 2,000,000 direct loans made to them on the security of these certificates, as well as over 2,000,000 loans upon Government insurance policies. There are at present outstanding over 684,000 Government life-insurance policies, representing an ultimate obligation of the Government amounting to over $3,000,000,000, while total disbursements of the bureau for all purposes now total well over $5,000,000,000.

I think it might not be amiss if I should say something about the sort of man who is at the head of the Veterans' Bureau. I have taken the trouble to find out something about his career.

It is very easy to abuse certain organizations connected with the Government. All of you gentlemen know that the custom is always to abuse Congress as a whole; not the individual Members of the House. Anyone who wants to find fault with anything or to cartoon anything can always find it easy to abuse this body. We all take it philosophically because we know it is one of the great American sports and pastimes, and we have no objection to it, although, if a personal attack is made, perhaps like all individuals, we have the habit of resenting things that are said personally.

The same custom has grown up in this body and in the United States of abusing the Veterans' Bureau on every conceivable occasion. Anyone who wishes to find fault about anything has found it very convenient to abuse the bureau, although one man out of nine is on the compensation list. They do not realize that sometimes they are abusing some of the most eminent citizens of this country. During all of this time not one personal attack has been made upon Gen. Frank T. Hines, head of the Veterans' Bureau. Everyone takes this floor and convention floors and abuses the bureau for about a half hour and then says, "We think the general is a great man," and they all compliment him.

This RECORD is full of that kind of thing. I do not think General Hines will always remain in the service. My judgment is that any man who is Director of the Veterans' Bureau ought to get out of the Government service. It is the second most difficult job in the United States, the first one being the President.

I could discuss this gentleman at great length, and I am going to discuss him as I extend my remarks, but, I have wanted to take this opportunity to pay tribute to a man who has one of the most difficult positions in government since 1923, and who took that position after we had had four directors in a short time, with the result that you are all familiar with. [Applause.] He did not seek the office. He was drafted for it. When he tried to resign one time he was redrafted. I hope he continues in the service while we try to work out this legislation. [Applause.]

Much has been said about the cost of operation of this bureau. It costs money to conduct it. Of course it does.

In view of the immensity of this organization, the varied and important nature of its responsibilities, and the special interest of the Nation in its beneficiaries, I would have you know what manner of man is responsible for its proper functioning and for the judicious and legitimate expenditure of these huge allotments of Government funds.

We see him to-day as a brigadier general and director of the largest single agency in the whole governmental system, but if we look back over the years of his exceptionally brilliant career we see a lad in his early teens toiling patiently in the hills of his native State of Utah—"water corporal" for the miners—waiting on tables in the camps, filling in with any odd jobs available, and hoarding his hard-earned dollars to make a dream come true—college and an engineering degree.

We see him next at the Utah Agricultural College, only 18 years old—but already in his second year—and captain of the artillery cadet corps, when the whole country was aroused by the call to "Remember the Maine." The boy's personal response was immediate and earnest, but on account of his youth he could not enlist without his parents' consent, which naturally they were reluctant to give. However, his father, convinced of the sincerity of his appeals and aware of the boy's inherent integrity of purpose, was finally won over by his importunities, and the 18-year-old cadet joined Battery B of the First Utah Volunteer Artillery and sailed for the Philippines.

Sergeant, then first sergeant, participating in all the active engagements of that organization before the fortifications of Manila and in the Philippine insurrection, Frank T. Hines was commissioned on the field a second lieutenant of the Utah Field Artillery when he was only 19 years old, the youngest Artillery officer in the service. He was recommended for the congressional medal of honor for distinguished service performed in action against the Spanish on the night of July 31–August 1, 1899, and was mustered out of the Federal service with his battery on August 16, 1899, a veteran with a distinguished record at 20.

The significance of the record, however, is not merely military. Its deeper meaning reveals the heart and mind of the man, the courage, fidelity, and devotion to duty, the faculty of alert analytical consideration of every phase of a problem, and the diligent, unswerving pursuit of its solution. It was the demonstration of such characteristics as these that brought to young Hines, then serving as clerk of the third judicial district court in Salt Lake City, an offer of an appointment in the Regular Army, and after successfully passing the entrance examination he was appointed as a second lieutenant of the Coast Artillery September 20, 1901.

Graduating with honors from the Coast Artillery School and later from the advanced course with a degree in electrical and mechanical engineering, Lieutenant Hines became a recognized authority on Coast Artillery matériel and fortifications, his book, The Service of Coast Artillery, being used for years as a textbook and still considered a standard work notwithstanding the radical changes brought about in ordnance matériel generally by the last war.

In June, 1914, Captain Hines was granted leave of absence to go abroad for the Bethlehem Steel Corporation as technical advisor on coast defense to the Greek Government. When war was declared on Germany, he immediately started home to join his corps, but was intercepted with instructions to report to the American ambassador in Rome to take charge of the embarkation of American citizens en route to this country. Within a period of two months, Captain Hines chartered and fitted out ships returning over 3,100 American citizens safely to the United States, winning especial commendation from the State Department for this service.

Promotions followed rapidly and in January, 1918, Colonel Hines was made chief of the Embarkation Service of the War Department, in which capacity he was responsible for the development of an organization which carried 2,082,000 soldiers safely to Europe in 18 months and after the war returned them in 8 months. On April 18, 1918, Colonel Hines, by now a brigadier general, accompanied the Secretary of War abroad, appearing before the Interallied Transport Council in London and also in France, in connection with transportation matters. In 1919, he negotiated the Reading-Hines agreement, covering settlements for transportation service as well as similar agreements with France.

Upon the termination of the war, General Hines was the recipient of honors and orders from his own and foreign countries and was rewarded for his exceptional service in the Army by being appointed brigadier general in the Regular Army. In 1920 he resigned to participate in the movement for the establishment of an American merchant marine, but his Government called him back to its service in 1923, when he was appointed to the Directorship of the United States Veterans' Bureau, a position of infinite and burdensome responsibility and precarious honor, in which he had been preceded by four other directors within the nine tempestuous years of the bureau's existence.

During the several chaotic years immediately subsequent to the armistice governmental provision for the relief of its disabled service men was a sore and much discussed subject and its principal agency, the United States Veterans' Bureau, the object of criticism, vehement, and often virulent. As a result of energetic and prolonged disparagement on the part of the more sensational elements of the press, it had become a mental habit with many to visualize the Veterans' Bureau as a conglomerate mass of inefficiency, confusion, and mismanagement, precariously held together by interminable lengths of red tape.

Gradually, under the administration of General Hines, there developed a new order of affairs. The old fault findings and accusations fell stale and flat, loosing their savour and zest in the face of the substantial improvements and steady progress which soon became manifest under the new régime.

We still hear complaints of the Veterans' Bureau. It is probable we always shall. No organization of that size and scope of jurisdiction could possibly function without making some errors and some enemies, but it has become more and more evident throughout the country at large that the Veterans' Bureau is functioning on a sound, efficient, and economical basis, due to the devoted and intelligent directorship of Brig. Gen. Frank T. Hines.

Upon his induction into office General Hines faced the problem of fully developing the Government's program of compensation, hospitalization, and vocational training for all veterans who had been disabled in the service of their country, and some idea of the magnitude of the task may be gained when it is known that applications for benefits have been made for about one of every four of the nearly 5,000,000 men and women who served.

At first hospitalization was provided for only those veterans whose disabilities were incident to service. To-day more than 40 per cent of the patients in Government hospitals are the so-called nonservice cases, for whom medical care is furnished at an approximate annual cost of $15,000,000. This is a large amount, but the expenditure is balanced by the relief and comfort provided for the veterans by a grateful Nation.

In all the bureau hospitals special provision has been made for the comfort and well-being of the patients. Necessary clothing is furnished to indigent patients, recreational facilities, such

as libraries, radio, and so forth, are provided, and when a veteran dies the bureau is authorized to provide for his proper burial. In addition to the hospital service there is a so-called social service, wherein trained workers contact the veteran and his family in their home, gleaning any facts or circumstances concerning the patient which might be helpful to him or his family or to the physician attending him. What I am trying to show to you is that a very great degree of the human element has been infused into the service of the Veterans' Bureau under General Hines's administration in an effort to cover as far as possible both the physical and mental needs of the veterans.

Another phase of disability requiring governmental aid were vocational handicaps acquired as a result of military service. Vocational training has cost the country over $600,000,000, but it has been an investment in citizenship showing large returns in the restoration to economic and social independence of over 128,000 men and women, many of whom otherwise would not have been able to establish themselves in the positions they now fill with competency and contentment. It is one of the most genuinely American things the Government has done for the disabled—this business of helping a man to help himself—and there are few trades or professions which are not now represented by deserving and grateful trainees, many of whom have not only successfully earned a livelihood but honors and distinction besides.

Additional and even more difficult problems presented themselves in connection with monetary compensation. These problems involved not only the disabled veterans themselves and their families, but the families of other veterans who had died. Congress had seen fit to limit payments for disability or death to cases which could be shown to be of service origin, but it soon became apparent that many kinds of disease and results of injury were so gradual and peculiar in development that service origin could be actual while not susceptible of proof. General Hines laid these facts before Congress and the law has been several times amended authorizing broader and more liberal acceptance of service connection without positive proof. Largely as a result of this liberalization of the law and its broad interpretation during the past seven years, the number of active disability compensation awards has increased from 183,000 to 274,000, and the average monthly rate of compensation has risen from $37 to $44.

With respect to all claims before the bureau, but particularly those involving determination of service origin of disability or death and the rating of degree of disability controlling the amount of compensation to be paid, adherence to the law is imperative, but General Hines, practically from his induction into office, has insisted that the law be liberally and sympathetically interpreted in accordance with the manifest intent of Congress.

General Hines recognized that there must be differences of opinion upon such perplexing questions. Accordingly, within a year after he took office, he had pronounced as one of the guiding policies of the bureau that a decision once rendered in favor of the veteran was not to be reversed even upon the confident opinion of an expert to the contrary, unless the original decision could be declared a clear error on its face, or a totally ridiculous conclusion which could not be supported upon any sensible theory, and must, therefore, be recognized as a violation of the terms of the law. He has gone even further by declaring as inapplicable to this kind of claims the ordinary rule that the claimant himself must prove his case. He requires the personnel of the bureau to advise and assist the veterans and their dependents in procuring the evidence itself, the constant objective being not merely to ascertain the facts but to search persistently for that proof which will enable the bureau to extend the benefits sought. I could cite you cases where these people have persisted for several years in their search for a missing necessary link of evidence, continuing the quest long after the claimant himself had given it up as hopeless.

There must always be borne in mind the definite limitations which Congress has seen fit to impose, but the effort is always to give a little more rather than a little less, and to resolve in favor of the claimant any reasonable doubt as to his deserts at the hands of a grateful Government.

We hear much of the heartlessness and indifference of organizations and their officials. We hear very little—not nearly enough—of the thousand and one kindly, sympathetic actions of some of these officials we are wont to criticize. I happen to know personally of the forebearance which General Hines has shown in a number of cases, where a veteran smarting under a fancied or perhaps real grievance had threatened and cursed the director and his subordinates, only to be met with a personal interview so completely sympathetic and reassuring as completely to win the confidence and respect of the complaining veteran.

In all matters involved in veteran relief General Hines's personal attitude has always been one of sympathy and solicitude for the veterans—all veterans—and there has been no diminution of his interest or his efforts during the seven years of his service in their behalf.

The diversity of his achievements, the unfailing fidelity and efficiency manifest in these many and varied activities are indicative of the infinite capacity of the man for diligent and effective service, while his generous recognition and consideration of the rights and opinions of others bespeaks tolerance as wise as it is kindly.

But do not forget that when all these statements have been made the actual truth is that 3.7 is what it costs for overhead, and that only. Of course, it costs money to review these cases. That has been the fault of the law and not the fault of the bureau. On Thursday next I am going to have a typical Veterans' Bureau folder here so you can see the size of some of those folders. Some of them are 2 feet in thickness. Those cases have never been finally adjudicated because we have not provided for a final cut-off. As I say, some of those folders are 2 feet thick, and any one of those cases can be reopened tomorrow if anyone will write a letter to the Veterans' Bureau suggesting that there is a little additional evidence. Then what happens? You must have a claims examiner go through the case, and it will take him two weeks just to read that file. He is probably getting $40 a month. I can reopen any one of those 300,000 folders by writing a letter saying I have found a man by the name of John Smith who served with the man in question. I found him living in some remote part of the United States, and I think they ought to get his testimony. That is being done all the time. So the suggestion comes to my mind that we should provide a final decision in those cases. There is a statute of limitations on every other human thing in America. So I say we should either provide a cut-off or come to the straight pension system.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. The Veterans' Bureau can now reopen any one of those cases without a suggestion on the part of anybody and rerate a man, reduce his compensation or cut him off entirely.

Mr. JOHNSON of South Dakota. Or increase his compensation, which is done in many cases. That is something we will probably retain as long as we retain service connection, and I do not know how long that will be.

I am going to insert in the RECORD a few short statements giving some of the costs of the bureau, so there will be a future record.

Mr. KVALE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KVALE. The gentleman has stated there should be a cut-off on these hearings. Before that is done should not the system be changed? I say that because many of these reviews and ratings merely amount to a quotation from the previous action or something of that kind. It is very perfunctory and it is never thorough. That is the fault with the whole procedure, as I have found it time and time again.

Mr. JOHNSON of South Dakota. I do not agree with the gentleman in that. I know the way the gentleman from Minnesota handles his own cases, because I have seen him handle some of his cases. He tries them just like a lawsuit, and if the bureau overlooks one comma or period I know that the gentleman and the Members of this body know about it. So it is not a pro forma procedure, because those cases are really tried.

Now, we all might as well face the fact as to where the battle is coming on this bill. It is going to come on an amendment which I suspect will be introduced by the gentleman from Mississippi or some one else. That amendment will provide for the striking out of the figures "January 1, 1925," in the law and inserting the figures "January 1, 1930." I shall oppose that amendment, and if it is inserted I shall vote against the bill, after making a motion to recommit. I want to give my reasons for doing so in order that no one may misunderstand me.

I am not certain the President will sign this bill as it is, because it is very probable that if certain other legislation is enacted it will require that immediately we repeal the law granting a tax reduction. That is the fiscal situation to-day. If the so-called Rankin amendment is added—although I have no assurance from the White House and have had no statement from the President—I feel certain he will veto the bill, and I believe he would be justified in vetoing it, because, in my judgment, this country can not stand a pension law based on compensation rates which, in many cases, will run to $225 a month and sometimes to $250 a month.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I am always glad to yield to the gentleman from Mississippi.

Mr. RANKIN. The bill as it is now written is a pension bill up to 1925, is it not?

Mr. JOHNSON of South Dakota. There is no question about that.

Mr. RANKIN. And some of the beneficiaries under the Johnson bill would receive just as much money as anyone would under the Rankin bill.

Mr. JOHNSON of South Dakota. There is no question about it, but the system is unscientific. However, the justification, if there is any, for the passage of this bill is that we have brought the other groups up to the same level with those we have already presumpted, the tubercular men, maybe the dysentery cases, and the mental cases. That is the sole justification. In other words, we have equalized them. We have done just what we did with the disabled emergency officers when we brought them up to the same equality with the Regulars.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. In the gentleman's bill, if I understand it correctly, every disease of 10 per cent up to January 1, 1925, is taken care of?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. It automatically connects the disease?

Mr. JOHNSON of South Dakota. But it is rebuttable.

Mr. CONNERY. It is rebuttable, but every disease comes in.

Mr. JOHNSON of South Dakota. Every disease comes in; yes.

Mr. PERKINS. Will the gentleman yield right there?

Mr. JOHNSON of South Dakota. Yes.

Mr. PERKINS. Will the gentleman inform the committee how many cases that will take care of?

Mr. JOHNSON of South Dakota. The gentleman from New Jersey figured that a moment ago. Has the gentleman those figures here?

Mr. PERKINS. It figures 177,000 cases.

Mr. JOHNSON of South Dakota. That is the estimate we made, and I think it is a fair one.

Mr. RANKIN. Will the gentleman please repeat that?

Mr. JOHNSON of South Dakota. The estimate is 177,000 cases. In other words, this bill—H. R. 10381—the so-called Johnson bill, will cost the Government the first year, in addition to present compensation, about $100,000,000.

Mr. RANKIN. And the gentleman says it will include 177,000 cases?

Mr. JOHNSON of South Dakota. I do not think there is any question about it. We are paying an average of $47 a month in these cases and the bill will cost $100,000,000 a year. In other words, it will connect that number of cases.

Mr. RANKIN. Then the Johnson bill is about three times as broad as the Rankin bill?

Mr. JOHNSON of South Dakota. Oh, I do not think so.

Mr. RANKIN. The Director of the Veterans' Bureau testified that there would be 77,744 men coming under the provisions of the Rankin bill?

Mr. JOHNSON of South Dakota. This is the trouble with all these figures I will say to the gentleman from Mississippi. They have figured this load on the rejected cases. They have not figured on the cases that could arise under the law. As an illustration, let me give you two instances of men right in this body to-day, and we might as well meet the concrete cases.

Along in 1927 I had an accident. As you may recall, I was walking around this body for a long time on crutches, with a cast on my leg. I would be connected under the Rankin bill. Up in the press gallery here is one of the men who has a very outstanding war record, Capt. Leo Sacks, of the Air Service. Captain Sacks went to the Walter Reed Hospital just a few months ago, and under the Rankin amendment, if that were the law, during the time he was there Captain Sacks would receive $80 a month as compensation and allowances for his dependent family—an absurdity on its face and compensation for which he has not asked.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. The gentleman surely does not want to mislead the House. Neither the gentleman from South Dakota nor the imaginary gentleman he refers to——

Mr. JOHNSON of South Dakota. It is not an imaginary gentleman I am referring to, and I have permission to use his name.

Mr. RANKIN. Neither of you gentlemen would be suffering from a chronic, constitutional disease, and the Rankin bill provides only that those suffering from chronic, constitutional diseases be taken care of.

Mr. JOHNSON of South Dakota. And that means practically every kind of disease.

Mr. RANKIN. The Rankin amendment would not meet the case of the gentlemen referred to.

Mr. JOHNSON of South Dakota. The gentleman's bill includes other cases like gout, pellagra, and other diseases.

Mr. RANKIN. Let me ask the gentleman another question: Is it the gentleman's contention that the Johnson bill will cover more cases than the Rankin bill would cover up to 1925?

Mr. JOHNSON of South Dakota. Yes; it will, because we have treated all veterans alike, and we include all of them, while the bill of the gentleman from Mississippi only took certain diseases. It took probably three-fourths of those covered by the so-called Johnson bill.

Mr. RANKIN. The Johnson bill, then, would cover one-third more cases up to 1925 than the Rankin bill?

Mr. JOHNSON of South Dakota. Perhaps one-fourth more, because it treats all veterans and all diseases alike.

Mr. RANKIN. I just wanted to get the gentleman's idea as to how much broader the Johnson bill is than the Rankin bill.

Mr. JOHNSON of South Dakota. Up to 1925; yes.

Mr. ALLGOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Alabama.

Mr. ALLGOOD. I understood the gentleman to say his bill takes care of all disabilities of 10 per cent up to 1925.

Mr. JOHNSON of South Dakota. Yes.

Mr. ALLGOOD. That is, service connected?

Mr. JOHNSON of South Dakota. They are presumed to be service connected. Of course that is rebuttable, but as a matter of practical operation you can not rebut the claim that the man received his disease in the service.

Mr. EATON of New Jersey and Mr. MICHENER rose.

Mr. JOHNSON of South Dakota. I yield first to the gentleman from New Jersey.

Mr. EATON of New Jersey. The gentleman says it is presumed to be connected.

Mr. JOHNSON of South Dakota. Presumed to have been received in the service up to January 1, 1925.

Mr. EATON of New Jersey. Does the burden of proof lie on the man?

Mr. JOHNSON of South Dakota. No; the burden of proof is on the Government and the Government will not be able to rebut it.

Mr. MICHENER. It is estimated that the Johnson bill will cost over $100,000,000. What is the estimate of the cost of the Rankin bill?

Mr. JOHNSON of South Dakota. The estimated cost of the Rankin bill, in the beginning, was $43,000,000. Of course this was entirely inaccurate. The cost of the Rankin bill will be much more than the cost of the Johnson bill, but no one can figure accurately what the exact cost will be, because men have not filed their claims. For instance, if a man had kidney trouble in 1927, he knew he did not receive it in the service and therefore did not file a claim. Another man who got arthritis in 1928 naturally would not file a claim. Therefore you can not tell what the load will be, but I can tell the gentleman, from the figures given by the Veterans' Bureau, what the approximate load would be in the future under these bills.

Mr. KNUTSON rose.

Mr. JOHNSON of South Dakota. I yield to the gentleman from Minnesota.

Mr. KNUTSON. If the gentleman is going to give that information, that will answer my question.

Mr. JOHNSON of South Dakota. The amendment of the gentleman from Mississippi [Mr. RANKIN] undoubtedly will be to strike out the figures "1925" and insert the figures "1930," and the annual cost of that in 1929, based on the experience of the Pension Bureau, it is estimated will be $426,062,948.

Mr. KNUTSON. Annually?

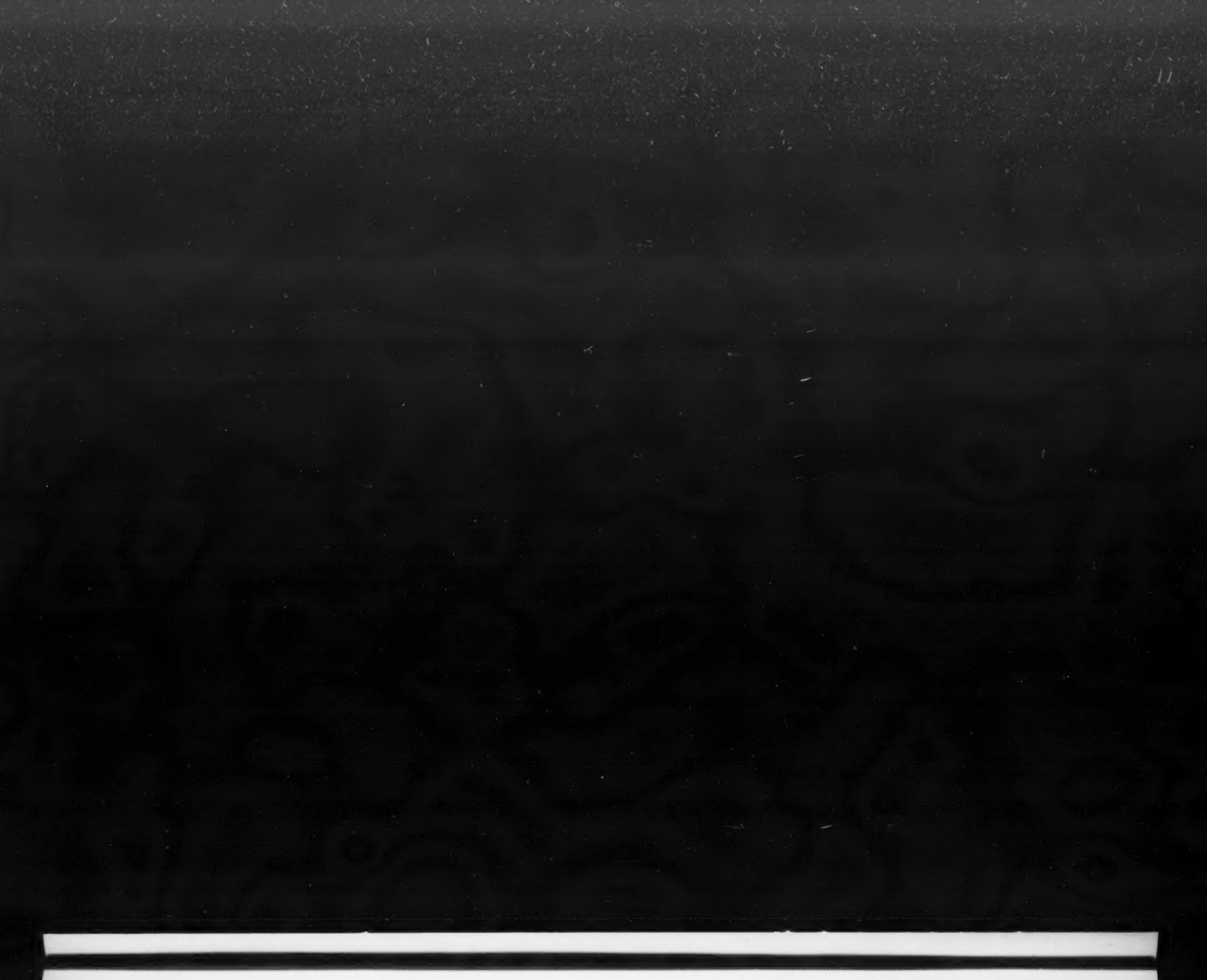
Mr. JOHNSON of South Dakota. Annually.

Mr. KNUTSON. What is the load carried by the gentleman's bill?

Mr. JOHNSON of South Dakota. I have estimated it on the theory it will cost $100,000,000 a year, and that is just an estimate, and that is including 177,000 cases.

Mr. KNUTSON. Will the gentleman give the House the minimum and the maximum estimates that have been placed on his bill?

Mr. JOHNSON of South Dakota. There can be no minimum or maximum estimate placed upon it, because no one has been able to say who would file claims up to any period. All we can judge by is the number of claims rejected in the Veterans' Bureau.





Mr. KNUTSON. Is it not fair to assume that everyone of the rejected cases will file under the new legislation?

Mr. JOHNSON of South Dakota. No doubt about it—that is, according to the experience of the Pension Bureau. You can tell about how many will file if the legislation passes.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman.

Mr. BANKHEAD. The gentleman from South Dakota is chairman of the committee and a lot of the Members of the House want detailed information in reference to the bill and have not had an opportunity to get it. The gentleman states that the Rankin bill in his opinion will cost a large amount more than the proposed Johnson bill.

Upon what facts does the gentleman predicate his statement; is it on account of the addition of the extension of time? In other words, if the Rankin bill was limited to 1925 in its provisions, would his bill cost more than the Johnson bill?

Mr. JOHNSON of South Dakota. If it was limited to 1925, the Rankin bill would cost a little less than the Johnson bill. The Rankin bill takes in certain diseases, while the committee bill takes in all men suffering from diseases—it takes them all, which would cost a few more dollars than the Rankin bill.

Mr. BANKHEAD. And therefore the gentleman's conclusion is that the Rankin bill, if adopted, extending the service presumption to 1930, would cost a larger sum than the Johnson bill, owing to the fact that a larger number of men who have broken down between January 1, 1925, and January 1, 1930, would come under the provisions?

Mr. JOHNSON of South Dakota. Certainly.

Mr. LUCE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. LUCE. On pages 16 and 17 of the report accompanying the bill is an attempted discussion of the additional expense as given by the director of the bureau. It should be pointed out that the $100,000,000, to which reference has been made, includes a considerable amount of expenditure that is not brought in issue by the Rankin amendment. If gentlemen will read pages 16 and 17 of the report, they will satisfy themselves as far as it can be done as to what the difference in expense will be.

Mr. PERKINS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. PERKINS. Will the gentleman inform the committee what the total cost thus far of the Veterans' Bureau has been, and will be up to 1940 under the present law as it exists?

Mr. JOHNSON of South Dakota. I have not those figures with me.

Mr. PERKINS. Does not the gentleman know that it is about $13,000,000,000?

Mr. JOHNSON of South Dakota. Yes; I recollect now; it is between twelve and thirteen billion dollars as the law now stands.

Mr. DENISON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. DENISON. The gentleman has stated that the presumption under his bill will be rebuttable.

Mr. JOHNSON of South Dakota. Yes; rebuttable, but you can not rebut them.

Mr. DENISON. I had an impression that there was a conclusive presumption in certain diseases.

Mr. JOHNSON of South Dakota. That is in the old law, and not the proposed law.

Mr. MOUSER. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MOUSER. The gentleman stated that the most of these boys would refile their claims. Is it not a fact that the Veterans' Bureau will automatically, when this law goes into effect, retry all cases that have been rejected?

Mr. JOHNSON of South Dakota. They could do it, and I think public sentiment would demand it.

Mr. ARNOLD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. ARNOLD. Under the existing law a deadline of presumption is January 1, 1925. That is already the line. Is there any reason or logic for that particular time, or is it an arbitrary date?

Mr. JOHNSON of South Dakota. Certainly there was no medical testimony extending it up to 1925.

Mr. ARNOLD. Would not there be just as much reason or logic extending it up to 1930?

Mr. JOHNSON of South Dakota. Yes; or 1932.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. SCHAFER of Wisconsin. The gentleman from Ohio called attention to the fact that the Veterans' Bureau may reopen all of the cases that have been rejected without further application being filed. I want to state that that is one of the extraordinary burdens that is thrown upon the Veterans' Bureau, so that we can not compare the work of the Pension Bureau with that of the Veterans' Bureau in the consideration of the consolidation bill.

Mr. JOHNSON of South Dakota. The gentleman is accurate in that; you can not compare the two.

Mr. EATON of New Jersey. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. EATON of New Jersey. I would like to state two cases and ask the gentleman for a definite answer.

Mr. JOHNSON of South Dakota. I will listen to the gentleman's two cases, but if he starts bringing up individual cases there are 300,000 of such cases, and we never will get through.

Mr. EATON of New Jersey. I am going to confine myself to two. One is the case of a man who is 45 years of age, who enlisted and came home, and who has been down and out, suffering, with his wife suffering. He applies now for relief and is turned down. He took sick about two years after he came back. I have gone the whole country over and can get nothing for him. Under this bill do I have to begin and prove his present condition is due to the fact that he was in the war?

Mr. JOHNSON of South Dakota. No, indeed. He will be immediately compensated if he became ill prior to January 1, 1925.

Mr. EATON of New Jersey. The other is the case of a distinguished physician who was appointed to a Massachusetts camp. He went through the flu epidemic and has since had tuberculosis of a slow kind. He is now at the end of his tether. I put him through the mill and he was turned down. Does he have to prove that he contracted tuberculosis at Camp Devens, or simply that he has it now, and had it prior to January 1, 1925?

Mr. JOHNSON of South Dakota. I think I know of both cases to which the gentleman refers. He would have to prove that he contracted tuberculosis prior to January 1, 1925. The case of the physician is a border-line case, and it has puzzled me as much as it has puzzled the gentleman from New Jersey.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. I understood the gentleman from South Dakota to say a while ago that he had some kind of a statement or estimate there made by somebody in the Pension Bureau to the effect that the Rankin amendment to the Johnson bill would cost three or four hundred million dollars a year.

Mr. JOHNSON of South Dakota. It is an estimate made by the Veterans' Bureau based on the experience of the Pension Bureau.

Mr. RANKIN. We held hearings on these two bills for six weeks. There was not a day in that time when the Rankin bill was not discussed. No such statement as that was ever put into the record or uttered on the witness stand.

Mr. JOHNSON of South Dakota. No; but I will tell you the reason for it. I asked them to investigate this cost, and they estimated the so-called Johnson bill at $100,000,000 a year, running only to January 1, 1925, and estimated the Rankin bill, running to 1930, at $43,000,000. I knew then that somebody was wrong. It is like the estimate between the Pension Bureau and the Veterans' Bureau on the so-called Swick bill. The Pension Bureau estimated it at $32,000,000, and the Veterans' Bureau estimated it at $416,000,000, and somewhere between those figures is the truth.

Mr. RANKIN. As a matter of fact, the Veterans' Bureau has a record of these cases, and General Hines on the witness stand with all of his expert statisticians around him was asked that specific question, and he took time and said that he would insert the figures in the record. He showed that only 77,000 cases would come in under the Rankin bill and that the cost would be about $43,000,000 a year.

Mr. JOHNSON of South Dakota. The gentleman is correct as to the testimony, but here is what occurred. The general made his computation based upon the number of people who had filed claims before the Veterans' Bureau and did not take into consideration the claims that could be filed, because, under the Rankin bill, I could file a claim on an injury that I received in 1927, although perhaps my remarks on this occasion have forever foreclosed me from making such a claim.

Mr. RANKIN. All of the money that is now paid directly to the veterans amounts to $196,000,000 a year. Is it not preposterous for anybody claiming to be a statistician to send in a statement to Congress that to extend this presumption period for five years would cost $300,000,000?

Mr. JOHNSON of South Dakota. I do not think it is. I think it is the first time that we have had accurate figures based on

the experience of the Pension Bureau and the number of men who will file claims.

Mr. RANKIN. Who made this statement out?

Mr. JOHNSON of South Dakota. It was made by a statistician in the bureau at my request; a request I made of Mr. Roberts, whom the gentleman knows and respects as highly as I do.

Mr. RANKIN. May I have the name of this statistician?

Mr. JOHNSON of South Dakota. I can not give it to the gentleman, because all I asked was that they get the figures. I made that request some time ago and it came up recently.

Mr. RANKIN. If that is a fair sample of the Veterans' Bureau, then we ought to give that bureau a house cleaning.

Mr. JOHNSON of South Dakota. I think the figures are accurate, and I think nobody dreams of what this law will cost.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. SLOAN. To my mind the most vital part of this bill is apparently misunderstood by me or misunderstood by some other Members or by the speaker, probably by myself. I understand from a reading of the first paragraph of the report on page 10 that for the established rating of 10 per cent up to 1925 there is a presumption of service origin, and that that presumption is rebuttable in all cases except eight; that in those eight cases the presumption is absolute, and no evidence would be received or considered against the presumption, whereas in all of the others the presumption is rebuttable by clear and convincing evidence upon the part of the Government.

Mr. JOHNSON of South Dakota. Which makes it impossible for the Government to oppose any claim.

Mr. SLOAN. But by the terms of this there are eight diseases or disabilities or conditions where the presumption is absolute.

Mr. JOHNSON of South Dakota. That is in the present law, passed years ago. We did not try to change that. It is not proposed new legislation.

Mr. SLOAN. I understood it was explained as being all rebuttable, whereas it is not even by an attempt in those eight cases.

Mr. JOHNSON of South Dakota. No; we did not change the law.

Mr. PALMER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PALMER. I notice on page 16 of the report that Frank T. Hines, director, makes a statement in which he says that the estimated increased cost would be $76,028,000 per annum, in addition to the cost of the present pension law.

Mr. JOHNSON of South Dakota. Yes. That was his estimate made at the time this bill was reported.

Mr. PALMER. That is all the additional cost of your bill?

Mr. JOHNSON of South Dakota. No. That is the additional cost of just one section of the bill, section 10. There are a great many other sections to it. Section 14 alone is estimated to cost $9,000,000. Altogether it runs up to $100,000,000 a year.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of South Dakota. Yes.

Mr. MOORE of Virginia. May I ask the gentleman what will be the additional cost due to the amendment of section 200 of the act of 1924 in case your bill should be enacted into law, and the estimated amount of additional expense in case the amendment offered by the gentleman from Mississippi [Mr. RANKIN] should be adopted?

Mr. JOHNSON of South Dakota. Based on the estimate of the Veterans' Bureau the amendment of the gentleman from Mississippi would entail an expense of $400,000,000, because these men break down more rapidly as they get older.

Mr. MOORE of Virginia. The only issue between the gentleman from South Dakota and the gentleman from Mississippi is that concerning section 200?

Mr. JOHNSON of South Dakota. Practically so.

Mr. MOORE of Virginia. And the difference is practically relative to the period of time when the presumption expires whether it is 1925 or 1930?

Mr. JOHNSON of South Dakota. The gentleman is correct.

Mr. MOORE of Virginia. But as to the details you are not in much disagreement?

Mr. JOHNSON of South Dakota. No.

Mr. MOORE of Virginia. The rules of evidence and of rebuttal are the same in your amendment and in the amendment of the gentleman from Mississippi as authority?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. Mr. Chairman, will the gentleman yield there?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. I have in my hand a letter from General Hines, under date of April 1, 1930, in which he says:

UNITED STATES VETERANS' BUREAU,
Washington, April 1, 1930.

Hon. JOHN E. RANKIN,
House of Representatives, Washington, D. C.

MY DEAR MR. RANKIN: Reference is made to your letter of March 28, 1930, in which you request an estimate of the amount by which the estimate made on the Johnson bill would be increased should H. R. 7285 be added to the amendment to section 200 of the act now proposed by the Johnson bill.

While it is almost impossible to accurately estimate the additional amount that would be involved where the provisions of H. R. 7825, extending the period of presumption for neuropsychiatric, tubercular, and certain chronic constitutional diseases to January 1, 1930, superimposed upon the amendment proposed by the Johnson bill (H. R. 10381), which extends the presumption of service origin to all disabilities arising prior to January 1, 1925, you are advised that from a study made since the receipt of this inquiry it is estimated that the figure estimated as the cost of the amendment to the presumption proposed by the Johnson bill, to wit: $76,028,000, would be increased approximately in an amount of $31,750,000 per annum.

This figure considers only those cases where disability occurred subsequently to January 1, 1925, and could not be connected under H. R. 10381, whereas the previous estimate on H. R. 7825 included the cost of bringing all the chronic constitutional diseases comprehended by the bill within the purview of the presumption of service origin and extending the period to January 1, 1930.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. JOHNSON of South Dakota. That is based on the claims heretofore filed in the Veterans' Bureau.

Mr. RANKIN. Was not this statement of yours prepared from the Pension Bureau files?

Mr. JOHNSON of South Dakota. It is based on the assumption that the number of claims that will be filed by the World War veterans will increase in the same proportion eventually as those filed by the Civil War and Spanish-American War veterans.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will yield myself 30 minutes more.

The CHAIRMAN. The gentleman from South Dakota is recognized for 30 minutes additional.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. TARVER. I wish to ask the gentleman a question about a matter which has not been discussed by him. I wish to direct his attention to the first sentence of the proviso in section 18 of the bill:

Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924.

In connection with that proviso I desire to direct the gentleman's attention to a recent rule promulgated by the Veterans' Bureau, which will be found on page 6720 of the CONGRESSIONAL RECORD of April 8, 1930, reading as follows:

That where a man who has a 10 per cent disability prior to June 7, 1924, files a claim prior to June 7, 1924, and is entitled to service connection for such disability under the presumptive provisions of section 300 he be permitted to file his proof in accordance with the provisions of section 300 of the war risk insurance act, as amended, after June 7, 1924, and payment of compensation be made to him two years prior to date of claim.

I desire to ask, in view of the recent discussion of the subject matter upon the passage of the deficiency bill, whether the gentleman is of opinion that the first sentence of the proviso I quoted, set out in section 18, will abrogate the rule which I quoted from the RECORD, and which was approved by the director on April 3, 1930?

Mr. JOHNSON of South Dakota. My opinion is that it will abrogate that decision. We had a discussion the other day on the floor on that very matter.

Mr. TARVER. The issue seemed to be on the question of whether or not it was proposed to prevent compensation of veterans who had filed claims under the original war risk insurance act and who had a right to compensation under the terms of that act, but were unable to submit their proof until after June 7, 1924, for any period prior to June 7, 1924, or whether it was merely the intention to prevent those whose claims had accrued under the act of 1924 from receiving compensation prior to its enactment.

Mr. JOHNSON of South Dakota. It is my recollection that that proviso, written into the conference report of 1924, was

intended to prohibit the payment of any back pay going back more than one year. If so, the Government would be saved $42,000,000.

Mr. TARVER. In order to make the issue more clear—and I think it should be clarified, because if the gentleman's statement is made after due deliberation, I have prepared an amendment which I think will have the approval of a great many Members of the House—I have in mind a case where a veteran had tuberculosis in March, 1922, and filed his claim in 1923. But the physician who treated him in 1922 had moved away and he was unable to come into contact with him and get his evidence, and for that reason he was unable to service connect his claim until after June 7, 1924.

After that date he secured the evidence of the physician who treated him in March, 1922, and the Veterans' Bureau found that in March, 1922, he had active tuberculosis, disabling him 10 per cent or more in degree, but that he could not be paid compensation prior to June 7, 1924.

The director of the bureau reversed the original ruling in that case and has promulgated the new rule read since the argument on the deficiency bill. The point I want to make clear is whether or not by this proviso it is intended to abrogate or change the ruling of the director of the bureau and prevent such veterans as the one whose case I have described from receiving any compensation prior to June 7, 1924, although he had the right, under a prior act, to that compensation.

Mr. JOHNSON of South Dakota. It has been the rule on all of this legislation not to make large retroactive payments, but to take up the veteran when he went on the pay roll and take care of him in the future.

Mr. TARVER. As I understand it, it is the purpose of this proviso to prevent a veteran of the kind I have just described from receiving compensation back to the time of beginning of his disability. Is that correct?

Mr. JOHNSON of South Dakota. As I understand it, the legal division of the bureau has held that this proposed amendment would not affect the case the gentleman has in mind.

Mr. TARVER. The Veterans' Bureau or the director of the bureau has not as yet answered an inquiry which I made of him a few days ago as to whether or not, in his opinion, this proviso would abrogate his ruling of April 3; and, not having been able to secure his position on the matter as yet, I am seeking to secure that of the chairman of the committee. I want to suggest to the chairman of the committee that it is a matter of such importance that I would be glad if the gentleman would defer any conclusive expression of opinion until he has given it more careful consideration.

Mr. JOHNSON of South Dakota. Yes; I think that should be done, because this is the first time that particular matter has been called to my attention. I am just informed by the legal department of the Veterans' Bureau that they are not construing this amendment so as to affect the class of cases to which the gentleman has referred.

Mr. DENISON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. DENISON. Will the gentleman state what the situation is with reference to the hospitals now? Are the veteran hospitals filled practically to capacity now, or have we sufficient available space?

Mr. JOHNSON of South Dakota. We have 30,000 in the hospitals, and they are filled to capacity with non-service-connected cases; but we could build 50 more hospitals and fill them as time goes on.

Mr. DENISON. Does not the gentleman think that the provision of this bill which allows a pension to the dependents or families of men who are hospitalized will lead to the necessity for a great deal more hospitalization?

Mr. JOHNSON of South Dakota. I do not think there is any question about it whatever.

Mr. DENISON. Of course, an expense of that kind can not be estimated in any way.

Mr. JOHNSON of South Dakota. I think the gentleman is entirely correct.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. OLIVER of Alabama. On page 19 I find a provision which seeks to care for tubercular cases, where an active tubercular condition occurred after January 1, 1925, and this provision gives them a temporary total disability rating for three years. How many cases of that character would be provided for under that provision? In other words, how many of the tubercular cases which would be cared for by Mr. RANKIN's amendment would be cared for by this enabling provision on page 19?

Mr. JOHNSON of South Dakota. It is extremely difficult to tell, but the provisions of this law giving the doctor a right to consider lay testimony will take care of a very great number of preferential tubercular cases.

Mr. OLIVER of Alabama. The provision to which I refer is where active tuberculosis is shown after January 1, 1925, say, 1928, yet this bill gives service connection therefor after 12 months' hospitalization.

Mr. JOHNSON of South Dakota. If they are service connected.

Mr. OLIVER of Alabama. It carries the presumption that it is service connected.

Mr. JOHNSON of South Dakota. It is a presumption only to January 1, 1925.

Mr. COLE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. COLE. I would like to ask the gentleman a very practical question. We all have a great many rejected cases. Can the gentleman give us an estimate of how many of the rejected cases will be provided for under this new bill?

Mr. JOHNSON of South Dakota. It would be a very difficult matter; but of the claims filed before January 1, 1925, I would estimate it would be perhaps 30 or 40 per cent.

Mr. COLE. Not more than that?

Mr. JOHNSON of South Dakota. I do not think so. I do not think any exact figure could be given.

Mr. COLE. No; but we are all interested in practical results. We have rejected cases that keep coming back and coming back. I would like to know how many would be provided for?

Mr. JOHNSON of South Dakota. I will try to estimate that for the gentleman before the debate is closed.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. JOHNSON of Texas. Section 5 has been changed. What are the reasons for the changes in section 5 of the bill?

Mr. JOHNSON of South Dakota. From what page is the gentleman reading?

Mr. JOHNSON of Texas. Page 17 of the report. It is easier to discuss it from that report, because it shows the original bill and the new bill.

Mr. JOHNSON of South Dakota. What is the gentleman's question?

Mr. JOHNSON of Texas. What is the reason given for the change made, where the language is used carrying into effect certain decisions of the Director of the Veterans' Bureau, notwithstanding the decisions of the Comptroller General?

Mr. JOHNSON of South Dakota. That is in order to eliminate the Comptroller General entirely.

Mr. JOHNSON of Texas. So that the decision of the Director of the Veterans' Bureau will be final and not subject to review?

Mr. JOHNSON of South Dakota. That is correct.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. SCHAFER of Wisconsin. I would like to be informed by the chairman of the World War Veterans' Committee why it is good policy to extend the period of presumption to January 1, 1925, under the pending bill, or January 1, 1930, under the proposed Rankin amendment, on all disabilities without having a safeguarding provision with reference to the date of entry into the service. This is a bill to take care of disabled World War veterans. Why extend the presumptive periods for service connection to cases where the man enters the military or naval service two and one-half years after the World War armistice was signed? This bill extends the presumptive provisions to all men who entered the service prior to July 2, 1921.

Mr. JOHNSON of South Dakota. I would be glad to accept the gentleman's amendment on that particular feature. It did not happen to come before the committee, and we used the old figures of the beginning and termination of the war.

Mr. SCHAFER of Wisconsin. I believe the committee ought to offer the amendment as a committee amendment. That would reduce the costs of the bill, and the money thus saved could be used to extend and liberalize the provisions to take care of those who were in the service during the war instead of those who entered the service after the armistice was signed.

Mr. JOHNSON of South Dakota. I want to say that fixing a definite limit is almost impossible for the reason that the gentleman will recall President Wilson sent two expeditionary forces to Russia.

Those people were in actual combat in Russia a year after the armistice, many of them sick, and many of them wounded. There never was any warrant or authority of law, in my judgment, for sending them there, but there was a great group of men from Michigan, California, and from other States who did stay there for a year after the war.

Mr. LAGUARDIA. We could designate that particular expedition by name, but certainly it is not fair to the service man who saw service during the war to add this additional peacetime soldier onto his burden.

Mr. JOHNSON of South Dakota. The gentleman must recognize the difficulty of remedying this. Here is another man who enlisted in 1917 and served in the army of occupation. He never came back from France until July 2, 1921.

Mr. LAGUARDIA. I do not consider the army of occupation as a war-time army. Those boys were rather comfortably situated.

Mr. JOHNSON of South Dakota. Those boys were rather comfortably situated, but if one became ill, was wounded in any way, or was disabled by a motor truck we must take care of him, because he was sent over there and forced to go by the Government.

Mr. SCHAFER of Wisconsin. A committee amendment could clear up those discrepancies. You could provide that the service must have commenced prior to the date of the armistice in order to receive the liberalized-compensation benefits under the pending bill.

Mr. JOHNSON of South Dakota. That might be considered.

Mr. ALLGOOD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. ALLGOOD. The gentleman spoke about taking care of a 10 per cent disability up to 1925. If a person had tuberculosis, with a 10 per cent disability, and proves that up to 1925, under your bill would he then receive the statutory award of $50?

Mr. JOHNSON of South Dakota. When he was arrested, yes; when he becomes arrested.

Mr. ALLGOOD. If they have refused to give him the $50 statutory award under the present law and it can still be shown that he has a 10 per cent disability from tuberculosis, under the gentleman's bill would he receive the statutory award of $50?

Mr. JOHNSON of South Dakota. Yes; that is the intention.

Mr. BRIGGS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. BRIGGS. I just want to ask this question: Whether this legislation will take care of those border-line cases and resolve the doubt in favor of the ex-service man rather than against him? There are a great number of those cases, and it seems to me that very often an ex-service man has the doubt resolved against him when it should be resolved in his favor.

Mr. JOHNSON of South Dakota. There is no question about resolving every doubt in his favor up to January 1, 1925; at least, there should not be any doubt.

Mr. BRIGGS. There is a general provision in the law that he shall have the benefit of the doubt?

Mr. JOHNSON of South Dakota. There is that general provision in the law, but he would be safe at least up to 1925.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CLARK of Maryland. Do I correctly understand the gentleman to say that the rebuttable feature of this bill means nothing?

Mr. JOHNSON of South Dakota. The Government can not rebut anything. If a man says he has heart trouble and he says he received it in the service the Government could not rebut that.

Mr. CLARK of Maryland. Then, that means, in effect, that any disease at all that may occur to a veteran up to January 1, 1925, is, in effect, not rebuttable?

Mr. JOHNSON of South Dakota. That is what it means in effect.

Mr. PERKINS. If the gentleman will permit, on the question of the number of cases affected by this legislation, it might be of interest to the committee to know that General Hines testified that claims for death and disability compensation have been filed in the number of 1,138,015 as of September 30, 1929. Of this total, 564,240 claims have been allowed, and the number of active claims as of September 30, 1929, was 356,774.

Mr. JOHNSON of South Dakota. I am glad the gentleman gave that information.

Mr. RANKIN. In that same testimony General Hines said that the Rankin bill would only cost $43,000,000 or $44,000,000.

Mr. WOODRUFF. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WOODRUFF. The gentleman stated these cases would not be rebuttable. I think he will agree that in many cases the Veterans' Bureau would not take any steps to rebut the claims, yet if they did take those steps and found definite medical testimony to the effect that the disabilities were derived other than in the service then they would be rebuttable under those circumstances.

Mr. JOHNSON of South Dakota. Yes; and that would happen largely in accident cases.

Mr. THURSTON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. THURSTON. Has the American Legion or any other service organization made a study of the respective merits of the so-called Johnson bill and Rankin amendment?

Mr. JOHNSON of South Dakota. That organization has not committed itself definitely. There was a resolution introduced in the last moments of the American Legion convention at Louisville that might be said to have committed the Legion to some of the provisions of the Rankin bill, but no representative of the Legion has made any such commitment. [Applause.]

Mr. Chairman, I reserve the balance of my time.

Mr. RANKIN. Mr. Chairman, first permit me to say, in answer to the gentleman from South Dakota [Mr. JOHNSON], that he is mistaken when he says that all other legislation touching veterans' affairs since the close of the World War has come to this House under suspension of the rules. This never occurred until the gentleman from South Dakota became chairman of the Committee on World War Veterans' Legislation. Up to that time veterans' legislation was brought to the floor of the House, thrown open for debate and amendments.

Permit me to say, also, that we who have fought for the Rankin bill are responsible for any veterans' legislation at all coming to the floor of the House at this session of the Congress. If it had not been for the fight which we waged in the Veterans' Committee, there would have been no bill for veterans' relief at all at this session.

In speaking of the amount of money paid to veterans I wish to call your attention to the fact that insurance should not be counted against them, because that is money for which they have paid, just as you have paid for your insurance in an old-line insurance company. Neither should his adjusted compensation be counted against him. This is paid for his services during the time he was in the Army, the Navy, or the Marine Corps during the war.

The gentleman from South Dakota [Mr. JOHNSON] spoke of the size of the files. Why, they have brought that up in committee, and it has been shown that the largest file in the Veterans' Bureau is on a case that was finally allowed. After piling the testimony waist high they found that the veteran was entitled to the relief for which he prayed.

The gentleman said that if we pass this bill with my amendment, we will repeal that law we passed early in the session to return to the big interests of this country $190,000,000 of income taxes. If that will be the result, then God speed the passage of the bill. [Applause.]

You will remember I told you then that the return of these income taxes was done in order to forestall veterans' legislation and other legislation for the benefit of the American people. Now, let us take up the bill as the gentleman has discussed it.

I am primarily interested in one amendment; I expect to offer to extend the presumptive period to January, 1930.

Now, do not deceive yourselves. You are doing nothing in the Johnson bill for the tubercular men. You are leaving them out in the cold to continue to die by the thousands without relief from the Federal Government. You are doing nothing for the neuropsychiatric cases, those men whose nerves have broken down and who are now helpless. You are doing nothing for them under the Johnson bill except coaxing them into hospitals through the provision that grants their families just enough money to keep them alive, provided their husbands will go to the hospitals.

I was amazed that the gentleman from South Dakota would come here with this astounding statement [indicating] without a man's name signed to it.

Let me say to the gentleman from South Dakota that whoever delivered this paper to him perpetrated a gross fraud upon the gentleman from South Dakota, and I will leave it to any intelligent man in this Congress that this paper is a malicious fraud on the part of somebody to deceive the gentleman from South Dakota and the Congress of the United States in order to block the amendment I propose to offer, and I will prove this statement.

Mr. JOHNSON of South Dakota. Will the gentleman yield there?

Mr. RANKIN. For a question only.

Mr. JOHNSON of South Dakota. I would prefer the gentleman to yield for a statement, because I do not agree with the gentleman in any way about that statement. I think that is a document that is accurate.

Mr. RANKIN. Oh, no.

Let us see about all this testimony. Let us go into the facts. In the first place, when we took up this legislation for consideration in the committee we first called hearings on the Rankin

bill. I waited before introducing this bill, thinking some one on the majority side would introduce it, because I knew it would stand a much better chance of passage. We simply asked that you extend the presumptive period for tubercular men and for men suffering from other chronic, constitutional diseases to January 1, 1930.

They called in first the witnesses against the bill. The chairman of the committee did this. He called in the witnesses against the bill and took testimony for two or three weeks, and then when they got through with the witnesses against the bill they sidetracked it and took up other legislation. These were their own witnesses. We called General Hines and put him on the stand, and here is what he said. Here is his testimony, found on page 62 of the report of the hearings on the Rankin bill (H. R. 7825). We asked General Hines how much it would cost, and he first said $48,000,000 a year. He finally got that down to about $43,000,000 or $44,000,000. We then asked him how many cases would come under the Rankin bill, and he said he would insert the figures in the record. He would develop the figures, in other words, and insert them in the record; and instead of the figures contained in this unsigned monstrosity, here is what General Hines said. He said there would be 77,744 men come under it.

The presumptive period for neuropsychiatric cases and for tubercular men had already been extended to 1925, so the men contained in the list of General Hines who were suffering from neuropsychiatric trouble, mental or nervous diseases, and the tubercular men will not be touched by the Johnson bill, so far as the extension of the presumptive period is concerned, and it has been shown by the statistics that since we started on this bill on the 22d of January these men have been dying at the rate of from 60 to 72 a day and that more than 5,000 of them have now passed to the great beyond, while Congress has dilly-dallied and those who are opposing this extension of time have blocked legislation instead of getting behind it and helping to push it to a consummation.

Now, let us see about the number of men. Of the 77,000 men, the Johnson bill will leave out 23,205 neuropsychiatric cases, these pitiable men who have broken down through shell shock, from the stress and strain of war, beginning with the innoculation when they entered the Army, going on down through the training camps, close-order drill, gun-squad drill, and on into the trenches and over the top in the face of withering fire. These men, who finally broke down as a result of this strain, are left out of the Johnson bill and permitted to continue to die until we extend this presumptive period for them to 1930, as my amendment will provide.

Now, listen to another list of pitiable men. I want to say to you that we have behind us not only the ex-service men of the country but we have behind us the moral forces of America, and we are going to fight until we secure relief for these disabled men. [Applause.] You are not going to sidetrack us by any such statement as that offered by the gentleman from South Dakota [Mr. JOHNSON].

Now, take the tubercular men. Oh, I know so many of them—honest, conscientious, hard-working, patriotic men, who came back from the conflict denying that there was anything wrong with them—they had stood in the water, they had walked their posts, they had gone over the top, and yet they said there was nothing wrong with them. You know there is always something peculiar about tubercular persons—so many of them conceal it as long as possible.

They said, "We are all right; we are going to carry on; we are going to stay with it"; and they went on and after 1925 they began to break down. If you will read your mail—I do not ask you to read mine—I do not believe there is a human being, including the gentleman from South Dakota, who can read the mail that I have received and then vote against this amendment. I am not going to burden you with the letters that I have received. I believe I have petitions enough to wrap around every Congressman in the House. They are from your districts, men suffering from this great white plague, this great enemy of the American people—a greater enemy than any we are fortifying against by the construction of the navies or the maintenance of armies.

Let us see how many there are; 18,986—not a one of whom would come under the Johnson bill. These are tubercular men, 18,986, at the time General Hines testified. Many of them have passed away, and others are passing. I have received letters from hospitals throughout the country and those unable to go to hospitals saying, "So and so is with us no longer; he passed away a few days ago, but we boys are going to carry on."

These others will be taken care of down to 1925, but the tubercular and neuropsychiatric men will be left out.

Under the Johnson bill you take care of 35,553 and leave out 42,191. None who are suffering from neuropsychosis or from tuberculosis will be taken care of unless you adopt my amendment.

Mr. PERKINS. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PERKINS. When General Hines testified, as he did on page 62 of the hearings, to the figures you have given as to the numbers, was he referring to the applications already made for compensation or to the number of applications possible to be made?

Mr. RANKIN. If the gentleman has gone all through the hearings and is not informed, I will read what General Hines said.

I had heard all these rumors about the excessive cost of my bill. I had heard all about the gout getting in under the Rankin bill, and all these insinuations, and I wrote General Hines, and here is a letter. If he is as good a man as the gentleman from South Dakota says he is, and as able, you ought to stand by what he says.

Here is what he said:

UNITED STATES VETERANS' BUREAU,
OFFICE OF THE DIRECTOR,
Washington, April 1, 1930.

Hon. JOHN E. RANKIN,
House of Representatives, Washington, D. C.

MY DEAR MR. RANKIN: Reference is made to your letter of March 28, 1930, in which you request an estimate of the amount by which the estimate made on the Johnson bill would be increased should H. R. 7825 be added to the amendment to section 200 of the act now proposed by the Johnson bill.

While it is almost impossible to accurately estimate the additional amount that would be involved where the provisions of H. R. 7825, extending the period of presumption for neuropsychiatric, tubercular, and certain chronic constitutional diseases to January 1, 1930, superimposed upon the amendment proposed by the Johnson bill, H. R. 10381, which extends the presumption of service origin to all disabilities arising prior to January 1, 1925, you are advised that from a study made since the receipt of this inquiry—

Let me say to the gentleman from New Jersey [Mr. PERKINS] that long after he had given his testimony, long after it had been gone over in the Veterans' Bureau, after we had taken another volume of hearings on this legislation, he had gone over it again. To continue—

it is estimated that the figure estimated as the cost of the amendment to the presumption proposed by the Johnson bill, to wit, the $76,028,000, would be increased approximately in an amount of $31,750,000 per annum.

That is the increase that will be brought about by superimposing the Rankin bill on the Johnson bill, from 1925 to 1930. I confess that a gentleman who stubbed his toe or stepped on a hot brick prior to 1925 might come under the provisions of the Johnson bill, but he would not come under the provisions of the Rankin bill, and if you are willing to spend the amount the gentleman's bill will cost up to 1925, namely, $76,000,000, less than the gentleman from South Dakota says it will cost—if you are willing to spend that amount in order to bring these scattering diseases and disabilities up to 1925, is it not reasonable, is it not just, to spend $31,000,000 more in order to bring them all up to 1930, and take care of these 23,203 neuropsychiatric cases and these 18,986 tubercular cases? But let me finish the letter:

This figure considers only those cases where disability occurred subsequent to January 1, 1925, and could not be connected under H. R. 10381, whereas the previous estimate on H. R. 7825 included the cost of bringing all the chronic constitutional diseases comprehended by the bill within the purview of the presumption of service origin and extending the period to January 1, 1930.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. JOHNSON of South Dakota. Does not the gentleman realize that those figures quoted in that letter by the general were based on the cases that have already been filed, and do not consider the total load of cases that would be filed?

Mr. RANKIN. The statement or estimate quoted by the gentleman from somebody in the Veterans' Bureau has in one place 805,000 as the number of men that will be placed on the roll if my amendment is adopted. Use your intelligence. Do you not know that is out of the line of reason and common sense? His estimate exceeds General Hines' by more than 700,000. How absurd!

Mr. PERKINS. On page 62 of the hearings, General Hines says he believes it would affect 77,744 cases. That is an absolute, concrete figure. Were not those 77,744 cases, cases already filed with the Veterans' Bureau, but which had been rejected?

Mr. RANKIN. The chairman says, "Will you put that in the record?" and he said, "yes," and the next day he produced it after going over it with statisticians, and put those figures in the record. The gentleman from New Jersey was on that committee, and he knows that they had hearings against the Rankin bill for two weeks, and he knows there never was a word of testimony, and there is not a word of credible testimony that he can find which will bear out this table by which the gentleman from South Dakota [Mr. JOHNSON] has been imposed upon by some misguided fellow in the bureau.

Mr. PERKINS. The gentleman from Mississippi yielded for a question, but he has not answered the question. The question is, Were not those 77,744 cases cases already filed? Is not that true?

Mr. RANKIN. The gentleman from New Jersey stood up there a while ago and read the number of cases filed. I do not know whether these had all been filed, but that was the estimate of the Director of the Veterans' Bureau, the best authority on the subject.

Mr. PERKINS. But he gave the exact number of 77,744, and that was out of these 356,774 cases that were actively before the board.

Mr. RANKIN. I will let the gentleman from New Jersey oppose this amendment in his own time if he wants to.

Mr. PERKINS. I ask the gentleman to answer the question.

Mr. RANKIN. I have answered the question.

Mr. LOZIER. Is it not true that practically every tubercular case in the United States has already been filed that will ever be filed?

Mr. RANKIN. Yes. The gentleman from New Jersey [Mr. PERKINS] does not want any information. If he did, he would have let me put on my testimony; if he had, he would have joined me in our attempts to get the witnesses in favor of the Rankin bill before the Veterans' Committee, in order that we might have the representatives of the various veterans' organizations there to tell Congress through your committee the necessity for this legislation which they are demanding now.

Mr. JOHNSON of South Dakota. Did not the gentleman from Mississippi ask every representative of every veterans' organization before the committee, and they were all there, whether or not they were in favor of the Rankin bill?

Mr. RANKIN. The gentleman from South Dakota ought to know that after he sidetracked it and started hearings on his bill I asked every witness his views on the Rankin bill.

Mr. JOHNSON of South Dakota. In reply to that question, will the gentleman read one statement where they were for this bill, except one statement from the Disabled American Veterans? He has the hearings.

Mr. RANKIN. Let me try to educate the gentleman from South Dakota.

Mr. BRAND of Georgia. Mr. Chairman, we are very much interested in the answer of the gentleman from Mississippi to the question the gentleman from South Dakota just propounded.

Mr. RANKIN. The man representing the disabled soldiers is Tom Kirby, of the Disabled American Veterans, and he was for this bill, and he wanted to appear before the committee to testify on it, and in the hearings on the Johnson bill he said he was for it. We asked Watson Miller, and he said that while he was not authorized to come out for the bill, because it had not been approved by the American Legion at its convention last year, but personally he was for it.

Mr. JOHNSON of South Dakota. Just what did the representative of the American Legion say?

Mr. RANKIN. What did he say?

Mr. JOHNSON of South Dakota. He said that the American Legion had not passed on it.

Mr. RANKIN. No; because it has not been brought to their attention, but that personally he favored it.

Here is a statement from the American Legion of Pennsylvania, and that is the only one that has had a meeting since this fight began, and they strongly indorsed it. Their convention met and went on record in favor of the Rankin bill.

Mr. JOHNSON of South Dakota. That action simply came from a few paid organizations of the Pennsylvania Legion.

Mr. RANKIN. Oh, no. Mr. Deighan, the adjutant of the Legion in Pennsylvania, is one of the most enthusiastic friends of the service men that I know, and I resent the statement that he and his associates are paid agents.

Mr. O'CONNELL of New York. Mr. Chairman, will the gentleman yield there?

Mr. RANKIN. Yes.

Mr. O'CONNELL of New York. Have we come to such a pass that the disabled soldiers have to pay somebody to represent them?

Mr. RANKIN. No. It will be a sad time if that time ever comes. Here is a write-up in the American Legion Monthly for April, 1930. I will read from it:

The second bill to amend the World War veterans' act was introduced by Legionnaire JOHN E. RANKIN, Representative from Mississippi. It would accomplish more far-reaching results than the Johnson bill, and it would do this principally by eliminating January 1, 1925, as the arbitrary date for presumptive service connection and establishing instead the date of January 1, 1930. It would automatically make eligible for compensation thousands of service men now in hospitals, suffering from tuberculosis and mental disorders, but not drawing compensation for the reason that they are unable to present medical and legal proof that their diseases had been developed to a disabling degree prior to January 1, 1925.

Like the Johnson bill, the Rankin bill would grant presumption of service connection for the chronic constitutional diseases, and it would establish January 1, 1930, as the presumptive service connection date for these diseases also. The Legion's national legislative committee bulletin for January 25 made this comment on the comprehensive provisions of the Rankin bill.

Remember that this is from the Legion bulletin. I read:

Passage of the Rankin bill would cure the great majority of difficulties now facing disabled veterans, and it would bring compensation to a large proportion of the uncompensated veterans now in hospitals; and in addition, would immediately clear up thousands of claims which are either pending or have been denied because of inability to establish service connection under the comptroller's interpretation of existing law. The Veterans' Bureau estimates that the first year's cost of this bill would be $42,000,000. While this in itself seems a large sum, it is less than one-third of the annual refund on income taxes.

Do not overlook the fact that the soldiers read about that refund of income taxes, while at the same time they are reading about the lack of better care of the American veterans.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there for a nice little question?

Mr. RANKIN. I would rather not.

Mr. PERKINS. For the purpose of getting information.

Mr. RANKIN. Well, while I am hunting for a telegram here among my papers I will yield, but the gentleman does not want information.

Mr. PERKINS. Are we not all agreed that this Johnson bill is good as far as it goes? You agree to that, do you not?

Mr. RANKIN. Do you ask me whether I think that the Johnson bill is good?

Mr. PERKINS. Yes.

Mr. RANKIN. It is to a certain extent. I decline to yield further. Let the gentleman from New Jersey read the record, and he will find a thorough discussion of that question. I am not going to vote for the Johnson bill unless you accept my amendment, because I reserve the right to make a motion to recommit the bill and urge the adoption of my amendment to take care of the neuropsychiatric men and the tubercular men, who are neglected in the Johnson bill.

Mr. PERKINS. But it is a good bill, is it not, to a great extent?

Mr. RANKIN. To a certain extent. But it leaves out the tuberculous men and the neuropsychiatric men who suffer from nervous troubles, from which many of them can never hope to recover.

I have never met these fellows personally, but here is a sample telegram from a disabled veteran at Fort Bayard, N. Mex., which reads as follows:

FORT BAYARD, N. MEX., *March 1, 1930.*

Hon. J. E. RANKIN,

House Office Building, Washington, D. C.:

Request you give following message House if you consider advisable. Uncompensated tubercular veterans of World War urgently plead you include Rankin bill in veterans' relief measure. Johnson omnibus bill inadequate, discriminating, and unjust. Thousands of veterans suffering from tuberculosis will be excluded if this bill is passed, necessitating same problem of legislation next Congress. We ask you vote for Rankin bill not as Democrats or Republicans, but as dispensers of justice and mercy. We believe you desire to be fair to all disabled and do not wish to duplicate blunders of act of 1924, which compensated only a certain portion. If you are willing to appropriate one hundred millions for veterans' relief, why ignore the tubercular victims? These men now lying helpless in hospital beds once fought for you in France. To-day they ask you in turn to fight for them. Will you help them by including the Rankin bill in your veterans' measure?

JAMES FOX,

Chairman Uncompensated Disabled Veterans of World War,

United States Veterans' Hospital No. 55.

I have great stacks of such telegrams, and I have the most pathetic case I have ever read about from the State of South Dakota.

Mr. JOHNSON of South Dakota. Will the gentleman give the "C" number of the case from South Dakota?

Mr. RANKIN. Yes, if I can find it. I will put it in my remarks. This poor fellow is suffering from tuberculosis. He is on the ground floor. They moved him there because he was unable to go up the stairs. One of his children died last winter, and these uncompensated men raked their savings together and made up money to send him home in order that he might be present. He left his wife and children without anything to live on, and now he is lying there without receiving any relief.

He is one of the tubercular victims. Not only that, these boys in the hospital tried to rake up 90 cents one night to send a telegram to Washington, and they could not get the 90 cents. I will give the gentleman from South Dakota [Mr. JOHNSON] the "C" number, if I have it, and I hope the gentleman will look into it, and vote for the Rankin amendment.

Mr. PALMER. Will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. PALMER. In the minority report on page 2, according to the testimony of the Director of the Veterans' Bureau, this would cost approximately $44,000,000 a year.

Mr. RANKIN. I said that.

Mr. PALMER. Which is considerably less than the Johnson bill. If that is true, we certainly should be in favor of the amendment to extend the presumptive period to January 1, 1930. May I ask where did the gentleman get that information? Is that authentic?

Mr. RANKIN. I got it out of the record from the testimony of General Hines.

If this amendment is adopted, to carry these tubercular men up to 1930 it will add approximately $31,000,000 to this bill. There is no question about that.

I have long since stopped quibbling about whether or not they were really connected with the service. If a man served honorably, and rendered worthy, patriotic service during the World War, and is now disabled and can not take care of himself and his family, I do not care whether his disability is service connected or not, I am willing to compensate him. I am not willing for this rich and powerful country to let him lie there and die and his wife and children beg for a livelihood.

Mr. PERKINS. Will the gentleman yield for a question?

Mr. RANKIN. I yield for a question.

Mr. PERKINS. Is there any difference between the Rankin bill and a pension bill?

Mr. RANKIN. The gentleman from New Jersey knows that there is not, and the gentleman knows that there is no difference between the Johnson bill and a pension bill. The gentleman knows there is no difference between retirement pay and a pension.

Now, I hope that the gentleman, with that explanation, will be quiet and hear the rest of the sermon.

Mr. PERKINS. That is entirely satisfactory to me.

Mr. ALMON. Will the gentleman yield for a question?

Mr. RANKIN. I yield.

Mr. ALMON. Does the gentleman not think that we should enact the law as it should be and let Congress take care of the cost?

Mr. RANKIN. Certainly.

Now, I want to show you one thing that is wrong with the Veterans' Bureau. Some time ago you passed the emergency officers' retirement act. I want to see your votes and compare them on this bill with the emergency officers' retirement act, that intolerable measure, the results of which I put into the CONGRESSIONAL RECORD on last Thursday. I want to show you what you are doing. I do not care whether a man was a general or a private soldier. If he is an honest, patriotic American he is entitled to the same treatment. [Applause.] Yet, unfortunately, in this war the further behind the line a man was during the conflict, the more compensation, pension, or retirement pay he gets.

What do you find in this list which I put into the RECORD on Thursday? One hundred and seventy-one of these men who are drawing this "retirement" pay are employed in the Veterans' Bureau, passing on the claims of your constituents and my constituents, and cutting them off, and some of them without rhyme or reason.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question?

Mr. RANKIN. I yield.

Mr. JOHNSON of South Dakota. The gentleman does not think it is the fault of those men that they accepted this gratuity which Congress gave them?

Mr. RANKIN. I said it was lobbied through by a little bunch of selfish ex-officers, and I say it yet. The beneficiaries of it were not willing then to take the men from the rank and file and put them on an equal plane, and they are not doing it now. I am not in favor of their sitting in the Veterans' Bureau and passing on the claims of the enlisted men from my State and yours, and drawing the rake-offs which they are getting as "retirement" pay.

More people have read this RECORD of last Thursday than have read the RECORD in many a day. I find, for instance, a man, I will not give his name unless you demand it, but he is a regional attorney drawing a salary of $3,800 and drawing "retirement" pay of $312.50 a month—more than $3,700 a year pension.

Mr. PERKINS. Will the gentleman yield for a kind question?

Mr. RANKIN. I would expect the gentleman's question to be kind.

Here is another one, who is drawing a salary of $6,500 and is drawing $150 a month, or $1,800 a year, pension or "retirement" pay.

Mr. PERKINS. Will the gentleman yield?

Mr. RANKIN. I am reading the names of some of the employees in the Veterans' Bureau, and I will come to some of the others.

Mr. PERKINS. I am with the gentleman on this.

Mr. RANKIN. I am glad the gentleman is getting religion.

Here is one drawing a salary of $3,000 a year and he is getting $218.75 a month pension or "retirement" pay.

Here is another one, the first one on the list, drawing a salary of $8,000 a year and $262.50 per month "retirement" pay. One of those men testified before our committee against the Rankin bill. I looked up the record, and I find his name on the list as "retired" with pay.

Mr. PERKINS. Will the gentleman yield for a friendly question?

Mr. RANKIN. Yes; I yield.

Mr. PERKINS. Does the gentleman not think it is time the entire subject of compensation and pensions should be gone over by a congressional committee?

Mr. RANKIN. Now, the gentleman from New Jersey is really showing signs of improvement. I have advocated that all the time. But this bill has a life of three years, and I have no objection to the resolution introduced and referred to the Rules Committee. I am in favor of it. I am in favor of investigating this matter and bringing in legislation that will wipe out these discriminations. But I want to show you one thing here. Here is one I just could not keep from laughing at. Here is one fellow, a lieutenant colonel in the Judge Advocate General's department, one of those heroes of the Judge Advocate General's department, who probably risked his life in a swivel chair poring over evidence against those doughboys who were accused of infractions of the military law. He is drawing $218.75 a month, while those boys who went over the top, probably his own brothers, who went through the dust, grime, and sweat of the training camps or through the blood, fire, and hell of the battle front—those men now dying with tuberculosis, those men now dying from shell shock and nervous and mental troubles are denied any compensation even under the Johnson bill. They will not get one dollar of compensation unless this Rankin amendment is added to the bill.

I was asked to go to see a helpless veteran. I went, and they showed me into a home that was awfully poorly equipped. It bore out Washington Irving's description of poverty honestly come by and decently maintained. The man was lying on his back in almost a dying condition from heart trouble. His wife said: "He can not work a lick, and I am just struggling here to keep the children alive. We have had his claim before the Veterans' Bureau for a long time."

I took his case up for him. One day I noticed in the local paper that he was selling his furniture in order to get money to live on. Finally I saw his wife had sold her stove. I then took it up with the Veterans' Bureau, and they said: "It is pending adjudication."

It had been pending for nearly a year. Then I had a letter from him stating that he had spent the worst Christmas he had ever spent in his life. I am telling you of a case which is similar to many cases in your district. Every one of you will find many such cases in your district. This is a worse case, although not much worse, than the one in South Dakota. Then I had a letter stating that he had been compelled to give his children away and scatter them among his relatives. He said "I believe my wife will go crazy; she can not stand this much longer."

I called up the Veterans' Bureau and told them I did not want any conversation, but I wanted action. I made that statement before the Veterans' Committee, and the gentleman from

South Dakota, who is always more or less skeptical, demanded that I have them bring the files before the committee, but before they could get them there they allowed his claim. Then it was 30 days before they sent him a check, and they had shipped him out of the hospital the day his claim was approved.

Now, these men who are receiving these large compensations ought not to be in the Veterans' Bureau passing upon the claims of these unfortunate men.

Now, gentlemen, I want to say to you that I know some of you are going to talk about expense. When you do so remember you voted to override the veto of the President of the United States and pass the emergency officers' retirement bill, and you look at the RECORD of last Thursday and you will see what has been the result.

I also ask you to remember that you voted for this tax reduction of $190,000,000, in order to pay back that amount of money to the large income-tax payers of this country. They said it was $160,000,000, but the Treasury Department now says it is $190,000,000. I ask you to remember that President Hoover, in his message, said he hoped to do that every year. Although some of you are willing to do that you are ready and willing to turn down these men when it will only cost $31,000,000 a year.

You are willing to return $160,000,000 or $190,000,000 a year to the large income-tax payers of the country but you are unwilling to help these men. Then I ask you to remember that you have given back in tax refunds, according to the statements made on this floor by the gentleman from Texas, in the last three years more than $3,000,000,000. That money was returned to men who came out of this war infinitely richer than they went into it.

Did you know that in 1914 there were only 60 people in the United States who had incomes of $1,000,000 a year? To-day we are told there are 496 who have an income of $1,000,000 a year; and 206 more this year than there were last year; in this great country, where the rich seem to grow richer and the poor seem to grow poorer.

I know there are some who now talk about taking the profits out of the next war. I hope we do not have another war; and we will not, perhaps, in your day and mine; but, gentlemen, I am in favor of taxing the profits of the last war in order that those men who grew rich during and after that conflict may realize that the human element still prevails and that human sentiment is still one of the dominating influences in American life.

I am in favor of making them help to pay and take care of the men who offered their lives in defense of their country during the World War.

I know I am pleading the cause of the private soldiers. They are not as well organized as the officers. If they had been you never would have passed the emergency officers' retirement bill. I know that just as good men served in the rank and file as were found among the highest ranking officers. Some one has said that many a Robert E. Lee, many a U. S. Grant, and many a Napoleon Bonaparte was born to die unknown to fame; that many a Stonewall Jackson lies beneath the sod of mother earth with no other monument to mark his last resting place than the green grass that feeds its hungry roots upon a hero's decaying bones.

In the name of these men from the rank and file, I appeal to you Members of Congress to do your duty in taking care of these unfortunate disabled veterans of the World War. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. SWING].

Mr. SWING. Mr. Chairman and members of the committee, I have asked for this time to undertake to emphasize again, so far as it is in my power to emphasize, my criticism of a prevailing practice of the Veterans' Bureau of blacklisting disabled veterans of the World War for some infraction of a minor hospital regulation.

Last Thursday I called your attention to the case of H. J. Wilson, of Banning, Calif., a service-connected disabled veteran, and told you that I took his case to General Hines on the morning of the 28th, telling him that this veteran was dying for want of medical care and attention; that the Veterans' Bureau in Los Angeles had been appealed to, but that they had stated that they could not help because of paragraph No. 6588 of the Regulations and Procedure of the United States Veterans' Bureau, Medical, 1929, since the veteran had left a hospital at some time against medical advice. This veteran died on the 30th of the month without a Veterans' Bureau employee ever having seen him after my appeal.

I am now calling your attention to another case at Banning of a service-connected disabled war veteran. Pulmonary tuberculosis is his disability. He left a hospital in 1924 against medical advice, but thereafter he was given regular home treatment until February 1 of this year. Then a doctor in the Los Angeles office—I am told his name is A. W. Schultz—put an interpretation on subdivision (d) of paragraph 6588 of the medical regulations of the Veterans' Bureau and held that because in 1924 this veteran had left a hospital against medical advice he was not entitled to home treatment and so he was cut off.

His wife writes me this letter and makes this appeal:

Mr. McPherson—

She says—

is bedridden and is a hemorrhage case. I, his wife, am a trained nurse. We have no children. Our home was built especially to meet his condition and, so far as we can understand, there should be no reason why he should not be allowed to remain in his home and be granted the same medical care which is allowed to patients who have never been in a hospital.

I thought possibly the wife might not know of some objection surrounding his present condition at home, so I sent a wire to a friend of mine in Los Angeles and asked him to look at this man's file and see whether any such objection had been raised. I have got back the very definite and positive information from the official record in the Los Angeles office that no such objection had ever been made.

I also asked what was the cost of home treatment, and the answer is that the cost of home treatment for three months prior to January 1 this year was $103.65.

Had this man been in a veterans' hospital, he would have cost the Government $4 a day, or $360 for the three months. In other words, the Government was getting off with a cost for treatment in his home of one-third what they would have had to pay if he had been treated in a hospital.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. SWING. Yes.

Mr. JOHNSON of South Dakota. I have discussed this case with the gentleman. The gentleman from California does not believe we could allow these men to leave the hospital and come and go just as they might desire?

Mr. SWING. A man goes into a hospital voluntarily and let me say to the gentleman that we must grant him the privilege of going out. You would not keep a doctor and you would not consent to take the treatment of a doctor in whom you had lost confidence or if you thought he had it in for you. There is no man who can get well in a hospital after he has become dissatisfied with conditions there.

Mr. JOHNSON of South Dakota. I can agree with the gentleman that I would not take treatment from a doctor in whom I had no confidence, but the gentleman does not, seriously, mean to say that we ought to allow men to leave these hospitals, go anywhere they want to go in the United States or go to any doctor they want, and then force the Government to pay the bill. This would financially wreck the Government.

Mr. SWING. The gentleman does not state the issue. In this case the bill is only one-third what it would cost to use veterans' doctors and nurses, and furnish him with food and a bed in a hospital.

What is back of the policy of the Veterans' Bureau which demands that all disabled veterans must be herded in hospitals and be taken care of at an expense of $3,500 per bed for construction cost and $4 per day for treatment, when they can be taken care of satisfactorily by home treatment at one-third the cost? What is back of the policy that demands this immense hospitalization program at a tremendous expense to the Treasury of the Government?

Mr. JOHNSON of South Dakota. I will say to the gentleman that it has been the policy of the Government that men having contagious or infectious diseases should be cared for in hospitals and not allowed to go all over the country and spread such contagious or infectious diseases.

Mr. SWING. We are not treating civilians who have tuberculosis in that manner.

Mr. RANKIN. If the gentleman will permit, that is a policy of the Veterans' Bureau instead of a congressional policy.

Mr. SWING. I must agree with the gentleman in this instance that it is a policy of the Veterans' Bureau, because they have laid it down in their rules and regulations. It can not be found in any acts of Congress. A man who has never been in a hospital, who has not spit on the floor and been expelled because of that or some other violation of hospital regulations is given home treatment where the conditions are agreeable.

The point I make is this: There must be rules and regulations, of course. Discipline must be maintained in the hospitals, and when a man has committed an infraction of the rules serious

enough to cause him to be discharged, he should be discharged, but he should not be pursued into his grave. It is punishment enough to discharge him from the hospital and say, "You have forfeited your right to these magnificant surroundings which we are now offering to you." I am, indeed, sorry if the chairman of this great committee is taking the position that it is proper to punish these men in addition to discharging them from the hospital.

Mr. JOHNSON of South Dakota. If the gentleman will permit, the chairman is not taking any such position.

Mr. SWING. I hope not.

Mr. JOHNSON of South Dakota. The chairman has brought in every hospital bill we have had and also brought in the provision allowing home treatment, but I recognize the fact that we can not give every one of these 4,250,000 men who are now living home treatment at this immense expense.

Mr. SWING. I am willing to leave it to the discretion of the Veterans' Bureau, but I do not want on their books a regulation created by them under which a man who has spit on the floor, or made some other infraction of one of the 6,588 regulations, is, after being expelled from the hospital, denied care and medical treatment for the rest of his life.

Mr. JOHNSON of South Dakota. Let me say, if the gentleman will yield, that the rules are more liberal and less discipline in the veterans' hospital than in any of the private hospitals in the United States.

Mr. SWING. Will the gentleman stand up and let me ask him this question?

Mr. JOHNSON of South Dakota. I do not need to stand up.

Mr. SWING. Home treatment is one of the standard, recognized activities of the bureau, is it not?

Mr. JOHNSON of South Dakota. If the home surroundings are good, if the man is also following the doctor's directions he is better off at home than in the hospital.

Mr. SWING. I hope the gentleman will help me to get that put in the regulations.

Mr. SIMMONS. Will the gentleman yield?

Mr. SWING. I will.

Mr. SIMMONS. Do I understand that a veteran has ever been denied hospital treatment and dismissed from a hospital because he spit on the floor?

Mr. SWING. That is not this particular case. I used that to illustrate my argument, that they can discharge a man for any infraction of hospital rules, and once they have discharged him for an infraction he is excommunicated thereafter for medical treatment.

Mr. SIMMONS. Does the gentleman say that a man was ever dismissed from a hospital for such a minor infraction of the rules?

Mr. SWING. I do not know.

Mr. SIMMONS. I think it is unfortunate that the gentleman used that illustration, because there is a lot of criticism of the Veterans' Bureau, and it is unfortunate that the gentleman should leave the impression that such is the case.

Mr. SWING. It is impossible to know all of these 6,588 regulations. They call it an infraction of the rules to leave the hospital against medical advice.

Mr. SIMMONS. There is enough criticism of the Veterans' Bureau without the danger of getting wrong information.

Mr. JOHNSON of South Dakota. The rules and regulations are much more lenient in the veterans' hospital than in the hospitals of the Army and the Navy.

Mr. SWING. In reply to that, let me say that these boys are not in the Army or the Navy. The war is over. These boys are civilians. The Veterans' Bureau is not a military organization. It is supposed to be a humanitarian institution; and the sooner it displays a spirit of sympathetic and human understanding of its problem the sooner it will be doing the job that Congress and the American people want it to do. [Applause.]

Mr. JOHNSON of South Dakota. I will tell the gentleman what some of them are discharged for. Some have come in and beat up the nurses, violated the rules and regulations, such as would not be allowed in any hospital in the country.

Mr. SWING. The gentleman does not understand the point I am trying to make. Here is the regulation that I am talking about:

> When a beneficiary who has been admitted to a hospital upon authority of this bureau is discharged therefrom "against medical advice" and upon return to his home has become ill and requests medical treatment at home, and it is determined that his physical condition is such that he can return to a hospital, medical care and treatment will not be furnished by the bureau to such beneficiary in his home.
>
> (d) Where the same conditions obtain as in (c), except that the beneficiary's condition is not considered such as to permit his removal to a hospital, the bureau will nevertheless not assume the care and treatment of such claimant in his home.

Please understand that I raise no objection to the discharge of a man from the hospital if he breaks the rules, but having punished him in that way why continue, year after year, to treat him as an outlaw because once he was guilty of an infraction of some petty regulation? Why continue to deny him the medical attention and help he needs and for which this Congress so generously appropriates, and which the American people expect the Veterans' Bureau to accord him?

Mr. RANKIN. May I make one more suggestion to the gentleman? Under the Johnson bill those men who broke down since 1925 are coerced into the hospital if they even get any consideration for their families or any relief whatever.

Mr. SWING. This great demand now being made on this Congress for 26 new hospitals can be substantially modified with an intelligent and liberal policy of home treatment, which will give immense satisfaction to the disabled veterans themselves and save millions to the Public Treasury.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had under consideration the bill H. R. 10381 and had come to no resolution thereon.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park, in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments, and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 8799. An act to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a

commission to be known as the United States Battle of the Monongahela Commission.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River; and

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

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H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.; and

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 27 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, April 16, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 16, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

To provide that certain laws of the United States shall not apply to Indians and Indian reservations within the State of New York (H. R. 9720).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes (H. R. 11144).

To amend the act entitled "An act to provide for the enlarging of the Capitol Grounds," approved March 4, 1929, relating to the condemnation of land (H. R. 11432).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS

(10 a. m.)

To consider proposals for veterans' hospitals in Michigan and Pennsylvania.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To provide for the renewal of passports (H. R. 10826).

EXECUTIVE COMMUNICATIONS, ETC.

413. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting a draft of proposed legislation affecting an appropriation of the Office of Public Buildings and Public Parks of the National Capital for the fiscal year 1930, in the amount of $1,950 (H. Doc. No. 349); was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BRITTEN: Committee on Naval Affairs. H. R. 7639. A bill to amend an act entitled "An act to authorize payment of six months' death gratuity to dependent relative of officers, enlisted men, or nurses whose death results from wounds or disease not resulting from their own misconduct," approved May 22, 1928; with amendment (Rept. No. 1161). Referred to the House Calendar.

Mr. KOPP: Committee on Labor. H. R. 9232. A bill to regulate the rates of wages to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia; with amendment (Rept. No. 1162). Referred to the House Calendar.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 280. A joint resolution to authorize participation by the United States in the Interparliamentary Union; without amendment (Rept. No. 1163). Referred to the Committee of the Whole House on the state of the Union.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 180. An act to legalize a bridge across St. Johns River 2½ miles southerly of Green Cove Springs, Fla.; without amendment (Rept. No. 1164). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 1578. An act to extend the times for commencing and completing the construction of a bridge across the Illinois River, at or near Peoria, Ill.; with amendment (Rept. No. 1165). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 2114. An act granting the consent of Congress to the Board of County Commissioners of Georgetown County, S. C., to construct, maintain, and operate a free highway bridge across the Peedee River, and a free highway bridge across the Waccamaw River, both at or near Georgetown, S. C.; without amendment (Rept. No. 1166). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3741. An act to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky.; without amendment (Rept. No. 1167). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3742. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky.; without amendment (Rept. No. 1168). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3743. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.; without amendment (Rept. No. 1169). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3744. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.; without amendment (Rept. No. 1170). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 3746. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky.; with amendment (Rept. No. 1171). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 11196. A bill to extend the times for commencing and completing the construction of a bridge across the White River at or near Clarendon, Ark.; with amendment (Rept. No. 1172). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 11228. A bill granting the consent of Congress to the State of Illinois to construct a bridge across the Rock River south of Moline, Ill.; with amendment (Rept. No. 1173). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 11240. A bill to extend the times for commencing and completing the construction of a bridge across the Monongahela River at Pittsburgh, Allegheny County, Pa.; without amendment (Rept. No. 1174). Referred to the House Calendar.

Mr. ROBINSON: Committee on Interstate and Foreign Commerce. H. R. 11273. A bill to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa; without amendment (Rept. No. 1175). Referred to the House Calendar.

Mr. ROBINSON: Committee on Interstate and Foreign Commerce. H. R. 11282. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa; with amendment (Rept. No. 1176). Referred to the House Calendar.

Mr. CORNING: Committee on Interstate and Foreign Commerce. H. R. 11430. A bill granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Catskill, Greene County, N. Y.; without amendment (Rept. No. 1177). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 11435. A bill granting the consent of Congress to the city of Rockford, Ill., to construct a bridge across the Rock River at Broadway in the city of Rockford, Winnebago County, State of Illinois; with amendment (Rept. No. 1178). Referred to the House Calendar.

Mr. WHITE: Committee on the Merchant Marine and Fisheries. H. R. 11635. A bill to amend the radio act of 1927, approved February 23, 1927, and for other purposes; without amendment (Rept. No. 1179). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11422) granting an increase of pension to Sarah E. Crawford, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 11674) granting the consent of Congress to the Mill Four drainage district, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Washington: A bill (H. R. 11675) to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use; to the Committee on Indian Affairs.

By Mr. HUDSPETH: A bill (H. R. 11676) to authorize the sale to occupants in good faith of lands held under patent or accretions thereto from the State of Texas and held by the Supreme Court to be within the State of New Mexico, upon the passage of reciprocal legislation by the State of Texas; to the Committee on the Public Lands.

By Mr. LUCE: A bill (H. R. 11677) to amend section 206 (a) of an act approved February 29, 1925 (43 Stat. 1067, U. S. C., title 39, sec. 235) describing mail matter of the third class; to the Committee on the Post Office and Post Roads.

By Mr. REECE: A bill (H. R. 11678) authorizing and directing the Secretary of Agriculture to establish and maintain a tobacco experiment and demonstration station for the South at or near Greeneville, Tenn.; to the Committee on Agriculture.

By Mr. MERRITT: A bill (H. R. 11679) to extend hospital facilities to certain retired officers and employees of the Lighthouse Service, to improve the efficiency of the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11680) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Dandridge-Newport Road, in Jefferson County, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDRESEN: Joint resolution (H. J. Res. 304) for the amendment of the acts of February 2, 1903, and March 3, 1905, as amended, to allow the State to quarantine against the shipment thereto, therein, or through of livestock, including poultry from a State or Territory or portion thereof where a livestock or poultry disease is found to exist which is not covered by regulatory action of the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. KORELL: Joint resolution (H. J. Res. 305) providing for the participation by the United States in the International Conference on Load Lines, to be held in London, England, in 1930; to the Committee on Foreign Affairs.

By Mr. LUCE: Joint resolution (H. J. Res. 306) establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECK: A bill (H. R. 11681) granting a pension to Mary V. Thorne; to the Committee on Pensions.

By Mr. BOWMAN: A bill (H. R. 11682) granting an increase of pension to Frances M. Evans; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 11683) granting a pension to Elizabeth Stephens; to the Committee on Invalid Pensions.

By Mr. CLARKE of New York: A bill (H. R. 11684) granting a pension to Ida Vosburg Swart; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 11685) granting a pension to Augusta Bowers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11686) granting a pension to Mary P. Paul; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 11687) for the relief of Joseph M. Levitas; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 11688) granting a pension to Lewis Crabtree; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 11689) granting an increase of pension to Orlando W. Frazier; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11690) for the relief of the Olney National Bank of Hartford, Hartford, Mich.; to the Committee on Claims.

By Mr. MICHAELSON: A bill (H. R. 11691) authorizing the President to appoint John Ogden Kilgore, formerly a second lieutenant of Infantry, United States Army, a second lieutenant of Infantry, United States Army; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 11692) granting an increase of pension to Mame Lillian Willis; to the Committee on Invalid Pensions.

By Mr. PALMISANO: A bill (H. R. 11693) granting a pension to Minnie Eaton; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 11694) granting an increase of pension to Carolyn L. Bacon; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 11695) granting compensation to Charles A. F. McIsaac; to the Committee on Claims.

By Mr. WHITLEY: A bill (H. R. 11696) granting an increase of pension to Elizabeth A. Schlick; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6771. By Mr. BRIGHAM: Petition signed by R. P. Streeter, Alton H. Pratt, George H. Towle, and several others, of Franklin, Vt., relative to an adjustment between radio stations WLS and WNER, Chicago, in favor of WLS running full time; to the Committee on the Merchant Marine and Fisheries.

6772. By Mr. CONNERY: Resolution of Lazarus Davis Lodge, No. 548, protesting against registration of aliens; to the Committee on Immigration and Naturalization.

6773. By Mr. CONNOLLY: Letter from the Philadelphia (Pa.) Real Estate Board, inclosing copy of resolution adopted by that organization strongly protesting against passage of the bill (H. R. 10887) authorizing the construction of a bridge across the Delaware River at or near Wilmington, Del.; to the Committee on Interstate and Foreign Commerce.

6774. Also, resolution adopted by the Vessel Owners and Captains' Association, of Philadelphia, Pa., protesting against passage of the bill (H. R. 10887) authorizing the construction of a bridge across the Delaware River at or near Wilmington, Del.; to the Committee on Interstate and Foreign Commerce.

6775. By Mr. CULLEN: Resolution of the Post Office Square Club of New York City, earnestly requesting Congress to enact into law the La Follette-Kendall short Saturday workday bill; to the Committee on the Post Office and Post Roads.

6776. By Mr. GARBER of Oklahoma: Petition of American Association of University Women, Milwaukee, Wis., in support of the Goodwin bill, H. R. 10574; to the Committee on Interstate and Foreign Commerce.

6777. Also, petition of Red Ball Bus Co., Enid, Okla., making protest against portion of Parker bus bill permitting competing license to be issued for bus lines; to the Committee on Interstate and Foreign Commerce.

6778. Also, petition of executive board of the Oklahoma City Junior League, urging support of House bill 9042; to the Committee on the Library.

6779. Also, petition of Oklahoma Forest Commission, Oklahoma City, urging support of tariff on lumber; to the Committee on Ways and Means.

6780. Also, petition of Farm Seed Association of America, Chicago, Ill., in opposition to increased tariff on alsike clover seed; to the Committee on Ways and Means.

6781. Also, petition of Long-Bell Lumber Co., Longview, Wash., urging support of tariff on lumber; to the Committee on Ways and Means.

6782. Also, petition of Long-Bell Lumber Co., Ames, Okla., in support of tariff on lumber; to the Committee on Ways and Means.

6783. By Mr. HOWARD: Petition signed by Sam Martinson and 41 others of Maskell, Nebr., and vicinity, pleading for passage of House bill 2562, now pending before the Congress, which bill provides for increased rates of pension to men who served in the armed forces of the United States during the Spanish-American War. The 41 other persons are as follows: Ludwig Nedergaarde, Oscar Klanderud, H. Bengtson, Ludwig Stolpe, F. M. Schmid, William Nielsen, J. P. Christensen, K. P. Jensen, Ira Cook, Scott Granthan, C. A. Leocimore, and Emanuel Stolpe, of Obert; Alfred R. Olsen, Emil Gunderson, H. J. Lenzen, J. C. Johnson, Lewis Curbenson, P. A. Anderson, C. E. Gee, Jacob Nielson, Ole B. Gunderson, W. H. Gee, Arthur Lukken, Charles G. Johnson, O. C. Harang, O. N. Lukken, J. C. Sorensen, Sam Werger, H. W. Cooke, Oscar Bensen, Nels Birklen, Ole B. Flom, Minor Flom, G. C. Hausman, M. P. Lund, M. H. Wyant, Neal A. Maskell, Ed Whitsett, and Andrew Nelson, of Maskell; A. Lund and Otto C. Johnson, of Hartington, State of Nebraska; to the Committee on Pensions.

6784. By Mr. MILLIGAN: Petition of citizens of Lexington and Wellington, Mo., urging the enactment of legislation granting additional benefits to veterans of the Spanish War and their dependents; to the Committee on Pensions.

6785. By Mr. MOREHEAD: Petition signed by Hon. Clanda Barnell and many others, asking Congress to pass Senate bill 476 and House bill 2562, for relief of the Spanish War veterans; to the Committee on Pensions.

6786. By Mr. NELSON of Maine: Petition of 25 citizens of Maine, urging increased Spanish War pensions; to the Committee on Pensions.

6787. By Mr. WALKER: Petition of Thomas H. Shyrock and others, urging the enactment of the Johnson bill and other legislation relative to World War veterans; to the Committee on World War Veterans' Legislation.

6788. By Mr. TAYLOR of Tennessee: Petition of various business interests, favoring the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

SENATE

WEDNESDAY, *April 16, 1930*

(Legislative day of Monday, April 14, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 686. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;

S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes;

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River;

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.;

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

The VICE PRESIDENT. The Chair desires to make the following announcement:

The Senator from Maryland [Mr. GOLDSBOROUGH] has asked to be excused from service on the special committee appointed to investigate campaign expenditures in the 1930 campaign. Without objection, his request will be granted, and the Chair appoints the Senator from Connecticut [Mr. BINGHAM] to succeed him.

Mr. BINGHAM subsequently said: Mr. President, during my absence from the Chamber this morning the Vice President appointed me to membership on the special committee investigating campaign expenditures in the 1930 campaign. I regret that this was done without consultation with me. Some time ago I accepted an appointment from the President as chairman of the American Samoan Commission, which must go to American Samoa this year—it should have gone last year—to carry out the provisions of the law providing for a study of conditions there and recommendations for an organic act. In view of the fact that the special committee to which I have been appointed must hold meetings during the summer, and the impossibility of being in two places at once, I must ask to be relieved of service on the special committee. I hereby tender my resignation.

PRESERVATION OF SCENIC BEAUTY OF NIAGARA FALLS

Mr. BORAH. Mr. President, the President sent to the Senate a few days ago a report of the special International Niagara Board. It has some relation to a treaty with Canada now pending in the Senate. The President asked in his communication that the same be published as a public document. I am authorized by the Committee on Foreign Relations to ask unanimous consent that the same be printed as a Senate document, with illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITION

Mr. GILLETT presented a petition of citizens of the town of Essex, Mass., praying that the John Wise House, so called, and some 100 acres of adjoining land located in the north end district of the township be acquired and preserved as a monument to the "Father of American Independence," and to mark the birthplace of American freedom, to be known as the John Wise National Memorial, which was referred to the Committee on the Library.

CATAWBA INDIANS IN SOUTH CAROLINA

Mr. BLEASE. Mr. President, I ask permission to have printed in the RECORD an article from the Charlotte Observer of Sunday, April 13, 1930, relating to the condition of the Catawba Indians of South Carolina; also an editorial from the same paper of the same date relating to the same subject. I ask that the article and the editorial may be referred to the Committee on Indian Affairs because of their value in the consideration of matters pending before that committee relating to these Indians.

There being no objection, the article and editorial were referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

[From the Charlotte (N. C.) Observer, Sunday, April 13, 1930]

THE CATAWBAS

Nine miles from Rock Hill, in South Carolina, is the land of the Catawbas. It is a desolate land. On it there are no forests and hardly any trees. The terrain is hilly and rocky and too poor to sustain human life. The best white farmers in the Carolinas would starve to death thereon. The remnant of the Catawba Indians is facing virtual starvation. There are no more pitiful people on the face of the earth than these Indians, who are now holding out appealing hands to the Great White Father in Washington to come to their relief.

This proud and valiant race has been always the consistent friend of the white man. In the early days they interposed their power between the settlements in South Carolina and the fierce Cherokees to the west. The Catawbas have taken part in every war in which the United States has engaged. They fought for the Confederacy in the War between the States. A number of their young men volunteered for service in the World War, and at least one of them was sent overseas. At Fort Mill there stands a monument to the valor of the red men who followed the fortunes of Lee and Jackson.

The Catawbas are a vanishing tribe of a vanishing race. There are now only 172 individuals on their reservation. There are only 6 full-bloods of this once virile people in the world to-day. These are old men and women who can no longer hope for a perpetuation of their race. The journey of the Catawbas into the land of the to-morrows is inevitable. It is a pity. Of all the Indians on the American Continent these have been the most faithful in their allegiance to their white neighbors.

But the whites have not treated them with the consideration they deserve. The Catawbas relinquished 144,000 acres of land to the State of South Carolina, of which 625 acres was returned to them for a reservation. There is no more barren territory in the State than this. Nothing will grow on their rocky hillsides. If they turn over their thin soil the rains wash it into the river. There are no longer deer in the forests for their sustenance. There are no longer any forests or any trees for firewood. The pollution of the white man has killed the fish in the deep pools of their turbulent river.

The Catawbas are the wards of the State of South Carolina. The legislative appropriation for their maintenance amounts to $28 per annum per individual. There is no fertility in their land. They must live on this pittance or die. Some of them eke out a bare existence in the industrial centers. But the Indian is designed for a life in the open. He can not survive under the white man's civilization. He can not secure proper nourishment for his children. The rain comes in through his dilapidated roof and wets him in the night.

Recently a subcommittee of the Committee on Indian Affairs of the Senate, acting on a resolution introduced by Senator COLE. L. BLEASE, visited the Catawba Reservation and made a first-hand study of the condition of these Indians. They found the situation even worse than they had been led to believe. They found families crowded together under inadequate roofs, with nothing to eat but a pone of bread held together with water and seasoned with a little salt. It is believed they will recommend that Congress do something about it. It is to be hoped that this is so. The Catawbas have waited a long time for the white people in whom they trusted to repay their trust.

Petitions have been presented to the Legislature of South Carolina on behalf of these Indians from time to time for the last 100 years. While the State has not turned a deaf ear to them, adequate provision has not been made for the prevention of want and destitution among them. The towns of Rock Hill and Fort Mill are said to be built upon land surrendered by these Indians under long-term leases that were never fulfilled. Even as far back as the Revolutionary period, the Catawbas realized the destiny that was confronting them. In that far day, one Peter Harris—and the name of Harris is still prominent in the annals of the Catawbas—presented a pathetic appeal to the young Republic that will bear repetition here, because it is as true essentially to-day as it was when delivered before the legislature:

"I am one of the lingering survivors of an almost extinguished race. Our graves will soon be our habitations. I am one of the few stalks that still remain in the field after the tempest of the Revolution is passed. I fought the British for your sake. The British have disappeared, nor have I gained by their defeat. I pursued the deer for a subsistence; the deer are disappearing, and I must starve. God ordained me for the forest, and my ambition is for the shade. But the strength of my arm decays, and my feet fail me in the chase. The hand which fought the British for your liberties is now open for your relief. In my youth I bled in battle that you might be independent. Let not my heart in my old age bleed for the want of your commiseration."

Surely Congress will see to it that these people are taken care of for as long as there are any of them remaining. It will not be for a long period. They ask only for the right to live—that their young men may gain a livelihood by the sweat of their brows and that the older ones may walk into the setting sun with hearts at peace.

[From the Charlotte Observer, Sunday, April 13, 1930]

LAST OF CATAWBAS APPEAL TO GREAT WHITE FATHER—STARVATION AND EXTINCTION FACING ONCE POWERFUL TRIBE REDUCED TO ACTUAL POVERTY—CATAWBAS HAVE FOUGHT ON SIDE OF WHITES IN EVERY WAR IN WHICH AMERICA HAS ENGAGED—ONLY ONE WHITE MAN EVER KNOWN TO HAVE BEEN KILLED BY THEM—SENATE COMMITTEE INVESTIGATING THEM WITH VIEW TO PROVIDING RELIEF IN THEIR EXTREMITY

By Ernest S. Dreher

Consistent friends of the white man, with a record of service in every war in which the United States has engaged, the once-powerful Catawba Indians, reduced in numbers almost to the vanishing point, condemned to live on lands so poor that it does not afford them a livelihood, unable to secure relief from the State of South Carolina, whose wards they are, are making a final appeal to the Government at Washington to save them from extinction.

TOO MUCH CIVILIZATION

Their forests felled that the white people might build houses in which to live, their lands taken from them under long-term leases that were never fulfilled, the fish in the great river named for them killed through the pollution of the white man, restricted to living on a barren area on a rocky hillside, the Indians who stood between the settlements in South Carolina and the fierce Cherokees on the west, unable to succor their sick or decently bury their dead, hold out appealing hands to the Great Father of their white neighbors.

There are only 172 Catawba Indians left in all the world. Of this number there are only six full-bloods remaining. These are too old now to hope for a continuation of the strain that was once a proud and haughty race. Inevitably the Catawbas must journey into the land of the to-morrows. They ask now only for the necessities of life—only that their young men may be given opportunity to live by the sweat of their brows, and the older ones allowed to die with hearts at peace.

FRIENDS OF THE WHITE

In all the long history of the Catawbas only one white man is known to have been killed by them. They are the original prohibitionists in America. The great King Haigler in the very early days petitioned the governor at Charleston to prevent the sale of fire water to steal away the hearts and the brawn of his young men. They gave up their lands in confidence that their white friends would deal fairly with them.

No longer are there deer to be slain in the leafy forests. No longer are there fish in the pools of the rushing river. The Catawba stands desolate upon the hills of his fathers and watches the sun of his existence go down into the west.

The appropriation for the maintenance of these people by the State of South Carolina is pitifully small. When their school teacher, their physician, their undertaker, and their agent have been paid there is left only $28 per individual to be distributed among the tribesmen. Their reservation is but a strata of rock with a thin soil on top of it. Nothing worth while can be made to grow thereon. There is no more desolate and worthless area in the State of South Carolina than the 652 acres allotted to the Catawbas as a reservation. In a land overflowing with milk and honey these people can not find enough to eat to keep their bodies in health.

BLEASE RESOLUTION

In a resolution offered in the Senate of the United States on February 26, COLE. L. BLEASE, former Governor of South Carolina, called attention to the condition of these people, reduced now to a tribe of 38 families, of which 41 are men, 38 women, and 93 children, and asked that the Committee on Indian Affairs be authorized and requested to make investigation of the Catawba Indians and "report thereon with such recommendations as the committee may deem best for the interests of this tribe." Thus broke the first ray of hope through the clouds of despair that have encompassed the Catawbas about for many generations.

The subcommittee that came down to visit the reservation was composed of Senators LYNN J. FRAZIER, of North Dakota, chairman, and ELMER THOMAS, of Oklahoma. Both of these come from States in which Indians are domiciled, and they thus have first-hand knowledge of the life and environment of the red men. Their findings and recommendations will be regarded as authoritative. Efforts have been made in the past to interest the United States Government to take over and provide for these people, but this is the first time that an official visit has been made to them by representatives of the American Government.

TALE OF THE CATAWBAS

Prior to the introduction of his resolution, Senator BLEASE wrote to Gov. John G. Richards for authoritative information regarding the Catawbas. This communication was referred by the governor to T. O. Flowers, of Rock Hill, financial agent of the State for the Indians, who prepared in answer thereto a succinct account of the actual condition of these wards of the State. This summary relates in barest outline just how desolate and distressing the situation really is. It recalls briefly the essential facts leading up to the decline in prestige and power of the Catawba nation.

"During the past few years," says Mr. Flowers, "the condition of these people has become so noticeable that citizens of the State have become interested, and a feeling of sympathy and good wishes has gone out to them. The 652 acres of land they now occupy was given back to them of the 144,000 acres deeded by them to the State of South Carolina. This 652 acres comprises the present reservation. The land is situated on the Catawba River, about 9 miles from Rock Hill.

NONPRODUCTIVE LAND

"This land is almost nonproductive, due to the fact that the surface is composed of a strata of rock on hilly terrain, which, when plowed, leaves the tilled soil exposed to be washed away by the rains, which takes what fertility is in the land to the river. They can not raise sufficient crops on this land to support their families and are forced to seek employment in distant towns and localities. The land is devoid of forest, save a low brush near the river, and a few patches of small oaks. It is void of timber for either wood or lumber. Many of the people suffer during the winter because their homes are inadequate and because their fires must be kindled with green wood.

"The history of these people is most remarkable. They have always favored the white race. They have fought against the Cherokees, and even among themselves, for the white man. They have suffered many hardships and have even given up their possessions to the white man. There are at this time 38 families on the reservation—41 men, 38 women, and 93 children—172 people all told. There are only a dozen houses fit to live in. There is a schoolhouse on the reservation, which is supported by the State in the amount of $1,500 annually. In this school there are two teachers. There are 43 pupils enrolled, with an average attendance of 34. These Indians have accepted the Latter Day Saints (Mormon) religion. A temple on the reservation was built by the Mormon Church. All services are well attended."

INDIANS MAKE APPEAL

The committee went out to the reservation, where a hearing was held at the schoolhouse for the Indians and a few white friends who spoke in their behalf. Afterwards they visited the homes of some of the tribesmen, where they saw for themselves where real poverty and distress exists. They found, for instance, three families of eight people living in a 1-room shack, with uncelled walls and roof, and with the sky visible through cracks in the walls and roof. These eight people were obliged to sleep on two beds and a nondescript frame structure which takes the place of a bed. They have no garden, no poultry, no hogs, no cattle, no fruit trees. There was nothing but abject squalor and poverty.

In another house of two rooms was found a family of eight living under similar environment. At this second home the family were at supper when the committee arrived. There was one loaf of corn bread on the table. The meal had been mixed with no other seasoning than salt and water. There was no meat, no eggs, no vegetables, no butter, no sirup, no fruit. The committee was told that the family had no money with which to buy these things. It is not hard to surmise what the other meals partaken of by this family are like.

IN DIREST POVERTY

However, all of the families are not quite so abjectly poor. There are several 4-room houses on the reservation, some of them with fairly good furnishings. In one was found a cook stove, with the family in possession of some poultry. There were a few fruit trees and a dozen bee gums. These are the only bees on the reservation. Water is secured from a spring under the hill. There are only one or two wells on the whole place.

With the exception of the river bottoms there is not an acre of level land on the reservation. The terrain is rolling, hilly, and rocky and is exceedingly poor and unproductive. It is doubtful if any other tract of land of equal size can be located in York County more undesirable for farming purposes. The nature of the soil is such that a high state of cultivation is impossible without an enormous expenditure of money and effort. Even then the results would be meager and inadequate, for the rains would soon wash the loosened soil into the gullies and river, leaving a bare strata of rock underneath.

LITTLE LIVESTOCK

White men without capital would starve on this place. On the reservation now there are four mules and horses and eight cows. These are personal property, however, not owned in common by all the Indians. There are no hogs, and only a few chickens here and there. The river bottoms, comprising about 75 acres, are level. This was once good land, but high waters of 1916 overflowed these lowlands, washing great holes in places and piling up white sand banks at random. Since that time only a part of the bottoms has been under cultivation. The elevation above the bed of the river is so slight that the stream frequently overflows, destroying the crops. For three years in succession the crops have thus been completely ruined.

MAKERS OF POTTERY

Some of the women make pottery which is attractive in form and design. Several of these show Indian heads neatly executed and true to life. There are vases and pots, loving cups with two handles; peace pipes as large as small bowls, which they resemble; Indian-head pipes and just plain pipes; book ends, boats, bowls, candlesticks, toy washpots, tomahawks, and hatchets. The only implements used in fashioning these are the hands, a basin of water, and the shell of a gourd for scraping and polishing. The burning is done in an open fireplace for three or four days after molding. The process of burning lasts for three or four hours.

The pottery is marketed in Rock Hill, Fort Mill, Charlotte, and other near-by towns. Visits are exchanged between the Catawbas and the Cherokees of western North Carolina, and the Cherokees buy their pottery from the Catawbas. The Cherokees do not make pottery, as they have no suitable clay on their reservation. The two tribes intermarry to a very limited extent. Pottery can not be made without workable clay, which must be soft, flexible, elastic, and free of grit. The Catawbas get their clay from the Waxhaw swamps across the river, where a battle was fought in the Revolutionary War between the Patriots, led by Colonel Buford, and the Tories, under the notorious General Tarleton.

One of the regulations of long standing at Winthrop College, South Carolina's great school for women at Rock Hill, prohibits the sale of merchandise to or among the students. Under the requirement the girls are not permitted to sell cakes, candies, fancy articles, or anything else on the campus, either for personal profit or in the interest of special or charitable purposes. Yet there is one exception to this rule—and only one. It was made by the late President David Bancroft Johnson, founder of Winthrop, many years ago, and it permits the Catawba Indians to dispose of their pottery to the students at a designated place on the campus. Thus one may see Indian women displaying their wares just inside one of the gates, and always at the same place. Doctor Johnson realized how hard it is for these people to earn a livelihood. Permission to sell pottery on the campus was his way of expressing sympathy for them.

EDUCATING THE YOUNG

The school is perhaps the most worth-while thing on the reservation. There are at present two teachers, with an enrollment of 42 pupils. The principal is J. C. Davis, a native South Carolinian. He is a graduate of the College of Charleston. He has had an experience as a teacher of 18 years in the public schools of South Carolina. His school is orderly and well managed. He reports that Indian children learn as readily as children of the white race and are as responsive to rules and regulations. They are intelligent, industrious, alert to learn, and are making creditable progress. Mr. Davis is assisted by Miss Elsie Blue, daughter of Samuel Blue, one of the chiefs.

There is no such thing as a real chief among the Catawbas. The royal line became extinct many years ago. The word "chief" is now used only in a complimentary sense. Every two years three men are elected as a kind of executive committee to administer the unwritten tribal laws of the reservation. At this election both men and women vote. In rare cases, when the executive head can not reach a decision satisfactory to all, the case is referred to the agent for adjudication. Mr. Flowers is regarded as the "big brother" of the Indians. No case has ever been appealed over his decision. At present the executive committee consists of Samuel Blue, chairman; Robert Sanders; and Idle Sanders.

COMMUNITY PROPERTY

The Catawbas are citizens of the United States, but not of South Carolina. The reservation is the property of the Indians as a whole, which means that they do not hold title to individual tracts of land. They can not sell the land on which they live, although title to it rests in their name. But they can leave it and move elsewhere or out of the State if they so desire. When the tribe was more numerous and owned their undivided 144,000 acres on both sides of the river, they leased certain portions of their lands to the whites under 99-year contracts for nominal rentals. Once leased, however, the Indians never recovered their holdings. It is said that the land on which Rock Hill, Fort Mill, and other towns are located was lost to the Catawbas in this way.

In 1840 a treaty was entered into between the Legislature of South Carolina and the Catawba Indians whereby they transferred all of their lands to the State for the consideration "of a tract of land of the valuation of $5,000, 300 acres of which is to be good, arable land, fit for cultivation, to be purchased in Haywood County, N. C., or, in some other mountainous or thinly populated region where the said Indians may desire." Some historians state that this land was never purchased and that the Indians did not leave South Carolina, but Agent Flowers says that they migrated to North Carolina, and remained in Haywood County two years, after which they became dissatisfied and returned to South Carolina, the legislature having deeded back to them "652 acres of the lands they had surrendered, together with an annual pension of $800."

APPROPRIATION SMALL

Since 1840 the legislature has made a small annual appropriation to the Catawbas, but, considering the fact that they surrendered to the State a vast domain of valuable land for the small sum of $5,000, it would appear that the State has never shown them the consideration they deserve. The lands they abandoned for $800 a year are

now worth millions of dollars. The amount of the appropriation has, however, been increased from time to time, but the amount of $8,950 allotted to them for 1930 is wholly inadequate to provide for the actual needs of the 172 members of the tribe.

Before this money reaches the individuals the following deductions must be made: Salary for the agent, $450; salary for a physician, $500; funeral expenses, $150; care of helpless old people, $500; salaries for the two school-teachers, $1,500; making a total deduction of $4,100. This leaves only $4,850 for distribution among the Indians. It is apparent, therefore, that an individual man, woman, or child gets but $28 for his or her support for an entire year, in circumstances insufficient to provide a livelihood on account of the nature of the soil on which they live.

EVENTUAL STARVATION

A visit to the reservation will convince the most skeptical that the sum of $28 a year per capita means eventual starvation for these people unless an additional income can be provided by the Indians themselves. In desperation many of the Indians have left their poverty-stricken homes and sought employment in near-by towns. Several families live in Rock Hill, where men and women are employed in the cotton mills. It appears that their work is satisfactory. But the majority of them have always refused to leave their ancestral homes.

Nor should it be forgotten that the Catawba Indians have always been friendly and loyal to the whites. From colonial days down to recent times they have taken part in all wars waged by the whites. They fought against other tribes of Indians, particularly the Cherokees, in defense of the early settlements in South Carolina. Sixteen hundred of them were in the Revolutionary War on the side of the patriots. They marched with our troops in the Mexican War and in the Spanish-American War, and five volunteered for service in the World War, one of whom went overseas. The names of these five were: Ernest Sanders, Joseph Sanders, Early Brown, Richard Harris, and Robert Harris.

DEBT OF GRATITUDE

For sentimental reasons the State owes a debt of gratitude to the Indians for the beautiful names given to rivers and towns scattered all over the State. Among these may be mentioned Catawba, Waxhaw, Wateree, Santee, Saluda, Congaree, Edisto, Enoree, Pee Dee, Salkahatchee, Asheppo, Elloree, Cherokee, Chicora, Combahee, Coosaw, Seneca, Yammassee, Pocotaligo, Eutaw, and others. Such wonderfully musical names are a priceless heritage to any State or community. There stands at Fort Mill one of the few monuments erected in honor of the American Indians. There is recorded thereon the names and deeds of those who followed the fortunes of the Southern Confederacy in the War between the States.

Also one of the first, if not the first, temperance petitions originated with the Catawba Indians. It was presented to Chief Justice Henley, of the Supreme Court, by Haigler, one of the great chiefs, on May 26, 1756. Haigler said: "I desire a stop put to the selling of strong liquors by the white people to my people, especially near the Indian towns. If the white people make strong drink, let them sell it to one another or drink it in their own families. This will avoid a great deal of mischief which otherwise will happen from my people getting drunk and quarreling with the white people." In the present day this prohibition appeal from an Indian out of the distant past brings a wholesome message for our guidance in discussing one of the most perplexing problems that has ever confronted our people.

FUTILE PETITIONS

Petitions have been presented to the legislatures of South Carolina on behalf of the Catawba Indians for the last hundred years. While the State has not turned a deaf ear to them, adequate provision has not been made to prevent want and destitution among them. Perhaps none of these was more pathetic or appealing than the one presented by Peter Harris soon after the Revolutionary War. It will bear repetition here because it is as essentially true to-day as it was when delivered before the legislature:

"I am one of the lingering survivors of an almost extinguished race. Our graves will soon be our habitations. I am one of the few stalks that still remain in the field after the tempest of the Revolution is passed. I fought the British for your sake. The British have disappeared, nor have I gained by their defeat. I pursued the deer for subsistence; the deer are disappearing, and I must starve. God ordained me for the forest, and my ambition is for the shade. But the strength of my arm decays, and my feet fail me in the chase. The hand which fought the British for your liberties is now open for your relief. In my youth I bled in battle that you might be independent. Let not my heart in my old age bleed for the want of your commiseration."

COMPREHENSIVE PLAN

The most comprehensive plan for disposing of this matter and properly providing for the Indians for all time was contained in the provisions of a bill introduced in the legislature by Senator Hart of York County in 1924. The beneficiaries of this measure were divided into two classes, farmers and residents of cities. Each head of a family who elected to farm was to receive $2,000 for the purchase of a farm, and also the following sums for agricultural implements and supplies: First year, $400; second year, $200; third year, $200. Those who wished to live in a town or city were to receive $2,000 for each family for purchasing a home, and also $200 for the first year and $100 for the second and third years. As the State was not financially able to invest so large a sum (about $100,000) in the Catawbas at that time, the bill was allowed to die.

In an effort to aid Senator BLEASE and the Committee on Indian Affairs, in reaching a determination in connection with the Catawba matter, the chamber of commerce at Rock Hill has addressed a communication to a large number of civic and religious organizations throughout the State asking them to write or telegraph the former in support of the movement to secure favorable action by Congress on behalf of these neglected people who have consistently stood by and fought for this Nation in weal and in woe.

CONCRETE SUGGESTION

Senators FRAZIER and THOMAS have returned to Washington with a very determined notion that something should be done for the Catawbas. Senator THOMAS has made the concrete suggestion that the Government should recognize them. After this is done, he says, the next thing should be to put roofs over their heads, so that they will be protected from the weather. After that he thinks a small factory or factories should be located on the Indian lands by the Government and the remaining men and women instructed how to make pottery under improved conditions. That, he says, would give them something worth while to employ their time and allow them to make small amounts of money and gradually raise them out of the slovenly habits of living into which they have been permitted to fall.

While Senator THOMAS has not in any way criticized the State of South Carolina for the present plight of the Indians, it is not hard to see that he believes that they could be far above the conditions in which they now exist had proper supervision and more State funds been used to educate them and train them to become more beneficial to themselves. Some form of vocational training whereby the Indians can be made to earn a part of their living expenses is the uppermost idea in the minds of Senators THOMAS and FRAZIER at this time.

This suggestion of Senator THOMAS has been presented to a group of 12 or 15 prominent Catawbas. At the same time they were asked how they would like to farm on good lands, with comfortable homes, a garden, work animals, cows, poultry, orchards, with direction for a few years of an agricultural expert. An individual poll was taken to get an expression of opinion on the two ideas. The vote was unanimous for the farm as against the city and the factory. Every instinct of the Indian is for a life in the open. Happiness for him can not be found in the crowded environment of industrial institutions, nor in man-made towns and cities.

REPORTS OF COMMITTEES

Mr. BORAH, from the Committee on Foreign Relations, to which was referred the bill (S. 4104) authorizing an appropriation for expenses of delegates to attend the International Conference on Load Lines at London, England, reported it with an amendment and submitted a report (No. 440) thereon.

Mr. LA FOLLETTE, from the Committee on Foreign Relations, to which was referred the bill (S. 917) for the relief of Margaret Diederich, reported it without amendment and submitted a report (No. 441) thereon.

Mr. STEPHENS, from the Committee on Immigration, to which was referred the bill (S. 3691) to amend an act entitled "An act relative to naturalization and citizenship of married women," approved September 22, 1922, reported it without amendment and submitted a report (No. 442) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 1971) for the relief of Buford E. Ellis, reported it with an amendment and submitted a report (No. 445) thereon.

CONSERVATION OF WILD ANIMAL LIFE

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the resolution (S. Res. 246) to appoint a special committee to investigate matters pertaining to the replacement and conservation of wild animal life, reported it without amendment, and it was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. DENEEN, subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which the foregoing resolution was referred, reported it without amendment.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 16, 1930, that committee presented to the President of the United States the enrolled bill (S. 3715) authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina,

the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.

EXECUTIVE REPORTS

As in open executive session,

Mr. BORAH, from the Committee on Foreign Relations, reported favorably Executive E, Seventy-first Congress, second session, a convention and protocol with Great Britain defining the rights of the United States and its nationals in Iraq, which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

Mr. BLEASE. I introduce a bill, by request, and ask that it be referred to the Committee on Commerce, together with a copy of the minutes of the Board of Commissioners of Georgetown County, S. C., and the report of the committee of the General Assembly of South Carolina along with the bill as passed by it.

By Mr. BLEASE (by request):

A bill (S. 4182) granting the consent of Congress to the county of Georgetown, S. C., to construct, maintain, and operate a bridge across Black-Pee Dee River and Waccamaw River at or near Georgetown, S. C. (with accompanying papers); to the Committee on Commerce.

By Mr. SHORTRIDGE:

A bill (S. 4184) granting a pension to Carrie J. Mealey; to the Committee on Pensions.

A bill (S. 4185) granting compensation to William J. Johnson; to the Committee on Finance.

A bill (S. 4186) for the relief of Brig. Gen. Harry Rethers, United States Army; to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 4187) authorizing the enrollment of certain Indians residing in the State of Oregon; to the Committee on Indian Affairs.

A bill (S. 4188) to provide for the establishment and development of American air transport services overseas, to encourage construction in the United States by American capital of American airships and other aircraft for use in foreign commerce, and for other purposes; to the Committee on Commerce.

By Mr. BORAH:

A bill (S. 4189) granting a pension to Carrie C. Crain (with accompanying papers); and

A bill (S. 4190) granting a pension to Emma Langley (with accompanying papers); to the Committee on Pensions.

By Mr. ALLEN:

A bill (S. 4191) granting a pension to Elizabeth Butler (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 4192) granting a pension to William Fay; to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 4193) for the relief of the State of Florida for damage to and destruction of roads and bridges by floods in 1928 and 1929; to the Committee on Post Offices and Post Roads.

By Mr. CAPPER:

A bill (S. 4194) for the relief of Fred P. Steiger (with accompanying papers); to the Committee on Military Affairs.

MIGRATION OF FILIPINOS TO UNITED STATES

Mr. SHORTRIDGE. I wish to introduce a bill, to the purpose of which I invite the attention of Senators. It is a bill to regulate the migration of citizens of the Philippine Islands to the continental United States, and for other purposes. For the benefit of Senators present, and in the hope that it will be given early consideration by the Senate, I ask that, by unanimous consent, the clerk may read the bill. It is brief.

The bill (S. 4183) to regulate the migration of citizens of the Philippine Islands to the continental United States, and for other purposes, was read the first time by its title, the second time at length, and referred to the Committee on Immigration, as follows:

Be it enacted, etc., That from and after July 1, 1930, migration of citizens of the Philippine Islands to continental United States shall be limited to students, visitors for business or pleasure, merchants, government officials, their families, attendants, servants, and employees.

For the issuance of permits to travel to continental United States an official shall be designated as provided in paragraph (f) of section 28 of the immigration act of 1924, as amended.

This act shall be in force and effect for five years from and after the date of its approval, and if within that time the independence of the Philippines shall have been granted or by act of Congress definitely provided for, then this act shall continue in force indefinitely thereafter.

Mr. SHORTRIDGE. Just a word. The bill has now been referred to the appropriate committee. I respectfully ask that the committee give early consideration to the bill, inasmuch as it deals with one phase of the large question which is now immediately before the Senate. I understand the House committee will take into consideration this or a like bill, as it is now considering another bill dealing with the immigration problem. On another occasion I shall ask the Senate to indulge me while I seek to justify the passage of this bill.

While on my feet, by the further indulgence of the Senator from Arizona, busy as I am as one of the conferees on the tariff bill I have been unable to attend regularly the sessions of the Senate, and to be benefited by the arguments which are in progress, but I take this occasion to say that I hope the pending bill, which is the unfinished business, will sooner or later—and the sooner the better, in my judgment—be so amended as to limit its scope to Mexico rather than to include, as it now does, as I understand, all the nations of the Western Hemisphere.

I see no danger coming from Ecuador or Brazil or Argentina or Colombia or Peru; I see no immigration problem there and here to be considered; but I do see a very grave problem in respect of Mexican immigration. I therefore hope that the Harris bill, now pending, will be so amended as to be limited to the Mexican problem, to use that phrase.

Mr. DILL. Mr. President, I merely wish to say that I not only approve of the bill which the Senator from California [Mr. SHORTRIDGE] has introduced but I hope that he will offer it as an amendment to the pending bill. Next to the influx of Mexican labor, the most objectionable thing with which we have to deal in this country is the influx of Filipino labor. The bill introduced by the Senator from California seems to offer a method whereby the influx of Filipino labor may be limited, where a quota might be objected to, and I hope the Senator from California will eventually offer it as an amendment to the pending bill.

Mr. SHORTRIDGE. If, in a parliamentary sense, it shall appear wise, in order to achieve the purpose of the bill I have just introduced I shall offer it as an amendment to the pending Harris bill, I shall certainly do so. I am hoping, however, that, in any event, the committee to which the bill I have introduced has been referred will give it very early and favorable consideration.

RESTRICTION OF IMMIGRATION

Mr. SHORTRIDGE submitted an amendment intended to be proposed by him to the bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws, which was ordered to lie on the table and to be printed.

INVESTIGATION OF AFFAIRS OF INDIANS OF CATTARAUGUS, ALLEGANY, AND OIL SPRINGS RESERVATIONS, N. Y.

Mr. FRAZIER. Mr. President, from the subcommittee of the Committee on Indian Affairs, I submit a resolution and ask for its immediate consideration and adoption.

There being no objection, the resolution (S. Res. 248) was read, considered, and agreed to, as follows:

Resolved, That the Comptroller General is hereby directed (1) to make a full and complete investigation and audit of all transactions, books of accounts, business and affairs, receipts and disbursements of all moneys arising from the leasing of oil, gas, and other lands and property belonging to Indians within the Cattaraugus, Allegany, and Oil Springs Reservations in the State of New York for the period from February 19, 1875, to the date of passage of this resolution, and (2) to report thereon to the Senate as soon as practicable.

AMENDMENT OF THE RULES—SECOND MORNING HOUR

Mr. SHEPPARD submitted the following notice of an amendment of the rules, which was read and ordered to lie on the table:

In accordance wtih Rule XL, Standing Rules of the Senate, I hereby give notice that it is my intention to offer an amendment to paragraph 3, Rule VII of the Standing Rules of the Senate inserting between the word "Mondays" and the word "the" in said paragraph the words "and Thursdays."

The purpose of the proposed amendment is to provide a second morning hour in each week during which the calling of the calendar can not be dispensed with except by unanimous consent.

UNITED STATES-CANADIAN-ALASKAN HIGHWAY

Mr. McNARY. Mr. President, some weeks ago I introduced the bill (S. 1811) providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada. The bill was referred to the Committee on Agriculture and Forestry, reported back favorably and it passed the Senate. The House has passed a similar bill. The House bill came to the Senate and was referred to the Committee on Post Offices and Post Roads. Heretofore the Committee on Agriculture and Forestry passed upon a similar bill.

This presents a very difficult parliamentary situation. I am unable to go into conference, unable to accept the House bill, and I think in the interest of expedition in the matter of legislation the Committee on Post Offices and Post Roads should be discharged from the further consideration of the House bill. Therefore I ask unanimous consent that that may be done and that the bill passed by the House (H. R. 8368) bearing the same title may be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon?

Mr. NORRIS. Mr. President, I did not understand the last statement of the Senator.

Mr. McNARY. I merely requested that the Committee on Post Offices and Post Roads be discharged from the further consideration of the House bill and that it be referred to the Committee on Agriculture and Forestry.

Mr. NORRIS. I think that ought to be done, but I would like to inquire of the Senator, when the bill which we passed got to the House of Representatives, what was done with it there? To what committee did the Speaker refer it?

Mr. McNARY. The Senate bill has just reached the House. The Senate passed the bill and the House passed a similar bill. The Senate bill went to the House. When the House bill came to the Senate it was referred to the Committee on Post Offices and Post Roads. That creates the situation which I have just described.

Mr. NORRIS. I understand. It leads to a blind legislative alley. But I am wondering, Mr. President, why the Senator from Oregon, instead of requesting that the House bill be referred to the Committee on Agriculture and Forestry, does not follow the precedent of the House and have it lie on the Vice President's table for 10 months before it is referred to a committee.

Mr. JONES. Mr. President, as I understand it, the bill which passed the House is identical with the Senate bill except that it provides for $10,000 instead of $25,000, as the Senate bill provided. I would suggest to the Senator from Oregon under those circumstances that the Senator ask for the passage of the House bill.

Mr. McNARY. I am merely asking for the reference of the bill to the Committee on Agriculture and Forestry, which had jurisdiction over the bill which passed the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

CHILDREN'S TUBERCULOSIS SANATORIUM

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3425) to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium," which was, on page 1, after line 10, to insert a new paragraph to read as follows:

That if the land proposed to be acquired as a site for the said sanatorium is without the District of Columbia the title to said property shall be taken directly to and in the name of the United States, and in case a satisfactory price can not be agreed upon for the purchase of said land, the Attorney General of the United States, at the request of the Commissioners of the District of Columbia, shall institute condemnation proceedings to acquire such land as may be selected for said site either in the State of Maryland or in the State of Virginia in accordance with the laws of said States, and expenses of procuring evidence of title or of condemnation, or both, shall be paid out of the appropriation herein made for the purchase of said site.

Mr. CAPPER. I move that the Senate agree to the House amendment.

The motion was agreed to.

EXCHANGE OF LAND IN KLINGLE FORD VALLEY

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3440) authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital, which was, on page 3, line 6, to strike out "Columbia. The" and insert "Columbia, the."

Mr. CAPPER. I move that the Senate agree to the House amendment.

Mr. NORRIS. I wish to inquire as to whether this bill has anything to do with the Great Falls?

Mr. CAPPER. Not at all. It is merely an exchange of property in Klingle Ford Valley for an addition to the park system of the National Capital.

Mr. NORRIS. Let me ask the Senator from Kansas whether the Great Falls bill has as yet been reported from the committee?

Mr. CAPPER. It has not.

Mr. NORRIS. Has it been ordered to be reported?

Mr. CAPPER. It was ordered to be reported, but the report is not yet ready to submit.

The VICE PRESIDENT. The question is on the motion of the Senator from Kansas to agree to the amendment of the House.

The motion was agreed to.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Smoot
Ashurst	Gillett	Keyes	Steck
Barkley	Glass	La Follette	Steiwer
Bingham	Glenn	McKellar	Stephens
Black	Goff	McNary	Sullivan
Blaine	Goldsborough	Metcalf	Swanson
Blease	Gould	Norbeck	Thomas, Idaho
Borah	Greene	Norris	Thomas, Okla.
Brock	Grundy	Nye	Townsend
Brookhart	Hale	Overman	Trammell
Broussard	Harris	Patterson	Tydings
Capper	Harrison	Phipps	Vandenberg
Caraway	Hatfield	Pine	Wagner
Connally	Hawes	Pittman	Walcott
Copeland	Hayden	Ransdell	Walsh, Mass.
Couzens	Hebert	Robinson, Ind.	Walsh, Mont.
Dale	Heflin	Robsion, Ky.	Watson
Deneen	Howell	Sheppard	Wheeler
Dill	Johnson	Shipstead	
Fess	Jones	Shortridge	
Frazier	Kean	Simmons	

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is detained on account of the death of his brother. I ask that this announcement may stand for the remainder of the week.

Mr. FESS. I desire to announce that my colleague [Mr. McCULLOCH] is unavoidably detained from the Chamber. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

ADDITION TO WESTERN NAVAJO INDIAN RESERVATION

Mr. ASHURST. I report from the Committee on Indian Affairs with amendments the bill (S. 3585) to eliminate certain lands from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation, and I submit a report (No. 443) thereon. The bill was introduced by the Senator from North Dakota [Mr. FRAZIER], the chairman of the Senate Committee on Indian Affairs, and is reported with an amendment proposed by my colleague, Senator HAYDEN.

The Secretary of the Interior, the Secretary of Agriculture, the State land commissioner, and the board of supervisors of the county in which the lands are located are in favor of the passage of the bill. I ask for its immediate consideration.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and in lieu thereof to insert the following:

That the following-described land be, and the same is hereby, eliminated from the Tusayan National Forest, Ariz., and added to and made a part of the Western Navajo Indian Reservation, subject to all valid rights and claims of individuals initiated prior to the approval of this act: All that part of the Tusayan National Forest lying east of the Colorado River and north of the Little Colorado River, unsurveyed, but which will probably be when surveyed in townships 32, 33, 34, 35, and 36 north, ranges 5 and 6 east; all lands in township 31 north, range 6 east, which are now a part of the Tusayan National Forest; sections 1, 2, 3, 4, and 10 to 14, inclusive, east half section 23, sections 24 and 25, east half section 26 and sections 35 and 36, township 30 north, range 6 east; sections 27 to 34, inclusive, township 30 north, range 7 east; sections 1, 2, and 11 to 14, inclusive, sections 23 to 26, inclusive; sections 35 and 36, township 29 north, range 6 east; sections 3 to 10, inclusive, and sections 15 to 36, inclusive, township 29 north, range 7 east; section 1 and north half section 12, township 28 north, range 6 east; sections 1 to 23, inclusive, and sections 29 to 32, inclusive, township 28 north, range 7 east, Gila and Salt River base and meridian, Arizona: *Provided*, That all unappropriated and unreserved public lands in sections 24 to 28, inclusive, and sections 33 to 36, inclusive, in township 28 north, range 7 east, Gila and Salt River base and meridian, Arizona, be, and the same are hereby, added to and made a part of the Western Navajo Indian Reservation, subject to all valid rights and claims of individuals initiated prior to approval of this act.

SEC. 2. That upon conveyance to the United States of a good and sufficient title to any privately owned land within the areas described in this act, the owners or their assigns thereof are hereby authorized under regulations of the Secretary of the Interior, to select at any time within 15 years after the approval of this act, from the surveyed, unappropriated, unreserved, nonmineral public lands of the United States, in the State of Arizona, lands approximately equal in value to the lands thus conveyed, such values to be determined by the Secretary of the Interior, and the Secretary of the Interior is hereby authorized to issue patents for the lands thus selected: *Provided*, That the lands conveyed to the United States under authority of this act shall thereupon become a part of the Western Navajo Indian Reservation.

SEC. 3. That before any exchange of lands as above provided is effected notice of such exchange describing the lands involved therein shall be published once each week for four consecutive weeks in some newspaper of general circulation in the county or counties within which the selected lands are situated.

SEC. 4. That the State of Arizona shall have the right to select other public lands in lieu of sections 2, 16, 32, and 36 within said addition to the Western Navajo Indian Reservation, in the same manner as is provided in the enabling act of June 20, 1910 (36 Stat. L. 557).

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEPORTATION OF CERTAIN ALIEN SEAMEN

Mr. GOULD. Mr. President, on Monday last during my unavoidable absence and in the absence of other Senators who had an interest in it the bill (S. 202) to provide for the deportation of certain alien seamen, and for other purposes, was passed by the Senate, as I understand, without any discussion. I should like to have the vote whereby the bill was passed reconsidered and have the bill restored to the calendar, if there is no objection.

The PRESIDING OFFICER. The Chair understands that the Senator from Maine desires to move a reconsideration of the votes by which the bill was ordered to a third reading, read the third time, and passed.

Mr. GOULD. That is what I desire.

The PRESIDING OFFICER. And to request the House to return the bill.

Mr. GOULD. The bill is still here on the table, as I understand. It was held up on Tuesday morning.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine to reconsider the votes by which the bill referred to by him was ordered to a third reading, read the third time, and passed.

Mr. HEFLIN. Mr. President, is that the King bill?

Mr. GOULD. Yes, sir.

Mr. HEFLIN. Mr. President, the bill provides for the deportation of certain aliens found in the United States in violation of law. It is a very meritorious measure, and I do not see why the Senate should reconsider its action in passing the bill because of one or two Members who happened to oppose it were not in the Chamber. I think we ought to have some very good reason given as to why a reconsideration should be had. I think that the bill ought to become a law.

Mr. GOULD. There are a number of Senators who do not have that feeling about it, and they would like to discuss the bill in any event. They have not had an opportunity to do that. It was passed by the Senate during their absence, and it was not discussed at all, and they would like to be heard on the bill.

The PRESIDING OFFICER. The Senator from Maine may enter a motion to reconsider the votes by which the bill was ordered to a third reading, read the third time, and passed, as the Chair understands the time limit for entering such motion has not as yet expired.

Mr. JOHNSON. Mr. President, I understand the Senator from Connecticut [Mr. BINGHAM] entered a motion yesterday to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The clerk informs the Chair that the Senator from Connecticut gave notice that he would enter such a motion.

Mr. JOHNSON. I beg pardon.

Mr. HEFLIN. I have no objection to the Senator entering the motion, but I do not think we ought to stop to consider it now when we have a very important bill now pending before the Senate.

Mr. GOULD. Then, Mr. President, I enter a motion to reconsider the votes by which Senate bill 202 was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. The motion will be entered.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. NYE. Mr. President, on Monday the Senate passed the bill (S. 3960) to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616). The House has passed an identical bill, which was referred to the Committee on Public Lands and Surveys. I move to reconsider the votes by which Senate bill 3960 was ordered to a third reading and passed, and that the bill be indefinitely postponed.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Without objection, it is so ordered.

Mr. NYE. I move that the Committee on Public Lands and Surveys be discharged from the further consideration of the bill (H. R. 6343) to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. p. 616), and that the bill be put upon its passage.

The PRESIDING OFFICER. Without objection, the committee is discharged from the further consideration of the bill, and it is before the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the boundary limits of the tract of land in the Great Smoky Mountains in the States of North Carolina and Tennessee, recommended by the Secretary of the Interior in his report of April 14, 1926, for the establishment of the Great Smoky Mountains National Park, be, and the same are hereby, extended to include lands adjacent to the east boundary as defined in said report to a line approximately as follows:

From a point on top of the Balsam Mountains at the boundary of Swain and Hayward Counties just north of Black Camp Gap; thence following east the top of the mountain range to Jonathan Knob and Hemphill Bald; thence along top of ridge through Camp Gap to Bent Knee Knob; thence following the main ridge to Cataloochee Creek to a point on the boundary of the area described in report of the Secretary of the Interior of April 14, 1926; and the lands within said boundary extension, or any part thereof, may be accepted on behalf of the United States in accordance with the provisions of the act of May 22, 1926, for inclusion in the area to be known as the Great Smoky Mountains National Park.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RADIO MERGER

Mr. DILL. Mr. President, the New York American this morning prints a news item regarding the action of the Radio Corporation of America in issuing 6,500,000 shares of its stock, of the value of $543,000,000, to the General Electric and the Westinghouse Cos. in payment for patents for electrical and radio apparatus. As a result of this, these two companies will have control of the Radio Corporation of America, which in turn has built up a tremendous line of subsidiary companies to control the manufacturing and distribution of radio sets and also of the amusement business.

This article is headed "Full Control of Radio for Two Companies," and reads in part as follows:

The General Electric Corporation and the Westinghouse Electric & Manufacturing Co. will get complete control of the Radio Corporation

of America, with its several affiliates in the broadcasting, amusement, and radio-manufacturing fields through deal to be announced to-morrow.

The article is of such import to the radio world that I ask unanimous consent to have the entire article printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FULL CONTROL OF RADIO FOR TWO COMPANIES—GENERAL ELECTRIC AND THE WESTINGHOUSE ELECTRIC GET 6,500,000 MORE SHARES

By James P. Maher

The General Electric Corporation and the Westinghouse Electric & Manufacturing Co. will get complete control of the Radio Corporation of America, with its several affiliates in the broadcasting, amusement, and radio-manufacturing fields through deal to be announced to-morrow.

The Radio Corporation will give 6,500,000 shares of its common stock, valued at $543,400,000, in return for patents and preferred stock owned by General Electric and Westinghouse. General Electric will get 60 per cent and Westinghouse 40 per cent.

This will leave the Radio Corporation with 13,000,000 common shares outstanding, of which General Electric will own over 40 per cent. Together with the Westinghouse Corporation, General Electric will hold 8,000,000 shares, or over 68 per cent of the voting stock.

APPROVED BY DIRECTORS

The deal was approved by the directors of the Radio Corporation at their last meeting, according to statement made at the corporation's offices yesterday.

It was rumored that the corporation planned to retire its preferred stock in connection with the deal, but this was denied by those familiar with its affairs. Preferred retirement may come later it was hinted. There is no financing planned in connection with the arrangement, it was said.

Acquisition of the radio and other patents of General Electric and Westinghouse now in use by Radio Corporation will place the corporation in better position to take care of expanding business and increasing demands for communications service, the directors believe.

There is expectation in financial circles that the General Electric and Westinghouse companies may make special distribution to stockholders on completion of the deal with the Radio Corporation.

General Electric is expected to hold all of the Radio stock it will receive, however. Through such holdings it dominates the affairs of the corporation and thereby is placed in almost as strong position in the communications, radio manufacturing, amusement, and associated fields as it occupies in the electrical manufacturing, utility, and power industries.

One report indicates that the General Electric management plans formation of a holding company, in which it will put its Radio Corporation stock, similar to the Electric Bond & Share Co., through which it manages its vast utility and power organizations throughout the world.

IMPORTANT FACTOR

Through dominating the Radio Corporation affairs the General Electric Corporation will be one of the most important factors in the communications industry—the radio manufacturing business—broadcasting, and also in the amusement field.

Radio Corporation, after getting control of the Victor Talking Machine Co. in 1929, formed the Radio Corporation of America-Victor Corporation, which manufactures and sells all sorts of radio and talking machines, records, etc. This corporation is owned 50 per cent by Radio Corporation, 30 per cent by General Electric, and 20 per cent by Westinghouse.

The General Motors Radio Corporation was then formed, owned 51 per cent by General Motors and 49 per cent by Radio. Through a country-wide chain of agents, separated in 30 zones, the General Motors Radio plans to lead in retailing of all radio products similar to the chain of automobile distributing agencies of the General Motors Corporation.

Radio Corporation controls the Radio-Keith-Orpheum Corporation, which now is offering $10,000,000 new stock to shareholders to pay for acquisition of its growing chain of theaters throughout the country, displaying its own pictures as well as others. Radio also owns 50 per cent of the capital stock of the National Broadcasting Co.

Mr. DILL. Mr. President, I call attention to the fact that if the Department of Justice had gone ahead in the prosecution of the Radio Trust this new trust probably would not be formed. I hope the Department of Justice will take note of this enormous organization which is being formed to dominate the entire manufacture and distribution business in the radio world.

I ask also to have inserted in the RECORD an article from the New York Times under date of April 16, entitled "Radio-Keith Plans Offering of Stock," in view of the purchase of amusement companies, of which it is seeking control.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RADIO-KEITH PLANS OFFERING OF STOCK—390,000 SHARES OF CLASS A TO GO TO STOCKHOLDERS AT $35 ON BASIS OF 1 FOR 6—TO PAY FOR ACQUISITIONS—NEW THEATERS ADDED RECENTLY ADD 50,000 SEATING CAPACITY TO PRESENT 2,000,000

The Radio-Keith-Orpheum Corporation is planning to offer about 390,000 shares of class A stock to stockholders at $35 a share on the basis of one new share for each six shares held. At yesterday's closing price of 42, the rights will be worth about $1 each.

The new issue has been underwritten by Lehman Bros. and the Bancamerica Blair Corporation. The proceeds are to finance acquisitions and to provide for new productions.

Hiram S. Brown, president, announced yesterday the addition of numerous theaters for the circuit owned by the company, extending from coast to coast. RKO acquired complete control of the Lisbon-Heidingsfeld chain of houses, which include the E. F. Albee Theater in Cincinnati and the B. F. Keith-Albee Palace in Columbus, in which the Messrs. Lisbon and Heidingsfeld and associates formerly held a minority interest, and full ownership in the five other theaters in Cincinnati, the Capitol, Palace, Strand, Lyric, and Family. The B. F. Keith, Colonial, and the State theaters in Dayton, the Majestic in Columbus, and the Empress and Regent in Grand Rapids, were also acquired in the deal.

In addition, RKO has purchased the Oriental Theater in Detroit, the Rivoli and Palace in Toledo, the Lincoln in Trenton, N. J., and the State and Capitol in Union City, N. J. Workmen are now dismantling the old Columbia Theater in New York City, which is to be replaced by a large RKO theater for first-run radio pictures, for occupancy about November 1, 1930.

The new theaters acquired will give the Radio-Keith-Orpheum Corporation almost 50,000 additional seating capacity on a circuit that already entertains 2,000,000 patrons daily.

WORLD PEACE AND ECONOMIC WELFARE—ADDRESS BY AMBASSADOR SACKETT

Mr. VANDENBERG. Mr. President, the new American ambassador to Germany, Hon. Frederic M. Sackett, delivered a particularly timely and effectual address before the American Chamber of Commerce in Berlin on March 15, 1930. We, of the Senate, have a particularly intimate interest in Ambassador Sackett because of his recent service here among us as one of our highly cherished and universally respected colleagues. But his Berlin address takes on an independent importance of its own through the philosophy of common sense, which it cogently presents. He correctly finds that the economic welfare of America is related to the economic welfare of the world; and he correctly puts our economic impulses alongside of our spiritual aspirations on the side of world peace. I am certain that these views will be largely entertained in the United States. The sanctions needed to implement the Kellogg peace pact are not the political contracts of world powers but the inherent common sense of the world's people. This common sense is primarily spiritual. But it also is economic and emphatically practical. I think Ambassador Sackett's observations bespeak the typical, progressive, enlightened American attitude, and I ask unanimous consent that the text of his admirable Berlin address may be printed in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

In giving a response to this very delightful welcome extended to the American ambassador by the chamber of commerce in Berlin my first sensation is that I am among friends. And among friends one always feels the warmth and radiance of hospitality. The long line of illustrious men who have preceded me in office naturally emphasizes the high standard that must be met in fitting into the niche that has been carved by American representatives to Germany.

I hear on every hand of the affectionate regard in which my predecessor Doctor Schurman was held in Germany, the friendship which he gained, and the keen regrets that were voiced when he felt that the time had come for his retirement from the cares of office. To follow a man like him and men like Houghton, Gerard, Leishman, Tower and Hill, to speak only of the more recent members of our diplomatic representation, gives a will of accomplishment that will test the stamina of any man.

In the midst of the kindly greetings I have received during the few days that I have been among you, I can not escape the feeling that I could speak with more modest assurance, if I were looking back upon a long residence in Germany recounting accomplishments already won instead of trying to speak to you at the very beginning of my service here. And yet, when I enter such an atmosphere of commercial life feeling secure in your friendly attitude, I confess to an intuition of close relationship with you both in thought and experience. I have known well the organized chambers of commerce that encourage our business life in America. I have served such a chamber as its president, just in the capacity as my friend upon my left is serving you. The scene presented to-night with this keen-minded, clear think-

ing audience, might easily be the duplicate of those same banquet tables over which I have so often presided at home. In meeting you, therefore, even for the first time I own to a feeling far removed from strangeness, for in all commercial goups we have the same interests, whether we are in Berlin or London, New York or San Francisco. We speak the same language of the world's economic life.

So to-night in these congenial surroundings and in this atmosphere of commerce, perhaps it will be interesting and, I trust, not out of place to speak of the rapidly changing American conditions and of their effect upon the Nation's relation to world affairs.

American business development reads like a romance. It tells a story of how commercial life swept onward from small beginnings over the obstacles of poverty and estrangement from the world at large. America was driving toward the goal of providing the necessities of life for increasing numbers of people who came across the sea to enjoy her freedom and her opportunities. Because of the fast-growing population, the home markets of America expanded more rapidly than her capital resources available at home could satisfy. For many years she found herself barely able to keep her physical plant equipment abreast of her requirements. The money resources were wholly inadequate to carry on the business which the home markets offered. We had the plant but we did not have any working capital.

Our business pioneers were little daunted by the capital requirements which must be met, nor were they fearful of going into debt to the world at large to meet this prime necessity of their development. Therefore for many years America's greatest financial problem was the establishment of sound and convincing credits in the financial centers of the world, whereby there could be borrowed at proper interest rates the necessary funds that would permit the rapid development of her commercial life. Thus we planned to overtake the needs of home demand.

Behind America's willingness to use credit to the utmost was the courage and determination of her leaders in commercial life. There was a feeling of confidence in the ultimate values that lay behind the brawn and brain of the people and in the wealth of natural resources which was calling to the spirit of a pioneer race for development. They saw the expanding markets, they felt the urge for accomplishment, and they took their courage in their two hands and pledged their all to secure the means to satisfy their needs. We had many years of struggle as a debtor Nation. It was hard to see the profits of our industry go to pay the interest upon the borrowed gold. It seemed like the payment of a tribute to the world. It required courage and a sublime faith in the ultimate result.

The psychology of the situation played an important part. The problem, as American business met it, was so to fortify its credit ratings that the borrowings could be made at minimum of cost of three-fourths to secure such a ratio between the interest at which we borrowed and the profit derived from the business done that the accumulating margin would rapidly build a national surplus. The country's economic foresight capitalized the energy and optimism of its people. Through all America's history as a debtor Nation we ran in truth a race with peace. Many times was her credit shaken by untoward events, and it took statesmanship and courage to avert collapse. The financial world, however, gauged the prospects of our new land by the firm faith of our own commercial life displayed in the ultimate result. It watched a growing national income as it rose from year to year and rolled the margin between interest and profit, like a giant snowball, to build a financial surplus.

Yet it was a race with peace. When the creditor world of Europe was plunged into the cataclysm of the Great War—when creditor nations needed all their own resources and called on us for payment—there came the crucial test of America's readiness to meet the forced maturity of its borrowings. That sudden call was a rude financial awakening, yet it developed the amazing fact that the surplus assets of American economic life had so accumulated in the years of peaceful progress that her industries were prepared to meet the demands for settlement.

In an orderly manner, and without panic crisis, she brought back every obligation that was offered. She stepped almost in a day from the position of a debtor to the world at large. She cast aside the shackles of an interest burden that seemingly was draining her economic progress. It is doubtful whether there was realization anywhere, until the demand for payment actually came, that the great effort of American commerce to create a national wealth sufficient to liquidate her indebtedness to the world had been successfully achieved.

The period in which industry had accomplished this result was short, indeed. Commercial development in American could hardly be said to have begun until a transportation system had become a reality, or until the smoke of battle of the War between the States had drifted far behind.

In less than 50 years of actual industrial progress American business had paid the tribute of her borrowings. She had met the obligations of the most rapidly expanding market of any country of all time. The story of her economic expansion in pre-war times pays homage to the reserves that lay behind a forceful people, guided by courageous and resourceful leadership.

The consciousness which brought realization of the change in America's status from a debtor to a creditor Nation almost immediately discerned the scope of further problems in her economic progress. An analysis of conditions following the war gave warning that the increasing surplus had given impetus to rapid expansion in productive capacity. It was evident that the great consuming market of the Nation had been caught and conquered in the race of commerce. Further extensions on the scale of the recent past would surely render overproduction in all lines a serious menace to prosperity. Almost as suddenly as the change in the financial status was appreciated, the commercial values of world relationships became apparent.

We can clearly see the beginnings of this new era in American affairs during the recent years—how her commercial life has been discovering the interdependence of our national prosperity, with the prosperity of every other country. The overseas world trade which must care for any surplus over our national demands, is dependent on the buying power of other peoples. That buying power, in turn, is rigidly confined by the degree of prosperity of every nation concerned. For that reason there has come to American business and finance an appreciation that, apart from any heritage of altruistic feeling with which our people feel that they are endowed, their own prosperity is literally interwoven with the internal economic conditions of every nation.

In an industrial country like America with its ample proportions and mounting surplus the expanding productive capacity seriously demands that its foreign commerce be encouraged and safeguarded. There is no illusion prevalent at home that an export trade can permanently prosper unless through imports or by other method of transfer there shall be created an equivalent exchange of values with the world at large. In 1929 the export trade of America amounted to $5,150,000,000. I cite these figures in no boastful sense but to give a clue to the economic reasons which influence America's foreign policies.

The value of that trade to her own prosperity becomes evident when it is realized that already she exports more than any other country. Without such export outlet that vast quantity of production would be thrown back upon the markets within our own borders and would quickly cripple our economic life. This valuable export trade is adequately protected in every commercial sense by constantly increasing imports. The volume of imports is so large that its loss to the countries of origin would seriously curtail, if not annihilate, the prosperity which such country enjoys as a result of our purchasing power. In 1929 America's imports amounted to $4,400,000,000. The margin between these exports and imports is unquestionably compensated through the invisible exports of money resulting from the expenditures of hundreds of thousands of tourists and the net balance of international interest payments.

The importance of encouraging overseas exports is one of the foundations on which America has built her modern policy in the field of international relationships. The experience of the struggle with early poverty—the achievement of commercial interests in building a creditor nation out of a debtor state through 50 years of peace have taught their lessons. The realization of the disaster that might have overtaken our prosperity, had the financial shock of war arrived before the accumulation of capital became sufficient to meet the demand for payment—these reflections showed plainly the common sense that should dictate our future foreign policies.

Full employment is the best guarantee of prosperity, which in turn spells the happiness of a people. Full employment within producing countries is dependent upon the unabated continuance of commerce. We earnestly believe that in our country such continuance, and a normal expansion as well, is interwoven with international peace. The maintenance of peace for economic reasons gives substance to this diplomacy of common sense in world affairs. It places a very practical foundation under a foreign policy of seeking economic welfare in our dealings with the peoples of the world. Much has been said at home in commendation of diplomatic efforts which urge upon all governments the elimination of armed conflict and the building of an Utopia of peace on the ashes of a war-torn world. We have a vivid national hope of the substitution of the conference table for the gage of battle. It is based upon the spiritual and Christian ideal of "Peace on earth, good will to men."

America lent her every effort toward the adoption by international agreement of the Kellogg-Briand pact for the renunciation of war as an instrument of national policy. She believes the ready acceptance by 57 nations of this declaration of national ideals substituting the common sense of calm conference for prejudice and bitter passion marks the parting of the ways between the future and the past.

Another hopeful sign that modern thought and ideals may successfully avoid the danger of international conflict lies in the meeting of the naval conference sitting to-day in London. America is watching with intense interest the negotiations of the five powers, firm in the belief that a successful outcome and understanding will relieve the world not only of serious financial burdens but remove temptations for the use of force in adjusting international disagreements. Should the final result be a reduction, or even the limitation of naval armaments, it would be hailed at home as yet another victory for common sense

and the nearer approach of a practical world. These movements are the stepping stones over which America seeks to move toward a rationalization of relationships among the nations.

I am conscious that there exists a cynical doubt of the enthronement of such an ideal through so simple a method as the peace pact unsupported by sanctions that would insure performance by the signatory nations. I am conscious that there is a certain condescension to the suggestions of a country but lately come as an active participant in international affairs the importance of whose growth and power entitles it at least to a charitable consideration. Confidence does not everywhere exist that these altruistic ideals can be accomplished. And yet every victory of the conference table will tend to build that confidence, and we at least have an abiding faith in its ultimate fruition.

We have that faith because we are convinced that the pathway of the ideal lies side by side with the pathway of prosperity—that the economic movements of international commerce can not be interrupted without serious consequence in every country—and that the common sense of peoples, once it is aroused, is the most effective sanction that can be placed behind the covenants of nations to assure their full performance.

To trade associations, such as is this chamber, the self-interests of the membership should dictate the most powerful assistance to an economic diplomacy of common sense. The weaving among the nations of a closely interdependent business fabric is a better security for the future than battleships and armament. Klares geschaeft macht gute freunde. A thorough understanding of the problem will insure the effective support by commercial interests in every land for national foreign policies based on the economic welfare of the people. It will raise real barriers to those sudden bursts of passion which, in the past, have wrecked the prosperity of many lands.

INTERNATIONAL TRADE RELATIONS

Mr. TYDINGS. Mr. President, I ask to have printed in the RECORD excerpts from the speech of His Excellency Dr. Orestes Ferrara, Cuban ambassador to the United States, at the Southwestern Foreign Trade Conference in Houston, Tex., on yesterday.

There being no objection, the excerpts from the speech were ordered to be printed in the RECORD, as follows:

Through an evolution of more than a century we have reached a status of commercial relations in the international field very similar in principle to that which provoked the rebellions of the Americas against their respective metropoles. I mean that we have to-day, as we had at the time of George III of England or Ferdinand VII of Spain, political conditions dominating economic interests.

The happy period of the past century when the play of man's efforts freely combined with favorable natural opportunities has been eclipsed by erroneous ideas, and, I believe, for some time the world at large will suffer the consequence of this policy in the same way that the old metropoles suffered when the Americans of both continents secured their independence. "Economics" is a very rebellious steed, which has always unhorsed that cavalier whose name is "politics." But this predominance of the political element over the strictly economic one is generally prevalent.

On the other hand, we assist at another peculiar phenomenon, that everybody in the entire world declares day after day in official conferences of international character, in technical congresses, and also in erudite books and scholarly magazine articles, that the world needs better and closer economic understanding. In this Southwest Foreign Trade Conference we say the same when we advocate the rapprochement of North and South America.

The reality is that we have facts against words, a situation which does not satisfy the practical man, the man who is interested directly in business.

I want to confine myself to a brief consideration of the possibilities of a good, broad, large, honorable, and practical economic understanding among the peoples of the double American Continent. I will present this more as an aspiration than a proposal; more as an idea than as a project.

We must depart from the consideration that the harmony between production of wealth and its distribution is threatened every day more and more. The method of mass production requires the largest possible number of consumers; it requires also a high standard of life. The prevalent nationalistic economies are in disharmony with the mammoth industry of nowadays and hampers the development of the middle class and of the working men. A union of political entities or nations in one economic system seems to be the only solution for the great productive capacity of the present world.

In Europe there is a real aspiration among statesmen toward an organization of that kind. This undoubtedly will be difficult and impossible in its entirety. A single tariff system to embrace all Europe is something which can not at present be considered as a practical, feasible achievement. But equally far from the truth would be he who denied that under the stringency of necessity agreements and understandings of commercial and productive character are in incubation in the Old World, with a tendency to give a new aspect to its economic relations. The peace of 1918 has created a number of new states which can not progress without lowering considerably their economic barriers; in many zones there are complementary economies which need to be united, because, isolated as they are now, they can not improve or progress. Necessity is the mother of invention. And in Europe everybody knows and remembers that the greatness of Germany after 1870 until 1914 was not due to the three successful wars of 1864, 1866, and 1870, but to the customhouse union among the different states of the confederation.

In the American Continent, however, the adoption of such a customhouse union, or, as the Germans say, "Zollverein," by a number of nations would be a less difficult task. In days past an American nation in a general way contained at least one economic unit; nowadays no American nation can stand alone economically. Each one, even the largest, is a satellite of a larger organization. At this moment the evidence is furnished by the United States, as in Europe it is furnished by Russia. Russia has tried to keep herself aloof, to become a self-supporting country, and with iron hand has restricted the needs of her people. Despite this, Russia every day buys more in the world market. And for Russia to buy in the world market means to destroy her own political structure.

The United States is endowed by Heaven with all resources useful to a superior collective life; its soil and subsoil are prodigal, and notwithstanding this and the high-tariff period, initiated in 1922, the territorial extension, and the large number of inhabitants the United States is buying more, and, what is of a greater importance, needs to sell more in foreign countries than before. The industrial prosperity of the United States depends now upon the buying power of foreign countries.

If this occurs in Russia and the United States, it may easily be deduced that other countries, especially the Latin American, are vitally in need of ever-increasing intereconomic relations. Some figures will indicate how great are the opportunities of a sound and proper understanding on this side of the Atlantic. The import and export commerce between the United States and Latin America amounts to around two billions of dollars, but the general Latin American import and export trade with Europe is much higher than with the United States, practically double, as it amounts to more than thirty-six hundred millions of dollars yearly.

In total, the international commerce of the Latin American countries is approximately six billions of dollars, exports and imports included, and represents a notable amount, although it is smaller than the international trade of the United States alone, which reached the sum of ninety-two hundred and twenty millions of dollars in the year 1928.

On the other hand, Latin America has been developed only in a small way, and her population is increasing enormously. While Europe increased, from the years 1913 to 1927, at the ratio of 6.5 per cent and the United States at the ratio of 23 per cent, South America, especially, has increased its population at a ratio of 40 per cent.

On the day that the rest of the world accords to Latin America fair treatment, with the consequence of developing her resources and increasing the standard of life of her inhabitants, the economic potentiality of that part of the world will be astonishing.

An American customhouse union does not mean that the countries therein should segregate from the rest of the world; we do not believe in such possibility in modern times. A customhouse union would mean better organization of production, larger consumption, and, above all, better and easier distribution of products. The results would be beneficial to everyone, to Europe as to America itself. Higher buying power spreads its benefits over everybody. Such was the case with the United States who were buying less from abroad when they were not so powerfully industrialized as they are now, and with Latin America where the prosperity of recent years has brought about not only internal development but also a larger international trade. The people of the United States, when admiring their success within a century and a half, must bless their forefathers who resisted the desire of local interests to erect customs barriers and morally impelled the former Thirteen Colonies to accept the prescient Constitution. The fact that the United States itself comprises a large union of States free from customs duties, is the real cause of her ever-increasing prosperity.

Those principles of the United States Constitution, applied exclusively in the economic field, to your country and others of Latin America willing to accept them, would be very beneficial to all concerned. To the United States it would assure the expansion of its industry and of a great part of its agriculture; to the Latin American nations it would provide a larger market for their products with a more prospective increase of their production. Small economic units of Latin American nations combined themselves and with the United States would constitute a powerful system, beneficial to their respective production and consumption, as well as to the rest of the world.

Such an important undertaking would not find great obstacles, because between the two continents of this hemisphere, the islands included, there is no antagonism in the field of production.

Exports have been classified diligently by the convention of Brussels of 1913, and distributed in five classes. According to this classification the United States exports to Latin America are in classes 3 and 4, namely, semimanufactures and finished manufactures, while Latin Ameri-

ca's exports are in classes 1 and 2, namely, crude materials and foodstuffs, especially the so-called colonial products.

Latin America not only exports foodstuffs and raw materials, but in general produces only these raw materials; her industries are not developed at the present moment. In the United States, with the exception of a few articles, the products of Latin America do not compete with domestic products. So far back as 1890 President Harrison, in the message of the 19th of June, 1890, told Congress that 80 per cent of the incoming products of Latin America did not pay duty. The situation to-day is more or less the same. Certainly two or three products are conflicting, but to a very small extent. Take sugar, for instance, which is the most important item. The continental United States produces no more than a million tons, while its general consumption is 6,000,000 tons yearly. Nobody looking for the general interest can consider a situation of this kind as insurmountable.

Under any circumstances, I must add, that in the adoption of a big system like this, of course, everyone would have to make a small sacrifice, but the sacrifice would be insignificant in proportion to the advantages.

The idea I have suggested is not mine; it was in vogue when Pan Americanism began and was attributed to Mr. James Blaine, at that time the powerful Secretary of State of your country, and it has been the vision of clever scholars, of far-sighted statesmen, who penetrated the future. I believe this idea can be considered now as something more practical and in the domain of business men. It is, perhaps, or at least soon will be, an actual necessity.

The principle of a customhouse union is in the atmosphere of the entire world. It is still in the form of an aspiration; but its march is rapid. It will be the only remedy for the dominant economic psychology of selling to other countries without buying from them, the absurdity of which was in vogue at the time of George III and Ferdinand VII, and even before, and which has been the laughing stock of the economic schools.

My desire would have been to speak of the relations between the United States and Cuba, but the picture would have been too sinister for a convention so successful and therefore so optimistic. I should have been obliged to point out that we are witnessing the decrease of our reciprocal trade, that our reciprocal duties are on the increase; that equally the greatest sugar-consuming country near to the greatest sugar-producing country is breaking this neighborly proximity and in consequence a large number of thousands of tons of sugar need now to navigate 7,000 miles before entering the United States. I should have been obliged to say that our sugar crisis is ruining our interests and at the same time yours also. So the once large and prosperous American companies established in Cuba are going into the hands of the receiver one after another; and in our present distress we regard with sympathy those American investors in Cuban businesses who share our disaster and who have seen their investments reduced from one billion and a half to less than than seven hundred million.

I thought that a jeremiad of this kind would have been out of place. And I have preferred to look at the future and see in it great possibilities of a far-reaching character.

And as Cuba has been in international politics the test case of the ample and perfect views of the United States, so I hope that she might be the test case on the new horizon of economic Pan Americanism.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 10118) to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930, in which it requested the concurrence of the Senate.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws.

Mr. BINGHAM. Mr. President——

The PRESIDING OFFICER (Mr. STECK in the chair). The Senator from Arizona is entitled to the floor. Does he yield to the Senator from Connecticut?

Mr. HAYDEN. I yield.

Mr. BINGHAM. Mr. President, a few days ago, when discussing the matter which the Senator from Arizona has been so ably discussing, I referred to the fact that in 1924, when the immigration bill was before the Senate, former Senator Willis introduced an amendment which he described as "providing in effect that the same rule which applied to the remainder of the world should be applied to the American Continent." I put in the RECORD when I discussed the matter merely the names of Senators now in the Senate who voted for the amendment. I have been requested to place in the RECORD the names of those who voted against the amendment at that time, which I should have done in the first place.

I ask unanimous consent that there may be inserted in the RECORD at this point the report following the ordering of the yeas and nays, showing how Senators voted and the pairs announced and those present and not present at that time.

Mr. HAYDEN. Let me suggest that the Senator also include the text of the amendment upon which the vote was taken.

Mr. BINGHAM. I shall be glad to have that done, although the text is a little involved, and the reason why I did not give it was that the then Senator from Ohio, Mr. Willis, at that time explained the amendment, which was a little difficult to understand, by using the words "the amendment in effect simply provides that the same rule which applies to the remainder of the world shall be applied to the American Continent."

Mr. HARRIS. Mr. President, I did not understand to which amendment the Senator from Connecticut was referring.

Mr. BINGHAM. I was referring to the amendment of Senator Willis to the original immigration act. I am asking that the entire roll call be placed in the RECORD to show who voted for the amendment and who voted against it. The other day I merely had the names of certain Senators inserted who are now in the Senate and who voted against it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the CONGRESSIONAL RECORD of April 18, 1924, page 6634]

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). Making the same announcement as I heretofore made as to my pair and its transfer, I vote "nay."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Oklahoma [Mr. Harreld], who is absent. I transfer that pair to the junior Senator from New York [Mr. COPELAND], and will vote. I vote "nay."

The roll call was concluded.

Mr. ERNST. Making the same announcement of my pair as before, I vote "nay."

Mr. HARRISON. Has the senior Senator from West Virginia [Mr. Elkins] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. HARRISON. I have a pair with the senior Senator from West Virginia, and withhold my vote.

Mr. CURTIS. I desire to announce that the Senator from Illinois [Mr. McCormick] has a general pair with the Senator from Oklahoma [Mr. Owen].

The result was announced—yeas 12, nays 60, as follows:

Yeas—12: Messrs. Dial, Harris, Heflin, Mayfield, Neely, Sheppard, Shields, Smith, Underwood, Watson, Wheeler, Willis.

Nays—60: Adams, Ball, Bayard, Brandegee, Brookhart, Broussard, Bruce, Bursum, Cameron, Capper, Caraway, Colt, Curtis, Dale, Dill, Ernst, Fernald, Ferris, Fess, Fletcher, Frazier, Gerry, Gooding, Hale, Howell, Johnson of Minnesota, Jones of New Mexico, Jones of Washington, Kendrick, Keyes, King, Lodge, McKellar, McKinley, McLean, McNary, Norris, Oddie, Overman, Pepper, Phipps, Pittman, Ralston, Reed of Pennsylvania, Robinson, Shipstead, Shortridge, Simmons, Smoot, Spencer, Stanfield, Stephens, Sterling, Swanson, Trammell, Wadsworth, Walsh of Massachusetts, Walsh of Montana, Warren, and Weller.

Not voting—24: Ashurst, Borah, Copeland, Couzens, Cummins, Edge, Edwards, Elkins, George, Glass, Greene, Harreld, Harrison, Johnson of California, Ladd, La Follette, Lenroot, McCormick, Moses, Norbeck, Owen, Ransdell, Reed of Missouri, and Stanley.

So Mr. Willis's amendment was rejected.

Mr. Willis's amendment was, on page 5, to strike out lines 8 to 17, inclusive, in the following words: "And (8) an alien who is eligible to citizenship in the United States, and who was born in the Dominion of Canada, Newfoundland, the Republic of Mexico, Cuba, or Haiti, the Dominican Republic, the countries of Central or South America, or the colonies or dependencies of European countries in Central America, and his wife and his unmarried children under 21 years of age if accompanying or following to join him."

And to insert in lieu thereof the following:

"(8) An alien who has resided continuously for at least five years immediately preceding the time of his verified application for admission to the United States in foreign contiguous territory, and who is authorized by the Secretary of Labor upon such application to enter the United States for the purpose of laboring at a specified occupation for a definite time at a designated place: *Provided*, That not more than 5,000 such aliens shall be within the United States at any one time.

"(9) Aliens habitually crossing and recrossing boundary lines between the United States and foreign contiguous territory upon legitimate pursuits, when in possession of an identification card issued by an immigration official pursuant to such regulations as may be prescribed."

The PRESIDING OFFICER. The Senator from Arizona will proceed.

Mr. HAYDEN resumed and concluded the speech begun by him yesterday. The speech entire follows.

Tuesday, April 15, 1930

Mr. HAYDEN. Mr. President, the Mexican quota problem has been solved. The Department of State has accomplished this remarkable result in such a quiet way, without ballyhoo or screaming newspaper headlines, that the country is not aware of the fact.

Many Senators and Representatives in Congress know that during the five fiscal years from July 1, 1924, to June 30, 1929, there were 280,000 Mexicans legally admitted into the United States. That is an average of 56,000 a year, or more than 4,500 a month. I doubt if more than a few of those who are now serving in Congress know that during the first nine months of the present fiscal year the total number of aliens admitted over the Mexican border had been reduced to less than 10,500, or a monthly average of 1,165. Of those who were admitted, only 1,199 were laborers who would come within the quota, or an average of 133 per month. This reduction has taken place pursuant to instructions issued early last year by the State Department to all American consuls in Mexico.

The White House is the greatest and most effective sounding board for publicity that America possesses. Within a week the President of the United States can satisfy every legitimate demand from the American people for the immediate enactment of legislation by Congress imposing a quota on Mexico. There are but four things that the President needs to do:

First. He should let the American people know what has already been accomplished not only in complete accord but with the active approval of the Government of Mexico, to reduce the number of immigrants entering the United States from that country.

Second. The President should publicly commend the officials of the Department of State for issuing the instructions of February 18, 1929, to the American consuls in Mexico which have resulted in such a marked reduction in the number of passport visas issued to immigrants who have sought to depart from that country to enter this.

Third. The President should congratulate the officials of the United States Immigration Service upon their activity in deporting aliens unlawfully in the United States and direct them to be even more vigilant in the performance of that duty.

Fourth. The President should bring to the attention of the Congress and the country, perhaps by a special message, the need for the prompt enactment of legislation to consolidate under the Coast Guard, the present border patrol forces of the Immigration Service, the Customs Service, and the Prohibition Service into an ample and efficient force under unified control which can so effectively watch the Mexican and Canadian borders as to put an end to the existing and notorious evasions of the immigration, prohibition, and other laws.

If the President will immediately do these four things so that the country may know what wide power he now has and that he is determined fully to exercise all of it, the agitation for a Mexican immigration quota will cease. When the American people are furnished with the facts from that high source they will not fail to realize that the passage of such legislation by Congress is now unnecessary.

Taking these steps will also relieve the President of sooner or later being compelled to decide whether to approve or veto a bill to impose such a quota on Mexico, and perhaps the other countries of Latin America. Prompt action on his part will prevent the President from having to face that dilemma.

If he refuses to sign such a bill when it reaches the White House, the President will be severely criticized by many thousands of our citizens who, without knowledge of the true situation, earnestly believe that a quota for Mexico is necessary to end a grave menace to American civilization.

If the President does sign the measure, he will offend the Governments of Mexico and Central and South America with whom he, probably more than any other President, has sought to establish cordial and friendly relations. By that one act all of the beneficial results of his famous "good-will tour" will be destroyed. The people of the Western Hemisphere who live south of the Rio Grande will be quick to resent this discrimination against them.

During all of my 18 years' service in Congress I have consistently supported legislation to restrict immigration. I have voted for every immigration law placed on the statute books during that time. Under the conditions as they existed prior to last year I was ready to vote to impose an immigration quota on all the countries of the Western Hemisphere. In the light of what has been accomplished during the past nine months I am now convinced that the only question which remains is whether this drastic reduction in Mexican immigration as brought about by the State Department will be maintained. I believe that President Hoover can be trusted to carry on this policy and that he should be given full opportunity to perpetuate it without embarrassment from congressional action.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER (Mr. CARAWAY in the chair). Does the Senator from Arizona yield to the Senator from California?

Mr. HAYDEN. I yield to the Senator from California.

Mr. SHORTRIDGE. Recurring to the statement made by the Senator from Arizona a moment ago, I wish to inquire whether under existing law the President has the power to make and issue an order consolidating or combining the three branches of the public service which have to do with the enforcement of the immigration law, the enforcement of the prohibition law, and the enforcement of the other law referred to, in respect to the Mexican border? Has the President power under the law to consolidate those three forces?

Mr. HAYDEN. The President does not now possess that power.

Mr. SHORTRIDGE. That is what I wanted to bring out.

Mr. HAYDEN. Legislation which, as I understand, has his indorsement has been introduced in the House of Representatives to accomplish that purpose.

Mr. SHORTRIDGE. If the Senator will pardon me further, I understood the Senator to state that the President could by appropriate order consolidate those forces?

Mr. HAYDEN. No. My suggestion was that the President should direct the attention of Congress and of the country to the necessity for the enactment of legislation which would give him that power.

Mr. SHORTRIDGE. If I may presume further, may I ask the Senator whether he thinks it desirable to consolidate those forces?

Mr. HAYDEN. By all means.

Mr. SHORTRIDGE. I certainly do.

Mr. HAYDEN. I fully appreciate, Mr. President, that neither the Senate nor the people of the States whom the Senators represent in this body will be satisfied with the mere announcement of these four propositions as a reason for changing their opinion regarding the necessity for imposing an immigration quota on Mexico. Therefore I propose to present reasons to demonstrate that each suggestion is sound and constructive.

What are the facts with respect to the actual reduction during the past fiscal year in the number of immigrants lawfully admitted from Mexico? The State Department has repeatedly furnished this evidence. We now know very definitely that lawful immigration of Mexicans into this country has been reduced during the present fiscal year to one-fourth of its average volume for the five preceding fiscal years. I draw particular attention to the word "lawful" when I make that statement.

Detailed statistics on this point are found in the last table on page 20 of the majority reports on the Johnson bill submitted to the House of Representatives on March 13, 1930. I ask leave at this point to insert the table, which appears in that report, showing that during the fiscal year 1928–29, 31,886 immigrants were admitted from Mexico, an average of 3,986 per month, whereas during the first eight months of the present fiscal year the number was reduced to 9,765, or a monthly average of 1,221.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD.

The table referred to is as follows:

Number of immigration visas issued to Mexicans during the first eight months of the present fiscal year beginning July 1, 1929, with comparisons for the previous fiscal year

Month	Fiscal year 1929–30	Fiscal year 1928–29
July	1,950	4,883
August	1,623	5,948
September	1,420	4,630
October	1,263	3,993
November	1,024	2,589
December	832	2,569
January	864	2,799
February	780	4,175
Total (8 months)	9,765	31,886
Monthly average	1,221	3,986

Mr. HAYDEN. The table is followed in the majority report by three short explanatory paragraphs indicating that the stream of immigration of Mexican laborers has now been prac-

tically stopped through administrative measures and without regard to a quota. I read the three paragraphs, as follows:

Average Mexican immigration for the last five completed fiscal years, 56,868 per annum; monthly average, 4,739.

Decrease in rate of Mexican immigration thus shown, 74.7 per cent.

Of the 9,765 immigration visas issued to Mexicans in the 8-month period July, 1929, to February, 1930, inclusive, only 1,125, or 141 per month, were issued to common laborers without a previous residence in the United States. This type of immigration is therefore now entering the United States at a rate of less than 1,700 per annum, as compared with an estimated annual rate of more than 40,000 for the last five completed fiscal years.

Since the date of that report I have received the following letter from Mr. Wilbur J. Carr, Assistant Secretary of State, transmitting the latest statistics on immigration from Mexico, which include the figures for the month of March, that were omitted from the House report, not being at the time available to the House Committee on Immigration. Mr. Carr says:

DEPARTMENT OF STATE,
Washington, April 10, 1930.

The Hon. CARL HAYDEN,
United States Senate.

DEAR SENATOR HAYDEN: I inclose, as of interest in connection with recent discussions on immigration matters, a memorandum showing the latest statistics regarding the reduction which has been effected in the immigration of Mexicans into this country.

Sincerely,

WILBUR J. CARR.

The memorandum submitted by Mr. Carr is as follows:

APRIL 10, 1930.

LATEST STATISTICS ON IMMIGRATION FROM MEXICO

Only 726 immigration visas were issued by American consular officers abroad during the month of March, 1930, to natives of Mexico. This, added to such immigration visas issued during the eight previous months, means that only 10,483 Mexicans have immigrated to the United States during the first three quarters of the present fiscal year. In other words, Mexicans are now immigrating at the rate of 13,977 per annum as compared with an average annual rate, according to official statistics of the Department of Labor, of 56,747 for the last five completed fiscal years.

The above figures show that the stricter administrative law-enforcement measures put into effect in Mexico in March, 1929, have resulted in a decrease of 75.3 per cent in immigration from that country without resort to a numerical immigration quota.

For purposes of comparison, monthly figures for issuance of immigration visas during the present fiscal year are given, together with those for the fiscal year 1927–28. The latter year is chosen since it was the last completed fiscal year before the present administrative measures were put into operation and also because it represents a year having approximately the average volume of Mexican immigration during the past five years.

Here follows the table which shows the results as stated above. I ask unanimous consent that the table may be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Immigration visas issued to natives of Mexico

	Fiscal year 1929–30	Fiscal year 1927–28	Decrease
July	1,950	6,583	4,633
August	1,623	5,897	4,274
September	1,429	4,548	3,119
October	1,263	4,030	2,767
November	1,024	3,963	2,939
December	832	3,743	2,911
January	864	3,425	2,561
February	772	4,175	3,403
March	726	6,081	5,255
April		6,334	
May		5,001	
June		4,393	
Total for year		58,173	
Monthly average	1,165	4,848	3,683

Mr. HAYDEN. I read further from the memorandum submitted by Mr. CARR, as follows:

The following table, taken from annual reports of the Commissioner General of Immigration, shows the immigration of aliens of Mexican birth into the United States for the five fiscal years since the operation of the immigration act of 1924 (by fiscal year ending June 30):

1925	[1] 50,602
1926	[1] 58,012
1927	[1] 77,162
1928	[1] 58,456
1929	[1] 39,501
Total	283,733
Average per year	56,747
Average per month	4,729

Then I quote the concluding paragraph, which is most interesting and which fully justifies the statement I have made to the Senate.

One of the most striking features of the recent decrease in Mexican immigration is that during the past nine months only 1,165 out of the 10,483 total were common laborers without a previous residence in this country. The latter class of Mexican immigration is therefore now entering the United States at a rate of only 1,599 per annum. Only 74 such laborers received visas during March, usually one of the heaviest months in the year for the movement of Mexican labor to this country.

An analysis of the Mexicans who have received visas during the present fiscal year shows the following:

	Per cent
A. Persons going to the United States to attend school	14.9
B. Residents of the United States for purposes of regularizing status	20.7
C. Other persons who had previously resided in the United States	14.8
Total	50.4
D. Wives and children of admitted aliens	20.8
E. Others	28.8
Grand total	100.00

Of these classes, A represents aliens who would be nonquota even were a quota imposed on Mexico; B and C would doubtless include a large number who would in many cases be nonquota as returning residents of the United States, and who would in any event not represent new Mexican immigration into the United States. These three classes represent a total of 50.4 per cent of Mexicans now classed as immigrants. Of the remaining 49.6 per cent, 20.8 per cent—of the total—consist of wives and minor children of admitted aliens—class D. This class of Mexicans would be admissible to the United States in any event, outside the quota, if and as soon as their husbands and fathers, respectively, become citizens. Their entry, therefore, would as a rule be only delayed and not definitely stopped by the imposition of a quota, which would merely serve in their cases to delay the reuniting of families.

Eliminating the special classes mentioned as not constituting new immigration from Mexico to the United States, there remains only 28.8 per cent of the total which represents new Mexican immigration of a character which the imposition of a quota would stop. These Mexicans are, of course, the selected few remaining after the elimination of their fellow Mexicans who have failed to qualify in all respects for admission to the United States under our immigration laws.

This class, comprising new Mexican immigration which would be affected by a quota, may therefore be said to be entering the United States at the rate of 302 per month, or 3,628 per annum, gross. The problem of new immigration from Mexico, barring the question of surreptitious border-crossing activities, would therefore no longer appear to be a serious one.

Of the 10,483 immigration visas issued to Mexicans in the nine months—July, 1929, to March, 1930, inclusive—only 1,199, or 133 per month, are estimated as having been issued to common laborers without a previous residence in the United States. This type of new immigration is therefore now coming in at a rate of about 1,600 per annum.

Permit me to observe that under the bill favorably reported to the House of Representatives by the Committee on Immigration of that body the permanent Mexican quota is fixed at 2,900.

Mexican immigration through legal channels has been reduced administratively from a heavy stream to what is not much more than a mere trickle. Scarcely any Mexican laborers are now coming in legally, and this has been accomplished without a numerical quota.

It should also be considered that the recent figures for Mexican immigration are gross and take no account of the large proportion who return later to Mexico.

A quota would only affect the problem of lawful Mexican immigration, which has already been solved. It would not touch the real problem, that of illegal entries. Let us seek the remedy which will cure the ill and not make an empty gesture of legislating an unnecessary quota to the serious detriment of our relations with Latin America.

[1] Annual reports of the Commissioner General of Immigration for 1925, p. 143; 1926, p. 123; 1927, p. 143; 1928, p. 143; and 1929, p. 137.

It is utterly illogical to say that because large numbers of Mexicans are in this country it must follow that large numbers are entering legally. Such is not the case, and yet such must be the assumption of those who advocate a quota as the unique specific for the ill. The most casual analysis of the present problem shows this to be the case.

The facts I have stated have been recognized by a great newspaper, a member of the Scripps-Howard syndicate, the Washington News, in an editorial published on March 26, 1930, which I ask to have read by the clerk.

The PRESIDING OFFICER (Mr. ROBSION of Kentucky in the chair). Without objection, the editorial will be read.

The Chief Clerk read as follows:

[From the Washington News of March 26, 1930]

A BETTER WAY

Letting well enough alone seems a better policy concerning Mexican immigration than the Johnson bill, recently reported out by the House Immigration Committee. It would put immigration from Mexico and all countries of the Western Hemisphere on a strict quota basis.

The Department of State recently said its studies indicated that "less than 15,000 Mexicans will enter the United States in the current fiscal year."

Under the Johnson bill Mexican immigration would be scaled down from 11,021 for the fiscal year of 1931 to a final quota of 2,900.

We agree with the minority report of the committee that "the only reason why Mexican immigration was as large as the figures indicated was because our authorities have not been enforcing the literacy test as they have been against immigrants from other countries."

The present law, when enforced as apparently it is being enforced now, is enough check on Mexican and other immigration.

If quota restrictions must be agreed to by Congress, this is not the time to do it.

Mr. HAYDEN. Mr. President, the distinction between legal and illegal Mexican immigration must be always kept clearly in mind. The imposition of a quota on Mexico at the present time would only attempt to solve that part of the Mexican immigration problem which has already been solved by administrative measures, and would, of course, have no reference to the question of further strengthening the border patrol to make illegal entries more difficult.

As to the measures which have been adopted to achieve this recent stoppage in Mexican immigration it may be said briefly that the standards of admissibility in force as regards Mexico prior to 1929 were found to have been not as high as those observed elsewhere, particularly in Europe. This situation was probably a natural outcome of the need of Mexican laborers in this country during the World War and the few years immediately following.

When the situation was fully developed, however, remedies were firmly applied. A rigorous enforcement of existing law has been in effect since March 4, 1929, consisting principally in the refusing of immigration visas by our consuls in Mexico to all aliens found inadmissible under the immigration act of 1917.

That point was brought out very clearly in the statement made before the Committee on Agriculture and Forestry of the Senate April 5, 1930, by Hon. Joseph P. Cotton, Undersecretary of State, who said:

The present immigration law calls for a denial of entrance to anyone who is likely to be a public charge, to contract labor, to illiterates, to physical and mental defectives. So long as that law is enforced you will not have any legal immigration of a substantial amount of people from Mexico.

Mr. HEFLIN. Mr. President, from whom is the Senator reading now?

Mr. HAYDEN. I am reading from the testimony of Hon. Joseph P. Cotton, Undersecretary of State.

What are the laws to which Mr. Cotton referred and which have been so well enforced by the American consuls in Mexico? They are practically all found in section 3 of the immigration act of February 5, 1917. I ask leave to insert the most important part of that section in the RECORD, and direct particular attention to four classes of aliens which are excluded.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

The matter referred to is as follows:

SEC. 3. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism; paupers; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who practice polygamy or believe in or advocate the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who advocate or teach the unlawful destruction of property; prostitutes, or persons coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who directly or indirectly procure or attempt to procure or import prostitutes or persons for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written, or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country; persons likely to become a public charge; persons who have been deported under any of the provisions of this act, and who may again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a foreign port or their attempt to be admitted from foreign contiguous territory the Secretary of Labor shall have consented to their reapplying for admission; persons whose tickets or passage is paid for with the money of another, or who are assisted by others to come, unless it is affirmatively and satisfactorily shown that such persons do not belong to one of the foregoing excluded classes; persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; stowaways, except that any such stowaway, if otherwise admissible, may be admitted in the discretion of the Secretary of Labor; all children under 16 years of age, unaccompanied by or not coming to one or both of their parents, except that any such children may, in the discretion of the Secretary of Labor, be admitted if in his opinion they are not likely to become a public charge and are otherwise eligible; unless otherwise provided for by existing treaties, persons who are natives of islands not possessed by the United States adjacent to the continent of Asia, situate south of the twentieth parallel latitude north, west of the one hundred and sixtieth meridian of longitude east from Greenwich, and north of the tenth parallel of latitude south, or who are natives of any country, province, or dependency situate on the continent of Asia west of the one hundred and tenth meridian of longitude east from Greenwich and east of the fiftieth meridian of longitude east from Greenwich and south of the fiftieth parallel of latitude north, except that portion of said territory situate between the fiftieth and the sixty-fourth meridians of longitude east from Greenwich and the twenty-fourth and thirty-eighth parallels of latitude north, and no alien now in any way excluded from, or prevented from entering, the United States shall be admitted to the United States. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, civil engineers, teachers, students, authors, artists, merchants, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

That after three months from the passage of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish.

Mr. HAYDEN. The first contract labor law was enacted by Congress and approved by the President on February 26, 1885. That law was included in section 3 of the immigration act of February 5, 1917, which was in fact a codification of our previous immigration laws.

The second provision of section 3, and the one, so I am informed, that has resulted in the rejection of the largest number of applications for visas in Mexico, is the provision which states that a person is likely to become a public charge.

The third provision, which has been found particularly applicable to Mexico, prohibits the entry of persons suffering from disease, or physical or mental defects.

And, last but not the least, the literacy test, which reads:

All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish.

That is a mild but a very effective provision of law so far as Mexico is concerned. There is not now, and there has not been at any time, a widespread system of public schools for the education of the masses of the Mexican people. Particularly is that true of those who come here as common laborers. They are not literate, and under the operation of our immigration law they are not entitled to a visa on their passports.

It must be remembered that the Government of the United States did not begin the practice of visaing foreign passports until 1918. At that time an American consul could not refuse to grant a visa except when he had good reason to believe that the applicant was an anarchist or a believer in the destruction of governments by force.

I was told by a gentleman who served at one time as an American consul in Vienna, Austria, that he was compelled to issue a passport in 1920 to a woman who had been repeatedly convicted of immoral practices, but that there was no way at that time by which he could refuse to grant the visa. It was not until the passage of the immigration act of 1924 that teeth were placed in the law. That act gives very wide discretion to our American consuls.

The immigration act of May 26, 1924, which includes provisions for the present quotas and for the listing of independent countries in the Western Hemisphere as nonquota, contains the following very important paragraph, giving the consular officers for the first time the duty of refusing immigration visas to inadmissible aliens.

This reference is to section 2 (f), which is as follows:

No immigration visa shall be issued to an immigrant if it appears to the consular officer, from statements in the application, or in the papers submitted therewith, that the immigrant is inadmissible to the United States under the immigration laws, nor shall such immigration visa be issued if the application fails to comply with the provisions of this act, nor shall such immigration visa be issued if the consular officer knows or has reason to believe that the immigrant is inadmissible to the United States under the immigration laws.

I ask Senators to particularly note the words "has reason to believe." That language is exceedingly broad, and reposes, as I have stated before, wide discretion in any American consul as to whether or not a visa shall be issued.

Under the authority thus granted, the question of whether or not a given alien is inadmissible is determined under section 3 of the act of February 5, 1917, which contains a complete classification of aliens who are inadmissible, except the class of aliens not of the white or black races who are declared inadmissible under section 13 (c) of the immigration act of 1924.

Section 24 of the immigration act of 1924 provides:

All such rules and regulations in so far as they relate to the administration of this act by consular officers shall be prescribed by the Secretary of State on the recommendation of the Secretary of Labor.

By virtue of the above authority, General Instructions, Consular, No. 926 has been issued, the latest revision of which was made on March 23, 1929. I ask to have printed at this point paragraphs 193, 194, 195, 196, and 197 of these instructions, which deal at some length with the question of refusals of immagration visas to applicants believed to be inadmissible to the United States.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

193. The term "immigration laws of the United States," used in this connection, may be taken to include the following acts, although most of the exclusion provisions will be found in section 3 of the act of February 5, 1917:

Act of February 5, 1917: Regulating the immigration of aliens to and residence of aliens in the United States;

Act of December 26, 1920: To provide for the treatment in hospital of diseased alien seamen;

Act of June 5, 1920: Relating to the exclusion of anarchistic and similar classes;

Act of May 10, 1920: To deport certain undesirable aliens;

Act of June 5, 1920: Providing for the admission of certain illiterate female aliens;

Act of May 26, 1922: To deport certain aliens convicted of crime;

Act of February 26, 1885: Contract labor;

Act of February 15, 1893: Suspension of immigration from countries in which cholera or other infectious or contagious diseases exist;

Act of April 29, 1902: Regulating the admission of Chinese and other aliens under contract if engaged in installing or conducting exhibits;

Act of June 25, 1910: The white slave traffic act;

Act of May 26, 1924: Immigration act of 1924 and acts amendatory thereof;

Act of March 4, 1929: An act making it a felony with penalty for certain aliens to enter the United States of America under certain conditions in violation of law.

194. Consuls are directed to study the analysis of the exclusion provisions of the immigration laws appearing in Appendix A. If considered necessary, consuls are authorized to have this analysis printed in poster form for ready reference by the officers and employees taking alien applications and examining applicants.

DOUBTFUL CASES

195. With the responsibility and authority placed upon consular officers by section 2 (f) of the act, there is no longer any reason to grant an immigration visa to an applicant whose admissibility is doubtful simply because he insists upon it. The intent of Congress is clear on the point of reducing to a minimum the number of aliens to be excluded after their arrival in the United States and forced to make the return journey to their homes. Therefore, if the consul has reason to believe that an applicant is not admissible to the United States under the immigration laws, he must discharge the responsibility placed upon him by Congress and refuse to issue the immigration visa.

196. Special attention is directed to the provision of section 2 (f) of the act that no immigration visa shall be issued to an immigrant (1) "if it appears to the consular officer, from statements in the application or in the papers submitted therewith," or (2) "if the consular officer knows or has reason to believe," that the immigrant is inadmissible to the United States under the immigration laws. The first provision quoted requires consuls to examine carefully the applications and accompanying papers submitted by prospective immigrants, and the second makes it incumbent upon him to go beyond these documents and to scrutinize the individuals themselves and carefully weigh any information concerning them, with a view to ascertaining whether they are liable to be excluded from the United States under any of the provisions of the immigration laws. Where the consul has a reasonable suspicion that the applicant has made a false statement or that some fact not appearing in the application or accompanying paper exists which renders the applicant inadmissible to the United States, he should defer granting the immigration visa and make investigations to ascertain the truth of the matter. For example, if the consul, from statements made by the applicant or from any other cause, suspects that he is preparing to go to the United States as a contract laborer, he should interrogate him concerning this point, require him to submit any correspondence he may have had with organizations in the United States or abroad in regard to his proposed emigration, and take any other action which seems necessary or desirable in order to ascertain the true facts. Again, if an immigrant submits a physician's certificate stating that he is of sound health, but the consul suspects from the appearance of the applicant or from any other cause that such is not the case, he should require the applicant to be examined by another physician, chosen from a list prepared by the consul.

197. If after such additional examination as seems necessary the consul thinks it likely that the applicant would be rejected if he should arrive at a port of the United States, he should refuse to grant an immigration visa. It is not necessary, to justify his refusal, that he should be able to demonstrate beyond any doubt that the applicant would be subject to exclusion.

Mr. HAYDEN. Mr. President, I also ask leave to insert in the CONGRESSIONAL RECORD an extract from a memorandum furnished me by the Department of State on January 4, 1929, which states that a conference of consular officers had been called to take corrective measures to insure that all of the provisions of the immigration law relating to the visa of passports would be strictly enforced. That conference was held in the City of Mexico on the 18th of the following February. I am glad to say that every result which was anticipated by the department has been fully realized.

The PRESIDING OFFICER. Is there objection?

There being no objection the matter was ordered to be printed in the RECORD, as follows:

ENFORCEMENT OF THE EXISTING IMMIGRATION LAWS

It is believed that a proper enforcement of the present existing immigration laws can and will result in reducing greatly the volume of immigrant laborers recorded as entering lawfully into the United States from Mexico, and if the border control is made effective should go far toward solving the problem under discussion without requiring new legislation, which would involve the serious disadvantages to which reference has already been made.

In making its investigation as to the need for and probable effect of the extension of the quota system to the American countries the department has ascertained that the standards of admissibility under the immigration act of February 5, 1917, which have been observed by consular officers in Mexico since they have been responsible for refusing visas to aliens whom they believe to be inadmissible to the United States under the law, have been materially lower than those observed by consular officers elsewhere, notably in Europe. The department's conclusion in this respect has been based upon information received from its inspector for the district concerned, from reports from officers in the field, from a study of the time given to the examination of applicants for visas in Mexico, and from a comparison of the type of immigration and percentage of refusals in Mexico with those in certain countries of Europe.

CONTRACT LABOR

Discussing certain provisions of the existing laws in the order of their probable importance, as far as immigration from Mexico is concerned, mention should first be made of the contract labor clauses of the immigration act of February 5, 1917. For convenience they are quoted as follows:

"That the following classes of aliens shall be excluded from admission into the United States: * * * persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written, or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers, printed, published, or distributed in a foreign country."

As is well known, by far the greater part of the present immigration from Mexico comes from the interior of that country and is made up of laborers who have relatively little means. It is reported that advertisements for laborers are commonly circulated in Mexico by American agencies. There is also reason to believe that labor agents are active in that country, and that an important part of the Mexican laborers coming to the United States have been solicited.

Section 2 (f) of the immigration act of 1924 provides that "No immigration visa shall be issued to an immigrant * * * if the consular officer knows or has reason to believe that the immigrant is inadmissible to the United States under the immigration laws." Thus, if an applicant for a visa is believed to have been induced to migrate by promises of employment or to have come in consequence of advertisements for laborers, the responsible consul is clearly enjoined to withhold a visa from him. The department considers that sufficient effect has not been given this provision of law by consular officers in Mexico.

PERSONS LIKELY TO BECOME PUBLIC CHARGES

Probably the second most important provision of law as far as the present Mexican immigration is concerned is that which declares inadmissible to the United States "persons likely to become a public charge." Sufficient care does not appear to have been exercised in Mexico to require adequate evidence that applicants for immigration visas have sufficient means to insure that they will not become public charges if admitted to the United States. It is considered that a consul should require an applicant for a visa to prove that his earning capacity and his personal resources, or those of his relatives in the United States who are willing to guarantee his support, are such as to preclude his becoming an object of charity while in this country, even though he may at times be incapacitated or without employment. Reports that Mexican immigrants apply in large numbers to charitable institutions for aid would seem to bear out the department's opinion in this respect.

Reference is made in this connection to the extension of remarks of the Hon. JOHN C. BOX, of Texas, on May 23, 1928, as published in the Appendix of the CONGRESSIONAL RECORD of June 4, 1928 [permanent RECORD of May 23, 1928], and particularly to a statement quoted therein from a report of the California Commission of Immigration and Housing appearing on page 10891 [9615] of the RECORD, of which the following is a part:

"The Mexicans as a general rule become a public charge under slight provocation and have become a great burden to our communities.

"In Los Angeles, where approximately 7 per cent of the population is Mexican, the outdoor relief division states that 27.44 per cent of its cases are Mexican. The bureau of Catholic charities reports that 53⅔ per cent of its cases are Mexicans, who consume at least 50 per cent of the budget. Twenty-five per cent of the budget of the General Hospital is used for Mexicans, who comprise 43 per cent of its cases. The city maternity service reports 62½ per cent of its cases Mexicans, using 73 per cent of its budget. The bureau of municipal nursing and division of child welfare both state that 40 per cent of their clients are Mexican, and in the day home of the Children's Hospital 23 per cent of the children cared for are Mexican, while 12 per cent of the out-patient department cases are Mexican."

PROBABLE CAUSES

It appears that the condition described has not been due to any deliberate failure on the part of consular officers in Mexico to give full effect to the law, but rather to an entirely different conception of what the law required. This seems to have been brought about by the nature and volume of immigration from that country. Without doubt Mexican labor was badly needed in the border States in the post-war period, and everything possible appears to have been done to facilitate its entry. Accordingly, precedents were established which led to the present apparent divergence in the standards applied in Mexico and those observed elsewhere.

In illustration of this point reference is made to the annual report of the Commissioner General of Immigration for the fiscal year ended June 30, 1921, from which the following excerpt is quoted:

"At an early stage of the war it became apparent that in certain parts of the country there was a serious shortage of agricultural laborers essential to the production of foodstuffs and cotton. Strictly as a matter of war policy, and by virtue of the authority of the ninth proviso to section 3 of the general immigration act, it was determined to waive certain provisions of the immigration requirements and admit, temporarily and conditionally, a limited number of such laborers from Mexico. Authority for the admission of this class of aliens was terminated on March 2, 1921, and the importers were called upon to return to Mexico all such aliens then in their employ. The return movement is still under way, extensions having been granted by the department, upon application, in certain especially meritorious cases.

"The total number of aliens admitted under the department's exceptions during the years 1917 to 1921, inclusive, was 72,862. Of this number, 34,922 have returned to Mexico, 414 died, 494 were examined for permanent residence, found eligible for admission under the immigration laws, paid head tax, and were admitted; 21,400 deserted their employment and disappeared; and, so far as can be ascertained, 15,632 are still in the employ of the original importers. Of those who deserted their employment and disappeared, it is likely that a considerable percentage have found their way back to Mexico, owing to the present slight demand for that class of labor in the border States."

Further reference is made in this connection to the arrangements made several years ago to permit Mexican laborers to regularize their status in the United States by paying the head tax. (See pp. 5659 to 5666 of the CONGRESSIONAL RECORD (House) of March 18, 1926.)

It will be seen, therefore, that the method of dealing with Mexican immigration was a matter of natural development, influenced by conditions on both sides of the border, and that the possibility of a material difference in standards did not suggest itself. Neither consular officers nor the department had occasion heretofore to compare the general practice in Mexico with that in other countries.

CORRECTIVE MEASURES

As soon as it was definitely ascertained that the practice in Mexico was below the standard of the service immediate steps were taken to rectify the situation. Appropriate instructions were issued to the supervising consul general at Mexico City and plans have been made to take energetic measures to effect the result desired. A conference of consular officers in Mexico has been called, and in due course an inspection of each office will be made with a view to insuring that the department's instructions are being properly carried out.

RESULTS ANTICIPATED

It will, of course, take some time to effect the necessary changes in the procedure of administrative offices in Mexico. It is too soon as yet to expect marked results. It may be mentioned, however, that some decrease in the volume of visas issued is already to be noted, although it took place before the counsel general at Mexico City advised the officers under his jurisdiction of the purport of the department's instructions just mentioned, and was due to certain preliminary steps which have been taken and to other causes. The department's records indicate that 68,484 nonquota immigration visas were issued to Mexicans under the provisions of section 4 (c) of the immigration act of 1924 during the fiscal year ended June 30, 1927, while 58,110 were issued during the last fiscal year. This represents a decrease of 10,374, or over 15 per cent. That the tendency to decrease has continued is evidenced by the fact that the number of such visas issued to Mexicans during the first five months of the present fiscal year—July to November—was less than that for the corresponding period last year, the totals being 22,343 and 24,994, respectively, while the total issued in November, 1928, was 2,889, which was over 1,000 less than the total for November, 1927—3,936.

While some effect of the measures already taken by the department should be noted during the present quarter ending December 31, it is expected that it will be March or April before its complete program can be carried out, and that the volume of immigration should tend to decrease during the next year or 18 months.

Mr. HAYDEN. Mr. President, the action taken at this conference in the City of Mexico in February of last year was not a discrimination against Mexicans in any sense, but was merely a question of bringing the standards observed by American ad-

ministrative officials there up to those observed elsewhere, notably, in Europe.

It may, therefore, be said that the class of Mexican immigration which a quota would affect—namely, legal immigration—is no longer a serious problem, and that the administrative steps which have been taken in this respect will be maintained in the future.

Let me repeat that during the past nine months only 1,165, or 133 per month, new Mexican laborers received immigration visas to come to this country. This type of immigration is, therefore, now entering the United States at a rate of less than 1,600 per annum, as compared with an estimated annual rate of more than 40,000 for the last five completed fiscal years.

In order to reemphasize that fact, I ask leave to include in the RECORD a press release from the visa office of the Department of State prepared on January 29, 1930, which gives the figures up to and including the end of the last calendar year.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
VISA OFFICE,
January 29, 1930.

IMMIGRATION OF MEXICANS, JULY–DECEMBER, 1929, INCLUSIVE

The success with which American consular officers in Mexico have responded to the Department of State's program, outlined in a consular conference held at Mexico City on February 18, 1929, for an enforcement of the restrictive features of the immigration laws equal in strictness to that observed in Europe and elsewhere is amply attested by the comparative figures for nonquota visas issued to Mexicans during the first six months of the present fiscal year, beginning July 1, 1929, showing a decrease of 71.4 per cent as compared with the average figures for the past five years, or an annual rate of 16,242.

The monthly figures for immigration visas issued to Mexicans are as follows, with comparisons for the previous year:

Month	1929	1928
July	1,950	4,883
August	1,623	5,948
September	1,429	4,630
October	1,263	3,993
November	1,024	2,889
December	832	2,569
Total	8,121	24,912
Monthly average	1,354	4,152

It should be noted in this connection that the total number of immigration visas issued to Mexicans during the five completed fiscal years since the enactment of the immigration act of 1924 was 284,338, an average of 56,868 per annum of 4,739 per month. The monthly average so far during the present fiscal year has been 1,354, a decrease of 71.4 per cent, or a rate which would give 16,242 per annum. Complete figures for the period in question are as follows (by fiscal years ending June 30):

1925	50,601
1926	58,423
1927	77,155
1928	58,146
1929	40,013
Total	284,338
Average per year	56,868

It may, therefore, be said that through the concerted efforts of American consular officers in Mexico the immigration of natives of that country has been reduced to 28.6 per cent of its former volume.

In analyzing the immigration of Mexicans during the six-month period July–December, 1929, inclusive, 8,121 visas were issued and 6,972 (46.2 per cent) were refused. This does not take into consideration a large number of Mexicans who, recognizing their inability to qualify for admission under the likelihood to become public charge, illiteracy, contract labor, or physical defect clauses of the law, withheld their requests for visas.

A separation of the 8,121 Mexicans who received visas during this period into classes affords an interesting analysis of Mexican immigration. The following analysis has been made:

	Number	Per cent
A. Persons going to the United States to attend school	1,213	14.9
B. Residents of the United States, for purpose of regularizing status	1,713	21.1
C. Other persons who had previously resided in the United States	1,188	14.7
Total	4,114	50.7
D. Wives and children of admitted aliens	1,716	21.1
E. Others	2,291	28.2
Grand total	8,121	100.0

Of the above classes, A represents aliens who would be nonquota even were a quota imposed on Mexico; B and C would doubtless include a large number who would in many cases be nonquota as returning residents of the United States and who would in any event not represent new Mexican immigration into the United States. These three classes represent a total of 50.7 per cent of Mexicans now classed as immigrants. Of the remaining 49.3 per cent 21.1 per cent (of the total) consist of wives and minor children of admitted aliens (class D). This class of Mexicans would be admissible to the United States in any event outside the quota if and as soon as their husbands and fathers, respectively, become citizens. Their entry, therefore, would, as a rule, be only delayed and not definitely stopped by the imposition of a quota, which would merely serve in their cases to delay the reuniting of families.

Eliminating the special classes mentioned as not constituting new immigration from Mexico to the United States, there remains only 28.2 per cent of the total which represents new Mexican immigration of a character which the imposition of a quota would stop. These Mexicans are, of course, the selected few remaining after the elimination of their fellow Mexicans who have failed to qualify in all respects for admission to the United States under our immigration laws.

This class, comprising new Mexican immigration which would be affected by a quota, may therefore be said to be entering the United States at the rate of 382 per month, or 4,584 per annum. The problem of new immigration from Mexico, barring the question of surreptitious border-crossing activities, would therefore no longer appear to be a serious one.

Notable reductions in the monthly issue of immigration visas to Mexicans really began in the month of March, 1929, as shown by the following table:

Month	1929	1928	Reduction
January	2,799	3,425	616
February	2,836	4,175	1,339
March	1,825	6,081	4,256
April	2,548	6,334	3,786
May	2,856	5,001	2,145
June	2,237	4,393	2,156
July	1,950	4,883	2,933
August	1,623	5,948	4,325
September	1,429	4,630	3,201
October	1,263	3,993	2,730
November	1,024	2,889	1,865
December	832	2,569	1,737

Mr. DILL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DILL. The Senator gave figures as to the number of Mexican laborers who have entered. Has the Senator the figures as to the number of other Mexicans, not laborers, who were permitted to enter?

Mr. HAYDEN. Yes. I gave a complete statement of all the facts.

Mr. DILL. In the earlier part of the Senator's remarks?

Mr. HAYDEN. Yes; and I shall be very glad to furnish the Senator with a copy of the document giving that information.

Mr. DILL. Never mind, as long as it is in the RECORD.

Mr. HAYDEN. I also have a press statement released on April 11, 1930, by the Department of Labor which contains a table showing the arrival and departure of aliens. Some very interesting figures are presented here. It is shown that from July, 1929, to February, 1930, Mexico stood seventh among the nations from which immigrants came to the United States. The first race of people mentioned are the English, of whom 24,461 entered; second, Germans, 22,837; third, Irish, 21,708; fourth, Scotch, 18,108; fifth, Italian, 16,256; sixth, French, 10,634; and seventh, Mexicans, 9,771.

The statistics as to those who departed from the United States are even more remarkable. Mexico heads the list. From July, 1929, to February, 1930, there left the United States 4,648 Mexicans. Subtracting 4,648 from 9,771, the number who entered, we find that the net increase in the Mexican population of the United States for the 8-month period was 5,123. Forty-seven and one-half per cent of the number of Mexicans who entered departed from the United States in that period.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Wyoming.

Mr. KENDRICK. In connection with the figures as to the Mexicans who returned to their own country, does not the Senator believe that a very much greater number of Mexicans returned of whom there was no official record?

Mr. HAYDEN. I am quite convinced of that. I have some interesting figures which I desire to present to the Senate on that particular point, consisting of a comparison between the records kept by our Government of the number of Mexicans who returned, and the records kept by the Mexican Government.

Mr. KENDRICK. Because of the long border line, and the fact that Mexicans would feel very much more secure in returning to their own country than they would in coming to this country originally, I think it very likely that thousands would return of whom nothing was known and nothing was said.

Mr. HAYDEN. I am quite sure that the Senator is correct in that statement. It is particularly significant that the net increase in the number of Mexicans in the United States of all characters—I am not referring now merely to laborers but to Mexican immigrants of all kinds, students, wives, children, Mexicans who had previously been in the United States and had a lawful right to return here—amounted during the eight months, according to these figures of the Immigration Service, to an average of 637 a month, which is a tremendous reduction in comparison with the statistics of previous fiscal years.

Mr. KENDRICK. Does not the Senator believe an authorized conference with the Government of Mexico would conduce to a friendly settlement between the two nations fixing the quota of Mexicans, without any authority of law?

Mr. HAYDEN. I am glad to say to the Senator that what has been accomplished by our State Department has been done with the full knowledge and consent of the Mexican Government, with the remarkable results which I have already stated. A further formal conference might be held, but the facts I have presented really make such a meeting unnecessary.

Mr. KENDRICK. Is it not true, in the Senator's opinion, that Mexico would be as much interested in limiting migration of Mexicans to our country as we are in such limitation?

Mr. HAYDEN. That is the precise attitude of the Mexican Government and has been for some years past.

I ask leave to have printed in the RECORD the table to which I have referred, prepared by the United States Immigration Service.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 5.—*Immigrant aliens admitted and emigrant aliens departed during February, 1930, and from July 1, 1929, to February 28, 1930, by race or people*

Race or people	Immigrant		Emigrant	
	February, 1930	July, 1929 to February, 1930	February, 1930	July, 1929 to February, 1930
Total	13,585	165,322	3,180	35,774
African (black)	85	1,109	43	606
Armenian	44	604	3	39
Bohemian and Moravian (Czech)	40	475	44	303
Chinese	56	767	103	2,220
Cuban	51	1,639	75	209
Dutch and Flemish	302	2,817	81	642
English	1,712	24,461	330	4,459
French	512	10,634	150	1,365
German	2,299	22,837	118	4,251
Greek	248	2,765	38	511
Hebrew	827	8,088	4	207
Irish	1,780	21,708	98	1,366
Italian	1,244	16,256	354	2,285
Japanese	28	515	117	665
Magyar	106	1,074	42	501
Mexican	772	9,971	497	4,648
Polish	380	3,197	147	1,328
Portuguese	52	506	9	263
Russian	101	1,149	32	354
Scandinavian (Norwegians, Danes, and Swedes)	353	5,443	235	2,056
Scotch	1,600	18,108	157	1,365
Slovak	312	2,395	24	635
Spanish	53	853	127	1,206
Spanish-American	162	2,155	118	1,193
Welsh	68	1,487	9	112
All others	338	4,509	225	2,286

Mr. HAYDEN. Mr. President, I also desire to direct attention to a part of a statement issued by the commissioner general, the Hon. Harry E. Hull, at the time this table was given to the press, which shows that for the first eight months of the current fiscal year 165,322 immigrant aliens entered the United States, of which 10,329, or 6.2 per cent, came from Mexico. Then the commissioner general proceeds to compare these figures with those of the previous fiscal year, which show that the Mexican immigration during that 12 months' period just preceding amounted to 16.7 per cent of our total immigration.

I ask that the paragraph be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

There was a drop in immigration of 17,445, or 9.5 per cent, for the first eight months of the current fiscal year, as compared with the corresponding period of the preceding year, but Europe and Canada are now contributing a larger proportion of the total. From July 1 to February 28 last, when 165,322 immigrant aliens entered the country, 95,607, or 57.8 per cent, came from European countries; 46,922, or 28.4 per cent, from Canada; 10,329, or 6.2 per cent, from Mexico; 3,725, or 2.3 per cent from the West Indies; 3,199, or 1.9 per cent, from Asia; and 5,540, or 3.4 per cent, from other countries. During the same months a year ago 182,767 immigrants came to the United States. Europe contributing 98,660, or 54 per cent; Canada 43,142, or 23.6 per cent; Mexico, 30,588, or 16.7 per cent, the West Indies 2,521, or 1.4 per cent; Asia 2,516, or 1.4 per cent; and other countries 5,340, or 2.9 per cent.

Mr. HAYDEN. Mr. President, the figures given by the Department of Labor for net Mexican immigration during the eight months from July, 1929, to February, 1930, show that such net immigration amounted to 5,123. This figure refers only to legally recorded immigrants and emigrants. There is, of course, a very large but unknown number of illegal entries and departures of which no record has been made.

Another very interesting phase of this situation is the number of Mexicans who have been deported during the 8-month period. Exact figures for this period are not available. During the previous fiscal year the total number of deportations amounted to 19,908, of which 5,481 were deported to Mexico.

The Department of Labor estimates that of the 10,000 aliens deported during the first eight months of the present fiscal year about half were Mexicans. They also estimate that 5,000 more Mexicans who were found at places near the border to be here illegally have been allowed to depart voluntarily in lieu of deportation.

This means that nearly 10,000 Mexicans who are not included in the figure of 4,648 emigrants also left the United States, either through formal deportation proceedings or by voluntary departure in lieu thereof, which would indicate that, barring unrecorded border-crossing activities, the net flow of Mexicans during the 8-month period covered was very decidedly southward.

This net southward movement, which may be estimated on the above figures as between 4,000 and 5,000 for the 8-month period covered was doubtless due in a large measure to the effects of the deportation act of March 4, 1929, and will probably not continue on such a large scale in future years. Since, however, the northward legal movement of Mexicans has now been successfully and permanently checked by administrative action it is evident that the problem of Mexican immigration has already been solved without resort to a quota. This is the most important development in our immigration situation and is unfortunately one which certain persons, intrigued by the catchword formula of "Put Mexicans under the quota" have not been willing to admit as true, yet such is the case.

These figures from our own Immigration Service also tend to confirm the often-repeated assertion that large numbers of Mexicans do return to their own country after having secured employment for a time in the United States. The Mexican Government also keeps a record of the arrival and departure of its citizens. In 1928, pursuant to instructions from the State Department, Mr. George H. Winters, of the American Consulate General in the city of Mexico, made an analysis of the Mexican migration statistics.

I have here a memorandum from the State Department which is based on Mr. Winters's report which shows that according to the records of the Mexican Government a larger number of Mexicans have entered the United States and a very much larger number have returned than are shown by the records of the United States Immigration Service.

I am sure that if the Senator from Wyoming [Mr. KENDRICK] will read this memorandum from the State Department he will find in it a confirmation of the statement he has just made to the Senate. I ask that it may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The memorandum is as follows:

MEXICAN MIGRATION STATISTICS

Not having comprehensive statistics compiled by this Government from which the net immigration from Mexico can be computed, our consular officers there were instructed to request information of the competent Mexican authorities as to the bases and methods of compilation of the migration statistics of that country. It was learned that the immigration and emigration law of the United States of Mexico of March 12, 1926, requires that a complete record of immigration and emigration and of the return of Mexican citizens to Mexico be kept, and that every foreigner or Mexican entering or leaving the country must be provided with an individual identification card. It was reported that the figures

showing the number of Mexicans leaving for the United States and returning to Mexico are now based on identification card records kept at 25 points on the Mexican-American border.

The classes included in the count comprehend all Mexicans except those who prove that they will not remain in the United States longer than one month and those who upon their return prove that they have not remained longer than the period mentioned, and residents of the border zone who cross in the ordinary pursuit of regular business. The data on the identification cards is consolidated and reported to Mexico City every 15 days. The consular officers reporting agree that, while at times in the past all migrants may not have been accurately tabulated, a careful record is now being maintained of all Mexicans leaving and returning to Mexico, and that the statistics based thereon are worthy of considerable confidence.

The following table shows (1) the number of Mexican citizens departing for the United States according to the Mexican migration service statistics, (2) the number of persons of the Mexican race recorded by the American immigration authorities as entering the United States for permanent residence, and (3) the number of Mexican citizens returning to Mexico from the United States according to the figures of the Mexican Government:

Year	(1) Mexicans entering United States (figures Mexican migration service for calendar years)	(2) Mexicans admitted fiscal years ended June 30 (Department of Labor statistics)	(3) Mexicans returning from United States (figures Mexican migration service for calendar years)
1910	24,203	17,760	34,696
1911	33,384	18,784	35,305
1912	55,745	22,001	55,684
1913	32,826	10,954	29,312
1914	7,295	13,089	8,306
1915	6,113	10,993	13,758
1916	40,859	17,198	37,612
1917	18,089	16,438	92,822
1918	33,672	17,902	39,563
1919	46,080	28,844	40,428
Total, 1910–1919	298,266	173,663	387,486
1920	50,569	51,042	64,620
1921	9,165	29,603	106,242
1922	33,180	18,246	50,171
1923	80,793	62,709	85,825
1924	57,269	87,648	105,834
1925	41,759	32,378	77,056
1926	56,534	42,638	67,970
1927	[1] 72,708	66,766	[2] 67,818
Total 1920–27	402,037	391,030	625,536
Total 1910–27	700,304	564,693	1,013,022

[1] Estimated. Equals total emigration of Mexicans less 10.6 per cent, which is the average deduction for previous 16 years to find those destined for the United States.

[2] Estimated. Equals total number of Mexicans returning to Mexico less 8 per cent, which is the average deduction for previous 16 years to find those coming from the United States.

Sources of information: Columns (1) and (3)—Report dated May 4 to 10, 1928, from American consulate general, Mexico City, entitled "Migration of Mexicans to and from the United States." Column (2)—Annual Report of the Commissioner General of Immigration for 1927, table 81, pp. 200, 201, and 202.

From the above table it will be noted that the number of Mexicans reported as returning to Mexico exceed those recorded as entering the United States both for the decade 1910 to 1919 and the period 1920 to 1927. There was a material difference between the Mexican and American figures covering the immigration of Mexicans into the United States from 1910 to 1919, but there is substantial agreement in the statistics of the two Governments during the 8-year period from 1920 to 1927, there being a divergence of less than 3 per cent between the totals. Since the Mexican migration service figures covering departures for the United States during the period last mentioned would appear to be quite accurate, the total of 625,536 given by that authority as the number of Mexicans returning to Mexico during the same period would seem to merit some credence.

Mr. HAYDEN. Mr. President, I stated to the Senator from Wyoming that the Mexican Government has entirely approved of the activities of American consuls in that country in refusing to visa passports unless all the requirements of the immigration laws of the United States have been fully complied with. The Government of Mexico desires that Mexicans shall remain at home. With peace and good order they will be needed there, and it is a legitimate hope, which I believe can be realized by the Government of Mexico, that peace will be permanently established in that country. Certainly we should do nothing on our side of the international boundary line to interfere with so high and so worthy an object.

I have here a clipping from the New York Times of February 26, 1928, which reads as follows:

MEXICO WARNS WORKERS—ADVISES THEM NOT TO SEEK JOBS IN THE UNITED STATES

Mexican newspapers report that in view of the unemployment prevailing in a large part of the United States would-be Mexican emigrants are being advised in an official circular sent out from Mexico City not to venture north of the Rio Grande.

Wide distribution of this official warning is said to have resulted already in a diminution of the number of Mexican laborers seeking to try their luck in the sister Republic. It is also pointed out that if the flow of workers to the United States can be checked by Mexico itself there is less probability of the quota system being extended to cover Mexican emigrants.

I do not know whether the newspaper article refers to an official statement issued by the Mexican Ministry of Foreign Affairs in 1928, but presume that it does. I invite particular attention to one paragraph, which I ask to have printed in the RECORD in italics. This is from an official publication of the Government of Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. The paragraph to which I call particular attention and which I wish to have printed in italics is as follows:

The exodus of our people to foreign parts, and especially to the United States, for reasons of propinquity and labor, constitutes an intricate problem difficult to solve, alien to the will of the Government of Mexico, which, on the contrary, is constantly making every possible effort practically and theoretically to prevent both the depopulation of our fields and the difficulties which our emigrants are going to encounter.

I ask now that the entire article may be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

(La migración y protección de Mexicanos en el extranjero: Mexico, Imprenta de la Secretaría de Relaciones Exteriores, 1928, pp. 5–7)

From time to time the press receives certain notices with regard to the condition of the Mexicans in the United States of America, notices which, perhaps on account of the manner in which they are presented, are given publicity and even, in some cases, the special consideration of editorial comment. The very nature of these notices makes it impossible for the Government to be constantly rectifying, explaining, or denying them, especially since in official documents, published and easy to obtain, and even in the bulletins habitually furnished the press, the information and explanations relative to this matter are given.

It would be well for the institutions and persons who are interested in this question to avoid the confusion which frequently arises out of the confounding of the situation in which our nationals who emigrate to the United States may find themselves, and the protection which the Government of Mexico gives them—two matters which, although apparently correlative, are different.

Before turning to a detailed explanation of the question, the public should know: First, the disproportional and illegal emigration of our people to the United States is prejudicial both to our country and to the Mexican laborers; second, no government repatriates its nationals, especially when it is a matter of imprudent journeys, with the exception of mobilization in case of war; third, no other government in the world gives to its nationals abroad the direct protection, in quantity and quality, that is given by the Government of Mexico.

The exodus of our people to foreign parts, and especially to the United States, for reasons of propinquity and labor, constitutes an intricate problem difficult to solve, alien to the will of the Government of Mexico, which, on the contrary, is constantly making every possible effort practically and theoretically to prevent both the depopulation of our fields and the difficulties which our emigrants are going to encounter.

Despite these efforts great numbers of field laborers always ignore the dispositions of the governments on both sides of the Rio Grande; they accept, without weighing the consequences, disadvantageous contracts and go to various States of the American Union, where, once the harvest season is over, they remain sometimes at the mercy of unscrupulous exploiters and sometimes without employment with which to earn their livelihood, often persecuted with the provisions of the immigration law, incarcerated as a consequence of their offense or deported in mass rapidly.

These are the consequences of imprudent emigration. Only then is it that these persons who enter another country in defiance of the laws of their own and the foreign nation turn to their government and ask for what it is impossible to foresee in any budget—food, transportation, and various other expenses for many thousands of individuals.

Mr. HAYDEN. Not only has the Mexican Government heartily cooperated with our own Government in its efforts

to raise the standard for granting visas by our consuls but that Government has pursued the identical policy in issuing instructions to Mexican consuls abroad. I read from a publication entitled "Industrial and Labor Information," dated June 24, 1929, an article entitled "Immigration Suspended in Mexico," as follows:

The President of the Mexican Republic, in exercise of the power conferred on him by the immigration act, has temporarily prohibited the entry into the country of foreign workers without distinction of nationality. This measure came into force on May 1, 1929.

According to a circular addressed to Mexican consuls abroad this position was adopted in view of the severe unemployment existing in the country, which has reduced a number of Mexican workers and their families to a condition of destitution. Mexican consuls are required to refuse to emigrants desiring to enter Mexico for the purpose of earning a living by manual labor, the identity card required by the immigration authorities.

Let me repeat that Mexico has directed her consuls abroad to do exactly what our Government has directed American consuls abroad to do—that is, to refuse to visa a passport or to refuse to issue an identity card, so that workers who intended to come to Mexico seeking employment could not enter that country for the lack of necessary credentials. Therefore the Government of Mexico can not possibly have the slightest objection to the regulations issued by our State Department and to the instructions sent to our consuls in Mexico, because that Government has done the same identical thing with respect to its own consuls throughout the world.

Cooperation between nations with respect to laborers living in other countries has been frequent in the past. Many nations have arranged for either the restriction of immigration by mutual consent or provided for mutual agreements that reciprocal advantages may be enjoyed by the working men of one country temporarily residing in the other. I have here a list of labor treaties prepared by the legislative reference service of the Library of Congress which I ask to have included in my remarks as an illustration of the constantly recurring efforts made by various countries for a settlement of the labor difficulties similar to those which have been experienced by the United States and Mexico in recent years.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

CITATIONS TO LABOR TREATIES

The following citations to labor treaties do not include those general commercial treaties which provide for mutual privileges and security of nationals in the States of the contracting parties.

Labor treaty between France and Italy. September 30, 1919. League of Nations, treaty series, volume 5, page 281.

Declaration between France and Italy relative to suspension of the immigration of workmen in the event of economic troubles or disorders. September 30, 1919. British and Foreign State Papers, volume 112, page 1048. (The only available text is in French.)

Additional declaration to the labor treaty of September 30, 1919, regarding Italian workers in Alsace-Lorraine. February 19, 1920. Treaty series, volume 8, page 42.

Convention between the Argentine Republic and Italy providing compensation for accidents to workmen. March 26, 1920. British and Foreign State Papers, volume 113, page 878. (No copy available.)

Treaty of friendship, commerce, and navigation between Mexico and China. December 14, 1899. British and Foreign State Papers, volume 92, page 1061, Article XII.

Exchange of notes between China and Mexico, embodying an agreement for the provisional modification of the Sino-Mexican treaty of December 14, 1899. September 26, 1921. Treaty series, volume 13, page 202.

Convention between Italy and the United States of Brazil concerning emigration and labor, October 8, 1921. Treaty series, volume 16, page 15.

Protocol regarding the regulation of the workmen's traffic on the Saar-German frontier. September 14, 1926. Treaty series, volume 77, page 164.

Danish-Finnish declaration concerning workmen's insurance against accidents. March 30, 1923. Treaty series, volume 20, page 429.

Arrangement between Finland and Sweden regarding the insurance of workers against accident. September 11, 1923. Treaty series, volume 20, page 81.

Germany-Czechoslovakia, convention and final protocol concerning conditions and social insurance of crews of vessels navigating on the Oder and ceded by Germany to Czechoslovakia. December 15, 1924. Treaty series, volume 52, page 31. (Similar provisions concerning crews on the Elbe, vol. 52, p. 11.)

Convention of reciprocity between Norway and the Netherlands with regard to payment of compensation to seamen and industrial workers in case of accidents. January 9, 1925. Treaty series, volume 48, page 253.

Convention between Great Britain and North Ireland and Denmark concerning workmen's compensation for accidents arising out of employment of the subjects of each country in the territory of the other. November 18, 1925. Treaty series, volume 61, page 354.

Convention between the Republic of Estonia and the Republic of Finland concerning workmen's compensation for accidents. December 10, 1925. Treaty series, volume 50, page 337.

Belgium-Netherlands, insurance against accidents sustained in the course of employment. February 22, 1926. Treaty series, volume 54, page 389.

Convention between Belgium and the Netherlands concerning insurance against accidental injuries. Exchange of notes concerning the transmission of requests for legal assistance provided for in Article VI of the convention of 1926. Treaty series, volume 54, page 389.

Norway-Netherlands, convention for payment of compensation to seamen and industrial workers in case of accident. May 14, 1926, volume 48, page 247.

France-Poland, convention respecting reciprocal emigration [of workmen]. September 3, 1919. Treaty series, volume 1, page 338.

Convention between the Argentine Republic and the Kingdom of Italy concerning reciprocity in the payment of workmen's accident compensation. March 26, 1920. Treaty series, volume 15, page 277.

Mr. HAYDEN. One of the treaties cited in that list is an agreement between the United States of Mexico and the Republic of China, with respect to the immigration of laborers of the two respective countries. I invite particular attention to the following articles of the agreement:

So long as the Mexican Government prohibits the immigration of foreign laborers, each of the two high contracting parties prohibits her citizens of the laborer classes to enter the national territory of the other.

Hereafter the emigration of Chinese laborers to Mexico can only be carried out with the approval of the Governments of China and Mexico and is subject to the necessary conditions to be decided upon by the two governments.

Those individuals who might come to Mexico with the sole purpose of being employed in manual labor, and are provided without any amount of capital, but to depend upon the product of the energy of their arms for living are to be considered as laborers.

For the information of the Senate I ask that the 14 articles of this agreement, omitting the exchange of notes, be printed in full in the RECORD.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

The articles are as follows:

ARTICLE 1

It is agreed between the Government of the Republic of China and the Government of the United States of Mexico that the term of the treaty of friendship, commerce, and navigation, entered into between China and Mexico and signed at Washington on the 14th day of December, 1899, shall be extended until a definitive and formal amendment of the said treaty will be made by the two high contracting parties by the regular procedure as required by the constitutions of the two countries. The expected amendment shall be made at the earliest possible date.

The two high contracting parties further express the wish that the expected definitive and formal amendment to the said treaty will be based on the sense and spirit of the present note.

ARTICLE 2

So long as the Mexican Government prohibits the immigration of foreign laborers, each of the two high contracting parties prohibits her citizens of the laborer classes to enter the national territory of the other.

ARTICLE 3

Hereafter the emigration of Chinese laborers to Mexico can only be carried out with the approval of the Governments of China and Mexico and is subject to the necessary conditions to be decided upon by the two Governments.

ARTICLE 4

Those individuals who might come to Mexico with the sole purpose of being employed in manual labor, and are provided without any amount of capital, but to depend upon the product of the energy of their arms for living, are to be considered as laborers.

ARTICLE 5

Those citizens of the high contracting parties who are not laborers or workmen are not included in the above restrictive dispositions, and they shall be governed according to the provisions of the existing

treaty between China and Mexico and the laws applied to the nationals of the nonlaborer classes of all other friendly nations.

However, for the sake of avoiding possible difficulties, it is agreed between the two Governments that the citizens of one of the high contracting parties who are to enter the national territory of the other high contracting party with the purpose of engaging themselves in commercial business and are provided with a capital amounting to 500 pesos Mexican currency are not included in the above restrictive dispositions. Likewise, those who are to enter the national territory of one of the high contracting parties for the purpose of engaging themselves in any kind of work which may be called intellectual work, and travelers and students or apprentices who are provided with reliable financial support, are not included in the above restrictive dispositions.

ARTICLE 6

The public officials of the high contracting parties, their families, suite, and servants are not included in the restrictive dispositions.

ARTICLE 7

Those citizens of one high contracting party, no matter whether they are laborers or nonlaborers, who have already been admitted to the national territory of the other high contracting party but have been absent from the country of their admittance temporarily are not included in the above restrictive dispositions.

Those citizens of the respective high contracting parties who are entitled to the special privileges of the present article and desire to make use of them should comply with the following conditions:

(a) Before leaving the country of their admittance they should apply for passports from the legation of their own nationality in the country of their admittance, stating that they are to leave with the intention of returning to the country from which they are to depart. Each passport of such character shall bear the photograph of the applicant with the seal of the said legation impressed on it and it shall be visaed by the ministry for foreign affairs of the country of their admittance.

(b) This kind of passports shall be valid for a period of two years from the date on which they are visaed.

ARTICLE 8

When the citizens of one of the high contracting parties who are other than laborers should desire to proceed to the territory of the other high contracting party from their native land or from a third country, they should provide themselves according to international usage with passports issued by the proper authorities of their native country or the foreign officials representing the interests of their native country at the port of embarkation or starting, and such passports shall be visaed by the diplomatic or consular authorities of the country to which they are to go at the same locality. If there are no such consular or diplomatic functionaries at the particular locality, the passports may be visaed by the diplomatic or consular authorities of the country to which they go at any port or city they may pass through en route to their object country.

ARTICLE 9

All the citizens of one high contracting party who are permitted to enter the national territory of the other high contracting party shall be subject in every respect to the immigration and sanitary laws in force, but they shall be treated in the same manner as the nationals of all the other friendly nations.

ARTICLE 10

Citizens of one high contracting party attempting to enter the national territory of the other high contracting party in contravention of the present agreement shall be denied admission.

ARTICLE 11

The wives and minor children of the Chinese citizens who are residing in Mexico at present and that of those who may be admitted to Mexico hereafter are not included in the restrictive dispositions.

ARTICLE 12

The Chinese agricultural colonists shall not be considered as immigrant laborers. The regulations governing the colonization of such agricultural colonists shall be decided upon by the mutual agreement of the two Governments on the same basis as it may be concluded between Mexico and the most-favored nations.

ARTICLE 13

The present agreement shall be written in English.

ARTICLE 14

All the above articles shall take effect on and from the day on which the notes, embodying the present agreement, shall be exchanged between the Secretary of Foreign Relations of the United States of Mexico and the Minister of the Republic of China accredited to Mexico.

Mr. HAYDEN. A former Secretary of State, Hon. Frank B. Kellogg, is responsible for securing the cooperation of the Mexican Government in the enforcement by our own consuls of the immigration laws of the United States. Mr. Kellogg maintained that the State Department could adequately control the situation, which he proceeded to do. It was always his belief that to impose an immigration quota on Mexico was not only unnecessary but highly inadvisable. The Senator from Connecticut [Mr. BINGHAM] on last Friday read extracts from the testimony of Mr. Kellogg before the Senate Committee on Immigration and Naturalization, given on March 25, 1928. Let me read a few paragraphs in which the then Secretary of State stated his conclusions. I read, beginning on page 168 of the printed hearings, where Secretary Kellogg said:

To summarize, it is apparently proposed to enact legislation extending quota restrictions to a group of countries which are the closest neighbors of the United States even though there is no reason for such restrictions arising from the nature or volume of the immigration from those countries and despite the fact that the contemplated action would involve serious disadvantages to the United States in two important respects. In the first place, it is the opinion of the accredited representatives of the United States in the countries concerned as well as representative business men and others in a position to have first-hand knowledge of the situation that the measure contemplated would, if put into effect at this time, seriously injure the relations of the United States with the American countries and that it might even threaten Pan Americanism. Needless to say this phase of the question is of great national importance as far as the foreign policy of the United States is concerned. In the second place, the economic situation of the country is involved since an important part of the foreign investments and trade of the United States are in those countries and would be vitally affected by any disturbance of the good relations now obtaining.

As to Mexico, my statement deals with the international phases of the problem without attempting to discuss to any extent the domestic side. Suffice it to say that the question of the domestic necessity or advisability of limiting immigration from Mexico is at least highly debatable.

The statistics relating to the immigration from Mexico of aliens have already been given.

These figures showed that 250,860 Mexicans returned to Mexico from the United States during the three years 1924 to 1926, while only 192,985 natives of Mexico of all classes were admitted to the United States during the fiscal years beginning July 1, 1924, 1925, and 1926.

The improvement of our relations with Mexico is a source of considerable satisfaction to this Government and to the many American citizens and important commercial interests of this country in Mexico. The interests of the United States in Mexico are of such importance that no action prejudicial to their advantage should be undertaken without a most careful weighing of the possible consequences.

As has already been pointed out, the volume of American investments in Mexico is estimated at approximately $1,125,000,000, while American trade with that country in 1927 amounted to $137,815,044 imports and $109,151,831 exports.

* * * * * * *

In support of the department's assertion that the legislation contemplated would be deeply resented by the Mexican people and give rise to severe criticism of this country, I may cite a dispatch just received from the ambassador to Mexico relative to an editorial in the Mexico City Excelsior of February 16, 1928. The Excelsior is one of the leading dailies in Mexico and is fairly representative of the conservative sentiment in that country. The editorial comments bitterly on the measures proposed in the United States to prevent further Mexican immigration to California and assails the United States generally for this attitude toward the Mexican laborer.

* * * * * * *

I am quite sure that Mexico would deeply resent being singled out, and I am quite sure that all South America and Central America would resent the application of the quota.

I have previously referred to the statement made by Hon. Joseph P. Cotton, the Undersecretary of State, at the hearing before the Committee on Agriculture and Forestry on April 5, 1930. At that time Mr. Cotton filed the following statement with the committee:

MEXICAN IMMIGRATION

APRIL 2, 1930.

Immigration from Mexico is now so far restricted that the application of a quota to Mexico is not necessary and would not keep out any substantial number of Mexicans.

The monthly figures for immigration visas issued to Mexicans are as follows, with comparisons, for the previous year.

Then he gives the figures, which I ask to have included in the RECORD, and which I have previously submitted to the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Month	Fiscal year 1929–30	Fiscal year 1928–29
July	1,950	4,883
August	1,623	5,948
September	1,429	4,630
October	1,263	3,993
November	1,024	2,889
December	832	2,509
January	864	2,709
February	780	4,175
Total	9,765	31,886
Monthly average	1,221	3,986

Mr. HAYDEN. I quote further from Mr. Cotton's statement:

Immigration in earlier years was much greater.

Of the 9,765 immigration visas issued to Mexicans in the 8-month period, July, 1929, to February, 1930, inclusive, only 1,125, or 141 per month, were issued to common laborers without a previous residence in the United States. This type of immigration is therefore now entering the United States at a rate of less than 1,700 per annum.

No application of the quota would reduce these figures substantially.

Mr. Cotton spoke in behalf of the present Secretary of State, Hon. Henry L. Stimson, who is now in attendance at the Conference for the Limitation of Naval Armaments in London. I have talked to Mr. Stimson relative to this matter, and I know that the Secretary of State has exactly the same attitude as had his predecessor, Mr. Kellogg. He believes, as did Mr. Kellogg, that it would be a great mistake for the Congress of the United States to enact a law imposing a rigid immigration quota upon Mexico.

I am sure that the Secretary of State was fully aware before he departed for England of the activities of our American consuls in Mexico in refusing visas to Mexican citizens who could not comply with the immigration laws of the United States, and that the good work done by them in Mexico met with his hearty approval.

The chief of the visa office of the State Department, Mr. John Farr Simmons, delivered an address at a conference on immigration held at Williamstown, Mass., last summer which the Senator from Pennsylvania [Mr. REED] appreciated so highly that he had it inserted in the CONGRESSIONAL RECORD of September 4, 1929. After reading this address the Senator from Pennsylvania, who has always been an ardent advocate of immigration restriction, stated publicly that he was convinced that it was no longer necessary for Congress to enact legislation imposing a quota on Mexico. I will quote briefly from the address delivered by Mr. Simmons at the Williamstown Institute of Politics, on August 7, 1929:

Reports requested from American diplomatic representatives in Latin American countries are practically unanimous in their statement that the application of quota restrictions to them could not fail to be interpreted by them as a radical departure from the traditional policy of this country toward Latin America, and as evidence of unwillingness to continue to regard them as equals and neighbors having common problems, interests, and aims.

* * * * * * *

In questioning the wisdom of adopting legislation to that end at the present time, I wish to make it clear that there is no advocacy of the free admission of large numbers of aliens of any nationality to the injury of the best interests of the United States. It would seem logical, however, that before any particular measure having serious disadvantages is adopted, full information should be available as to the nature and extent of the problem which it is designed to correct; careful consideration should be given to whether the proposed legislation would effect the desired result if passed, and an endeavor should be made to find, if possible, other means of attaining the same object which would involve less injury to legitimate interests of the United States.

Mr. Simmons further said:

It appears that the condition described has not been due to any deliberate failure on the part of consular officers in Mexico to give full effect to the law, but rather to an entirely different conception of what the law required. This seems to have been brought about by the nature and volume of immigration from that country. The requirements on the Mexican border were apparently relaxed somewhat during the war, when labor was badly needed. Without doubt Mexican labor was also needed in the border States in the postwar period, and everything possible appears to have been done to facilitate its entry. Accordingly precedents were established by immigration officers, and later followed by consular officers, in discharging their new responsibilities under the immigration act of 1924, which led to the recent apparent divergence in the standards applied in Mexico and those observed elsewhere. The method of dealing with Mexican immigration, however, was a matter of natural development influenced by conditions on both sides of the border.

As soon as it was definitely ascertained that the practice in Mexico was below the standard of the service, immediate steps were taken to rectify the situation. Appropriate instructions were issued in August, 1928, to the supervising consul general at Mexico City and energetic measures were taken to effect the result desired. Consular officers in Mexico were urged in particular to refuse immigration visas to Mexicans who could not definitely establish their admissibility under the restrictive clauses concerning illiteracy, contract labor, and likelihood to become public charges.

If the surreptitious entry of Mexicans on a large scale should be stopped by adequate measures, it is believed that the volume of immigration from Mexico can and will be reduced by a proper enforcement of existing law to proportions that will not represent any danger to this country. The results obtained as a result of the instructions to the consul general in Mexico City and of a conference of consular officers held in February in Mexico City will best be reflected in the statistics of immigration visas issued to natives of Mexico during recent months.

Mr. President, I said at the beginning of my remarks that if Mexican quota legislation shall be enacted by Congress President Hoover will be faced with the problem of signing or vetoing it. There are many people in the United States who believe that such legislation is necessary, and his failure to sign such a bill would be bitterly disappointing to them.

Much has been written in our American magazines in favor of the restriction of Mexican immigration by the application of a quota. One of the most forceful and convincing articles which I have read on the subject appeared in the February 8 issue of the Saturday Evening Post, entitled "The Mexicanization of American Business," by Roy L. Garis, professor of economics of Vanderbilt University. Mr. Garis begins his article with the following paragraph:

In his acceptance speech Mr. Hoover linked the policy of restriction of immigration with the protective tariff as essential components of the Republican Party program to protect our people "from competition with the lowest standards of living abroad."

In his message to Congress at the beginning of the second session of the Seventy-first Congress, last December, the President said:

Restriction of immigration has from every aspect proved a sound national policy. Our pressing problem is to formulate a method by which the limited number of immigrants whom we do welcome shall be adapted to our national setting and our national needs.

Statements of that character naturally lead those who are ardent restrictionists to believe that the President of the United States is in full accord with their views, and it is only reasonable for them to expect that if a Mexican quota bill were sent to him by the Congress for approval he would sign it. In doing so the President would be faced with the other horn of the dilemma. He would be compelled to consider the probability of giving offense to friendly peoples of other nations with whom he established close and cordial contact by a tour which he made through Central and South America just prior to his inauguration as President of the United States.

I hold in my hand a compilation of the addresses delivered during the visit of Herbert Hoover, President elect of the United States, to Central and South America in November and December, 1928. The President elect stopped at a number of points in Latin America, where he was greeted by the officials of various governments.

One of the first stops was at Amapala, in the Republic of Honduras, on November 26, 1928. At that time Mr. Hoover said:

I come to pay a call of friendship. In a sense I represent on this occasion the people of the United States extending a friendly greeting to our fellow democracies on the American Continent. I would wish to symbolize the friendly visit of one good neighbor to another. In our daily life good neighbors call upon each other as the evidence of solicitude for the common welfare and to learn of the circumstances and point of view of each, so that there may come both understanding and respect, which are the cementing forces of all enduring society. This should be equally true amongst nations. We have a desire to maintain not only the cordial relations of governments with each other, but the relations of good neighbors. Through greater understanding that comes with more contact we may build up that common respect and service which is the only enduring basis of international friendship.

Again, on the same day, in response to an address by the Minister of Foreign Affairs of the Republic of El Salvador, Mr. Hoover said:

Economic development does not and should not be the sole basis of exchange between nations but rather the incident of it. We have

the mutual problems of strengthening the foundations of peace, building up confidence and friendship, and the institutions and ideals of each of our nations.

* * * * * * *

The most precious possession of each of us is our love of country, of race, our traditions, and our institutions. We have in this hemisphere a parallel of struggle for independence, in conflict with nature, in the creation of institutions of freedom and liberty which in themselves are an imperishable bond.

At Guayaquil, on December 1, the President elect said:

I would that I could find the appropriate words to express the esteem and the good will toward all our sister republics which I know lie in the hearts of the people of the United States. Democracy is more than a form of political organization; it is a human faith. True democracy is not and can not be imperialistic. The brotherhood of this faith is the guaranty of good will. It is the guaranty of respect which comes only from equals in a common struggle to upbuild human welfare.

If the people of South America are discriminated against, as is proposed in the bill now pending before the Senate—which imposes no quota upon Canada or Newfoundland, but does fix a limit, and a very strict limit, upon the number of persons who may enter the United States from all the countries south of the Rio Grande—can they be blamed for feeling, and feeling very keenly, that the Government of the United States is discriminating against them on account of their race, that we do not consider them our equals, as the President elect made plain he did?

Mr. Hoover proceeded down the west coast of South America to Chile. At the government palace in Santiago on December 11, 1928, he said:

And I should be derelict did I not emphasize to you and the people of Chile the admiration which I and the American people hold for the economic and cultural advancement which your nation has contributed to the Western Hemisphere. We are all struggling to a common aim; we not only learn from each other but we receive inspiration from the heroism, leadership, and accomplishments of sister republics.

At Buenos Aires, in the Argentine Republic, on December 14, the President elect said:

I believe not alone that the fundamental forces in the world are making for progress, but that the world to-day, and particularly the western world, stands upon the threshhold of a new era of advancement. Never before has the outlook been brighter for the march of peace, for economic progress, for the growth of ordered liberty and of liberal institutions, for opportunity of achievement among men, and the growth of those things which dignify and ennoble life.

At Montevideo, in response to an address delivered by the President of Uruguay, Mr. Hoover said:

Your excellency, I sometimes think that relations between nations bear the humble comparison of the relations between neighbors in our busy private lives. Crowded with domestic problems, we really know but little of our neighbors; we read in the press of sensational accidents; we know the gossip of unworthy members of their families; we read descriptions of their homes. But we know little of the finer qualities of their home life; their deep affections; their sorrows; their self-denials; their courage and their idealisms. So it is with nations. Their national accomplishments, the "flower" of thought and the great intangibles of national character and ideals, can come only with contact. From these contacts come that respect and friendship, that desire for helpfulness, which must be the true basis of international relations.

I shall end these quotations with a part of the address delivered by Mr. Hoover before the Brazilian Congress in Rio de Janeiro December 22, 1928, in which he said:

I wish to thank you for your expressions of welcome and your expressions of friendship to my country. Our countries have throughout their history an unbroken record not only of peace but a record of mutual good will and helpfulness which has become a precious tradition between us. I wish again to repeat my gratitude for the honor which you have paid to my country.

I have read these extracts from the speeches delivered by Mr. Hoover in Central and South America for the purpose of showing that he fully appreciates the necessity for taking into consideration the sentiments and the feelings of the people who reside in the countries south of the Rio Grande. No one who has ever traveled in Latin America will report otherwise than that they are a proud and a high-spirited people. They value above money, above any material consideration, the good will and the respect of others. There is no quicker way in which all of the benefits which were brought about by the long journey made by the President elect of the United States could be utterly destroyed than by the enactment of the bill now pending before the Senate.

I hope that the President of the United States will not be faced with this dilemma. I am sure that the President will not be if he will but let the country know that he, as the Chief Executive of the United States, now has the power in his own hands so to limit the number of immigrants coming into this country that there will be no further complaint from the American people that large numbers of undesirable aliens are being admitted. The President should let everyone know that this wholly desirable result can be accomplished not by discriminating against one or more of our neighbors among the nations of the Western Hemisphere but by treating them all exactly alike and in the same manner as we treat the greatest and most powerful nations of Europe.

Mexico is our neighbor. We have a common boundary extending from the mouth of the Rio Grande and thence across the continent to San Diego, a distance of over 1,800 miles. Mexico is there, has been there all the years, and will continue in close proximity to the United States. We must of necessity, by reason of propinquity if nothing else, adopt a different attitude toward our closest neighbor than we do toward people who live at a greater distance. Our contacts are so close and so intimate that we must be most cautious in the enactment of legislation which might be highly offensive to a very close and, in a business way, a very valuable neighbor. Congress should exercise greater caré and consideration than we would with respect to some country located in some far-off corner of the world with whom our relations are much less familiar.

The relationship between the two countries is well illustrated by a telegram that I recently received, which I ask to have read from the desk.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The legislative clerk read as follows:

NOGALES, ARIZ., *March 14, 1930.*

Senator CARL HAYDEN,
Capitol Building, Washington, D. C.:

The Chamber of Commerce of Nogales, Ariz., in regular session, respectfully protests on behalf of evident discrimination against our Mexican neighbors in the proposed quota in immigration bills now pending. We request that Canada and Mexico, as our sister nations, be placed on equal quotas. This protest is made in the interest of continental comity and solidarity.

NOGALES CHAMBER OF COMMERCE,
G. R. MICHAELLS, *Secretary.*

Mr. HAYDEN. Mr. President, for many generations people in both Mexico and the United States have been accepting the international border as a street which they could cross at will, thus promoting commercial and social intercourse. It made for a feeling of friendliness between the people.

As an illustration of these constant crossings at places like Nogales, where the city in Arizona and the city in Mexico are separated only by the width of a street, I read from the annual report of the Commissioner General of Immigration for 1928, on page 10, under the heading of "Immigration from Mexico":

Hundreds of thousands of aliens and citizens residing on either side of the boundary, mainly in towns contiguous thereto, cross and recross daily or periodically upon social or business errands. Treating each entry of these "crossers" as a separate transaction, and adding thereto all other transactions, the total volume of entrants is estimated to have been approximately 27,000,000 for the past year. As on the Canadian border, the examinations of these regular "crossers" is greatly facilitated by the use of identification cards.

Twenty-seven million crossings annually on the Mexican border, as estimated by the Commissioner General of Immigration! Certainly that figure demonstrates the intimacy of the contacts between the two countries.

For some years Mexico and the Mexican people had more or less suspicion of the United States and its intentions as to the annexation of territory. President Wilson recognized this feeling when he made his Mobile speech, early in his first administration, disclaiming on the part of the United States any desire for Mexican territory. That was the incident in more recent years that first began to dispel the fears which the Latin people had long entertained secretly.

That remarkable speech, delivered by Mr. Wilson on the 27th of October, 1913, was printed in the CONGRESSIONAL RECORD on November 3 at the request of the Senator from Florida [Mr. FLETCHER]. President Wilson said:

I want to take this occasion to say that the United States will never again seek one additional foot of territory by conquest. She will devote herself to showing that she knows how to make honorable and fruitful use of the territory she has, and she must regard it as one of the duties of friendship to see that from no quarters are material interests

made superior to human liberty and national opportunity. I say this, not with a single thought that anyone will gainsay it, but merely to fix in our consciousness what our real relationship with the rest of America is. It is the relationship of a family of mankind devoted to the development of true constitutional liberty. We know that that is the soil out of which the best enterprise springs. We know that this is a cause which we are making in common with our neighbors, because we have had to make it for ourselves.

A similar sentiment was more recently expressed by the present President of the United States, Mr. Hoover, in his inaugural address on March 4, 1929, when he said:

Those who have a true understanding of America know that we have no desire for territorial expansion, for economic or other domination of other peoples. Such purposes are repugnant to our ideals of human freedom. Our form of government is ill adapted to the responsibilities which inevitably follow permanent limitation of the independence of other peoples. Superficial observers seem to find no destiny for our abounding increase in population, in wealth and power except that of imperialism. They fail to see that the American people are engrossed in the building for themselves of a new economic system, a new social system, a new political system—all of which are characterized by aspirations of freedom of opportunity and thereby are the negation of imperialism.

Such statements made by such high authority are, of course, reassuring to the country which in times past has suffered from annexation of territory by the United States.

Mr. OVERMAN. Mr. President, will the Senator yield to me to call for a quorum?

Mr. HAYDEN. I yield to the Senator from North Carolina.

Mr. OVERMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Simmons
Ashurst	George	Kendrick	Smoot
Barkley	Gillett	Keyes	Steiwer
Bingham	Glass	McKellar	Stephens
Black	Glenn	McNary	Sullivan
Blaine	Goff	Metcalf	Swanson
Blease	Goldsborough	Norbeck	Thomas, Idaho
Borah	Gould	Norris	Thomas, Okla.
Brock	Greene	Nye	Townsend
Brookhart	Hale	Overman	Trammell
Broussard	Harris	Patterson	Tydings
Capper	Harrison	Phipps	Vandenberg
Caraway	Hatfield	Pine	Wagner
Connally	Hawes	Pittman	Walcott
Copeland	Hayden	Ransdell	Walsh, Mass.
Couzens	Hebert	Robinson, Ind.	Walsh, Mont.
Dale	Heflin	Robsion, Ky.	Watson
Deneen	Howell	Sheppard	Wheeler
Dill	Johnson	Shipstead	
Fess	Jones	Shortridge	

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. HAYDEN. Mr. President, just prior to the quorum call I directed the attention of the Senate to a statement contained in a speech delivered by President Wilson at Mobile in 1913, in which he disclaimed any desire on the part of the United States for annexation of territory by conquest, and to the reassurance in that regard contained in the inaugural address of President Hoover.

The administration of Dwight Morrow as ambassador to Mexico did much to further dispel a popular belief in Mexico of American unfriendliness. His efforts and counsel with officials of the Mexican Government in aiding the solution of some of their own governmental problems caused a radical change in the Mexican popular belief. Instead of an ulterior motive on the part of the Government to the north, Mexicans found our Government and its representatives willing to help in every direction, governmental or social.

A reliable statement is that the Mexican people regret that Mr. Morrow is to leave Mexico. As a result of his fine service as ambassador from the United States, they feel that he has made it known in many ways that a mistaken idea had obtained for decades in that country as to what the United States really thought of Mexico and her people.

I am sure that it would be of interest to the Senate to have me read a brief extract from an article by James H. Batten, entitled "Mexico's Program: An Opportunity," which appeared in the World Tomorrow for January, 1929. He said:

While Mexico is placing tremendous emphasis nationally upon educational measures, it is significant that she is also placing an equal emphasis upon good will internationally. Much of the ill will which has been manifest in past decades between Mexico and the United States has been due to what the Spanish call *palabra*. It is difficult to translate the exact significance of this word into English, but in substance it means "the right to talk." Too many Americans with only a superficial knowledge of the facts concerning Mexico have indulged "the right to talk." * * * Diplomats who believe that "in the conduct of foreign relations idealism is a dangerous element, and that morals and expediency are nearly always identic," have contributed largely in the past to the generation of a spirit of distrust between the two nations.

Perhaps the most popular American in Mexico is a diplomat of a very different type, Hon. Dwight W. Morrow, a man who believes in human relations, and whose sympathetic understanding and tact quickly placed diplomacy between the two countries on a cordial plane. With the able assistance of Hon. J. Reuben Clark, now Undersecretary of State, Mr. Morrow was able to reach an adjustment equitable to all concerned of the disputed oil and land questions which had threatened to embroil the two nations in conflict.

I might add in this connection that one who afterwards became Mr. Morrow's son-in-law, Colonel Lindbergh, performed a wonderful service to both Mexico and the United States in the airplane flight he made to the City of Mexico. He did more by that one act to promote good will between the two countries than anything that has happened for many, many years. The spectacular flight of Colonel Lindbergh attracted the attention of the people of both countries and made them realize how closely they are drawn together. We are nearer neighbors today by reason of aviation than we ever were before, and, being closer together, we must be more careful and considerate in our relations with one another.

All the good work of these recent years would be placed in jeopardy by the announcement of the doctrine that the friendly nation of the north has belied its attitude and is so distrustful of the Government of Mexico that rigid bars are to be erected, not by mutual agreement but by American law, to deny the right to come and go that has obtained for many generations. When that is done it will require many years to again establish the confidence of Mexico and her thinking people in the United States.

Mexico is one of the greatest buyers of American goods of all the Latin American group. For many years this trade went to Europe, partly because the United States did not appeal as did some of the European countries. The lack of appeal was due to many causes, but they have been largely swept aside, and this, as well as the World War, served to give Mexico confidence in American business. This confidence would be lost, of course, if a drastic immigration policy were adopted contrary to the wishes of the people of Mexico and as an affront to their pride.

The attention of the Senate is invited to a table which appears in the 1929 edition of the Yearbook of the Department of Commerce. I ask that the table may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

Trade (general) with principal countries

(Value in thousands of dollars; includes gold and silver bullion and specie)

Country of origin or destination	Imports				Exports			
	1913	1926	1927	[1] 1928	1913	1926	1927	[1] 1928
Total	94,050	184,188	163,495	83,171	146,928	334,186	296,173	150,694
United States	47,610	129,771	109,901	56,723	113,487	237,248	196,237	105,102
Canada	148	2,695	2,261	1,032	728	887	408	378
Cuba	90	40	28	14	845	6,784	4,968	1,699
Argentina	598	916	193	46	8	4,043	1,424	958
Brazil	5	13	12	3	12	2,280	2,225	1,161
Belgium	1,373	1,295	2,723	1,466	2,519	14,926	13,918	6,890
Czechoslovakia		800	709	331		(2)	(2)	(2)
France	8,970	8,504	8,074	3,750	3,498	7,546	8,765	4,844
Germany	12,333	13,563	13,916	7,127	8,041	15,197	29,504	9,465
Netherlands	327	891	661	544	65	6,110	3,359	1,219
Spain	3,443	3,712	2,757	1,620	1,068	825	1,752	943
United Kingdom	12,052	13,645	10,632	6,339	15,234	23,884	22,920	12,254
Switzerland	925	1,633	1,452	925	2	3	3	3
All other countries	5,576	6,710	10,176	3,251	1,421	14,452	10,629	5,778
Per cent of total:								
United States	50.6	70.5	67.2	68.2	77.2	71.0	66.3	69.7
France	9.5	4.6	4.9	4.5	2.4	2.3	3.0	3.2
Germany	13.1	7.4	8.5	8.6	5.5	4.5	10.0	6.3
United Kingdom	13.5	7.4	6.5	7.6	10.4	7.1	7.7	8.1

[1] January-June. [2] Less than $500.

Mr. HAYDEN. The table shows that the imports into Mexico from the United States amounted to 68.2 per cent of the total imports into that country and that the exports from Mexico to the United States amounted to practically 70 per cent of the total exports from that country. It may also be stated that the exports to and imports from Mexico constituted over 3 per cent of the total foreign trade of the United States.

It is believed that before any particular measure which would affect adversely the very important interests of this country and Mexico is enacted, full information should be available as to the

nature and extent of the problem which it is designed to correct. Careful consideration should be given to whether the proposed legislation would affect the desired result if passed, and an endeavor should be made to find, if possible, other means of attaining the same object which would involve less injury to legitimate interests of the United States.

I am not the only one who has been convinced by these undisputed facts as presented by the State Department that the number of Mexicans lawfully admitted to the United States has been reduced to such an extent that the influx of undesirable aliens from that source has been practically eliminated.

There has been no more able, no more conscientious, and no more influential advocate of an immigration quota for Mexico than Prof. Paul S. Taylor, of the University of California. Every Senator has received a copy of his study of Mexican labor in the South Platte Valley in Colorado, published by the university. This study, which was made under supervision of the faculty of that great institution of learning and his investigation on Mexican labor in the Imperial Valley, Calif., have become classics among immigration restrictionists.

Mr. Hushing, of the American Federation of Labor, made a digest of the report on the Platte Valley investigation for President Green, which was so highly appreciated by the House Committee on Immigration that it was included in and makes up the last four pages of the majority report on the Johnson bill, H. R. 10343.

Two distinguished members of the House Committee on Immigration, Hon. JOHN C. BOX and Hon. THOMAS A. JENKINS, requested Prof. Roy L. Garis, of Vanderbilt University, to make a study of Mexican immigration for them. In the report printed as a part of the House hearings, Congressman Box and Congressman JENKINS make this statement:

As a part of this survey, we requested Dr. Roy L. Garis, professor of economics at Vanderbilt University, one of the most learned and able students of the immigration problem, to make a special investigation of the subject and report upon it. Doctor Garis's report will be submitted for printing and will be found to contain much pointed and valuable matter bearing on the issues herein discussed and upon the whole problem. The special attention of the committee and of students of this question is called to Doctor Garis's report.

I have here a copy of that report which I have read over very carefully. Copies of it, I believe, have been sent to all Senators. In the report Professor Garis favorably and approvingly quotes Dr. Paul S. Taylor more than a dozen times.

Professor Taylor is a restrictionist of undisputed standing, a careful student, who until very recently has been a most ardent advocate of imposing a quota on Mexico. But he is intellectually honest, and when he learned of the facts, which I have given to the Senate, he did not hesitate to change his mind.

In the April number of the Survey Graphic, recently published, is an article entitled "More Bars Against Mexico," by Paul S. Taylor. With the indulgence of the Senate I wish to read a short extract from that article, as follows:

Another proposal is to restrict with no quota legislation at all, but simply by full enforcement of existing laws. Indeed, this is not so much a proposal as the statement of an existing condition. Progressively stricter enforcement of present immigration laws has already cut the influx of Mexicans to one-third its previous volume. This is the most important factor in the present situation.

Then again:

The State Department has admitted inadvertent laxity in the past—until 1929 its consuls in Mexico maintained lower standards for granting visas than are required by law, and are maintained in the Eastern Hemisphere. Awakened to the situation by the imminence of restrictive legislation, it is now establishing rigorous enforcement in the Western Hemisphere, uniform with that maintained elsewhere. By insistence on the production of all documents required by law, by more rigid administration of the clauses barring persons who are liable to become public charges, who are alien-contract laborers, illiterate or defective, the number of immigration visas granted to Mexican laborers is now greatly reduced. Do not write restrictions into the statutes, for under existing laws properly enforced, the consuls debar that class of immigrants against whom the cry for restriction is raised. The State Department has not expressed its official position recently, but the above appears to be a reasonable interpretation of its activities and attitude.

I might add that the State Department has now fully expressed its official opinion, and I have placed in the RECORD today its most recent showing against the enactment of the legislation here proposed by the Senator from Georgia.

I continue reading from the article by Professor Taylor:

Many, perhaps most, Mexican officials do not wish unlimited emigration of their nationals, yet they dislike restriction by statute. No protest has been made by the Mexican Government against the work of the consular officers and none is likely.

I invite the particular attention of the Senator from Wyoming [Mr. KENDRICK] to that statement, which is a further answer to the question which he addressed to me. I continue reading:

And the farmers of the Southwest? They have protested restriction, and urged that if it comes they should have sufficient notification to permit readjustment. Should not some one tell them that restriction is here, and that unless the now adamant State Department softens, restriction is here to stay? That if the State Department fails to restrict, the cry for the quota, now muffled, will become irresistible? Should they not be told to begin readjustment now? Practical politics are changing the issue at Washington from "Shall we restrict?" to "How shall we continue to restrict?"

In the same magazine is an article entitled "Tightening the Mexican Border," by Robert M. McLean, which was recently published in full in the CONGRESSIONAL RECORD at the request of the able Senator from Washington [Mr. DILL]. I read from the writings of Mr. McLean:

But while the felony law has almost halted illegal entries, the United States Consular Service has also been doing its part to plug the gaps in the border. There has been a decided tightening up in the matter of visas. Formerly, few questions were asked. It was assumed that even if Uncle Sam did not have "land enough to give us all a farm" he at least had land enough to give every Mexican cotton picker or beet worker a paying job that would keep him from becoming a public charge. Now the consular agents in Mexico are not so sure. As a matter of fact, they have things pretty much in their own hands.

Comes Juan García, ragged, shabby, destination Texas. Has he any assurance of work when he crosses the line? No. There is a probability, as they see it, that he will become a public charge. Visa denied.

Enter José Lopez, same general appearance, same destination, same general questions. Sure he has a job, and he proudly displays a letter from his brother's employer, promising him work. Contract laborer! Visa denied. Anyway, the Consular Service has private information at that particular moment that there is plenty of Mexican labor in that particular part of Texas. Queer how long it has taken us, while Mr. BOX and Mr. HARRIS have been clamoring for a quota, to find out what could be done in other ways.

Prof. Roy L. Garis, whom I have previously mentioned, is an able and conscientious investigator. I have read his report to Congressmen BOX and JENKINS and have no fault to find with it except that he seems loath to acknowledge this constructive achievement of the State Department.

On page 615 of the hearings before the House Committee on Immigration and Naturalization, which contains the report of Professor Garis, I find this statement:

It is true that the State Department is seeking to ward off the numerical restriction of Mexican immigration by a more drastic enforcement of the present "quality" tests in the immigration law which apply to all immigrants, whether they come from quota or nonquota countries. Thus a more drastic enforcement of the literacy test and of the proper issuing of visas is having some effect. Likewise the State Department is being aided by the enactment into law by a recent session of Congress of the provision making it a felony with penalty for certain aliens to enter the United States under certain conditions in violation of law. The fear of going to jail is having some effect in deterring the Mexican from entering this country illegally, whereas before he was merely subject to deportation without penalty each time he was caught after entering illegally.

That statement indicates that Professor Garis had evidently heard something about the good work done by the American consuls in Mexico, but he either did not obtain all the facts or his mind failed to grasp their significance. Proof of this is found in the entire absence of any mention of the activities of the State Department in an article published in the Saturday Evening Post of February 8, 1930, which I have previously mentioned. The article, entitled "The Mexicanization of American Business," is based almost entirely upon the report made by Professor Garis to Representative Box and Representative JENKINS. The information contained in the report was condensed, but it was not brought down to date. Let me suggest that President Hoover should ask his good friend Cyrus C. K. Curtis to detail some one else to write the real story of what has been accomplished in respect to restriction of immigration from Mexico. The wide publicity which has been given by the Saturday Evening Post through articles advocating the imposition of a numerical quota upon Mexico would in justice require that this be done.

Let me repeat, Mr. President, that I have no fault to find with any statement made by Professor Taylor, of the University of California, in his various reports, or by Professor Garis, of Vanderbilt University, or of any of the other well educated, well trained, careful investigators who have looked into the Mexican immigration situation. If the Mexicans were to continue to

come into the United States in unlimited numbers, as they have in past years, and if there were no way of preventing their entering the United States except by the enactment of a quota law, of course I would vote for it, and every Representative and every Senator should support such legislation. But, as I have demonstrated to the Senate, if every result that could be accomplished by the enactment of a quota law has already been accomplished by our consuls in Mexico through the visa provision of existing law and they have actually reduced the number until it is equivalent to a quota, then the enactment of such legislation is no longer necessary.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Washington?

Mr. HAYDEN. I yield.

Mr. DILL. The Senator has stated it, I am sure, but I have been out of the Chamber a couple of times during the course of his remarks, and I should like to inquire as to the attitude of the State Department regarding this proposed legislation.

Mr. HAYDEN. The State Department has gone on record repeatedly against the enactment of legislation imposing an immigration quota on Mexico and the other countries of Latin America. When that subject was under active consideration two years ago Secretary Kellogg appeared in person before the committees of Congress in opposition to it and then advised that an earnest effort would be made to handle the situation under existing law. A year ago in February, at his instance, a conference of American consuls was called in the City of Mexico; they were given instructions to enforce the law relating to the visa of passports with the same rigor in that country as in Europe. The result of that effort is as I have stated in detail to-day.

Mr. DILL. I knew that some time ago they were opposed to a quota basis, but I thought possibly their attitude had changed.

Mr. HAYDEN. There has been no change in the attitude of the Department of State. Upon the other hand, the department now claims that its previous opposition to the enactment of such legislation has been fully justified by the magnificent results which the American consuls have accomplished during the past nine months.

Mr. DILL. And what is the attitude of the Secretary of Labor?

Mr. HAYDEN. The Secretary of Labor has heretofore favored the enactment of a quota law for the Western Hemisphere but not as strict a law for our neighbor nations as for European countries. In his annual report for the fiscal year ending June 30, 1929, the Secretary of Labor expresses his views upon that question:

> In a previous report I expressed the opinion that the whole problem of immigration from New World countries could be satisfactorily solved by extending a modified quota system to countries of the natives of which are now free to come to the United States in unlimited numbers. I suggested that more liberal quotas and an increased minimum quota be allotted to New World countries than in the case of others and pointed out that such action could not well be objected to as discriminatory in view of the fact that we already accord the privilege of open immigration to our neighbors of North, Central, and South America and at the same time impose quota restrictions on other countries. To my mind the modified quota system I have suggested would be less discriminatory than the present one.

That, in practical effect, would amount to an indorsement by Secretary Davis of the bill introduced in the House of Representatives by the Representative from Washington [Mr. JOHNSON], which does grant more liberal quotas to countries of the Western Hemisphere than does the bill introduced by the Senator from Georgia [Mr. HARRIS], which imposes the same quota upon the countries of the Western Hemisphere as is applied to European countries.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield further to the Senator from Washington?

Mr. HAYDEN. I yield.

Mr. DILL. The trouble with that bill is that it bases the quota upon the number of our people who go to those countries, multiplied by four, which seems to me is a most peculiar basis, to say the least, for determining the number of people who may come into this country.

Mr. HAYDEN. Be that as it may, it does comply with the suggestion made by the Secretary of Labor that the law should be more liberal as to countries of the Western Hemisphere than the strict enforcement of the 2 per cent rule now applied to immigrants from Europe.

Mr. DILL. That is true, but it uses a different basis. It uses the number of people who go from this country into those countries, while the basis used in the case of European countries is the number of people in this country of their blood.

Mr. BINGHAM. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. HAYDEN. I yield.

Mr. BINGHAM. Is the Senator from Washington referring to the Johnson bill?

Mr. DILL. Yes.

Mr. BINGHAM. My understanding of that bill—I may be mistaken—is that the number is based on the visas issued by consuls in those countries to people coming from those countries to the United States, in order that——

Mr. DILL. That was not my understanding, as I read it.

Mr. BINGHAM. In order that the same number of people might be permitted to come in now that came in in 1928.

Mr. DILL. My understanding is—I have not a copy of the bill before me, but I read it just a few days ago—that the basis proposed is the number of people who go from this country into those countries multiplied by four, in order to give a liberal quota.

Mr. HAYDEN. The statement of the Senator from Washington is correct.

Mr. JOHNSON and Mr. GOULD addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield; and if so, to whom?

Mr. HAYDEN. I yield first to the Senator from California.

Mr. JOHNSON. The Senator from Washington is accurate in his statement. I think that the Senator from Connecticut has confused a provision in the latter part of the bill with an earlier provision. In the first instance, the bill of Representative JOHNSON seeks to make the number of Mexicans who will be permitted to come into this country dependent upon the number of Americans who have gone to Mexico, multiplied by 4, in order to give a number that he thinks can not be cavilled at or criticised in relation to Mexican immigration. Then he seeks in the latter portion of the bill to give a bonus, as he terms it, of an extra number for 1930 and 1931, so that there may be a period of adjustment for those who say they immediately require Mexican labor, and the basis, as I understand, of such "bonus" is that he gives one-half in 1930 of those who received visas in the last six months, and in 1931 one-half of that one-half.

Mr. BINGHAM. But, Mr. President, with the exception——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. HAYDEN. I yield to the Senator from Connecticut.

Mr. BINGHAM. With the exception of Canada, Newfoundland, Mexico, and Cuba, on page 2 the Johnson bill provides:

> And, in the case of each of the other countries, the number of immigration visas issued during the fiscal year ended June 30, 1929, to immigrants born in such country.

Mr. DILL. That is where the Senator got the idea he has expressed.

Mr. GOULD. Mr. President, will the Senator yield to me a moment?

Mr. HAYDEN. I yield to the Senator from Maine.

Mr. GOULD. Mr. President, there has been considerable agitation regarding this immigration question. Since I have been in the Senate during the last four years there have been a number of bills introduced, but they never have gotten beyond the Senate. I believe that the bill which I hold in my hand, and which is the last copy of the so-called Johnson bill as reported by the House committee, and which seems to be perfectly satisfactory to the Members of the other body, would be desirable as an amendment to the pending bill.

If agreeable to the Senator from Arizona, I think this is a good time to offer it as an amendment. I think it will accomplish what the Senator from Arizona is advocating so earnestly, and if I may be permitted to do so at this time, I will offer it as a substitute for the bill introduced by the Senator from Georgia [Mr. HARRIS] now pending. If adopted, it would be a step toward securing some legislation on this subject at this session of Congress. The so-called Johnson bill, which I desire to offer as an amendment, would restrict the number of Mexicans coming in, and in that respect it ought to be satisfactory to those who want restriction, and it ought likewise to be satisfactory to those who desire to let some seasonal labor come in from Mexico. The Johnson bill, if adopted as an amendment, would impose a quota also on the other countries of the Western Hemisphere in such manner that it would seem to me it ought to be quite satisfactory.

Mr. DILL. Mr. President, I want to call attention to the inconsistency of this quota proposition. It is argued here that we are discriminating against Canada if we leave out Canada, but here it is proposed to pick out four countries on the western continent and grant them one quota basis and then to

pick out the other countries on the Western Hemisphere and give them another quota basis. Therefore the proposed immigration law would not only discriminate, but there would be a special kind of discrimination. We would say to the European countries, "We will take a percentage of native-born citizens who are descended from the people who have come from those countries"; to Canada, Newfoundland, Mexico, and Cuba we would say, "We will multiply the number who have gone into those countries from the United States by 4"; and the other countries on the Western Hemisphere we would say that the number shall be determined by the visas which have been granted. So there is nothing but discrimination under the proposal of the Senator from Maine. It is four times worse, in my judgment, from the discriminatory standpoint, than is the bill reported by the Senate Committee on Immigration.

Mr. HAYDEN. Mr. President, I have no objection to the printing of the Johnson bill, as suggested by the Senator from Maine, at the conclusion of my remarks.

To return to the point which I was discussing, I cited the Johnson bill as an instance of a more liberal quota proposal with respect to the countries of the Western Hemisphere such as is recommended by the Secretary of Labor in his last annual report, where he gives reasons why it would not be a discrimination against the remainder of the world to grant larger quotas to immigrants from the countries of the Western Hemisphere which are now on a nonquota basis. That might be accomplished, for example, by providing that the 150,000 immigrants who may come into the United States under the national-origins clause of the immigration act shall be apportioned among those countries to which that law now applies. Another total number might be fixed for the Western Hemisphere, to be divided among the countries on a percentage basis. I am not saying just how such a plan should be carried out, but evidently the Secretary of Labor had in mind a different and a preferential treatment of the countries on this hemisphere than those of the remainder of the world.

Mr. KENDRICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. HAYDEN. I yield to the Senator.

Mr. KENDRICK. The Senator speaks of the House bill as being more liberal in its provisions than the Senate bill. I wonder if the Senator would be favorable to a liberalization along the line of giving us seasonal labor in connection with an immigration bill?

Mr. HAYDEN. That presents a very interesting and a very serious problem, one which has been met in European countries by agreements between governments.

Mr. KENDRICK. I mean, if the Senator will permit me, for agricultural purposes only.

Mr. HAYDEN. If the Senator would limit seasonal immigration to agricultural laborers only he would follow a precedent established during the World War when the then Secretary of Labor, Mr. Wilson, permitted the immigration of otherwise inadmissible aliens under a permit system whereby they were given identification papers. Such aliens were to seek employment only in agricultural pursuits, and the employer was required, when their services were no longer needed, to see that they returned to Mexico.

I realize that such a plan presents certain complications that some people seem to fear would make it difficult of administration; but there was no serious difficulty of that kind during the World War. The great majority of the agricultural laborers who were admitted into the United States did return to Mexico. There was, however, a very large percentage of desertions among railroad laborers admitted and scattered far into the interior of the country.

I am quite sure that the seasonal movement of laborers is much easier of administration in States not far from the border, where the Mexicans have been accustomed to come and go. There would not be nearly as much difficulty in that regard as where laborers are transported far into the interior where they would be brought into regions where there is a much higher scale of wages paid to laborers in industry, and where the inclination to desert is therefore very much greater.

Mr. KENDRICK. Does the Senator believe that the increased number of the quota, as fixed in the House bill, would take care of the needs of seasonal labor for agriculture?

Mr. HAYDEN. I think the fact that the quota of 2,900 would not was recognized by the sponsor of the bill, Mr. JOHNSON of Washington, who, as has been stated here, provides in his bill for 11,121 next year, and then reduce the number to 6,961 the following year, and then finally at the end of the third year brings the final quota down to 2,900. That is evidence on the face of the Johnson bill that there is need for readjustment.

Another way of accomplishing a readjustment would be to fix an arbitrary quota in the very beginning, but to allow an opportunity for seasonal agricultural laborers to enter the United States when American laborers can not be found to do the work. All such aliens to be admitted for a strictly limited time with provisions to insure their return to Canada or Mexico as the case may be.

Mr. JOHNSON. Mr. President——

Mr. HAYDEN. I yield to the Senator from California.

Mr. JOHNSON. Would not the Senator allow an adjustment as well for seasonal workers upon the poor railroads whose bonds and stocks are owned by our widows and orphans?

Mr. HAYDEN. The great difficulty in that regard is that the kind of labor that is gathered up in Mexico for work as section hands and transported to the United States is vastly different from a farm worker. Like manufacturing, track work goes on normally all the year around. Section hands are required every month in the year. It is not a seasonal problem.

Mr. JOHNSON. But the Senator is aware that the railroads insist that they require the labor quite as much as our farmers insist it. The Senator is aware of that, is he not?

Mr. HAYDEN. I have heard that statement before. I am also aware that the railroads of the United States, generally, are in a much more prosperous condition than the farmers of our country. If it is only a question of paying a living wage to an American to do the work of a section hand, I think the railroads probably have the money to do it, whereas many farmers may not be able to maintain a laborer for the entire year when his services are needed for only part of it.

Mr. JOHNSON. I rather reached the other conclusion, that the railroads were even less prosperous than the farmers. They require, as the Senator knows, such a striking return upon their investment in order to prevent the activities of a municipality or a State or the Government from being confiscatory; and I imagined that they were really in a worse state than our farmers are.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Wyoming.

Mr. KENDRICK. In answer to the Senator from California, I think it may be very definitely shown that there is this distinction between the seasonal laborer for agriculture and the seasonal laborer for any form of industry: That is, that the people of our own country will very gladly and willingly do any kind of industrial labor, provided only they are paid a sufficient wage for it; whereas in the case of agricultural labor it is a fact that can not be denied that there is a great deal of that labor that our own people will not do. They do not care to do it.

Mr. JOHNSON. Mr. President, may I say to the Senator that I think he is doubtless correct in that assertion; but I remember, when the restrictive immigration law was passed, that the great steel mills of the East and some of the other great industries of the East argued to us just as forcefully and almost as tearfully as some of the people from the State from which I come argue to-day that it was an utter impossibility for them to exist prosperously, or adequately to maintain their industries, if we did not permit the labor of certain races to come in from the East. We restricted immigration at that time; and what we are up against in this bill is, it seems to me, whether or not we believe in a restrictive immigration policy. If we do, we can not apply that policy alone to the Atlantic shore, and say that we of the Pacific will blow holes in it and eat it away whenever we are concerned.

That strikes me as being one of the things that we must determine in this bill. I recognize its difficulties, and I recognize that it may work some hardship. I should like to have an adjustment period, so that there may be no hardship at all; but we are finally coming to the proposition, Are we going to permit those upon this hemisphere who are, as we imagine, of a different sort from ourselves, to come into our country, and prohibit those of a like kind from across the Atlantic from coming in at all?

Mr. KENDRICK. Mr. President——

Mr. HAYDEN. If the Senator will permit me to reply to the last statement of the Senator from California, there can not be any dispute about what Congress should do in a case of that kind. The same rule should be applied to the people of all nations throughout the world. I have been devoting the whole of the time that I have occupied so far to a demonstration that the application of a uniform rule, particularly with respect to the visa of passports, has accomplished the desired result. It is no longer a question of whether we are going to have a rigid restriction of immigration from Mexico and from the other countries of the Western Hemisphere. That is not the issue at all. The only question that is left open is, Are we going to maintain the restrictions that we now have in actual force and effect? The

number of immigrants from Mexico has been so radically reduced by a firm application of the existing immigration law that the opportunity for the period of adjustment that the Senator from California has suggested has passed.

Mr. JOHNSON. Does the Senator really believe that?

Mr. HAYDEN. I do.

Mr. JOHNSON. Does the Senator recall when we put a head tax on them some four years ago?

Mr. HAYDEN. It had a decided deterrent effect on the number of Mexican immigrants.

Mr. JOHNSON. It had a decided deterrent effect? Is the Senator aware that when we put a head tax of $18 upon them four years ago the year previous 87,000 came over into this country; that when the head tax was on the figures fell to 32,000; but that the evidence is plenary and absolute that more came over in the year the head tax was on than in the year previous, and the figures were exactly as I have indicated? And is the Senator aware, further, that concerning——

Mr. HAYDEN. Let me stop the Senator from California a moment to make an inquiry. Did as many come the following year legally?

Mr. JOHNSON. Oh, no; not legally; quite so, but they came.

Mr. HAYDEN. That is the other side of the story. That is a point that I want to develop very shortly; but I am pleased to listen to the Senator from California.

Mr. JOHNSON. The only reason why I instanced that was because I thought the Senator was instancing the visas now as indicating that immigration from Mexico had stopped.

Mr. HAYDEN. I have repeatedly said that only legal immigration from Mexico has been reduced.

Mr. JOHNSON. Oh, legal immigration. Well, the fact is that there are as many Mexicans coming as before; and it does not make any difference, so far as the country is concerned and so far as the policy is concerned, whether they come legally or whether they come illegally. The number is the important thing and the number has increased.

Mr. HAYDEN. All of which illustrates one fact: That if Congress should pass a Mexican quota bill to-morrow, the effect would be exactly as it was when the head tax was adopted. The Government of the United States must stop them at the international boundary line with adequate border patrol, and we must have in the United States adequate machinery to deport all such aliens if they are in this country illegally.

Mr. JOHNSON. The Senator may be entirely right, except from one standpoint. He will remember that we heard, in the case of a great financial debacle recently, that the effect of passing a law that was of inconsequential character was psychological. Now, it may be that we would have the psychological effect by the passage of the Senator's bill; and by a little renewed activity, then, in endeavoring to discover those who had come here illegally, we would deter the coming of those illegally who had been accustomed just to walk across the border in the past.

Mr. HAYDEN. The psychological effect would undoubtedly be good from that angle. Upon the other hand, in my judgment, it would be very bad psychology with respect to the social, the economic, and the political relations between this country and our nearest neighbor on the south.

If practically the same result can be accomplished by close cooperation between the two governments, by an entire accord between the United States and Mexico, and without any discrimination in the enforcement of a law that is generally applicable to every nation in the world, then I say that it would be bad psychology to enact a law which would do no more, and probably not as much, as is now being accomplished by the State Department through our consuls in Mexico.

Mr. JOHNSON. Is it a gentlemen's agreement, such as we heard of in the past, that the Senator suggests between the two governments?

Mr. HAYDEN. No; the responsible authorities of the Mexican Government have announced consistently for years that they do not desire their people to leave their country. When the American Government, through its consuls, applied as strictly in Mexico as they did in Europe the provisions of section 3 of the immigration act of 1917, which provides that visas shall not be granted to contract laborers, to illiterates, and to those likely to become a public charge, and so forth, the Mexican Government did not object. Upon the other hand, the Mexican authorities were glad that this was being done, and adopted a similar regulation and instruction to their own consuls with respect to foreigners coming into their country seeking labor.

Mr. JOHNSON. Admittedly, the visa regulations were of no consequence or effect.

Mr. HAYDEN. The visa regulations have undoubtedly reduced the number of legal immigrants into the United States from Mexico.

Mr. JOHNSON. Oh, yes.

Mr. HAYDEN. Let us consider, then, what other steps must be taken, whether we adopt the quota scheme or whether we trust to the enforcement of the present law, to keep Mexicans out of the United States?

Mr. McKELLAR. Mr. President——

Mr. HAYDEN. I yield to the Senator from Tennessee.

Mr. McKELLAR. Last summer a select committee of this body took testimony down in Texas in regard to various things, and among others was the matter of violations of the law. Here was an officer of the Government who happened to be collector of customs down in Texas, on the border, and here is what he did in the way of Mexican labor:

Senator BROOKHART (reading). From a perusal of the above, it will be seen that with the possible exception of two of the eight charges—namely, the employment of smuggled peons, and continuance in the importing business—there is no foundation of fact for the charges as presented.

There is certain evidence that Mr. Campbell did employ illegal peon labor. Mr. Campbell was the collector of internal revenue, and he was a witness. I read:

Mr. CAMPBELL. I will admit it.

Senator BROOKHART. Well, do you admit it if you did not know about it?

Mr. CAMPBELL. I am bound to admit it, because in all the great number of men I employ—men, women, and children—Senator, I am bound to have employed some men, women, and children that were not in the United States legally.

His farm was just across the border, not far from the border.

Senator BROOKHART. But most of them were not.

Mr. CAMPBELL. Well, I would not say. That would be a difficult question to answer.

Senator McKELLAR. Give us your judgment; out of the 300 or 400 how many do you suppose were Mexicans and how many citizens of the United States?

Mr. CAMPBELL. Well, Senator, they were all Mexicans—either Mexican citizens or Mexican-born Texans.

Senator McKELLAR. All right. How many would you say were Mexican-born Texans and how many——

Mr. CAMPBELL. I would say that probably half of the laborers on farms at Laredo, where my farm was located, are not citizens of the United States.

Senator McKELLAR. So that probably 150 to 200 were Mexican laborers?

Mr. CAMPBELL. Yes, sir.

Then he went on to talk about other things. In other words, here was an official of the Treasury Department employing this illegal labor. By the way, I understand his name has been sent in as collector of customs for another term, and will be before us in the next few days. This man was a collector of customs who ought to have been enforcing the law, but he was himself smuggling Mexicans contrary to the law the Senator has spoken of, getting Mexican labor in in that way.

I have read this to the Senator because, as I understood his contention, it was that the present law is sufficient to keep them out. I do not think so.

Mr. HAYDEN. Mr. President, the Senator thoroughly misunderstood me. I stated in the beginning of my remarks that the legal admission of Mexicans had been so reduced by the action recently taken by the State Department that the number of common laborers now coming in to the United States is practically equivalent to the quota proposed in the Harris bill and less than the quota fixed in the bill introduced by Congressman JOHNSON.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. HAYDEN. In just a moment. I said further that the President of the United States should commend the officials of the United States Immigration Service for their activity in deporting Mexicans unlawfully in the United States, and that he should actively urge the immediate enactment of necessary legislation to create an adequate force to patrol the border in order to keep out all who seek to enter unlawfully.

If the Senator from Tennessee will reflect for just a moment, I believe that he will agree with me that if Congress should enact a Mexican quota bill to-morrow, and did nothing more than that, Mexicans would continue to come across the border unlawfully just the same as they have heretofore. It is exactly the same as was the enactment of the prohibition law, or any

other law, the statute is valueless without an honest attempt to enforce it.

It will be a mere gesture, as everybody knows, and therefore Congress must do the other necessary things regardless of whether a quota for Mexico is adopted or whether the present visa control system continues in operation.

Mr. McKELLAR. Mr. President, I admit that it depends on the officials, and I called this matter to the Senator's attention because here was an official of the American Government owning a farm himself just on this side of the line bringing in these Mexican laborers who were not under the law permitted to come in. I am wondering whether we should not strengthen both the law and the officials so as to keep those people out.

Mr. HAYDEN. There could not be any dispute between the Senator and myself about retaining in the public service such an official as the one he has described. Of course he should not hold office. He should be removed at once. However, the Senator is bound to agree with me that it does not make any difference whether a Mexican comes into the United States in violation of a quota law as now proposed or a law already upon the statute books; if he gets into the United States because there is nobody patrolling the border, he is here.

I now yield to the Senator from Georgia.

Mr. HARRIS. The reason why so few are coming in now is that the tens of thousands of Mexicans now in California and Arizona and other States are idle, conditions are dull here, and they can not get jobs. That is true of Canada and true elsewhere. That is the reason why the immigration from Mexico has fallen off so much.

Mr. HAYDEN. My information does not confirm the statement made by the Senator from Georgia. We must not forget the important fact that there is even a more severe industrial depression in Mexico than there is in the United States at the present moment. Trade and industry are very much depressed, and Mexicans are coming to our consuls seeking visas in large numbers and are being promptly refused. The Weekly Review of World Business for April 11, 1930, a publication regularly issued by the Department of Commerce, contains this statement with reference to Mexico:

> Economic conditions remain unchanged, with business dull in nearly all lines.

Let me say further that the general percentage of visa refusals throughout Mexico is now 66 per cent—that is, of every three applicants two are refused formally.

This, however, does not take into consideration the fact that many Mexicans who inquire at various consulates as to the possibility of their immigrating are given such discouraging replies that they prefer not to make their formal applications. There are also great numbers who, receiving word from their friends as to the small chance of receiving visas, have been so discouraged at the prospect that they have not appeared at the consulates. The demand for immigration visas on the part of Mexicans, whether formal or informal, is considered as having decreased very little, if any. Economic conditions in Mexico during the past year have not been such as to prevent many laborers from desiring to come to the United States.

Mr. HARRIS. The Senator knows there are tens of thousands of Mexicans idle in this country, does he not?

Mr. HAYDEN. I know there is much unemployment throughout the United States.

Mr. HARRIS. That is what I wanted to bring out.

Mr. HAYDEN. Therefore the State Department is even more justified in denying a visa to a Mexican who is likely to become a public charge.

Let me now follow up my original line of argument. I have conclusively demonstrated what the State Department has accomplished. It has taken action which has resulted in a lessening of the number of Mexicans coming lawfully to the United States by over 75 per cent.

What remains to be done? Congress must see to it that if a Mexican or any other alien—I would treat them all alike—is unlawfully in the United States, there is an adequate force in the United States Immigration Service to gather up all such aliens and deport them to the countries from whence they came.

I quote now from the last annual report of the Commissioner General of Immigration for the fiscal year ending June 30, 1909, page 20, as follows:

> DEPORTATIONS (EXPULSIONS)
>
> During the year 12,908 aliens were disposed of under formal warrants of deportation. Of this number, 9,536 were deported at the expense of the immigration appropriation, 1,458 were deported at the expense of the steamship lines which brought them to this country, 802 were permitted to ship one way foreign as members of crews of departing vessels, and 1,112 were permitted to depart voluntarily at their own expense.
>
> Of the 12,908 aliens above mentioned, 4,227 were returned to Europe; 2,185 to Canada; 5,481 to Mexico; 570 to other countries in the Western Hemisphere.

That shows commendable activity. My information is that the department does not have funds enough and does not have men enough to deport all the aliens from the United States who ought to have been put out of the country long ago. That statement is justified, I think, by the recommendations made by the commissioner general, Mr. Hull. At the close of his report he said:

> That Congress sufficiently increase its appropriation to the bureau to make possible stricter enforcement of the immigration laws, inasmuch as in recent years the immigration question has become one of the Nation's greatest problems. The available force is doing wonderful work in the enforcement of the present law, but naturally a larger force would be in a better position to enforce this very popular law.

He speaks highly of the character of the men he has engaged in that and the general work of the bureau. I quote further:

> I wish to pay tribute to the intelligence, loyalty, and devotion to duty of the field and bureau personnel, which have made possible the discharge during the past year of the great responsibilities imposed upon the bureau by the immigration laws. I desire also to thank you and the other officials of the department for the sympathetic and helpful aid at all times extended.

In his testimony before the Committee on Appropriations on the bill providing appropriations for the Department of Labor for the current fiscal year I find this statement by Hon. Robe Carl White, Assistant Secretary of Labor:

> IMMIGRATION SERVICE
>
> For instance, while the total appropriation recommended for the Immigration Service is larger than the appropriation for the present year, I will call your attention to the fact that the work of this service is increasing and developing in greater proportion than the increase in appropriations.
>
> To mention a few of these developments, new international bridges, ferries, tunnels, are being constructed. A great number of new paved highways are being opened across our land boundaries. All of these things result in greatly increased traffic, with its attendant problems.
>
> Then there is the new development of aircraft. Already we have a multiplicity of demands to open ports of entry for the admission of aliens by aircraft with many more applications in the offing.
>
> It is needless to say that each port opened will require new employees and the expenditure of more money. It is obvious that the department and the bureau can not always foresee all of such developments one year in advance; although experience has shown that some kind of emergencies are sure to arise, and since this service is a law-enforcement service these new developments must be taken care of.
>
> In the past this has been accomplished by the curtailing or the elimination of certain other activities. And I might add that this condition may again arise during the year 1930.
>
> It has always seemed to me that in justice to this law-enforcement service in making appropriations it would be well to give the Immigration Service a margin of several hundred thousand dollars to take care of unforeseen emergencies as they arise. This does not mean that the money would necessarily need to be expended. Any unused portion could be returned to the Treasury at the end of the year.
>
> For the past several years this service has been compelled to forego activities toward the latter part of the fiscal year in order to keep within the appropriation, and to me it hardly seems fair to a service of this kind to be asked to expend an appropriation of six to eight million dollars, knowing before the year starts that its regular activities will require the use of the entire appropriation.

If more money is needed to carry on the good work of deporting aliens unlawfully in the United States, the President can quickly obtain the funds to pay for that service by submitting a request to Congress for the necessary appropriations, which I have no doubt Congress would grant them without delay. Let me repeat, the President ought to let the country know of the good work done by the United States Immigration Service, and he should see to it, through estimates submitted through the Budget, that the Immigration Service force is increased so that it will be no longer safe for any alien who is not here lawfully to remain in the United States. That is the only answer there is to the question of how to dispose of aliens who have surreptitiously entered the United States, and no Senator and no Representative will publicly condone any laxity on the part of the Immigration Service in the enforcement of the law as it now exists.

I have here a recent statement by the Commissioner General of Immigration, published in the United States Daily on March 24, 1930. Mr. Hull said:

During the last fiscal year 42,385 immigrants from our Mexican neighbors were legally admitted into this country.

In a footnote he states:

Of this number, 38,980 came with the intention of becoming permanent residents. These fall into the following occupational groups: Unskilled or common laborers, 11,581; farm laborers, 3,167; skilled workers, 4,252; servants, 1,266; professionals, 732; miscellaneous, 1,295; no occupation specified, 16,687; total, 38,980.

He proceeds:

The remaining but living reminiscence of Mexican labor competition in America is found in the pathetic tale of immigrant "bootlegging" and other illegal entries, day in and day out, across our Mexican border, from which the most far-reaching effects are found wherever workers come face to face at the gates of employment.

Up and down the Ohio River, through the trunk railway lines of the Middle West, upon the farm lands in sunny southern California, in the iron and steel industries of Pennsylvania and Ohio, and at various points of industry, both east and west, north and south, are found thousands of swarthy immigrants from Mexico who gain entrance into our country without complying with any of the formalities of the act relating to immigration. And it is sad but true that the only aid they needed after gaining access to the land of opportunity was the bid of careless and unscrupulous employers, of whom, unfortunately, there have been far too many in the history of American employment.

To these labor seekers the 25 to 35 cents per hour rate of the Mexican "bootlegged" immigrant has ever seemed an economic saving; and thus these employers have not reckoned with the stern results which always come from offending the wise statutory provisions of Nation and State. Nor have they stopped to realize the price which such unethical practices put upon the heads of the native-born and naturalized labor, which, by all the graces of our Constitution and our Government, are certainly entitled to first consideration as constant bearers of the obligations of American citizenship.

I concur in every word the commissioner said in that statement. There is no question at all about the soundness of the conclusions stated. If there are bootleg Mexicans in the United States, and I have no doubt there are many of them, if there are other aliens who have been bootlegged across the Canadian border, we should have an adequate number of men in the United States Immigration Service to ferret them out and to see that they are deported. The service has done excellent work, as far as its funds and personnel would permit, but we must, regardless of what system is adopted for restricting immigration, make it so that by getting into the country the alien is not thereby safe to remain here forever.

One of the best things that happened, and I take some credit for it because I originally suggested the idea, was the enactment of legislation by Congress last year, in the act of March 4, 1929, which made it a felony for an alien who had once been deported to reenter the United States. There was continual complaint made to me by peace officers in my State that criminals out of Mexico entered our country, committed a crime, were caught and punished by sentence to jail or to the penitentiary, and when they were released they were taken to the border and put across the line. The Mexican criminal would immediately walk right back into the United States, and all that could be done was to put him out of the United States again. As many times as he returned he could only be put back across the border again without penalty or punishment.

In the Sixty-ninth Congress, on December 7, 1925, I introduced a bill to provide for the punishment of deported aliens who returned to the United States. The bill was referred to the House Committee on Immigration and Naturalization. I appeared before the committee and urged its enactment. The bill received very careful consideration by the committee and I was told that at the first opportunity that principle would be adopted. It was adopted, as I said, in the act of March 4, 1929. It is contained in the first section of that act. I ask to have printed in the RECORD a copy of the bill which I originally introduced and, following that, the section of the law which from every source is now given praise.

The PRESIDING OFFICER (Mr. HEBERT in the chair). Without objection, it is so ordered.

The bill and section of the act are as follows:

H. R. 3748

IN THE HOUSE OF REPRESENTATIVES,

December 7, 1925.

A bill to provide for the punishment of deported aliens who return to the United States

Be it enacted, etc., That it shall be unlawful for any alien who has been heretofore or who may hereafter be deported from the United States in pursuance of law to return to the United States, and any such alien who enters or attempts to enter the United States shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment for not more than three years or by a fine of not more than $2,000, or by both such fine and imprisonment. An alien sentenced to imprisonment under this act shall not be deported under any provision of law until after the termination of such imprisonment, whereupon he shall be deported.

[Public—No. 1018—Seventieth Congress]

S. 5094

An act making it a felony with penalty for certain aliens to enter the United States of America under certain conditions in violation of law

Be it enacted, etc., That (a) if any alien has been arrested and deported in pursuance of law, he shall be excluded from admission to the United States whether such deportation took place before or after the enactment of this act, and if he enters or attempts to enter the United States after the expiration of 60 days after the enactment of this act, he shall be guilty of a felony, and upon conviction thereof shall, unless a different penalty is otherwise expressly provided by law, be punished by imprisonment for not more than two years or by a fine of not more than $1,000, or by both such fine and imprisonment.

(b) For the purposes of this section any alien ordered deported (whether before or after the enactment of this act) who has left the United States shall be considered to have been deported in pursuance of law, irrespective of the source from which the expenses of his transportation were defrayed or of the place to which he departed.

Mr. HAYDEN. In connection with the enactment of that legislation I would like to read an extract from an article entitled "Tightening the Mexican Border," by Robert N. McLean, which appeared in the last issue of the Survey Graphic:

A number of things have happened; but the most important was the law which went into effect on the 4th of March, 1929, making it a felony for an alien to enter the country illegally. Before that date the Mexican who crossed the line without making the customary bow to the immigration officials was not even guilty of a misdemeanor. Nobody cared much whether he came or not; but if he became a public charge, or a nuisance, or a habitual criminal, or did something else to attract the attention of the law, the worst that could happen to him was deportation. And a harassed Immigration Service, out of an utterly inadequate budget, had to feed him for two or three weeks while the necessary machinery was set in motion to deport him. Then, of course, he was card indexed; and if he appeared again he could be put across the line without delay. But all Mexicans look so much alike to Anglo-Saxon eyes, it was very easy for Juan Garcia to become Jose Lopez if the occasion demanded.

Now, however, if he crosses the line in the night, or wades the Rio Grande, the chances are that before noon he will be stopped upon some highway by an alert patrol and questioned. Then, according to the present law, he can be convicted of a felony and lodged in jail. And it is not the Immigration Service but the Department of Justice which buys his tortillas and frijoles while the ponderous legal machinery necessary to his deportation is set in motion.

Mr. McLean continues in the article as follows:

A third factor in decreasing Mexican immigration is what officials call "the fear of God." It may be indefinite, but it is very real; and the quality is standard all the way from California to Texas.

And that fear hovers over every Mexican colony in the Southwest is a fact that all who come in contact with them can readily attest. They fear examination by the border patrol when they travel; they fear arrest; they fear jail; they fear deportation; and whereas they used to write inviting their friends, they now urge them not to come. Said an American border official:

"A few years ago we used to send plain-clothes men into the public dance halls. These men mingled with the crowd to gather information which we could use as the basis for investigation. The new law has changed all that. Now we send a couple of men in uniform into the dance hall. In a few minutes the people who are here illegally begin to sneak out, only to fall into the arms of a cordon who are waiting for them. A guilty conscience does the job."

In the opening of my remarks I made a fourth and last recommendation with respect to action which should be taken by the President of the United States. I said that the President should do everything within his power to bring about a consolidation of the border-patrol forces on the Mexican and Canadian borders.

This reform has been long delayed by jealousy among the various bureaus as to which shall survive and absorb the other. The President must call upon these rivals for power to cease their bickerings and impose his will upon them. The present quota law will continue to be worth but little more than the paper it is written on if aliens by the thousands can evade it by crossing our unguarded borders. There are ample votes in both

Houses of Congress to enact the necessary legislation to provide for an adequate border patrol possessing unity of command.

The President of the United States in his message to Congress last December stated in the paragraph relating to prohibition:

I would add to these recommendations the desirability of reorganizing the various services engaged in the prevention of smuggling in one border patrol under the Coast Guard.

On January 13, 1930, the President transmitted a message to Congress containing his comments upon the proposal to improve the enforcement of the criminal law of the United States. On pages 25 and 26 of that message, as printed in document form, is a memorandum submitted to the President by Mr. Mellon, Secretary of the Treasury, a part of which I shall read, as follows:

Mr. PRESIDENT: The Treasury has been considering for some time the creation of a unified border patrol, in order that the execution of the customs, immigration, prohibition, and other laws regulating or prohibiting the entry into the United States of persons and merchandise may be made more effective. The following recommendations are submitted for your consideration and transmission to the Congress if you approve:

(1) The entry into the United States of all persons should be prohibited except at points of entry designated by the President.

(2) The present number of points of entry should be increased sufficiently to permit uninterrupted and unhampered intercourse with our neighboring countries over established and customary routes.

(3) A unified border patrol should be created to patrol the border and prevent illegal entry.

(4) The unified border patrol should be a part of the Coast Guard.

It was not until March 27, 1930, that a bill was introduced in Congress to carry out that recommendation. I hold in my hand a copy of H. R. 11204, by Mr. HUDSON, of Michigan, entitled "A bill to regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes." It is my understanding that this is an administration measure and is legislation desired by the President. That could be inferred from the fact that he did transmit to Congress the recommendation to that effect made by Secretary Mellon.

The bill provides that it shall be a misdemeanor, punishable by a fine of $100, for any person to enter the United States except in the regular way at a port of entry. It then becomes the function of the border patrol to arrest all persons who make illegal entry into the United States.

If the one arrested has upon his person or with him goods which he is seeking to smuggle into the United States, the border patrol would then turn the individual over to the Customs Service to be dealt with for violation of the customs law. If he has intoxicating liquor upon him he would be turned over to the prohibition service for prosecution. If he was smuggling aliens, he would be turned over to the Immigration Service. But the offense for which he is arrested is none of these things. It is for illegal entry into the United States, which is merely a misdemeanor.

The full text of the Hudson bill is as follows:

Be it enacted, etc., That this act may be cited as the "Border patrol act, 1930."

ENTRY OF PERSONS INTO THE UNITED STATES

SEC. 2. (a) It shall be unlawful for any person to enter the United States from a foreign country at any place other than a point of entry designated by the President, except that this section shall not be applicable in the case of—

(1) Any person who in entering the United States complies with the regulations prescribed by the President for the convenience of persons residing or owning property on or adjacent to the boundaries of the United States;

(2) Any person who in entering the United States complies with the air commerce act of 1926 and the regulations prescribed thereunder.

(b) Any person who violates the provisions of this section shall be guilty of a misdemeanor and, in addition to all other penalties provided by law, be subject to a penalty of $100. Such penalty shall be a lien against any vessel, vehicle, or aircraft in which the entry in violation of this section is made. Such penalty may be enforced or may be remitted or mitigated in the same manner as a penalty for a violation of the customs revenue laws of the United States; but such penalty shall not be enforced if a penalty (whether criminal or civil) for violation of any other law of the United States has been incurred.

BORDER PATROL

SEC. 3. (a) There is hereby established an organization to be known as the United States border patrol, which shall operate under and be administered by the commandant of the Coast Guard.

(b) There are hereby authorized in the Coast Guard, for service in the border patrol, such additional enlisted ratings as the Secretary of the Treasury may determine.

(c) There are hereby authorized in the Coast Guard, for service in the border patrol, the warrant grade of warrant officer (border patrol) and the chief warrant grade of chief warrant officer (border patrol), and persons holding appointments in said grades shall receive the same pay, allowances, and benefits as other warrant officers and chief warrant officers, respectively, of like length of service, in the Coast Guard.

(d) Any officer or enlisted man of the Coast Guard may be detailed by the commandant to duty in connection with the border patrol, as in his judgment circumstances may require.

(e) The number of commissioned officers of the line on the active list authorized in the Coast Guard is hereby increased by 60, distributed among the grades in the proportions provided for distribution in the grades of line officers by section 1 of the act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929.

(f) The Secretary of the Treasury is authorized to establish receiving and training stations, with necessary barracks, other buildings, and equipment, for the training of warrant officers and enlisted men of the border patrol.

ENFORCEMENT

SEC. 4. (a) It shall be the duty of the border patrol to enforce the provisions of this act, except at ocean boundaries of the United States.

(b) Any officer or enlisted man of the border patrol may arrest any person entering the United States in violation of this act; may seize any merchandise in the possession of any person entering the United States in violation of this act, or any vessel, vehicle, or aircraft, in which the entry in violation of this act is made; and may deliver any such merchandise, vessel, vehicle, or aircraft, or any person arrested for violation of section 2, into the custody of such officers, at a point of entry, or elsewhere, as the Secretary of the Treasury may by regulation prescribe.

EXISTING PATROLS

SEC. 5. The President is authorized to discontinue the border patrols of the Bureau of Customs and the Bureau of Immigration, or parts thereof, from time to time after the approval of this act, when in his judgment such action is advisable by reason of the establishment and effective operation of the border patrol created by this act.

EMPLOYEES AND EQUIPMENT

SEC. 6. (a) The Secretary of the Treasury is authorized to appoint such employees and to purchase such motor vehicles, boats, horses, supplies, and equipment as are necessary in the administration of this act.

(b) Any vessel or vehicle forfeited to the United States as specified in sections 1 and 2 of the act entitled "An act relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes," approved March 3, 1925, may, in the discretion of the Secretary of the Treasury, be taken and used, or may, upon application of the Secretary of the Treasury, be ordered by the court to be delivered to the Treasury Department for use in the enforcement of the provisions of this act instead of for use as provided in such act of March 3, 1925.

EXECUTION OF OTHER LAWS

SEC. 7. There are authorized to be appropriated such amounts as may be necessary for the establishment and maintenance of points of entry designated under this act, including the acquisition of necessary sites and the construction of necessary buildings, or in the execution of the customs, immigration, and other laws regulating or prohibiting the entry into the United States of persons and merchandise as a result of the establishment of such points of entry.

EFFECTIVE DATE

SEC. 8. This act shall take effect upon its approval, except that sections 2 and 4 shall take effect upon the 1st day of the seventh month after its approval.

It will be observed that under the terms of this bill the border patrol is to be under the United States Coast Guard. Upon the face of it that would seem to be a very unusual way to proceed. The Coast Guard has been a seagoing organization from the very beginning of our Government. It has always faithfully and efficiently performed every duty imposed upon it since it was created in the First Congress in the year 1790 by a bill signed by George Washington as President of the United States. It was not then known as the Coast Guard but as the United States Revenue Cutter Service, but it has been a continuously functioning organization from that day until this. In general, the duties of the Coast Guard may be classified as follows:

First. Rendering assistance to vessels in distress and saving life and property.

Second. Destruction or removal of wrecks, derelicts, and other floating dangers to navigation.

Third. Operating as a part of the Navy in time of war or when the President shall so direct.

Fourth. Extending medical aid to American vessels engaged in deep-sea fisheries.

Fifth. Protection of the customs revenue.

Sixth. Enforcement of law and regulations governing anchorage of vessels in navigable waters.

Seventh. Enforcement of law relating to quarantine and neutrality.

Eighth. Suppression of mutinies on merchant vessels.

Ninth. Enforcement of navigation and other laws governing merchant vessels and motor boats.

Tenth. Enforcement of law to provide for safety of life on navigable waters during regattas and marine parades.

Eleventh. Protection of game and the seal and other fisheries in Alaska, and so forth.

Twelfth. Enforcement of sponge-fishing law.

Thirteenth. International ice patrol in the vicinity of Grand Banks off Newfoundland.

While the foregoing represent the principal duties, it is difficult to enumerate all the tasks that fall to the service, for it is essentially an emergency service.

During all periods of the year a rigid system of military discipline, drills, and training is maintained, better to fit the personnel for the duty of operating as a part of the Navy at any time, as the law requires.

I do not know just how the plan proposed in the Hudson bill will work unless the Coast Guard organizes a land force which will have the same relation to it as the Marine Corps has to the United States Navy. In any event there will be unity of command, a result which is greatly desired. There will be one authority responsible for preventing the smuggling of goods, of intoxicating liquor, of aliens, by land or by sea into the United States. There will be one place to go to make a complaint that the law is not enforced; there will be one authority to see to it that the law is enforced.

Perhaps one reason why the Secretary of the Treasury selected the Coast Guard rather than the existing patrol forces of the Treasury Department along the Mexican and Canadian borders as the nucleus around which to build up a unified border patrol is the fact that the mounted inspectors on the Mexican border are political appointees. I am informed by the United States Civil Service Commission that there is a difference between the Mexican and the Canadian border patrols of the Treasury Department with respect to the requirement as to the employees so engaged being appointed under civil-service rules.

Along the Canadian border we have what is known as customs patrol inspectors, of whom there are 447, all under civil service, and 10 supervisors, who are likewise under civil service. On the Mexican border there are now 169 mounted inspectors who are not civil-service employees but who are appointed upon the recommendation, without regard to civil service, of the collectors of customs. There are also 113 regular inspectors under civil service.

It may be that to avoid the charge of political favoritism the Secretary of the Treasury decided that it was better to utilize the Coast Guard as the basis for organizing a combined border patrol than to use an existing force, particularly on the Mexican border, the members of which are not under civil service.

The border patrol of the United States Immigration Service is a very fine and very efficient force. I want to read to the Senate an extract from the report for 1927 of the Commissioner General of Immigration, in which he pays tribute to that organization. From personal knowledge I concur in all he says:

> The border patrol is a young man's organization; it appeals strongly to the lover of the big outdoors—the primeval forests, the sun-parched deserts, the mountains, and the plains—the business upon which it is engaged calls for manhood, stamina, versatility, and resourcefulness in the highest degree. "Honor first" is its watchword; privations and danger but serve as a challenge which none refuses. Unfailing courtesy to all, and helpfulness to the helpless in distress, are emphasized above every other requisite. These young men are proud of their jobs, proud of their organization, with a code of ethics unsurpassed by any similar organization of this or any other day. In the three short years of its existence it has created a priceless store of tradition. The pride of these men in their organization is equaled only by the pride and esteem in which they are held by the communities in which they operate. Spontaneous testimonials of this esteem are being constantly received by the bureau. To an almost unbelievable extent the border patrol is self-governing. Its members must be left largely to their own devices and upon their honor. The weight of popular disapproval of his fellow officers is more potent with the erring one than all the printed regulations humanly possible to devise. The uniform is sacred; it not only symbolizes authority, the law's majesty, and all the power of the Federal Government but it entails obligations upon the wearer in the way of deportment which are intuitively recognized and scrupulously observed.
>
> Ex-service men predominate in the border patrol; they must be and are physically fit; they are accustomed to discipline, take readily to it, and like it; they are charged with a serious responsibility and keenly realize it. In the vast majority of cases their work is a religion.

In his more recent annual report, for the year 1928, the Commissioner of Immigration says with respect to the border patrol:

> In the preceding fiscal year 12,098 smuggled aliens were apprehended. The past fiscal year witnessed an increase of 50 per cent in the number of such aliens taken into custody. While the total personnel of the organization underwent a contraction as compared with the previous year, the total number of actual patrolmen was increased and it was possible to add 35 additional automobiles.
>
> In the four years of the organization's existence seven border patrolmen have lost their lives in encounters with outlaws, two of the fatalities having occurred during the past fiscal year.

My judgment is that in the establishment of the new unified border patrol under the Coast Guard it will be found highly desirable to take over practically as a body the existing immigration border patrol. It is a very fine force, organized under civil service from the very start, and it has made such an excellent record that under no circumstances could the services of the great majority of its members be dispensed with.

For the information of many, who, like myself until I made some study of the subject, were not aware of what a fine organization the United States Coast Guard is, I desire to include in the RECORD a statement prepared by an officer of that organization which describes in some detail the nature of the service which it has rendered to our country in past years.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

UNITED STATES COAST GUARD

Owing to the diversity of the duties of the United States Coast Guard, it is interesting to hear comment by persons in various walks of life on what the Coast Guard is and on the duties it performs. The inhabitants along the remoter sections of our vast coast line whose closest contact with any Federal activity is the near-by Coast Guard life-saving station picture the service as an organization highly and skillfully trained for rescuing and succoring the shipwrecked; the Eskimo in the far northern part of Alaska always eargerly awaiting the arrival of the Coast Guard cutter *Northland* on its annual Arctic cruise visualizes the service as an emissary of civilization whose mission is to bring to him tidings of the outside world, relief from his ills and troubles, and ministrations in various forms for his welfare and happiness; the fishermen on the Grand Banks of Newfoundland and shipping traveling along the North Atlantic lane routes in the spring and summer, seeing the Coast Guard cutters ever searching for and watching the movements of icebergs as they approach the steamship lanes, speak of the service as the guardian against the ice peril in the North Atlantic; the mariner, yachtsman, or boatman in distress at sea knows that his signals or calls for assistance will at once dispatch to his aid the nearest Coast Guard cutter, and he looks upon the service as an arm of the Government for his protection against the perils of the sea; the smuggler of contraband, trying to escape the vigilance of the Coast Guard coastal patrol, pictures the service as a seagoing constabulary; and so on through the other important fields of service activity there arises a peculiar conception of the Coast Guard usually formed by the nature of the duties on which the observer happens to see the service engaged. It is no wonder then that the average man ashore is confused in his idea of the many things Coast Guard men are called upon to do.

The present-day activities of the Coast Guard represent the assignment and addition of duties along important lines of the public service in which the facilities, training, and record of the corps peculiarly fit it for rendering the utmost in results and efficiency to the Nation. This growth and development goes back to the origin of the Coast Guard on August 4, 1790, when it was organized under an act of the First Congress, approved by President Washington, to meet the need for the services of a coast patrol for the enforcement of the customs laws and an armed force for the protection of the seacoast. The Coast Guard is by law a part of the military forces of the United States, and as such has played an honorable part in every war in which this country has been engaged. Coast Guard cutters captured French privateers in 1799; in the War of 1812 they captured the first prize of the war and distinguished themselves in attacks against enemy squadrons; during the Seminole Indian war they shared honors with the Army and Navy; in the Civil War the cutters were actively engaged; some of the outstanding actions during the Spanish-American War found the Coast Guard cutters in the thick of the fray and their officers and men honored for their bravery by congressional action; in the World War, fresh in our memory, the percentage of battle losses in the Coast Guard was greater, it is reported, than that in the Army, the largest single loss, with the exception of the *Cyclops*, suffered by our naval forces being the sinking of the Coast Guard cutter *Tampa* by an enemy submarine, when every soul on board—115 in all—went down. The war-time record of the service is inspiring and

impressive, and in its dual character as a force for belligerent operations and as an institution for the service of humanity at all times, the Coast Guard has always taken a part in all matters which involved the honor, safety, or interest of the country and the enforcement of the law at sea and along our coasts.

The most important and outstanding work of the Coast Guard is its humanitarian mission of rendering assistance to life and property in peril at sea. All else is subordinated to this duty, and a constant alertness and preparedness is maintained to afford all the help within its means and as expeditiously as possible when a casualty occurs upon the sea or along the coast. This assistance work is performed by a fleet of able, sea-going craft that cruise on our coasts, equipped with every modern appliance and device for rescue and assistance duty, and by a cordon of 276 Coast Guard stations (formely known as life-saving stations) located at strategic points along our vast coast line. During the winter months along the North Atlantic coast, when the great number of storms add to the hazards of shipping, a number of Coast Guard cutters are designated by the President for winter cruising duty to afford such aid to distressed mariners as their circumstances may require. However, the cutters cruise for such purpose at all seasons of the year. Their work has a wide range, including the pulling off of stranded ships, long searches at sea for disabled craft, often taking in tow large vessels that are disabled and bringing them into port, and the rescue of passengers and crews from sinking craft. This kind of work naturally calls for seamanship of an unusually high order. The cutters have their headquarters at various ports, responding promptly to the calls of vessels in distress. In answering such calls, the cutters are frequently required to cruise hundreds of miles, and at times under sea and weather conditions that tax to the utmost the seaworthiness of the vessels as well as calling for the display by officers and men of the greatest skill in seamanship. They are of necessity compelled to disregard the elements, for it is the rule that the worse the weather the greater the need of the ship they set out to find and assist on the trackless ocean wastes.

The men at the Coast Guard stations on shore look with pride upon the long record of heroic rescues that have been made by this branch of the service in rescuing human lives from ships that were pounding to pieces from the fury of the storm. At these stations we have all the latest appliances and equipment that have potential value in effecting rescues. When a vessel goes ashore in the breakers, close to the beach, rescue is usually effected by shooting a line over the stranded craft and bringing the people ashore by means of the breeches buoy. Often, however, boats must be used, and all stations are equipped with boats appropriate to the locality. Individual initiative and courage are two immediate requisites in the profession of life-saving, and the display of these qualities by members of the Coast Guard is taken as a matter of course. Indeed, no man lacking resourcefulness and nerve can long remain in the service whose business carries with it so much of the element of personal hazard. These men at the life-saving stations who are always ready to risk their lives in battle with the elements, and who patrol the lonely stretches of the coast at night or in thick weather, to warn off vessels that seem to be approaching danger, have a singular and appealing simplicity of character. They are possessed with the desire to be of service to all in the community in even the most trivial matters.

An idea of the extent of the accomplishments of the Coast Guard in this humanitarian field of endeavor may be gained by reference to the report of the latest fiscal year, 1929, when a total of 4,375 persons were saved or rescued from peril. There were 4,419 instances of lives saved and vessels assisted, and the value of vessels assisted, including cargoes, amounted to $49,128,375. Miscellaneous assistance was rendered in 4,867 cases. This included such work as warning vessels standing into danger; various services to shipping; furnishing food, fuel, and water to vessels in distress; succoring the shipwrecked; medical and surgical aid to the sick and injured; assistance at fires at buildings, wharves, and other structures on the shore line; assistance at floods and other calamitous visitations; protecting wrecked property and cooperating with the local authorities in the maintenance of public order; acting as pilots in cases of emergency, etc.

It is a part of the Coast Guard's job to see that derelicts and other floating dangers and obstructions to navigation are removed from the paths of marine commerce. Currents and winds often carry a menace to navigation far from its originally reported position, and the cutters have to resort to long and tedious searches before locating the derelict or obstruction. Then it is a question of whether it is capable of being salvaged by being towed to port or beached. If not, wrecking operations with T N T mines are employed. Destroying a derelict vessel may be an easy task, but often the task may require days of hazardous surface and submarine operations, taxing the skill, resourcefulness, and strength of the officers and men. During the fiscal year 1929, 267 derelicts and other obstructions to navigation were removed from the paths of commerce or destroyed, when necessary.

As the seal herds annually go from their southern habitats to the breeding grounds on the Pribilof Islands in the Bering Sea, the Coast Guard cutters pick up their trail off the Washington coast, and during their migration northward in the spring these cutters protect them against poachers all the way up to these far-away islands in the north. The cutters remain during the summer months in the waters contiguous to Alaska, performing numerous useful offices conducive to the general welfare of the people in these far-distant regions, and carry law and order into the villages which they visit. The *Northland*, the successor to the famous *Bear*, is among this group of cutters, and her duty is not considered complete until she makes her way through the leads in the ice to Point Barrow, the northernmost settlement in American territory, on her humanitarian mission of assistance and helpfulness to the natives and marine commerce.

At regattas, marine parades, boat races, launchings, and marine events, where a large number of water craft may be assembled, the red-and-white striped ensign of the Coast Guard is constantly in evidence in the maintenance of an alert and efficient patrol of the course to prevent crowding and as an assurance of protective measures being taken for the safety of both contestants and spectators.

In preventing smuggling, so often improperly associated in the public mind with prohibition, the Coast Guard is carrying on faithfully and zealously one of its duties dating since its creation in 1790. The officers and men of the service patrolling our extensive coast line in all seasons, with fidelity characteristic of the military service they represent, and carrying on their warfare against the smuggling of contraband and aliens under trying conditions so little known to outsiders, are deserving of a word of praise. In this work the service is simply upholding the Constitution of the United States and enforcing the laws of the Nation upon the sea.

At this time of the year icebergs are making their way down to the vicinity of the steamship lanes in the North Atlantic Ocean, and there is carried on one of the most interesting and important international duties—that of the patrol of the North Atlantic area off the Grand Banks against the iceberg peril by the United States Coast Guard. Through this dreary region, usually blanketed in a blinding fog, there is projected the busiest water trade route in the world, and it was in this area of peril that the greatest disaster ever recorded in the history of ocean travel occurred—the sinking of the *Titanic* on the night of April 14–15, 1912, after a collision with an iceberg, with the loss of more than 1,500 souls. Resolved to prevent a repetition of such a tragedy and to meet the almost universal demand for a patrol of the ice region to warn passing vessels of the limits of danger from day to day during the iceberg-peril season, representatives of the principal maritime nations of the world signed an international convention at London on January 20, 1914, providing for the operation of an International Service of Ice Observation, Ice Patrol, and Ocean Derelict Destruction in the North Atlantic.

This international duty has been carried on by the Coast Guard with great credit to the United States, and since its regular inauguration in 1914 there has not been a single life lost due to iceberg collision in the area patrolled by the cutters. Two of the largest and best equipped Coast Guard cutters are ordered from their home stations and detailed to this important international duty, using Halifax, Nova Scotia, as the base of their operations. The cutters inaugurate the patrol very early in the spring, as soon as the ice begins to push south along the eastern edge of the Grand Banks, and one of the two always remains on duty in the ice area until summer-time conditions so melt back the limits of ice that it no longer constitutes a menace to the trans-Atlantic lane routes. Day by day the cutters keep in touch with icebergs and field ice, determining their set and drift, reporting their presence and location to the Hydrographic Office of the Navy, and broadcasting the information by radio for the protection of shipping. The cutters while on this work also perform such incidental service, not to interfere, however, with the paramount duty of the patrol, as rendering assistance to vessels in distress, giving medical aid to crews of passing vessels, removing obtructions to navigation, and extending such other assistance to the mariner as may be practicable, and conducting scientific observations and experiments for the aid and furtherance of oceanographic knowledge.

To recount the duties the service is daily performing and which it is called upon to do is like passing before your eyes a moving picture of public service upon the sea in almost every conceivable sphere of activity. Harbor cutters flying the anchorage flag of the service enforce the rules and regulations promulgated by Federal authority at our larger ports governing the anchorage and movements of vessels and the lading and unlading of explosives by vessels other than common carriers; lookout towers located at intervals along the St. Marys River connecting Lake Superior with Lake Huron house Coast Guard men who are charged with regulating the huge marine traffic passing through this important waterway; units of the service board vessels at the rate of one every five minutes throughout the year in the interests of the enforcement of the navigation and motor boat laws of the United States; the halibut fishing fleets in southeastern Alaskan waters look to the service for protection during the fishing season; medical aid goes out to the deep-sea fisherman and our seaplanes report to him the locations of schools of fish when sighted; the lone aviator or the transport plane proceeding along the Atlantic coast will find safety and comfort in knowing that his passage northward or southward is being checked from Coast Guard station to station by watchful eyes ready to assist him in

case of mishap; a Coast Guard coastal communication system of 2,650 miles in length throws around the strategic coast section of the Nation a band of telephone lines and submarine cables connecting all Coast Guard stations, and a great number of lighthouses, naval radio-compass stations, and Weather Bureau stations. Being an emergent service, personnel and units of the Coast Guard may be found to be among the first arrivals in time of flood, hurricane, and inundation, bringing with them means for succor and relief, and assistance in the work of rehabilitation.

And so the Coast Guard strives to be of service on any waters upon which its vessels and boats will float. It is an emergent service and must be always in a position to live up to its historic motto, "Semper Paratus"—always ready. There can be no finer duty than that two-fold duty with which the Coast Guard is charged—to defend flag and country at sea in time of war and to serve humanity at sea in time of peace.

Mr. HAYDEN. For the further information of the Senate I shall also include in the RECORD the following extract from the last annual report of Rear Admiral Frederick C. Billard, Commandant of the United States Coast Guard. This extract shows the attitude of that organization toward law enforcement.

The VICE PRESIDENT. Without objection, it is so ordered.

ENFORCEMENT OF CUSTOMS LAWS

The normal duties of the Coast Guard having to do with the general enforcement of the customs laws of the United States were satisfactorily performed during the year. This general enforcement of the customs laws by the Coast Guard is supplemented each year by the assignment of harbor cutters and harbor launches of the service at the principal ports to aid the customs authorities in boarding incoming vessels, and in performing other duties relating to the customs.

The law enforcement work of the Coast Guard for the prevention of smuggling of liquor into the United States from sea, progressed very satisfactorily during the year and was accompanied by gratifying results.

This matter continues to be one requiring the utmost vigilance and attention at all times. The service forces are keenly alive to the situation and are unceasing in their activities, afloat, and on shore, to thwart any attempt to introduce contraband liquor into the country. Nothing short of this constant, intensive watchfulness along and adjacent to the shore line, and the cruising over wide areas at sea by the vessels of the service, will serve to prevent the persistent efforts of the smuggler in forwarding, and succeeding in, his design to land liquor on the coast, or in some port, disguisedly, among the large volume of legitimate traffic.

There is no doubt that any lessening of service forces at this time would be followed by an immediate and corresponding increase in liquor smuggling. Some liquor smuggling is still going on along the seaboard, and there remains a considerable amount of such smuggling on the Great Lakes, where smuggling operations are very active.

It has been pointed out previously that it is a problem of no mean proportions to guard the 10,000 miles of coast line of the United States, with its inlets, bays, sounds, coves, rivers, and other indentations almost without number offering potential landing places, against the crafty rum runner who is thoroughly familiar with the shore line.

The service is doing all, in every quarter, that can be done with its present resources. If the sea and lake coasts are to be adequately guarded against this unlawful traffic, so as to meet all the needs of the situation, the forces of the Coast Guard must be augmented both in personnel and in vessels. If this be done, smuggling can, and will be, further curtailed and practically stopped in its entirety. It is hoped that any measures proposed to this end may meet with approval.

The burden of keeping liquor off the coast is no less to-day than it was a year ago, when the commandant had this to say in his annual report for 1928:

"The accomplishments of the service in very greatly reducing the amount of liquor smuggling on our coasts are, it is believed, generally well known. What probably are not so well known are the extraordinary magnitude and difficulties of the task and the persistent determination and energy with which the personnel of the Coast Guard have prosecuted the task. It is not believed possible for any organization, with the same resources in men, ships, and stations, to have done more to reduce liquor smuggling at sea than the Coast Guard has done. Much more remains to be done, but if more is to be accomplished in this matter, and if the great stretch of American coast line is to be adequately guarded, the forces of the Coast Guard must be increased, both in personnel and in vessels. In the light now of much experience it is firmly believed that the Coast Guard can go the rest of the way toward a practically complete prevention of smuggling on our coasts if it be given the resources with which to do it."

It is perfectly evident that the smuggler has no intention of voluntarily abandoning his unlawful pursuit. In plain words, there is nothing to do but to put him out of business. This can be done, and the Coast Guard will do it, if the necessary means to accomplish that end are placed at its disposal.

Mr. HAYDEN. Mr. President, there is continual dispute as to how many Mexicans there are in the United States. One other branch of the Government can render a substantial service, and undoubtedly will do so in the very near future, by answering this disputed question, and that is the Bureau of the Census.

Mr. HEFLIN. Mr. President, will the Senator mind stating how many Mexicans he thinks there are in this country?

Mr. HAYDEN. I am very frank to say that I do not know. The Senator from Georgia, the author of the bill now pending, stated that he thought there were a million Mexicans in the United States.

Mr. HEFLIN. Chairman JOHNSON, of the House Committee on Immigration, testified before our committee that there were a million or more.

Mr. HAYDEN. Mr. Kenneth L. Roberts, in an article printed as a part of a recent book entitled "The Alien in Our Midst," says that the lowest estimate of the Mexican population in the United States late in 1927 was 1,400,000.

Prof. Roy L. Garis, of Vanderbilt University, who made an investigation at the direction of the House Committee on Immigration, whose report the committee has published, makes this statement:

In a recent brief survey of "Mexicans in the United States," conducted by Miss Linna E. Bresette, of the staff of the social-action department of the National Catholic Welfare Conference, it is stated that the number of Mexican immigrants in this country "is now variously estimated at from two to two and one-half millions."

According to this survey "the five Southwestern States visited have a Mexican population estimated as follows: Texas, 555,000; California, 350,000; New Mexico, 180,000; Colorado, 70,000; and Arizona, 60,000. No longer, however, can it be said that Mexicans are confined to the Southwest. There is hardly a State where they have not penetrated. Even a considerable number are in Alaska. The Secretary of Labor says, 'We estimate that more than 1,000,000 Mexicans are illegally in this country.' Some of those working with Mexicans say that for every one who enters legally there are three who enter illegally."

Mr. HEFLIN. With the population of Mexico of about 14,000,000, if the figures given by the Senator are correct we have in this country 2,000,000 of them, which is a pretty large proportion of the population of Mexico.

Mr. HAYDEN. Professor Garis, whose statement I have just quoted, wrote an article for the Saturday Evening Post in which he makes this observation:

Reliable data indicate that there are fully 2,500,000 Mexicans in this country.

I find in the report of the proceedings of the Forty-ninth Annual Convention of the American Federation of Labor, held in Toronto in 1929, this paragraph:

It is authoritatively stated that there are more than 2,500,000 Mexicans in the United States at the present time and that half of them are here illegally.

On the other side of the question, I find the following, written by Mr. J. H. Batten, in an article which appeared in the World Tomorrow of January, 1929:

Perhaps the most startling fact in connection with this matter is our monumental ignorance concerning it. We glibly roll off figures about the Mexican population in the United States, all of which, to a large extent, are mere guesswork. During the past year the writer attempted to secure figures concerning the Mexican population in the southern counties of the State of California, making inquiry of those who were supposed to be in a position to have knowledge of the real facts. The returns showed that estimates of the Mexican population of Los Angeles County varied from 65,000 to 250,000, of Imperial County from 15,000 to 31,000, of Orange County from 6,000 to 16,000, of Riverside County from 5,000 to 25,000, of San Bernardino County from 17,000 to 40,000, and of Ventura County from 3,000 to 20,000.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Michigan?

Mr. HAYDEN. I yield.

Mr. VANDENBERG. If to-day a million Mexicans are in the country illegally, do we not confront the practical proposition that our problem is one of law enforcement regardless of what the law is?

Mr. HAYDEN. The Senator is 100 per cent correct in that statement.

Mr. VANDENBERG. The Senator is familiar with the border patrol and the border situation. Does he concede that the existing forces would suffice to undertake to enforce a general proscription against Mexican immigration?

Mr. HAYDEN. The border patrol forces now engaged in keeping out of the United States aliens who seek to enter our country in violation of the law are wholly inadequate. In addition thereto the appropriations made by Congress of money

and the authorizations for the employment of personnel by the Immigration Service for arresting and deporting the aliens who get past the border are wholly inadequate. Let me add, further, that it does not make any difference whether we impose a quota on Mexico or whether we rely upon the application of existing law to keep down the number of Mexicans who may be lawfully admitted, the force to stop them at the border and the force to seize them after they get into the United States and put them out must be maintained; not only maintained but augmented.

Mr. HEFLIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Alabama?

Mr. HAYDEN. I do.

Mr. HEFLIN. Not long ago I introduced a joint resolution providing for the taking of a census of all aliens in the United States to find out who they are, where they came from, how they came, and so forth. If we could get my joint resolution passed, we could get rid of a million of these aliens who are here in violation of the immigration law.

What I rose to ask the Senator, however, was whether he knows how many people are engaged in this patrol work on the border.

Mr. HAYDEN. I gave the figures for the Customs Service.

Mr. HEFLIN. My information is that in 1,800 miles there are 240 men. The Senator knows they can not begin to do that work.

Mr. HAYDEN. I thoroughly agree with the Senator from Alabama that the existing border-patrol forces are entirely inadequate. I am further convinced that the only remedy is the one suggested by the President, that we have a unified border patrol. I am not particular under what head it is unified so long as a prompt result is accomplished.

I realize thoroughly that there is as much jealousy between bureau chiefs and department heads in this Government of ours as there is among prima donnas as to who shall receive the spotlight. But there must be a single commander, and who shall be the head of this force may properly be determined by the President of the United States. He has selected the Coast Guard; and I, as a good soldier, intend to follow the President and vote for the necessary legislation to place the United States Coast Guard in complete command of this situation. There is no other way out of it. If Senators allow themselves to be diverted from the main project, which is to have a unified border patrol, into a discussion of who shall assume charge of it, we shall never get anywhere.

The fight has gone on for many, many years to bring about a reorganization and a coordination of other activities of the American Government. Every time legislation of that kind comes up for consideration by Congress, each bureau which might be abolished, or another bureau which is seeking greater power, proceeds to lobby with Congress for its particular pet scheme, with the result that session after session passes and nothing is done. The only way, based upon that experience, in which legislation establishing a unified border-patrol service will be enacted, is for the President of the United States to make known to the American people its importance, so as to arouse public opinion behind it; and, furthermore, call upon the carpet every bureau chief and every head of a department affected by it, and say, "I have determined that this legislation shall be enacted. I say to you and each and every one of you that if I find any of you interfering with my plans as to how this legislation shall be passed, you will lose your job." That is the only way in which the enactment of the Hudson bill can be brought about. The President must be perfectly firm about it; and he must not waver for a moment, because, if he does, nothing will be accomplished.

The largest estimate I have seen of how many Mexicans there are in the United States came in a letter addressed to me by Dr. Benjamin Goldberg, of the Municipal Tuberculosis Sanitarium in Chicago. Under date of September 30, 1929, Doctor Goldberg wrote me:

> I am sending you under separate cover a copy of a study made by us on the Mexican situation in this country.
>
> This question is assuming an important place from a public health and economic standpoint in various communities throughout this country, inasmuch as there are now approximately 3,000,000 Mexicans in the United States.

I was interested in what Doctor Goldberg said; so I wrote to the Director of the Census, inclosing the letter, and asking him to advise me as to his bureau's estimate of how many Mexicans there are in the United States. I have received the following letter from the Director of the Census:

> DEPARTMENT OF COMMERCE,
> BUREAU OF THE CENSUS,
> *Washington, October 8, 1929.*
>
> Hon. CARL HAYDEN,
> *United States Senate, Washington, D. C.*
>
> MY DEAR SENATOR: I have your letter of October 2 with regard to the number of Mexicans in the United States at the present time.
>
> There is no material available on which to base an exact estimate of the number of Mexicans in the United States at the present time. According to the returns of the Fourteenth Census, there were 738,463 persons in the United States in 1920 reported as born in Mexico or having one or both parents born in Mexico. The reports of the Immigration Commission from January 1, 1920, to June 30, 1929, show an increase of 429,221 Mexicans, the excess of the Mexican immigrants over emigrants. This would give a total of 1,167,684 Mexicans in the United States at the present time, making no allowance for births and deaths among Mexicans in the United States in the last nine and a half years, or for Mexicans who may have entered the country illegally during that period.
>
> I do not know where Doctor Goldberg obtained the basis for his estimate of approximately 3,000,000 Mexicans in the United States at the present time.
>
> Very truly yours,
>
> W. M. STEUART, *Director.*

I am glad to say, Mr. President, that for the first time in the history of the United States persons of Mexican descent are to be counted separately during the present census. Heretofore they have been recorded as among "All others." There has been no separate designation of Mexicans as a race.

I have here a copy of the instructions issued to the enumerators who are taking the present census. Under the head of "Personal description," paragraph 154, "Mexicans," is this statement:

> Practically all Mexican laborers are of a racial mixture difficult to classify, though usually well recognized in the localities where they are found. In order to obtain separate figures for this racial group, it has been decided that all persons born in Mexico, or having parents born in Mexico, who are not definitely white, negro, Indian, Chinese, or Japanese, should be returned as Mexican.

So within a very few months, as soon as the results of the present census are made available to the country, we shall have the answer as to how many Mexicans there are in the United States. We have the record of those lawfully admitted. The difference between that and the number of Mexicans found in the United States should very clearly indicate how many are in the country unlawfully. I have pointed out the difference between the figures of the Government of the United States and the Government of Mexico with respect to the number of Mexicans who have returned to Mexico. I have not any doubt at all but that the movement backward and forward across the international boundary line has been quite large. But through the Census Bureau we shall find out as of April, 1930, how many Mexicans there are in the United States. That will go a long way toward determining how much of a problem we face with respect to Mexican immigration. It will not be a matter of guesswork; it will be a matter of accurate statistics.

I pointed out some days ago that the absence of reliable statistics made it exceedingly difficult to say what the effect of the enactment of the quota bill proposed by the Senator from Georgia [Mr. HARRIS] would be. The only information I have been able to find on the effect of the passage of a quota law upon Mexican immigration is in an article entitled "The Menace of Mexican Immigration," by Remsen Crawford, which appeared in the February, 1930, issue of Current History.

Mr. Crawford says:

> The difficulty in computing the quota for Mexicans under the national origins plan arises from lack of information as to the number of persons of "Mexican stock" residing in the United States in 1920. The census of 1920 placed the number as "born in Mexico" at 486,418.

And, as I have pointed out before, persons born in Mexico do not constitute all who are of Mexican stock in this country, any more than persons born in Germany would constitute the entire Germanic stock of the United States.

Mr. Crawford adds:

> If for convenience of the calculation we assume that persons of "Mexican stock" in the United States in 1920 numbered 1,000,000, the annual Mexican quota should be 1,428, plus a fraction, say 1,500.

The Senator from Georgia a few days ago stated that it was his understanding that the Mexican quota under his bill would be somewhere between 1,200 and 1,500. I presume that whoever gave him that information used a basis for making the calculation similar to that adopted by Mr. Crawford.

In the remarks made by the Senator from Georgia which appear in the CONGRESSIONAL RECORD of April 2, 1930, at page 6357, is this statement:

> This cheap Mexican labor coming into this country and working in the cotton fields of Texas and Oklahoma increases the surplus cotton, and this reduces the price of cotton all over the Cotton Belt. Nothing would help the price of cotton more than keeping out this cheap Mexican labor.

I have attempted to analyze just what the Senator meant by that statement. The Senator holds out to the cotton farmers of Georgia the hope that agricultural labor in the Southwest will be made so scarce by the passage of his bill that cotton can not be successfully grown in that region. A reduction in the total production of cotton in the United States would naturally mean a higher price for cotton grown in Georgia. That would appear to the Senator from Arizona to be an undisguised appeal to local self-interest. Cotton grown in Texas and Oklahoma must go unpicked for the lack of labor, in order that Georgia cotton shall sell for more.

Mr. HEFLIN. Mr. President, if I understood the Senator—and I heard his address—he did not mean that. He wanted to keep that cotton from being produced out in Oklahoma and Texas by this cheap labor. If they did not produce it they would not have to pick it.

Mr. HAYDEN. I do not believe there is any misunderstanding of what the Senator from Georgia meant. I think we both concur; but let us inquire as to what is going to happen to the land and the farmers who own the farms in Oklahoma and Texas who have been growing this cotton?

Mr. BLACK. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BLACK. I do not understand that the Senator favors working cheap Mexican labor in Oklahoma or anywhere else to compete with American labor which gets a fair price and demands a fair price for work.

Mr. HAYDEN. I certainly do not. But the point I want to bring out in the course of the discussion is that the enactment of the Harris bill would have no such effect.

I find a similar idea expressed in the statement written for the House Committee on Immigration by Professor Garis, when he said:

> According to the Business Men's Commission, previously referred to, the cotton acreage in the United States rose from 33,036,000 acres in 1922 to 48,730,000 in 1926, the increase in the main being due to the development of cotton production in the Southwest on land formerly used for grazing. But for the subsidy resulting from cheap Mexican labor much of this land would be below the margin of cultivation under existing conditions. This normally submarginal land has added to the surplus cotton crops of recent years and has tended to lessen the profits of all producers of cotton in this country. Only by the elimination of this cheap labor and the introduction of labor-saving machinery, with the farming done by American labor can we hope to see prosperity return to this phase of agriculture.

That may be true with respect to what the professor calls submarginal lands in west Texas and Oklahoma, where cotton is grown without irrigation, but the lands where cotton is produced in New Mexico, in Arizona, and in southern California are lands worth a minimum of $200 per acre, lands where cotton is grown under irrigation, not as the major or the staple crop, but as a part of a well-ordered rotation of agricultural crops.

If seasonal agricultural labor can not be obtained from Mexico, the farmers of the Southwest will seek help from other sources to grow and to harvest their crops. What other sources are there for agricultural labor? One of the chief sources is the negro population of the South. There are 5,000,000 or more negroes in the United States engaged in agricultural pursuits. The Senators from Georgia, from Alabama, from Mississippi, and other Senators from the South can not blame the organized farmers of the Southwest if they send labor agents into their States to persuade the negroes who now help grow cotton there to go West, where they can make more money. The payment for picking cotton is 50 per cent higher throughout the Southwest than in the South. The Senator from Alabama can correct me if I am mistaken, but I understand the current rate for picking cotton is about 1 cent a pound throughout the South. Am I correct in that regard?

Mr. HEFLIN. That probably is the average.

Mr. HAYDEN. The minimum rate in Arizona is 1½ cents, and 2 cents per pound is paid for picking long-staple Egyptian cotton.

Mr. VANDENBERG. What does that mean in terms of day wages?

Mr. HEFLIN. It would be $1 a hundred.

Mr. HAYDEN. If an ordinary picker could pick 150 pounds a day, he would make $1.50 in Alabama. If he picked 150 pounds of long-staple cotton in Arizona at 2 cents a pound, he would make $3 a day.

Mr. HEFLIN. And the cotton producer in Alabama is now selling cotton below the cost of production, and the farmer does not get anything.

Mr. BROUSSARD. That is true also with regard to sugar.

Mr. HAYDEN. I fully sympathize with the statement the Senator makes in that regard, and know that it is true.

Mr. President, it has been very clearly pointed out in the report made to the House of Representatives by the Congressman from Washington, Mr. JOHNSON, that when the quota law was enacted a vacuum was created in this country by the interference with the free flow of common labor from Europe. This vacuum sucked in Mexicans, they being the nearest source of supply for that kind of labor. To apply a quota instantly along the southern border of the United States would create another vacuum so far as the demand for agricultural labor is concerned, and if it could not be filled from Mexico, it would have to be filled from some other source in order that a level might again be established.

I have stated that the most likely place to get agricultural labor would be in the South, not only by following lines of railroad communication, but in recent years transcontinental highways have been vastly improved, and it does not take more than 10 days for one to leave any part of the South and get out to the Pacific coast. There is a continual, natural, normal drift of the colored population from the South into southern California and the Southwest. The migration is along isothermal lines. They will go from one warm climate into another, and that is exactly what is sure to happen as an after effect of the adoption of a drastic quota law so far as agricultural labor is concerned.

Nothing will stop the growing in the Southwest of cotton and lettuce and cantaloupes and other crops which require much hand labor. A quota law may change the character of the laborers who perform the work, but the land will still be cultivated, the crops will still be harvested.

I have never believed that it was wise to unduly encourage the growth of cotton in the Southwest, and hope that it will never become a 1-crop country. I thoroughly believe in the diversification of crops, but cotton is a good rotation crop. It is ordinarily a fair cash crop, and no farmer can be criticized if he devotes a part of his land each year to its production.

There is one other source of labor which might be obtained as a substitute in the Southwest for Mexican labor, which has heretofore been freely obtained, and that is to import, not colored American citizens from the South but other American citizens from the island of Porto Rico. Many people do not understand that Porto Rico is an integral part of the United States. It has been annexed to the United States just as Hawaii was annexed. Any person born in Hawaii or in Porto Rico is just as much an American citizen as though he were born in continental United States.

The population of Porto Rico in 1920 was 1,300,000. It is estimated that under the present census there will be found to be over a million and a half people there, a million and a half people on a small island about 100 miles long and about 35 miles wide. The total area of the island of Porto Rico is only 3,435 square miles. It is not as large as either Gila or Graham County in my State. It has a population per square mile that closely approximates that of Belgium, one of the most thickly populated countries of the world. In a recent report made by the Governor of Porto Rico he estimates the population per square mile to be over 400.

There have been organized efforts made at various times to secure agricultural laborers from Porto Rico, particularly for work in Hawaii and in Arizona. Being American citizens, the Porto Rican people are free to come and go as they see fit.

In order to make that point perfectly clear, I ask that there be printed in the CONGRESSIONAL RECORD at this point an extract from the United States Code, title 48, section 734, which appears on page 1615, which reads as follows:

> All inhabitants continuing to reside in Porto Rico who were Spanish subjects on the 11th day of April, 1899, and then resided in Porto Rico, and their children born subsequent thereto, shall be deemed and held to be citizens of Porto Rico subject to the provisions of section 5, title 8, and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain on or before the 11th day of April, 1900, in accordance with the provisions of the treaty of peace between the United States and Spain entered into on the 11th day of April, 1899; and they, together with such citizens of the United States as may

reside in Porto Rico, shall constitute a body politic under the name of the people of Porto Rico, with governmental powers as hereinafter conferred and with power to sue and be sued as such.

From that law it appears that shortly after the annexation of Porto Rico, Congress created a special form of citizenship in that island. By the passage of the act of March 2, 1917, all Porto Rican citizens became American citizens. Section 5 of that act provides:

SEC. 5. That all citizens of Porto Rico, as defined by section 7 of the act of April 12, 1900, "temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," and all natives of Porto Rico who were temporarily absent from that island on April 11, 1899, and have since returned and are permanently residing in that island, and are not citizens of any foreign country, are hereby declared, and shall be deemed and held to be, citizens of the United States.

I insert these quotations from the Federal statutes in the RECORD because, as I have stated before, there are so many people who can not be convinced that Porto Ricans are American citizens and are, by virtue of their citizenship, entitled to seek employment wherever opportunity may offer throughout the United States.

There have been various organized efforts made to transplant agricultural laborers in considerable bodies from the island of Porto Rico. I was told by the late Delegate from Hawaii, Prince Jonah Kalanianaole, that the sugar interests of the Hawaiian Islands, being in need of labor some years ago, sent a ship to Porto Rico and invited all who desired to work in the cane there to board the ship and they would be provided with free transportation. The Delegate said that this turned out to be a most miserable failure as a means of recruiting farm labor.

What happened was that the jails of the city of San Juan were emptied, the ship was loaded with vagabonds and others of like character gathered off the streets, and it was finally necessary to hang a number of them in Honolulu before the experiment was completed. Later importations of laborers from Porto Rico have been much more carefully selected, and I am informed there are now about 7,000 of them in the Hawaiian Islands.

A few years ago the Arizona Cotton Growers' Association sought to secure agricultural laborers in Porto Rico and likewise sent a ship there. They made the same mistake as the Hawaiian sugar planters. Even before the ship left the Port of San Juan a large number of stowaways were removed. I was told that after the ship was out at sea and it was possible to make a count, they found over 40 persons on board who were not farmers at all, but were merely seeking free passage to the United States.

I ask leave to insert in the RECORD a letter which I have received from the chief of the Bureau of Insular Affairs relating to these two experiments in the transfer of Porto Rican labor to Arizona and Hawaii.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, April 9, 1930.

Hon. CARL HAYDEN,
United States Senator, United States Senate.

MY DEAR SENATOR HAYDEN: In compliance with your telephonic request of to-day I take pleasure in inclosing herewith a hastily prepared memorandum reference the emigration from Porto Rico of laborers to the United States and to Hawaii in recent years.

It is hoped that the memorandum may give you at least a part of the information that you desire, and should there be any further details which you would like and which the bureau can furnish from its records I would be pleased to have you advise me and will endeavor to obtain the additional data that you may desire.

Very sincerely yours,

F. LEJ. PARKER,
Chief of Bureau.

EMIGRATION OF PORTO RICAN LABORERS

TO ARIZONA

On July 1, 1926, Mr. E. J. Walker, manager of the Arizona Cotton Growers' Association, Phoenix, Ariz., sailed for Porto Rico to look into the question of needed labor for the cotton growers in Arizona. The first group of laborers sailed from Porto Rico early in September, 1926, accompanied by an official of the Porto Rican Department of Agriculture and Labor.

Information received by the bureau during the first few months following their arrival from such local sources as were available was to the following general effect: That the majority were getting along well and were reasonably satisfied with their condition; that such dissatisfaction as existed was due largely to agitation inspired from outside sources; that a considerable number had had no experience in the kind of labor (cotton picking and cultivation) that was required; that the immediate increase in their wages over corresponding wage schedules in Porto Rico was largely absorbed by the difference in the cost of living; that the living conditions under which they worked were disappointing to them, the dwellings being of a temporary character, but that certain opportunities such, for example, as for schooling of their children, were better than had been available to them in Porto Rico, and it was expected that their living conditions would gradually improve as the value of their labor became more apparent; that their difficulties were somewhat accentuated by competition with laborers from Mexican sources who had had more experience in connection with cotton cultivation; that the particular type of employment offered them was generally of a seasonal character, and hence employment throughout the year might not be steadily available. It was felt that the Porto Rican as a whole would work into the agricultural work throughout the United States.

The following is contained in the Annual Report of the Governor of Porto Rico for 1927:

"During the year about 1,000 persons emigrated to the State of Arizona at the instance of the cotton growers' association. Some disappointment was shown, but more than 75 per cent of those who went are to-day working there under favorable conditions. About 8,000 Porto Ricans emigrated to other parts of the United States during the year."

TO HAWAII

The annual report of the Governor of Hawaii for 1929 shows the following increase in the number of Porto Ricans:

1920	5,602
1925	6,382
1929	6,923

The following extracts are taken from statements made in June, 1923, by an official who was thoroughly familiar with conditions in Hawaii and who had had first-hand opportunities to observe the results of Porto Rican immigration to that Territory:

"I found the opinion of employers practically unanimous, that no laborer is better than the good Porto Rican, but there is a very definite accent on the good. No laborer who has come to the Territory is more generally to be avoided than the poor Porto Rican laborer.

"A good Porto Rican laborer establishes himself with his family in any agricultural industry and has the reputation of being industrious and reasonably frugal and the children of the family remain in the country, not having the tendency of other people to migrate to the cities as soon as they gain the advantages of public-school education and the so-called broader vision of new opportunities. These children see the opportunities in agricultural industry and generally establish good homes and are regarded as good citizens. * * *

"My observations on this trip confirmed my view of the situation as presented in a letter written just before I left for the tour, that any project for the importation of Porto Ricans should have as one of its basic features an organization that will make a careful selection of laborers, so that the men shall be healthy, taken from the farming classes, and if they come to the islands, to be accompanied by their wives and families. They should come in relatively small numbers, so that they can be properly housed and given a fair start in their new life."

The same source referred to the fact that one group of laborers which had come from Porto Rico was found to be undesirable, due to the fact that they arrived in poor condition of health.

An important limiting consideration in connection with the importation of Porto Rican laborers in large numbers into Hawaii is the expense of transportation involved.

The success of any immigration project would obviously be greatly promoted by such procedure in Porto Rico as would involve careful selection of the laborers based on their suitability for the work in view and upon their health as determined by carefully conducted examinations.

F. LEJ. PARKER, *Chief of Bureau.*

Mr. HAYDEN. In his recent message to the Legislature of Porto Rico, Gov. Theodore Roosevelt, jr., has this to say:

Agriculture was in the past practically the only source of wealth of our island. It is still to-day the source from which the majority of our people must draw their livelihood. With the work that has been accomplished by our department of agriculture in the introduction and selection of various cane varieties, etc., our large sugar plantations should be in fairly good condition if an increased tariff is passed by Congress. The ultimate strength of the people, however, depends not on the large plantations but on the small farms. The greatness of any nation rests on its small property holders. In our island it is just these small property holders who are suffering most. Hunger and hardship have been their constant companions. Many have sold or deserted their holdings because they could not or did not know how to make a living thereon.





The Governor of Porto Rico does not directly state that immigration from that island would be helpful, but he indicates it in another part of his message, in which he refers to a bureau of commerce and the establishment of a branch thereof in New York City. He said:

In addition, the branch of the bureau in New York might well fulfill another important but now neglected work, namely, that of endeavoring to see that such of our people as wished to place themselves in some other part of our country, such as New York State, be intelligently aided therein. Much suffering could be avoided by such a procedure and, incidentally, the wealth of our island increased, for our people in the United States are a constant source of income to us here, as they send money to their families continually.

I have no doubt that as the years go on more and more Porto Ricans will come to the United States. As I have stated, there is nothing that can be done lawfully to prevent them from coming here and engaging in any kind of labor, because they are American citizens the same as the rest of us.

Mr. President, I hold in my hand an editorial from one of the Hearst newspapers—the Herald, of Washington—which I ask unanimous consent that the clerk may read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The legislative clerk read as follows:

[From the Washington Herald, February 11, 1930]

MEXICAN LABOR EXCLUSION BILL WOULD CAUSE INFLUX OF FILIPINO POPULATION

Though probably devised with the best intention, the Box bill to exclude Mexican labor does not seem well calculated to accomplish its object. In its present form it is likely to do a great deal more harm than good.

First, it is likely to bring direct harm to the farmers of California and, secondly, it is likely to bring permanent harm indirectly to the working men of the country.

There is a certain class of work which the skilled American workman, who belongs to the Federation of Labor, does not want to do and does not have to do. Nevertheless, the work has to be done and, apparently, the way that it has to be done is through the employment of lower grade and cheaper labor.

It is being done now, to a limited degree, by Filipino labor and, to a large extent, by Mexican labor.

Apparently the bulk of this work must be done by labor of that kind.

If migratory Mexican labor is shut out entirely there will be an enormous influx of Filipinos, and Filipino labor has certain definite disadvantages to the country and to local labor.

In the first place, it remains here and becomes a permanent problem to the States and to the Nation.

In the second place, the Filipinos intermarry with Americans and make a great deal of racial trouble, as exhibited in the recent Filipino riots, which will become more and more aggravated as Filipino immigration increases.

Mexican labor, on the other hand, performs the required function as well as the Filipino labor, or better. It comes into the country merely for the purpose of performing certain labor and when that is performed it goes back to Mexico. It creates no social and racial problems for this Nation.

For these reasons no element of the population of the United States should support the Box bill as it now stands. Members of the Federation of Labor should be more opposed to it than any other element of the population, because, in its present form, it will merely result in stimulating the immigration of Filipino labor and in permanently establishing a large element of Filipino cheap labor in this country, with all the attendant labor complications and social complications and race complications which that involves.

Modification of the Box bill could be made to legally prevent Mexican labor from coming into the country as permanent population and allow it to come in merely on a year's permit, necessitating the retirement of the Mexican labor to its own country before the limits of that permit expire.

A plan of this kind would not only give the farmer what he requires, but would prevent the labor of the country from being threatened by Mexican immigration or by a permanent element of oriental cheap labor.

Finally, it would be the part of wisdom and of patriotism for the American Federation of Labor and the farming organizations of the country to work together in this matter and in all matters considering their mutual benefit and cooperation for the common good.

Wednesday, April 16, 1930

Mr. HAYDEN. Mr. President, on yesterday I directed the attention of the Senate to the fact that the State Department, by issuing proper instructions to our consuls in Mexico for the rigid enforcement of the existing United States immigration law with respect to the visa of passports, has very materially reduced the number of Mexicans entering the United States during the first nine months of the present fiscal year in comparison with the total number admitted during the five previous fiscal years, being in fact at the rate of less than one-fourth of the number heretofore admitted. As to Mexican laborers, those who would be directly affected by a quota if imposed, the average rate of entry into the United States is about 1,600 a year, as compared to 40,000 a year during the previous fiscal years mentioned.

I pointed out further to the Senate that the imposition of a quota would be utterly valueless unless, after such a law were enacted, steps were taken to enforce it.

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Alabama?

Mr. HAYDEN. I yield.

Mr. BLACK. The Senator's figures with reference to the 1,600 refer, do they not, to those who legally enter this country?

Mr. HAYDEN. Certainly.

Mr. BLACK. And there are, as I understand, no figures for those who have illegally entered.

Mr. HAYDEN. There is no record kept by our immigration officials, of course, because if they could communicate with the aliens to find out how many of them entered they would prevent their entry. I have no quarrel with anyone about any figures that may be submitted with respect to illegal entries. I am fully convinced that they are enormous in number. But the point I want to emphasize is that the mere passage of a quota bill will not prevent the illegal entry of Mexicans into the United States.

Mr. BLACK. Mr. President, will the Senator yield again?

Mr. HAYDEN. I yield.

Mr. BLACK. However, if we desire to bring about a real, genuine limitation, it would be necessary not only to have a quota but to have a more effective method at the border to prevent illegal entry.

Mr. HAYDEN. That is the point I tried to develop yesterday, and I want to reemphasize it to-day.

Mr. BLACK. Both would be essential, would they not?

Mr. HAYDEN. One is utterly worthless without the other.

Mr. BLACK. But both would be necessary, and if both were combined it would bring about a great restriction of Mexican immigration, would it not?

Mr. HAYDEN. As compared to previous years, but not as compared to the first nine months of this fiscal year.

Mr. BLACK. The Senator means, as compared to legal entries?

Mr. HAYDEN. Legal or illegal. We must have three things to prevent either legal or illegal entry from Mexico.

First, there must be an arrangement whereby the number to be legally admitted shall be strictly limited. Whether that is to be done by a quota or by the visa arrangement now in existence is immaterial.

Second, there must be an adequate patrol force at the border to see that Mexicans and all other aliens shall not pass the international boundary line unless they have a right to do so.

Third, if aliens get by the border patrol, there must be an adequate Immigration Service force within the United States to seize and deport them.

Mr. BLACK. The point I wanted to make was this: Is it not true that those of us who desire further to reduce Mexican immigration to a low level would be justified in first voting, as one step in the procedure, for a reduction on the quota basis?

Mr. HAYDEN. I do not believe that a vote of that kind is necessary at this moment.

As I have stated, the actual number of laborers coming in from Mexico who would come under a quota is only at the rate of 1,600 during the present fiscal year. The quota proposed by the Senator from Georgia [Mr. HARRIS] in his bill amounts to practically that number. The quota proposed by the bill favorably reported to the House of Representatives is 2,900. Certainly there will not be as many as 2,900 laborers who will enter the United States this year if the visa regulations are properly enforced.

Mr. BLACK. Mr. President, will the Senator yield again?

Mr. HAYDEN. I yield.

Mr. BLACK. I get the Senator's point there if we consider only those that have legally entered into this country; but more could have entered legally, could they not?

Mr. HAYDEN. They could not, because when they applied they were refused.

Mr. BLACK. Yes; but suppose more had applied who were capable of coming and who possessed the qualifications which the immigration authorities had established. There were no legal barriers against a greater admission of aliens.

Mr. HAYDEN. It is true, as the Senator says, that if there were more people in Mexico who could read and write, if there were more of them who were not contract laborers, if there were more of them who were physically and mentally fit to enter the United States, if there were more of them who were not likely to become public charges, they could be admitted. For those various reasons they have been refused admission, and there are not more of that kind in Mexico. The proof of that fact is that thousands of them have been turned away from the consulates. Others have not applied because they knew that if they did apply visas would be refused.

Mr. BLACK. The Senator does not think it would be impossible to find in Mexico any more citizens who could meet the tests imposed by the immigration authorities, does he? May I call the Senator's attention to the fact that they are getting in in some way, as shown by a statement which I placed in the RECORD a few months ago. Whether it is done legally or illegally makes no difference, so far as the actual influx of immigrants of this country is concerned.

I placed in the RECORD on April 30, 1929, this statement from Houston, Tex.:

"Unorganizable Mexican labor in inexhaustible numbers can be secured in Texas for new textile mills," says a bulletin which the local chamber of commerce has just mailed to every New England textile manufacturer in an attempt to bring new mills to Houston.

That was broadcast over the country—that they had at that time in Houston, Tex., inexhaustible supplies of unorganizable Mexican labor. Those supplies could not have come there if only 1,600 Mexicans had come into this country. So, therefore, we know that they had supplies from illegal sources.

Mr. HAYDEN. I am not disputing that fact at all. What I am insisting upon and what I want the Senate to know is that there are three steps that must be taken.

Mr. BLACK. I am in favor of taking all of them.

Mr. HAYDEN. So am I. I am just as heartily in favor as is the Senator from Alabama to secure the accomplishment of all three results:

First, to reduce the number of aliens who may enter the United States.

Second, to guard the borders against illegal entry.

Third, to deport those in the United States who are here and have no right to be here.

There is no disagreement at all about those basic propositions. The Senator from Alabama and I disagree only upon the one issue as to whether the action taken by the State Department during the first nine months of the present year is adequate. That is the only issue there is between us.

Mr. BLACK. Mr. President, if the Senator will yield there, I will state that there is just this difference:

Even if it be true that the State Department, by the enforcement of rules and regulations, has limited to 1,600 the number of legal entrants during the first nine months of this year, I would still favor an ironclad law, not dependent upon the whim and caprice of any particular individual connected with that department, but a law which stood as a barrier which could not be broken down to prevent importation into this country of cheap, unorganizable Mexican labor in inexhaustible quantities to compete with American labor. In other words, I want an absolute legal barrier, not dependent upon the rules and regulations of the department.

Mr. HAYDEN. The Senator is mistaken; the barrier is not dependent upon whim and caprice or upon rules and regulations. The barrier depends solely upon the proper enforcement of existing law.

Mr. BLACK. That is correct. All right. Now let me say this: Here is the difference, if the Senator will permit me: If the authorities desired, in their discretion, to enforce that barrier by a more liberal method toward the Mexicans, they could under the law permit 5,000 immigrants to come in.

Mr. HAYDEN. The American consuls in Mexico could not do that and enforce the law, because the law is just as fixed as a quota law would be.

Mr. BLACK. No; it depends upon their interpretation of the literary attainments, of the mentality, of the moral qualities of the Mexicans. I desire a law which, irrespective of the moral qualities, irrespective of the mental achievements, irrespective of anything in the world except that the Mexicans are about to come in, will absolutely limit to a small number those that come in, especially in this time of unemployment in this country. Let it not be dependent upon interpretation or enforcement, but let it be a legal barrier over which they can not come into this country.

That is the difference, as I see it.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield to the Senator from Tennessee.

Mr. McKELLAR. I desire to call the Senator's attention to another fact.

I do not know how much experience the Senator has had with the present quota laws as administered by the Labor Department. I have had considerable experience in that connection, and I want to say that I do not think any department of the Government functions any better than the Labor Department does in keeping the quota where the law requires it to be kept. The officials of that department are enforcing that law splendidly, in my judgment. I have had many, many cases coming up under that law from my own State, and I want to repeat that I do not think any department of the Government is functioning any better than that department which keeps immigration within the quota.

Under those circumstances, does not the Senator think it will be infinitely better for this country, in order to keep out foreigners to the extent that we want them kept out, to put the administration of the law under the Labor Department, and not have it kept under the State Department? I pointed out here the evidence of an official of the Government in Texas showing that the law is not being enforced now by the State Department; and it is not being enforced.

Mr. HAYDEN. The Senator is mistaken. The evidence he presented yesterday referred to an official of the Treasury Department.

Mr. McKELLAR. I know it was, but it showed that an official of the Treasury Department could go before the State Department and get all the Mexican labor that he desired.

Mr. HAYDEN. The Senator is again mistaken. He presented no evidence to show that any official of the State Department permitted or condoned the illegal entry of Mexicans.

Mr. McKELLAR. He had over 200 Mexicans here on one single, solitary plantation that were illegally brought here.

Mr. HAYDEN. Let us analyze just what the Senator from Tennessee has said. If Mexicans were illegally admitted into the United States they did not come in by the consent of the State Department. They could only come in by the consent of the United States Immigration Service, a branch of the Department of Labor, which the Senator has just praised. I do not believe for a moment that the Immigration Service agreed to their illegal entry any more than the State Department did. The Mexicans to which the Senator has referred must have sneaked around the very limited number of men that are placed on the border to guard it and entered the United States without their knowledge.

Mr. McKELLAR. According to the evidence down there, it was well understood that this was not the law, but it was a regulation of the State Department.

Mr. HAYDEN. The Senator is once again mistaken. He has presented not the slightest evidence affecting the State Department in any possible way in the testimony that he read to the Senate yesterday.

Mr. McKELLAR. Except that these men were allowed to come in in great numbers, and were being allowed to come in all along the line. Some called it legal, and some called it illegal.

Mr. HAYDEN. But if they were permitted to come in, it was not by the consent of the State Department. If it was by anybody's consent, which I very much doubt, it was with the consent of the officials of the Immigration Service, whose duty it was to watch the border. The State Department had absolutely nothing to do with the matter.

Mr. McKELLAR. Here is where the Senator and I differ: I believe that if Mexico is put upon the same basis with all other foreign countries, and we put the matter of immigration under the supreme control of the Labor Department, we are going to have that law enforced in the same splendid way that it is being enforced as to all other countries, and I believe that it will be highly beneficial to the people of our country.

Mr. HAYDEN. The Senator forgets that the enforcement of the existing immigration law is a joint function of the State Department and the Department of Labor. My experience with both departments has been very similar to his own, that both departments are absolutely adamant when it comes to any evasion of the law.

Let the Senator from Tennessee stop to think for a moment. How are the present quotas enforced? Quotas are assigned to various countries in accordance with the law. Emigrants desiring to leave Germany, for instance, know that they must come within the quota. The number of Germans who may leave the Republic of Germany in any one year is known to the officials of the State Department who are located in that country. The applicant must come to an American consulate and he must satisfy the American consul that he meets the mental, physical, and other qualifications of law. If he does, he is placed upon the quota, and when his turn arrives he may leave

for the United States. The enforcement abroad of the existing immigration quota law is done wholly by the State Department, and the American consuls cooperate perfectly with the Department of Labor.

Mr. McKELLAR. Let us do the same thing for Mexico.

Mr. HAYDEN. The difference between the enforcement of the immigration laws at the present moment in Mexico solely by the State Department and the joint enforcement of the existing immigration law in Europe is practically nothing. The net results would be practically the same if Mexico had the quota allotted to that country under the Johnson bill.

I want the Senate to thoroughly understand that the question at issue is not, Shall we continue to have a flood of Mexican immigrants coming into the United States, unrestricted and unregulated? That issue is past. The question is, Shall we maintain the standards now in force? Neither the Department of Labor nor the State Department can be justly criticized for any laxity of enforcement in the past.

It must be remembered that not until 1924 was a law enacted by Congress which really put teeth in immigration restriction. Prior to that time, and particularly during the World War, we had encouraged Mexicans to come to this country to cultivate crops for war purposes. Their labor was greatly needed even after the war was over. They were people of a neighboring country, and no restriction had ever been placed on them. But when the matter was finally brought to the attention of the State Department a rigid limitation went into effect. It has not been in effect for over a year, and I think that instead of blaming them for any past failure, we of the Congress, and, indeed, the President of the United States, should commend the officials of the State Department for what they have accomplished. The President, as the Chief Executive, should let the American people know that the same high standard of enforcement of the immigration laws is to be maintained in Mexico as in every other country in the world. The only fair thing to do is to treat all countries exactly alike.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BLACK. Why is it, I ask the Senator, if it is not the fact that the quota basis will prevent Mexicans from coming into this country, that the chambers of commerce of a number of the Western States and the so-called farm leaders of this country, who claim they want cheap labor and must have cheap labor, oppose the quota basis? They seem to think it will restrict the immigration of Mexicans.

Mr. HAYDEN. The resolutions passed by chambers of commerce and farm organizations to which the Senator refers were adopted some time ago and were applicable to a situation where Mexican labor was being freely admitted. What the farm organizations must learn and what the chambers of commerce must learn is the fact which I have been presenting to the Senate for two days, that the old régime has passed, that freedom of Mexican immigration is over. If such organizations have any protests to make now, it is not against the quota, but against the rigid enforcement of existing law. Nobody is going to protest against that successfully, at least in my judgment.

Mr. BLACK. Were there not hearings held before the Committee on Agriculture and Forestry last week, and did not the Senator from Oregon, the chairman of the committee, receive messages, which were put into the RECORD, opposing this bill and asking for a hearing before the Committee on Agriculture on the ground that they must have seasonal labor for work on the farms, and that they could not get it if we put this quota provision into effect?

Mr. HAYDEN. The admission of the seasonal agricultural labor, which I believe was advocated by Mr. Legge, of the Farm Board, and by other organizations, is the proposal contained in an amendment which the Senator from Wyoming intends to offer. It has been much talked about, but presents a totally different issue from the question of enforcing existing immigration laws.

In my judgment, it will be necessary, under the existing conditions, to enact a positive law to permit otherwise inadmissible aliens to enter the United States to labor on farms for any period of time, and then return to the country from whence they came. There is no authority of law for anything of that kind now. If a Mexican is illiterate, he simply can not come in. If a foreigner from any other country does not qualify according to the strict letter of our immigration law, he can not come in for one month or two months and then go back home. It will take positive legislation to accomplish any such purpose.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. GEORGE. The Senator is obliged to admit, however, that admissions under literacy or morality tests leave the matter, to some extent, at least, in the discretion of the administrative officers.

Mr. HAYDEN. That is a correct statement.

Mr. GEORGE. What the Senator from Alabama insists, and in that I agree, is that there should be an absolute prohibition beyond which they could not go. Of course, within the quota that discretion would still exist, but it would not exist beyond the quota restriction, whatever that quota restriction might be.

Mr. HAYDEN. We have this situation facing us in connection with the bill pending before the Senate. The Senator's colleague [Mr. HARRIS] has proposed the enactment of legislation to place the same identical quota on Mexico as is placed upon European countries, a 2 per cent quota.

Mr. GEORGE. Yes.

Mr. HAYDEN. The Secretary of Labor has not recommended any such drastic quota, the Commissioner General of Immigration has not made any such recommendation. The House of Representatives, after considering the matter very carefully, adopted another and more liberal basis for a quota.

The House bill is further distinguished from the bill introduced by the Senator from Georgia by applying quotas to all of the countries of the Western Hemisphere, whereas the bill now pending before the Senate applies quotas only to Mexico and the other countries south of the Rio Grande.

We come, then, to a discussion of the proposition of the basis upon which the quota should be fixed, whether it should discriminate as between countries in the Western Hemisphere. All of such questions are very highly important.

I agree fully with the Senator that if there were no other way of restricting immigration from Mexico than the imposition of a quota, and if we had reasonable cause to believe that immigration from Mexico would continue in any such volume as has characterized it for the last six or eight years, except this present year, then there would be nothing to do but to apply a quota, and make it firm and rigid. But in doing that we must remember that Congress may offend the pride of our closest neighbor. The enactment of such a law would interfere with intimate business and social relations between two countries having a common boundary. That is the other side of the question which Congress should weigh in the balance, and determine whether the existing regulations of the State Department, which are entirely agreeable to Mexico and do not offend that country in any way, because they merely apply a rule uniform to all the rest of the world, will actually limit the number of Mexicans coming into the United States to such a degree that it is not necessary to impose a quota. If the present visa system will not suffice, then Congress should impose a quota. That is the basis of my entire argument.

Mr. GEORGE. Mr. President, I understand the Senator's position. He thinks that, properly administered, the existing law is adequate and that it is being properly administered now.

Mr. HAYDEN. That is my firm belief, based upon the facts which have been presented to me and which I have analyzed with great care.

Mr. GEORGE. But if there are those of us who do not feel that way about it we think it is perfectly legitimate to say that we do not want the matter of the number coming in from Mexico left in the discretion of the administrative officers. We want that fixed by absolute law.

Mr. HAYDEN. I have no quarrel with any Senator because he votes for a Mexican quota for the reason that he lacks faith in the integrity and the ability of our State Department to properly enforce the law, who believes that for any reason all discretion should be removed from that department. But as one who lives in a State bordering on Mexico, with whose people I am somewhat familiar, who has many constituents interested in business on each side of the line, who knows how closely interwoven our commercial, social, and economic interests are, I claim that under existing conditions it is not necessary to give offense to a good and friendly neighbor, one with whom we are endeavoring to bring about the closest relations of every character, by imposing a quota which naturally the Mexicans resent as a discrimination against them as a people.

Mr. BLACK. Mr. President, will the Senator yield to me again?

Mr. HAYDEN. I yield.

Mr. BLACK. I want to state that it is not a question of questioning the good faith or the ability of the State Department or the administrative officers, but the question, as I see it, is this: It is conceded on all hands to-day that there are millions and millions of men and women without employment in this Nation. Therefore the most vital question confronting this Government is, Can we put them to work in gainful occupations?

It is clear that every immigrant who comes into our boundaries must take away the job of some one or live in idleness, unless he comes in with a fortune already accumulated. Therefore, I consider the most important question that confronts us to be the providing of employment for those without jobs, and the feeding of the hungry. So I am not willing to leave any possibility of escape from enforcement of the law to any department. I want to make it absolutely binding on every department of the Government.

If I had my way, I would close the gates of this country to every foreign immigrant from every land in the world, for five years, at least, until it is possible to give employment to those American citizens who are to-day without it.

Let me call the Senator's attention to this fact, then I will not disturb him any further. When I say I would close the gates, I have in mind the fact that numerous countries abroad prevent Americans coming into their countries to-day and getting positions, unless proof is first made that every native citizen of that country is at work. We will not offend anybody by following a policy which is followed all over Europe to-day. They provide jobs for their own citizens before they bring in immigrants to work at cheaper wages.

Mr. HAYDEN. I have heard of such instances recently in England and in Canada, and there could be no objection among all the nations of the earth if we adopted the same rule which requires the employment of Americans instead of foreigners. The Senator has made an excellent argument for prohibiting all immigration. In the present state of unemployment I would vote for such a bill if I had an opportunity to do so.

Mr. BLACK. I can not get the bill out of the committee.

Mr. HAYDEN. Were the idea presented upon this floor by bill or by amendment, it would have my support. My only objection to anything the Senator has said is that, instead of making the rule uniform for all countries throughout the world, he proposes to single out one country, which is our nearest and closest neighbor, and say, "Your people shall not come in." To that I object.

Mr. President, yesterday, toward the close of my remarks, I caused to be read at the desk an editorial printed in one of the Washington newspapers entitled "Mexican Labor Exclusion Bill Would Cause Influx of Filipino Population."

I had intended to say at the first opportunity that I do not agree with the editorial in its entirety, particularly one paragraph, which reads as follows:

> There is a certain class of work which the skilled American workman, who belongs to the Federation of Labor, does not want to do and does not have to do. Nevertheless, the work has to be done and, apparently, the way that it has to be done is through the employment of lower grade and cheaper labor.

I know of no work in our Southwestern country, particularly farm work, which Americans can not perform. They will not perform it for exceedingly low wages. They will not perform it as one or two members of a large gang of foreigners. They prefer to work with their own people. But that Americans are physically able to do any kind of farm work there can be no dispute.

As a young man I worked in the hay fields; I worked among cattle, and there is no harder nor hotter work than to be in the dust and the heat of a corral roping cattle in midsummer. I felt no ill effects physically from any labor of that kind which I performed. To my certain knowledge in the arid southwestern climate no healthy man suffers from sunstroke regardless of how high the mercury may go.

Mr. BLACK. Mr. President——

The PRESIDING OFFICER (Mr. FRAZIER in the chair). Does the Senator from Arizona yield to the Senator from Alabama?

Mr. HAYDEN. I yield.

Mr. BLACK. The Senator just stated that he would favor my bill providing for a suspension of all immigration for five years. I would like to state to the Senator that I expect to offer it later as an amendment to the pending measure.

Mr. HAYDEN. Such an amendment shall have my vote because I am convinced there is serious unemployment in the United States. I might add that there is one other thing that could be done which would materially alleviate the situation, and that is to provide the United States Immigration Service with sufficient funds and sufficient men to ferret out and deport the hundreds of thousands of aliens who, we are told, are illegally in the United States holding jobs at the present moment. Every one of those who was put out of the United States would create a vacancy that could be filled by some American citizen. The latter proposal would be even more efficient and effective than stopping every kind of an alien from coming into the United States.

Mr. BLACK. I would like to state to the Senator that I thoroughly approve of his idea. We have not had sufficient appropriations for the purpose of enforcing the law, and they should be enlarged.

Mr. HAYDEN. The enactment of any law—quota law, prohibition law, or any other kind of law—the mere spreading of it upon the statute books, is a vain and fruitless thing. There must be adequate enforcement of any such law. I am convinced that the statement made by the Senator from Alabama is absolutely correct. Congress has not made sufficient appropriations and has not provided adequate personnel so that the United States Immigration Service could carry on the activities delegated to it by law.

In further confirmation of what I have said with respect to the ability of Americans to perform manual labor in the Southwest, I desire to read from an article published in the Saturday Evening Post of February 8, 1930, entitled "The Mexicanization of American Business," by Prof. Roy L. Garis, professor of economics at Vanderbilt University. Professor Garis, in the following words, quotes an authority very well known in California:

> It is said that Americans will not work at this class of labor and that climatic conditions are such as to make it impossible for white labor to do the work. Dr. Paul S. Taylor and a host of persons who have worked under the most trying climatic conditions in California refute the latter claim. Doctor Taylor states: "It is sometimes maintained that white labor can not do heavy work under Imperial Valley conditions; but while the temperature is very high during cantaloupe-picking season and consequent discomfort is great, the absence of white pickers at the present time can not be laid to inability to endure the heat. Statements to this effect by reliable white persons who have themselves picked melons in company with many other whites are corroborated by the observations of early labor investigators."

Mr. President, in connection with the enactment of any legislation imposing a quota upon the countries of Latin America we should take into consideration the ultimate effect of the passage of such a law. In his report upon H. R. 10343 the Representative from Washington, Mr. JOHNSON, mentioned the necessity for a quota for the West Indies in these words:

> The committee has thought it best to round out the program of quantitative restriction, the quota system, by placing those countries of the West Indies, which are not dependencies drawing their quotas from the mother countries, on a quota basis.
>
> Several reasons are apparent. One is that when a restriction is applied in one place the demand immediately sucks in immigration from another. This was predicted at the time the immigration act of 1924 was enacted. Mexican immigration of the peon type increased immediately.

Let me invite particular attention to the words, "the demand immediately sucks in immigration from another." If a rigid quota is imposed upon Mexico a void will be created, a vacuum, as Representative JOHNSON said, which must be filled. If nothing is done to prevent the admission of cheap labor from other sources where the quota is not applicable, we will have a repetition of what occurred in 1924. One source of obtaining that kind of labor is the Philippine Islands.

It is estimated that the population of the Philippines is now about 12,000,000. Many Filipinos have been coming to the United States, entering in increasing numbers in recent years. Their first step has usually been to the Hawaiian Islands. I myself have seen in the harbor of Honolulu a shipload of Filipinos arriving there to be employed as laborers on the sugar plantations. There is no immigration restriction against the Philippine Islands at the present time. Therefore it occurs to me that in the enactment of this legislation it is highly important to consider at one and the same time some form of restriction upon Filipino immigration.

The Senator from California [Mr. SHORTRIDGE] to-day introduced a bill relating to that subject. As I heard it read from the desk, it appears to me that it would accomplish the desired purpose. In my judgment, if the pending measure is to be enacted, some such provision should be added to the bill by way of amendment so that the complete problem may be solved at one time. Why disturb one situation merely to create another which is just as difficult?

There is another proposal pending before the House of Representatives in the form of a bill introduced by the Congressman from California [Mr. WELCH], being H. R. 8708, a bill to exclude certain citizens of the Philippine Islands from the United States. It reads as follows:

> *Be it enacted, etc.*, That subdivision (b) of section 28 of the immigration act of 1924 is amended to read as follows:
>
> "(b) The term 'alien' includes any individual not a native-born or naturalized citizen of the United States, but this definition shall not

be held to include Indians of the United States not taxed, nor citizens of the islands (except the Philippine Islands) under the jurisdiction of the United States;".

The effect of the Welch bill is to impose a quota upon the Philippine Islands. It seems to me that it would be wiser to proceed along the lines suggested by the bill introduced by the Senator from California [Mr. SHORTRIDGE], which provides that the Secretary of Labor may regulate the migration of aliens from our insular possessions. That would leave the entire question of Philippine immigration in the hands of an administrative authority which everyone agrees is perfectly competent to care for such a situation. It permits selective immigration, authorizes students, business men, and others having a legitimate need to come to the United States, to enter under suitable regulation provided by the Department of Labor. Such a law would prevent the emigration either to Hawaii or to the United States of Filipino laborers whose services are not needed.

The Philippine Islands are not an integral part of the United States as Porto Rico and Hawaii are. The Philippines were not incorporated into the Union by the Jones Act, which is the organic law that governs the people of that archipelago. That there is grave necessity for the regulation of the migration of Filipinos to the United States is generally conceded. The editorial from the Hearst newspaper which I caused to be read from the desk yesterday brings out that fact very clearly. I hold in my hand a copy of a memorial adopted by the California Legislature, which reads as follows:

ASSEMBLY JOINT RESOLUTION NO. 15—CHAPTER 81

Assembly Joint Resolution No. 15, relative to memorializing and petitioning Congress to enact legislation for the restriction of Filipino immigration

(Filed with secretary of state May 15, 1929)

Whereas the policy of unrestricted immigration as an aid to cheap labor has had a tendency toward destruction of American ideals and American racial unity; and

Whereas this policy has tended to exploit the negroes, the Japanese, and the Hindus, resulting in their regulation or exclusion; and

Whereas Filipinos have not been among those excluded under the immigration laws of the United States in accordance with our national policy of restrictive immigration; and

Whereas the present absence of restriction on immigration from the Philippine Islands opens the door annually to thousands of Filipinos, causing unjust and unfair competition to American labor and nullifying the beneficial results to be expected from a national policy of restrictive immigration: Therefore be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California earnestly petitions Congress to enact legislation which would restrict immigration from the Philippine Islands, and which will prevent all Filipinos entering the United States who are afflicted with communicable diseases; and be it further

Resolved, That the chief clerk of the assembly be, and he is hereby, directed to send copies of this resolution to each Member of the Senate and the House of Representatives of the United States.

I ask to include in the RECORD at this point an article published in the United States Daily on Saturday, April 12, 1930, which summarizes a report which is shortly to be published by the State of California entitled "Facts about Filipino Immigration into California." This report was prepared under the direction of Will J. French, director of the department of industrial relations of that State. I am sure that anyone who will read this summary will be most anxious to obtain the complete report when printed.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The article is as follows:

CALIFORNIA PRINTS RESULTS OF INQUIRY INTO RECENT IMMIGRATION OF FILIPINOS—DOCUMENT, SOON AVAILABLE, SHOWS STATUS OF NEWCOMERS AND HOW THEY ARE BEING ASSIMILATED

A report entitled "Facts about Filipino Immigration into California," prepared by the State department of industrial relations, is now being printed and soon will be available for distribution, according to an announcement just made by Will J. French, director of the department.

According to the introduction to this document, the present publication of the department "is not presented as an argument for or against Filipino exclusion." Instead, "it furnishes data, not elsewhere available, as to the extent of the Filipino immigration into California since 1920; and also data bearing upon the characteristics of the new wave of Malay immigration into the State." The salient facts presented in this bulletin are summarized in it as follows:

1. During the 10 years from 1920 to 1929, 31,092 Filipinos were admitted into the State of California through the ports of San Francisco and Los Angeles. Of this total, 25,579, or 82.3 per cent, were admitted at San Francisco, and 5,513, or 17.7 per cent, were admitted at Los Angeles.

2. About 85 per cent of these orientals were brought to California, from the Philippine and Hawaiian Islands, in vessels operated by two California steamship companies.

3. The influx of Filipinos into California began in the year 1923, when 2,426 Philippine islanders were admitted into the State. During the three preceding years, the total number of Filipino arrivals was only 1,855, or on the average of 618 per year. During the seven years 1923–1929 the average annual number of arrivals was 4,177.

FILIPINO IMMIGRATION LAST YEAR SET RECORD

4. The largest number of Filipino arrivals into California was during the year 1929, when as many as 5,795 were admitted, an increase of 139 per cent over the number admitted in 1923, when the Filipino invasion began.

5. Of the total number of Filipino arrivals into California during the 10 years covered by this report, 35 per cent came from the Philippines, 56 per cent came from Hawaii, and 9 per cent came from other ports, principally from Hong Kong and Shanghai in China, and Kobe and Yokohama in Japan.

6. Since 1920 there has been a constant increase in the number and proportions of Filipinos coming to California directly from the Philippine Islands. Thus, of the 2,426 Filipinos who arrived in California in 1923, only 218, or 9 per cent, came from Manila and 2,053, or 84.6 per cent, came from Honolulu, but of the 5,795 Filipino arrivals in 1929, 2,609, or 45 per cent, came from Manila and 2,622, or 45.3 per cent, came from Honolulu.

7. A comparison between the emigration of Filipinos from the Philippines to Hawaii and to California strongly suggests the probability that large numbers of Filipinos, instead of emigrating to Hawaii and then to California, emigrate directly from the Philippines to California.

8. Of the male Filipinos who came to California from the Hawaiian Islands in 1921 and 1922, from 30 to 34 per cent were born in the Hawaiian Islands, and from 66 to 70 per cent were born in the Philippines. Since 1923 from 81 to 97 per cent of the Filipinos who emigrated from Hawaii to California were emigrants from the Philippines to Hawaii.

9. Among the female Filipinos coming to California from the Hawaiian Islands, the majority are natives of the Hawaiian Islands.

10. Out of every 100 Filipinos who came to California during the 10 years, 1920–1929, 93 were males and 7 were females. During the 10 years considered there were admitted into California 1,395 Filipino males for every 100 Filipino females admitted. While the ratio of Filipino males to females coming to California is 14 to 1, the ratio of males to females in the total California population is 1.1 to 1.

PREPONDERANT MAJORITY OF ARRIVALS ARE YOUNG

11. Among the Filipinos coming to California the preponderant majority are young persons. Of the total arrivals 4.9 per cent are under 16 years of age, and 79.4 per cent are between 16 to 30 years of age. The total number under 30 years of age constitutes 84.3 per cent of the arrivals. In contrast, the percentage in the total population in California who are under 30 years of age is only 22.8.

12. Among the female Filipino arrivals into California, the preponderance of young persons is greater than among male Filipinos. While among the females the proportion under 16 years of age is 35.3 per cent, among the males this proportion is 4.9 per cent. Again, while among the female Filipino arrivals 57.2 per cent are under 22 years of age, among the male Filipino arrivals the corresponding percentage is 36.3.

13. Seventy-seven and three-tenths per cent of the Filipinos coming to California are single, 22.5 per cent are married, and 0.2 per cent are widowed. The corresponding percentages in the total population of California are 47.9 single, 43.7 married, and 6.7 widowed.

14. Among the female Filipino arrivals the proportion married is twice as great as among the male Filipino arrivals. About 43 per cent of the Filipino females coming to California are married women, whereas only about 21 per cent of the Filipino males coming to California are married men. Only about 12 per cent of the married Filipinos bring their wives with them upon coming to California.

15. There are more single persons and less married persons among the Filipino arrivals into California than among immigrant alien Mexicans, or among immigrant aliens, exclusive of Mexicans, admitted into the United States.

REASONS FOR PREFERENCE TO WHITE WORKERS

16. Very few Filipinos left California prior to about the middle of 1929, but from July, 1929, to the end of that year 891 Filipinos left California for foreign ports. The number of Filipinos who left California for foreign ports during the 10 years 1920–1929 may have been from 2,000 to 3,000.

17. The number of Filipinos now in California is probably between 31,000 to 34,000.

18. Among the hotel, restaurant, and domestic occupations in which the Filipinos find work in California are the following: Bell boys, bus boys, cooks, dishwashers, door boys, hall boys, house cleaners, janitors, kitchen helpers, and pantrymen, etc.

19. Many employers prefer Filipino workers to white workers, because the former are considered steadier, more tractable, and more willing to put up with longer hours, poorer board, and worse lodging facilities. Where a white worker may feel restive and disgruntled because of bad working conditions, the Filipino newcomer is satisfied to stay on the job "without kicking."

20. The average weekly wage rates paid to Filipinos hired in 1929 in certain hotel, restaurant, and domestic occupations ranged from $11.20 with room and board, to $18.11 without room and board. The average monthly wage rates of Filipinos in similar occupations ranged from $66.68, with room and board, to $73.82, without room and board.

21. The monthly wage rates, with room and board, of 492 Filipinos, hired in 1929 in hotel, restaurant, and domestic occupations, were as follows: 106, or 21.6 per cent, were paid $50; 93, or 18.9 per cent, $60; and 64, or 13 per cent, $75. Of these 492 Filipinos, 59 per cent were hired at monthly wage rates of $65 or less and only 11.7 per cent were hired at monthly wage rates ranging from $100 to $150.

22. Filipinos are used extensively in agricultural occupations, such as asparagus cutting, fruit picking, rice harvesting, hoeing and topping beets, lettuce harvesting, grape picking, celery planting, hop picking, and general ranch labor. Wage rates in these occupations vary considerably, depending upon the nature of the crops harvested, the location of the work performed, and upon many other factors. Hourly wage rates paid to Filipinos range from 30 to 50 cents, and daily wage rates range from $2.50 to $5. The lower figures are nearer those at which the Filipinos are more commonly employed.

23. A Filipino labor contractor acts as the go-between for the growers and the Filipino laborers hired by the contractor to do the harvesting for the grower. The labor contractor also acts as an itermediary between his laborers and the grocers and other tradesmen who extend credit on necessaries of life furnished by them to the laborers.

24. Between 5,000 and 6,000 Filipinos are employed in the harvesting of the California asparagus crop. The Filipinos are more than 80 per cent of the total workers employed in this work. Among the other workers are Chinese, Japanese, Hindus, Mexicans, Spanish, Portuguese, Turks, and Koreans. There are plenty of Filipinos at present (March, 1930) available in the asparagus fields.

25. Filipinos and others are paid from 90 cents to $1.40 per 100 pounds of asparagus cut, depending upon the age of the bed. The price most frequently paid is probably $1.10 per 100 pounds.

26. With the arrival of Filipinos in the asparagus fields the growers were enabled to use more men per acre, which made it possible to have the asparagus fields gone over more thoroughly. The use of more men per acre harvested, however, has tended to decrease the average daily earnings per man employed.

27. In many occupations in which Filipinos find employment in California they are displacing native white workers and others. This is especially true in hotel, restaurant, and domestic occupations. In box factories in northern California the Filipinos are also displacing white workers. In agricultural occupations Filipinos are competing largely with Mexicans, and other immigrant groups of labor, but even in some agricultural occupations the Filipinos are taking the places of white workers.

28. The displacing of white workers by Filipinos and the prevailing racial prejudices against the orientals account for the recent deplorable anti-Filipino riots in Exeter and Watsonville.

Mr. HAYDEN. I also desire to bring to the attention of the Senate, in connection with the question of Filipino immigration, the following extract from the Report of the Proceedings of the American Federation of Labor at the annual convention held at Toronto, Canada, on October 7 to 18, 1929. What I shall read is taken from the report of the executive council of the federation:

During the fall of 1928 posters were displayed in Manila and other cities urging Filipinos to come to the United States to enjoy the great prosperity existing here. Great numbers rushed to the boats to come to the United States. Scores of them died on the way from spinal meningitis and other diseases. They were thinly clad, traveled in the steerage and, when a cold climate was reached, they became ill. Many were buried in the ocean, and when the vessels arrived in the United States the passengers still alive were placed in quarantine.

President Green took the matter up with the War and Navy Departments, the Public Health Service, Senators from the coast States, the Labor Department, and used every other means to stop the Filipinos from coming here. All of the public officials interviewed said they realized the danger but that under the laws nothing could be done, that everybody was helpless, as Filipinos are neither citizens nor aliens.

Nevertheless, the Public Health Service, which is to be commended, investigated the matter thoroughly and recommended to the President of the United States that no persons should come from China, including Hong Kong, or the Philippine Islands, because they were subject to malignant diseases, unless permitted to do so by the Secretary of State. President Hoover issued an executive order to that effect and the indications are that it will remain in force for a long time.

A representative of the Philippine Islands has an office in Washington and he conceived the idea of having the Filipinos in this country work in the beet fields. The railroads made concessions as to fares, and many of the Filipinos were shipped to work in the beet fields. At the same time circulars were distributed in San Francisco calling upon Mexicans and Filipinos, single or married, to go to the beet fields of Iowa, Minnesota, and other States. Information has reached us that this plan was originated by the American Beet Sugar Co.

I read that extract, Mr. President, as evidence that the American Federation of Labor is keenly alive to the necessity of limiting the entry of Filipinos into the United States. It is also an additional argument in favor of the enactment of such legislation as has been proposed by the Senator from California [Mr. SHORTRIDGE]. I hope that, if the pending bill shall become a law, some such provision will be made a part of it.

On yesterday I stated to the Senate that the Government of Mexico has actively cooperated with the Government of the United States in bringing about the present enforcement of the existing American immigration laws affecting visas in that country. I might add, very properly, since I have referred to the American Federation of Labor, that the officials of that organization have likewise heartily cooperated with a like organization in Mexico representing the federated unions in that country. I ask leave to include in the RECORD a statement taken from the proceedings of the American Federation of Labor, which shows how active that cooperation has been and how willing the heads of those two great organizations in Mexico and in the United States have been to work together in order to prevent the migration of workers who are not needed from one country to the other.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD as a part of the remarks of the Senator from Arizona.

The statement is as follows:

MEMORANDUM OF AGREEMENT ENTERED INTO BY AND BETWEEN THE REPRESENTATIVES OF THE AMERICAN FEDERATION OF LABOR AND THE MEXICAN FEDERATION OF LABOR, AT WASHINGTON, D. C., AUGUST 6, 1927

Based upon the declaration of principles agreed to at the conference of representatives of the Mexican Federation of Labor and of the American Federation of Labor, held in Washington, D. C., August 27, 1925, relating to the subjects of immigration and emigration, the undersigned representatives of the Mexican Federation of Labor and of the American Federation of Labor at this conference, held in pursuance and as a result of the former conference, agree upon the following procedure:

The methods by which the principles of self-restraint and mutual cooperation on the subjects of immigration and emigration between Mexico and the United States can best be effected and by which the moral, physical, political, and economic integrity of the peoples of each of these countries may best be advanced are twofold. These methods are political and economic; the former being exercised by the Government; the latter through the trade-union movements of the respective countries.

In so far as political methods are concerned, the representatives of the Mexican Federation of Labor agree to recommend to the general committee of the Mexican Federation of Labor the following program for favorable consideration and action:

1. That the Mexican Government be petitioned to adopt a restrictive policy, and if necessary, to enact legislation to that end, excluding all peoples of oriental birth or extraction.

2. That consideration be given to the exclusion or restriction of other classes of immigrants deemed unsuitable to the moral, physical, political, and economic integrity.

3. That the Mexican Government be petitioned to consider and to enact a restrictive emigration policy, which, in substance, shall conform to the immigration law requirements of the United States.

4. That the Mexican Government be petitioned to adopt a method of regulating emigration so as to give full and complete enforcement to the immigration policy herein recommended.

Based upon these considerations the representatives of the American Federation of Labor agree to recommend to the executive council of the American Federation of Labor:

"Continuance of the policy heretofore assumed toward Mexico, viz, the adherence of the present immigration policy of the United States in so far as nonquota basis is concerned toward Mexico."

It is agreed by representatives of both the Mexican Federation of Labor and of the American Federation of Labor to recommend to their respective organizations that they petition their respective Governments to give early and complete enforcement to the following resolutions adopted at the congress of the Pan American Federation of Labor held in Washington beginning July 18, 1927, in so far as it relates to Government action:

"Whereas employers of labor of the several Pan American countries have resorted to the practice of recruiting workers in other countries than their own upon promises and assurances of profitable employment

without guarantee of permanency of employment and without thought or consideration for the well being of such workers or the harm done to workers of the countries for which they have been recruited; and

"Whereas this practice tends to create strife and friction amongst the workers of the several Pan American countries, besides misleading and doing irreparable harm to workers so recruited: Therefore be it

"*Resolved*, That the Pan American Federation of Labor calls upon the several Pan American governments and labor movements to give immediate consideration and to take whatever action may be necessary so to regulate the employment of workers of one country to another as will prevent the exploitation of workers herein referred to, that will require proper and adequate guarantee for all promises made and agreements of employment thus entered into, and as will avoid such recruited workers serving the purpose of lowering the standards of workers in the countries to which they may go where the standards are of a higher order; be it further

"*Resolved*, That the Pan American labor movements be urged to cooperate with one another, and through the Pan American Federation of Labor to keep the respective labor movements continually informed of economic and industrial conditions prevailing in their respective countries, to the end that trade-union effort may contribute its full share in preventing a condition of international employment of labor that is of great harm to all workers and that tends to divide instead of unite the workers of all Pan America."

In so far as the foregoing relates to economic action, it is agreed that an early and complete fulfillment of the trade-union cooperative undertaking between the Mexican Federation of Labor and the American Federation of Labor, provided in the foregoing resolution, will be helpful to the workers of both countries. It is agreed to recommend immediate consideration and action be given this subject by both the Mexican Federation of Labor and the American Federation of Labor.

NOTE.—The representatives of the Mexican Federation of Labor report that the Department of Interior of Mexico has already perfected plans to discourage Mexicans from emigrating to the United States and Canada, and that it is the purpose of the Mexican Federation of Labor to encourage still further such a policy of restricting Mexican emigration.

In so far as economic methods through the respective trade-unions of both countries are concerned, it is agreed by the representatives of the Mexican Federation of Labor that they will recommend to their general committee for approval and adoption the following:

"1. That every possible effort be made to discourage Mexican workers from coming to the United States and Canada.

"2. That wherever and whenever Mexican workers do come to the United States or Canada, they be urged to join the unions of their trades, in affiliation with the American Federation of Labor and that failure to do so will subject such workers to discipline by the Mexican Federation of Labor to the possible extent of expulsion from the Mexican trade unions upon their return to Mexico."

Based upon these considerations it is agreed by the representatives of the American Federation of Labor to recommend to the executive council of the American Federation of Labor that every facility, opportunity, and encouragement be given such Mexican workers as enter the United States and Canada under the foregoing arrangement and understanding, to join and to be admitted to membership in the American trade-unions upon an equal footing with all other workers and that like consideration be given such Mexican workers in their right to life, liberty, and pursuit of happiness and in their effort for economic and social advancement as is accorded to all other members of American trade-unions.

It is agreed by the representatives of the Mexican Federation of Labor and of the American Federation of Labor to recommend to their respective organizations the establishment of an emigration and immigration bureau, or selection of some one charged with such duties in their respective home offices, to which workers and trade-unions of the respective countries may apply for information on all subjects and developments relating to the economic, social, and, industrial conditions of each country and on all other related subjects to immigration and emigration—each organization to bear the expense of such a bureau or office. It is further agreed that such a bureau or office might well develop into an institution in the respective organizations for the development of greater trade knowledge and serve as a useful organizing medium for the workers of both countries.

NOTE.—The representatives of the Mexican Federation have advised that the Mexican Federation of Labor is ready and prepared to send representatives of the Mexican Federation of Labor to the United States and Canada to impress upon Mexican workers in the United States and Canada the necessity of joining the trade-union of their calling in the United States and Canada affiliated to the American Federation of Labor at the expense of the Mexican Federation of Labor and under the direction of the American Federation of Labor.

We believe the foregoing methods, if and when put into operation, will do much to strengthen the ties of friendship and of fraternal trade-unionism between the workers of Mexico and the workers of the United States and Canada—

First, by eliminating the elements of exploitation of workers of both countries, thus avoiding consequent friction which so readily serves the purpose of opponents to organized labor in developing ill will and promoting disorder and strife between the peoples of Mexico and of the United States and Canada.

Secondly, by securing the early and full attainment of the lofty purposes and principles agreed to in the conference of 1925.

Signed this 6th day of August, 1927, at Washington, D. C.

MATTHEW WOLL,
JAMES WILSON,
Representing the American Federation of Labor.
E. MUJICA,
C. A. VARGAS,
Representing the Mexican Federation of Labor.
SANTIAGO IGLESIAS,
Representing the Pan American Federation of Labor.

Mr. HAYDEN. Mr. President, there is one other piece of legislation which Congress could enact which would be most helpful in the present situation. That is the Senate bill 1278, introduced by the Senator from South Carolina [Mr. BLEASE], to authorize the issuance of certificates of admission to aliens. A similar bill was passed by the Senate during the last Congress. The measure was reintroduced in the present Congress, and reported from the Committee on Immigration on February 18 last. Some objection was raised to it, and it was recommitted to the Committee on Immigration on the same day, but I am advised that this morning at a meeting of the committee the bill was ordered favorably reported to the Senate. I ask leave to include in the RECORD the text of the bill and a copy of the report made upon an almost identical measure during the last Congress.

The PRESIDING OFFICER. Without objection, the bill and report referred to will be printed in the RECORD.

The matter referred to is as follows:

S. 1278

A bill to authorize the issuance of certificates of admission to aliens, and for other purposes

Be it enacted, etc., That an alien who has been lawfully admitted to the United States for permanent residence and who has continued to reside therein since such admission shall, upon his application to the Commissioner General of Immigration, in a manner to be by regulation prescribed, with the approval of the Secretary of Labor, be furnished with a certificate made from the official record of such admission. Such certificate shall be signed by the Commissioner General of Immigration and shall contain the following information concerning such alien: Full name under which admitted; country of birth; date of birth; nationality; color of eyes; port at which admitted; name of steamship, if any; and date of admission. Such certificate shall also contain the full name by which the alien is then known, his signature, and his address. A photograph of the alien shall be securely attached to the certificate, which shall bear an impression of the seal of the Department of Labor.

SEC. 2. Such certificate shall be prima facie evidence of the lawful admission of such alien. A fee of $3 shall be paid by such alien to the Commissioner General of Immigration for each such certificate. The money so received by the Commissioner General of Immigration shall be paid over to the disbursing clerk of the Department of Labor, who shall thereupon deposit it in the Treasury of the United States, rendering an account therefor quarterly to the General Accounting Office, and the said disbursing clerk shall be held responsible under his bond for such fees.

SEC. 3. This act shall take effect January 1, 1930.

[Senate Report No. 1455, Seventieth Congress, second session]

TO AUTHORIZE THE ISSUANCE OF CERTIFICATES OF ADMISSION TO ALIENS, AND FOR OTHER PURPOSES

Mr. BLEASE, from the Committee on Immigration, submitted the following report (to accompany S. 5093):

The Committee on Immigration, to which was referred the bill (S. 5093) to authorize the issuance of certificates of admission to aliens, and for other purposes, having considered the same, report favorably thereon with the recommendation that it do pass. A memorandum from the Department of Labor is made a part of this report, and reads as follows:

"Section 1 of the naturalization act of June 29, 1906, provides that immigration officials at ports of entry shall record certain information concerning each alien arriving in the United States, and it is likewise provided that it shall be the duty of such immigration officers to cause to be granted to arriving aliens a certificate of such registry.

"It is understood that following the passage of this legislation admitted aliens were supplied with a simple certificate of registry, but for one reason or another this practice was soon abandoned and for a good many years certificates of arrival were furnished only in connection with naturalization proceedings, and then not directly to the alien concerned.

"The Department of Labor and Bureau of Immigration have long believed that aliens who are admitted to the United States either permanently or temporarily ought to be supplied with some evidence of their statuts as residents of the United States under the immigration laws. Accordingly, a system of stamping passports was adopted in the case of visitors entering the United States temporarily, and beginning with July 1, 1928, a more elaborate certificate of admission has been issued to every alien permanently admitted as an immigrant. This certificate, which is known as an immigrant identification card is prepared in part at the American consulate where a visa is issued and is completed by an immigration officer when final admission is made at port of arrival.

"These cards are prepared with a view to preventing forgeries, so far as that is possible. They contain certain essential data, including the photograph of the immigrant. They are issued in duplicate, such duplicate being permanently filed in the Bureau of Naturalization in Washington. Without question the identification card is a document of great value to lawfully admitted immigrants. Their possession facilitates naturalization proceedings and otherwise enables the holder to establish his status as a lawful resident. Moreover, the duplicates afford the department a highly valuable and convenient card-index record of aliens who have been admitted for permanent residence. Finally, it is felt that the issuance of the identification card to arriving immigrants is in strict compliance with section 1 of the naturalization act already referred to.

"There is ample evidence that the identification cards are appreciated by those to whom they have been issued since the system was inaugurated in July last. This is in part evidenced by the fact that there has been a very considerable demand for similar certificates from immigrants who were admitted prior to July, but no provision has been made for the issuance of documents of any kind in such cases. The purpose of the proposed legislation attached hereto is to enable the Commissioner General of Immigration, with the approval of the Secretary of Labor, to provide aliens who are lawfully resident in the United States with certificates of admission of residence similar to those now issued to arriving immigrants.

"As already pointed out the naturalization law evidently contemplates that some such document shall be issued to arriving aliens, but that having been neglected some doubt has been raised as to whether the department would be justified under the law in providing every legally resident alien who might apply with a similar document. The proposed legislation if enacted would, of course, remove all doubt in this regard and, moreover, would through the modest charge of $3 for each certificate issued reimburse the Government, at least to a large extent, for the expense that would necessarily be incurred in putting the proposed system into effect."

A letter from the Secretary of Labor is also made a part of this report, and reads as follows:

DEPARTMENT OF LABOR,
Washington, January 2, 1929.

Hon. HIRAM W. JOHNSON,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In response to your letter of December 26, 1928, inclosing a copy of Senate bill 5093, by Senator BLEASE, "To authorize the issuance of certificates of admission to aliens, and for other purposes," I have to make the following comment: The general demand on the part of aliens for the issuance of certificates of admission as proposed in S. 5093 is indicated in the very large number of requests from aliens for a certificate since the adoption by this department of the granting of identification cards to presently arriving aliens, which is done under section 1 of the naturalization act of June 29, 1906.

The section of the naturalization act referred to provides that immigration officials at ports of entry shall record certain information concerning each alien arriving in the United States, and it is likewise provided that it shall be the duty of such immigration officers to cause to be granted to arriving aliens a certificate "of such registry."

It is understood that following the passage of this legislation admitted aliens were supplied with a simple certificate of registry, but for one reason or another this practice was soon abandoned, and for a good many years certificates of arrival were furnished only in connection with naturalization proceedings, and then not directly to the alien concerned.

The department and Bureau of Immigration have long believed that aliens who are admitted to the United States, either permanently or temporarily, ought to be supplied with some evidence of their status as residents of the United States under the immigration laws. Accordingly a system of stamping passports was adopted in the case of visitors entering the United States temporarily, and beginning with July 1, 1928, a more elaborate certificate of admission has been issued to every alien permanently admitted as an immigrant. This certificate, which is known as an "immigrant identification card," is prepared in part at the American consulate where a visa is issued and is completed by an immigration officer when final admission is made at port of arrival. These cards are prepared with a view to preventing forgeries so far as that is possible. They contain certain essential data, including the photograph of the immigrant. They are issued in duplicate, such duplicate being permanently filed in the Bureau of Naturalization in Washington.

Without question the identification card is a document of great value to lawfully admitted immigrants. Their possession facilitates naturalization proceedings and otherwise enables the holder to establish his status as a lawful resident. Moreover, the duplicates afford the department a highly valuable and convenient card-index record of aliens who have been admitted for permanent residence.

Finally, it is felt that the issuance of the identification card to arriving immigrants is in strict compliance with section 1 of the naturalization act already referred to. There is ample evidence that the identification cards are appreciated by those to whom they have been issued since the system was inaugurated in July last. This is in part evidenced by the fact that there has been a very considerable demand for similar certificates from immigrants who were admitted prior to July, but no provision has been made for the issuance of documents of any kind in such cases.

The proposed legislation, if enacted, would enable the Commissioner General of Immigration, with the approval of the Secretary of Labor, to provide aliens who are lawfully resident in the United States with certificates of admission or residence similar to those now issued to arriving immigrants. As already pointed out, the naturalization law evidently contemplates that some such document shall be issued to arriving aliens, but that having been neglected, some doubt has been raised as to whether the department would be justified under the law in providing every legally resident alien who might apply with a similar document. The proposed legislation, if enacted, would, of course, remove all doubt in this regard and, moreover, would through the charge of $3 for each certificate issued reimburse the Government, it is believed, for the expense that would necessarily be incurred in putting the proposed system into effect.

Sincerely yours,

JAMES J. DAVIS.

Mr. HAYDEN. Mr. President, legislation of the character proposed by the Senator from South Carolina [Mr. BLEASE] has been heartily recommended by the American Federation of Labor. I read from the proceedings of the Toronto convention, on page 81:

Registration certificates for aliens. The act of June 29, 1906, provided that all immigrants should be registered at port of arrival and be granted certificates of such registration with the particulars thereof. For some reason this law was not enforced until recently. But the United States Immigration Bureau is doubtful as to the legality of the enforcement without further legislation.

It is estimated that there are approximately 1,000,000 aliens in the United States who can not prove their lawful entry.

The Seventieth Congress enacted a law permitting all aliens who entered the United States prior to June 3, 1921, who had no records of their admission, to register and make application for citizenship. Any alien in this country for more than five years before 1924 can not be deported on the ground that he is here unlawfully. But if he came in since July 1, 1924, he can be deported at any time. It is now proposed to enact legislation that will permit those who have no record of their admission voluntarily to ask for registration certificates.

The executive council for a number of years has had this subject under consideration. Under present conditions it is not always possible for the immigration authorities to prove an alien has entered the country unlawfully. Therefore, if every such alien in the United States should be given the privilege of voluntarily registering and obtaining a registration certificate, it would eventually be helpful in discovering new immigrants who have been smuggled in. We, therefore, recommend that the convention approve a measure that will permit all aliens to voluntarily apply for a registration certificate.

The executive council is also firmly of the belief that in order to protect our immigration laws Congress must require the immigration officials to register and give certificates of lawful admission into the United States of all immigrants. If those who are now here would voluntarily register, and all who come hereafter be given registration certificates, it would be possible in a few years to determine which aliens are here unlawfully.

I should like to inquire of the Senator from South Carolina if I am correct in the statement that his bill has been favorably reported to the Senate.

Mr. BLEASE. Mr. President, will the Senator yield for just a moment?

Mr. HAYDEN. I yield.

Mr. BLEASE. From the Committee on Immigration, I report favorably, with an amendment, the bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, and I submit a report (No. 444) thereon.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. BLEASE. Mr. President, at the request of the Senator from Arizona I ask that the clerk may read the short report accompanying the bill.

The PRESIDING OFFICER. Without objection the clerk will read as requested.

The legislative clerk read the report (No. 444) submitted by Mr. BLEASE, as follows:

The Committee on Immigration, to whom was referred the bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, having had the same under consideration, reports it back to the Senate without amendment and recommends that the bill do pass.

The bill extends to alien residents the right to apply for a certificate of admission if they so desire, and is the result of a demand on the part of alien residents for some document which they can present as evidence that they are legally resident here in the United States.

It is purely a voluntary matter and not compulsory.

The bill does not provide for registration, as no one can receive a card of identification under its provisions unless he is already registered. There is now a register of every alien who is lawfully and regularly admitted to the United States, and since July 1, 1928, the Immigration Service has issued an engraved certificate of admission to all aliens entering the United States for permanent residence. The purpose of the bill is to provide similar identification for those alien residents who entered the country lawfully prior to July 1, 1928.

Many letters have been received both in favor and in opposition to the bill. The chief objection offered by the opponents apparently comes from a misunderstanding as to the purpose of the bill, believing that it provides compulsory registration or that it will eventually lead to that, while the facts of the matter are that the bill is simply for the issuance of certificates of registration to those who desire same. It does not provide for registration in any manner.

A number of the writers of letters in opposition have apparently looked into the matter since and are now recording themselves as changing their position and favoring the bill.

The committee believes it is not only fair and just that lawfully admitted aliens should have the privilege of securing an identification card if they so desire, but that they are entitled to it.

Mr. HAYDEN. Mr. President, Mexico is the only country of Latin America whose people leave it. All other countries to the south of the Rio Grande encourage immigration. There must be a reason for that. To one who is at all aware of the facts of Mexican history the answer is the unsettled political and economic conditions that have existed in that country, due to revolutionary activities.

Unfortunately for Mexico, the Spanish occupation of the country was not helpful to its inhabitants. The Spaniards controlled Mexico for about three centuries as a colony. The country was exploited at all times for the benefit of Spain. Industry was throttled. Nothing could be manufactured in Mexico that could be made in Spain. Extortionate taxes were levied. Gold and silver in vast quantities were taken back to Spain. No system of public schools was established. Nothing was done to fit the people for self-government. When, through the action of patriotic Mexicans early in the last century, Mexico became free and independent, frankness compels us to say that her people were not fitted to govern themselves. There were frequent changes of administration, one President succeeding another, many revolutions, and, in addition to that, intervention on the part of the French in support of the government of the Emperor Maximilian.

For the information of the Senate, I ask permission to include in the RECORD a letter that I have received from the legislative reference service of the Library of Congress, containing the names and the terms of office of the various persons who have occupied the Presidency of Mexico.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, leave is granted.

The matter referred to is as follows:

LIBRARY OF CONGRESS,
Washington, April 14, 1930.

Hon. CARL HAYDEN,
United States Senate, Washington, D. C.

DEAR SENATOR: In response to your request for the names and dates of service of each of the Presidents of Mexico, I forward herewith two photostats, one from the Cambridge Modern History, volume 13, coming down to the end of Díaz's term, and the other from the Mexican Yearbook, covering the period since then.

Very respectfully,

H. H. B. MEYER,
Director Legislative Reference Service.

PRESIDENTS OF MEXICO

(The dates are those of election)

1821 independence declared; Augustin Iturbidi generalissimo; 1822 declared himself Emperor and deposed; 1823 dictatorship of Guerrero, Bravo, and Negretti.

Gen. G. Victoria, 1824.
Gen. Guerrero, 1827, Dictator 1829–30.
Gen. Anastasio Bustamente, 1830–1832.
Gen. Pedraza, 1832.
Gen. Antonio Lopez de Santa Anna, 1835.
José J. Caro, 1836.
Gen. A. Bustamente, 1837–1840.
Gen. Farias, 1840.
Gen. de Santa Anna, President 1840; Dictator 1841–1844.
Gen. José Joaquin Herrera, ad interim 1844; President 1845.
Gen. Paredes, 1845–46.
Gen. Sales, ad interim 1846–47.
Gen. de Santa Anna, 1847–48.
Gen. Herrera, 1848–1851.
Gen. Mariano Arista, 1851.
M. J. Ceballos, 1852.
Gen. de Santa Anna, Dictator 1853–1855.
Gen. Ignacio Comonfort, ad interim 1855–1858.
Gen. Felix Zuloago, ad interim 1858.
Gen. Miguel Miramon, 1859.
Gen. Benito Juárez, 1861 (with dictatorial powers).
Maximilian Archduke of Austria, Emperor 1864, executed 1867.
Gen. Benito Juárez, 1867.
Sebastian Lerdo de Tejarda, 1872.
Porfirio Díaz, 1877–1880.
Manuel Gonzales, 1880–1884.
Porfirio Díaz, 1885–1911.

PRESIDENTS

Gen. Porfirio Díaz, December 1, 1910, to May 25, 1911.

Since the overthrow of Díaz, the following have exercised executive power, though frequently their claims to the office have not been admitted by the country generally or recognized by other nations.

Francisco Leon de la Barra, May 25, 1911, to November 10, 1911.
Francisco I. Madero, November 10, 1911, to February 19, 1913.
Pedro Lascurain, from 7 p. m. to 7.46 p. m., February 19, 1913.
Victoriano Huerta, February 19, 1913, to August 13, 1914.
Eulalio Gutierrez, December 13, 1914, to January 25, 1915.
Roque González Garza, January 30, 1915, to May, 1915.
Francisco Lagos Cházaro, July 31, 1915, to October, 1915.
Venustiano Carranza, March 11, 1917; assassinated May 21, 1920.
Adolfo de la Huerta, President ad interim, June 1 to November 30, 1920.
Alvaro Obregón, December 1, 1920–1924.
Plutarco Elías Calles, December 1, 1924–1928.
Emilio Portes Gil, December 1, 1928–
Ortiz Rubio, February 5, 1930–

Mr. HAYDEN. The population of Mexico is now estimated to be about 15,000,000 people. The Commerce Yearbook for 1929 gives the following figures:

Year:	Population of Mexico
1895	12,491,573
1900	13,607,259
1910	15,160,369
1921	14,234,799
1928	15,048,448

It will be noted that the population of Mexico actually decreased during the decade from 1910 to 1921, and that the estimated increase during the succeeding years was very small. It is apparent, therefore, that the large postwar emigration from Mexico was not due to overpopulation, but to the economic situation on both sides of the border.

Improved economic conditions in Mexico will no doubt diminish the pressure of emigration from that country, and may even cause the tide to set in the opposite direction. It is understood that an effort is being made by certain elements in Mexico to encourage citizens of that country who have immigrated into the United States to return to cultivate the land in certain reclamation projects sponsored by the Mexican Government.

Mexico is no inexhaustible source of emigrants. The treatment that we should extend to that country is vastly different from the attitude that America is compelled to assume with respect toward China or India, or even toward Japan. The Statesman's Year-Book, published in London in 1928, gives the population of India, according to the census of 1921, as 247,003,293. The figures for China are difficult to obtain. The editor of the yearbook states that according to the Government Gazette published in 1911 the best estimate was 325,000,000 people. The Chinese Maritime Customs Service issued a statement in 1926 which estimates the population of that Republic as 448,000,000. In the case of Japan, the census of 1925 gives a population of 63,066,595, which does not include the population of the Japanese possessions of Korea and Manchuria.

The effect of removing a million Chinamen from China, or a million Hindus from India, and bringing them to the United States, could not be observed in their mother countries. The removal of a million Mexicans from Mexico, however, as was pointed out by the Senator from Alabama the other day, takes

one-fifteenth of the entire population of that country. The only reason why the Mexican has differed from the Brazilian or the Chilean or the Argentinian in his desire to come to the United States is that his country has not been prosperous, whereas other countries of like resources in South America have enjoyed extraordinary prosperity.

It might be interesting to compare the population of Mexico and that of the Argentine Republic.

We are told by the Statesman's Year-Book that the estimated population of Argentina in 1927 was 10,348,000—an increase of two and one-half million in the past 14 years. There has been an even larger increase, on account of immigration from Europe, in the population of Brazil. I ask leave to insert in the RECORD an extract from the Monthly Labor Review which gives the figures for immigration into Argentina and Brazil during the year 1926.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

[From the Monthly Labor Review of June, 1927, p. 212]

IMMIGRATION INTO ARGENTINA AND BRAZIL, 1926

A report from the American consul in charge, Digby Willson, at Rio de Janeiro, Brazil, dated March 12, 1927, contains a comparison of the immigration into Argentina with that into Brazil during the year 1926.

The following statement, taken from this report, shows the number of immigrants entering Argentina and Brazil, according to nationality:

	Argentina	Brazil
Italians	54,800	11,000
Spaniards	30,800	9,000
Portuguese	2,300	35,000
Germans	5,000	7,000
Poles	12,800	3,500
Rumanians		17,000
Russians	930	830
Yugoslavs	3,000	3,700
Lithuanians	1,300	3,300
French	1,210	500
English	1,000	500
Czechoslovaks	2,330	400
Austrians		1,200
Syrians		6,500
Japanese		15,000
Various	11,500	4,500
Total	126,970	118,930

Mr. HAYDEN. The Argentine Republic is but little larger in area than Mexico, containing 1,153,000 square miles, whereas the total area of Mexico is 767,000 square miles. The natural resources of the two countries are quite similar. There is no doubt that in time to come each country will support a large population. It is not unreasonable to suppose that within the next century, or, perhaps, less time than that, there will be 50,000,000 people living in Mexico and a like number in the Argentine Republic.

Argentina has advanced economically because a stable government has been maintained in that country. Life and property have been made secure. The country is one to which people from overcrowded Europe are glad to migrate. Let me read from a pamphlet published by the Union of American Republics, which discusses the population of Argentina:

The immigration statistics indicate the character of the population of Argentina, which is to an almost complete extent of European origin. During the past 50 years there settled in the country over 2,000,000 Italians, about 1,150,000 Spaniards, over 200,000 French, about 50,000 English, 70,000 Austro-Hungarians, over 50,000 Germans, 30,000 Swiss, 21,000 Belgians, and of other nationalities sufficient to make all together a total of 4,000,000 or more. Of course, many of these who came years ago have left descendants born in the country and therefore true Argentines, but these figures indicate the racial factors that contribute to the country's population. Immigration is increasing and amounts to several hundred thousand persons a year.

The Argentine Republic has a fine financial standing throughout the world. It is a thoroughly progressive, modern country. Everything that has been accomplished in Argentina can be duplicated in Mexico. All that it would require is a stable government which shall make life and property secure. We have a right, therefore, to look forward to the time when, instead of the Mexicans leaving their homeland, they will remain in Mexico, and emigrants by the thousands will go to that country.

Therefore the situation with which we are now faced is but temporary. It is due to the unfortunate revolutionary conditions which have existed, which have so disturbed the domestic life of the country that Mexicans were compelled to leave for the United States in order to find a means whereby to sustain themselves.

Nothing of that kind occurred during the years when Mexico was peaceful. The natural resources of the country are so great and so varied that, with a stable government, foreign capital would go into Mexico and help develop the resources of that country, just as foreign capital came to the United States in years past to develop our resources. Every Mexican who so desires will then find employment at home.

Therefore I hope that in the consideration of this measure no Senator will consider the present situation to be permanent, that he will take cognizance of the fact that Mexico has suffered recently from revolutionary troubles, that peace is being established within her borders, and that, once good order is firmly maintained, there will be no reason for Mexicans to emigrate.

As I stated a moment ago, that argument could not possibly apply to Hindus or to the Chinese. The countries from which those people come are tremendously overpopulated. We must set our faces as flint against the admission of people from oriental nations, because there is no limit to the number who could enter this country if the law would permit them to do so, whereas there is a clear and definite limit to the number of Mexicans who would possibly come to the United States. If all of them came, if the whole 15,000,000 Mexicans came, and left their country absolutely vacant, they would not add much more to the population of the United States numerically than are added between one decennial census and another. But if 15,000,000 Chinese or 15,000,000 Hindus came here, they would never be missed from the teeming millions of their own people.

Mr. McNARY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Oregon?

Mr. HAYDEN. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Smoot
Ashurst	Gillett	Keyes	Steck
Barkley	Glass	La Follette	Steiwer
Bingham	Glenn	McKellar	Stephens
Black	Goff	McNary	Sullivan
Blaine	Goldsborough	Metcalf	Swanson
Blease	Gould	Norbeck	Thomas, Idaho
Borah	Greene	Norris	Thomas, Okla.
Brock	Grundy	Nye	Townsend
Brookhart	Hale	Overman	Trammell
Broussard	Harris	Patterson	Tydings
Capper	Harrison	Phipps	Vandenberg
Caraway	Hatfield	Pine	Wagner
Connally	Hawes	Pittman	Walcott
Copeland	Hayden	Ransdell	Walsh, Mass.
Couzens	Hebert	Robinson, Ind.	Walsh, Mont.
Dale	Heflin	Robsion, Ky.	Watson
Deneen	Howell	Sheppard	Wheeler
Dill	Johnson	Shipstead	
Fess	Jones	Shortridge	
Frazier	Kean	Simmons	

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. HAYDEN. Let us not forget that the vast area which now comprises the States of Texas, New Mexico, Arizona, California, Nevada, and a large part of Colorado, was at one time a part of old Mexico. These territories were annexed to the United States as a result of the Mexican War. The area was inhabited by Mexicans at the time of the annexation and the treaty of peace made at Guadalupe-Hidalgo provided that any of the inhabitants who elected to remain should automatically become citizens of the United States. I read that provision of the treaty, concluded on February 2, 1848, as follows:

ART. 8. Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside or to remove at any time to the Mexican Republic, retaining the property which they possess in the said territories, or disposing thereof, and removing the proceeds wherever they please, without their being subjected on this account to any contribution, tax, or charge whatever.

Those who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be considered to have elected to become citizens of the United States.

In the said territories property of every kind now belonging to Mexicans not established there shall be inviolably respected. The present

owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract shall enjoy with respect to it guaranties equally ample as if the same belonged to citizens of the United States.

ART. 9. The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution, and in the meantime shall be maintained and protected in the free enjoyment of their liberty and property and secured in the free exercise of their religion without restriction.

Thousands of Mexicans remained in the annexed territory. They became part of the body politic and played a prominent part in the political life of the great Southwest. No better illustration of that fact can be found than to read the names of those who have served in the Congress of the United States from the Territory of New Mexico. Of the Delegates to Congress in Territorial days there were Jose Manuel Gallegos, Miguel A. Otero, Francisco Perea, J. Francisco Chaves, Trinidad Romero, Mariano S. Otero, Tranquilino Luna, Francisco A. Manzcinares, and Antonio Joseph, who for five terms represented New Mexico as a Democrat in the House of Representatives. After the admission of New Mexico to Statehood, two Congressmen from New Mexico of Mexican ancestry served in that body, Beinigno C. Hernandez and Nestor Montoya. Many of us in the Senate remember with pleasure our association with that genial and cultured gentleman from New Mexico, Senator Octaviano A. Larrazolo.

I recite these names with which we in Washington should be more or less familiar as illustrative of what has happened throughout the entire Southwest. There has been no discrimination against persons of Mexican blood, the descendants of those who became citizens of the United States at the time of the annexation. They have labored along with the American population which settled in that country for the upbuilding of the entire Southwest. They have been with us always.

It might interest the Senate if I should read an account by a private soldier of the first contact between the armed forces of the United States and the Mexicans during the war with Mexico. I was personally acquainted with the author of the diary which is published in a book entitled "The March of the Mormon Battalion," written by Prof. Frank Alfred Golder, who was at one time a teacher in the State normal school at Tempe, Ariz. The American soldier who wrote the diary was Capt. Henry Standage, whom I remember as an old man. He kept a daily record of the happenings during the famous march of the Mormon battalion from Fort Leavenworth across the continent to San Diego. On December 13, 1846, Mr. Standage made this entry:

This morning I found that one of our pilots—

By that he meant scouts—

had returned from a garrison some 40 miles ahead. The colonel having sent three of them to spy out the route. They went to this town to ascertain whether we could pass through the town to California, it being 100 miles nearer and our provisions short. The pilot said he had not been to the town but that Doctor Foster had gone on. He reported 22 strong and some cannon, and that they could probably raise some 700 or 800 more, swelling their number to 1,000. We traveled 9 miles to-day and camped to prepare for battle, not knowing but we may be met. Twenty-eight rounds of cartridges dealt out to each man and inspection of arms at this place. Battalion drill by the colonel and manuals by our company officers.

14. Reveille at 4 this morning and started very early. I was detailed for a guard this morning. Camped on a small creek, came 20 miles, a distillery here and several Indians. Six Spanish soldiers here and sergeant.

15. Struck tents this morning and resumed our march over a rocky, mountainous, and broken country for 5 miles. At 10 o'clock the colonel took three Spanish soldiers prisoners and sent two of our guides with one Spaniard to the garrison—

It will be noted that he speaks of Mexicans throughout as "Spaniards," which was the common term used among the mountain men of those days—

The Spaniards having detained Doctor Foster a prisoner, we now had three of the Spaniards and in case they should keep our guides we should be even with them. The news brought the colonel by the soldiers was that the Governor of Touson wished us to pass round the town and not come through, as he could not let us pass through without fighting. Traveled to-day 18 miles and camped without water.

16. During last night's watch some 8 or 10 Spaniards came from the garrison to camp, bringing Doctor Foster with them, our 2 guides also returning with them, the colonel delivering up to them the 3 Spaniards. Doctor Foster informed the colonel that they had plenty of flour, cornmeal, beans, etc., for sale, and that the inhabitants were leaving the town for fear of us coming in contact with the soldiers. He could not say whether the soldiers would defend the town or not. Early this morning the five companies were paraded and marched at a quick pace to Touson. The colonel determined to pass through. This town is in the north of the district of Sonora in New Mexico. Many of the brethren traveled this 18 miles without either food or drink suffering much for want of water, having none last night or yesterday. When we arrived at the town, we found but a few of the inhabitants, the soldiery having fled with their cannon and also having forced many of the people to leave also. We were kindly treated by the people of Touson, who brought flour, meal, tobacco, quinces to the camp for sale and many of them giving such things to the soldiers. We camped about one-half mile from town. The colonel suffered no private property to be touched, neither was it in the heart of any man to my knowledge so to do. Two thousand bushels of wheat belonging to the Spanish Government was found out which we were ordered to feed the animals, but none was taken for food for the soldiers as the teams were too weak to haul the same.

17. This morning the colonel concluded to lay by and rest the teams, the men also needing rest very much. Wheat sufficient to do the teams the next 90 miles taken to-day as we now have a desert of that length to cross without either feed or water. The brethren here purchased a little flour, etc., of the Spaniards, some carrying a portion themselves and others putting it into the wagons, unknown to the colonel. Volunteers called for by the colonel to go to the next town and take it; the company being raised, they started but returned, the colonel finding their reinforcements to have been great. Surely the Lord is on our side, for when we see the advantages the Spaniards had in this town, their numbers being far greater than ours, the Cavina also, and in a walled town, well defended against musketry, I am led to exclaim that the Lord God of Israel will save His people, inasmuch as He knoweth the cause of our being here in the United States service.

After the treaty of peace a boundary commission was appointed to define the limits of the two countries. I read from a report of Maj. William H. Emory, who was a member of the boundary commission. In chapter 6 of his report he gives a sketch of the territory acquired under the treaty of December 30, 1853, with Mexico, known as the Gadsden Purchase:

The territory acquired under the treaty of December 30, 1853, lies between the parallels of 31° 20′ and 33° 30′, and between the meridians of 106° 30′ and 104° of longitude measured from Greenwich, and contains 26,185 square miles.

Its eastern part is bounded by the Rio Bravo; its northern by the Rio Gila. The interior of the area is traversed by two rivers, which run northwest and empty into the Gila. These are the San Pedro and the Santa Cruz.

* * * * * * *

There are within this territory four settlements; one the Mesilla Valley settlement, containing about fifteen hundred inhabitants of the mixed Spanish and Indian races, all engaged in the pursuit of agriculture.

At Tucson there is a settlement consisting of about 70 families, engaged in the same way. South of Tucson there is a small settlement at San Xavier of semicivilized Indians, called Papagos; and further on, at Tomacacori, a small settlement of Germans.

In this same report is a statement by Lieut. N. Michler, who was a subordinate officer to Major Emory. In May, 1855, he visited Tucson and stated:

Several miles before reaching Tucson you strike the bed of the Santa Cruz River, but the stream is subterraneous until you reach the town. The latter is inhabited by a few Mexican troops and their families, together with some tame Apache Indians. It is very prettily situated in a fine fertile valley at the base of the Sierra de Santa Catarina. Some fine fields of wheat and corn were ready for the sickle. Many varieties of fruit and all kinds of vegetables were also to be had, upon which we indulged our long-famished appetities. The Apaches, under the direction of the Mexicans, do most of the labor in the fields.

Circumstances were such that my party and escort were compelled to remain encamped near this town for nearly the entire month of June. During this time we became the recipients of every attention and civility from Captain Garcia, who commanded the place, and from his family. We can not find words to express our thanks for their uniform kindness and constant efforts to make the time pass pleasantly.

That statement is but typical of what may be found in all other accounts of the early settlement of the Southwest. There was no bitter friction between the Americans who came into Arizona, New Mexico, west Texas, and California and the natives resident there. They worked together to build up what afterwards became great States in the American Union.

I quote further from the Handbook of Arizona, published in 1858, written by Richard Josiah Hinton:

Bartlett, in his Personal Narrative, published after the Mexican War, but prior to the Gadsden purchase, states that Tucson "has always been, and is to this day, a presidio or garrison, but for which the place could not be sustained. In its best days it boasted a population of a thousand souls, now diminished to about one-third that number.

A few more years and Garcilla, commanding the Presidio, announced to the soldiers drawn up in line the turning over, under the Gadsden purchase, of that portion of the Territory to the United States. On March 10, 1856, all the Mexican authorities and troops evacuated the place. Eleven days previously the first American store in Tucson was started by the arrival of Solomon Warner from Fort Yuma with 13 pack animals loaded with merchandise. Hooper & Hinton, of Fort Yuma, were interested in the adventure.

To further convey the impression to the Senate that we took over a country inhabited by Mexicans I read from a book entitled "On the Border With Crook," written by Capt. John G. Bourke, who describes his experiences in the year 1870:

Tucson was as foreign a town as if it were in Haiti instead of within our own boundaries. The language, dress, funeral processions, religious ceremonies, feasts, dances, games, joys, perils, griefs, and tribulations of its population were something not to be looked for in the region east of the Missouri River.

My father, Charles Trumbull Hayden, a native of Connecticut, came to the Southwest in 1849. He had been in business in Independence, Mo., a favorite trading post for the West. When he heard of the discovery of gold in California he loaded his entire stock of goods into wagons and with ox teams crossed the plains over the trail to Santa Fe, N. Mex. He found Santa Fe a Spanish-speaking community; it was so thoroughly Mexican that it was necessary for him to acquire a knowledge of the Spanish language in order to engage in business.

Shortly after the Gadsden purchase my father moved to Tucson, in southern Arizona, where he lived for a number of years. At one time during the Civil War he was the only representative of Federal authority in southern Arizona. He found the place a small Mexican town with Mexican customs and Mexican ways of doing business. The stores were closed at noon so that everyone might take a siesta.

To-day there are ten times as many people in Arizona of Mexican blood as there were at the time of the annexation. The estimate of Professor Garis, in the Saturday Evening Post, from which I have read, is that there are about 60,000 people of Mexican blood in Arizona. I do not know whether or not that number is correct, but we will soon ascertain the facts as a result of the count now being taken by the Bureau of the Census.

It is fair to say, however, that Mexicans compose from one-fifth to one-seventh of the population of Arizona. So many thousands of Americans have moved into Arizona and into the Southwest generally that Mexicans are no longer a controlling element of the population. From the very beginning they have furnished the common labor on our farms and in our mines. For over 70 years they have done that character of work throughout Texas, New Mexico, Arizona, and California. The Mexican presents no new problem in those regions.

Every Mexican living in Arizona to-day is better clothed, better fed, and better cared for in every respect than if that State had remained a part of old Mexico. The Mexican becomes a problem when he leaves the border. In recent years they have been carried first as section hands for the railroads into Missouri and Iowa and Illinois, and from there penetrating farther into the east. Now we are told that Mexicans are employed in the steel mills about Pittsburgh and in Michigan and in the beet-sugar industry, and that Mexicans are scattered in practically every State in the Union. Until the last few years, however, no such general contact with the Mexicans had existed. It is not surprising that Americans residing in the East, who are wholly unacquainted with Mexicans, should bitterly resent their coming as aliens. That state of mind did not exist among the people of the Southwest, where Mexicans resided before any Americans ever came to that section of the country.

Most of the Mexicans who enter the United States are Indians. From a book entitled "The Republic of Mexico," one of a series of handbooks of the library of Latin America information, we learn that of the total population of Mexico, 38 per cent are of Indian blood, 19 per cent white, and 43 per cent mixed. The principal tribes of Indians in Mexico are as follows:

Nahuatlan	1,750,000
Otomia	700,000
Zapotec	580,000
Maya	400,000
Tarascan	250,000

There are as many distinct tribes of Indians in Mexico as there were originally in the United States. They differ from one another as do Indians in the United States. There is just as much difference between the various tribes of Indians of Mexico as there is between the Iroquois of New York and the Cherokees of North Carolina, the Seminoles of Florida and the Shawnees of Ohio, the Sioux and the Pueblo Indians of the Southwest, the Osage and the Papago, and the Crow and the Paiute.

One of the best tribes in all Mexico, so far as courage and manhood are concerned, are the Yaqui Indians, who live in the State of Sonora. The Yaqui is a first-class fighting man. His country, on the Yaqui River, is dear to him, and when, under the old régime in Mexico, an effort was made to seize his lands and drive him away from them the Yaqui resisted. All that he asked was what has been granted to our Indians in the United States—a reservation, a home of his own. When the Mexican Government would not provide that for him he fought that Government valiantly. I can remember as a boy talking with Yaqui Indians employed in the Salt River Valley, Ariz., who freely confessed that their purpose in coming to the United States to obtain work for wages was to earn sufficient money with which to purchase Winchester rifles and cartridges and to go back to Mexico again to fight for the control of their homes.

Yaquis, as fighting men, are responsible for the large place that the State of Sonora now occupies in the Government of Mexico. Sonora is a small and thinly populated State in one corner of that great Republic. A comparable situation in America would be that the State of Wyoming provided the President and a large number of the Cabinet officials and that a group of citizens of Wyoming were in actual control of the American Government.

That is what has happened in recent years in Mexico. President Obregon was a citizen of Sonora; his successor, President Calles, was a citizen of Sonora; but it was the fighting Yaqui Indian who made that possible. They were the only soldiers, to my knowledge, in all the revolutions in Mexico who had the courage to attack breastworks defended by barbed wire and machine guns. To-day they form the bodyguard of the President of Mexico. It is the fighting Yaqui who has established the government that now exists in Mexico.

A good soldier is a good workingman, and, Mr. President, if you should inquire of any farmer in Arizona he will tell you that he is glad to employ Yaqui Indians. They are sober, industrious, truthful, and reliable. They are the best agricultural labor from Mexico that comes to Arizona.

It is always interesting to speak of the success that came to one Indian in Mexico, who became the President of that Republic. I refer to Benito Pablo Juárez, a full-blooded Zapotec Indian. Unknown except as a country lawyer in his native State of Oaxaca until after he was 40 years of age, he became judge of the civil court, governor of his State, chief justice of Mexico, and finally its President. A pure Indian, without a drop of white blood in his veins, he was a just judge and able administrator, a man of absolute honesty and untiring industry. He rose from a humble origin to the greatest eminence. His resistance to the French invaders was persistent and stubborn. Juárez never was a soldier; he was known among Mexicans as "the man in the black coat." He gave peace and order to Mexico, being the first President who was able to do that from the beginning of the independence of that country in 1821. There has been erected a monument to him in the city of Vera Cruz, upon the base of which is engraved one of his wise sayings, "Respect for the rights of others is peace." Benito Juárez served the people of Mexico faithfully and well; he was a credit to his race, which, as I have already said, was pure Mexican Indian.

One other great President of Mexico also had Indian blood in his veins—Porfirio Díaz. His grandmother was a pure-blood Indian. Anyone who ever saw President Díaz would not fail to recognize his Indian blood. For 35 years he controlled the destinies of that republic.

There was peace in Mexico during the entire Díaz régime. It was the peace of the sword; he put the fear of death into all revolutionists, but there was peace. One could go from one limit of the Republic to the other, absolutely unarmed and unafraid. It was only in his old age, when he and those who were associated with him no longer had the vigor to carry on the kind of government which they had instituted, that it fell to pieces as a house of cards.

The great fault of the Díaz administration in Mexico was the failure to provide during its 35 years for a system of common schools for the education of the people; another great fault was the failure to provide a means whereby the ordinary Mexican citizen might acquire a homestead and have a stake in the land. If we had had the same kind of homestead laws on this side of the Rio Grande that they have had in Mexico, I doubt not but that we would have had as many revolutions in the United

States as have occurred in Mexico. Nothing ties a people to their government like ownership of the soil.

I have never blamed any Mexican, ill-paid, ill-fed, and ill-clothed, for joining a revolution, when some revolutionary leader came to him with a Mauser rifle and belt of cartridges and offered an opportunity to loot stores, to kill cattle, and actually to have more to eat than he ever had before in his life. How can one blame an individual in those circumstances for engaging in revolutionary activities? It is but natural that revolutions should take place where such conditions prevail.

I am happy to say that revolutions in Mexico have apparently worn themselves out. The country has arrived at a time when peace may be considered to have been permanently established. That being so, there will be less and less reason for Mexicans to come to the United States.

Much has been published in American magazines to prejudice the American people against the Mexican people. I have here a copy of a magazine entitled "Eugenics, a Journal of Race Betterment," published in January, 1929—an immigration number—in which is an article by C. M. Goethe, entitled "The Influx of Mexican Amerinds."

Mr. Goethe goes on to explain that the word "Amerind" is made up of the two words "American Indian"; but to attach a name of that kind to a Mexican coming to the United States has no other purpose than to create prejudice against him. When a Mexican laborer enters the United States he becomes an "Amerind," an unwanted and much misunderstood individual, whenever he leaves the border.

Why is it that there is so much sympathy for the Indians of the United States, and so little sympathy for the Indians of Mexico? We have in this country great organizations like the Indian Rights Association, established more than a generation ago, which now numbers in its membership, as shown upon this letterhead, such eminent names as Dr. Felix Adler, Irvin S. Cobb, Hon. John W. Davis, Dr. David Starr Jordan, Hon. Gifford Pinchot, Kermit Roosevelt, William Allen White, and Owen Wister. The chief concern of this great organization is the welfare of the American Indian. Years of service have been devoted by its members to that worthy object. More recently there has been established the American Indian Defense Association, on whose letterhead as sponsors for it appear the names of Mrs. Mary Austin, Irvin Batcheller, Adolph Lewisohn, George Foster Peabody, Hamlin Garland, Murray Hulbert, and many other eminent Americans.

There are in this country many, many people keenly interested in the welfare of the American Indian. Through organizations of the kind that I have mentioned they have done much to improve the conditions of the American Indian, but when an Indian of the same type, of the same character, of the same blood, no different in all of his ethnologic background than an American Indian, comes across the border from Mexico, then there is no comfort and no charity for him which is a most inconsistent course for many Americans to pursue.

We are told that in Virginia there are families who take pride in tracing their descent to the Indian princess Pocahontas. I served in the House of Representatives with a very able and a very distinguished man who long represented the State of Oklahoma, Hon. Charles D. Carter, who took great pride in his Indian blood. As Senator from that same State was Hon. Robert L. Owen, who was a member of the Cherokee Tribe.

We have in the person of our own beloved Vice President one who is indeed proud of his American Indian ancestry. I know that he and all others who are Christian people, anxious to see justice done to any race who happen to be among us against whom discrimination is practiced, would not countenance the treatment that has been given to Mexican Indians when they cross our border and enter the United States seeking employment.

The time has come when we should realize that Mexico is our neighbor; that the ties that bind the two countries together are growing closer and closer every day. First by the railroad, then by the automobile highway, and now by airplane, Mexico is brought nearer and nearer to the United States day by day. They are our neighbors upon the south, just as Canada is our neighbor upon the north; and they are entitled to preferential treatment because they are our neighbors.

If you live in the same block with a man, if his house and lot adjoin your property, in the very nature of things you must have a closer relationship with him than with some one who lives in a more distant part of the city. You are more considerate of your neighbor's feelings; you are careful in any action you may take not to offend him, because he lives near to you. He is not only here to-day but he is to be there to-morrow, and for the years to come. So it is with Mexico. Therefore I plead with the Senate, in the consideration of any legislation, whatever it may be, that it be done in a spirit of fairness, in a spirit of justice, and that no action be taken so far as Mexico is concerned which does not apply equally to every other nation in the world. That proposition is fundamental.

There is one other fundamental principle to which I strictly adhere. I believe that no large number of aliens should be permitted to become permanent residents of the United States whose children will not look the same, act the same, and have the same ideals, as other Americans. The Americans who are now here have the undisputed right to insist that the United States shall continue to be populated by our own kind of people.

I firmly believe in that principle. That is why I have voted for every act to restrict undesirable immigration, beginning with the passage of the bill imposing a literacy test over the veto of President Wilson, and ending with the defeat of the bill to repeal the national-origins provision of the immigration law as requested last year by President Hoover. I have no apology to make for supporting legislation of that character. I am not here now, and shall not, by any act or vote of mine interfere with the principle thus laid down. All that I do say to the Senate, my sole plea, is, if changes are to be made in the existing immigration laws, let the changes apply to all countries equally and alike.

Mr. ALLEN obtained the floor.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Kansas yield for that purpose?

Mr. ALLEN. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Smoot
Ashurst	Gillett	Keyes	Steck
Barkley	Glass	La Follette	Steiwer
Bingham	Glenn	McKellar	Stephens
Black	Goff	McNary	Sullivan
Blaine	Goldsborough	Metcalf	Swanson
Blease	Gould	Norbeck	Thomas, Idaho
Borah	Greene	Norris	Thomas, Okla.
Brock	Grundy	Nye	Townsend
Brookhart	Hale	Overman	Trammell
Broussard	Harris	Patterson	Tydings
Capper	Harrison	Phipps	Vandenberg
Caraway	Hatfield	Pine	Wagner
Connally	Hawes	Pittman	Walcott
Copeland	Hayden	Ransdell	Walsh, Mass.
Couzens	Hebert	Robinson, Ind.	Walsh, Mont.
Dale	Heflin	Robsion, Ky.	Watson
Deneen	Howell	Sheppard	Wheeler
Dill	Johnson	Shipstead	
Fess	Jones	Shortridge	
Frazier	Kean	Simmons	

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

Mr. ALLEN. Mr. President, I offer an amendment in the nature of a substitute for the Gould amendment and ask that it be read.

The VICE PRESIDENT. There is an amendment pending.

Mr. ALLEN. This is a substitute.

The VICE PRESIDENT. The amendment will be read for the information of the Senate.

The CHIEF CLERK. The Senator from Kansas offers the following amendment as a substitute for the amendment proposed by the Senator from Maine [Mr. GOULD]:

That section 6 of the immigration act of 1924, as amended by section 3 of joint resolution approved May 29, 1928, be amended to read as follows:

"(a) Immigration visas to quota immigrants shall be issued in each fiscal year as follows:

"(1) Fifty per cent of the quota of each nationality for such year shall be made available in such year for the issuance of immigration visas to quota immigrants who are the fathers or the mothers, or the husbands by marriage occurring after May 31, 1928, of citizens of the United States who are 21 years of age or over.

"(2) Any portion of such 50 per cent not required in such year for the issuance of immigration visas to the classes specified in paragraph (1) shall be made available in such year for the issuance of immigration visas to quota immigrants of such nationality who are the unmarried children under 21 years of age, or the wives, of alien residents of the United States who are lawfully admitted to the United States for permanent residence.

"(3) No portion of the quota of any nationality for any year not required for the issuance of immigration visas to the classes specified in paragraphs (1) and (2) shall be made available in such year for the issuance of immigration visas to other quota immigrants of such nationality unless authorized by the Secretary of Labor, and then only

to such extent and in such classes of cases as are specified by regulations prescribed by the Secretary of Labor and approved by the Secretaries of State, Agriculture, and Commerce, jointly.

"(4) No alien shall be deemed to be a nonquota immigrant under section 4 (c) unless he is of a class of relatives described in paragraphs (1) and (2) hereof, or unless his admission be permitted by regulations authorized under paragraph (3), but the total number of immigrants admitted under section 4 (c) in any fiscal year shall not exceed 75,000.

"(b) The preference provided in paragraphs (1) and (2) of subdivision (a) shall, in the case of quota immigrants of any nationality, be given in the calendar month in which the right to preference is established, if the number of immigration visas which may be issued in such month to quota immigrants of such nationality has not already been issued; otherwise, in the next calendar month."

SEC. 2. Section 11 of such act, as amended, is amended by adding after subdivision (g) thereof the following new subdivision:

"(h) Not more than 1 per cent of the total number of immigration visas which may be issued in any fiscal year to quota immigrants of any nationality shall be issued in such year to quota immigrants of such nationality who were born in the colonies, dependencies, or protectorates of the country by which such nationality is determined; except that in the case of any nationality the quota for which is less than 10,000 the above maximum shall be 100 instead of such 1 per cent."

SEC. 3. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 4. This act shall take effect July 1, 1930.

The VICE PRESIDENT. The amendment is in order, but the first vote will be taken on the amendment proposed by the Senator from Georgia [Mr. HARRIS].

Mr. HARRIS. Mr. President, I ask the Senator from Kansas if he will not yield so that I may ask unanimous consent that beginning to-morrow at 12 o'clock no Senator shall speak more than 10 minutes on the bill or on any amendment.

Mr. ALLEN. That is perfectly satisfactory to me.

Mr. HARRIS. I submit that request.

Mr. JOHNSON. Mr. President, I would have to object to that. I may not have heard the request aright, but, as I understand it, the Senator from Georgia asks unanimous consent that after 12 o'clock to-morrow there shall be a limitation of debate to 10 minutes on the bill or any amendment.

Mr. HARRIS. I will make it longer than that if the Senator prefers. Let us make it 15 minutes.

Mr. JOHNSON. I think that at this time a limitation should not be imposed. It may be that I shall not desire to speak at all, but all of the time thus far has been taken by one Member of the Senate. He has spoken for practically seven hours upon the bill. I do not think it would be entirely just to limit every Senator now to 10 minutes.

Mr. HARRIS. Would the Senator agree to a limitation of 20 minutes?

Mr. JOHNSON. I think we should not put a limitation on debate at this time.

Mr. NORRIS. Mr. President, I think I can shorten this when I say to the Senator that I could not agree to any limitation to-day. I want to make some remarks. If I can get the floor when the Senator from Kansas concludes, I shall make them this afternoon, but they will take more than 20 minutes.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Alabama?

Mr. ALLEN. I yield.

Mr. HEFLIN. I suggest to the Senator from Georgia that he defer his request until some time to-morrow.

Mr. HARRIS. I will wait until to-morrow.

Mr. BLACK. Mr. President, I would like to know what is pending before the Senate.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia to the pending bill, on page 2, line 6, to strike out "April" and to insert in lieu thereof "June."

Mr. BLACK. Then the amendment offered by the Senator from Kansas is not pending at this time?

The VICE PRESIDENT. It is in order, but the vote comes first on the amendment proposed by the Senator from Georgia.

Mr. ALLEN. Mr. President, this is a very simple provision to accomplish a very profound purpose in the policy of immigration in this country. It would give to the Secretary of Labor, the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce the power under the present quotas to select immigration according to the classes needed at a particular period.

This establishes for the immigration policy in the United States a situation similar to what is done, for example, through the policy of the order in council in Canada. It does what the Board of Trade of Great Britain does. The parliaments establish the metes and bounds under which these official bureaus make the selectivity of immigration.

This amendment meets the problem of the Senator from Georgia in that it gives to the Secretary of Labor and his associates in the Cabinet the power to choose at any time according to the needs of the period Mexican immigration, and to establish the rules under which it shall be brought in, and under which it shall be returned, if necessary.

It solves the problem of seasonal labor for the Senator from Wyoming in that it provides that there can be brought in from Mexico at any time upon proof of the need whatever labor is necessary.

In fact it establishes for all time in this country that hereafter immigration into the United States, not only from the quota countries but from the nonquota countries, shall be limited under the quotas according to the needs and to the classes, the problem of administration resting within the judgment of the Secretary of Labor and his associates in the Cabinet.

Mr. President, it is the first time we have attempted in this country——

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. ALLEN. I yield.

Mr. NORRIS. I desire to ask the Senator if the provisions of his amendment would be applied to Canada?

Mr. ALLEN. Yes; it applies to Canada. It applies alike to the quota and to the nonquota countries. As to Canada it merely provides that the Secretary of Labor and the Cabinet officers associated with him in this matter shall choose from Canada such labor as the needs of any period or any class require.

While I realize that it is a large grant of power, of discretionary power perhaps, to the members of the Cabinet, and especially to the Secretary of Labor, I believe that in the designation of the four Cabinet members we have provided the wise checks and balances against any abuse of such discretionary power. For example, it is not likely that the Secretary of Labor would permit into this country an influx of labor from Canada or an influx of labor from Mexico or from any other of the countries of the world that would seriously affect the present situation in labor. I dare say that at this hour, if this were enacted into law, we would not be receiving from any quota country any of the labor that is now competing for the jobs in the United States during this period of unemployment.

This amendment provides that the Secretary of State must be satisfied with the rules, and he is jealous, of course, of the effect which the attitude of this country toward our neighbor countries may have in our relations of diplomacy. It provides that the Secretary of Commerce must be satisfied, and it is his jealous concern that nothing shall be done in relation to immigration that injures commerce. It provides that the Secretary of Agriculture shall be satisfied, and his jealous concern is that no limitation be placed or provision made concerning immigration that shall affect agriculture in an unfortunate way.

Mr. President, in this country our immigration system has grown up somewhat like Topsy. We began with the system which allowed countries to dump their aliens almost without restriction.

Mr. JOHNSON. Mr. President, will it disturb the Senator if I ask him a question at this point?

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). Does the Senator from Kansas yield to the Senator from California?

Mr. ALLEN. I am glad to yield to the Senator from California.

Mr. JOHNSON. I thought possibly from the Senator's remarks that he was about to come now to the general question. May I ask him to explain a little more in detail as to the maximum number and the possible application of his amendment to the Western Hemisphere?

Mr. ALLEN. Mr. President, the amendment provides that the Secretary of Labor and his associates in the Cabinet shall limit admission from the countries of the Western Hemisphere to 75,000 per annum. I am not very particular about that provision. It was put in there because it was suggested that without some limitation there might be a constitutional objection to the granting of so much legislative power to the Secretary of Labor and his associates. But the provision for 75,000 allows about the same number as is provided by the House bill of Representative JOHNSON, to which the amendment of the Senator from Maine [Mr. GOULD] applies. He provides about 76,000. My amendment limits the entire number to 75,000 for the Western Hemisphere. It gets away from the objection of the quota.

I have a good deal of sympathy with the objection raised by the Senator from Connecticut [Mr. BINGHAM]. While I realize that the highest privilege that any country may possess is that of establishing its own standard of living and of protecting that standard of life by its immigration laws, yet I realize also that at this time we ought to have a decent regard for neighborly associations. My amendment, by failing to draw comparisons, by failing to set aside quotas, by merely establishing this blanket limitation, I think, is subject to less objection from the standpoint of the Senator from Connecticut than anything that might be offered.

Is there further question the Senator from California wishes on that point?

Mr. JOHNSON. Taking specific figures, there came from Canada last year approximately 57,000 to 60,000 people. That would leave a reservoir of 15,000 to 18,000 for all of Latin America and for Mexico; that is, if the number were recognized as coming from Canada that might be permitted to come into this country.

Mr. ALLEN. That is true. If in the judgment of the Senator 75,000 is not enough, I would be glad to have it increased. The thought was that we would admit from Canada at any time all that a reasonable interpretation of possible emergency might lead us to accept. It would give us the privilege of admitting from Mexico 10,000 to 12,000 a year. The immigration from other countries of the Western Hemisphere has been notably light so that it has not been necessary to take it into consideration.

Mr. JOHNSON. My interest primarily is in the Mexican immigration, because that is the immigration which has accomplished the purposes that we would rather see remedied, I think. We have 75,000 then coming from the other countries of the world?

Mr. ALLEN. We have coming from the other countries of the world 150,000.

Mr. JOHNSON. Yes; at the present time. The Senator would add the 75,000 from the Western Hemisphere?

Mr. ALLEN. Yes; to the 150,000.

Mr. JOHNSON. The 75,000, of course, under the Senator's amendment, would be selected as he has indicated by the commission he has designated. Does the selectivity under his amendment extend to those who come in under the quota?

Mr. ALLEN. Exactly; in precisely the same way.

Mr. JOHNSON. So that the 150,000 who would come from the other countries of the world would be subject to exactly the same rules as the 75,000 provided for coming from the Western Hemisphere?

Mr. ALLEN. Exactly.

Mr. JOHNSON. And the selectivity of those coming from the Old World, if I may so designate it, would rest entirely with the commission—a very radical departure from the present quota system.

Mr. ALLEN. It is a very radical departure, Mr. President, in that it establishes the first effort of this country to place immigration upon a basis of scientific selectivity, giving to the Government the power to choose under its own rules according to the needs, the employments, and the economic justifications of any period.

Mr. JOHNSON. It is an absolute destruction of the quota theory—that is, the theory which has been in vogue up to this time.

Mr. ALLEN. It establishes the quota as the metes and bounds under which the commission may act.

Mr. JOHNSON. Purely as to numbers?

Mr. ALLEN. Yes.

Mr. JOHNSON. On the question of selectivity, is the selective class to be determined here by the board?

Mr. ALLEN. The board is to have the power to establish the administrative rules and to pass its administrative commands to the elements of our foreign services according to its judgment. I have not thought that it was worth while for us to try to prescribe in a law the regulations under which the selectivity might be administered, but to leave to the board, composed of the Secretaries who have close contact with foreign services, the task of making a system which will work. I believe, if the Senator will pardon me, that the figures which have been presented in the last few days touching Mexican immigration, the showing that it has come from 5,000 a month in round numbers down to 1,100 a month due to the more strict administration of rules under the more strict administration here are illustrative of what might be done.

Mr. JOHNSON. I beg the Senator not to fall into error by the number of visas which have been accorded to Mexicans who came into this country. That number of visas by no means indicates the number of Mexicans who have come across the border. As a matter of fact, it is conceded that the number has increased notwithstanding the fact that few have obtained visas. That is the unfortunate thing into which we have run—I do not want to unduly interrupt the Senator.

Mr. ALLEN. I am glad to have the Senator's ideas and suggestions.

Mr. JOHNSON. That is the unfortunate thing into which we have run under Mexican immigration. It comes across the border. It will not concern itself with the visa. I instanced yesterday to the Senator from Arizona [Mr. HAYDEN] the fact that four or five or six years ago we put a head tax of $18 upon each Mexican who came across. In the year preceding that 87,000 came across the border. In the year that we put the tax upon them 32,000 came across the border. Yet it is admitted on all hands that when the 32,000 came across the border enough additional came across the border to more than equal the 87,000 of the previous year.

We had the remarkable spectacle presented when the tax was in effect of having the United States Government go, for instance, into the Imperial Valley, and there endeavor to collect that tax in installments from employers of the Mexican labor who had come across the border without paying the tax. I beg of the Senator not to be misled by the visa figures, because they do not demonstrate the facts.

I want to return to the question of selectivity, with the Senator's permission. Does the Senator believe that a board sitting in Washington can accurately select the appropriate kind of immigrants from across the water under a mere system of bureaucracy? Must not that selectivity, to be of any value at all, be made at the sources?

Mr. ALLEN. I take for granted, of course, that the board, in the interest of more intelligent administration, would make the most accurate and thorough use of all the elements of the Foreign Service. I had rather trust the Foreign Service on this subject, to be administered here, than to trust loosely the individual, unchecked judgment of consuls and consular agents around the world, left free to use as absolute authority. My position is that that service shall be tightened up. There shall be a constant study—and, of course, first-hand study—of the foreign sources of our immigration through these agencies. The two of them working together in the spirit of the law to provide selectivity will obtain a better result than that which we now have.

Mr. JOHNSON. The Senator may be right. I am so much interested in this matter——

Mr. ALLEN. I am very glad to have the Senator's suggestions.

Mr. JOHNSON. The Senator presents an idea that has often been suggested in reference to immigration, but which never before has been presented concretely—legislatively. It is a suggestion which, in my opinion, requires the best thought that is among us.

Let us take as an example the Mexican situation. Here sits the board in Washington. It decrees upon the evidence that shall have been presented to it that 60,000 Mexicans are required in the sugar-beet fields, for agricultural pursuits, upon the railroads, and the like. Then it would have the power to say that the emigration from Mexico would be 60,000 in that year, would it not?

Mr. ALLEN. It would; and to prescribe the manner in which they should be brought in, the sections to which they should be distributed, and other details of administration.

Mr. JOHNSON. Now, let me point out to the Senator—and then I shall cease my catechism—that there is the danger of what he suggests, because all of us who come from the West and are familiar with the situation know that our agriculturists, including the beet-sugar growers, our railroads, and others who use Mexican labor, can make an impregnable case from their standpoint for the use of that Mexican labor. The only way in which the problem of preventing this influx can be met is not by permitting a board to determine whether or not the need exists—for those interested will prove that fact—but by preventing them from coming at all except in a limited, definite, absolute number. I submit that suggestion for the consideration of the Senator.

Mr. ALLEN. I am very much interested in what the Senator from California has said, and I realize the difficulties. I realize moreover, as I dare say he does, that this proposal does nothing to make any looser or more indefinite the situation that now exists. Is not that true?

Mr. JOHNSON. I think that that is probably accurate except in one particular, and that is that it intrusts to individuals not only the administration of the law but it intrusts to them the making of the law in regard to the number which shall come from certain territory, and that has not been the purpose of our immigration laws heretofore.

Mr. ALLEN. The making of the ordinances that will govern the number?

Mr. JOHNSON. Yes.

Mr. ALLEN. And the regulations?

Mr. JOHNSON. The Senator's proposal would permit the board to determine that fact.

Mr. ALLEN. May I ask the Senator if he can suggest a better source of selective power than these four members of the Cabinet, each with a jealous regard for his particular angle as affected by immigration?

Mr. JOHNSON. And none of whom would I criticize in the slightest degree.

Mr. ALLEN. I understand that.

Mr. JOHNSON. I think that probably I could select no better board, but the objection to that in my mind—tentative only, I will say to the Senator—is lodging in any board the power to say, "There shall be allowed to enter the United States forty, fifty, or sixty thousand immigrants from Mexico," and letting the board then permit them to come. I think Congress should definitely fix the number, just as we have done with foreign countries across the water in the Old World. We have said to them, "You shall have a certain percentage that aggregates in the total 150,000 or thereabouts." Now, it is proposed entirely to change that method.

Mr. ALLEN. May I ask of the Senator, does he believe that at this hour it would be beneficial if a board existed with the power to limit immigration under the present quotas in view of conditions of unemployment in the United States?

Mr. JOHNSON. Does the Senator mean to limit it below what we have fixed as the standard?

Mr. ALLEN. Yes; to limit it to actual necessities, or to shut it out altogether so far as any class might be concerned on which at the moment there is a surplus.

Mr. JOHNSON. I am by no means clear as to that. Does the Senator mean to allow a board to act under a sliding scale?

Mr. ALLEN. We could establish a board—and that is what is proposed in this amendment—a part of whose very serious business would be the constant study of population levels in this country, of employment levels, of unusual conditions, of the special needs of the particular hour, and in view of the conditions discovered to fit the allowances under the quota into a process of selectivity. For instance, the Senator from North Carolina [Mr. OVERMAN] is concerned just now about rayon workers. Under the present quota law it is necessary to secure a new permit every six months in order that some 300 people from Holland—or 600 or whatever the number may be—may stay on and work in the rayon factories. Under the power proposed to be granted by the amendment the Secretary of Labor and his associates in the Cabinet would be allowed to charge such rayon workers to the quota from Holland. The problem would be solved, and with a more accurate and direct knowledge of the situation, with a more precise movement of administration, than is possible under the present law.

Mr. JOHNSON. Does the Senator construe the power of the board to be such that it could substantially prevent any immigration?

Mr. ALLEN. I construe the power of the board to be such that if the emergency existed which made it an unwise public policy for any immigration to come into this country they would have the power to shut it out.

Mr. JOHNSON. So that if to-day, for instance, in the unemployment situation which presents itself the board should conclude that we should have no immigration quotas, then we would have none if they so determined?

Mr. ALLEN. If they so determined then the quota would be suspended for the period.

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Georgia?

Mr. ALLEN. I yield.

Mr. HARRIS. May I ask the Senator what is the total number of immigrants that could come into this country in a year under his amendment?

Mr. ALLEN. The total number that could come into this country under the amendment would be from the established quota countries 150,000, and from the Western Hemisphere 75,000 more, or 225,000 in all.

Mr. President, during all the time in which this great country has struggled with the problem of immigration we have had few regulations; the mere restriction of numbers came to be the first serious effort we made at regulation. We used to enrich the shipping companies by letting the captains and officers of shipping companies themselves be the censors upon the character of the immigration, and as late as 1921 there came into this country nearly 900,000 aliens in one year. Under the present law the number has been reduced to 150,000; under my proposal we would take possession of the situation and make it what the ever-changing condition of this country decrees that it should be.

Mr. President, every country that has taken scientific control of its immigration has done this thing. England does it in the case of immigration, and she does it moreover in the case of emigration, because emigration is a greater problem in England than is immigration. So, at an expense of $15,000,000 a year, England carries on a constant activity in the matter of selecting and training for emigration. She chooses with great care the emigrants who shall go out of the mother country to British colonies; she coordinates with all of the British colonies; and I fear on many occasions those which are left for us are the culls after England and her colonies have gone through the process of selecting emigration for the colonies. If Great Britain successfully does this in reference to emigration, she can also do it, and so can we, in reference to immigration.

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Georgia?

Mr. ALLEN. I yield.

Mr. HARRIS. I will state to the Senator that the policy of nearly all the countries of the world, except ours, is to send as emigrants people who are diseased, people who are less able to make their living in the countries to which they immigrate. That was their policy down to the year 1921.

Mr. ALLEN. Exactly; and we coordinated in that policy by making the United States a dumping ground; and now we are shuddering a bit at the idea of establishing a strong administrative provision to give ourselves the right to choose who shall come into this country at whatever hour we desire them to come. No higher privilege exists in all the world than the privilege of a great nation to establish its own standards of living and to protect those standards by its immigration laws.

In Canada they have what they call their "order in council." If American emigrants desire to go to Canada, and to present themselves for admittance into the Dominion, they must first receive the approval of the governor in council, with his associates in the Government, and they choose, according to the metes and bounds established by their Parliament, the number that shall come in. I am merely asking that in this country we erect reasonable and elastic bounds, to be presided over by our own dependable officers.

There is another provision in the amendment, Mr. President, in line 13, that meets a provision in the bill pending in the House, which is known as the Johnson bill, for which this amendment is proposed as a substitute. I refer to the provision that not more than 1 per cent of any quota allowed to a foreign country shall be used by the colonial representatives of that country. That is designed to meet the situation that is developing from Jamaica and other British colonies in the West Indies, where the citizens are subject to the use of Great Britain's quota for entrance into the United States.

There is another provision that 50 per cent of the quotas shall be consumed, if necessary, by the relatives, and, if more than 50 per cent is needed for the use of relatives, that that also shall be extended, and, if less than 50 per cent is needed, then the remainder shall be used for occupational immigration. That, Mr. President, would establish a further restriction upon our immigration, in that it would encourage the uniting of families from southern Europe, whence many immigrants come with no intention to bring their families. This amendment leaves no other reasonable course open to them than to bring their families along, and in that way it becomes indirectly, of course, a further limitation on immigration.

I have had the bill studied by the experts on immigration in the Department of Labor. I asked them if they would give me an expert opinion as to the influence of this particular section, which is in many respects one of the most important features of the measure, outside of the great powers it will give to the board. The expression of the experts was that under the proposed bill certain relatives of United States citizens and the wives and minor children of lawfully resident aliens, to the extent of 50 per cent of the established quotas would have the privilege of joining their relatives in the United States. In the case of nationalities having quotas of not less than 300, the same 50 per cent of the quotas would be open to persons skilled in agriculture on equal terms with relatives of citizens and lawfully resident aliens. The remaining 50 per cent of the quotas and such parts of the first 50 per cent as are not used in issuing quota visas to relatives and persons skilled in agriculture would be put under the control of the Secretary of Labor to be administered under regulations prescribed by him with the approval of the Secretaries of State, Agriculture, and Commerce. Such regulations might be so drawn as to permit the Secretary of Labor to authorize the admission of additional relatives, pro-





vided the 50 per cent of the quotas specifically allotted to them was not sufficient to take care of appealing cases. On the other hand, such regulations might be drawn to provide that no immigrants except the relatives named could be admitted, or that immigration visas would be issued only to such aliens as are actually needed in the United States on a selective basis.

The probable results of the proposed legislation would be that in the case of nationalities where the relatives of residents named exceed the entire available quota, future immigration from such countries would be practically devoted to reuniting families. This would very likely occur in connection with the quotas of the following nationalities in which preferences for relatives, already authorized, are sufficient to exhaust the available quotas for from 1 to 15 years. These countries are: Albania, Greece, Hungary, Italy, Lithuania, Poland, Rumania, Russia, Syria, Turkey, and Yugoslavia.

On the other hand, the demand for preference visas for relatives is quite limited in Great Britain, Irish Free State, Germany, Sweden, Norway, Denmark, Switzerland, France, Belgium, the Netherlands.

Consequently, it would follow that practically the entire quotas of the last-named countries would be open to administrative control on a purely selective basis.

Under the proposed bill the same plan would be operative in the case of immigration from Canada, Mexico, and other New World countries, except that there would be no quota limitation to the number of natives of such countries who might be admitted as relatives or under the selective plan.

Under the present system, nearly all of the quota allotments of the principal northwestern European countries are open to immigrants with no near relatives in the United States, and who come here to gain a livelihood chiefly in American industries. With the exception of applicants who may be skilled in agriculture, visas are issued on the principle of "first come, first served"; and the important question of whether such workers are needed in this country or whether they are coming to already overcrowded occupations, as is usually the case, is not taken into consideration.

Mr. President, it is my belief that if we adopt this amendment, we shall, for the first time in the history of this country, place the immigration policy of the land in the hands that would safeguard it properly, with the intention of working no injustice on any country or on any man, with the intention of recognizing the need of seasonal employment, with the intention of bringing up, by this scientific selectivity, the grade and quality of the classes admitted for immigration into this country.

MUSCLE SHOALS—CHESTER H. GRAY

Mr. NORRIS. Mr. President, when we had the Muscle Shoals joint resolution before the Senate I made some comments about the lobbying activities of Chester Gray, the Washington representative of the American Farm Bureau Federation. I made some comments along the same line when we had the Muscle Shoals bill before us a couple of years before. I stated at that time that my remarks in regard to Chester Gray were not at all exhaustive; that later on, if any attempt were made to get the so-called cyanamid bid before the Senate, or if any attempt were made to dispute the facts as brought out by the various committees of the Senate in regard to the dishonorable activities of Chester Gray, I might have something further to say.

What I am saying to-day is brought out by the fact that Mr. Thompson, the president of the American Farm Bureau Federation, has undertaken in a public way to defend the activities of Mr. Gray; so I am going to give to the Senate a little more of the evidence in regard to this man's work before Congress.

I am not going to go into an exhaustive discussion of it to-day. I shall have reserved several more chapters if a further attempt is made to defend him for what I believe to be the unwarranted and disgraceful conduct that he has exhibited as the representative of a great farm organization, whose members, I take it, scattered all over the United States, are honest and moved by a sincere and laudable purpose of bettering agriculture and those engaged in agriculture, and who do not really know how they have been misrepresented before the American Congress by Mr. Gray.

I am moved somewhat, in what I say to-day, by what is more or less a personal attack made upon me by Mr. Thompson, president of the American Farm Bureau Federation, in his attempts to defend Mr. Gray. He has written a letter that was published by the American Farm Bureau Federation, circulated all over the United States, and sent particularly in large quantities into my own State, where I presume the intention is to have some effect upon my official duties here by building a fire, as it were, in the short-grass country of the West.

Mr. Thompson says in his letter that I have charged Chester Gray, legislative representative of the Farm Bureau, with being a traitor to the cause of agriculture and that I demanded that the Farm Bureau repudiate him. I do not think I called Mr. Gray a traitor; but I have no fault to find with the use of that term if Mr. Thompson wants to apply it and thinks what I have said about Mr. Gray makes a traitor of him. I did not use any such harsh word as that.

Mr. Thompson said that I had made two charges against Mr. Gray: First, that he supported the American Cyanamid Co. bid for Muscle Shoals; second, that Chester Gray during the recent tariff fight sat by, seeing the farmer flimflammed from morning until night, without raising his voice in protest.

Why, Mr. Thompson did not get the most serious charge I made against Mr. Gray. It is true that I said he supported the Cyanamid Co., and devoted his time to power companies and the Cyanamid Co. at the sacrifice of performing his duties for the benefit of agriculture; but he has a right, Mr. Thompson has a right, and the Farm Bureau has a right to be for the Cyanamid Co. if they want to. Their representative here has a right to be for that; but common decency, ordinary honesty between man and man, demands that in the exercise of that right the lobbyist representing this organization or any other organization should be honest. My principal charge against Mr. Gray, that has not been answered or defended—it is passed over without notice—is that Chester Gray appeared before the Agriculture Committee some time ago and testified to a falsehood that is material in the consideration of the Muscle Shoals proposition; that he deceived the committee; that he not only deceived the committee but that he afterward took the transcript that the reporter had made of his testimony and, without consent or without talking with the chairman of the committee—whom I observe now honoring me with his presence—without consulting him or anybody else, changed his testimony in a very material way, and that it was printed in the form in which he changed it.

I said on that occasion that later on Mr. Bell, the president of the Farm Bureau, testifying before a House committee, told that committee that the money for this propaganda was supplied by the American Cyanamid Co.; that Chester Gray had charge of the distribution of the literature which I exhibited here at the time, and which I most respectfully call now to the attention of Mr. Thompson, the president of the Farm Bureau, and any other members of that organization, either in my State or elsewhere, who are interested in this controversy, if such it can be called, where Mr. Gray practiced the worst kind of deception, where he told that committee that this thing was paid for by the American Farm Bureau. He knew at the time that not one single cent of the expense was paid by the Farm Bureau.

It was disclosed later by the testimony of Mr. Bell that in this particular activity of which I am now speaking, which did not cover nearly all of them, more than $7,000 was contributed by the Cyanamid Co.; that Chester Gray was sending out this propaganda, this literature, as a representative of the American Farm Bureau, as though he was representing them in these activities, and said to the committee that this was paid for by the Farm Bureau out of the Farm Bureau funds; that all the time he knew that not one cent was paid by the Farm Bureau; that he was carrying on a propaganda for the American Cyanamid Co. under the guise of a representative of a farm organization; that every cent of the money was paid by this corporation that was getting Muscle Shoals, and when his attention was called to it by the lobby committee he admitted when he was under oath that his former testimony was untrue. I said, when I was debating that charge on the floor of the Senate, that when I found out about this falsehood, this misrepresentation made to a committee of this body, I was about to call the attention of the prosecuting officer in this District to this testimony and was about to ask him to have Chester Gray indicted for perjury, when I discovered that at the time he gave that testimony before the Agricultural Committee of the Senate he was not under oath; and that lets him out. As far as the deception is concerned, however, it is just as great. So that Mr. Thompson has not commented on the worst feature of the activities of Chester Gray.

I have assumed—I do now—that Mr. Thompson is moved by honest motives. He is not here. I presume he gets his information from Mr. Gray. The fact that Mr. Thompson has misstated the record in this respect and in some others in this letter I assume is due to a mistake, and he did not do it intentionally.

If he be honest and wants fairly to represent the farmers of America, he ought to write an apology and spread it broadcast over the skies to the farmers of America for defending this man who now misrepresents and has so long misrepresented this great farm organization in Washington.

Mr. Thompson says, further on:

> At no time in its 10 years' existence has the American Farm Bureau Federation, through its legislative department, more energetically represented the cause of agriculture than during the recent tariff debates.

That is in answer to the second charge that he notes here, wherein I charged that Mr. Gray was not representing agriculture in the tariff business; and I reiterate the charge. If Mr. Thompson's representative, Chester Gray, was doing what he or the Farm Bureau wanted them to do in tariff matters, then I think not only Mr. Gray but Mr. Thompson as well misrepresents the farmers of America.

I said then, and I repeat now, that one of his principal activities in connection with the tariff was to appear before a committee of Congress and advocate a tariff on bananas. He wanted bananas taxed so high that the people of the country would have to eat apples instead, and that was the way he was going to help agriculture. I wonder if there is a farmer in the United States who agrees with that proposition and agrees with the practicability of such a proposal.

He did advocate increasing the tariff on some oils and some greases, so that his activities in the Farm Bureau were, in reality, in the main, confined to two things—a tariff on bananas and a tariff on grease. If the farmers of the United States are satisfied with taking any tariff rates which the monopolies and the trusts of the United States are demanding and getting, for which the farmer has to pay, then they were properly represented.

Never once did Mr. Gray raise his voice when there was an attempt made, nor did he ever demand that an attempt be made, to reduce the exorbitant tariff on aluminum, something which goes into every farm household in the United States. Never did he raise his farmer's voice then for relief of agriculture. He was willing that this monopoly, this trust, an organization which, before the courts of the United States, has admitted that it was a monopoly and a trust, should have whatever tariff rates it could get. No objection came from this farm representative.

When there was a proposition to reduce the tariff on rayon, something which enters into the clothing of every farmer's family everywhere in the United States, where was Chester Gray, the farm representative, then? He was as silent as the grave.

When there was an attempt made to reduce the tariff on carbide, one of the products of the Union Carbide Co.—incidentally one of the corporations which, united with the Cyanamid Co., was to get Muscle Shoals under the bill Chester Gray was advocating—when this carbide tariff was up, did we hear Mr. Chester Gray?

Sixty per cent of the carbide used in the United States is used by farmers. Out in the remote parts of the country in the farming communities, where the electric-power lines do not go, the farmers use carbide in making light for their homes. Yet when we tried to reduce the most exorbitant, and I think unholy, rate that is now put upon carbide, the product of one of Chester Gray's clients, I think I can safely say, one of the corporations which, under the guise of a farmers' representative, he has been working for ever since the Cyanamid bid has been pending before the Congress, never once did he raise his voice for farm relief.

Where was Chester Gray when we tried to reduce the exorbitant tariff on steel products? Did he ever raise his voice against the Steel Trust and the benefit it gets from the tariff? Where was he when the fight on the tariff on pig iron was up?

Where was he when we tried to reduce the tariff on the ingredients that go into paint, which every farmer everywhere must use more, in proportion to his number, than any other class of citizens in the United States? The voice of Chester Gray, the Farm Bureau representative, was as silent as the grave.

And so on almost without limit. This man has not represented the farmers. He has been, in reality, trying to pull the chestnuts out of the fire for the Power Trust, for the Cyanamid Co., for the Union Carbide Co. He has a right to do that, but he ought to sail under his own colors. He has no right to do that under the guise of being a representative of the farmers of the United States.

Mr. Thompson then goes on to tell what a great honor was paid to Chester Gray by the Senate of the United States. He said:

> In fact, within the last two weeks, an unusual mark of distinction was conferred on Mr. Gray's department when the United States Senate ordered a 115-page brief on the subject of tariff prepared in Mr. Gray's office to be printed by the Public Printer as a Senate document.

O Mr. President, let us look at that wonderful document which Mr. Thompson says was prepared in Gray's office. Gray did not have any more to do with the preparation of that document than I did.

I have a copy of it in my hand. It is entitled:

> Interchangeability of oils and fats.
> Report of American Farm Bureau Federation concerning the interchangeability of oils and fats.
> Presented by Mr. SHEPPARD.
> Ordered to be printed.

Who prepared it? This shows:

> Prepared by W. R. Ogg, M. A., assistant to director, legislative department, in collaboration with G. S. Jamieson, Ph. D., senior chemist in charge oil, fat, and wax laboratory, Bureau of Chemistry and Soils, United States Department of Agriculture, formerly assistant professor of analytical chemistry Yale University.

The only thing Chester Gray had to do with this was that he wrote a letter to Senator SHEPPARD and inclosed this document in it.

This is, in a good many respects, a valuable document. It is a scientific document, prepared, in the main, by officials of the United States Government.

Let us look at random at some of the things it talks about. Let us take up almond oil. It says:

> Almond oil is obtained principally from the bitter almond (*Prunus amygdalus*, var. *amara*), although sweet almonds (*Prunus amygdalus*, var. *dulcis*) are occasionally used, and also, rather more frequently, a mixture of the two. (Elsdon, p. 250.)
> The commercial oil is expressed (or extracted) chiefly from bitter almonds, the seeds of *Prunus amygdalus*, var. *amara*. * * * The sweet almonds (from *Prunus amygdalus*, var. *dulcis*) are but rarely used alone for the preparation of almond oil. * * * The oils obtained from both varieties are practically identical, so that no definite difference can be established by chemical means.

Let us look at another page, page 9. Speaking of castor beans, it says:

> Castor seeds are commonly pressed cold to obtain medicinal oil, and then pressed a second or third time in a hot condition to obtain technical quality oils. (Chalmers, p. 8.)
> Used for medicinal purposes. (Gill, pp. 120–121; Martin, p. 130; Lamborn, p. 77; Andes, p. 65; Lewkowitsch, vol. 2, pp. 413–414; Martin, vol. 1, p. 10; Laucks, p. 67; Andes, p. 61.)
> Castor oil is an important "nondrying oil" with special properties as a purgative. (Hilditch, p. 102.)

I hope the farmers of the United States, and particularly the farmers of Nebraska, to whom this letter is being sent in profusion, will realize what a valuable thing this is for agriculture. It is filled with such extracts. Here is another one on page 11. I read at random:

> RUBBER SUBSTITUTES
> Competitive with sesame oil or rape oil. Imports of soybean oil and corn oil would also compete with domestic castor oil for this purpose.

And so on through this. Let us go to page 31. Speaking of peanut oil it says:

> EDIBLE PURPOSES
> Used for edible purposes.

I suppose it will be news to the farmers to know that. But that is the scientific statement, and it is interesting to get the authority. I read:

> (Lewkowitsch, vol. 1, p. 307; vol. 2, p. 314; Lamborn, p. 76; Martin, vol. 1, p. 10; Hilditch, p. 101.)
> The cold-drawn oil is used as salad oil.

I think most farmers' wives know about that already.

> (Gill, p. 122; Wright and Mitchell, p. 172.)

So while the trusts and the monopolies in the tariff legislation were robbing the farmer coming and going, Chester Gray was busy writing a letter in which he inclosed this scientific document, prepared mostly by officials of the Government, not a line of which was prepared by Chester Gray. He sent it to the Senator from Texas, who had it printed as a Senate document. Now comes Mr. Thompson, when I say that he had nothing to do with helping the farmer in connection with the tariff, and cites the fact that Chester Gray's office prepared this document, this wonderful scientific document, for the benefit of agriculture.

How much influence did that little thing have with the Senate in voting a tariff on or off anything on earth? Mr. Gray probably consumed several days in writing the letter, which he dic-

tated to a stenographer, I presume, paid for by the farmers of the United States, and now comes the president of the organization and defends him as having done something wonderful for American agriculture. He says further:

> Senator NORRIS doesn't understand what he is talking about. Chester H. Gray, legislative representative of this organization, did not indorse the American Cyanamid Co.'s bid for the operation of Muscle Shoals. He took the indorsement which was given to this bid at the annual meeting of the American Farm Bureau Federation held in Chicago on December 8, 1926, and acting under those instructions proceeded to support the measure.

That is the cruelest cut of all, when the farmers of the United States understand what the truth is. Chester Gray, through his activity in behalf of the Power Trust, the Cyanamid Co., and the Union Carbide Co., induced the officials, through methods I will explain as I proceed, to go out into the country and get the Farm Bureau to indorse the Cyanamid bid. Now, after the rank and file of the farmers, without understanding it, without knowing anything about it, have been deceived by their leaders, whose expenses were paid by the American Cyanamid Co. or the Union Carbide Co. or the Tennessee Development Co., one or the other, who, after traveling ostensibly as the representatives of the American Farm Bureau, induced their officials to indorse this bid. After deceiving them that way, now comes Thompson and says, "We could not help it. The Farm Bureau decided that themselves, and Gray just carried out their instructions."

I will develop some evidence as I proceed which will throw the light of publicity on such a proposition. Let me say in passing only a word or two about something in the letter which refers to me personally.

Mr. BLAINE. Mr. President——

The PRESIDING OFFICER (Mr. ROBSION of Kentucky in the chair). Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. NORRIS. I yield.

Mr. BLAINE. My attention was attracted to the statement the Senator made in his remarks just a moment ago with reference to the Farm Bureau having directed Mr. Gray to do these things.

I think the Senator will find upon close examination of the testimony before the lobby committee that Mr. Gray boasted of the fact that he drafted most of the resolution and took it to their executive committee or their convention, and they adopted it, instructing him to do those things.

Mr. NORRIS. Exactly, under his advice.

Mr. BLAINE. In other words, he was the author of the resolutions and boasted of it.

Mr. NORRIS. Yes. I thank the Senator for calling more specific attention to it than I have in an indirect way.

After Mr. Thompson praises Chester Gray for his great activities in connection with the tariff in favor of agriculture, he takes a personal slap at me and compares my record with that of several other Senators, including my colleague [Mr. HOWELL], the Senator from Kansas [Mr. CAPPER], and the Senator from Georgia [Mr. HARRIS], and some others. I do not care to get into a controversy for the purpose of this discussion or any other. For the sake of the argument at least I will plead guilty and confess that these other Senators are far in advance of me. I only have my humble viewpoint as one who has done the best he could ever since the war to study the farm situation and to do what he conscientiously believed would help the farmer.

Some of the Senators with whom he has compared me and with whose record he has compared mine have not had the same opportunities that I have had. They have not been on the committee. If they were on the committee they did not have what came to me more perhaps than any other Member of this body after the war. The testimony of men and women from all over the country, especially the great Middle West, from the great agricultural part of the country, came to me showing without dispute the terrible stress in which agriculture was placed. In my humble efforts to bring relief to them, to do my mite toward relieving them, I have come in contact with this man who claims to represent the farmers of America, who has never yet once turned his hand to help in any of the efforts through which in my humble way I have been striving to bring relief to the farmers.

In his letter Mr. Thompson makes certain statements. I do not accuse him of telling a falsehood. He probably got his information from Mr. Gray. It may be that Mr. Gray has written this letter like he wrote a good many other things for other people. But it was stated in the letter that I am not a friend of the farmer, and he gives some reasons, one of which is that I voted against a tariff on hides.

Whatever may be my sins and whatever there may be wrong or good in that vote, I have to say that I voted for a tariff on hides notwithstanding his statement, and the roll call record of the Senate will show it. I am not boasting of it. It is a two-sided question as to whether it will really benefit the farmer or not, but I gave the farmer the benefit of the doubt.

Later on, when the tariff on hides was coupled with a protective tariff upon leather, upon boots, and upon shoes, I voted against the combination. Of all the things I have ever done I feel as well satisfied with that vote as any I have ever cast—without in the meantime finding fault with any Senator looking at it from a different viewpoint who voted the other way. But the majority of the Senate voted as I did. I do not know that Chester Gray has been active in that matter. I do not know that Chester Gray even was trying to get the tariff on hides coupled with an exorbitant tariff on boots and shoes and leather. When it came to saddling upon the farmer an increased price for every pair of shoes that he or any member of his family bought, increasing the price of every piece of harness that he purchased, in order to get a tariff on hides, I refused to vote that way. I still believe that I was right. Knowing, too, what everybody admits, that the tariff on hides would only in part go to the farmer, that perhaps the greatest bulk of it would go to the great packers, I voted as I have just stated.

But, Mr. President, I have no desire to defend my own record. Even if I am misrepresenting the farmers of America, that is no defense to Chester Gray in the false representations which he has made to the men who paid his salary and who paid it by saving the pennies which come from their toil and their sacrifice to remunerate this man who has been able to utilize his time to help the trusts, the combinations, and the Cyanamid Co. bid, of which I shall have more to say as I proceed.

Mr. President, Chester Gray was summoned as a witness before the lobby committee. Incidentally I digress to say that not only does Mr. Thompson attack me, but he attacks the lobby committee. He does not blame the lobby committee, but puts all the blame on me because I appointed the lobby committee. He does not once say that any of the evidence they developed was false. He does not contradict a single thing that the lobby committee has produced; but it was a bad committee because it caught Chester Gray, with others, red-handed in his false propaganda to deceive the farmers of America in regard to Muscle Shoals.

I am only going to read excerpts from his testimony before the lobby committee because it is quite voluminous and every word of it interesting. In almost every paragraph it shows that instead of representing the farmer he was representing somebody else while he pretended to represent the farmer and went under the name of the farmers' representative.

Senator WALSH of Montana asked him:

> You did tell us a while ago that he was nominally—

He spoke of a Mr. Bower, a representative traveling over the country under the name of the Farm Bureau, but paid by the Cyanamid Co. or the Union Carbide Co. or the Tennessee River Improvement Co. There is some doubt as to which one paid him at different times, but he was paid all the time by one or the other or two or more of those organizations; but he always represented wherever he went that he was a Farm Bureau representative. He had letters of introduction showing that he was a representative of the Farm Bureau—letters signed by Chester Gray. He was sent out over the country to deceive the very men who had employed him to represent the farmers in Washington. Senator WALSH in his question is referring to Mr. Bower—

> You did tell us a while ago that while he was nominally to be on the pay roll of the Alabama Farm Bureau Federation, he was to be paid by the Tennessee River Improvement Association.
>
> Mr. GRAY. Yes. I have said that several times this morning, and that is my understanding of the situation.
>
> Senator WALSH of Montana. But that was not your understanding of the situation at the time you wrote this letter, because at that time your understanding was that the Colonel Worthington organization, the Tennessee River Improvement Association, was not to furnish the money but it was to be furnished either by the Union Carbide Co. or by the American Cyanamid Co.
>
> Mr. GRAY. No; I said I got a different slant on it when I talked with those gentlemen, but my later knowledge——
>
> Senator WALSH of Montana. That, of course, means that whatever Colonel Worthington may be protesting to you about, your conviction about the matter was that the money would not come from the Tennessee River Improvement Association but would come from the Carbide Co.—

And so on, showing that this man who went out with letters of introduction from Chester Gray to the farmers of America

was known by Chester Gray as being paid by one of these organizations having a direct influence in the Muscle Shoals legislation. He was sent out to deceive the farmers, realizing that on the face of the situation he was a representative of the farmers, a representative of Chester Gray. Being their employed representative, they would naturally have confidence in him. Although he was clothed in the clothing of the Farm Bureau, he was in reality a wolf in sheep's clothing, deceiving the men whom he was supposed to represent. It is immaterial whether he was paid by the Union Carbide Co., the American Cyanamid Co., or the Tennessee River Improvement Association. It was all the same. He and Chester Gray did not let the farmers know who paid them.

One of the men who figured a great deal in this matter was a man by the name of O'Neal, a gentleman who was the president of the Alabama Farm Bureau Federation. He wrote a letter to a Mr. Lee whose name appeared several times in the testimony. I want to quote briefly from it. This is a letter written by Mr. O'Neal to Mr. Lee, and I read just a brief extract from it:

So I feel that he can certainly be of great service on the Muscle Shoals, which he knows a great deal about.

He is speaking of Bower.

And we, of the Farm Bureau, can back him up with letters of introduction, etc., to our Farm Bureau people for the service that he has rendered. But I frankly advised him to work for the Tennessee River Improvement Association, which we have always cooperated with 100 per cent.

That is what the farm bureau by its representatives was doing.

But I frankly advised him to work with the Tennessee River Improvement Association, which we have always cooperated with 100 per cent, or with the American Cyanamid Co. Either of these would be a better arrangement for him and he could still continue to work on the Shoals, and we could use him effectively.

That is the way the farmers of America were being deceived. Gray wrote a letter to O'Neal, and I want to read something from that letter. There was a great deal of correspondence between O'Neal and Chester Gray, this American Farm Bureau Federation representative. They worked in very close cooperation trying to save Muscle Shoals for the Power Trust. They did it by trying to get behind the propaganda to the farmers of America under a false pretense that they were going to make cheap fertilizer. Gray, a shrewd man, knows, if he knows anything, that that bid was a deception and a snare. That has been demonstrated over and over again.

In his letter of June 1, 1929, to Mr. O'Neal, Chester Gray states:

I am seeing Senator WALCOTT, of Connecticut, who is a member of the Senate Committee on Agriculture and Forestry, and who threatened, or at least indicated his intention to file a minority report against the Norris resolution and the Government operation of the Shoals. I hope to be able to supply the Senator some material which will be useful to him in getting up his minority report.

Mr. President, if Mr. Gray was not practicing deception upon the farmer I would not find any fault with that; he would have a perfect right to do that. The point here is that he was pretending to the farmers of America that he was their representative, and yet the money to carry on the propaganda came from the corporations that were directly interested in the bid for which he was working. He says further in this letter—this is Chester Gray now speaking:

Mr. White—

Now listen to this, Senators:

Mr. White was here for half of the week and made many contacts in his own behalf.

Mr. White was another man working with them to get Muscle Shoals for the Cyanamid Co. or the Union Carbide Co.

I was ready to get him conferences at the White House—

This man was influential even with the President, as I shall show—

so that President Hoover would have a personal acquaintance with him, but explained to him that if he and his congressional friends thought it better to make the approach at the White House through political channels I would very gladly retire so that the most possible good could come to him in his White House conference. His friends are working through political circles now to get a conference with him at the White House, which I think will be in the near future and for which Mr. White will return to Washington. I believe he did some very effective work in a quiet way while he was here. He understands fully that a man must not become too much of a propagandist in his own behalf but must let his friends do the work for him.

Very truly yours,

(Signed) AMERICAN FARM BUREAU FEDERATION,
CHESTER H. GRAY,
Washington Representative.

Chester Gray wrote another letter to O'Neal, from which I want to quote very briefly. He said in closing—

I am giving you this information—

Perhaps I ought to read the information that Chester Gray is giving, as it shows his viewpoint and how he not only deceived the farmer, and not only deceived or attempted to deceive the President of the United States, but deceived O'Neal himself, his confederate in this matter, telling him a falsehood. Just after the President pocket-vetoed the Muscle Shoals joint resolution when Congress passed it at the last session, Gray wrote to O'Neal—and this is only a part of the letter—

The reason for making such a statement to the President was explained to him as being the plans which I already knew of to undermine you and create dissatisfaction among the farmers of Alabama with your leadership. All this explanation, which took much more time, of course, in my conversation with the President than I am troubling you with here in this letter, secured from him the remark that it would be unfortunate for anything like that which I described to happen to you, since you were a sound and straight thinker and were doing such a constructive piece of work for southern agriculture. This made me think that if for no other reason than this fact than its effect upon you, the President would be very hesitant to allow the Muscle Shoals bill to become a law.

I am giving you this information in our usual confidential manner, but know that it will cheer you to know that at least one of the factors which has induced Coolidge to continue with us on the Muscle Shoals legislation was his regard for you and his desire that nothing he might do should harm you.

Very sincerely,

AMERICAN FARM BUREAU,
CHESTER H. GRAY,
Washington Representative.

He said to Mr. O'Neal that when he went down to see President Coolidge to get him to pocket veto the Muscle Shoals measure he told him what a "slam" it would be to Mr. O'Neal, how it would knock him out if he signed the bill, what a wonderful man Mr. O'Neal was, how hard he had worked for southern agriculture, and by that kind of argument he induced the President to pocket veto the bill. He let Mr. O'Neal understand that that was the reason why the President pocket vetoed the bill; in other words, he tried to make Mr. O'Neal believe that out of respect for O'Neal and to save him trouble the President refused to sign the joint resolution.

O'Neal is his own friend, his confederate; all the way through they were working together, as the evidence discloses; yet he tells that story to O'Neal. Let us see what he really believes the facts to be. He did not believe what he wrote O'Neal; he probably made no such argument to the President, but he made O'Neal believe not only that he made such an argument but that that was the argument that brought about the pocket veto of that bill. He was questioned by the committee, and, referring to that letter, the able Senator from Alabama [Mr. BLACK], who is now listening to what I say, asked him some questions about the letter from which I just read.

Senator BLACK. Do you remember writing Mr. O'Neal that one of the most forceful factors in bringing about the veto of that bill by the President was the argument presented by you to the President in reference to Mr. O'Neal?

Mr. GRAY. Yes; I wrote him along that line.

Senator BLACK. You wrote Mr. O'Neal along that line?

Mr. GRAY. According to my recollection, I did.

Senator BLACK. Is it your judgment that one of the most forceful and effective arguments used with Mr. Coolidge in the vetoing of that bill was the argument that it would injure Mr. O'Neal in Alabama? Do you think it had anything to do with the vetoing?

Mr. GRAY. I doubt if it did.

That gives a little insight into this man Gray's character. He said to his friend and confederate, "The President vetoed the measure because of the argument I made to him based on a statement as to how it would hurt you if he signed it." Under oath before the committee, however, he admits that he did not believe that argument had anything to do with the veto. In this instance, under oath, he told the truth, but when he wrote that letter to his friend, Mr. O'Neal, he deceived his own friend, his own confederate. So he not only practiced deception upon

the farmers of America but upon the men who worked with him as his confidential agents and friends. He deceives whenever it seems to his interest to do so. Mr. Gray not only worked the Cyanamid Co., the Union Carbide Co., and the Tennessee River Improvement Association, which was trying to advance the interests of the Cyanamid Co.'s bid, but he had conferences with those representing the Power Trust as well. When he was before the lobby committee he was questioned about that. The committee had some letters and documents in their possession, and Gray knew it. So he did not dare deny that he had had conferences with the power interests. When Mr. Gray was on the stand the Senator from Alabama [Mr. BLACK] asked him this question:

Do you remember when you had the conference about the power?
Mr. GRAY. What conference?

Mark the innocence of the man—"What conference?"

Senator BLACK. The extra-confidential conference you had about the power, the agreement with the power companies, December 29, 1928.

The Senator from Alabama [Mr. BLACK] is now getting down to a definite time. He had a number of documents in his possession, and Gray did not dare dispute what he knew to be the truth if the Senator from Alabama could worm it out of him; but listen to the way he tried to avoid being frank and honest with the committee—"What conference?"

Senator BLACK. The extraconfidential conference you had about the power, the agreement with the power companies December 29, 192 Do you remember those conferences?
Mr. GRAY. With whom were they held, Senator?

He is still avoiding an answer.

Senator BLACK. Whom did you hold conferences with about dividing up the power down there? What power-company officials did you meet with from time to time?
Mr. GRAY. I had a conference with the power people.
Senator BLACK. Who were they?
Mr. GRAY.—

There is a plain question—"Who were they?"—see what his answer is—

Mr. GRAY. The first week that I was a director here, in January, 1926.

He has not answered the question.
Senator BLACK asked:

All right; who were they?
Mr. GRAY. I had a conference in New York City with a group of power people.
Senator BLACK. Who were they?
Mr. GRAY. Just a moment. But I don't know that I have had a conference with the power people since that time.
Senator BLACK. Well, who were they?
Mr. GRAY.—

All the time the Senator from Alabama was asking Mr. Gray a fair, point-blank question, but up to this point he has given evasive answers every time. That is Chester Gray; that is the way he treated the Agricultural Committee; that is the way he treats every committee when he is trying to cover up and conceal the truth. But the Senator from Alabama kept after him; over and over again he asked him the same question, and Gray finally answered it, a little at a time, as will be seen.

Senator BLACK. Well, who were they?
Mr. GRAY. I thought Owen D. Young was going to be there, but he didn't show up.

Still Gray has not answered the question.

Senator BLACK. He didn't show up?
Mr. GRAY. No.

Now, listen to the examination, Senators.

Senator BLACK. Who did?
Mr. GRAY. Martin.

As will be shown later, Martin was not the only man who showed up. Gray was trying to avoid giving direct answers to the questions; he was trying to conceal from the committee the Power Trust officials with whom he was in secret conference. This farmers' friend, this man paid by the farmers of America was trying to hold back that information from the world and from the Senate committee. So he says Martin was there.

Senator BLACK. Tom Martin, of the Alabama Power Co.?
Mr. GRAY. Cobb, of the East Tennessee Power Co., or whatever its name is. I don't know. An attorney for the Alabama Power Co.——
Senator BLACK. Who was he?
Mr. GRAY. I can get the names out of the files here.
Senator BLACK. You can't remember the names now?
Mr. GRAY. I have got them here.
Senator BLACK. Can you remember his name without that?
Mr. GRAY. No.
Senator BLACK. Who else was in on that conference?
Mr. GRAY. Two or three other gentlemen.

He has not answered yet.

Senator BLACK. Who else?
Mr. GRAY. Myself; Mr. Reed, who had just retired as director of the Washington work for the American Farm Bureau Federation; and Mr. Harvey, whose connection I did not then and do not now know.

Still holding back the names that he knew Senator BLACK was trying to bring out; still concealing from the committee the real truth; still trying his usual deception and practicing it upon this committee.

But Senator BLACK pursues him:

Senator BLACK. Who else was in on that conference?
Mr. GRAY. Two or three other gentlemen.
Senator BLACK. Who else?
Mr. GRAY. Myself; Mr. Reed, who had just retired as director of the Washington work for the American Farm Bureau Federation, and Mr. Harvey, whose connection I did not then and do not now know.

So Senator BLACK puts a leading question to him:

Was Mr. Bell there?

Bell is the president of the American Cyanamid Co.

Senator BLACK. Was Mr. Bell there?
Mr. GRAY. No. That was before I hardly knew Mr. Bell, or had hardly heard of the American Cyanamid Co. In fact, that was at a time when we considered the proposition of getting a proposal like the Ford tender, which had been withdrawn, almost hopeless. But when you mention 1928——
Senator BLACK. I haven't asked you about that. Was Mr. Aylesworth there?

Now you are getting down to it. Now you are getting into the Power Trust. Aylesworth! a familiar sound. Do we remember, when the Federal Trade Commission started the investigation against the Power Trust, that Aylesworth was the head of the organization here in Washington, or connected with it, to which was given by the Power Trust $400,000 to control the Senate of the United States? And so Senator BLACK says:

Was Mr. Aylesworth there?

Now, Gray knew all the time that Aylesworth was there. Gray is a shrewd man. He knew Aylesworth, and he knew his connection with the Power Trust; and so Senator BLACK says:

Was Mr. Aylesworth there?
Mr. GRAY. Aylesworth was spokesman.

He was the head of the whole business, you see.

Senator BLACK. You didn't remember his name at first.
Mr. GRAY. He was connected then with the National Electric Light Co.

He did not answer Senator BLACK's question, you see.

Senator BLACK. And the Electric Bond & Share Co., wasn't he?
Mr. GRAY. I don't know about that.

He does know about it. Everybody knows about it, and that Aylesworth is one of the leading representatives of the Power Trust of the United States. There will be some more about this power proposition later on.

Referring to this same conference or, rather, to these same people—I do not know whether it occurred at this particular conference or not—they tried to bring about an agreement to have an understanding that they would not put in writing, so that when they were asked the question by committees of Congress they could say, "There is no agreement between the power people and the Cyanamid Co.," and yet they were going to have a secret understanding. They had to leave it in that shape so as not to let Congress know the truth, and Gray was in on that plan of deception.

Listen to this.

Senator BLACK is examining. Senator BLACK says:

Now, Mr. Gray, you say no agreement was reached, and Mr. Bell—

Remember, Mr. Bell is president of the Cyanamid Co.—

and Mr. Bell has said no agreement was reached. I want to call your attention to certain instructions that you received from Mr. Bell. I don't care to show them to you now. I just want to refresh your recollection on them. They are with reference to the proposal to be made to the power companies. There was a first proposal given you for consideration to present to them, and a second alternative, but with reference to each of the two Mr. Bell told you that under no circumstances

would it do to make an express agreement, because if an express agreement was made, or understanding, that it would not stand up under the law with reference to monopolies, and that therefore the understanding between the Cyanamid Co. and the power companies must be tacit, as understood between gentlemen. Do you remember that?

Mr. GRAY. Yes.

Senator BLACK. You do?

Mr. GRAY. And he explained that to the Military Affairs Committee, that nothing came of it.

Senator BLACK. I am not asking what he explained to the Military Affairs Committee. Do you remember that?

Mr. GRAY. Yes.

Senator BLACK. Just state what he told you in any conference about it must not be reduced to writing and it must not be placed in such a way that anybody could say there was an agreement. Just explain that.

Mr. GRAY. What is your question again, please?

Senator BLACK. You recall, don't you, that he said in his instructions to you that whatever understanding was reached, it must be reached in such a way that no one could say there was an absolute agreement or contract made? You remember that, don't you?

Mr. GRAY. Yes; I do.

Senator BLACK. And that under no circumstances would it do for the power company and the Cyanamid Co. to agree in any other way except that?

Mr. GRAY. That is the way I remember it.

Senator BLACK. And he came before the committee and said they had made no agreement, didn't he?

Mr. GRAY. Yes.

So that Mr. Gray was not only engaged in fooling the farmers and in fooling the men who were working with him, but he was trying to deceive the country and the Congress, in addition to other things that he had done, by entering into a conspiracy that the Power Trust and the Cyanamid Co. should have an understanding that the Cyanamid Co. should get the bill through, and that they would have an understanding as to what they should do with the power afterwards; but that no agreement should be put in writing because it might be developed, and it would not of course be pleasant and probably would defeat the whole thing if the real secret agreement was known. Chester Gray, of the American Farm Bureau Federation, was in on that agreement.

Here is something from a letter written by Mr. Gray to Mr. O'Neal—a very interesting letter, all of it, but it is quite lengthy and I will not read all of it. He tells in it what kind of a job they were putting up to fool certain Members of Congress, and goes on to tell about other things. This is what Gray said:

I am trying this week to get in touch with Secretary Hoover—

That was when President Hoover was Secretary of Commerce. That was before President Coolidge had pocket vetoed the other bill.

I am trying this week to get in touch with Secretary Hoover on your nitrate-shipping proposition and the Muscle Shoals matter generally, as I know you will agree that he is one of the men with whom we might have to work on the Muscle Shoals project in the future.

Anticipating what later happened, he goes on:

There is a likelihood, too, that I will see Governor Smith—

There might be a possibility that they would have to deal with him later; so he was going to "catch them coming and going." He was ready to deal with anybody who would pull his chestnuts out of the fire. He says in this letter to Mr. O'Neal, dated July 9:

There is a likelihood, too, that I will see Governor Smith quite soon in order to let him know what we stand for at the Shoals, so that he inadvertently will not say something in his address which might embarrass us and compromise himself.

Was not that considerate of him?

With these three contacts going—that is, Hill with James and myself with Hoover and Smith—we will be doing something at least toward getting our project under way next fall.

Here is some testimony that came after the letter from which I have read. The Senator from Montana [Mr. WALSH] is examining Mr. Gray:

Senator WALSH of Montana. It appears that Mr. Hill, who was apparently favorable to your general proposition, was endeavoring to get Mr. Bell to concede something in respect to the recapture clause.

I wish Senators would notice this. Here was an attempt on the part of Congressman Hill, when the Bell proposition was pending, to get Bell to make it a little better for the Government; to make it a little more certain that it could be honestly accepted by the Government; and it is brought out that Mr. Gray, while he pretended to represent the farmers of America, would not concede that they should go to Bell and try to get him to make a better offer than he had made. Mr. Gray was working for the Cyanamid Co. and not for the farmers of America, as this examination will show; and you will see again how he tried to avoid the real question that Senator WALSH of Montana was asking him.

Reading the question again:

It appears that Mr. Hill—

Who was a Congressman—

who was apparently favorable to your general proposition, was endeavoring to get Mr. Bell to concede something in respect to the recapture clause.

Mr. GRAY. Yes; he was.

Senator WALSH of Montana. He was endeavoring to enlist your services in prevailing upon Mr. Bell to make that concession in the interest of getting the legislation through?

In other words, Congressman Hill was trying to get Gray, knowing that he was the real representative of Bell, of the Cyanamid Co., to get Bell to make an offer that was a little better for the farmers of America than the one he had made; and Senator WALSH of Montana asks Mr. Gray this question:

He—

That means Hill—

was endeavoring to enlist your services in prevailing upon Mr. Bell to make that concession in the interest of getting the legislation through?

Mr. GRAY. That is true.

Senator WALSH of Montana. And you answered objecting to the request of Congressman Hill; insisting you ought to try to get it through just as it was?

He did not want the concession made for the benefit of the farmers. What is Mr. Gray's answer to that?—

Mr. GRAY. Yes; that is true.

Senator WALSH of Montana. How is it that you, representing the farmers of the country, were unwilling to make any concession or attempt to get any concession with respect to the recapture clause?

Mr. GRAY. Only this: Mr. Bell, who is the president of the American Cyanamid Co., and whose money is going into it, had told me that he had given everything in the way of recapture which he could give and stand by his offer, and if the Military Affairs Committee had written in other things in the recapture clause than were in it at that time, he could not stand for other and additional recapture. May I say further——

Senator WALSH of Montana. No——

Mr. GRAY. The recapture clause don't please me as it is now.

Senator WALSH of Montana. Let me remark that Mr. Hill's proposition was not at all that the Military Affairs Committee should lay down any proposition. Mr. Hill's proposition was that you should join in endeavoring to persuade Mr. Bell to make concessions.

Senator BLACK. That was Mr. O'Neal's proposition, instead of Mr. Hill's.

Mr. GRAY. I had talked with Mr. Bell about making that——

Senator WALSH of Montana. No, no; but you answered you wouldn't do it. You wouldn't accede to the request of Mr. O'Neal and Mr. Hill.

Mr. GRAY. In my correspondence——

Still avoiding:

Senator WALSH of Montana. You refused to do it on the ground that you could get the bill through as it was.

Mr. GRAY. Yes, sir; and the reason I stated that in my letter——

Senator WALSH of Montana. Now——

Mr. GRAY. Pardon me.

Senator WALSH of Montana. Of course, the severity of the recapture-clause provision was a matter of consequence to the Cyanamid Co.?

Mr. GRAY. Yes.

Senator WALSH of Montana. Of course, they wanted as easy a recapture clause as they could get.

Mr. GRAY. I presume that is true.

Senator WALSH of Montana. Rather, I mean that they wanted to make the recapture by the Government as difficult as possible.

Senator CARAWAY. And as expensive.

Mr. GRAY. And as expensive to the Government.

Senator WALSH of Montana. And as expensive.

Mr. GRAY. I would naturally suppose that to be so.

Senator WALSH of Montana. Exactly. Mr. O'Neal and Mr. Hill were endeavoring to get you to go to Bell and get him to make some concession over and above what he had theretofore offered?

Mr. GRAY. Yes.

Senator BLACK. I can understand why the Cyanamid Co. would want to have the recapture by the Government as burdensome and onerous as possible; but why should you, having in mind the interest of the farmers of the country?

Mr. GRAY. I was not averse to doing it.

Senator WALSH of Montana. But you declined to do it.

Mr. GRAY. Because I had seen Mr. Bell, and these gentlemen had not, and I knew he wouldn't stand for it.

Senator WALSH of Montana. But that was not your reason. You didn't say to Mr. O'Neal, "I have done everything with Mr. Bell that I can do, and Mr. Bell is obdurate about the matter. He tells me he has made all the concessions he possibly can." You didn't answer the letter that way at all.

Mr. GRAY. No; that is not in the letter.

Senator WALSH of Montana. That letter says that you believe it is unnecessary, that you can get the thing through as it stands.

Mr. GRAY. Which was a wise legislative strategy, because if we had opened up again Mr. Bell's known opposition to accept the entire bill, it would have delayed the report on it.

Senator WALSH of Montana. They didn't ask you to open it up in opposition to Mr. Bell. They asked you to go to Mr. Bell and endeavor to get him to join with you.

Mr. GRAY. Which I did.

Senator WALSH of Montana. But you said you wouldn't.

Mr. GRAY. After they wrote me I couldn't, because I knew his position on it, Senator.

Senator WALSH of Montana. But you didn't say that. You said you wouldn't do it because you thought you could get the bill through as it was.

Mr. GRAY. Because I had already found the situation relative to Mr. Bell, and the bill was moving gradually through the committee, and if we started to write it over it would mean no bill.

Senator WALSH of Montana. But you didn't tell them that. That was not the ground upon which you put your refusal. You put your refusal on the ground that you could get the bill through as it was.

Mr. GRAY. Yes; as it was.

So here was Chester Gray, this farmer representative, when he was requested by a Member of the House of Representatives to go to Mr. Bell and try to get him to give something more to the Government, some better offer to the farmers if he could get Muscle Shoals, this man representing the farmers refused to intercede with Bell to have him make a better offer, and the reason he gave was, "It is not necessary. I have power enough, with my confederates, to get it through as it is."

Whom was he representing then, the farmers of the United States, or the Cyanamid Co. and the Union Carbide Co.?

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. NORRIS. I yield.

Mr. CARAWAY. While the Senator is discussing that, I hope he will go back and read his explanation of the telling of an untruth to the committee in answer to the Senator's question, when he was before the Committee on Agriculture.

Mr. NORRIS. I have commented on that.

Mr. CARAWAY. I beg the Senator's pardon.

Mr. NORRIS. I did not read his testimony before the lobby committee, where he admitted it, but I made the statement that he had admitted it before the lobby committee. Perhaps if this goes on to another chapter I will take occasion to read the testimony itself.

Here is a letter to Mr. Gray, written by Mr. O'Neal, the man who is his confederate, his ally, his coworker, and the man whom Gray deceived and falsely told of what plea he had made in his behalf before President Coolidge, and that that was the reason why Coolidge vetoed the Muscle Shoals bill. This letter was written July 12, 1928. O'Neal starts out by saying:

My dear Chester.

That is Mr. Gray, "My dear Chester." There are a good many things in that letter, and I am not going to read it all, although it is all interesting. In one place he says:

My dear boy, we must get our heads together, review all the facts we have learned by experience in our fight for Muscle Shoals, capitalize by recognising our failures and evolve a plan that will put it over.

I am delighted to see that you are going to seek Governor Smith and Mr. Hoover. I wish I could be with you on both occasions.

Would it not have been grand if they could have been together?

In my own mind I don't feel that we can get over a Government-operation plan—

And so forth.

Further on in the letter he says to "dear Chester":

I wish you had the time to review all these facts, the fight for the last 10 years, in your mind, and set them down on paper in the form of a brief, our successes and failures. This would help to guide us. Now is our opportunity to put the thing over and I firmly believe that we can do it. Mr. Hoover himself suggested the plan that I discussed with you. While my mind is not made up on this plan yet, it has some very strong points, I fully believe.

So these two men saw the candidates for President on the Republican and Democratic tickets, or at least said they were going to do it, and fix them right on Muscle Shoals, so that when they wrote letters of acceptance or made speeches they would not make mistakes on that important matter. Yet they frankly said to these candidates for President:

Get our idea. We are going to bring the farmers' votes. Help us pull the chestnuts out of the fire in the name of the American farmer but for the benefit of the Cyanamid Co. and the Union Carbide Co., who are paying the expenses.

I see the senior Senator from Alabama [Mr. HEFLIN] honoring me with his attention, and it might be interesting for him to find out what was said in one letter written by O'Neal to "dear Chester." He used this language after telling how to get various kinds of fellows:

I believe we can get HEFLIN if we work right.

Mr. HEFLIN. Mr. President, does the Senator have any idea what sort of a spell they expected to throw on me?

Mr. NORRIS. I do not know, except that possibly they expected to say that if the Cyanamid Co. did not get it the Pope would, or something of that kind.

Well, I shall read a little more from a letter from "Dear Chester" to "Dear Mr. O'Neal." This was written July 24, 1929, and in it I find this:

I know the question which will be uppermost in your mind will be whether or not you as president of the Alabama Farm Bureau Federation desire to send out a member of the personnel when the finances to support him come from sources other than the regular income of your federation.

Do Senators see what that is? Do they get that? He says:

I am aware that you may have some hesitancy in sending out somebody in the name of the federation paid for by this interested party.

He says:

I know the question which will be uppermost in your mind.

I read on:

There is nothing new in this proposition to us, as it has been done before, so that I presume your hesitancy in this regard will not be very pronounced.

He says, in substance, to O'Neal:

It may go against your conscience to do this deceitful thing and to fool your farmers, but you ought not to be so pronounced in those convictions. We have done it before, and it works all right.

God bless you, he has been engaged in the business of deceiving farmers for the past 10 years. It is nothing new to him, as he says:

There is nothing new in this proposition to us—

Said "Dear Chester" to "Dear O'Neal"—

It has been done before, so that I presume your hesitancy in this regard will not be very pronounced.

I presume also it will be best for Mr. Bower—

the man the Farm Bureau sent out under the name of the Farm Bureau with letters of recommendation from Gray and others to the farmers of the United States, to the executive officials of the different farm bureaus in the different States, to get them to indorse the Cyanamid bid. And now they are hurling back at them, as Mr. Thompson says in the letter from which I have quoted to-day, "We had to do it because you asked us to do it."

And God knows the reason they asked was because Chester Gray put up this job here. They put up this gigantic job to fool the farmers of the United States, to bring them, body and soul, to influence your vote and my vote to give away this valuable asset to the Water Power Trust and to the great combinations of the United States. He said:

I presume also it will be best for Mr. Bower, if he goes out under authorization of the Alabama Farm Bureau Federation, to make his contacts with a report to the Washington office as a matter of convenience in getting work done if for no other reason.

You had better send him out under the name of the Farm Bureau even though the Cyanamid Co. is paying his salary and paying his expenses. That is the best way to fool them. We have done it to dear Chester first, and we feel all right about it. It will not hurt you if you do it.

In the same letter he said further:

I wish to add, however, to the list of States which are mentioned in the letter above referred to the State of Oklahoma.

See how they are trying to rope in this fine man, Mr. Simpson, of Oklahoma. Many Senators, especially those on the Committee on Agriculture and Forestry in the last 10 years, will remember him. He frequently appeared before the Senate Committee on Agriculture and Forestry. He is a very able man and the head of the Farmers' Union. Chester Gray wants to get them as well as the officials of the Farm Bureau. I think probably Simpson belongs to both organizations.

I wish to add, however, to the list of States which are mentioned in the letter above referred to the State of Oklahoma. We have a very strong farm leader there—John Simpson, president of the Oklahoma Farmers' Union—who is influential not only with Senator THOMAS, whose vote we need here at Washington, but also is a power in the Farmers' Educational and Cooperative Union of America. It might be that with John Simpson thoroughly informed upon the subject of Muscle Shoals, the Farmers' Union in its annual meeting next October would take a position similar to that held by the Alabama Farm Bureau Federation.

That is the American Farm Bureau Federation. That explains itself. There is a secret proposition to get Mr. Simpson and through him to get the Farmers' Union into this nefarious, deceptive scheme. He put out that feeler in this letter.

Mr. HEFLIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Nebraska yield to the Senator from Alabama?

Mr. NORRIS. I yield.

Mr. HEFLIN. I did not notice the date of the letter which Mr. O'Neal wrote to "Dear Chester" regarding me.

Mr. NORRIS. I will find it in a moment for the Senator.

Mr. HEFLIN. It is not very important, I talked with both Mr. O'Neal and Mr. Gray in the reception room of the Senate, and I think my colleague told them the same that I did when I said that I would not favor the Cyanamid bid or any other bid that did not have a provision in the recapture clause that would guarantee the making annually of 40,000 tons of fixed nitrogen, and that unless such a provision was agreed upon, there was no use discussing the matter with me.

Mr. NORRIS. I have the date now. It was July 31, 1929. The Senator will remember, in speaking of what he demanded, that that is what Congressman Hill demanded, and it was said to Gray, "You know Bell. You are his representative and all that. Go to Bell and see if he will not put that in and make it definite." The Senator knows that is one of the jokers in the Cyanamid Co.'s bid, that as a matter of fact, while on the face of it it is trying to make Congress believe that it means to manufacture 40,000 tons annually, yet it does not mean anything of the kind, and they never will manufacture it under that bid. They tried to get Gray to go to Bell and say, "Put that in, make it stronger," and Gray said, "No; I can get it through as it is. I have enough control over Presidents and Senators and Members of the House, and it is so much better this way for the Cyanamid Co. I will not ask that any change be made."

Mr. HEFLIN. I remember distinctly on one occasion when I talked to O'Neal and told him my position that he agreed with me. I said the proposition in the first place was to have fertilizer made there for the farmer and that I was not going to support any bid which does not carry out that part of the contract. He agreed that I was right about it. So it seems that they are mixed up on both sides of the proposition.

Mr. NORRIS. Mr. Gray had some suggestions to make to President Coolidge.

Mr. BLACK. Mr. President, will the Senator yield for a suggestion in connection with the last letter?

Mr. NORRIS. Certainly.

Mr. BLACK. In connection with the proposition that was made by Mr. Gray to Mr. O'Neal asking that he carry Mr. Bower on the Alabama Power Co. pay roll, the Senator may have the letter to refer to later, but Mr. O'Neal declined to do that.

Mr. NORRIS. Yes.

Mr. BLACK. Later evidence developed that Mr. Bower was carried in some way on the Tennessee River Improvement Association pay roll and paid $725 a month by the Union Carbide Co.

Mr. NORRIS. I thank the Senator for the interruption.

"Dear Chester" wrote a letter to "My dear Mr. Sanders," who happened to be a private secretary to President Coolidge, in which he said:

MY DEAR MR. SANDERS: If you consider the attached memorandum of enough importance to justify your doing so, I believe it would be helpful to lay it on the desk of President Coolidge.

Very truly yours,

AMERICAN FARM BUREAU FEDERATION,
CHESTER H. GRAY,
Washington Representative.

This is the memorandum he inclosed and wanted submitted to the President:

Memorandum.

The Senate situation on Muscle Shoals relative to the Willis bill, which measure is identic, word for word, with the Madden measure—

Both of those bills were acceptances, the one in the Senate by Senator Willis and the one in the House by Congressman Madden, of the Cyanamid bid for Muscle Shoals.

The Senate situation on Muscle Shoals relative to the Willis bill, which measure is identical word for word, with the Madden measure, is such that action in the House should be taken before a vote is had in the Senate on the Norris Government operation resolution.

It is suggested as a method to help action on the House side that if Congressman WAINWRIGHT, of New York, and Congressman WURZBACH, of TEXAS, could be informed as to the desire that the Madden bill be reported as it now reads a vote in the House committee would be very much expedited.

It would stimulate Senator Willis also in his leadership of the Senate fight if he could be informed that his measure is the one bill available to defeat Government operation at the shoals.

Senators will remember that that was the time when we passed a bill similar to the last one which was pocket vetoed by President Coolidge. When that bill was in the Senate there was an analysis of the Cyanamid bid made on the floor of the Senate which so completely convinced every Senator that it was a nefarious and obnoxious bid that no one here ever even offered it.

Senator Willis, of Ohio, became convinced that it could not pass, that everybody was against it because they knew of the jokers that were in it; they knew what the analysis disclosed with reference to the things that made it objectionable; that made it absolutely offensive; and it never was even offered on the floor of the Senate.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. NORRIS. Certainly.

Mr. HEFLIN. If the Senator will recall, when we had the joint committee, three from the Senate and three from the House, Senator DENEEN, Senator Suckett, and myself representing the Senate, we reached an agreement—the committee was not unanimous, however—on the United Power Co.'s bid. I announced at the time that I was not in favor of that bid, but that if the Cyanamid people would agree to make 40,000 tons of fixed nitrogen, then when the bill came up I would offer it as a substitute. They would not agree and did not agree, and I never did offer it.

Mr. NORRIS. Of course they did not agree, and one reason why they did not agree was because Chester Gray would not even ask them to agree to it. The farmers' representative, as the evidence shows, said, "I can get it through without it." He overestimated his power.

He was calling upon President Coolidge in this memorandum. What does it disclose? He asked him to take it up with two members of the House committee whom he mentions by name. Why did he mention nobody else? He had made an investigation and undoubtedly knew where the committee stood, and he called upon Coolidge to use his influence to control the Committee on Military Affairs, or two members of it, and get the bill reported out so as to give some standing to the Cyanamid bid and give some heart to Senator Willis, who was expected to offer it as a substitute for the bill that was reported by me from the Committee on Agriculture and Forestry.

Where has there been a Senator through all the debate who has had the courage to rise here and offer the Cyanamid bid? Never one, not one! No Member of the Senate has done it. Senators are convinced from the analysis which was made when the matter was pending heretofore that it is an obnoxious proposition, unfair, that it is deceptive to the farmers, full of jokers, and will not do what it is pretended it will do, but will inure to the benefit of the Power Trust, as the evidence shows.

If Mr. Thompson will take up the question in an honest way to find out what Mr. Gray has been doing in behalf of the farmers, I invite him to read in the New Republic of April 16 an article entitled "The Muscle Shoals Lobby," by Duff Gilfong. I am going to read just an extract or two from it. It is said in the article:

Why do the farmers support a company that is using them as a blind to acquire the power at Muscle Shoals for its own profit?

I submit that question to Mr. Thompson. I submit that question to every honest farmer in the American Farm Bureau Federation:

Why do the farmers support a company that is using them as a blind to acquire the power at Muscle Shoals for its own profit?

That is just what they are trying to do. That is what Chester Gray has been trying to do from the time the Cyanamid bid

came in. He was for the power companies and the Cyanamid Co. and for anything for any trust or monopoly that would give them the benefit of that remarkably cheap power down at Muscle Shoals.

I am not going to repeat my analysis of that bid which I have already made on at least two occasions in the Senate. It is sufficient to know that not a single Senator from the very beginning to the end has dared to offer that bid, although this great representative, "My dear Chester," was working for it all the time, although he had access to the White House, although he said that Coolidge was for it, that Hoover was for it, and that Smith was going to be for it, and that he was going to look after everybody; and yet he has not convinced a Senator with reference to it. He did at one time. He had some of them convinced at one time until that analysis was made, until it was shown that the Cyanamid bid was a fraud and a deception and had jokers in it. Although it was drawn for the Cyanamid Co. by the great lawyer who is now the Chief Justice of the Supreme Court of the United States, nevertheless ordinary men were able to see through it and get the jokers and to expose them on the floor of the Senate and elsewhere.

The article continues:

Why do the farmers support a company that is using them as a blind to acquire the power at Muscle Shoals for its own profit? Because they don't know that Mr. Gray, who writes the resolutions which they trustfully accept at annual conventions, is fooling them. He says that the Cyanamid bid is their means of procuring cheap fertilizer, and they believe him, as the rank and file of the American Legion believe their leaders who tell them that the conscription bills before Congress conscript capital. They don't know the facts as they were brought out at the hearings: That Gray opposes amendments on the Muscle Shoals bills, not as they affect the farmers but as they affect the Cyanamid Co.; that he refused to allow the president of the Cyanamid Co. to submit to a more drastic recapture clause, which would certainly be to the advantage of the farmers; that R. F. Bower, who addressed them as a representative of the American Farm Bureau Federation at farmers' meetings, was paid by the Cyanamid Co. or its ally, the Tennessee River Improvement Association; that the pamphlets and circulars sent out by O. M. Kile for the American Farm Bureau Federation brought him $725 a month from the Cyanamid Co. Do they know that when the little town of Muscle Shoals offered to buy power from the Government, Mr. Gray, the farmers' representative, promptly warned President Coolidge not to establish the bad precedent of Government dispensation of power? No power company could have been more perturbed. How could they suspect that their representative cooperated with the secretary of the National Fertilizer Co., which opposes the manufacture of fertilizer, naturally, but favors private operation of Muscle Shoals (and for a good reason)?

Further on the writer of the article says:

But the greatest display of obeisance a President could make to a lobbyist was the alteration of the presidential message to Congress at the lobbyist's dictum. Unluckily, Gray was out of town when an advance copy of the speech reached him. He promptly telegraphed to the President.

This is a quotation from the article. It is in the testimony, and I could read it from the testimony instead of reading it from this article; but this is what Gray wired the President when he found out what his message was going to be—he secured an advance copy; he was not here; and he wired the President:

At complete loss to understand paragraph on Muscle Shoals in view of your statement to us last Tuesday. Hope not too late to revise this paragraph so you can be free to aid Congressman Madden in passing his bill.

That is the telegram Gray sent to President Coolidge. The writer of the article then goes on to say:

Evidently it was never too late to consider the farmers' representative. Conferring with him by long-distance telephone, Mr. Sanders, the President's secretary, took from him a dictated revision of the paragraph. "Had I been in Washington," Gray wrote O'Neal early in January, 1928, "it might have been possible to have made a more accurate wording to suit us, but that was the best I could do in a very hasty and disturbed long-distance conversation."

That happened, Mr. President; it is in the testimony; I can turn to it now and read it from the testimony; but I thought I would read it from this article; it is the story told by Gray's letter to O'Neal, in which he told just what he did; how he had called the President's Private Secretary on the long-distance telephone after he had seen the advance copy of the President's message, and had the message changed. He boasts about it in the letter. The article concludes:

What prompted Mr. Gray to deceive the farmers and devote himself so fervently to the interests of the Cyanamid Co. has not yet been brought to light by the committee. But more important than Mr. Gray's incentives is the unhappy fate these revelations must bring to the secret ambitions of the American Cyanamid Co.

Mr. President, I ask unanimous consent at this point in my remarks to have printed in the RECORD the entire article from which I have been quoting.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

[From the New Republic, April 16, 1930]

THE MUSCLE SHOALS LOBBY—HOW THE CYANAMID CO. HAS HOODWINKED THE FARMERS

The future of the great Government plant at Muscle Shoals is still undecided. The power interests, represented by the Alabama Power Co., have long been trying to get hold of it. So has the American Cyanamid Co., which has asserted, in order to gain farmer support, that it wants to use the plant chiefly to make fertilizer. In its previous session, Congress passed Senator NORRIS's bill for Government operation, but President Coolidge killed it by a pocket veto. The Senate has again passed the bill, but even if the House does the same, President Hoover will probably reject it, and if he does, it is not certain that it could be repassed over his veto. Meanwhile, we are beginning to get some of the history of the intrigue which has heretofore blocked it.

Recent testimony before the Senate lobby investigating committee by a representative of the American Farm Bureau Federation, an organization of 1,000,000 farmers over the country, revealed how the White House has been eating out of the hand of this farmers' lobby in the matter of Muscle Shoals. The lobbyist, Chester H. Gray, admitted that he had influenced President Coolidge to stop the Department of Agriculture from writing a Muscle Shoals bill which he, Mr. Gray, did not like; that he had persuaded President Coolidge to assign his Secretary of Commerce, Mr. Herbert Hoover, to help Mr. Gray in putting over a Muscle Shoals bill he did like. Furthermore, he actually dictated the paragraph on Muscle Shoals in one of President Coolidge's messages to Congress. Strange that the big-business administration should have shown such respect for the desires of the farmer? Ah! but Mr. Gray was pushing the Cyanamid bid for Muscle Shoals, by which the Government turns over the people's property to a private company, promising to manufacture fertilizer for the farmer—and actually meaning to do nothing of the kind.

Aside from the argument of Senator NORRIS, who has gone over the situation with chemists, that the cyanamide process of manufacturing fertilizer is obsolete, newer methods having been devised, there is plenty of evidence that the American Cyanamid Co. is not leasing Muscle Shoals to manufacture fertilizer. Why should it? When Henry Ford bargained for Muscle Shoals some years ago, the president of the American Cyanamid Co. himself testified before the Committee on Military Affairs, before which the bill came up, that the value of this development was not in its fertilizer possibilities, but in its electric-power resources. The profits from the water power are so stupendous in comparison with the Cyanamid's proposed profit on the fertilizer that it is absurd to suppose that so great a business concern as the Cyanamid Co. would dedicate itself to such poor business.

Moreover, the recapture clause of the bid, which should provide for the Government's recovery of Muscle Shoals on the failure of the lessee to manufacture fertilizer, doesn't guarantee that at all. Drawn up by that great legal mind, Charles Evans Hughes, the recapture clause consists of 21 lines of whereases, provisos, and heretofores, which, translated into intelligible English, state that in 15 years (not until then, mind you), if the lessee is converting all the power at Muscle Shoals into profits and none into fertilizer, a board may (not must) file a complaint with the Secretary of War; that the matter is then to be submitted to arbitrators, who are to hold hearings; that if the arbitrators agree with the board that the suspension of the manufacture of fertilizer is likely to be permanent—no; the lease isn't canceled yet—the matter then is to be referred to the Secretary of War; that he is to refer it to Congress, which may acquit the company of the duty of making fertilizer; finally, in case Congress fails to act, the Secretary of War may acquit the company himself.

Senator BLACK, of Alabama, who is not a Government-operation man, but has committed himself to getting fertilizer for the farmer out of the nitrates at Muscle Shoals, said of the Madden-Wright bill, in which the Cyanamid offer is incorporated, "The bill, as now written, in my judgment, would not cause enough operation of the nitrate plants to remove the rust from the wheels."

Why do the farmers support a company that is using them as a blind to acquire the power at Muscle Shoals for its own profit? Because they don't know that Mr. Gray, who writes the resolutions which they trustfully accept at annual conventions, is fooling them. He says that the Cyanamid bid is their means of procuring cheap fertilizer, and they believe him, as the rank and file of the American Legion believe their leaders who tell them that the conscription bills before Congress con-

script capital. They don't know the facts as they were brought out at the hearings; that Gray opposes amendments on the Muscle Shoals bills; not as they affect the farmers but as they affect the Cyanamid Co.; that he refused to allow the president of the Cyanamid Co. to submit to a more drastic recapture clause, which would certainly be to the advantage of the farmers; that R. F. Bower, who addressed them as a representative of the American Farm Bureau Federation at farmers' meetings, was paid by the Cyanamid Co., or its ally the Tennessee River Improvement Association; that the pamphlets and circulars sent out by O. M. Kile for the American Farm Bureau Federation brought him $725 a month from the Cyanamid Co. Do they know that when the little town of Muscle Shoals offered to buy power from the Government, Mr. Gray, the farmers' representative, promptly warned President Coolidge not to establish the bad precedent of Government dispensation of power? No power company could have been more perturbed. How could they suspect that their representative cooperated with the secretary of the National Fertilizer Co., which opposes the manufacture of fertilizer, naturally, but favors private operation of Muscle Shoals (and for a good reason)?

"Does the question come up as to what the farmers are thinking?" the credulous husbandmen read in the propaganda disseminated by the American Farm Bureau Federation. "Send for Gray," is the order, and Gray, speeding by taxi down the broad boulevard, arrives under the Capitol Dome to tell Congressmen and Senators just how their contemplated course will affect the farmers and what the probable reaction will be.

No inkling have they of shadowy maneuvers such as are revealed, for example, in a letter dated July 24, 1929, written by Mr. Gray to Mr. Edward A. O'Neal, president of the Alabama Farm Bureau Federation. "Relative to your authorizing R. F. Bower to do some field work this summer and fall," says Gray, "in deflecting senatorial votes from the Norris resolution, I know the question which will be uppermost in your mind will be whether or not you, as president of the Alabama Farm Bureau Federation, desire to send out a member of the personnel when the finances to support him come from sources other than the regular income of your federation." And thereupon Mr. Gray reminds his colleague that the performance is not without precedent in their organization.

The blitheness with which their own leaders hoodwink the farmers undoubtedly relieved the White House conscience for doing likewise. So coveted a prize is farmers' support for a bill which sanctions private operation of a public property that President Coolidge could not resist it, even though it was given under an illusion. When Mr. Gray informed him in 1926 that the farmers would never support the bid of a power company for Muscle Shoals unless, like the American Cyanamid Co., it wore a chemical cloak, the President got the point. Moreover, he agreed with Gray that the man to effect a compromise between the power and the so-called "chemical interests," and thus insure the defeat of the Norris resolution for the Federal operation of Muscle Shoals, was his Secretary of Commerce, Mr. Hoover. That Mr. Hoover made the attempt was brought out by correspondence at the hearings; but it failed.

The plan, however, was too good to abandon. Gray and his cohorts held conferences with the Alabama Power Co., while instructions from the president of the Cyanamid Co. poured in.

The Tennessee River Improvement Association, of which the distinguished Republican National Committee chairman, Claudius H. Huston, was president, came out loudly for the Cyanamid bid and quietly accepted money from the power companies. Recognizing the kinship of the enemy—after all, the Cyanamid Co. has no distributing system and would have to sell the power generated at Muscle Shoals to the power interests—and duly impressed with the farm appeal of the Cyanamid Co., the power companies withdrew their clamors for Muscle Shoals. It was a tacit agreement, Mr. Bell told Mr. Gray, entered into out of respect for our monopoly law. Through it everybody was to get his—except the unlucky electric-light user, who would have to pay a middleman's profit on his bills. Thus the Cyanamid bid came to be the outstanding opposition offer to Mr. NORRIS's resolution for Muscle Shoals.

In other ventures in behalf of the farmers and their interest in Muscle Shoals, the White House was more effective. Early in 1928, Chester Gray, prowling around in the Department of Agriculture, gathered that somebody was working on a Muscle Shoals bill based on the Government-operation idea. Immediately the farmers' representative thought of the American Cyanamid Co., and tore to the White House. Before he could finish his report of the dangerous activities at the Department of Agriculture—so Gray imparted to O'Neal—the President actually sent word that any effort to write a bill competitive to the Madden-Wright Muscle Shoals bill must cease until the department had conferred with him. "There is no doubt in my mind that the President is with us," wrote Gray, after the President's Secretary called him up to report the progress of the conference. The President had declared therein that "he wanted the Madden bill to have the right of way unobstructed," and the department had promised to write no more Muscle Shoals bills.

"Oh, yes; I had a very fine contact at the White House on the Muscle Shoals in the Coolidge administration," Gray boasted before the lobby committee.

"You mean you controlled the President?" asked Chairman CARAWAY.

"No; I conferred with him upon details as they came along, sometimes at my solicitation and sometimes at his."

"Two souls with but a single thought," suggested CARAWAY.

"That is it," agreed Gray, "poetically expressed."

But the greatest display of obeisance a President could make to a lobbyist was the alteration of the presidential message to Congress at the lobbyist's dictum. Unluckily, Gray was out of town when an advance copy of the speech reached him. He promptly telegraphed to the President: "At complete loss to understand paragraph on Muscle Shoals in view of your statement to us last Tuesday. Hope not too late to revise this paragraph so you can be free to aid Congressman Madden in passing his bill." Evidently it was never too late to consider the farmers' representative. Conferring with him by long-distance telephone, Mr. Sanders, the President's secretary, took from him a dictated revision of the paragraph. "Had I been in Washington," Gray wrote O'Neal early in January, 1928, "it might have been possible to have made a more accurate wording to suit us, but that was the best I could do in a very hasty and disturbed long-distance conversation."

Questioned by the lobby committee as to the assistance he had rendered President Hoover in connection with the Muscle Shoals section of his congressional message, Mr. Gray admitted that his help was not needed. "It was the best Muscle Shoals resolution," he explained, "that any President has ever written."

"He beat both of you?" asked Senator CARAWAY, referring to the partnership of Coolidge and Gray.

"He beat both of us," said Gray.

The "contact" in the Hoover administration is not as direct as it was in the preceding administration. It could, nevertheless, have been very considerable, as Col. J. W. Worthington, Mr. Huston's successor as president of the Tennessee River Improvement Association, recognized. Writing Mr. Gray after President Hoover's election, he advised him:

"Get Mr. Huston to introduce you to Mr. Horace Mann [Mr. Hoover's southern campaign manager] and to Mr. Richey [gum-shoe secretary to the President]. Huston, Mann, Richey, and Akerson (another secretary) are close contact men with Mr. Hoover. You can talk most freely to Mr. Huston (just as freely as you can talk to me) and you can get help from him. He knows all about the danger of Mr. JAMES's banditry. * * * [This refers to the recalcitrancy of the Military Affairs Committee chairman in selling out on the public.] All together, the Madden bill is an inviting bridge for you to cross over to the Hoover presidential shore."

Before attaining his present eminent position, Mr. Huston had dispatched a letter to each Member of Congress urging him to accept the Cyanamid bid for Muscle Shoals. That he did not mean to fall short of expectations was recognized by Mr. Gray in a recent communication to Mr. O'Neal. "He is okay," wrote the former, "and is doing all that he dares to do in the position which he occupies. I learned that he is watching his step on this for fear of being called by CARAWAY's committee. We do not want to urge him to do too much right now on this account."

What prompted Mr. Gray to deceive the farmers and devote himself so fervently to the interests of the Cyanamid Co. has not yet been brought to light by the committee. But more important than Mr. Gray's incentives is the unhappy fate these revelations must bring to the secret ambitions of the American Cyanamid Co.

DUFF GILFOND.

Mr. NORRIS. Mr. President, it is long past the usual hour of adjournment, and I have probably gone sufficiently far into this particular chapter as it affects Mr. Gray. I think it is additional evidence to what was offered when I referred to him previously; that, instead of representing the farmers of America, he has been deceiving them; he has been representing somebody who in reality is the enemy of the farmers. He was representing those who had submitted a bid that contained a joker, which those responsible for it hired the greatest legal talent in the United States which they could procure to write.

Mr. Gray discloses in the testimony before the lobby committee that he was in conference with the power interests. Reluctantly he testified to it; but, under the searching cross-examination of the Senator from Montana [Mr. WALSH] and the Senator from Alabama [Mr. BLACK], he had finally to admit he was in conference with them; that he was in conference with Bell. When he was told that there was an agreement made between the Cyanamid Co. and the power interests, with Aylesworth, of the Power Trust, by which they were going to get a bill through, he endeavored to make Congress and the country believe that it was the cyanamide bill, when, as a matter of fact, a secret agreement existed between the Cyanamid Co. and the Power Trust that they would handle it according to that secret understanding when the measure was enacted; and when a proposition was made in

honesty and with the best of faith by Representative HILL to try to get a better offer from the Cyanamid Co., which Mr. HILL pleaded with Gray, the farmer's friend, to intercede in behalf of the farmers with Bell, to see if he could not get him to make his offer a little better for the farmers, he refused to do it, on the ground that he had influence enough to get the bill through as it was.

If Mr. Thompson now can get any satisfaction out of that kind of a representative here, if the Farm Bureau of the United States want to have that kind of a man represent them before the committees of the Senate and the House it is their privilege to do so. He is in disgrace with every Member of the Senate, no matter where that Senator stands on the question of the disposition of Muscle Shoals or on any other proposition, for every man of common honesty knows, no matter what his belief may be as to Muscle Shoals, that Chester Gray has not only deceived the farmers but he has deceived the Senate, and he has misrepresented the facts to the Agricultural Committee. He did it when he was not under oath, and the only thing that now prevents him from looking through the bars for perjury is that he did not happen to be sworn on that occasion.

Mr. BLACK. Mr. President, I send to the desk an amendment to the pending bill, which I ask to have printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business in open session.

TREATY—STATUS OF ALIENS

Mr. BORAH. Mr. President, I ask unanimous consent that the vote by which the Senate on last evening ratified the treaty, Executive HH, may be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the treaty was ratified is reconsidered.

Mr. BORAH. Mr. President, I have asked that the vote whereby the treaty was ratified be reconsidered for the purpose of changing the resolution of ratification. The change proposed will not affect the intent, but the expression which was used in the resolution of ratification yesterday, in my opinion, is not in proper form. It provided for the striking out of two articles. I have changed it so as to ratify the treaty with the exception of those two articles in the treaty.

I now ask that the Senate proceed to the consideration of the treaty.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive HH (70th Cong., 2d sess.), convention regarding the status of aliens, adopted at the Sixth International Conference of American States, assembled at Habana, January 16 to February 20, 1928, which had been reported by the Committee on Foreign Relations with an amendment to strike out articles 3 and 4.

The treaty was read.

(For text of treaty see page 7059 of the RECORD of April 15, 1930.)

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The treaty was reported to the Senate as amended, and the amendment was concurred in.

The PRESIDING OFFICER. The clerk will read the resolution of ratification submitted by the Senator from Idaho.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification, with the exception of articles 3 and 4 thereof, of Executive HH, Seventieth Congress, second session, a convention on the status of aliens in American states adopted February 20, 1928, at the Sixth International Conference of American States, at Habana, Cuba.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the ratification of the treaty as amended? [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution is adopted and the treaty is ratified.

POSTMASTERS

The legislative clerk proceeded to read the nominations of sundry postmasters.

Mr. McNARY. I move that the post-office nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the post-office nominations are confirmed en bloc, and the President will be notified.

That completes the Executive Calendar.

ADJOURNMENT

Mr. McNARY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 17, 1930, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 16 (legislative day of April 14), 1930

POSTMASTERS

ALABAMA

Stella M. Stallworth, Chapman.

ARIZONA

Charles F. Mater, Morenci.
Mary W. Hand, Winkelman.

ARKANSAS

James H. Elkins, Blytheville.
Oscar W. McClintock, Monticello.
Shafter A. King, Salem.
Joseph T. Todd, Smithville.

CALIFORNIA

Alvin L. Woodin, Atascadero.
Lena E. Reed, Ludlow.
Joseph A. Schweinitzer, Martinez.
William F. Knight, Pasadena.
John R. Chace, San Jose.

COLORADO

Mary H. Cowie, Boulder.
William J. Orr, Leadville.
Robert R. Finley, Loveland.
Mary McConnell, Minturn.
Gwendolyn Oyler, Pritchett.

CONNECTICUT

Helen G. Miller, Coscob.
Anders Jacobsen, Stafford Springs.
William P. Gourlie, Thompsonville.

IDAHO

Joseph Morley, Idaho Falls.
Guy Swain, Roselake.

ILLINOIS

Emma H. Paine, Alpha.
Carl A. Helwig, Blue Island.
Henry C. Norcross, Carlyle.
Edgar C. Seik, Grafton.
Arthur F. Eberlin, Hardin.
Lacey D. Irwin, Kane.
Ira L. Heern, Makanda.
William K. McDaniel, Martinsville.
Henry W. Schilling, Noble.
Asa L. Kiser, Pittsfield.
Roy C. Tarrant, Versailles.

INDIANA

Ethel J. Pinney, La Crosse.
Joseph D. Bartlett, La Fayette.
Stephen M. Isom, Mitchell.
Harry Kretschman, Otterbein.

IOWA

John L. Gallagher, Eddyville.
Earl E. Shibley, Lone Tree.
Harold A. Marmon, Mitchellville.
Frank M. Abbott, Osceola.
Andrew F. Parker, Redding.

KANSAS

Harry T. Hill, Colony.
Mae Boyd, Dorrance.
George D. Gibson, Edmond.
Benjamin F. Liebst, Greeley.
Clare J. Anderson, Gypsum.
Elva M. Woodward, Haviland.
Grace Wilson, Hoxie.
Floyd B. Martin, Lane.
Otto L. Walmer, Lucas.
Fred T. Elliot, Morrill.

Ralph E. Ellson, Muscotah.
William F. Greer, St. Francis.
Reuben W. Walquist, Savonburg.

MAINE

Mae L. Jack, Denmark.
Etta S. Maddocks, Dryden.

MICHIGAN

Henry M. Cosier, Bear Lake.
Benjamin F. Scamehorn, Bloomingdale.
Herbert E. McElheny, Gobles.
Harold Stecker, Hermansville.
Amos H. Crosby, New Buffalo.
Jesse M. Green, Roscommon.
John M. Klipp, Watervliet.

MISSISSIPPI

Mary A. Stapleton, Clinton.
Annie Laws, Hickory Flat.
Kathleen J. Martin, Louise.
Marion W. Thornton, Pachuta.
Robert R. Smith, Poplarville.

MISSOURI

Archie C. Atterberry, Atlanta.
Laura G. McKay, Troy.
Wilbur N. Osborne, Williamsville.

MONTANA

Leon E. Phillips, Highwood.
Rose M. Sargent, Nashua.
Letta Conser, Plevna.
Marie I. Moler, Reedpoint.

NEBRASKA

Alvin O. Jones, Adams.
Daniel B. Dick, Cambridge.
John T. Bierbower, Giltner.
Howard L. Sergeant, Juniata.
Minnie Johansen, Loup City.
Edith R. Hunt, Niobrara.
Clarence Rosecrans, Odell.
Rolland C. Shetler, Riverton.
Stewart J. Kennedy, St. Edward.
Philip J. Seefus, Scotia.

NEW HAMPSHIRE

Raymond E. Kelley, Center Harbor.

NORTH CAROLINA

Henry B. Head, Caroleen.
Thomas R. Sparrow, Hillsboro.
A. Eugene Ward, Lake Junaluska.
John M. Joyce, Madison.
Charlie L. Walters, Mayodan.

OHIO

Helen M. Roley, Basil.
Albert E. Gale, Lima.
Harry E. Hawley, Mansfield.
Edward W. Williams, New Carlisle.
Monto B. Coffin, New Vienna.
Edwin M. Stover, Oakwood.
Francis M. Hiett, Spring Valley.
Jesse A. Hayes, Stockport.
Elmer E. Garner, Tiltonsville.
George W. Smith, Wheelersburg.

OREGON

Frank L. Laughrige, Condon.
Ralph R. Huron, La Grande.

PENNSYLVANIA

Lois Hill, Baden.
Ira R. Burns, Bellwood.
Charles S. Bentley, Corry.
Herman L. Levy, Daisytown.
Anna M. Hess, Duncansville.
James W. Hatch, North Girard.
Frank A. Householder, Oakmont.
John F. Harshey, Penn.
Daniel S. Gressang, Pottsville.
Herbert M. Black, West Sunbury.

RHODE ISLAND

George W. Burgess, Pawtucket.

VIRGINIA

Charles E. D. Burtis, Bumpass.
Harvey W. Nester, Fieldale.
Henry H. Hardenbergh, Fredericks Hall.
Lacy C. Alphin, Hot Springs.
William R. Berry, Meherrin.
Raymond D. Williams, Pembroke.

WASHINGTON

George D. Montfort, Blaine.
Leonidas I. Wakefield, Elma.
Mary A. Johns, Kalama.
Helen L. Hadenfeldt, Mukilteo.
Allan Austin, Onalaska.
George F. Thomae, Retsil.
Lawrence C. McLean, Selleck.
May V. Garrison, Sumas.
H. Robert Nelson, Wilkeson.

WEST VIRGINIA

Henry N. Murphy, Anawalt.
Hattie Brown, Bramwell.
Harper B. Kinzer, Ethel.
Mary E. Hill, Mabscott.
Raymond Walls, Man.
Easter Y. Shafer, Rupert.
Jesse H. Miller, Switchback.

WYOMING

Charles A. Ackenhausen, Worland.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *April 16, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We praise Thee, O Lord, for Thou wert the God of our fathers. Thou didst teach them many things, and their trust in Thee was not in vain. May we seek the same truths and be led by the same light. Whatever we may need in the midst of our doubts and our longings, do Thou provide. O Thou who art infinite in nature and the one altogether lovely, be with us to-day, that we may be zealous in all good works and our aspirations be as a flaming fire. We are so thankful that Thou art at the center of all power, aye, at the very heart of the universe, yet Thou art eternal midday and eternal joy. We rejoice in Thee, our Father, for Him who held eternity's secret in His untroubled breast and carried it calmly into the hush of the night of death. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3783. An act for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929.

SWEARING IN A MEMBER

Mr. CULLEN. Mr. Speaker, I have the honor to present to the House Representative-elect MARTIN J. KENNEDY, from the eighteenth congressional district of New York, who succeeds Hon. John F. Carew, resigned. Mr. KENNEDY's credentials are filed and in proper form, and he is ready to take the oath.

Mr. KENNEDY, accompanied by Mr. CULLEN, appeared before the Speaker's rostrum and took the oath of office.

ST. LAWRENCE WATERWAY

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent to extend my remarks on the St. Lawrence waterway.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, shortly after the special session of Congress started about one year ago, I urged upon this House the desirability of going on record in favor of the completion of the St. Lawrence waterway project as soon as a treaty with Canada could be negotiated. I urged action at that time on H. J. Res. 37, introduced by Congressman MCLEOD, of Michigan, and on H. R. 733, a bill introduced by Congressman MAPES, of Michigan. I, again, want to say that the construction of the St. Lawrence waterway is a matter of national importance, of vital concern to the producer, and to the consumer. The problem of cheaper transportation affects the welfare of

all our people. As a program of farm relief, this project means much to the agricultural sections of America.

For some reason, strange, mysterious, or otherwise, while Congress has been in session, this great undertaking has been given no place in our legislative program. Other matters have claimed attention. Steps looking toward a canal across Nicaragua have been taken, in the interests of some sections of our country. No such progress has been seen on the St. Lawrence waterway matter. We have heard much about river transportation, and river channels, and canals, and inland transportation, but there has been a golden silence on the St. Lawrence waterway project, an undertaking of larger possibilities and more benefit to our people than the Panama Canal.

I do not need to go into detail as to the vast changes that this project would make possible. It would give to the great Northwest, with over 40,000,000 people an ocean port, and would bring to them the benefits of ocean transportation. It would work to the advantage of Canada. It would benefit New England, and the leading economists of that section so testify. The Great Lakes cities and inland towns would feel its beneficent influence. The ground has been covered many times.

A great engineer, and then Secretary of Commerce, said in 1927, speaking of this project:

> I have had the honor to serve during the past three years as chairman of the President's commission upon the St. Lawrence waterway. In cooperation with the Canadian authorities we have undertaken an exhaustive investigation of the economic and engineering problems. In accord with the compelling interpretation of the facts, our American commission has recommended that its construction be undertaken. It would remove a great barrier to world transportation. It is urgent to the prosperity of the vast Mid West. It will contribute to relief of many of its postwar difficulties. It will contribute a wealth of hydroelectric power. It is a task worthy of the strength and purpose of the two sister nations who have in two centuries already overcome countless obstacles in implanting the most hopeful civilization of history.

Among impartial students of the question, there has never been any question as to the feasibility or practicability of the St. Lawrence waterway plan. The best engineers are all agreed on this point. This same outstanding man further said:

> Our engineers have determined full plans by which we can ultimately secure a 30-foot channel admitting to the Lakes 88 per cent of all ocean-going vessels which touch North American ports—and, thus, great cities like Fort William, Duluth, Chicago, Detroit, Cleveland, Buffalo, and Toronto may take their place and part as the seaboard of the world.
>
> While the works to convert the St. Lawrence to a shipway must be on a stupendous scale—the greatest engineering project of modern history—yet they are comparatively simple in character as are most great things. It is proposed that we shall construct three or four big dams across the St. Lawrence River and thus transform its rapids into great pools, the passing of which by appropriate locks and canals make the shipway.

And so I might cite page after page from authorities on the question, all pointing to the fact that the St. Lawrence waterway project is proper. These authorities include the Chief of Engineers of the United States Army, the report of the commission appointed by the President in 1924, book on Great Lakes-St. Lawrence Ship Channel by Alfred H. Ritter, book on New England and the St. Lawrence Seaway by Henry I. Harriman.

But on this proposition, as on all matters of national importance, sectionalism enters, and presents an obstacle. I refer to the plan known as the "All-American route." This means the Erie Canal through the State of New York. The defeat of the St. Lawrence waterway plan has been sought for years by means of effective propaganda. Its substitute offered as "just as good or better" has to do with a plan to deepen the Erie Canal across New York State, and forget about the St. Lawrence plan. I do not oppose any inland waterway or its development or its enlargement. But I am opposed to this "All-American substitute." This substitute plan is objectionable. Those objections can not be overcome. They have been pointed out time after time. They are well known to everyone. There is nothing offered which will compare with the advantages of the St. Lawrence waterway plan. This same distinguished engineer, in discussing the so-called All-American route through New York State, also said:

> There are groups of our citizens who sincerely believe that we should develop this outlet to the sea solely within our own boundaries by deepening of the Erie Canal to a depth of 30 feet. * * * Our Army engineers have made exhaustive examination of the New York route. If it were constructed wholly upon American soil, it would cost over $630,000,000. If it were constructed on the shorter route from Oswego to Albany it would not be an All-American route, for ships would then need to pass through the Canadian Welland Canal around Niagara. In this case, it would cost $500,000,000. In neither case would there be any electrical power developed.
>
> The construction of the St. Lawrence route after realization of the power may recover its entire cost but in any event intermediate plans imply a cost of less than one-third the shortest New York route. There are also navigation questions which render the St. Lawrence a more economical transport route than the New York line. It brings all mid-America 600 miles nearer to Europe than by the New York route. The New York route would require slow navigation through 128 miles of canals against 21 miles of canals along the St. Lawrence. There would be stops for 20 locks and 54 bridges on the New York route, whereas the St. Lawrence route would have stops for 9 locks and 8 bridges.

I call attention to these unanswerable facts because no program should be permitted in Congress that will interfere with this project. Political expediency should not be allowed to cast aside this great St. Lawrence waterway plan. The advocates of the all-American route should understand clearly and positively that the people of the United States are against any sectional program that has a contrary purpose. The St. Lawrence waterway plan is too important to the Nation for prejudice and jealousy to dictate that the wrong and improper thing be done.

When I say this, let there be no misunderstanding as to my attitude relative to the development of our inland waterways. I favor waterway development whether it be on the Illinois River, the Erie Canal, or the 9-foot channel on the Mississippi.

But those projects should not be at the expense of the St. Lawrence waterway. There is no duty on the part of those who advocate those improvements to remain silent on the St. Lawrence question. It means much to them. Their constituents are interested in its success.

I know that the opponents of the St. Lawrence waterway will cheerfully say that there is no possibility of any international action; that the United States and Canada will not come to an agreement; and that the proposition is still a dream. I deny this. I have kept in close touch with friends in Canada, and they freely admit that politics and prejudice have played an important part in the delay that has taken place. They have in Canada their "all American" subterfuge, called by other names, the same as we have in the United States. They have their sectionalism and jealousy, the same as we have in the United States. The Canadian newspapers will enlighten you fully on these matters. I quote from a recent newspaper editorial from Canada:

> The St. Lawrence waterway proposition is beginning to force itself to the front as a public issue of first-class magnitude. For the past two or three years there has been much political jockeying in reference to this question. The motives behind these tactics have always been somewhat obscure. * * *

The editorial then goes on to discuss the proposition and to explain those motives. It further gives reasons why the delay tactics of the past will soon give way to the demand of the Canadian people for action on the St. Lawrence waterway. We know that the two governments are carrying on negotiations. I only touch upon the question to show that information from Canada indicates that the future is bright with promise.

But what about the developments in our House of Representatives? In March the Rivers and Harbors Committee had before it the Assistant Chief of Engineers of the War Department. Pressure was brought to bear upon him by members of the committee to have him recommend that the United States take over from the State of New York the Oswego and Erie Canals. He was asked to recommend an authorized expenditure of some $26,000,000 for the purpose of deepening and improving those projects. At the same time he was requested to recommend that the Federal Government take over the Illinois waterway and make expenditures thereon of some $7,000,000. Later representatives from these two States appeared before the Board of Engineers of the War Department and renewed their demands. Illinois was willing to battle for New York and New York stood nobly in the front line of battle for the Illinois program. Here, indeed, was a magnificent spectacle of political jockeying. It was a splendid example of reciprocity. The appeal was irresistible. Within a week there was a favorable report to the Rivers and Harbors Committee from the Chief of Engineers on both of these plans. Thereupon the Rivers and Harbors Committee promptly incorporated in the proposed bill the necessary legislative language.

In this connection it should be noted that the 9-foot channel for the upper Mississippi has not fared so well. In fact, it has been entirely ignored.

For some reason, enough pressure could not be brought upon the War Department, and the Board of Engineers have not recommended an authorization for the 9-foot channel in the

upper Mississippi River. Consequently, the Rivers and Harbors Committee has followed its usual procedure and has refused to consider the 9-foot channel in the absence of a favorable recommendation from the War Department.

In has long been the practice of the Rivers and Harbors Committee not to recommend new projects for legislative action by the House until full investigation has been made by the War Department and its favorable report submitted to the committee.

This little obstacle of an unfavorable report, or, rather, no report at all from the War Department on the Illinois project and on the New York projects had to be overcome. The War Department had to yield to pressure, and it did yield to pressure from these powerful combinations. Practical politics is a wonderful thing. There is magic in it.

So this House will be face to face with a bill reported by the Rivers and Harbors Committee which marks the beginning of a scheme for an "all-American" route. They plan a channel across the State of New York deep enough only to permit lake boats to come to Albany and New York harbors, but not deep enough for ocean ships to pass into the Great Lakes. There is perfect harmony in the State of New York. On April 8, 1930, the governor of that State called attention to the report of our Army engineers and recommended that appropriate action be taken by the State legislature to negotiate with the Federal Government as soon as the rivers and harbors bill should become a law. The governor frankly admits that this plan will commit the Federal Government to a deep waterway from the Great Lakes to the sea by way of the Hudson River.

No time was lost after the governor's message to the Legislature of the State of New York by the proponents of the "All American" waterway scheme. On April 9, 1930, House Joint Resolution No. 295 made its appearance in the House of Representatives, and provides for a joint committee to bring about the transfer of the New York State Barge Canal to the Federal Government. The resolution recites that "a new interest has developed throughout the country in the building of a canal to accommodate vessels of large tonnage moving between the Great Lakes and the Hudson River, and to be constructed wholly within the United States territory."

In 1871 the municipality of Duluth, Minn., sent a delegation to Congress to call attention to the importance of a St. Lawrence seaway project. Their efforts were blocked at that time by the proponents of the all-American route. Sectionalism played its part. It has again assumed the rôle of dictator. Now and here is the time and place for the friends of the St. Lawrence waterway to take a positive stand for that project and place it first in importance in any plans of waterway development. The path of its progress should not be closed. It is time that the great inland empire of this country had measured out to it the common justice to which it is entitled. This is said in no unkind spirit, and our short-sighted neighbors who oppose the St. Lawrence development will benefit more and more from the increased prosperity of the interior of the continent which would come from the waterway, then they will lose from the diversion of traffic now going through their harbors. We can not avoid the fact that the St. Lawrence waterway is the greatest national project before this House.

H. R. 11284

Mr. HESS. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 11284.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HESS. Mr. Speaker and ladies and gentlemen of the House, on April 1 last I introduced in the House of Representatives H. R. 11284, which reads as follows:

Be it enacted, etc., That the Director of the United States Veterans' Bureau, subject to the approval of the President, is hereby authorized to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of Cincinnati, Ohio, and to contract for the erection thereon of a fireproof hospital for the accommodation of 550 bed patients (with necessary auxiliary structures, mechanical equipment, approach work, roads, and trackage facilities leading thereto, domiciliary and outpatient dispensary facilities, facilities for a diagnostic center, and accommodatons for officers, nurses, and attending personnel) and to acquire necessary vehicles, livestock, furniture, equipment, and accessories. The Director of the United States Veterans' Bureau is authorized to accept gifts or donations for any of the purposes named herein.

SEC. 2. For the purpose of carrying out the provisions of this act, the President is authorized to require the architectural, engineering, construction, or other forces of any department or agency of the Government to render aid and assistance, and he is further authorized to employ individuals and agencies not connected with the Government, if in his opinion such employment is desirable, at such compensation as he may consider reasonable.

SEC. 3. There is hereby authorized to be appropriated, in order to carry out the provisions of this act, the sum of $2,000,000, or so much thereof as may be necessary, to be immediately available and to remain available until expended; and not to exceed 3 per cent of such sum shall be available for the employment in the District of Columbia and elsewhere, at the customary rates of compensation, of necessary technical and clerical assistance exclusively to aid in the preparation of the plans and specifications for the project authorized herein and for the supervision of the execution thereof, and for travel expenses, field equipment, and supplies in connection therewith.

There is at the present time located in the city of Cincinnati one of the three diagnostic centers established for the treatment and diagnosis of various disabilities and diseases of the World War veterans. The underlying reason for the location of the diagnostic center at Cincinnati was the recommendation of this location by the Medical Counsel of the United States Veterans' Bureau. This counsel is composed of outstanding specialists in the various branches of medicine throughout the United States. The counsel, at its first meeting in 1924, realized the necessity for the establishment of such centers, and decided to locate one of them at Cincinnati. Our great city is a medical center. It has proved to the entire country that diagnostic centers are necessary. It has successfully operated for more than five years the first diagnostic center to be established by the Veterans' Bureau. Approximately 3,000 medical-problem cases from all over the United States have cleared the center. The University of Cincinnati's medical staff, which to-day ranks second to none in the entire country, has been appointed in the capacity of consultants to the Center, and these doctors have proven their ability to do work as a unit in ferreting out the cause and nature of the bureau's obscure medical problems. It is these medical specialists from the University of Cincinnati that have made the Diagnostic Center a success, and they are willing to continue to make it a success. The Diagnostic Center is located at the Cincinnati General Hospital, in rented quarters, and the medical staff is working under a considerable handicap because the hospital can only spare a 30-bed ward. Their capacity for supplying laboratory service is also limited, since the city patients must be adequately served.

A 50-bed unit as provided for in my bill as a part of the proposed 550-bed hospital would make it possible to carefully study 1,000 of the bureau's medical problems per annum. The hospital laboratory should be equipped with all modern diagnostic appliances sufficient not only for the study of the hospital patients but should be available for the special use of the diagnostic center unit and should be so placed that it would be readily accessible for the center's specialistic service, and, by so doing, a great deal of money may be saved the Government.

Recommendations as to medical and surgical care made by the consultant specialists of the center add greatly to the expense, because when the patients are returned to their homes they must, in many instances, be sent to hospitals at Government expense for this care, which means a duplication of transportation cost and inconvenience to the patient. As an illustration, in one State, over a period of one year, 892 veterans, in order to obtain hospital treatment, were compelled to travel a total of approximately 660,000 miles at Government expense. It would be very much more satisfactory to the patient, when special medical or surgical care is recommended, to have it successfully concluded under the same roof, where the specialist who made the recommendations would be available in a supervisory capacity. It would also be advantageous to the consultant as well as to the patient to note the progress and watch the results while the recommended treatment was being carried out.

Having the diagnostic center's consultant staff of nationally known specialists so intimately connected with a veterans' hospital would be of tremendous benefit, in a medical way, to the hospital staff.

The diagnostic center is an important adjunct to the Veterans' Bureau, and from the excellent service record of the Cincinnati Center it is apparent that it is all important that the Government should locate a hospital in Cincinnati to properly house it.

The urgent need for hospitals to hospitalize ex-service men is recognized by the people of the United States to such an extent that it constitutes an emergency. This statement of fact is well known by every person who has studied the ex-service men's problems, such as the Director of the United States Veterans' Bureau and representatives of the various ex-service men's organizations.

The representatives of such organizations in Cincinnati have for some time given careful consideration to the needs of hospital facilities for the ex-service men in Greater Cincinnati,

and have continuously urged the introduction of legislation to provide for the construction of a hospital to contain 500 beds for general purposes, as well as to house the diagnostic center and the Veterans' Bureau Regional Office, both of which are now located in Cincinnati. H. R. 11284 will cover these needs, and the Robert E. Bentley Post, American Legion, at Cincinnati, Ohio, adopted the following resolution indorsing this bill:

It has come to the attention of Robert E. Bentley Post, No. 50, American Legion, Department of Ohio, that Congressman and Legionnaire WILLIAM E. HESS, of the second district of Ohio, has introduced a bill known as H. R. 11284, requesting Congress to build in the city of Cincinnati a 550-bed hospital for veterans. At the regular meeting of Robert E. Bentley Post held on April 8, 1930, by unanimous vote, the following resolution was passed:

Resolved, That the Robert E. Bentley Post, realizing the urgent need for a hospital, use its influence and efforts to assist Legionnaire HESS in this commendable project, and that a committee be appointed by the Post to assist in this most worthy cause.

Further be it resolved, That a copy of this resolution be sent to Congressman NICHOLAS LONGWORTH, from the First District of Ohio, and to Senator SIMEON D. FESS, of Ohio, urging their support and assistance.

The question to be determined is where the hospitals should be located so they can best serve the ex-service men. In my opinion, many factors enter into determining the location of hospitals, but to my mind the two outstanding features are, first, where service can best be rendered, and, second, the cost. You will note I put "service" before "cost," because I am of the firm opinion that the people of the United States desire, as often expressed by Congress that the Government shall give to its ex-service men the best hospital service obtainable, and, second, at a cost commensurate with the service rendered.

With this thought in mind, I believe that the city of Cincinnati, Ohio, has many advantages which would make for a desirable location for a general hospital of 500 beds, a diagnostic center of 50 beds, and sufficient space to house the United States Veterans' Bureau Regional Office, all consolidated in one building but to be three separate and distinct units.

It is conservatively estimated that in Greater Cincinnati, which includes the cities of Norwood, Elmwood Place, and Cheviot, Ohio, and Covington, Newport, and Dayton, Ky., there are 30,000 ex-service men, and within a radius of 50 miles of Cincinnati, it is estimated that there are 50,000 veterans, who are all potential patients for this hospital. The geographical location of Cincinnati is such that it is only a few miles from the center of population, so it seems very logical to take the hospital to the veteran, rather than to take the veteran to the hospital.

Located in the city of Cincinnati is the Medical School of the University of Cincinnati, which is on a par with any other medical school in the country, and the city has some of the outstanding medical men of the country, which gives Cincinnati the proper medical background for a real hospital.

The medical men of this city have been unselfish in their cooperation with the Government, giving of their time and skill in assisting the ex-service men in getting proper diagnosis for the purpose of aiding them in adjusting their claims. I may say, without hesitation, that if the hospital is located in this city, these medical men will give to this institution, without stint, the benefit of their knowledge and skill.

Immediately after the close of the war the Government negotiated contracts in this area with the Cincinnati General Hospital, the Rockhill Sanatorium, and Longview Hospital for some hospital service and established United States Veterans' Hospital No. 69 at Fort Thomas, Ky. These contracts were never satisfactory to the Government, nor was the service satisfactory to the men, with the one exception of United States Veterans' Hospital No. 69, where the service was very good, but the lease was not satisfactory to the Government, and it was canceled, and all hospital contracts, with the exception of the Diagnostic Center, were canceled, leaving this densely populated district without Government hospital facilities. The only hospital facilities in this district at the present time are at the Cincinnati General Hospital, for emergency-connected cases, and only then for such a time until it is possible for the patients to be removed to a Government hospital.

It appears to be the intent of Congress at this time to liberalize section 202–10 of the veterans' act, and yet here is a densely populated section without any hospital facilities for connected cases, without even considering the cases which come under section 202–10, making a most deplorable condition, which, in my opinion, can be remedied by the passage of H. R. 11284.

The economic side, or the second phase of this subject, must be given proper consideration. Cincinnati being a railroad center, is easily reached by all classes of transportation, and being in the heart of a densely populated community, I sincerely believe that the saving in railroad transportation alone should have great weight in causing a hospital to be located here.

We are now confronted with the situation where we send our men from this locality to the nearest general hospital, which is the Edward Hines Hospital in Chicago. This item of expense alone would be a great saving to the Government because we could place the men from Greater Cincinnati in this hospital at practically no cost to the Government for transportation.

I note the Veterans' Bureau states:

That the per capita cost for railroad transportation of ex-service men to the hospitals in 1929 was $9.60.

And it is further stated that—

During the fiscal year 1929 it was necessary to curtail the calling in of beneficiaries for rating purposes in order that sufficient funds might be diverted to travel for hospitalization.

There are over 25,000 claims in the Cincinnati regional office to-day, all of whom are potential patients, and of this 25,000, 600 are now receiving out-patient treatment. This load is ever increasing, and it is carefully estimated that more than 20,000 of these men are located within a radius of 50 miles of Cincinnati. Taking the established railroad rate of 3.6 cents per mile, the majority of these men could be transported to Cincinnati at an average cost of $1.80 per capita.

It is further noted that of the 9,000 men drawing checks from the Cincinnati regional office, 2,000 are living in the city of Cincinnati, and 1,500 are living in northern Kentucky. More than one-third of the beneficiaries are living within a 10-cent car fare of the proposed hospital.

Since it is the tendency of the Government to consolidate its many activities, I am sure if the general hospital, the diagnostic center, and the regional office were all housed in a Government building, the saving in rent would be equal to interest on more than a million dollars. Further, if this consolidation were effected, I believe that practically all of the examinations for the regional office could be made in the hospital, which would release the doctors now connected with the regional office, and make them available for duty on the hospital staff. This, in itself, would be a great saving in money.

Cincinnati is located in an industrial center, surrounded by a large agricultural area, so that supplies of all kinds could be procured for the hospital at a minimum cost.

With the civic and patriotic spirit which exists in Cincinnati, in addition to the other advantages enumerated here, I am of the firm belief that this city is admirably suited for the hospital which is contemplated in H. R. 11284, and if this hospital is erected in our city, Congress and the people of the United States may rest assured that the veterans treated there will be given the care and consideration which the people of our Nation want them to have.

THE LONDON NAVAL ARMS CONFERENCE

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a brief statement of the President, made on April 11, on the London conference.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The statement is as follows:

STATEMENT OF PRESIDENT HOOVER

I am greatly pleased with the final success of the naval arms conference in London and I have to-day telegraphed the delegation expressing my approval of the result achieved and my admiration for their patience and determination in an arduous and difficult negotiation. And I wish to congratulate the delegations of the other governments for their constructive and courageous action.

The most vital feature of its great accomplishments for peace is the final abolition of competition in naval arms between the greatest naval powers and the burial of the fears and suspicions which have been the constant product of rival warship construction. It will be recalled that prior to the 3-power conference at Geneva in 1927, which France and Italy felt obliged to decline attendance, there was naval competition in all craft except battleships, with constant international friction. Consequently, upon the failure of that conference, the rival expansion received even new impulses and resulted in increased international suspicion and ill-will through the world and a steady drift to greatly increased navies.

When I initiated this negotiation it was after a critical examination of the experience before and after the Geneva conference and a determination that the causes of that failure could be met with adequate preparation and preliminary negotiation. At that time we realized, and have realized at all times since, that the particular setting of the continental nations, because of the inseparable importance of land armies in their bearing upon naval strength, together with the political agree-

ments that reduction of such arms implied, made a 5-power agreement extremely improbable, as the United States could not involve itself in such agreements. The French and Italian Governments have shown the utmost good will in this conference in endeavor, in the interests of world peace, to support the present solution just as far as they could do so, and they have joined the present agreement in important provisions.

It is difficult to estimate the precise reductions in warcraft tonnage which has been brought about by this agreement because of the factor of normal replacement and additional tonnage authorized but not yet constructed. Nine battleships are to be scrapped of a total of about 230,000 tons, the replacement of 16 or 17 others to be deferred for six years. The various navies in the agreement are to reduce some 300,000 to 400,000 tons of other categories in the next few years as they become obsolete—but some categories of some of them must be increased in order to come up to the standards set. The net balance will be a very considerable decrease in the world's actual tonnage as it stands to-day.

The economic importance of the accomplishment can best be measured in terms of the situation developed at the Geneva conference. That conference broke down upon the feeling of the British representatives that it was necessary for them to create or maintain a navy of a total of nearly 1,500,000 tons. Their pre-war navy was much larger than this. The American delegates were not able to agree to this basis, as it implied such a huge amount of naval construction in the United States that it was hopeless to expect public support, and it meant a perpetually inferior navy.

The British suggestions at Geneva were approximately—

1. Maintain the battleships as provided in the Washington treaty, of which the British Battle Fleet then stood at 606,000 tons and the American Battle Fleet of 525,000 tons.

2. Aircraft carriers as in the Washington treaty, at a maximum of 135,000 tons.

3. A cruiser tonnage of about 450,000 tons in 70 cruisers.

4. Although actual figures were little discussed, the conversations appear to have indicated a destroyer tonnage of about 225,000 to 250,000 tons and a submarine tonnage of about 75,000 tons, or a total fleet of nearly 1,500,000 tons on a British basis, or 1,420,000 American basis, owing to our inferiority in battleship tonnage through the Washington arms treaty.

If this fleet had been adopted as the basis of parity, it would have cost the United States somewhere, upon different calculations, from $1,400,000,000 to $1,750,000,000 for replacements and new construction to attain it, with greatly increased maintenance costs.

The present agreement calls for parity of American and British fleets of approximately—

1. A battleship basis to each of us of about 460,000 tons, but no replacements for next six years on either side.

2. Aircraft carriers as in Washington arms treaty at a maximum of 135,000 tons.

3. A cruiser basis of 339,000 tons if the United States exercises the option of the same types as Great Britain, but, if the United States builds a larger ratio of the large cruisers, our tonnage would be 323,000. It represents a reduction of about 20 ships in the basis of the British cruisers fleet.

4. Destroyer tonnage of 150,000 tons and a submarine tonnage of 52,700 tons each.

That is a total fleet basis of, roughly, about 1,136,000 tons (slightly less if we build the larger cruisers) as compared with about 1,500,000 tons British basis of the Geneva conference, shows a reduction of about 364,000 tons below that basis to the United States and Great Britain and a proportional reduction to Japan. In bringing this about the British scrap four 8-inch gun cruisers and five battleships, while we scrap three battleships, thus bringing about parity in battleships which was not attained in the Washington agreement. The Japanese Navy, under the proposed agreement, will amount to something near 800,000 tons. These results are to be arrived at by scrapping, by obsolescence, and by construction in some categories prior to 1936 when a renewed conference is to take place.

The cost to the United States of replacements and new construction during the next six years, until the further conference, will be (under various estimates) from $550,000,000 to $650,000,000 as compared to a sum, as I have said, of between $1,400,000,000 to $1,750,000,000 to attain parity on the Geneva basis. To this latter would need be added the additional cost of maintenance and operating, which would make the saving upon the present basis, as compared to the Geneva, up to $1,000,000,000 in the next six years.

The savings are not alone to the United States but to Great Britain and Japan as well. The total savings to the world is perhaps $2,500,000,000 below the Geneva basis to which the world was steadily drifting. This sum devoted to reproductive enterprise will be a great stimulus to world prosperity.

There are no political undertakings of any kind in the present treaty, except an agreement for the regulation of the conduct of submarines against merchant ships in time of war. The whole agreement is a great step in world peace and an assurance of American parity in naval strength.

ADDRESS OF PRESIDENT HOOVER

Mr. BACON. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD by inserting the address by President Hoover before the Daughters of the American Revolution.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the address made by President Hoover at the convention of the Daughters of the American Revolution. Is there objection?

There was no objection.

Mr. BACON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the address of President Hoover at the Thirty-ninth Continental Congress, National Society Daughters of the American Revolution, Washington, D. C., April 14, 1930.

The address is as follows:

To the Daughters of the American Revolution: It is a pleasure to take part in welcoming the delegates from all parts of the country of so great a patriotic association as the Daughters of the American Revolution.

This society was founded in proud memory of the spirit of this Nation in its first fight for freedom. The enduring courage, the wisdom and the love of liberty of our forbears who fought in that fight is a most precious heritage. You who trace your lineage back to that gallant group have a right to be proud. On you, by virtue of your lineage, there rest especial privileges and duties. It is your special privilege to tend the flame of humanity and freedom that was lighted in the American Revolution and so to perform that service that the memory of those heroic virtues shall survive in our people. And there rests on you an especial charge and duty that, at whatever sacrifice, that spiritual light of justice and liberty shall continue to guide this people in their relations to all the world. For it is the moral and spiritual inspirations of a nation more than its material progress which will determine its destiny.

As a Nation we have grown to a giant strength and power which is so new and vast that we can only vaguely comprehend it. There are showered upon us as a people the blessings of general well-being to a degree which no other nation possesses and that national well-being is more fairly shared among every class of our people than of any other nation. Through the wisdom of our forefathers we have inherited a system of life which yields a larger measure of equality of opportunity—a larger richness of opportunity—than humanity has before discovered. And from this system we have found freedom for ability and character to rise from the humblest condition to leadership, which brings a constant refreshment of the moral and spiritual strength to our Nation. We are content with the fundamental democratic principles of government which we have evolved and under which we live. We are not blind to its errors and crudities, but we are confident of our ability to cure them. We have no patience with those doctrines that would destroy the most successful human experiment in all history.

Because of our geographical situation, because of our great resources and of the American genius for organization, we have, in a sense that no other country has it, security from attack and harm by other nations. We are not only more free from attack, but our people are more free from the haunting fear of attack than are any other people in the world. Because of these blessings, because of our inherited ideals of humanity and liberty, because of our strength, because of our disinterestedness, because of our freedom from these tormenting fears, there rests upon the United States a moral and spiritual duty to undertake a part in securing the peace of the world. Nor does that duty imply any limitation upon our independence. Quite to the contrary, it can only be fulfilled to its fullest measure by maintaining the fullest independence.

I do not put this duty to you upon a basis of self-interest, although it is inevitable that the failure of civilization in any part of the world at once brings distress within our own doors. I have no occasion to emphasize this duty by pointing out the horrors and degradation of war. Those who really know war never glorify it. I have seen too much of the tragic sufferings of men, women, and children, of the black shadows that ever run on the heels of war, to wish to recall those scenes. I hope never to see them again. Because of my abhorrence of war let no one mistake my position, however. There is a price which no nation can afford to pay for peace. Yet I know this Nation can help to make war impossible and that it should so help.

It is easy to preach the national duty of helping to preserve peace. It is easier still to engage in invective or vindictive phrase and slogan which stir national selfishness and self-righteousness. And certainly the way of peace lies neither in the rattling of the scabbard nor the abandonment of defense.

These are matters in which you are deeply interested; not in destructive criticism directed to either extreme, of which we have enough, but in development of constructive public opinion—the most powerful expression of our people. Your cordial resolutions in support of Secretary Kellogg in his efforts which brought about the Kellogg-Briand pact are evidence of the desire of your society to promote the peace of





the world. By that pact with 55 other nations we solemnly pledged ourselves not only to renounce war but to seek means for pacific settlement of all international differences. We were sincere when we signed that pact. We engaged our national honor when we ratified it. And in sincerity and honor two obligations flow from that covenant.

First, the conceptions of military strength of nations are reduced by that covenant solely to such strength as is required for defense. And second, we must cultivate methodical procedure by which controversies between nations can be settled by pacific means. Certainly until the peace machinery of the world has been developed and tested over long years we must maintain such forces of defense as will at every moment prevent the penetration of a hostile force over our borders. And our security to-day is well assured by an Army and Navy whose high tradition of valor and skill is represented in both the command and ranks of to-day and we shall maintain it. Adequate defense requires forces relative to other nations but at the same time with no excesses which will create the fear of aggression from us. Such fear will breed animosities, ill will, and a resolution in others to combine to protect themselves, which are the very seeds of war.

All the world needs relief from the burdens of armies and navies, but disarmament can not be made to contribute to peace unless it is conducted by agreement among nations, for by that method alone can we allay fear and preserve security. One of the deeper causes of friction and ill will in the world has been competition in naval armament. Nothing arouses more fear or lends itself more to the creation of distrust among nations. A proposal on the part of one nation to build more ships of war results in instant fear of inadequate defense, ill will, and suspicion in other nations.

In consonance with the spirit of the Kellogg pact we recently made a renewed effort at reduction and limitation of naval arms by agreement. For nearly 10 years our country has pursued a steady endeavor to bring about such agreements. The Washington Arms Conference of 1922, while it was but partially successful in this direction, yet by limiting battleships and aircraft carriers it accomplished much and laid foundations for the future. Competition, however, started at once in the other types of war craft, and an effort was made by conference between the representatives of the United States, Great Britain, and Japan at Geneva in 1927 to bring it to a halt.

That conference failed and competition took renewed and even more dangerous aspects. A year ago we again initiated negotiations and the conference in London during the past four months by patient labor is now assured of success. It has been able to reach a further great and far-reaching settlement, reducing the number of battleships, creating a holiday in their further construction, together with limitations and reductions in the construction of cruisers, destroyers, and submarines during the next six years. Under the terms now being finally formulated the conference has been able to bring about an actual reduction in the armament of the three nations of about 25 per cent less than the standards discussed during the conference which failed at Geneva three years ago and a reduction of about 12 per cent below present naval programs as rapidly as the present ships become obsolete. But, most important of all, it has been able finally to turn the tide of constantly increasing naval arms and to end the poison of suspicion and ill will generated by constant rivalry in construction.

We have been able to create a situation where there is neither inferiority nor superiority in the naval strength of the United States. This is consonant with the pact we have solemnly entered by which we have pledged ourselves to use our arms solely for defense. We are stronger in defense as a result of the conference. It is an accomplishment that I believe will appeal to the moral and spiritual sense of the American people. Through this agreement we have strengthened the forces of peace. It is an accomplishment that has great material advantages to all its participants, but I prefer to have it judged on the far higher grounds of its contribution to the moral and spiritual welfare of our people and the world, for in the long run those are the grounds on which we and all the world must depend for progress.

The great road to peace indeed lies in the prevention of war. The construction and maintenance of this road requires just as much interest and devotion as the maintenance of defense. The first principle in prevention of war is to guide our national conduct in justice, consideration, and kindliness to other nations so as to give no justified cause for ill will or suspicion. War arises from a state of fear, a sense of injustice, and an ill will which culminates in uncontrollable national passions. There are ever present in the world the causes of friction. The far-flung exchange of citizens and their property throughout the world gives hourly birth to large and small controversies; beyond this our generation has inherited a multitude of conflicting interests from of old. These controversies are of many different types; they require distinctively different methods and agencies of settlement. The practical program of the work of peace is to develop and create appropriate agencies for regular methodical disposal and solution of these controversies so as to assure justice and avoid arousing of national emotions.

All civilized nations have developed great skill and experience in their foreign offices whose will and purpose in this century is to dispose of a multitude of these daily incidents without friction. We have need steadily to expand their machinery and method.

The world has greatly advanced the method of arbitration by scores of treaties; it has by such instances as the Bolivia-Paraguay dispute advanced the method of independent inquiry into fact in cooperation with the parties, and by such instances as the Tacna-Arica controversy, have advanced the method of conciliation. The difficulties in the instance of the Chinese-Russian dispute show the clear need of some method of mobilization of public opinion against the violation of the Kellogg pact. By international conference on specific questions, such as disarmament, we have advanced the method of cooperation in settlement of old standing dangers.

Through precedent and treaty the world is building every year a larger and larger body of international law and practice. Statesmen over a generation have realized that with this growth of international law and precedent another method can be contributed to the pacific settlement of a vast number of incidental controversies of justiciable character if the world had an international court to which such cases could be referred for adequate hearing and independent decision based upon law and justice.

Such a court—the World Court—has been established at The Hague with the aid of American jurists. It has been accepted by 90 per cent of the civilized people of the earth. It is established and no other court is practicable. It has demonstrated the highest integrity and capacity, and the continuance of these qualities is assured. It has already settled a great number of controversies. It is only one, but an important one, of the six or seven methods of securing pacific settlements, and thus a contribution to the prevention of war. Adherence to that court by the United States has been earnestly recommended by every one of our Presidents and every one of our Secretaries of State living since its inception. No one can challenge the patriotism of these 10 men, nor the ripe wisdom which is theirs from having borne the actual burden of responsibility for our foreign relations. They have found no entanglement or limitation of the independence of the United States by safeguarded membership in it.

And in all the discussion as to participation of the United States in this court there are few persons who do not agree as to the desirability and necessity of such a court as one of the additions to our methods of pacific settlement. The contention on this question rests upon the details of special stipulations under which we should join. It is not my purpose to go into these contentions here. I have no doubt they can be solved and that the United States will become a member of the court.

Mankind has within the past decade given more earnest thought to and made more constructive effort and progress toward the elimination of war than in all previous periods of history. In the broader field of our relation to these many methods to prevent war we have during the past few years participated in an increasing number of international discussions, consultations and conferences, arbitrations, and inquiries—all of which represent progress in organizing the world for peace. We shall continue to do so where any important purpose is to be accomplished. And in our cooperation to maintain peace there is one broad policy which I wish to emphasize.

Our rôle in cooperation is different from that of the nations of Europe. That difference rises not only from our geographical setting but from the nature of the maximum contribution we can render to peace. The nations of Europe, surrounded as they are by dangers and problems of which we in the Western Hemisphere have but little appreciation, and beset by inherited fears, hold to the view that aside from the World Court the pacific settlement of controversies and the maintenance of peace should be backed by potential coercion through pooling of either military or economic strength. We do not question their right to come to such conclusions as they see fit to follow, arising as they do from their terrible experience and their necessities. But the instinct of the vast majority of our people is that our contribution is not to be based upon commitments to use force to maintain peace. This arises both from a feeling that the threat of force conflicts with the purpose of peaceful efforts and from the limitation it might place upon our independent action where we have only indirect interest.

We have come to the belief that our contribution can best be made by our good offices and a helpfulness based upon independence from any combination pledged to the use of force. I believe it is clear that the United States can more effectively and wisely work for peace without commitments to use coercion to enforce settlements. Our position was made clear in a statement issued jointly by the Prime Minister of England and myself at the time of his memorable visit of good will to this country, in which we said:

"The part of each of our Governments in the promotion of world peace will be different, as one will never consent to become entangled in European diplomacy and the other is resolved to pursue a policy of active cooperation with its European neighbors, but each of our Governments will direct its thoughts and influence toward securing and maintaining the peace of the world."

Within these principles which are in full accord with the traditions we have from our forefathers, we should hold an open mind and engage in advancement of the methods by which the controversies in the world may find pacific settlement and by which we can cooperate in the prevention of war. For the American people want peace in the world, not alone as a matter of material interest to our prosperity and welfare but because gains to the moral and spiritual forces of the world are made through peace and not through war.

THE LIFE-SAVERS' RETIREMENT BILL

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent to extend my remarks on the life-savers' retirement pay bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GOLDSBOROUGH. Mr. Speaker, the President has just signed a measure in which I have been deeply interested for a number of years.

The act of 1915 provided, among other things, that men disabled in line of duty in the Coast Guard Service should receive, during the continuance of their disability, three-fourths of the pay received by them at the time when such disability occurred.

The Life Saving Service was absorbed by this law into the Coast Guard, but the retired pay was not made applicable to the Life Saving Service.

Senator John Walter Smith, of Maryland, and Senator Martin, of Virginia, tried very hard to get a life-savers' retirement bill passed, but while the bill passed the Senate a great many times, it could never be gotten through the House. I came into the Congress at the same time Senator Smith retired, since which time I have been endeavoring to get this legislation on the statute books. During the present session the bill has been passed by both the House and Senate, has been signed by the President, and become a law.

This act will benefit about 300 of the old life-savers who performed their unselfish and heroic service under most difficult and trying circumstances along our entire coast line. Many of these deserving men are in the First Maryland District, where along the Atlantic they answered every call of distress.

Since long before the time of Socrates men have been trying to devise a means whereby those without influence could obtain justice.

When legislation such as this is passed, even when those to be benefited by it are without great political influence, it makes us feel we are gradually approaching the attitude of mind which evoked the saying of the Master: "Inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it unto Me."

SPANISH WAR PENSIONS

Mr. PURNELL. Mr. Speaker, in the brief time yielded to me I can do little more than express my thanks to the Committee on Pensions for giving us the opportunity to vote for a bill granting pensions and increase of pensions to Spanish War veterans. The bill deserves the unanimous support of this House.

It gives me much personal pleasure to support this bill, not only because it affords an opportunity to give further evidence of the gratitude I feel for the veterans of all wars, but also because I have always felt very near to the Spanish War veterans. My greatest regret is that I was not permitted to enlist at the outbreak of the Spanish-American War. I made the effort but was refused on account of my age. One of my proudest possessions, however, is an honorary membership in the Spanish War veterans' organization conferred upon me by Hardin Camp of Washington, D. C., in recognition of my many efforts in behalf of Spanish War veterans and legislation affecting their interests.

Time will not permit me to retell the wonderful story of the Spanish War veterans but suffice it to say that they wrote one of the most glorious chapters in American history, and by their fight for human liberty helped make this the outstanding Nation of the world. During my almost 14 years of service here I have found them always patient, considerate, reasonable, and gracious. These volunteers through their splendid service to their country and their manly demeanor since, have more than earned the recognition to be given in this bill, and I again express the hope that not a single vote shall be cast in opposition to it.

For all soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or China relief expedition, who served 90 days or more, from April 21, 1898, to July 4, 1902, increases are provided as follows:

Rates for 90-day service

Present law per month:	
One-half disabled	$30
Three-fourths disabled	40
Totally disabled	50
Proposed law per month:	
One-half disabled	35
Three-fourths disabled	50
Totally disabled	60

If disabled to the extent that the regular aid and attendance of another person is needed or required, the rate is $72 per month.

The bill as amended also gives a pensionable status to all soldiers, sailors, and nurses who served but 70 days within that period, as follows:

Rates for 70 days' service

	Per month
One-tenth disabled	$12
One-fourth disabled	15
One-half disabled	18
Three-fourths disabled	24
Totally disabled	30

If disabled to the extent that the regular aid and attendance of another person is needed or required, the rate is $50 per month.

In addition, there is a provision, based on age, wherein veterans of 70 days' service will receive the following rates:

	Per month
62 years of age	$12
68 years of age	18
72 years of age	24
75 years of age	30

This will care for a number of veterans who have not been able to get on the rolls as well as increase the rates of those now on. The elimination of the vicious-habits provision in existing law will take care of many more who are not now on the pension rolls.

The bill as amended provides that the pension or increase of pension shall commence from the date of filing the application. Personally I should prefer to have these increases made automatically, without the necessity of filing a claim, but the committee has taken a different view, and under the rules no amendment is in order.

I am informed that 43,846 veterans now on the rolls will be benefited by the increase from $30 to $35 per month; that 34,197 veterans will benefit by the increase from $40 to $50 per month; and that 24,912 veterans will benefit by the increase from $50 to $60 per month. By eliminating the vicious-habits provision from existing law it is estimated that 5 per cent more of the claims filed each year will be taken care of. As there is an average of about 13,000 original claims each year, it will mean that many more additional veterans are to be taken care of under this provision. I heartily approve that provision, which gives a pensionable status to those who served a period of from 70 to 90 days. The Spanish-American War was one of short duration and many veterans were discharged after having served less than 90 days.

In conclusion let me remind you that this is the only war in American history that was ever fought entirely by volunteers. Every man in the Army and Navy, from the private to those in command, served voluntarily. It is also well to remember that it was 22 years after the close of the Spanish-American War before they asked for pension legislation, even though many of them had been suffering from illness incident to their service in the Tropics. Let us to-day show our appreciation of their services by quickly passing this much needed and meritorious legislation. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that on next Tuesday, April 22, after the reading of the Journal and the disposal of business on the Speaker's table, I may address the House for 30 minutes.

The SPEAKER. The Chair will call the attention of the gentleman to the fact that there is already a special order for Tuesday, for Mr. BACHMANN, 45 minutes.

Mr. SUMNERS of Texas. I wish to follow the gentleman from West Virginia.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for 30 minutes on Tuesday next, following the special order of the gentleman from West Virginia [Mr. BACHMANN]. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, how much time will be taken by these special orders?

The SPEAKER. The gentleman from West Virginia has 45 minutes.

Mr. RANKIN. I am not going to object to the request of the gentleman from Texas, but I shall object to any further requests until we shall have disposed of the veterans' bill.

Mr. MOORE of Virginia. Mr. Speaker, in the event the veterans' bill, now before the House, is disposed of in time, I ask unanimous consent to address the House for 25 minutes on day after to-morrow, Friday of this week.

The SPEAKER. The gentleman from Virginia asks unanimous consent that in the event the veterans' bill is disposed of by that time, he may address the House for 25 minutes on Friday of this week. Is there objection?

There was no objection.

SALE OF CERTAIN PROPERTY IN HOBOKEN, N. J.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the Committee on the Merchant Marine and Fisheries.

Mr. LEHLBACH. Mr. Speaker, by direction of the Committee on the Merchant Marine and Fisheries, I call up the bill H. R. 11509, on the Union Calendar, and move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of that bill.

The SPEAKER. That is automatic.

Mr. LEHLBACH. Pending that, Mr. Speaker, I ask unanimous consent to consider in lieu of the bill H. R. 11509 a similar Senate bill now on the Speaker's table, S. 2757, which passed the Senate on Monday of this week.

The SPEAKER. The gentleman calls up the bill H. R. 11509, and asks unanimous consent that the Senate bill, S. 2757, be substituted therefor. Is there objection?

There was no objection.

Mr. LEHLBACH. Mr. Speaker, I also ask that the time be controlled one-half by the gentleman from Tennessee, the minority member of the committee [Mr. DAVIS], and one-half by myself.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the time consumed in general debate be divided and controlled equally between himself and the gentleman from Tennessee. Is there objection?

There was no objection.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 2757, with Mr. BACON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 2757, which the Clerk will report.

The Clerk read the title of the bill.

Mr. LEHLBACH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The Senate bill is as follows:

Be it enacted, etc., That the United States Shipping Board is authorized for and on behalf of the United States, to sell the right, title, and interest of the United States in the real property described in Schedule A appended to a proclamation of the President of the United States, dated December 3, 1918, which was taken over by the United States by a proclamation of the President of the United States dated June 28, 1918, pursuant to the authority vested in him by the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," approved March 28, 1918. The property transferred to the Treasury Department by the second deficiency act, fiscal year 1929, shall not be sold under the provisions of this act.

There shall also be excluded a piece or parcel of land in said city, contiguous to the east line of the present post-office site as transferred under the second deficiency act, 1929, fronting 25 feet along the north line of Newark Street and extending at that width in a northerly direction 175 feet; also a piece or parcel of land 25 feet wide on the northerly side of said post-office site and contiguous thereto, as extended herein, running westerly along the south side of First Street extended, 225 feet, more or less, to the easterly side of River Street.

SEC. 2. Said property shall be sold, in whole or in part, at public competitive sale, for use and operation as piers or terminals, on such terms and conditions as said United States Shipping Board may prescribe, giving due consideration to the interests of the United States and to the development and maintenance of an adequate American merchant marine, in the case of equal bids, but in no case for less than 25 per cent of the purchase price in cash, and payment of the balance of the purchase price, with interest at 5 per cent per annum, shall not be deferred more than five years from date of sale. The right is expressly granted said United States Shipping Board to reject any or all bids for any reason it may deem sufficient.

SEC. 3. The United States Shipping Board shall publish the terms of such sale, and the date and time, and the final date of filing bids, if by the acceptance of bids, at least once in each week during the four weeks preceding such sale, in the Jersey Observer, a daily newspaper printed and published in the city of Hoboken, N. J., in the Jersey Journal, a daily newspaper printed and published in the city of Jersey City, N. J., and in the Journal of Commerce, a daily newspaper printed and published in the city of New York, N. Y., and may publish such notice in such other newspapers or publications, or advertise said sale in such other manner as the United States Shipping Board deems most advisable as affording adequate notice of such sale.

SEC. 4. All sums received as a result of the sale of such property shall be deposited in the construction loan fund created by section 11 of the merchant marine act, 1920, as amended (U. S. C., Supp. III, title 46, sec. 870).

SEC. 5. The United States Shipping Board, in making said sale and the terms and conditions thereof, shall keep in view the policy and primary purposes declared in section 1, merchant marine act, 1920, and confirmed in section 1, merchant marine act, 1928.

The CHAIRMAN. The gentleman from New Jersey is recognized for one hour.

Mr. LEHLBACH. Mr. Chairman, the bill (S. 2757) is a bill to authorize the United States Shipping Board to sell certain property belonging to the United States situated in the city of Hoboken, N. J., consisting of a tract of land lying along the water front on the Hudson River, with a number of buildings and five piers thereon.

This property, before our entry into the World War, belonged to two corporations organized under the laws of the State of New Jersey and was used by the Hamburg-American Line and the North German Lloyd, two German steamship companies, as their American termini for their trans-Atlantic commerce, freight and passenger.

When the United States entered the war, by proclamation of the President the United States took possession of the piers, and the piers were used during the war as a point of embarkation and debarkation for our troops. At the conclusion of hostilities this property was turned over to the United States Shipping Board for its administration, and has since then been used by the Shipping Board.

The United States paid, through the Alien Property Custodian, $7,146,583 for this property. By reason of the manner of its acquisition it is necessary to pass legislation to authorize the Shipping Board to dispose of it. Other property acquired by the Shipping Board for war purposes and by other departments of the Government for war purposes, such as the War Department, may at present, without additional legislation, be disposed of, but this bill is necessary in order to enable the Shipping Board to offer this property for sale.

The property in question extends about 1,800 feet along the Hudson River. It originally contained six piers. A few years ago one pier was wholly destroyed and another pier was partially destroyed by fire, so that there are now four piers in serviceable condition, one totally destroyed, and simply the platform of another, the superstructure having been burned off.

Furthermore, a tract of 25,000 square feet has been taken from this property and used for a post-office site. I think it is fair to assume that at present the property is worth what the Government paid for it, namely, $7,146,000.

The property is at present partially used by the Shipping Board as a terminus for the United States Lines, the America-France Line, and the American Diamond Line, and some ships of the Munson Line avail themselves of the facilities of these piers, but these services only occupy a part of the piers, and there are at the present time about 500 men employed on and about the piers. Before the war, when the piers were in full use, there were employed approximately 3,000 men. The city of Hoboken is a city about a mile square. This shore front occupies about one-third of the entire shore front. The inability of the Shipping Board to dispose of this property has resulted in the last 11 years in a loss to the city of Hoboken of approximately $4,000,000 in taxes alone. Also, it has occasioned a loss to the community by withdrawing the purchasing power of 2,500 employed men in a small community of about 60,000 inhabitants. This is reflected in the business of the merchants and in the lack of occupancy of rental dwelling property, and has resulted, for a number of years, in serious economic depression in the city of Hoboken, and this community is entitled to relief therefrom.

With the possession of this valuable property by an owner who is willing to recondition and improve it and put it to its maximum use, as he must necessarily do in order to get a return for the money invested, there will be an increase of upward of $300,000 in taxes received by the city of Hoboken. There will be an increase in activity and a resultant return of prosperity.

The Shipping Board has sold one of the lines which used one of these piers, the United States Line. The sale of the two other lines now operated by the Shipping Board and which use the piers is pending, that of the America-France and the American Diamond Line. The Munson Line is a privately owned line.

This bill is so drawn that the Shipping Board, in advertising this property for sale, may make and is directed to make terms and conditions which will fully protect the interests of the United States and the maintenance and development of the American merchant marine.

Under such language the Shipping Board may make terms and conditions insuring the use of these piers to these American Lines as long as it may be desirable to so occupy them. Every interest that our ships and that our merchant marine may have in the use of these piers may be safeguarded under the provisions of this bill. The bill only treats this property in the same way that other property of the United States acquired for war purposes is being treated and affords much needed relief to a town in New Jersey, the town of Hoboken, which has suffered more than possibly any other community in the United States as a result of its contribution to the country during the war. [Applause.]

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS. Mr. Chairman, I have no requests for time.

The CHAIRMAN. There being no further time desired, the Clerk will read the bill for amendment.

The Clerk read as follows:

SEC. 2. Said property shall be sold, in whole or in part, at public competitive sale, for use and operation as piers or terminals, on such terms and conditions as said United States Shipping Board may prescribe, giving due consideration to the interests of the United States and to the development and maintenance of an adequate American merchant marine, in the case of equal bids, but in no case for less than 25 per cent of the purchase price in cash, and payment of the balance of the purchase price, with interest at 5 per cent per annum, shall not be deferred more than five years from date of sale. The right is expressly granted said United States Shipping Board to reject any or all bids for any reason it may deem sufficient.

Mr. LEHLBACH. Mr. Chairman, I offer an amendment. In line 25, page 2, of the Senate bill, after the word "marine," strike out the words "in the case of equal bids."

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: In line 25, page 2, of the Senate bill, after the word "marine," strike out the words "in the case of equal bids."

The amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I offer another amendment. On page 3, in line 6 of the Senate bill, after the word "sufficient," insert the following:

Said property shall be sold only to a citizen of the United States within the meaning of section 2, shipping act, 1916, as amended by section 38, merchant marine act, 1920.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 3, in line 6 of the Senate bill, after the word "sufficient," insert the following:

"Said property shall be sold only to a citizen of the United States within the meaning of section 2, shipping act, 1916, as amended by section 38, merchant marine act, 1920."

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. WELCH of California. Mr. Chairman, I move to strike out the last two words, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WELCH of California. Mr. Chairman, if the bill now pending before the committee is enacted into law, it will be the first time in the history of the United States that a publicly owned harbor has been put under the hammer and sold into private ownership. The part of the harbor of Hoboken which is included in this bill is owned and controlled by the Government of the United States. The policy of public ownership of the harbors of this country is well established. All harbors within the United States, both on the Atlantic and Pacific seaboards, and including the Gulf, are either owned outright or controlled by the communities behind them.

Commencing with the port of Seattle in the Pacific Northwest, we find that port is owned and controlled by the city. The port of Everett is publicly owned. The port of Bellingham is publicly owned. The port of Grays Harbor is publicly owned. The port of Olympia is publicly owned. The port of Tacoma is publicly owned. The port of Vancouver is publicly owned. If not owned entirely, they are controlled by the municipalities.

In the State of Oregon there are two river ports, Astoria and Portland, which are both publicly controlled.

In the State of California the port of San Francisco is owned and controlled by the State of California. The port of Oakland, immediately across the bay from the port of San Francisco, is owned and controlled by the city of Oakland. The port of Berkeley, on the Bay of San Francisco, is publicly owned and controlled. The port of Richmond is under public ownership. The port of Los Angeles is owned and controlled by the city of Los Angeles. The port of San Diego is owned and controlled by the city of San Diego.

We pass on to the State of Texas. At the present time the port of Galveston is controlled by the Galveston Wharf Co., which owns about 90 per cent of the development of that harbor. The city of Galveston, however, owns one-third of the interest in the company and is, I have been informed, about to purchase the controlling interest in their own harbor. The port of Freeport, Tex., is publicly controlled. Port Arthur is privately controlled. The port of Texas City is publicly controlled. The port of Houston is publicly owned and controlled, and so is the port of Orange.

In the State of Louisiana the port of New Orleans is owned and controlled by the State of Louisiana.

In the State of Mississippi the port of Gulfport and other minor ports are controlled under the laws of that State. They are publicly owned as public utilities.

In the State of Alabama the port of Mobile is publicly controlled.

In the State of Florida the ports of Tampa, Pensacola, Key West, and Jacksonville are under public control.

In the State of South Carolina the port of Charleston is under public control.

In the State of Virginia the port of Norfolk is partly under private ownership and partly under public ownership, the city of Norfolk and the United States Government having an interest in the harbor.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DAVIS. Mr. Chairman, I ask unanimous consent that the gentleman from California may proceed for 10 additional minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the gentleman from California may proceed for 10 additional minutes. Is there objection?

There was no objection.

Mr. WELCH of California. In the State of Maryland the great port of Baltimore is under public control.

In the State of New Jersey the port of Camden is under public control.

I might also say that the New York Port Authority, which derives its powers from the States of New York and New Jersey, has jurisdiction over New York Harbor and the New Jersey side of the Hudson River, and is vested with authority to acquire all parts of the water front under their jurisdiction and place them under public ownership and control.

In the State of Delaware the port of Wilmington is under public control.

In the State of Pennsylvania the ports of Philadelphia and Chester are both under public control.

In the State of Connecticut the port of New Haven, the port of Norwalk, the port of Bridgeport, and the port of New London are under public control.

In the State of Rhode Island the port of Providence is controlled jointly by the State and the city.

In the State of Massachusetts the great port of Boston is owned and controlled by the city of Boston. The ports of Fall River, New Bedford, Lynn, Salem, Beverly, Gloucester, and Newburyport are all under State control.

In the State of New Hampshire the port of Portsmouth is under State supervision and control.

Lastly, the ports in the State of Maine are under the State Harbor Commission of Maine.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. WELCH of California. I yield.

Mr. GARBER of Oklahoma. What are the advantages of public control over private ownership?

Mr. WELCH of California. States and communities that control their harbors have considered them as heritages of the people. They are better managed and better opportunities are given to shipping interests under public ownership.

I might add that there are communities that have very little in common with the policy of public ownership of all public utilities, but they make an exception of their ports.

The ports of the United States belong to the people of the United States. They are the gateways through which the com-

merce of this country goes out over the seven seas, and it is considered by the people of all those communities, without exception, that own and control their ports, that the ports can be managed to the greater advantage of the people of the United States through public ownership.

Mr. ABERNETHY. Will the gentleman yield?

Mr. WELCH of California. I yield.

Mr. ABERNETHY. How is the gentleman going to have this port developed by the public when the administration is not in favor of it, when the Shipping Board is not in favor of it, and these piers and docks are going to waste and destruction and the city of Hoboken does not want them? I could see some force in the gentleman's argument if we could get the administration to back up the policy of public ownership of these ports, but the whole idea seems to be for the Government to get out of business, to get out of the shipping business, to get out of the port business, and, as I understand, Hoboken does not want it and the property is going to waste. What are we going to do with it?

Mr. WELCH of California. I know of no State government or municipality that is getting out of the business of harbor ownership.

Mr. ABERNETHY. They say that Hoboken does not want it and can not afford to buy it.

Mr. PERKINS. Will the gentleman yield?

Mr. WELCH of California. I yield.

Mr. PERKINS. May I state that along the westerly side of the Hudson River, from Constable Hook, Bayonne, northerly for 14 miles, there is only one pier owned by a municipality. The loss of taxes to the city of Hoboken on these piers has nearly made the city bankrupt. The city would gladly buy these piers if it had the money, but it has reached its debt limit and can not purchase the piers and therefore failure to pass this bill means a continuation of the status quo and for possibly the next 10 years there will be practically no activity at these piers whatever.

Mr. LaGUARDIA. The gentleman refers to the Jersey side?

Mr. PERKINS. I said on the westerly side of the Hudson River.

Mr. WELCH of California. No one representing Hoboken or its harbor has approached the United States Government through the proper channels to see whether it is possible to acquire ownership of the port of Hoboken on terms that could be met by the city without a further bond issue.

Mr. PERKINS. The gentleman is dealing with this question as though these six piers constituted the entire harbor of New York or the entire port of Hoboken. The total frontage here is only 1,800 feet while Hoboken has, in addition, at least 3,600 feet of piers privately owned, and I am informed that the authorities of Hoboken have done everything it has been possible for them to do.

Mr. WELCH of California. No; it was admitted they have not approached the Government for terms and conditions whereby they could finance or amortize the cost of the piers.

Mr. PERKINS. They have no money with which to buy them.

Mr. WELCH of California. They would not need money. That is not necessary. Others have purchased from the Shipping Board lines of steamers without any large capital investment and have paid for the ships out of the earnings of the ships.

Mr. PERKINS. If the gentleman will kindly yield for one further question, the gentleman does not suggest that the city of Hoboken should go into the shipping business?

Mr. WELCH of California. No; not the shipping business, but they should go into the harbor business; and if they approach the Government, which they have not done, I believe they could get such terms and conditions from the Government that would enable them to take over the greatest asset they could possibly have.

Let me give you some figures as to the returns on this antiquated and dilapidated harbor as it has been referred to here:

The fiscal year ending June 30, 1926, shows a net profit of over $400,000; the fiscal year ending June 30, 1927, shows a net profit of approximately $400,000; the fiscal year ending June 30, 1928, shows an actual profit of $304,047.01; the fiscal year ending June 30, 1929, shows an actual profit of $290,030.41. In other words, the United States Government is selling an asset and not a liability.

Mr. PERKINS. Will the gentleman yield there?

Mr. WELCH of California. Yes; I yield.

Mr. PERKINS. The taxes realized by the city of Hoboken on this property amounted to about $300,000 per annum. Do the figures that the gentleman has given deduct anything for taxes?

Mr. WELCH of California. No.

Mr. PERKINS. Of course, you can make a profit, if you do not have to pay taxes.

Mr. WELCH of California. You can not collect taxes on Government property, and my point is that if they will even attempt negotiations with the Government, which they have not done——

Mr. PERKINS. The Government, by avoiding the payment of taxes, can make a profit on almost anything. The city of Hoboken is much better off if it gets $300,000 from this property in the way of taxes than if it were to undertake to own and manage the property.

Mr. WELCH of California. There is not a harbor in the United States from Maine along the Atlantic seaboard and the Gulf of Mexico and along the western coast from San Diego to Seattle that is not a financial asset, yielding handsome revenues to the communities that own and control them.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. WELCH of California. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. I notice in section 2 of the bill this language:

> Said property shall be sold in whole or in part at public or private competitive sale.

Now, what is a "private competitive sale"?

Mr. LEHLBACH. If the gentleman will permit, the gentleman has the wrong bill. The gentleman has the bill as reported from the committee, but the Senate struck out on the floor of the Senate the words "or private," and that is not in the bill at present.

Mr. COOPER of Wisconsin. The House bill as reported to the House contains these words. They do not appear to have been stricken out of this bill. The language is that the property may be sold, in whole or in part, "at public or private competitive sale."

And in the next paragraph is a provision that the United States Shipping Board shall publish the terms of such sale and the date and time, and the final date of filing bids—

> If by the acceptance of bids—

And so forth. That "if" and the language of section 2, taken together, mean that the board is to have absolute discretion to sell this Government property at private sale.

Mr. LEHLBACH. If the gentleman will yield I will request more time for the gentleman from California.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. LEHLBACH. I ask unanimous consent that the gentleman be given five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEHLBACH. Now will the gentleman from California yield?

Mr. WELCH of California. I yield.

Mr. LEHLBACH. The gentleman from Wisconsin is looking at a copy of S. 2757, as it was reported from the Committee on Commerce in the Senate. The bill, as it passed the Senate and printed and being considered here at the present time, does not contain the words "or private." So the bill reads:

> Said property shall be sold in whole or in part at public competitive sale.

Furthermore, the words the gentleman takes exception to—

> The United States Shipping Board shall publish the terms of such sale and the date and time and the final date of filing bids—

Meaning that if it is to be sold by public auction, then there is no filing of bids.

Mr. COOPER of Wisconsin. I understand that, of course. But section 2 provides for "private competitive sale," and section 3 that the board shall publish the terms of such sale and the date and time and the final date of filing bids "if by the acceptance of bids"—which shows, as I have said, that it was contemplated in the original House bill as reported by the committee that this property should be sold, in the discretion of the Shipping Board, at private sale. I sent for a copy of the bill which is now before us, and the copy I have in my hand was brought from the desk and handed to me.

Mr. LEHLBACH. Mr. Chairman, I ask that the first sentence of the section now under consideration be read for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

> SEC. 2. Said property shall be sold, in whole or in part, at public competitive sale, for use and operation as piers or terminals—

And so forth.

Mr. COOPER of Wisconsin. Will the gentleman yield? I want to say a word in reply to the gentleman from New Jersey. The report of the gentleman from New Jersey [Mr. LEHLBACH], reporting H. R. 11509, the House bill, contains this language:

The following is the text of the bill, with the amendments in italics: "* * * Said property shall be sold, in whole or in part, at public or private competitive sale."

That was in the report submitted by the gentleman from New Jersey himself on the House bill and shows that he must be in favor of the enactment of the provision for private sale.

Mr. LEHLBACH. The gentleman from New Jersey says that he reported the bill in the same language as the bill reported in the Senate in order that the substitution might be made, and then the House would have ample opportunity to amend the bill.

Mr. WELCH of California. Now further discussing the question of the tax return from the Hoboken Harbor, Dr. Harvey M. Davis, president of the Stevens Institute of Technology, Hoboken, N. J., appeared before the committee, and he was asked by me:

Do you know of any State or any municipality in the United States that owns and controls its harbor that would turn over its harbor to private ownership in order to get a tax return on them?

Doctor Davis's answer to that question was:

I am not familiar with the details about ownership. I might say personally that I am heartily in sympathy with your views on that subject, but at the present time none of us in Hoboken have been able to see our way clear to work out such a situation there.

The fact of the matter is, Mr. Chairman, they have made no attempt to acquire ownership from the United States Government. They have not approached the Government, and there is not anyone here who speaks for this bill who can say to the contrary. We have a right to assume that if the city of Hoboken approached the United States Government in the same manner that the prospective owners and men who have acquired control of our steamship lines have done, that the harbor of Hoboken, which is a heritage of the people and their greatest asset, would be given to them on the same financial terms that others have secured control of our shipping lines.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. LEHLBACH. Mr. Chairman, I rise in opposition to the pro forma amendment. The major premise upon which the gentleman from California [Mr. WELCH] bases his argument is perfectly sound. Where there is a harbor located wholly within a community it is sound public policy for that community to control the harbor and the port facilities which surround the water. That is the case in every instance in the ports of which he has spoken, where the port is wholly controlled and owned by the municipality in which it lies; but it so happens that this is not the case with respect to the port in which this property in Hoboken is located. The port of New York is not located in any one municipality or in any one county or in any one State. The port of New York is bounded in part by the State of New Jersey and the State of New York.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. LINTHICUM. Is it the intention of the city of Hoboken to bid for these piers?

Mr. LEHLBACH. It is not.

Mr. LINTHICUM. Nor the State?

Mr. LEHLBACH. No.

Mrs. NORTON. But there is nothing in the bill to prevent the city of Hoboken from bidding for them?

Mr. LEHLBACH. Oh, no. If the city wants to acquire this property, it is at liberty to do so under the terms and provisions of this bill.

Mr. LINTHICUM. And also the State of New Jersey?

Mr. LEHLBACH. Surely, as far as the bill is concerned. The State of New Jersey can buy it, as far as the bill is concerned. The port of New York is bounded by four counties in New Jersey and by as many boroughs in the greater city of New York, and as many counties. There is no harbor of Hoboken nor is there a port of Hoboken. All that Hoboken has to do with the port of New York is that it is located several miles up the Hudson River from New York Bay on the right bank, the west bank of the river extending along the river about 1 mile.

Mr. WELCH of California. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. WELCH of California. Is it not quite to the contrary—that the port of Hoboken is a harbor terminal, where the water is 40 to 60 feet deep, and is the gateway to Europe?

Mr. LEHLBACH. It is a little bit of land embraced in the port of New York. It is not an entity; there is no such thing as the port of Hoboken or the harbor of Hoboken. It is just a little stretch along the New Jersey bank of the Hudson River, and it could not make a dent on any harbor or port policy if it owned the docks or did not own them. There is not a single piece of water front developed for pier or dock purposes in the State of New Jersey or in the State of New York abutting on the port of New York that is publicly owned except the property in the city of New York, which happens to be owned by the city and is managed and run by the city through its dock commissioners exactly as private enterprises run the property used for the same purpose over in New Jersey or up the Hudson River on the New York side beyond the limits of the city of Greater New York, and the city of New York, by reason of the fact that it owns these dock properties and leases them out, has nothing to say about the control of the harbor, which is a national matter, any more than Hoboken has, which does not own the property, or that the State of New Jersey or the State of New York has that does not own the property.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. LEHLBACH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. WAINWRIGHT. In order to ask whether there is any provision in this bill giving the Government the right to resume this property, which has been so valuable in time of war, in case we should again engage in war?

Mr. LEHLBACH. The Shipping Board is vested with that authority.

Mr. WAINWRIGHT. Is that perfectly clear; that in time of war that property could be resumed by the United States Government for the purpose for which it was used?

Mr. LEHLBACH. The Shipping Board has ample opportunity to do that under this language.

Mr. WAINWRIGHT. I assumed that there was such a provision.

Mr. LEHLBACH. It is in general language to cover all contingencies, and under that language the contingency to which the gentleman has directed specific attention is covered.

Mr. WAINWRIGHT. I think that is the usual provision which has gone into nearly all the legislation authorizing the parting with the facilities and properties that we have had in time of war, when necessary for war purposes.

Mr. LEHLBACH. I read from the bill:

Said property shall be sold, in whole or in part, at public competitive sale, for use and operation as piers or terminals, on such terms and conditions as said United States Shipping Board may prescribe, giving due consideration to the interests of the United States and to the development and maintenance of an adequate American merchant marine.

That language allows such recapture clause to be made a condition in the proposal under which the property is offered for sale, and it goes beyond that and allows a reservation for use by the American merchant marine of these piers.

Mr. WAINWRIGHT. That means discretion in the United States Shipping Board, but the question is whether we ought not specifically to make a condition of sale of that kind.

Mr. LEHLBACH. There is no such provision with respect to the sale of any property of this kind in any merchant marine act under which the property was acquired, held, and disposed of.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. PERKINS. In order to effectually dispose of the question of whether this is a harbor or port, is it not true that there are over 75 miles of water front within the harbor of the city of New York, and that this is just 1,800 feet of that amount?

Mr. LEHLBACH. Yes; that is true.

Mr. LINTHICUM. I will ask the gentleman if it would not be possible for the Government to commandeer any property in the case of need in time of war?

Mr. LEHLBACH. Certainly.

Mr. WAINWRIGHT. Yes. But there is no authority to-day, as I understand it, for doing that.

Mr. PERKINS. Within the entire compass of the influence of the city of New York all the populations of every municipality have increased except the city of Hoboken, which has decreased, largely by the fact that this property is held out by the Government. Is not that a fact?

Mr. LEHLBACH. Yes; and furthermore, as my colleague points out, this provision covers 1,800 feet out of a total of 75 miles. The States of New Jersey and of New York provide by a joint treaty for a board or commission appointed respectively by the Governors of New Jersey and New York and known as the port authority. This deals with the port as an entity, and whether Hoboken owns 1,800 feet or not does not affect the policy of the port of New York.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield for a question?

Mr. LEHLBACH. Yes.

Mr. ABERNETHY. Have the authorities refused to improve this property?

Mr. LEHLBACH. This property consists of six piers. About one-third of the property has been destroyed by fire, and not a plank has been laid or a nail driven to restore it for use by the Shipping Board. To indicate what can be done to serve the public as compared with what they are doing now I may say that there are now employed only about 500 men in and around these piers, while before the war there were employed continuously upwards of 3,000 men.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. LEHLBACH. May I have two minutes more? I will take two minutes more. Furthermore, by reason of the depression in the city of Hoboken, caused by the withdrawal of this property from effective use, there is not a community within the metropolitan area, in a radius of 50 miles from Manhattan Island, that has not increased in population and wealth to a greater degree.

Mr. PERKINS. The population in 1910 was only 70,000 and in 1920 it was only 66,166.

Mr. LEHLBACH. The city of Hoboken is now up to its debt limit. It can not borrow another dollar under the law of the State. It has no credit. It has no money in its treasury. It is not in position to buy this property, and if you should propose to turn it over free of charge it has not the money sufficient to develop it in order to put it to a remunerative use. It is idle to talk about the city of Hoboken acquiring this property. It can not do it.

Mr. PERKINS. Has not the city of Hoboken lost a great deal in taxes?

Mr. LEHLBACH. Yes. Since the war they have lost in taxes that they would otherwise have collected, $4,000,000. The property cost only $7,146,000.

Mr. LAGUARDIA. Mr. Chairman, notwithstanding the statement made by the two gentlemen from New Jersey that this is simply 1,800 feet of inconsequential and unimportant property, I say it is a very valuable piece of water front, as valuable a piece of water-front property as exists in the whole world. Eighteen hundred feet of water front along the Hudson in the port of New York is worth millions of dollars.

This bill is a distinct step backward, in keeping with some of the other brilliant ideas which have come from the Shipping Board. I concede the predicament of the municipality of Hoboken. There is no question about it. There may be no question but that they are not now financially able to buy this property and pay cash for it. But, gentlemen, I submit that the city of Hoboken ought to be given some consideration, in view of the fact stated by the gentleman from New Jersey [Mr. PERKINS] that it has lost $4,000,000 of taxes during the last 12 years. Give the same consideration to the city of Hoboken as has been given to itinerant and irresponsible individuals who have acquired favors from the Shipping Board, and millions of dollars of property for ridiculously low prices, and in many instances with little or no cash payment. Instead of permitting this property to be sold to an individual operator by the payment of 25 per cent cash and the rest when the Government can get it, let us permit the city of Hoboken to operate these piers and pay a part of the rental which she can receive from the Government for a period, say of 20 years, if that is necessary.

Why not make it possible for Hoboken to acquire this property on the same basis as ships have been given to private corporations?

Has anybody thought of that? I submit this proposition to the distinguished gentleman from Hoboken: The Government could convey these piers to the city of Hoboken. The city could pay the Government a fair percentage of the rentals obtained. At the end the city would own the piers and receive greater revenue than taxes. The Government would be taking no risks, for the property itself would be the security for payment. Terms even more generous than this were made to private corporations. Do you not know that individuals have purchased ships from the Shipping Board for $6 a ton, when it costs the Shipping Board $20 a ton to recondition those ships, and that they are paying for them in small annual installments? This House would in a minute pass a bill to transfer these piers to the city of Hoboken. Let them pay a percentage on the rentals to the Government and thereby retain the piers in public ownership.

The gentleman asks, Can we recapture these piers? Remember that we paid during the war over $7,000,000 for these piers. It is one of the first pieces of property taken by the Government. These piers are so well located—in the port of New York, right near railroad terminals. A priceless piece of dock property, which must not be turned over to private control for exploitation at the expense of American shipping.

Mr. AUF DER HEIDE. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. AUF DER HEIDE. I want to call the attention of the gentleman from New York to the fact that it is impossible for the city of Hoboken to raise any money when they are up to their bonded-indebtedness limit now. They have tried for five years back to get legislation from the city to purchase the piers. How are you to remedy it?

Mr. LAGUARDIA. Let Hoboken take them over on the terms I have suggested, so long as we can keep these piers in public ownership instead of disposing of them in the imprudent, reckless manner provided in this bill.

The gentleman from New Jersey [Mr. LEHLBACH] points out that there are only 500 men employed now, whereas before there were 3,000 men, but the same 3,000 men are employed on other piers where the ships of the North German Lloyd and the Hamburg-American Line now dock. Business has been driven away—yes; purposely and maliciously driven away—from these piers by the Shipping Board in order to sell them for a song to some of O'Connor's favorites. My objection to this bill is not antagonistic to the city of Hoboken. It is entirely in sympathy with the city of Hoboken and for the best interest of our Government and American shipping.

Mrs. NORTON. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mrs. NORTON. Does the gentleman not feel that the city of Hoboken itself ought to be the best judge of what it desires?

Mr. LAGUARDIA. Certainly.

Mrs. NORTON. Is it not a fact that the city of Hoboken approves this bill?

Mr. LAGUARDIA. I do not think it is.

Mrs. NORTON. I think the gentleman will find that it does.

Mr. LAGUARDIA. I do not think it was ever put up to them.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. It was never put up to the city of Hoboken to receive the same advantageous terms that were given to private corporations by the Shipping Board.

Mr. KADING. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. KADING. For the information of the gentleman, as a member of the Committee on the Merchant Marine and Fisheries, I would like to inform the gentleman that the representatives of the city of Hoboken in large number were present, and they made known the fact that they were not interested in receiving this property or in attempting to buy it, and did not want it if it was given to them, and they were not able to handle it.

Mr. LAGUARDIA. I repeat, a fair, advantageous offer was never made to the city. But if the city of Hoboken is not interested in its own welfare, if the city of Hoboken wants to go on record and say that they would not take these piers in part payment for what they receive from this sale, that is their lookout. But there is a greater interest, and that is the interest of the American people and the American merchant marine in the priceless water front of Hoboken.

Mr. PERKINS. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. PERKINS. I may say there has been no question of more importance before the people of Hoboken in the last 10 years than these piers.

Mr. LAGUARDIA. Because they have looked at it from one side only, and that is the loss of taxes, and I can understand that attitude, but let me say to the gentleman from Wisconsin [Mr. KADING] and the other members of the committee that we have given hundreds of millions of dollars of Shipping Board property away to private individuals, who have paid for it in small monthly installments, and I submit the people of

Hoboken are entitled to the same consideration, especially when it involves a part of the water front of the greatest port in the world.

Mr. WELCH of California. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. WELCH of California. I also am a member of the Committee on the Merchant Marine and Fisheries, and I attended the hearings, and I have a copy of the hearings with me. Much as I dislike to dispute the word of the gentleman from Wisconsin [Mr. KADING], I must, in fairness, say that the statement referred to by the gentleman was not made, nor can it be found in the hearings, that the people of Hoboken would not take the piers if given to them for nothing. On the contrary, they expressed a willingness and desire to acquire these piers if they could secure them on the same terms as referred to by the gentleman from New York.

Mr. LEHLBACH. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. LEHLBACH. I do not know whether it appears in the record or whether it was taken down by the stenographer, but the city of Hoboken is governed by a commission. The commissioner who spoke in behalf of the government of the municipality in my hearing said that the city would not want to take this property as a gift, because it had no money to recondition and develop it and prepare it for useful occupancy.

Mr. LAGUARDIA. Then, I will say that I have a report from the Comptroller General, concerning some ships that were reconditioned. We took ships that were out of condition, just as these piers described by the gentleman from New Jersey, and we spent from $20 to $26 a ton to recondition those ships, and we sold them for $6 a ton to private parties, with a very small part payment down.

I say, that in order to conserve this property, as pointed out by the gentleman from New York [Mr. WAINWRIGHT], property so important that one of the first acts of the Government after the declaration of war was to take these piers at a cost of $7,000,000, we could give the same terms and conditions to the city of Hoboken, having reconditioned these piers, and if the city of Hoboken then refuses to be helped, then we should hold them ourselves.

Mr. ABERNETHY. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. ABERNETHY. I agree with what the gentleman says, that these piers should be in public ownership for the benefit of the public, but we have this situation: The Shipping Board will not repair them, and the city of Hoboken does not want them. They are going to destruction. Is the gentleman going to get out a mandamus and make the city of Hoboken take them?

Mr. LAGUARDIA. No, indeed. I only insist that the city of Hoboken be given the same terms given to private corporations.

Mr. ABERNETHY. Is the gentleman going to get out a mandamus and make President Hoover make the Shipping Board fix them up?

Mr. LAGUARDIA. No; if the Shipping Board does not do its duty, Congress should be able to find a way to make them do it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. ABERNETHY. What are we going to do with them?

Mr. WELCH of California. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. WELCH of California. The representative of the city of Hoboken said they could not take them unless they could finance them.

Mr. LAGUARDIA. This deadlock is brought about by the failure to have the city of Hoboken know what is possible under the present generous policy of the Government and the Shipping Board in respect to disposition of Shipping Board property and to build up a merchant marine. It is just as much a part of the merchant marine to have proper dock facilities as it is to have ships. That being so, the law permitting the giving to private operators of ships at low cost, helping them on easy payments, loaning money for the construction of new ships we could have done the same thing with the city of Hoboken, and let the city of Hoboken recapture what it has lost in back taxes, and keep these important piers in public ownership.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. LINTHICUM. Do I understand the gentleman to mean to turn the piers over to Hoboken and let them operate them and take out the taxes, receive rentals, and then turn the balance over to the National Government, on account of the piers?

Mr. LAGUARDIA. Any easy-payment plan. Anything to retain these piers in public ownership.

Mr. ABERNETHY. The trouble is nobody wants them.

Mr. LAGUARDIA. They will.

Mr. AUF DER HEIDE. How will the city of Hoboken finance the rebuilding or repairing of these piers?

Mr. LAGUARDIA. Let the Shipping Board do it, just as they have been spending millions repairing and reconditioning the ships. Let us not turn this property over to private control. The tendency all over this country is to keep water front and dock property under public control. The best interest of American shipping demands such a policy. This bill is a step backward.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. AUF DER HEIDE. For 10 or 12 years the city has been trying to get some relief. And we believe that the bill under consideration provides the only relief we can see in the near future. The officials of the city of Hoboken are in favor of the Kean-Auf der Heide bill, and I quote the following telegram received from the mayor of the city of Hoboken:

Congressman O. L. AUF DER HEIDE,
House of Representatives:

I wish to inform you that I am in favor of the Kean-Auf der Heide bill for the sale of the Hoboken piers to the highest bidder. No one is authorized by me to request you to amend your bill to sell the piers to the city of Hoboken. The Board of Commissioners of Hoboken are interested in having the piers placed back in the tax ratables of the city.

BERNARD N. MCFEELEY,
Mayor City of Hoboken.

At the commencement of the war the United States took over the possession of these piers and subsequently, on June 28, 1918, acquired title to the said property for the sum of $7,146,583, which money was paid over to the Alien Property Custodian and subsequently paid over to the stockholders of the corporations owning the piers.

When these piers were owned by private corporations the city of Hoboken was able to include them in the taxable ratables and received tax payments on them.

Since the Government acquired title to the properties Hoboken has been unable, by reason of law, to collect any taxes on the properties.

During the war period and for a short time thereafter the piers were used by the War Department as an embarkation point for the transportation of soldiers overseas. Hundreds of thousands of American soldiers embarked for overseas duty from these piers and upon their return home were landed at the same piers.

The piers were then turned over to the United States Shipping Board for operation, to be used by their ships at the port of New York. When the Shipping Board acquired control of the piers the properties ceased to be used exclusively and entirely for governmental purposes. The Shipping Board put them to commercial uses.

When the merchant marine act of 1920 was passed it provided in the last paragraph of section 17 that "None of such property shall be sold except as may be hereafter provided by law."

During the time of the operation of these piers by the Shipping Board for commercial purposes, and while Hoboken was being deprived of millions of dollars in taxes, the Shipping Board was annually showing a profit of hundreds of thousands of dollars in the operation of these piers. According to the reports of the Shipping Board, the United States Government, through the instrumentality of the board, was profiting handsomely at the expense of Hoboken.

While the profits have been accruing to the benefit of the United States Government, the city of Hoboken has been compelled to suffer the loss of hundreds of thousands of dollars each year in taxes.

In 1921 one of the piers (Pier No. 5) was destroyed by fire and has not been rebuilt.

In view of the new policy of the Shipping Board to dispose of its ships and properties to private American companies, there is no reason why the Hoboken terminal should be held any longer.

The loss of taxes to the city of Hoboken has placed on the shoulders of the people of that little city an unfair and unjust burden. For the past 10 or 11 years, or ever since the United States acquired title to the property, various efforts have been made by people interested in Hoboken to obtain relief. Various bills and resolutions have been introduced in both Houses of Congress to give relief to Hoboken, but without any success; the main objection arising from the Shipping Board, who stated that, although they sympathized with the unfortunate plight in which Hoboken was placed, they desired docking facilities in the port of New York, and the Hoboken terminal provided for that need. However, the piers are no longer used by ships operated by the Shipping Board, but are now leased to American companies for facilities for American ships.

The only practical way by which the city of Hoboken can get relief is for Congress to give the Shipping Board authorization to sell the piers; and, after this authorization has been granted, for the Shipping Board to advertise the properties for sale at the earliest possible time. It is only when these pier properties are sold to private corporations that Hoboken will be able to receive taxes which are so justly due the city.

The justice of Hoboken's cause is so evident that I respectfully urge you to vote for the passage of this bill.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. LEHLBACH. This is the first time in my experience, and as far as I know in the history of the Federal Government, that it has been seriously proposed in Congress that the Federal Government impose upon an unwilling governmental body a policy which it does not want to follow.

Mrs. NORTON. Mr. Chairman, I move to strike out the last four words. When I tell you I have been very ill for the past three weeks and practically got out of bed this morning for the purpose of coming here because of my intense interest in this bill I think you will understand just how important it is to the city of Hoboken. While Hoboken is not in my district, it is a neighboring city, and I happen to know what its problems have been during the past 10 years since the revenue from these piers has been taken away from the city.

I want to say to you that Hoboken is only a mile-square city. Its revenues are very few in comparison with its population, and ever since these piers were taken from Hoboken it has been an impossibility for Hoboken to pay its just debts. Therefore when this bill was introduced all of the questions that have been brought up here to-day were considered. There is nothing I can add, even if I were able, to that which the gentleman from New Jersey [Mr. LEHLBACH] has already told you, except to say this, that I think everybody will concede that a city should know just what it wants much better than any other city can tell it what it wants. [Applause.]

I know the gentleman from California [Mr. WELCH] has the very best of intentions in presenting his argument, and I know my friend, Mr. LAGUARDIA, feels the same way. They are both trying to help Hoboken, but is it not a fact that Hoboken ought to know what it wants itself much better than the gentleman from California [Mr. WELCH], the gentleman from New York [Mr. LAGUARDIA], or anyone else?

When the mayor of Hoboken, the Chamber of Commerce of Hoboken, representatives of all of the big organizations, and many of the leading business people of Hoboken came before the committee and approved this bill then it seems to me to be only common sense to assume that Hoboken should be recognized in asking for what it wants. I sincerely hope you will pass this bill and give this relief to the city of Hoboken, a city which has been so gravely in need of it during the past 10 years.

Mr. PERKINS. Will the gentlewoman from New Jersey yield?

Mrs. NORTON. Yes.

Mr. PERKINS. Is it not true that not only the governing body of Hoboken but every public-spirited person of Hoboken has given consideration to every phase and every possibility of this question, and have come to the conclusion that the only practical and sensible thing for Hoboken to do is to have these piers sold?

Mrs. NORTON. That is absolutely true. Hoboken needs the revenue, and if the city of Hoboken wants to come in and bid in these piers there is nothing in this bill to prevent the city from doing so.

I sincerely hope the gentlemen of this House, both on our side and on your side, will recognize the merits and justice of this bill and will see that it is passed to-day, so that Hoboken may obtain some relief from the intolerable situation the city has found itself in ever since the Government deprived the people of this source of revenue. I thank you for your consideration. [Applause.]

Mr. LEHLBACH. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BACON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 2757) to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J., had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. LEHLBACH. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is now on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LEHLBACH, a motion to reconsider the vote by which the bill was passed was laid on the table.

House bill 11509 was laid on the table.

CONSTRUCTION AND MAINTENANCE PROGRAM FOR THE UNITED STATES BUREAU OF FISHERIES

Mr. LEHLBACH. Mr. Speaker, I call up the bill (H. R. 7405) to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries.

The SPEAKER. The gentleman from New Jersey calls up a bill, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar and the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7405, with Mr. SUMMERS of Washington in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7405, which the Clerk will report.

The Clerk read the title of the bill.

Mr. LEHLBACH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That there are hereby authorized to be appropriated during the fiscal year beginning July 1, 1930, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: New Mexico, $50,000; Idaho, $60,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Wisconsin (in the southern part of the State), $50,000; Montana, $35,000; Colorado, $35,000; New Hampshire (in the White Mountain Forest), $25,000.

(3) The establishment of a fishery laboratory in the State of Washington, at a cost not to exceed $125,000.

(4) The establishment of experimental and bass and trout stations in the State of Maryland or West Virginia at a cost not to exceed $75,000.

SEC. 2. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1931, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: Alabama, $50,000; Indiana, $50,000; Tennessee (in the middle division of the State), $50,000; Pennsylvania (including a substation), $100,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: South Carolina, or the enlargement of Orangeburg station in said State, $25,000; Texas (in the western part of the State), $35,000; New York, $35,000.

(3) The purchase of Mill Creek station in the State of California, at a cost not to exceed $20,000.

(4) The purchase and repair of the Rogue River substation in the State of Oregon, at a cost not to exceed $35,000.

SEC. 3. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1932, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in the State of Florida, at a cost not to exceed $60,000.

(2) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Maine (including enlargement of Craig Brook station), $50,000; Virginia (in the eastern part of the State), $75,000.

(3) The establishment of a fishery laboratory in the State of Texas (on the Gulf coast of the eastern part of the State), at a cost not to exceed $75,000.

(4) The purchase or construction of a steel fish-distribution car, at a cost not to exceed $75,000.

SEC. 4. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1933, such amounts as may be necessary for—

(1) The establishment of a fish-cultural station in each of the following States, at a cost not to exceed the amount specified: Nevada, $60,000; Illinois, $75,000; New Jersey, $75,000.

(2) The purchase or construction of a steel fish-distribution car at a cost not to exceed $75,000.

SEC. 5. There are hereby authorized to be appropriated during the fiscal year beginning July 1, 1934, such amounts as may be necessary for—

(1) The establishment of a fish-cultural substation in each of the following States, at a cost not to exceed the amount specified: Ohio, $35,000; Kansas, $35,000; North Dakota, $35,000; Georgia, $35,000.

(2) The purchase and repair of the Little White Salmon station in the State of Washington, at a cost not to exceed $35,000.

(3) The establishment of a fishery laboratory in the Territory of Alaska, at a cost not to exceed $50,000.

(4) The establishment of an experimental and bass and trout station in the Pisgah National Forest or in the Great Smoky National Park in the State of North Carolina upon the acquisition of said park by the United States, at a cost not to exceed $35,000.

SEC. 6. (a) The stations, substations, and laboratories authorized by sections 1, 2, 3, 4, and 5 shall be located in the States and parts thereof and in the Territory specified, at such suitable points as may be selected by the Secretary of Commerce.

(b) Any appropriation made under authority of sections 1, 2, 3, 4, and 5 may be expended for the purchase of sites, and the purchase of equipment, the construction of buildings and ponds, and for such other expenses as may be incidental to the cost of the establishment, purchase, or enlargement, as the case may be, of the station, substation, or laboratory in question.

(c) No part of an appropriation made under authority of section 1, 2, 3, 4, or 5 shall be expended in the construction, purchase, or enlargement of a station or substation until the State in which such station or substation is to be located shall have by legislative action accorded to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may by the commissioner be considered necessary and proper, any laws of the State to the contrary notwithstanding. The operation of any station, substation, or laboratory established, purchased, or enlarged under authority of this act shall be discontinued whenever the State ceases to accord such right; and such operation may be suspended by the Secretary of Commerce whenever in his judgment State laws or regulations affecting fishes cultivated are allowed to remain so inadequate as to impair the efficiency of such station, substation, or laboratory.

SEC. 7. There are hereby authorized to be appropriated, in addition to all other amounts authorized by law to be appropriated, the following amounts during the fiscal years specified:

(1) For the purpose of providing adequate maintenance costs and personnel for the Division of Fish Culture, Bureau of Fisheries: Fiscal year beginning July 1, 1930, $100,000; fiscal year beginning July 1, 1931, $200,000; fiscal year beginning July 1, 1932, $300,000; fiscal year beginning July 1, 1933, $400,000; fiscal year beginning July 1, 1934, $500,000. Of each amount authorized by this paragraph to be appropriated, 30 per cent is authorized for salaries at the seat of government and elsewhere.

(2) To meet the demand for fundamental knowledge regarding our great commercial fisheries and for developing the natural cultivation of oysters, mussels, and other mollusca, and the improvement of pond cultural and other operations of the Division of Inquiry, Bureau of Fisheries, respecting food fishes: Fiscal year beginning July 1, 1930, $75,000; fiscal year beginning July 1, 1931, $150,000; fiscal year beginning July 1, 1932, $180,000; fiscal year beginning July 1, 1933, $240,000; fiscal year beginning July 1, 1934, $300,000. Of each amount authorized by this paragraph to be appropriated 40 per cent is authorized for salaries at the seat of government and elsewhere, and not to exceed $10,000 in any year for a survey of the fisheries of the Hawaiian Islands.

(3) To provide for the proper husbandry of our fisheries, improvements in methods of capture, merchandising, and distribution of our fishery harvest, including saving and utilization of waste products, and other operations of the Division of Fishery Industries, Bureau of Fisheries: Fiscal year beginning July 1, 1930, $35,000; fiscal year beginning July 1, 1931, $70,000; fiscal year beginning July 1, 1932, $105,000; fiscal year beginning July 1, 1933, $140,000; fiscal year beginning July 1, 1934, $175,000. Of each amount authorized by this paragraph to be appropriated 40 per cent is authorized for salaries at the seat of government and elsewhere.

Mr. LEHLBACH. Mr. Chairman, this bill—H. R. 7405—introduced by Mr. WHITE, chairman of the Committee on the Merchant Marine and Fisheries, and unanimously reported by that committee, provides for a 5-year construction and maintenance program for the United States Bureau of Fisheries.

For a number of years the question of outlining and developing a policy of increasing the facilities for the raising and distribution of food fish has been considered both by the administrative agencies of the Government and by the Committee on the Merchant Marine and Fisheries. With the cooperation of the Bureau of Fisheries, the aid of its fish experts, and the committee there has been drafted this comprehensive measure which provides for a program of construction extending over a period of five years.

This bill received the approval of the House and the Senate in the last Congress, and is now again presented for the consideration of the House. There is urgent need for such a comprehensive program of fish development. There has been a considerable decrease in all kinds of food fishes which in time will bring about a serious condition to the people. In certain cases the decrease in the catch is actually alarming and has arrested the attention of the administration, and has been forcibly brought home to the committee. As an illustration, I call attention to the fact that the catch of shad has decreased in 30 years from nearly 51,000,000 pounds to less than 15,000,000 pounds. Thirty-five years ago sturgeon were caught to the extent of approximately 18,000,000 pounds. During the last recorded year the catch had shrunk to 1,200,000 pounds. The catch of lobster in the New England States in 1890 was 30,000,000 pounds, but in recent years has shrunk to 10,660,000 pounds.

Thus, it will be seen that the part of wisdom is to give serious consideration to the replenishment of our fish stock and our fish supply, and for this reason this bill is before us for consideration at the present time. The program embraces approximately 31 new stations or substations involving 27 entirely new projects. When it is completed the Bureau of Fisheries will have 106 stations of all kinds. At the present time it has but 75.

The expenditure that is to be spread over the 5-year period is $1,735,000.

The bill, as I have said, has been prepared jointly by the Bureau of Fisheries of the Department of Commerce and the Committee on the Merchant Marine and Fisheries. It has the unanimous approval of the committee, it has the approval of the Bureau of Fisheries, and it has the approval of the administration, through the Bureau of the Budget, with respect to the expenditures involved.

Mr. COLTON. Will the gentleman yield?

Mr. LEHLBACH. I yield.

Mr. COLTON. I am very much in sympathy with this bill. In the Western States, particularly in my State, a policy of planting fish in lakes, some of which have not heretofore sustained fish life, has been carried out and it has been found that the fish live in some lakes and die in others. It is believed that there is a lack of food in some of the lakes. Will this bill authorize a survey in advance of the planting of these fish, to see whether the food supply is sufficient to maintain the fish planted in the lakes? Is there authority for such a study and survey?

Mr. LEHLBACH. In addition to the money for the construction of the additional fish stations, there is authority for the expenditure of money for experimental purposes such as the gentleman has indicated.

Mr. COLTON. I appreciate that very much.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. LINTHICUM. Does not the gentleman think the bill ought to contain some provision for the inspection of waters in which the fish are placed? I know they often send out fish, and they merely ask you the station to which they are to go and the nature of the lake or river you are going to put them in, and there is no inspection of the lake or river to find out whether there is sufficient food for the fish you place there or whether you are placing there the proper kind of fish.

Mr. LEHLBACH. That is so obviously a matter of administration, the discretion of supplying fish upon application being vested in the Bureau of Fisheries, that it can be assumed that if there is doubt as to whether the waters to be stocked are

susceptible of being successfully stocked, an inspection of the waters will be made; but in a good many instances a physical inspection is unnecessary, because the character and quality of the stream or lake is already known to the bureau.

Mr. LINTHICUM. That may be, but I should think some one would be sent out to look it over to see whether it was proper water in which to place the fish.

Mr. LEHLBACH. I assume, where that is necessary, it is done.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. EVANS of Montana. As I understand, this is the same bill that passed both Houses of Congress two years ago and died through a pocket veto.

Mr. LEHLBACH. Substantially the same bill. So far as the projects are concerned, it is the same bill.

Mr. MILLER. Will the gentleman yield?

Mr. LEHLBACH. I yield.

Mr. MILLER. As I understand, this bill provides for extension of fish propagation throughout the entire country, game fish as well as merchantable fish.

Mr. LEHLBACH. Yes; and I would like to say before yielding the floor that the committee for a number of years has followed the policy of not embracing in a program of this kind any project which did not have the indorsement of the experts of the Bureau of Fisheries, so that every project we here recommend and authorize an appropriation for has such authoritative indorsement by the responsible branch of the administration.

Mr. SLOAN. Will the gentleman yield?

Mr. LEHLBACH. I yield to the gentleman from Nebraska.

Mr. SLOAN. I would like to ask the acting chairman of our committee, in connection with the large decrease of sturgeon, shad, and other fish shown, if there has been a like decrease or has there been a compensating increase in that other very numerous kind of fish evidenced by the great shoal movements in Wall Street and elsewhere during the last year; has there been such an increase of suckers in this country as to balance the loss of sturgeon and shad?

Mr. LEHLBACH. The gentleman is aware of the fact there has been a great increase in that kind of fish, but it could not be called a compensatory increase, because the sucker is a kind of fish that is not useful for edible purposes or anything else.

Mr. Chairman, I reserve the balance of my time.

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman and members of the committee, this is a very comprehensive bill, and one in which the whole country is very much interested. I am sure that when the entire membership of the House finds out what our committee has done there will be unanimous approval of the bill, as there was in the committee.

This bill provides for a 5-year program, and takes care of every section of the country for the propagation of fish and for the distribution of fish, not only of the game variety but also of the commercial variety. It also provides to meet the demand for fundamental knowledge regarding our great commercial fisheries and for developing the natural cultivation of oysters, mussels, and other mollusca, and the improvement of pond cultural and other operations of the division of inquiry, Bureau of Fisheries, respecting food fishes. It also provides for the proper husbandry of our fisheries, improvements in the methods of capture, merchandising, and distribution of our fishery harvest.

I am very much interested in the fishing situation because I come from a part of the country greatly engaged in fishing. My district alone has some 2,000 square miles of fishing waters. We have had commercial fisheries and we have seen the fish being depleted year after year because there has been no sufficient cooperation between the Federal and the State Governments.

The State of North Carolina recently established a department of conservation and development. Our legislature recently appropriated some $500,000 to be used in conjunction with the Government of the United States for the study, and for the maintenance, hatching, and for the distribution of fish, and for the acquisition of knowledge and things that would tend to build up the fishing industry of our section.

We have this 5-year program, which will mean much for our section, as well as the country at large.

It may be of interest to you to know that before our present occupant of the White House, who is a great fisherman, became President, I had a consultation with him in reference to this character of legislation, and he called my attention to the fact that on the eastern coast there was a great falling off of the supply of fish, and that there ought to be a comprehensive development of this important industry.

We bring the legislation before the House, with not only the approval of the President, but the approval of the Budget, the approval of the Fish Commissioner, Mr. O'Malley. It is a great piece of legislation and means much to our whole country. It is one thing that we can all get together on regardless of politics.

Mr. BLAND. Will the gentleman yield?

Mr. ABERNETHY. I yield.

Mr. BLAND. Fishing is something that we can all get together on.

Mr. ABERNETHY. Yes; there is no controversy among us—fishermen.

Mr. SLOAN. Will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman.

Mr. SLOAN. The gentleman has mentioned those who are supporting the bill, I would like to ask if the Izaak Walton League approves of this? [Laughter.]

Mr. ABERNETHY. Absolutely, the Izaak Walton League is in favor of it. Anybody that believes in fishing is in favor of it.

I want to call attention to one thing in connection with our game and fish, and that is that the hard surface roads and the automobile has brought about a great depletion in all sorts of game and fish, and we owe it to ourselves, not only for the pleasure of our people, but for their food, that we conserve our game and fish. Fish is a cheap food, it is a valuable food, it is a healthy food, and the Government can do no greater thing than to get behind this movement to restore our depleted fishing industry. I wish the appropriations authorized were four times as much as they are, but I believe that we have made a good start.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. ABERNETHY. I yield.

Mr. MOORE of Virginia. In reference to the language of this bill, what is the difference between a fish-cultural station and a fish-cultural substation?

Mr. ABERNETHY. The gentleman knows the difference between an agent and a subagent. That is the best answer I can give the gentleman.

Mr. BLAND. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. BLAND. Are the oysters fat in North Carolina this year?

Mr. ABERNETHY. Yes.

Mr. MOORE of Virginia. Was the gentleman and the President talking about fishing at the Rapidan?

Mr. ABERNETHY. That was before Mr. Hoover went into the undertaking he is now engaged in, which is a very serious one, that of being President. We were talking about going down to North Carolina to do some real fishing, and then when he ran for the Presidency instead of going fishing, we have been unable to get him farther away from Washington on a fishing trip than at the Rapidan.

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. FULMER.]

Mr. FULMER. Mr. Chairman and gentlemen of the committee, after much study and investigating on the part of the Bureau of Fisheries, this bureau has indorsed every item and project in this bill. I am glad to see the committee bringing out a bill proposing a 5-year program. This is a very important line of work, and to successfully carry on this work there should be a sufficient amount of money and a long-time program. Most of the States have been passing laws during the past few years helpful to the carrying out of the plans of the Federal Government in protecting game and fish. My State, South Carolina, is deeply interested in this line of work. We have a wonderful hatchery at Orangeburg, S. C., where I reside, and with the $25,000 item carried in this bill for South Carolina we will be able to enlarge this hatchery and build a much-needed substation.

One of the troubles to-day is that appropriations are usually so small that the various hatcheries are unable to send out the quantity of fish and the size of fish that they ought to send out so as not to be wasteful in spending the money.

In regard to the question asked by the gentleman from Virginia [Mr. MOORE] a while ago as to the difference between a cultural station and a subcultural station, the substation is a project to which they will transfer the very small fish from the main station or hatchery so as to allow these fish to get to a proper size before shipping them out to the applicants. In shipping out the very small fish from the hatchery so many of them die. We are building in South Carolina one of the largest dams in the country, which will bring about an artificial lake of some 60,000 acres, the Saluda power project, in Lexington County, my district, and with the addition of the funds allotted the Orangeburg hatchery in this bill we will be able to help

those people supply that lake with fish. The output of every hatchery should be large enough to supply fish for the lakes and streams within the State where the hatchery is located as well as all applicants. Every farmer owning a pond or stream on his farm should have it stocked with fish. I am glad to support this bill, with its various items, and hope that it will pass unanimously. [Applause.]

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, ladies, and gentlemen, I have always been very strong on the fish question. I have looked upon the sea-food products as one of the most important industries in the country. We should do everything that is possible to enlarge the fishing industry and produce more fish. I believe this bill to provide a 5-year plan for the Bureau of Fisheries, when passed and put into operation, will greatly increase the fish supply and help the commercial and pleasure fishing in this country. Some years ago I introduced two bills, one to prevent the use of fish in the manufacture of fertilizer and the other to protect migratory fish. I am frank to say that the protection of migratory fish is dear to my heart, because a part of the great Chesapeake Bay is contained in the State of Virginia and the other part in Maryland. It seemed almost impossible for Maryland and Virginia to get together for the protection of the fish. Crabs gradually diminished, until the catch of crabs became very small. The catch of shad continued to decrease, because of the nets placed at the mouth of the Chesapeake Bay in Virginia. I contended that we have just as much right to protect migratory fish as we have to protect migratory birds. I am proud to say, however, that Maryland and Virginia have been working together better recently. We have in Maryland Mr. Swepson Earle, I think one of the greatest conservation commissioners this country has ever produced, and he has done wonders in protecting the fish and bringing about current legislation, so that we have a better supply than we used to have. It took Maryland and Virginia 100 years to get together on the protection of the oyster industry in the Potomac River, and by the time they did get together there were few oysters, and the District of Columbia by dumping its sewage into the Potomac River is gradually destroying them, so that it makes no difference whether we have oysters there or not.

Mr. BLAND. Does not the gentleman think that this is a splendid opportunity for Virginia and Maryland to get together and try to get the District of Columbia to take care of its sewage?

Mr. LINTHICUM. I have been bringing it to the attention of Congress for a great many years, and I am told there is a movement in that direction now. It is a most important matter to the States of Maryland and Virginia, and especially to the District of Columbia.

Mr. SLOAN. I note with a good deal of pleasure the getting together of Maryland and Virginia, and I think the House will be very much interested in the character of their getting together, whether it is in the nature of an embrace or a clinch.

Mr. LINTHICUM. I might say this: We can not get together as we used to in the good old days, but we are still very fraternal.

Mr. MOORE of Virginia. Emphasizing what the gentleman has said with reference to the depletion of the Potomac River fisheries, I find that prior to the Civil War very often a seine haul would bring in as many as from five to nearly ten thousand shad, whereas now the maximum haul does not ordinarily exceed a few hundred.

Mr. LINTHICUM. Yes. I want to bring it particularly to the attention of the House, and particularly to the attention of the members of the Committee on the Merchant Marine and Fisheries that we should try to devise some plan not only for the enlargement of the culture and hatching activities to produce more fish to put into these rivers and lakes, but we should try to frame some legislation, whether by a migratory law or otherwise, by which the Government could protect the fish by and with the consent of the States.

I heard a story some time ago, which I expect may be familiar to most of the gentlemen here, about a road that went along the top of a very deep cliff, possibly 500 feet, where very often travelers going along this road would fall over the cliff and be killed. The city near-by suggested in their municipal council that an ambulance be placed at the foot of this cliff, so that when anybody fell over it there would be no trouble in taking them up and carrying them to the hospital without delay. Thereupon a member of the city council got up and suggested that if they put a wall in front of the cliff there would be no injuries and no need of an ambulance to carry persons to the hospital. If you could frame legislative provisions for the production and conservation of these fish, you would not need to replenish so intensely, and, if you did, we would have a greater abundance of fish.

I sincerely trust that the Committee on the Merchant Marine and Fisheries will bring out legislation by which we can not only produce more fish but also protect those fish that have already been produced.

When we realize that the commercial fisheries of the United States and Alaska furnish employment for 200,000 fishermen and other persons, we can readily visualize the importance of this industry. The annual catch of fish product amounts to 3,000,000 pounds, valued to the fishermen at $113,000,000.

The industry has decreased to an alarming extent. The catch of shad has decreased in 30 years from nearly 51,000,000 pounds to less than 15,000,000. Sturgeon 35 years ago were caught to the extent of 18,000,000 pounds, whereas the last recorded year shows a catch of but 1,200,000 pounds.

Many years ago the Atlantic sea salmon ranged the Atlantic coast and entered some 28 streams between New York and the New Brunswick border. This fish is to-day almost extinct. In 1890 the lobster catch of New England was more than 30,000,000 pounds, but for the last year in which statistics are available the catch was but 10,666,000 pounds. The crab catch in Chesapeake Bay has declined from 50,000,000 pounds in 1915 to 23,000,000 pounds in 1920, but through stringent regulations, of which I have already spoken, it had increased in 1925 to 30,000,000 pounds. The salmon fisheries of the Pacific coast have been seriously depleted, and only by stringent regulations has it been possible to prevent exhaustion such as that of Alaska.

Our larger interior waters have likewise suffered. The catch of cisco in Lake Erie declined from 35,000,000 pounds in 1918 to less than 2,500,000 pounds in 1927, and the total fisheries of the Great Lakes, including Lake of the Woods, declined from 149,500,000 pounds in 1918 to a little over 100,000,000 pounds in 1925, a loss of approximately one-third.

It will be seen from what I have said that it is high time that we were enacting some constructive and permanent legislation for the increase of the sea-food supply. This program of five years and the expenditure of $1,735,000 during that period will be money well invested. [Applause.]

Mr. DAVIS. Mr. Chairman, I yield five minutes to the gentleman from Georgia [Mr. LARSEN].

The CHAIRMAN. The gentleman from Georgia is recognized for five minutes.

Mr. LARSEN. Mr. Chairman, ladies and gentlemen of the committee, I am glad to indorse the provisions of the pending bill and welcome the opportunity to vote for its passage. Considering the amount to be expended, I believe it means as much to our citizens, to the common people, and all classes as any legislation we have considered during the session.

I have been actively interested in such legislation for years. I am glad that the State which in part I have the honor to represent will, under the terms of the bill, obtain a fish-cultural station, and I am glad to believe that it will soon be possible for every State to obtain sufficient fish and spawn from stations in its own territory to stock its waters when needed. When this has been done the Federal Government will have added much to our national life. Not only will it be an addition to our sporting life but a substantial contribution to health, to agriculture, and to commerce. In many communities the small creeks and rivers have been depleted of their fish. Unless we can provide to restock them, the masses in such localities must and will be deprived of the good effects which are enjoyed by those who reside in communities where such conditions do not exist.

I would like to see it made possible for every farm to have its private fish pond. It would not only add much to rural life but from an agricultural standpoint I believe it would mean much to our people. There is no doubt one can raise more on an acre of water than on an acre of land, and in most cases the profit is greater. It does not need to be fertilized or cultivated, only confined. It gives the family the threefold privilege of sport, edible diet, and healthful exercise.

Most of the older States have little fishing opportunities now. When I was a boy we had thousands and thousands of shad. We have practically none at this time. Why? Simply because we have had no worth-while conservation policy in the State and no facilities for restocking our streams. But we are now improving both as regards fish and game in Georgia. We now have good fish and game laws and the first real efficient commissioner within my recollection. Heretofore we have torn down and destroyed the very thing that meant much to the fish and game life of Georgia, but Mr. Twitty, our present commissioner, is rebuilding and conserving along progressive lines, and

a few more years of such administration will restore the State to that splendid position it once enjoyed.

Mr. LEHLBACH. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KADING].

The CHAIRMAN. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. KADING. Mr. Chairman and members of the committee, I will not take up much of the time of the committee in connection with this legislation. I simply desire to call your attention to the fact that I believe this bill is legislation in the right direction.

When we consider the vast amounts of money that we are appropriating from time to time in Congress in connection with maintaining our Government it should be a great pleasure for us to come to a point where we can make provision for the spending of what I consider merely a nominal sum, merely a "drop in the bucket," for a purpose and object which all the people of the United States are so immensely interested in.

The question of fishing and fisheries and an ample supply of fish is something that almost every man, woman, and child is interested in. It is not necessary to spend any time in calling attention to the great enjoyment and benefit that the people receive from an ample supply of fish in our rivers and other bodies of water. Fish are rapidly being taken out of their native element, and we should have our lakes and streams replenished for the enjoyment of the people in the sport in fishing and the food that an ample supply of fish provide.

If I remember correctly, this program, spread over a period of five years, means merely an expenditure of about $1,735,000. I sincerely hope that there will be no opposition to this bill whatsoever.

As has been stated, it was reported out unanimously by the Committee on the Merchant Marine and Fisheries; it is nearly identical to the bill reported out unanimously by that committee about a year ago. It was passed by the House and the Senate, and in the closing days of the Seventieth Congress it was lost in the shuffle and did not receive the approval of President Coolidge. Everybody is interested in this legislation and I believe it should be promptly passed by Congress and approved by the President.

Mr. CULKIN. Will the gentleman yield?

Mr. KADING. I yield.

Mr. CULKIN. I would like to inquire about an item that was in the bill last year for Cape Vincent, N. Y. There seems to be an item here, "New York, $35,000," but that is rather generic. My understanding was that the propagation of black bass was to be continued or stimulated at Cape Vincent on the St. Lawrence River. Can the gentleman who has the floor or the chairman of the committee tell me something about that item?

Mr. BRIGGS. The Bureau of Fisheries reports that is being carried on out of current appropriations; that it has existing authority to do that.

Mr. CULKIN. Is the gentleman from Texas advised that the continuation of that work is provided for in current appropriation?

Mr. BRIGGS. It will be, as current appropriations are made.

Mr. CULKIN. And that is the definite policy of the Department of Fisheries?

Mr. BRIGGS. The Commissioner of Fisheries reported with reference to Cape Vincent that $25,000 is expected to complete this work with current appropriations. That was his report to the committee.

Mr. CULKIN. Of course, that is a rather important type of game fish, and it must be protected or it will disappear.

Mr. BRIGGS. I think the Commissioner of Fisheries indicated very clearly his interest in the maintenance of that work, and his attention was especially invited to it when he made the statement that it was intended to carry that on out of current appropriations.

Mr. CULKIN. What is the item, "New York, $35,000"? Is this work included in that?

Mr. BRIGGS. It is a separate item for the State, to be subsequently located, at the instance of the Commissioner of Fisheries.

Mr. CULKIN. They are the sole arbiters of that?

Mr. BRIGGS. They are the sole arbiters of that.

Mr. CULKIN. And that is the policy of the committee?

Mr. BRIGGS. I may say that is the policy of the administration and the Bureau of Fisheries and the Department of Commerce, as the gentleman knows, having served on the same committee.

Mr. SLOAN. Will the gentleman yield?

Mr. KADING. I yield.

Mr. SLOAN. I note the gentleman's desire to pass the bill. I was wondering if he would submit to a small amendment which I think may improve the bill. On page 1, line 11, substitute "Nebraska" for the word "Wisconsin." [Laughter.]

Mr. KADING. As much as I love my colleague from Nebraska [Mr. SLOAN] I do not love him sufficiently to prompt me to consent to his modest request for such substitution. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill down to and including line 10 on page 4.

Mr. LEHLBACH. Mr. Chairman, I ask unanimous consent to return to section 3 for the purpose of offering an amendment.

Mr. BROWNE. Mr. Chairman, I ask the same privilege of returning to section 2. It has been read so fast that I could not follow it. I ask unanimous consent to return to page 1, section 2.

Mr. BLAND. Reserving the right to object, what amendment is it that the gentleman from New Jersey [Mr. LEHLBACH] desires to offer?

Mr. LEHLBACH. For projects in Minnesota and Mississippi which have been approved by the Bureau of Fisheries, subsequent to the reporting of this bill, and which had the approval of the Bureau of Fisheries and have the approval of the Bureau of the Budget, and are among the projects approved by the committee.

Mr. MOORE of Virginia. Mr. Chairman, a parliamentary inquiry. In case the request of the gentleman from New Jersey is granted, as I understand the section will be returned to for only one purpose, to offer that particular amendment, and the section will not be open for other amendments?

The CHAIRMAN. The gentleman from New Jersey has made request to return for only one purpose.

Mr. LEHLBACH. For the purpose of offering two amendments, Mr. Chairman.

The CHAIRMAN. The gentleman has indicated the amendments he proposes to offer.

Mr. LEHLBACH. The amendments deal with projects in Minnesota and Mississippi, respectively.

Mr. MOORE of Virginia. There is no objection to that, as far as I am concerned, the request being limited to those two amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey [Mr. LEHLBACH]?

Mr. HARE. Reserving the right to object, Mr. Chairman, do I understand the chairman of the committee agrees in his request that we should also return to section 2 for the purpose of offering an amendment proposed by the gentleman from Wisconsin [Mr. BROWNE]?

Mr. LEHLBACH. I have not expressed myself on that at all. The chairman of the Committee on the Merchant Marine and Fisheries finds himself in the unfortunate position that, with the rapid reading of the bill and the buzz of conversation, and having people come to him and asking questions, he lost track of where the Clerk was reading. He is at the mercy of the committee with respect to the right to return to the section to offer amendments which have been agreed to and properly belong in the bill.

Mr. HARE. It is not my purpose to object, but I understood the gentleman from Wisconsin has requested also to return to section 2, and I was wondering whether the two requests were embodied in one.

Mr. LEHLBACH. I have expressed no judgment or opinion at all upon any other request.

The CHAIRMAN. The Chair will state that only one unanimous-consent request will be disposed of at a time. Then it will be in order to make another.

Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LEHLBACH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment offered by Mr. LEHLBACH: Page 3, line 10, after the figures "$75,000," strike out the period, insert a semicolon and the words and figures "Minnesota, $50,000."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. LEHLBACH. I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment by Mr. LEHLBACH: On page 3, line 22, after the figures "$75,000," strike out the period, insert a semicolon, and the following: "A fish-cultural substation in Mississippi, in the southern part of the State, $50,000."

The amendment was agreed to.

Mr. BROWNE. Mr. Chairman, I ask unanimous consent to return to section 2 on page 1.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to return to section 2, on page 1. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, for what purpose does the gentleman desire to return to this section?

Mr. BROWNE. Mr. Chairman, I wish to offer an amendment. As my friend, the chairman of the committee, said, there was so much confusion that I could not follow the Clerk reading the bill and we passed over the part to which I desired to propose an amendment.

Mr. SCHAFER of Wisconsin. Since there has been so much confusion, I shall not object to returning to this section; but I sincerely hope that the House will vote down the amendment which the gentleman will offer and pass the bill with the Wisconsin fish-cultural substation designated as requested by the department and approved by the Committee on the Merchant Marine and Fisheries by their unanimous vote.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin [Mr. BROWNE]?

There was no objection.

Mr. BROWNE. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Wisconsin [Mr. BROWNE] offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment offered by Mr. BROWNE: On page 1, line 11, after the word "Wisconsin," strike out "in the southern part of the," and on page 2, line 1, the word "State."

Mr. BROWNE. Mr. Chairman, the bill as it reads proposes to limit the location of the hatchery, or cultural fish station, in Wisconsin to the southern part of the State.

Everyone who knows anything about the State of Wisconsin knows that there are 50 lakes north of the central part of the State to 1 south of the central part of the State.

I introduced a bill which proposed a cultural fish station in the State of Wisconsin, but it does not designate the part of the State in which the station should be located. I do not think the Bureau of Fisheries should be limited to any part of a State unless there is some unusual circumstance or condition which would cause the belief that the Bureau of Fisheries would not do the right thing in locating the station, or would be influenced by prejudice.

Here is the great State of Wisconsin, something over 400 miles north and south, and if the law provides that this hatchery should be located in the southern part of the State, the Bureau of Fisheries would be compelled to locate it in the southern part of the State. I can not see any objection to the adoption of an amendment which would give the Bureau of Fisheries the whole State of Wisconsin in which to make a selection of what it believes the best place for the hatchery. If it should be found that the central part, the western part, the eastern part, the northern part, or the southern part was the best place for the location, all things being considered, the Bureau of Fisheries could locate the station there. This amendment would simply give the bureau the fullest discretion in locating the hatchery.

The bill as now drawn would limit the Bureau of Fisheries to the southern part of the State. I understand this is going to be a cultural fish station for bass, and there are not nearly as many lakes in the southern part of the State as in the western part of the State, the eastern part of the State, or the northern part of the State. I do not ask that they shall locate this hatchery in the northern or central part of the State. I merely want to give the Bureau of Fisheries the fullest discretion in locating this hatchery.

If you will examine the bill you will find there are only one or two exceptions where the bill designates the part of the State where the hatchery must be located. Practically all of the locations are left to the discretion of the bureau, to locate the station wherever it thinks best. I can not understand why Wisconsin should be singled out and this exception made as to the location of a cultural fish station in this State, unless it is because there is a member from Wisconsin on the committee who comes from the southern part of the State. I can not understand why they should designate the southern part of the State and say that the Bureau of Fisheries shall not look over the entire State and locate this hatchery in the best place in the State, no matter in what part of the State the location may be made. If the bill should pass as now drawn, the Bureau of Fisheries would be in a position to say that the location has been provided for by law, that their hands are tied and they are forced to locate this station in the southern part of the State. However, I do not think this is good legislation. The Bureau of Fisheries is a disinterested party and its officials are experts technically versed in fish culture and are believed to know more about the location of hatcheries than anyone else, so I do not see any purpose in limiting their discretion in this matter by saying they shall locate this hatchery in the southern part of the State.

Mr. BLAND. Will the gentleman yield?

Mr. BROWNE. Yes.

Mr. BLAND. Does not the gentleman know this is the report of the Fish Commission?

Mr. BROWNE. I have talked over the phone with the office of the Bureau of Fisheries but could not get the commissioner himself. I can not see why the bureau would desire to have a limitation placed upon them; if they want to locate this station in the southern part of the State there is nothing in my amendment which will prevent them from doing so. Under my amendment they are not limited to any part of the State. My amendment gives them the right to carefully look over the whole State of Wisconsin, and if they desire to place this station in the southern part of Wisconsin there is nothing in my amendment which would prevent them from doing so. I can not see that my amendment could possibly do any injury, because it only gives the Fish Commission the right to make a survey of the entire State and familiarize themselves with opportunities available and then select the best place in the State for a cultural fish station. They have this right in 95 per cent of all the places named in this bill. Why should Wisconsin be made an exception?

Mr. KADING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and members of the committee, I am very sorry I must differ with my colleague from Wisconsin [Mr. BROWNE]. The gentleman said that he could not see why the southern portion of Wisconsin should be designated as a location for the fish hatchery contemplated for Wisconsin in this legislation just because there was a member on the Merchant Marine and Fisheries Committee from the southern part of Wisconsin. I am sorry my colleague [Mr. BROWNE] used this language, because such a consideration did not enter into the question by the committee in any way whatsoever in the preparation of this bill.

My friends, this is a national movement. This bill provides for fish hatcheries on a national scope. Various States have State fish hatcheries, Wisconsin has very many of them. I do not know the exact number, I believe there are between 17 and 23 State fish hatcheries in the State of Wisconsin, a good share of them being in the northern part of the State. The Bureau of Fisheries, my colleagues had in mind, in connection with recommending the legislation that is embodied in this bill, the fact that they are very much in need of a hatchery located in the State of Wisconsin from which bass could be furnished to the States of Indiana and Illinois. And that is the reason that the southern part of Wisconsin was proposed for a Federal fish hatchery.

If you will look over the bill you will find there are more than two other States where similar language is used, and where this bill provides and designates that the hatcheries are to be located in certain portions of those States, such as in New Hampshire (in the White Mountains), in Tennessee (in the middle division of the State), in Texas (in the western part of the State), in Virginia (in the eastern part of the State), in Texas (on the Gulf coast); and, if I am not mistaken, there are various other places indicated in the bill specifying in what sections of States these hatcheries are proposed for.

I want to say to you, my colleagues, if you yield in the consideration of an amendment of this kind, so far as one State is concerned, you will open up the matter and Members from other States will allow selfish motives and personal matters to enter into the consideration of the bill, desiring to have such fish hatcheries located conveniently to them, and this will destroy the purpose and the intention of the legislation.

I hope you will stand by the committee that reported the bill out in this form unanimously with the indorsement of the various departments and defeat the proposed amendment.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the committee, I regret that I must oppose the amendment offered by my colleague from Wisconsin [Mr. BROWNE]. The gentleman from Wisconsin

[Mr. KADING] who is a member of the Committee on the Merchant Marine and Fisheries, has correctly stated that this is not a State but a national proposition. The Bureau of Fisheries has carefully considered and studied the whole expansion program, not only taking into consideration the State of Wisconsin in so far as this Wisconsin project is concerned, but the general set-up throughout the Nation, particularly among the States bordering on the great State of Wisconsin.

The gentleman from Wisconsin [Mr. BROWNE] who offered the pending amendment would lead the Members of the House to believe that the Wisconsin project is the only one that is set out with a designation in a particular section of the State. The gentleman from Wisconsin [Mr. KADING] has called your attention to other specific designations with respect to certain portions of States for similar projects, so I will not burden you with a recapitulation of the facts which he has presented.

It is my understanding that we now have a Federal fisheries station in the northern part of Wisconsin at La Crosse.

Mr. ABERNETHY. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. ABERNETHY. I would say, for the benefit of the gentleman and the committee, the Fish Commissioner designated these places. This bill has the absolute approval of the Bureau of Fisheries, and if we were to strike this out we would run against a snag there.

Mr. SCHAFER of Wisconsin. Absolutely. This whole expansion program, as embodied in the bill now under consideration, is a well thought out program from a national standpoint, every project not being considered on its own individual merits, but being considered in conjunction with every other project. Since the Government bureau concerned has approved this expansion program as embodied in the bill, and since the Merchant Marine and Fisheries Committee of the House has unanimously reported out this project with the Wisconsin designation as now carried in the bill, I sincerely hope the committee will vote down the amendment offered by my colleague from Wisconsin [Mr. BROWNE] by an almost unanimous vote and stand by the department and stand by the committee reporting the bill. [Applause.]

Mr. LEHLBACH. Mr. Chairman, I move to strike out the last word.

I simply wish to state that the locations of stations was incorporated in this bill after careful study over several years by the Bureau of Fisheries, and at the hearing the reasons for each location were at length presented to the committee and the committee approved them. We earnestly hope this well-thought-out and well-rounded program of the experts in charge of our fish conservation and development will not be interfered with.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. BROWNE].

The amendment was rejected.

Mr. HARE. Mr. Chairman, I ask unanimous consent to return to section 2, page 2, for the purpose of offering an amendment.

Mr. ABERNETHY. Mr. Chairman, reserving the right to object, does the gentleman desire to introduce an amendment?

Mr. HARE. That is my purpose; yes.

Mr. ABERNETHY. Is the gentleman serious about it?

Mr. HARE. Yes; very serious.

Mr. ABERNETHY. Is not South Carolina well provided for?

Mr. HARE. No.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HARE. Mr. Chairman, I offer an amendment which I send to the desk.

The CHAIRMAN. The gentleman from South Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 2, line 10, strike out "$25,000" and insert in lieu thereof "$50,000."

Mr. HARE. Mr. Chairman and gentlemen of the committee, I regret very much that the committee, in reporting this bill, did not see fit to grant the full $50,000 asked for originally by my colleague [Mr. FULMER].

I was very much disappointed to find that the appropriation for enlarging the fish hatchery and its activities in South Carolina has been reduced to $25,000, whereas all the other States provided for have an appropriation for more than $25,000.

Mr. ABERNETHY. Will the gentleman yield?

Mr. HARE. Yes.

Mr. ABERNETHY. There are a great many things stricken out of the original bill. This is all that we can get, and it is a wonder that we got anything at all for North and South Carolina. We finally got everybody to agree to it. I think if the gentleman undertakes to open this matter he may have some trouble about retaining what we now have.

Mr. HARE. It is my intention to support the bill, but I want to emphasize, in the short time allotted me, the necessity for increasing the appropriation for enlarging the work of the fish hatchery in South Carolina. As it is now we are receiving very poor service, not because those in charge are not efficient, but because their equipment is not sufficient to supply the demands. In my State we have to wait from 10 to 18 months or 2 years to get our applications filled, because they tell us at the bureau that the fish are not available, and they are therefore unable to take care of all of the requests. The appropriation, therefore, ought to be increased so as to enable them to supply the demands; and for this reason I am asking for the small increase of $25,000.

Furthermore, the fish we have been receiving are not more than an inch long, and some of the applicants write me that after their orders have been filled they have only received 50 fish or less. Gentlemen, we are undertaking here to enlarge the work, and I am asking this committee to treat South Carolina as well as it treats the State of North Carolina and many other States, and give us enough money to enlarge this fish hatchery so that they will be able to comply with the requests that come from people throughout the State, including some from southern North Carolina and the eastern part of Georgia.

Mr. LEHLBACH. Will the gentleman yield?

Mr. HARE. I yield.

Mr. LEHLBACH. Mr. Chairman, this item is for the purpose of enlarging the station in South Carolina. Has the gentleman any information to give the committee as to the proposed enlargement as proposed by the Bureau of Fisheries, that the cost will exceed $25,000?

Mr. HARE. I can not do that; but I can say that I know the necessity for an enlargement will call for more than $25,000.

Mr. LEHLBACH. The Bureau of Fisheries is interested in the project and has recommended it and desires to be authorized to receive the money to provide for the enlargement. They say that they can do it for $25,000. What good purpose would be served by increasing the appropriation?

Mr. HARE. I do not know whether the bureau is interested or not, but I do know that my constituents are constantly complaining to the effect that they have to wait a year or so before their applications receive attention, and then they only receive enough fish, as they say, to stock a mudhole. My idea is to increase the appropriation so as to take care of the demands by the people of the State, and if the bureau were interested enough to see that this hatchery were large enough to meet the demands, its recommendation would have been for $50,000 or more and this amendment would not have been necessary. I have not filed an application for fish within the five years I have served in Congress and received a reply advising that the request would be complied with any time soon, but invariably I have been advised that the demand was greater than the supply and that my constituent would have to wait "with time and patience" until his application could be reached, and in some cases it is a year or two before they are reached, and then there would not be enough fish to fill a teacup.

For the information of the House I want to show what the bill carries for other States: New Mexico, $50,000; Idaho, $60,000; Wisconsin, $50,000; Montana, $35,000; Colorado, $35,000; Washington, $125,000; West Virginia or Maryland, $75,000; Alabama, $50,000; Indiana, $50,000; Tennessee, $50,000; Pennsylvania, $100,000; Texas, $105,000; New York, $35,000; Florida, $60,000; Maine, $50,000; Virginia, $75,000; Nevada, $60,000; Illinois, $75,000; New Jersey, $75,000; Ohio, $35,000; Kansas, $35,000; North Dakota, $35,000; Georgia, $35,000; far-away Alaska, $50,000; and South Carolina, where we have shown there is an unusual demand for increased facilities, the appropriation is only $25,000. I sincerely hope that the amendment may be adopted.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. ABERNETHY. Mr. Chairman, I rise in opposition to the amendment. I am a great believer in taking care of all of the Carolinas. I think the best way to take care of them is to go along and get what you can, and, after you get the camel's nose under the tent, then you can do pretty well. [Laughter.]

Now, they have cut some out of the bill so far as I am concerned, as the committee knows. We have an Appropriations Committee, with the gentleman from Alabama [Mr. OLIVER] and the gentleman from Pennsylvania [Mr. SHREVE], and some other gentlemen, who are very fair with appropriations, and I want to call the gentleman's attention to the fact that he, in my judgment, can get further aid, if needed, from that source. I went before that Appropriations Committee and got something

over $100,000 to take care of pressing needs in my State. I think the gentleman should go along with us, and I can assure him that we will aid him, as far as I am concerned, for the benefit of South Carolina, in every way possible.

Mr. BLAND. Mr. Chairman, I move to strike out the last word. I am sorry that my good friend from South Carolina [Mr. HARE] suggested that it was necessary to be on the committee in order to receive consideration for projects and have his proposition approved. I am sure that, upon reflection, the gentleman will realize that he did an injustice to himself and an injustice to the committee. There is not a project in this bill which has been considered by any of the members of the committee with respect to his particular district or his State.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. BLAND. Yes.

Mr. HARE. I want the gentleman to understand that there was nothing ulterior in my suggestion that if I had been on the committee I would have gotten something. The point I was making was that if I had been on the committee I would have been in a position to convince the committee of the necessity of making this increased appropriation.

Mr. BLAND. And I say to the gentleman that as a Member of this House if he desired to appear before the committee, the committee would have given him the same consideration that it would have given if he had been a member of the committee. In fact, I may add that I believe the committee would have given him probably a little more consideration, because it has been the purpose of the committee, so far as I have observed it since I have been on it, to eliminate favoritism to members of the committee and partisan consideration of any measures that come before it. They are two things that do not enter into the workings of the Committee on Merchant Marine and Fisheries.

Mr. ABERNETHY. Mr. Chairman, is it not a fact that we absolutely followed the recommendation of the department?

Mr. BLAND. If the gentleman will pardon me, I am just going to bring to the attention of the House the statement of the Commissioner of Fisheries in this respect:

South Carolina, substation: For enlargement of Orangeburg station, from $35,000 to $25,000. Investigations made at Orangeburg station have shown $25,000 will be required to complete the building program for the enlargement of the station. The improvements made since the first bill was drawn makes the reduction possible.

It is for that reason, upon the recommendation of the Commissioner of Fisheries, that this report is made for $25,000 instead of $35,000 as formerly. If we open up the bill for enlargements here and there and increases, there is no assurance that we would be able to get the bill through or that it would meet with the approval of the administration. Though I do this with considerable reluctance, because of my warm personal friendship for the gentleman from South Carolina [Mr. HARE], I ask the Committee of the Whole to support the Committee on Merchant Marine and Fisheries.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was rejected.

The Clerk read as follows:

SEC. 6. (a) The stations, substations, and laboratories authorized by sections 1, 2, 3, 4, and 5 shall be located in the States and parts thereof and in the Territory specified, at such suitable points as may be selected by the Secretary of Commerce.

(b) Any appropriation made under authority of sections 1, 2, 3, 4, and 5 may be expended for the purchase of sites, and the purchase of equipment, the construction of buildings and ponds, and for such other expenses as may be incidental to the cost of the establishment, purchase, or enlargement, as the case may be, of the station, substation, or laboratory in question.

(c) No part of an appropriation made under authority of section 1, 2, 3, 4, or 5 shall be expended in the construction, purchase, or enlargement of a station or substation until the State in which such station or substation is to be located shall have by legislative action accorded to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and fish culture and all operations connected therewith in any manner and at any time that may by the commissioner be considered necessary and proper, any laws of the State to the contrary notwithstanding. The operation of any station, substation, or laboratory established, purchased, or enlarged under authority of this act shall be discontinued whenever the State ceases to accord such right; and such operation may be suspended by the Secretary of Commerce whenever in his judgment State laws or regulations affecting fishes cultivated are allowed to remain so inadequate as to impair the efficiency of such station, substation, or laboratory.

Mr. LEHLBACH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 5, line 22, after the word "laboratory," insert a new paragraph as follows:

"(d) That the authorizations herein given in sections 1, 2, 3, 4, and 5 with reference to appropriations for certain specified years are for the purpose of indicating priority supposed to be given to various projects enumerated therein, but shall not be held to require appropriations enumerated to be made in the years specified, and the appropriations enumerated are likewise authorized in prior or subsequent years in annual or supplemental appropriation acts."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 7. There are hereby authorized to be appropriated, in addition to all other amounts authorized by law to be appropriated the following amounts during the fiscal years specified:

(1) For the purpose of providing adequate maintenance costs and personnel for the division of fish culture, Bureau of Fisheries: Fiscal year beginning July 1, 1930, $100,000; fiscal year beginning July 1, 1931, $200,000; fiscal year beginning July 1, 1932, $300,000; fiscal year beginning July 1, 1933, $400,000; fiscal year beginning July 1, 1934, $500,000. Of each amount authorized by this paragraph to be appropriated, 30 per cent is authorized for salaries at the seat of government and elsewhere.

(2) To meet the demand for fundamental knowledge regarding our great commercial fisheries and for developing the natural cultivation of oysters, mussels, and other mollusca, and the improvement of pond cultural and other operations of the division of inquiry, Bureau of Fisheries, respecting food fishes: Fiscal year beginning July 1, 1930, $75,000; fiscal year beginning July 1, 1931, $150,000; fiscal year beginning July 1, 1932, $180,000; fiscal year beginning July 1, 1933, $240,000; fiscal year beginning July 1, 1934, $300,000. Of each amount authorized by this paragraph to be appropriated 40 per cent is authorized for salaries at the seat of government and elsewhere, and not to exceed $10,000 in any year for a survey of the fisheries of the Hawaiian Islands.

(3) To provide for the proper husbandry of our fisheries, improvements in methods of capture, merchandising, and distribution of our fishery harvest, including saving and utilization of waste products, and other operations of the division of fishery industries, Bureau of Fisheries: Fiscal year beginning July 1, 1930, $35,000; fiscal year beginning July 1, 1931, $70,000; fiscal year beginning July 1, 1932, $105,000; fiscal year beginning July 1, 1933, $140,000; fiscal year beginning July 1, 1934, $175,000. Of each amount authorized by this paragraph to be appropriated 40 per cent is authorized for salaries at the seat of government and elsewhere.

Mr. LEHLBACH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 6, line 1, after the comma following the word "appropriation," insert "not to exceed."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 6, in line 10, after the comma following the word "appropriated," insert "not more than."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 6, lines 17 to 21, strike out the colon and the language, "Fiscal year beginning July 1, 1930, $75,000; fiscal year beginning July 1, 1931, $150,000; fiscal year beginning July 1, 1932, $180,000; fiscal year beginning July 1, 1933, $240,000; fiscal year beginning July 1, 1934, $300,000," and insert in lieu thereof the following: A comma and the language, "sufficient annual additions to increase present appropriations by not to exceed $300,000 per annum at the conclusion of the construction program authorized in this act."

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. ABERNETHY. This does not increase the total amount?

Mr. LEHLBACH. No.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.



Mr. LEHLBACH. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from New Jersey offers another amendment, which the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 6, line 22, after the word "appropriated" insert the words "not more than."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 7, lines 6 to 9, inclusive, strike out the colon and the following language, "Fiscal year beginning July 1, 1930, $35,000; fiscal year beginning July 1, 1931, $70,000; fiscal year beginning July 1, 1932, $105,000; fiscal year beginning July 1, 1933, $140,000; fiscal year beginning July 1, 1934, $175,000," and insert in lieu thereof the following: A comma and the language, "sufficient annual additions to increase the present appropriation by not exceeding $175,000 per annum at the conclusion of the construction program authorized in this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New Jersey.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: On page 7, line 11, after the word "appropriated," insert "not more than."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New Jersey.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 7, line 12, insert a new section, as follows:

"SEC. 8. In carrying out the provisions of this act the Bureau of Fisheries may cooperate with States, counties, municipalities, individuals, and public and private commissions, organizations and institutions, and may accept donations of land, funds, and other aid to the development of this program."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman moves to strike out the last word. The gentleman is recognized for five minutes.

Mr. BRIGGS. Mr. Chairman, I want to say the program presented here is one that the Committee on the Merchant Marine and Fisheries of the House of Representatives has been trying to give to the people of the United States for a number of years. We have encountered all sorts of difficulty and delays. From time to time questions have been raised by the Budget and the administration regarding its financial program; and the bill passed last year failed to receive Executive approval. We have redrafted the bill and woven into it the thought of the Bureau of Fisheries and the administration so as to overcome all objections. This measure is intended to serve the country to the fullest degree.

There may be instances, perhaps, which may be regarded as not presenting as well-balanced a program as ought to be submitted, but that is due to the fact that the Bureau of Fisheries has insisted that in some States existing facilities are sufficient while in other States the communities have suffered by being too far away from sources of supply and the supply of fish has been inadequate. The bureau in some instances is almost two years behind in filling applications for fish; there are 10,000 applications pending which can not be acted upon for a considerable length of time unless this program is carried into effect without undue delay.

This bill gives the Atlantic, the Pacific, Great Lakes, and Gulf States a fairly equitable distribution of hatcheries, and it has given the Gulf its first opportunity for a fisheries laboratory, so that not only the propagation of fish can be undertaken but the habits, supply, and development of both shell and fin varieties of salt-water fish be extensively investigated and necessary biological studies connected with fish life, foods, and growth may be conducted along adequate, comprehensive, and scientific lines.

It is particularly gratifying to me that a fisheries laboratory, combining both a fish hatchery and a laboratory for a scientific study of both shell and fin fish and related problems, has been authorized in this measure to be constructed and operated on the eastern coast of Texas, at or near Galveston, and thereby fill an especially long-felt need for such a Government facility.

The efforts which I have constantly made in connection with a number of bills introduced for such purpose to bring about this result are fully compensated for by the assurance of the inestimable value which this marine laboratory will possess not only for the people of Texas but wherever contact is had with the Gulf of Mexico and the wonderful fish foods and products which exist there.

The increasing recognition of the value of both shell and fin fish as a necessary part of a wholesome, beneficial, and appetizing element of the food of the Nation has resulted in a constantly increasing demand for both fresh and salt water fish.

Dr. E. V. McCollum, professor of chemical hygiene, Johns Hopkins University, recently stated:

Modern researches on foods and nutrition have brought to light many surprises, both as regards the nutritive needs of the body and the dietary properties of individual foodstuffs, among which the most marked contrasts have been found. In no case have any foods gained more recognition as having unique dietary values than have the principal fish and shellfish.

The United States Bureau of Fisheries calls attention to the fact that—

Our per capita consumption of fish is low in comparison with other nations which maintain important fisheries. In Newfoundland the per capita consumption exceeds 100 pounds; Japan, 58 pounds; Sweden, 52 pounds; Norway, 44 pounds; Denmark, 39 pounds; Portugal, 37 pounds; England, 35 pounds; Canada, 29 pounds; Netherlands, 29 pounds; and Germany, 18 pounds; while our own per capita consumption is about 15 pounds.

In addition to the commercial production of about 3,000,000,000 pounds of fish annually within waters of the United States, there has also been a stimulated interest in fishing throughout the country by reason of the easy access to lakes, streams, and the sea afforded by excellent highways and the automobile.

It is evident that to meet the present and growing national demand for fish steps must be taken to increase immediately the Government hatcheries, cultural stations, and marine laboratories.

Practically little or nothing has been done by our Government in the last 10 years to meet the need and demand for increased hatcheries. The few auxiliary and substations authorized have been hopelessly inadequate.

In this connection, however, I do not in the least desire to intimate any want of interest or lack of appreciation of the existing situation by the Bureau of Fisheries under the direction of its most capable and experienced commissioner, the Hon. Henry O'Malley.

Both the commissioner and his bureau have long recognized and endeavored to overcome, with the limited resources at their command, the difficulties presented by lack of adequate hatchery and laboratory facilities; but they can not supply fish to restock streams, lakes, and coastal waters of the United States when the only available Government hatcheries are unable to produce enough fish to meet national needs.

Your committee is also conscious of the fact that it is not sufficient for the Bureau of Fisheries to propagate fish in increasingly large numbers; it is further necessary that constant and careful scientific study must be devoted to many biological and other problems affecting the life and growth of oysters, clams, crabs, shrimp, lobsters, and other shell fish, as well as many varieties of finned fish in both fresh and sea waters.

The resources and facilities of the United States Bureau of Fisheries are not and have not been for some time past sufficient to supply various areas of the United States with necessary experts to carry on investigations and studies regarding the causes for much of the destruction and injury to many varieties of shell and fin fish, or to acquaint the Government with sufficient knowledge of the habits, migration, and best methods of cultivation of certain valuable fish in various waters of the United States, or to make a more extensive study of the value of other varieties of fish as food, and of an increase in the uses to which such fish foods may be devoted and forms in which they may be prepared and shipped to meet the increasing demand for such foods.

The returns which the comparatively small authorization and necessary appropriations will bring to the people of the United States will be many fold greater than the Government investment and will contribute materially to the health and happiness of millions of people throughout the Nation.

I sincerely hope that the bill will not only be passed by the House but passed unanimously; so as to give fitting expression to the sentiment of the House in favor of this measure. [Applause.]

Mr. LEHLBACH. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SUMMERS of Washington, Chairman of the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 7405) to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries, reported that that committee had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. LEHLBACH. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LEHLBACH, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS

Mr. BRIGGS. Mr. Speaker, I ask unanimous consent that the Members of the House have five legislative days in which to revise and extend their remarks on this bill.

The SPEAKER. The gentleman from Texas asks unanimous consent that all Members have five legislative days in which to revise and extend their remarks on the bill just passed. Is there objection?

There was no objection.

Mr. CULKIN. Mr. Speaker, ladies and gentlemen of the House, this bill carrying an appropriation of $3,555,000, to be expended for the construction of fish-cultural stations throughout America and its Territories and for certain current expenditures of the department, is a most constructive conservation measure. It makes provision for the propagation and culture of fish throughout America wherever there are coastal and inland waters suitable for that purpose. The disappearance of game and food fish is due to indiscreet fishing and to the unavoidable effect of civilization on certain kinds of fish life. Through this bill we are in a fair way to restore to nature what has been taken away.

As was stated by the gentleman from New Jersey [Mr. LEHLBACH], acting chairman of the committee, in his introductory remarks on this bill, the decrease in the catch of certain fish is alarming and the salvation of fish as a food product is dependent upon artificial cultivation, which is provided for in this bill.

PRESIDENT HOOVER AN ARDENT CONSERVATIONIST

I commit no breach of confidence when I say the present occupant of the White House, long before he entered upon his present exalted duties and while Secretary of Commerce, was a strong advocate of this measure. It may be said that he is the father of it. When this bill reaches him he will sign it gladly. The extremely high character of the personnel of the Committee on Merchant Marine and Fisheries is, however, sufficient guaranty for this measure. No committee of the House is clearer visioned or more unselfish than the Merchant Marine Committee. I served on this committee for a time and know the worth and ability of the gentlemen constituting it.

THE GLORIES OF THE ST. LAWRENCE

Every citizen is a potential fisherman. The lure of the catch and the open spaces is in the blood of the average man and boy. Each disciple of Izaak Walton has his own favorite fishing ground. He has his own type of game fish with which he loves to battle. For myself I prefer that "fighting egotist," the small-mouth bass.

This gentleman among game fish has his chief habitat at the foot of Lake Ontario and the glorious regions in and about the St. Lawrence River. Here are great stretches of clear, pure water free from the contamination of civilization. Here are miles after miles of clean gravelly bottom over which he may disport himself and rear his young. He is the most vigorous fighter for his length and weight in the entire fish family. He is discriminating in the selection of his environment. Here in these waters is the tiger of the inland seas, the hard-fighting muskellunge. Nothing in nature surpasses him in gameness.

I recently renewed my youth by reading Cooper's Pathfinder. A part of the scene of this book is laid among the Thousand Islands of the St. Lawrence. Cooper does full justice to this glorious region. These beautiful islands, by which pass the waters of the Great Lakes on their way to the sea, rank well up among the scenic wonders of the world. Nowhere is the foliage more gloriously green. Nature is thoroughly alive and there is none of the decay which is typical in the southern or tropical landscape. There are long days of brilliant sunshine with the air actually opalescent. Nowhere in the world are the skies more wonderful than in this region during the period of summer. It is the true playground of America with its combination of islands, sport, and on-rushing river. Nor will the approaching canalization, with the accompanying power development of this great stream, affect its natural beauty. This will occur in the lower stretches of the river, below the islands.

The hospitality of the people of this region is unbounded. Nature lovers and sportsmen are assured of a hearty welcome. I am assured by the committee that the current bill carries an appropriation of $25,000 for carrying on the work at Cape Vincent, which is in the St. Lawrence River. There the program is to propagate small-mouth bass, whitefish, and lake trout to be returned to the waters I have described.

COMMERCIAL FISHING ON LAKE ONTARIO

From the broader reaches of Lake Ontario adjacent to the Thousand Islands which I have described come the lake trout and whitefish. Seeking these fish the hardy fisherman of the region lay nets the gangs of which are sometimes 4 miles in length. Braving the storms and cold of April, when the ice is not yet out of the lake, these hardy fishermen defy wind and weather to help feed civilization. These fishermen are a hardy, venturous breed, but hospitable and courteous to the stranger who comes into their midst. On the Canadian side from the Main Duck Islands, out of sight of the mainland, they fish regardless of weather from April until October. Their catch is brought to Cape Vincent, N. Y., and there distributed to the great cities of the East. In the old days these fishermen used sail and "the white ash breeze." Now their labors are lessened by the introduction of the gasoline engine with which their boats are now powered. The introduction of the gasoline engine and the installation of power net pullers have resulted in greater catches, with the result that the supply of these wonderful fish would be exhausted except for the work of the Bureaus of Fisheries on the American and Canadian sides. Lake Ontario is part in American and part in Canadian waters. I have long stressed the fact that a fish is not a "national," and the propagation of fish by either country results in evenly distributed benefits to both. It is only by the most intelligent and active cooperation between the American and Canadian Bureaus of Fisheries that Lake Ontario will be kept properly stocked. I trust this cooperation may be present in the future even more fully than it has been in the past.

A GREAT INDUSTRY

Our fishery resources afford not only healthful recreation to millions of anglers but are an important source of food and products used in the arts and industries. I understand that at the present time the fishery harvest amounts to over 3,000,000,000 pounds per year, bringing to the 127,000 fishermen a return of $113,000,000. The food fishes come to us in many different forms—as fresh, packaged, frozen, canned, smoked, salted, and dried. The canning industry alone supplies us with over 330,000,000 pounds of salmon and 180,000,000 pounds of sardines; 50,000,000 pounds of mackerel and tuna and 35,000,000 pounds of shellfish, including oysters, clams, and shrimp. I believe all will agree with me as to the importance of properly conserving this great resource that our people may find healthful recreation, may have available in abundance the delicacies of the sea and those products so valuable to industries.

CONSERVATION PROBLEM

Because of the fact that there is no general ownership of fish and fisheries as of lands, the administration of this great resource has been greatly complicated. The study of life in the waters itself is a very complex problem, fraught with many more difficulties than those ordinarily encountered on land.

BUREAU'S SERVICE FAR FLUNG

The bureau's service is a far-flung service, with 77 stations and substations in 36 States, the Territory of Alaska, and the District of Columbia. For the distribution of its output it has five specially equipped railway cars for carrying these live forms of life. These cars travel annually over 100,000 miles, and detached messenger shipments cover an additional 300,000 miles in

an effort to keep our waterways stocked. In recent years there has been a growing demand for larger fish for stocking purposes rather than the baby fry newly hatched from the eggs. To meet this demand the bureau has been cooperating with private organizations, fish and game clubs throughout the land. To 114 of these operated last year, there were allotted over 5,000,000 baby trout, which were reared to the fingerling stage for planting in native waters at an age when they were better able to care for themselves. I am advised that this cooperative arrangement is working out very well, some of them claiming to have developed as good fishing as ever existed in their waters. Of these 114 cooperatives, 44 were in Wisconsin, 30 in Pennsylvania, 13 in Minnesota, and 8 in New York.

The bureau also has, in addition to its laboratory in Washington, D. C., three biological stations. One of these is located in Woods Hole, Mass., and is world renowned for the highly scientific work carried on at that point. The second marine station is found at Beaufort, N. C., catering to the needs of the South Atlantic and Gulf States. In the Mississippi Valley, at Fairport, Iowa, there is a fresh-water biological laboratory given over to the problems of experimental fish culture and the maintenance of the supply of fresh-water mussels, the basis of the highly important pearl-button industry of that region.

The Pittsford, Vt., station is given over to experiments with trouts and other cold-water species. In addition, by the conduct of selective breeding experiment efforts are being made to rear strains of trout which will grow more rapidly, give a higher yield of eggs, produce young fish of more uniform size and fish which are more disease resistant than is the wild stock.

There are researches to aid the development of oyster farming and the growing of fresh-water mussels. Although we hear but little of the latter, I understand these shells enabled our manufacturers to produce over 20,000,000 gross of pearl buttons last year, or 24 buttons for every one of our great population.

While I am not as familiar as many of my fellow members with the effectiveness of the work of the Bureau of Fisheries in the past, I wish to pay a tribute to the present Commissioner of Fisheries and to his fellow workers who are doing their best to meet the needs of State authorities, of the anglers, and the commercial fishing interests.

COMMISSIONER O'MALLEY A REAL LEADER IN THIS FIELD

Henry O'Malley, the present commissioner, is an outstanding figure in the conservation world. He has long been a leader in the application of scientific research to the fisheries and in developing a program of fisheries conservation to insure the maintenance of this great natural resource. Born in St. Johnsbury, Vt., March 22, 1876, he entered the service of the United States Bureau of Fisheries at the St. Johnsbury Station in 1897. During the 33 years in the bureau's service, Mr. O'Malley advanced through the various grades, including superintendent of Washington's stations, Chief of Division of Fish Culture, chief of Pacific coast operations, being appointed Commissioner of Fisheries May 13, 1922. In 1916 he was elected president of the Pacific Coast Fisheries Society and in 1918 president of the American Fisheries Society, both scientific fishery organizations.

Mr. O'Malley has made important contributions to current fish cultural practices, especially with respect to the salmon. For three years prior to becoming commissioner he spent the entire fishing seasons in Alaska with Dr. Charles H. Gilbert, of Stanford University, in making comprehensive investigations of the fisheries of Alaska, which have since become the basis for sound regulations. Since becoming commissioner he has continued his close supervision over the salmon fisheries. Acting under the White law of 1924, the regulations have been greatly strengthened and the decline of the runs of salmon checked. Faced with much criticism of his vigorous policy at the start, most of his critics now recognize the soundness of his judgment.

One of Mr. O'Malley's first moves on becoming commissioner was to center the activities of the bureau's biologists on major scientific problems of the highly important fisheries. Regional directors in charge of operations have been set up and the work of this division is now generally recognized as being highly practical and necessary to a sound program of fish husbandry. He has also developed a program of experimental fish culture to insure the bureau's spending its funds for the propagation of game and food fishes wisely. An ardent angler himself, he never loses an opportunity to further the interests of the sportsmen. He has been particularly interested in the adequate development of the Mississippi Wild Life and Fish Refuge, to make of this region an angler's paradise.

The bureau's vessel service has been almost wholly rebuilt, antiquated vessels being replaced by modern ones capable of carrying out their work with safety and economy.

In the field of foreign affairs the bureau under Mr. O'Malley has accomplished more in the past eight years than in the previous quarter of a century. An international convention with Great Britain for the saving of the North Pacific halibut fisheries is being successfully carried out, on the Pacific coast a federation of all scientific workers studying the salmon has been formed for the sake of closer cooperation and the avoidance of duplication. Coordinated studies between Canada and the United States with respect to the Great Lakes fisheries and the important bank fisheries of the North Atlantic are in progress and a new treaty with Canada with respect to the important sockeye salmon fisheries of the Fraser River is being negotiated.

GREAT BENEFITS TO THE COUNTRY

The foregoing is but a brief résumé of the far-flung activities of the Bureau of Fisheries and the high character of its leadership. This service is on nature's firing line, attempting to restore the great resources which past generations have wantonly wasted. It is of great service to the Nation, because it assures a continuance of the supply of this necessary food at a low price. It is of service to mankind because it induces youth and men and women of all ages to get out into the open and draw from nature physical strength and mental poise. This makes for a happy, contented people whose judgment on civic matters is bettered by their contact with nature. [Applause.]

ORDER OF BUSINESS

Mr. TILSON. Mr. Speaker, I have been requested to ask for a change in the Calendar Wednesday business next week, in order to convenience certain Members. So far as I know the change will inconvenience no one. I ask unanimous consent that Calendar Wednesday business for next Wednesday be in order on Friday of next week in lieu of Wednesday.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that next week, Calendar Wednesday business shall be in order on Friday in lieu of Wednesday. Is there objection?

Mr. DAVIS. Reserving the right to object, as I understand, the Rivers and Harbors Committee will have the call on next Calendar Wednesday?

Mr. TILSON. Yes. If the exchange is made it is the expectation that the Committee on Rivers and Harbors will call up their bill on Friday of next week. This will give the Members two days more to study the bill. So far as I know this will not delay the final passage of the bill; that is, the time it will become a law.

Mr. BRIGGS. Reserving the right to object, the Merchant Marine and Fisheries Committee will have another Calendar Wednesday call, will it not?

Mr. TILSON. The committee will have the following Calendar Wednesday.

Mr. BANKHEAD. Reserving the right to object, with reference to the request made by the gentleman from Connecticut, there was a somewhat binding understanding had a few days ago about the action of the Rivers and Harbors Committee on Wednesday. Certain assurances were given by the gentleman from New York [Mr. DEMPSEY] to the minority leader with reference to that bill. Does the proposal of the gentleman from Connecticut in any way set aside that tentative agreement?

Mr. TILSON. As I understand, the gentleman from Texas [Mr. GARNER] does not consider that the proposed exchange will in any way vitiate the arrangement referred to, and I understand further that he is not unwilling to have this arrangement made.

Mr. BANKHEAD. The gentleman from Connecticut has consulted with the minority leader, Mr. GARNER?

Mr. TILSON. I have not consulted with him directly, but another Member has consulted the gentleman and has so informed me.

Mr. BANKHEAD. And the gentleman is informed that the gentleman from Texas [Mr. GARNER] has no objection?

Mr. TILSON. That is correct.

Mr. BANKHEAD. If it does not interfere with the views of the minority leader, I shall not interpose any objection.

Mr. TILSON. The gentleman from Illinois [Mr. CHINDBLOM] has so informed me, and I should not have made the request had I not been so informed.

SENATE BILLS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 328. An act for the relief of Edward C. Dunlap; to the Committee on Claims.

S. 485. An act to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes; to the Committee on Banking and Currency.

S. 670. An act for the relief of Charles E. Anderson; to the Committee on Claims.

S. 968. An act for the relief of Anna Faceina; to the Committee on Claims.

S. 1696. An act for the relief of Thomas L. Lindley, minor son of Frank B. Lindley; to the Committee on Claims.

S. 1955. An act for the relief of the Maddux Air Lines (Inc.); to the Committee on Claims.

S. 2113. An act to aid in effectuating the purposes of the Federal laws for promotion of vocational agriculture; to the Committee on Education.

S. 2189. An act for the relief of certain homestead entrymen in the State of Wyoming; to the Committee on the Public Lands.

S. 2354. An act to amend the agricultural marketing act so as to include dip or crude gum; to the Committee on Agriculture.

S. 2465. An act for the relief of C. A. Chitwood; to the Committee on Claims.

S. 2605. An act to amend section 9 of the Federal reserve act to permit State member banks of the Federal Reserve System to establish or retain branches in foreign countries or in dependencies or insular possessions of the United States; to the Committee on Banking and Currency.

S. 2788. An act for the relief of A. R. Johnston; to the Committee on Claims.

S. 2865. An act granting the consent of Congress to compacts or agreements between the States of Wyoming and Idaho with respect to the boundary line between said States; to the Committee on the Public Lands.

S. 3284. An act for the relief of the Buck Creek Oil Co.; to the Committee on Claims.

S. 3301. An act for the relief of Hunter P. Mulford; to the Committee on Claims.

S. 3541. An act to amend section 22 of the Federal reserve act, as amended; to the Committee on Banking and Currency.

S. 3627. An act to amend the Federal reserve act so as to enable national banks voluntarily to surrender the right to exercise trust powers and to relieve themselves of the necessity of complying with the laws governing banks exercising such powers, and for other purposes; to the Committee on Banking and Currency.

S. 3664. An act for the relief of T. B. Cowper; to the Committee on Claims.

S. 3665. An act for the relief of Vida T. Layman; to the Committee on Claims.

S. 3666. An act for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah; to the Committee on Claims.

S. 3774. An act to amend the United States mining laws applicable to the national forests within the State of South Dakota; to the Committee on Mines and Mining.

S. 3817. An act to facilitate and simplify national-forest administration; to the Committee on Agriculture.

S. 3934. An act granting certain lands to the city of Sault Ste. Marie, State of Michigan; to the Committee on the Public Lands.

S. 4079. An act to amend section 4 of the Federal reserve act; to the Committee on Banking and Currency.

S. J. Res. 155. Joint resolution to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson; to the Committee on the Territories.

S. J. Res. 165. Joint resolution authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co. pending in the United States District Court in and for the District of Delaware; to the Committee on Claims.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 686. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; and

S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on April 15, 1930, present to the President for his approval a joint resolution of the House of the following title:

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela and establishing a commission to be known as the United States Battle of the Monongahela Commission.

ADJOURNMENT

Mr. LEHLBACH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock p. m.) the House adjourned until to-morrow, Thursday, April 17, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, April 17, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE LIBRARY

(10 a. m.)

To consider various bills.

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 2

(10 a. m.)

To amend section 22, Title II, of the national prohibition act, to provide for citation by publication, to relieve congestion of the courts, and for other purposes (H. R. 9563).

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

To amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928 (H. R. 8879).

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

To provide that certain laws of the United States shall not apply to Indians and Indian reservations within the State of New York (H. R. 9720).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION—SUBCOMMITTEE ON HOSPITALS

(10.30 a. m.)

To consider proposals for veterans' hospitals in Pennsylvania.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 11432. A bill to amend the act entitled "An act to provide for the enlarging of the Capitol Grounds," approved March 4, 1929, relating to the condemnation of land; without amendment (Rept. No. 1182). Referred to the House Calendar.

Mr. HARE: Committee on the Public Lands. H. R. 11239. A bill to extend the provisions of section 2455 of the Revised Statutes of the United States (U. S. C., title 43, sec. 1171), as amended, to coal lands in Alabama; without amendment (Rept. No. 1183). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER: Committee on Naval Affairs. H. R. 9370. A bill to provide for the modernization of the United States Naval Observatory at Washington, D. C., and for other purposes; without amendment (Rept. No. 1186). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CLARK of Maryland: Committee on Claims. H. R. 1761. A bill for the relief of John L. Friel; without amendment (Rept. No. 1180). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 3945. A bill for the relief of Pasquale Iannacone; with amendment (Rept. No. 1181). Referred to the Committee of the Whole House.

Mr. SIMMS: Committee on the Public Lands. S. 1469. An act to quitclaim certain lands in Santa Fe County, N. Mex.; without amendment (Rept. No. 1184). Referred to the Committee of the Whole House.

Mr. HOOPER: Committee on War Claims. H. R. 7874. A bill to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.; with amendment (Rept. No. 1185). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of Rule XIII.

Mr. SINCLAIR: Committee on War Claims. H. R. 9058. A bill for the relief of F. A. Brady (Inc.) (Rept. No. 1187). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 11697) to provide for the settlement of claims of citizens of the United States against the Republic of Mexico which have been or may be allowed by the General Claims Commission or Special Claims Commission, United States and Mexico; to the Committee on Foreign Affairs.

By Mr. COLTON: A bill (H. R. 11698) to provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 11699) to add certain lands to the Zion National Park in the State of Utah, and for other purposes; to the Committee on the Public Lands.

By Mr. COOPER of Ohio: A bill (H. R. 11700) to extend the times for commencing and completing the construction of a bridge across the Mahoning River at or near Cedar Street, Youngstown, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. GARBER of Oklahoma: A bill (H. R. 11701) to promote the maintenance and stabilization of the channels of navigable streams of the United States, to promote commerce between the several States, to protect the post roads, to protect the Federal highways for military purposes, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. PARKER: A bill (H. R. 11702) to provide for the establishment and development of American air transport services overseas, to encourage construction in the United States by American capital of American airships and other aircrafts for use in foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of New York: A bill (H. R. 11703) granting the consent of Congress to the city of Olean, N. Y., to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Olean, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. WATRES: A bill (H. R. 11704) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation; to the Committee on the Post Office and Post Roads.

By Mr. HOPE: Joint resolution (H. J. Res. 307) authorizing the appropriation for the fiscal year ending June 30, 1931, of not to exceed $300,000 of the amount of $600,000 authorized to be appropriated for the fiscal year ending June 30, 1932, by section 12 of the migratory bird conservation act of February 18, 1929; to the Committee on Agriculture.

By Mr. SWICK: Joint resolution (H. J. Res. 308) to provide for a survey of existing hospital facilities in the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOX: A bill (H. R. 11705) granting a pension to Samuel Harris; to the Committee on Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 11706) granting an increase of pension to Anna Hayden; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 11707) for the relief of Maria Maykovica; to the Committee on Claims.

By Mr. FREE: A bill (H. R. 11708) granting a pension to Mary E. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11709) granting an increase of pension to James D. Brown; to the Committee on Pensions.

Also, a bill (H. R. 11710) granting an increase of pension to Caroline M. Collier; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 11711) for the relief of George E. Casey; to the Committee on Claims.

By Mr. IRWIN: A bill (H. R. 11712) for the relief of John L. Summers, disbursing clerk, Treasury Department, and for other purposes; to the Committee on Claims.

By Mr. O'CONNELL of Rhode Island: A bill (H. R. 11713) for the relief of Francis L. Gould; to the Committee on Naval Affairs.

By Mr. STONE: A bill (H. R. 11714) granting a pension to Ola M. Smith (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 11715) granting an increase of pension to Malvina M. Hurley; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 11716) granting an increase of pension to Alice V. Kirk; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 11717) granting an increase of pension to Mary F. Hood; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6789. By Mr. COLTON: Petition signed by a number of citizens of Mount Pleasant, Utah, urging the passage of House bill 2562, providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6790. Also, petition signed by a large number of citizens of Salt Lake City, Utah, urging the speedy consideration and passage of the bill (H. R. 2562) providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6791. Also, petition signed by citizens of Eureka, Utah, indorsing the passage of House bill 2562, providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6792. Also, petition signed by certain citizens of the city of Logan, Utah, urging the passage of House bill 2562, providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6793. Also, petition signed by certain citizens of Green River, Utah, urging the passage of House bill 2562, providing for increased rates of pension to men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

6794. By Mr. GARBER of Oklahoma: Petition of Local Union No. 944, of Enid, Okla., in support of House bill 10343; to the Committee on Immigration and Naturalization.

6795. By Mr. JOHNSON of Texas: Petition of G. W. McQueen, of Fort Worth, Tex., indorsing House bill 6603, Kendall 44-hour week bill; to the Committee on the Post Office and Post Roads.

6796. Also, petition of Local No. 730, N. F. P. O. C., Sadie Hammett, secretary, Corsicana, Tex., indorsing House bill 6603, Kendall 44-hour week bill; to the Committee on the Post Office and Post Roads.

6797. By Mr. LOZIER: Petition of 180 citizens of Chariton County, Mo., praying for the enactment of the Robsion-Capper bill to establish a national department of public education; to the Committee on Education.

6798. By Mr. NELSON of Missouri: Petition of citizens of Moniteau County, Mo., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

6799. By Mr. NIEDRINGHAUS: Petition of M. English and 30 other citizens of St. Louis, Mo., urging passage of House bill 2562, providing an adequate pension for the men who served in the Spanish-American War and the incident insurrections; to the Committee on Pensions.

6800. By Mr. STONE: Petition of 115 residents of May, Okla., in support of House bill 9233; to the Committee on the Judiciary.

6801. By Mr. VESTAL: Petition of Robert H. Antrim et al., of Madison County, Ind., relative to pension legislation; to the Committee on Pensions.

6802. By Mr. WOLVERTON of West Virginia: Petition of Chamber of Commerce of Huntington, W. Va., recommending favorable action of Congress on providing adequate and just compensation to the personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; to the Committee on Military Affairs.

SENATE

THURSDAY, *April 17, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, source of our being, goal of our desires, and guide of these our pilgrim days, be with us now as we turn aside from the ceaseless fret of life that we may contemplate its meaning. In the fullness of the times Thou didst gather Thy light into life, that even simple folk might see Thy glory in the face of Jesus Christ.

Grant, therefore, to each one of us that, from His gracious words, the deep compassion of His heart, His friendship for the fallen, the tender grace of His forgiveness, the crown of thorns, the cruel cross, the open shame, we may learn the meaning of Thy love and be persuaded that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, April 14, 1930, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATORIAL EXPENSES IN 1930 CAMPAIGN

The VICE PRESIDENT. The Chair makes the following announcement:

The Chair appoints the Senator from Vermont [Mr. DALE] to succeed the Senator from Connecticut [Mr. BINGHAM] on the special committee to investigate expenditures of candidates for the United States Senate in the campaign of 1930.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 2757) to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J., with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 7405) to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries, in which it requested the concurrence of the Senate.

AIRPLANE ACCIDENT AT MENEFEE FIELD, NEW ORLEANS, LA. (S. DOC. NO. 129)

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of Commerce, submitting, in response to Senate Resolution 201, data in relation to the airplane accident of August 23, 1929, wherein one Elliot D. Coleman, jr., a Transoceanic Air Travel Flying School student at Menefee Field, New Orleans, La., was killed when his plane and the plane of another pilot collided, which was referred to the Committee on Commerce and ordered to be printed.

PETITION

The VICE PRESIDENT laid before the Senate the petition of Frederick Reis, of Compton, Calif., praying that the Government render him financial assistance in the matter of completing his invention, being an invention in the nature of a combination airplane and Zeppelin in a monoplane type, which, with the accompanying paper and diagram, was referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. JOHNSON, from the Committee on Commerce, to which was referred the bill (S. 3466) for the relief of the Searcy Water Co., reported it with amendments and submitted a report (No. 446) thereon.

Mr. FRAZIER, from the Committee on Indian Affairs, to which were referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon:

A bill (H. R. 5283) to declare valid the title to certain Indian lands (Rept. No. 447); and

A joint resolution (H. J. Res. 188) authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim (Rept. No. 448).

Mr. LA FOLLETTE, from the Committee on Indian Affairs, to which was referred the bill (S. 3581) authorizing the Secretary of the Interior to arrange with States for the education, medical attention, and relief of distress of Indians, and for other purposes, reported it without amendment and submitted a report (No. 449) thereon.

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (S. 3553) for the relief of R. A. Ogee, sr., reported it with amendments and submitted a report (No. 450) thereon.

Mr. PINE, from the Committee on Indian Affairs, to which was referred the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes, reported it without amendment and submitted a report (No. 455) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them each without amendments and submitted reports thereon:

A bill (H. R. 10340) granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Calico Rock, Ark. (Rept. No. 451); and

A bill (H. R. 10474) granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark. (Rept. No. 452).

Mr. TOWNSEND, from the Committee on Claims, to which was referred the bill (S. 3407) for the relief of Judson Stokes, reported it with amendments and submitted a report (No. 454) thereon.

Mr. WATERMAN, from the Committee on Claims, to which was referred the bill (H. R. 3527) to authorize credit in the disbursing accounts of certain officers of the Army of the United States for the settlement of individual claims approved by the War Department, reported it without amendment and submitted a report (No. 456) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 26) for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital, reported it with an amendment and submitted a report (No. 458) thereon.

Mr. GOLDSBOROUGH, from the Committee on Naval Affairs, to which was referred the bill (S. 1721) directing the retirement of acting assistant surgeons of the United States Navy at the age of 64 years, reported it without amendment and submitted a report (No. 457) thereon.

Mr. HALE, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 1683) for the relief of John Heffron (Rept. No. 453);

A bill (H. R. 5726) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Salem, Mass., and to the Salem Marine Society, of Salem, Mass., the silver service set and bronze clock, respectively, which have been in use on the cruiser *Salem* (Rept. No. 459);

A bill (H. R. 6645) authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Lions Club, of Shelbyville, Tenn., a bell of any naval vessel that is now, or may be, in his custody; and to the president of the Rotary Club, of Shelbyville, Tenn., a steering wheel of any naval vessel that is now, or may be, in his custody (Rept. No. 460);

A bill (H. R. 8973) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Charleston Museum, of Charleston, S. C., the ship's bell, plaque, war record, and silver service of the cruiser *Charleston* that is now, or may be, in his custody (Rept. No. 461); and

A bill (H. R. 10674) authorizing payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty (Rept. No. 462).

INVESTIGATION OF SALES OF UNITED STATES SHIPS

Mr. JOHNSON, from the Committee on Commerce, to which was referred the resolution (S. Res. 129) for the appointment of a special committee to investigate the sales of ships by the United States Shipping Board and Merchant Fleet Corporation, reported it with an amendment.

EXECUTIVE REPORTS

As in open executive session,

Mr. JOHNSON, from the Committee on Commerce, reported the nomination of Ensign (Temporary) John S. Merriam, jr., to be a lieutenant (junior grade) (temporary) in the Coast Guard, which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day that committee presented to the President of the United States the following enrolled bills:

S. 686. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910;

S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes;

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clarks River; and

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PINE:

A bill (S. 4195) for the relief of Samuel W. Brown; to the Committee on Indian Affairs.

By Mr. CARAWAY:

A bill (S. 4196) to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.; to the Committee on Commerce.

AMENDMENT OF THE RULES—SECOND MORNING HOUR

Mr. SHEPPARD submitted the following resolution (S. Res. 249), which was referred to the Committee on Rules:

Resolved, That paragraph 3, Rule VII, of the Standing Rules of the Senate be, and the same hereby is, amended by adding between the word "Mondays" and the word "the" in said paragraph the words "and Thursdays."

SALE OF CERTAIN GOVERNMENT PROPERTY AT HOBOKEN, N. J.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2757) to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J., which were, on page 2, line 25, to strike out "in the case of equal bids," and on page 3, line 6, after the word "sufficient," to insert "Said property shall be sold only to a citizen of the United States, within the meaning of section 2, shipping act, 1916, as amended by section 38, merchant marine act, 1920."

Mr. KEAN. I move that the Senate concur in the amendments of the House.

Mr. McKELLAR. I would like to examine the matter first. I will ask the Senator from New Jersey to call up his motion at a little later time.

Mr. KEAN. Very well.

The VICE PRESIDENT. It will be passed over temporarily.

Mr. McKELLAR subsequently said: Mr. President, a few moments ago when the Senator from New Jersey [Mr. KEAN] brought this matter up I objected. I am not sure that I would have approved the bill if I had been present in the Senate when it was considered and passed, but as it has gone this far and as there will probably be an investigation of the Shipping Board and all its transactions, I take it there is no reason for objecting to the passage of this bill. So I shall not do so. If the Senator desires to have the House amendments acted upon, very well.

Mr. KEAN. I renew my motion that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILL REFERRED

H. R. 7405. An act to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries, was read twice by its title and referred to the Committee on Commerce.

LITERARY DIGEST PROHIBITION POLL

Mr. JONES. Mr. President, a little while ago I called the attention of the Senate to extracts from two or three communications from people in my State indicating a lack of confidence in the prohibition poll being taken by the Literary Digest. I have received several similar letters since. This morning I received a letter with reference to another matter from a gentleman whom I know and who is very reliable; and I read just a brief statement from his letter relating to the subject just mentioned:

I sure don't think much of the Literary Digest bogus poll. There are four in my immediate family, all voters, and I was the only one to receive a vote.

He is a dry.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kendrick	Smoot
Ashurst	George	Keyes	Steck
Baird	Gillett	La Follette	Steiwer
Barkley	Glass	McCulloch	Stephens
Bingham	Glenn	McKellar	Sullivan
Black	Goff	McNary	Swanson
Blaine	Goldsborough	Metcalf	Thomas, Idaho
Blease	Gould	Norbeck	Thomas, Okla.
Borah	Greene	Norris	Townsend
Brock	Hale	Oddie	Trammell
Brookhart	Harris	Overman	Tydings
Broussard	Harrison	Patterson	Vandenberg
Capper	Hatfield	Phipps	Wagner
Caraway	Hawes	Pine	Walcott
Connally	Hayden	Ransdell	Walsh, Mass.
Copeland	Hebert	Robinson, Ind.	Walsh, Mont.
Couzens	Heflin	Robsion, Ky.	Waterman
Dale	Howell	Sheppard	Watson
Deneen	Johnson	Shipstead	Wheeler
Dill	Jones	Shortridge	
Fess	Kean	Simmons	

Mr. FRAZIER. I wish to announce that my colleague the junior Senator from North Dakota [Mr. NYE] is detained in his home by illness. I ask that this announcement may stand for the day.

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is detained on account of the death of his brother. I ask that this announcement may stand for the remainder of the week.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. My colleague [Mr. McMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RANSLEY, Mr. WURZBACH, and Mr. QUIN were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes, and it was signed by the Vice President.

PRESENTATION OF CONFEDERATE FLAG TO SENATOR BLEASE

Mr. HEFLIN. Mr. President, I ask unanimous consent to print in the RECORD a brief article from the State, of Columbia, S. C., relating to the presentation of a Confederate flag by the

United Daughters of the Confederacy to the Senator from South Carolina [Mr. BLEASE].

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

[From the State, Columbia, S. C., Sunday morning, April 13, 1930]

UNITED DAUGHTERS OF CONFEDERACY

(Mrs. J. Frost Walker, Union, president; Miss Bertie Smith, Greer, publicity)

Some time ago COLE. L. BLEASE, United States Senator from South Carolina, wrote the division president, Mrs. Walker, asking her where he might secure a medium-size Confederate flag to hang in his office in Washington. Deeply impressed by this inquiry from Senator BLEASE, because he was the first South Carolina Senator who had ever expressed a wish to have a Confederate flag hang in his office, the Daughters of the South Carolina division had one especially made for him, and this was presented to him Thursday, April 3, in the Senate Office Building.

Mrs. Walker was not able to be present and asked Miss Jessica Randolph Smith (daughter of the late Orren Randolph Smith, designer of the Stars and Bars) to make the presentation. The ceremonies attending the presentation were lovely, and everything passed off smoothly and impressively.

John D. Long, secretary to Senator BLEASE, presented General Hawkins, who in turn introduced Maj. A. F. Rose, chaplain, who offered a beautiful prayer. Miss Smith then took the flag and made an impressive talk, stressing the point that South Carolina was the first to secede, fired the first shot of the Confederate War, and that Senator BLEASE, of South Carolina, was the first United States Senator to be presented with the flag of the Confederacy, and to have it placed in his office. Miss Smith then handed the flag to Congressman DOMINICK, who made the presentation speech. He spoke of the loyalty of Senator BLEASE to the veterans. His father was one who wore the gray, and 11 of his people served in the Confederacy, and, said Mr. DOMINICK, "Senator BLEASE has always taken the keenest interest in the welfare of the veteran." Mrs. Walker sent a message which was read by Miss Smith. The following telegram was also read by Miss Smith: "Senator COLE. L. BLEASE: May the Confederate flag that you receive to-day from the South Carolina Daughters of the Confederacy bring you a blessing and benediction in your work for our country."

Congressman DOMINICK closed his presentation speech with these remarks: "Senator BLEASE, it is my pleasure to present this flag. It has only been a short while since there were in the United States Senate and in the House of Representatives a great many representing that grand army of Confederate veterans, but to-day, in the providence of God, there is only one, Major STEDMAN, of North Carolina, and on account of infirmities of age he could not be with us to-day. Take this flag—

"'For though conquered, we adore it,
Love the cold, dead hands that bore it,
Weep for those who fell before it,
Pardon those who trailed and tore it.'"

Senator BLEASE made a beautiful acceptance speech, saying, among other things, that his father's home was often the home of Confederate veterans. Said the Senator, in speaking of the Confederate veterans: "I have said on the floor of the Senate more than once that I come from the State which was the mother of secession, and which has produced some of the bravest men who were ever seen on a battle field. Lee did not surrender—his soldiers were perished, they were overpowered, outnumbered, but they were not cowed. I thank you, Miss Smith, and I thank you all for your attention. When I cease to praise and defend the southern soldiers and this emblem 'this poor, lisping, stammering tongue will lie silent in the grave.'"

"It is quite needless for me to say," said Secretary Long, "that the Senator is deeply appreciative of the high honor which the Daughters of the Confederacy of his native State have thus conferred upon him, and I only wish that you all could see the beautiful flag where it now hangs upon the wall of his reception room in the Senate Office Building, facing the pictures of the immortal Lee and Jackson, who loved it so well, and just under the Palmetto flag and the pictures of Hampton, Gary, and Butler, who followed it with an equal devotion."

Among those present at the presentation were: Maj. A. F. Rose, chaplain in Confederate uniform; General Hawkins and Lieutenant Houchens, both in Confederate uniform; Congressman and Mrs. Fred H. Dominick, of South Carolina; Congressman Butler Hare, of South Carolina; Congressman McMillan, of South Carolina; Congressman J. J. McSwain, of South Carolina; Rear Admiral McGowan, of South Carolina; P. H. McGowan, of South Carolina; James Pruitt, of South Carolina.

One very impressive and touching incident was that, upon the conclusion of Senator BLEASE'S speech, Major Rose, one of General Mosby's men, advanced and kissed the flag.

RADIO MERGER

Mr. DILL. Mr. President, yesterday I spoke regarding the latest merger or combination in the radio industry. I want to say just a few additional words about it this morning, since we have fuller details of it.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Washington may proceed.

Mr. DILL. The details as given out this morning in the newspapers tell us that under the merger or corporation agreement for the transfer of the patents and manufacturing rights of the General Electric Co. and the Westinghouse Co. to the Radio Corporation those two companies will own 70 per cent of the stock of the Radio Corporation. That means that they are going to dominate entirely the Radio Corporation and through it dominate all the subsidiaries of the Radio Corporation.

I want to call attention to the valuation that has been placed on the properties involved in terms of Radio Corporation stock. The valuation is placed at $540,000,000. What the real valuation is nobody knows at this time, because it has not been carefully computed. But we can get some idea of the probable real valuation if we remember that Mr. Owen D. Young, who was the prime moving figure in the transfer, was the moving figure in the valuation placed upon the Radio Corporation communication properties when they were valued for sale to the International Telegraph & Telephone Co.

We found then that the real valuation was $15,000,000 or $20,000,000, and they were to get property worth $80,000,000 to $100,000,000. At any rate, this enormous valuation placed upon these properties will enable the General Electric Co. and the Westinghouse Co. to control the Radio Corporation and destroy the stock-voting franchise of those who may have invested money in the Radio Corporation stock. This is done not by payment of any money but simply by transfers of properties between affiliated corporations.

This last combination shows what the intent of those in charge has been from the start of this radio organization. If the Department of Justice has needed anything to show what the intent was they certainly have it now. We are told in the press reports that the General Electric is to organize a holding company to take care of its interests in the radio business in a manner similar to the formation of the Electric Bond & Share Co. to hold its interests in the water-power business. Thus one can begin to see what the General Electric Co. is to be. It is to be not only the parent company of the Power Trust and of the electrical manufacturing business, but the parent company of the radio business, with all its ramifications. Thus everything of this kind is to center in the General Electric Co. It is announced that it is to assist them in their communications service; yet they sold their communications service in European countries to the International Telegraph & Telephone Co.

The truth of the matter is that this is a part of Mr. Owen D. Young's plan to have formed a world-wide Radio Trust; there is no question about that. There is just one more step needed. Mr. Young is chairman of the board of the General Electric Co. and chairman of the executive committee of the Radio Corporation. He has been very active in all these world unification movements and primarily in the organization of the international world bank. With the General Electric Co. holding in its hand as parent company the control of the electric power business in this country, of the electric manufacturing business, and the radio business, through the various subsidiaries of the Radio Corporation, he is in a position now to connect it up with the world bank and make special use of the exclusive contracts which the Radio Corporation has made with every great government in the world, except Russia. These exclusive contracts have been made with the Radio Corporation by the various governments, so that all the radio business from those countries must come through the Radio Corporation. So there is just one more step needed to complete the world-wide Radio Trust that Mr. Young is evidently planning.

There has never been anything like it in the history of mankind; and the worst feature of it is that it deals not merely with present radio rights, not merely with present conditions, but these contracts and these arrangements are planned to include all future developments. It is a significant fact that the contracts between the various affiliated companies and between the foreign countries and the Radio Corporation not only give the Radio Corporation rights as to existing patents and existing developments, but propose to transfer to them all future developments that may come in that field of activity. What it will mean and what it will do in the future affairs of humanity nobody knows; but I think that the Department of Justice should act in this matter and act at once to ascertain whether or not under the law to-day these corporations have the right to form an organization leading to a world-wide monopoly of radio development.

I am impressed with the fact that the picture of Mr. Sarnoff is on the front page of a New York newspaper this morning—the

Herald Tribune—and we are told in the newspaper stories that Mr. Sarnoff visited the White House yesterday, conferred with Mr. Hoover, and as soon as he came out gave out the details of this plan. I refuse to believe that President Hoover has approved any such monopoly as is being formed.

Mr. ASHURST. Who is Mr. Sarnoff?

Mr. DILL. Mr. Sarnoff is the president of the Radio Corporation, and I maintain that Mr. Sarnoff did this for the same purpose and in the same manner that General Harbord did when he came down here regarding the International Telegraph & Telephone Co. contract. It will be recalled that General Harbord went to the White House, conferred with President Hoover, and then came out and announced that they were going to make this deal if Congress would repeal the law. Mr. Sarnoff went to the White House yesterday, conferred with Mr. Hoover, came out, and announced the details of this plan. I say I resent the implication that Mr. Hoover, the President of the United States, who has always been an outspoken opponent of radio monopoly, should be put in the position of having indorsed this latest proposal leading to such a world-wide monopoly as is evidently planned. For my part, I shall not believe that he favors it; I shall not believe he indorses it; I shall not believe he is willing that his Department of Justice shall condone it until he himself so states in a public way, because, if this world-wide organization that is being built up is to be allowed to dominate the development of radio, it will dominate the control of public opinion as influenced and developed by radio throughout the world in the years to come.

There is nothing of which the people should be so jealous as the freedom of business in radio development. I am not talking about wave lengths; I am not talking about the use of the air; I am talking about the equipment; I am talking about the sets that are used for receiving purposes; I am talking about the transmitters that are used for broadcasting stations; I am talking about the instruments used for world-wide communication; and the Radio Corporation, through this latest combination with the General Electric Co. and the Westinghouse Co., has prepared the situation, has completed the plan that only needs one more step to make it fully complete as a world-wide organization, because of the exclusive contracts with foreign governments and the international bank, which Mr. Young has been so active in planning.

I do not want to take more time of the Senate, but, recognizing as I do what radio means to the future of mankind, I could not sit silent and see this sort of thing continue without raising my voice in protest and expressing the hope that the Department of Justice will act, and act quickly, so that this world-wide radio monopoly may not be completed as planned.

Mr. President, I ask to have inserted in the RECORD as part of my remarks an article in the New York Times of this morning, which is the most complete of any newspaper account I have seen, beginning on the front page, and also subsequent articles on page 6.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. DILL. I yield.

Mr. NORRIS. Will not the Senator have the article read by the clerk?

Mr. DILL. It is rather long. I am perfectly willing to have it read, but I put in the RECORD two articles yesterday morning on the same subject.

Mr. NORRIS. Very well.

Mr. DILL. And I dislike to take the time of the Senate. Of course, if the Senator wants it read, I have no objection to that being done, but I think if the article shall be printed in the RECORD that will be sufficient.

The VICE PRESIDENT. Without objection, the articles will be printed in the RECORD.

The articles referred to are as follows:

[From the New York Times, Thursday, April 17, 1930]

R. C. A. CONTROL SHIFTS IN $390,000,000 DEAL—GENERAL ELECTRIC AND WESTINGHOUSE TO GET STOCK IN EXCHANGE FOR MANUFACTURING RIGHTS—NEW SHARES TO BE ISSUED—MOVE NOW UP TO STOCKHOLDERS—GOVERNMENT IS SCRUTINIZING THE TRANSACTION

Under a reorganization, announced yesterday, the General Electric Co. and Westinghouse Electric & Manufacturing Co. will control jointly the Radio Corporation of America through ownership of 51.3 per cent of the voting power, following the issuance to them of additional shares by that company, worth $390,000,000 at current market prices, in exchange for exclusive licenses to American radio patents, for factories and equipment employed in the manufacture of radio apparatus, and for other important considerations.

The two electric companies now own only 20.5 per cent of the voting power in R. C. A., and since that company was organized have manufactured all radio apparatus sold by the radio organization. The full reorganization and refunding plan is to be submitted to the stockholders of Radio Corporation at a special meeting on May 6, to follow the annual meeting on that date, and is subject to their approval.

SIX MILLION FIVE HUNDRED AND EIGHTY THOUSAND THREE HUNDRED AND SEVENTY-FIVE NEW SHARES

The plan provides for the issuance of 6,580,375 shares of common stock of the Radio Corporation, or an amount equal to all of the common stock now outstanding, to the General Electric and Westinghouse companies, the former to receive 3,948,225 shares, or 60 per cent, and the latter 2,632,150 shares, or 40 per cent of the new stock.

These shares are to be issued in payment for the rights and properties to be acquired by Radio Corporation from the electric companies, which are substantially equal in value to the tangible assets of the R. C. A., represented by the common stock now outstanding.

Radio Corporation under the plan will acquire exclusive licenses under all General Electric and Westinghouse American patents to manufacture radio apparatus, real estate, factories, and other manufacturing facilities now employed by the electric companies in the manufacture of radio apparatus. The value of the Radio Corporation shares will include the reimbursement to the electric companies for the $32,000,000 plus interest on cash advances made by them in connection with the Victor Talking Machine Co. acquisition a year ago.

The General Electric and Westinghouse companies will also transfer their holdings in the various radio subsidiary companies to the Radio Corporation, so that it will have 100 per cent ownership of these companies. These are the National Broadcasting Co. (Inc.), the R. C. A. Victor Co. (Inc.), the R. C. A. Radiotron Co. (Inc.), and R. C. A. Photophone (Inc.), in which the Radio Corporation now owns 50 to 60 per cent and the electric companies three-fifths and two-fifths of the balance, respectively.

In addition Radio Corporation will own 49 per cent of the common and preferred stock of General Motors Radio Corporation, whereas it now owns 29.4 per cent, with General Electric holding 11.76 per cent and Westinghouse 7.84 per cent. The transaction also provides for a reduction in the cost to the Radio Corporation of radio transmitting apparatus and radio transmitter tubes, which the electric companies will continue to manufacture for the Radio Corporation.

SARNOFF SEES REDUCED COST

David Sarnoff, president of the Radio Corporation of America, in a statement issued yesterday, said in part:

"The Radio Corporation of America has arranged with the General Electric Co. and the Westinghouse Electric and Manufacturing Co. to purchase their engineering and manufacturing activities and plants heretofore used in the production of radio receiving sets, tubes, etc., for the Radio Corporation.

"Believing that increased efficiency and economies both in manufacturing and merchandising can thereby be effected and ultimately bring down the cost of radio sets and tubes to the public, the Radio Corporation is asking its stockholders to approve an increase in its capital stock to compensate the General Electric and Westinghouse companies for the radio manufacturing facilities and rights to be acquired from them."

In connection with the plan the stockholders will be asked to approve an increase in the authorized common stock from 7,500,000 to 15,000,000 shares, and in the authorized class B preferred stock from 813,365 to 1,500,000 shares. It is intended to issue a part of the increased class B preferred stock, upon which cumulative dividends of $5 a share are paid annually, to the General Electric and Westinghouse companies to close out current accounts other than the $32,000,000 advances in connection with the Victor purchase.

General Electric now owns about 1,240,530 common and 27,080 "A" preferred shares of the Radio Corporation, and Westinghouse 138,800 common and 50,000 "A" preferred shares. The common shares have 1 vote each and the "A" preferred shares 10 votes each, while the "B" preferred shares do not vote. On the basis of 6,580,375 common and 395,597 preferred shares outstanding, or a total of 10,536,349 votes, General Electric has 14.4 per cent and Westinghouse 6.1 per cent of the total voting strength.

With the additional common shares issued to the electric companies, which will increase the total voting strength to 17,116,724 votes (13,160,750 common and 3,955,984 "A" preferred votes), General Electric will own 32.1 per cent and Westinghouse 19.2 per cent of the voting power, or together 51.3 per cent.

General Electric will hold, upon consummation of the plan, 39 per cent of the common shares to be outstanding, while Westinghouse will have 21 per cent, or 60 per cent of the common stock, between them.

Although no reference is made to the future plans of expansion of Radio Corporation, it is expected to acquire control of the Columbia Graphophone Co., within a few months, through an affiliated English holding company, to add the world-wide distributing facilities of Columbia to the Victor and Radio sales organizations. The Columbia properties in this country will not be merged with the Radio Corporation of America organization, it was reported.

INQUIRY IS UNDER WAY—DEPARTMENT OF JUSTICE INVESTIGATING RADIO APPLICATION

WASHINGTON, April 16.—A full investigation of the plan of the Radio Corporation of America to take over the radio activities of the General and Westinghouse Electric companies was promised to-day at almost the same time that word of the proposal was made public.

A statement given out at the Justice Department less than an hour after Senator DILL, Democrat, Washington, had called the attention of the Senate to a report that the plans were under way and demand an inquiry by the department, said:

"The Department of Justice announced this afternoon that it was fully advised regarding the proposed affiliation between the Radio Corporation, General Electric Co., and Westinghouse Electric Co. in the manufacture of radios and that it was investigating the application fully and was considerably concerned about it."

Senator DILL brought the matter up in the Senate by reading into the RECORD a newspaper article relating that 6,500,000 shares of stock had been sold by the Radio Corporation, which, he said, would give Westinghouse and General Electric control of the Radio Corporation. "As a result," he said, "these two companies have control of the Radio Corporation of America, which, in turn, has built up subsidiaries controlling the manufacture and distribution of radio sets.

"If the Department of Justice had gone ahead in the prosecution of the Radio Trust, this new trust monopoly would not have been forced. I hope that the Department of Justice will take notice of this enormous organization which is being formed to dominate the entire manufacture and distribution business in the radio world."

SARNOFF SEES PRESIDENT

WASHINGTON, April 16.—David Sarnoff, president of the Radio Corporation of America, called to-day upon President Hoover at the White House, but whether the matter of the reorganization of the Radio Corporation of America was brought up was not disclosed.

Through Oswald Schuette, its executive secretary, the Radio Protective Association issued an attack upon "the newest reorganization of the Radio Trust."

"It is a challenge to the Department of Justice which can be answered only by the immediate prosecution of this $6,000,000,000 monopoly," Mr. Schuette said. "For nine years the Radio Trust has been operating under a grant of immunity from Attorney General Daugherty. It has undertaken to monopolize every line of radio—communications, broadcasting, manufacture, television, and even the talking movies.

"Under the pressure of the United States Senate the Department of Justice is at last investigating this monopoly. There is something peculiarly defiant, therefore, in the newest shuffling of Radio Trust stock. This defiance can be answered only by the immediate enforcement of the law.

"The trust's action is a challenge also to the Federal Radio Commission, because that body is still issuing licenses and renewals for radio channels to the members of the Radio Trust, despite the antimonopoly clauses of the radio law.

"It is also a challenge to Congress which should put antitrust teeth into the Couzens communication bill and push its immediate passage. Only in that way can radio be kept free for the people of the United States.

"The newest stock deal pretends to limit the control of the Radio Trust to the General Electric and Westinghouse companies, but it does not change the status of the American Telephone & Telegraph Co. The patent agreement under which the telephone monopoly is the most powerful factor in the Radio Trust remains as firm and as illegal as ever.

"Nor does the new arrangement change the relations of the trust to the General Motors Corporation or to the International Telephone & Telegraph Co.

"If Attorney General Mitchell does not act on the newest challenge of this huge combination, the Senate should follow the precedent of the Teapot Dome case and force a dissolution of the trust by congressional action."

UTILITY PROFIT PUT AT 105 PER CENT—ELECTRIC BOND & SHARE CO. MADE $4,810,000 IN 1927, TRADE BOARD EXPERT SAYS—SERVES 2,820 COMMUNITIES—INTERLOCKING DIRECTORATES ARE HELD TO GIVE IT CONTROL OF "SUPERVISED" CONCERNS

WASHINGTON, April 16.—A profit of at least 105 per cent of expenses was made in 1927 by the Electric Bond & Share Co. on its services to companies which it controls, the Federal Trade Commission has learned, despite the refusal of the company to give the commission access to records bearing on the subject, it was testified to-day before the commission by one of its accountants.

A suit by the commission to obtain access to the records is pending in the Federal District Court for the Southern District of New York. Details of the operations are wanted by the commission, since it is possible that the profits are much larger than those shown by the available figures, according to Judson C. Dickerman, the commission accountant who testified to-day in the investigation of public-utility companies ordered by the Senate.

The Electric Bond & Share Co., according to Mr. Dickerman, holds control of companies throughout the country through a system of interlocking directorates and stock ownership.

From the "supervised" companies, Mr. Dickerman testified, Bond & Share received $9,373,000 for the year 1927 in fees for supervision, engineering, and other special services. The total operating expenses of Bond & Share were $6,613,000, and of this amount $2,050,000 was chargeable definitely to expenses not connected with the services to supervised companies. This left $4,563,000 which might have been chargeable to the services, and showed a profit of at least $4,810,000.

The companies controlled by Electric Bond & Share are chiefly in small communities and in the more sparsely settled States, Mr. Dickerman testified. The system serves 2,820 communities with electricity, he said. Operating revenues of the companies in the system in 1929 were $292,387,000 and the system produced in that year 10,364,000,000 kilowatt-hours of electricity, or 10.6 per cent of the total output of power in the United States.

The commission has been attempting to show large profits made by public utilities through so-called fee systems, "write-ups" of the value of properties against which stock is issued, and manipulation of securities.

CALL OF THE ROLL

The VICE PRESIDENT. Morning business is closed.

Mr. MCNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Fess	Kean	Simmons
Ashurst	Frazier	Kendrick	Smoot
Baird	George	Keyes	Steck
Barkley	Gillett	La Follette	Steiwer
Bingham	Glass	McCulloch	Stephens
Black	Glenn	McKellar	Sullivan
Blaine	Goff	McNary	Swanson
Blease	Goldsborough	Metcalf	Thomas, Idaho
Borah	Gould	Norbeck	Townsend
Brock	Greene	Norris	Trammell
Brookhart	Hale	Oddie	Tydings
Broussard	Harris	Overman	Vandenberg
Capper	Harrison	Patterson	Wagner
Caraway	Hatfield	Phipps	Walcott
Connally	Hawes	Pine	Walsh, Mass.
Copeland	Hebert	Ransdell	Walsh, Mont.
Couzens	Heflin	Robinson, Ind.	Waterman
Dale	Howell	Robsion, Ky.	Watson
Deneen	Johnson	Sheppard	Wheeler
Dill	Jones	Shipstead	

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

BOARD OF VISITORS TO PHILIPPINE ISLANDS

Mr. BINGHAM. Mr. President, there has been on the calendar for a long time a bill providing for the appointment of a board of visitors to the Philippine Islands. The last time it came up the Senator from Montana [Mr. WALSH] objected in view of the absence of the Senator from Missouri [Mr. HAWES]. At that time we secured the adoption of the amendments to the bill, one providing for an increase in the number of Senators, and the other striking out the biennial feature, which was the feature chiefly objected to, because it was felt that it made the visitation an indefinite matter, and therefore interfered with the possibility of granting independence.

In view of that amendment—I am glad the Senator from Missouri has now returned to the floor—I hope there will be no objection to taking up the bill at this time.

I move that the Senate proceed to the consideration of Order of Business No. 17, Senate bill No. 168.

The VICE PRESIDENT. The question is on the motion of the Senator from Connecticut.

Several Senators addressed the Chair.

The VICE PRESIDENT. The motion to take up the bill is not debatable; but if it is taken up, the bill is debatable.

Mr. HEFLIN. Mr. President, for the information of the Senate, may we find out just what the bill is?

The VICE PRESIDENT. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands.

Mr. WALSH of Montana. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BROUSSARD. Mr. President, before this vote is taken I should like to state——

The VICE PRESIDENT. The motion is not debatable. If the bill is taken up, it is subject to debate. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GOULD (when his name was called). I have a general pair with the Senator from New Mexico [Mr. BRATTON] and therefore withhold my vote.

The roll call was concluded.

Mr. WATSON. I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Delaware [Mr. HASTINGS] and will vote. I vote "yea."

Mr. FESS. I desire to announce the following general pairs:

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER].

Mr. SHEPPARD. I desire to announce that the Senator from Nevada [Mr. PITTMAN] and the Senator from Arizona [Mr. HAYDEN] are necessarily detained on official business.

The result was announced—yeas 25, nays 50, as follows:

YEAS—25

Baird	Greene	Keyes	Townsend
Bingham	Hale	McNary	Vandenberg
Dale	Hebert	Metcalf	Walcott
Deneen	Howell	Norbeck	Watson
Gillett	Johnson	Oddie	
Goff	Jones	Phipps	
Goldsborough	Kean	Sullivan	

NAYS—50

Ashurst	Couzens	La Follette	Steck
Barkley	Dill	McCulloch	Steiwer
Black	Fess	McKellar	Stephens
Blaine	Frazier	Norris	Swanson
Blease	George	Overman	Thomas, Idaho
Borah	Glass	Patterson	Trammell
Brock	Glenn	Pine	Tydings
Brookhart	Harris	Ransdell	Wagner
Broussard	Harrison	Robinson, Ind.	Walsh, Mass.
Capper	Hatfield	Robsion, Ky.	Walsh, Mont.
Caraway	Hawes	Sheppard	Wheeler
Connally	Heflin	Shipstead	
Copeland	Kendrick	Simmons	

NOT VOTING—21

Allen	Hastings	Pittman	Smoot
Bratton	Hayden	Reed	Thomas, Okla.
Cutting	King	Robinson, Ark.	Waterman
Fletcher	McMaster	Schall	
Gould	Moses	Shortridge	
Grundy	Nye	Smith	

So the Senate refused to proceed to the consideration of Senate bill 168.

ADDRESSES BY SENATOR HAWES AND DOCTOR ALDERMAN ON THOMAS JEFFERSON

Mr. SWANSON. Mr. President, on the evening of April 14, Doctor Alderman, of the University of Virginia, delivered a most notable address, which was broadcast all over the United States, on Thomas Jefferson. He was very splendidly introduced by the senior Senator from Missouri [Mr. HAWES]. Both of these are very magnificent addresses. I ask unanimous consent that they may be printed in the RECORD.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection? The Chair hears none, and it is so ordered.

The addresses are as follows:

REMARKS OF SENATOR HARRY B. HAWES, OF MISSOURI, INTRODUCING DR. EDWIN A. ALDERMAN, PRESIDENT OF THE UNIVERSITY OF VIRGINIA

Throughout the United States at least there are men and women who still believe in fundamentals.

There are fundamentals in law, in medicine, in engineering, and in all the affairs of life. Even in the kitchen, in the home, there are certain set rules which must be followed.

Men have appeared in history who occupied great places. When they died, their careers ended.

With Thomas Jefferson it is different. While teaching a theory of government, of self-control, of local expression, of determination in vital matters by the people nearest to the power of Government, he was sufficiently practical during his lifetime not only to have theories but to put those theories into practical operation.

When most men die their history stops. There is a finish to their accomplishments.

This is not true of Thomas Jefferson. He gathered the philosophies of the world in relation to freedom and individual conduct, put them into law, and, for a period, administered them.

But Jefferson is not dead—that is the difference. Other men die and they are gone. Thomas Jefferson is still alive wherever the aspirations of men decide that the theory of individual selection, of freedom, and persuasion, is more powerful than written law. He still has his followers in America and throughout the world.

If he could come back to-night and pick from the long list of men who understand his philosophy and can expound it, I am sure that amongst the list would be found Dr. Edwin A. Alderman. He would certainly be on the list, and I believe he would head the list.

I have heard Doctor Alderman move men in a speech before the joint assembly of the Senate and the House; to hold them; to inspire them, because he has a way of putting things that seems to hold. He uses few adjectives. His statements are facts. He drives home facts reenforced by logic.

As the president of the University of Virginia, founded by Thomas Jefferson within sight of his own home, he has not only absorbed his philosophy but he has absorbed the atmosphere in which that philosophy grew.

It is my privilege and honor to introduce to you an understanding student of Jefferson, a philosopher, an orator, who understands Jefferson and who would not give him credit for one thing which he did not deserve.

Oratory to-day is different from what it was even 25 years ago. It consists in statements of facts from which conclusions are drawn.

I am sure that you, like myself, will feel better and bigger and have nobler resolves after you have heard the distinguished speaker of the evening, Doctor Alderman.

ADDRESS ON "THOMAS JEFFERSON" BY DR. EDWIN A. ALDERMAN, PRESIDENT OF THE UNIVERSITY OF VIRGINIA, FOUNDED BY THOMAS JEFFERSON

My primary purpose in this speech is not to attempt biography, but to set forth briefly some mental and spiritual characteristics of Thomas Jefferson and perhaps to induce a desire among thoughtful men and women everywhere to visit his home and the university which he so dearly loved, as shrines where love of country may be acquired and where democracy learned at the fountain may be handed down from generation to generation.

Thomas Jefferson was born at his father's home, Shadwell, Va., on April 13, 1743, the third in a family of eight children. He died at Monticello, a little hilltop in sight of his birthplace, on July 4, 1826—more than a hundred years ago—in the eighty-third year of his age. At the age of 25 he entered public life as a member of the Virginia House of Burgesses. He retired from the Presidency of the United States, after a service of eight years, in 1809. He thus spent 41 years in the public service of the young Nation, whose basis of independence he had so nobly announced. As legislator, governor, minister to France, Secretary of State in Washington's Cabinet, Vice President, and President of the United States, he ran the gamut of public office and public honor, and, with the exception of George Washington, no man has made a deeper impression on American institutions.

It is said that nearly every man born into the world is born with either an Hebraic conscience or an Hellenic conscience; that is, he looks at things in his life from the standpoint of either the Greek or Hebraic mind and spirit.

I sometimes believe that every man born in America is either a Hamiltonian or a Jeffersonian. I admire the mind and character of Alexander Hamilton. In the field of political genius, and by reason of the lucidity of his thought and the intensity of his purpose he belongs among the great forces of the modern world, but as for me, I was born a Jeffersonian, I had Jeffersonianism thrust upon me, and I trust I have achieved a measure of Jeffersonianism.

Andrew D. White, former president of Cornell University, a scholarly figure in America, was a Hamiltonian of force and power. He once constructed a list of what he called the great founders, builders, and bracers or stimulators of this Nation, and his list was as follows:

The greatest founders, he thought, were Washington, Jefferson, and John Adams; the chief builders were Hamilton, Jefferson, and John Marshall; the chief bracers were Benjamin Franklin, Jefferson, and Edward Channing. One striking thing issues out of that arrangement. Jefferson was in all three of these categories.

Mr. White was a conscientious man as well as a scholar. He did not particularly want to put Jefferson in all three classes. He had to do it.

May I be permitted, too, to say just a word about Monticello? It is a very beautiful spot, seated very grandly among the Piedmont hills. It brings to mind the great Shakespearean touch portraying Duncan's castle. You feel that "it, too, hath a pleasant seat, and that the air blowing about it sweetly and nimbly recommends itself to the gentle senses." It is set upon a mountain top, from which there unrolls on the west a mountain panorama of the Blue Ridge, while to the east an endless plain marches down to the sea. It is the first glorious symbol of the romanticism and classicism of Thomas Jefferson's mind. He was the architect and builder of his own home. In all the Colonies there was not then a single professional architect. At that time there were not two stone masons in Albemarle County, so that this versatile genius drew his own plans, which make the ordinary plans of colonial master builders seem puerile, trained his own workmen, and built his own mansion.

Now, what manner of man was Thomas Jefferson? What is the essence of his varied and versatile and devoted life?

Thomas Jefferson may be described as a world force. His name is on the lips of aspiration everywhere, moving men to gain freedom and teaching men how to keep freedom when they have gained it.

I claim to know something of the spirit and meaning of Thomas Jefferson's life. I have spent 26 years at the University of Virginia, which he founded, and which was his darling objective for the last 20 years of his life. Jefferson is not dead anywhere; but he particularly is not dead around Albemarle County, Va., and the University of Virginia. Men still hate him and love him. He stirs men's passions and he stirs their emotions to this day, as he did in his stormy career.

When I first undertook the management of the University of Virginia I happened to be the first president of that institution, and I seldom inaugurated a new thing that somebody did not come to me and tell me that Mr. Jefferson would not have done that. Well, that stopped me for a while, until I began to know Thomas Jefferson, and to know that he would have slight esteem for me if I allowed myself to be influenced by even his mighty dead hand; that I and my colleagues were put there to use our own judgment, reverently, to be sure, touching the things of the past. You can not speak of Mr. Jefferson around Charlottesville without feeling that he is about to turn the nearest corner. It is a pungent form of immortality that now and then almost gives one a turn.

Jefferson, in my judgment, was the first great intelligent radical to appear in the political history of this country. Some people do not like the word "radical," for it is associated in a menacing way in many minds. We think of it sometimes as meaning one who just tears at the roots of things, regardless of what they are and how they are planted, and what they were planted for, and then throws the precious roots away. But the word is a vigorous word, and means getting at the root of things.

Now, Jefferson was an intelligent radical, and no other sort of radical ought to be allowed to exist. He appeared, at the age of 27, in the House of Delegates in Virginia with four bills in his pocket, and he fought for 10 years to have them all passed. They struck at the very root of the life of the proudest and most conservative Commonwealth in the Nation.

The first was a bill to abolish primogeniture, to free the land for all the people. There should be no leaving of the land to the eldest son, no beginning of an aristocracy in America.

His next bill was the statute of Virginia for religious freedom. Here his thought was to free the soul of man.

The next was a system of free education extending from primary school to university. The mind should be enlightened in a democratic order.

The next was a bill to curb what seemed to him and later proved to be the greatest menace to the Republic—the institution of African slavery.

The whole daring program was designed in a harmonious way to free the corporate and community spirit of a great State and to give it community genius and corporate power. Did any individual in the world ever enter any legislature before with that sort of program in his pocket? They talk about radicals in Washington and elsewhere. They are complacent standpatters to Thomas Jefferson. I believe many of them mean well, and I respect their spirit; but they do not always know precisely where they are going, and he did. He was a glorious, intelligent radical. He never in his life looked at anything, any human institution or human device, from a plowpoint to the moral law, from a copying machine to the Ten Commandments, without asking himself in some way, Is this the best possible thing we can get to advance human welfare? Is this the best thing for the world? Can I do anything in my time and in my life to make things happier for mankind? The man had a modern spirit. He was a modern man in his time, and I believe so greatly in his modernism that if he could drop down on Forty-second Street in New York City to-morrow, and you would give him half an hour for orientation, he probably would be writing to the papers by Wednesday suggesting a better method of handling the traffic, not to mention his views on the naval pariey or the League of Nations.

His enthusiasm was for the future, not for the past. He reverenced the past, because every sensible man knows that every present somehow comes out of the tissues of ancient strength. Life was a touching and moving thing to him.

My next claim is that Jefferson was the greatest liberal who has ever appeared in American history. What is liberalism?

The root of the idea is respect for the dignity and worth of the individual. It stands for the pursuit of social good instead of the protection of privileged classes. It stands for the subordinating to the judgment of the individual man all arbitrary claims of external authority, ecclesiastical or constitutional. Practically, liberalism is trust in the people. Its aim is to give the people a chance to make themselves fit to be trusted.

Gladstone once defined liberalism as trust in the people tempered by prudence, and conservatism as distrust in the people tempered by fear. The phrasing is Disraelian, but the idea is Gladstonian. The true test of all liberalism in this world is to persuade men to obey the law rather than to force men to compliance with the law.

The supreme foe of liberalism is intolerance. A scheme of society in which intolerance prevails—and there are some ugly instances of its appearance in American life to-day—a scheme of society in which men can not deliberately seek the truth and then fearlessly and reverently proclaim it to the world is a society branded with the deepest infamy possible to the human spirit and one that brave men should unite to crush.

The deadliest blow ever delivered against intolerance in America was the statute of Virginia for religious freedom. All intelligent men have heard about that statute. I had been talking about it all my life, but not long ago I decided to look it up in its original form. I got out of our library Old Henning's Statutes, printed 120 years ago, and looked at it. I have not had such an intellectual and spiritual thrill in 25 years. I had pictured it as a formal thing, "The House of Delegates of Virginia do enact," so and so; but here is what I saw before my eyes, and it thrilled me then and thrills me to-night: "Whereas Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in His almighty power to do;" and so on for another page of magnificent, eloquent, and glorious defense of the principle of mental liberty, as even more important than physical freedom.

There is an immense ignorance about the religious views of Jefferson. Some of our great-grandmothers and great-grandfathers thought he was a wicked infidel. He was not at all. He was a reverent man. He was a Unitarian. "I never attempted to make a convert nor wished to change another's creed," Jefferson once said. "I have judged of others' religion by their lives, for it is from our lives and not from our words that our religion must be read. By the same test must the world judge me."

My fourth claim is that Thomas Jefferson was the first great American democrat. What is a democrat? No word is so generally used and so little understood. Pasteur's definition suits me best: "Democracy is that order in the state in which every man"—and now he would say "every woman"—"has a chance to make the most of himself or herself, and knows that he has the chance."

Thomas Jefferson never defined it, for he was too busy promoting it. His essential definition of democracy was something like this: "You can trust men if you will train them." He had a certain mystic faith in the ultimate rectitude of human impulse. He was a great philosophical democrat.

I think he did not enjoy individual men as much as John Marshall did, but, like Woodrow Wilson, he would have gone to the stake to insure liberty and freedom to all men. He did not particularly care to stop and talk with Tom Jones, on the roadside; and in that he was mistaken, for Tom is a very interesting fellow. Jesus Christ loved to talk to Tom along the Judean highways; and Socrates spent all day every day talking to him; and John Marshall, though he did not have a bit of faith in Tom's ability to govern himself or anybody else, wanted nothing better than to pitch horseshoes with him, in the tavern yard.

But Jefferson gave a winged soul to democracy, and as a result it has been, with the natural sciences, the one thing that has never stopped growing for a minute since his day until 1914. I think there has been a little eclipse of democracy since then. Men sneer sometimes at the phrase "Making the world safe for democracy." Of course, the man that does it would sneer at relativity if you gave him a chance, because he does not know anything about either one of them. But it is true that democracy is less prowerful, less appealing, than it was 10 years ago. This is the way the human spirit acts after great emotional climaxes, such as the world has passed through since 1914. It tends to get shamefaced before its dreams and ideals.

Now the last point I bring to your attention is that Thomas Jefferson was a man of imagination, and a great poet. I do not mean that he wrote verse. He may have. I do not know it. His epitaph is a great epic poem. When democratic pilgrims come down to Charlottesville they will read it. It is almost the most sentimental and poetic thing in human history. He wrote it himself, and we have the original writing in our archives:

"Here was buried Thomas Jefferson,
Author of the Declaration of American Independence,
of the Statute of Virginia for Religious Freedom,
and Father of the University of Virginia."

Let it be noted that he here omits everything the people did for him and mentions only what he did for the people. Note that he did not say "founder of the university." He had a tenderness for the university as of a father for a child. Let it be remembered, too, that the man who wished to be remembered as the "father of the University of Virginia" was also in more than one sense the father of all the State universities which play such an important part in the education of the American democracy. Jefferson loved beauty. As a child, in a little valley at the foot of the hill upon which Monticello stands, he was wont to look up at the hill and say to his playmate, Dabney Carr, "One day I shall build my home on that hill." And he cherished that hope through all the turbulent years. Jefferson saw beauty as an asset and an ally of democracy, tempering its roughness and its strength. He believed beauty one of the greatest necessities of democ-

racy, and so do I. I never pass the Public Library in New York without looking at that glorious sentence inscribed on its walls:

"Beauty, old yet ever new, eternal voice, and inward word."

Visitors to Monticello will find it beautiful. They will find the University of Virginia beautiful, too. Nature has surrounded it with beauty and art, under his guiding hand, has clothed it with distinction, and it lies there on its green lawn one of the most perfect architectural compositions in all the world. I never go to my office in the morning in any season without a certain thrill as my eyes rest upon the university lawn. In the sober dignity of autumn, in the green freshness of spring, in the witchery of white winter, there it lies, exhibiting something of "the glory that was Greece and the grandeur that was Rome." And I venture to say that all the sons of the university realize that one of the most practical things at work upon their lives at that institution is the antique and everlasting beauty that Thomas Jefferson stamped upon it. I notice the reaction to this vision of beauty of country boys who come there from little villages, little backwaters of the world, who have seen nothing beautiful, and when they walk about those gracious spaces, with all that measured Hellenic beauty lying around them, they suffer a sea change, and something rich and strange appears in their faces and their demeanor.

The most moving and sentimental thing, to my mind, in all American history is the picture of the old octogenarian, disillusioned by age and glory and high station of all the pomps and vanieties of the world, watching the slow rising walls of the university which he was dreaming of building there and later tottering over its lawn with Lafayette, showing him his hope for the new generation, dedicated to the democratic faith. I recently found a letter which he wrote to Madison, an extract from which I believe Americans would care to hear:

"Crippled wrists and fingers," he said, for he had broken his wrist in France, "make writing slow and laborious, but while writing to you I lose the sense of these in the recollections of ancient times when youth made health and happiness out of everything. I forget for a while this hoary winter of old age, when we can think of nothing but how to keep ourselves warm by the fire and how to get rid of our heavy penalties until the friendly hand of death shall rid us of it all at once. Against this 'tedium vitæ,' however, my dear friend, I am now fortunately mounted on a hobby, which, indeed, I mounted some 30 or 40 years ago, but whose amble is still sufficient to give exercise and amusement to an octogenarian writer. This is the establishment of a university for the education of all succeeding generations of youth in this Republic."

Let us not fail in this new civilization, but in this oldest and most stable Government on earth, to do all that ought to be done to protect the fame and teachings of Thomas Jefferson, the great apostle of the liberal faith in America. Thomas Jefferson belongs of right to that great company of immortal liberals of all lands who each in his time contributed to the slow majestic march of man from animalism to spirit, and from mere tribalism to corporate genius and power. He belongs with Benjamin Franklin and John Adams, with Pasteur and Madison, with Gladstone and John Morley, with Abraham Lincoln and Woodrow Wilson. Thomas Jefferson is the titular saint of the Democratic Party, but strange to relate he has been the titular saint of the Republican Party as well, at least until the Civil War and the hatreds and passions of the reconstruction era and the problems of a fierce industrialism tended to change its aims and policies; and he is likely to be the titular saint of all parties yet to be born that hark back to individual opportunity and freedom. In the first platform of the Republican Party, in 1855 and again in 1860, the first plank declared faith in the principles promulgated in the Declaration of Independence and the present Republicans of America derived their soundest tradition from the revolutionary republicanism of Thomas Jefferson. In a noteworthy book by Arthur N. Holcombe, of Harvard University, entitled "The Political Parties of To-day," this theory is thus in part lucidly set forth:

"The logical foundation of the Republican Party was laid by Thomas Jefferson just 70 years before its actual appearance. The resolution which he introduced into the Congress of the United States in 1784, for the organization of territorial governments in the great empty regions of the West which the larger States had recently ceded to the Union, was designed to prevent the extension of slavery into any of those regions."

Jefferson's appeal for fame and recognition rests not upon the honors that fell to him but upon the calm authorship of great works for the benefit of posterity and his fellow men. No one can deny that he remains a creative force in American life. As old James Parton once observed (Parton's life still remains the most interesting portrayal of his career): "If Jefferson was wrong, America is wrong. If America is right, Jefferson was right." In the experiment with democracy in the nineteenth century and in this portion of the twentieth century must lie his vindication or his doom. Liberal education, liberal politics, liberal religion; a free press; faith in the simple arts of peace, in science, in material progress, in popular rôle; foreign friendship without foreign alliance; State rights and State responsibilities, this is modern America and this is Jeffersonianism. If the tendency away from legitimate State rights shall be checked, if the tendency toward intolerance shall be halted, if war shall indeed cease to be an instrument of national policy, if faith in the justice and rectitude of enlightened public opinion shall hold sway in this Nation, no greater persuasive force exists than the personal example and political philosophy of Thomas Jefferson.

Abraham Lincoln, that lonely, patient genius of democracy, the present titular saint of the Republican Party, into whose homely face Saint-Gaudens has carved the struggle of the people to higher things, had the habit of quoting Thomas Jefferson more often, perhaps, than any other statesman—it is clear that Jefferson was Lincoln's chief political mentor. Indeed, he said as much in definite terms, and I want to close this speech in the words of Lincoln, set forth in a letter written by him to certain citizens of Massachusetts who had invited him to attend a festival in Boston on April 13, 1859, in honor of the one hundred and sixteenth birthday of Thomas Jefferson:

"All honor to Jefferson, to the man who in the concrete pressure of a struggle for national independence by a single people had the coolness, foresight, and sagacity to introduce into a merely revolutionary document an abstract truth, applicable to all men and all times, and so to embalm it there, that to-day and in all coming days it shall be a rebuke and a stumbling block to the very harbingers of reappearing tyranny and oppression."

THE CALENDAR

The PRESIDING OFFICER (Mr. JONES in the chair). The calendar under Rule VIII is in order.

The next business on the calendar was the bill (S. 1133) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended.

Mr. COPELAND. Mr. President, may I say to my genial friend from Oregon [Mr. MCNARY] that we are making real progress in the adjustment of the differences between the Agricultural Department and myself, and I hope very soon to be able to report to him and to the Senate. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor was announced as next in order.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. BROOKHART. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 49) authorizing Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

Mr. METCALF. Let that go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. JOHNSON. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

The PRESIDING OFFICER. Let that go over.

The joint resolution (S. J. Res. 20) to promote peace and to equalize the burdens and to minimize the profits of war was announced as next in order.

Mr. BLAINE. I ask that the joint resolution go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The resolution (S. Res. 206) requesting the Secretary of Commerce to furnish the Senate certain information respecting aircraft accidents since May 20, 1926, was announced as next in order.

Mr. PHIPPS. Let that go over.

Mr. MCNARY. Mr. President, I call the attention of the Senator from Connecticut to this resolution.

Mr. BINGHAM. What is the number, Mr. President? My attention was diverted for a moment.

The PRESIDING OFFICER. Senate resolution 206, Order of Business 151, introduced by the Senator from New Mexico [Mr.

BRATTON] requesting the Secretary of Commerce to furnish the Senate certain information respecting aircraft accidents since May 20, 1926.

Mr. BINGHAM. I ask that the resolution may go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (H. R. 6) to amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended, was announced as next in order.

Mr. METCALF. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2370) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia was announced as next in order.

Mr. PHIPPS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

DISTRICT POLICE FORCE AND FIRE DEPARTMENT

Mr. DILL. Mr. President, what happened to Senate bill 2370?

The PRESIDING OFFICER. It went over on objection.

Mr. DILL. I consented to that bill being replaced on the calendar previously, when it came up, on the request of the Senator from Connecticut [Mr. BINGHAM], with the assurance that he would prepare his amendments, and the bill would not be greatly delayed. I should like to know when we can take up this bill.

Mr. BINGHAM. Mr. President, I will say to the Senator that as soon as we get out of the way the District of Columbia appropriation bill, which we have been considering, I might say, morning, noon, and night, this measure will have my next attention. The consideration of the District appropriation bill, and the hearings on it, have lasted much longer than we had expected, and the trips of inspection we have had to make have occupied our mornings, so that the subcommittee in charge of that bill have been unable to give attention to any of their own personal matters, and the same situation exists now that existed at the time the Senator from Washington so kindly yielded to my request. We hope to have that matter out of the way within the next two or three days.

It is our expectation that the subcommittee will finish its consideration of the bill to-morrow and be able to report it to the Senate on Saturday or Monday. As soon as that is out of the way, I assure the Senator, there will be no desire to delay this matter at all.

Mr. DILL. Mr. President, the Senator realizes that the session is passing, and one of these days, when we get the tariff bill out of the way, we are going to adjourn. I am very anxious to get this matter up and consider the Senator's amendment.

Mr. COPELAND. Mr. President, may I ask the Senator from Connecticut whether he will be ready within a week to consider the amendments to this police pay bill, so that we may take action?

Mr. BINGHAM. I certainly expect that to be the case. I do not see any reason why it should take even that long.

Mr. COPELAND. Would the Senator be willing, when the calendar comes up on Monday, that we should take up the bill?

Mr. BINGHAM. If the Senator will only give me time to finish with the consideration of the District of Columbia appropriation bill I assure him and the Senator from Washington that the bill in which they are interested will have careful attention immediately following that.

Mr. COPELAND. Then I understand the Senator from Connecticut is willing that within a few days, as soon as the District of Columbia appropriation bill is out of the way, he will prepare his amendments so that we may take up the bill?

Mr. BINGHAM. That is so.

Mr. COPELAND. I thank the Senator.

PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

The bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CAPPER. Mr. President, it is my understanding that the junior Senator from Virginia [Mr. GLASS] would like to have this bill returned to the Committee on the District of Columbia. The bill was reported by the junior Senator from Wisconsin [Mr. BLAINE], who is not here now, and I will therefore ask that it be passed over temporarily.

The PRESIDING OFFICER. Objection is made.

Mr. GLASS. I understood that the committee itself asked that the bill be returned.

Mr. CAPPER. No; the committee has not made any such request, but I understood that the Senator from Virginia, and possibly some other members of the committee, wanted to have it returned.

Mr. GLASS. It was my understanding that the committee formally requested that the bill be returned.

Mr. CAPPER. Mr. President, the Senator from Wisconsin [Mr. BLAINE] reported the bill, and he thought the differences might be worked out on the floor; he knew of no reason why it should be returned to the committee.

Mr. GLASS. My understanding very distinctly was that the committee unanimously agreed to authorize the chairman of the committee to ask for the return of this bill.

Mr. CAPPER. There was no action taken in the committee.

Mr. GLASS. There was this action taken: The chairman of the committee, presiding, said, "If there is no objection, the chairman will ask for the return of the bill for further consideration," and there was no objection; and I understood that to be the order of the committee.

Mr. CAPPER. No; there was no order of the committee; but if the Senator from Virginia wishes to have the bill returned to the committee, I will make the request.

Mr. GLASS. I do.

Mr. CAPPER. I ask that Senate bill 3558 be returned to the committee for further consideration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PILGRIMAGE OF GOLD-STAR MOTHERS

The PRESIDING OFFICER (Mr. JONES in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate insist upon its amendments disagreed to by the House, agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BAIRD, Mr. SULLIVAN, and Mr. SHEPPARD conferees on the part of the Senate.

AIRPORT FOR THE DISTRICT OF COLUMBIA

The bill (S. 3901) to establish a commercial airport for the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 2, line 3, to strike out the words "fee simple title to which lands and the improvements thereon shall be acquired, in the name of the United States, by the National Capital Park and Planning Commission by purchase, condemnation, or otherwise" and to insert in lieu thereof the words "the use of which lands shall be acquired by purchase, condemnation, or otherwise by the National Capital Park and Planning Commission, on such terms as may be most favorable to the Government: *Provided*, That for any land and improvements acquired in fee simple the title shall be in the United States," so as to make the bill read:

Be it enacted, etc., That a commercial airport for the District of Columbia shall be developed and maintained by and under the jurisdiction and control of the Commissioners of the District of Columbia upon the following site:

(1) The lands embracing the properties known as Washington Airport and Hoover Field and any other lands within the area situated adjacent to the right of way of the Washington & Virginia Railway on the south and east, the Boundary Channel on the north, and the United States agricultural experimental farm and the right of way of the Rosslyn branch of the Philadelphia, Baltimore & Washington Railroad on the west, the use of which lands shall be acquired by purchase, condemnation, or otherwise by the National Capital Park and Planning Commission, on such terms as may be most favorable to the Government: *Provided*, That for any land and improvements acquired in fee simple the title shall be in the United States;

(2) The lands comprising that portion of the public highway known as Military Road (running from the southern terminus of the Highway Bridge to the Arlington Cemetery) which is contiguous to Washington Airport;

(3) So much of the lands situated east of the right of way of the Rosslyn branch of the Philadelphia, Baltimore & Washington Railroad, north of Military Road, and west of Hoover Field, comprising part of the lands known as the United States agricultural experimental farm lands, set apart by the act of April 18, 1900, as amended, as the Com-

missioners of the District of Columbia may designate as necessary for the purposes of this act;

(4) So much of the lands known as Columbia Island situated east of Hoover Field and not included in the Arlington Memorial Bridge project or in the Mount Vernon Memorial Highway project, as the Commissioners of the District of Columbia may designate as necessary for the purposes of this act; and

(5) The lands comprising the bed of that portion of Boundary Channel which lies between and separates Hoover Field and the southeasterly end of Columbia Island. The commissioners are hereby authorized to fill said portion of Boundary Channel, notwithstanding the provisions of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1899, as amended.

Whenever it becomes necessary to acquire by condemnation proceedings any lands referred to in paragraph (1) such acquisition shall be under and in accordance with the provisions of the act entitled "An act to authorize condemnation of land for sites of public buildings, and for other purposes," approved August 1, 1888, as amended. No payment shall be made for any such lands until the title thereto in the United States shall be satisfactory to the Attorney General of the United States.

SEC. 2. Jurisdiction and control of the lands referred to in paragraphs (2), (3), (4), and (5) of section 1 is hereby transferred to the Commissioners of the District of Columbia, and jurisdiction and control of the lands referred to in paragraph (1) of section 1 shall be transferred to said commissioners at such time as the United States shall acquire title to such lands. The commissioners shall develop all such lands for use as a commercial airport, and shall maintain the lands in such condition, and provide for the furnishing of such facilities, service, fuel, and other supplies as are necessary to make the lands available for public use as an airport of such rating as shall be prescribed by the Secretary of Commerce pursuant to the authority vested in him by the air commerce act of 1926, as amended. The commissioners shall make reasonable regulations, to take effect upon approval by the Secretary of Commerce, to govern the use of such airport, but all departments and agencies of the United States operating aircraft shall have free and unrestricted use of the airport, and, subject to the consent and approval of the commissioners, may erect and install thereon such structures and improvements as the heads of such departments and agencies deem advisable, including facilities for maintaining supplies of fuel, oil, and other materials for operating aircraft. Whenever the President may deem it necessary for military purposes in time of war, the Secretary of War may assume full control of such airport.

SEC. 3. The Secretary of War is authorized and directed to acquire, by purchase, condemnation, or otherwise, title to such lands in the vicinity of the airport established by this act as may be necessary in order to reroute the whole or any part of Military Road, and to construct and maintain a roadway thereon, if, in the opinion of the Secretary of War, the public interest and convenience require such rerouting.

SEC. 4. There is hereby authorized to be appropriated, out of the general funds in the Treasury, the sum of $2,500,000 to carry out the purposes of this act. All sums expended during any fiscal year from appropriations pursuant to such authorization shall be repaid without interest to the United States, from any funds in the Treasury to the credit of the District of Columbia, in 10 annual equal installments commencing the next following fiscal year.

Mr. DILL. Mr. President, I do not want to object to the consideration of the bill—I did object to it before—but I wish the Senator from Connecticut would explain a little bit about it.

Mr. BINGHAM. I shall be very glad to. Will the Senator indicate any particular part of the bill he desires to have explained? I want to get the bill through as rapidly as possible, because it is holding up parts of two other projects—the Memorial Highway to Mount Vernon and the Memorial Bridge—which are both involved with that part of the Virginia shore that would be affected by this bill.

Mr. DILL. Mr. President, the real objection that has been made to me is that the bill proposes to locate this field directly in front of the Arlington Cemetery. I want to ask whether there is any other location within reasonable distance from the center of the city where the field could be located without putting it directly in front of the Arlington Cemetery?

Mr. BINGHAM. Mr. President, the nearest location next to the one recommended by the joint commission is the so-called Gravelly Point site, which is about half a mile farther away from the cemetery than this is.

May I say to the Senator that the site selected by the joint commission is the site now occupied by two airports, one called the Washington Airport and the other called Hoover Field, from which in the last calendar year more than 75,000 tourists were flown into the air to see Washington from the air, and, so far as I was able to observe—and I have been pretty careful in observing the motion of aircraft there—very few of those planes actually fly over the cemetery, because the winds are usually up and down stream, and therefore it is not necessary for planes taking off from that field to pass over the cemetery.

Of course, it is true that to-day planes repeatedly fly, at a considerable elevation, over the cemetery, and there is a certain amount of objection to that feature, but I do not believe it can be prevented, even if we do not have this site for the municipal airport.

Mr. McKELLAR. Mr. President, how close will this be to the scenic highway from Washington to Mount Vernon which is to be built within the next few years?

Mr. BINGHAM. The Memorial Highway, from the end of the Memorial Bridge to Mount Vernon, will pass along the river bank. There is an island, which has recently in the last few years been constructed by dredging operations, called Columbia Island, part of which is intended to be used in connection with the present privately owned airports as part of the municipal airport.

The highway about which the Senator inquires is to go along the river bank, as a margin to the field; in other words, the field adjoins the highway.

Mr. McKELLAR. For what distance; half or three-quarters of a mile?

Mr. BINGHAM. Not as much as that. My recollection is that it is about a third of a mile.

Mr. McKELLAR. I am wondering what effect it will have on the highway itself for the airport to be so close to the highway.

Mr. BINGHAM. It is our expectation that the municipal airport will be an attractive looking park, with attractive buildings, and will be an addition to the highway; in fact, that it will improve the entire neighborhood.

The Senator knows that at the present time there is a pawn shop owned there just at the end of the bridge, which is unsightly, an eyesore. This bill contemplates the condemnation of that property and throwing it into the airport. We believe it will improve the view from the roadway and will not interfere with the bridge or the highway in the slightest particular.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DILL. Mr. President, what is the status of this legislation in the House?

Mr. BINGHAM. A similar bill has been introduced in the House and referred to one of the House committees. I was told by the Representative who, as a member of the joint commission, introduced the bill in the House, that as this bill was on the Senate calendar, the House committee would prefer to consider our bill in such form as the Senate might amend it and send it over.

Mr. DILL. I notice the bill authorizes an appropriation of two and a half million dollars. Is that expected to cover all the cost of acquiring the land and improving the land?

Mr. BINGHAM. It is so hoped. It is hoped that the cost of the land which will have to be bought will not amount to more than $1,500,000.

Mr. DILL. What about the maintenance of it? Who is to pay for that?

Mr. BINGHAM. That will have to be worked out by the commission. The experience of other municipal airports, notably that of the airport at Oakland, Calif., is that under proper regulations in regard to charges, the cost of maintaining the airport is met by the charges to the companies which use it and the planes which land there and take off from it.

Mr. DILL. Do I understand that Government planes may use it also in time of peace?

Mr. BINGHAM. The Government planes may land there without paying any charge. There will be no necessity for the War Department or the Navy Department to use it, and there is room for the flying activities of the Commerce Department on the new field to be acquired by the War Department. In time of war it may be taken by the Government.

If the commissioners choose to grant permission to any Government department to erect a building there, that may be done, but only in case the commissioners so decide.

Mr. HEFLIN. Mr. President, how much of this land is owned by the Government?

Mr. BINGHAM. About half of it.

Mr. HEFLIN. How many acres in all will be devoted to this project?

Mr. BINGHAM. The project as designed by the engineers, approved by the joint commission, contemplates about 280 acres, which is just large enough to come under a 1-A rating of the Department of Commerce for airports.

Mr. HEFLIN. It appears that we are going to pay a very magnificent price for the land over there which does not belong to the Government.

Mr. BINGHAM. Mr. President, I will say to the Senator that the commission did not act upon this until the representatives of the owners of the two airports now in operation there came before us and assured us of their willingness to submit their books to the audit of officials of the government of the District of Columbia, or of the Park and Planning Commission, and to give us the land for what it had cost them, with improvements, plus 10 per cent; so that there will be no extravagant gain on anybody's part in connection with it.

Mr. HEFLIN. If the Government is not going to use this airport, if the Army and the Navy are not going to use it, who is going to use it?

Mr. BINGHAM. It is to be used just as any municipal airport is used, by visitors coming to the city, and by the business men of the city. There are at the present time in construction or finished in the United States over 3,000 municipal airports, in addition to and quite apart from any Army and Navy airports or air fields.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BINGHAM. I said a few moments ago that the two fields there now were used by over 75,000 persons last year in merely taking flying trips over Washington.

Mr. McKELLAR. What proportion of the expenses is to be borne by the city of Washington?

Mr. BINGHAM. According to the provisions of the bill, the District will bear the total expense of the purchase of the land and the construction of the buildings, to be paid in 10 annual installments following the expenditure of the money, which will be loaned to them by the Federal Government without interest, the Federal Government contributing the part of the land which it now owns.

Mr. McKELLAR. Is that provided for in the bill? I have not had time to look it over.

Mr. BINGHAM. Yes; it is provided for in the bill.

Mr. McKELLAR. I wish the Senator would let the bill go over and let us examine it.

Mr. BINGHAM. It has been on the calendar for some time. The joint commission gave it very careful consideration and study over a period of a great many months. There is need for present consideration of the bill, because if the Senate or the Congress is not going to take this action it will make a considerable difference in the plans for the Memorial Bridge and the Memorial Highway. If we are going to do it, these plans ought to be altered accordingly. In view of the importance of the two memorial projects there is need for promptness in putting the matter through.

Mr. McKELLAR. Does the bill have the unanimous report of the committee?

Mr. BINGHAM. The bill was unanimously reported by the joint commission composed of five Senators and five Representatives.

Mr. McKELLAR. What about the Committee on the District of Columbia? Is it a unanimous report from that committee?

Mr. BINGHAM. I understand so.

The VICE PRESIDENT. The Senator's time has expired under the rule.

Mr. VANDENBERG. Mr. President, I think the question of the Senator from Tennessee goes to a very important phase of the matter. First, the Airport Commission, which consisted of five Senators and five Representatives, the five Senators being the Senator from Washington [Mr. JONES], the Senator from Connecticut [Mr. BINGHAM], the Senator from Michigan, myself, the Senator from Alabama [Mr. BLACK], and the Senator from Maryland [Mr. TYDINGS], joining with five Congressmen, put in a year's study of the problem and came to the unanimous conclusion, after a survey of every possible, conceivable suggestion for a municipal airport in the city of Washington, that this is the best and most economical plan for the purpose of producing an A–1 airport with the least possible delay. The report of the commission was submitted to the Committee on the District of Columbia and that committee unanimously reported it to the Senate. Really I know of no piece of legislation which has had a more varied, a more general, a more conscientious, and a more complete survey than this particular piece of legislation.

Mr. McKELLAR. Under the facts stated by the Senator from Michigan I shall not interpose an objection.

The VICE PRESIDENT. If there is no further amendment to the bill as in Committee of the Whole, it will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PATENTS FOR DISCOVERIES IN PLANTS

The bill (S. 4015) to provide for plant patents was announced as next in order.

Mr. BLACK. Over.

Mr. COPELAND. Mr. President, will the Senator withhold his objection for a moment?

Mr. BLACK. Very well.

Mr. COPELAND. The other day when the bill was called I joined in interposing an objection. Since then I have made a study of the bill and also of correspondence which I have had regarding it, somewhat voluminous in character. If my opinion is worth anything, I would like to say to the Senator from Alabama that I have come to the belief that this is a very worthy measure.

For instance, the Stark Delicious apple, to my mind, is one of the most delicious apples I have ever tasted. It is well named. It required years of effort in Missouri before the apple was developed. They now sell it under a bond that no one who has the trees may sell or give away any of the grafts. I have 100 of them on my farm. I think it is such a remarkable product that I feel extremely thankful that somebody had the energy to work out the development of the plant.

Undoubtedly a similar thing has happened many times. It happened in the experience of Mr. Burbank, of California. It does give incentive to horticulturists and those developing plant culture to find ways of developing fine fruits. For my part, I am very happy to join in support of the bill.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield.

Mr. McKELLAR. I will say that I have some misgivings about the bill, and especially about the provision of the bill allowing the regular patentee to go back for two years.

Mr. JOHNSON. Regular order!

The VICE PRESIDENT. The regular order is demanded, and the bill will go over.

Mr. COPELAND subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with the debate this morning on plant patents, some telegrams which bear on the importance of the measure.

The VICE PRESIDENT. Without objection, it is so ordered. The telegrams referred to are as follows:

NEW YORK, N. Y., *April 16, 1930.*

Senator ROYAL S. COPELAND,
United States Senate, Washington, D. C.:

We feel that patent plant bill very important to horticultural industry. The industry has long needed this very proper protection. We also feel that it would provide a great stimulus to American industry. We earnestly request your support.

STUMPP & WALTER CO.

WESTBURY, LONG ISLAND, N. Y., *April 16, 1930.*

United States Senator ROYAL S. COPELAND:

The Townsend-Purnell plant patent bill is of great importance to everyone interested in horticulture. It will provide protection and an incentive for those who produce worth-while plants. We hope you will give it your support.

HICKS NURSERIES.

NEW YORK, N. Y., *April 16, 1930.*

Senator ROYAL S. COPELAND,
United States Senate Chamber:

The entire agricultural and fruit interests in New York State are vitally interested in the Townsend plant bill which gives encouragement and protection in new developments of new fruits and plants. Every botanist in America will have an added reason for developing the wonderful products of field and orchard under the protection of this bill. Your support will be greatly appreciated.

FRUITMAN'S GUIDE.
J. P. STEWART, *Editor.*

BROOKLYN, N. Y., *April 16, 1930.*

Senator ROYAL S. COPELAND,
Washington, D. C.:

Townsend bill on plants is of deep interest to the fruit industry of this State, and will help agriculture and is a splendid opportunity to improve the farmers' position and will increase employment on the farm.

JOSEPH SICKER,
Chairman of the International Applechip Association.





ROCHESTER, N. Y., *April 16, 1930.*

Hon. ROYAL S. COPELAND,
United States Senate:

We believe that the Townsend-Purnell plant patent bill will benefit the nursery and other agricultural interests, and think this the general sentiment among nurserymen. The bill provides encouragement for their financial returns from research and production of new and valuable varieties of plants. We ask your support.

CHASE BROS. CO.

NEW YORK, N. Y., *April 16, 1930.*

Hon. ROYAL S. COPELAND,
United States Senate:

In view of the fact that the Townsend plant Patent Office bill now pending is of great importance to the agricultural and fruit interests and gives encouragement and protection to breeders of new improved plants in the same manner as the patent system protects mechanical inventors, we respectfully request your support for this bill, as it will provide an opportunity for the development of better varieties, which will mean much to the prosperity of agriculture of our State.

NEW YORK FRUIT EXCHANGE.

NEWARK, N. J., *April 16, 1930.*

Senator ROYAL S. COPELAND,
Senate Chamber:

Proposed Townsend-Purnell plant patent legislation very important to agricultural and horticultural interests of our country. Would lend far-reaching encouragement to agriculture and benefit general public, providing wonderful stimulus to American horticulture. Your support is urgently requested.

JACKSON & PERKINS CO., *Nurserymen.*

NEW YORK, N. Y., *April 16, 1930.*

Senator ROYAL S. COPELAND:

We understand that the Townsend plant bill is now before Senate, and in view of the fact that this bill is of vital interest to the agricultural industry in this State as well as the fruit and vegetable industry, the passing of this bill will make it an object on the part of the horticulturists to create new wonderful products and permit them to get the benefit of their labor the agricultural and fruit interests strongly ask that you support this bill.

PRODUCE NEWS,
H. R. PRESTON, *Editor.*

BILLS AND RESOLUTION PASSED OVER

The bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression, and the bill (S. 3061) to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, were announced as next in order.

The VICE PRESIDENT. Those bills, being a special order, will be passed over.

The resolution (S. Res. 227) to amend the Senate rules so as to abolish proceedings in Committee of the Whole on bills, joint resolutions, and treaties was announced as next in order.

Mr. JOHNSON. Over.

The VICE PRESIDENT. The resolution will be passed over.

QUOTA PREFERENCES IN IMMIGRATION

The bill (S. 1455) to amend the immigration act of 1924 in respect of quota preferences was announced as next in order.

Mr. TRAMMELL. Over.

Mr. COPELAND. Mr. President, will the Senator withhold the objection for a moment?

Mr. TRAMMELL. Very well.

Mr. COPELAND. This bill was given long and very serious attention and there were several hearings before the Committee on Immigration. Representatives of the department appeared and various amendments were suggested. The bill came forth as a result of those deliberations. It means that within the quota of any country two persons may be brought in or be given preference for admission to the United States for permanent residence here. They must be persons who have peculiar training in executive, administrative, or supervisory work. An example which was used several times before the committee is the rayon industry, which was developed abroad, and it was necessary, in order that it might be brought here and given effective activity in our country, to bring some experts from abroad. Sometimes they have been brought in by subterfuge or otherwise.

The bill permits only two and within the quota. It does not increase the quota. It means simply that of the number permitted under the quota two persons who have peculiar qualities making them valuable to the development of industry in the United States may be brought in after the Secretary of Labor has thoroughly investigated to find whether there are persons in our own country who have those qualifications.

Mr. TRAMMELL. I did not quite understand the bill. I appreciate the statement of the Senator and withdraw my objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Immigration with amendments, on page 2, line 5, to strike out "being trained and skilled in a particular art, craft, technique, business, or science, or in agriculture"; in line 7, after the words "engage in," to insert the words "executive, administrative, or supervisory"; in line 8, to strike out the words "so trained and skilled"; in line 15, to strike out the words "claiming to be so trained and skilled"; in line 19, to strike out the words "so trained and skilled" and insert "in executive, administrative, or supervisory work"; in line 23, after the words "United States," to insert "and such preference shall not be given to more than two such persons exclusive of their wives and dependent minor children in each instance"; on page 3, lines 5, 6, and 7, to strike out "Such determination by the Secretary of Labor shall constitute an exemption of the alien from the contract labor provisions of the immigration laws" and to insert in lieu thereof "The provisions of this act shall not be construed to modify, in any manner, the provisions of existing law relating to the importation into the United States of alien contract laborers," so as to make the bill read:

Be it enacted, etc., That paragraph (1) of subdivision (a) of section 6 of the immigration act of 1924, as amended, is amended to read as follows:

"(1) Fifty per cent of the quota of each nationality for such year shall be made available in such year for the issuance of immigration visas to the following classes of immigrants, without priority of preference as between such classes: (A) Quota immigrants who are the fathers or the mothers, or the husbands by marriage occurring after May 31, 1928, of citizens of the United States who are 21 years of age or over; (B) in the case of any nationality the quota of which is 300 or more, quota immigrants who are needed by bona fide employers to engage in executive, administrative, or supervisory work to perform which persons can not be found unemployed in the United States, or who are needed to engage in such work independently or as an employer in the United States, and the wives, and the dependent children under the age of 21 years, of such immigrants if accompanying or following to join them. Preference under clause (B) of this paragraph shall not be given to any alien unless the Secretary of Labor, upon application of any person interested and after full hearing and investigation of the facts in the case, determines that a bona fide employer needs persons in executive, administrative, or supervisory work and that such persons can not be found unemployed in the United States, or that it is desirable that such alien be admitted to work independently or as an employer in the United States, and such preference shall not be given to more than two such persons exclusive of their wives and dependent minor children in each instance. The Secretary of Labor shall inform the Secretary of State of such determination, and the Secretary of State shall then authorize the consular officer with whom the application for the immigration visa has been filed to grant the preference. The provisions of this act shall not be construed to modify, in any manner, the provisions of existing law relating to the importation into the United States of alien contract laborers."

SEC. 2. Section 1 of this act shall take effect July 1, 1929, except that the determinations thereunder by the Secretary of Labor may be made at any time after the enactment of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, at the request of the Senator from Colorado [Mr. PHIPPS], who is absent from the Chamber, I shall object to the present consideration of the bill.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, was announced as next in order.

Mr. McNARY. At the request of the Senator from Connecticut [Mr. BINGHAM], who is detained from the Chamber, I ask that the bill may be passed over.

The VICE PRESIDENT. The bill will be passed over.

SISSETON AND WAHPETON BANDS OF SIOUX INDIANS

The bill (S. 1372) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians was considered as in Committee of the Whole. The bill had been reported from the Committee on Indian Affairs with an amendment to strike out the preamble and, on page 4, line 12, to add a proviso, so as to make the bill read:

Be it enacted, etc., That an appropriation of $300,000 be, and the same is hereby, authorized to be paid, out of any money in the Treasury not otherwise appropriated, the same to be paid and disbursed to said Sisseton and Wahpeton Bands of Sioux Indians under the direction of the Secretary of the Interior with allowance for attorneys' fees in such amount as, in the discretion of the Secretary, shall to him seem just for services rendered in the prosecution of said claim, not exceeding 10 per cent of the amount hereby appropriated: *Provided*, That if the Secretary of the Interior shall find that any authorized attorney or attorneys, or any authorized agent or agents, of said bands of Indians rendered any services in the case of the Sisseton and Wahpeton Bands of Sioux Indians against the United States prior to the judgment of the Court of Claims rendered therein on April 23, 1923, the Secretary of the Interior shall fix the compensation for such prior services on such quantum meruit basis as to him shall seem reasonable, the same to be paid out of the appropriation herein authorized, at the same time that he shall pay the compensation he shall find to be payable to the authorized attorney or attorneys now representing said bands of Indians. The total amount of all attorneys' or agents' fees to be paid out of this appropriation shall in no event exceed the limitation herein provided.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The committee reported in favor of striking out the preamble, and it was stricken out.

Mr. WALSH of Montana subsequently said: Mr. President, my colleague [Mr. WHEELER] is interested in the bill (S. 1372) authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians, which was passed just a few moments ago, and has some views with respect to the matter which he desires to submit to the Senate. I ask unanimous consent that the action of the Senate whereby the bill was ordered to a third reading and passed may be reconsidered.

The VICE PRESIDENT. Is there objection?

Mr. NORBECK. Mr. President, I hope that action will not be taken. There has never been a bill before the Senate on which there has been such unanimous agreement with reference to the merits of the bill. I do not blame the junior Senator from Montana [Mr. WHEELER] at all for his objection. I understand the circumstances; but I hope the request of the Senator from Montana will not be granted.

Mr. WALSH of Montana. I want to say to the Senator from South Dakota that I know nothing myself about the merits of the bill, but my colleague is unavoidably absent this morning; he is engaged in important work, and he should have an opportunity at least to present whatever views he desires to present regarding the bill.

Mr. NORBECK. Let me say in answer to the Senator from Montana that his colleague has been here on two or three different occasions when this bill has come up, and he has had a chance to express himself.

Mr. WALSH of Montana. If the Senator objects, I shall be obliged to enter a motion to reconsider the vote by which the bill was passed.

Mr. NORBECK. If the Senator feels that deeply about it, I shall not object, but will let the bill go back to the calendar.

The VICE PRESIDENT. Without objection, the votes whereby the bill was ordered to a third reading, read the third time, and passed are reconsidered, and the bill will be returned to the calendar.

BILL PASSED OVER

The bill (S. 3619) to reorganize the Federal Power Commission was announced as next in order.

Mr. WALSH of Montana. Mr. President, in the absence of the Senator from Nebraska [Mr. NORRIS], I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

AMELIA ISLAND LIGHTHOUSE RESERVATION, FLA.

The bill (S. 3404) authorizing the Secretary of Commerce to dispose of a portion of the Amelia Island Lighthouse Reservation, Fla., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of Commerce is authorized to convey to the city of Fernandina, Fla., that portion of the Amelia Island Lighthouse Reservation, Fla., consisting of all that portion of section 12, township 3 north, range 29 east, Tallahassee meridian, lying north of the shell road running east from the city of Fernandina across section 12, consisting of 115.25 acres.

SEC. 2. The city of Fernandina, Fla., shall pay to the United States for the above-described property the sum of $5,762.50, or at the rate of $50 per acre.

SEC. 3. The Lighthouse Service shall retain a perpetual easement for beams of light from the Amelia Island Lighthouse, including the right to trim any trees and to limit the height of any structures erected on said property that may obstruct the rays of such light.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMISSIONED PERSONNEL OF COAST GUARD

The bill (H. R. 8293) to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the second proviso of section 1 of the act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929, is hereby amended by striking out the words "total service" in said proviso and substituting therefor the words "total commissioned service."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RANK AND PAY OF COAST GUARD COMMANDANT

The bill (H. R. 8637) to fix the rank and pay of the Commandant of the Coast Guard was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That hereafter the Commandant of the Coast Guard shall, while so serving, have corresponding rank and shall receive the same pay and allowances as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus of the Navy Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ST. CROIX RIVER BRIDGE, MINNESOTA

The bill (H. R. 9671) to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at or near Stillwater, Minn., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the St. Croix River, at or near Stillwater, Minn., authorized to be built by the State of Minnesota and the State of Wisconsin, by act of Congress approved February 13, 1929, are hereby extended one and three years, respectively, from February 13, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, HASTINGS, MINN.

The bill (H. R. 9672) to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Mississippi River, at or near Hastings, Minn., authorized to be built by the State of Minnesota, by the act of Congress approved January 14, 1929, are hereby extended one and three years, respectively, from January 14, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, CLEARWATER, MINN.

The bill (H. R. 9901) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by an act of Congress approved March 4, 1925, extended by acts of Congress approved February 26, 1926, February 16, 1928, and March 2, 1929, to be built by the State of Minnesota and the counties of Sherburne and Wright across the Mississippi River at or near the village of Clearwater, in the county of Wright, in the State of Minnesota, are hereby further extended one and three years, respectively, from February 16, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SCHUYLKILL RIVER BRIDGE, READING, PA.

The bill (H. R. 9931) granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the commissioners of Berks County, Pa., to construct, maintain, and operate a free highway bridge and approaches thereto across the Schuylkill River at a point suitable to the interests of navigation at or near the westerly end of Buttonwood Street in the city of Reading, Pa., and connecting at or near the easterly end of Valley Street in the borough of West Reading, in Berks County, Pa., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

YUMA AUXILIARY PROJECT, ARIZONA

The bill (S. 261) amending the act of January 25, 1917 (39 Stat. L. 868), and other acts relating to the Yuma auxiliary project, Arizona, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the lands in the Mesa division, Yuma auxiliary project, constructed and operated pursuant to the act of January 25, 1917 (39 Stat. L. 868), and acts amendatory thereof and supplementary thereto, shall hereafter be subject to sale in tracts of 10 to 160 acres at a price to be fixed by the Secretary of the Interior and the estimated cost of constructing and providing the necessary works for the irrigation of said lands.

SEC. 2. That the purchase price of land and water right hereafter sold shall be paid to the United States in 40 equal annual installments, the first of which shall be due and payable at the date of purchase and the remaining installments annually thereafter until paid. No interest shall be payable on the amount represented by the first 10 installments, but interest at the rate of 4 per cent per annum shall be payable annually on the indebtedness represented by installments 12 to 40, inclusive, after the end of the tenth year from the date of sale. All installments unpaid when due shall bear interest at the rate of 6 per cent per annum from the date of default until paid. Contracts of six months or more in default on any installments or interest payment shall be subject to cancellation and the forfeiture of all payments made thereon: *Provided*, That the Secretary of the Interior is authorized at any time within one year from the date this act becomes effective to amend any existing uncompleted contracts for the purchase of land and water rights purchased pursuant to the act of February 21, 1925 (43 Stat. L. 962), so that the aggregate amount of the principal and interest remaining unpaid under such contract may be paid in 40 equal annual installments in accordance with the conditions of this act, beginning with the date of the amendatory contract.

SEC. 3. All acts and parts of acts in conflict with the provisions hereof are hereby repealed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

APPORTIONMENT OF WATERS OF NORTH PLATTE RIVER

The bill (S. 2863) granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Colorado, Nebraska, and Wyoming to negotiate and enter into compacts or agreements providing for an equitable division and apportionment between such States of the water supply of the North Platte River and of the streams tributary thereto and of other streams in which such Sates are jointly interested.

SEC. 2. Such consent is given upon condition that a representative of the United States, to be appointed by the President, shall participate in the negotiations and shall make report to Congress of the proceedings and of any compact or agreement entered into.

SEC. 3. No such compact or agreement shall be binding or obligatory upon either of such States unless and until it has been approved by the legislature of each of such States and by the Congress of the United States.

SEC. 4. The right to alter, amend, or repeal this act is herewith expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ERECTION AND MAINTENANCE OF OUTDOOR SIGNS, DISTRICT OF COLUMBIA

The bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to make and enforce such regulations as they may deem advisable to govern the erection, hanging, placing, painting, display, and maintenance of all outdoor signs and other forms of exterior advertising within the District of Columbia, and such regulations as may be promulgated hereunder shall have the force and effect of law.

SEC. 2. No person, persons, firm, or corporation shall engage in the business of erecting, hanging, placing, painting, or displaying any sign for outdoor display within the District of Columbia without first having obtained a license therefor from the superintendent of licenses of the District of Columbia, which license shall bear an identification number: *Provided*, That no license shall issue without the prepayment of $5 to the collector of taxes of the District of Columbia and an annual fee of $5 thereafter for each succeeding year. For good cause shown the Commissioners of the District of Columbia shall have the power to reject any application for a license hereunder, or, where license has been issued, to revoke it.

SEC. 3. That paragraph 39 of the act of July 1, 1902 (32 Stat. L., pt. 1, pp. 627–628), relating to billposters and signs, and the act of March 4, 1913 (37 Stat. L., pt. 1, p. 974), relating to the erection of real-estate signs in the District of Columbia, be, and the same are hereby, repealed.

SEC. 4. Any person, persons, firm, or corporation, whether as principal, agent, or employee, violating this act or any of the regulations promulgated pursuant to said act shall, upon conviction thereof in the police court of the District of Columbia, be fined not less than $5 nor more than $100 for each and every offense, and a like fine shall be imposed for each and every day thereafter that such violation of law shall continue: *Provided*, That the regulations promulgated hereunder shall be printed in one of the daily newspapers published in the District of Columbia, and no penalty prescribed for the violation of said regulations shall be enforced until 30 days after the publication of such regulations.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONTROL OF WATERS OF YAQUINA BAY AND RIVER, OREG.

The bill (S. 3898) granting the consent of Congress to the Mill Four Drainage District in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith was considered as in Committee of the Whole. The bill had been reported from the Committee on Commerce with amendments, on page 2, line 5, to strike out the word "and" and insert the word "are," and in line 12 to strike out the word "passing" and insert the word "approval," so as to make the bill read:

Be it enacted, etc., That the consent of Congress is granted to Mill Four Drainage District, organized under the laws of the State of Oregon, to construct, maintain, and operate at points suitable to the interests of navigation dams and dikes for preventing the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith.

Work shall not be commenced on such dams or dikes until the plans therefor, including plans for all accessory works are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they may deem necessary to protect the interests of the United States.

SEC. 2. The authority granted by this act shall terminate if the actual construction of the dams and dikes hereby authorized is not commenced within one year and completed within three years from the date of approval of this act.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF IRRIGATION ACT

The bill (H. R. 4291) to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to

grant certain other relief on the Federal irrigation projects, and for other purposes," was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes" (44 Stat. 636), be, and the same is hereby, amended to read as follows:

"SEC. 43. The payment of all construction charges against said areas temporarily unproductive shall remain suspended until the Secretary of the Interior shall declare them to be possessed of sufficient productive power properly to be placed in a paying class, whereupon payment of construction charges against such areas shall be resumed or shall begin, as the case may be. Any payments made on such areas shall be credited to the unpaid balance of the construction charge on the productive area of each unit. Such credit shall be applied on and after the passage and approval of this act, which shall not be construed to require revision of accounts heretofore adjusted under the provisions of this section as originally enacted. While said lands are so classified as temporarily unproductive and the construction charges against them are suspended, water for irrigation purposes may be furnished upon payment of the usual operation and maintenance charges, or such other charges as may be fixed by the Secretary of the Interior, the advance payment of which may be required, in the discretion of the said Secretary. Should said lands temporarily classed as unproductive, or any of them, in the future be found by the Secretary of the Interior to be permanently unproductive, the charges against them shall be charged off as a permanent loss to the reclamation fund and they shall thereupon be treated in the same manner as other permanently unproductive lands as provided in this act, except that no refund shall be made of the construction charges paid on such unproductive areas and applied as a credit on productive areas as herein authorized."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECOMMITMENT OF BILL

The bill (H. R. 8296) to amend the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes," was announced as next in order.

Mr. WALSH of Montana. Mr. President, I am under obligation to the Committee on Irrigation and Reclamation for making a favorable report on this bill. I was unable to attend the meeting of the committee at which it was considered, by reason of an engagement with another committee on important work there. There are, however, certain important considerations which I desire to present in connection with the bill which have not been presented, and accordingly I ask that the bill be recommitted.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AMERICAN FOREIGN TRADE CORPORATION

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7356) for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco, which had been reported from the Committee on Claims with an amendment, on line 7, after the word "of," to strike out "$54,810" and insert "$24,160," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the American Foreign Trade Corporation and Fils d'Aslan Fresco the sum of $24,160, in full compensation for losses sustained by consequences resulting from acts of the Government of the United States in the requisitioning of the ship *Navahoe*, under United States registry, at Odessa, Russia, on February 5, 1920.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BANDMASTERS IN THE ARMY

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1011) to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes, which had been reported from the Committee on Military Affairs with amendments, in section 6a, on page 2, line 4, after the word "major," to strike out "fourth pay period"; in line 5, after the word "shall," to insert "under the direction of the Secretary of War"; and in line 7, after the word "bands," to insert "and schools," so as to make the section read:

SEC. 6a. Chief bandmaster: A chief bandmaster shall be selected from among experienced Army bandmasters of the service by the Secretary of War, and shall have the assimilated rank, pay, and allowances of a major while so serving. He shall, under the direction of the Secretary of War, be charged with the duty for the uniform administration of all authorized Army bands and schools, and shall advise The Adjutant General on all matters relating to the musical organizations in the Army.

The amendment was agreed to.

The next amendment was, in section 6b, page 2, line 15, after the word "year," to strike out "first pay period"; in line 16, after the word "year," to strike out "second pay period"; in line 17, after the word "year," to strike out "third pay period"; at the beginning of line 19 to insert "as chief musician, master sergeant, warrant officers"; in line 21, after the word "the," to strike out "pay period" and insert "rank"; and on page 3, line 5, after the word "That," to strike out "band leaders now in the service who fail to pass the prescribed physical examination because of physical disability incident to the service and sufficient to prevent them from the performance of duty valuable to the Government shall be placed upon the retired list of the Army with 75 per cent of the pay to which they would have been entitled if appointed bandmasters as hereinbefore prescribed" and insert "no band leader shall suffer the loss of pay by reason of the provisions of this act," so as to make the section read:

SEC. 6b. Bandmasters: Bandmasters hereafter commissioned under the above section shall be entitled to the same benefits in respect to pay, allowances, and retirements as are applicable to commissioned officers of the various grades to which they are assimilated with, as follows: Less than 3 years, to rank with second lieutenants; 3 to 10 years, to rank with first lieutenants; over 10 years, to rank with captains. All prior active band-leader service as chief musician, master sergeant, warrant officers, commissioned and enlisted, shall be credited toward computing the rank present band leaders shall receive on first appointment. There shall be one bandmaster for each authorized band of the Army. Appointment as bandmasters shall be made, first, from band leaders now in the service who are found to be physically qualified; second, subject to such examination as the President may prescribe from noncommissioned officers and other enlisted musicians who have had at least 10 years' service in Army bands, with preference to such appointments to qualified graduates of the Army Music School: *Provided*, That no band leader shall suffer the loss of pay by reason of the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DEWITT & SHOBE

The bill (S. 2972) for the relief of DeWitt & Shobe was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to DeWitt & Shobe, of Glasgow, Mo., out of any money in the Treasury not otherwise appropriated, the sum of $8,296 in full settlement for extra work performed under contract dated May 15, 1912, for revetment work at Providence Bend, Missouri River, for which work the Government has received the benefit but for which no payment has been made, the facts in this claim being identical with the facts in the case of Fox & Bristol, allowed and paid by the Comptroller General (vol. 21, Compt. Gen. Dec., p. 750).

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CREW OF TRANSPORT "ANTILLES"

The bill (S. 1963) for the relief of members of the crew of the transport *Antilles* was considered as in Committee of the Whole and was read as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to examine and settle the claims of the crew of the transport *Antilles*, which was sunk in October, 1917, on the high seas by an enemy torpedo, for the value of private property lost by the sinking of said vessel, and to allow reimbursement of the value of said private property not exceeding the sum of $100 in any one case, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, sufficient sums, not exceeding in the aggregate $3,000, for the payment of such of these claims as may be allowed by the Comptroller General of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HAROLD L. LYTLE

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1756) granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927, which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the family of the late Harold L. Lytle, out of any money in the Treasury not otherwise appropriated, the sum of $3,500, in full settlement of all claims against the Government for hospital and medical expenses and loss of salary due to an injury he received in a collision with a Government truck in Portsmouth, N. H., on May 10, 1927.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

E. M. DAVIS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 671) for the relief of E. M. Davis, which was read, as follows:

Be it enacted, etc., That the Comptroller General is authorized and directed to credit the accounts of E. M. Davis, former postmaster at Cut Bank, Mont., in the sum of $174.33, representing the amount of postal funds lost by reason of the failure of the First National Bank of Cut Bank on January 1, 1921, and shown on final audit of his accounts as postmaster to be due the United States.

SEC. 2. That the surety on the bond of such E. M. Davis as postmaster is relieved of any liability on account of such loss.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WARREN J. CLEAR

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1979) for the relief of Warren J. Clear, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Warren J. Clear, captain, Infantry, United States Army, the sum of $737 in reimbursement for the loss by earthquake and fire of personal property in Tokyo, Japan, on or about September 1, 1923, while he was serving as an attaché, American Embassy, Tokyo, Japan.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. BURGESS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1702) for the relief of George W. Burgess, which had been reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "$255,231.86" and insert "$254,272.11," so as to make the bill read:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of George W. Burgess, postmaster at Pawtucket, R. I., in the sum of $254,272.11, the value of postage-stamp stock lost in the burglary of the post office at Pawtucket, R. I., February 1, 1926.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways was announced as next in order.

Mr. BLEASE. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, was announced as next in order.

Mr. COPELAND. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

CUSTER NATIONAL FOREST

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes, which had been reported from the Committee on Public Lands and Surveys, with an amendment, on page 2, line 1, after the numerals "287)," to insert the following proviso: "*Provided, however*, That the Secretary of Agriculture may, in his discretion, list limited tracts when in his opinion such action will be in the public interest and will not be injurious to other settlers or users of the national forest," so as to make the bill read:

Be it enacted, etc., That from and after the passage of this act no applications may be accepted by the Secretary of Agriculture for the classification and listing of any land in the Custer National Forest for homestead entry under the provisions of the act of June 11, 1906 (34 Stat. 233; U. S. C., title 16, sec. 506), nor shall any lands be so classified for entry under the provisions of the act of August 10, 1912 (37 Stat. 269-287): *Provided, however*, That the Secretary of Agriculture may, in his discretion, list limited tracts when in his opinion such action will be in the public interest and will not be injurious to other settlers or users of the national forest.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

HELENA NATIONAL FOREST, MONT.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4810) to add certain lands to the Helena National Forest in the State of Montana, which was read, as follows:

Be it enacted, etc., That the following-described lands be, and the same are hereby, added to and made a part of the Helena National Forest, in the State of Montana, and are hereafter to be administered subject to the laws and regulations relating to the national forests: North half and south half southwest quarter section 14, and north half and south half southwest quarter section 22, all in township 14 north, range 6 west, Montana meridian.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WESLEY A. HOWARD

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 413) authorizing the issuance to Wesley A. Howard of a patent for certain lands, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Wesley A. Howard, as transferee of Frank Bastien, patent for the lands covered by homestead entry No. Great Falls 054646, upon payment by such Wesley A. Howard, within 60 days from the date of the approval of this act, of the balance due upon such lands.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MONUMENT TO MARTIN CHARGER AND OTHER INDIANS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3051) authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifice and the service of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe, which had been reported from the Committee on the Library with amendments, on page 1, line 8, before the word "That," to insert "SEC. 1," and on page 2, after line 4, to insert:

SEC. 2. No funds shall be disbursed for this purpose until satisfactory assurances have been received by the Secretary of the Interior pledging the construction and maintenance of the necessary highway between the location of this monument and the nearest State highway.

So as to make the bill read:

Be it enacted, etc.—

SECTION 1. That the Secretary of the Interior is hereby authorized and directed to erect a memorial monument, the cost of which shall not exceed $5,000, to commemorate the extraordinary sacrifices and services of Martin Charger and 10 other Indians, commonly known as the fool soldiers, in rescuing Shetak captives on November 20, 1862. The sum of $5,000 is hereby authorized to be appropriated to defray the expenses of constructing such monument: *Provided*, That such memorial shall be erected upon the site where such rescue was effected.

SEC. 2. No funds shall be disbursed for this purpose until satisfactory assurances have been received by the Secretary of the Interior pledging the construction and maintenance of the necessary highway between the location of this monument and the nearest State highway.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNION SHIPPING & TRADING CO. (LTD.)

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 193) for the relief of the Union Shipping & Trading Co. (Ltd.), which was read, as follows:

Be it enacted, etc., That the claim of the Union Shipping & Trading Co. (Ltd.) against the United States of America for damages alleged to have been caused by a collision on April 25, 1918, near Pauillac, in the Gironde River, France, between the Spanish steamship *Consuelo* (at the time of the collision the British steamship *Reims*) and the American steamship *Berwind*, then in the transport service of the United States War Department, may be sued for by the said Union Shipping & Trading Co. (Ltd.) in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit (in accordance with the principles of libels in rem and/or in personam), and to enter a judgment or decree for the amount of such damages (including interest) and costs, if any, as shall be found to be due against the United States in favor of the said Union Shipping & Trading Co. (Ltd.) or against the said Union Shipping & Trading Co. (Ltd.) in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That at the trial of said suit the written report or reports concerning said collision made by the pilot, master, any officer or member of the crew of the steamship *Berwind*, who is not available to testify because he is dead or can not be found, may be admitted in evidence: *Provided further*, That such notice of the said suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OWNERS OF CARGO ON STEAMSHIP "BOXLEY"

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3641) for the relief of owners of cargo aboard the steamship *Boxley*, which was read, as follows:

Be it enacted, etc., That the claim of W. R. Grace & Co., owner of various shipments of merchandise which were laden on board of the steamship *Boxley*, at the time hereinafter mentioned, against the United States of America for damages alleged to have been caused by the unseaworthiness and negligence of the said steamship *Boxley* on her voyage from Iquique, Chile, to New Orleans, La., between the dates of January 5, 1920, and February 14, 1920, inclusive, may be sued for by the said owners of cargo in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty, and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of said cargo, or against the owners of said cargo in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OWNER OF AMERICAN STEAM TUG "CHARLES RUNYON"

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3726) for the relief of the owner of the American steam tug *Charles Runyon*, which was read, as follows:

Be it enacted, etc., That the claim of the Crew Transportation Corporation, owner of the American steam tug *Charles Runyon*, and/or the receiver and/or trustee of the said corporation against the United States of America for damages alleged to have been caused by collision between said vessel and the U. S. S. *Traffic* on or about the 6th day of May, 1919, at or near Pier C, navy yard, Brooklyn, N. Y., may be sued for by the said owner and/or receiver and/or trustee in the District Court of the United States for the Eastern District of New York, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of the said American steam tug *Charles Runyon* and/or receiver and/or trustee of aforesaid, or against the owner of the said American steam tug *Charles Runyon* and/or the receiver and/or trustee of said corporation, in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OWNERS OF CARGO ON U. S. TRANSPORT "FLORENCE LUCKENBACH"

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3727) for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918, which was read, as follows:

Be it enacted, etc., That the claims of all owners of various shipments of merchandise which were laden on board the U. S. transport *Florence Luckenbach*, at the time hereinafter mentioned, against the United States of America for damages alleged to have been caused by fire and by water used to extinguish fire on or about the 27th day of December, 1918, at Locust Point, Baltimore, Md., may be sued for by the said owners of cargo in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suits and to enter judgments or decrees for the amounts of such damages, including costs, if any, as shall be found to be due against the United States in favor of the owners of said cargo, or against the owners of said cargo in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notices of the suits shall be given to the Attorney General of the United States as may be provided by orders of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suits shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OWNER OF BARGE "CONSOLIDATION COASTWISE NO. 10"

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3728) for the relief of the owner of barge *Consolidation Coastwise No. 10*, which was read, as follows:

Be it enacted, etc., That the claim of the owner of barge *Consolidation Coastwise No. 10* against the United States of America for damages and loss alleged to have been caused by collision between the said barge and barge *Consolidation Coastwise No. 2*, when said *No. 10* was in tow of the United States Navy steam tug *Mohawk*, in or near Hampton Roads, Va., on or about the 24th day of October, 1918, may be sued for by the said owner of barge *Consolidation Coastwise No. 10* in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of barge *Consolidation Coastwise No. 10*, or against the owner of barge *Consolidation Coastwise No. 10* in favor of the United States, with the same powers as if said suit was brought in accordance with the provisions of the suits in admiralty act of March 9, 1920, and said decree or judgment shall be paid as provided in said act: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF INTERSTATE COMMERCE ACT AS AMENDED

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3141) to amend paragraph (11) of section

20 of the interstate commerce act, as amended, which was read, as follows:

Be it enacted, etc., That paragraph (11) of section 20 of the interstate commerce act, as amended, is hereby amended to read as follows:

"(11) That any common carrier, railroad, or transportation company subject to the provisions of this act receiving property for transportation from a point in one State or Territory or the District of Columbia to a point in another State, Territory, District of Columbia, or from any point in the United States to a point in an adjacent foreign country shall issue a receipt or bill of lading therefor, and shall be liable to the lawful holder thereof for any loss, damage, or injury to such property caused by it or by any common carrier, railroad, or transportation company to which such property may be delivered or over whose line or lines such property may pass within the United States or within an adjacent foreign country when transported on a through bill of lading, and no contract, receipt, rule, regulation, or other limitation of any character whatsoever shall exempt such common carrier, railroad, or transportation company from the liability hereby imposed; and any such common carrier, railroad, or transportation company so receiving property for transportation from a point in one State, Territory, or the District of Columbia to a point in another State or Territory, or from a point in a State or Territory to a point in the District of Columbia, or from any point in the United States to a point in an adjacent foreign country, or for transportation wholly within a Territory, or any common carrier, railroad, or transportation company delivering said property so received and transported shall be liable to the lawful holder of said receipt or bill of lading or to any party entitled to recover thereon, whether such receipt or bill of lading has been issued or not, for the full actual loss, damage, or injury to such property caused by it or by any such common carrier, railroad, or transportation company to which such property may be delivered or over whose line or lines such property may pass within the United States or within an adjacent foreign country when transported on a through bill of lading, notwithstanding any limitation of liability or limitation of the amount of recovery or representation or agreement as to value in any such receipt or bill of lading, or in any contract, rule, regulation, or in any tariff filed with the Interstate Commerce Commission; and any such limitation, without respect to the manner or form in which it is sought to be made is hereby declared to be unlawful and void: *Provided*, That if the loss, damage, or injury occurs while the property is in the custody of a carrier by water the liability of such carrier shall be determined by and under the laws and regulations applicable to transportation by water, and the liability of the initial or delivering carrier shall be the same as that of such carrier by water: *Provided, however*, That the provisions hereof respecting liability for full actual loss, damage, or injury, notwithstanding any limitation of liability or recovery or representation or agreement or release as to value, and declaring any such limitation to be unlawful and void, shall not apply, first, to baggage carried on passenger trains or boats, or trains or boats carrying passengers; second, to property, except ordinary livestock, received for transportation concerning which the carrier shall have been or shall hereafter be expressly authorized or required by order of the Interstate Commerce Commission to establish and maintain rates dependent upon the value declared in writing by the shipper or agreed upon in writing as the released value of the property, in which case such declaration or agreement shall have no other effect than to limit liability and recovery to an amount not exceeding the value so declared or released, and shall not, so far as relates to values, be held to be a violation of section 10 of this act to regulate commerce, as amended; and any tariff schedule which may be filed with the commission pursuant to such order shall contain specific reference thereto and may establish rates varying with the value so declared and agreed upon; and the commission is hereby empowered to make such order in cases where rates dependent upon and varying with declared or agreed values would, in its opinion, be just and reasonable under the circumstances and conditions surrounding the transportation. The term 'ordinary livestock' shall include all cattle, swine, sheep, goats, horses, and mules, except such as are chiefly valuable for breeding, racing, show purposes, or other special uses: *Provided further*, That nothing in this section shall deprive any holder of such receipt or bill of lading of any remedy or right of action which he has under the existing law: *Provided further*, That all actions brought under and by virtue of this paragraph against the delivering carrier shall be brought, and may be maintained, if in a district court of the United States, only in a district, and if in a State court, only in a State through or into which the defendant carrier operates a line of railroad: *Provided further*, That it shall be unlawful for any such receiving or delivering common carrier to provide by rule, contract, regulation, or otherwise a shorter period for the filing of claims than nine months, and for the institution of suits than two years, such period for institution of suits to be computed from the day when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice: *And provided further*, That for the purposes of this paragraph and of paragraph (12) the delivering carrier shall be construed to be the carrier performing the line-haul service nearest to the point of destination and not a carrier performing merely a switching service at the point of destination: *And provided further*, That the liability imposed by this paragraph shall also apply in the case of property reconsigned or diverted in accordance with the applicable tariffs filed as in this act provided."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KREMER & HOG

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1254) for the relief of Kremer & Hog, a partnership, which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Kremer & Hog, a partnership, for reimbursement of the sum of $146.14 on account of additional expenses incurred in placing a culvert under the tracks of the Chicago & North Western Railway Co. due to delay by the United States in furnishing corrugated pipe for said culvert under contract of January 10, 1928, for the construction of drains on the Belle Fourche Federal irrigation project, South Dakota, and to allow not to exceed $146.14 in full and final settlement of any and all claims arising under or growing out of said contract. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $146.14, or so much thereof as may be necessary, for payment of the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GULF REFINING CO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1255) for the relief of the Gulf Refining Co., which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to adjust and settle the claim of the Gulf Refining Co. for refund of rent erroneously paid on premises known as 401 Fifteenth Street NW., Washington, D. C., after claimant had vacated said premises on or before April 15, 1928, and to allow said claim in the sum of not to exceed $200. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200 for payment of said claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FEDERATION BANK & TRUST CO., NEW YORK, N. Y.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1256) for the relief of the Federation Bank & Trust Co., New York, N. Y., which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and allow the claim of the Federation Bank & Trust Co., New York, N. Y., in a sum not to exceed $2,710 on account of loans made under the World War adjusted compensation act of May 19, 1924, by the Federation Bank & Trust Co. to 29 World War veterans on their adjusted-compensation certificates, as shown in report dated April 30, 1929, of the Comptroller General of the United States to the Congress, and "The adjusted service certificate fund" created by section 505 of the act of May 19, 1924 (43 Stat. L. 128), is hereby made available to the extent of $2,710, to enable the Secretary of the Treasury to make payment of the claims when settled and allowed by the Comptroller General of the United States: *Provided*, That the Director of the United States Veterans' Bureau shall charge the respective loans to the respective adjusted service certificates in accordance with section 502 of the act of May 19, 1924 (43 Stat. L. 126).

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BEAVER VALLEY MILLING CO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1257) for the relief of the Beaver Valley Milling Co., which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized to settle and allow the claim of the Beaver Valley Milling Co., Des Moines, Iowa, in a sum not to exceed $418.10, as loss resulting from an error made in stating the estimated quantity of flour required for use at Camp Dodge, Iowa, during the period from August 1 to 26, 1928. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $418.10 for payment of the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN WILCOX, JR.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3577) for the relief of John Wilcox, jr., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $50 to John Wilcox, jr., a forest ranger employed on the Flathead National Forest, State of Montana, in payment for an automobile, which was destroyed by a forest fire in said national forest.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES R. SHEFFIELD

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3623) for reimbursement of James R. Sheffield, formerly American ambassador to Mexico City, which was read, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,876.23 to reimburse James R. Sheffield, formerly American ambassador at Mexico City, for expenses personally incurred by him in the fiscal years 1925 and 1926 for the completion, remodeling, and furnishing of the Government-owned embassy building in Mexico City.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALARIES OF INSPECTORS OF BOILERS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3845) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924, which had been reported from the Committee on Interstate Commerce with an amendment, in section 4, page 2, line 9, after the word "be," to strike out "$4,200" and insert "$4,000," so as to make the bill read:

Be it enacted, etc., That section 3 of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924, is hereby amended to read as follows:

"SEC. 3. That section 3 of said act is hereby amended so as to provide that the salary of the chief inspector shall be $7,500 per year, and the salary of each assistant chief inspector shall be $6,000 per year.

"SEC. 4. That section 4 of said act is hereby amended so as to provide that the salary of each district inspector appointed under said act shall be $4,000 per year."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INSOLVENCY OF FEDERAL RESERVE BANKS

The bill (H. R. 6604) to amend sections 6 and 9 of the Federal reserve act, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 6 of the act of December 23, 1913, known as the Federal reserve act (U. S. C., title 12, sec. 288), be amended and reenacted to read as follows:

"SEC. 6. If any member bank shall be declared insolvent and a receiver appointed therefor, the stock held by it in said Federal reserve bank shall be canceled, without impairment of its liability, and all cash-paid subscriptions on said stock, with one-half of 1 per cent per month from the period of last dividend, if earned, not to exceed the book value thereof, shall be first applied to all debts of the insolvent member bank to the Federal reserve bank, and the balance, if any, shall be paid to the receiver of the insolvent bank.

"If any national bank which has not gone into liquidation as provided in section 5220 of the Revised Statutes (U. S. C., title 12, sec. 181) and for which a receiver has not already been appointed for other lawful cause, shall discontinue its banking operations for a period of 60 days the Comptroller of the Currency may, if he deems it advisable, appoint a receiver for such bank. The stock held by the said national bank in the Federal reserve bank of its district shall thereupon be canceled and said national bank shall receive in payment therefor, under regulations to be prescribed by the Federal Reserve Board, a sum equal to its cash-paid subscriptions on the shares canceled and one-half of 1 per cent a month from the period of the last dividend, if earned, not to exceed the book value thereof, less any liability of such national bank to the Federal reserve bank.

"Whenever the capital stock of a Federal reserve bank is reduced either on account of a reduction in capital stock of any member bank or of the liquidation or insolvency of such bank or on account of the appointment of a receiver for a national bank following discontinuance of its banking operations as provided in this section, the board of directors shall cause to be executed a certificate to the Comptroller of the Currency showing such reduction of capital stock and the amount repaid to such bank."

SEC. 2. That the eighth paragraph of section 9 of the Federal reserve act as amended (U. S. C., title 12, sec. 327), be amended and reenacted to read as follows:

"If at any time it shall appear to the Federal Reserve Board that a member bank has failed to comply with the provisions of this section or the regulations of the Federal Reserve Board made pursuant thereto, or has ceased to exercise banking functions without a receiver or liquidating agent having been appointed therefor, it shall be within the power of the board after hearing to require such bank to surrender its stock in the Federal reserve bank and to forfeit all rights and privileges of membership. The Federal Reserve Board may restore membership upon due proof of compliance with the conditions imposed by this section."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BATTLES OF KING'S MOUNTAIN AND COWPENS

The resolution (H. Con. Res. 29) authorizing the printing of House Document No. 328 was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That 3,000 additional copies of House Document No. 328, Seventieth Congress, first session, entitled "Historical Statements Concerning the Battle of King's Mountain and the Battle of Cowpens in South Carolina," by Lieut. Col. H. L. Landers, be printed with illustrations and bound for the use of the Committee on Printing of the House of Representatives.

BILL PASSED OVER

The bill (S. 4104) authorizing an appropriation for expenses of delegates to attend the International Conference on Load Lines at London, England, was announced as next in order.

Mr. BLEASE. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

MARGARET DIEDERICH

The bill (S. 917) for the relief of Margaret Diederich was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret Diederich, widow of the late Henry W. Diederich, late Foreign Service officer of the United States, retired, and formerly American consul at Leipzig, Germany; Magdeburg, Germany; Bremen, Germany; consul general at Antwerp, Belgium; and consul at Sarnia, Ontario, Canada, the sum of $3,000, being one year's salary of her deceased husband.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATURALIZATION AND CITIZENSHIP OF MARRIED WOMEN

The bill (S. 3691) to amend an act entitled "An act relative to naturalization and citizenship of married women," approved September 22, 1922, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the act entitled "An act relative to the naturalization and citizenship of married women," approved September 22, 1922, is amended by adding the following at the end thereof:

"SEC. 8. That any woman eligible by race to citizenship who has married a citizen of the United States before the passage of this amendment whose husband shall have been a native-born citizen and a member of the military or naval forces of the United States during the World War and separated therefrom under honorable conditions, if otherwise admissible, shall not be excluded from admission into the United States under section 3 of the immigration act of 1917, unless she be excluded under the provisions of that section relating to—

"(a) Persons afflicted with a loathsome or dangerous contagious disease, except tuberculosis in any form;

"(b) Polygamy;

"(c) Prostitutes, procurers, or other like immoral persons;

"(d) Persons convicted of crime: *Provided*, That no such wife shall be excluded because of offenses committed during legal infancy, while a

minor under the age of 21 years, and for which the sentences imposed were less than three months, and which were committed more than five years previous to the date of the passage of this amendment;

"(e) Persons previously deported;

"(f) Contract laborers.

"That after admission to the United States she shall be subject to all other provisions of this act."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CERTIFICATES OF ADMISSION TO ALIENS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, which had been reported from the Committee on Immigration with an amendment, on page 2, section 3, line 23, after the word "effect," to strike out "January" and insert "July," so as to make the bill read:

Be it enacted, etc., That an alien who has been lawfully admitted to the United States for permanent residence and who has continued to reside therein since such admission shall, upon his application to the Commissioner General of Immigration, in a manner to be by regulation prescribed, with the approval of the Secretary of Labor, be furnished with a certificate made from the official record of such admission. Such certificate shall be signed by the Commissioner General of Immigration and shall contain the following information concerning such alien: Full name under which admitted; country of birth; date of birth; nationality; color of eyes; port at which admitted; name of steamship, if any; and date of admission. Such certificate shall also contain the full name by which the alien is then known, his signature, and his address. A photograph of the alien shall be securely attached to the certificate, which shall bear an impression of the seal of the Department of Labor.

SEC. 2. Such certificate shall be prima facie evidence of the lawful admission of such alien. A fee of $3 shall be paid by such alien to the Commissioner General of Immigration for each such certificate. The money so received by the Commissioner General of Immigration shall be paid over to the disbursing clerk of the Department of Labor, who shall thereupon deposit it in the Treasury of the United States, rendering an account therefor quarterly to the General Accounting Office, and the said disbursing clerk shall be held responsible under his bond for such fees.

SEC. 3. This act shall take effect July 1, 1930.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COPELAND subsequently said: Mr. President, my attention was diverted this morning when we came to Calendar No. 442, and I ask unanimous consent that the vote by which it was passed may be reconsidered and that it may be returned to the calendar. I have no doubt that the bill will pass ultimately, but I have some remarks, which may or may not be important, which I desire to make on this bill before it is placed upon its passage.

Mr. McNARY. I did not hear the Senator's request.

Mr. COPELAND. I ask unanimous consent that the vote by which Senate bill 1278, to authorize the issuance of certificates of admission to aliens, and for other purposes, was ordered to a third reading and passed, be reconsidered, and that the bill be returned to the calendar.

Mr. BLEASE. Mr. President, of course I shall not object, but the Senator was in his seat when the bill was called, and I looked to see him object, and as he did not, I presumed he had waived his objection; and the bill passed. Of course, if he asks for reconsideration, I shall not object.

The VICE PRESIDENT. Without objection, the vote by which the bill was ordered to a third reading and passed is reconsidered, and the bill will be restored to the calendar.

BUFORD E. ELLIS

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1971) for the relief of Buford E. Ellis, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the word "sum," to strike out "$496.15" and insert "$495.15," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $495.15 to Buford E. Ellis, BM–2c, United States Navy, of Calhoun City, Miss., on account of expenses incurred by him for civilian medical treatment while suffering from cellulitis contracted May 1, 1929, while on leave of absence from the United States ship Mississippi, with orders to report at Washington Navy Yard, Washington, D. C.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPLACEMENT AND CONSERVATION OF WILD ANIMAL LIFE

The resolution (S. Res. 246) submitted by Mr. HAWES and Mr. WALCOTT on April 11, 1930, was considered and agreed to, as follows:

Resolved, That a special committee of five Senators, to be composed of three members from the majority political party and two members from the minority political party, to be appointed by the President of the Senate, is authorized and directed (1) to investigate all matters pertaining to the replacement and conservation of wild animal life (including aquatic and bird life) with a view to determining the most appropriate methods for carrying out such purposes; and (2) to report to the Senate as soon as practicable, but not later than the beginning of the first regular session of the Seventy-second Congress, the results of its investigations, together with its recommendations for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings; to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-first Congress until the final report is submitted; to employ such clerical and other assistants; to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $20,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The VICE PRESIDENT. Under the terms of Senate Resolution 246, for the appointment of a special committee to investigate matters pertaining to the replacement and conservation of wild animal life, agreed to to-day, the Chair appoints the Senator from Oregon [Mr. McNARY], the Senator from South Dakota [Mr. NORBECK], the Senator from Connecticut [Mr. WALCOTT], the Senator from Nevada [Mr. PITTMAN], and the Senator from Missouri [Mr. HAWES].

Mr. McNARY subsequently said: Mr. President, I am requested to state that the Senator from Connecticut [Mr. WALCOTT] was selected as chairman and the Senator from Missouri [Mr. HAWES] as vice chairman of the select committee appointed under the provisions of Senate Resolution 246, agreed to to-day, for the purpose of creating a commission to study wildlife conservation.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium";

S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital; and

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat., p. 616).

RESTRICTION OF IMMIGRATION

Mr. HARRIS. Mr. President, I wonder if it would be agreeable to the Senator from Oregon to have laid before the Senate now the immigration bill and to proceed with its consideration?

Mr. McNARY. I am glad to cooperate with the Senator in asking that the Chair lay before the Senate at this time the unfinished business.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Georgia [Mr. HARRIS].

Mr. BLEASE. Mr. President, I do not care to make any argument on this bill. I think it has been thoroughly explained and gone over. I merely wish to call attention to some extracts

from the hearings before the Committee on Immigration of the Senate on Tuesday, February 28, 1928. I will refer first to page 66. At that time there was on the stand a man by the name of C. B. Moore, representing the vegetable growers of the Imperial Valley of California. I asked him this question:

Do you think that it would be possible to have an arrangement of this kind?

The arrangement to which I referred was this, that those who wanted Mexicans to come into the United States for a certain purpose should be allowed to have them come over, provided Americans could not be found who would do the work, on condition that they file an application with the Secretary of Labor or the Commissioner of Immigration, as the case might be, stating how many laborers they wanted, and let the Secretary of Labor or other official pass on the question. Then, if a certain number were admitted to come into the United States; for instance, 100 or 500, that the individual or corporation which had asked for the admission of such Mexican laborers should furnish a list of the names and the number and that the department should retain a copy of that list, and also that those desiring to bring such laborers into the United States should be put under bond so that when the work was finished which the laborers were brought over here to perform they should be responsible for seeing that they went back across the line, and thus save the Government from any trouble, or if the Government be put to any expense in having them returned that these bondsmen be made to pay all such expenses and save the Government harmless.

It was alleged that there was some work which Americans would not do. That is stated in the hearings. I will not take the time to go into it, but there is a certain class of labor which American laborers will not perform, it seems, and so it is almost necessary in certain industries that Mexican laborers be brought over here, so it is claimed. However, when they get over here, they do not go back. Numbers of them are brought over here, say, 500 or 1,000, to work in the fields performing a particular class of work, but when they get through that work there is nobody to see that they go back across the line, and the result is that, having been brought here, they remain here.

Mr. HARRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Georgia?

Mr. BLEASE. I yield.

Mr. HARRIS. As the Senator knows, such laborers are brought in by the trainload.

Mr. BLEASE. Oh, yes.

Mr. HARRIS. And when once brought in they have to get out the best way they can.

Mr. BLEASE. That is what I am trying to show, and I thank the Senator for his suggestion. I asked the gentleman to whom I have referred this question:

Do you think it would be possible to have an arrangement of this kind that would be satisfactory—to let the men like yourself, who are responsible for those people coming over here, make a requisition for so many hands, file it, and keep an account of them, and guarantee that when the temporary work is over they will return?

I thought he was rather impudent in his reply and in his conduct. He is one man I have seen before a Senate committee who, I thought, had very little respect or regard for the laws of this country or for the committee. He replied:

Mr. MOORE. No, sir. You would be doing a thing with a law of that sort that is absolutely against the fundamental principles of this Government, and that is slavery or peonage, and you can not control Mexican labor unless you are empowered in some way to restrain their movements by force.

Senator BLEASE. That is why I am in favor of keeping them out, temporarily or otherwise.

Mr. MOORE. We feel differently about that.

Senator BLEASE. I hope we will be able to make it different, too, so far as I am concerned.

The late Senator Warren of Wyoming appeared before the committee. We all loved him and we all remember him with affectionate regard. His testimony will be found on page 68 of this report. I shall not read it, but call it to the attention of the Senate, so that any Senator who would like to ascertain Senator Warren's views along this line will be able to do so.

The present senior Senator from Wyoming [Mr. KENDRICK], who is so well and favorably known by all the Senators, likewise appeared before the committee. On page 71 he said:

I can readily understand the attitude of this committee, and I think perhaps we shall have to face the situation as suggested by Senator BLEASE of arrangements for seasonal labor. But I ask the committee in framing such legislation not to make a hard and arbitrary arrangement, because we who live in the neighborhood where these men are employed are not finding them a drawback, and I do not believe any of my friends among the laboring people of my section would object to a seasonal arrangement for this labor.

Further along he said:

In finishing my statement may I say that I am not averse to some restriction.

I merely call attention to these short extracts from the hearing in order to show, Mr. President, that the late Senator Warren and the Senator from Wyoming [Mr. KENDRICK] and other gentlemen who are very much interested in this matter and who, of course, love their country and have its best interests at heart are not so much opposed to the bill of the Senator from Georgia, provided some arrangement may be made whereby seasonal labor from Mexico may be obtained.

My position, of course, is well known. It is needless for me to repeat it. I am opposed to all foreign labor. I think there are too many foreigners in this country now. If the Federal and State departments would turn out every foreigner that is working in them, and have Government and State work done by home people, and send these foreigners back home, we would have very little unemployment.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. BLEASE. I do.

Mr. HEFLIN. I think the Senator is right about that. If we should deport the aliens now in the United States, I do not believe we would have a single American citizen out of employment. I believe that there are 5,000,000 aliens in the United States to-day, and four-fifths of them came here in violation of the immigration law.

Mr. BLEASE. I thank the Senator from Alabama.

Just one other thought, Mr. President. There is another way in which we can get rid of this unemployment. There are families in the city of Washington to-day that have four or five members working in the Government service. If we restrict that it will go a long way toward doing away with this unemployment. If a husband is working for the Government and getting a handsome salary, a sufficient salary to support his family, I can not see why his wife should be given a position, and as each child comes along and gets old enough why they should be given positions. I believe in dividing the employment.

For instance, you may find a family here to-day that are in need. They are struggling for a livelihood. If we would let out some of the members of these families that are overburdened with jobs, sitting in Government departments and not doing a thing—some of them smoking cigarettes with their feet cocked up on the desks, as I see them as I go around these departments—and give those jobs to some persons who are out of work, who are just as competent, just as faithful in the performance of their duties, and just as good American citizens—if we would restrict this family monopoly and divide that employment around among people who are in need, I believe that these two things would absolutely settle this question of unemployment.

As I say, I shall not take up the time of the Senate, but I do hope the Senate will pass the bill introduced by the Senator from Georgia [Mr. HARRIS], and give this country some relief from this foreign population that is not worth a cent to it. They do not produce anything. All they do is to consume; and we need producers sometimes, at least.

Give Americans jobs first, and if we have any vacancies after all Americans are employed, then give the aliens the vacant places, or if the Americans refuse to do certain work, give that to the aliens.

Let us feed and clothe those who pay taxes and fight for us in preference to those who get our money and return to their own country and then fight us.

Mr. HARRIS. Mr. President, there are two amendments at the desk that I have offered. One is on line 9, page 2, to change "April" to "June," because the bill will not get through in time for the word "April" to remain.

I ask that that amendment be agreed to.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Georgia, which will be stated.

The CHIEF CLERK. On page 2, line 9, after the word "before," strike out "April" and insert "June."

The amendment was agreed to.

Mr. HARRIS. The other amendment is purely administrative. It does not relate to the quota or anything of the kind. It is offered so that if the bill takes effect on July 1, 1930, it will enable the issuance of visas, and they will not be counted until after July 1.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to insert in lieu of section 3, on page 2, reported to be stricken out by the committee:

SEC. 3. (a) Section 1 of this act shall take effect July 1, 1930; but (1) for the purposes of the determination, report, and proclamation under section 2, it shall be deemed in effect as of the date of the enactment of this act, and (2) immigration visas may be issued prior to July 1, 1930, to quota immigrants of any nationality hereby made subject to the quota, which visas shall not be valid for admission to the United States before July 1, 1930. In the case of quota immigrants of any such nationality, the number of immigration visas to be issued prior to July 1, 1930, shall not be in excess of 10 per cent of the quota for such nationality, and the number of immigration visas so issued shall be deducted from the number which may be issued during the month of July, 1930. In the case of such immigration visas issued before July 1, 1930, the 4-month period referred to in subdivision (c) of section 2 of the immigration act of 1924 shall begin to run on July 1, 1930, instead of at the time of the issuance of the immigration visa.

(b) The remainder of this act shall take effect on the date of its enactment.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Georgia.

The amendment was agreed to.

Mr. McNARY. Mr. President, a parliamentary inquiry. The disposal of the two amendments offered by the Senator from Georgia brings to the consideration of the Senate the substitute offered by the Senator from Maine [Mr. GOULD], does it not?

The VICE PRESIDENT. The Chair is advised that there are two or three other amendments on the table.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kendrick	Smoot
Ashurst	George	Keyes	Steck
Baird	Gillett	La Follette	Steiwer
Barkley	Glass	McCulloch	Stephens
Bingham	Glenn	McKellar	Sullivan
Black	Goff	McNary	Swanson
Blaine	Goldsborough	Metcalf	Thomas, Idaho
Blease	Gould	Norbeck	Thomas, Okla.
Borah	Greene	Norris	Townsend
Brock	Hale	Oddie	Trammell
Brookhart	Harris	Overman	Tydings
Broussard	Harrison	Patterson	Vandenberg
Capper	Hatfield	Phipps	Wagner
Caraway	Hawes	Pine	Walcott
Connally	Hayden	Ransdell	Walsh, Mass.
Copeland	Hebert	Robinson, Ind.	Walsh, Mont.
Couzens	Heflin	Robsion, Ky.	Waterman
Dale	Howell	Sheppard	Watson
Deneen	Johnson	Shipstead	Wheeler
Dill	Jones	Shortridge	
Fess	Kean	Simmons	

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

The bill is in Committee of the Whole and open to amendment. Amendments to the text are in order.

Mr. BLACK obtained the floor.

Mr. McNARY. Mr. President, I was going to suggest that I think that under the rule perhaps the amendment offered by the Senator from Alabama and the Senator from South Dakota would have priority over other amendments. Does the Senator at this time desire to present his amendment?

Mr. BLACK. I was going to state that I was perfectly willing to present it now or present it later, under the rule.

Mr. McNARY. I think it would be very well if the Senator would present it at this time.

Mr. BLACK. I have no objection.

The VICE PRESIDENT. The Senator from Alabama proposes an amendment, which will be read.

The LEGISLATIVE CLERK. The Senator from Alabama proposes to add the following additional sections to the bill:

SEC. 4. Providing that for the period of five years beginning January 1, 1931, the immigration of aliens into the United States is prohibited. This provision shall not apply to aliens of the following classes:

(a) Aliens excepted from the class of immigrants by section 3 of the immigration act of 1924, as amended; and (b) aliens included in subdivisions (a), (b), (d), (e), and (f) of section 4 of such act, as amended, except that no alien in any of such classes shall be admitted to the United States (1) if not otherwise admissible under the immigration laws as in force at the time of application for admission, nor (2) except in the manner and subject to the restrictions now provided by law for admission of persons of such classes.

SEC. 5. The Commissioner General of Immigration, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this act.

SEC. 6. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws, and shall be enforced as a part of such laws; and all the penal or other provisions of such laws, not inapplicable, shall apply to and be enforced in connection with the provisions of this act. An alien, although admissible under the provisions of this act, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this act; and an alien, although admissible under the provisions of the immigration laws other than this act, shall not be admitted to the United States if he is excluded by any provision of this act.

Mr. BLACK. Mr. President, it is my understanding that this amendment is acceptable to the Senator from Georgia.

Mr. HARRIS. Mr. President, I will be very glad to vote for the amendment, as it is in line with views I have expressed heretofore.

Mr. JOHNSON. Mr. President, I did not understand what the Senator from Georgia said. Does the Senator from Georgia accept the amendment of the Senator from Alabama?

Mr. HARRIS. The Senator from Georgia said he would be glad to vote for the amendment, because it is in line with the views he has heretofore expressed.

Mr. JOHNSON. And this is the amendment by which all immigration would be prohibited for the next five years?

Mr. BLACK. That is correct. I do not care to consume much of the time of the Senate, but I want briefly to explain what the amendment is, and its object and purpose. Of course, the Senator from Georgia, as he has stated, does not accept the amendment, because that is a question for the Senate to determine.

Mr. HARRIS. It is entirely for the Senate.

Mr. BLACK. But the Senator states that he will vote for the amendment.

The amendment provides that there shall be no immigration into this country for the next five years, except as noted in section 4, the first section of the amendment. The exceptions are intended to permit the entrance of certain relatives, as provided in the original immigration act, and to permit certain other exceptions as provided in the act, but the amendment generally would prohibit immigration into the country, as a broad policy, for the next five years.

Mr. JONES. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. JONES. Will the Senator kindly point out the exceptions? I do not remember what they are.

Mr. BLACK. I would have to get the law. I will ask that the law be obtained for me while I make a few remarks in connection with the amendment. There are very few exceptions.

Mr. STEPHENS. Mr. President, I have not studied the Senator's amendment, and do not know that I understand it. May I inquire whether his amendment would affect the two bills which were passed by the Senate this morning, covering very exceptional cases? I do not think those bills ought to be interfered with by this legislation.

Mr. BLACK. This provides for an exception of all aliens included in section 4 of the act as amended, so, of course, "as amended" would refer to any law which had previously gone into effect.

Mr. STEPHENS. I had not heard the reading of the Senator's amendment; therefore the inquiry.

Mr. BLACK. Mr. President, I want to call attention first to this significant statement which I put into the RECORD some months ago, and it is the basis upon which I ask for the passage of this measure. I placed the statement in the RECORD on April 30, 1929. This is a statement which came in a news item from Houston, Tex., as follows:

"UNORGANIZABLE LABOR" OFFERED BY TEXAS

HOUSTON, TEX.—"Unorganizable Mexican labor in inexhaustible numbers can be secured in Texas for new textile mills," says a bulletin which the local chamber of commerce has just mailed to every New England textile manufacturer in an attempt to bring new mills to Houston. "Houston also has available for textile mills over 7,000 native female workers, ranging in age from 18 to 44, who retain enough of the democracy of the 'great open country' to give a day's work for a day's pay," according to the bulletin. Operators in the 12 Texas textile mills receive an average wage of $14.41 for a 55-hour week.

Not only have the textile mills been filled with foreign labor, but foreign labor is at work on the railroads. Foreigners are working on the southern farms in competition with the farmers of the South and of the West. They have penetrated up into the mills of Pennsylvania; they have gone all over this country.

According to the census, there are about fourteen and one-half million aliens in this country to-day, people of alien birth or immediate foreign descent. We owe to them an obligation while they are here, just as we owe one to our citizens. We owe them the duty of protecting them from competition which is unfair and unjust.

It is not necessary for me at this time to make any remarks about unemployment. While there are varying ideas about

the number of unemployed, there is no question but that there are many people walking the streets of practically every city in the United States to-day hungry and in want, and who desire jobs. I was told only yesterday of a man walking the streets of Washington with a sign on his back, a healthy, vigorous-looking man, and the sign said this:

I want a job—anywhere, any kind, any salary.

That is a symptom of the general condition which exists in this country to-day, with millions of men out of employment. There have been several bills offered here—one or two by the junior Senator from New York [Mr. WAGNER]; some by other Senators—but what is the use spending Government money to obtain statistics, to work on the problem, and to raise new revenues from the people, if we are not willing to protect the citizens who are already here, both those who were born here and those who have come from abroad, from competition with further cheap immigrant labor at this time?

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. BLACK. I yield.

Mr. COPELAND. May I ask the Senator, for my own information, about the second paragraph on the first page? Will he refresh my mind as to what aliens are included in the subdivisions (a), (b), (d), (e), and (f), of whom he speaks?

Mr. BLACK. Suppose I let the Senator have the copy of the law passed in 1924, which has just been handed me. That does not include the amendments. I wanted to make my remarks brief, if possible, and I will ask the Senator to look at this.

I will state this, that if that does not include all the exceptions which are necessary from a humane standpoint, with reference to the coming into this country of a man's wife or his immediate relatives, or something of that kind, I shall not be averse to having it do so. That is what this is intended to do.

Mr. COPELAND. If the Senator will permit me, I wanted to be sure exactly what the Senator had in mind. I take it that he would not object to the admission of the hearthstone friends, the immediate family?

Mr. BLACK. The immediate family, the minor children, a minor daughter——

Mr. COPELAND. Fathers and mothers?

Mr. BLACK. Those who are immediately next to those now in the country, dependent on them, and recognized in the law to-day as having a preferential right.

Mr. COPELAND. Does the Senator think he has, by the wording of his amendment, excluded them?

Mr. BLACK. It was my intention to do so.

Mr. COPELAND. I will be glad to look over the law and see if I agree with the Senator that he has done so.

Mr. BLACK. Very well.

Mr. VANDENBERG. Mr. President, may I ask the Senator one question?

Mr. BLACK. I yield.

Mr. VANDENBERG. Take the case of the man who works in Detroit, and who, under the existing system, has been permitted to make his home in Windsor, Canada, across the river, and who commutes from day to day; would this summarily exclude him from the country?

Mr. BLACK. A man who is a resident and a citizen of Canada?

Mr. VANDENBERG. Yes.

Mr. BLACK. It is my understanding that it would. I would like to state to the Senator that while that raises a very interesting question, I have had a number of letters from Detroit making very serious complaint about that very situation. The writers of these letters claim that the citizens in Detroit are in a bread line, that they are supported, in the main, by the city, thousands, I believe a man has written me, while thousands of people who are not citizens of this country are drawing salaries.

Mr. VANDENBERG. If the Senator will yield, I think there is no question but that that situation exists, and furthermore, I think there is no question but that it should be corrected. I am wondering about summary dispossession of seven or eight thousand people who have been encouraged to proceed in this fashion in the ordering of their lives.

Mr. BLACK. I call the Senator's attention to the fact that this law would not go into effect immediately. It says "beginning January 1, 1931."

I desire to call the Senator's attention very briefly to the fact that there is nothing novel in this kind of legislation except in the United States. Such laws are in effect in Europe, and the very countries some of whose citizens in this land have objected to the passage of our immigration laws, prohibit an American citizen from holding a job so long as a citizen of their own land is out of employment.

Conceding the fact, which everyone knows to be a fact, that there are many millions of people hungry to-day, walking the streets and thoroughfares of this Nation, what excuse can we give for not adopting the same method to protect the jobs of our citizens which the countries of Europe adopt?

I call the Senator's attention to these striking statements. Germany fixes every year beforehand the number of immigrant land workers to be admitted into that country, and all alien workers must hold a permit from the Government.

Denmark does not admit alien workers unless the national immigration committees, on which labor is represented, find that no native labor is available for the work. Finland compels foreigners to obtain a residence permit from the police if staying longer than three months, and the authorities may dictate the place of residence. Hungary prohibits the entry of alien workers unless they hold a permit from the minister of the interior, and this permit is valid only for work at a specified place and for a specified time; the alien worker may not accept employment elsewhere. Deportation is also provided by the Government of Hungary in the economic interests of the country.

Rumania authorizes the Minister of Labor to prohibit or restrict the entry of alien workers of certain occupations. Rumania also prohibits the employment of a foreign worker unless his employer agrees to take a Rumanian instead if the employment exchange can find him one. In other words, if an American citizen should go to Rumania to-day and should succeed in finding employment, his employer must cancel that contract if a native Rumanian is found to be out of employment who will accept the position. With millions of men in America to-day out of employment, what excuse can we give to the people of the United States if we do not adopt at least a part of the same protective measure that the Governments of Rumania, Hungary, Germany, and other European countries have adopted for the protection of their citizens?

Switzerland prohibits the entry of immigrants to fill jobs until these posts have been advertised in the Federal employment office. In other words, in Switzerland no American can obtain a position until the employment agencies of the Government have first advertised for native citizens and failed to obtain applicants for the position. Alien land workers and domestic servants are admitted for two years only in Switzerland. Yugoslavia has adopted regulations providing that foreign workers who have entered the country since 1922 must hold permits from Government inspectors, and these must only be granted if the workers are really needed. Even South Africa permits its authorities to prohibit any immigrants unsuited to the requirements of the Union on economic grounds.

Some one suggested the other day—I think the Senator from Connecticut [Mr. BINGHAM]—something about Brazil, and stated that we had had no trouble with immigrants from Brazil. Brazil suspends immigration in times of economic depression by ordering her consuls not to issue passports. It is also interesting to note that Arabs, Syrians, Armenians, Turks, and Hindus are excluded from Costa Rica, Panama, Haiti, Natal, and Canada. In other words, other governments adopt legislation to protect their citizens in the employment that gives to them and their children their daily bread.

What is the situation that confonts us? There is an unemployment situation which that man is an optimist who believes will be thoroughly cured by any legislation which has been offered in this body. Machines have driven the laboring men of the country to the wall. With one machine to-day frequently taking the place of 50 laboring men of 10 years ago, with the Nation bowing down at the shrine of efficiency, adopting every conceivable plan to oust some man from employment, we are confronted with a situation which must bring about a change in the policy of our Government.

One State only recently has enacted its old-age pension law. We are on the eve of vast legislative changes with reference to social activity and economic legislation. We do not know how long it may be until a general unemployment insurance will be in effect. But why dig down into the pockets of the people to pay for old-age insurance, for unemployment insurance, and for other kinds of protection to the people who need jobs in the country, so long as we do not adopt the very plan adopted by other governments to protect the vast body of laborers dependent upon the people?

I call upon those who are going to vote upon this matter to bear in mind their constituents. The people of the Nation are opposed to any further foreign immigration in these days of unemployment. The difficulty is not limited to those who were born in this country. I have talked to many men born across the water who have had their jobs taken away from them frequently, after they have been here and demanded fair wages

according to American standards, by newer immigrants imported here for the special purpose of taking their jobs.

I want to say that the legislative representative of the American Farm Bureau Federation does not represent the idea of the farmers of Alabama when he comes before a committee of Congress and opposes legislation at this session intended to put Mexico on a restricted immigration basis. He is not representing the views of the farmers of the Nation when he says that the farmer must have cheap labor. The men in this country on the farms who need protection are the little farmers. Some of them are occupying the farms as tenants. There are others who have bought small farms, with an acreage of 60 or 80 or 100 acres. They are not attempting to import Mexicans to work at a wage which is not a living wage in this country. What we need is not more hands. If we are going to have immigration, we ought to have more citizens.

When it is attempted to put the idea of foreign immigration on the basis of how many hands we can have to work on the plan, we are descending to a level that the American people do not approve. I deny that the people of this land will not perform any duty or any labor for which they can be employed if they are paid sufficient wages There is the trouble. When anyone talks to me about the American not working in the sugar-beet fields, I know immediately that they mean the American will not work there unless he is paid an adequate wage so that he can live in surroundings like decent American citizens demand he shall have. That is the only trouble with the American sugar-beet people. If they are willing to pay the price they can get the employees. That is true of every kind of employment in the country. The American people will work anywhere in any honorable employment if the employer is willing to pay them the price.

My own idea is that the foreign immigration has been utilized by the big business interests of the country as a direct weapon to break down the price of wages of the people of the land. No truer statement was ever made than that the condition of the working people of the country is to be determined by the amount of wages they receive and the amount of necessary commodities those wages will buy. Wages constitute the criterion of the comfort, of the convenience, and of the pleasure of the average citizen of any government. The citizens of this country will work at any honorable employment if they are paid a sufficient wage.

We do not want a caste system in our country. We do not want one class of people to have to live down on a lowly order of intelligence like serfs and peons, with insufficient wages and salaries, while we have at the same time a great aristocratic class in order to uphold the traditions of aristocracy and wealth and power. What this country needs is a class of citizens with intellect, moral character, and the background which comes from a living wage enabling them to live as people are entitled to live in a democracy such as this.

I give Senators the opportunity now to vote for a measure which, at a time of universal unemployment in America, says that no foreign immigration shall come into this country to break down the price of American labor for the next five years. I call attention to the fact that in offering the amendment I am not offering anything novel. Similar provisions have been adopted by Germany, by Hungary, by Rumania, by Switzerland, and by practically all of the European countries. I call on those who have been telling the people of this country that they are opposed to permitting cheap foreign labor to take the places of American labor, and that they are opposed to permitting the big business interests of the country to use foreign laborers to break down the price of American labor, to express themselves on this amendment of mine on the yea and nay vote which I hope to have. That is the proposition.

Do Senators favor keeping the jobs in this country at the present time for those who are here, do they favor keeping those jobs for the 14,500,000 foreigners actually born in foreign lands or of immediate foreign descent who are in this country, do they favor keeping those jobs for those who are born in this land, 100,000,000 or more, or do they favor continuing to let the gates remain down because somebody says we have to have cheap labor from abroad to work on the farm, in the factory, on the railroad, or in the mine? So far as I am concerned, I favor for the next five years closing the gates and keeping this country just as the countries of Europe are attempting to do—for those people who are here in want of jobs, whose children are hungry, whose families are in need; and it can be accomplished if my amendment is agreed to.

Mr. HARRIS. Mr. President, I demand the yeas and nays on the amendment of the Senator from Alabama.

Mr. COPELAND. Mr. President, I want to invite the attention of the Senator from Alabama [Mr. BLACK] to his amendment. As I understand it, the amendment is offered to the bill presented by the senior Senator from Georgia [Mr. HARRIS]. That bill, as proposed by the Senator from Georgia, permits the admission of persons born in the Dominion of Canada or Newfoundland. They may come in, as I understand it.

Mr. HARRIS. It puts all countries under the quota except Newfoundland and Canada. Personally, I am willing to include them.

Mr. COPELAND. Did the Senator say he was willing to include them?

Mr. HARRIS. I am willing to include them. I will vote for an amendment to that effect.

Mr. COPELAND. The Senator from Alabama [Mr. BLACK] has offered an amendment which prohibits for five years the admission of anybody from abroad except from Canada and Newfoundland, with those exceptions. Am I not right?

Mr. BLACK. No; I have not intended to have any exceptions at all.

Mr. COPELAND. This is offered as an amendment to the measure proposed by the Senator from Georgia, and he exempts, from the operation of his exclusion provisions, Canada and Newfoundland.

Mr. BLACK. But I call the Senator's attention to the fact that I have a provision that for the period of five years, beginning January 1, 1931, the immigration of all aliens into the United States is prohibited.

Mr. COPELAND. Yes; but it is very significant that in the further wording of the amendment the Senator does not include subdivision (c) of the existing law, which makes an exemption for an immigrant born in Canada, Newfoundland, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, or any of the independent countries of Central or South America. The Senator, however, by presenting the amendment permits the Canadians and citizens of Newfoundland to come in, because he is offering it as an amendment.

Mr. BLACK. The Senator is mistaken about that. Section 4 speaks for itself. It says, wholly distinct from the amendment of the Senator from Georgia:

Provided, That for the period of five years beginning January 1, 1931, the immigration of all aliens into the United States is prohibited.

That does not except anyone from Canada and it does not except anyone from Newfoundland.

Mr. COPELAND. Then, the Senator is offering it really as a substitute?

Mr. BLACK. I am not. I am offering it as an amendment to the bill of the Senator from Georgia. It suspends the operation of the quota, even as amended by the Senator from Georgia, for a period of five years. That is the total effect of it.

Mr. COPELAND. And the exemptions would be "an immigrant who was the unmarried child under 18 years of age or the wife of a citizen," "an immigrant who had previously lawfully been in the United States," "an immigrant who continuously for at least two years immediately preceding the filing of his application seeks to enter the United States for the purpose of carrying on the vocation of minister or professor," and so forth, and "an immigrant who is a bona fide student," Those would be exempted from the provisions of the Senator's amendment.

Mr. BLACK. That is correct.

Mr. COPELAND. His purpose is to exclude everybody else.

Mr. BLACK. My purpose is to exclude from any country in the world everybody else from coming to America for the next five years to become either citizens or residents.

Mr. COPELAND. That would mean, Mr. President, that if every member of a family save one—and that one might be a young woman 22 years of age—was in this country the one individual could not be admitted for five years.

Mr. BLACK. No; because I can not see but what she would take somebody else's job, just as though she were not related to some one already here. I am offering this as a measure to protect this country from competition, and it does not make any difference to whom she is kin, she can take the job of somebody else.

Mr. COPELAND. Very well; then, let me go a little further. Suppose all the members of a family of the second generation have come to the United States, but the old father and mother are left on the other side; that the family here in America has prospered, and in order that the family here may share its prosperity with the father and mother now on the other side it desires them to come; the Senator would say, "No; you can not come in"?

Mr. BLACK. No; they could come in as visitors.

Mr. COPELAND. Yes; for six months.

Mr. BLACK. Certainly.

Mr. COPELAND. But not as permanent residents?

Mr. BLACK. No. If the Senator thinks we should admit such persons he can offer an amendment to that effect. Of course, if the Senator is against the whole idea there would be no need to try to perfect the amendment according to his idea, but, if he is really in sympathy with and in favor of restricting immigration for five years, then, perhaps, it might be that he could perfect the amendment.

Mr. COPELAND. If the Senator desires to have the humanities observed and these "fireside" friends received, why does he himself not offer such an amendment to the bill?

Mr. BLACK. As I have said to the Senator, I think there are enough exceptions in the amendment. The exceptions which are provided are those which heretofore have been recognized in the law. Whatever exceptions have been recognized in the law heretofore I am perfectly willing to have included in this measure; but does the Senator favor the idea of preventing everybody else from coming in for five years? I am asking the question merely to secure information so it may be known whether we are trying to get an agreement or whether the Senator is offering these criticisms because he opposes the whole idea?

Mr. COPELAND. I should want to see the bill corrected before I would pass judgment upon whether I could be for it or not. I certainly would oppose it if it means that relatives such as those to whom I have referred would not be permitted to come in for a period of five years.

Mr. BLACK. May I ask the Senator does he think cousins should come in?

Mr. COPELAND. The Senator has excluded cousins.

Mr. BLACK. Does the Senator think I should amend it so as to include cousins?

Mr. COPELAND. If the Senator wishes to know whether I favor his proposal or not, I will say no; I do not. That is frank enough, is it not?

Mr. BLACK. That is frank.

Mr. COPELAND. I am anxious to have the bill perfected so that if, by any mischance, it should become a law, at least we will not be doing an inhumane thing to families now here. I see numerous instances of hardship in the working of the law. The Senator does not see them because he has no foreign population in his State, but if he could witness the tears which are shed at my office he might have a different opinion.

Mr. BLACK. Will the Senator yield?

Mr. COPELAND. Yes.

Mr. BLACK. The Senator is mistaken when he says we have no foreign population in Alabama. I may say to the Senator that the first resolution passed by the American Legion in Alabama for the further restriction of immigration was adopted on the motion of a man who was born in a European country, and he made a very strong appeal for it.

Mr. COPELAND. I desire to offer an amendment to the amendment, which I have no doubt the Senator will accept. On page 1, line 8, after the word "amended," I move to insert the words "fathers or the mothers, or the husbands by marriage occurring after May 31, 1928, of citizens of the United States who are 21 years of age or over." Will the Senator accept that?

Mr. BLACK. I will not accept it. It would be up to the Senate to vote for any amendment the Senator may have to offer.

Mr. COPELAND. Then the Senator is not willing to make this a humane measure, but is willing only to exempt the very limited number which he suggests in his amendment. However, if it is in order—and I am not sure whether the amendment is in the third degree—I offer the amendment to the amendment.

The PRESIDING OFFICER (Mr. FRAZIER in the chair). The Chair will rule the amendment to be in order.

Mr. COPELAND. I offer as an amendment to the amendment of the Senator from Alabama the language which I have suggested.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York to the amendment offered by the Senator from Alabama.

Mr. GEORGE. I should like to have the amendment to the amendment stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 8, in the amendment offered by the Senator from Alabama, after the word "amended" and the comma, it is proposed to insert "fathers or the mothers, or the husbands by marriage occurring after May 31, 1928, of citizens of the United States who are 21 years of age or over."

Mr. JOHNSON. Mr. President, is the amendment of the Senator from New York an amendment to the amendment of the Senator from Alabama?

Mr. COPELAND. It is.

Mr. JOHNSON. So that the amendment of the Senator from Alabama will subsequently come up for determination by the Senate.

Mr. COPELAND. Yes. I say frankly that I am opposed to the amendment even as amended, but if we are to pass judgment upon the proposal of the Senator from Alabama I am asking that we preserve the fireside and include fathers and mothers and foreign-born husbands of American citizens.

Mr. BLACK. Mr. President, I have no idea how many people that would include; there has been no investigation made as to that, but I think, so far as the husband feature of the amendment of the Senator from New York is concerned, it will open the door for numerous frauds. There have been frauds in similar cases in the past, according to my information.

Mr. HARRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. BLACK. I yield.

Mr. HARRIS. I think the amendment of the Senator from New York would admit as many people as are coming in under the quota and the national-origins plan.

Mr. BLACK. It would probably let in more, according to my view of it, and that is the reason I say I would not want to accept the amendment.

Mr. JOHNSON. Mr. President, while we are discussing the amendment of the Senator from Alabama, may I suggest to him that the problem that is sought to be solved by the bill of the Senator from Georgia [Mr. HARRIS] is one relating primarily to Mexican immigration. To endeavor now to adopt an entirely new and drastic plan respecting immigration in general will probably render it impossible for the bill of the Senator from Georgia, or any bill having a like purpose which may be adopted by the Senate, ever to become a law. The policy which is sought to be established by the Senator from Alabama is one that is entirely new in character, one that departs radically from the policy that is now in vogue, and one that should have separate consideration upon its merits alone, rather than as an amendment to a bill such as that proposed by the Senator from Georgia. It is because it is a new policy in immigration and because it proposes an entirely different and even more drastic plan than exists at the present time that I do not feel——

Mr. HARRIS. Mr. President, will the Senator yield there to let me suggest that a quorum be called?

Mr. JOHNSON. Oh, no; I do not yield for that purpose. It is for those reasons, first and primarily, that I can not be at this time, if ever I would be, for the policy suggested by the Senator from Alabama [Mr. BLACK].

Mr. BLACK. Mr. President, in response to the suggestion of the Senator from California I will state that I have had my amendment in the form of a bill pending before the Immigration Committee for three years, but the Immigration Committee have not acted upon it; they have taken no steps of any kind whatever to act upon it. It is my belief that the bill will meet with a hearty response from the citizenship of America. I believe it represents the settled views of the people of this country; I believe that if the people of America could vote upon this question they would vote for it overwhelmingly. I think it is the proper policy. We are getting no particular benefit, so far as I can see, from the admission of 150,000 immigrants a year. It gets down to where it is a question of whether we will have 150,000 or 5,000 or 10,000. What I propose is not in conflict with the bill of the Senator from Georgia; it can not possibly kill his bill, because, if this amendment shall be adopted, it will not prevent the passage of his bill as it is now; and if my amendment shall be defeated by the Senate it will not injure the bill of the Senator from Georgia. My amendment merely proposes to suspend the law for five years. I appreciate fully that the Senator from California is not in favor of the proposed legislation, at least, as he said, at this time, but I can not agree that it will at all affect the legislation proposed by the Senator from Georgia. It certainly can not defeat it, because if there are sufficient votes to adopt this amendment there will be sufficient votes to pass the bill of the Senator from Georgia, and if there are not sufficient votes to adopt this amendment the Senate could still vote for the bill offered by the Senator from Georgia.

Mr. JOHNSON. Mr. President, in response to the Senator from Alabama [Mr. BLACK] I might say, in the language of a distinguished journalist of the West, "All of which is partly true"; but the fact is that we have been dealing here with a specific immigration problem, not with the general immigration problem. We are dealing alone, in reality, with the problem of immigration from Mexico, and when it is sought to adopt an entirely different plan from that which exists as the general

policy of the Nation to-day, of necessity it is going to make more difficult the solution of the Mexican problem that is now being handled by the Senator from Georgia [Mr. HARRIS].

You can take an instance like my own. I want to aid in the passage of some remedial legislation here. I am not entirely clear as to just what form that remedial legislation in respect to immigration from Mexico should take. I am not entirely clear whether it should take the form of the bill that is presented by the Senator from Georgia, whether the substitute that is presented by the Senator from Maine [Mr. GOULD], or whether we should rewrite this bill so that it touches alone the problem of Mexican immigration.

Which of these courses should be adopted I am not entirely clear, but I am perfectly clear that if we seek by this measure to tack on another that is a drastic immigration policy, by which the entire policy that the United States now has adopted shall be changed, and changed in a fashion which will be obnoxious, I am sure, to many Members of the Senate and many Members of the House, we shall simply retard the possibility of the remedial legislation that the Senator from Georgia presents.

Mr. HEFLIN. Mr. President, for 10 years I have advocated the policy presented by my colleague [Mr. BLACK]. There are so many conflicting reports about how many people are coming into the United States that something ought to be done to find out definitely just what the situation is in the United States.

If we shall adopt his amendment and shut out all immigrants for five years, there will be no excuse for anybody to come over and say, "I came in under the quota plan." There will not be any quota plan, as far as that goes, for at least five years, if this amendment goes into effect. Then we can keep out everybody. But when some now come over on the ships and land in New York and at other ports, they bring in with them aliens who have no right to come; and I believe that New York is the worst place on the earth for smuggling them in. I believe more come in through that port than all the others combined; and I think that a lot come, and that certain officers who are there to see that they do not land pass them in, and no account is ever taken of them. Thousands come in that way, and to-day we have a miserable situation all around the country with foreigners.

There is a condition in California where the Mexicans are quarreling because the Filipinos are coming down there and interfering with their means of livelihood; so the Filipino question is becoming an acute question in the Senator's great State, and he has my sympathy and best wishes for a right solution of all these questions. The Mexicans are there; they are quarreling with the Filipinos; the Filipinos are quarreling with the Mexicans about jobs, about work that ought to be given to American citizens. Adopt the amendment of my colleague and shut them all out for five years, and let us take stock and see "who is who" in America.

We have had arguments presented here by the Senator from Arizona [Mr. HAYDEN] to the effect that 1,700 Mexicans are coming over in a year. I brought out certain facts in the hearings before the Committee on Agriculture and Forestry, and I want to read them to the Senate:

> Senator HEFLIN. Mr. Chairman, Mr. Wilson suggested that there are 1,700 Mexicans coming into this country annually. I want to read some statistics furnished by this Government and by the Mexican Government showing there have been many more than that. This shows, according to the Mexican migration service, that in 1929 22,643 Mexicans entered the United States.

That is according to the Mexican Government's figures. Now, listen:

> According to the figures of our own Government, in 1929 there were 38,980 Mexicans who entered the United States.

These are the facts; and yet there are a dozen different Senators here who have a dozen different views as to how many are really coming into the United States.

Mr. President, they present a serious problem to America. It has been disclosed in this debate that two and a half million Mexicans have come over and are now in the United States. My God! When will we stop this? In the interest of the American people, I ask again, when are we going to commence protecting our own American stock against an influx of foreigners?

We have our problem of unemployment. We have Americans, natives, with their wives and children, hungry to-day, in distress, because aliens have their jobs and are doing the work at half price. We have Mexicans flowing over the Texas border, the Arizona border, the New Mexico border, and California. They are coming in by the thousands, the tens of thousands and hundreds of thousands. What did Mr. Wilson, the witness from California, say before our committee? Why, he said: "We bring them over, but the railroads come and get them and take them out into the other States."

So, Mr. President, therein lies grave danger to our country. They come to do seasonal work, and, according to Mr. Wilson's testimony, they are taken up by railroads and carried into other States. They are spreading through the Union. They are in all the States to-day but six. It is a serious problem that we have.

Mr. President, when I hear Senators stand here and say that if we pursue this policy we will offend Mexico, we will offend Argentina, we will offend the other South American countries, I am amazed to think that any Senator would be controlled by such argument. I have no patience with it. This country has a right to do whatever it wants to do to protect itself. This country must have immigration laws looking to the good of this country without consulting any other country.

I am going to repeat what I said here the other day: If ever we abandon the idea, if ever we surrender the position that we have the absolute right to do whatever we feel we ought to do on the question, we are undone as a nation; we are lost.

I think Senators ought to consider this question from the standpoint of the good of the American citizen, for the perpetuity of this great Government. But some now talk about some fellow who can produce a peck of prunes out in California or some other place needing seasonal labor, and it is said that he can not get Americans to gather prunes; that Americans can not be induced to go into the vineyards and gather the grapes; that Americans can not be found who will gather the fruit, who will can this fruit, and who will market this stuff. It is not so. They bring this cheap labor over here because it is cheap. They are bringing it here and putting it in competition with American labor. It ought to stop. It must stop.

Mr. President, I want the people back home to watch the votes of the Members of this body. Let us see who votes here for the interest of the big concerns who want cheap labor, and who votes for the interest of the people of the United States who need this protection and who are asking for this legislation. Let us see which side Senators are on.

It has been suggested here, as one of the solutions of some of the problems of the big cities, that as these distressed farmers are driven to the wall in the South and in the West, are having their mortgages foreclosed and are driven from their homes and farms empty handed, these mighty rich are going out and buying up this land by the thousands of acres and the millions of acres for the purpose of bringing over Filipinos and Mexicans who will work for little or nothing and produce food supplies in abundance to be sent into the big cities. These are to be placed in competition with the American farmers of every kind. I am opposed to it, Mr. President. I want to protect my country. I want to see this Government reach out its strong arms and put them around the distressed farmers of the United States. Give these millions of men who are unemployed a chance to get this work, and they will do it.

You say that a few years ago you brought over these aliens and they would not do anything but pick cotton out in Texas. What are they doing now? They are helping to make the crop and to pick the crop; and now they are not only helping to gin the cotton but they are now working in some cotton factories. You have driven the white boy and girl from these cotton factories to make room for Mexicans. What else are you doing? Taking them over to help gather the fruit in California. Is that all they are doing? No; they are helping to make the crop. And what else? They are out building railroads now. They are driving the white men from that kind of employment. And what else are they doing? They have gone into the mines, and the white man must give up his place there. They are working in various things. Why, they are constructing a dam up there somewhere in the Northwest. It cost $6,000,000. It is a nice job for many good men. Mexicans were called in there to do work on that project.

How long will it be before they will be in every avenue and every field of endeavor in America? Let us put a stop to it now. You have the opportunity. Let those who stand for America and the Americans vote right here to-day. If you adopt my colleague's amendment you will go a long way toward solving this problem; and then let us have five years in which to decide what we will do for the future, for the protection of our children and our children's children.

Mr. HARRIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Bingham	Borah	Capper
Ashurst	Black	Brock	Caraway
Baird	Blaine	Brookhart	Connally
Barkley	Blease	Broussard	Copeland

Couzens	Hatfield	Norris	Sullivan
Dale	Hawes	Oddie	Swanson
Deneen	Hayden	Overman	Thomas, Idaho
Dill	Hebert	Patterson	Thomas, Okla.
Fess	Heflin	Phipps	Townsend
Frazier	Howell	Pine	Trammell
George	Johnson	Ransdell	Tydings
Gillett	Jones	Robinson, Ind.	Vandenberg
Glass	Kean	Robsion, Ky.	Wagner
Glenn	Kendrick	Sheppard	Walcott
Goff	Keyes	Shipstead	Walsh, Mass.
Goldsborough	La Follette	Shortridge	Walsh, Mont.
Gould	McCulloch	Simmons	Waterman
Greene	McKellar	Smoot	Watson
Hale	McNary	Steck	Wheeler
Harris	Metcalf	Steiwer	
Harrison	Norbeck	Stephens	

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

Mr. GOULD. Mr. President, there has been long discussion of this immigration matter. I have been a member of the Committee on Immigration since I have been in the Senate, and I am very much interested in the subject of immigration.

I believe that every one of the many amendments which have been offered has some good in it. I believe that all of the immigration measures we have undertaken to pass in the last three years have had some merit in them. But hardly any immigration laws have been enacted. If we have reported a measure from the committee, it has been killed either in the Senate or in the House, as a general thing.

It might be said that the national origins bill was the only one that amounted to anything that went through. That I voted for, but it was only for the reason that I thought it was better than anything else we had had. That was not perfect, to my way of thinking.

Mr. President, the Senator from Georgia [Mr. HARRIS] introduced a very good bill, which was referred to the Committee on Immigration. It was discussed there and thoroughly considered. I thought it was a very good bill and contained a great many fine provisions. There was not quite enough to it to suit me, but we reported the bill to the Senate.

A little later a bill was sent over from the House called the Johnson bill, which I thought and still think, after hearing all the discussion in the Senate in the last week, is the best immigration bill that has ever been offered since I have been in the Senate. It would not shut out immigration from Mexico, it would not shut out immigration from the Western Hemisphere, entirely; it would allow a reasonable amount of immigration from all countries. It would curtail some of the European and Asiatic elements, but, on the whole, it seems to me that bill is more reasonable than anything else that has been offered, and I have offered it as an amendment to the Harris bill, in the nature of a substitute.

There has been talk of shutting off immigration entirely, but I do not think that will do. First, I do not think it is right, and, next, I know it will not get by the House, so what is the use of putting up something here to be knocked down by Members of the House?

The Johnson bill has gone through the Immigration Committee in the House, it is agreeable to friends of the Box bill, and, so far as I know, there is no opposition to it whatever in the House. It is a good bill, to start with. It would cut down immigration from Mexico from the good many thousands we have been told about in different speeches which have been made, to about 11,000 the first year, and about 7,000 the next year. Then we would go back to the national-origins provision. Two years from now we may have a better understanding as to how many Mexicans are needed in the United States for seasonal labor.

The whole matter has been pretty well aired. I do not believe there is anybody who has not made up his mind as to what he wants to do on this immigration question.

If it is in order, I want to move that we take a vote on my amendment.

The VICE PRESIDENT. That motion is not in order at this time. The parliamentary situation is such that amendments to the text of the bill are first to be voted on. After they are disposed of, then the vote would come on the Senator's amendment, or amendments thereto.

The question now is upon the amendment of the Senator from New York [Mr. COPELAND] to the amendment of the Senator from Alabama [Mr. BLACK].

Mr. HARRIS. Mr. President, it seems to me we should vote first on the amendment in the nature of a substitute offered by the Senator from Kansas, if the Senator from Alabama will withdraw his amendment temporarily, and then we might vote on the national-origins amendment.

The VICE PRESIDENT. The Chair will state, first, that, as the Chair understands it, the amendment of the Senator from Kansas is an amendment to the amendment of the Senator from Maine. That being so, that amendment will not be voted on until the votes on the amendments to the text of the bill are first taken.

Mr. JOHNSON. Mr. President, I apologize for taking any time of the Senate in this discussion at this moment, and very briefly will I occupy the Senate.

It is an amazing thing to me that, dealing with a major policy of the United States Government, we can not get a corporal's guard to listen to what is transpiring, and it is with the utmost difficulty, after two or three calls, that we are able to obtain a quorum. Yet I recall to Senators that we are now endeavoring to legislate upon a major policy of the United States Government.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. ASHURST. I have noticed that, but I think the reason is obvious. The mind of every Senator is made up on this subject, and has been made up for many, many months, if not years, and that accounts for the paucity of attendance here to-day.

Mr. JOHNSON. Mr. President, I should be very glad to accept that explanation if I thought the Senate had an adequate conception of the propositions which are presented upon this problem now. Let me recall what is here.

First there is the bill of the Senator from Georgia [Mr. HARRIS]. The bill was designed originally and is designed at present to deal with Mexican immigration. It deals with it by taking the quota that is now existing and within that quota of 150,000 or thereabouts placing Mexican immigration and giving then to the Republic of Mexico a part of that quota. If I am in error in any particular I ask correction from the Senator from Georgia. But I venture the assertion there is not a Member of the Senate who could tell me how many Mexicans that means can be admitted into the United States nor the basis upon which the computation is made for the admission of those Mexicans.

Mr. HARRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. JOHNSON. I yield.

Mr. HARRIS. The Department of Labor estimates that between 1,200 and 1,500 will come into this country if the bill is passed.

Mr. JOHNSON. The Senator from Georgia says 1,200 to 1,500 will come in from Mexico under the provisions of the bill. Upon what basis is that calculation made?

Mr. HARRIS. It is made on the same basis of calculation that is made for other countries by which we get the 150,000 under the national origins act.

Mr. JOHNSON. But that is made upon the basis of how many Mexicans are here now; of what percentage of those Mexicans; and how is the computation mathematically arrived at?

Mr. HARRIS. I am not familiar with the method of arriving at the computation.

Mr. JOHNSON. That is exactly what I want the Senate to understand. Nobody knows and nobody will tell the Senate. I am willing to accept the dictum of the Senator from Georgia that it means 1,200 or 1,500 Mexicans that will come in here, but upon a subject of this importance I would like to know just how that 1,200 or 1,500 may be computed and how it is that that computation is made by which we arrived finally at the quotient of 1,200 or 1,500. Nobody knows and nobody has told us.

That is the first proposition presented. The next proposition presented is the House bill. It is not a bill that has come to us nor one that has been passed by the House. It is a bill of which Congressman ALBERT JOHNSON, of Washington, is the author, which the House Committee on Immigration has favorably reported to the House, upon which the House has not yet acted, and for which the Immigration Committee of the House has been unable to obtain a rule or a hearing before the House of Representatives. That measure is offered as a substitute for the pending measure of the Senator from Georgia. It has one virtue, I think. It fixes in absolute terms the number of Mexicans who are to come here hereafter. It fixes for the present as a definite quota 2,900 who shall be permitted to come in; and then, very rightly, I think, and very justly, it gives a period of readjustment for 1930 and 1931, so that those industries and those railroads and those activities which are crying against the restriction of Mexican immigration may have the opportunity to adjust themselves to the new conditions.

Let us see how those figures are arrived at, because I have been at some pains to endeavor to get detailed information concerning them. I investigated how the figure "2,900" was arrived at. I find that it is arrived at by giving to Mexico at the ratio of 4 to 1 the number 2,900, the 4 to 1 being arrived



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Dale	Hawes	Oddie	Swanson
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at by taking one departing American to Mexico and saying, "We will give for each American departing to Mexico four Mexican immigrants to the United States," a wholly arbitrary figure, of course. The method of reaching it by a ratio of 4 to 1 creates at once some perplexity—and I see upon the countenances of some of my brother Senators a smile—but at any rate it does arrive at a figure, 2,900. The method of computation is one for which, of course, there is no justification, except the fact that it does enable one to reach a definite figure.

The method of arriving at the conclusion is a bit more exact. Congressman JOHNSON, in order to arrive at what he calls his bonus for the year 1930, takes one-half of those to whom visas have been granted for the last six months of last year. He adds, therefore, for 1930, one-half of those to whom visas were granted to four times as many Mexicans as there are Americans departing to Mexico. For 1930, therefore, he reaches his total number as shown by his bill submitted in the House. For the following year, 1931, he halves the half that he granted for 1930 and adds to 2,900 one-half of one-half of those to whom visas have been granted for the last six months of last year.

That is the mode by which we are arriving at our quotas. I do not know how better we can arrive at them, either by the method employed by the Senator from Georgia [Mr. HARRIS] or the method that has been employed by Congressman JOHNSON, of the State of Washington. It must be apparent, because of the fact that Mexicans come across the border in such numbers that no real count is kept of them, that we must take an absolute and arbitrary figure in arriving at any conclusion we draw. But I do not think that until now we have had any explanation upon the floor of the Senate of how these figures were arrived at, and I wanted an understanding upon the part of Senators here before they reach any conclusion and reach any vote upon either the substitute or the bill itself.

In the one instance we have in the House bill a perfectly arbitrary figure with a ratio of 4 to 1, with one-half of those who have visas in the last six months of last year added to that ratio of 4 to 1, as the number which then would be given us for 1930; and for 1931 we had four times as many as there are departing Americans in Mexico for Mexicans in the United States, with one-half of one-half of the visas that were granted during the last six months of last year; and in the other instance we have an undisclosed formula which mathematically can not be worked out and has not been worked out here, resting alone upon a statement of somebody connected with some department that it will give us 1,200 or 1,500 Mexicans coming here in the next year. That is the situation in which this important legislation is presented to us.

I would prefer, could I do it, and I am unable, I confess, mathematically to work out some plan by which we deal with the one point of immigration that is the point which is to-day hazardous to our people and the one that should be remedied—that is, the immigration from Mexico. But I am unable because we do not know the number who are coming here or the number who may come here—I am unable mathematically to work it out with any degree of exactness, and our legislation of necessity, I fear, is dependent upon uncertainty and upon mere estimates such as I have indicated have been made concerning the two measures.

Mr. BLACK. Mr. President, several Senators have suggested to me that they would prefer that I withdraw my amendment temporarily in order that the vote might first be taken upon the national origins amendment and the substitute dealing with the bill of Congressman JOHNSON of Washington. It is said that it would be more logical to do that, and therefore I ask unanimous consent to withdraw my amendment temporarily for that purpose.

The VICE PRESIDENT. The Chair would state that if an amendment in the nature of a substitute is agreed to, no further amendment could be offered to the text of the pending bill as in Committee of the Whole, but the amendment could be offered when the bill is in the Senate.

Mr. BLACK. That is all right. I ask permission now to withdraw my amendment in order that I may meet the desires of several Senators who prefer to take up the other matters first.

The VICE PRESIDENT. The Senator has the right to withdraw his amendment. The amendment of the Senator from Alabama is withdrawn.

Mr. NORBECK. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be reported.

The LEGISLATIVE CLERK. On page 2, after line 19, insert the following as an additional section at end of the bill:

SEC. —. That with respect to quotas after June 30, 1930, for any nationality other than those within section 4 (c) of the immigration act of 1924 (43 Stat. L. 153), such provisions of that act, or any act amendatory thereof, as relate to quotas based on national origins (as referred to in subdivision (b) of section 11 of such act) are hereby repealed; subdivision (a) of section 11 of the immigration act of 1924 (which provides for quotas based on the United States Census of 1890) is amended by striking out the figure "2" and inserting in lieu thereof the figure "1½"; and the quotas for the fiscal year beginning July 1, 1930, and for each fiscal year thereafter shall be determined and proclaimed (including any annual revision thereof, if necessary) in the same manner as such act prescribed for quotas for the fiscal year beginning July 1, 1924, and shall be final and conclusive for every purpose.

Mr. NORBECK. Mr. President, in explanation of the amendment, it proposes certain changes in the present immigration law. It deals only with the quotas from the Eastern Hemisphere. The amendment is carefully drawn, it has been submitted to the Solicitor of the Department of Labor, and it fits into the law.

It proposes two things: First, to get away from that system which gives us a large immigration from the non-self-governing countries. In other words, it gives a larger quota to northern Europe, or rather it goes back to the same basis upon which we were proceeding prior to July 1, with one exception. A horizontal cut of 25 per cent is proposed. In other words, our ratio will be 1½ per cent instead of 2 per cent. That is all that is proposed.

With that explanation I will rest except to say that it was hoped by the advocates of the national-origins theory that we would have some certain results following the taking effect of the law on July 1 last. However, we have been disappointed. I think everyone in the Senate agreed that the best immigrants from the British Isles were highly desirable and the idea was to give them a larger quota. Two things are very apparent: First, that they are not going to use all of their quota; and, second, as the Senator from Kansas [Mr. ALLEN] said, they have such shifting processes over there and such opportunities in their own dominion that protects them, Canada and Australia having been added. The Senator from Kansas well said that the shifting interests over there would give the United States the culls of the immigration from that country.

Mr. HEFLIN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Alabama?

Mr. NORBECK. I yield.

Mr. HEFLIN. What countries are affected by the Senator's amendment?

Mr. NORBECK. It will reduce the Italian immigration and it will reduce the German immigration. It will increase the Scandinavian quota. For instance, Denmark had a quota of 3,000 up to July 1, and we cut that down to 1,000. This amendment will allow them 2,000. It takes that number away from other countries to the south. It will reduce the British quota somewhat, but still leave them as much as they evidently want to use. It will absolutely prevent the Jamaican negro from coming in here under the English quota as an Englishman, because it will cut down that quota so that the opportunity is not there. It will get away from some of the abuses possible under the present law.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. NORBECK].

Mr. COPELAND. Mr. President, I am not just clear about what is accomplished by the Senator's amendment. I take it to mean that the national-origins plan is repealed?

Mr. NORBECK. Yes.

Mr. COPELAND. And that then the quota, instead of being 2 per cent, is reduced to 1½ per cent. Is that correct?

Mr. NORBECK. Yes.

Mr. COPELAND. So we would go back to the law of 1924?

Mr. NORBECK. We would go back to the only restrictive immigration law that was ever enforced, namely, the one which was in force up to July 1 of last year.

Mr. COPELAND. And the significance of it is that the national origins law is repealed?

Mr. NORBECK. Yes; and there is substituted therefor a plan under which the percentage of the nationals of a given nation in this country at a certain time shall be the guide.

Mr. COPELAND. Does the Senator make any reference to the Western Hemisphere?

Mr. NORBECK. None whatever.

Mr. COPELAND. I thank the Senator.

Mr. PHIPPS. Mr. President, my time has been so occupied with other legislative matters, particularly with appropriation

bills, that I have not had the opportunity I should have liked to go more deeply into the question of immigration, but I feel that I should make a short statement with reference to the situation in the Rocky Mountain region.

My home State, Colorado, and the neighboring State of New Mexico, have large populations of Mexicans. Many of them have been there for years; in fact, some of the families have been there for generations. They are a law-abiding, frugal, hard-working class of people, who make good farmers, good herdsmen, and are really the backbone of the farming and stock-raising element of those two States, at least.

The class of Mexicans that come into that region for seasonal labor is about the same as those who have been long-time residents of that section; in other words, undesirables do not wish to come in and do not seek to come into what is known as the sugar-beet region for the purpose of finding employment. But those who are desirous of working in the sugar-beet fields and to a certain extent on the railways do find employment. However, they are not adapted to the performance of mechanical labor, and they do not enter into competition with skilled labor to any extent; in fact, very rarely, unless the cultivation of sugar beets may be called skilled labor. In many respects, sugar-beet cultivation is skilled labor, because very few people who follow it learn how to do the work properly. The Mexicans will work in the beet fields, and they do so successfully, to the satisfaction of their employers; and, as I have indicated, cause no trouble in the communities in which they are temporarily located.

The sugar-beet industry is a large and growing one in the western tier of States. It is expected that it will develop even more largely. Where are those who are interested in that industry to find labor in the event the laborers who have been coming and are now coming to those States from Mexico shall be shut out is very much of a problem.

When our sugar-beet farmers have been short of Mexican labor they have attempted to get it from the Southern States. They have tried out colored labor, but while the rates of pay are much higher in the sugar-beet fields than in the Southern States, colored men do not care to cultivate or pull or top sugar beets. At the same time we find that the people in the Southern States who are employers of colored labor have very serious objections to allowing such labor to go away from them. In fact, there have been instances when groups of colored workers have been gotten together and even the trains have been arranged for their transportation, the citizens of the community where those workers had gathered have risen practically in arms and prevented the departure of the railway trains that had been chartered to carry those colored laborers to the sugar-beet fields.

Mr. President, the Mexicans do not, in one way, intermingle with the American citizens or with white families. It is rare, indeed, for a Mexican to marry a white girl, though occasionally white men marry Mexican girls. As I have stated, the State of Colorado has experienced no trouble from the standpoint of keeping law and order among the Mexicans who are residents, or among the Mexicans who come to our State for seasonal labor. Undoubtedly undesirables may congregate in some of the larger cities, such as Los Angeles or San Antonio, and perhaps, even in St. Louis and Chicago, where it is said some have penetrated. I am quite sure, however, they do not centralize in Denver. They have found employment and they take it when they come there.

It has been said that the Mexicans who work in the beet fields are practically in a state of slavery; that is to say, they are not paid enough, that their families work, that the women and the children also work. Mr. President, I can say from observation, extending over a period of nearly 30 years, that the Mexicans who come to Colorado, New Mexico, and Wyoming for seasonal labor live much better than they do in Mexico. They live in the way they do because they do not want to incur any greater expenditure, but they earn enough so that with six or eight months of seasonal labor they can go back to their own country and, without working, support themselves and live on what they have earned in the United States for a period of a year or two.

The Mexican labor in the West is higher paid than is labor in the Southern States. It is true that in many instances when the sugar-beet harvest is over the Mexican laborers return to Oklahoma or to Texas, stopping there during the period of the cotton harvesting, when their labor is very much needed and has been used to very great advantage.

Mr. KENDRICK. Mr. President——

Mr. PHIPPS. I yield to the Senator from Wyoming.

Mr. KENDRICK. Does the Senator from Colorado consider Mexican labor, when employed in the cultivation of sugar beets, to be cheap labor?

Mr. PHIPPS. I do not, as the per diem rate, which is paid, is high.

Mr. KENDRICK. I desire to ask the Senator another question. Does the Senator know of any instances in which Mexican labor employed in the cultivation of sugar beets has competed with white labor in that kind of employment?

Mr. PHIPPS. Mr. President, on the contrary, it is practically impossible to find any white labor or any white men who will engage in the business of cultivating sugar beets. When I say "cultivating sugar beets" I refer to the planting, the thinning, the pulling, the topping, and the loading of the beets, which is all hard, manual labor. It may be that the farmer owning the ground will do the plowing for the planting, that he will do the harrowing of the ground, and when the harvest is ready that he will use cultivators to loosen up the earth around the beets or perhaps an up-to-date machine which will actually plow under the beet and throw it to the top of the ground so that it may be picked up without the old-time labor of pulling. But that all means work requiring stooping and bending over; it has to be carried along very steadily, so that it is really very arduous. It is, however, highly paid labor. As compared to the wages received by ordinary laborers working on the roads, on a ditch, or on a railway, laborers in the sugar-beet fields are paid much more than those employed as gang workers on any railway, and yet our western railways need some of that kind of labor. I have here a telegram from the president of the Denver & Rio Grande Railway in which he states it "would be disastrous to railroad, agricultural, and industrial interests in Colorado, Utah, and New Mexico" if congressional action restricted this labor.

Mr. President, without reading the entire telegram, I ask that it may be inserted in the RECORD as a part of my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

DENVER, COLO., *October 8, 1929.*

Hon. LAWRENCE C. PHIPPS,

United States Senator from Colorado, Washington, D. C.:

Understand movement on foot to restrict by congressional action immigration of Mexican laborers. This would be disastrous to railroad, agricultural, and industrial interests in Colorado, Utah, and New Mexico section men. Extra gang laborers, sugar-beet, and other farm laborers, herdsmen, and common laborers in other industries drawn very largely from this source and can not possibly be recruited from other sources. Mexicans skilful in these branches in which other nationalities will not engage. Shortage of labor in this class bound to result in serious curtailment in production and in transportation earnings and would constitute grave menace to the industrial progress of these States. Earnestly hope you will use your influence in opposition to such legislation.

J. S. PYEATT,

President Denver & Rio Grande Western Railway.

Mr. PHIPPS. In that connection I also have a letter from Mr. Carl R. Gray, who is the president of the Union Pacific system. His letter is at more length, but it is along similar lines. Both of these railway presidents point out that if the use of Mexican labor shall be restricted it will be cut down the cultivation of beets and the production of sugar, and will also cut down railway freight. Of course, in connection with the production of sugar beets not only is there involved the transportation of the beets and the resultant sugar but also fuel, coal, lime, rock, and other things that are essential in the manufacture of the sugar itself, must be transported. I ask that the letter from Mr. Gray may be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNION PACIFIC SYSTEM,

Omaha, Nebr., October 8, 1929.

Hon. LAWRENCE C. PHIPPS,

United States Senate Office Building, Washington, D. C.

DEAR SENATOR PHIPPS: I feel it a duty to call to your attention a very serious situation with respect to the common-labor supply in the West and Southwest. Advices from the Imperial Valley in California indicate that the recent fruit crop was very seriously affected by this shortage, and that the growers will be compelled, unless relief is afforded, to materially restrict their acreage next year, and it seems probable at this time that a considerable portion of the cotton crop in the Yuma, Ariz., and Imperial Valley sections will not be gathered.

Our reports are that in Utah and Idaho extreme difficulty is being encountered in securing labor for the harvesting of sugar beets and potatoes, both fundamental crops in those States. And in central California there is a labor shortage which is affecting the harvesting of grapes and deciduous fruits notwithstanding a material reduction in such crops through unfavorable weather conditions, and will undoubtedly affect in all these territories the harvesting of vegetables next season, which form a considerable part of the food supply of the Nation.

The railroads are also experiencing the same shortage, and during this fall have found it impracticable to hold up their usual programs of maintenance.

While it is our information, and observation of our people who are closely in touch with the situation, that there is an actual and permanent shortage of native American labor throughout the West, where the demand for construction, road-improvement work, and the like, is currently absorbing the supply, the primary reason for the shortage lies in the restrictions which have been placed upon the immigration of Mexican labor, which has heretofore been the backlog of these seasonal operations in the highly perishable products. While the shortage has not yet seriously affected the central West, it has already done so to an extent indicating that the labor supply in these sections also will be greatly reduced, and it is without exaggeration a very serious matter.

I am informed that legislation with respect to the importation of Mexican labor is contemplated, and I venture to bring the matter to your attention and to express the earnest wish that you will, in the interests not only of these localities, but of the Nation at large, give personal consideration to the postponement of any further legislation until all of the facts can be secured. The western division of the Chamber of Commerce of the United States, at a meeting in Ogden on October 1, memorialized the President and advocated the appointment of a committee to ascertain the facts prior to the enactment of any legislation.

Very truly yours,

CARL R. GRAY.

Mr. PHIPPS. Mr. President, the telegrams and letters which I am presenting have been selected from numerous communications I have received from time to time. I have a communication from the Holly Sugar Corporation, whose headquarters are at Colorado Springs, Colo., in which they state that the passage of the Harris bill or a substitute will result in materially increasing the cost of growing sugar beets, by which I think they mean that they will have by some means to find other labor and pay higher prices for it than they are to-day paying or have been paying for Mexican labor. I should like also to have that telegram included in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

COLORADO SPRINGS, COLO., *April 6, 1930.*

Senator LAWRENCE C. PHIPPS,

United States Senate, Washington, D. C.:

Unquestionably the passage of Harris bill or substitute will result in materially increasing cost of growing beets to the beet farmers in Colorado. We urge you give serious consideration to the effect that passage of this bill would have on a large number of the citizens of your State.

HOLLY SUGAR CORPORATION.

Mr. PHIPPS. I have before me a letter from the president of the Nevada-California Electric Corporation, which was sent to me last fall, relating to the trouble that was caused by putting into operation the amendment to the immigration law of March 4, 1929. It seems in consequence of the passage of that act that the labor authorities practically threw a scare into Mexicans who had become bona fide residents of the United States, although they had not as yet taken out citizenship papers. Many of them, fearing that they would first be thrown into jail for illegal entry into the United States and then deported, packed up their possessions and skipped across the border back into Mexico, although in so doing they were violating the laws of Mexico and taking a risk in that connection.

The attention of the Labor Department was called to this matter, and I believe that trouble has been straightened out, but I feel that this correspondence is worth while, and I ask that it may be included in the RECORD.

The PRESIDING OFFICER (Mr. NORRIS in the chair). Without objection, the communication will be printed in the RECORD.

The matter referred to is as follows:

THE NEVADA-CALIFORNIA ELECTRIC CORPORATION,
Denver, Colo., September 9, 1929.

Hon. L. C. PHIPPS,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I herewith inclose two clippings from the Calexico Chronicle dealing with the labor shortage in Imperial Valley resulting from the enforcement of the new immigration law passed March 4, 1929.

While I question whether there is anything that you could do in the matter, yet I feel you should know something of the situation that exists. Due to the climatic condition that prevails in Imperial Valley during the summer months, it is very difficult to find white labor, and as a result the valley is dependent to a very large degree upon Mexican labor. Formerly there were many Hindus and Japanese in the valley. Immigration laws, as well as other restrictive measures, have resulted in driving from the valley the latter races, so that the valley is to-day almost entirely dependent for common labor on Mexicans. You can readily see the serious situation now confronting the valley resulting from the cutting off of the Mexican supply.

Sincerely yours,

A. B. WEST, *President.*

[From the Calexico Chronicle, September 12, 1929]

DISTRICT IN APPEAL TO UNCLE SAM—LABOR SHORTAGE IN VALLEY DUE TO STRINGENT BORDER METHODS

The Imperial irrigation district to-day advised the United States immigration authorities in Washington of the need for immediate consideration of Mexican immigration question in order to relieve valley labor shortage.

Arthur Williams, superintendent of the Calipatria division of the district, says he is seriously handicapped in the operation of his division because of labor shortages, which, he told the board, are becoming more and more acute as the immigration men continue to search Mexican labor camps and deport Mexicans who are unable to produce evidence of legal entry into the United States.

"Some of my oldest men are being taken from field gangs by the authorities. The worst feature of the situation is that other Mexicans are frightened off the job for fear that they will be deported," Williams said.

CALIPATRIA SUFFERS

The north end superintendent declared that he has only 20 men on his pay roll at present, which is about half the number required for field labor. He asked that the directors give attention to the matter of effecting a remedy. Superintendent Hartzog, of the Holtville division, is similarly handicapped, according to Director Mark Rose.

The irony of the labor dilemma appeared in a statement made before the board by Director C. W. Brockman, of Calexico, who states that across the boundary line in Mexico there is an oversupply of labor. "The situation in Lower California is just the reverse of ours on this side," Brockman said. "In Mexicali there are bread lines formed every day, and through Governor Rodriguez's orders hundreds of Mexicans are given food without charge. These men are all anxious to work, but they can't get over the line. Several have attempted that and have been deported."

REGULATIONS TOO STRICT

Another serious angle of the problem was indicated by Director Ira Aten and W. O. Blair, who told of instances in which either the man or his wife had been deported while a large family of children were left in the United States to become dependent.

Director Rose made a motion calling for a resolution addressed to United States immigration authorities in Washington, as well as to Senator HIRAM JOHNSON and Congressman PHIL SWING, and setting forth the situation and asking for relief.

"Unless there is some effective action taken shortly, Imperial Valley, heavily dependent upon Mexican labor for harvesting its vegetable crops, will suffer seriously this winter," Rose declared.

[From the Calexico Chronicle, September 13, 1929]

VALLEY LABOR SHORTAGE IS DUE TO LAW—RISK OF PROSECUTION FOR ILLEGAL ENTRY STOPS HUNDREDS—HADLEY EXPLAINS LAW—ERRONEOUS INTERPRETATION CAUSES MANY MEXICANS TO GO SOUTH

An explanation of the immigration activities regarding which the Imperial irrigation district directors have sent a request to Washington was this morning made to the Chronicle by Maj. Herbert Hadley, in charge of the Calexico immigration office.

"The present shortage of labor in Imperial Valley," said Inspector Hadley, "is due primarily to the new law which was passed March 4, 1929, and which went into effect on July 1. That law made illegal entry into the United States subject to prosecution. Heretofore it was subject only to deportation.

"To-day any alien illegally crossing the boundary line must be placed in jail, given a hearing, and if he has crossed illegally he is subject to a fine or imprisonment and deportation. This deportation under prosecution means that he may not again apply for admission into the United States and he is not again eligible to a crossing card."

PROSECUTION THROWS SCARE

Mr. Hadley also explained that before this law went into effect the local immigration force was not large enough to permit close scrutiny of line crossings, but the force has been increased by the department on account of the new law. Now, men and their families who formerly gained entrance through crossing cards on the supposition they were entering Calexico to go shopping and then spent a season working in the vegetable fields of the valley are not running the risk of being caught making illegal entry and stand prosecution and jail confinement, and are not coming over as they formerly did.

It appears also that, through misunderstanding of the new law, many Mexican families who have lived in the valley on the American side for years are becoming frightened, fearing that if caught on this side they will be subject to prosecution in addition to deportation.

This is not a fact, however, according to the law which applies only to those found making illegal entry. If the families have illegally entered and are then found on this side, they are subject to deportation and not to prosecution.

SMUGGLE TO MEXICO

The above misunderstanding is believed by Inspector Hadley to be causing many Mexican families to actually smuggle themselves back into Mexico. They fear being found on this side. They are now laying themselves liable to Mexican arrest through making illegal entry into their own country.

Major Hadley believes the directors of the Imperial irrigation district may have mistaken the activity of the Immigration Department for an unwarranted activity by immigration men and hastens to explain a condition in justice to his men and to the Immigration Department. Although the terms of the new law have been published variously erroneous rumors originating in the valley have misled some of the public officials and laymen in their understanding of the regulation, he believes.

Mr. PHIPPS. In conclusion, I feel that the Harris measure as proposed is one which should not be enacted into law at the present time. I think it would have a very serious effect upon our relations with the countries to the south of us—not only Mexico and Central American countries, but the South American countries as well.

We have really had under way for some time what might be called a definite campaign for the cultivation of our relations with our South American neighbors through the interchange of commerce. In order to introduce the goods which we manufacture, and others which we raise agriculturally and of which we have a surplus for exportation, we have been endeavoring to cultivate the most friendly relations; and at the same time we are not only seeking to sell to these countries, but we are trying to increase our purchases of the things which they produce and which we do not ourselves make. It seems to me that an attempt at this time to fix a definite limit on the number of citizens who might come to us from any one of these South American and Central American countries would not be looked upon as a friendly act. It would be taken as an unfriendly gesture. It would have the effect of undoing much that has already been done to bring about interchange of commerce between the countries of the North American and the South American continents.

I do not myself see the necessity for imposing a fixed number or quota upon any of these countries at the present time. Where I think we have been weak, where I think the system to-day is susceptible of improvement, is in the matter of selection. I feel that wider and greater authority should be given to our diplomatic representatives abroad to pass upon the visa of passports of those desiring to come to the United States, with a view to excluding the undesirables. If we could keep out, as I believe we could, those whom we would class as undesirable who are now coming across the border of Mexico through the ports of entry into the United States, the complaints that have been made regarding this immigration would be disposed of and disappear.

Naturally, as I stated before, the undesirables go to the large centers and the big communities. They do not go out on the farms. They are not coming here to work at all. That is not their idea. They are coming to a center where they can gamble, and find some one who is susceptible and has a little loose money that they can get away from him.

If we are to fix a definite quota on Mexico and admit a fixed number of their citizens through our ports of entry, what are we going to do about the 1,800 miles of border that are not guarded, that can not be efficiently patrolled, and over which people can come from Mexico with very little difficulty, if any at all? It merely means the cover of night to get across the line; and when they do come in that way they come, as a rule, with their bedding which can not be inspected or examined, whereas that coming through the port of entry in many cases has to be fumigated. We have had the boll weevil caught right in our ports of entry on the Mexican border. We have had other insects that are undesirable also disposed of by fumigation of the bed clothing and other clothing of these immigrants.

Mr. President, I can not feel that it is a wise move at this time to make any change in the matter of immigration regarding any of the countries to the south of us, and certainly not with relation to our friendly neighbor on the northern border.

Mr. KENDRICK. Mr. President, a little later on I shall offer an amendment to the pending bill or the substitute bill, as the case may be, providing for seasonal agricultural labor in the United States. As suggesting the need of such labor, I send to the desk a newspaper story with regard to the views of Mr. Legge, chairman of the Federal Farm Board, which I ask to have read by the clerk.

The PRESIDING OFFICER. Without objection, the article will be read.

The legislative clerk read as follows:

[From the United States Daily of February 11, 1930]

MR. LEGGE SUGGESTS SEASONAL PERMITS FOR MEXICAN LABOR—FARM BOARD HEAD GIVES IMMIGRATION VIEWS; AGENT OF COTTON GROUP ASKS RESTRICTION

Seasonal permits for Mexican peon labor in the fruit and trucking sections of the Southwest were suggested by the chairman of the Federal Farm Board, Alexander Legge, at a hearing before the House Immigration Committee February 10. The hearing was called for further consideration of the Johnson, Box, and Bacon bills (H. R. 8530, H. R. 8523, H. R. 8702), which would apply quotas to all American countries and thereby limit Mexican immigration to approximately 50,000 a year.

Mr. Legge told the committee he had no definite proposal to advance, but felt that the labor problem in the Southwest was serious enough to warrant careful consideration and investigation. A serious situation would arise, he predicted, if Mexican peon labor should be denied growers who are dependent on it at this time. Much of the farm work in the Southwest, he added, is of such a nature that American workers are not suited to it.

SERIOUS RESULTS FORECAST

If Mexican immigration is seriously restricted, Mr. Legge continued, many fruit and truck growers of the Southwest will be forced to turn to cereals, which, he said, already were being produced in surplus quantities.

J. H. Patten, representing cotton interests in South Carolina and the Immigration Restriction League of New York, said that importation of cheap Mexican labor was "driving thousands of small American farmers out of business." The situation is analogous to that "arising from negro slavery in the South," he asserted.

"Many small planters who could not afford to buy slaves were ruined, and if Mexican peon labor is not restricted the same situation will arise in the near future," he said.

Mr. Patten estimated the number of Mexicans now in the United States between 1,500,000 and 2,000,000. "And illegal entries," he said, "are far in excess of legal admissions, according to my information."

Mexican laborers are driving American farm workers out of the Southwest, he said, and are ruining cotton planters of the Southeast through overproduction.

In discussing conditions in South Carolina, he said that fully 100,000 American farm laborers could be immediately mobilized at a salary not exceeding $1 per day.

"I have no definite remedy to suggest," he explained. "I am here only to urge that some method of restricting Mexican immigration be worked out."

* * * * * * *

A written statement filed with the committee by Mr. Legge follows in full text:

"Complying with your request, I am glad to give you what information I can on the subject, referring particularly to the agricultural labor supply of the extreme southwestern districts. Quite a number of fruit and vegetable growers in that area have from time to time appealed to different members of the Farm Board, as they are naturally very much concerned over how they are to meet the labor situation if the immigration quota is to be applied to Mexico.

PROBLEM IS DIFFICULT

"It is my belief that these people have a very difficult problem to deal with if they are to continue to produce the kind of products which they have been producing in the past. This kind of labor is never very attractive because stooping, bending, and working on the knees is involved in weeding and thinning the kind of crops which many of these people find is most profitable to raise. In this area it is particularly difficult because of the extreme heat during much of the growing season. In some sections, particularly the Imperial Valley, this condition is such that the average American-born laborer simply can not stand the work which has to be done.

"The Farm Board is naturally interested, and in much of this territory we feel that if those people can not obtain labor which will enable them to continue raising the vegetables and small crops the land will probably be devoted to cereals, of which the country now produces a very great excess, and on which we are putting forth our best efforts to try to curtail the acreage. On the other hand, the best grown crops in that area, such as cantaloupes, head lettuce, and so forth, that mature at a very early date, seem to find a profitable market.

TONNAGE IS VERY LARGE

"As you gentlemen are doubtless aware, the tonnage of this product is very large. If these people were compelled to switch to other crops like wheat and barley, the change would be a bad one not only for them but for the growers of these commodities in other sections.

"More of these cereals are now being produced than can be marketed on a profitable basis. As to how to deal with the situation, I have no suggestion to offer except that I believe the situation to be sufficiently

serious to justify very careful study and investigation of the whole subject on your part before a program of action is worked out.

"Perhaps the most nearly comparable situation to this was the position of the employers of foundry labor when the immigration restrictions were first put into effect. This was another class of labor to which the American-born boy did not take kindly.

MACHINERY IS SUBSTITUTED

"In most sections of the country the foundry employers have worked this out in part by substitution of mechanical equipment and perhaps to a greater extent by substitution of forging, stamping, and press work in the making of parts for which castings were formerly used.

"In the case of these agricultural employers, however, so far very little has been accomplished in the replacing of this kind of labor by any mechanical process. The weeding and thinning of root crops is something on which very little has been, or, so far as I can see, can be accomplished through mechanical equipment. Therefore, for this class of production the grower is still dependent almost wholly on hand labor, which he must obtain from some source."

Mr. KENDRICK. Mr. President, I am in favor of restricting Mexican labor. Let there be no mistake on that point. Also I am in favor of restricting it for any and every other purpose except agricultural production, for the reason that in so far as I know there is an adequate number of our own people to supply the needs of any and all kinds of industrial labor. In this case it is only a question of price.

As Mr. Legge has pointed out, there are seasons in the West and Southwest when if we are denied relief through labor of this kind for agricultural products, it simply spells disaster to our agricultural crops. As Mr. Legge has said, in that event those who produce special crops will be driven to the production of cereals. Also, as he has stated, the crops requiring relief through the admission of seasonal agricultural labor are largely confined to truck farming, fruit growing, and sugar beets. Of the special crops there is an undersupply. Of the cereals there is an oversupply. So if our farmers are compelled to turn from the one form of production to the other, they will simply increase the present oversupply of the one and increase the shortage of the other.

As suggested by Mr. Legge, the emergency growing out of a shortage of labor is due entirely to the objectionable character of the work, the painstaking care of thinning and weeding small, tender plants, which involves bending, stooping, and even crawling on hands and knees, imposing as it does the sheerest form of drudgery. The result is our own people decline to engage in such work.

The temporary employment of alien labor does not mean cheap labor. As a rule, the problem is to secure any kind of labor at any price. The handling and process of reducing the beets into sugar, as well as the feeding of the by-products to livestock, is all done solely and entirely by our own people and no alien is given such employment. While our people do not compete for the work of cultivation, on the other hand, under the present system, the work done by aliens actually serves to provide greater opportunities of profitable labor for our own people.

Mr. President, the Members of this body who speak for their own States probably understand the problems of those States, but I insist they do not understand the problems of the Northwest. The sugar-beet crop is the best money crop we have in the Northwest and Rocky Mountain country. It is the only crop with which we of the Rocky Mountain region can secure the funds to return to the Federal Government the cost of our reclamation projects.

Mr. President, there is no reason in the world why these people should not be allowed to come in under such restrictions as will guarantee their return to their own country at the end of a stated period. This amendment I propose to offer will guarantee that they be returned under bond. I say further, and as evidence of good faith that they would be returned, is the fact that it would be in the interest of agriculture and agricultural production to have them returned, because when they come here without restraint and restriction, they go into other lines, they go into the industries, and turn away from the cultivation of agricultural crops. Failure to obtain this relief would, I believe, greatly injure the production of other special crops; it would practically eliminate the production of the sugar-beet crop in the northwest country.

So far as I know, no good reason can be given why these people should not be allowed to come in at stated periods and do this work and return to their own country, and there is every reason why they should be allowed to come in.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Washington?

Mr. KENDRICK. I yield.

Mr. JONES. As I understand it, the Senator proposes that some immigrants should be brought into the United States from Mexico for a limited time.

Mr. KENDRICK. Eight months.

Mr. JONES. And then should be returned to Mexico. How would the Senator prevent their going wherever they wanted to go when they got inside of this country, and how would he compel their return to Mexico? I would like to know how that could be done.

Mr. KENDRICK. Mr. President, the plan I have in mind would provide a guaranty, under bond, that they should be returned. Moreover, the bond can be provided by either communities of farmers, or by those providing the labor for such communities. These people could come into the country at moderate cost, and be returned the same way. As a matter of fact, it is my opinion now that a very much larger percentage of them do return to Mexico after they have been employed in our fruit and vegetable and sugar-beet production, than anyone is aware of. I think the records shown by the Senator from Arizona the other day indicated clearly that the number returning now is almost equal to the number of those coming into the country.

Mr. JONES. It may be true that many of those who come here voluntarily go out voluntarily, but, as I understand, the Senator's proposition is to have somebody, possibly, give a bond to see that those who come to the United States go back to their native countries. Suppose a man who comes here does not want to go back. He has not given any bond. Is the Senator going to keep him under the control of some individual over here; in other words, put him in bondage while he is here?

Mr. KENDRICK. Not at all.

Mr. JONES. I do not see how the Senator would provide for their going back unless he would do that.

Mr. KENDRICK. The man would come in under contract to do work in agricultural production, and the amendment provides that when he violates that contract he shall be returned at once, without regard to whether or not the time is up.

Mr. JONES. Between whom is the contract made?

Mr. KENDRICK. It is a joint arrangement, either by communities or by individuals. Nearly every farm community in the country to-day is organized. Nearly every community is organized to sell its farm products, and they could easily provide this labor under those conditions, without violating any law we have at the present time.

Mr. JONES. Does the Senator mean that this labor will be bound to the community and that the community can take it back?

Mr. KENDRICK. It would not. The amendment provides that "the Commissioner General of Immigration, with the approval of the Secretary of Labor, under such regulations as he, with the approval of the Secretary of Labor, may prescribe," may admit these aliens.

Mr. JONES. Then the condition is laid down by the Secretary of Labor upon which any individual will come in. Does he impose that condition on every individual and hold each individual responsible?

Mr. KENDRICK. He would.

Mr. JONES. Suppose he does; suppose when the individual gets here he leaves the community and goes somewhere else. Is the Government to go to the expense of hunting him up and arresting him and carrying him back to Mexico?

Mr. KENDRICK. All that would depend upon the arrangement and the terms laid down by the Secretary of Labor. I call the attention of Senators to the provision of the amendment, in effect, that the Secretary of Labor shall permit no alien laborers to come into the country when our own people can be found to do the work.

Mr. JONES. That is all true, but I can not conceive of the Secretary of Labor entering into a contract with these peons, as they are referred to, that class of labor, which he can enforce, and get them out of the United States if they do not comply with the contract. I doubt whether that could be carried out.

Mr. BLEASE. Mr. President, will the Senator yield to me?

Mr. KENDRICK. I yield.

Mr. BLEASE. In answer to the Senator from Washington, when I made the suggestion in the committee to which I referred this morning, when Senator Warren was there, my idea was to have the Government, through the Secretary of Labor, as the Senator from Wyoming has just suggested, issue a permit to these people to come over under the condition that the man for whom they were to work would furnish a bond to hold the Government harmless in any expense we might be put to in order to see that those people were returned at the proper time.

Mr. GOULD. Mr. President, will the Senator yield?

Mr. KENDRICK. I yield.

Mr. GOULD. I might answer from actual experience the question the Senator from Washington has just propounded to the Senator from Wyoming. This might not apply to what the Senator from Washington had in mind, but I suggest this as an answer.

The Secretary of Labor has instructed the immigration officers along the boundary line of Canada, whom we have all along there, that where a responsible man wants to bring over laborers for picking potatoes, for instance, or for mill purposes, or for handling pulpwood, or anything of that kind, when the seasonal labor is wanted, whoever employs 1, 10, or 100 of those laborers, becomes personally responsible for their return after a certain time which is specified in the permit to the men to come over.

There is a list containing every man's name, his residence on the other side of the line, his age, and all that, a full description of the man, and sometimes they require a photograph. But there is an accurate account taken of the man, whoever he is, and he is sponsored by some responsible concern, some company, corporation, or individual who hires him and brings him over here. It is their affair to see that he is returned.

The past fall about 1,000 such laborers came over in the potato season. Out of that thousand, 12 undertook to get farther west. They got as far as Bangor, about 150 miles from where they were working, where they were held up. Every man was returned, and the $18 he had to put up to get over here, which he was supposed to get back when he returned, was used to help pay the expense of getting that man and taking him back across the line.

That is somewhat of an answer to the question of the Senator from Washington, although I can see that he might figure that taking people from Mexico and hauling them away up to Wyoming or other Western States might be a little more difficult task than where they are handy to the border.

Mr. KENDRICK. Mr. President, no right-thinking employer of labor would ask for the admission of alien laborers where domestic laborers were available. In any event, the provision of the amendment governing the admission of aliens would prevent such contingency. It is provided that these aliens may be employed only when "unskilled agricultural laborers unemployed are not available within a reasonable distance of the place where such labor is to be performed." It provides further that the aliens must furnish bonds to insure that at the expiration of the prescribed time, or upon failure to maintain the status under which admitted, they will depart from the United States. Under such circumstances it is difficult to understand how there could be any reasonable objection to the employment of alien laborers temporarily for such agricultural crops as truck farming, the harvesting of fruit, and the cultivation of sugar beets.

As already stated, such labor does not compete with domestic labor, but used in emergencies in the production of the crops mentioned, actually opens the door of opportunity for a wider field of employment to our own people. To my way of thinking, there can be no valid objection to this amendment and there are many reasons why it should be adopted.

Mr. SHIPSTEAD. Mr. President, what is the exact question before the Senate?

The VICE PRESIDENT. The question before the Senate is the amendment proposed by the Senator from South Dakota [Mr. NORBECK].

Mr. SHIPSTEAD. That amendment proposes to repeal the national origins clause and to reduce the number of immigrants from 2 per cent to 1½ per cent, as I understand it. The national origins clause was adopted in the last session of Congress. From talking with Members of Congress since, I am firmly of the opinion that it was adopted as the result of a misunderstanding and a complete misapprehension of the question at issue.

The immigration act of 1924 contained a provision that the question of quota based upon the national origins of the people of the United States should be studied by a committee composed of three members of the President's Cabinet, the Secretary of State, the Secretary of Commerce, and the Secretary of Labor. This committee of Cabinet officers were given very definite instructions in the law of 1924 as to how they were to proceed to acquire the information if it was possible to acquire it. They were definitely instructed to report their findings only upon information which they found to be reliable and to report it to the President of the United States. After laboring for something over a year the committee did report to the President of the United States and in their report said that they found the sources of information so unreliable and so fragmentary, so many records have been destroyed, that they refused to assume any responsibility for the reliability or fairness of the quotas at which they arrived based upon the information they had.

The report came to the Committee on Immigration of the Senate. That committee in its wisdom discarded the report of the committee appointed according to law with definite instructions in the law as to how to proceed, disregarded the report made that the quotas were based upon unreliable information, and went afield in search of information of their own. They found what in the judgment of the majority of the committee was reliable information and so reported to the Senate.

It is not necessary this afternoon to consider and quote the testimony presented at the hearings conducted by the Immigration Committee. A great many stump speeches were made. I felt at the time that in searching for information the committee had imposed upon it the same conditions that the law of 1924 imposed upon the committee of Cabinet officers, namely, that they should confine themselves to sources of information which they found to be reliable. With all due respect to the majority of the committee I will say that I do not think they confined themselves to sources of information that were reliable.

The history of the national-origins legislation is that of a bill which occupied the attention of the Senate on several occasions and for a long time. To review the history of this piece of legislation and to analyze the unsatisfactory and unreliable basis upon which the quotas are based would take longer this afternoon than I feel that I have the ability to address the Senate. But in view of the fact that so many Senators have told me that they never did understand the national-origins quotas and the basis upon which they were fixed, I ask unanimous consent, in order to save time and in order not to have to occupy the floor longer than I feel I am able to do this afternoon, to have printed in the RECORD as a part of my remarks, a statement which I made to the Immigration Committee a year ago. I ask permission that my original remarks before the committee be printed in the RECORD in 8-point type and the quotations in 6-point type.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The statement is as follows:

IMMIGRATION QUOTAS BASED ON NATIONAL ORIGINS

STATEMENT OF HON. HENRIK SHIPSTEAD, OF MINNESOTA

Senator SHIPSTEAD. On two previous occasions the Committee on Immigration has been called upon to examine the report of the three Cabinet officials based upon their investigations through statistical reports. On both occasions your committee has refused to accept the report. The reasons given to the Senate for refusing to accept the report are contained in the following statement by the chairman of the Committee on Immigration, February 1, 1927:

I desire to say that under the present immigration law the President is required to promulgate a proclamation on the 1st day of April, 1927, in respect to the national-origins provisions of the law.

Upon this subject two messages have been received by the Senate. The last of those messages states that figures relied upon for the quota number of various countries are ambiguous and that practical legislation could not be predicated upon them.

And further he says:

CLARIFICATION OF DATA CONSIDERED IMPOSSIBLE

I violate no confidence, I think, in saying to the Senator from Missouri that the majority of the Immigration Committee desired to repeal the national origins law, but there being a minority in favor of it and our time being so limited, we felt that we could not at this time have definitive action.

The resolution passed the Senate, came before the Immigration Committee of the House, and a majority of the committee reporting the resolution to the House reported, in part, as follows:

"The committee having considered the text of Senate Joint Resolution 152, to postpone for one year the going into effect of the national-origins provision of the immigration act of 1924, is of the opinion that at the end of one year from July 1, 1927, the same uncertainty as to the results of regulating immigration by means of the national-origins plan will continue to exist.

"That the Secretaries of State, Commerce, and Labor will have little, if any, more positive evidence on which to base quota findings than at present.

"That too much uncertainty exists as to the requirements of the law that 'the President shall issue a proclamation on or before April 1, 1927,' when read in conjunction with further provisions of the law.

"That it seems far better to have immigration quotas for the purposes of restriction fixed in such a manner as to be easily explained and easily understood by all.

"That the committee is of the opinion that the United States, having started on a policy of numerical restriction, the principle of which is well understood, that little will be gained by changing the method."

I take it for granted that your committee has again refused to accept the report of the fact-finding commission appointed by the President according to law. I base that upon the fact that the committee has decided to hold public hearings.

LAW OF 1924 SPECIFIC

Under the provisions of the immigration law of 1924 the commission composed of the Secretaries of State, Labor, and Commerce had the task of determining the national origin of the population of the United States. The specific instruction of the law to this commission reads as follows:

Such determination shall not be made by tracing the ancestors of descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial United States censuses, and such other data as may be found to be reliable.

You will note that the mandate is quite specific in its limitations upon the commission. The purpose of this provision of the law was to create a fact-finding commission. The commission is instructed by law to confine their source of information to "immigration and emigration" statistics, "together with rates of increase of population as shown by successive decennial United States censuses, and such other data as may be found to be reliable."

The law specifies these three sources of information upon which to find the facts. The report is here; in fact, it is here for the third time by request of the committee for the purpose of determination by your committee as to whether or not the commission has complied with the provisions of the law in its search for facts and if the facts reported are of such a character that the committee in its judgment feels they are sufficient and substantial enough to form the foundation of the immigration policy of the United States.

It must be clear to everyone that the limitations conferred by law upon the fact-finding commission extend also to the Committee on Immigration in this case. The committee sits in a judicial capacity in judgment on the report, and the report of the commission must form the foundation of your decision. Under the law it seems plain that the committee is confined to the report of the commission. It therefore becomes important to learn what is the foundation of the commission's report.

Therefore, I call the committee's attention to the testimony of the chairman of the commission's "experts," whose duty it is to report to the commission of three Cabinet officials in order that we may learn upon what their report is founded.

CENSUS OF 1790 BASIS OF REPORT

On page 14 of Senate document dated March 15, 1928, and designated as "Hearing Before the Committee on Immigration, United States Senate, Seventieth Congress, First Session," we read the following:

Senator SHIPSTEAD. Doctor, upon reading the report I got the idea that the census of 1790 plays a very important part in your report.

Doctor HILL. Yes; that is true.

Senator SHIPSTEAD. It is almost a foundation for the entire report, as I read it.

Doctor HILL. Well you are talking about the census record, not about the century of population growth?

Senator SHIPSTEAD. I am talking about the census record; and the century of population growth is based, as I understand it, upon the census of 1790?

Doctor HILL. Yes.

Senator SHIPSTEAD. So the census of 1790 becomes the key to the arch of the whole basis of calculation, as I understand the report. I wanted to know if that is your idea.

Doctor HILL. Yes; for that part of the population which we call the original native stock, representing about 45 per cent of the total.

Senator SHIPSTEAD. Can you tell us how many or what percentage of the statistics gathered in that report were destroyed when the British burned the Capitol here?

Doctor HILL. Well, the records for New Jersey, Delaware, Georgia, Kentucky, and Tennessee. These records have been lost, but it is not altogether certain that they were destroyed when the British burned the Capitol, although that is the tradition.

Senator SHIPSTEAD. It was given at one time as something like six or seven States of which the statistics were burned at that time, so given by one of the Commissioners of Immigration.

Senator COPELAND. Does the Senator mean that the records relating to those States were burned?

Senator SHIPSTEAD. Yes.

In Senate document, dated December 22, 1926, and designated "Hearings Before the Committee on Immigration, United States Senate, Sixty-ninth Congress, Second Session," on page 4, while making a statement on the provisions of the law specifying the source of information upon which the commission was instructed to base its conclusion, I made the following statement:

* * * Such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial United States censuses and such other data as may be found to be reliable.

It will be seen from the above that the most important element in this determination is "statistics of immigration and emigration." The next important element is "rates of increase of population as shown by successive decennial United States censuses."

As reliable statistics of immigration and emigration are not in existence, the whole plan fails and leaves the determination to mere guesswork or conjecture.

Senator REED. In the absence of statistics, you say?

Senator SHIPSTEAD. Yes; I say "reliable statistics" are not available. According to the best authorities, there are no reliable statistics of immigration for the first 213 years of this country's history. I believe you stated in the debate upon this proposition that there were none until 1820?

Senator REED. Yes.

Senator SHIPSTEAD. I am quoting from your statement on the floor of the Senate, April 3, 1924, page 5460, part 6, volume 65, of the CONGRESSIONAL RECORD: "There was no official governmental record of immigration commenced until the year 1820."

Dr. Edward McSweeney, former Assistant Commissioner of Immigration, has made a statement on that, and if you would care to have me do so I would like to read it. He said [reading]:

In 1819 a law was passed making it necessary for the captains of all incoming ships bringing passengers to the United States to file a manifest of the passengers, but except to give the number of the passengers to the Government was never other than perfunctory and almost never used. These accumulated manifests were burned in the Ellis Island fire of 1896. The first real attempt to gather immigration statistics was after the Immigration Bureau was established in the early nineties.

In 1906 Congress passed a law providing that the Director of the Census be authorized and directed to publish in permanent form, by counties and minor subdivisions, the names of the families returned at the first census of the United States in 1790.

Speaking of the difficulties in this work, William S. Rossiter, then chief clerk of the Census Bureau, stated in Outlook for December 29, 1906, page 1071, marshals in the different districts who had charge of the census:

The break in official records is one of the marks of the teeth of the British lion, these papers and many others having been destroyed during the occupation of Washington in the War of 1812.

Mr. Rossiter also states:

Vagaries of size, shape, paper, ruling, chirography, and language could easily be forgiven if, however, thereby we could restore the missing schedules for Delaware, Georgia, Kentucky, New Jersey, Tennessee, and Virginia, another reminder of the British, for they were also destroyed during the occupation of Washington.

Mr. Rossiter estimates that one-fourth of the enumeration is now lacking and that it would be very difficult to comply with the law of 1906.

Director of the Census North was not seemingly deterred by the fact that such a large part of the records was missing, and proceeded in 1909 to make a voluminous report which not only used the partial records but gave meticulous percentages of the racial divisions in the country based solely on names, the same as the late Senator Lodge has done in his Distribution of Ability in 1896. Well, certainly the recklessness of that would be apparent; for instance, here is a man by the name of Murphy; suppose he marries a girl of German descent.

What would the children be? If you go by name, of course, they would be called Irish; the German would be wiped out. If an Irish girl should marry a man with a German name, a Scotch name, or Scandinavian name, the Irish descent would be wiped out.

These fragmentary statistics of immigration and emigration are, therefore, admitted by the chairman of "experts" to be the foundation of their report. One-half of the records of the census of 1790 were destroyed more than 100 years before the commission began its work. In the census of 1790 the only information gathered by the census takers was the name and age of the individual. No information was gathered to determine their national origin. The only manner in which the national

origin could be determined of the population of 1790 would be from the remaining records of the seven remaining States. Six are gone and the only manner in which the national origin of the remainder can be determined is by tracing the national origin of each individual of the population at that time by spelling or sound of his name. This is "tracing the ancestors of descendants of particular individuals," but the law creating the committee of experts says "such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of emigration and immigration, together with rates of increase of population as shown by successive decennial United States censuses, and such other data as may be found to be reliable."

It seems plain and must be patent to the committee that the census of 1790 is specifically eliminated from consideration in this work by specific provision of the law. It is plain, in view of the statement of Doctor Hill that the census of 1790 is the foundation of his report that this evidence places the report in an indefensible position. There remains, then, (a) "Statistics of immigration and emigration."

RECORDS FROM 1819 TO 1896 BURNED

On April 4, 1924, page 5460, part 6, volume 65, of the CONGRESSIONAL RECORD, I find the statement made by the Senator from Pennsylvania [Mr. REED]:

> There was no official governmental record of immigration commenced until the year 1820.

The immigration statistics provided for by law in the year 1819 were burned in the Ellis Island fire of 1896. As to the reliability of these records, Dr. Edward Sweeney, former Assistant Commissioner of Immigration, said:

> In 1819 a law was passed making it necessary for the captains of all incoming ships bringing passengers to the United States to file a manifest of the passengers, but, except to give the number of the passengers to the Government, was never other than perfunctory and almost never used. These accumulated manifests were burned in the Ellis Island fire of 1896. The first real attempt to gather immigration statistics was after the Immigration Bureau was established in the early nineties.

Therefore the immigration statistics up until the early nineties were "perfunctory and almost never used," and what there was of them were destroyed by the Ellis Island fire in 1896. These immigration statistics are therefore eliminated not only by the provisions of the law on account of unreliability but also by the fire.

There remains, then, for the consideration of the committee "the rates of increase of population as shown by successive decennial United States censuses and such other data as may be found to be reliable." It is hard to understand what effect "the rate of increase of population as shown by successive decennial United States censuses" can have upon the determination of the national origin of the American population so long as no information bearing upon national origin of the American population was gathered by the Census Bureau until 1850, and the Census Bureau did not gather any statistics on the origin of parents that were complete until 1890.

NO NATIONAL-ORIGINS CENSUS RECORD UNTIL 1890

I desire to call the committee's attention to Doctor Hill's testimony in Senate document designated as "Hearing Before the Committee on Immigration, United States Senate, Seventieth Congress, First Session," March 15, on page 19:

> Senator SHIPSTEAD. Doctor, have we got the returns for 1800?
>
> Doctor HILL. Have we got them?
>
> Senator SHIPSTEAD. Yes.
>
> Doctor HILL. There are some States missing still. States for which the 1800 census records are missing include Georgia, Kentucky, Mississippi, New Jersey, Tennessee, and Virginia, and certain limited areas in some other States; also Indian Territory and Northwest Territory.
>
> Senator SHIPSTEAD. There were six or seven missing out of 1790.
>
> Senator WILLIS. I was wondering whether or not that might not be a check worth while. Our committees made these computations on the basis of the census of 1790. Suppose they should start an entirely independent inquiry, taking the census of 1800 and 1810 and see where they come out. It would be a pretty useful check, would it?
>
> Senator COPELAND. Up as far as 1830 it would be, Doctor Hill. That would be a very large undertaking, a very large task, especially as we would have to work with manuscript records. We haven't printed these schedules as we have those of 1790.
>
> Senator WILLIS. You say you have not any printed record for the census for the earlier periods?
>
> Doctor HILL. I mean by that the original records. Of course, we have census reports giving statistics.
>
> Senator WILLIS. 1790 was printed; 1800 was not, or 1810?
>
> Doctor HILL. No; nor has any later census been printed.
>
> Senator SHIPSTEAD. Can you tell me the first census we took in which we undertook to find out what country these people came from?
>
> Doctor HILL. 1850.
>
> Senator SHIPSTEAD. There was nothing done up until that time by our enumerators to determine where those people came from in Europe?
>
> Doctor HILL. That is true.
>
> Senator COPELAND. In 1850 did they go back further than the immediate parents?
>
> Doctor HILL. It did not go back as far as that; simply their own birthplace; whether foreign born, and in what countries.
>
> Senator COPELAND. When did they begin to ask anything about the parents?
>
> Doctor HILL. They made a beginning in 1880; but, as I stated a while ago, that was not a complete classification. The first complete classification made of parents was in 1890.
>
> Senator SHIPSTEAD. Then until 1850 there was nothing to show except by assuming from the names?
>
> Doctor HILL. Well, we have the figures, you know.
>
> Senator SHIPSTEAD. Were there any other immigration figures other than those required by the Government to be filed by the officers of incoming ships with the immigration officers, the number of passengers, and that the passengers landed were accredited to the flag carried by the ship?
>
> Doctor HILL. I think you are right about that. I am not familiar with the immigration regulations of those days.
>
> Senator SHIPSTEAD. So, if the ship came in carrying passengers from all over Europe, assume she had a thousand passengers, the officer would file with the immigration department a manifest showing that a thousand came here in that German ship, and immigration officials would accredit those immigrants to Germany; is that right?
>
> Senator REED. I doubt whether there was any ship of that capacity at that time.
>
> Senator SHIPSTEAD. Of course, the figure I assumed merely for the purpose of illustration. For instance, an English ship coming in under the English flag, carrying passengers from all over Europe, the passengers would be accredited to England?
>
> Senator WILLIS. The way they handled ships in those days that would not be a bad guess, because they did not have tramp vessels gathering up cargo. A ship was laden and went to a certain port.
>
> Senator REED. Your conclusions upon that were checked, were they not, by statistics of emigrants from various countries?
>
> Doctor HILL. So far as we could get them.

In Doctor Hill's last report he says:

> In order to utilize the available data to best advantage in the determination of national origin it was necessary first of all to determine what proportion of the white population of the United States in 1920 was derived from the white population present in the United States when the first census was taken in 1790.

Suppose that it were possible to determine what percentage of the population of 1920 was descended from the population prior to 1790, what bearing could that have on the national origins of the population of 1920 unless we had some definite immigration and census records informing us on what was the national origins of the population prior to 1790?

On page 2 of Doctor Hill's last report we learn:

> The national origin of the original native or colonial stock is assumed to be the same as that of the 1790 population. In its preliminary report, submitted in 1926, the quota committee accepted the classification of 1790 population by nationalities as given in A Century of Population Growth, a work published by the Bureau of the Census in 1909. It was admitted, however, that there was a "considerable element of uncertainty" in a classification based as that was upon the names of heads of families.

On page 4 of the last report and the one now pending we find that one of the experts explains the method of determining the national origins of the population of 1790. This shows plainly that the committee of experts' report is based on A Century of Population Growth, which again is based on the census of 1790, and the only excuse for basing the quotas on the census of 1790 and the only scientific thing about it is that they determine the national origin of the population of 1790 by tracing or by guessing the national origin of the individual, using his name as a basis. This method was considered so unscientific at the time of the passage of the immigration act that the Congress specifically prohibited this method from being used.

Therefore up until 1890 we find there was no complete classification made of the national origins of the parents of the American population by the Census Bureau. This is an admission of Doctor Hill in the hearings conducted by your committee. It seems to me, therefore, that the record as well as the law rules out the "rate of increase as shown by successive decennial United States censuses."

DANGERS OF GOING ASTRAY

There remains, then, "such other data as may be found to be reliable." What these data are and how reliable they may be is for

the committee to determine. In passing upon the reliability of whatever remaining data there may be I am sure it is not necessary to warn the committee against going astray on testimony presented by people whose mental complex seems biased by international and racial prejudicies and inhibitions always latent to some extent in the human breast. The law does not provide that the committee shall consult the opinions and prejudices of our various racial or national groups. The law specifically provides that the commission of Cabinet officers shall search the records for facts. The law does not provide the commission shall search emotions for prejudices. It is plain that the same provisions of law apply to the committee. The Congress of the United States legislates under the provisions of the Constitution. It is not within the province of Congress to legislate for or against any person or group representing any nationality composing its citizenship. We legislate as Americans. The Constitution does not distinguish between racial groups.

I find on reading the report of the committee of experts that they have arbitrarily divided the American population into two classes—the native American stock and the immigrant stock. The native American stock is held by the committee of experts to be composed of those whose ancestors were here before 1790, and that part of our population whose ancestors came here after 1790 are designated as immigrants and the children of immigrants. This arbitrary classification is the foundation of the report of the committee. I would like to know how this committee of "experts" discovered that the population of the United States prior to 1790 were not immigrants or children of immigrants. That is a new theory that I nominate to stand on a par with Doctor Einstein's fourth and fifth dimensions—interesting for speculative purposes but surely not to be relied on to form the foundation of an American immigration policy. I know of no provision of law, nor do I desire any such, that may prohibit those whose ancestors were here before 1790 from purchasing for themselves championship belts for the purpose of designating to the world that they are the only "simon-pure" Americans. But for purposes of legislation we can not distinguish or give any preferred status to any particular group.

The law specifically confers the duties of finding the facts upon a commission of three Cabinet officers. This commission has made its report. It is evident that the report of the Cabinet officers, based upon the work of their "experts," satisfied the committee that the data are not of such a character that they were sufficient to comply with the provisions of section (c) of the immigration act. I therefore assume that the present hearings have been extended by the committee to other sources in the hope that it may find "such other data as may be found to be reliable." How scientific and how reliable such testimony may have been as presented to the committee by the various witnesses appearing before it is for the committee to determine. It must be evident and apparent to the committee that the sources enumerated in the law have been searched and found wanting.

It is therefore plain that the committee having discarded the report of the commission appointed by law, and if the national-origins clause is to be put into effect and used as a basis for our immigration policy it can only be done by amending the immigration act of 1924. If that is the intention of the committee, I assume its recommendations will be based upon information obtained in public hearings and will be political in character, since the scientific and statistical data to which we are limited under the laws are not found to be reliable.

Mr. McNARY. Mr. President, I desire to submit the following unanimous-consent agreement.

The VICE PRESIDENT. The proposed agreement will be read.

The Chief Clerk read as follows:

It is agreed by unanimous consent that after the hour of 2 o'clock p. m. on Monday, April 21, 1930, no Senator shall speak more than once or longer than 10 minutes upon the bill under consideration (S. 51) "to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws" or upon any pending amendment, and that on said day at not later than 4 o'clock p. m. the Senate shall proceed to vote without further debate upon any amendment that may be pending or that may be proposed to said bill, and upon the bill itself through its various parliamentary stages to final passage.

The VICE PRESIDENT. Under the rule a quorum will have to be called before the unanimous-consent agreement can be entered into.

Mr. JONES. Mr. President, I understand that the proposed agreement fixes a definite time to vote upon the bill and upon amendments.

The VICE PRESIDENT. It does.

Mr. JONES. I shall object to that. If there is a limit placed merely upon debate, I shall have no objection; but I shall not agree to fixing a definite time to vote on the bill itself and on amendments. I have seen it so often happen when the time arrived for the final vote there were many amendments which had been offered that had not been considered at all.

However, I rose to say a few words with reference to the proposal of the Senator from Wyoming [Mr. KENDRICK].

Mr. McNARY. Mr. President, will the Senator yield before he proceeds?

Mr. JONES. I am going to occupy only a moment.

Mr. McNARY. I assumed when I offered the unanimous-consent agreement that it probably was the order of business.

Mr. JONES. I thought I would make my objection so as to save the calling of a quorum. I shall not agree to a unanimous-consent proposal of that character.

The VICE PRESIDENT. The Senator from Washington objects, so there is no necessity for calling a quorum.

Mr. McNARY. I thought probably on more mature reflection the Senator would recede from his position.

Mr. JONES. No; I have made that resolution. I would not object to a unanimous-consent agreement fixing a time after which debate shall be limited on any amendment to 5 or 10 minutes. I would not object to an agreement of that character.

Mr. McNARY. I think it quite appropriate that I should disclose to the Senator what I have in mind. I thought if this agreement met with the favor of the Members of the Senate I would move to take a recess until Monday.

Mr. JONES. I am not interested in that proposition at all.

Mr. McNARY. Very well, though others may be.

Mr. JONES. Yes; no doubt; especially if the weather is good.

Mr. McNARY. At 12 o'clock on Monday the debate would then proceed, and at 2 o'clock the limitation on debate would apply—10 minutes on the pending bill and any amendment pending or to be offered—and at not later than 4 o'clock a final vote would be taken.

Mr. JONES. If the Senator will leave off the last part of his proposal, I will agree to it.

Mr. DILL. I shall object to any arrangement placing a limitation upon debate.

Mr. JONES. I should like to say that I have given my views with reference to the unanimous consent, and I am fixed on that point. If the Senator would leave off the last part of his proposal, and merely limit debate after a certain hour, we would soon reach a vote.

Mr. McNARY. That is the unanimous-consent proposal, that after 2 o'clock on Monday debate be limited on the bill and any amendments pending or offered thereto.

Mr. JONES. That would be entirely agreeable to me if the Senator would go no further.

Mr. McNARY. May I appeal to the Senator from Georgia [Mr. HARRIS]? Does that conform to the Senator's best judgment?

Mr. HARRIS. Mr. President, I think if we begin the limitation of debate at 12 o'clock on Monday it would be better.

Mr. JONES. I have no objection to beginning the limitation of debate at 12 o'clock.

Mr. DILL. I shall object to such an agreement.

Mr. McNARY. Will the Senator advise me in what particular he objects?

Mr. DILL. I object to the 10-minute limitation.

Mr. McNARY. Is 15 minutes satisfactory in the judgment of the Senator?

Mr. DILL. No; I think not.

The VICE PRESIDENT. Objection is made. The senior Senator from Washington has the floor.

Mr. JONES. Mr. President, there is no Senator who stands higher in my opinion than does the senior Senator from Wyoming [Mr. KENDRICK]. There is no Senator, I believe, who comes with purer motives than he does. I am satisfied that in the suggestion he has made with reference to bringing people over here from Mexico for a limited time and then sending them back, whether they want to go back or not, he has the very best of intentions, based on the peculiar situation which probably confronts the industry in his section of the country. But as I look at it, it is a proposal—not so intended by him—the effect of which would be legislatively to legalize a system of peonage in this country. I can not vote for any proposition of that kind.

Mr. HEFLIN. Mr. President, not long ago the Legislature of Arizona memorialized Congress on this subject. I invite particularly the attention of the Senator from Washington [Mr. JONES]. I want the Senator from Washington to hear the memorial from the State of Arizona on this very subject.

The memorial was adopted by a vote of 42 to 6 in the House and 21 to 4 in the Senate of the State of Arizona, and reads as follows:

STATE SENATE,
Ninth State Legislature, Regular Session.

Senate Memorial No. 1 (introduced by Mr. Ross) memorializing the Congress of the United States to enact the provisions of H. R. 6465, Seventieth Congress, first session, known as the Box bill, thereby restricting immigration from the Republic of Mexico into the United States of America

Whereas the restrictions by law of immigration have operated to materially reduce the menace to the American workingman of competition by a large volume of cheap European labor, with its attendant low standards of living, and has thus proven of incalculable benefit as a factor in maintaining and enhancing the social and material welfare of the people of this Nation, thereby demonstrating its right to an honorable and permanent place in the laws of our land; and

Whereas it is conservatively estimated that there are now in the United States 3,000,000 or more Mexican peons, who are in direct competition with American working men and women, thus making beggars and tramps of many of our native-born citizens because of an oversupply of labor; and

Whereas the 80 per cent law of Arizona was declared unconstitutional by the Supreme Court of the United States, while in Mexico 80 per cent of all employees engaged in any occupation must be citizens of Mexico, as prescribed by their law; and

Whereas the employment furnished to the Mexican peons by those who clamor loudest for their continued admission in unlimited numbers is of a seasonal nature only, at wages which permit of the purchase only of the bare necessities for a temporary existence, thus filling our towns and cities during the greater portion of the year with a large and growing army of unemployed, who drain our charities, fill our penal institutions, and many of whom are afflicted with infectious and loathsome diseases, and thousands of whom are saturated with Bolshevik doctrines, thus become an actual menace and danger to our institutions and Government; and

Whereas 35,000,000 foreign-stock people are already in the United States, comprising more than 40 different nationalities and speaking more than that number of foreign languages, 14,000,000 of whom are foreign born and 7,000,000 still aliens, is more than our schools, our almshouses, our jails, and our penitentiaries, and our other forces of assimilation, segregation, and elimination can possibly take care of. Under our present alleged drastic quota law each year over one-half million aliens are lawfully admitted, to say nothing of the hundreds of thousands that enter surreptitiously. It is imperative in order to adequately protect our own people and institutions that we have added restrictions to our immigration laws, especially applying to Mexican peons of the Republic of Mexico, stronger deportation, better naturalization laws, and more effective law enforcement: Therefore be it

Resolved, That the Senate of the Ninth State Legislature of the State of Arizona favors the maintenance of the basic provisions of the immigration act of 1924 and urges upon the Congress of the United States the enactment into law H. R. 6465, first session of the Seventieth Congress, commonly known as the Box bill, making the quota provisions thereof applicable to Mexico, Cuba, Canada, and the countries of continental America and adjacent islands.

Mr. WALSH of Massachusetts. Mr. President, may I ask the Senator from Alabama when those resolutions were adopted?

Mr. HEFLIN. Just a few months ago.

Mr. JONES. Mr. President, I should like to ask the Senator from Alabama a question.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Washington?

Mr. HEFLIN. I yield.

Mr. JONES. I do not understand why the Senator wanted to call my special attention to that memorial. I am in hearty accord with it, I will say.

Mr. HEFLIN. I understand that to be so, but I did it because of the position the Senator took a moment ago. I wanted to support him in the position taken by him.

Mr. JONES. Very well.

Mr. HEFLIN. The Senator does not seem now to know exactly what his position is.

Mr. JONES. The Senator is mistaken as to that; I know what my position is, but I did not know what his intention was.

Mr. HEFLIN. I was supporting the Senator strongly.

Mr. HARRIS. Mr. President, this morning I asked to have read at the desk several telegrams sent to me from Arizona, but in view of the fact that the junior Senator from Arizona [Mr. HAYDEN] was absent I delayed having them read. I now ask that two telegrams which I send to the desk may be read.

The VICE PRESIDENT. The Secretary will read, as requested.

The Chief Clerk read as follows:

LOS ANGELES, CALIF., *April 16, 1930.*

WILLIAM J. HARRIS,
House of Congress, Washington, D. C.:

We absolutely indorse the Harris bill on Mexican immigration. Kindly read this message into the RECORD, soliciting the attention of the interested House committee and the California delegation.

EAST LOS ANGELES REPUBLICAN CLUB,
W. L. CUMMINGS, *President.*

WAYCROSS, GA., *April 17, 1930.*

Hon. WILLIAM J. HARRIS,
Senator, Washington, D. C.:

The following resolution was unanimously adopted by Georgia Federation of Labor convention to-day:

"Whereas there is pending before the United States Senate a bill introduced by Hon. WILLIAM J. HARRIS tending to restrict Mexican immigration into this country: Therefore be it

"*Resolved*, That the Georgia Federation of Labor in convention assembled indorse this bill and hope for its early passage."

LOUIE P. MARQUARDT.

LOAN OF EQUIPMENT TO AMERICAN LEGION CONVENTION

The VICE PRESIDENT laid before the Senate the bill (H. R. 10118) to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion, at Boston, Mass., during the month of October, 1930.

Mr. WALSH of Massachusetts. Mr. President, that is a House bill similar to a bill introduced by me in the Senate, which has been pending before the Committee on Military Affairs. The committee have been desirous of reporting favorably the bill introduced by me, but I have requested them to delay action so that they might act instead on the bill which has now come over from the House. I, therefore, ask unanimous consent for the immediate consideration of the House bill. It is entirely a formal matter. Similar action is taken each year providing for the loaning of certain equipment by the Secretary of War to the American Legion convention.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JONES. Mr. President, as I understand the Senator from Massachusetts, neither bill has been reported from the Committee on Military Affairs.

Mr. WALSH of Massachusetts. The House bill has been reported and has been passed by the House.

Mr. JONES. But the bill has not been reported from the Senate Committee on Military Affairs.

Mr. WALSH of Massachusetts. The Committee on Military Affairs of the Senate has considered the bill introduced by me, but I have asked them not to report it, in order that we might secure action upon the House bill which is similiar in character.

Mr. JONES. I wish the Senator would have the bill acted upon and reported by the committee. The committee can be polled, and a report submitted promptly. The action the Senator proposes might set a precedent. This is a regular bill, and the course I suggest will probably not delay it very long. I ask that the bill may be referred to the committee, and I have no doubt that they will report it back shortly.

The VICE PRESIDENT. The bill will be referred to the Committee on Military Affairs.

USE OF BUTTER SUBSTITUTES IN GOVERNMENT INSTITUTIONS

Mr. BLAINE. Mr. President, it is very apparent that unanimous consent can not be obtained for an immediate vote upon the pending amendment and upon the bill, which is now before the Senate for consideration, and it is getting very close to the time when the Senate may take a recess. So I desire at this time to call to the attention of the Senate and to the attention of the chairman of the Committee on Appropriations a condition which I think ought to be remedied.

In midsummer last year I made an investigation of how much butterine, oleomargarine, and other butterfat substitutes were used in hospitals, soldiers' homes, and other institutions under the Federal Government, and also of how much food substitutes for other animal fats were used in such institutions, for the last year for which the institutions had available data. The institutions reported, and I am basing my remarks upon those reports.

I find, to my astonishment, that St. Elizabeths Hospital for the Insane, near Washington, used 121,297 pounds of oleomargarine and butterine, and that no butter was purchased or used for the year ending June 6, 1929. While no butter was used at that hospital, where butter is so essential for the welfare

and treatment of those suffering from mental diseases, there is no explanation why it was not used.

There are 11 national homes for disabled volunteer soldiers. At those homes for disabled volunteer soldiers during the year there were used 91,356 pounds of butter and 502,407 pounds of oleomargarine or butterine, and lard substitutes to the amount of 55,735 pounds. In fact, in the Maine National Home for Disabled Volunteer Soldiers no butter is served, excepting a negligible quantity in the hospital, as special diet, and in the Virginia and Illinois National Soldiers' Homes no butter whatever is served.

In these national homes are domiciled the Civil War veterans and the Spanish-American War veterans. It will be noted that these soldiers fare scarcely any better than do the prisoners in the United States prisons.

There are five United States prisons, where 20,139 pounds of butter were served and 196,627 pounds of oleomargarine or butterine, for the 1-year period.

There are 51 United States veterans' hospitals, under the United States Veterans' Bureau, where, within the year, 979,918 pounds of butter were served and 157,073 pounds of oleomargarine, though the director advised that at the time he made the report no oleomargarine was served on the table, its use being limited to seasoning in cooking.

I think the Director of the Veterans' Bureau is entitled to congratulations and to great approval for furnishing a proper diet for those in the institutions under his charge.

There is a somewhat different story to be told in relation to hospitals for soldiers now in the service. At the United States Army hospitals, for a 1-year period, 214,780 pounds of butter were served and 11,872 pounds of oleomargarine or butterine, in only two of those hospitals, there being no butter substitutes served at the other three hospitals.

In the marine hospitals, under the Public Health Service, within the year period, there were served 187,759 pounds of butter. There are 24 marine hospitals, and only in 6 of those hospitals is oleomargarine or butterine served, and then to the amount of 8,804 pounds.

At the United States naval hospitals, 15 in number, for the 1-year period, there were served 250,875 pounds of butter, and there was no oleomargarine or butterine served at those hospitals.

A summary of the use of butter, oleomargarine or butterine, and lard substitutes I give as follows:

Butter used in the Army, Navy and Marine Corps hospitals for the year period amounted to 653,414 pounds; oleomargarine for the Army and Marine Corps hospitals, 20,676 pounds, and vegetable shortenings, as lard substitutes, 259,856 pounds, leaving for the other institutions under the control of the Federal Government, principally homes for disabled volunteer soldiers, the amount of butter used within the year period 1,082,413 pounds and of oleomargarine or butterine 977,404 pounds, almost as great a quantity of butter substitutes being served as of butter, and vegetable shortening or lard substitutes 713,008 pounds.

I have been unable to learn why butter is not served at St. Elizabeths Hospital for the Insane, and there is no explanation given why scarcely any butter is served to the veterans of the Civil War and the Spanish-American War. I think an explanation is due, however, and I have called the attention of the Senate to the facts.

If the appropriations for food at the institutions under the charge of the United States are insufficient, then it would seem that the Committee on Appropriations ought to recommend an appropriation of the necessary funds with which to buy the necessary food. Neither the financial policy of the President nor the arbitrary finding of the Director of the Budget should deny these disabled soldiers an ample quantity of wholesome dairy products, so essential to their welfare. I therefore trust that the Appropriations Committee will take notice of these facts and make up the necessary budget for the purchase of the essential food.

If the failure to provide the necessary food is due to the negligence of the superintendents of any of these institutions, then other superintendents should take their places.

Mr. President, I have made these comparisons, and I desire now to have incorporated in the RECORD certain tables regarding the subject of my remarks. The tables show the "Quantity of butter, oleomargarine, and other animal-fat substitutes used in hospitals," and so forth, for the year ending June 30, 1929, except where otherwise noted. Each institution is named, and the details are given for all the institutions to which I have made reference. There is also attached a summary showing the grand total for all institutions.

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). Without objection, the tables referred to by the Senator from Wisconsin will be printed in the RECORD.

The tables referred to are as follows:

Quantity of butter, oleomargarine, and other animal-fat substitutes used in Federal hospitals, etc.

(Year ending June 30, 1929, except where otherwise noted)

Hospital located at—	Butter	Oleomargarine or butterine	Vegetable shortening or lard substitute	Remarks
	Pounds	*Pounds*		
Washington, D. C. (St. Elizabeths Hospital).	None.	121,297	None	No butter purchased or used year ending June 30, 1929.
U. S. ARMY HOSPITALS				
Hot Springs, Ark	3,104	10,432		Calendar year 1928.
San Francisco, Calif.	51,840	1,440	14,400 pounds	No oleomargarine used in lieu of butter.
Denver, Colo	72,970	None.	17,385 pounds	
El Paso, Tex	17,000	None.	110,000 pounds	Lard substitute (Crisco).
Washington, D. C. (Walter Reed Hospital)	69,866	None.	14,715 pounds	Cottonseed oil, year ending May 31, 1929.
Total	214,780	11,872	156,500 pounds	
U. S. NAVAL HOSPITALS				
Mare Island, Calif	20,940			No substitute for other animal fats used.
San Diego, Calif	37,764	None.	8,280 pounds	
Washington, D. C	17,542		8,205 pounds salad oil; 7,990 pounds vegetable shortening.	
Pensacola, Fla	3,581	None.	6,115 pounds	11½ months.
Great Lakes, Ill	24,270	None.	4,230 pounds	11 months.
Annapolis, Md	7,780		2,440 pounds	11½ months.
Chelsea, Mass	20,880	None.		No butter substitutes used.
Portsmouth, N. H	4,756	None.		Do.
New York, N. Y	28,454		7,932 pounds	No butter substitutes used during calendar year 1928.
League Island, Pa	27,057	None.	5,712 pounds	
Newport, R. I	11,382	None.		No butter substitutes used.
Charleston, S. C	2,004	None.	1,342 pounds	88 gallons salad oil.
Parris Island, S. C	3,766	None.	None	Calendar year 1928.
Norfolk, Va	32,380	None.	25,170 pounds	
Puget Sound, Wash.	8,229	None.	913 pounds	Year ending May 31, 1929.
Total	250,875		78,329 pounds	
MARINE HOSPITALS, PUBLIC HEALTH SERVICE				
Mobile, Ala	2,962	386		Used lard 11½ months
San Francisco, Calif.	25,000	None.	1,600 pounds lard compound.	
Key West, Fla	2,202	None.		July 1 1928, to May 31, 1929.
Savannah, Ga	5,655	None.	Use lard substitute; don't know whether it's animal or vegetable oleostearine.	
Chicago, Ill	10,126	None.		Year ending May 19, 1929.
Evansville, Ind	2,184	None.		
Louisville, Ky	3,584	None.		
Carville, La	9,360	360	3,960 pounds	
New Orleans, La	18,234	None.		Past fiscal year.
Portland, Me	3,309	None.	915 pounds	Year ending May 31, 1929.
Baltimore, Md	1,804	[1] 1,002 [2] 3,694	1,360 pounds lard substitute; 170 gallons cottonseed oil.	Do.
Boston, Mass	9,245	817	35 gallons cooking oil	
Vineyard Haven, Mass.	1,165	None.		
Detroit, Mich	3,933	236		
St. Louis, Mo	3,000	None.	None	
Fort Stanton, N. Mex.	15,498	None.	1,872 pounds cooking oil, for salad, etc.	
Buffalo, N. Y	5,175	None.	500 pounds lard compound.	
Stapleton, N. Y	16,795	None.		
Cleveland, Ohio	5,010	None.	105 gallons Wesson oil	
Norfolk, Va	11,232	None.	600 gallons salad oil; 2,180 pounds lard compound.	
Port Townsend, Wash.	5,200	None.	500 pounds lard substitute.	One year. (approximate.)

[1] Blended fat: Cottonseed oil, beef fat, milk, and salt.
[2] Blended fat: 40 per cent butter fat, with cottonseed oil and flavored with milk and salt.

Quantity of butter, oleomargarine, and other animal-fat substitutes used in Federal hospitals, etc.—Continued

Hospital located at—	Butter	Oleomargarine or butterine	Vegetable shortening or lard substitute	Remarks
MARINE HOSPITALS, PUBLIC HEALTH SERVICE—contd.				
	Pounds	*Pounds*		
Ellis Island, N. Y.	22,822	None.	110 pounds lard compound.	Year ending March 1929.
Pittsburgh, Pa.	4,159	None.	None	Buy bread and cakes.
Memphis, Tenn.	615	2,309	1,710 pounds lard compound.	Past fiscal year.
Total	187,759	8,804	17,747 pounds; 910 gallons.	
NATIONAL HOMES FOR DISABLED VOLUNTEER SOLDIERS				
Soldiers Home, California.	29,482	68,421		
Washington, D. C.	2,100	43,699	282 gallons Mazola oil	
Danville, Ill.	None.	44,980	4,848 pounds lard substitute.	
National Military Home, Indiana.	2,385	46,545		
National Military Home, Kansas.	2,135	51,430	725 pounds lard substitute.	11 months.
National Soldiers Home, Maine.	None.	30,312	No butter except negligible quantity in hospital as special diet.	11½ months.
Dayton, Ohio	19,672	74,840	6,550 pounds lard substitute.	
Hot Springs, S. Dak.	5,660	12,773	Used only in convalescent wards. Butter served in all hospital messes and tubercular department.	11 months.
Johnson City, Tenn.	22,432	34,736	28,312 pounds Cottolene; 228 pounds vegetable oil.	
National Soldiers Home, Virginia.	None.	50,830	5,238 pounds cottonseed oil products.	
National Home, Wisconsin.	7,490	43,841	9,578 pounds	Year ending Apr. 30, 1929. Lard from meat fats in home kitchens, 17,013 pounds.
Total	91,356	502,407	55,479 pounds; 282 gallons.	

Data on butter, oleomargarine, cooking fat, and salad oil at United States veterans' hospitals, April, 1927, to March, 1928

	Rations served	Butter	Oleomargarine [1]	Cooking fat	Salad oil
		Pounds	*Pounds*	*Pounds*	*Gallons*
1. Alexandria, La.	283,981	11,341	1,564	17,941	1,476
2. Algiers, La.	107,560	7,834		1,525	361
3. American Lake, Wash.	180,489	22,289	1,936	9,465	655
4. Aspinwall, Pa.	111,332	11,566	2,296	3,600	215
5. Atlanta, Ga.	39,356	3,807	398	4,500	185
6. Augusta, Ga.	277,366	19,264	3,098	16,906	272
7. Boise, Idaho	69,367	7,055	1,170	2,996	170
8. Bronx, N. Y.	443,300	50,226	1,176	7,465	510
9. Camp Custer, Mich.	247,395	26,291	3,060	15,500	750
10. Castle Point, N. Y.	217,853	25,923	4,730	7,400	698
11. Chillicothe, Ohio	219,966	19,775	2,484	8,887	300
12. Dwight, Ill.	54,070	6,922	790	900	65
13. Excelsior Springs, Mo.	43,126	3,550	547	1,950	220
14. Fort Bayard, N. Mex.	174,564	22,203	2,698	8,669	635
15. Fort Harrison, Mont.	125,966	16,959	450	3,350	335
16. Fort Lyon, Colo.	164,625	21,308	1,542	12,539	315
17. Fort Snelling, Minn.	243,788	24,228	600	6,400	396
18. Gulfport, Miss.	149,875	13,316		5,290	639
19. Hines, Ill.	452,424	45,224	9,190	8,515	690
20. Jefferson Barracks, Mo.	139,255	13,217	1,538	8,750	355
21. Kansas City, Mo.	96,677	11,199		6,295	370
22. Knoxville, Iowa	256,190	40,683	2,044	5,330	400
23. Lake City, Fla.	89,957	7,796	720	3,165	215
24. Legion, Tex.	177,628	16,546	2,160	12,600	629
25. Livermore, Calif.	148,316	21,223	720	5,750	600
26. Memphis, Tenn.	125,239	544	13,959	5,452	158
27. Minneapolis, Minn.	92,583	12,191	978	1,750	255
28. Muskogee, Okla.	149,200	13,407	1,586	6,050	215
29. Northampton, Mass.	210,482	18,089	790	2,250	600
30. Northport, Long Island, N. Y. [2]	409,926	38,770	5,656	8,600	900
31. North Chicago, Ill.	239,369	27,084	2,072	5,536	370
32. North Little Rock, Ark.	281,793	17,808	1,100	8,580	366
33. Oteen, N. C.	302,826	33,982	8,167	34,210	1,115
34. Outwood, Ky.	169,992	16,625	1,970	9,580	262
35. Palo Alto, Calif. [2]	467,331	34,920	16,912	14,500	1,600
36. Perry Point, Md.	402,169	41,222	11,536	13,557	676
37. Philadelphia, Pa.	201,394	25,344	4,076	6,600	425
38. Portland, Oreg.	57,252	8,437	656	1,760	218

[1] Use limited to seasoning; not served on table.
[2] Data from July, 1928, to June, 1929.

Data on butter, oleomargarine, cooking fat, and salad oil at United States veterans' hospitals, April, 1927, to March, 1928—Continued

	Rations served	Butter	Oleomargarine	Cooking fat	Salad oil
		Pounds	*Pounds*	*Pounds*	*Gallons*
39. Rutland Heights, Mass.	204,741	20,230	2,552	5,900	459
40. San Fernando, Calif.	117,698	12,153	1,144	4,090	400
41. Sheridan, Wyo.	203,019	20,841	3,694	2,759	413
42. St. Cloud, Minn.	152,174	15,565	3,406	3,500	266
43. Sunmount, N. Y.	175,863	26,394	2,282	3,750	870
44. Tacoma, Wash.	107,690	13,048	1,312	4,025	925
45. Tucson, Ariz.	137,008	14,148	2,708	5,345	407
46. Tuskegee, Ala.	287,779	13,704	12,158	13,930	402
47. Walla Walla, Wash.	110,578	10,093	549	3,368	225
48. Washington, D. C.	80,250	9,997	2,300	6,250	345
49. Waukesha, Wis.	95,151	12,116	1,300	1,880	150
50. West Roxbury, Mass.	130,093	14,820	3,240	5,400	310
51. Whipple, Ariz.	286,916	29,641	12,058	13,474	1,040
Total	9,756,012	979,918	157,073	375,893	24,118

United States prisons

Institution located at—	Butter	Oleomargarine or butterine	Vegetable shortening or lard substitute	Remarks
	Pounds	*Pounds*		
Penitentiary, Leavenworth, Kans.	1,300	99,840	None	Oleomargarine the only substitute.
Penitentiary, Atlanta, Ga.	[1] 786	72,000	38,000 pounds	Letter Oct. 5, "Past year."
Penitentiary, McNeil Island, Wash.	3,867	11,022	19,303 pounds compound.	
Industrial Institute for Women, Alderson, W. Va.	6,933	[2] 2,065	144 gallons oils	Dressing and cooking.
Industrial Reformatory, Chillicothe, Ohio (men, 17 to 30).	7,253	11,700	17,981 pounds lard substitutes, 1,250 gallons cooking oil.	
Total	20,139	196,627	75,284 pounds, 1,394 gallons.	

[1] Butter, year ending Oct. 31, 1929.
[2] Includes oleomargarine, lard substitutes, and lard.

Grand totals, all institutions

Butter	pounds	1,735,827
Oleomargarine or butterine	do	998,080
Vegetable shortening or lard substitute, salad oil, etc.	do	759,232
Vegetable shortening or lard substitute, salad oil, etc.	gallons	[1] 26,704
Total vegetable shortening or lard substitute, salad oil, etc.	pounds	972,864
Deduct totals used in Army, Navy, and marine hospitals, of—		
Butter	pounds	653,414
Oleomargarine or butterine	do	[2] 20,676
Vegetable shortening, etc.	do	259,856
Leaving, for other institutions:		
Butter	pounds	1,082,413
Oleomargarine or butterine	do	977,404
Vegetable shortening or lard substitute, salad oil, etc.	pounds	713,008

Mr. FRAZIER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. BLAINE. I yield.

Mr. FRAZIER. I desire to ask the Senator if he has obtained the figures in regard to the amount of butter substitutes used in the Government Indian schools?

Mr. BLAINE. I might say that my investigation did not include any institutions except hospitals.

Mr. FRAZIER. Of course, we have some Indian hospitals, too. It is my understanding that butter substitutes are used practically entirely both in the hospitals for the Indians and also in the tubercular sanitoriums and boarding schools.

Mr. BLAINE. Mr. President, my investigation was limited to the Army, Navy, and marine hospitals, the disabled soldiers' hospitals, the veterans' hospitals, and the institution for the insane, just outside of the city of Washington.

Mr. JONES. Mr. President, may I say that this is the first intimation I have had in regard to this situation. No complaints have come to the Appropriations Committee. My recollection is that the appropriation for the maintenance of these institutions is a lump sum for subsistence, not divided into so much for butter and so much for something else; and the matter of supplying well and satisfactorily these various institutions rests primarily with the department. We have not, within my recollection, reduced any appropriations recommended for the maintenance of these institutions.

[1] Or 213,632 pounds (at 8 pounds per gallon).
[2] None in Navy.

I shall call the attention of the War Department and these various institutions to the statement made by the Senator from Wisconsin. We shall soon have some of them before the committee on the military appropriation bill, and we will make it a point to ask them in regard to this matter. I am rather inclined to think that if an investigation is to be made, it should be made by the legislative committee; but I am not sure about that.

Mr. BLAINE. I am not asking for an investigation, except such an investigation as the Committee on Appropriations would naturally make in view of these circumstances. Doctor Smith, of the Public Health Service, informs my office that, as the Senator from Washington has stated, a lump allowance is made to the director of the hospital, and they use that money in their discretion. That is, if a director wishes to economize on the food bill in order to purchase surgical instruments, laboratory equipment, or anything else, he may do so. So if these departments have sufficient appropriation to buy the necessary wholesome food for the inmates, clearly the responsibility rests with the superintendents; and they have been negligent, at least in some of these cases, in furnishing the necessary butter so essential to the welfare of the individuals who are in those institutions through no fault of their own.

Mr. McKELLAR. Mr. President, I think that must be so.

Mr. McNARY obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. McNARY. I yield to the Senator from Tennessee.

INVESTIGATION OF SALES OF UNITED STATES SHIPS

Mr. McKELLAR. I ask unanimous consent for the immediate consideration of Senate Resolution 129, which provides for the appointment by the Vice President of a committee to investigate the activities of the Shipping Board. That resolution has been pending since October 5, 1929. It has been in the hands of two committees. It first went to the Committee to Audit and Control the Contingent Expenses of the Senate. It passed favorably there, and now has been to the Commerce Committee, and has received a favorable report from that committee. I hope it may be adopted by the Senate.

Mr. McNARY. Was not this resolution on the calendar that was called this morning?

Mr. McKELLAR. No; it was not. At the request of the Senator from Washington [Mr. JONES], a day or two ago, it was taken from the calendar and sent to the Commerce Committee for consideration. That committee to-day made a report, through its chairman, in favor of the resolution; and I hope it may pass.

Mr. McNARY. Has it been referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. McKELLAR. Yes; it has been referred to both committees.

Mr. McNARY. And reported favorably?

Mr. McKELLAR. And reported favorably.

Mr. FESS. Mr. President, will the Senator yield?

Mr. McNARY. Yes.

Mr. FESS. I was on the Committee to Audit and Control the Contingent Expenses of the Senate when the matter came before us. The statement made by the Comptroller General was rather convincing to me, and I thought the investigation should be made.

Mr. McNARY. I have no objection to the consideration of the resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. JONES. Mr. President, I think I shall have to ask that the resolution go to the calendar until I can look into it carefully.

The PRESIDING OFFICER. Objection is made. The resolution goes to the calendar.

MUSCLE SHOALS—CHESTER H. GRAY

Mr. FESS. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. I yield.

Mr. FESS. On yesterday the Senator from Nebraska [Mr. NORRIS] made a very interesting address, in which he referred to the activities of Mr. Chester H. Gray, and in which he also mentioned a statement made by the president of the Farm Bureau Federation.

I have in my hand the statement of Mr. Thompson. I think it ought to be put in the RECORD, as it was the subject of comment yesterday. I ask unanimous consent that it be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. NORRIS. Mr. President, I have no objection; but I want to add to my remarks now, since the Senator wants to put in the statement. I should have been very glad to put it in yesterday as part of my remarks, because I referred to it, although I did not go clear through with it. The fact that it is put in now may make it necessary—the hour is late, so perhaps it should not be done now—for me to answer some things that I did not refer to yesterday relating to myself. I referred to them briefly; but, because it was talking about me, I did not care to put myself into the discussion any more than necessary; therefore I only analyzed a few—just one, I think—of the condemnations that Mr. Thompson made against me. There are several of them there, and I am prepared to defend myself on every one of them. Now the Senator has added to it, and I think I ought to say, for instance——

Mr. FESS. What does the Senator mean when he says "the Senator has added to it"?

Mr. NORRIS. The Senator has added to it by putting in the RECORD the other charges that Mr. Thompson has made against me that I wanted to eliminate, so as to put myself out of the equation as much as I could.

As I said, it is not a question whether I am a competent Senator, or whether I ought to remain here, or whether I am a false friend of the farmer, or whether I am, like Chester Gray, a deceitful one who does not help the farmer, and never did help the farmer.

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. In just a moment. The question involved here is Mr. Thompson and Chester Gray.

In the statement that Mr. Thompson makes, whether it is justified or not—in other words, in defense of Chester Gray—he says in effect, "Why, this man NORRIS, of Nebraska, is a hypocrite. He is not a friend of the farmer. He never was a friend of the farmer. It is all a mistake. His record shows that he is not as good a friend of the farmer as his colleague [Mr. HOWELL]. His record shows that he is not as good a friend of the farmer as the Senator from Kansas [Mr. CAPPER]. His record shows that while the Senator from Georgia [Mr. HARRIS] is a good farmer's friend, the Senator from Nebraska is not a friend of the farmer," and so on. Then, to make that out, for instance, he says that the Senator from Nebraska, disagreeing with the Senator from Kansas, disagreeing with his own colleague, voted against an increased tariff on sugar.

I did not refer to that yesterday, because, as I said yesterday, it was not a question of whether I was a good man or a bad man; it was a question as to whether Chester Gray had practiced deception upon the farmers of America, and whether he had practiced deception upon the Senate of the United States, upon the Agricultural Committee of the United States Senate, and had tried to deceive the National Legislature.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. NORRIS. Therefore I can not yield.

Mr. McNARY. I yielded to the Senator from Ohio; then I yielded to the Senator from Nebraska; and I now reyield to the Senator from Ohio.

Mr. NORRIS. All right.

Mr. FESS. Mr. President, I read the article before I put it in, and I especially noted where Mr. Thompson spoke about the Senator's vote on items in the tariff bill; but I thought that would be justified because of what the Senator had stated about the attitude of Gray on the tariff bill. Now, if the Senator says to me that this article is a reflection upon his character, I am going to withdraw it.

Mr. NORRIS. No; I do not say that.

Mr. FESS. I would not insert in the RECORD anything that reflected on the character of any Senator.

Mr. NORRIS. But the putting of the article into the RECORD brings up a new issue. It puts me into the issue, which I was trying to eliminate yesterday.

I do not want the Senate or the country to get off on the wrong foot. The question was not as to whether I had done right. The question was whether Chester Gray, pretending before the Senate and the Agricultural Committee and the country that he is an honest representative of the farmer, was, in fact, while clothed by the farmer's clothing, representing the Cyanamid Co. and the other big corporations; whether he failed to represent the farmer. Even though I am a crook, even though I have just come out of the penitentiary, it is no defense to Chester Gray to say that my duty has not been well done.

Now, since the Senator has put in this statement, I am going to take the opportunity, with the permission of the Senator from Oregon, to say a word about my vote in opposition to the increase of the tariff on sugar. I explained it during the debate, and I am willing to stand on it. I know that I get a great deal of criticism from it from some pseudofarmer friends.

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. Not now. I know that I get a great deal of criticism from my own State; and yet I am willing to stand or die on that vote. I have never yet, in my judgment, been false to the interests of American agriculture. On the other hand, I have never knowingly asked anything for agriculture that, in my judgment, was unfair. When they say to me, while agriculture is prostrate, while the farmers are producing at a loss everywhere over the United States, that the beet-sugar farmer, while not enjoying the prosperity he ought to have, is better off than his fellows, making a little money anyhow, and I am opposed to saddling upon the other farmers of America and upon the consumers of America an additional tariff, it seems to me under the circumstances that we, as friends of the farmer, can not honestly come before the American people or the American Senate and demand for the farmer something that is not fair to the balance of the country; and I believe that under existing circumstances the tariff on sugar should not be raised.

Another reason why I was opposed to it was because the farmer—even the farmer who produces the beets that make the sugar—will get only about one-third of the benefit of this tariff. It will go to the producers of sugar in Hawaii; it will go into the pockets of those who produce sugar in Porto Rico; it will go into the pockets of the producers of sugar in the Philippine Islands. In none of those places is the sugar agriculturist in need of the protection that is needed by the American farmer who produces the ordinary food that goes to the American people, the American farmer who produces the hogs and the cattle and the corn and the wheat that feed the American people and in part feed the world. Yet they are going to be burdened by having added to their cost of living an increase on sugar that is going into the pockets of men who produce sugar in the Philippine Islands, the millionaires who own the estates in the Hawaiian Islands and in Porto Rico; and the American farmer who produces sugar, for whose benefit and in whose name this robbery is taking place, is not going to get the benefit of it.

I am opposed to it. It is not fair, in my judgment, in the first place. The man in whose name you are doing it is not going to get the benefit, in the next place. I am not ashamed of my vote. I am defending it now; and when Mr. Thompson makes that an issue with me, I am ready to defend it.

I am sorry that I am brought into this equation, because, as I said before, the question is Chester Gray and not me. However, if they want to put me into this issue, I welcome it. I am not afraid of it. I am ready to meet it here or anywhere else, and I do that without casting any reflection upon any of my colleagues who voted differently. It seems to me to say that I am an enemy of the American farmer, as Mr. Thompson tries to draw the conclusion, because I refused to vote for an increased tariff upon sugar, is to make a statement that all the records will falsify—a statement that is not borne out by any record.

So, so far as I am personally concerned, I have no objection to the printing of this article; but I do not want the Senate or the country to get off this question of Chester Gray, and I want to ask the Senator from Ohio a question. He has heard the testimony, he has heard how Chester Gray changed his testimony, gave testimony before the Agricultural Committee which he admitted afterwards was untrue. He has heard the letters which have been brought out, written by Chester Gray, and I want to ask him now if he is willing to say in his place here as a Senator that he believes that Chester Gray has been fair either with the Senate or with the American farmer or with the Committee on Agriculture and Forestry.

I have yet to hear a Senator defend Chester Gray, or stand for what he has done. I believe he stands in disrepute and disgrace in the mind of every Senator, regardless of how that Senator may feel on any of the disputed questions that arise.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Ohio?

Mr. McNARY. I yield.

Mr. FESS. I have not examined the record, and know nothing about the matter except what I heard the Senator from Nebraska state——

Mr. NORRIS. Let the Senator ask the Senator from Oregon, who has the floor and who heard the testimony.

Mr. FESS. As far as I know of what Mr. Gray has done and said, I regard him as an honest, fair representative of a great group of men and women. I have never known anything to his discredit. The only thing I have ever heard to his discredit is what the Senator from Nebraska stated on yesterday, when he said that anybody who knew the facts as they were would find fault with him.

Mr. NORRIS. Does the Senator know the facts?

Mr. FESS. No; I have not examined into them.

Mr. NORRIS. Let the Senator ask the Senator from Oregon, the chairman of the Committee on Agriculture and Forestry, what he thinks of Chester Gray's testimony before the committee.

Mr. FESS. The Senator can ask him that question.

Mr. NORRIS. If the Senator is anxious to find out, he can get the information.

I did not know there was a Member of the Senate who would defend Chester Gray and his attitude. I did not know there was a single Senator here who would raise his voice in defense of that man, after the record he has made, and if the Senator believes he is right, then in order to be consistent he should have offered Chester Gray's amendment when the Muscle Shoals resolution was before us; he should have offered that thing, full of jokers, known as the Cyanamid bid. He did not do it. Chester Gray has been hunting all through the Senate with a fine-tooth comb to get a man to offer that. Evidently he overlooked the Senator from Ohio.

Mr. FESS. The Senator from Ohio is not on the committee. He would not come to the Senator from Ohio, and had he come to the Senator from Ohio——

Mr. NORRIS. He came to the former colleague of the Senator from Ohio, who is now dead, Senator Willis, when the matter was up before, and he had it printed and it was laid on the table. After it was debated, the Senator's colleague, the late Senator Willis, refused to offer it, although he had it printed and came before the committee and said he was going to offer it. After he heard the analysis, after he listened to the debate, he refused to offer it, and the RECORD shows he never did offer it.

Mr. FESS. The truth about the matter is that the Senator from Ohio to whom the Senator refers offered that bill on the same plane Representative Madden offered it in the House. The Representative offered it in the House, and Senator Willis was requested by Representative Madden to offer it here. I do not know that Mr. Gray had anything to do with it at all.

Mr. NORRIS. Mr. Gray has been spending a good share of his life on that measure. All these misrepresentations, these letters, which have been read in evidence—and I have not read half of them yet, some of them are worse than any I have read—were written by Gray while he was propagandizing in favor of that very bill. He sent out to the newspapers all this propaganda, paid for by the Cyanamid Co., illustrated articles, his own picture, and anything else he thought might help out. He got that printed in hundreds of newspapers without ever letting anybody know that the cost of the whole thing was borne by the very Cyanamid Co. that was the beneficiary of the bid he was advocating. These mats went all over the United States to all the newspapers.

Not only was the expressage and postage on the mats paid but the return postage was paid. There was a blank all ready for the publisher of the paper to sign his name and send it back and get everything for nothing. All that is undisputed, it stands uncontradicted, and Chester Gray, with other men bearing letters of introduction from him, paid a salary by the Cyanamid Co., the Union Carbide Co., and the Tennessee Improvement Association, all in the same business, all three of them, these men who went out, were pretending to be representatives of the Farm Bureau.

The letters of introduction from the officials of the Farm Bureau showed they were such, when, as a matter of fact, their expenses were paid by one of these corporations I have mentioned, and the farmers of the United States who heard them speak, who heard them make their pleas to have them write letters and to influence them in controlling their local farm bureaus and their State farm bureaus and the National Farm Bureau in favor of this Cyanamid bid—all of them believed these representatives were honest, that they were faithfully working for the Farm Bureau. They did not know these emissaries sent broadcast over the country were being paid by the very beneficiary of the thing they were to put across.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the American Farm Bureau Federation Weekly News Letter, April 8, 1930]

THOMPSON IN ANSWER TO SENATORIAL CHARGES—ISSUES STATEMENT IN REPUTATION TO CHARGES MADE BY SENATOR NORRIS

In answer to an attack on Chester H. Gray, legislative director of the American Farm Bureau Federation, by Senator G. W. NORRIS, of Nebraska, advocate for Government ownership of Muscle Shoals, President Sam H. Thompson last week issued the following statement:

"It is unfortunate that this senatorial group, headed by Mr. NORRIS, of Nebraska, should, in their eagerness and desire to saddle Government operation on the people of this country, resort to such tactics.

"Senator NORRIS yesterday in the Senate charged Chester Gray, legislative representative of this organization, with being a traitor to the cause of agriculture and demanded that the Farm Bureau repudiate him.

"According to press reports, the Senator's charges were, first, that Chester Gray supported the American Cyanamid Co.'s bid for Muscle Shoals, and that second, Chester Gray, during the recent tariff fight, 'sat by, seeing the farmer flimflammed from morning to night without raising his voice in protest.'

GREATEST EFFORT YET

"To dispose of the second charge first, the Senator's statement, if correctly quoted in the press, is contrary to the facts in the record. At no time in its 10 years' existence has the American Farm Bureau Federation through its legislative department more energetically represented the cause of agriculture than during the recent tariff debates. Chester Gray and his assistants have issued statements, submitted briefs, talked with individual Senators and Congressmen, in fact done everything within their power to secure a tariff equality for the farmers of this country. In fact, within the last two weeks, an unusual mark of distinction was conferred on Mr. Gray's department when the United States Senate ordered a 115-page brief on the subject of tariff prepared in Mr. Gray's office to be printed by the Public Printer as a Senate document. This particular brief had to do with the efforts of the Farm Bureau to protect the dairy interests of the United States from the competition of imported oils and fats.

IN BLACK AND WHITE

"Senator NORRIS's charge that Chester Gray failed the farmer in the recent tariff battle is most amazing in view of the printed record of Senator NORRIS's vote on various tariff provisions. In this statement space does not permit a lengthy review of the Nebraska Senator's position. But these facts are illustrative. An effort by Senator CAPPER, of Kansas, to secure a duty on tropical starches to protect the corn growers of the Midwest found Senator NORRIS against the measure. An amendment to the tariff bill submitted by Senator SMOOT, of Utah, to increase the duty on sugar for the protection of sugar interests found Senator NORRIS voting against the measure. An effort on the part of Senator HOWELL, who comes from Senator NORRIS's own State, to increase the tariff on casein to protect the dairy interests found Senator NORRIS voting against the measure. A last-minute attempt to secure protection for the livestock industry with a duty on hides found Senator NORRIS voting against the measure. An amendment by Senator HARRIS, of Georgia, proposing duties on jute and jute bagging in order to promote the substitution of American cotton for jute found Senator NORRIS lined up in opposition.

"These examples cite the part Senator NORRIS was having in what he terms the 'flimflamming' of the farmer.

SENATOR MISUNDERSTANDS

"The charge against Chester Gray's support of the American Cyanamid Co.'s bid for Muscle Shoals indicates that Senator NORRIS doesn't understand what he is talking about. Chester H. Gray, legislative representative of this organization, did not indorse the American Cyanamid Co.'s bid for the operation of Muscle Shoals. He took the indorsement which was given to this bid at the annual meeting of the American Farm Bureau Federation held in Chicago on December 8, 1926, and, acting under those instructions, proceeded to support the measure.

"This resolution read as follows: 'Further delay in deciding upon the national policy at Muscle Shoals is indefensible. That policy, when adopted by Congress, must contain among other features the following: A unit lease of the power, fixation plant, and accessories; a 50-year term of lease; the protection of fertilizers containing at least 40 per cent plant food; the elimination of royalties for the use of patented air-fixation processes; the use of nitrate plant No. 2; a farmer board with adequate functions in regard to cost factors in manufacturing fertilizers and relative to the geographical distribution of same; no separation of power from fertilizer production; a rapid progress to the annual capacity production of the project; and definite assurances without possibility of evasion that the project will be devoted in peace times to the fixation of atmospheric nitrogen and the making of fertilizers. Under legislation now pending in Congress this policy can be best advanced by Congress passing the necessary legislation to approve the proposal made under date of April 24, 1926, by the American Cyanamid Co.'

BACKED BY STATE FARM BUREAUS

"Representatives from 39 States, selected by the county and State and farm bureaus, were present at that meeting, and their combined judgment indorsed the American Cyanamid Co.'s offer as the one promising agriculture the greatest benefits from the operation of Muscle Shoals.

"For that reason the American Farm Bureau legislative representative found himself under orders to support this particular measure. He has done so, and at the last board of directors meeting, on March 21, the board went on record in the following words: 'That we reaffirm our position on Muscle Shoals and approve the efforts of our legislative committee and legislative department in carrying out the policy of the American Farm Bureau Federation with reference to Muscle Shoals.'

"Senator NORRIS has consistently espoused the Government operation of Muscle Shoals. The American Farm Bureau Federation is definitely on record as opposing the Government operation of public utilities. It would appear that the present activities of Senator NORRIS are merely efforts on his part to saddle on this country the unpopular and uneconomic theory of Government operation."

Mr. NORRIS. Mr. President, may I add just a word to what I have said? I want to say to the Senator from Ohio one of the things I did not show that I will probably show later if this goes on is a letter in evidence showing that Mr. Gray was about to educate the Senator from Ohio [Mr. FESS], but he probably never got around to it; so the Senator is not posted on the question.

RECESS

Mr. MCNARY. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 57 minutes p. m.) took a recess until to-morrow, Friday, April 18, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, *April 17, 1930*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The earth is the Lord's and the fullness thereof, the world and they that dwell therein. For He hath founded it upon the seas and established it upon the floods. Who shall ascend into the hill of the Lord or who shall stand in His holy place? He that hath clean hands and a pure heart, who hath not lifted his soul unto vanity or sworn deceitfully. He shall receive the blessing of the Lord and righteousness from the God of his salvation. This is the generation of them that seek Him, that seek Thy face O Jacob. Lift up your heads, O ye gates, and be ye lift up, ye everlasting doors; and the King of Glory shall come in. Who is this King of Glory? The Lord strong and mighty; the Lord mighty in battle. Lift up your heads, O ye gates; even lift them up, ye everlasting doors; and the King of Glory shall come in. Who is this King of Glory? The Lord of Hosts, He is the King of Glory. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat., p. 616).

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3585. An act to eliminate certain land from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation.

The message also announced that the Senate agrees to the amendments of the House to bills of the following titles:

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium"; and

S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital.

THE TWO HUNDRED AND FIFTIETH ANNIVERSARY OF THE LANDING OF THE HUGUENOTS

Mr. TUCKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing an address of the Rev. James H. Taylor, of this city, delivered in the city of Charleston last Sunday, April 13, on the struggle of the Huguenots for religious freedom in France and this country, one of the most remarkable addresses to which I ever listened.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by the Rev. James H. Taylor at Charleston, S. C. Is there objection?

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, who is the Rev. James H. Taylor? Is he connected with Congress?

Mr. TUCKER. Yes; in a way. He was helping to carry out a celebration in the city of Charleston in which the Congress of the United States participated through a delegation sent from this body and the Senate.

Mr. UNDERHILL. Was his address delivered at the invitation of Congress?

Mr. TUCKER. Of course not; but it was on an occasion recognized by the Congress of the United States, and the Congress was represented by a committee, and this was the culmination of that celebration.

Mr. UNDERHILL. How many other speakers were there?

Mr. TUCKER. A number; but I am only asking to have this address published.

Mr. UNDERHILL. The gentleman makes his request because of the historic nature of the address?

Mr. TUCKER. Yes; and because of its inherent excellencies.

The SPEAKER. Is there objection?

There was no objection.

Mr. TUCKER. Mr. Speaker, under leave granted to extend my remarks I include the following address delivered in the Huguenot Church of Charleston, S. C., on the occasion of the two hundred and fiftieth anniversary of the landing of the Huguenots, by Rev. James H. Taylor, D. D., pastor of the Central Presbyterian Church, Washington, D. C.:

THE SPIRIT OF THE HUGUENOTS AND THE MAINTENANCE OF A GREAT TRADITION

Text: "These are they which came out of great tribulation."—Revelation vii, 14.

All pioneers in the history of the world have been men and women of great spirit. They have blazed the way through the centuries, and those who have followed them have made a beaten track; and the beaten track has become a highway along which the spirits of men have moved to high endeavor and noble achievement; such a highway as is described by the Psalmist, on which the spirit itself goes from strength to strength as each one in Zion appears before God. (Psalm lxxxiv, 7.)

The character of a nation is determined by the spirit of its people. The quality of the spirit is the index of character, and the value of the spirit is determined by the quality of the soul. There have been here and there through history many groups who have contributed much to the founding and the progress of this Nation. They have enriched the life of the people to whom they came. Among these groups that have contributed so greatly to the founding and progress of this Nation have been the Huguenots of France. There are certain dominant things that contribute to the value of a people: the quality of the spirit, the depth of faith, and the loyalty to convictions. These things make character and life.

Against the background of a medieval darkness the great ideas of the Protestant Reformation shone like beacon lights. These ideas spreading through Europe lifted the darkness of the centuries and gave hope to mankind through the proclamation of those inalienable rights of soul and mind and body: the right to worship God without restraint, the right of conscience, the right to think, and the right to express the sovereignty of the people. Such rights as these were not to be prohibited by political restraint or ecclesiastical control. It was a long and bitter struggle for truth and freedom. Mankind had long been in medieval darkness, and the minds of men for ages had been imprisoned by ignorance and superstition.

These doctrines of freedom and light percolated into France, and found in the minds and hearts of nobles, gentry, and peasants fertile soil. But even before the entrance of the reformed doctrines into France, there had been those who for many years were committed to the great cause of the freedom of the soul. The Vaudois of France, like the Waldenses of Italy, were really early Protestants, long before Luther nailed his ninety-five theses to the door of the church at Wittenberg, and before the doctrines of the Reformation had spread in France. From earliest times the spirit of religious freedom was in the heart and life of the Vaudois. Many years before Luther, Calvin, and Zwingli had rocked the continent of Europe with their protests against ecclesiastical and political tyranny, the Vaudois had planted the seeds of freedom and political equality in the life of France. The Vaudois represented the ideas of freedom of worship, of conscience, and of life. They were really the spiritual ancestors of the Huguenots. They were the heralds of a new day, for they held a torch which the Huguenots, their spiritual descendants, took, and lifted so high that its radiant light penetrated beyond the confines of France into Europe, and eventually across the seas.

It is the spirit of a people that creates a great tradition, and the tradition comprises not only the spirit, but also the deeds of those who have translated this spirit into action. It is a duty to maintain a great tradition, because only by the preservation of a tradition can the spirit itself be preserved and passed on to posterity. The spirit of the Huguenots is in itself a great tradition. The history of the Huguenots is a constant marvel, illustrating the power of deep faith and strong convictions. No people through the ages of history have endured more persecution, and there have been none whose spirit has been more radiant. This spirit of religious freedom was a heritage that the Huguenots received from the Vaudois.

The spirit and tradition of the Huguenots are not abstract things; they are realities. It matters not if in some measure they appear to be intangible qualities; the very fact that they seem to be intangible is a proof that they are intensely real, for the realities of life are the intangible things, and the permanent things of life are the invisible things; for, says the Apostle Paul, "the things which are seen are temporal; but the things which are not seen are eternal." (II Cor. iv, 18.) The reality of this spirit is demonstrated by the persecutions, perils, and sufferings which they endured. Surely if the blood of the martyrs is the seed of the church, then the persecution of the Huguenots has proven to be the benediction of the nations, and countless people to-day will rise up and call them blessed.

The bitter hatred of Catherine de' Medici; the interminable plotting of the Jesuits; the massacre of Vassy (1562); the slaughter of St. Bartholomew's Day (1572); the outrages inflicted upon La Rochelle; the treacherous slaying of Coligny; the opposition of the league; the war of the three Henrys; the proud boast of Pope Sixtus V, who declared he was "ready to shed plenty of blood"; the plotting of Cardinal Richelieu, that arch enemy of the reformed doctrines; that monstrous suicidal act of the revocation of the Edict of Nantes (1685) which will forever brand the name of Louis XIV with undying infamy; these are some of the examples of massacre, persecution, and brutal outrage which the Huguenots endured with amazing fortitude and glowing faith.

Against the background of these shifting scenes the spirit of the Huguenots shines with a luster and radiance that thrill the souls of men, and give new confidence in the reality of the convictions of conscience, deeper belief in humanity, and a fresh hope for the world.

Two types of spirit were dominant and effective through the Reformation era. They were the religious spirit and the political spirit. Yet they were not separate and distinct, but in reality combined into one. In the mind of the Huguenots the religious spirit took precedence over the political spirit, in the sense that their ideas of government grew out of their conception of God. No one represented the clarity and virility of this spirit more than John Calvin, himself a Frenchman, who was one of the first émigrés forced to leave France because of his allegiance to the reformed ideas. It is impossible to think of John Calvin, of Martin Bucer, or of Theodore de Beza, without seeing in them the splendid union of great religious convictions with the concept of political freedom. They believed in the sovereignty of God, the sovereignty of the soul, and the sovereignty of the people. It was such a conception of sovereignty which shook the ecclesiastical and political foundations of Europe. So also the spirit of Margaret of Valois, of Jeanne d'Albret, of Admiral Coligny, of Condé, and of Henry of Navarre, while expressed more particularly in a governmental and military way, was in reality the same sort of spirit that animated Calvin and Bucer and Beza.

It is not correct to say that the history of the Huguenots was only a political movement; of course it had its political implications and necessities, but it was a deeper movement than a mere political one, for it had to do with a sense of a man's inalienable right to worship God according to the dictates of his conscience. To secure and maintain this right, it was necessary to resort to the conflict in arms. The Reformation itself did not come about save through the way of struggle and strife. Great reforms and great ideas, if they clash with existing political and social order, eventuate in battle. It is impossible to conceive that such tremendous ideas as liberty, equality, and justice, could become a common possession of men without a great struggle. The religious ideas, therefore, which were embedded in the minds and hearts of the Huguenots meant that conflict was inevitable.

The type of religious spirit was distinctly Calvinistic. It was John Calvin who typified that spirit which became the dominant spirit of the Huguenots. The historian Seebohm says, that "the Protestants of France, called Huguenots, were mostly the offspring of Calvin." (Seebohm: The Protestant Reformation, p. 204.) It was John Calvin who wrote their Confession of Faith, adopted by the first synod meeting in Paris in 1559. (The Huguenot Church, a Brief History of the Church, published by the Huguenot Society of South Carolina.) The Calvinistic idea of church government by a bench of elders which came to be known as Presbyterian, was the form of government of the French Huguenot church.

There were other important contributions to the Huguenot spirit, but the outstanding contribution was that of the spirit of Calvin. The testimony of the Romanist, Abbé Anquétil, is of interest. He





speaks of that noble leader D'Andelot, the brother of Coligny, as "of all the Calvinistic chiefs one of the most honestly persuaded of the truth of his faith." (History of the Huguenots, by W. C. Martyn, p. 329.)

The Calvinistic spirit has always been a dominant one whether incarnated in the Huguenots of France, the Reformed of Holland, or the Presbyterians of Scotland. It has contributed much to the intellectual, political, social, and spiritual progress of the world. Whatever may be said in criticism of the severity of the Calvinistic spirit, it must be admitted that this spirit has always been a dominant and vital force in religion and government wherever it has gone.

It is difficult to think of the depth and strength of the faith of the Huguenots, of their bravery in battle, of their heroism and suffering in persecution, as at Vassy, Rouen, and on St. Bartholomew's Day; of the outrages, of the dragonnades; of the intense suffering endured following the revocation of the Edict of Nantes; of their persistent effort to worship God in the assemblies of the desert, without realizing that such faith and such convictions are embedded deep in the soul, and can not be eradicated by the sword. Not even the horrors of the Inquisition of Spain, nor the atrocities of the Duke of Alva surpass the horrors that these faithful people of God suffered for the cause of righteousness. Their names are writ large in the annals of history and enshrined in the memory of all those who love righteousness and truth.

The Calvinistic spirit represented certain very distinct facts. It stood for intellectual freedom, for spiritual freedom, and for political freedom.

The intellectual freedom of the Calvinistic spirit was the freedom of the mind. The mind of man had been in intellectual thraldom, for medieval darkness had settled upon the world. Ecclesiastical tyranny had imprisoned the minds of men and barred the way to knowledge. Centuries before the Reformation, the Waldenses, the Albigenses, and the Vaudois, had raised the torch in the darkness. Ecclesiastical tyranny devoted itself unceasingly to quench this light. Then came that morning star of the Reformation, John Wyclif (1384), who in England translated the Bible into the English language. Then came Jan Huss, who lifted the torch in Bohemia, only to be tried and falsely condemned by the Council of Constance in 1415. But the light was already burning in France among the Vaudois, and now Calvin lifts the torch, and all France and Switzerland take fire.

To free men from intellectual bondage, from the denial of the right to think for themselves, was the task to which the Reformers gave themselves. The right to think meant that men could think for themselves spiritually; and that cut and dried dogma, which often did violence to the sacred rights of conscience, need not be taken merely because they were ecclesiastical dicta. Thus the minds of men, imprisoned to a large degree for centuries, were released, and men began to think, and in thinking began to act. It was significant that this intellectual freedom, or the right to think, expressed itself in widespread education. John Calvin is said to have been "the father of popular education." (Bancroft's Miscellanies, p. 406, as quoted by Egbert W. Smith in Creed of Presbyterians, p. 96.) The freedom of the mind was a vital element in the Calvinistic spirit, and the Huguenots in expressing that spirit were willing to make any sacrifice to secure that right for themselves.

The spiritual freedom of the Calvinistic spirit was the freedom of the soul. Religious liberty is the very essence of spiritual freedom. It involves the right to worship God according to the dictates of conscience, and implies that the individual conscience is free to act without let or hindrance. To deny the right of the individual conscience is to impugn the validity of the conscience. To say that conscience is implanted by God in the constitution of man and then in the next breath to deny the right of individual conscience is both illogical and inconsistent. Conscience is a reality, and every man is aware of that fact. It can not be read out of existence by a mere denial, and the rights of conscience can not be destroyed by an ecclesiastical fiat. It was this deep conviction in the soul of the Huguenots which urged them to worship God according to the dictates of conscience, no matter what the peril might be.

To-day we view with admiration and gratitude that superb heroism the Huguenots displayed in worshiping God in spite of the opposition of king, queen regent, Jesuit, cardinal, and Pope. Defeat in battle, prohibitory edicts, pillage, and massacres did not deter them from worship, or frighten them from their faith. Even after the revocation of the Edict of Nantes, those who had not been able to escape the country gathered without fear and worshiped God in the open, in the assemblies of the desert. A brilliant line of men kept alive this flaming passion of the soul. Among those who did escape the country, and were refugees in other lands, there were men of eloquence and renown, like Saurin, Claude, Pierre Jurieu, Pierre DuBose, and Daniel de Superville. These men along with other refugees kept alive that great spirit which contributed to the liberation of the consciences of men, and to the cause of religious liberty.

The political freedom of the Calvinistic spirit represented the sovereignty of the people.

It meant the right of the individual to have a part in the arrangement and direction of government. It stood for another inalienable right, the right of citizenship that inheres in man by virtue of the fact that he is primarily a subject of God before he is a subject of any civil power. This idea the Huguenots accepted and sought to exercise. The criticism of history that the Huguenots were always on the side of popular government seems to be a strange prophecy in the light of subsequent events. De Tocqueville in his Democracy in America prophesied that all Europe would march toward the goal of democracy. If the world is marching toward democracy, if the people are coming more and more into the possession of inalienable rights denied to them by kings and emperors, the Huguenots of France must be credited with an important part in this movement which has been growing constantly ever since their dispersion among the nations of the earth.

The Calvinistic spirit in the Huguenots of France, in the Reformed of Holland, and in the Presbyterians of Scotland has contributed conceptions of human rights and ideas of government that have had expression in the form and order of government of the United States of America. The Huguenots were good citizens, the very best of France. The Protestant doctrine was not confined to any one class; for royalty, nobility, gentry, and peasantry all espoused the common cause. It is this very unusual fact that made the Huguenot movement in France one of the most significant in history. The very mention of such names as Margaret of Valois, Jeanne d'Albret, Henry of Navarre, Admiral Coligny, D'Andelot, Condé, Calvin, Bucer, and Beza, is an eloquent reminder of the fact that a great cause had captured the minds and spirits of powerful and influential men and women.

The spirit of the Huguenots is evinced against the background of blood and persecution. The moral and spiritual heroism they displayed stands out as a glowing page in history. It is an undeniable fact that the great examples of heroism, when we turn the pages of history, are nearly always connected with deep religious convictions. This is quite logical and true. It is a consistent movement of history, for it is the lofty conception of righteousness and justice that gives power and permanence to conviction, and impels men to high endeavor and to heroic sacrifice. In nothing was the heroism of this spirit displayed more truly than in the terrible persecutions that were designed, as was claimed, "to extirpate heresy." This heresy consisted in the insistence upon inalienable rights, the rights of intellectual, spiritual, and political freedom. If this be heresy, make the most of it! The mere mention of these persecutions produces a feeling of horror. There can be no possible excuse for the atrocious massacres that were inflicted on the Huguenots.

Perhaps no one person did as much to keep alive the fires of hatred and to instigate these persecutions as that brilliant and wicked queen, Catherine de' Medici. She seems to have been the counterpart of that famous queen in Israel, Jezebel by name, the wife of Ahab, who hounded and persecuted all those who did not worship the image of Baal. Of such a kind was Catherine de' Medici. Her intrigues were constant and infamous. To destroy the Huguenots seems to have been her whole ambition. It was the spirit that she engendered that expressed itself in the terrible persecutions. She represented and typified that spirit of hatred and violence that was continually launched against the Huguenots, and which culminated in the massacre of St. Bartholomew's Day. In spite of all this suffering, the spirit of the Huguenots was never broken; subdued temporarily perhaps, but never conquered. Even if their blood mingled with the soil of France, their spirit survived long after the bodies had turned to dust.

Could anything be more frightful in human annals than the murder at Tours, when 300 people, tied together two by two, were led out and slaughtered like beasts; or the atrocities at Sens when to the music of the cathedral bell, citizens were invited to murder those who espoused the reformed faith. The massacre of St. Bartholomew's Day stands in history as one of the most colossal examples of hatred and violence. The marriage of Henry of Navarre and Margaret of Valois was the occasion for this vast concourse at Paris. Little did the people think that behind the mask of nuptial festivities lurked the diabolical grin of Catherine de' Medici, the Jesuits, and the Guise faction. What sardonic irony to have the wedding ceremony take place on the scaffold outside the Notre Dame! On signal the massacre began, and the streets of Paris flowed with the finest blood of Christendom. Thousands fell, and Coligny who had been wounded some time before, did not escape, as an assassin entered his room and plunged a dagger into his body.

Charles IX will go down in history along with Catherine de' Medici dishonored and execrated wherever honor and justice are known among men. The effort to explain away this massacre on the ground that it was a misunderstanding is futile. The processions and tolling of bells in praise of the massacre were genuine expressions of hatred. The medal struck by Gregory XIII with the image of the Pope on one side and the destroying angel slaying the Huguenots on the other side are proofs of the fact that the massacre was planned. Such heroism as the Huguenots displayed is not seen apart from religious convictions.

The Edict of Nantes, signed by Henry IV (1598) had raised the spirits of the Huguenots to a high pitch. It looked as if some sort of modus vivendi might result. But the fires of hatred did not die down. In spite of the Edict of Nantes, the rights of the Huguenots, supposedly guaranteed under the edict, were constantly being violated. Such guaranties of the edict as full amnesty, liberty of conscience, the right of chiefs and nobles to hold services for themselves and their dependents; the right to establish churches outside of Paris; and eligibility to civil office were being gradually but methodically violated. More and more of these guaranties were being taken away, and the edict was being treated with indifference and contempt. Louis XIV pretended in a declaration made in 1652 that the rights granted in the Edict of Nantes would be maintained. Upon the death of Cardinal Mazarin, who, like Richelieu, by intrigue and cajolery had ruled with an iron hand, the persecution of the Huguenots broke out afresh. The Edict of Nantes was fast becoming a dead letter. The emigration of the Huguenots from France began.

In 1661 a decree forbidding emigration was issued, with the threat of fine, or imprisonment, or the galleys. Yet in spite of this decree the emigration continued, and the spirit of the Huguenots remained unbroken. They continued to worship God in accordance with the dictates of conscience.

Then began that final test of the spirit of the people, the test of the dragonnades. Dragoons of soldiers were quartered upon the people. They persecuted, they pillaged, they tortured, and they murdered the people. Every sort of cruelty was used. They beat and whipped and bayoneted men, women, and children. They dragged women by the hair through the streets, and through the mud and mire. Such was the persecution of the dragonnades; a persecution that paralleled and even surpassed the persecutions of the preceding centuries.

Into the provinces of France went this brutal soldiery, spreading terror, and slaying innocent men, women, and children. Then came the crash. The Edict of Nantes was revoked (1685) by Louis XIV, and every vestige of right that was given was now taken back under the hypocritical claim that the majority of those who had espoused the "pretended reformed religion" had returned to the fold of Rome. But the emigration had begun which was to decimate France and inflict losses that have left their marks until this day.

The courage that the Huguenots displayed in battle was the sign of their devotion to their cause. The spirit of a people is demonstrated by the way in which they defend their cause. The battles were forced upon them. They never sought conflicts except in the defense of those rights which they believed to be inalienable. In spite of disaster on the battle field, they held to their convictions and ideas of freedom with a tenacity and a courage that are inspiring. The Battle of Dreux (1562), in which their great leader Condé was wounded, did not dismay them.

They continued to pray and worship, and as they prayed, they fought for the truth. The defeat of Condé's army near Jarnac, which was a disastrous defeat, when the army was saved from utter rout by the skill of Coligny, only served to bind the Huguenots together in the determination to stand by their cause. The defeat at Moncontour (1569) when Coligny was badly wounded did not destroy their enthusiasm. They refused to be subdued by the loss of a battle. It was the victory at Ivry (1590) that brought hope to the Huguenot cause. It was on this field of battle that Henry of Navarre whose white plumes were the standard to be followed, said to his followers, "If the standard fail you, keep my plume in your eyes." Whether on the field of battle or imprisoned in the city by a siege, their courage and endurance never failed. Even when La Rochelle was besieged the second time, the defenders held out for nine months, offering the most stubborn resistance.

Louis XIII ordered the fortifications to be completely destroyed and the "Grand Temple" of Protestantism to be leveled to the ground. All who professed allegiance to the "pretended reformed religion" were denied admission to the city as inhabitants. Many were forced to leave under the most pitiable circumstances. Yet, in spite of it all, the faith of the people did not wane and their devotion and loyalty to the cause did not die. Here again is seen that invincible spirit which keeps no company with compromise and does not speak the language of surrender. It is such a spirit of heroism, of endurance in suffering, of devotion and loyalty to a great cause, of martyrdom for a truth, and of the preservation of faith in spite of torture, that makes a people strong and great.

The diffusion of the spirit of the Huguenots took place coincident with their emigration to other lands. Long before the revocation of the Edict of Nantes, many Huguenots sought to leave France. It did seem at one time after the death of the King of Navarre and the Duke of Guise as if there might be a cessation of hostilities and some peace secured. But the peace urged upon Condé was a mere sham. There could be no peace while Catherine de' Medici still had power. Beneath the surface there was the undercurrent of hatred and violence. So through the years the emigration continued. Thousands left France for Switzerland, Germany, Holland, and England. Into the spirit of these nations they added their spirit of faith and of freedom. Into the blood stream of the nations they poured their crimson flood.

The increase of persecution after the revocation of the Edict of Nantes was a constant urge for many Huguenot families to leave, for the revocation of the edict was a death blow to the Huguenot cause as well as a physical, moral, and spiritual disaster to France. One historian says, "The banishment of the Huguenots from France took away the backbone of her religious life." The French Revolution and the spread of infidelity were the logical outcome of this suicidal policy. France sowed the wind and reaped the whirlwind. The later years proved the futility of trying to kill an idea or a cause with an edict. An idea can not be killed by the sword, and a cause is not lost because an edict has been issued against it. The spirit of a people which represents their faith and their devotion to great ideas is not destroyed by an ecclesiastical decree or subdued by the noise of musketry. After the revocation of the Edict of Nantes over half a million Huguenots left France to enrich the nations of Switzerland, Germany, Holland, England, and America.

The industrial collapse in France, the decline of manufactures, the loss of state revenues were practical suggestions to Louis XIV of his disastrous policy. In 1669 an edict was passed forbidding emigration, but it was not entirely successful. The vast emigration continued, and the spirit of the Huguenot was released for the world. In history, art, literature, and science the nations of Europe benefited by the influx of these refugees. No wonder some of these countries offered asylum for these people, as for example the edict of Potsdam by Frederick William, the Margrave of Brandenburg. (See the French Protestant Revolution, by Weiss, vol. 2, p. 390.)

The influence on Holland was tremendous. To that virile nation the Huguenots contributed their strength and spirit. Their influence on government is well shown in their support of William of Orange, who represented much for which they had suffered. In following the course of events that culminated in the Dutch Republic, account must be taken of the contribution of the vast number of Huguenot refugees in Holland, who found such a welcome asylum in the Netherlands. Their views on government as well as on religion found fertile soil in Holland, and Protestantism in Holland has in it the elements of the Huguenot faith and spirit. A large number of Huguenot refugees translated their French names into the Dutch language, and names which are synonymous with the direction of the affairs of state, the progress of industry and the purity and power of religion are found among them. But the blessing was not confined to Europe alone. Perhaps the influence of the Huguenot spirit in America is even greater than the effect upon Holland.

The large number of Huguenots who came to America prior to the revocation of the Edict of Nantes and afterwards, explain the great influence that they had upon our national life. The States of Massachusetts, New York, and Pennsylvania profited by the emigration of the Huguenots to this country. Such settlements as at Oxford, Mass.; in Ulster County, and Westchester County, N. Y.; and in New York City demonstrate the wide dispersion of the Huguenots and the consequent influence upon life and thought. It is estimated "that in the year 1610, one-fourth of the population of New York City was Huguenot." (The Huguenot Church, A Brief History, published by the Huguenot Society of South Carolina, p. 9.) The Huguenots helped to soften the rigorous severity of the Puritan in New England, and added their strength to that of the Dutch in the settlements of New York.

The South profited greatly by the landing of the Huguenots. Maryland, Virginia, and Carolina welcomed the oppressed Protestants of France. In the year 1562 Jean Ribaut undertook an expedition to this country, and built a fort which he called Charles Fort, on Parris Island. Later, Laudonnière undertook an expedition in 1564, and established Fort Caroline near the St. Johns River in Florida. Upon the return of Ribaut, who was forced to land near Fort Caroline, the Spanish Admiral Menendez wreaked vengeance upon this settlement and massacred the people.

To the city of Charleston the Huguenots came, 250 years ago. It is eminently proper that the celebration of the two hundred and fiftieth anniversary of the landing of the Huguenots on this soil be synchronous with the two hundred and fiftieth anniversary of the removal of the city of Charleston from the site of old Charles Town on the river to this favored and strategic spot. Charleston was a city from the beginning. It did not grow from a village into a town, and from a town into a city. It is one of the few places in the land that was a city at the first. Here the Huguenots found a most welcome city of refuge. Like the cities of refuge of old that guaranteed safety and protection, so the city of Charleston was a city of refuge for the persecuted and oppressed Huguenots. It was to this city that they came in the very wake of Ribaut's ship, but with no Menendez to oppose their landing.

These Huguenots, God's clientele of faith, came here and built their places of worship in Charleston, Goose Creek, Orange Quarter, French Santee, St. John Berkeley, Purysburg, and New Bordeaux. Here in their new homes they adjusted themselves among an English-speaking people and gave themselves with diligence and loyalty to the purposes and life of the province. They merged their interests and their lives into the interests and the life of the colony, until they became a vital and integral part of the province. Perhaps the French Huguenots had more power of adjustment than the phlegmatic English or the hard-headed Scotch. At any rate, the infusion of the Huguenot spirit into

the life of the Province of Carolina was a most beneficial one. It was by this spirit that they could help to broaden the spirit of the Anglican, as well as soften the theological austerity of the Scotch Presbyterian.

The infusion of this spirit into the religious life of the province has had many varied and helpful results; not such results as are visible and may be catalogued, but results that are woven into the fabric of a people's character; and in the weaving have become the common property of all. It is a proud but justifiable boast that in this noble city by the sea, which thus far has escaped the tragic blight of being "modern," Huguenots, English, and Scotch have combined to make a people who love the spirit and traditions of their forbears, and who seek in the coming days to pass on to posterity those graces of character, those convictions of soul, and those standards of practice which are the real elements that make a people great.

The spirit of the Huguenots was the spirit of patriotism. In the new-found home, the Huguenots espoused again the cause of freedom. Into this cause went loyalty, fidelity, and sacrificial service. The mere mention of such names as John Jay, of New York, President of the Congress in 1774 and succeeding Boudinot as president of the American Bible Society; Elias Boudinot, of Pennsylvania, President of the Congress in 1782 and president of American Bible Society; Henry Laurens, of South Carolina, president of the Committee of Safety in 1775, Member of Congress in 1776, and later minister to Holland in 1779, is significant of the patriotic spirit. The spirit of the Huguenots knew no compromise. Nothing illustrates this spirit better than the answer of Henry Laurens to his English captors. It is strangely like the words of Jeanne d'Albret, who said to Catherine de' Medici, "Rather than deny my faith by attending mass, if I had my son in one hand and my kingdom in the other, I would throw them both into the sea." So when Laurens was captured on the high seas on his way to Holland, and imprisoned by the English in the Tower of London, he was offered his liberty if he would serve the interests of England, and to such suggestion he indignantly replied, "I will never subscribe my name to my own infamy, and to the dishonor of my family." (The Huguenots, by Smiles, p. 438.)

Another patriot was the brilliant John Laurens, the son of Henry Laurens. His splendid service in the Revolutionary cause was cut short by his untimely death on the field of battle, at the age of 27. Another great patriot was Gabriel Manigault who, too old to carry arms, loaned $220,000 to the Revolutionary cause. But the patriotic spirit of the Huguenots did not consist only in their devotion to the cause of liberty in their new land. They still held in deep affection the land they had left behind.

To undertake to determine what was the most important characteristic of the spirit of the Huguenots would be a difficult if not impossible task. Many elements entered in and contributed to that spirit. Such a spirit must be composite, made up of various qualities of mind and heart, for the spirit is the expression of the soul. Faith, loyalty, courage, patience, hope, the desire for freedom, the sense of justice and of right, all these enter into the composition of that spirit.

The traditions of the Huguenots must be maintained. All that the spirit of the Huguenots represented constitutes the traditions. No people can afford to lose their interest in the traditions that are their own peculiar property. The Huguenots have had a large share in the traditions of this city, of this State, and of this country. It would be a tragic thing for these traditions to be lost. To keep alive the ideas of freedom: intellectual freedom, spiritual freedom, and political freedom—this is of itself a noble purpose.

Into the life of the Nation God sent an oppressed people. Cast out of their own land by bitter hatred and ruthless persecution, they have enriched the nations of the earth in every sphere of human endeavor and in every department of spiritual experience. It was the "finest of the wheat" that God the Father took and with a mighty sweep of His arm cast among the nations of the earth. The seed fell on good soil, it took root and sprang up, and has borne fruit everywhere to the blessing of the world and the glory of God. The name Huguenot is a noble name to bear. Mrs. Sigourney in her poem on The Huguenot Fort at Oxford, Mass., says:

"On all who bear
Their name, or lineage, may their mantle rest;
That firmness for the truth, that calm content
With simple pleasures, that unswerving trust,
In toil, adversity, and death, which cast
Such healthful leaven 'mid the elements
That peopled the new world."

It is a very great advantage to have some visible and tangible thing to help maintain a great tradition. No tangible thing and no visible object could be more effective for such a purpose as is here contemplated than the maintenance of this church building as the shrine of a great spirit. The very walls of this church building if they could speak, would testify with eloquence, of the faith and devotion of that people which this church represents. It would be most fitting if this building could be made a permanent shrine. It should not be a matter of interest and concern to only a few. It should be the united effort of all those who hold physical or spiritual kinship with the Huguenots of America.

This church building should be preserved, not only as a landmark of colonial settlement, nor merely as a place of deep historic interest, but as a noble monument to the faith, loyalty, devotion, and sacrifice of a people who, cast out of their own land, found a haven of refuge in the New World, and helped to build a nation. The traditions must be maintained. They must not be lost; for the spirit of the Huguenot is imperishable.

THE SPIRIT OF THE HUGUENOT

By Rev. James H. Taylor, D. D.

(Written on the occasion of the two hundred and fiftieth anniversary of the landing of the Huguenots in Charleston, S. C.)

The spirit of the Huguenot
Pervaded all of France
And helped the cause of freedom
To make such great advance

That high and low and mighty
Among the sons of men
Renewed their hope and faith in God
And pledged themselves again

To urge the cause of freedom
Of mind and soul and life,
And win that freedom for mankind
No matter what the strife.

The spirit of the Huguenot
Undaunted by the cry
Of hate and noise of soldiery
And dragoons coming nigh

To place of worship and to homes,
To palace and to cot—
Amid the turmoil and the din
That spirit wavered not.

Not Vassy, Tours, nor La Rochelle,
With all the hate and wrong,
Nor Jarnac's loss nor Dreux defeat,
Could break that spirit strong.

The settlement for massacre
And payment of just due,
Will God in heaven render men
For St. Bartholomew.

The spirit of the Huguenot
Of soldier, martyr, saint,
Of nobles, gentry, peasant too,
With which men are acquaint,

Could not be crushed or even dimmed,
When hate and rage, twin-yoked,
Demand the Edict good of Nantes
Be ruthlessly revoked.

The spirit of the Huguenot
To Carolina came.
The noble sons and daughters, too,
Won wealth and power and fame,

And rendered service fine and true
In cause of liberty,
And laid down life with sacrifice
To make a people free.

The spirit of the Huguenot,
The spirit in the blood—
Into the life stream of our land
It poured a crimson flood

To fuse convictions of the soul:
Right, Truth, and Liberty;
And from the union of such things
A nation came to be.

The spirit of the Huguenot
Is marching through the years.
It does not cringe, or compromise
With perils or great fears.

Along the highway of the age
It moves, as if a wraith,
Invisible, invincible—
The heritage of faith.

The spirit of the Huguenot
Is calling from above:
Maintain, preserve the cause of Truth,
And Justice, Faith, and Love.

Take, hold the torch, and hold it fast,
And let it shine on high.
The spirit of the Huguenot—
It lives, and shall not die.

REFERENCE OF BILLS TO COMMITTEES

The SPEAKER. The Chair desires to make an announcement touching the reference of a joint resolution. The Chair has retained on the Speaker's table for some time Senate Joint Resolution No. 3, providing for an amendment to the Constitution. The Chair did this in the hope and expectation that a rule now pending, and pending for some time, in the Committee on Rules, providing that all joint resolutions with reference to amendments to the Constitution should be referred to the Committee on the Judiciary, would be reported by that committee. The Chair is distinctly of the opinion that such a rule should be passed. The Chair thinks that all matters with reference to amendments to the Constitution should be considered by the Committee on the Judiciary. The Chair, of course, has the greatest confidence in the learning and ability of the Committee on the Election of President, Vice President, and Representatives in Congress, which has had jurisdiction over this matter for a number of years, but at the same time the Chair would have been glad, if it were possible, to have had the Committee on the Judiciary pass upon this resolution. However, in view of the fact that the Chair is convinced that that rule will not be adopted at this session of Congress, and in view of the further fact that an almost precisely similar joint resolution has been reported by the Committee on the Election of President, Vice President, and Representatives in Congress and is now on the calendar, the Chair thinks it proper to now refer Senate Joint Resolution No. 3 to the Committee on the Election of President, Vice President, and Representatives in Congress.

Mr. GARNER. Will the Chair permit an interruption at this point?

The SPEAKER. Certainly.

Mr. GARNER. Would it have been in order at any time since the resolution was reported by the Committee on the Election of President and Vice President to have called up a similar Senate resolution which has been on the Speaker's desk?

The SPEAKER. The Chair thinks that at any time after House Joint Resolution 292 had been reported and placed on the Calendar it would have been in order, provided such report antedated the messaging over of the Senate joint resolution. The rule on the subject—clause 2, Rule XXIV—is that where a Senate bill or resolution is messaged over to the House after a similar House bill or resolution has been reported from a committee and is on the House Calendar, then the Senate bill may be called up as privileged by the committee having jurisdiction of the House bill.

Mr. GARNER. If the Chair, then, is anxious for the consideration of this legislation, may I suggest to the Chair to hold this on his desk so we may have an opportunity to exercise the privilege of calling up the Senate resolution with a view of considering it in the House.

The SPEAKER. The Chair stated the general rule, as applied to these cases, but in this case the Senate resolution was messaged over before the House resolution was reported. The privilege therefore would not apply in this particular case, but if it would apply in this particular case, the only complaint the Chair has heard from any source is that it has been retained on the Speaker's table.

Mr. GARNER. If it were sent over before the bill was reported and was still held by the Speaker, why would not the rule apply after the bill had been reported by the committee?

The SPEAKER. In order to give the matter privilege it would have been necessary that the House bill should have been on the calendar before the Senate bill was messaged over.

Mr. GARNER. While I am on my feet and while the subject is up for discussion, Mr. Speaker, what is the probability of the House being permitted to consider the resolution reported by the Committee on Election of President and Vice President during this session of the Congress?

The SPEAKER. The Chair would think that question might better be addressed to the chairman of the Committee on Rules. [Laughter.]

Mr. GARNER. May I ask the gentleman from New York [Mr. SNELL] what the prospects are for an opportunity being given the House to consider the resolution reported by the Committee on Election of President and Vice President?

Mr. SNELL. That resolution has just been reported out within the last few days and the matter has just come to the Committee on Rules for consideration. We have several other important matters ahead of it, and I would not be able at the present time to say whether it would be considered or not.

Mr. GARNER. Is the gentleman disposed to give a rule for it if he can reach it?

Mr. SNELL. Well, I can not tell the gentleman at the present time whether I am or not. I have not given the matter consideration. The resolution has just been reported out. It will receive consideration the same as about 100 other things that are before the Committee on Rules at the present time.

Mr. GARNER. Then, if I understand the gentleman from New York, his mind is a blank on the subject of the consideration of this resolution?

Mr. SNELL. Oh, it will compare favorably with the gentleman from Texas on the same subject. [Laughter and applause.]

Mr. SLOAN. Mr. Speaker, may I inquire of the Speaker with respect to the resolution coming over from the other body and lying on the Speaker's table, whether any Member of that body ever made any inquiry concerning the disposition of the resolution; or was there any request or any move on the part of any Member of this body that action of any character be taken upon that resolution up to this time?

The SPEAKER. The Chair has never had a request or suggestion from any Member of either body with reference to the resolution.

Mr. GARNER. Mr. Speaker, in order that the record may be clear, may I ask the Speaker a question? Is it not customary when bills are sent from the other House to this body for the Speaker to refer them to the respective committees unless some Member of the House asks him to hold them on his desk with a view to taking some action upon them? If it were necessary in each instance for some Member of the House to request the Speaker to send a bill to the respective committees, then every Member would have to take note of every bill sent over here and make a special request of the Speaker of the House of Representatives. So I think the question of the gentleman from Nebraska [Mr. SLOAN] does not mean anything, because the custom in this House, since I have been a Member of it, has been that when a bill is passed by the Senate and sent to the House of Representatives, it is sent to the proper committee unless there is some special reason why it should be held on the Speaker's desk. The rule requires this, I am advised by my friend the gentleman from Georgia [Mr. CRISP], who is probably as well or better informed on the rules than any man in the House of Representatives.

If the rule requires it to be done, there ought to be some reason why the matter was not referred. I have not heard any good reason given except the one given by the Speaker, which I think is a reasonable one. If you will pardon me for saying so, the Speaker was hoping the Judiciary Committee would have an opportunity to consider this and other resolutions having for their purpose the amending of the Constitution.

Mr. TILSON. Does not the gentleman consider the explanation made by the Speaker as full, clear, and ample?

Mr. GARNER. Yes.

Mr. TILSON. And as fully justifying the action he has taken?

Mr. GARNER. But the gentleman from Nebraska [Mr. SLOAN] left the impression it was the duty of some other Member of the House to suggest to the Speaker that he refer the matter.

Mr. SLOAN. The gentleman from Texas is, as usual, wrong. I only asked for the record fact and the Speaker has given that, and the fact is more important than a construction of a custom in this House.

The SPEAKER. While conceding that the gentleman from Texas, in his interpretation of the rules of the House, is almost invariably right, the Chair will call his attention to the fact that the rule requiring reference by the Speaker to a committee is not mandatory. The word "may" is used. The Chair will be pleased to read the rule if the gentleman would like to hear it. The Chair has the rule before him. It is as follows (clause 2, Rule XXIV):

Business on the Speaker's table shall be disposed of as follows:

Messages from the President shall be referred to the appropriate committees without debate. Reports and communications from heads of departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner and with the same right of correction as public bills presented by Members; but House bills with Senate amendments which do not require consideration in a Committee of the Whole may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House

bills already favorably reported by a committee of the House, and not required to be considered in Committee of the Whole, be disposed of in the same manner on motion directed to be made by such committee.

Mr. GARNER. Let me ask the Speaker this question: As I understand, under the rules, the Speaker can take any bill passed by the Senate and retain it on his desk indefinitely unless the House orders him to send it to committee?

The SPEAKER. The Chair thinks it is in the discretion of the Chair, under the rule. The Chair will say it is very rare, indeed, that the Speaker does not make immediate reference, but there may be very good and valid reasons why a bill should lie on the Speaker's table for some time. This may very frequently speed the passage of legislation or it may be for such a reason as alleged by the Chair in this instance. This interpretation by the Chair is in complete accord with the decision laid down by Speaker Henderson in Volume IV, section 3111, of Hinds' Precedents. The Chair thinks the gentleman from Texas will agree that matters relating to an amendment of the Constitution ought to be referred to the Committee on the Judiciary.

Mr. GARNER. I do agree with the Speaker on that. I think the Judiciary Committee ought to consider all proposed amendments to the Constitution.

The SPEAKER. That is what the Chair had in mind in retaining the bill on his desk in this instance.

Mr. CRISP. Mr. Speaker, since my colleague has brought me into this discussion, may I be permitted to say that for a number of years anyone desiring to introduce bills had to introduce them from the floor of the House and they had to be referred to the proper committee. Some years ago in the interest of conserving time and doing away with the necessity of bills having to be introduced from the floor and referred to committee, this rule was adopted which provides that the Speaker may refer bills originally introduced and Senate bills to the proper committees. I know the word "may" instead of "shall" is used in the rule, but the courts in considering the context of such matters have frequently construed "may" to mean "shall," and I think when we take into consideration the whole history of this rule, as well as the object and the purpose of the rule, it is fair to say that it is the duty of the Speaker, unless extraordinary reason exists in a particular case, to refer the bills.

I have no criticism whatever to make of the Speaker's conduct in this matter. I think the Speaker gave a valid reason for holding it up, but in view of my being brought into the matter, I desired to make this explanation.

Mr. HOWARD. Mr. Speaker, in view of the statement made by my colleague from Nebraska [Mr. SLOAN] that he never heard any mention of this matter of the resolution now under consideration—the lame duck resolution—I desire to call the gentleman's attention to the fact that he sat here the other day, spellbound, under the influences of a magnificent address that I was delivering on the subject of the gag rules, in which I called attention to the fact that that poor Norris lame duck resolution was being choked to death by a hostile committee. I want to apologize for that statement, for at that time I did not know that it was being choked by othe.' hands. [Laughter.]

AMENDING THE ACT RELATING TO THE PILGRIMAGE OF MOTHERS AND WIDOWS OF DECEASED SOLDIERS, SAILORS, AND MARINES

Mr. RANSLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," with Senate amendments, to disagree to the Senate amendments, and ask for a conference and to appoint the House conferees.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 4138, with Senate amendments, to disagree to the Senate amendments, and ask for a conference. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, has the gentleman consulted the minority of the committee?

Mr. RANSLEY. I have talked with the ranking minority member, and he was willing to serve as one of the conferees.

Mr. GARNER. Was he willing that the bill should go to conference?

Mr. RANSLEY. He was.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed as conferees Mr. RANSLEY, Mr. WURZBACH, and Mr. QUIN.

STATE RIGHTS UNDER THE CONSTITUTION

Mr. RANSLEY. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech made by my colleague the gentleman from Pennsylvania [Mr. BECK], and also one made by the Senator from Minnesota, Senator SCHALL, on Tuesday, February 4, 1930, before the Woman's Club in Philadelphia.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The speeches are as follows:

ADDRESS OF HON JAMES M. BECK, OF PENNSYLVANIA

Madam Chairman and ladies and gentlemen, I left my place in the House of Representatives late this afternoon, hence my late appearance at this dinner. I am perfectly in accord with what was said about the matter of distribution of plums. It seems as though this unequal distribution is given on the basis of the old Bryan ratio of 16 to 1. The only explanation I can have is that in that first garden of history a great deal of trouble came when Eve gave Adam an apple. However, that, of course, is not the explanation. It is simply a pleasantry.

There is another reason why I should not trespass any time on your presence and that is to do so would be to postpone the pleasure you are going to have of listening to the Senator from Minnesota, whom we owe a great deal of gratitude. I know the firm response that he will receive, for when the right to a seat in the Senate and, as it should have been, the inviolable right of the State of Pennsylvania to have seated in the Senate the man whom it had chosen, there was one who did not fail to defend not only the rights of the State of Pennsylvania but also the Constitution of the United States; the most eloquent defender of the rights of Pennsylvania was this gentleman who honors us with his presence to-night, who with a most eloquent speech, filled with strength and power, and fighting to the last, fought to defend the rights, not of his State but the rights of the State of Pennsylvania. I only interpret your views now in thanking him for the great service, the great patriotic service, that he rendered this Commonwealth on that notable occasion.

Now, we are approaching, ladies and gentlemen, the birthday of the Republican Party. I am going to make a few remarks upon a question which is suggested by the facts that the dominant patience of Abraham Lincoln was instrumental in the preservation of the Constitution of the United States. That was his great ideal; for that he was prepared to make any sacrifice, and for that he poured out his heart's blood.

The question that I want to commend to you, and to which I shall give no answer, because it does not admit at the moment of any answer, but which is a question of pregnant interest and should be of great interest to everyone is this: How long will the Constitution, framed in this historic city of Philadelphia, endure the constant attacks upon its integrity and the tendency of Americans to undermine it by unprecedented acts of aggression? You will say that the very fact that it lasted 143 years is enough evidence of its lasting preservation. But let me suggest to you that, after all, the life of the Constitution has been a very short one. I have been very fond of relating an instance, and that is, that when I was a boy of 13 years of age in Philadelphia I might well have known the greatest lawyer that Philadelphia ever produced, old Horace Binney, who was 94 years of age, in the year 1874, when I was a boy of 13. Now, Horace Binney, when he was a boy of 7 years of age, and while walking with his father across Independence Hall, had pointed out to him by his father George Washington and Benjamin Franklin, engaged in earnest conversation, and even then engaged in the work of the framing of the Constitution in 1787, so that the whole life of the Constitution can be measured in less than two lives—Horace Binney's life and my life, as yet unfinished—and in that period of time there have been at least six times that the Union was on the verge of dissolution, and in the same period, and, indeed, in the lifetime of men now living, there have been assassinated four Presidents of the United States.

Secretary Hay had the unhappy privilege of standing by the bier of four—three—murdered Presidents. I said four. I should have said four attempts have been made upon the lives of Presidents, but the one which was directed against Andrew Jackson failed of its purpose. The other three unfortunately fell from the assassin's bullet.

The fact is that the first great rebellion took place in our own State of Pennsylvania. The second took place in New England, when the representatives of New England, revolting against James Madison, threatened to leave the Union. The third took place a hundred years ago, when South Carolina insisted upon the right to nullify any law of the Federal Government that it regarded beyond the power of the Federal Government to pass. The fourth was, of course, the Civil War. I forget for the moment the fifth one, but the sixth, in 1876, I think, would have resulted in disastrous consequences, only the memory of a recent Civil War prevented the disruption because of a heated presidential contest.

While that is not encouraging as a reply to the questions that I have propounded for your consideration, it can be said on the more hopeful side of the matter that if the Constitution of the United States to-morrow were made the subject of a great referendum and 110,000,000

people, through their qualified officers, voted upon it, it would be readopted by a majority more nearly approaching unanimity than would be the case of any written constitution in any country in the world, and that, of course, is due to the fact particularly because we love the Constitution as an abstraction and particularly because we have enjoyed n this country an almost unprecedented career of material prosperity.

That is true; but the immortal Father of his Country said long ago that the danger to the Constitution would not come from attacks from without but it would come from the slow process of undermining its foundations and throwing down its stately pillars until eventually, if the progress were not stopped, the whole noble edifice of our freedom would crumble into ruin, and that process of undermining has been going on with such persistence in my lifetime that it gives me the most serious apprehension.

We destroy the great principle that political power and direct taxation should go hand and hand. That if a State only had one-tenth of the power in the Federal Congress with reference to taxes, it could only be subjected to one-tenth of direct taxation instead of having, as we now have, three States of the Federal Union paying 33 per cent of the taxes and being represented on the floor of the Senate by less than one-thirteenth of that body. So that we destroy that principle of the equitable distribution of taxation in proportion to the burdens of taxation.

We have destroyed the most inviolable rights of a sovereign State to secure its own Senator, without the advice and consent of the Senate, always provided that he has the qualifications specifically provided in the Constitution. We destroyed it in the case of Smith in Illinois, we destroyed it in the case of Vare in Pennsylvania.

Of what avail was it to the founders of the Constitution to prescribe the right of a sovereign state to be represented in terms of equality in the upper body of Congress if the Senate can treat itself as a social quality and reject the choice of the State because of the color of his hair, the character of his religion, or any other circumstance that you can imagine. I don't intend to go into that subject.

I only took two, but I can give you a dozen instances in my lifetime of the slow undermining of the Constitution, and the pity is that the people are quite unconscious of the process of the undermining or are indifferent, otherwise they would resent this constant destruction of the symmetry of the noblest edifice of orderly government that the world has ever known.

The trouble is ours is an age of pragmatism. Pragmatism may be a moral pragmatism that is suggested by some passing immortal reform or it may be a pragmatism of another character, and the significance of what I am saying is the great value of women in politics, and I may frankly say that 15 years ago I was very doubtful about it. Women are after all the high priestesses of the abstract and the ideal. They are less affected by the spirit of pragmatism to which I refer. Women see through an important situation into some great principle that lies behind it, and therefore it is for the women of this country, especially the mothers of this country, to have their children know not only the value of the Constitution but to teach them that no immediate good can ever sanction or justify the destruction of any principle of the Constitution.

You will remember in the jungle books of Rudyard Kipling that he speaks of a race of monkeys that lived in the tree tops, and he says they were the most despised of the animal creation, because they had no memories—they could not recall anything. They, therefore, could not remember the past and the future was a blank, and they would chatter and talk about their rights up in the tree tops and make a number of resolutions touching what they would do, and suddenly the falling of a coconut would make them forget and they would tumble down in the scramble for the coconut and all their fine ideals be all forgotten.

Well, now, this Constitution can never last if it imitates the characters Kipling speaks of. If we have no memories, if we live only in the present, the Constitution is bound to perish, as in my judgment it is slowly perishing. It is to inculcate the memory of the sacred past that the mother should tell the child that the mighty past is a power to the living present, and it is the sacred duty of the living to pass the mighty history of the past on to the unborn. That is the task of women—I don't say the only task of women, but it is the uppermost task, because we men in trying to preserve the Constitution have made a sad situation of it. Because we are practical we want immediate results and care little about eternal principles, but you women can uphold the great banner of a noble idealization—you can teach your children the sanctity of the Constitution—you can impress upon them the great obligations of the past, and in so doing if the Constitution, or what is left of it, is still to be preserved it may be largely the work of the women of America, who will be far more far-sighted in this respect than the men.

I remember that George Washington wrote a beautiful letter which I quoted in a book that I once wrote, which expresses to the women of America his sense of obligation for what they had done in the creation of the Constitution—that is, in enlisting the support for that noblest charter of human labor that the world knows, and I trust that a future George Washington, if, indeed, any such can be conceived—but at all events, the future may say that the Constitution, thus powerfully aided in its birth by the women in America, has been preserved by their patriotism.

ADDRESS OF SENATOR THOMAS D. SCHALL, OF MINNESOTA

My friends, I have a little cold which makes it almost impossible for me to enunciate and I will ask your indulgence for a few moments until I can get the voice box loosened up.

My name is SCHALL. That's Pennsylvania Dutch. It means sound. There are two branches of sound—music and noise. You can decide which branch I belong to after I get through.

You have just listened to one of the great men of the United States, one of the great men of the world—he is your man. Everywhere intelligence dominates, the name of JAMES BECK is known. He is not only a great defender of the common rights of the people but he is a thorough outstanding student and knows whereof he speaks every time he opens his mouth.

I wanted to call the name of SCHALL to your attention to give you an inkling of the fact that my ancestry came out of Pennsylvania, and therefore must be good, however much depreciated the descendants may be. My parents, fortunately for me, drifted to one of those backward States, of which you have heard so much lately, but we out there in the Northwest still have liberties. We out there in the West—Minnesota—still continue to think and say what we damn please. I am a Lincoln Republican. I am a Lincoln-Roosevelt Republican. In my State when I became a Roosevelt Republican and joined the Bull Moose movement in 1912, there were some Grundys out there who did not believe in that kind of Republicanism. These Grundyites when I attempted to file on the Republican ticket in 1916 for Congress, set out, because I had supported Roosevelt, to keep me from filing on the Republican ticket and were successful and I was again forced to file on an Independent ticket; but the people of my district returned me nevertheless with a good majority. In 1918 I again offered my filing as a Republican. The secretary of state accepted that filing but the Grundyites protested and appealed it to the supreme court of our State. The supreme court held that I was a Republican and that my filing as such was correct. Therefore you may have no fear as to my Republicanism for I am the only Republican in the State of Minnesota who has been vouched for as such by the highest lawgiving power in my State. The people of my district sent me to Congress for 10 years with ever-increasing majorities, despite the fact that the standpat Grundy element did not want me there and the same element did not want me in the United States Senate and will oppose with all the power they have my return in 1930 to that Senate.

I give you this that you may know I have had some personal experience. There is nothing like personal experience to acquaint you with what the other fellow is up against. My experience is very similar to my friend Vare's experience.

My father was a Republican; I have always been a Republican; he fought and voted for Abraham Lincoln. Personally I don't believe that any individual or a small group of individuals in the country has any right to prescribe the ingredients of Republicanism. Republicanism should be what the needs of all our country demand and not the demands of a small group of a small section of that country, however wealthy, powerful, and influential that small group may be.

I am a friend of Bill Vare's. I came to be a friend of Bill Vare from knowing him, just from meeting him in the House, where I served with him 10 years. He is an honest, faithful patriot.

I could not understand the opposition, as I sat in the Senate during all the discussions that were going on while this State was seeking its honest representation in that Senate. There has never been one word spoken there against Bill Vare personally. The only impeachment was that he spent too much money in the primaries. Nobody has ever claimed that he broke a law of the State of Pennsylvania, that he broke a law of the United States, but the sole complaint as set out in the United States Senate was that he spent too much money. His opponents spent three times the amount that he did, and the beneficiary of that amount of money now sits in Vare's place in the Senate of the United States. If the people of Pennsylvania are not dumb-driven oxen, they will not stand for that kind of a deal. If I know the hearts of the people of Pennsylvania, I believe they will rise up and strike back.

Through manipulation your champion of the people has been thrown in the discard, and special privilege fills his place. The name of the man who spent three times as much money as Bill Vare in the primaries now takes its place on the roster as one of the Senators from the State of Pennsylvania.

Bill Vare is a man of the common people. There are many who think that they might be disgraced perhaps by sitting with him. They will only be elevated by one of God's great works. Bill Vare, the common lad that earned his way up from a little boy earning two and a half dollars a week. He knows the trials and tribulations and hardships through which the ordinary people of this country pass. He understands. He has a heart of understanding, one King Solomon spoke of. When the Lord asked King Solomon what he most desired, he replied,

"Give me a heart of understanding that I might discern between right and wrong." Bill Vare has that sort of understanding that gives the judgment and justice of soul to decide between right and wrong, for he believes that the right of government is founded upon the most good for the most of the people. In fact, you people of this State were fortunate in having Bill Vare to make the fight in behalf of the common people of your State and the country. What would you have done if you had had Mr. BECK or some other candidate as poor financially as he? He would not have had enough to make the fight, or one-third of the money the other fellow spent. You are fortunate you had a man who had the money to make the fight and who at the same time believed in the common people of this State.

Abraham Lincoln said, "The Lord loved the common people; that's why he made so many of them." The injustice that has been dealt out to the people of Pennsylvania by the striking down of Bill Vare as your Senator is the kind of injustice that is the beginning of the disintegration of the foundation upon which rests the rights of the States and the rights of the individuals of those States. It is the people of Pennsylvania that were struck at through Bill Vare. He only has been the instrument that has been struck in your name. If the people of this State do not resent it there is something lacking in your spirit, something gone from your soul; and you are not worth fighting for.

This is a great country that we live in. Just think of it, my friends. When I think of the time I found myself out in Minnesota, at the age of 9, without parents, without influence, without anything to put bread into the inside of me. A bootblack, a newspaper boy, I could not read or write at the age of 12. By accident I came into a little town in Minnesota from working with a threshing crew at 75 cents a day, got into a fight with a man and beat him up so badly that the city authorities thought I ought to go to jail. The school professor who came along about that time and witnessed the fight said that a boy who had the courage to fight like that must have something good in him. He said, "Let he have him," and, following a consultation, I was turned over to the professor. He took me over to his home and began to talk to me about my country, told me about Abraham Lincoln, and wanted to put me in school. I consented and began my education under him in his schoolroom. That education has continued throughout the years and has finally landed me in the United States Senate.

I could not help but think, when they were talking about gardens here a few moments ago, and talking about the women and the flowers that grow in those gardens, that I have been pretty fortunate in my garden of roses I have here at my right in my better three-fourths.

At 26 I began the practice of law and was successful. It is all right to say that now—I am not looking for business. If I had been allowed the sight of my eyes I would have accumulated my share of the money, because I felt that money was power and I was too ready to sell my services for that money. At 30 I went to Fargo, N. Dak., to try a lawsuit. During the noon hour I stepped into a cigar store, purchased a cigar and attempted to light it with one of these little electric cigar lighters that should have been connected with a 6-volt battery, but the battery had become dead and the young folks of the store had hooked the machine onto the electric current of the city, 220 volts. I was the first one to use it since its connection with the city current. There was a flash that sent me sprawling. In less than a year I was totally blind.

At the age of 30 I had lost my sight. Mind you from the age of 9 I had taken care of myself. I went through common school, high school, and the University of Minnesota. I won every oratorical contest during my entire time at the university and represented my State at interstate oratoricals during all these years. In 1902 I won the Northern Oratorical League contest for the State of Minnesota. The original motive that caused me to enter these oratorical contests was the large money prizes. It was this money so won that helped me in getting through the university.

If Eve had not given Adam that apple spoken of here a few moments ago, Adam might have wasted his life in frivolous laziness. The moment he bit that apple he became blessed because he was forced out into the stream of life where he had to contend and overcome difficulties, and in the doing of this he acquired a strength of understanding. He had to fight—he had to swim against the stream of life, and that made a man of him. If Eve had not, through her actions, had Adam kicked out into the world, he never would have known tribulation. You remember what Paul said: "Tribulation, we should be thankful for." Through tribulation you secure patience, through patience you come to an understanding, through an understanding you come into the vibrations of the great intelligence about us. I want you to know, my friends, that I would not trade all the tribulations and all the pains and sufferings that have come to me, that have given me that heart of understanding, that have given me a soul, that have given me the power to stand and tell anyone to go to hell, for all the eyes in the world.

For 12 years of my life I acquired the adjectives of the alleys and sometimes in the heat of extemporaneous discussion they creep in and expose the origin. Mrs. Schall tries to keep me within bounds and she succeeds pretty well if she is close enough to step on my toe in time; but down deep in my heart I want you to know that there is no one more reverent of the Great Intelligence than I am. I have never gone into a battle that I did not pray, "God help me." As a little boy upon the street when somebody interfered with what I deemed to be my rights I declared war and always before the attack I prayed, "God help me." He must have helped me because I am not conscious of ever having been licked. I to-day pray as the people's representative in the United States Senate: "God help me to do the right; God help me to preserve the independence and liberties that the individuals of this country might have the opportunity to go on and develop a heart of understanding."

Did you ever stop to think that nowhere in the world is there an opportunity given for the individual as there is in this country? The more troubles you have the better off you are. God gives each of us so much trouble. If you have a big, stout pair of legs, you have a big cross. You have a cross in proportion to the amount you can carry. Whom the Lord loveth He chasteneth. Some time ago my little daughter here, when about 5, climbed on my lap and said: "Daddy, can you see me with your eyes?" and I said, "No; I can't." After a moment she said: "You can see me with your heart, can't you?" In her innocent prattle she had struck the keynote of life. It is with the heart that we all see; it is with the heart that we all understand. The heart is the source of power, the source of love, the source of everything that's good in the world. You can grow only when you are a part of a great thing. You have to have individuality to choose between right and wrong to grow a soul. You have to have tribulations, you have to carry burdens, you have to fight, and if you won't fight you are not worth a damn.

If ever the people of Pennsylvania were right, they were right when they picked Bill Vare and sent him to the United States Senate.

I want to say to you to-night that if you stand here and allow this next election coming up and don't force Bill Vare to run for the United States Senate, you are not worth fighting for. I know that Bill Vare wants to do what you people want him to do. There should be a concentrated effort to make him run for the Senate, and, if I am a judge of human nature, there won't be any question about whether he comes back or not. These are my sentiments—you can take them or leave them, but this is true, that if you can induce Bill Vare to run for the Senate you will have an honest representative of the cause of the people; and I for one should be glad to come into your State and talk to the people in his behalf and do whatever I can to further his election.

Marian Pyle, the chairman of this meeting, just told me a few moments ago that Ed Vare, the brother of Bill Vare, gave her inspiration and insight into life. I didn't have the pleasure of knowing him. He said to her, "When you are wrong, admit it and stand up against the world and admit it; but when you are right, go to hell before you give in." I think that's pretty good advice and I thoroughly approve of the last noun which in my mind is the only adequate expression. I know my approval of that noun will get me into trouble with Mrs. Schall. She advises me that I have already talked long enough. I agree with her and think that it is already too long and will say in summary and conclusion that I would not trade the understanding and heart, if you want to call it such, that comes to me in the 21 years of darkness, for all the eyes of the world. I would like to see, but I would not trade back on the same basis. I was bullheaded, stubborn, materialistic; I wanted money, because money would have given me power, and I would have gotten it if I had had my sight, but through it I might have lost my soul.

I am an instrument, as we are all instruments to do what we can to preserve the purpose of the founders of this country. This great country won't last long, just as Mr. BECK told you, if we don't let the Constitution alone. He just told you practically that they kicked Bill Vare out of the Senate because they didn't like the color of his hair, and only a couple of days later they seat Mr. GRUNDY. I have nothing against Mr. GRUNDY; he is a fine gentleman. I like his frankness. But they kicked Vare out because he spent too much money and seated the man that furnished the money for the Vare opposition—three times as much. Everybody elected upon that ticket had the same votes that were given for Bill Vare. Was there any difference between the votes that were cast for him and the votes that elected the rest of the crowd? If you people let that go on you are not worth the powder to blow you to hell, and the way to remedy that is to insist on Bill Vare running for the Senate and send him back there. A flag is a meaningless thing unless it be associated with all it represents. Our flag means all there is of human freedom and human equality. It represents the freedom of civilization—the symbol of the most powerful and the most progressive Nation under the sun.

I believe we ought to sleep nights. I believe we need a Navy that is going to protect us. Our flag floats over every sea. To the immigrants across the sea this is the promised land; these are our homes; this is the land we love so well. It is by taking care of the things that Mr. BECK told you about that the liberties in this country will be preserved. We have never failed in battle anywhere, but we will fail if we do not keep the rights of the individuals, the rights of the State

under the Constitution, and go out and fight to maintain and hold these rights.

If you stand and insist upon this man Vare going back to the Senate you will be maintaining your dignity, your principle, and there can be no reason why Bill Vare should not sit in that Senate. Bill Vare means to the State of Pennsylvania what the La Follettes stand for to Wisconsin. He is the common man's friend. He is the worker's friend. He has always been for the under dog. He is a man who has a heart of understanding, that knows the difference between right and wrong. I thank you.

LEAVE TO ADDRESS THE HOUSE

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of business on the Speaker's table and any special orders that have been made up to this time, I may address the House for one hour on the subject of the effect of certain items in the proposed river and harbor bill upon the Great Lakes and the waterways.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that on April 22, after the conclusion of the remarks by the gentleman from Texas, he may address the House for one hour. Is there objection?

Mr. RANKIN. Reserving the right to object, I want to ask the gentleman from North Dakota to withdraw his request until we see whether we are going to finish the veterans' bill by that time. I announced yesterday that I would object to any more requests to address the House until the veterans' bill was finished.

Mr. BURTNESS. In response to the gentleman I may say that I have asked the gentleman from South Dakota [Mr. JOHNSON] whether we would finish the veterans' bill by Tuesday and he assured me that we would. If there is any doubt about it, I will modify my request so as to make it apply after the veterans' bill is disposed of.

The SPEAKER. The gentleman from North Dakota modifies his request to make it apply after the veterans' bill is disposed of. Is there objection?

There was no objection.

THE LONDON NAVAL TREATY

Mr. ANDREW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the London naval treaty.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ANDREW. Mr. Speaker, the general outlines of the pending naval treaty have been published in cabled dispatches to the press, and on the basis of such information the very able gentleman from Idaho [Mr. FRENCH] a few days ago presented to the House an interesting interpretation of them. I have attempted a similarly provisional analysis, differing in some respects from his interpretation, which perhaps may be of interest to some of the Members. Possibly this comment at certain points may prove inapplicable to the final draft of the treaty, when it is adopted, but such irrelevancies are apt only to have reference to its details, as the groundwork of the proposed treaty seems to have been agreed upon.

Let me preface what I am about to say by conceding that our American delegates have undoubtedly done the best that they could with a very difficult situation, and that they are not to blame for the rather feeble output of the conference. They have from the beginning labored under heavy handicaps.

HANDICAPS OF OUR DELEGATES

The world had been misled to hope for much more sweeping achievements than it was within reason to expect. When Premier MacDonald invited the other governments to participate in the conference he grandiloquently referred to it as a "disarmament conference." Under present conditions it could not have been anything of the sort. He and others spoke as if great reductions in naval expenditures were going to flow from it. This was also an impractical and Utopian dream. The conference presumably might put the brakes upon such an inordinate increase in naval expenditures as the British demands at Geneva had seemed to forecast, but it was chimerical to expect from it any substantial reduction in naval appropriations in any country.

The achievement of any current reduction in American naval tonnage or expenditures was from the start impossible because of our persistent neglect of auxiliary ship construction during the previous years. No sort of agreement within the range of realities could relieve the United States from paying the cost of cruiser construction that had been so long overdue.

The negotiation of reductions in France and Italy was also rendered difficult by the circumstances under which the conference was called. After the sensational trip of the British Premier to Washington had been heralded throughout the world and it had been generally published that he had reached an understanding with our authorities, the Governments of France and Italy could scarcely have been expected to cooperate with enthusiasm in what they regarded as an Anglo-American undertaking. When during the conference our Government was placed in the attitude of supporting the British 2-power standard, it was but natural that the continental governments should have been even less inclined to fall in line.

WEAKNESSES OF THE LONDON TREATY

All things considered, it is not surprising that the terms of the London treaty, as provisionally announced, fall short of what had been hoped for in several important respects.

First. As originally announced, the London conference was intended to do for auxiliary vessels what the Washington conference had done for the dreadnoughts or battleships. This has not been accomplished. The purpose could only have been realized had Premier MacDonald at the outset followed the example set by Secretary Hughes when he opened the Washington conference with an offer on behalf of this country to sacrifice our supremacy in capital ships by scrapping some 800,000 tons—the half of our battleship fleet.

Had Premier MacDonald at the first session of the London conference matched that amazing sacrifice of Secretary Hughes by a similar offer to reduce the British cruiser tonnage to the level or our own, there might well have resulted a general reduction in the cruiser construction program of the several countries. But the British do not handle conferences in that way. As a result, according to the terms of the London treaty in order to attain parity we shall be obliged to build considerably more than double the number and tonnage of cruisers that we now have built and building. In addition to the 90,000 tons afloat and approximately 60,000 more tons building—a total of 18 cruisers, aggregating 150,000 tons built and building—the treaty provides for our building 173,000 additional tons—apparently about 20 additional cruisers.

Second. A very surprising feature in reference to these new cruisers lies in the restriction limiting our use of the additional tonnage to types of vessels that we do not need, and preventing our taking advantage of recent developments in naval construction. Our delegates seem to have been persuaded by their British confreres to agree that nearly half of this additional tonnage shall be limited to a type of cruiser which every American naval authority has hitherto contended is ill adapted to our needs. We are apparently to build some 10 or 11 cruisers which the naval board have told us are unsatisfactory in view of the great distances which separate our naval bases, and limited in armament to the type of guns installable on merchant vessels, which have no particular value to us in view of our lack of a merchant marine available for war service.

Our delegates are reported also to have agreed that not more than half of these new cruisers, which we are still to build, shall be equipped with decks allowing planes to land on them. Why our representatives, after having accepted a cruiser-construction program which will cost the American people more than $300,000,000 to build, should have allowed our naval designers to be hamstrung so that they can not use their ingenuity in making these vessels as effective as possible is difficult to understand. It is doubtful whether the American people will be satisfied with such an arrangement.

Third. It is doubtful, too, whether our people will be pleased with the concessions made to Japan. Apparently, in order to save the treaty from being an exclusively Anglo-American agreement, the British and American delegates were willing to concede almost anything that the Japanese delegates asked. Japan's rating goes up from 60 per cent, established at the Washington conference, to more than 70 per cent in the destroyer and cruiser classes, and to 100 per cent in submarines. Not only is Japan given complete parity in submarines but, according to some of the press reports, she has asked the privilege of transferring destroyer tonnage to the submarine category, which, if granted, would give her actual superiority in the latter class of ships.

Fourth. The whole treaty so far as limitations upon construction are concerned rests upon an unfortunately unstable and insecure foundation. It is based upon recognition of the British demand for a 2-power standard fleet, coupled with the dubious assumption that France and Italy will not build the fleets which they have affirmed their intention of building.

Our delegates apparently support the British contention that their fleet is entitled to a strength double that of any European power or equal to that of any two such powers combined, and at the same time they apparently assume that the program frankly announced by the French and Italian delegates at the opening of the conference as their final terms, and which, if executed, would invalidate the British 2-power standard, will

never be adhered to. The terms negotiated with the British, establishing for Great Britain and the United States tonnage limitations for each category of ships, are predicated upon the maintenance by the British of their 2-power standard, and our delegates are reported to have agreed, through what is known as the "escalator" or "safety" clause, that if France and Italy should proceed to construct what they have declared that they intend to construct, then the British tonnage quotas established by the treaty need not be observed. It would be difficult to conceive of a more tenuous or hypothetical arrangement. The British tonnage limitations are made contingent upon the validity of the supposition that France and Italy do not mean what they say.

Fifth. Such a treaty, even with Japan included, runs the risk of being regarded by the rest of the world as primarily an Anglo-American agreement, the purport and implication of which other peoples will be inclined to distrust. It is perhaps not to be wondered at if the people of Italy and France resent our apparent support of the British 2-power standard and our apparent agreement with the British to make their countries responsible for the failure of the treaty if they do not acquiesce in accepting that standard. However much and with whatever good faith we may insist upon our neutrality in European affairs, we are likely to be considered as having taken sides in a controversy between the British and the continental powers.

SOME OF THE ACHIEVEMENTS

The most substantial accomplishment of the conference seems to be in a field not contemplated in the agenda—the scrapping of obsolete battleships without replacement. Under the terms of the Washington treaty six American battleships were to be dropped before 1936 and eight new ones were to be laid down in anticipation of replacements. According to the London agreement we are to scrap or demilitarize three battleships within 18 to 30 months of the ratification of the treaty and postpone all replacements until after a conference to be called in 1935. The British at the same time are to demilitarize five vessels and the Japanese one during like periods, and both powers also will declare a similar battleship-building holiday until the next conference. This proposal involves important eventual savings to the three countries both in construction and in operation, although as no one anticipates the ratification of the treaty before next year, the economy is not likely to begin much before 1934, or about two years from the end of the proposed naval holiday.

The willingness, however, of the principal naval powers to postpone replacement of battleships would seem to indicate a growing belief that the present type of battleship has lost prestige in the navies of the world and perhaps to forecast their abolition or replacement by smaller vessels. No battleships have been built by any country since the Washington conference. France and Italy have not even taken advantage of the quota of battleship tonnage, amounting to 70,000 tons for each, allowed them by the treaty of 1922.

If by the time of the next conference our cruiser fleet has been brought up to substantial equivalence with that of Great Britain, the conference of 1935 may agree to do away altogether with the massive battleships, so costly to construct, maintain, and operate, and in that event the discussions of the London conference of 1930 will have contributed very substantially toward a reduction in this field of naval expenditure.

Much has been said about a vast reduction in cruiser tonnage, and a resultant saving of hundreds of millions of dollars to be brought about by the conference. This it should be understood does not refer to the United States, where no reduction in cruiser tonnage, cruiser construction, or cruiser authorization is contemplated. The terms of the treaty provide for the further construction of cruisers by the United States of greater aggregate tonnage and cost than have ever been proposed in any bill reported to Congress.

What is meant so far as the United States is concerned, is that there will be a saving of what we would have had to construct or spend, if we had agreed to the terms put forward by the British at the 1927 conference in Geneva. This would have reached enormous figures. But those terms we not only did not agree to, but even refused to discuss at Geneva. And any suggestion of the possibility of their revival by the British delegates would certainly have resulted in a refusal to participate in the London conference on the part of President Hoover.

CONFERENCE REPORT ON THE INDEPENDENT OFFICES BILL

Mr. WASON. Mr. Speaker, I call up the conference report on the bill (H. R. 9546) making appropriations for the Executive Office and the sundry independent bureaus, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from New Hampshire calls up the conference report on the bill H. R. 9546, and asks that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, and 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, and 9, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$553,523,166"; and the Senate agree to the same.

EDWARD H. WASON,
JOHN W. SUMMERS,
C. A. WOODRUM,
Managers on the part of the House.

HENRY W. KEYES,
REED SMOOT,
W. L. JONES,
LEE S. OVERMAN,
CARTER GLASS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9546) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

On No. 1: Provides $1,160,000, as proposed by the Senate, instead of $1,040,000, as proposed by the House, as the amount which may be expended for salaries in the District of Columbia out of the appropriation of $1,500,000 made for general expenses of the Federal Trade Commission.

On Nos. 2 and 3, relating to the Interstate Commerce Commission: Provides $3,547,313, as proposed by the Senate, instead of $2,540,000, as proposed by the House, for valuation of property of carriers.

On Nos. 4, 5, and 6: Provides $1,000,000, as proposed by the House, instead of $4,000,000, as proposed by the Senate, for the Porto Rican Hurricane Relief Commission.

On Nos. 7 and 8, relating to the United States Geographic Board: Provides $6,000, as proposed by the Senate, instead of $4,900 as proposed by the House, for printing and binding, and makes $1,100 of the same immediately available.

On No. 9, relating to the United States Shipping Board Merchant Fleet Corporation: Provides, as proposed by the Senate, that payment of losses due to the maintenance and operation of ships may include operation through an agreement to pay a lump-sum consideration.

On No. 10: Corrects the total of the bill as agreed to in conference.

EDWARD H. WASON,
JOHN W. SUMMERS,
C. A. WOODRUM,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report:

The conference report was agreed to.

A motion to reconsider the vote by which the conference report was agreed to was laid on the table.

RESIGNATION FROM A COMMITTEE

The SPEAKER. The Chair lays before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 16, 1930.

Hon. NICHOLAS LONGWORTH,
Speaker House of Representatives.

SIR: On the 11th instant, I was elected a member of the standing committee of the Committee on Military Affairs. I therefore tender my resignation as a member of the House Committee on the Post Office and Post Roads.

Respectfully submitted.

JOHN M. WOLVERTON.

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended.

Mr. RANKIN. I ask the gentleman to withhold the motion for a moment.

Mr. JOHNSON of South Dakota. Certainly.

Mr. RANKIN. Is it the hope of the gentleman from South Dakota to finish general debate upon this bill this afternoon?

Mr. JOHNSON of South Dakota. Yes. The gentleman from Mississippi [Mr. RANKIN] and myself have conferred, and we find that there is not a great number of applications for time under general debate. It is my hope to conclude general debate to-day and start the reading of the bill under the 5-minute rule, but not to proceed with any amendments, and to adjourn after the conclusion of the general debate.

Mr. RANKIN. In reply to that, that suits me exactly, and then we may take up the bill under the 5-minute rule to-morrow and finish it to-morrow.

Mr. JOHNSON of South Dakota. It seems to me that if there are not any more amendments than I know of at present we ought to conclude and have final votes on the bill to-morrow.

Mr. Speaker, I renew the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield myself one hour.

Mr. Chairman and ladies and gentlemen of the committee, those of you who were here on Tuesday will recall the attitude that the chairman of the committee has taken toward this legislation. I have not attempted to take the membership of this House back to Chateau-Thierry or to the Argonne. I have tried to do nothing except to discuss this entire matter from the fiscal and economic viewpoint. It has its humanitarian features, which we all must consider. My attitude on the bill has been that if this measure is amended vitally, if the Rankin amendment be accepted by the House, it will make the cost of the measure prohibitory, and that the President of the United States would be justified in vetoing it; and, in my judgment, he will veto it, and we would therefore secure no legislation at all.

Mr. RANKIN. Mr. Chairman, there was so much noise in the Chamber at this moment that I could not hear exactly what the gentleman said. I would like to get that statement again.

Mr. BRAND of Georgia. Mr. Chairman, I heard what the gentleman said, and it is a very interesting statement. I ask the gentleman from South Dakota if he has any information in regard to what the President will do in this case providing the Rankin amendment is adopted.

Mr. JOHNSON of South Dakota. No. I stated Tuesday that the President has not expressed to me his viewpoint. I stated that in my judgment the addition of the Rankin amendment would mean $300,000,000 a year at least added to the expenditure, and that it would be so unscientific that in my judgment the President would veto it and would be justified in so doing, and that if we did that, this House would be in the position of having kept 177,000 men from receiving what they would receive under the present bill, and the effect of that ought to be well known on the part of both the taxpayer and the service men.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly; I am always glad to yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman bases such a statement upon the theory that my amendment would be to strike out "1925" and insert "1930" in the Johnson bill?

Mr. JOHNSON of South Dakota. That was the theory upon which the gentleman proceeded in the House on Tuesday last, but I understand now that he has changed it.

Mr. RANKIN. I am speaking about the gentleman's theory.

Mr. JOHNSON of South Dakota. It would be $400,000,000 in my judgment upon that former theory, but it would mean an addition of $300,000,000 a year, proceeding upon the amendment which the gentleman now proposes, which is to add his particular bill to the so-called Johnson bill, now under discussion. This matter has been before the House for some little time. The gentleman from Mississippi not long ago filed a petition at the Clerk's desk to force the committee to report the bill.

It was never necessary to have that petition presented, because there has never been any intention upon the part of the chairman of the committee this year to do other than to let the House decide on this legislation. It is indicative of the sentiment of the House that with all of the advertising done by the gentleman from Mississippi, notwithstanding all the requests he made on the floor of the House, only 127 Members signed the petition; and, in my judgment, about half of them now wish that their names were not upon it. It is not a commitment for them in any way to vote for the so-called Rankin amendment. What they have done is to ask that the House have an opportunity to vote on it only.

I now call attention to what is requested in the way of veterans' legislation. There are pending before the Veterans' Committee, and we have had hearings upon it recently, and have had them every day, requests from 26 States for new hospitals or additions to new hospitals. Those States have requested an appropriation of $28,535,000 for new hospitals, above and beyond the $110,000,000 already appropriated.

What are those beds to be used for? They are not going to be used for service-connected cases. The hospitals already built and now building will take care of service-connected cases. Those hospitals are to be erected to take care of men who are or may be run over by automobiles to-morrow or men who meet with some other casualty or who have contracted some disease not connected with the service.

Now, take that in connection with the Rankin amendment, and what do you find? You find that you are putting in 10,000 beds, to cost $28,500,000 this year. For what purpose? So that you can get those men into the hospitals and pay them the compensation provided in the Rankin amendment, so that every man occupying one of those beds shall be in receipt of $225 a month.

You might just as well meet that issue. The country can not afford to pay these service men $225 or $250 a month. In my judgment the service men do not want it. There are 4,220,000 of these service men living now and there are 4,000,000 not getting anything from the Government, and there are 3,500,000 service men who are not asking for it. Their sons and their daughters are not asking for a pension. They are not going to ask for anything like that in this short period after the war.

Day before yesterday the gentleman from Mississippi [Mr. RANKIN], in a very eloquent, inspiring, and touching address, brought up the case of a service man from South Dakota, where he said the ex-service men were very strongly in favor of his bill. I am not surprised that the gentleman found one man for it. I am not surprised that the gentleman found one man in South Dakota who is for his bill. There are 750,000 people in that State, and yet it seems he can not find more than one ex-service man who is in favor of his bill. The fact is that the agitation for this measure has not come from the service men, but from the gentleman from Mississippi, and no one else. I ask the gentleman how many requests he has received from people throughout the United States?

Mr. RANKIN. I have received requests from 10,000. The gentleman from South Dakota knows that he has also received requests from all over the country. I have petitions on my desk over in my office now with at least 10,000 names on them, asking for the passage of that bill.

Mr. JOHNSON of South Dakota. The gentleman says that he has 10,000 requests out of the entire number that will be beneficiaries of the bill. The gentleman says he has requests from people in South Dakota. I challenge him to put them in the RECORD. If there are 10,000, I would like to see them.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD by inserting therein the petitions that I have received.

Mr. JOHNSON of South Dakota. I ask unanimous consent, Mr. Chairman, that the gentleman from Mississippi may have that permission if he wants it. I go further than that. The gentleman has his files over in the Office Building, and he can call for a page and send over there for them right now.

Mr. RANKIN. Mr. Chairman, I do not want the gentleman from South Dakota to get up and challenge me. I accept that challenge. I ask unanimous consent that I may insert in the RECORD the petitions that I have received.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

Mr. SNELL. I object.

The CHAIRMAN. Objection is heard.

Mr. JOHNSON of South Dakota. The gentleman has as much of his own time as I have, and he can put them in the RECORD in connection with his remarks. I know the mail he is getting, and I know he is not getting as many letters in two weeks as I get in one day calling for a change in the veterans' legislation. I am closer to the veterans than he is. Even if he puts in all of the letters that he says he has, it is only 10,000 out of 125,000,000 people. Personally, I have nothing against the gentleman from Mississippi, and I like him. He has the right to fight for his bill as well as any other legislation. But, Mr. Chairman and members of the committee, this is a fiscal policy affecting the financial condition of the United States more than anything else that is now before the American people. I think I know how these letters indorsing the Rankin bill were secured. In an executive session of the committee, after we had voted in the Committee on World War Veterans' Legislation, the gentleman from Mississippi immediately sent to every hospital where these boys are, stating how the members of the committee voted in executive session. I have a copy of one of his letters.

Mr. RANKIN. If the gentleman has that letter I will be very glad for it to go in the RECORD.

Mr. JOHNSON of South Dakota. What was the result of that letter? At Castle Point and at a hundred other places they were asked to sit down and write letters every day. There are only 500 people who have written all the letters that have been received. It is a fine exhibition of propaganda.

I have been a Member of this House for 16 years. I have been bombarded on every conceivable subject. I remember that the gentleman from New York [Mr. SNELL] on one occasion had 800 unopened telegrams and I had 300. I have been on the steering committee, and I know of no other case where one man with 500 others to help him has put up such a propaganda as this, where only a small percentage out of the total population have been urging the passage of a bill. You will find upon inquiry that I am exactly right.

Mr. PEAVEY. The gentleman referred a moment ago to a provision in this bill under which 10,000 men will be provided with hospitalization.

Mr. JOHNSON of South Dakota. Yes; I know it is provided for. There is in the bill a provision which, taken in connection with the Rankin amendment, will accomplish that.

Mr. PEAVEY. What is your provision as to that?

Mr. JOHNSON of South Dakota. This is a compensation bill, not a hospitalization bill. We are asked to provide this year a lot of beds for service-connected cases, and the non-service-connected men will move into them, and then those non-service-connected men will receive $225 a month under the Rankin amendment.

Mr. PEAVEY. Would it not be cheaper for the Government to recognize them and give them a small pension and enable them to live in their own homes, under their own home conditions?

Mr. JOHNSON of South Dakota. I may offer such a motion to recommit. I am not certain but what I will do so, if the Rankin amendment is adopted, because I want to make it clear, when we do not get any legislation, just where the responsibility is, and it is not going to be on my shoulders.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. BRAND of Georgia. I am sorry, but I did not hear all of the debate. I am satisfied my friend from South Dakota [Mr. JOHNSON] knows the facts. What is the real difference between the gentleman from South Dakota and the gentleman from Mississippi [Mr. RANKIN] as to the increased cost which will ensue, provided the amendment offered by the gentleman from Mississippi is adopted.

Mr. JOHNSON of South Dakota. In the estimates made by the Veterans' Bureau the estimates were based on the number of cases already filed with the Veterans' Bureau. It was estimated by them that under the provisions of the original Rankin amendment the cost would be about $44,000,000 the first year. Under the provisions of the bill which I introduced it would be $76,000,000. Both bills are entirely unscientific. You will find that I alleged the provisions are unscientific; that they would cure some discriminations and preferences by making others; but our dispute comes with the total load that must be considered and not the number of cases filed. For instance, under the provisions of the Johnson bill a man who became ill of diabetes in 1928 would never dream of filing a claim against the Government, because he did not contract the disease in the service. Yet under the Rankin bill he will file a claim immediately. I do not blame him for that. He will enter a hospital and receive $100 a month besides. That man and all men like him have not been considered in making the figures given by the Veterans' Bureau. Therefore it is the best guess of anybody. But based on the figures taken from the Pension Bureau if the gentleman from Mississippi [Mr. RANKIN] had moved to strike from my bill the figures "1925" and insert the figures "1930," then the total cost would have been about $423,000,000. Now, the gentleman says he will not make that motion, but will move to substitute the Rankin bill. Based on those figures, in my judgment, the cost will be $300,000,000 per year—either one prohibitive, as far as the finances of this Government are concerned.

Mr. YON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. YON. What does the gentleman estimate this bill will cost the Government?

Mr. JOHNSON of South Dakota. Does the gentleman mean the bill that is now before the committee?

Mr. YON. Yes; in addition to what it is already costing?

Mr. JOHNSON of South Dakota. One hundred million dollars a year, and will take care of 177,000 men in some degree, their average compensation being about $45 per month.

Mr. YON. Does not the gentleman think there is an opportunity here to take care of the veterans who are now service connected, under the Veterans' Bureau, and provide some cheaper compensation, that will be more satisfactory, under some pension legislation?

Mr. JOHNSON of South Dakota. There is no pension legislation that has been presented yet the cost of which will not be almost prohibitive. If the Rankin amendment is adopted, I think I shall offer a motion to recommit, and I will introduce a highly restricted piece of legislation such as is suggested by the gentleman, and which I have suggested many times.

Mr. YON. Has the gentleman studied the provisions of the Swick bill that is now before the Pension Committee?

Mr. JOHNSON of South Dakota. Oh, yes. I am very familiar with its provisions.

Mr. YON. What will that cost?

Mr. JOHNSON of South Dakota. I have not the figures before me. The gentleman probably has them. The gentleman is a member of the committee.

Mr. YON. I am a member of the committee, but I do not have the figures.

Mr. JOHNSON of South Dakota. I do not want to quote the figures. The gentleman from Pennsylvania [Mr. SWICK] is present, and perhaps he can give you the figures.

Mr. SWICK. The estimated figure for the first three years was $80,000,000 per year. For a period of five years it would be approximately $130,000,000. That is the highest figure that has been estimated. Other estimators have given a figure as low as $85,000,000 per year for a period of five years.

Mr. JOHNSON of South Dakota. Did the Pension Bureau make those estimates?

Mr. SWICK. Those estimates were made by the Pension Bureau estimators.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. RANKIN. I want to ask the gentleman from Pennsylvania [Mr. SWICK] if, under the bill offered by the gentleman from Pennsylvania, each man would be paid up to $50 a month?

Mr. SWICK. Yes, sir.

Mr. RANKIN. So a man who is totally permanently disabled from tuberculosis or any other cause would not draw over $50 a month under the Swick bill?

Mr. SWICK. Yes; up to $72 a month.

Mr. SNELL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. SNELL. The gentleman from South Dakota [Mr. JOHNSON] made the suggestion that he might offer a motion to recommit and offer legislation providing for a pension for veterans. On what authority would the gentleman offer that amendment?

Mr. JOHNSON of South Dakota. Solely on my individual authority as a Member of Congress, in case the Rankin amendment is adopted by this House, which would load the Government up with a three or four hundred million dollar expense.

Mr. SNELL. I may not be exactly correct in this, but if I remember correctly, the gentleman from South Dakota [Mr. JOHNSON] in years gone by has made the statement that the American Legion members were not interested in a pension, would not ask for a pension, and would not take a pension. What they wanted was fair and decent compensation. Have they changed their position, and do they now want a pension, or

are they of the same mind that they were when we passed the original compensation laws?

Mr. JOHNSON of South Dakota. The American Legion has never made any request for a pension. Individual members have.

Mr. SNELL. I think it is important to know.

Mr. JOHNSON of South Dakota. I remember the agreement as well as the gentleman from New York [Mr. SNELL]. When the compensation act of 1921 and bonus bill was being considered the commander of the American Legion, also Mr. John Esch, of Wisconsin, and Sam Winslow, of the Committee on Interstate and Foreign Commerce, and the leaders of the American Legion gave their pledge at that time that if the adjusted compensation law and the Sweet bill were passed they would not ask for a pension, and they have not asked for a pension. Individual members have, but the organization has not.

Mr. SNELL. Then why force a pension on them if they do not want it?

Mr. JOHNSON of South Dakota. For only one reason. If it would cost, under the highly restricted pension law I have suggested, $50,000,000, I would rather see that done than to see the Rankin amendment adopted, which will cost $300,000,000 a year, or nothing done.

Mr. SNELL. I am glad to hear the gentleman state that the American Legion, as an organization, has not asked for a pension.

Mr. JOHNSON of South Dakota. Not only that but they made the pledge that they never would until the bonus had been paid, and I was present when that pledge was made.

Mr. RANKIN. Let me say to the gentleman from New York that the gentleman from South Dakota is exaggerating the cost of the Rankin bill, as I will show you in a few minutes.

Mr. SNELL. I have not attempted to discuss the cost of either bill but was discussing the attitude of the American Legion.

Mr. RANKIN. The highest figures we have on it are $44,250,000.

Mr. JOHNSON of South Dakota. I want to answer that. That is based on the number of cases that have been filed in the past and not based on the cases which will be filed. A man who never has filed a claim—because he had some disease he knew was not service connected—would immediately file a claim if the Rankin amendment were adopted. If the Rankin amendment is adopted, I can get a pension at once under something that happened in 1927.

Mr. PERKINS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PERKINS. In that connection, on page 33 of the testimony, General Hines said that the number of cases affected and the amount involved, $48,000,000, under the Rankin bill, were taken purely from the disallowed cases. That is General Hines's statement on page 33 of the hearings.

Mr. JOHNSON of South Dakota. Certainly; and not based on the other cases at all.

Mr. WOODRUFF. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WOODRUFF. The gentleman has referred to a meeting held in the Ways and Means Committee room at which a few Members of Congress and certain representatives of the American Legion were present.

Mr. JOHNSON of South Dakota. Including their commander.

Mr. WOODRUFF. And he has referred to an agreement that was entered into between the representatives of that organization and certain Members of this House at that time.

Mr. JOHNSON of South Dakota. Who were handling the legislation.

Mr. WOODRUFF. Is it the gentleman's opinion that those representatives of the American Legion who were present on that date were authorized to speak for all time to come for all ex-service men who served in the World War? Is it the gentleman's opinion that those few men could commit and bind all the ex-service men for all time to come on this very important question?

Mr. JOHNSON of South Dakota. They assumed to do so at that time. They stated they wanted the passage of the Sweet bill, which was a most favorable piece of legislation, and they also wanted the passage of an adjusted compensation law, which will cost the Government in the end three billion and a quarter dollars. They said that if Congress would pass those two bills, they would guarantee that the Legion would not ask for a service pension until the bonus is paid. I think they are morally bound on that statement. I was there and heard it, and they secured at that time an agreement to pass those two pieces of legislation, and we did pass them.

Mr. CONNERY. If the gentleman will permit, the gentleman knows that at the very first national convention of the Legion the leaders of the Legion did not want a soldiers' bonus, when practically 3,000,000 men throughout the United States in the Legion did want it. So they could not bind the American Legion.

Mr. JOHNSON of South Dakota. In answer to the gentleman, I will say that I was the only member of the subcommittee at that time who was in favor of it.

Mr. WOODRUFF. Will the gentleman yield further?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Michigan.

Mr. WOODRUFF. Does the gentleman believe that those representatives of the American Legion who were present on that date could bind some veteran who is now or who may become disabled and who can not connect his disability with his service thereby prevent him from asking of Congress a small pension during the years to come? Does the gentleman think they were authorized to bind each and every individual soldier in this country?

Mr. JOHNSON of South Dakota. The gentleman knows as much about that as I do. He belongs to the American Legion, and I know they said that would not be done.

Mr. WOODRUFF. The gentleman knows and I know that was not the case. I do not feel, I do not think the gentleman feels, and I do not think any Member of the House feels they were justified in assuming that responsibility.

Mr. JOHNSON of South Dakota. I am not so sure.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WAINWRIGHT. The gentleman has characterized his bill, as well as the Rankin bill, as in effect a pension bill. I am wondering, in view of the question put to the gentleman by my colleague from New York as to the action of the American Legion, whether the American Legion has officially, by its executive committee or otherwise, indorsed either of these bills?

Mr. JOHNSON of South Dakota. They have indorsed the bill now before this committee.

Mr. WAINWRIGHT. In what way?

Mr. JOHNSON of South Dakota. They have openly indorsed it by their testimony before the committee.

Mr. WAINWRIGHT. The commander of the Legion himself?

Mr. JOHNSON of South Dakota. Oh, yes.

Mr. RANKIN. The gentleman does not want to make that statement—that the commander came before the committee and indorsed the bill?

Mr. JOHNSON of South Dakota. His representative, Watson B. Miller, did appear before the committee.

Mr. RANKIN. He said he was personally in favor of the Rankin bill.

Mr. WAINWRIGHT. What is the basis for the gentleman's statement that the Legion has indorsed this bill?

Mr. JOHNSON of South Dakota. It was done at the Louisville convention, and I introduced the bill at their request.

Mr. BANKHEAD. The gentleman from South Dakota has indicated that under a certain contingency he may move to recommit this bill to the committee with the purposes in mind of undertaking to report out a pension bill.

Mr. JOHNSON of South Dakota. Well, it depends on what happens in the committee.

Mr. BANKHEAD. I have heard it intimated by a member of one of the committees on pensions that his committee had already unanimously agreed to report out a straight pension bill. Has the gentleman any information concerning that?

Mr. JOHNSON of South Dakota. Oh, I have heard rumors to that effect, but I doubt it very much.

Mr. KNUTSON. May I interject the statement that that is true?

Mr. BANKHEAD. I think that is a matter we are entitled to have some information upon.

Mr. KNUTSON. The Pension Committee is ready to report out the Swick bill provided this legislation fails of passage.

Mr. LUCE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Massachusetts?

Mr. LUCE. Mr. Chairman, I have in my hand a slip from the bulletin sent out by the American Legion News Service, as follows:

[From the Washington Bureau of the American Legion News Service, 501 Woodward Building]

LEGION MEMBERSHIP VITALLY CONCERNED IN JOHNSON BILL

WASHINGTON.—Every one of the hundreds of thousands of veterans who have helped strengthen the American Legion this early in 1930, through their enrollment, in the hope that it would show Congress the concern of veterans in legislation for the relief of disabled comrades, is vitally interested in the situation over the Johnson bill, now pending.

This bill, which is the House of Representatives' Veterans' Committee omnibus bill 10381, was introduced by the chairman, ROYAL C. JOHN-

son, following the approval by the committee and the American Legion after thorough study and much testimony. It has been declared by O. L. Bodenhamer, national commander, as one of the best pieces of legislation for the disabled that has ever come out of a committee hearing. One provision, alone, would relieve 84,000 disabled cases. The national commander has urged that no further delay be permitted in the passage of this bill. In general, the bill conforms to the legislative program of the Legion, which also meets the approval of veterans in general. It grants important additional benefits, and it cures sundry administrative defects that experience has disclosed. The national commander urges that this legislation be enacted upon its own merits without delay by debate.

Mr. JOHNSON of South Dakota. I think that settles it.

Mr. KNUTSON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I would like to ask the gentleman from Massachusetts [Mr. LUCE] whether he has any information as to whether the national commander of the American Legion had seen the Swick bill when he gave out that interview?

Mr. LUCE. I have no information on that subject.

Mr. BRAND of Georgia. What is the date of that statement?

Mr. LUCE. Unfortunately, the date is not on it, but it was issued within a few days. My colleague states it was issued last week.

Mr. HASTINGS. By whom is it signed?

Mr. LUCE. It is a mimeographed news bulletin which comes out under the heading of "The American Legion News Service."

Mr. JOHNSON of South Dakota. I can settle that. I have sat around the table with Commander Bodenhamer and discussed all these bills with him, and there is hardly a service man of any prominence anywhere that does not know as much about this proposed legislation as we do.

Mr. CRISP and Mr. CONNERY rose.

Mr. JOHNSON of South Dakota. I yield to the gentleman from Georgia.

Mr. CRISP. I simply desire to state that I was a member of the Ways and Means Committee when the adjusted-compensation legislation was considered, and the gentleman has correctly stated the attitude of the officers of the American Legion before the committee, that they would not ask a pension. Of course, we all recognized that those gentlemen had no power whatever to bind the general membership of the American Legion on that question. Now, I would like to ask my friend this question. In view of the gentleman's statement that he would probably offer a motion to recommit, providing for a pension——

Mr. JOHNSON of South Dakota. If the Rankin amendment is adopted.

Mr. CRISP. Yes; I understand, with that qualification. We are expending now about $196,000,000 through the Veterans' Bureau for compensation and overhead.

Mr. JOHNSON of South Dakota. For compensation.

Mr. CRISP. What would be the cost of granting these boys who served in the war a pension commensurate in amount with the pension that the veterans of the Civil War are receiving?

Mr. JOHNSON of South Dakota. I think it would at once cost $100,000,000 and would go up so fast as to be almost unbelievable, based on that rate of compensation.

I now yield to the gentleman from Massachusetts.

Mr. CONNERY. My colleague from Massachusetts [Mr. LUCE] read a statement of the American Legion. The gentleman from Mississippi [Mr. RANKIN] day before yesterday read a statement from the American Legion Magazine discussing both of these bills in which the Legion did not make any recommendation whatsoever except to say they were both good bills.

Mr. PEAVEY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Wisconsin.

Mr. PEAVEY. I am sure the gentleman has no intention of leaving the House under any misapprehension in regard to the Swick bill. The gentleman understands that the Swick bill is not a pension bill but provides a small rate of pension for the disabled soldier who can not show any service-connected disability. It is not a general pension law in any sense.

Mr. JOHNSON of South Dakota. But it does not have "need" in it. They only have to show disability and not need.

Mr. PEAVEY. And not service-connected disability.

Mr. JOHNSON of South Dakota. I am clearly of the opinion that whenever we adopt such a pension bill, if one is adopted, it must be based upon three things—service, need, and disability. There is no other sound or logical foundation for such a bill.

Mr. TARVER. Will the gentleman yield before he takes his seat?

Mr. JOHNSON of South Dakota. I yield with pleasure to the gentleman from Georgia.

Mr. TARVER. I have deferred questioning the gentleman until he had finished with the subject matters which seemed to interest my colleagues. I asked the gentleman when the bill was before the House a couple of days ago to give the House his construction of the proviso incorporated in section 18 of the bill in connection with the new rule promulgated by the Director of the Veterans' Bureau permitting compensation to veterans who had filed their claims under the original war risk insurance act prior to June 7, 1924, and as to whether or not the proviso to which I have referred would abrogate that rule. At that time the gentleman preferred to defer an expression of opinion or any conclusion upon the matter.

Mr. JOHNSON of South Dakota. I may say to the gentleman I have had an opportunity to make an investigation of that question since our colloquy day before yesterday. I do not think this legislation will abrogate that back payment. I think the gentleman is correct in making the statement he did day before yesterday.

Mr. SNELL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from New York.

Mr. SNELL. I understand the gentleman has permission to extend his remarks and to put several statements in the RECORD. Does not the gentleman think it would be a good proposition to put in the RECORD the letter that General Hines wrote me, as chairman of the Rules Committee, answering the question I asked him before we considered the rule for this bill?

Mr. JOHNSON of South Dakota. I believe it should be put in the RECORD, and I will be pleased to put it in my remarks at this point.

Mr. SNELL. I will be pleased to have the gentleman do that.

Mr. JOHNSON of South Dakota. I will change my request, and will now ask that the Clerk read the letter.

Subsequently it was ordered that the letter from Chairman SNELL to General Hines should be printed, preceding the letter of General Hines.

The letter of Chairman SNELL is as follows:

APRIL 8, 1930.

Brig. Gen. FRANK T. HINES,
Director United States Veterans' Bureau,
Washington, D. C.

MY DEAR GENERAL HINES: There has recently been reported out of committee in the House, H. R. 10381, by Representative JOHNSON of South Dakota. This bill makes substantial changes in "the World War veterans' act of 1924, as amended." The question of a rule to expedite its consideration will come up in the near future. In the meantime I would like, for the information of myself and the committee, certain information, as follows:

1. What are we now expending annually for the relief of the World War veterans?

2. What has this country expended for the relief of the World War veterans, including disability compensation, vocational training, hospitalization, etc., up to the present time?

3. What will the enactment of this bill add annually to our present expenditures? I refer to the first year and thereafter.

4. The war risk insurance and Veterans' Bureau acts based compensation, not upon mere disability of the service man, but upon a disability incurred in the military service. Does this bill depart substantially from that principle? If so, to what extent?

5. To what extent does it initiate a pension system?

Any other or further suggestions or comments which you may think are helpful, or which may occur to you, will also be appreciated.

Very truly yours,

B. H. SNELL,
Chairman Rules Committee.

The Clerk read the letter of General Hines, as follows:

UNITED STATES VETERANS' BUREAU,
OFFICE OF THE DIRECTOR,
Washington, April 10, 1930.

Hon. BERTRAND H. SNELL,
Chairman Rules Committee of the House,
Washington, D. C.

MY DEAR MR. SNELL: I have your letter of April 8, 1930, requesting certain information for your committee concerning H. R. 10381, a bill to amend the World War veterans' act, 1924, as amended. In response to your specific questions the following data are submitted:

1

On the basis of existing legislation the bureau, for 1931, estimates for its operations net appropriations totaling $511,225,000. This total is made up as follows:

Death and disability compensation	$196,000,000
Military and naval insurance	120,000,000
Adjusted service certificate fund	112,000,000
Medical and hospital services (not including salaries of operating personnel)	35,600,000

Hospital construction	2,000,000
Printing and binding	125,000
Salaries and expenses (including salaries of hospital personnel)	45,500,000

II

On behalf of World War veterans, for all purposes, there has been disbursed to date $5,058,681,000. Direct benefits included in this total, for the veteran or his dependents, are as follows:

Death and disability compensation	$1,572,758,344
Vocational training	644,984,110
Medical and hospital services (including hospital construction)	412,251,688
Government term insurance (minus premium receipts)	861,581,000
Adjusted compensation	111,760,200
Allowances (during service)	282,083,472

It is anticipated that, without amendatory legislation, by 1940 these disbursements will have risen to a figure in excess of $11,000,000,000.

III

It is estimated that the enactment of H. R. 10381, when fully in effect, will add to the annual expenditures of the bureau a minimum of $96,966,650; and for the 10-year period, 1931 to 1940, it is estimated that, over and above the expenditures on the basis of existing legislation, the additional cost due to the proposed bill will approximate $705,000,000. These estimates are minimum figures, and it is my feeling that the true cost will materially exceed the figures cited and may possibly rise to as high as $200,000,000 a year.

IV

The proposed bill contains provisions which go materially beyond what was originally contemplated when Congress desired to depart from the military pension system during the World War. Section 10, which amends section 200 of the present act, presumes all disabilities of a 10 per cent degree or more existing prior to January 1, 1925, to be the result of injuries or diseases incurred in or aggravated by military service. While this presumption does now obtain for tuberculosis and neuropsychiatric conditions, it has not obtained for all other conditions. This provision does represent a radical departure from the existing compensation theory. Cases unquestionably distressing have arisen throughout the country which are definitely outside the provisions of the present World War veterans' act, as amended. Appeals on behalf of these cases have been made to the Government, and this proposal has been introduced largely on the basis of these cases, but does extend the act to a point where the question of service connection can no longer logically be considered as an essential factor, by liberalizing existing presumptive periods which automatically insures service connection and, consequently, disability compensation.

This section is rather a difficult one to estimate as to cost, but, giving consideration to those claims which have been disallowed—some 600,000 of them—the bureau approximates the minimum cost at over $76,000,000 per year, plus an administrative cost in excess of $5,000,000.

V

You ask to what extent does this bill initiate a pension system. In addition to the provision covered in the immediately preceding paragraphs, which tends to eliminate proof of origin of disability in service, another entirely new provision is made which provides compensation to the dependents of veterans hospitalized for disabilities which are not the result of their military service. The intent of this provision is to provide a dependency allowance to those men who take advantage of the opportunity afforded by the Government to be hospitalized on account of nonservice-connected disabilities. This is clearly a pension provision, and represents another radical departure from the underlying principles of the World War veterans' act, as amended.

The estimated annual cost of this provision is $10,000,000. Potentially the future cost of this provision is considerably more than $10,000,000, but it is impossible at this time to estimate what it might be.

There is attached hereto a memorandum which discusses by sections the entire bill, with sufficient detail to enable your committee to fully judge its effect. The bill is good in many particulars, especially those dealing essentially with administrative provisions; but following the policy heretofore adopted by the bureau, to keep Congress fully advised on changes in legislation and the possible effect of such legislation, I feel it my duty to call your particular attention, in some detail, to certain provisions which, if they become a law, as above indicated will constitute a broad departure from the established policy dealing with the World War veterans.

At the outset it may be stated that we are all in agreement with the desire to fully compensate any disabled veteran whose disability is due to service. From the detailed information which will follow I am sure that it can be said without fear of contradiction that Congress has dealt most generously with the veterans of the World War, and I know it to be their desire, as well as those charged with the administration of the law, to make sure that the maximum benefit and service are provided for the service man who has a disability due to his military service.

I do not feel it necessary to comment on the administrative items of the bill, and will pass them over. Your attention is called first to section 4 of the bill, which amends section 19 of the existing act. This section extends the time during which suits may be instituted one year from the date of the approval of the amendatory act. When we give consideration to the fact that some 5,000 suits on insurance are now pending against the Government—90 per cent of which are based upon a claim for permanent and total disability existing at the time of discharge of the veteran from military service—it would not seem to me that this extension is justified. Most certainly a claimant who was actually permanently and totally disabled some six or eight years ago would have presented his claim before the bureau and, if it were disallowed, would have had ample time to enter suit before this.

The Government's liability under term insurance now exceeds the premiums collected on such insurance by approximately $1,300,000,000. The suits now pending have a potential liability of $50,000,000 more, and when it is estimated that it will cost the Government about $4,000 to defend each of these suits you may readily estimate the possible liability of any further extension of the time for filing suits. It is the desire and policy of the bureau to make insurance awards when the facts of record will permit under the law, and while a number of suits are lost in court many decisions against the Government may be charged to the natural sympathy for the veteran both on the part of the court and jury. For these reasons the bureau has reported adversely against this amendment.

The next provision of the bill to which I desire again to call your particular attention is section 10, which amends section 200 of the present act by presuming all disabilities of a 10 per cent degree or more existing prior to January 1, 1925, to be the result of injuries or diseases incurred in or aggravated by military service. The presumption is rebutted by clear and convincing evidence in all cases except those of tuberculosis, spinal meningitis, paralysis, paresis, and blindness, and veterans permanently helpless or permanently bedridden. No doubt the committee had in mind, by further broadening the presumptive clause of the present World War veterans' act, taking care of a number of cases which they feel are meritorious and which the law at this time does not cover. If it was only the intention of the committee to take in border-line cases, they have in some measure accomplished that by the first section of the bill by including in that amendment the provision that the bureau will give due regard to lay and other evidence not of a medical nature in connection with the adjudication of claims. The bureau would interpret that provision as sufficiently broad to permit liberal adjudication of border-line cases.

It is realized that it is difficult to legislate for a relatively few cases without admitting to benefits many other cases not equally meritorious. Even suppose there were 10,000 border-line cases—and I am sure that there are not that many—the proposed legislation not only will benefit these cases but will comprehend ten times that number, represented by veterans whose disabilities can not be shown to be due to their military service. This legislation, moreover, will immediately create another border line—a situation which will always obtain where limits are prescribed. It would appear to me some other means should be sought to take care of border-line cases than to so broaden the legislative authority as to bring in cases which, on the theory of disability compensation, have actually no merit. I would recommend, for the consideration of Congress, the creation of a special board with authority to grant relief beyond the limits of the present law in border-line cases involving combat service, where necessity for relief is shown, even though evidence of acquirement of disability in service may not actually exist. Beyond this it would seem unwise to go without a complete study of the needs of all disabled veterans.

If it is the desire of Congress to depart from the policy by compensating veterans for injuries or diseases regardless of whether they are due to service or not, then the provision should be made to do it. It has been my thought, however, that it was not the intention of Congress to award compensation except for service-connected disabilities. While it is true that by the adoption of the original presumptive clause certain inequalities have been brought about, and this amendment will tend to eliminate some of the inequalities, nevertheless, its further extension will create greater inequalities. It will not take care of many of those uncompensated veterans who are now sick in the Government hospitals and who have made a determined effort to obtain compensation for their disabilities. It is simply compensating by presumptive evidence for disabilities not due to service, and in the final analysis we must admit that if this provision becomes a law we have adopted a disability pension.

It seems to me that we are at a critical point in the matter of legislating for veterans, and it would be my desire to suggest to the Congress that they give careful consideration to a thorough study of this entire problem in order that the veterans may not be placed upon the compensation rolls for disabilities not due to service at such high rates that they will stand out as discriminating against other veterans whom the Congress at some future time, undoubtedly, will have to consider.

Section 13 of the bill amends the act by providing a $50 statutory award for all cases of arrested tuberculosis, irrespective of whether

active tuberculosis can be shown between the date of entrance into the service and January 1, 1925. This amendment must be considered in the light of the amendment to section 200 just referred to. Sound medical advice indicates that at least 75 per cent of the entire population is or has been infected, at some time or another, with tuberculosis, but due to immunity and physical resistance the condition does not become active or disabling in the majority of cases, although scars may be left indicating the infection which would result in a diagnosis of arrested or cured tuberculosis. It is hard to see the justification, in view of this, of providing compensation for these men at the rate of $50 per month for the remainder of their lives unless the Government is prepared at this time to take care of other veterans with equally meritorious service and make similar awards for other disabilities which are, in fact, more disabling. The cost of this amendment is estimated at $1,800,000 per annum.

By section 14 of the bill, a new provision of the law is made which authorizes payment of compensation to the dependents of veterans hospitalized for nonservice-connected disabilities, when the veteran files an affidavit with the commanding officer of the hospital that his annual income is less than $1,000. By this provision the committee evidently intends to take care of those cases where men take advantage of the opportunity of being hospitalized for nonservice-connected disabilities. This is clearly a pension provision and departs from the underlying principles of the World War veterans' act. It would not be so bad if we were prepared to embark upon a pension program at this time, and if it were not for the fact that it creates such a marked discrimination, under the existing law, whereby all veterans are furnished hospitalization for all disabilities whether due to service or not, within the limits of available facilities.

The Congress has only to date authorized construction essentially for the existing or contemplated service-connected load. It has not undertaken a program of construction to provide sufficient beds for all nonservice-connected cases; therefore, those in need of hospitalization and for whom no beds are available, would be at a great disadvantage over the veteran who is able to obtain a bed, and, in addition, the provisions above indicated for his dependents. It would seem to be wise, therefore, to give consideration to the fact that this provision, if it becomes a law, will, undoubtedly, necessitate the Government undertaking a further extensive building program in order that these inequalities may be eliminated. Until the Congress has decided this important question, there is for consideration the advisability of enacting this provision. As previously indicated, the estimated cost of this amendment is approximately $10,000,000 per annum. If, however, hospital construction were to be developed to take care of all veterans, the cost would be very materially increased both as to hospital construction and operation and in allowances to families. Were the proposed amendment enacted, it would seem that demand would immediately arise for this increased hospital service with consequent additional hospital construction.

Certain provisions in the bill result in economies. These are pointed out in the memorandum attached. The largest item which might be said to somewhat offset the above-outlined cost is that claimed as a saving of $42,000,000. In connection with this item it should be understood that under the bureau's decision no saving is made because the bureau has felt that it has correctly interpreted the wishes of Congress in not making the provisions under the World War veterans' act as amended June 7, 1924, retroactive; that is, in so far as the new benefits granted by that act are concerned. It is felt it would be very difficult to substantiate individual claims involved, in view of the legislative history of the amendment under which these cases fall. It must be kept in mind that it is not an annual saving and that the most that can be said for it is that this amount of money would not have to be appropriated by Congress.

Thus far the beneficiaries of the World War veterans' legislation have fallen into two distinct groups, those with service-connected disabilities, together with their dependents, and all others disabled or not disabled. The provisions for the former I have already indicated. For the second group, namely, those not disabled by reason of military service, many benefits and privileges have been provided which are outlined in the attached memorandum. Chief of these, I feel, may be cited the privilege of hospitalization to the extent Government facilities are available. At present more than 40 per cent of our patient population of 30,000 are being treated for disabilities which are not shown to be the result of military service, and are being hospitalized under the provisions of the amendment of 1924, which, so far as facilities permitted, made Government hospital facilities available to all veterans regardless of the character or origin of their disabilities. During 1929 alone this general hospitalization provision cost approximately $15,000,000.

Of course, for all veterans there was enacted the World War adjusted compensation act. The future obligation of the Government under this act exceeds $3,500,000,000.

In closing may I again reiterate what I have previously stated to the World War Veterans' Committee, that it seems desirable that the Congress should at the earliest possible date make a study of the entire problem of veterans' relief, with the object of adopting a permanent national policy dealing therewith, having in mind the elimination of whatever inequalities now exist and the adoption of a policy in dealing with all veterans who are disabled and are in need, which can be extended in the future to other veterans who follow those now being cared for. In my judgment, further liberalization of existing acts, without such study and consideration, will only create further inequalities and in the final analysis work to the detriment of the actually disabled veteran whose disabilities are directly due to service. I need not tell you that it is my earnest desire to do everything possible for the disabled veterans, but I have felt it incumbent upon me to frankly discuss the several provisions of this proposed amendment, which definitely indicate a departure from the basic principles of our World War veterans' legislation, for whatever benefit it may be to your committee and to the Congress as a whole.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. LUCE. Mr. Chairman, I yield myself two minutes. Since my quotation of the statement emanating from the headquarters of the American Legion there has come to my hands a telegram, sent to a Member of this House, signed by R. L. Gordon, State commander of the Legion of Arkansas, in which he says:

> The American Legion of Arkansas solidly favor passing of Johnson bill, H. R. 10381, as reported out of committee and without amendment. Would appreciate knowing your opinion, and, above all, we are seeking your assistance in passing that bill at present session.
>
> R. L. GORDON, *State Commander.*

I would emphasize that the American Legion of Arkansas solidly requests the passage of the pending bill without amendment.

I now yield two minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Chairman, one of the things coming from the World War has been a great number of cases of osteomyelitis. Those who remember the old Civil War veterans remember that a great many of them were afflicted with this trouble, and their bodies were never healed. We have the same bone disabilities from the World War. There are thousands of cases. I have in mind one case where a man was sent to the Mount Alto Hospital who lost a foot which has never healed, and that foot and leg has been amputated 34 times. We have many cases of that kind. William S. Baer, head of the surgical service of Johns Hopkins, has discovered a marvelous cure for these cases. To-night in the caucus room in the House Office Building Doctor Baer, of the Johns Hopkins University, an eminent surgeon, will be there and demonstrate that cure by moving-picture slides and other equipment that goes with it. It is a marvelous discovery, because it utilizes something that has never been used since antiseptic surgery came into existence. All Members are invited to be present at 8 o'clock in the House Office Building, third floor.

Mr. RANKIN. Mr. Chairman, I yield myself one hour.

Mr. Chairman, I ask unanimous consent to insert in the RECORD these petitions, signed by veterans of the World War, asking for the passage of the Rankin bill.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the petitions which he has in his possession be inserted in the RECORD as a part of his remarks. Is there objection?

Mr. TILSON. Mr. Chairman, reserving the right to object, does that include a long list of names?

Mr. RANKIN. Yes. Let me say to the gentleman from Connecticut, under his reservation of the right to object, that this is in response to the challenge of the gentleman from South Dakota. I said that they contained 10,000 names. I say now that they contain between 20,000 and 50,000 names, and if we put anything in the RECORD, I want to put in the names of the boys who signed these petitions.

Mr. TILSON. Fifty thousand names to be printed in the RECORD?

Mr. JOHNSON of South Dakota. The gentleman said that there were only 10,000.

Mr. RANKIN. Oh, there are between 20,000 and 50,000.

Mr. JOHNSON of South Dakota. I doubt if there are 5,000.

Mr. RANKIN. Doubting Thomases never did see anything in the right light. There are that many from Mr. LEHLBACH's district alone.

The CHAIRMAN. Is there objection?

Mr. LUCE. Mr. Chairman, reserving the right to object, this request is in substance the request previously made when the gentleman from New York [Mr. SNELL], the chairman of the Committee on Rules, objected. He has left the Chamber, and to present the request again in his absence is, in my judgment, taking unfair advantage. For that reason I object.

Mr. RANKIN. Mr. Chairman, in reply I desire to say that the gentleman from Massachusetts [Mr. LUCE] is not the

censor of the ethics of this House. If he were, we would be in a pitiable condition.

The statement of the gentleman from South Dakota [Mr. JOHNSON], made this morning, was extremely ridiculous in the light of the hearings and the statements from the Veterans' Bureau on these bills. I have in my hand a letter from Gen. Frank T. Hines, which says the estimated cost of H. R. 7825 standing alone, which is the Rankin bill, is $44,250,000. Why does he want to get on the floor and tell you it will cost $300,000,000? There is not a word of testimony to that effect.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. No; not just now.

Mr. PERKINS. I just want to read something that General Hines said.

Mr. RANKIN. Oh, the gentleman read that the other day. The gentleman will please not interrupt me. The gentleman from New Jersey [Mr. PERKINS] has done all that he could to block this legislation ever since we have been on this fight, and he knows that I know what he is up to.

Mr. PERKINS. Will the gentleman yield right there?

Mr. RANKIN. Yes.

Mr. PERKINS. Is it fair to make a statement of that kind and then not yield for a short statement?

Mr. RANKIN. I yield for that purpose.

Mr. PERKINS. I knew the gentleman's sense of fairness would require him to yield. I am fully in favor of the Johnson bill, and if the Rankin bill had never been heard of, I would still favor the Johnson bill. My being in favor of the Johnson bill is in no sense dependent upon the fear that anybody would criticize me for not favoring the Rankin bill. Furthermore, the Johnson bill equalizes the rights and privileges of all the service men, and that is the reason I am in favor of it.

Mr. RANKIN. The gentleman from New Jersey does not think it does in the tubercular cases?

Mr. PERKINS. The tubercular men have been taken care of in previous legislation.

Mr. RANKIN. That is just those who broke down prior to 1925. All of these tubercular men, many of whom signed these petitions, who are appealing for this legislation, are left out; and I want to say to the gentleman from New Jersey that he is one man who has the courage of his convictions in this House. He would never have voted for the Johnson bill if it had not been for this fight on the Rankin bill, because he never would have heard of it. The Johnson bill is brought out to kill off the Rankin bill.

Mr. Chairman, I have a letter here from Gen. Frank T. Hines, dated to-day, in which he says that on the same figures that he estimates my bill to cost $44,250,000, he estimates the Johnson bill to cost $76,000,000, or nearly twice as much. Therefore, if my bill would cost any more than he estimates here, the Johnson bill would cost proportionately more. In order that you may not be deceived by these unreasonable misstatements the gentleman from South Dakota makes on the floor of the House, I ask the Clerk to read this letter in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

UNITED STATES VETERANS' BUREAU,
OFFICE OF THE DIRECTOR,
Washington, April 16, 1930.

Hon. JOHN E. RANKIN,
House of Representatives, Washington, D. C.

MY DEAR MR. RANKIN: In compliance with your request there has been prepared draft of an amendment to H. R. 10381, for the purpose of substituting for the amendment to section 200 now contained therein, which extends the presumption of service origin to all disabilities arising prior to January 1, 1925, the provisions of H. R. 7825, of which you are the author, which proposes to broaden the present presumption for the specified diseases so as to include a number of chronic constitutional diseases and extend the time to January 1, 1930. In this draft there has also been included the limitation which appears in the last proviso of section 200 as written in H. R. 10381, which limits payment of compensation in any case made payable solely by virtue of the new presumption to a period not more than three years after the approval of the amendment. The conclusive presumption for cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis contained in H. R. 10381 has also been incorporated in the draft in accordance with your request.

There is also transmitted, in accordance with your request, draft of an amendment which would leave the Johnson amendment to section 200 as it now stands in H. R. 10381 and add thereto the amendment proposed by H. R. 7825. The effect of this would be to place all disabilities which developed prior to January 1, 1925, on a par and give to disabilities resulting from the diseases specified in H. R. 7825 the benefit of a presumption of service origin which would extend to January 1, 1930.

As you have heretofore been advised, the estimated cost of the amendment to section 200 proposed by H. R. 10381—to wit, $76,033,000—would be increased approximately $31,750,000 per annum, by superimposing upon it the provisions of H. R. 7825. The estimated cost of H. R. 7825 standing alone is $44,250,000.

As you have heretofore been advised, all estimates heretofore prepared by the bureau bearing upon the extension of the presumption of service origin are based upon claims which have heretofore been presented to the bureau and disallowed. This being the case, the figures represent the minimum cost in all cases. However, in connection with H. R. 10381 a study has recently been made which projects the cost of the presumption therein contained year by year for a period of five years, were it to be extended beyond 1925. This study has been made on three different bases; the first basing the estimate on the number of claims filed in the bureau heretofore and disallowed; the second based on the experience of the Pension Bureau in permanent cases, and the third based upon the experience of the Pension Bureau increased to include temporary cases.

A copy of a table showing the results of this study over the period of years extending from 1925 to 1929, inclusive, is inclosed.

There is also transmitted copy of a letter to-day addressed to Hon. ROYAL C. JOHNSON with respect to this same legislation, with inclosures.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. RANKIN. Members will note that he says, basing his figures on the same thing, the number of claims filed, my bill would cost $44,250,000 and the Johnson bill would cost $76,035,000. That is the difference. Why all this misquoting of figures? General Hines sent me this copy of the statement referred to on Tuesday last. My attention was called to the fact that it had no reference to the Rankin bill and was based on the Johnson bill. It shows that. It does not limit them to the cases we now take care of, does not limit them, as is done in the Rankin bill, to tubercular, neuropsychiatric, and other chronic constitutional diseases, but throws it wide open to everybody—as the gentleman from South Dakota said on Tuesday, to the man who might stub his toe—and on that basis General Hines says that if you take the figures in the Pension Bureau the Johnson bill, without my amendment, would cost possibly $319,000,000, but that the Rankin bill will cost only $44,250,000 a year.

Now, gentlemen, the substitution of the Rankin amendment for the Johnson amendment to section 200 will save to this Government anywhere from $30,000,000 to $100,000,000 and, besides that, it will give relief to the tubercular men and the neuropsychiatric men, all of whom are left out of the Johnson bill, as well as all those who have incurred their disabilities since 1925.

Now I want to refer to the publicity to which the gentleman referred. As a matter of fact, I told the gentleman from South Dakota in the committee hearings, in the first executive session, that so far as I was concerned there would be no executive sessions. I was not going to be denied the right of a hearing and then have the rule invoked as to secrecy of proceedings in committee sessions. They ought not to object to publicity as to how they voted in the committee.

Now, as to the propaganda. When we had up the hospitalization bill early in the session I said on this floor that we were not doing our duty. I said these men were suffering and dying by the thousands. Their friends were at that time in the gallery, including members of the Legion. They appealed to me to introduce the Rankin bill. I waited until January 22, and then I introduced it. These letters are coming to me from men I never heard of. They are coming from every State, and every district in the United States is represented in that pile on the table here, and that is small as compared with the accumulation that I have in my office, letters and telegrams, some of them appealing to me for help, not knowing that I had reported the bill; others appealing to me to press the bill in behalf of those suffering from neuropsychiatric diseases and tuberculosis.

The gentleman from South Dakota [Mr. JOHNSON] has referred to the letter that I received from one of his constituents. I did not know whether he was a constituent of the gentleman or not. In that letter the writer referred to the distressing case of Albert U. Wheeler. The writer, Walter J. Dumas, wrote me a letter on the 17th of February. It was such an appealing letter that I had a copy made of it and sent it to papers in my district. I did not send it to the district of the gentleman from South Dakota. Then I wrote to find out when this sick man entered the service. I was informed that he entered the service in July, 1918, and was discharged on December 24, 1918.

Now, since the gentleman from South Dakota has attacked me and misrepresented me, in accusing me of starting this propaganda and inspiring all these letters and petitions that have been sent to me, I am going to ask the Clerk to read this letter in my time.





The CHAIRMAN. Without objection, the Clerk will read the letter.

The Clerk read as follows:

UNITED STATES VETERANS' HOSPITAL NO. 72,
Fort Harrison, Mont., February 17, 1930.

Hon. J. E. RANKIN,
Member of Congress, Washington, D. C.

MY DEAR MR. RANKIN: To try and convince the Congress of the United States of the great importance of your bill, H. R. 7825, and to show why it should have precedence over all other veteran legislation, I would like to cite the case of Albert U. Wheeler, who is a tubercular patient in this veterans' hospital.

Some time during last October Albert U. Wheeler was sent to this hospital from the eastern part of South Dakota, where he left a family consisting of a wife and six small children, without any means of support except a pittance from charities of the county in which they live. I have been told that said proceeds for their necessities of life amount to $30 a month. You can imagine how much of a living a family of seven can have with $30 a month as their sole income.

Wheeler landed in this hospital without anything except the clothes on his back and a well-advanced case of active pulmonary tuberculosis in his chest. For two or three years he had been unable to do enough work to support his family properly and at the same time earn and lay away enough to tide him through the long period of hospitalization that would be necessary to restore his health, if it can be restored. He filed a claim for compensation at the regional office of the Veterans' Bureau in Sioux Falls, S. Dak., some time before coming to this hospital. The claim was disallowed. He was hospitalized at Battle Mountain Sanatorium, Hot Springs, S. Dak., a short while before being sent to Fort Harrison, Mont. He has been fighting his claim since he has been here at Fort Harrison, and to people here who have seen the evidence he has on hand, it looks like enough to connect anyone, yet he is told by people who are helping him that he will need more evidence before he can win out and get service connected and draw compensation. He has numerous lay affidavits from people who worked with him in 1919, in which they state that he was spitting blood at that time and was unable to keep up his end of the work at places where they were employed with him, and that he showed all the common symptoms of tuberculosis. That was in 1919, mind you. He has also secured affidavits from doctors who diagnosed him and treated him for tuberculosis after that time but prior to January 1, 1925. Yet authorities on what it takes to prove a claim for compensation tell him that he still has insufficient evidence to connect his case with service. While he is here trying to be benefited by hospital treatment under the worry of being unsuccessful in proving his claim, his family is several hundred miles away trying to subsist on the $30 a month provided for them by charity.

Last Christmas time, Wheeler's fellow patients here in the tubercular ward of the hospital being well aware of his family's plight, took up a collection for him to send to his children, in order that they would not think than even Santa Claus had forgotten them.

About two weeks ago Wheeler was telling me that he wished spring would hurry and come so that he could go home and do something for his family, as he could not stay here much longer and let them continue to be in want. I asked him what he would expect to do when he got back and he said he would get a job of some kind. Having no skilled trade, he has spent most of his time either as a farmer on a small farm or working as a farm hand for others, doing work of the hardest kind in either case, and that is the kind of work he expects to go back to. Can you imagine how long he would last at that kind of work when his condition was such that the doctor and nurses here moved him from the second floor of the building to the ground floor because it was making his condition worse to be climbing up the stairs? After moving him downstairs he was kept in bed about two weeks, during which time he was spitting blood profusely. He has been out of bed three or four weeks.

At the present time Wheeler is at home with his family, which is now probably one less in number. He received a telegram from his wife four days ago, stating that their 3-year-old boy was dying and was expected to live only a few hours. This message found Wheeler without funds on which to make the trip to the bedside of his sick or dying child. After the regional manager of the Veterans' Bureau granted him a furlough of two weeks from the hospital and told him that the most the bureau could do for him in a financial way was to give him a request slip for the half-fare transportation that the railroads allow to patients on furlough, the patients of the T. B. ward again took up a collection among themselves, obtaining enough to pay Wheeler's expenses on the trip home and return. I will mention here that there are only 33 patients in the ward and 14 of them are not drawing compensation.

It has been said that for tuberculosis a contented mind is 90 per cent of a cure. Would any Member of the Congress of United States tell me how a man in Wheeler's position can be of a contented mind? With the natural worry about the circumstances he was compelled to leave his family in it is impossible for him to be of a contented mind. He is just one of many disabled World War veterans who for those same reasons are just laying in these hospitals worrying themselves closer to their graves instead of getting well, as many of them would be if they were not loaded down with worry about loved ones they were compelled to leave at home without support. It is for those many men that the Rankin bill, H. R. 7825, should be given precedence over other legislation and in due time enacted into law by the legislative body of the country for which these men were willing to lay down all they had, even to their lives at a time when there was no bickering over the cost. Success to you in your noble effort to secure common justice for us is my wish.

Respectfully.

WALTER J. DUMAS.

Mr. RANKIN. I submit that for printing in the RECORD, in the light of the charge made by the gentleman from South Dakota that I inspired this propaganda. As a matter of fact, that is a sample of the letters that I get from every veterans' hospital in the United States, and from many disabled men who are not in hospitals. Not one of these tubercular men will be taken care of under the Johnson bill.

I have in my hand the card of the commander of the American Legion in Pennsylvania. He called me to the door over there not 40 minutes ago and gave me this card bearing the name of Frank L. Pinola, State commander, Pennsylvania Legion, Wilkes-Barre, Pa. He was accompanied by Mr. Deighan, of Philadelphia, adjutant of Pennsylvania. He said, "We are 100 per cent for the Rankin bill or for the Rankin amendment to the Johnson bill."

As to the propaganda from Arkansas, the man who sent that telegram from Arkansas possibly never saw either the Johnson bill or the Rankin bill.

Mr. PARKS. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. PARKS. On what does the gentleman base that statement? Why did he do that?

Mr. RANKIN. If he had read these bills and had known of them, he would not have demanded the passage of this bill without amendment.

Mr. PARKS. Is the gentleman speaking of a telegram from the commander of the American Legion of Arkansas?

Mr. RANKIN. I refer to the one read on the Republican side.

Mr. PARKS. The telegram that I received from the commander advocated the passage of the bill, but not without amendment.

Mr. RANKIN. I have no quarrel with the gentleman from Arkansas, but if the man who sent that telegram, I am sure, had read all these hearings and had read these bills, he would have been in favor of the Rankin amendment.

I would not have taken the floor had it not been for the wild and unreasonable statements made by the gentleman from South Dakota [Mr. JOHNSON] and his charges to the effect that I had inspired this propaganda. I do not like to answer letters any more than you gentlemen do. I want to say that this has been the worst Congress that I have ever gone through, because of the revelations which these letters, these petitions, and these telegrams have made. [Applause.]

Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. PERKINS. Mr. Chairman, I also yield 10 minutes to the gentleman from Massachusetts [Mr. CONNERY].

The CHAIRMAN. The gentleman from Massachusetts [Mr. CONNERY] is recognized for 30 minutes.

Mr. CONNERY. Mr. Chairman, before going into the question of the Rankin bill or the Johnson bill I would like to speak for a few moments with reference to the remarks made by my colleague [Mr. RANKIN] on Tuesday on the question of the disabled emergency officers.

Before touching on that, I wish to say that I am heartily in favor of the veterans' legislation proposed by my colleague [Mr. RANKIN], but I do not agree with the gentleman from Mississippi [Mr. RANKIN] in his reference to the disabled emergency officers.

Yesterday papers of the country carried big headlines praising former President Coolidge for his veto of the disabled emergency officers' bill and attacking disabled emergency officers because they were able to hold positions although retired.

I was not an officer during the World War. I enlisted as a private, and afterwards became color sergeant of my regiment.

I favored the disabled emergency officers' bill on the floor of the House and fought for it when it was passed by the House. I do not see any reason to-day to change my mind or my vote or my opinion on that legislation.

When Members of the House asked me at that time why I was in favor of that bill I told them it was because it was

going to do justice to the disabled emergency officers of the World War; not the men who sat with their feet upon the desks down in the Government departments in Washington, but the second and first lieutenants and captains who went over the top in France. Their disabilities came from their wounds.

I think it ill behooves anybody to stand on the floor of the House of Representatives and blame a man for being retired from battle casualties and wounds, and then accepting a position in the Veterans' Bureau, or any place else he can get work in the United States. The men of the Regular Army, the Navy, and the Marine Corps have retirement, and they had retirement before this disabled emergency officers' retirement bill was passed; and very often they were retired at a much less rate of disability, in many cases, than the disabled emergency officers—10 per cent or 20 per cent. It requires 30 per cent disability for a disabled emergency officer of the World War to be retired.

My colleague [Mr. RANKIN] put in the RECORD the names of all of those officers who were working in the Veterans' Bureau. Why, in the name of heaven, should they not work for the bureau? Is it not following out the policy of the President of the United States and the Congress and the Director of the Veterans' Bureau to have the disabled men run the bureau? Would you rather have able-bodied men in there who could get work at something else, or would you rather have the disabled emergency officers and men? Do not make any mistake. We have the names of the officers who are working in the bureau, but there were no names put in the RECORD of the hundreds of disabled privates and sergeants of the World War who are working in the regional offices throughout the United States and in the Veterans' Bureau. Why! The assistant general counsel of the Veterans' Bureau, and, by the way, one of the brainiest men in the bureau, Joseph O. C. Roberts, was a buck private in the Seventy-ninth Combat Division during the war; and there are many, many other enlisted men whom I could mention.

I think it is an injustice to those men to place them before the country as being in the position of taking money from the United States Government which they do not deserve. [Applause.] If a man is 30 per cent disabled, and he was a surgeon before the war, or if he was a lawyer before the war, or if he drove an ice wagon before the war, and he can not do that work now, but can do paper work in the Veterans' Bureau, why should the Congress of the United States say, "We do not want you to do that; you are getting retirement pay."

Gentlemen, I saw those men go over the top in France. That is why I fought for them on the floor of this House. They did not fall off their horses down at Chaumont, like some of the Regular Army men. They did not get hurt over on the Fort Myer parade ground. They did not get hurt out in California or down in Texas while their buddies were over in France. They were wounded leading their men over the top. God bless them. That is all I can say. I saw them. I know what they did.

I do not think any man should stand on the floor of this House and blame those men for taking retirement, especially when it came from wounds received in battle.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. SCHAFER of Wisconsin. There are only one or two Members who have the temerity to stand on the floor of the House and attack them for taking these benefits.

Mr. PERKINS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. PERKINS. For the information of the members of the committee, if they will turn to page 26 of the hearings, they will find that General Hines testified as follows:

It must be considered, however, when studying these statements—

Referring to seven or eight pages of names of service men in the bureau that was formerly introduced—

that approximately 50 per cent of the male employees and 10 per cent of the female employees of the bureau are ex-service men and women.

Mr. CONNERY. Yes; and that is where they belong. The Government owes it to them.

There is a certain medical officer, a wonderful doctor, in the Veterans' Bureau who it was stated received $8,000 a year and retirement pay, which might bring him up to $10,000 a year. If that man were not disabled, he could go anywhere in private practice and make $25,000 a year. He is practically deaf as a result of his casualties in the World War. And then, we stand here in Congress and say, "No, no. You are a good man for the medical division; you are a good man for the head of the bureau, but we do not believe you should get any pay from the National Government. We believe in taking some outside man who had an easy time during the war and giving him this position, even though you are eminently qualified to fill it."

Mr. JOHNSON of South Dakota. As a matter of fact, that man is giving the Government $25,000 worth of service every year, is he not?

Mr. CONNERY. He is giving $50,000 worth of service. I want to stand here and defend these men, because they have been unjustly accused. I say that Congress did a fine thing when they passed the disabled emergency officers' bill, to take care of men who fought on the field of battle in France, by placing them on an equal plane with the Regular Army, Navy, and Marine Corps officers.

Mr. PERKINS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. PERKINS. I suggest that if there is a man serving the United States Government who is giving $25,000 worth of service for $10,000, his name should go in the RECORD.

Mr. CONNERY. His name is Dr. Winthrop Adams, medical director of the Veterans' Bureau, and every Member who knows his work will bear me out when I say there could be chosen no better man in the country for that position. [Applause.]

Mr. CROWTHER. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. CROWTHER. I think a great many of us felt as the gentleman feels about the disabled emergency officers' bill, but the only thing which bothered me at the time I voted for that bill was the seeming unfairness between the award given to the officer, of whom the gentleman has spoken, who so bravely went over the top, and the buck privates who went over with him. The emergency officer has a very comfortable retirement salary, and the private soldier, after trying for months and perhaps years to prove his service disability, is finally awarded a pittance of perhaps $30 a month or even less. [Applause.]

Let me tell one instance, because I have one in mind. I have in mind a man who came back and finished his law course. He had a 30 per cent disability, or, at least, he was so rated. That disability prevented him from lifting his arm, perhaps, as high as this [indicating] in gesture. He receives now, as a retired emergency officer, $1,500 a year. Then there is a little buck private from the same town who is incapacitated to such an extent that he can not do his regular work, and he now receives but $47.50 a month. He went over the top with the captain and the lieutenant. If the captain and lieutenant had gone over alone they would not have taken many trenches. I have always been sorry that I voted for that bill without providing some sort of equalization for the private soldiers who acquitted themselves so splendidly in the face of great danger. [Applause.]

Mr. CONNERY. The gentleman from New York spoke the truth, and he need not be sorry at all, because we are going to give him a fine opportunity in the Rankin amendment of taking care of my buddies, who were privates and sergeants during the war. [Applause.] I will say to the gentleman that at the time we had under consideration the emergency officers' bill the distinguished Democratic leader Mr. Garrett of Tennessee, who was opposed to the bill, asked me this question:

Do I understand it is the idea of the gentleman from Massachusetts to bring the private's compensation up to the same plane as these officers?

Evidently Mr. Garrett expected me to say no, because that would cost the United States millions of dollars. However, I said:

The gentleman has me exactly right. That is what I want to do; to bring the privates and sergeants up to where the officers are.

But we had to put that disabled emergency officers' bill over—in behalf of men who went over the top—in order to put them on the same plane with officers of the Army, the Navy, and the Marine Corps. I will say to the gentleman that if they had put all of these officers of the Army, the Navy, and Marine Corps on the same footing, then I would say all right, but as they were on a different plane I wanted the emergency officers to be on the same level with them.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. SCHAFER of Wisconsin. If the gentleman from New York wants this equality which he talks about he had better introduce a bill to equalize the salaries of the officers and buck privates in times of peace.

Mr. RANKIN rose.

Mr. CONNERY. If the gentleman will permit, I would like to go on with my statement, and then I will be glad to yield a little later. I would like to discuss the Rankin bill, and I have not much time. However, I will yield if I can get additional time.

Mr. RANKIN. I will give the gentleman additional time. Let me say to the gentleman from Massachusetts that there is not nearly as much difference between the officers and enlisted men in the Army as there is now between the compensation that is paid to these officers and enlisted men, because in the Army an enlisted man receives $30 a month and he is given his keep, board, and clothing, while an officer is not given his board and clothing. However, when they come out and are seeking a rating there is a difference made. I happen to know a boy in my town whose leg was shot off below the knee. He gets $50 a month, while here is one of these men in the Judge Advocate General's department getting $218.75 a month. Those are the inequalities. I am not criticizing the men who went over the top, whether they were officers or enlisted men, but half of the men whose names appear on this list of "retired emergency officers" never saw Europe. Read it and go over it. Send it to your districts and publish it. Half of them never went to Europe. Some of these officers are getting $200 or $300 a month, while many of these poor buck privates, some of whom I know, with battle wounds, are receiving only $30 a month. The American people will not stand for that kind of discrimination as to their soldiers. [Applause.]

Mr. CROWTHER. I do not quite agree with the gentleman from Mississippi nor with the gentleman from Massachusetts, for that matter. I do not believe they ought to criticize a man who was in the Judge Advocate General's office or a man who happened to be in a training camp. War requires men in many services and they could not all be in the front-line trenches. Hundreds of splendid, loyal, and deserving boys died in camp from "flu" and thousands more never had a chance to go to France. If they had been given the chance, they would have been willing to go and would have served with honor to themselves and their country.

Mr. CONNERY. I agree with the gentleman.

Mr. CROWTHER. I want to ask the gentleman this question: Does the gentleman mean to tell me that by the Rankin amendment you are going to bring all of these buck privates up to the level of these retired emergency officers?

Mr. CONNERY. This is a move in the right direction. You would never be able to get that through the Congress. We have been fighting for it for eight years but have never been able to do it.

Mr. CROWTHER. I thought the gentleman said the Rankin amendment was going to bring them up to the same level?

Mr. CONNERY. It would be a step in the right direction; a long step in the right direction.

Mr. CROWTHER. And it will only cost $44,000,000 a year?

Mr. CONNERY. Yes. It is a step in the right direction. Now, to get back to the discussion.

Mr. RANKIN. Let me say to the gentleman from New York that the Rankin bill will cost just the price of one battleship.

Mr. CONNERY. I will say to the gentleman from New York and to the committee that this legislation is long delayed. Seven years ago the gentleman from Tennessee [Mr. BROWNING] was accustomed to offer this legislation about every two weeks in the Veterans' Committee, but he never could get a vote on it. I do not refer to the Rankin amendment alone now, but I refer to the Johnson bill as well. The chairman of the committee knows; Mr. RANKIN knows; Mr. PERKINS and the other members of the committee know that the vote was something like 18 to 3, or 17 to 4, or something like that, against us every time Mr. BROWNING and I would fight to get this opened, so we could get on the floor of the House and get these men taken in who had other diseases besides tuberculosis.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. JOHNSON of South Dakota. Does the gentleman recall the attitude of the gentleman from Mississippi when that legislation was before the committee?

Mr. CONNERY. Yes; but let the gentleman from Mississippi answer that question himself, if he would like to do so, in my time. The gentleman from South Dakota has asked what your attitude was when Mr. BROWNING and I used to offer these amendments to take care of these other diseases.

Mr. RANKIN. I will say to the gentleman from South Dakota that I will give him this information, although he does not want any information and probably would not handle it if he had it. He knows that when this proposition first came up I opposed it. I thought we were going too fast until I looked around and saw the number of men affected. As I say, I was opposed to the proposition until I found out what conditions were and then I took up their cases, and I am going to keep up the fight until they are relieved.

Mr. PERKINS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. PERKINS. I am sure that inasmuch as the gentleman from Mississippi has so ardently advocated this bill he will be glad to inform the House when he had the change of heart?

Mr. RANKIN. It was not a change of heart, but a change of mind which came about because of the information I received showing me the real conditions.

Mr. PERKINS. When did the change of heart take place?

Mr. RANKIN. I will say to the gentleman from New Jersey that it took place long before he became converted to the Johnson bill. [Laughter.]

Mr. CONNERY. I congratulate the gentleman from Mississippi for coming around to our point of view. Has not some one said that consistency is after all an attribute of small minds? I congratulate my colleague for being big enough to change his mind.

Mr. JOHNSON of South Dakota. Will the gentleman yield there?

Mr. CONNERY. Yes.

Mr. JOHNSON of South Dakota. What does the gentleman really think caused this change of heart in the gentleman from Mississippi?

Mr. CONNERY. The gentleman from Mississippi stated that himself. He said that the veterans of the United States in hospitals asked him to introduce this bill, and I believe the gentleman.

Mr. JOHNSON of South Dakota. The gentleman does not think any senatorial race in Mississippi had anything to do with it?

Mr. CONNERY. I have not the slightest idea whether the gentleman is interested in any senatorial race in Mississippi or not.

Mr. RANKIN. I will say to the gentleman from South Dakota, who does not seem to have any ideas except political ones, that I have never even intimated that I would ever be a candidate for the Senate. I am a candidate for reelection and I hope to be reelected without opposition. [Applause.]

Mr. CONNERY. I will say to the gentleman from South Dakota that I am pleased the gentleman from Mississippi [Mr. RANKIN] is going to stand for reelection and will be back on the Veterans' Committee, and I may say that if he did run for the Senate no man would make a better Senator from the State of Mississippi than the gentleman from Mississippi. [Applause.]

Mr. PERKINS. While the members of the Veterans' Committee are exchanging these pleasantries, may I say it would be a great loss to the House to have the gentleman from Mississippi in the Senate. [Applause.]

Mr. RANKIN. Would the gentleman from New Jersey like for me to yield him some more time? [Laughter.]

Mr. CONNERY. It would, indeed, be a loss.

Now, ladies and gentlemen of the committee, eight years ago, when the Veterans' Committee was formed and started to function, every time we would bring out veterans' legislation we would be informed it was wise for the Veterans' Committee to report this legislation and have the chairman bring it in under suspension of the rules. This I always opposed.

I heard two versions of this. One version was that if we brought any veterans' legislation onto the floor of the House every Member would stand up and offer an amendment, and if the bill called for $40,000,000 everyone would offer an amendment to bring it up to $60,000,000 or $80,000,000 or $100,000,000, and before we got through the bill would be loaded down to about $800,000,000. Then it would go to the Senate, and they would add on some more in the Senate, and then it would go to the President and be vetoed, and we would get no veterans' legislation. This was one version. Another version that I got, that sort of percolated from the inside or from different sources of information I had, was that certain members of the Republican Party on the floor of the House of Representatives were absolutely against any veterans' legislation, and they wanted to be relieved of the burden of voting for any bill that might cost $40,000,000, or twenty or ten, and, therefore, this was to be a nice little scheme to bring it in under suspension of the rules, so they could vote for a $6,000,000 or a $9,000,000 bill, and then go to the country and say: "See what we did for the service men."

Now, I want to say to you gentlemen that I do not believe either of these versions is right. I have always believed that the House of Representatives is well able to legislate for itself and that it does not need to have a bill brought in under suspension of the rules in order to be relieved of any responsibility, and I do not believe the House of Representatives is going to overload any veterans' bill so that it will receive a presidential veto.

Now, we had this particular incident occur, and here is an example of what has happened in the years gone by.

General Hines came before our committee and Watson Miller and Eddie Lewis, of the American Legion; Tom Kirby and Cap-

tain Bettelheim, of the Veterans of Foreign Wars and the Disabled American Veterans, about four years ago, and at that time the Johnson bill was going to be introduced. The bill, upon the recommendation of the Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and General Hines, called for an expenditure of $39,000,000 for that year, and at the hearings General Hines said that this $39,000,000 was the least that should be expended in order to care properly for the disabled veterans of the country.

So the bill was reported under suspension of the rules, as usual, and went on the calendar. It stayed on the calendar for about 10 weeks, and then we were called into session by the chairman and were informed that he had been told that unless we took $20,000,000 off of the bill it would never see the floor of the House of Representatives. Then the committee voted—not with my sanction, because I would not vote to take a nickel off the bill—to bring in the bill with the $20,000,000 cut. Then we waited awhile and the bill went on the calendar again, and then we were called into session about four weeks later and told by the chairman that he had been informed that unless another $10,000,000 was cut off the bill it would never see the floor of the House. So the committee, obligingly, cut another $10,000,000 off the bill, and it came to the floor under suspension of the rules calling for $9,000,000.

Mr. McCORMACK of Massachusetts. Will the gentleman yield there?

Mr. CONNERY. Yes.

Mr. McCORMACK of Massachusetts. Was that the hospitalization bill?

Mr. CONNERY. No; that was for the disabled men of the country. That was the legislation that was needed that year. As my colleague has called to your attention, remember that this was not for able-bodied men, but was to care for the disabled men of the United States whose disabilities were connected with the service, and yet that bill was brought in here cut down from $39,000,000 to $9,000,000 after General Hines, the Director of the Veterans' Bureau, had said that the least that should be expended was $39,000,000.

So I congratulate the chairman of the Veterans' Committee and I congratulate the House of Representatives to-day on having the first opportunity since the Veterans' Committee was formed to legislate for the disabled veterans of the United States. I never expected to see the day come.

I remember the bill used to come over from the Senate about the day before we adjourned, and every two years since I have been in Congress the last thing I did in every session was to stand up here and protest against veterans' legislation being brought in under suspension of the rules. So I congratulate you to-day. You are going to have a chance to do something for the veterans of the United States.

I have confidence in this body. I do not think any committee of Congress can legislate any better than you can. I do not believe the Members of this House are going to overload this bill. You will discuss it, you will think it over, you will vote on the amendments, and you will decide what is the best thing for the service men.

The Johnson bill is a good bill. Do not mistake me by thinking that I am of the opinion that that bill is without its good points. It has some wonderful provisions in it, but to my mind the Rankin bill is a better bill, because it brings the time up to January 1, 1930.

Mr. JOHNSON of South Dakota. Will the gentleman yield there?

Mr. CONNERY. Yes.

Mr. JOHNSON of South Dakota. But the Rankin bill restricts the diseases, so that it does not reach men equally suffering and equally sick in the same way.

Mr. CONNERY. It does not cover all the diseases.

Mr. JOHNSON of South Dakota. The gentleman does not think it is fair to discriminate with respect to the different diseases?

Mr. CONNERY. I am following along the lines of our chairman, who has said that if we bring in any bill that is going to cost over $110,000,000 it is sure to be vetoed by the President.

Mr. JOHNSON of South Dakota. The gentleman will admit that the Johnson bill will treat them all alike up to 1925?

Mr. CONNERY. Yes.

Mr. JOHNSON of South Dakota. And the gentleman will admit that the Rankin bill will not treat them all alike up to 1930?

Mr. CONNERY. It will not take in the fellow that stubs his toe, but it will take care of the tuberculous, neuropsychiatric, and the constitutional diseases, and it will take care of 70 per cent of those that are in your bill.

Mr. JOHNSON of South Dakota. And leave 30 per cent equally sick out in the cold.

Mr. CONNERY. No, not equally sick; the man who stubs his toe and the fellow who falls off a wagon are not equally sick.

Mr. JOHNSON of South Dakota. It would leave out some war casualties, would it not?

Mr. CONNERY. No. It would not.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RANKIN. We do not disturb that portion of the bill at all.

Mr. PERKINS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. PERKINS. It seems to be admitted that the Johnson bill will cost $100,000,000 and the Rankin bill will cost $44,000,000.

Mr. CONNERY. Yes.

Mr. PERKINS. Will the gentleman kindly explain how you are going to distribute $44,000,000 and do a better job than can be done with $100,000,000?

Mr. CONNERY. If I could get what I want I would like to take the Johnson bill from 1925 and bring it up to 1930. We are using a legislative expediency and trying to get something through. If you would take what I want it is the Johnson bill up to 1930. Will the gentleman offer an amendment to that effect?

Mr. PERKINS. No; I will not do any such thing. But I would like to have the gentleman explain how with $44,000,000 you are going to do a better job by the Rankin bill than in the Johnson bill with $100,000,000?

Mr. CONNERY. You are going to take care of the tubercular men——

Mr. PERKINS. The Johnson bill brings all of these diseases up to 1925.

Mr. CONNERY. Yes.

Mr. PERKINS. Is it not better to bring all up to 1925 instead of 70 per cent up to 1930?

Mr. CONNERY. That is what I am saying. I would like to bring them all up to 1930.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. JOHNSON of South Dakota. The gentleman from Mississippi says that his bill will cost $44,000,000, and the gentleman from Massachusetts agrees with that. My bill will cost $100,000,000, and the gentleman agrees to that. He wants to liberalize he says, and how are you going to liberalize by cutting $56,000,000 off my bill and supporting the Rankin bill?

Mr. CONNERY. Well, I would like to amend it and bring the Johnson bill up to 1930. Will the gentleman support it?

Mr. JOHNSON of South Dakota. No; I will not support it.

Mr. CONNERY. I am trying to go along with the gentleman from South Dakota, but he says that the President will veto a large amount.

Mr. JOHNSON of South Dakota. I am trying to get $100,000,000 for everybody.

Mr. PERKINS. We all know that the heart of the gentleman from Massachusetts is right, but we have our doubts as to his head.

Mr. CONNERY. My head feels fine. Thank you.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RANKIN. I will tell the gentleman from New Jersey and the House why the Rankin bill will do more good, because it will take care of men suffering from tuberculosis and from neuropsychiatric troubles and mental troubles who are now helpless. The Johnson bill takes in many minor disabilities and increases the load, while ours narrows it, but it takes all up to 1930 who are seriously affected and in serious need of help.

Mr. JOHNSON of South Dakota. Will the gentleman yield for one more question?

Mr. CONNERY. I yield.

Mr. JOHNSON of South Dakota. As a matter of fact, the gentleman and I both know that the reason he is for the $44,000,000 bill is that he knows that it will cost $300,000,000.

Mr. CONNERY. No; I would not say that; but I say to the gentleman that that would not worry me an awful lot. As a member of that committee, the gentleman remembers I offered an amendment calling for $50 a month for men with arrested tuberculosis, which afterwards was adopted. Before that was adopted I asked what it would cost, and the estimate they gave me was that it would cost $76,000,000 and eventually cost the Government $900,000,000. The gentleman also remembers that in the last session of the hearings we had before this committee I asked General Hines how much it had actually cost last year—for the amendment finally passed—and he said that it cost

$18,000,000. Then I remember Mr. Mellon, the "greatest Secretary of the Treasury since Alexander Hamilton," I think it is said——

Mr. PERKINS. Concededly so.

Mr. CONNERY. "The greatest Secretary of the Treasury since Alexander Hamilton," as he was termed by the newspapers, not by me—I wish to make that plain—the man who made a billion dollar mistake when the soldiers' bonus was up, the man who said that if we passed the soldiers' bonus that year there would be a deficit in the United States Treasury of $300,000,000. We did pass the soldiers' bonus, and it then developed that there was a surplus in the Treasury of $500,000,000. I am getting used to these great big figures of Mr. Mellon and the bureau, and all that, and when you get them you had better reduce them by about 60 per cent and you will be closer to the right figure.

Mr. JOHNSON of South Dakota. I do not think the gentleman wants to leave the impression with this House that he would be satisfied with $44,000,000——

Mr. CONNERY. If I could get $140,000,000, I would want that.

Mr. JOHNSON of South Dakota. Then we have to concede that the Rankin bill will cost about $300,000,000.

Mr. CONNERY. Oh, no; because General Hines says it would cost $44,250,000.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. JOHNSON of South Dakota. I yield the gentleman 10 minutes more.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. KNUTSON. The gentleman's admiration for the Secretary of the Treasury led him to make a rather extravagant statement a while ago.

Mr. CONNERY. I do not think so.

Mr. KNUTSON. Mr. Mellon stated that if we paid the soldiers' bonus in cash there would be a deficit.

Mr. CONNERY. Not at that time.

Mr. KNUTSON. I beg the gentleman's pardon; yes.

Mr. CONNERY. Oh, no.

Mr. KNUTSON. How could you have a deficit when you did not pay any of it out?

Mr. CONNERY. I am going to ask the gentleman seriously to think over what he himself just said. The soldiers' bonus is going to cost $3,000,000,000, isn't it? How could he say if you paid $3,000,000,000 in cash you would have a $300,000,000 deficit in the United States Treasury?

Mr. KNUTSON. How could you have a deficit when you are not paying it out in money?

Mr. CONNERY. If they had paid the soldiers' bonus in cash, it would have cost $3,000,000,000. We did not say cash.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. FITZGERALD. I would like to ask the gentleman if he is not a little hazy in his recollection, and whether it is not the fact that the Secretary of the Treasury had warned President Harding at the time that if the bonus bill was passed, which had then been passed, and its form determined, and not vetoed by the President, we were in danger of having not a deficit of $300,000,000 but of over $400,000,000, and also if afterwards, on the floor of the House, a former Assistant Secretary of the Treasury, now a Member of this House, did not analyze the statement made by the Secretary of the Treasury, the estimate, and show that there was not a mistake of a billion dollars but of more than a billion dollars in the estimate, and is not that part of the record?

Mr. CONNERY. Yes; the gentleman made such a statement, and it is a part of the record of the House.

Mr. PERKINS. If we might get down from those figures for a moment, may I ask the gentleman a question?

Mr. CONNERY. Yes.

Mr. PERKINS. On page 70 of the hearings, General Hines testified that the Rankin bill would bring in 77,744 cases, and that that would leave over 500,000 additional cases to be reviewed. Does not the gentleman think that it would be better to bring in more of these cases—men who are just as sick as the tubercular cases, but who at the present time have no advantage whatever except by showing actual service-connected disability?

Mr. CONNERY. I will put my cards on the table to the gentleman and say that if you can bring the Johnson bill up to 1930, which is going to take care of all the men he refers to, and will take care of all the men he refers to, and will take care of all diseases, I shall only be too happy to go along; but in the place of that I am taking my choice between the men in the last five years, tubercular men who can not be cared for in this bill. I know it is a choice between the devil and the deep blue sea, but I prefer the Rankin amendment, from 1925 to 1930, when we can not get 1930 on all diseases.

Mr. DUNBAR. If the Rankin amendment is adopted, will all of the provisions of the Johnson bill stand until 1925, and then in addition to that will we have the benefit of the Rankin amendment?

Mr. CONNERY. Yes; it will take care of all the provisions of the Johnson bill, insurance provisions and everything else, and then you will give your tubercular men and those other 70 per cent an opportunity to come in from 1925 to 1930.

Mr. DUNBAR. And the adoption of the Rankin amendment will not take one thing away from the veterans as provided for in the Johnson bill?

Mr. CONNERY. No.

Mr. SCHAFER of Wisconsin. Then the gentleman is desirous of voting for the Rankin bill, which will provide for about $40,000,000 additional benefits, and give his vote for that bill instead of the Johnson bill, which he admits will provide more than double the amount, on the ground that you are going to extend the presumptive sections on a few specific cases five years beyond the present time, notwithstanding the fact that they now have a big advantage as against a great percentage of veterans under the present law, and you are willing to increase that advantage and leave those other fellows out, so far as the presumptive feature is concerned?

Mr. CONNERY. The gentleman must not forget that it is not a few cases only. It is 70 per cent of those in the Johnson bill.

Mr. SCHAFER of Wisconsin. You propose to turn down that 30 per cent who will be taken care of under the Johnson bill in your endeavor to increase the presumption of the 70 per cent who for years have had this presumptive period in their favor.

Mr. CONNERY. Will you support my amendment to the Johnson bill to bring it up to 1930, to take care of all diseases?

Mr. SCHAFER of Wisconsin. I will vote for the Johnson bill. I will not vote for the Rankin bill as a substitute. If you take the Rankin bill in its entirety and the Johnson bill in its entirety, you will find that the Johnson bill is more liberal for the veterans, the propaganda in favor of the Rankin bill to the contrary notwithstanding.

Mr. CONNERY. I am getting a neat cross section of the sentiment of the House, and I am going to offer an amendment at the proper time to strike out 1925 and substitute 1930 and see how the gentleman will feel.

Mr. SCHAFER of Wisconsin. You already know how I feel. I have made no secret about it. I shall vote for that amendment.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. CONNERY. Yes.

Mr. PERKINS. We are all very frank to-day, and I am free to say that I shall vote against that amendment on the ground that there is no medical testimony that will warrant even to the slightest degree an assumption of service connection with a disability incurred since 1925.

Mr. CONNERY. Do you believe that the men who served 19 months on the battle fields of France are to-day as good men as they were before they entered the war? Do you believe you are yourself as good a man as you were 20 years ago? [Laughter.]

Mr. PERKINS. I ought to be better.

Mr. CONNERY. I mean physically. [Laughter.] I am sure the gentleman ought to be better.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. LUCE. If it be true that the gentleman's argument is sound, on the ground that men were weakened by their war service, then it follows that every case of illness now developing in a veteran could be traced to the war?

Mr. CONNERY. Logically, I suppose.

Mr. LUCE. Logically. If the gentleman offers his amendment, will he accept an amendment to his amendment to the effect that this shall be extended to all cases of disease?

Mr. CONNERY. It is in the Johnson bill now, covering all cases of disease.

Mr. LUCE. On the contrary——

Mr. CONNERY. He takes care of all diseases up to 1925.

Mr. LUCE. And will it take in also what the Johnson bill in effect excludes—accidents?

Mr. CONNERY. My proposed amendment will amend the Johnson bill as it now stands.

Mr. LUCE. Will the gentleman accept an amendment including accidents?

Mr. CONNERY. Why do you want to include accidents?

Mr. LUCE. Well, it has been said that a man who now suffers from an accident, having had his nerves disarranged by the war, undoubtedly could not have met with that accident if it had not been for the war. Is not that a matter of record in the report of hearings, possibly coming from the gentleman?

Mr. CONNERY. I have a pretty good memory, but I never said that?

Mr. LUCE. The argument as advanced by somebody is a matter of record in the stenographic report of some hearing I attended.

Mr. CONNERY. The chairman of the committee says there is only one man in the committee who speaks as I do and that's myself.

Mr. LUCE. The gentleman has not answered my question. Will the gentleman extend the disability so as to include accidents?

Mr. CONNERY. No. I want to extend the time from 1925 to 1930.

Mr. LUCE. Permit me to express my gratification that I have at last found out the limit beyond which my colleague will not go. [Laughter.]

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. RANKIN. I yield the gentleman 10 more minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 10 additional minutes.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. SCHAFER of Wisconsin. In his amendment extending the presumptive period from January 1, 1925, to January 1, 1930, will the gentleman recognize a provision which will exclude diseases and disabilities incurred in the battle of Paris and similar battles, five or six years after the World War ended?

Mr. CONNERY. Not having been in a division which had a chance to get into any of those battles, I do not know much about them. [Laughter.]

Mr. SCHAFER of Wisconsin. I particularly refer to the so-called misconduct disabilities. Why service-connect a misconduct disability which was perhaps incurred 10 years after the discharge of the veteran and pay $100 a month compensation as long as he lives, if the gentleman is desirous of taking care of veterans who received disabilities due to their war service?

Mr. CONNERY. The gentleman does not want to get into a discussion of the misconduct clause that we discussed in committee, does he? If he does, I will say that I would vote to take care of every man who was in France, regardless of misconduct. The American Expeditionary Force were a pretty good bunch of men. They were not all angels, and nobody expected them to be angels.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RANKIN. They are not included in the Johnson bill?

Mr. CONNERY. No; they are not.

Mr. RANKIN. And the extension of time up to 1930 still would not include them?

Mr. CONNERY. No; it would not include them.

Mr. RANKIN. So the gentleman from Wisconsin [Mr. SCHAFER] evidently has not read the bill.

Mr. SCHAFER of Wisconsin. The gentleman is in error, because there is a provision in the Johnson bill that shall not deny compensation in misconduct cases where the veteran has reached a stage of paralysis, paresis, blindness, helplessness, or is bedridden. If you extend the period of presumption to January 1, 1930, for all of these disabilities, including misconduct disabilities, you are going to pay $100 a month, perhaps, in many cases where the misconduct disability was not incurred in war service but perhaps 5 or 10 years after discharge.

Mr. CONNERY. If the gentleman can segregate those cases and find out which were connected service cases and which were not, I will be glad to support the amendment.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RANKIN. The gentleman from Wisconsin [Mr. SCHAFER] may not know it, but the section which the gentleman quoted from the Johnson bill is in the present law. That is the only thing the gentleman from South Dakota [Mr. JOHNSON] and I agree on, I think. It is in the present law; but, while we are on that point, I want to say that I agree with the gentleman from Massachusetts [Mr. CONNERY]. As far as I am concerned, I would repeal that brutal provision of the law that prevents these men from receiving compensation on the ground that their disabilities were caused by their own misconduct. If they had received their disabilities from drinking beer, the gentleman from Wisconsin [Mr. SCHAFER] would have favored putting them on the roll and paying them a bonus. [Laughter and applause.]

Mr. LOZIER. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. LOZIER. The philosophy or reason for the presumptive clause is based upon the well-recognized theory in medicine, as well as in fact, that service, while it may not at the time incapacitate the soldier, and there may be no present evidence of disability resulting from service, frequently it will reduce the power of resistance in the individual and furnish soil for the incubation of the disease later on when conditions are favorable for the development of the disease; and for that reason the medical profession realizes that anything which reduces the power or resistance of the individual may be attributable to the service, although there may be no manifestations of that disease for years afterwards.

Mr. CONNERY. I think the gentleman is absolutely right.

Mr. CROWTHER. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. CROWTHER. The first presumptive period was two years. In 1922, on Washington's birthday, I suggested that I was going to offer an amendment to the committee which was considering the revision of the so-called Sweet bill, asking to make that period three years; and I read a letter into the RECORD from the Veterans' Bureau regarding a man by the name of George Washington Wills, who had just overridden the presumptive period by four or five days. They wrote that he was ineligible and he did not have a case. The best medical authorities at that time stated that the probable peak presumptive period would be five years. The gentleman will find that in the RECORD at that time. That was agreed to by the best medical authorities, but the committee was very generous at that time and made the period six years when they revised the bill. Now it has crept up until we are going to make it 12 years or more—1918 to 1930. That is more than double what the expert medical men of the country stated at that time the peak period would be, namely, five years, for the development of bronchial and lung troubles as a result of being gassed.

Mr. CONNERY. I want to take this opportunity to congratulate the gentleman from New York [Mr. CROWTHER] for his courage in voting for the soldiers' cash bonus when that proposition was before the Ways and Means Committee. The gentleman knows that two medical experts can testify in court, and one expert will testify to one proposition and the opposition expert will testify to something else. Medical men are not infallible. I am sure the gentleman from New York [Mr. CROWTHER] has men coming into his office who tell him that they know this man or that man or the other man who was in the service has suddenly gone insane and put in a hospital.

Mr. CROWTHER. I want to thank the gentleman from Massachusetts [Mr. CONNERY] and say that I am reminded of a very distinguished Member of this House who came from the same district as the gentleman from Mississippi [Mr. RANKIN] Private John Allen. He said to Governor Shaw one day in a little discussion about some legislation: "Governor, it is a darned sight easier to vote wrong than it is to vote right and go home and explain it."

I hope I shall always vote right even if it necessitates explanation.

Mr. CONNERY. I hope the gentleman from New York [Mr. CROWTHER] will never have to do any explaining on that proposition in his district.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. McCORMACK of Massachusetts. Is it not a fact that whatever bill is passed, whether the Johnson bill or the Rankin bill, will be only a temporary measure?

Mr. CONNERY. I will say to my distinguished colleague from Massachusetts that I believe that with this discussion that is coming, a study of all veterans' legislation with the idea of ultimate pensions, this is only temporary legislation, and it can not do any harm, no matter how much we spend on it.

Mr. McCORMACK of Massachusetts. Does not the gentleman feel that the final and definite conclusion of this is the passage of a pension law?

Mr. CONNERY. Eventually; yes.

Mr. McCORMACK of Massachusetts. Has the gentleman any views as to its passage at the present time?

Mr. CONNERY. General Hines was asked, when he came before the committee with reference to that matter, and he suggested that we have a committee to study all veteran legislation with the idea that pensions were coming, so that they would be able to discuss the matter intelligently and bring in some program for the House to take action on. I am inclined

to think that the day is coming soon when it will be pension legislation, and I suppose I will favor that, as long as it does justice to all service men.

Mr. HOWARD. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. HOWARD. I would not wish to quote Mr. Hines incorrectly, but my impression is that in his testimony he felt that a pension measure might be proposed within the 3-year period following the passage of this legislation. I do not want to quote him certainly, but that is my recollection of his testimony.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RANKIN. There is a resolution now pending before the Rules Committee to appoint a joint committee of the House and Senate to investigate this subject, looking to bringing about some legislation to equalize and take care of the disabled men, between now and the expiration of this bill if it becomes law.

Mr. PALMER. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. PALMER. What is the estimated cost for the extension of the presumptive period to January 1, 1930, of the Johnson bill?

Mr. CONNERY. I do not have the figures with me. I think the chairman of the committee could give some information on that.

Mr. JOHNSON of South Dakota. Four hundred million dollars.

Mr. CONNERY. It would not be as much as that, would it?

Mr. JOHNSON of South Dakota. It would be that much for five years.

Mr. PALMER. That is all right. They are entitled to it.

Mr. CONNERY. That is what I think. We gave back $780,000,000 to the railroads without any great outcry in the House of Representatives.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CONNERY. Mr. Chairman I would like to have five additional minutes.

Mr. RANKIN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CONNERY. I do not want to take much more time of the House, but I do want to say this: We have reduced taxes over a billion dollars since the close of the war. Every time a tax bill came up you did not hear anybody stand up on the floor of the House and say, "We must not reduce taxes over $100,000,000."

Mr. LAGUARDIA. Yes; you did. I have.

Mr. CONNERY. Well, with rare exceptions. The gentleman from New York says he does. But very seldom do we hear anyone object to reducing taxes in the United States, because those taxes are being taken off of whom? They are being taken off of your big corporations, your big-moneyed men in the United States. They do not affect soldiers; they do not affect the sailors and marines, the men who saved these billions of dollars for them during the war. They affect the big corporations. As I say, we hear no objection to a reduction of those taxes, but when we come in and say we are going to expend $400,000,000 for the purpose of taking care of men who went on the field of battle and saved their billions for them and gave them a chance to live in peace and prosperity in the United States, then what do we hear? Good gracious! We must not allow this, why Congress is going to take $400,000,000 out of the United States Treasury for the purpose of caring for men racked with pain, dying, men suffering in beds in the hospitals, men who have lost their chance for a livelihood, men whose families are in want. When we say we are going to give them $400,000,000 we hear that great outcry of economy, economy. God save the mark on that kind of economy.

Mr. PERKINS. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. PERKINS. I would like to correct a misapprehension which may arise by reason of the gentleman's statement that taxes do not rest on the shoulders of everybody. It is not just the first payer who pays the taxes but it goes right down to every producer.

Mr. CONNERY. Oh, yes; it may mean 2 cents on the shoulders of workers in the mills of Lawrence or in the shoe factories in Lynn, but the reduction in billions is given to the big corporations and the moneyed men of the United States.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. LAGUARDIA. There is a great deal of medical discussion as to the period of time in which service connection must be shown. It took the Treasury Department 10 years to evolve the theory of valuations upon which millions are refunded.

Mr. CONNERY. That is correct. The gentleman remembers, and I remember, that when we stood on the floor of the House and fought for that pitiful little bonus or adjusted compensation—the undertaker's bill—which gives a man $1,500 after 20 years, if he lives, that we received letters from all over the United States saying, "Pass the Mellon tax reduction bill but do not pay a soldiers' bonus." I have no sympathy with these profiteers, these one-dollar-a-year men who made millions of dollars during the war while other men were fighting for them on the field of battle; but I have the greatest sympathy for disabled men, men who are in the hospitals suffering from tuberculosis and going insane. I ask you to remember that we appropriated $15,000,000 for hospitals last year in one appropriation, and that three-fourths of those hospitals were for the insane. They say the presumptive period is too long when it is made 10 years after the war or 12 years. But these men are going insane daily, and certainly they are not going insane from anything except from direct connection with their service.

Mr. RANKIN. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. RANKIN. The gentleman has spoken about taxes. I desire to call his attention to the fact that the record shows that there are 206 more people in the United States with incomes of over $1,000,000 a year than there were a year ago.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. SCHAFER of Wisconsin. When you extend the period of presumption to January 1, 1930, you are extending it to cases where they entered the war after the armistice, and to cases where they served 10 or 12 days in a camp. There are many cases in the Veterans' Bureau now where men are getting $100 a month and the service rendered was but 12 days in camp. Cases in which the disability did not show up until five or six years after discharge.

Mr. CONNERY. If the gentleman wants to offer an amendment to make it 90 days or 60, I will be glad to support it.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. RANKIN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. CONNERY. I do not wish to take up any further time of the committee. I am deeply interested in this, as every Member of the House is. I am going to offer an amendment to bring the Johnson bill up to 1930. If it adds the cost of $400,000,000 on the United States Treasury, I feel the Treasury can stand it. They did it for the profiteers, why not the disabled service man?

Mr. DENISON. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. DENISON. Why does the gentleman stop at 1930?

Mr. CONNERY. Well, we have come up to 1930.

Mr. DENISON. These men are going to have tuberculosis and these other nervous diseases after 1930.

Mr. CONNERY. But we have had General Hines come before the committee and say it is the intention to have a general study made of the whole situation, and I am willing to go along with 1930.

Now, if you do take $400,000,000 out of the United States Treasury, you are not going to bankrupt the Government.

I have heard another rumor to the effect that if we pass any bill that would go to the President calling for an expenditure of $400,000,000, he would veto it. I do not believe he would veto it, and if he did, I believe the House of Representatives and the Senate would pass it over his veto. Later I shall offer my amendment. I hope the House will consider it very carefully and if you decide that you want to take care of all the men who served their country and who have contracted these diseases up to 1930, you will vote for the amendment. I thank the House for its courtesy in listening so patiently. [Applause.]

Mr. LUCE. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman and gentlemen, it is with a great deal of hesitancy that I venture to discuss this bill. After having listened to the various members of the Veterans' Committee, several of whom have seen service themselves in combat divisions, and have made a special study of the subject and have discussed it here with great illumination, I hesitate to even attempt a discussion of the bill. But while these gentlemen know more about the subject, of course, than I do, none of them has any more interest in doing what I think is the Government's duty toward the ex-service men than I have. I do not think any of them have done more in a humble way in connection with the consideration of legislation for their benefit than I have.

I voted for the war, I voted for the draft law, and when I did so I decided I would not deny the men who went into the service anything that was reasonable and that they ought to have, and I never have. I have voted for every bill that has been brought before the House for consideration that would confer benefits upon the ex-service men and their dependents, and I intend to continue to do so.

We all have our responsibilities here as Members, and I am going to take this occasion to state my views with reference to the proposed amendment that is going to be offered by the gentleman from Massachusetts [Mr. CONNERY], who has just spoken, and the amendment that is going to be offered by the gentleman from Mississippi [Mr. RANKIN].

I had prepared some remarks, giving an analysis of this bill and telling somewhat in detail what it will do and what Congress has already done for the ex-service men and their dependents, but since I came into the Chamber this morning I have decided that I am not going to read them or even insert them in the RECORD.

The gentleman from South Dakota [Mr. JOHNSON], chairman of the committee, made such a forceful and clear analysis and explanation of the bill and of what the Congress has done for the ex-service men that I am going to ask of him the privilege, which I am sure he will grant, of allowing me to send along with my own remarks the speech which he has made to the veterans of my district; because it will give them an understanding of this bill and of the legislation which has already been passed better than any remarks I might make here or any speech I might prepare and insert in the CONGRESSIONAL RECORD. So I am going to make my remarks here quite short.

I think the Members of the House ought to keep in mind the distinction between a pension and compensation, and in the discussion that has been going on this morning it seems to me the distinction between those two terms has been entirely overlooked.

I think Congress ought to provide liberal compensation for every man who served in our forces and either suffered a wound in the service or contracted any disease connected with the service. We ought to be liberal in this respect, but we ought not to grant pensions upon the basis of compensation; and I am unwilling to vote for a permanent policy that will give any man in the late war a pension of $200 or $225 a month as a pension so long as we are only giving pensions to the aged veterans who helped save this Union not exceeding $90 a month in the most destitute circumstances. They, too, answered their country's call, and they saved the Union when its dissolution was threatened.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. DENISON. Yes; I will yield for a question.

Mr. JOHNSON of Oklahoma. Did the gentleman vote for the emergency officers' retirement act?

Mr. DENISON. Yes.

Mr. JOHNSON of Oklahoma. Can the gentleman consistently do that and at the same time not vote to take care of these men?

Mr. DENISON. I am not voting not to take care of these men. We passed retirement legislation years ago for disabled officers of the Regular Army, and I voted for that act because I thought that we ought to extend similar privileges to the emergency officers when they were disabled in line of duty, and I think so now.

I think, ladies and gentlemen of the committee, it is very important we pass the resolution that is now pending before the Rules Committee, providing for the appointment of a commission to make a study of legislation for the soldiers of all our wars, and I believe we ought to treat them all substantially alike. I do not think there is any justification for our making a distinction in benefits conferred because there is a difference in their numbers and political power.

Mr. KNUTSON. Will the gentleman yield?

Mr. DENISON. I yield.

Mr. KNUTSON. How can the gentleman reconcile his statement that he believes in treating them all alike and favors the creation of a commission to equalize pensions and compensations and then urge the enactment of this legislation before a study can be made of the whole proposition?

Mr. DENISON. Because I think it is important that we grant relief to the men and women who need relief immediately, and this is not permanent legislation. This is merely taking care of the situation until we can pass legislation that will correct the evils of inequality in the existing laws.

Mr. RANKIN. Will the gentleman yield for a suggestion?

Mr. DENISON. I yield to the gentleman.

Mr. RANKIN. I appreciate the gentleman's attitude, and let me call his attention to the fact that while the Johnson bill spreads out and takes in everybody the Rankin bill takes in men afflicted with those maladies which the Veterans' Bureau has said are probably traceable to their service in the World War.

Mr. DENISON. My information is there has not been found any medical testimony at all to show that you can legitimately extend the presumption of service connection as far ahead as 1930. Now, in view of that situation, it amounts to a nonservice connected disability pension; it is compensation by fiction only; and it seems to me we ought not to do that.

Now, I will tell you what I think we ought to do. I think we ought to give liberal compensation for injuries or disabilities on a compensation basis to every man who can trace his injury or his disease to the service, and for those who can not trace them to the service we ought to provide a liberal pension, and I am ready to do that right now. [Applause.]

I think we ought to treat all the men who have served in our wars substantially alike. It is wrong to make a distinction and treat one class of veterans one way and another another way. That is another reason why I shall vote for the Johnson bill, because it will help to remove the inequitable distinction that is allowed under existing laws between men who are suffering or disabled by different kinds of diseases. We can not justify such a distinction.

I had a man come to me a few days ago suffering from a disease not included in those enumerated in the Rankin bill; I have been trying to get him compensation, and I could not do it. The Rankin bill would not help him or thousands of others like him. There are a lot of those men, and they are entitled to the same treatment as the man who has tuberculosis or some other nervous disease.

Mr. PERKINS. Will the gentleman yield?

Mr. DENISON. I yield.

Mr. PERKINS. In support of what the gentleman has just said, will he allow me to read from page 22 of the hearings in the testimony of Doctor McDermott. He was asked:

As I understand the medical testimony before our committee, it is that those diseases which are service connected by this bill from the 1st of January, 1925, to the 1st of January, 1930, that had their origin in that period—there is no medical reason to believe that any of them were service connected?

And Doctor McDermott replied:

No, sir; there is no scientific basis to show that they were service incurred.

Mr. DENISON. I think that is correct. Now, my view of our duty is that we ought to remove the injustice to certain classes of veterans that results from the existing law, which singles out certain classes of diseases and gives preference to them by granting them a presumptive service connection, and does not allow the same presumptive service connection to other diseases that may be just as serious. I think that is wrong. I think that we ought to remove that injustice, and the Johnson bill will do that by allowing the presumption in favor of other diseases.

Another thing, I do not think that we ought to extend the presumption of service connection any further than 1925, because it is purely a presumption. There is no possible medical testimony justifying it, and we ought not to resort to such a presumption to extend the benefits of compensation. Let us be fair and frank and provide pensions for those whose disabilities arise after 1925.

I am in favor of equalizing the law, removing the injustice that results from this classification of diseases, and then pass legislation that will grant a liberal pension to those veterans of the World War who are suffering from disabilities resulting from diseases contracted or becoming apparent since 1925, and which they can not prove were due to their military service.

When we come to granting them pensions we ought to have some consideration for the pensions of the soldiers of other wars. I think the men who volunteered to fight for our country in the Spanish-American War and in the Civil War are entitled to a fair consideration, too, when we come to the further consideration of pension legislation. I see no reason why we should grant large pensions to the soldiers of one war and not to the soldiers of another war, who may have performed equally meritorious service.

I want to say that I am supporting the Johnson bill and I am voting against the amendment to be offered by the gentleman from Massachusetts [Mr. CONNERY] and against the amendment to be offered by the gentleman from Mississippi [Mr. RANKIN].

I will ask the Clerk to read in my time a letter I received from the head of the Legion in Illinois.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

THE AMERICAN LEGION,
Springfield, Ill., April 1, 1930.

Hon. EDWARD E. DENISON,
Member of Congress, Washington, D. C.

MY DEAR CONGRESSMAN: The Department of Illinois American Legion is very anxious that the Johnson bill (H. R. 10381) be made a law at this session of Congress, and we urgently ask that you agree to suspend the rules in this connection and vote for the measure when it comes on the floor.

The passage of this act, as I regard it, is an act of mercy in that many of the men who will be benefited by it are mental wrecks and are unable to give a lucid statement of their service. There are also many who will be benefited by it who have for the past 12 years been unable to follow gainful employment because of disabilities acquired, and for which they have been unable to gain recognition from the Veterans' Bureau.

I know of no piece of legislation proposed by the American Legion within recent years that is so meritorious and that will gain for you the undying gratitude of a lot of sick men, who served their country and are now being ignored, as this bill.

I might add in conclusion that we expect your support as in the past.

Sincerely,

P. JOSEPH TRABAND,
Chairman Legislative Committee, American Legion, Department of Illinois.

Mr. DENISON. That represents the views of the State organization of Legionnaires in the State of Illinois, and I am going along with them. This letter came without any solicitation on my part.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. JOHNSON of Oklahoma. That communication does not say that the Legion is against the Rankin bill?

Mr. DENISON. I do not think there is any force in the question the gentleman from Oklahoma asks. The letter states that they are in favor of the Johnson bill and it does not discuss any other bill.

Mr. RANKIN. Will the gentleman yield right there?

Mr. DENISON. I am sorry, but my time is almost up.

Mr. RANKIN. I will yield the gentleman further time.

Mr. DENISON. I yield.

Mr. RANKIN. I want to say that we have letters from disabled men, members of the Legion, who are writing us to pass the Rankin bill.

Mr. DENISON. Well, I can not comment upon them for I know nothing about them. I have received nothing of the kind. I have received a few letters from men in different parts of the country asking me to support the Rankin bill. But many of these letters, as we all know, are the result of agitation and propaganda. Many of those who write them know nothing of the provisions of the Johnson bill or the effects of the Rankin amendment. Why, how could they? There are many Members of this House who do not fully understand what the pending bill will do, or what the Rankin amendment would do. How can the disabled veterans be familiar with the bills?

Let me say this to the gentleman from Mississippi: If we are going to pass this legislation extending the presumption of service connection up to 1930, there is not a single reason under heaven why we should not extend it to 1932 or 1935.

Mr. RANKIN. Is the gentleman directing that question to me?

Mr. DENISON. I am not asking any question, but I am directing my remarks to the gentleman as well as to the other Members of the House.

Mr. RANKIN. When we reach that time, if these men are suffering from tuberculosis as they are now, I am in favor of it.

Mr. DENISON. But while we have this under discussion, if you want to be logical, if you are going to pass legislation based on mere presumption, and grant men pensions on the basis of compensation, why do you stop at 1930?

Mr. RANKIN. Why do you stop at 1925?

Mr. DENISON. Because the present law does that with respect to certain diseases, and I think we ought to equalize it by allowing the same presumption with respect to other diseases. There is one other reason and that is because in my desire to be absolutely fair and give the service men the benefit of all doubt I would be willing to allow the presumption of service connection as far as 1925—what the Congress partly did several years ago—but I think that is as far as we ought to go in indulging a legal presumtion; and I can not help but believe that when the gentleman from Mississippi gives sober thought to the matter he will agree with me, and he will agree with me that after 1925, if the veterans can not show service connection, we ought to give them a disability pension and not pretend to give them compensation.

Mr. Chairman, I referred in the beginning of my remarks to my attitude toward legislation conferring benefits upon veterans of the World War and their dependents. I have voted, as I said, for every bill that has been considered by the House of Representatives conferring benefits upon the veterans. I have voted for every bill, so far as I know, that has been urged by the American Legion as an organization. I was on the committee that reported the original Sweet bill, which first gave splendid recognition to the services of our soldiers in the World War. I voted for the adjusted compensation law, the disabled emergency officers' retirement law, the World War veterans' act of 1924, and the gold star mothers' act. As a member of the steering committee I have urged early consideration of the Johnson bill. I have voted for every law giving preferential rights and privileges to veterans of the World War. If I have failed to vote for any bill conferring benefits upon them, it has been because I was unable to be present on account of illness or for some unavoidable reasons. And since the beginning of the World War I have devoted a good part of my time and the time of my office to assisting veterans and their dependents in the adjustment of their claims with the Veterans' Bureau. Year after year I have invited those who could not obtain speedy consideration of their claims to call upon me for assistance, and my office has never been closed to such work.

Since the laws have been passed by Congress giving preferential rights to veterans in appointments to office, I have followed the spirit and the letter of the law in making such appointments. Recently it became my duty and privilege to make recommendations of enumerators to take the census in the district I represent. As a matter of course, I could not personally select and recommend suitable persons in every precinct in the eight counties of my district. I called upon the Republican county organization of each of my counties to suggest suitable persons to me for census enumerators. I addressed identical letters to the chairman of the county central committee of each county asking them to confer with the precinct committeemen and other public citizens and select persons competent to take the census, telling them that whoever should be selected would have to pass certain tests and be found qualified by the Census Bureau. I wish to quote here the following paragraph from my letters upon this subject:

> The persons selected should be competent to take an accurate census. Ex-service men are entitled by law to preference in making such appointments, and I desire to carry out the spirit as well as the letter of the law. If there are persons who have the other necessary qualifications and who desire the appointments, and who are ex-service men, or the wives of ex-service men, I shall be glad to give them preference wherever it can be done. Women are eligible if they have the necessary qualifications.

I am informed that in many instances these appointments were offered to as many as four ex-service men in succession but were refused because of their disabilities, or because they did not feel competent to do the work. I think I can safely say that practically half of the appointments of census enumerators in my district were either given to ex-service men or members of their family, or Spanish-American War veterans or their families, or were offered to such persons and were declined. I have followed the same policy in appointing rural carriers and in making other similar appointments. I am sure most of the Members of the House have followed the same policy, because I have found that there is a common desire among the Members of the House to extend to the ex-service men and their families every possible benefit that has been authorized by law.

I will not review here the various acts of Congress that have been passed in harmony with our policy to fulfill as far as possible the duty which the country owes to those who served in our forces, and to their dependents. The gentleman from South Dakota has done that in his address to the House day before yesterday, and for the information of the ex-service men of my district I expect to send them his splendid address.

In voting upon this Johnson bill, and the amendments which are to be presented by the gentleman from Mississippi [Mr. RANKIN] and others, very serious problems will be presented to each one of us: questions involving economic policy, our duty to those who have served the country, and our duty to those who will have to pay the bills by taxes. I have in mind as I address you an old soldier now living at Creal Springs in my district, a veteran of the Civil War. He has no property save his home; he is totally helpless and bed-ridden; he fought three years to help preserve the Union; he has a wife dependent upon him. The very most that he can get from his Government is $90 a month.

I have in mind another veteran living in Franklin County in my district who fought bravely in the Spanish-American War, was wounded, and is now totally helpless with a wife and family dependent upon him; the most that he can get from the Government, I think, is $72 per month.

I have in mind a veteran of the World War now living in my district whose case is very distressing and who has caused me a great deal of worry; he is afflicted with some kind of throat trouble which has affected his heart, and he is totally disabled. His disability has come upon him largely since 1925. There is no hospital record or medical testimony available to prove that his disability is of service origin. I doubt if he can find any evidence to connect his trouble with his military service. We have provided by law for his hospitalization and treatment, and the Johnson bill will allow his wife and children $60 a month so long as he is in the hospital.

If it costs $120 a month to hospitalize an ex-service man, he will be receiving the equivalent of $180 a month from his Government if the Johnson bill becomes a law. Now, if the Rankin amendment is approved by Congress and the President, this veteran will be allowed the equivalent of $280 or $285 a month as a pension. It will not be compensation because he can not prove that it is service-connected; it will be a disability pension, and the question confronting me is, Should I vote for a law that will grant this veteran and thousands of others like him such a pension when we are allowing such meager benefits, in comparison, to the veterans of our other wars? I am not yet willing to do so, and I venture the assertion that if this proposition were understood by the ex-service men and the members of the American Legion they would not approve it nor urge it. I have confidence in the sober judgment and patriotic purpose of the ex-service men when they have had time and opportunity to consider great economic questions of this kind. The Legion of the State of Illinois is satisfied with the provisions of the Johnson bill, and I shall support it as it is.

Mr. RANKIN. The gentleman from Mississippi knows that it is all a pension now.

I yield 20 minutes to the gentleman from Minnesota [Mr KNUTSON].

Mr. KNUTSON. Mr. Chairman, I agree with much that has been said on the floor this afternoon. I am almost in full accord with everything that has been said by the proponents of the Johnson bill against the proposition to be advanced by the gentleman from Mississippi [Mr. RANKIN], and I am also in accord with what the proponents of the Rankin proposition have to say against the Johnson bill. I believe that before we get through with the study of this thing, which is going to involve us in the payment of several billion dollars, the House is going to recommit the measure and ask the committee to bring out something else.

At the outset, Mr. Chairman, I ask to have read from the Clerk's desk a communication which I received this morning from a high official in the Veterans' Bureau.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

I have been watching with a great deal of interest the debates in Congress on the proposed consolidation of the three veterans' agencies. I have read every page of the CONGRESSIONAL RECORD covering the debates. In the vernacular of the times, I think you are "all wet." Let me make you this suggestion: That you introduce a new bill to dismember the Veterans' Bureau, send compensation to the Bureau of Pensions, insurance to the Department of Commerce, hospitals and hospitalization to the Public Health Service, where the hospitals rightfully belong, and where they should have remained, and create a section in the Department of Justice to replace the legal division of the Veterans' Bureau. The guardianship division could, and should be, handled by the State courts.

Mr. KNUTSON. That communication came from a high official in the Veterans' Bureau in the morning's mail, and I commend it to the careful study of the House because I feel that there is food for thought in it.

Mr. JOHNSON of South Dakota. The gentleman is certain that that is not one of the neuropsychiatric cases down there.

Mr. KNUTSON. I do not know how many neuropsychiatric cases are administering the affairs of the Veterans' Bureau. Perhaps the gentleman could give some information on that point.

Mr. JOHNSON of South Dakota. I notice there are a good many appointees from Minnesota.

Mr. KNUTSON. That may be. I do not know of any one from Minnesota who is holding any responsible position in the Veterans' Bureau, but if they are I hold no brief for them.

Mr. JOHNSON of South Dakota. Should we not have the gentleman's name, if he is going to be used as a witness?

Mr. KNUTSON. No. I will not give his name, because he holds an important position in the Veterans' Bureau, but I would be very glad to let the gentleman from South Dakota read the original letter, if he will come down to my office, and I will ask him to come in there along about 5.30 o'clock.

I am in full accord with the point made by the gentleman from New York, Doctor CROWTHER. I believe Doctor CROWTHER placed his finger on the weak points in this proposed legislation, which at best is only palliative and temporary in its relief, for the reason that if you pass this legislation, you will be called upon in the next Congress to take care of those who have disabilities which are not service connected, and also the widows and orphans of those veterans who have died since being discharged from the service, and whose death is not attributable to the service.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. PERKINS. The gentleman is a mathematician of considerable note in the House.

Mr. KNUTSON. I thank the gentleman.

Mr. PERKINS. Will the gentleman kindly give us the quod erat demonstrandum on how you can use $44,000,000 and do more with it than you can with $100,000,000?

Mr. KNUTSON. Yes. I might answer the gentleman by asking him another question, How old is Ann?

Mr. PERKINS. I notice that I did not get an invitation to be at your office at half past 5.

Mr. KNUTSON. Come down and read the letter, but if you wish, I will send you a photostatic copy of it. There are a number of objections to this legislation, and one of them is that it does not make any provision for the poor chap who suffers from disabilities that are in no way service connected. Neither does it make any provision for the widows and the orphans of such cases. Let me say to you, my friends, that if you enact this legislation you will be called upon at a subsequent time, probably in the next session, to take care of the widows and orphans at an additional cost of from $45,000,000 to $70,000,000. The gentleman who preceded me, Mr. DENISON, is absolutely right. Why extend these presumptive periods? That is not the straightforward way of doing business.

When you say that something that happened six years after the armistice is due to a man's former military service you are engaging in parliamentary chicanery. Why not face the situation courageously? Why not place those veterans who can not be covered and are not now covered by the presumptive clause in the existing law, on the pension roll, and call it a pension? We have been using the pension system for a hundred years and more, and we have yet to find a method in dealing with veterans of wars that is more satisfactory. According to the letter that was read from General Hines to-day we have expended over $5,000,000,000 on the veterans of the World War, almost as much as we have expended to date on those who saved the Union.

Mr. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield to my friend.

Mr. ANDRESEN. The gentleman has before his committee many meritorious pension bills for widows of the Spanish War and minor children. Can the gentleman offer one of those bills as a substitute for the bill now under consideration?

Mr. KNUTSON. No; I will say to the gentleman that the parliamentary situation is such that the Speaker would hold any substitute pension bill as not germane.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. PERKINS. In view of the gentleman's argument, I will ask him if it is not a fact that in addition to the $5,000,000,000 already expended, between now and the year 1940 we are committed by present law to expend $6,000,000,000 more?

Mr. KNUTSON. That is under the present law?

Mr. PERKINS. Yes; under the present law.

Mr. KNUTSON. And we should bear in mind that we have expended $300,000,000 for rehabilitation, and it is estimated that only 10 per cent of them have been rehabilitated.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. MICHENER. Has not the gentleman demonstrated that what is needed here is a general survey of all veterans' legislation, and that we should include in the Johnson bill a 3-year limitation, and within the 3-year limitation we shall take care of the survivors and widows and dependents of all wars up to the present time?

Mr. KNUTSON. Perhaps, but if we had legislation bringing the survivors and widows and dependents of preceding wars up to the level of the late war we would bankrupt the Government, and that, I am sure, the gentleman would not want to do.

Mr MICHENER. The arguments advanced to-day have accentuated that situation. The gentleman from Massachusetts [Mr. CONNERY] said he would be willing to bring all these veterans up to the level of a retirement pension status. Some of his arguments are really astonishing.

Mr. KNUTSON. It goes to prove that we should have a rule prohibiting this kind of legislation in an election year. [Laughter.]

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. PERKINS. Let me suggest that the evidence before the Veterans' Committee is to the effect that at the present time under existing law this Government is expending on ex-service men an amount equivalent to 37 per cent of the entire income tax received by the Government.

Mr. KNUTSON. I do not doubt it.

Mr. YON. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. YON. Does not the gentleman think, with the chairman of the committee, that it would be a good thing at the present time to not extend the work of the Veterans' Bureau, but let them take care of what they have now—just compensation and officers' retirement and war-risk insurance and veterans' hospitals—and then pass a pension bill?

Mr. KNUTSON. Yes. The Veterans' Bureau is very similar to what is called "Johnson" grass down South and "quack" grass up North. It should not be extended; it should be weeded out.

Now, I want to call the attention of the House to a bill which has received considerable attention from the Pension Committee of this body. I refer to H. R. 6897, known as the Swick bill, which is a pension bill pure and simple and is based on the act of May 1, 1926, which I believe every veteran of the Spanish-American War will agree is the best pension bill that has ever been passed by an American Congress. The Johnson bill will take care of 177,000 veterans.

Mr. YON. Additional?

Mr. KNUTSON. Yes; additional, at an average cost of $47 per month. That is what was figured out day before yesterday by the gentleman from New Jersey [Mr. PERKINS]. But you are making no provision for the indigent and disabled veterans who can not prove their disabilities to have service connection, neither are you making any provision for their widows and orphans. The Swick bill will take care of 600,000 veterans, no matter how their disabilities were incurred; it will take care of 111,000 widows and 50,000 orphans. The Johnson bill will cost anywhere up to $200,000,000. Do not be surprised, ladies and gentlemen of the House, if the Johnson bill surpasses the figure $200,000,000 before we get through with it.

We can only spend so much money for veteran relief. Is it not better to pass a bill that will take care of 600,000 disabled veterans, 111,000 widows and 50,000 little children as against the 177,000 veterans which the measure now pending provides for. Let me ask you men and women, what is your answer going to be to the unfortunate 423,000 veterans whom you leave out in the cold, to the 111,000 widows and 50,000 kiddies whom you fail to provide for? What will you tell them? What can you tell them?

Let me ask you if the Johnson or Rankin bills fulfill the duties we owe to the widows and orphans of deceased veterans whose death is not traceable to service? I would like to know why here worthy ones have been overlooked. The Swick bill takes care of them as I shall show later in my discussion of the pending legislation.

Another objection that I have to this legislation is that it obliges disabled veterans to seek hospitalization in order to draw compensation for their dependents. This will necessitate a greatly increased expansion in our hospital building program. What will that cost? No one knows. Under the Swick bill a disabled veteran will not be compelled to leave his home and family in order to draw a pension.

Mr. PERKINS. Mr. Chairman, will the gentleman yield again?

Mr. KNUTSON. Yes.

Mr. PERKINS. Will you give us an estimate of what the Rankin bill will cost?

Mr. KNUTSON. Oh, let us get to something more pleasant.

Mr. RANKIN. The gentleman has just said that the Johnson bill will put 177,000 additional veterans on the roll and the Rankin bill will put 77,744 on the roll. Then how can the gentleman get the idea that my bill will cost more than the Johnson bill?

Mr. KNUTSON. I have been led to believe that it would. I wish to say to my friend, for whom I have the highest regard, that I wish to thank him right now for having yielded me time.

Mr. RANKIN. The gentleman has been in bad company.

Mr. PERKINS. Will the gentleman yield for an answer to that inquiry?

Mr. KNUTSON. Will the gentleman yield me some more time?

Mr. PERKINS. Yes.

Mr. KNUTSON. Then I yield.

Mr. PERKINS. General Hines said in his testimony before the Veterans' Committee that the 77,000 men that he mentioned were men who had already filed claims, but it does not include the number of persons who might file claims hereafter.

Mr. DUNBAR. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. DUNBAR. I have heard the gentleman from New Jersey make that remark often. Why can he not give us some definite information as to the amount of additional cost to pension these men under the Rankin amendment?

Mr. PERKINS. I will be glad to answer the question.

Mr. KNUTSON. I suggest that the gentleman answer it in his own time, but I will be here to get it.

Mr. DUNBAR. The next time the gentleman from New Jersey [Mr. PERKINS] rises to ask that question I would respectfully ask him to give us his idea of the information he possesses.

Mr. KNUTSON. I yield to the gentleman from New Jersey to allow him to answer.

Mr. PERKINS. We had information from the Veterans' Bureau that the pension bill would cost three or four hundred million dollars per year.

Mr. DUNBAR. Who made that statement?

Mr. PERKINS. That was a statistician in the Veterans' Bureau.

Mr. KNUTSON. That a pension bill would cost that much?

Mr. PERKINS. Yes.

Mr. KNUTSON. How high did you expect to start, or how low? Of course we could pass one that would cost $10,000,000,000, but the gentleman is not speaking of the Swick bill?

Mr. PERKINS. No.

Mr. KNUTSON. The gentleman is speaking of some mythical pension bill.

Mr. PERKINS. No. The Rankin bill, treated as a pension bill.

Mr. KNUTSON. Oh, I beg the gentleman's pardon. You are free to throw as many brickbats at each other as you please.

Mr. DUNBAR. Will the gentleman from New Jersey give some definite information and the source of his information as to the amount of increase to the Government of the expense, under the Rankin bill?

Mr. PERKINS. I yield to the gentleman from South Dakota to give that answer.

Mr. JOHNSON of South Dakota. This came from a table prepared by the Veterans' Bureau, based on the experience of the veterans of other wars, in the Veterans' Bureau.

Mr. KNUTSON. That a pension bill would cost $200,000,000?

Mr. JOHNSON of South Dakota. No; the Rankin bill.

Mr. KNUTSON. Does the gentleman from Mississippi [Mr. RANKIN] wish to make any comment upon that? The gentleman from Mississippi has been charged with extortion. Does he wish to reply to that? If so, I yield.

Mr. RANKIN. Have I wrung the truth from somebody? What is it? What is the charge?

Mr. KNUTSON. Will the gentleman from South Dakota kindly repeat his statement?

Mr. JOHNSON of South Dakota. I will say that I was talking to the gentleman from Iowa, and I did not hear the outrageous remark of the gentleman from Mississippi. [Laughter.]

Mr. KNUTSON. Mr. Chairman, let us see what the Swick bill will do. I have told you that it will take care of 600,000 veterans of the World War, regardless of where the disabilities were incurred or how incurred.

Mr. JOHNSON of South Dakota. Or how much money per year?

Mr. KNUTSON. It will take care of 111,000 widows and 50,000 orphans, as against 177,000 veterans under the Johnson bill. The cost of the Swick bill, from figures based upon a compilation furnished by the Pension Bureau, will be $23,000,000 the first year, $80,000,000 the second year, $137,000,000 the third year, making an average of $80,000,000 for the 3-year period.

Mr. MICHENER. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. MICHENER. Does the gentleman from Minnesota [Mr. KNUTSON] think we should pay a pension and compensation at the same time to a veteran of the same war?

Mr. KNUTSON. Does the gentleman mean to them as a class or as individuals?

Mr. MICHENER. No. As a class. In other words, should we not either pay compensation according to present law, or should we not adopt a pension system entirely, as to the soldiers of a given war?

Mr. KNUTSON. If we pass either the Johnson bill or the Rankin bill we will perpetuate the Veterans' Bureau. If we cut it off right here and confine them to compensation cases already established it is only a question of a few years until we can combine the Veterans' Bureau with the Pension Bureau.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. RANKIN. I yield the gentleman five minutes.

Mr. JOHNSON of South Dakota. I also yield five minutes to the gentleman.

The CHAIRMAN. The gentleman from Minnesota [Mr. KNUTSON] is recognized for 10 additional minutes.

Mr. KNUTSON. Let me say to the gentleman from South Dakota that the average cost of the Swick bill for three years is $80,000,000. I want to reiterate that that takes care of 600,000 veterans, 111,000 widows, and 50,000 orphans.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. JOHNSON of South Dakota. In other words, if $80,000,000 is going to provide for 761,000 people, they will get $15 a month.

Mr. KNUTSON. I said that the rates are in proportion to what we are paying veterans of other wars. The gentleman from South Dakota knows as well as I that the veterans of no war have heretofore been pensioned inside of 20 years after the signing of the treaty of peace under a general law. We are moving that rule up something like 10 years to benefit the veterans of the World War. Under the past policy of Congress the veterans of the World War would not be entitled to a pension until 1941.

Mr. HUDSON. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. HUDSON. What does the widow of a Spanish-American War veteran receive to-day?

Mr. KNUTSON. Thirty dollars a month. I want the gentlemen of the House to have all of this information, because if the Johnson bill is not passed and the Rankin bill is not passed we are going to give you a chance to vote on the Swick bill. [Applause.]

Mr. ANDRESEN. Give us a chance anyway.

Mr. KNUTSON. You can not have your cake and eat it, too. Let me read what the Swick bill says in regard to widows:

> The widow of any officer or enlisted man who entered the service prior to November 11, 1918, and served 90 days or more in the Army, Navy, or Marine Corps of the United States during the World War, and was honorably discharged from such service, or, regardless of the length of service, was discharged for or died in service of a disability incurred in the service in line of duty, such widow, having married such soldier, sailor, or marine prior to the passage of this act, shall upon due proof of her husband's death, without proving his death to be the result of his service, be placed upon the pension roll at a pension of $20 per month.
>
> Any widow mentioned in this section shall also be paid $6 per month for each child under 16 years of age of such soldier, sailor, or marine.

The gentleman from South Dakota raised the question of rates carried in the Swick bill. The Swick bill carries rates from $10 to $50 per month. Fifty dollars is for total disability. It must be remembered that that is a pension for disabilities that can not be proved to be service connected.

I wish to say to the membership of the House that if the rank and file of the American Legion and Veterans of Foreign Wars and all the others who served in the late World War knew of the liberal provisions of this act, this Congress would be flooded with petitions and telegrams and communications asking us to pass it forthwith. I make that statement, ladies and gentlemen of the House, in the light of my experience of 13 years on the Pensions Committee. It is one of the most liberal pension acts, considering the short time that has elapsed since the signing of the armistice, that has ever been introduced and seriously considered by any committee of this House of which I am aware.

Mr. ANDRESEN. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. ANDRESEN. And that takes care of the men, women, and children who will never be taken care of through the Veterans' Bureau?

Mr. KNUTSON. Absolutely. Men, women, and children who, if we do not do something for them, may become public charges on the community where they have their residence.

Mr. YON. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. YON. And it will be simple of administration, will it not?

Mr. KNUTSON. Perfectly simple. The gentleman from South Dakota [Mr. JOHNSON] boasts of the fact that they have files that thick [indicating] at the Veterans' Bureau. A file that thick [indicating] is an exceptionally thick file down at the Pension Bureau.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. JOHNSON of South Dakota. That is one of the reasons it does not cost much to run the Pension Bureau. If the pension law were administered in the Veterans' Bureau, it would be administered just as cheaply as in the Pension Bureau.

Mr. KNUTSON. I will tell you gentlemen why doing business with the Pension Bureau is so satisfactory. It is because they are not tied up with a lot of red tape, because they have mature men administering the law.

Mr. JOHNSON of South Dakota. Because there is no service connection.

Mr. KNUTSON. Let me say to the gentleman that I have been trying for a year to get the Veterans' Bureau to pay the insurance on the life of a man who disappeared from a ship in some port up in Alaska without his clothes. That was two years ago, and the Veterans' Bureau fears he may be wandering around in the woods up there without any clothing. The old-line insurance companies have paid insurance that was carried in their companies long ago, but the Veterans' Bureau wants to be sure the man is not dead.

Mr. JOHNSON of South Dakota. That is the law. He must be absent seven years.

Mr. KNUTSON. Oh, well; it is mostly regulation.

Mr. GREEN. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. GREEN. If that is the law, as just mentioned by the gentleman from South Dakota, it seems to me it would be very simple for the Director of the Veterans' Bureau to come before the World War Veterans' Committee and ask to simplify and codify those laws.

Mr. KNUTSON. Absolutely. Of course, if they made it too simple they would have a hard time in finding work for the 24,000 clerks they have on the pay roll. The Pension Bureau has only 600 clerks.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. SUMMERS of Washington. The gentleman gave the cost of the Swick bill during the first three years. What would be the cost in succeeding years?

Mr. KNUTSON. Let me say to the gentleman it will be about $120,000,000 a year.

Mr. SUMMERS of Washington. The gentleman means that would be a continuing figure?

Mr. KNUTSON. Yes; that would be a continuing figure. After the third year it would average about $120,000,000, based upon the number who have applied for compensation and been turned down.

Mr. HALL of Indiana. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. HALL of Indiana. I would like to ask if the Johnson bill would take care of a case of this sort: A veteran of the World War, with a service-connected disability, died December 6, 1925, leaving a widow and three children. He happened to die of a disease which was not service connected, and there is no way under the present law of having any compensation granted to his widow or children. Would the Johnson bill take care of a case of that kind?

Mr. KNUTSON. No. She will still have to keep on applying to the Associated Charities for relief.

Mr. HALL of Indiana. That is just what she is doing.

Mr. KNUTSON. And that is what she will have to continue to do under the Johnson bill, but under the Swick bill she will get $20, plus $18, if the children are under 16 years of age, or a total of $38 per month.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. SCHAFER of Wisconsin. Where does the gentleman get the facts for the extravagant statement, that she would have to continue to rely on charity, without knowing the nature of the disability which caused the veteran's death, so as to determine whether that disability is included in the presumptive section of the Johnson bill?

Mr. KNUTSON. I suggest that the gentleman from Wisconsin wake up. Breakfast is about to be served. [Laughter.]

Let me say in closing that this is a very serious matter. I am sorry I replied to the gentleman from Wisconsin in that way.

Mr. SCHAFER of Wisconsin. When the gentleman has no facts on which to base a reply, of course, he can fall back on a facetious reply. I appreciate the gentleman's inability to reply to a pertinent question.

Mr. KNUTSON. I am profoundly grateful for the gentleman's forgiveness. [Laughter.] Let me say to this committee that this is only the first of a series of bills that you will be called upon to pass for the relief of the disabled of the World War, and before you get through it is going to run up into billions and billions. You might as well face and solve the situation now and put those who are not service connected on the pension roll. If you will defeat the two measures that have been proposed to you, the Johnson bill and the Rankin bill, I will promise that you will be given an opportunity to vote for the Swick bill. That measure, gentlemen, will take care of everybody who suffered from any disability and the widows and orphans of those who have died.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. CONNERY] for the purpose of making a statement.

HON. JEREMIAH E. O'CONNELL

Mr. CONNERY. Mr. Chairman, ladies and gentlemen of the committee, as the ranking Democratic Member of New England in the House, it is my great pleasure to announce to the House of Representatives that Hon. JEREMIAH E. O'CONNELL, of the State of Rhode Island, has just been appointed by the Governor of Rhode Island, and unanimously confirmed by the Senate of Rhode Island, to the position of associate justice of the Superior Court of Rhode Island, with life tenure. [Applause.]

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. FITZGERALD]. [Applause.]

Mr. FITZGERALD. Mr. Chairman, ladies and gentlemen of the committee, those who have followed the debate, I believe, are convinced that both the Johnson bill and the Rankin bill are in the nature of pension legislation and that with either of these bills, or one amended with the other, we are crossing the line between compensation and pension.

I doubt if any of us who have given this matter serious attention would oppose the investigation and study of the whole question which has been suggested as a proper thing for this Congress to undertake.

I address the Committee of the Whole at this time because I intend to offer an amendment to the Johnson bill. I am in favor of the Johnson bill. I am not opposed to the Rankin bill. But I believe this House should realize each step it is taking, and I say to you, my friends, it will be a terrible time if in this House of Representatives we should come to the point where we will have to take back any of the compensation or pensions we are promising to the soldiers of our wars. Therefore I ask those of you who can envisage the possibilities of such a condition to give some heed to what we are about to do in enacting the present legislation.

At this point I will insert my proposed amendment, which is a substitute for section 10 of the bill. I will not attempt to read it, but I will explain the three things it is designed to accomplish.

The amendment referred to follows:

Amendment to be offered by Mr. FITZGERALD: That section 10, beginning on line 19, page 12, of H. R. 10381 be stricken out and that there be substituted for said section 10 the following:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals oversens, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had prior to January 1, 1930, an active tuberculous disease, or prior to January 1, 1925, a disability of any character developing a 10 per cent degree or more in accordance with the provisions of subdivision (4) of section 202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting disability in such service between said dates, and said presumption shall be conclusive in cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further*, That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress, and the rate of compensation in such cases shall be 60 per cent of the compensation hereinafter provided: *Provided further*, That from and after the date of this amendment any veteran who is entitled to receive compensation for a disability resulting from injury incurred in action involving actual conflict with the enemy shall be paid an additional allowance in an amount equal to 10 per cent of the compensation otherwise payable."

Mr. FITZGERALD. It has been suggested that we are losing our sense of discrimination, our sense of proportion in regard to veteran legislation, and the admirable address of the chairman of the Committee on Pensions, which we have just heard, again emphasizes this. I listened to what was said very wisely by the gentleman from Illinois. We are losing our sense of proportion. We are not treating our soldiers of the Civil War and our soldiers of the Spanish War on the same basis we are treating the soldiers of the World War. Now, I for one do not want to detract one cent from anything that has been given or that may be given to the soldiers of the World War or any other war, but I do believe that in the interest of fair dealing and in the interest of the security of this country in the future, we should endeavor to treat all fairly and justly and with such discriminations only as rest upon sound and logical bases.

The first thing that my amendment does is to pay an additional 10 per cent compensation to those veterans receiving compensation whose disabilities are due to actual battle casualties in conflict with the enemy.

It is a trifle, but it sets up a distinction which I believe is wise and one which we should keep in mind as we proceed with pension legislation.

The next proposition extends the presumptive date of service connection for tuberculosis alone to January 1, 1930.

This is the most appealing part of the bill presented by my good friend from Mississippi. It is the thing that is most needed, and most needed, I fear, because of the administrative conditions in the Veterans' Bureau.

A great tribute—and a very deserved tribute—has been paid to the Director of the Veterans' Bureau, General Hines, by the chairman of the committee; but that bureau under General Hines, with all his wisdom and all his kindness and all his great military experience, has a regulation known as Regulation 73. I wish that every Member of this House could have been present in the Veterans' Committee when the gentleman from Alabama [Mr. OLIVER], now on the floor of this House, showed how a veteran of this war, enlisting in full health, the finest physical specimen in the family of several soldier brothers, had come back shattered and with every evidence of tuberculosis, yet the circumstances were such that there was not a diagnosis made in accordance with Regulation 73 of the Veterans' Bureau, although it was evident to every member of the committee who heard the testimony presented by our colleague from Alabama

that this man not only has tuberculosis but had contracted it in the service. Compensation had been refused on the ground that the arbitrary requirements of Regulation No. 73 had not been met and the activity of the disease before January 1, 1925, demonstrated, according to the harsh and unreasonable provisions of Regulation 73.

This is a sample of many, many cases which Members on this floor have interested themselves in from time to time. The most pitiable cases before the Veterans' Bureau are these cases of tuberculosis, and especially tuberculosis of the lungs. I believe if there is to be an extension of the presumption of service connection it should be extended to those suffering from tuberculosis, a most insidious disease, a disease where the man afflicted wants to deny it up to the last moment, a disease which is sometimes so slow in its progress and so difficult to diagnose that we may with some degree of truth suggest that a man could have incurred it in the service and still not be able to demonstrate it, in its active form, before the 1st of January, 1930.

So this amendment of mine incorporates this very appealing portion of the bill of my friend from Mississippi and provides that there shall be a compensation for this disability from tuberculosis where there has been an active condition before the 1st of January, 1930.

Then, third, and this is quite a different view on the bill, it provides that to make and carry on the distinctions between these classes whom we want to relieve, where those whose cases under this bill rest upon presumption alone, they shall be paid at the rate of 60 per cent only of the present rates of compensation.

Now, suggesting that 77,000 are known to be entitled to compensation under the bill which we know as the Johnson bill, and which we are now debating, there must be more than double that number who will make application and whose cases must be considered. We can not shut our eyes to the fact, no matter how sympathetic we may be, that the great bulk of these men are men who did not incur any disability whatever by reason of their military or naval service in the war. It is true, in a general way, that we must look after the helpless and the disabled in this country in some form or other, and for this reason I can well reconcile myself to many propositions put forth in our pension and compensation measures; but to keep the proper perspective it seems to me we must make a distinction in favor of those who actually suffered because of their service. There were men just as brave, just as loyal to their country, as those who stayed at home. There were courageous, noble, and patriotic men and women who never had an opportunity to serve in the armed forces. Our national policy is to assume a responsibility for those who serve the country in the most dangerous way in our emergencies. We should assume an especial responsibility to those who actually suffered and are handicapped by reason of their service. I advocate a slight discrimination for those who were actually shot down, gassed, or otherwise wounded on the battle field, and then be as liberal as the resources of the Nation permit toward those who suffered and still suffer by reason of their service to the country in the Army or Navy during the war. They are entitled to all the liberal treatment and care which this great and prosperous and wealthy Nation can give.

If now we do not distinguish between these unfortunate soldiers who are disabled because of their service and those who since the war have developed disabilities which only by the use of the most arbitrary presumptive provision of law can be connected with the military or naval service, then we do not use good judgment nor wise discrimination. These three things are present in the amendment or substitute for Article 10, which I present.

Mr. RANKIN. Will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. RANKIN. I could not hear the gentleman plainly, but I understand that he desires to extend the tubercular patients up to 1930, and that was his attitude before the committee.

Mr. FITZGERALD. Yes.

Mr. RANKIN. Will the gentleman include neuropsychiatric patients?

Mr. FITZGERALD. I have not included them; I will say that I followed the agreement that was entered into between us in the committee. The amendment I shall offer was drafted by the Veterans' Bureau. The gentleman will remember that on that the committee stood 9 and 9 on our agreed amendment to the Johnson bill. This amendment I propose embodies our agreement.

Mr. RANKIN. Now, I want to ask the gentleman from Ohio a further question: Is it not a fact that the strongest appeal for any legislation at all comes with reference to the tubercular men?

Mr. FITZGERALD. Yes; I think that I have already stated that.

Mr. RANKIN. I did not hear it.

Mr. FITZGERALD. That is my reason for extending the amendment to the tubercular men alone, which provides that the rate of compensation for all cases to be given compensation by reason of this bill shall be 60 per cent of the present rate, when the service connection rests upon presumption alone.

This discrimination ought to be made in the very beginning. Just the moment we attempt any legislation which seeks to give relief to disabled veterans whose disabilities are in no way the result of their service, so soon should we make a distinction in the amount of the relief. It should not make a difference that the service pension is given in the guise of compensation. To do otherwise would be calculated to arouse resentment on the part of Civil War and our Spanish War veterans and their friends. If we adopt my amendment and pay these new presumptive cases on the basis of 60 per cent of the present rates, still we are treating World War veterans more liberally than those of any other war.

Sixty per cent will be gladly received by those who now get nothing, but how serious must be the problem if ever, on an attempt to adjust and harmonize our veteran relief legislation, we would seek to cut down the rate of a pension once granted.

Mr. EVANS of California. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. EVANS of California. Has the gentleman any information as to how many of these tubercular cases will be included in his amendment?

Mr. FITZGERALD. I have not the figures, I have an estimate of the expense given by General Hines, in which he said the cost would be $8,700,000 for advancing the presumptive date to January 1, 1930, for tubercular cases alone. With reference to paying the additional 10 per cent to those who have disabilities caused by conflict with the enemy in battle, the expense would be $2,800,000 a year. The extras therefore carried in the amendment, as I have prepared it, would total $11,500,000, and so there would be a saving over the Johnson bill as it now stands of $18,900,000, at least.

Mr. MOORE of Virginia. I was not aware when I interrupted the gentleman that he proposed to incorporate his amendment in the RECORD, so that we would know exactly what he has suggested.

Mr. FITZGERALD. My proposed amendment will be printed in the RECORD. As my amendment restates the entire section 10, I thought it more easy of comprehension if I would explain the three features. The 10 per cent extra for those actually wounded and disabled in battle may be considered sentimental and not especially called for, but it forms the basis for the differentiation in treatment between those who have contributed in different measure to the preservation and advancement of this wonderful country which we are enjoying to-day.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. OLIVER of Alabama. The gentleman has made an informing and interesting statement, which, I am sure, every Member of the House will read with profit, and I ask in that connection that the gentleman call attention to the letter written by General Hines to the chairman of the Committee on Rules, which also contains constructive comments and suggestions. I appreciate the spirit in which the gentleman has discussed this legislation, as, I am sure, do other Members of the House. It has not been in criticism of either the gentleman from Mississippi [Mr. RANKIN] or the gentleman from South Dakota [Mr. JOHNSON], both of whom I feel wish to do the right thing for the veterans.

Mr. FITZGERALD. I thank the gentleman from Alabama very much. It was his appearance before the Veterans' Committee and the splendid presentation of the wrongs that have been endured by veterans because of the arbitrary regulation 73 that impelled me to go as far as I have with reference to these cases of tuberculosis. I stand here in a very peculiar attitude in seeking to amend this bill in a way which will actually save $18,700,000 a year, and yet I do it feeling it should be done before we go further with legislation which is certainly of a pension nature.

Mr. HARE. Will the gentleman's amendment make any provision for those veterans who are totally and permanently disabled regardless of the source or the time of their disability?

Mr. FITZGERALD. No. By my amendment I take the Johnson bill as I find it. It is broader and more liberal than the Rankin bill, because it includes all cases of disability of all diseases up to the 1st of January, 1925. Then my amendment goes further, and takes the liberal provision of the bill sug-

gested by Mr. RANKIN, extending the period for the presumption of service connection for tuberculosis cases to the 1st of January, 1930, but it does not take care of the soldiers who may be totally disabled, whose disability arises after the 1st of January, 1925, and has no connection with their service.

Mr. HARE. Does not the gentleman think that we have quite a large number of veterans who are totally and permanently disabled, who are unable to connect their disability with the service, and who are now objects of charity, who ought to be cared for in this bill?

Mr. FITZGERALD. Absolutely. The gentleman can readily see that it would be an extraordinary case that would not develop before the 1st of January, 1925, when the war was really over in 1919.

Mr. HARE. I just had a report from the Veterans' Bureau which says that there are 2,974 veterans who are totally disabled at the present time, who are permanently disabled, and yet they are unable to connect their disability with the service. I know that in my district, and the gentleman knows that in his district, there are one or two or more who are objects of charity and who have been objects of charity for 8 or 10 years, and I feel that there ought to be some provision in this bill to take care of these deserving soldiers.

Mr. FITZGERALD. My colleague puts this sympathetically, but the gentleman realizes that there are so many of these cases in which he and I rush to the Veterans' Bureau and find that the man, perhaps, has been sent down to Camp Sherman and had been there for three days and had been sent back because they found that he had this particular disability and could not be of service, and then when that man comes and asks for my help my enthusiasm sometimes wanes a little when I think of real soldiers disabled and in misery who really deserve and by their service have merited relief.

I add a copy of the letter General Hines referred to, with a statement of costs involved and showing a saving of $18,900,000 a year over the Johnson bill as it now stands:

UNITED STATES VETERANS' BUREAU,
Washington, March 12, 1930.

Hon. ROY G. FITZGERALD,
House of Representatives, Washington, D. C.

MY DEAR MR. FITZGERALD: This is in further reference to your letter of March 3, 1930, requesting an estimate of the cost for certain provisions contained in H. R. 10381 in the event certain changes were made therein.

In reply to the first inquiry as to the estimate of decreased cost if a provision were inserted to limit the amount of compensation to be paid on claims resting solely upon the new presumption of service connection authorized and directed by this bill, you are advised that if the rates provided by law at the present time were reduced 60 per cent the cost would be $45,600,000 annually. The present estimated cost of this amended section is $76,000,000, assuming that the present rates would be effective.

In reply to your inquiry as to the increased cost involved by extending the present date for presumption of service connection to January 1, 1930, only in cases of tuberculosis and limiting the compensation payable therefor to 60 per cent of the present rates, you are advised that such a provision would entail an additional cost of $8,700,000 annually.

Regarding the third question contained in your letter as to the increased cost in the event 10 per cent were added to compensation paid to veterans whose disabilities are results of battle casualty, or actual conflict with the enemy, you are advised that the additional expenditure occasioned thereby would be approximately $2,800,000 annually.

I trust this is the information you desire.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. RANKIN. Mr. Chairman, I yield 20 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have been very much interested in the debate this afternoon in connection with the pending bill to liberalize the World War veterans' act. I think a majority of the Members of this House, and I am sure all the disabled ex-service men of the country, will agree that the veterans' act needs far more liberalizing than is proposed or contemplated in the pending committee measure. The present law, written to cope with the situation in 1924, is entirely out of date in 1930. The pending bill does not give the relief that I had confidently expected, but it will correct some of the evils of the old law, slash the red tape in thousands of claims, and be a forward step in meeting the Nation's obligations to her disabled soldiers. I am going to support it, because I feel that it is much better than no legislation at all. To say, however, that your bill meets the demands of the American Legion, Veterans of Foreign Wars, and other service men's organizations is preposterous. To urge that this bill will relieve anything like all worthy claims of our disabled veterans is not in keeping with the facts. But even if this committee bill does not do much more than skim the surface as far as the urgent needs are concerned, and even though it denies service connection to thousands of tubercular and mental cases, it is, nevertheless, significant that every dollar paid under its terms will go to the disabled veteran or his wife, widow, orphans, or other dependents. I feel that it should pass without a dissenting vote, with the Rankin amendment, if possible, but by all means pass the bill in some form. This Government has too long delayed doing justice by our disabled veterans, who are growing impatient under endless red tape, extravagance, and incompetency.

In following the discussion thus far upon the floor relative to the committee bill, and especially the speeches I have heard with reference to the proposed Rankin amendment to the bill, the outstanding argument against the passage of this legislation is the enormous expense. Some have placed the estimate of cost of this measure, with or without the Rankin amendment, at approximately $100,000,000. No one seems to know what it will be. The best evidence appears to be that of General Hines, Director of the Veterans' Bureau, who first estimated the Rankin bill at $48,000,000, and later, I believe, changed his figures to $44,000,000. General Hines also estimated that some 77,000 cases would come under the Rankin bill, or amendment. Now it is a significant fact, as brought out in the hearings, that more than 23,000 mental cases included in the Rankin bill would be absolutely barred under the committee measure. In addition to that, more than 18,000 tubercular cases that the Rankin amendment proposes to care for would fail to come under your committee measure. I do not care to hazard a guess at what it will cost the Government under either measure, but I can not conceive of this Congress connecting all claims of all veterans who have disabilities of 10 per cent up to the year of 1925, and, at the same time, refusing to recognize more than 40,000 tubercular and mental cases merely because they did not file their claims before 1925.

Inasmuch as opponents of this legislation insist upon discussing the cost of caring for the disabled veterans, permit me to remind Members of the House that you have passed many bills here for more than $100,000,000 without a roll call. A few weeks ago this House voted to spend $230,000,000 for public buildings, and not a protest, as I recall, was raised against the bill.

Early in the present session of Congress a law was passed returning to the big interests of the country $190,000,000 of income taxes. Some one has raised the point that if this bill is passed, Congress will be compelled to repeal the law refunding $190,000,000 income taxes. This, to my mind, is abundant reason for this legislation. Why not let those millionaires who profiteered to the tune of 500 to 700 per cent during the World War, while our soldier boys worked for $1 a day, help pay cost of this legislation for these disabled and helpless veterans? Last December this House voted to relieve France of $407,000,000 of indebtedness to the United States. Some of you who are now opposing this bill stood on the floor of the House and pleaded eloquently for "poor poverty-stricken France." You were anxious to relieve France of the debt of $407,000,000 which she owed the American people, in order to show your "brotherly love," but to the thousands of our own American soldiers who lost their health in France and who are to-day looking to this Congress for their very existence, you turn a deaf ear, put your hands on your pocketbooks, with the flimsy excuse that it will cost too much money. [Applause.]

Mr. Chairman, in the early part of the present session of Congress I introduced a number of bills to amend the World War veterans' act, looking to the relief of our disabled soldiers. Inasmuch as I may offer further criticism of the pending bill before concluding my remarks, which criticism I trust will be constructive, permit me to say I am delighted to find, after scrutinizing the committee bill, that certain provisions of my measures are incorporated in part in it. Since I shall not hesitate to criticize the weakness of the pending bill, I want to say in all fairness that it has several commendable features, some of which I desire to mention.

For example, the committee bill, when passed, will be of assistance to those tubercular cases filed before 1925, many of which have been turned down. If there was nothing else in your bill except section 13, that proposes to amend subdivision 7, section 102, of the 1924 act, I would favor the bill, provided, of course, we can do no better. If you will turn to page 22, line 10, you will find it reads:

That any ex-service person shown to have had a tuberculous disease of service origin, whether active or otherwise, shall receive compensation of not less than $50 per month.

I am also in hearty accord with a further provision to pay the wife of a veteran in a hospital suffering with tuberculosis and whose income is less than $1,000 per year compensation at the rate of $30 per month; a wife and child of such hospital patient, $40 per month, with $5 for each additional child.

The bill further provides additional time for the filing of application for disability compensation. Concerning misconduct cases heretofore disallowed the committee bill provides that—

No person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct.

The cumbersome insurance law, with all of its red tape, has also been somewhat broadened and clarified, and it is hoped that it will not be necessary to employ additional attorneys to interpret its meaning.

My bill, H. R. 7766, provided that—

Veterans suffering with chronic diseases which competent medical judgment indicates was incurred, increased, or aggravated in the service, such chronic diseases shall be held to be of service origin or aggravation, notwithstanding the lack of historical affirmative evidence.

Immediately after introducing my bill I followed my usual course of asking for a hearing. Not only did I request a hearing on H. R. 7766 but also on the several other measures I introduced for the relief of disabled war veterans. I was not accorded a hearing on any of these bills, but I am not complaining about that. I have understood that this so-called omnibus committee bill would take care of all necessary veterans' legislation. The Veterans' Committee has labored tirelessly for weeks and months and is to be commended for its sincere, unselfish efforts. However, in looking over its bill very carefully I fail to find a paragraph, a sentence, or syllable favoring the admission of competent medical evidence in establishing claims of our disabled veterans. Your committee bill is as silent as the sphinx of the desert on the question of admission of evidence of the local doctors by bureau officials in establishing disability claims.

I have no desire to criticize the Veterans' Bureau unjustly. I have prosecuted many claims before the bureau, and, as a rule, my claims have been successful. It has some 24,000 employees, and a majority of those I have come in contact with, from the director down, have impressed me as being high-class men and women and thoroughly capable. But all of us know that one of the most severe and oft-repeated criticisms heard on the floor of the House against the Veterans' Bureau is the fact that so little consideration is given to affidavits furnished veterans by local doctors. Under the present rule and practice the bureau has employed too many young fellows not long out of school, many of whom have had little or no actual experience. The pay, as I recall, is about $3,000 per year. No one expects competent medical men for that small salary. It is very difficult to secure successful practitioners for $3,000 per year. These school boys, as a rule, know just enough to find fault with the diagnosis of the competent local physician.

The claim of the veteran is promptly turned down because the local doctor did not go into detail and use a lot of high-sounding medical terms that a layman could not understand. For example, this morning I appeared before the division of appeals of the Veterans' Bureau on a tubercular case appealed from the regional office in my State. The record of the case disclosed that the veteran had a hospital record while in the Army, that he was suffering from acute bronchitis at the time of discharge, and that only a few months thereafter a well-known local doctor residing in the district I have the honor to represent diagnosed his case as pulmonary tuberculosis, stating that the claimant was having frequent hemorrhages, with subnormal temperature. Three other physicians whom I know personally, and whose ability and integrity are beyond question, also examined him during the years of 1922, 1924, and 1929, and each found the patient suffering from active pulmonary tuberculosis, and so diagnosed the case. Even an insurance company rejected his application as soon after the veteran's discharge as 1920 on account of his weak lungs and bad heart, as determined by an X ray. This poor fellow, who weighed 172 pounds prior to his enlistment, is to-day a walking skeleton and absolutely unable to perform a day's labor. He is one of the thousands who refused to file a claim against his Government as long as he was physically able to do work, even part of the time. When first examined by bureau doctors in 1929 his case was diagnosed as chronic pulmonary tuberculosis, far advanced "B" active. In a little over 30 days thereafter, however, other alleged bureau physicians, after a supposed-to-be examination, found, or, rather, the record states they found, "no disease of chest found." Shortly thereafter the claim of this veteran was disallowed. The inconsistency, incompetency, and utter lack of sympathy for the veteran on the part of some of the bureau physicians is absolutely appalling.

Mr. CARTWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. CARTWRIGHT. Did I understand the gentleman to say that the veteran had not filed his claim until 1929?

Mr. JOHNSON of Oklahoma. Yes; that is the case. He had not filed his claim until 1929, although four competent local doctors who examined him gave clear and convincing evidence that he has had tuberculosis for 10 years at least.

Mr. CARTWRIGHT. Then that case would not come under the Johnson bill?

Mr. JOHNSON of Oklahoma. No; that case and thousands of other similar cases could not possibly come under the Johnson bill if it is passed without amendment.

Mr. CARTWRIGHT. Then that appears to be a good argument for the so-called Rankin bill?

Mr. JOHNSON of Oklahoma. I think it is a very good argument for the Rankin bill, and I am certain there are thousands of other cases similar to this in the districts of every Member of Congress.

Often we have heard here the Pension Bureau compared with the Veterans' Bureau by Members of Congress, and it is an open secret that the Veterans' Bureau always suffers sadly by the comparison. The Commissioner of Pensions accepts the findings of a competent local doctor. That has not only proved satisfactory but has eliminated much expense, and the taxpayers are certainly entitled to some consideration in the enactment of this legislation.

On the other hand, if a World War veteran can comply with sufficient red tape to secure a medical examination by the bureau, he is sent to his nearest regional office at Government expense. He waits in line for hours and sometimes days, and then, too often, faces one of the bureau's so-called doctors, who would not know a shrapnel wound from an ingrowing toenail. The embryonic, supposed-to-be doctor looks wise and gives the veteran an alleged examination. He seems to delight in telling the veteran there is positively nothing wrong with him. In some instances I have known bureau doctors to lecture veterans and even scold them for taking up their valuable time. I have one case in mind where a disabled soldier who was suffering severely with a pain in his side was scolded and referred to as "a tramp" and "dead beat" by the examining bureau doctor. He was sent home and not long thereafter died of the disability of which he complained and had appealed many times to the bureau for relief. I refer to a personal friend who died because of criminal negligence of a United States Veterans' Bureau medical officer.

Can you imagine such a thing—one of our disabled soldiers held up to contempt and scorn by one of these bureau doctors and called "a tramp" and "a dead beat"? Shortly afterwards this soldier died of the disability he complained of and I had the sad and painful duty of being one of his pallbearers.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentlemen yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. COCHRAN of Missouri. Will the Johnson bill do anything for that man's widow and children?

Mr. JOHNSON of Oklahoma. I am sure it would not if he had any.

Mr. COCHRAN of Missouri. Will the Rankin bill do anything for his widow and children?

Mr. JOHNSON of Oklahoma. I am not sure about that.

Mr. COCHRAN of Missouri. When did the man die?

Mr. JOHNSON of Oklahoma. About two years ago, July, 1928, I believe.

Mr. COCHRAN of Missouri. The Veterans' Bureau denied his claim?

Mr. JOHNSON of Oklahoma. Yes; for many months prior to his last illness his claim was denied. But, may I add, that after the veteran died the bureau suddenly decided that the bureau doctors were wrong and allowed the claim, and his dependent mother was granted a small allowance.

Mr. JOHNSON of South Dakota. That will not help the man now?

Mr. JOHNSON of Oklahoma. No; it will not help him now, but the point I want to convey is that, under the present law and under the Johnson bill, little or no consideration is given to the evidence of competent local doctors.

Mr. JOHNSON of South Dakota. This is entirely a presumptive bill. If the man is disabled, he is presumed to have incurred his disabilities in the service. The gentleman says he is for the so-called Rankin amendment, because it will help more people?





Mr. JOHNSON of Oklahoma. Yes. I am for the Rankin bill, because I think it will take care of the innumerable tuberculosis and mental cases who filed their claims since 1925, and who are absolutely ignored in your bill.

Mr. JOHNSON of South Dakota. How does the gentleman come to the conclusion that the Rankin bill, with an expenditure of $47,000,000, would take care of more men than the Johnson bill, with an expenditure of $100,000,000?

Mr. JOHNSON of Oklahoma. Frankly, I think the gentleman is begging the question. He very well knows I quoted figures from the sworn testimony of Director Hines. Granting that the gentleman's bill will take care of more cases up until 1925, I submit that Congress can not afford to ignore the 40,000 mental and tuberculosis cases. Those figures are in the record. I am of the opinion, however, that neither the director nor the gentleman from South Dakota have any definite information as to what his bill will cost.

Permit me to say further to the gentleman from South Dakota that I am for his bill, but let me suggest to him and other Members of the House that the Rankin amendment would greatly strengthen his bill. It would be a happy compromise to adopt the Johnson bill, that takes care of all cases up to 1925, and then add the Rankin amendment, to care for the many tuberculosis and mental cases that would not come under the Johnson bill.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, inasmuch as I have been interrupted several times, I would like to have a little more time.

Mr. RANKIN. Mr. Chairman, I yield 10 minutes more to the gentleman.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes more.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I will be glad to yield again to the gentleman from Missouri.

Mr. COCHRAN of Missouri. The gentleman says he is in favor of the Rankin bill because it will take care of these additional cases.

Mr. JOHNSON of Oklahoma. Answering, I will say that the Rankin amendment provides for all chronic or constitutional cases who file their claims before 1930.

Mr. COCHRAN of Missouri. Provided that the Veterans' Bureau does not prove that the man was not disabled during the time of his service. The only way to reach a case like that is by the passage of the Swick bill, or the bill I introduced two years ago.

Mr. JOHNSON of Oklahoma. Permit me to suggest to my colleague from Missouri that neither his bill nor the Swick measure is before the House at this time. If this bill is not full and broad enough, I shall be glad to assist my good friend in passing the Swick bill or some other meritorious measure.

Mr. JOHNSON of South Dakota. The gentleman must know that the President would probably veto such a bill.

Mr. JOHNSON of Oklahoma. I will say to the gentleman that I do not know that; neither does he. I do not pretend to speak for the President. But I must add that during my limited experience in Congress I have never seen so many who professed to be spokesman for the President.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I am delighted to yield to the able gentleman from Mississippi.

Mr. RANKIN. The Johnson bill will cost more than the Rankin bill because the Rankin bill would be limited to those cases to the rating of the schedule of the Veterans' Bureau, but the Johnson bill leaves out the tubercular men and the neuropsychiatric men. By the Rankin bill we will reach more men who are in a serious condition and at a cost of less money.

Mr. JOHNSON of Oklahoma. I thank the gentleman from Mississippi for his contribution.

I am informed by an official of the United States Veterans' Bureau, in whom I have confidence, that my competent medical evidence bill, if passed, would connect many thousands of worthy cases of disabled veterans that have been disallowed under the existing law. I submit for the earnest consideration of this House that an amendment incorporating the competent medical-judgment provisions should, in fairness to the veterans, be written into this so-called omnibus measure.

Another section of my bill, which I was unable to get a hearing on, provided for the admission of "lay" evidence, or, in other words, evidence from a disabled veteran's comrades and friends. I note this bill provides that "due consideration shall be given lay evidence." Those words "due consideration" are mighty weak, vacillating, and almost meaningless. Some one has said that when a Member of Congress is opposed to a measure and is solicited to vote for it, he invariably answers with the old stereotyped reply, "I shall be glad to give the matter due consideration." The law governing the Veterans' Bureau in these cases should be specific and mandatory. One of the greatest indictments against the old law enacted in 1924 is that it is too elastic and permits entirely too much "due consideration" on the part of the bureau officials.

For example, during the late unpleasantness I stood within a few feet of my dearest chum and buddy when he was painfully, seriously, and perhaps permanently injured while in action in the front lines. This young man has not seen a well day since his discharge from the Army. A few years ago I submitted a sworn statement to the Veterans' Bureau, setting out my personal knowledge of the facts in connection with the soldier's injuries.

I being a layman and not a member of the medical profession, the Veterans' Bureau, after "due consideration," rejected my testimony and held that the soldier's disability was not of service origin. Even if this and other worthy claimants fail to obtain relief under the pending bill, it will probably be of great consolation to them to know that the Congress of the United States has ordered, adjudged, and decreed that, hereafter, sworn evidence given in the veterans' behalf must needs have "due consideration." [Applause.]

Another bill introduced by me, but which the committee was evidently too busy with great perplexing and nation-wide problems like, for instance, putting uniforms on bellhops and elevator boys at the United States Veterans' Bureau and thus further increasing an already unreasonable overhead expense, as provided in your committee bill, to give even "due consideration," is H. R. 8152. The provisions of my measure are somewhat similar to the Rankin bill and would extend the presumptive period for 10 years from date of the soldier's discharge in cases of chronic diseases. Under the pending committee bill the presumptive period is extended until 1925, which, I think all will agree, is the outstanding feature of this bill. Under the terms of this committee bill all veterans who are given a rating of 10 per cent disability or over by the bureau's alleged doctors are presumed to have contracted such disabilities, regardless of the nature of same, in the service, and the burden of proof is to be taken off the veterans' shoulders and placed on the Veterans' Bureau. Under the amendment which the gentleman from Mississippi [Mr. RANKIN] has given notice he will offer the presumptive period on all chronic and statutory cases is proposed to be extended until 1930. I have endeavored to make it plain that I sincerely trust the Rankin amendment will prevail.

We have heard considerable discussion this afternoon in defense of the officers emergency retirement bill passed by the last Congress. Congress has been magnanimous with the disabled emergency officers of the World War. With one fell swoop it gave them what really amounts to a pension to the tune of from $160 to $300 per month, according to rank. But the enlisted man, who bore the brunt of the war, has been grossly discriminated against. These men gave their all in the most perilous time of the country; and now, when broken in health and down and out, they are entitled to every protection by the Government they fought to defend. Why quibble about dates? Whether they broke in health before 1925 or whether it was 1926 or later, the Government owes the disabled soldiers a debt it can only repay in a small way by providing for them in their hour of need. I somehow feel that I speak the hearts of the loyal citizens of our Nation when I urge that our disabled veterans be given some relief at the earliest possible moment, even though they may be unable to absolutely prove to the satisfaction of the Veterans' Bureau that their disabilities are of service origin.

Shortly after the close of the World War there appeared on the front page of a European edition of an American newspaper published in France for the American soldiers, sailors, and marines a cartoon depicting a wounded American doughboy. This American soldier was portrayed as leaning heavily for support on crutches. One empty sleeve hung limp at his side. The soldier's head was bandaged, and he wore large, darkened eyeglasses, as if he had been blinded by that damnable poison gas. Under that unusual war cartoon were these immortal words:

For him the war has not ended.

To-day I am pleading for that multitude of disabled veterans who are unable to help themselves and for whom "the war is not over." I shall not speak further of this pitiful and heart-sickening tragedy of human wrecks for whom the war did not end November 11, 1918. It is enough to say that thousands of

such cases have been neglected and ignored for a dozen years. Many of these human wrecks represent what were the finest specimens of manhood the world has ever seen back in those never to be forgotten days of 1917 and 1918.

But why consume more of your time in this manner? You have hundreds of these unfortunate men in your districts. I call your attention to the inevitable fact that Congress must act, and act quickly, if many of these war victims are to participate in any benefits at the hands of the Government. They did not fail us back in those dark days when the black clouds of war hung heavily over the land. We must not fail them now! [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. BANKHEAD. Will the Chairman advise the members of the committee how much more general debate remains on the bill?

The CHAIRMAN. The gentleman from South Dakota has 2 hours and 11 minutes remaining; the gentleman from Mississippi has 3 hours and 19 minutes remaining.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 10381, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 4138) entitled "An act to amend the act of March 2, 1929, entitled 'An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries,'" disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAIRD, Mr. SULLIVAN, and Mr. SHEPPARD to be the conferees on the part of the Senate.

The message also announced that the Senate had passed House Concurrent Resolution No. 29, providing for the printing of 3,000 additional copies of House Document No. 328, Seventieth Congress, first session, concerning the Battle of Kings Mountain and the Battle of the Cowpens in South Carolina.

G. A. R. PENSIONS

Mr. STOBBS. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of G. A. R. pensions.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks on the subject of G. A. R. pensions. Is there objection?

There was no objection.

Mr. STOBBS. Mr. Speaker, at this time, when we are considering a measure providing additional relief for our World War veterans, I want to say a word in behalf of certain legislation now pending before the Committee on Invalid Pensions providing additional relief for the veterans of our Civil War and their widows.

The number of Civil War veterans now surviving is a little less than 53,000, of an average age of 86 years. They are passing away at the rate of about 12,000 a year. The actual death rate for the month of March this year was 984, so that within three or four years more in all probability only a few will be with us.

The number of Civil War widows now living is a little over 150,000, of an average age of 75. They are also passing away at a rapid rate—about 21,000 a year, with the actual death rate for the month of March of 1,804.

If there is to be any additional relief furnished by this Government to these veterans and their widows, it must be passed at this session in order to be of any practical benefit.

The proposed bill (H. R. 8765), which was introduced by me, embodies the legislative program of the Grand Army of the Republic and is sponsored and approved by that organization. Briefly, it provides that every Civil War veteran who is now receiving $65 a month shall receive $72, those now receiving $72 a month shall receive $90 a month, and those now receiving $90 a month shall be given $125 a month.

The bill further provides that any widow of a Civil War veteran shall receive $50 a month, irrespective of her age, with the proviso that it shall not apply to the widow of any veteran whose marriage may take place subsequent to the date of approval of this bill, if enacted into law.

Under the present law only those widows whose marriage took place prior to June 27, 1905, are eligible for a pension, and then only at the rate of $30 a month, unless by special act. There are about 55,000 widows now receiving $30 a month and about 98,000 receiving $40 a month as a result of the recent amendment providing for this increase to widows 75 years of age or over.

It is estimated that there would be about 5,000 additional widows entitled to pension as a result of changing the date of eligibility from June 27, 1905, to the date of the enactment of this bill into law.

The additional expense involved, if this legislation were enacted, is estimated by the Commissioner of Pensions at approximately $38,000,000 annually, with a reduction on account of estimated death losses of about $3,400,000 a year, making the net cost the initial year about $34,657,472.

Of the gross amount, the additional expense necessitated as a result of increase in amounts provided for the veterans themselves would be about $9,827,112 annually, and the additional expense necessitated as a result of the increase in amounts provided for those widows who were married prior to June 27, 1905, would be about $25,230,360 annually. An approximate amount of $3,400,000 would be added to this for those widows who married since that date and are not now eligible for pension, but who would become so if this bill were enacted into law.

Surely if we are to do anything more for these few surviving Civil War veterans and their widows now is the psychological time to act, before it is too late for any such additional financial recognition to be of benefit.

No fair-minded person but must agree that this country has been generous to its veterans and their dependents. It has every reason to be, I think we will all agree, and gladly so.

Personally, I am in hearty accord with any plan which may be evolved for handling the whole question of our obligation to our veterans of all wars on a scientific basis, so that there may be no question ever raised of discrimination between veterans of different wars in respect to their individual treatment. All men who have fought for their country in any war and have hazarded their health, their opportunity of earning a livelihood, and their lives should be treated exactly alike. Until such a plan may be worked out we can not be unmindful of our obligation to these few remaining survivors of the war that was fought to save the very existence of this country.

THE TRUTH ABOUT THE RURAL MAIL SERVICE

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my remarks on the work of the rural mail carriers.

The SPEAKER. The gentleman from New York [Mr. MEAD] asks unanimous consent to extend his remarks on the work of the rural mail carriers. Is there objection?

There was no objection.

Mr. MEAD. Mr. Speaker, it appears that a great amount of pressure is being brought to bear in Congress against the interests of the rural mail carriers. Many Members who are not familiar with the duties of the rural carriers or the net salaries which remain after they have paid the cost of maintaining their equipment for carrying the mail, are led to believe that they are overpaid.

A few rural carriers have been accused of making their trips in two or three hours at certain times of the year, but no mention is made of the hours spent in sorting and routing the mail before they start on their trips, or the time required to take care of their collections, or the time it takes to keep their equipment in shape for the next trip. Critics say that many rural carriers do not work eight hours per day, but they fail to state that only a few carriers are receiving eight hours' pay, and they are the ones with extra-long routes. By eight hours' pay I mean the same wages as are paid to other postal employees. The rural carriers run a traveling post office and a freight truck combined. They deliver and collect all classes of mail—C. O. D.'s, insured parcels, registers, money orders, and parcels weighing up to 70 pounds.

The rural carrier is paid for the miles he travels and not the hours he works or the mail he handles. The Government allows him 4 cents per mile to pay the cost of maintaining his equipment. He makes 291 trips each year and receives $11.64 for each mile of his route. But this 4 cents pays only about half the actual cost of his upkeep; he must take from his basic salary at least $10 per year for each mile of his route to pay that part of the cost of maintaining his equipment which the 4 cents per mile fails to cover. Most rural carriers find that it costs them more than $10 a mile per year over the 4 cents allowance, but I take this as the lowest possible estimate. The department has acknowledged that he should be allowed one hour each day to take care of his equipment, whether it be motor or horse drawn.

The rural carrier with the standard route of 24 miles receives $1,800 per year. But he must spend $10 per year for each mile

of his route to pay that part of his upkeep which the 4 cents per mile fails to cover. This amounts to $240. Subtract this from his $1,800 and he has $1,560 as his net salary. He is being paid for only 5 hours and 56 minutes, including the hour allowed for caring for his equipment. When we speak of the time required to serve the rural route, we mean the average the year around, including the long days at Christmas and the auxiliary help which he pays out of his own pocket.

Congress may be asked to consider a bill requiring the rural carrier to do extra work in the post office after he has served his route. In no case should this extra duty lengthen his day's work beyond the time for which he draws pay. In other words, if he has a 24-mile route he is being paid for working 5 hours and 56 minutes each day, and the extra duty should not require him to work longer.

For each mile added to the standard route of 24 miles the rural carrier receives $30 per year, but he must use $10 of this money to help maintain his equipment, leaving $20 per year to add to his salary. So you see, in order for a rural carrier to receive a net salary of $2,100 he must have a mail route 51 miles long. Now, if there can be found a rural carrier serving a 51-mile route who does not work eight hours, or a carrier on a shorter route who does not work all the time for which his route pays him, then there would be no objection to giving him extra work in the office to make up the time lacking, but those on routes having extra heavy mail or very bad roads, who are now working 8 or 10 hours per day, but receiving pay for only 5 or 6, should be paid for their overtime.

Below is a table showing the basic salary for routes ranging from 24 to 51 miles long, the amount that must be deducted from this basic salary to pay that part of the upkeep which the 4 cents per mile fails to cover, the net salary remaining, and the extra time for which this net salary pays.

Length of route in miles	Basic salary	Excess cost over 4-cent rate	Net salary, less upkeep	Time paid
				Hrs. m.
24	$1,800	$240	$1,560	5 56
25	1,830	250	1,580	6 00
26	1,860	260	1,600	6 05
27	1,890	270	1,620	6 09
28	1,920	280	1,640	6 13
29	1,950	290	1,660	6 18
30	1,980	300	1,680	6 23
31	2,010	310	1,700	6 28
32	2,040	320	1,720	6 32
33	2,070	330	1,740	6 37
34	2,100	340	1,760	6 41
35	2,130	350	1,780	6 46
36	2,160	360	1,800	6 50
37	2,190	370	1,820	6 55
38	2,220	380	1,840	7 00
39	2,250	390	1,860	7 04
40	2,280	400	1,880	7 09
41	2,310	410	1,900	7 13
42	2,340	420	1,920	7 18
43	2,370	430	1,940	7 22
44	2,400	440	1,960	7 27
45	2,430	450	1,980	7 31
46	2,460	460	2,000	7 36
47	2,490	470	2,020	7 41
48	2,520	480	2,040	7 45
49	2,550	490	2,060	7 50
50	2,580	500	2,080	7 55
51	2,610	510	2,100	8 00

LAWSON-OWEN ELECTION CONTEST

Mr. BEEDY. Mr. Speaker, I have pending at the Speaker's desk a request for absence from the House for one week owing to death in my family.

For the benefit of the Members of the House I want to say that had I been able I had intended to call up the Lawson-Owen election case at the conclusion of the consideration of the Johnson bill. Inasmuch as I shall be unable to do so, I can only say that as soon as I return I shall make an endeavor to call up the case for consideration by the House.

Mr. GARNER. Will the gentleman yield?

Mr. BEEDY. I yield.

Mr. GARNER. Can the gentleman state about when he expects to call up that case?

Mr. BEEDY. Just as soon as I return from a funeral in my family, of which I have just been notified; possibly in one week.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BEEDY, for one week, on account of death in his family.

To Mr. CLARKE of New York, for three days, on account of important business.

To Mr. PARKER, for three days, on account of important business.

THE LONDON NAVAL CONFERENCE

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an address of the Secretary of State on the result of the London conference.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks by inserting in the RECORD an address by the Secretary of State on the subject of the London conference. Is there objection?

There was no objection.

Mr. BACON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address from London, April 13, of the Hon. Henry L. Stimson, Secretary of State, on the results accomplished at the London Naval Conference:

STATEMENT BY THE HON. HENRY L. STIMSON, SECRETARY OF STATE

Almost three months ago the American delegation landed in England to take part in the London Naval Conference. In order to understand its purpose and to appraise the results which have been accomplished it is necessary to view the background and history of which it is a part. Naval limitation has formed a part of the organized efforts of the world to limit international suspicions and promote good relations. It is a new effort and has grown gradually. At the first Hague conference in 1899 the subject of limitation of arms was one of the purposes for which the conference was called, but all that resulted was a resolution favoring restriction as a desirable end. At the second Hague conference in 1907 it was considered too dangerous to put on the program. Naval competition was going on unchecked in those days as it had been in one shape or another for centuries.

This particular naval race ended in the Great War in 1914, and when that war was over another competitive naval building race had begun. This later one included the United States. For the first time in our history we found ourselves facing the irritations and ill will arising from naval competition. Neither the experiences of the war nor the exhaustion which it caused prevented the world from resuming naval competition, and we found ourselves entangled in it.

Under these circumstances President Harding called the Washington conference, and Mr. Hughes made his historic proposals. They were historic because they changed the moral standards of the world. Before those proposals were made human experience seemed to indicate that naval competition was inevitable. Since that day the conscience of the world has insisted that naval limitation by mutual agreement shall take the place of competition. The Washington conference achieved enough to prove that what the conscience of the world demanded was a practical possibility. From the date of ratification of the Washington treaty not a battleship has been laid down by any nation in the world.

But though the success of that conference was great it was not complete. Only two kinds of warships were limited; cruisers, destroyers, and submarines were not; and after the conference adjourned competitive building began in those types—competition which bade fair to become dangerous. The preparatory commission of the League of Nations tried again and again to agree upon methods of limitation, but failed. In 1927 President Coolidge called the 3-power conference at Geneva, but that conference failed to reach an agreement.

Yet the work of these meetings was not entirely lost, for each one gave tangible evidence that the world believed in the principle of limitation and agreement. But each failure showed the extraordinary difficulty of reaching an international agreement upon that most vital concern of every sovereign State—national defense. And the aftermath of each failure made it more and more evident that an agreement was necessary to the good relations and stability of the naval world. International suspicion, irritation, and ill-will, the ugly children of naval competition, began to show their heads again. At the very time when the world needed all its resources to recover financially and economically from the exhaustion of the Great War the navies of the world were beginning to build up an expensive and dangerous rivalry. It was time to try again to halt this process. The other naval powers suggested that Great Britain and the United States should see if they could get close enough together in their figures to give assurance that the failure of Geneva would not be repeated. Long negotiations took place last summer, culminating in the visit of Prime Minister MacDonald to the United States. Then followed this naval conference.

The problem which faced the American delegation here was difficult and complicated. Since the Washington treaty the United States has laid down no battleships, no aircraft carriers, and no destroyers—and only three submarines. Impelled by the cruiser construction of the other nations, our Congress had instituted a cruiser program, but only two ships of that program were in the water. Our Navy was ill-balanced. The end of the battleship holiday, instituted by the Washington treaty, was approaching and most of our other ships were becoming old and approaching their normal time for replacement.

The question was, Should the United States replace the bulk of its Navy on a competitive basis or upon a basis of limitation reached by mutual agreement with the other naval nations of the world? Would

the other countries whose navies were in better condition than ours agree to such limitation without taking advantage of their better bargaining position? It is to the credit of the faith in the principle of limitation held by Great Britain and Japan that they made no such effort.

Our principal objective when we came here was to extend the principle of limitation by agreement so that it should cover all the elements of the fleet, and thus complete what had been left undone at Washington, at the league, and at Geneva. So far as the fleets of Great Britain, Japan, and the United States are concerned, that purpose has been achieved. There can now be no competition between us. The relation of the fleets is fixed.

Furthermore, the habit of mutual agreement has received one more successful precedent. The principle of limitation is strengthened by its successful practice. At the first meeting of the conference in January I made this statement: "Naval limitation is a continuous process. We regard disarmament as a goal to be reached by successive steps, by frequent revision and improvement. Human affairs are not static but are moving and, we believe, improving. * * * For that reason we feel that the sound and obvious course is to reach such agreements as may be possible now, with the knowledge that they are open to revision at appropriate periods." By our present agreement the favorable attitude of the world is made stronger than ever. The benefit of this momentum will not be limited to the three powers who have actually reached a basis of mutual agreement but will extend also to the efforts of our friends, the French and the Italians, to achieve that goal in the future. Limitation to be effective must be made willingly and with confidence.

We have every hope that France and Italy will eventually join in a limitation of their fleets similar to that which we have attained, but that is a result which to be effective must come only when each country fully realizes the advantages which will follow.

As I have thus pointed out, the main purpose for which this conference was called was to stop the dangers of competition in armaments and to establish the mutual confidence and good will which come with agreement. It is this purpose which connects the conference with the great movement for world peace. Reduction in expenditures, important as it is to each individual nation, is merely a by-product of the other and primary purpose. Moreover, reduction is a benefit which will be increasingly realized as the nations of the world progress in the security obtained by agreement. It is only as mutual confidence develops with increasing experience that nations reduce more and more drastically their military protection. Thus experience under the Washington treaty in regard to battleships has been such that the nations are eager now to reduce the battleship fleets more rapidly than was thought possible in 1922.

Nevertheless, it is proper for me to point out the great reductions and economies which our agreement will accomplish.

The first great economy which we shall achieve is not a reduction but a holiday or postponement of construction of ships. Under the schedules of the Washington treaty the United States was to lay down 10 new battleships and to complete 5 of them during the next six years. Under our present arrangement none of these vessels will be laid down. This means that approximately $300,000,000 which would otherwise have been spent during the next six years will not be spent.

Furthermore, this holiday will, we believe, pave the way for further economies in battleship construction. There is a strong movement under way for a reduction either in the number or the size of our existing battleships. But there is a difference of opinion among the nations concerned as to which of these methods will furnish the best avenue for such reduction. This holiday gives an opportunity to settle this question and to decide upon the method for this further economy.

In estimating the actual reduction which will result from the present conference you have doubtless read many varying sets of figures. These differences have occurred because of the different methods employed by the writers. Some have counted overage ships which happen still to be in commission, while others did not. Some others have counted ships authorized though not yet built, while others did not. And there have been many other variations. I will, however, give you two comparisons on battleships, cruisers, destroyers, and submarines which I think will present the fairest picture of the reductions we have accomplished.

The first is to compare the limitations which we have fixed with the lowest limitations which were entertained at the unsuccessful conference in Geneva in 1927. In 1927 the lowest tonnage figures which Great Britain would discuss for cruisers, destroyers, and submarines taken together were 590,000 tons. In addition to this, she insisted upon retaining until 1936, 25 per cent of overage tonnage. As against this her tonnage in these types of ships under our present agreement will be 541,700 tons, a reduction of 48,300 tons. Japan has agreed to a reduction of 17,950. In addition to this reduction, Great Britain has agreed to scrap immediately 133,900 tons of her battleship fleet. We are to scrap immediately 60,900 tons of our battleship fleet and Japan 26,330 tons.

If you add the total difference for the three fleets of these three nations between the Geneva proposals and our present agreement, there is an aggregate reduction of 345,000 tons. And this is without counting the 25 per cent overage ships which were to be retained under the Geneva proposal.

The other comparison which I suggest is between the three fleets as they stand to-day, including ships built and building and appropriated for, and the same three fleets as they will stand in 1936 under our agreement. Taking these three fleets together, there will be nine battleships scrapped and not replaced. Their combined tonnage is 230,130 tons. Their numbers are the same as the number of Japan's total fleet of battleships under the treaty.

Next there will be a reduction of 205,000 tons in the destroyers of the three powers. That amounts to nearly 40 per cent more destroyer tonnage than will remain in any of the three fleets in 1936.

There will be a reduction of 68,000 tons in submarines, and that is nearly 16,000 tons more than will be allowed to any of three countries in 1936.

In American cruisers there will be an actual increase under the new agreement. But this is due solely to the fact that we have been idle in cruiser building for nearly 10 years and now find ourselves with less than a quarter of the normal proportion of cruisers which we should have in respect to the rest of our fleet.

Therefore, in order to create a smaller but better-balanced fleet than we now have and to achieve parity with Great Britain it is necessary for us to increase our cruiser tonnage. This increase is comparatively small because the British have agreed to reduce their tonnage by 20 cruisers in order to meet us, and for that same purpose the Japanese have agreed not to increase the number of their cruisers. As a result the total net reductions in the three fleets built, building, and appropriated for, is in the neighborhood of 460,000 tons. That reduction alone is greater than the total present Italian fleet.

Thus far, I have been speaking only of fighting ships. There are also, as you doubtless know, many service ships in the navy which are not classed as combatant but in discussing economy these ships very properly enter into the picture. In the three fleets of Great Britain, Japan, and the United States, there are 220,000 tons of these ships which under our present agreement will not be replaced after they are retired for age. This means ultimately a reduction of 220,000 tons and a corresponding reduction in expenses.

In our present agreement we have reached the lowest level of limitation that I have ever heard seriously discussed before. We have reached a lower level than any of us on any delegation felt confident could be attained when we came here.

Furthermore, this conference has achieved certain great moral advantages. The experience of our negotiations has made it clear that naval rivalry between the United States and Great Britain is definitely at an end. No negotiations could have been more frank and cordial and satisfactory than those we have had with the British delegation. The same applies to our relations with the Japanese delegation. They have shown a readiness to join in the great aims of the conference which is beyond praise. The very great improvement in the friendly relations between the United States and Japan which followed the Washington conference will certainly be intensified and continued by this conference.

As our naval problems do not reach those of France and Italy we have not directly participated in the negotiations of those countries, but our contacts with their delegations have been uniformly friendly and we believe that we have contributed to the present spirit of good will which makes it now seem probable that they will ultimately agree among themselves and add the limitation of their fleets to our present treaty.

And now a word about our own delegation. It has consisted of seven delegates who have worked together as a harmonious group. Every decision of importance has been discussed by every member before it was taken and every such decision has been unanimous. In technical matters we have had the advice and assistance of Admiral Pratt, the commander in chief of the United States Fleet, and his very effective assistant, and until his departure a few weeks ago on account of illness we had the able help of Admiral Jones. In addition to this we have had the advantage of the wisdom and advice of the loyal and capable staff of the Department of State and the American Embassy in London.

We believe we have successfully accomplished the mission with which we have been intrusted by our country.

ADJOURNMENT OVER

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow, Friday, it adjourn to meet on Monday next.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-morrow, it adjourn until Monday next. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, we want to finish the veterans' bill this week. A good many Members of the House are extremely interested in it, and some of them will not be able to be here a part of the time next week, and they insist that we finish the bill before we quit. So, I am going to object, for the time being at least. I may say to the gentleman from Connecticut [Mr. TILSON] that I am willing to

speed up the general debate, and if possible read the bill and finish it to-morrow, and if that is done, then I will not object to the request of the gentleman from Connecticut.

Mr. JOHNSON of South Dakota. Reserving the right to object, I will say to the gentleman that there is no hope of finishing the bill to-morrow, with the requests for debate that we have and knowing what is going to occur in the shape of amendments to be offered.

Mr. TILSON. Mr. Speaker, we have been adjourning over Saturdays, and next Saturday is the Saturday before Easter. Many of the Members would like to go to their homes for Easter Sunday, so I hope the gentleman from Mississippi [Mr. RANKIN] will not insist upon his objection. The bill under consideration will be the unfinished business and nothing else can come ahead of it next week.

Mr. RANKIN. Does the gentleman mean beginning on Monday morning?

Mr. TILSON. No; not Monday, because Monday is unanimous-consent day, but all the balance of the week will be available except the time taken up by the Calendar Wednesday rule, the special orders.

Mr. RANKIN. Would it suit the gentleman from Connecticut to make his request to-morrow?

Mr. TILSON. It is apparent that we can not finish the bill under consideration on to-morrow unless we sit very late. If we are to adjourn over at all the Members would like to have sufficient notice so that they may arrange to go to their homes.

Mr. RANKIN. I must insist that we finish this bill this week, if possible. I am sorry to disagree with the gentleman from Connecticut, but I think we can finish this bill by speeding up a little, and I think it is more important that we finish the legislation this week than that we adjourn over until Monday.

Mr. O'CONNOR of Louisiana. May I ask the gentleman from Mississippi why is it so important to finish the bill this week? There are many who would like to be heard, and in view of its importance it would be better to have it well considered.

Mr. RANKIN. It has been delayed quite a long time, and as I said a while ago there are some Members who can not be here a part of the time next week who can be here to-morrow and Saturday, who are insisting that the bill be finished.

Mr. O'CONNOR of Louisiana. I think it would be the part of wisdom to let this go over until next week so that we may have a full discussion of it.

Mr. PATTERSON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PATTERSON. My idea is that we would run a great risk of being able to get through on Saturday, and I hope the gentleman will not object.

Mr. TILSON. If the gentleman insists upon his objection it will probably mean that we shall run here to-morrow and Saturday, and then have to go on next Tuesday. With the assurance that nothing is going to interfere with this bill and that it will go on next Tuesday until finished, I do not see why the gentleman should object.

Mr. RANKIN. Will the gentleman from Connecticut withhold his request until to-morrow at noon. I would like to confer with the Members I have in mind.

Mr. TILSON. The trouble is that Members would like to know in order to make their arrangements. For the convenience of the Members I should like to have it understood now that we shall not meet Saturday.

Mr. RANKIN. They can make their arrangements to-morrow afternoon. We ought to stay here and finish this bill. At any rate, I want to confer with these Members, because they have come to me personally and told me they are very much interested in this legislation and could not be here next week. Therefore it will be impossible for them to be here unless we finish the bill this week. If the gentleman will withhold his request until to-morrow noon I will confer with them.

Mr. TILSON. Then the Members of whom the gentleman speaks will probably not be here when the bill is voted on?

Mr. RANKIN. Yes; they will.

Mr. TILSON. I think it very improbable that we shall reach a vote on Saturday, even if we remain in session Saturday. There are several Members who desire to go home and spend Easter with their families.

Mr. DENISON. If the bill is passed next week, it will receive the consideration of the Senate just as quickly as if it is passed this week.

Mr. RANKIN. I will say to the gentleman from Illinois that that is not the question with me. There are some Members who are very much interested and who insist on having the bill finished this week, because they can not be here unless it is finished this week.

Mr. TILSON. That will be unfortunate, because the same gentlemen would probably miss their votes even if we should remain in session Saturday.

Mr. RANKIN. If the gentleman from Connecticut will assure me that this will be the unfinished business next week, if we do not get through with it to-morrow, I may withdraw my objection.

Mr. TILSON. We shall go on with the bill next Tuesday and it will be the unfinished business. Nothing else will be put ahead of it that is not required by the rules or authorized by special orders.

Mr. RANKIN. Will not Calendar Wednesday interfere?

Mr. TILSON. No; Calendar Wednesday has already been moved to Friday.

Mr. RANKIN. So we would have Tuesday and Wednesday?

Mr. TILSON. We shall have Tuesday, Wednesday, and Thursday, if necessary, for the disposition of the bill.

Mr. RANKIN. In the light of that statement, Mr. Speaker, I will withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. J. Res. 3. Joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616); and

H. R. 9546. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes;

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium"; and

S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 54 minutes p. m.) the House adjourned until to-morrow, Friday, April 18, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, April 18, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE NO. 2

(10 a. m.)

To amend section 22, Title II, of the National Prohibition Act, to provide for citation by publication to relieve congestion of the courts (H. R. 9563).

(11 a. m.)

To provide for an additional justice of the Supreme Court of the District of Columbia (H. R. 974).

To provide for the appointment of two additional justices of the Supreme Court of the District of Columbia (H. R. 2903).

To provide for the appointment of two additional justices of the Court of Appeals of the District of Columbia (H. R. 2904).

For the appointment of two additional associate justices to the Court of Appeals of the District of Columbia (H. R. 9045).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation.

EXECUTIVE COMMUNICATIONS, ETC.

414. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting supplemental estimate of appropriations for the Office of Public Buildings and Public Parks of the National Capital for the fiscal year 1931, amounting to $299,157 (H. Doc. No. 353); was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PERKINS: Committee on Coinage, Weights, and Measures. H. R. 4192. A bill to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark; without amendment (Rept. No. 1188). Referred to the House Calendar.

Mr. PERKINS: Committee on Coinage, Weights, and Measures. H. R. 11008. A bill to authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial of the surrender of Cornwallis at Yorktown; without amendment (Rept. No. 1189). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 11144. A bill to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes; with amendment (Rept. No. 1190). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 282. A joint resolution authorizing the appointment of an envoy extraordinary and minister plenipotentiary to the Union of South Africa; without amendment (Rept. No. 1191). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. J. Res. 300. A joint resolution to permit the Pennsylvania Gift Fountain Association to erect a fountain in the District of Columbia; with amendment (Rept. No. 1192). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOUSTON of Hawaii: Committee on the Territories. H. R. 11134. A bill to amend section 91 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; without amendment (Rept. No. 1193). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. H. R. 9996. A bill to amend the act entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," approved February 11, 1929; without amendment (Rept. No. 1205). Referred to the Committee of the Whole House on the state of the Union.

Mr. MERRITT: Committee on Interstate and Foreign Commerce. H. R. 11679. A bill to extend hospital facilities to certain retired officers and employees of the Lighthouse Service, to improve the efficiency of the Lighthouse Service, and for other purposes; without amendment (Rept. No. 1206). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on Expenditures in the Executive Departments. H. R. 8003. A bill to fix the compensation of the assistant heads of the executive departments; with amendment (Rept. No. 1207). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. S. 320. An act authorizing reconstruction and improvement of a public road in Wind River Indian Reservation, Wyo.; without amendment (Rept. No. 1208). Referred to the Committee of the Whole House on the state of the Union.

Mr. WATRES: Committee on the Post Office and Post Roads. H. R. 11704. A bill to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation; with amendment (Rept. No. 1209). Referred to the Committee of the Whole House on the state of the Union.

Mr. LETTS: Committee on Indian Affairs. H. R. 10932. A bill for the relief of homeless and destitute Chippewa Indians in Forest, Langlade, and Oneida Counties, Wis.; without amendment (Rept. No. 1210). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 5292. A bill to authorize the city of Napa, Calif., to purchase certain public lands for the protection of its water supply; without amendment (Rept. No. 1194). Referred to the Committee of the Whole House.

Mr. COYLE: Committee on Naval Affairs. H. R. 3950. A bill for the relief of David A. Dehart; without amendment (Rept. No. 1195). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 4731. A bill for the relief of Frederick Rasmussen; without amendment (Rept. No. 1196). Referred to the Committee of the Whole House.

Mr. COYLE: Committee on Naval Affairs. H. R. 4906. A bill for the relief of Col. Frank E. Evans, United States Marine Corps; with amendment (Rept. No. 1197). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 4907. A bill for the relief of Thomas Wallace; with amendment (Rept. No. 1198). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 4760. A bill for the relief of Guy Braddock Scott; without amendment (Rept. No. 1199). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 6453. A bill for the relief of Peder Anderson; without amendment (Rept. No. 1200). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 8117. A bill for the relief of Robert Hofman; without amendment (Rept. No. 1201). Referred to the Committee of the Whole House.

Mr. COYLE: Committee on Naval Affairs. H. R. 11212. A bill to recognize the high public service rendered by James C. Burke in voluntarily submitting himself for a test in an effort to discover the cause and means of transmission of malarial fever; without amendment (Rept. No. 1202). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 11297. A bill for the relief of Arthur Edward Blanchard; without amendment (Rept. No. 1203). Referred to the Committee of the Whole House.

Mr. NOLAN: Committee of the Public Lands. H. R. 11477. A bill for the relief of Clifford J. Turner; without amendment (Rept. No. 1204). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SMITH of Idaho: A bill (H. R. 11718) to provide for the aiding of farmers in any State by the making of loans to drainage districts, levee districts, levee and drainage districts, counties, boards of supervisors, and/or other political subdivisions and legal entities, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. NEWHALL: A bill (H. R. 11719) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Carrollton, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. GARBER of Oklahoma: A bill (H. R. 11720) to provide for the appointment of one additional district judge for the northern, eastern, and western districts of Oklahoma; to the Committee on the Judiciary.

By Mr. SUTHERLAND: A bill (H. R. 11721) for the construction of a Coast Guard cutter for Alaskan waters; to the Committee on Interstate and Foreign Commerce.

By Mr. WURZBACH: A bill (H. R. 11722) to amend the act entitled "An act making eligible for retirement under certain conditions officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War"; to the Committee on World War Veterans' Legislation.

By Mr. STONE: A bill (H. R. 11723) to establish a Federal flood control board; to the Committee on Flood Control.

By Mr. DRANE: A bill (H. R. 11724) for the relief of the State of Florida for damage to and destruction of roads and bridges by floods in 1928 and 1929; to the Committee on Roads.

By Mr. HALL of Indiana: A bill (H. R. 11725) to amend the District of Columbia traffic act, approved March 3, 1925, as amended; to the Committee on the District of Columbia.

By Mr. HOPE: A bill (H. R. 11726) authorizing and directing the Secretary of Agriculture to investigate all phases of crop insurance; to the Committee on Agriculture.

By Mr. SWING: A bill (H. R. 11727) to authorize the erection of a United States Veterans' Bureau hospital in the State of California; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 11728) granting a pension to Lydia Jarvis Middleton; to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 11729) to legalize a pier and wharf at the southerly end of Port Jefferson Harbor, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. BACHARACH: A bill (H. R. 11730) granting an increase of pension to Catherine A. Applegate; to the Committee on Invalid Pensions.

By Mr. CARTER of California: A bill (H. R. 11731) for the relief of Eleanor K. Webber; to the Committee on Claims.

By Mr. CRAMTON: A bill (H. R. 11732) to provide for a preliminary examination and survey of Lake St. Clair and the Clinton River, Macomb County, Mich.; to the Committee on Rivers and Harbors.

By Mr. CROWTHER: A bill (H. R. 11733) granting an increase of pension to Anna Corte; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11734) for the relief of John T. Pierson; to the Committee on Military Affairs.

By Mr. EVANS of California: A bill (H. R. 11735) granting a pension to Willumetta Powers; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 11736) for the relief of B. A. Cannon; to the Committee on Claims.

Also, a bill (H. R. 11737) granting an increase of pension to E. Jennette Redding; to the Committee on Pensions.

By Mr. HALL of Mississippi: A bill (H. R. 11738) granting a pension to Hobart A. Smith; to the Committee on Pensions.

By Mr. JONES of Texas: A bill (H. R. 11739) granting a pension to Henry K. Duke; to the Committee on Pensions.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 11740) granting an increase of pension to Phoebe Jane Hanes; to the Committee on Invalid Pensions.

By Mr. KENDALL of Kentucky: A bill (H. R. 11741) granting a pension to Susan Barlow; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 11742) granting an increase of pension to Caroline York; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 11743) for the relief of William G. Burress; to the Committee on Military Affairs.

By Mr. NELSON of Missouri: A bill (H. R. 11744) granting a pension to W. J. Vaughan; to the Committee on Invalid Pensions.

By Mr. PEAVEY: A bill (H. R. 11745) for the relief of Oscar C. Olson; to the Committee on War Claims.

By Mr. SINCLAIR: A bill (H. R. 11746) granting an increase of pension to Phebe Murray; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 11747) granting an increase of pension to Louise L. Pettengill; to the Committee on Invalid Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 11748) waiving the maximum age limit in the case of Capt. William E. Parker, and making him eligible for appointment in the Judge Advocate General's department, Regular Army; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 11749) granting a pension to Sarah Dumpson; to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 11750) granting an increase of pension to Sedate C. Cooley; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 11751) for the relief of Adolph Morales; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6803. By Mr. BACON: Petition of sundry residents of Baldwin and Freeport, indorsing the proposal for the exemption of dogs from vivisection in the District of Columbia; to the Committee on the District of Columbia.

6804. By Mr. BLOOM: Petition of post-office employees of New York, earnestly requesting Congress to enact into law House bill 6603, which provides for a 5½-day week; to the Committee on the Post Office and Post Roads.

6805. By Mr. BURDICK: Petition of the Town Council of Barrington, R. I., memorializing Congress to enact House Joint Resolution 167, directing the President to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

6806. Also, petition of residents of Providence, R. I., to the Congress to enact into law certain bills increasing Spanish War pension rates; to the Committee on Pensions.

6807. By Mr. CLARKE of New York: Resolution of the Common Council of the city of Binghamton, N. Y., memorializing the Congress of the United States for the adoption of House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

6808. By Mr. CRAIL: Petition of many citizens of Los Angeles County, Calif., favoring increased Spanish War veterans' pensions; to the Committee on Pensions.

6809. Also, petition of L. E. Mulkey and 120 citizens of California, favoring legislation for increase of pensions for the widows of Indian war veterans; to the Committee on Pensions.

6810. By Mr. CROWTHER: Petition of residents of Montgomery County, N. Y., against proposed calendar change of weekly cycle; to the Committee on Foreign Affairs.

6811. Also, petition of residents of Schenectady and Scotia, N. Y., favoring passage of House bill 2562; to the Committee on Pensions.

6812. By Mr. CULLEN: Resolution of the National Farmers' Union, urging the granting of Philippine independence at the earliest possible time and the establishment of proper tariff protection on agricultural products coming from those islands; to the Committee on Insular Affairs.

6813. By Mr. DEMPSEY: Petition signed by 49 residents of the city of Tonawanda, N. Y., urging speedy consideration and passage of House bill 2562; to the Committee on Pensions.

6814. By Mr. HAWLEY: Petition of voters of Douglas County, Oreg., praying for pension legislation; to the Committee on Pensions.

6815. By Mr. JOHNSON of Texas: Petition of Texas Farm Bureau Federation, Dallas, Tex., opposing a tariff on lumber; to the Committee on Ways and Means.

6816. By Mr. LINDSAY: Petition of Kings County District Council, Steuben Society of America, Brooklyn, N. Y., expressing hearty accord with House Joint Resolution 213, providing for the issuance of special stamps in honor of Baron Von Steuben, and urging that it be enacted at once; to the Committee on the Post Office and Post Roads.

6817. Also, petition consisting of individual letters, registering protests against the Federal education bill, and contending that education is a local matter and not for Government administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Catherine Dwyer, Anna E. Kirwin, Robert J. Kirwin, Mary E. Lawler, Catherine E. Lawless, Sadie McAllister, Margaret McBride, Margaret McDonnell, William McGeough, Catherine Moran, F. C. Richardson, Margaret J. Richardson, Mary Richardson, and Margaret M. Savage; to the Committee on Education.

6818. By Mr. MANLOVE: Petition of residents of National Military Soldiers' Home, Los Angeles, Calif., urging passage of House bill 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

6819. By Mr. SMITH of West Virginia: Resolution adopted by the Chamber of Commerce, of Huntington, W. Va., favoring legislation to provide adequate and just compensation to the personnel of the Army and Navy, etc.; to the Committee on Military Affairs.

6820. By Mr. SPARKS: Petition of Jacob Medley and 16 others of Logan, Kans., for an increase in pension for veterans of the Spanish-American War; to the Committee on Pensions.

6821. By Mr. TAYLOR of Tennessee: Petition of city council of Knoxville, Tenn., urging the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

6822. Also, petition of Greene County (Tenn.) Chamber of Commerce, urging the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

6823. Also, petition of Lenoir City (Tenn.) Junior Order Council, urging the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

6824. Also, petition of Rogersville (Tenn.) Chamber of Commerce, urging the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

6825. Also, petition of Knoxville (Tenn.) Automotive Trade Association, urging the passage of the Norris bill for development of Muscle Shoals; to the Committee on Military Affairs.

6826. Also, petition of Retail Credit Association of Knoxville, Tenn., urging the passage of the Norris bill for development of Muscle Shoals; to the Committee on Military Affairs.

6827. Also, petition of citizens of Coal Creek, Anderson County, Tenn., urging the passage of Norris bill for development of Muscle Shoals; to the Committee on Military Affairs.

6828. Also, petition of citizens of Knoxville, Tenn., urging the passage of the Norris bill for the development of Muscle Shoals; to the Committee on Military Affairs.

6829. By Mr. WOOD: Petition of citizens of Lafayette, Ind., asking for the enactment of legislation granting increased rates of pension for soldiers of the Civil War and their dependents; to the Committee on Invalid Pensions.

SENATE

FRIDAY, *April 18, 1930*

(Legislative day of Thursday, April 17, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Smoot
Ashurst	George	La Follette	Steck
Baird	Gillett	McCulloch	Steiwer
Barkley	Glass	McKellar	Stephens
Bingham	Glenn	McNary	Sullivan
Black	Goff	Metcalf	Swanson
Blaine	Goldsborough	Norbeck	Thomas, Idaho
Blease	Gould	Norris	Thomas, Okla.
Borah	Greene	Nye	Trammell
Brock	Hale	Oddie	Tydings
Brookhart	Harris	Overman	Vandenberg
Broussard	Harrison	Patterson	Wagner
Capper	Hatfield	Phipps	Walcott
Caraway	Hawes	Pittman	Walsh, Mass.
Connally	Hayden	Ransdell	Walsh, Mont.
Copeland	Hebert	Robinson, Ind.	Waterman
Couzens	Heflin	Robsion, Ky.	Watson
Dale	Howell	Sheppard	Wheeler
Deneen	Johnson	Shipstead	
Dill	Jones	Shortridge	
Fess	Kendrick	Simmons	

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

PETITIONS

Mr. BLAINE presented resolutions adopted by the common councils of the cities of Marshfield and Menasha, Wis., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which were referred to the Committee on the Library.

JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I send forward a telegram just received from E. B. Jeffress, editor of the Greensboro News, containing some information which Senators will be glad to have. I ask that the clerk may read the telegram.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The legislative clerk read as follows:

GREENSBORO, N. C., *April 18, 1930.*

Hon. LEE S. OVERMAN,
United States Senator, Washington, D. C.:

Have mailed you special delivery to-night complete text of what Daily News printed about Judge Parker's speech of acceptance in its issue of March 4, 1920, following his nomination for governor. Distorted reports of what the Daily News printed are being circulated as part of propaganda against Judge Parker, inspired perhaps by communists working through the negro organizations. Nowhere do we find that we printed that Judge Parker, if elected governor, would resign if election due to one negro vote. Would appreciate those undertaking to quote Daily News to furnish dates and we will gladly run the matter down and furnish true text of printed matter.

E. B. JEFFRESS.

Mr. OVERMAN. I now send forward a letter from Dr. E. A. Alderman, president of the University of Virginia, and ask that it be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The legislative clerk read as follows:

UNIVERSITY OF VIRGINIA,
Charlottesville, April 16, 1930.

Senator LEE S. OVERMAN,
Senate Chamber, Washington, D. C.

MY DEAR SENATOR OVERMAN: I am just writing this letter to express the hope that you are going to be able to confirm Judge Parker for the Supreme Bench. I have been pleased to see how fine and thoughtful an interest you have been showing in it. It seems to me it would be a very wrong thing, from all standpoints, to fail to confirm him.

Faithfully yours,

E. A. ALDERMAN, *President.*

Mr. OVERMAN. I now send forward another letter, this one being from Judge Ernest Woodward, of Kentucky, and I ask that it be read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The legislative clerk read as follows:

LOUISVILLE, KY., *April 16, 1930.*

Mr. L. S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: Having been engaged for more than 30 years in the general practice in both State and Federal courts, I presumed to telegraph you on the 14th, urging the confirmation of Judge Parker as a Justice of the United States Supreme Court.

In our practice we have and do represent corporations, individuals, and labor organizations. In 1920 Judge Moorman, now a judge of the United States Circuit Court of Appeals for the Sixth Circuit, was a partner with the writer, and we defended a labor union which we thought was improperly enjoined, and on appeal to the United States Circuit Court of Appeals at Cincinnati reversed the judgment of the district court. See Davis *v. Henry* (266 Fed. 261 (6 C. C. A.)). I mention this fact only to illustrate that I am not blind to the just claims of organized labor. However, when organized labor, or any other special interest, seeks to place upon the Supreme Court its own partisans, or seeks to defeat judicial advancement because the judge nominated has observed the binding force of decisions made by the Supreme Court, it seems to me that a vigorous protest ought to be made.

I have discussed Judge Parker's nomination with many lawyers representing a fair cross section of the Kentucky bar, and it is their unanimous opinion that the objections offered to his confirmation are trivial, and, if successful, would constitute a serious menace to judicial independence.

Your support of Judge Parker's nomination is much appreciated by the Kentucky lawyers, including myself.

Yours sincerely,

ERNEST WOODWARD.

Mr. NORRIS. Mr. President, since the Senator from North Carolina [Mr. OVERMAN] has to-day and on a preceding day offered several telegrams and letters relating to the Parker nomination, in that connection I desire to ask that an editorial on the same question appearing in the Washington News may

be read. I send the editorial to the desk and with the exception of one sentence, which I have stricken out, I should like to have the entire editorial read.

The VICE PRESIDENT. Without objection, the Secretary will read, as requested.

The legislative clerk read as follows:

[From the Washington Daily News]

WIDOW COOK, ABE SPAN—AND THE SUPREME COURT

Hal Cook worked for Henry Ford. He is dead now. His job was in the assembling plant at Houston, Tex. One day the foreman told him to go to the dock and help unload a Ford ship. He went. They put him down in the hold of the vessel to move crates. He did—and that knocked him out. At first they called it a strain. But a blood clot formed. He died.

His widow and child have no money to live on.

Abe Span was luckier. He didn't get killed; he just lost an eye. Abe had a job at the Baizley Iron Works in Philadelphia. The boss sent him down to the water front to do a bit of painting in a ship's boiler room. There he began to paint the angle irons. Presently a man came along with a blow torch. Carelessly he swung the torch in the painter's face and Abe will never see out of one eye. And that is the story of Abe Span—except that no one wants a half-blind laborer, even if he does have to go on trying to live.

"Something should be done about such cases. There ought to be a law." Of course!

Well, it happens that there is a law, several of them. But, no; that is not quite accurate. These "workmen's compensation" and "employers' liability" laws, as they are called, do not just "happen" to exist. They are the result of long and hard battles for the workers' rights in the State legislatures and Congress.

The purpose of such laws is that the Hal Cooks and the Abe Spans, who are injured or killed through no fault of their own while doing an employer's work, shall receive a little compensation—they or the dependents they leave behind.

But those laws have not helped Abe Span, or the widow and orphan of Hal Cook.

It seems that there is a lot of red tape about getting the compensation. That can't be helped. The State compensation board must have all sorts of papers and go through many motions, which are naturally rather confusing to 1-eyed men and widows and orphans. Then there are the insurance companies, who sometimes are not anxious to pay claims.

Hal Cook's widow could not afford a long lawsuit in order to get the $20 a week due her. But there was no other way out. The insurance company removed the case to Federal court, claiming that the State law did not cover the boat and stream. The Federal district court decided in favor of the widow. The Federal circuit court of appeals did likewise. After all the misery and the money spent, the widow at last was to get the $20 a week—or so it seemed.

Meanwhile, up in Pennsylvania Abe Span also was being rewarded a little for his hard and patient struggle to get the compensation coming to him under the law. The insurance company objection that the accident did not occur on land was brushed aside. The State industrial commission granted the award. The company forced the case into the courts. But the Pennsylvania courts held in favor of the man who had lost his eye.

So at last Mrs. Hal Cook and Abe Span thought they were to get justice. They were mistaken. And that is another story.

Being only working people, who had little or no money and time for education and reading, they may never have heard of a group of nine elderly gentlemen in Washington. Or if they had heard of the United States Supreme Court, they doubtless thought their poor little cases would never gain the attention of that august body.

If they had known more about the Supreme Court they would not have permitted themselves the luxury of that brief period of happiness. They would have known that the Supreme Court had come to hold one thing sacred—property rights. The Constitution and the laws also are supposed to protect human rights, but somehow the Supreme Court seems less aware of that fact.

Of course the widow Cook didn't get her $20 a week and Abe didn't get his compensation. The Supreme Court overruled the State commissions and the lower courts in both cases. The decisions, read by Mr. Justice McReynolds for the majority, were very learned, though the widow and the 1-eyed man haven't yet been able to understand. The court's idea in the Span case was that the money which the insurance company would distribute among its policyholders, who are nonmaritime employers, might cause a rise in insurance rates, which in turn might cause such an employer to raise prices, which in turn might cause the shipowner to raise his prices, thus "affecting commerce and navigation"; and therefore in the Span case, as in the Cook case, these "maritime jurisdiction accidents" were held as not coming under the compensation laws.

But that is not the end of the story.

Last Monday when the Supreme Court handed down those McReynolds majority decisions, three of the justices dissented—Holmes, Brandeis, and Stone. They held that compensation was due under the law. Learned in the law, as they are, they could see no relation between "navigation" and the work that Cook, the mechanic, and Span, the painter, were doing on those boats by the riverside.

At the same hour that the court was announcing its decision, in the Senate Judiciary Committee the fight was being made to prevent the addition of John J. Parker, the antilabor judge and politician from North Carolina.

The end of the story for other Widow Cooks and Abe Spans of the country will depend upon whether the Senate can keep the Parker type of judge off the Supreme Court bench.

Mr. BLEASE. Mr. President, I ask, without reading, to have printed in the RECORD following the editorial which was read at the request of the Senator from Nebraska [Mr. NORRIS], a letter addressed to President Herbert Hoover by the committee on race relations of the Society of Friends of Philadelphia.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON RACE RELATIONS,
SOCIETY OF FRIENDS,
Philadelphia, April 17, 1930.

President HERBERT HOOVER,
The White House, Washington, D. C.

DEAR PRESIDENT HOOVER: You have submitted to the Senate for nomination to the Supreme Court of the United States the name of Judge John J. Parker, of North Carolina.

While running for Governor of North Carolina in 1920, Judge Parker is reported to have stated that he concurred in the attitude of the Republican Party in his State, which did not want the negro as a voter or in politics. To our knowledge, Judge Parker has not denied this statement.

If Judge Parker still holds this opinion, we do not see how he can conscientiously take the oath of office, in view of the plain intent of the fourteenth and fifteenth amendments.

We can not, therefore, but feel that it would be unfair to a tenth of the American people, as well as the rest of us who take these amendments seriously, to have a man holding such opinions seated on the Supreme Court.

We as Friends believe that a wholesome respect for the achievement of the negroes is warranted, considering the opportunities available, and that more general participation in public affairs on the part of these people should be encouraged. Their participation in the late war was certainly actively encouraged and, indeed, demanded. It was apparently willingly given. It is not fair to demand the harder duties of citizenship and then to deny the full rights and privileges guaranteed them by our amended Constitution.

We are sending a copy of the protest to Judge Parker with the statement that we will gladly withdraw our protest if he is willing to state that he no longer holds any such unfriendly views toward negroes, as he formerly expressed, and that if confirmed he will just as loyally support the spirit and letter of the fourteenth and fifteenth amendments as other parts of the Constitution.

Signed on behalf of the committee.

Respectfully,

RUTH VERLENDEN POLEY,
ROBERT GRAY TAYLOR,
Joint Chairmen.

Mr. OVERMAN. Mr. President, in order to be perfectly fair, I desire to say that I have received a letter from Mr. William Green, the head of the American Federation of Labor, which I would have had read had I not neglected to bring it with me to the Senate Chamber this morning.

I now present the communication from Mr. Green, together with a memorandum inclosed by him concerning the opinion of Circuit Judge John J. Parker, in the case of the United Mine Workers of America against Red Jacket Consolidated Coal & Coke Co., and an editorial published in the Washington News on the 8th instant, which I ask may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., April 17, 1930.

Hon. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

DEAR SIR: I inclose a copy of a memorandum concerning the opinion of Circuit Judge John J. Parker in the case of the United Mine Workers of America *v.* Red Jacket Consolidated Coal & Coke Co., and a copy of an editorial which was published in the Washington News, a Scripps-Howard publication, on Tuesday, April 8. I will appreciate it very much if you will read and consider the inclosed memorandum and copy of the editorial.

The memorandum sent you by the Department of Justice several days ago stated that Judge Parker, whose confirmation for appointment as a member of the Supreme Court of the United States is opposed by

the American Federation of Labor, followed the decision of the Supreme Court in the Hitchman case. The memorandum which I am herewith inclosing takes issue with this position of the Department of Justice. I hope you will see by this memorandum that there is a distinguishing difference between the basis of the decision of the Supreme Court in the Hitchman case and of Judge Parker in the Red Jacket case.

The editorial published by the Scripps-Howard paper, to which I have called your attention, is very pertinent and pointed and, in my opinion, contains an unanswerable argument against the confirmation of the appointment of Judge Parker to be a member of the Supreme Court of the United States. I am confident you will give the information herewith inclosed your most thoughtful and serious consideration.

With highest personal regards, I beg to remain,

Very truly yours,

WM. GREEN,
President American Federation of Labor.

[Inclosure]

MEMORANDUM CONCERNING OPINION OF CIRCUIT JUDGE JOHN J. PARKER IN THE CASE OF UNITED MINE WORKERS OF AMERICA *v.* RED JACKET COAL & COKE CO. ET AL. (18 FED. REP. (2D) 839)

The personal, mental, and judicial attitude of Federal Circuit Judge John J. Parker concerning the rights of the laboring man in controversies with employers is clearly apparent from a reading of his opinion in the case of United Mine Workers *v.* Red Jacket Coal & Coke Co. (18 Fed. Rep. (2d) 839 (1927)), Circuit Court of Appeals, Fourth Circuit, especially when this case is compared or contrasted with the earlier cases of Bittner *v.* West Virginia-Pittsburgh Coal Co., decided by the same court and reported in Fifteenth Federal Reporter (2d), 652 (1926), and the case of Hitchman Coal & Coke Co. *v.* Mitchell et al., decided by the Supreme Court of the United States in 1917 reported in Two hundred and forty-fifth United States, 229.

As a preliminary it is to be observed that the Red Jacket Coal case was heard and argued before the whole Circuit Court of Appeals for the Fourth Circuit, consisting then of Circuit Judges Waddill, Rose, and Parker. However, between the hearing of the case and the announcement of the decision and opinion Judge Rose died. At the end of the case it is stated that the late Judge Rose concurred in the decision that the decree of the district court should be confirmed, but had expressed a desire to examine the record with a view of satisfying himself whether jurisdiction existed as to certain defendants. "He died before the opinion could be submitted to him." The opinion in this case, therefore, is not the opinion of three of the circuit judges but the opinion written by Judge Parker and concurred in by Judge Waddill. It is to be noted in this connection that Judge Waddill delivered the opinion of the same court in the Bittner case, supra, which had been decided by all three of the circuit judges, namely, Judges Waddill, Rose, and Parker.

The so-called Red Jacket Coal case was a consolidation of 12 cases. Appeals were taken from decrees of the District Court for the Southern District of West Virginia, wherein the United Mine Workers and certain of its officers had been enjoined as hereinafter set forth.

Among the statements of fact prefacing the opinion it is stated that:

"Complainants operated their mines nonunion; that is, their employees are notified that the company will not employ union men and accept employment with that understanding, and, in the case of most of them, the employees have entered into contracts that they will not join the union while remaining in the service of the employer."

The contracts considered in the other two cases, namely, the Bittner case and the Hitchman case, were similar.

In other words, by the terms of these alleged contracts laborers employed in the mines entered employment under an alternative contract; that is to say, they agreed that so long as they remained in the employ of the operators they would not join the union, or, conversely stated, if they joined the union they would not remain in the employ of the operators.

In the Red Jacket Coal case the bill sought to enjoin the union and its officers, among other things, from interfering with the company's employees "by procuring them to breach their contracts with plaintiff in the manner enjoined in Hitchman Coal Co. *v.* Mitchell."

The district judge found, among other things, that defendants had conspired to restrain interstate trade and commerce in coal and were attempting:

"(a) Unlawfully, maliciously, and unreasonably to induce, incite, and cause employees of the plaintiffs in said suits to violate their said contracts of employment with said plaintiffs.

"(b) To compel said employees of said plaintiffs, by use of force, intimidation, threats, violence, vile epithets, abusive language, and false and fraudulent statements, *to cease working* for said plaintiffs *and to become members of said union.*" (Italics supplied.)

Upon the pleadings and findings of fact by the district judge injunctions were issued enjoining defendants, among other things:

"(2) From * * * inciting, inducing, or persuading employees of the plaintiff to break their contract of employment with the plaintiffs."

It is to be borne in mind that the alleged contracts do not prohibit employees from leaving the employ of the plaintiffs, nor from joining the union, but only from joining the union and continuing in the employ of the plaintiffs.

Nowhere in the case does it appear (as it does appear in the Bittner and Hitchman cases, supra) that the employees in the Red Jacket Coal Co. secretly became members of the union and continued in the employ of the plaintiffs.

At the hearing the appellants, United Mine Workers and its officers, argued that the second paragraph of the injunction restrained the defendants from persuading employees of the plaintiffs to break their contract of employment with plaintiffs and urged that the decree be modified in such manner as not to enjoin the appellants from advocating union membership by means of public speeches or the publication or circulation of arguments free from threats, etc. In denying such modification Judge Parker used the following language:

"It is said, however, that the effect of the decree, which, of course, operates indefinitely in future, is to restrain defendants from attempting to extend their membership among the employees of complainants who are under contract not to join the union while remaining in complainants' service, and to forbid the publishing and circulating of lawful arguments and the making of lawful and proper speeches advocating such union membership. They say that the effect of the decree, therefore, is that, because complainants' employees have agreed to work on the nonunion basis, defendants are forbidden for an indefinite time in the future to lay before them any lawful and proper argument in favor of union membership.

"If we so understood the decree, we would not hesitate to modify it. As we said in the Bittner case, there can be no doubt of the right of defendants to use all lawful propaganda to increase their membership. On the other hand, however, this right must be exercised with due regard to the rights of complainants. To make a speech or to circulate an argument under ordinary circumstances dwelling upon the advantages of union membership is one thing. To approach a company's employees, working under a contract not to join the union while remaining in the company's service, and induce them, in violation of their contracts, to join the union and go on a strike for the purpose of forcing the company to recognize the union or of impairing its power of production, is another and very different thing. What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

In other words, this opinion and decision can mean only one thing, and that is that so long as employees are working for an employer under the alternative sort of alleged contract hereinbefore described, neither the union nor any of its officers has the right in any manner whatsoever to attempt to persuade such employees to join the union.

It is to be observed that Judge Parker attempts to rely upon the Hitchman case, supra, decided by the Supreme Court of the United States, and upon the Bittner case, supra, previously decided by his own court.

An examination of the Hitchman case shows that it arose prior to the enactment of the Clayton Act; that it held that the United Mine Workers of America was an unlawful combination in restraint of trade, etc., and sustained an injunction restraining defendants from inducing plaintiff's employees to break their contract of employment with plaintiff.

It is to be observed, however, that in the Hitchman case the facts were different. There, according to the findings of facts, the union organizer (p. 246) did not confine himself to mere persuasion, but resorted to deception and abuse. The deception consisted of inducing the employees of the Hitchman Coal Co. to join the union secretly and at the same time to remain in the employ of the Hitchman Coal Co. until a sufficient number of employees should become members of the union, without the knowledge of the employer, to successfully bring about a strike.

In the Bittner case, supra, opinion by Circuit Judge Waddill, the same situation existed, according to the findings of fact. In that case the lower court had enjoined the defendants, among other things—

"(2) From knowingly and willfully bringing about the breaking by the plaintiff's employees of contracts of service known at the time to exist with plaintiff's present or future employees," and

"(4) From knowingly and willfully enticing such employees, present or future, to leave plaintiff's service without plaintiff's consent," and

"(7) From by any means inducing plaintiff's employees to break their contracts of service known to them at the time to exist; from approaching plaintiff's employees, present or future, at their places of residence or at any other place, for the purpose of enticing, entreating, persuading, or by any other means inducing said employees to break their contracts of service known to them at the time to exist," etc.

In his opinion in the Bittner case, Judge Waddill stated (p. 657) that the case was in its essential features practically a counterpart of the Hitchman case; notwithstanding which the injunction decree of the district court, which was affirmed otherwise, was modified by the following proviso (p. 659):

"*Provided*, That nothing herein contained shall be construed to forbid the advocacy of union membership, in public speeches or by the publication of circulars or arguments, when such speeches or arguments are free from threats and other devices to intimidate, and from attempts to persuade complainant's employees, or any of them, to violate their contracts with it."

From the foregoing it is perfectly apparent that Judge Parker in his opinion and decision in the Red Jacket Coal case has gone far beyond the doctrines laid down either by the Supreme Court of the United States or by the Circuit Court of Appeals of the Fourth Circuit; and that he has, in effect, practically stated the law to be that it is unlawful, by any means whatsoever (even though there be no element of violence, threat, fraud, or deceit), to endeavor to induce or persuade an employee to join a labor union if such employee is working under an alternative agreement hereinbefore described and generally known as a "yellow-dog contract."

[Editorial from the Washington Daily News, Tuesday, April 8, 1930]

"YELLOW DOG"

Senate confirmation of Judge John J. Parker as an Associate Justice of the United States Supreme Court may be refused on the ground that his injunction decision in the Red Jacket Mine case upheld a "yellow-dog contract." The American Federation of Labor and many liberals insist that is sufficient reason for denying Parker a seat on the supreme bench. We agree.

We believe that a majority of Senators and American citizens will agree, if they can be brought to understand the meaning of a yellow-dog contract and the significance of an antilabor injunction upholding such a contract. Surprisingly, however, it appeared at the Senate hearings on the Parker nomination that some of the subcommittee of investigation did not know the nature of this notorious form of contract.

A yellow-dog contract is one in which an employer forces a worker to agree that he will not, while employed, join a labor union.

Well, what is wrong with that? If a man signs a contract shouldn't he stick to it? Isn't a contract sacred, and aren't the courts obliged to uphold a contract? If a union comes along and tries to get members from among workers who are under contract not to join, why shouldn't the employer request and the judge grant an injunction against the union?

Those questions can be answered best by other questions: Why shouldn't a white-slave contract be valid? Why shouldn't a peonage contract be valid? Why shouldn't a contract made under duress be valid? In other words, there are contracts and contracts; some are valid and some are not.

The reason a yellow-dog contract has no place in a free country is that it is a form of peonage. It is made under duress. It says to the man who is out of a job and whose wife and children are hungry: "You shall not work nor eat until you sell your liberty."

It abridges the God-given and Constitution-given rights of the American citizen. And it destroys the established legal right of labor unions to organize.

Even if a contract is valid, only in rare cases can it be enforced legally by an injunction.

No judge who enslaves workers with a yellow-dog injunction should be appointed to the Supreme Court by the President or confirmed by the Senate.

Parker's friends advance an alibi. They say that, in upholding an injunction against the United Mine Workers in the Red Jacket case, he was merely following the Supreme Court decision in the Hitchman case which he as a lower court was obliged to do.

There is very good legal opinion denying that the Hitchman and Red Jacket cases were analagous. There is very good legal opinion that Parker went far beyond the Supreme Court decision.

But even though this legal opinion is brushed aside and Parker is given every benefit of the doubt, the fact remains that he did uphold the yellow-dog contract. And the fact remains that he did not express disagreement with the Hitchman decision, which he might have done even though he could not overrule the Supreme Court.

There should be no doubt, therefore, of where Parker stands. But if the Senate committee has any doubt, let it call Parker to explain in his own words what he meant by his yellow-dog injunction.

Important as this case is, it should not be allowed to obscure the wider issue. As we pointed out when he was named, he is essentially a political nominee who lacks the legal eminence required for the high position to which he aspires. There is nothing in his undistinguished records that fits him for the Supreme Court of the United States.

There is no evidence that Parker would refuse to join the Supreme Court majority, which has put its personal opinions above the Constitution and the laws of Congress and protected property rights at the expense of human rights.

The curse of this country is that there are too many Parkers on the Supreme Court already.

REPORTS OF COMMITTEES

Mr. GOLDSBOROUGH, from the Committee on Naval Affairs, to which was referred the bill (S. 3866) for the relief of Joseph N. Marin, reported it without amendment and submitted a report (No. 463) thereon.

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (S. 2834) to establish a hydrographic office at Honolulu, Territory of Hawaii, reported it without amendment and submitted a report (No. 464) thereon.

Mr. WATERMAN, from the Committee on Naval Affairs, to which was referred the bill (S. 2721) to provide for the advancement on the retired list of the Navy of Frederick L. Caudle, reported it without amendment and submitted a report (No. 465) thereon.

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs, to which was referred the bill (S. 3586) for the relief of George Campbell Armstrong, reported it without amendment and submitted a report (No. 476) thereon.

Mr. BROOKHART, from the Committee on Banking and Currency, to which was referred the joint resolution (S. J. Res. 76) authorizing the Secretary of the Treasury to purchase farm-loan bonds issued by Federal land banks, reported it with amendments.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 8368) providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada, reported it without amendment and submitted a report (No. 466) thereon.

Mr. SULLIVAN, from the Committee on Military Affairs, to which was referred the bill (S. 2187) for the relief of S. Dwight Hunt, reported it without amendment and submitted a report (No. 467) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 2567) granting travel pay and other allowances to certain soldiers of the Spanish-American War and the Philippine insurrection who were discharged in the Philippines, reported it without amendment and submitted a report (No. 474) thereon.

Mr. PATTERSON, from the Committee on Military Affairs, to which was referred the bill (S. 3810) to provide for the commemoration of the termination of the War between the States at Appomattox Courthouse, Va., reported it with an amendment and submitted a report (No. 477) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3769) for the relief of James W. Smith, reported adversely thereon.

He also, from the same committee, to which was referred the bill (H. R. 10118) to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930, reported it with amendments and submitted a report (No. 478) thereon.

Mr. BLACK, from the Committee on Military Affairs, to which was referred the bill (H. R. 8805) to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field, reported it without amendment and submitted a report (No. 479) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (S. 1072) for the relief of Gabriel Roth, reported it with an amendment and submitted a report (No. 468) thereon.

Mr. GLENN, from the Committee on Claims, to which was referred the bill (S. 1406) for the relief of Mary S. Howard, Gertrude M. Caton, Nellie B. Reed, Gertrude Pierce, Katie Pensel, Josephine Pryor, Mary L. McCormick, Mrs. James Blanchfield, Sadie T. Nicoll, Katie Lloyd, Mrs. Benjamin Warner, Eva K. Pensel, Margaret Y. Kirk, C. Albert George, Earl Wroldsen, Benjamin Carpenter, Nathan Benson, Paul Kirk, Townsend Walters, George Freet, James B. Jefferson, Frank Ellison, Emil Kulchycky, and the Bethel Cemetery Co., reported it with amendments and submitted a report (No. 469) thereon.

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 1571) for the relief of William K. Kennedy (Rept. No. 470);

A bill (S. 1849) for the relief of Francis B. Kennedy (Rept. No. 471); and

A bill (S. 1851) for the relief of S. Vaughan Furniture Co., Florence, S. C. (Rept. No. 472).

Mr. DALE, from the Committee on Commerce, to which was referred the bill (H. R. 8562) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo., reported it with an amendment and submitted a report (No. 473) thereon.

Mr. METCALF, from the Committee on Education and Labor, to which was referred the joint resolution (S. J. Res. 149) for the relief of unemployed persons in the United States, reported it adversely and submitted a report (No. 475) thereon.

REGULATION OF INTERSTATE MOTOR CARRIERS

Mr. DILL, from the Committee on Interstate Commerce, submitted the views of the minority to accompany the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, which were ordered to be printed as part 2 of Report No. 396.

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 18, 1930, that committee presented to the President of the United States the following enrolled bills:

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium"; and

S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital.

REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

INVESTIGATION OF LEASES FOR POST-OFFICE BUILDINGS

Mr. DENEEN. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, the resolution (S. Res. 244) relative to an investigation of leases for post-office buildings, submitted by Mr. BLAINE on the 8th instant, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. McNARY. Mr. President, may we have the resolution read?

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution, as follows:

Whereas it is charged that leases for post-office buildings and commercial postal stations and substations are made by the Post Office Department at exorbitant and excessive rentals, and that such rentals are based on excessive and inflated values of the lands and buildings under such leases, and that such leases providing for cancellation thereof are converted into noncancellable leases, without any adequate valuable consideration or benefit to the Government, and that lessors or their successors and parties of interest through such lessors issue bonds or securities against such inflated values, and that the rentals under many of said leases are based, not on the value of the property, but rather on the inflated value thereof, and that fraud, misrepresentation, and corruption have entered into transactions concerning said leases; and

Whereas there is an annual deficit in the operation of the Post Office Department: Now, therefore, be it

Resolved, That a committee of five be appointed by the Vice President to investigate all leases for post-office buildings and commercial postal stations and substations, and that said committee is hereby empowered and instructed to inquire into all of the foregoing subjects and any matter pertinent and relevant thereto, and that said committee report to the Senate all information by it obtained, together with its recommendations respecting modification of the laws relating to the subjects above set forth.

Said committee shall have the power to subpœna witnesses, administer oaths, send for books and papers, to employ the necessary assistants, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on the subjects before said committee, and to do those things necessary to make the investigation thorough.

Said committee is authorized to act through a subcommittee thereof, and oaths may be administered by any member of the committee, and the chairman of the committee and the chairman of any subcommittee are authorized to issue subpœnas, and the committee or a subcommittee thereof may sit at such times and places as it deems proper and necessary.

All the expenses for said purposes shall be paid out of the contingent fund of the Senate on vouchers signed by the chairman of said committee or of a subcommittee.

For the purposes of this investigation the expenditure of $10,000 is authorized, or such part thereof as may be necessary.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. McNARY. Has the resolution been referred to the committee having jurisdiction, the Committee on Post Offices and Post Roads?

The VICE PRESIDENT. It was not referred to that committee.

Mr. McNARY. It was merely referred to the Committee to Audit and Control?

The VICE PRESIDENT. It was so referred, and this is the report of the Committee to Audit and Control.

Mr. FESS. Mr. President, may I say that I objected at the time because the resolution was not referred to the Committee on Post Offices and Post Roads, but in view of the fact that the subject had been discussed on the floor of the Senate pretty generally, I was willing to let it go to the Committee to Audit and Control; but not as a precedent.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The preamble was agreed to.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKHART:

A bill (S. 4197) to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa; to the Committee on Commerce.

A bill (S. 4198) granting a pension to James H. Wadsworth (with accompanying papers); to the Committee on Pensions.

By Mr. McCULLOCH:

A bill (S. 4199) granting a pension to Fred R. Bruce (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 4200) granting a pension to Robert S. Cox (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 4201) for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children; to the Committee on Claims.

By Mr. FRAZIER (by request):

A bill (S. 4202) to authorize the collection of penalties and fees for stock trespassing on Indian lands; and

A bill (S. 4203) to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; to the Committee on Indian Affairs.

By Mr. ALLEN:

A bill (S. 4204) for the relief of Randall M. Jeffries (with accompanying papers); to the Committee on Military Affairs.

By Mr. HAWES:

A bill (S. 4205) to amend paragraph (6) of section 5 of the interstate commerce act, as amended; to the Committee on Interstate Commerce.

By Mr. SHEPPARD:

A bill (S. 4206) prescribing penalties relating to false, altered, forged, or counterfeited prescriptions for narcotic drugs; to the Committee on the Judiciary.

By Mr. STEIWER:

A bill (S. 4207) for the relief of John Fisher (with accompanying papers); and

A bill (S. 4208) for the relief of Jacob S. Silverman (with an accompanying paper); to the Committee on Military Affairs.

A bill (S. 4209) granting a pension to John West (with accompanying papers); and

A bill (S. 4210) granting a pension to Anna Lee Duncan (with accompanying papers); to the Committee on Pensions.

By Mr. BINGHAM:

A bill (S. 4211) to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927; to the Committee on the District of Columbia.

CHANGE OF REFERENCE

Mr. KENDRICK. Mr. President, on April 11 the Senate referred Senate bill 4149, to add certain lands to the Ashley National Forest in the State of Wyoming, to the Committee on Agriculture and Forestry. This seems to have been done in error. I now ask that that committee be discharged from further responsibility for the bill, and that it be referred to the Committee on Public Lands and Surveys.

The VICE PRESIDENT. Without objection, it is so ordered.

BRIDGE ACROSS WHITE RIVER NEAR CALICO ROCK, ARK.

Mr. CARAWAY submitted amendments intended to be proposed by him to the bill (H. R. 10340) granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Calico Rock, Ark., which were ordered to lie on the table and to be printed.

PENSION FUNDS FOR RAILROAD EMPLOYEES

Mr. COPELAND submitted the following resolution (S. Res. 250), which was referred to the Committee on Interstate Commerce:

Resolved, That the Interstate Commerce Commission is directed (1) to report to the Senate the opinion of the commission in respect of the feasibility of requiring each railroad, which is subject to the interstate commerce act, as amended, to establish a pension fund for its employees, and (2) to include in such report, if in the opinion of the commission such project is feasible, a statement of the plan for establishing such fund which the commission deems most suitable.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

Mr. HARRIS. Mr. President, the Norbeck amendment is the pending amendment. I wish to amend that amendment, on page 2, line 1, by striking out "1½" and inserting "one-half of 1." Under the Norbeck amendment there would be 140,000 immigrants come in under the quota. If my amendment to that amendment shall be adopted, there will be about 25,000 come in. I ask that my amendment to the amendment may be pending.

TARIFF DUTY ON SILVER

Mr. PITTMAN. Mr. President, I do not want it understood that I rise for the purpose of discussing a question of personal privilege, for I do not; nor do I rise for the purpose of defending 55 Senators of this body. I rise for the purpose, however, of answering a low and hypocritical attack by one of the McGraw-Hill Publishing Co.'s magazines upon 55 United States Senators. I am referring to the editorial published in the Engineering and Mining Journal of April 7, 1930. I may say that this was once a reputable journal, for it was. If this journal had not borne a high reputation in the past, before it was acquired for propaganda purposes by the McGraw-Hill Publishing Co., I would not deign to pay any attention to the article, but I think it must be taken notice of for that reason.

This article to which I refer is the leading editorial in the Journal, a publication which in the past has been published for the purpose of giving facts with regard to the mining industry and supporting and encouraging that industry. The editorial contains a violent and hypocritical attack upon the Senate of the United States for adopting an amendment to the tariff bill providing for a duty of 30 cents an ounce upon the importation of silver. Let me read a portion of the article, in order that Senators may realize the character of the attack. I quote:

> The thousands of silver miners suddenly unemployed by the most recent drop in the price—

Referring to the price of silver—

> of whom Senator PITTMAN has made frequent reference in advocating his amendment, are at least partly figments of his imagination.

Then the article goes on to make the same argument against this amendment that was made, almost in the exact language, by a lobby committee of the Jewelers' Association known as the Jewelers' Vigilance Committee. The editorial winds up with this language:

> The Pittman amendment appears to Engineering and Mining Journal to be a hasty and futile gesture by western Senators to win the favor of their constituents. Mining men who are alive to the realities of the situation will not allow themselves to be hypnotized by such obvious political strategy. Silver needs something more than oratory or an unworkable tariff to be restored to its old price level.

Mr. President, there are 55 Senators in this body who, after thorough debate, voted for that amendment. There are only 12 Senators who voted against it. Of those 55 Senators, 39 come from States where no silver at all is produced. Is it possible that those 39 Senators were voting for a hastily prepared amendment and that they were actuated solely by demagogery, as is charged in this editorial?

Mr. President, let me read what the distinguished Senator from Ohio [Mr. FESS] had to say during that debate. He is the Republican whip in this body. He said:

> Mr. President, I have not had the occasion, in the consideration of this tariff bill, to change a vote at any time. I usually make up my mind after listening to the discussion. When this question came up before I had not looked into the silver situation, and I voted against the proposal offered by the Senator from Nevada. I have listened to his argument to-night, and I think he has made a good case, and this is one place where I am going to change my vote, and I shall vote for the amendment.

In view of such a statement by such a Senator, how can it be conceived that the editor of the Mining Journal could be induced to make the character of attack that he has made upon the Senate for voting for the amendment?

Again, the distinguished Senator from Utah [Mr. SMOOT], chairman of the Finance Committee, during that debate had the following to say:

> Mr. President, I do not intend to detain the Senate long. This question has bothered me a great deal. I have tried in my own mind to arrive at a solution of the question whether a tariff would be the proper thing to bring about the desired result.
>
> I recognize that the mining industry is at a standstill, and particularly the silver mines of the country. The representatives of every mine in the State of Utah, together with the mining congress officials, have telegraphed to me and written to me to support this duty on silver. I confess that I do not know whether or not it would do any good to the silver industry in the long run; and if it were not for one thing, and one thing only, I should vote against it, as I did before. That is this: England is forcing India to a gold standard. As those silver coins come out of circulation they are melted and exported all over the world; but America is the principal place to which they are sent.

Mr. President, it would instantly occur to a man familiar with the mining industry that there was something peculiar in the fact that a formerly reputable magazine dealing with the mining industry of this country should proceed so viciously and in such a low manner to attack those who supported a duty intended to protect silver against dumping from India. What is the reason of it?

I say that this was at one time a reputable magazine. It was. It had great influence throughout the mining country. It was edited at one time by Doctor Spurr, one of the distinguished mining geologists of this country. Now, where is it? It is owned by the McGraw-Hill Publishing Co. It is hardly necessary to tell this body who the McGraw-Hill Publishing Co. is. It is one of the companies engaged in lobbying for the special interests of this country.

Well do we remember the investigation by the Federal Trade Commission, at the instigation of the United States Senate, when they exposed the propaganda and the actions of the committee representing the power combine of this country. This lobby committee had gone in and bought publications all over this country; they had bought college professors; they had gone into schools, into churches, everywhere, with their slimy money; and what was the aftermath of it? Where does the McGraw-Hill Publishing Co. come in?

Mr. President, about a year ago the Federal Water Power Commission was called upon by a committee of the House of Representatives for a report upon its activities. A report was made. In that report the Federal Water Power Commission charged the Niagara Falls Power Co. with padding its capital account, with reporting that it had purchased property for some $14,000,000 when they had actually paid only $3,000,000 for it; for carrying in their capital account property that had been actually used up, destroyed, and was not in existence. In other words, that report charged the Niagara Falls Power Co. with fraud in inflating its capital account so that it might charge higher rates for its electricity. Where does the McGraw-Hill Publishing Co. come in?

Before that report was made public, before it was given to anyone, before it was delivered to the House committee, it was turned over to the McGraw-Hill Publishing Co. No other publishing house or paper got it. What did they do with it? They took it immediately to the Niagara Falls Power Co., and the Niagara Falls Power Co. immediately came down to see the Federal Water Power Commission and had every single, solitary thing in that report with regard to the Niagara Falls Power Co. deleted; and the report was sent to the House committee without any reference to the Niagara Falls Power Co. or any other of these dishonest companies that had been referred to in the report. We dug out that fact in February before the Interstate Commerce Committee.

That is the character of the McGraw-Hill Publishing Co. Do you think for one moment that it represents the mining interests of this country? Why, so soon as this editorial reaches the mining industry of the United States the subscriptions to this magazine will terminate as if they were struck by lightning.

That is not all. What does this concern, the McGraw-Hill Publishing Co. represent? Here are some of the things that they own:

They own the Electrical World, the Electrical West, Power, the Electrical Railway Journal, Bus Transportation, Electrical Merchandising, Radio Retailing, Food Industries, the Textile World, the Magazine of Business, and System. Those are the kinds of publications they own. They are everything to everybody that will pay for it.

I say "pay for it." I contend that the evidence in this matter indicates that this thing was not only instigated but there was some compensation for it, because no one can conceive that such a magazine would publish such an article unless there was some compensation for it.

I received a copy of this editorial this morning. It has been sent to Senators and to Congressmen—sent by whom? Let me read the letter that transmits it. At the head of this letter are these words:

Jewelers' Vigilance Committee (Inc.), Harry C. Larter, chairman.

The letter says:

DEAR SENATOR: Inclosed is a copy of an editorial from the Engineering and Mining Journal, issue of April 7, 1930. It is significant that this recognized authority and mouthpiece of the mining industry is so strongly opposed to the proposed duty of 30 cents an ounce on silver.

We sent you about 10 days ago a printed brief setting forth fundamental objections to the above amendment, and now inclose a short memorandum giving essential facts.

If you should want any further information on this subject, we shall be glad to furnish it upon request.

What does this mean? It means that although this body, by a vote of 55 to 12, adopted this amendment, the House conferees would not accept it, and it was referred back to the House for a separate vote. That separate vote is pending, and the propaganda is going on.

Who are this Jewelers' Vigilance Committee? They are one of those committees like the committee that represented the power combine that was so thoroughly exposed by the Federal Trade Commission. They sent a brief to every Senator and to every Congressman, as they state herein. Read that brief and read this editorial, and you will see that the same person wrote both of them.

Why, listen to this. This thing says:

A tariff on silver will be a considerable inconvenience to domestic smelters and refineries treating imported base-metal ore or bullion that contains silver.

An "inconvenience" is to be set up, sir, as against the destruction of an industry by the dumping of silver from India! Is that the kind of a journal that is the mouthpiece of the mining industry, as this vigilance committee says? As a matter of fact, it is not an inconvenience, because the same provision pertaining to silver pertains to lead and zinc at the present time; that is, that it may be brought into the United States for any purpose other than consumption without the payment of duty. Continuing, it says:

It would mean, if effective, an additional cost of $12,000,000 to domestic consumers.

When have you ever heard of any one of these magazines of the McGraw-Hill Publishing Co., a list of which I have read, publishing a weeping editorial on behalf of the consumers? Never has any one of them done it. Has any of them, in their electrical magazines or power magazines, complained against the high cost of electricity or the high cost of power? Never one of them. You can not show it. As a matter of fact, there will be no additional cost to the public even if there is a completely effective benefit from the tariff of 30 cents an ounce on silver. Why? Here is the answer: The silver manufacturers of this country in 1922 obtained a duty of 60 per cent ad valorem on their manufactured silverware, at which time silver cost them 75 cents an ounce. To-day silver costs them only 42 cents an ounce. If the whole duty became effective the cost of silver would be only 72 cents an ounce, 3 cents an ounce less than what they were paying for it in 1922, when they got an ad valorem duty of 60 per cent on value of manufactured articles; but in the present act they are given a higher duty. This Congress has raised that duty 5 per cent and given them an ad valorem duty of 65 per cent. There is not any excuse whatever for increasing the price of silverware even if this duty were entirely effective and the cost of silver were increased.

How about the moving-picture industry? Is it possible that even if this tariff increased the cost of the total silver of the United States $12,000,000 it would affect the cost of a ticket in a moving-picture show? Why, Mr. President, the expenditure by the moving-picture industry to present pictures to the public is in the billions of dollars. Do you think for one moment it would be possible to compute an additional $12,000,000 out of those billions and add it to the cost to the consumer? That is a hypocritical argument; but it is the same hypocritical argument that was made by the Jewelers' Vigilance Committee.

But then this editorial goes on and says:

A more serious objection is the doubt as to whether or not the tariff will be effective.

In one voice the writer of this editorial cries for the poor consumer, and in the next voice he weeps for the producer. I say right here that there is ground for doubt as to whether the duty will result in raising the price of silver; but, as was stated by the Senator from Utah, there is not the slightest bit of doubt that it will stop the dumping of silver in this country from India and prevent the price from going even lower than it is now.

Through this whole miserable thing is this hypocrisy, this propaganda, all originating with this viligance committee of the Jewelers' Association.

Why, Congress knows what a committee of that kind is. It is a committee such as exists in many industries, that generally does the industry more harm than good, just exactly as the committee on behalf of the power interests of this country did them more harm than it could possibly do them good. It is one of those overzealous committees that are working for pay. Like a gum-shoe agent, their value is measured not by the number of wrongs they can remedy but by the annoyance to others they can create, or the hue and cry they can raise in their efforts to conceal the truth and lead honest investigators down blind trails. The idea of a body of that kind instigating, through a journal of this kind, an attack upon the United States Senate!

The McGraw-Hill Publishing Co. is a propaganda institution. There was a time when publishers took pride in owning a journal or publication, that they might voice the facts and speak for the aspirations of an industry, that they might give their patrons the benefit of their joint information, that they might be the mouthpiece of the industry. Nowadays it has become popular, and I should say profitable, for a great concern to buy up once reputable and widely circulated journals and publications, not for the primary purpose that they used to have, but for the purpose of propaganda.

It is propaganda that is behind the McGraw-Hill Publishing Co. in everything here. There is probably more money in writing Billingsgate, deceptive articles, creating smoke screens, protecting the real cloven hoof, than in following the old theory, of publishing news and editorials for the benefit of their readers and the public.

This vigilance committee will have an opportunity at the next session to earn some money, and the McGraw-Hill Publishing Co. will have a chance to justify the crude and low and vulgar work in which it has been engaged, because if there ever was a work, or if there ever was a crowd, which required the investigation of a lobby committee, it is this vigilance committee of the Jewelers' Association, who have had the tariff on manufactured silverware raised from 60 to 65 per cent, and who are now basely, through a mining journal which has heretofore been respected by miners, attempting to defeat the very thing which every miner in this country, every mining association in this country, the mining congress of this country, has stated is absolutely essential to prevent the entire destruction of the industry.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. McNARY. Mr. President, I ask unanimous consent that when the Senate concludes its work to-day it adjourn until 12 o'clock noon on Monday next.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection? The Chair hears none, and it is so ordered.

FLATHEAD RIVER POWER SITE, MONTANA

Mr. FRAZIER. Mr. President, when I came to the Senate one of the committees to which I asked to be assigned as a member was the Committee on Indian Affairs, and during the work on that committee I have become interested in various Indian questions throughout the country, and one that has been under discussion recently has been with respect to the Flathead power site in the State of Montana.

Last summer a subcommittee of the Committee on Indian Affairs of the Senate visited the Flathead Reservation and the power site and held a hearing there, and developed some interesting testimony on the part of the Indians and on the part of the white people there, too, and also had before it as a witness the vice president of the Rocky Mountain Power Co., Mr. Kerr.

I want to speak briefly of that situation this morning. This Flathead power site is on an Indian reservation. Flathead Lake is a lake of about 30 or 35 miles in length and 5 or 6 miles

in width. Where the Flathead River flows out of the lake there is a wonderful site for a power plant. There are high banks on each side of the river which would make it a comparatively cheap proposition to put in a power dam.

There are five sites on the Flathead River near the lake which could be developed. I want to refer to a statement made by Mr. King, accountant of the Power Commission:

The Rocky Mountain Power Co. was organized in Delaware February 11, 1920. Application for a permit for project No. 5 was recorded as having been filed on June 18, 1920. Eight days after the Federal Power Commission act was approved the Rocky Mountain Power Co. filed an application for a permit on what is known as project No. 5 on the Flathead River.

I understand that when the bill creating the Federal Power Commission was under discussion here in the Senate, some 10 years ago, quite a good deal of interest was taken in it, and some of the Members of the Senate, especially Senator Curtis, now Vice President, took a very prominent part, and had included in the bill, as I understand it, a provision that the Indians must be consulted where there was a power site on their reservation. But when the bill was sent to conference, that provision was stricken out, as I understand it.

Eight days after the Federal Power Commission act was approved, the Rocky Mountain Power Co. filed its application, and it seemed that the sole purpose of that company was to bid on these sites on the Flathead for the development of power. They were capitalized at $500,000, and $1,000 was paid in in capital, and, according to Mr. King's statement, a little more was paid in afterwards, but he states that at the time he made the check-up there was $19 and some cents in cash in the treasury of the Rocky Mountain Power Co.

The Rocky Mountain Power Co. filed an application for a permit to develop five sites on the Flathead River. I might say that this Rocky Mountain Power Co. is a so-called paper organization, or a dummy company, of the Montana Power Co. The Montana Power Co. is a very powerful concern of Montana. It is affiliated with some of the other big power companies. It is closely connected with the Anaconda Copper Co., of that State, and develops power for that company.

The president of the Montana Power Co. is Mr. John D. Ryan, who is also chairman of the board, I think, of the Anaconda Copper Co., and is on the boards of directorates of some of the other big power companies. The Montana Power Co. is a subsidiary of the American Power & Light Co., which is one of four of the big holding companies of the Electric Bond & Share Co., of New York City.

I have an article here from the New York Times under date of April 17, headed "Utility Profit Is Put at 105 Per Cent." They refer to the Electric Bond & Share Co. This article says it made $4,810,000 in 1927, according to the Federal Trade Commission accountant. It says, further, that they serve 2,820 communities.

Mr. President, the patrons of the electric light or power companies in 2,820 communities in the United States paid tribute to this Electric Bond & Share Co., of New York City, to the tune in 1927 of $4,810,000, and I understand that since that they have increased their net earnings considerably. This is one of the companies which refused to turn over its books to the Federal Trade Commission, which has been investigating the power companies throughout the country, and there is a suit pending now to get possession of those books.

I ask permission to have printed in the RECORD this article from the New York Times.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Thursday, April 17, 1930]

UTILITY PROFIT PUT AT 105 PER CENT—ELECTRIC BOND & SHARE CO. MADE $4,810,000 IN 1927, TRADE BOARD EXPERT SAYS—SERVES 2,820 COMMUNITIES—INTERLOCKING DIRECTORATES ARE HELD TO GIVE IT CONTROL OF "SUPERVISED" CONCERNS

WASHINGTON, April 16.—A profit of at least 105 per cent of expenses was made in 1927 by the Electric Bond & Share Co. on its services to companies which it controls, the Federal Trade Commission has learned, despite the refusal of the company to give the commission access to records bearing on the subject, it was testified to-day before the commission by one of its accountants.

A suit by the commission to obtain access to the records is pending in the Federal District Court for the Southern District of New York. Details of the operations are wanted by the commission, since it is possible that the profits are much larger than those shown by the available figures, according to Judson C. Dickerman, the commission accountant who testified to-day in the investigation of public utility companies ordered by the Senate.

The Electric Bond & Share Co., according to Mr. Dickerman, holds control of companies throughout the country through a system of interlocking directorates and stock ownership.

From the "supervised" companies, Mr. Dickerman testified, Bond & Share received $9,373,000 for the year 1927 in fees for supervision, engineering, and other special services. The total operating expenses of Bond & Share were $6,613,000, and of this amount $2,050,000 was chargeable definitely to expenses not connected with the services to supervised companies. This left $4,563,000 which might have been chargeable to the services and showed a profit of at least $4,810,000.

The companies controlled by Electric Bond & Share are chiefly in small communities and in the more sparsely settled States, Mr. Dickerman testified. The system serves 2,820 communities with electricity, he said. Operating revenues of the companies in the system in 1929 were $292,387,000, and the system produced in that year 10,364,000,000 kilowatt-hours of electricity, or 10.6 of the total output of power in the United States.

The commission has been attempting to show large profits made by public utilities through so-called fee systems, "write-ups" of the value of properties against which stock is issued, and manipulation of securities.

Mr. FRAZIER. I might say that the Montana Power Co. is a very powerful organization. They have a capitalization of $97,000,000, 52⅓ per cent of which is what is known as watered stock. They make millions of profits each year and, of course, are very powerful. They are the company directly in control of the Rocky Mountain Power Co., which has made a bid for this Flathead power site.

In these various companies there are some five directors who are on the boards of all the various companies I have named. As I understand it, the Electric Bond & Share Co. control these other companies through interlocking directorates and through some sort of a contract agreement which they have with the other companies.

There is another power plant on the Flathead River known as Thompson Falls, about 40 miles down from Flathead Lake, which was put in there, as I understand it, to furnish power for that division of the St. Paul Railroad, which is an electrified road. The story is that Mr. Ryan, the president of the Montana Power Co., purchased the Thompson Falls power plant for $925,000, and the next day, or a very few days thereafter, traded it to the Montana Power Co. for $5,000,000 worth of stock in that company, making a cool profit of a little over $4,000,000 in one or two days.

Some references have been made to Walter H. Wheeler, the engineer of Minneapolis who has made a bid for these power sites on the Flathead, as being a promoter. If there is anyone who can come up to John D. Ryan as a promoter, he will have to be exceptionally good, it seems to me.

The development of the Flathead No. 1 power site near the lake will help increase the flowage at the Thompson Falls site and will give them an increase of about 10,000 horsepower.

Originally, the Montana Power Co. put in a bid for a permit on the five sites. After Walter Wheeler came in as a bidder for permits on these five sites the Rocky Mountain Power Co. changed their application for a permit to an application for license to site No. 1, and in the hearings held before the Federal Power Commission last fall it was stated by both Mr. Kerr, the vice president of the Rocky Mountain Power Co., and also by Mr. Wheeler, that the site No. 1 would be the controlling site of the five sites on the Flathead River. In fact, at one place at least Mr. Kerr said what amounted to the statement that he would not be interested in the other four sites if some one else had site No. 1, and Mr. Wheeler made the same statement.

The Rocky Mountain Power Co. proposes to develop this site No. 1 up to the amount of 68,000 horsepower. There is a possibility of developing ninety or a hundred thousand horsepower at this one site. They proposed to develop 68,000 horsepower, however, and transmit it 140 miles to be used by the Anaconda Copper Co. in their smelters and mines.

Walter H. Wheeler, the engineer from Minneapolis who put in a bid for a permit for the five power sites, proposed to get companies interested to establish fertilizer plants and other industries near the sites in order to sell the power to those companies. He placed in the RECORD a number of letters from prominent business concerns stating their interest in the matter. He had letters from bankers stating that they would be glad to finance him if conditions were as he stated them to be. I am very much impressed with Mr. Walter Wheeler's sincerity in the matter. I do not think he is what might be termed an ordinary promoter or that he is interested in the matter just for the purpose of making a lot of money. Under the circumstances, comparing the bid of the Rocky Mountain Power Co. with his, I do not think that he would make the amount of

money that the Rocky Mountain Power Co. would undoubtedly make if they got the permit.

I have here a letter from Walter Wheeler which I want to read into the RECORD. It states his position quite clearly. It is dated April 15, 1930, is addressed to myself, and reads:

In the speech which Senator WALSH of Montana made on April 11, he made the following statement in reference to my application:

"It would seem to me that that would be expected of almost any applicant for a large power development, in order that the permit or license, as the case might be, might not be hawked around to anybody, the permittee or licensee simply to take off the profit and turn it over to some one else."

I am glad that Senator WALSH raised this point, and I wish to make my position perfectly clear in the matter. I want these power sites to develop as the basis for a great electrochemical and electrometallurgical industrial development in Montana, where the very low cost at which I can sell the power, combined with the abundant supply of various raw materials, make these power sites unique among all the power sites in the United States for such a purpose.

I want to say that according to their estimate there are some 300,000,000 tons of phosphate rock within 100 or 150 miles of this site, which is one of the substantial ingredients in the manufacture of fertilizer.

The letter continues:

Boulder Dam and other western power sites where cheap power can be made available do not have the necessary supplies of raw materials close at hand as is the case at Flathead.

I hereby pledge you my word that I will not "hawk" this permit, and that I will proceed with all energy to bring about this industrial development if the permit is issued to me.

Yours very truly,

WALTER H. WHEELER,
Consulting Engineer, Minneapolis, Minn.

Mr. JONES. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Washington?

Mr. FRAZIER. I yield.

Mr. JONES. Does Mr. Wheeler point out his ability to carry on this matter and develop it, or does he have to depend upon organized capital or transferring his permits to some organized capital?

Mr. FRAZIER. Of course, he would have to depend upon capitalization that might come from companies which he might interest in the matter, but he has a number of letters, which he placed in the record of the hearings before the Federal Power Commission, and also in the record of the hearings before the subcommittee of the Committee on Indian Affairs from several companies and bankers, stating their interest in the matter and that they would be glad to come into it just as quickly as he had a permit for the leases. I do not see that he can be expected to get much more under the circumstances, as no big fertilizer company, for instance, would make a contract on the ground that Walter Wheeler has an application pending for the permit. The Montana Power Co. and the Electric Bond & Share Co. and the other companies are mighty powerful and there might be some "comeback" if a contract was made with Walter Wheeler before he had the permit at least to go ahead and develop.

However, new industries could be brought in there and located near the power sites on the Flathead, which would be not only a great benefit to the State of Montana in general and to the white settlers but also to the Indians. One of the greatest complaints we have had is that the young men in the Indian tribes have no place to work and no work to get without going long distances where work may be obtainable, but where they do not like to go. But if new industries could be established at or near these power sites there is no question that the Indians would find plenty of work there and it would be of great benefit to them.

On the other hand, if the Rocky Mountain Power Co. get the lease, according to the testimony, they would transmit the power to the Anaconda Copper Mining Co., 140 miles away. More than that, we could hardly expect the Rocky Mountain Power Co. to put in new industries at the Flathead, because new industries there would come in direct competition with their own companies like the Anaconda Copper Co. The Anaconda Copper Co. make a certain amount of fertilizer. It is one of the by-products of their mining operations. Of course, we could not expect this company, which is so closely affiliated with the Anaconda Copper Co., to make fertilizer if they got the permit.

Furthermore, they are only asking for a license on the key dam or the one site next to the lake, which would develop only about 32 per cent of the total power which can be developed at the five sites. The total power at the five sites is estimated to be 214,000 horsepower, and they state that they will develop only 68,000 horsepower. Furthermore, on the Missouri River at Great Falls and other places the Montana Power Co. have a number of undeveloped power sites and some very good ones. They furnish the power to local concerns and to the Anaconda Copper Co.

It was brought out in the testimony given at the hearings that there is 200,000 horsepower yet undeveloped, of which the Montana Power Co. has control on the Missouri River. It has been the policy of the Federal Power Commission, I understand, not to consider any bids of a company for a power site on a river in the event that company has undeveloped power sites on some other river. That is, it has been the policy of the Federal Power Commission to insist that a power company develop all the sites that are possible on the rivers upon which they have leases before they will be granted a site on another river.

I refer to the record of the hearings on Senate Resolution 80 before the committee of the Senator from Michigan [Mr. COUZENS], at page 292. The Senator from Montana [Mr. WHEELER] was asking Mr. Merrill, the former executive secretary of the Power Commission, some questions. I read:

Senator WHEELER. Has the commission made any ruling with reference to making a power company use all the sites upon one river before they permit them to go upon another river?

Mr. MERRILL. That has been pretty generally done. That is, they have not been permitted to go on another stream unless there were outstanding reasons for it.

I understand there has been a case of this kind in the State of California where the Federal Power Commission refused a power company permission for a site on a river while they had some undeveloped sites on another river in the same territory. Perhaps that is one reason why the dummy organization known as the Rocky Mountain Power Co. was organized to make the bid for the Flathead site.

It seems to me that if site No. 1 is let to the Rocky Mountain Power Co. it would absolutely tie up the other four sites in that development for a long period of years at least, because the dam to be put in at site No. 1 would control the water that flows out of the Flathead Lake to develop and generate power, and they would practically thereby control the other four sites, which are only a short distance below site No. 1.

The Rocky Mountain Power Co. bid, as I understand it, was at the rate of $1 per horsepower that they would pay on 68,000 horsepower developed at site No. 1. The Walter Wheeler bid is on the five sites at $1.125 per horsepower, and he would have to bring in industries in order to develop and sell the power.

The executive secretary of the Federal Power Commission is Mr. Bonner, former Secretary Merrill having gone out in June. The common rumor afloat is that Mr. Bonner was put in as executive secretary of the Federal Power Commission—I do not know whether it was at the request of the Montana Power Co. or not, but that they were instrumental, at least, in getting Mr. Bonner in there, and his action and attitude with reference to this site seem conclusively to bear out such a presumption.

Along late in the summer or early fall Mr. Bonner sent a notice to Walter H. Wheeler, of Minneapolis, in substance that he should come before the executive secretary and show cause why the power sites on the Flathead River in Montana should not be let to the Rocky Mountain Power Co. At that time the two Senators from Montana became interested in the situation and demanded an open hearing. As chairman of the Senate Committee on Indian Affairs I joined them in that request. An open hearing was held. I attended for a brief period of time on one or two occasions and had my secretary there on other occasions. On several occasions it was reported that Mr. Bonner, the executive secretary, showed rather decided partiality in favor of the Rocky Mountain Power Co. and in opposition to Mr. Wheeler. In fact, some of the other men connected with the Power Commission, notably the solicitor, Mr. King, and the accountant, Mr. Russell, made some very strong statements against the attitude of Mr. Bonner.

Perhaps Senators have noticed recently in the press an article setting forth that a Mrs. Ward had been let out of the Power Commission office. She was a filing clerk and had been there for 10 years, as I understand, since the commission was organized. It was her duty to file papers and letters, and so forth, and keep tab on them. She states, according to the press reports, that some of those letters were taken out of the files. She was working for the chief clerk, a Mr. Griffith. Mr. Griffith, of course, was the chief clerk of Mr. Bonner, the executive secretary. Mrs. Ward claims also that Mr. Griffith, who had been there for some time, I think practically during all the



time that Mrs. Ward had been there, had been nagging her and finding fault and apparently trying to get her to resign from her office; that when she complained about the letters being taken out of the files she was told that it was none of her business, and all that kind of thing. Finally one day she got very angry, according to the newspaper stories, and, happening to have some eggs, which she had bought to take home with her, she threw several of the eggs at the clerk. She was a pretty good shot, and hit him four times out of six, which was doing fairly well. The result was that Mrs. Ward was "fired."

A few days later her husband, who is an attorney here in the city, took up the case in behalf of his wife and appealed to the Department of Justice. The Department of Justice "passed the buck" to the Interior Department, under which the Power Commission is organized, of course, and Secretary Wilbur again "passed the buck" to Mr. Bonner. That is the regular routine bureaucratic method of doing business. Mrs. Ward, who was working for Bonner, or, at least, under his chief clerk, had gotten into trouble there with the chief clerk. Undoubtedly Mr. Bonner knew something about it; undoubtedly Griffith had not taken those letters out of the file on his own account, at least; if they were taken out of the file, they were removed at the request and under the authority of Mr. Bonner, the executive secretary. Yet when an effort was made to get justice for Mrs. Ward, after working faithfully for 10 years in that office, the Secretary of the Interior referred the matter for settlement back to Mr. Bonner, one of the men who undoubtedly was instrumental in getting her out of the office.

O Mr. President, those same tactics are used time after time on Indian reservations. The subcommittee of the Committee on Indian Affairs have had called to their attention numerous cases where some employee of an Indian school or Indian reservation had found something that was entirely wrong, for instance, where the superintendent or the principal of the school was dealing unfairly with the children or with the Indians, not giving them a square deal or proper attention. Such complaints have come, in many instances, to the subcommittee of the Committee on Indian Affairs.

Sometimes we have taken the matter up with the Secretary of the Interior or the Commissioner of Indian Affairs; and I think, without a single exception, Mr. President, those complaints have been referred back to the superintendent against whom the complaints were originally made. Perhaps the department have sent out an investigator and sometimes the investigator has made a fairly good report, but if it has been too strong against the superintendent, they have sent out a second inspector to make a report, and generally the situation is whitewashed in that way. The result is that subordinates in the school or on the reservation who have the courage of their convictions, who have the manhood to stand up and complain against injustice by the superintendent or the principal of the school, have been demoted or let out of the Indian Service entirely or transferred to some other reservation or school at a smaller salary. That has been the case practically every time; and the same thing is happening right now. The case of Mrs. Ward is being investigated by Mr. Bonner, who was instrumental in getting her kicked out in the first place.

When the subcommittee were on the Flathead Reservation last summer they held some hearings. One of the men who appeared before us was the president of the Flathead Tribal Council, Caville Dupuis, who seemed to be a very intelligent sort of a man; so far as I was concerned, at least, the impression he made on me was very good. He seemed to know what he was talking about; he seemed to be honestly interested in the welfare of the Indians; he seemed to honestly represent the Indians there as president of the tribal council.

The tribal council had gone on record several times against the leasing of the Flathead power site to the Rocky Mountain Power Co. I rather think, from the statements they made, that they had pretty good ground for making such objections. The superintendent out there, however, Mr. Coe—and I might say that he is quite a typical Indian superintendent of the old school—apparently took no consideration of the wishes of the executive council or the business council of the Indians; in fact, he ignored them. I have a copy of a letter written by Superintendent Coe, under date of December 14, 1928, addressed to the Commissioner of Indian Affairs, Washington, D. C. I wish to read an extract from that letter, as follows:

> There are inclosed herewith petitions signed by a large number of Flathead Indians favoring the leasing of the power site on the Flathead River to the Rocky Mountain Power Co. These petitions were prepared and circulated by a committee of the Indians themselves. A majority of the Indians favor the application of the Rocky Mountain Power Co. and desire that a permit be issued to them at an early date.

Mr. President, at the hearing which we held there we obtained some information as to the manner in which these petitions were circulated. I have here, and will refer to it later the expense accounts which were filed by the Rocky Mountain Power Co., in which they include a number of payments to some of the Indians, to one of them especially, Joe Irvine, a mixed-blood Indian, who was very active in circulating these petitions. He had been in the pay of the Montana Power Co. or the Rocky Mountain Power Co., according to their own testimony. Their own expense accounts show that they have paid him at least several hundred dollars. He was very active in getting petitions from the Indians against the Walter Wheeler contract and in favor of the Rocky Mountain Power contract.

Later last Fall, after we had been there in the summer, this Joe Irvine and a few other discontented Indians formed a sort of association—an Indian association, I think, they called it—which pretended to represent the great majority of the Indians of the Flathead Reservation. They organized and sent resolutions and petitions to the Commissioner of Indian Affairs favoring the immediate lease of the site to the Rocky Mountain Power Co. I have a letter here signed by the president and secretary of the Flathead Tribal Council. I wish to say that this tribal council was duly elected under the regulations prescribed by the Interior Department. After the new commissioner, Mr. Rhoads, and the new assistant commissioner, Mr. Scattergood, came into office, on the 1st of July, they had a new election called out there, so that there would be no doubt that the majority would be represented by the new tribal council. The election was on October 5, 1929, at which time Dupuis was again elected a member and made president of the tribal council; in fact, Mr. President, there were only a dozen or twenty at the outside, who voted against him. Mr. Dupuis states—and this is in the form of a resolution—

> Whereas following the regular election of tribal officers on October 5, 1929, Supt. Charles E. Coe, in violation of faith with the Flathead Tribe, as well as in violation of the rules and regulations of the Interior Department, gathered in his office on November 29—

That was last fall, less than two months after the election at which the regular tribal council was selected—

> gathered in his office on November 29, 1929, about 20 Indians and intermarried whites; and
>
> Whereas the leading persons gathered at this meeting in Superintendent Coe's office were men who have been openly working to promote the interests of the Montana Power Co., and some of them have admitted, or are proved by public records, to have taken money from the Montana Power Co.; and
>
> Whereas Superintendent Coe had previously been in collusion with these same agents and dupes of the Montana Power Co., and had assisted in circulating a deceptive petition by fraudulent means, calling for the immediate granting of the Flathead power site to the Montana Power Co. without any reservations attached; and
>
> Whereas at this gathering in Superintendent Coe's office, over which Superintendent Coe presided for part of the time, there was organized a fake organization called the "Flathead Indian Association"; and
>
> Whereas this association is proceeding to work, as its controlling members have long worked, to the end of delivering the Flathead power site, by hook or by crook, to the Montana Power Co.; and
>
> Whereas Superintendent Coe has furnished statements which have been placed in the CONGRESSIONAL RECORD by Congressman LOUIS C. CRAMTON, falsely asserting—

Of course he means that Superintendent Coe makes the false statements; there is no reflection on Representative CRAMTON—

> falsely asserting that the fake organization brought together in his office November 29, 1929, called the "Flathead Indian Association," is the representative body of the Flathead Tribe, although it is of record and accepted by the Commissioner of Indian Affairs that the Flathead tribal council is the authorized body of the tribe; and—

I will not read the remainder of it but will ask unanimous consent that it may be printed in the RECORD at this point without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remainder of the resolution is as follows:

> Whereas Superintendent Coe has continued openly in his efforts to impede and discredit the work of A. A. Grorud, the attorney of the Flathead Tribe, and Congressman CRAMTON has aided and abetted Superintendent Coe in this nefarious effort, and has protected himself behind congressional immunity; and
>
> Whereas the Montana Power Co. for more than three years has been a corrupting, blackmailing, and unscrupulous influence on this reservation, paying money to irresponsible Indians and dishonest whites, circulating fake petitions, financing fake Indian powwows, and stopping

at nothing short of murder in its determination to get possession of the Flathead power sites on terms disadvantageous to the Flathead Tribe: Therefore be it

Resolved, That the usefulness of Mr. Coe on this reservation has long since ended; that he has become a nuisance and a persecution against the Flathead Tribe; and

Resolved further, That Superintendent Coe is known to this tribe as a man working against the best interests of this tribe in favor of a corporation seeking to exploit this tribe;

Resolved further, That the Secretary of the Interior and the Commissioner of Indian Affairs are informed through this resolution, if they do not already know, of the behavior of Superintendent Coe, and are hereby requested to remove him promptly from this reservation;

Resolved further, That the Senate Indian Investigating Committee is requested without delay to inquire into the circumstances narrated in this resolution, with a view to protecting the Flathead Tribe against demoralization, coercion, and spoliation;

Resolved further, That a copy of this resolution shall be sent to the President of the United States, the Secretary of the Interior, the Commissioner of Indian Affairs, the chairmen of the Indian Committees of Congress, and the Senators from Montana.

I hereby certify that the above resolution was duly adopted at a special meeting of the Flathead Tribal Council, held at St. Ignatius, Mont., February 24, 1930.

CAVILLE DUPUIS,
President Flathead Tribal Council.

Attest:

VERA A. VOORHIES, *Secretary.*

Mr. FRAZIER. I want to call attention to the fact that in the resolution they say that the usefulness of Mr. Coe on the reservation has long since ended. I will say that in my opinion that statement is absolutely correct; that the usefulness of Mr. Coe as superintendent of that reservation or any other reservation is ended; and they ask for his dismissal, and so forth.

I took this matter down to the Indian Commissioner, talked over the matter with him, told him of the hearings we had out there, and told him that in my opinion, if this statement was correct—and I believed it was, because from the impression we got of this man Dupuis and the rest of his council, they were honestly representing the Indians—that was reason enough, in my opinion, to fire that man Coe right off the reel; but the commissioner said, "Oh, we must make further investigation." I do not know how long they are going to investigate, but apparently the Rocky Mountain Power Co. wants Mr. Coe retained there as superintendent of the Flathead Indian Reservation, because he seems to be working for the Montana Power Co. or the Rocky Mountain Power Co. more than he does for the Indians on the Flathead Reservation.

I desire to place in the RECORD an editorial from The Nation of April 16, 1930.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial is as follows:

[From The Nation for April 16, 1930]

THE POWER TRUST AND THE INDIANS

The best site in the United States for the production of cheap power in large quantities is about to fall into the capacious maw of the Power Trust. As the Senate passes the Norris bill for public operation of the Muscle Shoals plant, which with auxiliary steam can produce some 450,000 horsepower, the Federal Power Commission is on the point of handing over to the Rocky Mountain Power Co. the five great sites on the Flathead River, in western Montana, where it is possible to develop 214,000 units of primary power without auxiliary plant of any kind. The circumstances of the proposed lease, unhappily shrouded in secrecy, demand the most rigid scrutiny; and President Hoover, Secretary Wilbur, Commissioner Rhoads, of the Indian Bureau, and Assistant Commissioner Scattergood, if they are to safeguard their own reputations as capable public servants, must act with the greatest care.

Owing to particularly favorable natural conditions, notably natural storage and uniform flow, the Flathead sites, the third largest water power in the United States, which are owned by the Flathead Indians, offer extraordinary opportunities for cheap power provided a near-by market can be developed. Site No. 1 controls the flow at the lower sites; all five must be leased and operated as a unit. There are two bidders. One is the Rocky Mountain Power Co., a subsidiary of the Montana Power Co., controlled by the great Electric Bond & Share Co. and intimately related to that Montana giant, the Anaconda Copper Co. The other is Walter H. Wheeler, a Minneapolis engineer whose financial support is not a matter of public record. Mr. Wheeler proposes to use all five sites provided he can develop a market, as he is confident he can, thus producing 214,000 horsepower and paying the Indians $1.12½ per horsepower, or $240,750 a year. The Rocky Mountain Power Co. proposes to develop only site No. 1, and that only to the extent of about two-thirds its capacity, or 68,000 horsepower, for which it will pay $1 per horsepower, or $68,000 a year, a little more than one-fourth of the Wheeler offer. Assistant Commissioner Scattergood has declared that neither bid represents by any means the full value of the power. Mr. Wheeler professes his ability, if granted a permit, to secure contracts for the industrial use in the immediate vicinity of the plant of power which he proposes to sell at $15 per horsepower per year, the lowest rate in the United States, thus bringing about the development of a great electrometallurgical and fertilizer industry, for which he declares great stores of material are readily available in the adjoining section of Montana. The Rocky Mountain Power Co.—that is, the Montana Power Co.—on the other hand, proposes to transmit the power 140 miles to Anaconda, where it will be merged into its general power system. Company officials express a doubt whether they will develop more than site No. 1, as they have sources other than Flathead more advantageously located with reference to their existing system. In fact, they now have 200,000 undeveloped horsepower in reserve, enough to take care of the increase of consumption at the present rate for the next 20 years. Under these conditions it is charged, with great show of reason, that the real purpose of the power company is to get hold of the Flathead sites, thus preventing competition with its own system and especially preventing the development of an electrometallurgical and chemical industry that will compete with the Anaconda.

There is no space to go into the history of the negotiations leading to the present situation, in which the Federal Power Commission, without any adequate public explanation, proposes to award an enormously valuable lease not to the highest but to the lowest bidder, on terms that appear no less than downright spoliation of the Indians who own the sites. The power company, by the use of funds which it proposes to charge to the development cost of the project, with the active aid of Superintendent Coe of the Flathead agency, organized a so-called Flathead Indian Association, a group of 20 Indians out of 3,000, which in opposition to the authorized tribal council urges the acceptance of the power-company bid. This association has been defended by Representative CRAMTON on the floor of the House. Assistant Commissioner Scattergood began in November with a brilliant defense of the rights of the Indians. His later course has been hard to understand, and his present position is by no means wholly clear to the public. Mr. F. E. Bonner, executive secretary of the Federal Power Commission, is charged with having prejudged the case on an incorrect statement of fact.

We make no suggestion of corrupt motives against any of the actors in this remarkable drama. We do not urge acceptance of the Wheeler bid; we feel strongly that there is much in the situation that needs clarification, and that under the present circumstances no permit should be granted to anyone. There is no reason whatever for haste and every reason for deliberate procedure. The President of the United States favors the development of our water power by private enterprise; he must therefore guard himself against every suggestion of favoritism to the huge financial interests that stand to profit by his policies. His Secretary of the Interior should be on the alert to protect him. If there are adequate reasons for the lease, which on its face appears thoroughly indefensible, surely they can be made clear to that great body of citizens like ourselves whose only interest is the welfare of the Indians and the public. Unless and until those reasons are made clear neither President Hoover, who is fundamentally responsible, nor Secretary Wilbur, who is his active agent, nor Commissioners Rhoads and Scattergood, who are the guardians of Indian rights, nor the Montana delegation in House and Senate, who will bear a heavy responsibility for what is done, nor the Montana Power Co. itself can afford to incur the risk of odium that will attend the making of this lease to-day. Why does not Mr. Wilbur forthwith rid the Power Commission of that incubus Secretary Bonner, and send him back to the power companies who recommended him? Failing that, let some Senator come forward and sponsor the Kvale resolution postponing the making of any lease at all until it can be done by a reorganized power commission in whose knowledge and purpose there can be unqualified public confidence. And let Congress pass the resolution without delay.

Mr. FRAZIER. I also ask permission to place in the RECORD an editorial from the New Republic of April 16, 1930.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A few weeks ago the New Republic published an article on the scandal in the Federal Power Commission, which mentioned the pending question concerning the disposal of the Flathead power site. The Montana Power Co., which makes extravagant profits, wants to lease this site, and was temporarily prevented from obtaining the lease only by the appearance of a rival, independent bidder—Mr. Walter H. Wheeler, of Minneapolis—who offered to charge lower rates for electricity than had been offered by the power company, and to pay more to the Indian owners. We are not in a position to judge between these bids for the third largest power site in the United States, and it may be that neither of them ought to be granted. But one thing is certain—no decision should be made by the Power Commission as at present constituted. Executive Secretary Bonner, of the commission, is charged, on the basis of good evidence, with being a representative of private utility interests. A proposal was made in his annual message by President Hoover, and is embodied in a bill by Senator COUZENS to reorganize the commission. If under these circumstances the com-

mission proceeds to sign away for 50 years such an important site, the makings of a major scandal will be at hand. Let us first make sure that the utilities have no improper influence over the commission, and that it is adequately equipped to perform its work before such an important decision is made.

Mr. FRAZIER. Mr. President, an editorial from The Nation of April 16, 1930, sums up the situation and refers to the same Indian association that is referred to in the letter of Mr. Dupuis.

The whole situation has proven to me that some of the employees of the Power Commission down here are more interested in the Montana Power Co. than they are in the Indians or in the general public. There have been some very strong statements made by some of those connected with the department. There is a statement here by Mr. King and another by Mr. Russell. They went before the Couzens committee in their hearings and made some very strong statements. It seems rather strange but a great many times in the hearings the executive secretary showed his favor for the Rocky Mountain Power Co. and against Mr. Wheeler. Mr. Wheeler informs me that his bid has never been rejected, or, at least, he has never been given any notice to that effect, nor has it ever been withdrawn. The Assistant Commissioner of Indian Affairs has said to me, time after time, "Oh, we are going to get an ideal contract for these Indians. We are going to get a real contract for the benefit of the Indians, one that can be made a model."

Mr. President, there have been two set-ups, at least, of their proposed contract brought before the subcommittee of the Committee on Indian Affairs; and, according to statements made by people who have studied them and know something about the power game, they are not ideal contracts by any means; and I understand that they have been rejected, too, by the Montana Power Co. However, if the Secretary of the Interior and the Commissioner and Assistant Commissioner of Indian Affairs are interested in getting a good contract for those Indians instead of favoring the lease of the Rocky Mountain Power Co., who have stated openly time after time that if they get the lease they only expect to develop 68,000 horsepower, only 32 per cent of the total amount of power of the five sites, I should think they would give some encouragement to Walter H. Wheeler, of Minneapolis, in his permit, give him a couple of years, if necessary, to see what he can do, to see whether or not he can get capital interested, to see whether or not he can bring outside industries into the State of Montana and get a better deal for those Indians; and if he can not do that, let them look for new bids for that power site. That power site has been there, unused, for a long time. It has not been developed yet; and a delay of a couple of years more or three or four years more, as compared with a good contract or bad contract is, in my estimation, a matter of no moment at all.

I find, in the presidential campaign expenditures, that some of the officials of the Montana Power Co. and these other affiliated organizations have contributed to both of the national parties, some of them to the Republican campaign fund and some of them to the Democratic campaign fund. The Republican campaign contributions, according to this list, are less than the others. They are only in five and ten thousand dollar amounts; but the one big item is in the Democratic campaign list, John D. Ryan, $30,000, in the last campaign. I am not charging that there is any connection there with this proposition; but Mr. Ryan is a powerful individual, and, of course, his companies and the companies he represents are very powerful, and undoubtedly a lot more money was contributed to both the old parties than is indicated in this list.

Mr. WHEELER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. FRAZIER. I yield to the Senator.

Mr. WHEELER. I want to say that I do not know which party Mr. Ryan donated the most money to; but I do know that the votes that the power company could control went to the Republican Party rather than to the Democratic Party so far as the presidential candidate was concerned.

Mr. FRAZIER. That may be.

The Assistant Commissioner of Indian Affairs, Mr. Scattergood, who knows considerable about power and power development, has made the statement a number of times that they were going to have an ideal contract, and that it must be based on the earning power of the company that would get it, and so forth, and that the Indians would get every cent to which they were entitled. Well, that sounded very good; but the contract that was submitted by the Secretary of the Interior, as I understand, to the vice president of the Rocky Mountain Power Co., Mr. Kerr, was far from being an ideal contract, and was based on the price for which this dummy company would sell their power to their parent company, the Montana Power Co., and not based on the price that the Montana Power Co. would get for that power. Mr. Collier, the secretary of the Indian Defense Association, who has put in a good deal of study on this matter, states that there would be a net difference, a net profit of $10.21 for every horsepower—a net profit by the dummy arrangement between the Rocky Mountain Power Co. and the Montana Power Co. that is not considered in this set-up that was submitted, or was supposed to have been submitted, by the Department of the Interior to the Rocky Mountain Power Co.

Mr. President, I want to call attention to some of the items in what is known as the capital-account statement or the prelicense cost statement submitted to the Federal Power Commission by the Rocky Mountain Power Co. in connection with its application for license for development of the Flathead power site.

As I understand, a power company, provided they get a lease, are entitled to put in their precontract cost. In this case it amounted to quite a lot of money. It ran up into the thousands of dollars. In fact, it amounted to $183,312.47. That was the prelicense expense account. That, of course, dates from the time they started up until January of 1929. Naturally there was quite a lot of expense. They had some engineering work done, and some investigating, and all that kind of thing, and naturally it cost them quite a little money; but $183,000 is a lot of money, and I want to read some of the items that show what the money was spent for.

I have here a photostatic copy of the expense account filed by the Rocky Mountain Power Co. with the Federal Power Commission, signed by F. M. Kerr, vice president of the Rocky Mountain Power Co. Under date of April 15, 1927, there are four items of $35 each listed as "special expense." I do not know what the "special expense" was, and Mr. King and Mr. Russell, of the Federal Power Commission, say that they do not know what it was. No one else seems to know.

On September 1, here is an item "Sidney Ward, for Indians, $100," in the miscellaneous expense. Sidney Ward was one of the "fixers" for the Montana Power Co. and Rocky Mountain Power Co., who worked between the Indians and the power company out there.

Here is another one:

St. John's Parish, $15.
Young Men's Christian Association, $50.
Montana Club, $16.50.
Rainbow Hotel, $155.25.

That is not in the hotel column. It is in the miscellaneous column; so it was not all for hotel bills, apparently. The Rainbow Hotel is at Great Falls, quite a long way from the Flathead power site.

On January 4, here is $100 to Steve Murphy. I understand he is a detective for this company. I do not know what he was there for, but probably working with the Indians.

On June 3, 1928, there is an item "State fair, $30," in the miscellaneous account. I do not know what it was—whether it was a donation, or expenses to the State fair, or what it was.

Here is a "special expense" item again of $35.

Here is another "special expense" item. This time it is a little higher. It runs up to $299.46.

Here is another "special expense" item. It runs up pretty well—$884.21. That was at New York.

There is another "special expense" item of $35 on the same date; and so they go on.

Here is an interesting item, "Basket and party, $12.50." Evidently they had had a little lunch party out there somewhere, and got a backet of lunch, and it cost them $12.50; and it is put in here as an item charged up against that Indian power site. This statement is signed by Mr. Kerr. Mr. Kerr must have had a very enjoyable time while working on this proposition.

On this same date, January 5, 1929, there is an item, "M. E. Church, $50"—a donation to the Methodist Episcopal Church, apparently.

Here is another "special expense" of $35, and on the same date a second "special expense" of $35.

Here is another one on January 5:

Young Men's Christian Association, $50.
Jews, $20.
St. Johns, $115.
Montana Club, $8.25.
Montana Children's Home, $25.

They did not miss anybody, apparently. Here is another one: "Special expenses, $35."

A lot of these special expenses were $35 each. I do not know whether that is the price of good moonshine out there or what the expense is, but there are a lot of these $35 special expenses.

Here is one for the Boy Scouts, $50. Oh, Mr. Kerr, the vice president of this company, did not miss many organizations in Montana in his contributions which he has charged up to this Indian power site.

I do not know that I explained, but providing they get this lease, and providing these expenses are allowed, these expenses go in as a part of the capital cost of the project, and everyone who buys electric power out there, if this is developed and these expenses are paid by the company, will pay his proportionate share of the expenses charged up here.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. NORRIS. I think the Senator ought to add that if they do not get that power the expenses will be charged up to the customers of that company who get electric light and power.

Mr. FRAZIER. They will be charged up to the Montana Power Co., because the Montana Power Co. paid these expenses, according to the record.

Mr. NORRIS. Of course, they are met by the charges to people in the homes where electric light is used. They are paid for by the washerwoman who uses electricity in washing clothes. They are paid for in every humble home where the people read the newspapers by electric light. It is only a sample of what is being done all over the United States by these various corporations which together constitute the Power Trust of the United States.

Mr. FRAZIER. That is very true. I just wanted to call attention to these because they are such glaring irregularities.

Mr. NORRIS. They are, and I am glad the Senator is doing it. It would be more interesting still if his committee would get this man, whoever he is, who spends these items of $35 and find out just what it was he bought with that $35 every day or two.

Mr. FRAZIER. I presume his memory would be poor, just as Mr. Merrill's memory was poor. He approved this expense account, but when he came before the Couzens committee, and Senator BROOKHART asked him if he was familiar with that expense account he said such an expense account was filed, and when the Senator asked him if he had approved it he said no, he had not. But I have his approval here, or a copy of it, signed by Mr. Merrill himself.

Mr. WALSH of Montana. Mr. President, of course I do not take issue with the Senator in connection with any strictures whatever he may make on that account. It is an outrageous thing. I am surprised, however, to hear him say that it had been approved by anybody.

Mr. FRAZIER. It was approved by Mr. Merrill.

Mr. WALSH of Montana. Can the Senator refer us to the approval by Mr. Merrill?

Mr. FRAZIER. Yes; I have it, and I will refer to it. It is also approved by J. F. Dennison, and Dennison is secretary-treasurer of the Rocky Mountain Power Co., and I think also secretary-treasurer of the Montana Power Co.

Mr. WALSH of Montana. That is not the question. My inquiry is to what extent the account has been approved by any official of the Power Commission.

Mr. FRAZIER. By Mr. Merrill.

Mr. WALSH of Montana. That is what I was asking.

Mr. FRAZIER. Mr. Merrill was executive secretary. Under date of April 26, 1929, a letter was sent to the Rocky Mountain Power Co., No. 2 Rector Street, New York, N. Y.

Attention of C. B. Smith.

GENTLEMEN—

C. B. Smith is an accountant of the Rocky Mountain Power Co. and also of the Electric Bond & Share Co., I understand. He sent in a sort of a transmittal letter asking that approval be made of this expense account. Mr. Merrill states:

GENTLEMEN: Reference is made to your letter of April 3, relative to prelicense cost of the above-designated project—

It is headed "Project No. 5, Montana."

In accordance with your request, there are returned herewith the original bills covering payments made by the Montana Power Co. to Chas. P. Main (Inc.) on account of Flathead development aggregating $39,114.61. It will be unnecessary to reproduce the bills for the files of this office.

The staff of this office has examined your statement and is prepared to present, at the proper time, to the commission with a favorable recommendation, your claim of $183,312.47 as representing the prelicense cost of the project as of January 31, 1929.

Very truly yours,

O. C. MERRILL,
Executive Secretary.

There is a notation here:

Not approved. V. W. K.

That is Mr. King, I understand.

Mr. WALSH of Montana. What is the total amount of the account?

Mr. FRAZIER. One hundred and eighty-three thousand three hundred and twelve dollars and forty-seven cents.

Mr. WALSH of Montana. That is recited in the certificate; the total amount of the claim as presented is what?

Mr. FRAZIER. One hundred and eighty-three thousand three hundred and twelve dollars and forty-seven cents. It is the same amount.

Mr. WALSH of Montana. What I want to know is whether the items to which our attention has been specifically directed by the Senator are included in this $183,000.

Mr. FRAZIER. I think all of them are. It is my understanding that they are all included.

Mr. WALSH of Montana. The Senator is not certain about it then? I glanced at this only hurriedly, and my recollection is that the $183,000 is made up of items exclusive of those to which the Senator has specifically called our attention.

Mr. FRAZIER. I do not think so, because in the itemized statement set forth by the secretary-treasurer a lot of these lump sums are included.

Mr. WALSH of Montana. The Senator may be right, but my recollection is that the $183,000 is specifically analyzed in the files and does not include the items to which we have been specifically referred by the Senator.

Mr. FRAZIER. I think the Senator from Montana is mistaken in that as these itemized accounts were filed with their report.

On page 294 of the report of the investigation of the Federal regulation of power by the Interstate Commerce Committee, when Mr. Merrill was on the stand, the following occurred:

Senator BROOKHART. Do you know about this Rocky Mountain Power Co. filing a prelicense cost of $183,000?

Mr. MERRILL. I am not certain. I think they filed it before I left, but of course I do not recall the details.

Senator BROOKHART. Did you approve it?

Mr. MERRILL. No; I did not approve any of it.

But his memory was short, according to the copy of this letter, at least.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. FRAZIER. I yield.

Mr. NORRIS. I have no knowledge about that particular item, of course, or whether Mr. Merrill's approval includes those items the Senator has been talking about or not; I have no knowledge of that whatever. I only wanted to say that Mr. Merrill was always complaining of being handicapped for lack of the requisite assistance to perform the duties of his office. I think he was justified in that from what examination I could make.

I happened to be familiar with one or two matters in that connection. For instance, I knew something about Mr. Merrill's work in connection with the Conowingo Dam, in preventing corporations from including in their expense accounts a lot of items, I think in that case amounting to two or three million dollars, which he rejected. While Mr. Merrill does not at all agree with me as to what should be done with power sites, yet I reached the conclusion that Mr. Merrill was doing the best he could, handicapped as I think he was.

Mr. FRAZIER. In other words, the Senator does not think he had time to go over these accounts?

Mr. NORRIS. No; I do not think he did.

Mr. FRAZIER. That may be true.

Mr. NORRIS. I am inclined to think it is true. In the Conowingo Dam case, I had a personal conference with Mr. Merrill, and he called my attention to a great many items—I have forgotten what they were now, but they were much larger than the items to which the Senator has been referring—in which the company attempted to have the items approved and included as prelicense expenses, and have them become, as they would in this case, and in every such case, a part of the investment, so that consumers throughout all time would be paying rates which would bring in interest on these amounts.

I reached the conclusion at that time that Mr. Merrill was, in that case, at least, doing good work to protect the consumers who would have to pay the bills from being compelled to pay rates which would bring in income on some of these fictitious items. In that case, as I remember it, expenses to the amount of several million dollars he succeeded in keeping out.

Mr. FRAZIER. Mr. President, I am glad to have that statement.

On may 2 there was this item:

Entertainment of district managers, $50.

I suppose that was in connection with the work. Here is an item:

Expenses regarding Flathead site, $100.

That is the 3d of February. Then there are ditto marks, and $120, both of those items charged to "miscellaneous fund."

Down a little lower is this:

Great Falls Wool Growers' Convention.

There are three items. The first one is $23.65, the next is $28, and the third, $35.

Mr. NORRIS. Mr. President, will the Senator yield again?

Mr. FRAZIER. I yield.

Mr. NORRIS. Evidently these people were trying to do what the power companies, the investigation shows, have been doing all over the United States. They were making these contributions to the Boy Scouts, to the Methodist Church, and I suppose, if we knew the truth, to all other churches, if the churches had any particular influence in the community; to the women's clubs, and commercial organizations. They took somebody to a woolgrowers' association convention, to a fair, to the races—spending money for the purpose of building up sentiment in favor of whatever steal they were trying to put over.

Mr. FRAZIER. Yes; I think that is very true. They apparently did not miss any of the organizations out there. There is one item here of a payment to some Methodist church or hospital or school or something of the kind. Here it is, the Montana Deaconess School, which, I understand, is a Methodist school. Here is one item of $25 to the Knights of Columbus, and here is one for an Indian powwow at Hamilton, Mont., $50, one item, and the next item $140, charged to the same account. And I see under that "Sid Ward," to whom I referred as a "fixer" for the company, $100, evidently in connection with this Indian powwow.

I do not know just what these powwows were and why the expenses for them should be included in this account, but they are here.

Mr. President, according to Mr. King, of the commission, this proposition was brought here by Mr. Smith and Mr. Denison, who was secretary of the company. Mr. King makes some comments on the expense account. He states that the items for a proportionate part of the salaries of the officials of the Rocky Mountain Power Co. were charged to this project. That may be, perhaps, all right, but there are a lot of expenses for which there are no details, he said, and he thinks it is rather irregular, to say the least. He said further:

In this case Mr. Denison is in the New York office and the details are all kept at the office at Butte, Mont. Mr. Denison seems to have no knowledge of the details other than as shown by the bills of the Montana Power Co.

The items to which I have been referring are the bills of the Montana Power Co.

The following is a general summary of the bills of the Montana Power Co.—

And he summarizes them at length. Then Mr. Denison makes a sworn affidavit, which is rather interesting, which reads as follows:

STATE OF NEW YORK,
County of New York, ss:

I, J. F. Denison, secretary-treasurer of the Rocky Mountain Power Co., applicant before the Federal Power Commission for a license for a water-power development designated on the records of the commission as project No. 5—

No. 5 is back in the early history of the Power Commission—

herewith submit to the commission on behalf of said applicant the foregoing statement, consisting of sheets numbered 1 to 12, inclusive, and showing, as of January 31, 1929, the actual legitimate cost of and the actual legitimate investment in the project as applied for; and I do solemnly swear that I have carefully examined said statement; that it contains all items and amounts actually paid by the applicant, actually accrued and entered in its accounts but not paid, and all liabilities and obligations incurred by it but not entered in the accounts and not paid as of January 31, 1929, which are chargeable, under the provisions of the Federal water power act (41 Stat. 1063) and of the rules and regulations of the commission established thereunder, to the fixed capital accounts of said project, in whole or in part; and that said statement shows the maximum amount that is claimed or will at any time be claimed by the applicant as representing the actual legitimate cost of and the actual legitimate investment in said project up to and including said date.

J. F. DENISON.

Subscribed and sworn to before me, a notary public, on 29th day of March, 1929.

The Senator from Nebraska surely does not think Mr. Denison, who is secretary and treasurer of this company, the Rocky Mountain Power Co., and affiliated with some other big companies up there, did not have help enough to examine these statements?

Mr. NORRIS. Oh, no. I have not any doubt that he never examined any of them at all. He was in New York and the statements were out in Montana.

Mr. FRAZIER. The statements were sent to him, because he brought them down here with him.

Mr. NORRIS. Oh, of course, they were sent to him. He is a part of the great big power machine.

Mr. FRAZIER. Yes; that is very true.

Mr. NORRIS. He would have approved anything; it did not make any difference as far as he was concerned. If they spent money to build up sentiment as they did, to influence preachers, Methodists and Catholics, Boy Scouts and club women, and part of the money was expended for all these purposes—at least I can not see any other reason for its expenditure—all of those expenditures were illegal, all of them were fraudulent, and every cent thus expended ought to be excluded, and they all ought to be condemned, and those who are trying to get the property of the United States and of the Indians by that means ought to be in jail looking out through the bars.

Mr. FRAZIER. I want to read just a little of Mr. Russell's criticism of these expense accounts. Mr. Russell is a solicitor for the Federal Power Commission. According to the testimony that he has given, he has criticized Mr. Bonner very severely at times and he does not approve of these expense accounts.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. FRAZIER. I yield.

Mr. NORRIS. The Senator refers to Mr. Bonner. He is the present executive secretary of the Power Commission.

Mr. FRAZIER. Yes.

Mr. NORRIS. He got his job by virtue of Power Trust recommendations given to the men who appointed him to this place.

Mr. FRAZIER. I think that is very true.

Mr. NORRIS. He has been criticized by the attorney whose name the Senator just mentioned, and I understand because he has criticized the work of Mr. Bonner, which in the main, as I look at it, is carrying out the commands of the Power Trust, the attorney is liable to lose his job. Is there any foundation for that suggestion?

Mr. FRAZIER. I think while the Senator was out of the Chamber for the moment I referred to some propositions of that kind. I think that is true of the general attitude and regulations of the various bureaus and departments here. When anyone complains against some one higher up in the office or bureau or department than he happens to be, the one who does the complaining is generally "fired."

Mr. NORRIS. In this case I do not know that Bonner is higher up.

Mr. FRAZIER. Oh, yes; he is executive secretary and these other men are working under him.

Mr. NORRIS. But Russell is the solicitor.

Mr. FRAZIER. As I understand it, the executive secretary is the head of the Power Commission in the absence of the commissioners themselves.

Mr. NORRIS. But he is just the secretary of the commission, while Russell is solicitor. I do not believe it could be said that Russell has to take his orders from Bonner. At least it has been developed, as I understand it, that Bonner has not succeeded in using Russell to pull the Power Trust chestnuts out of the fire, and Russell has thereby incurred Bonner's displeasure, and that therefore the members of the Power Commission are talking about firing Russell and perhaps elevating Bonner.

Mr. FRAZIER. While the Senator was out of the Chamber I told about them discharging Mrs. Ward, who was the filing clerk and stenographer for the chief clerk. She was discharged because she charged some of them with taking some letters out of the files. She threw a few eggs at the chief clerk, under whom she was working, and she was discharged.

Mr. NORRIS. I think myself she used very bad judgment.

Mr. FRAZIER. She was a good shot at least.

Mr. NORRIS. I understand the eggs she threw were all good eggs. [Laughter.]

Mr. FRAZIER. Perhaps it was too bad to waste the eggs, but, nevertheless, she was fired.

The Senator said that Mr. Russell perhaps does not have to take his orders from Mr. Bonner. During the public hearings on this question, Mr. Bonner, the executive secretary, presided,

at least when there was no member of the commission present. After one of these hearings the report came to me that Mr. Russell had asked some very pertinent questions of some of the representatives of the Rocky Mountain Power Co., and that after the hearing Mr. Bonner told Mr. Russell that he did not want him to ask such questions and that he, Mr. Bonner, would conduct the hearings and did not want Russell there. At the next hearing Russell did not appear. I would judge from that that Mr. Bonner is a little higher up than Mr. Russell.

When that matter was called to my attention, I called the Secretary of the Interior, Doctor Wilbur, on the telephone and told him what I had understood of the situation, and that I thought, inasmuch as Mr. Russell was from Montana and knew a good deal about the situation, he should be allowed to sit in the hearing and ask questions. The Secretary of the Interior said the matter had not been called to his attention, but that he would investigate it. The next day Mr. Russell was back at the hearings and asking questions again, and Mr. Bonner still remained on the job.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield further to the Senator from Nebraska?

Mr. FRAZIER. I yield.

Mr. NORRIS. It may be that the Senator referred to this while I was temporarily out of the Chamber, and if so I do not ask him to go over it again. I understand that Mrs. Ward, the woman who threw the eggs, made some very serious charges. She charged that the chief clerk of the commission removed from the files and concealed or destroyed letters from power company officials trying to procure the executive secretaryship of the commission for Bonner or Paul S. Clapp. Paul S. Clapp was another Power Trust favorite. Some of the letters were written in 1925 and some in 1929. She made this charge, but she is out of the job ostensibly because she threw eggs. Does the Senator know whether any investigation was made of her charges?

Mr. FRAZIER. I explained that while the Senator was out of the Chamber.

Mr. NORRIS. I will not ask the Senator to go over it again.

Mr. FRAZIER. Briefly I will state that her husband, who is an attorney in the city, took up her case with the Department of Justice, as I recall the situation; that the Department of Justice referred the case back to the Secretary of the Interior, and the Secretary of the Interior naturally, under bureau practice, referred the case to Mr. Bonner for settlement. I further made the statement that Mr. Bonner undoubtedly was the man who was responsible for any letters being taken out of the files, because the chief clerk, who had been there some 9 or 10 years, would not be interested in tampering with the files. I think Mr. Bonner was undoubtedly the man who was responsible for it if any files were removed.

Mr. NORRIS. So as a matter of fact, when charges were made that in effect charged Bonner with permitting papers to be illegally extracted from the files and an investigation was asked, the Secretary of the Interior referred the charges to the man against whom they were really made, and permitted him to make the investigation?

Mr. FRAZIER. Yes; and I predict that Mrs. Ward will not get back in the office.

Mr. NORRIS. No. In other words, it is a case where the person charged with having committed in this case what under the law probably constitutes a crime, has the case referred to him for consideration and judgment. If that be true, the procedure apparently is to permit the person who is charged or alleged to have committed the crime to take charge of the prosecution and act as judge and jury.

Mr. WHEELER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. FRAZIER. I yield.

Mr. WHEELER. I understood some of the letters taken out of the files were letters from power companies indorsing Mr. Bonner.

Mr. FRAZIER. That is what the Senator from Nebraska just stated.

Mr. WHEELER. I did not hear the statement.

Mr. BROOKHART. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. FRAZIER. I yield.

Mr. BROOKHART. As bearing upon the question just mentioned by the Senator from Montana, the Interstate Commerce Committee was investigating the indorsements of Bonner and these letters disappeared when we endeavored to find out whether or not he had been indorsed by the Power Trust. I think there were some statements made that he was not so indorsed, at least only by one company, or something of the kind; but the disappearance of those letters covered up the proof to contradict that statement.

Mr. FRAZIER. Here is a statement under date of September 30, 1929, headed "Solicitor's Opinion No. 8." It is signed by Mr. Charles A. Russell, solicitor. It is a memorandum to Mr. King, chief accountant. Mr. King had reported on this same account. It reads:

> You have submitted to me the record of the above-entitled matter—

The "above-entitled matter" is the Flathead Lake project No. 5, in Montana, Rocky Mountain Power Co.—

> You have submitted to me the record in the above-entitled matter, consisting of the files of this commission, and have asked the advice of this office upon the question of the inclusion in the prelicense cost of the project of the items named below:
>
> Payments to Charles T. Main (Inc.) for cancellation of contract, $10,000.

Perhaps the Senator from Montana can explain what that item for cancellation of contract was.

Mr. WHEELER. I have not any idea about it, except I understand it was for legal services, though I do not know as to that.

Mr. FRAZIER. No; as I understand, Charles T. Main (Inc.) had a contract of some kind with the Montana Power Co. or the Rocky Mountain Power Co. and the contract was canceled for some reason or other, and as a forfeit for the cancellation of the contract $10,000 was paid.

Mr. WHEELER. I do not know why the Senator asks me the question, because, I want to say to the Senator, that, so far as I am concerned, with reference to these items which were put in the account, I think they have not any business being included, either the money that was given to different organizations or the $100 that was paid to the lieutenant governor, to which the Senator has not called attention. I refer to the $100 item for his expenses to Great Falls or some other place.

Mr. FRAZIER. I know the Senator does not approve of these items.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the senior Senator from Montana?

Mr. FRAZIER. I am glad to yield.

Mr. WALSH of Montana. My attention was called the other day to a letter in the files which explains the nature of the $10,000 item referred to. I can tell the Senator what the letter shows. I do not mean to have it understood that I have any idea about the matter; I am merely repeating the explanation. It appears that the Montana Power Co. or the Rocky Mountain Power Co. had made a contract with the firm of Charles T. Main (Inc.), of Boston, to do engineering work or, at least, planning work on this project; but when the Electric Bond & Share Co. became the controlling factor of the situation, that contract was canceled upon the representation of the officers of the company that, inasmuch as they had actually become a subsidiary of the Electric Bond & Share Co., the Electric Bond & Share Co. had an engineering force that would do the work, and so they canceled the contract. However, by agreement between the Montana Power Co. and Charles T. Main (Inc.) the Charles T. Main Co. was to receive $10,000 in satisfaction of their claim for the cancellation of the contract.

Mr. FRAZIER. I thank the Senator. I understood the item was due to some situation such as the Senator has mentioned.

Mr. WALSH of Montana. Mr. President, will the Senator pardon me just a little further in this matter?

Mr. FRAZIER. Certainly.

Mr. WALSH of Montana. The letter of Mr. Russell called attention to the fact that not only this item but several other items in the account filed by the Rocky Mountain Power Co., or the Montana Power Co., as the case may be, are challenged. They include—

> The payment to Charles T. Main (Inc.) for cancellation of contract, $10,000; interest, $14,090.16; salaries of officials of the Montana Power Co., $40,998.60; and other items charged into the expense accounts of F. M. Kerr and other officials of the Montana Power Co., approximately $20,000—a total of $85,088.76.

Mr. FRAZIER. By whom were they challenged?

Mr. WALSH of Montana. They were challenged by Mr. King, the accountant.

Mr. FRAZIER. By Mr. King and Mr. Russell.

Mr. WALSH of Montana. Yes.

Mr. FRAZIER. But, as I understand, they were approved and allowed by Mr. Merrill.

Mr. WALSH of Montana. The Senator read the certificate, but I do not so understand the record. I understand that no action has been taken by anybody upon the challenge made to these items by Mr. King and Mr. Russell. It is stated in the

letter from which the Senator has read that those items are still under challenge and under consideration.

As to the "other items charged into the expense accounts of F. M. Kerr and other officials of the Montana Power Co., approximately $20,000," it appears that Mr. Kerr, being the active man in the Montana Power Co., very properly keeps a cash account; he keeps an account of all moneys which he pays out, and they included the very questionable items to which the Senator from North Dakota has referred; that is to say, everything in Mr. Kerr's entire account is put into this record in some form or another.

The Senator from Nebraska is quite right that in all reasonable probability all of these items will go into the general account of the Montana Power Co. and be charged up against the users of power. Of course, they are entirely unjustifiable so far as anybody can see.

Mr. FRAZIER. Mr. President, I was reading from a copy of the letter of Mr. Russell, the same one I think to which the Senator from Montana refers. It mentions the item of $14,090.16 for interest, the salaries of the Montana Power Co. officials of $40,998.60, and other items charged by Mr. Kerr, $20,000, a total of $85,088.76. Mr. Russell objects to those items and he objects to a number of other items. I want to read a further statement from his letter. He says in regard to the interest charge:

> At no place in the Federal water power act is there any provision for the allowance of interest on capital account items.

He makes a further statement in his long letter of criticism of this account:

> That statement applies to every one of these accounts, it is my opinion, and I suggest that the whole of this expense account be entirely eliminated and the applicant be required to furnish an actual detailed statement of expense which is applicable to this project.

That is Mr. Russell's statement.

Mr. NORRIS. Mr. President, before the Senator leaves those items will he let me ask him a question?

Mr. FRAZIER. I am glad to yield to the Senator from Nebraska.

Mr. NORRIS. The Senator referred to an item of $100 in the expense account of this man Kerr. I assume that was to pay the expenses of the lieutenant governor on some trip. Who is that man? Why was that being done? Why should he pay him $100?

Mr. FRAZIER. The item is—

> F. A. Hazelbaker, $100.

Mr. NORRIS. What was he paid $100 for?

Mr. FRAZIER. I do not know; it is not stated.

Mr. NORRIS. Who is Hazelbaker?

Mr. FRAZIER. He is the present Lieutenant Governor of the State of Montana, as I understand.

The item is under date of March 31, 1922, "expense F. A. Hazelbaker to Great Falls, $100," charged to miscellaneous account. Right below it is the item:

> Yellowstone irrigation project, $50.

And then down further on the page is the item—

> Reverend Barry, Butte, $22.

Mr. NORRIS. Will the Senator give us the date?

Mr. FRAZIER. The date is March 31, 1922, and the account is signed by F. M. Kerr.

Mr. President, it seems that both Mr. King, the accountant for the Federal Power Commission, and Mr. Russell, the solicitor of the Federal Power Commission, disapproved of many items of this expense account. I do not know what the attitude of the commission is; I do not know why this account was filed prior to the leasing of the site; I do not know whether that is the custom or not; but it seems rather strange to me that this expense account should be filed a month at least previous to the leasing of the site. This account was made up to January, 1929, which was several months, at least, before the hearings last fall. Whether they intended to make the lease at once or not, I do not know; but, Mr. President, I am interested, and I think everyone should be interested at least, in seeing the Federal water power act honestly administered, for the benefit of the public in general, and to see that the people get a square deal. In this instance, the site being on an Indian reservation, I am interested, of course, as I am sure all friends of the Indians are interested, in seeing to it that the best possible deal is given to the Indians. They are in need of money; there is no doubt about that; they are mighty hard up, as are the Indians on most other reservations. They are in need of money. There are some of them who are urging that a contract be let regardless of how or to whom; the only thing they want is a little money out of it. That applies especially to some of the older Indians, who feel that, unless something is done to develop this power site, they will never get anything in their lifetime, and I think, perhaps, they are right. However, Mr. President, I am satisfied that the rank and file of the Indians, judging from the hearings we held, judging from the statement of Mr. Depuis, the president of the business council, the great majority of the Indians are opposed to letting this site, this project, to the Rocky Mountain Power Co. In fact, Mr. Wheeler was told, according to the testimony by some one in the Federal Power Office, to try to make a deal with the Indians. He did so; he made some sort of a contract with the Indians. Here is his testimony:

> On September 3, 1927, I called on the Federal Power Commission searching for further information as to how to obtain a permit or a license to develop said sites.
>
> Referring to the Flathead power sites.
>
> I was then and there informed that before any permit or license could be issued to me I must make an agreement with the Indians for the use of their power sites. I was further informed that if I secured such an agreement I would probably get the permit. I was further informed that a permit had not been issued to the Rocky Mountain Power Co., because they had not been able to secure any agreement with the Indians for the use of their power sites.

As I understand, Mr. President, the law does not specifically require approval by the Indians. It is a fact, however, as I understand, that the Rocky Mountain Power Co. has tried to get an agreement with the Indians, and apparently the power company spent a lot of money trying to get such an agreement, but failed to do so. I think the protests that came to some of the members of the Indian Affairs Committee and, perhaps, to some others interested, helped to block the lease which had been made by the Indian Bureau and the Federal Power Commission to the Rocky Mountain Power Co. some years ago.

Mr. President, I hold no brief for Walter H. Wheeler. I have nothing personally against the Rocky Mountain Power Co. or any of the rest of these organizations. Living, as I do, in a neighboring State, I happen to know something of the history of the Montana Power Co. and the Anaconda Copper Co. I know that they are powerful organizations; and, linked up with the great Power Trust, with headquarters at New York, it makes a mighty powerful combination, of course. It is hard for any individual to get a look-in on a lease for a water-power site, of course, and in the past has been practically impossible; but, in my estimation, it will be nothing short of a crime to allow this lease to go through at the present time on the basis that the Rocky Mountain Power Co. have bid for this lease of site No. 1, because, in my estimation, it would tie up 68 per cent of the power that can be generated there on those Flathead sites; and, if they get it, the bulk of the power, practically all of it, will be transmitted away 140 miles, or such a matter, to be used by the Anaconda Copper Co., and the Indians will not have a chance to work in any new industry that might be established there at the Flathead on account of the development of that site. It seems to me it is the duty of the Secretary of the Interior, under whose department the Indian Bureau is, the Commissioner of Indian Affairs, and the Assistant Commissioner of Indian Affairs, to do their best to get an honest contract and an honest deal for these Indians. My sole interest in this proposition is to see that these Indians, if possible, get a good, fair, honest contract, and one that will give them the greatest amount of profit that can be gotten out of that power site on their land.

Mr. President, as I understand, at least two set-ups by the Interior Department and the Indian Bureau have been refused or turned down by the Rocky Mountain Power Co. According to Walter H. Wheeler, he has not been consulted in regard to either of those set-ups. A rumor is afloat that at the present time another set-up is being worked out in the hope that the Rocky Mountain Power Co. will accept it. It seems as if the Secretary of the Interior and the Commissioner of Indian Affairs and his assistants are willing to dicker with the Rocky Mountain Power Co. until apparently they are going down to the Rocky Mountain Power Co.'s bid of $1 per horsepower for 68,000 horsepower, which is only some 32 per cent of the total amount of power that can be developed on these sites.

So, Mr. President, I believe that for the best interests of the Indians of the Flathead Reservation, and for the best interests of the white settlers there, too, the bid of the Rocky Mountain Power Co. should not be accepted; and, inasmuch as there is a measure pending here at the present time to provide for a full-time Federal Water Power Commission, it seems to me that no action should be taken by the present commission, because it is

admitted by two of that commission at least that they know practically nothing about the situation. It seems to me that the matter should go over until the new commission is formed, and then that the new commission should make a fair and impartial investigation and see to it that that lease is made for the interests of the people, and especially the Indians, upon whose land that power site is, should be protected in every way possible.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. FRAZIER. I do.

Mr. SHIPSTEAD. The Senator referred to a pending measure providing for the formation of a full-time commission. Will the Senator inform us what is the status of that legislation now?

Mr. FRAZIER. The committee have been holding hearings on the measure, and my understanding is that it was to be reported out before this.

Mr. SHIPSTEAD. Before what committee is it pending?

Mr. FRAZIER. The Committee on Interstate Commerce.

Mr. SHIPSTEAD. The Senator would suspend the granting of all applications until such time as a full-time commission can be created?

Mr. FRAZIER. I think that is the only logical thing to do. In the past, as I understand, the Federal Power Commission, consisting of the Secretary of the Interior, the Secretary of War, and the Secretary of Agriculture, have not had time, and we can not expect them to have time, to give their personal attention to these things, to hearings, or to go through a mass of expense accounts like the one to which I have referred; so they have an executive secretary who does that work for them, and they have to depend largely upon this executive secretary. It seems to me it would be a great deal better to have a full-time commission who could give their attention to those things; and I believe if that were done the rights of the people and the rights of the Indians would be a great deal better conserved in a case of this kind.

Mr. SHIPSTEAD. Does the Senator mean to say that he thinks the public interest has suffered as a result of the fact that the members of the Power Commission have been unable to give personal attention to their duties on the commission?

Mr. FRAZIER. Oh, I think so, without any question. That is my opinion, at least.

Mr. SHIPSTEAD. Mr. President, I ask that a short editorial upon the subject on which the Senator from North Dakota [Mr. FRAZIER] has been addressing the Senate may be read from the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the editorial will be read.

The legislative clerk read as follows:

[From The Nation of Wednesday, April 23, 1930]

The Flathead power lease, which we discussed two weeks ago, is still pending as we write, but is likely to be awarded at any moment unless the strong hand of Congress intervenes. The record in the case is clear, and each step in the affair makes the position of the responsible Government officials worse. Assistant Commissioner Scattergood at the November hearings demonstrated that the minimum Indian rental should be $319,000 a year. By basing the rental on the earnings of the dummy Rocky Mountain Power Co., which will sell cheap to its owner, the Montana, this figure has now been juggled down to $104,000, and there are reports that it may go even lower, despite heated Indian protests. Senator FRAZIER deserves public thanks for exposing the fraud on the floor of the Senate and making a gallant fight for the Indians. Senatorial courtesy ought no longer to prevent the introduction and passage by the Senate of the Kvale resolution to refer the whole sorry business to a reorganized Federal Power Commission, particularly now that the Couzens resolution for such reorganization has been reported. If the lease is now jammed through President Hoover, Secretary Wilbur, and Commissioners Rhoads and Scattergood are going to find themselves in a most unenviable position in the eyes of informed men.

Mr. WALSH of Montana. Mr. President, I rise merely to challenge the statement in the article which has just been read that some effort has been made to "jam through" the application for the development of the Flathead power site.

The application has been pending now for nearly three years. Extensive hearings were conducted during the months of September and October last. The matter has been under consideration by the Power Commission since that time. It would seem to me, under these circumstances, that editorial comments about efforts to "jam" the thing through are quite wide afield from the matter under consideration.

SENATOR HEFLIN'S LABOR RECORD

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement from the Fellowship Forum of April 19, 1930, entitled "HEFLIN'S Labor Record."

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

HEFLIN'S LABOR RECORD

TOM HEFLIN is the friend of labor and the friend of the farmer, and, in other words, the servant of the plain people.

There is not a man in Congress who has a better record in regard to labor legislation than has Senator HEFLIN. Reports from Alabama indicate that the laboring people of that State are solidly behind "Our Tom."

For information of the friends of labor in Alabama, and in order that they may be armed with facts in their efforts for the reelection of Senator HEFLIN, the following is printed:

[Brotherhood of Railroad Trainmen, W. N. Doak, national legislative representative, 10 B Street SW.]

WASHINGTON, D. C., *January 22, 1930.*

Mr. WALTER BROWN,
Editorial Department, the Fellowship Forum,
Washington, D. C.

DEAR MR. BROWN: I have your letter of the 16th instant, requesting a copy of the voting record of Senator THOMAS HEFLIN, of Alabama, and am inclosing this record for your information.

Senator HEFLIN has an excellent labor record and has always voted favorably on measures in the interest of the laboring man.

Trusting this is the information you desire, I am,

Very truly yours,

W. N. DOAK,
National Legislative Representative.

Labor record of Senator J. Thomas Heflin

Date	Measure	Vote	Labor's attitude
Jan. 27, 1906	Repeal of 8-hour law in Panama	Nay	Opposed.
Dec. 6, 1906	Anticompulsory pilotage bill	do	Do.
Feb. 18, 1907	Esch substitute for 16-hour law	do	Do.
Mar. 1, 1907	Ship subsidy containing conscription	do	Do.
Apr. 6, 1908	Employers' liability	Yea	Favored.
May 9, 1908	Child labor law for District of Columbia	Not voting.	Do.
Dec. 12, 1908	Compulsory investigation of labor disputes.	Nay	Opposed.
June 23, 1910	Motion to recede from amendment exempting unions from antitrust prosecution.	do	Do.
Mar. 28, 1912	Phosphorus match tax bill	Yea	Favored.
Apr. 2, 1912	Children's Bureau	Not voting	Do.
May 13, 1912	Popular election of Senators	do	Favored; paired.
May 14, 1912	Injunction limitation (Clayton bill)	Not voting	Do.
July 11, 1912	Contempt of court regulation	Yea	Do.
Feb. 19, 1913	Immigration bill (after veto)	Yea	Favored.
Mar. 1, 1913	Workmen's compensation	Yea	Do.
Mar. 4, 1913	Antitrust exemption (after veto)	Yea	Do.
Feb. 4, 1914	To strike out literacy test, immigration bill.	Nay	Opposed.
Do	Passage of immigration bill	Yea	Favored.
Mar. 4, 1914	Convict-made goods bill	Yea	Do.
June 5, 1914	Clayton Antitrust Act	Not voting	Do.
Jan. 15, 1915	Conference report on immigration bill	Yea	Do.
Feb. 4, 1915	Immigration bill (after veto)	Yea	Do.
Feb. 15, 1915	Child labor bill	Yea	Do.
Feb. 2, 1916	do	Not voting	Do.
Mar. 30, 1916	To strike out literacy test, immigration bill.	Nay	Opposed.
Mar. 30, 1916	Immigration bill	Yea	Favored.
June 22, 1916	To prohibit time measuring and bonus systems.	Yea	Do.
Sept. 1, 1916	8-hour law	Yea	Do.
Feb. 1, 1917	Immigration bill (after veto)	Yea	Do.
Feb. 28, 1918	Government railroad control bill	Yea	Do.
Mar. 6, 1918	To punish destruction of war material (Lunn amendment granting full right of strike).	Yea	Do.
Sept. 20, 1919	Fees amendment to deficiency appropriation bill striking out labor provisions of Clayton Act.	Not voting	Opposed and paired.
Nov. 17, 1919	Anderson amendment to Esch railroad bill changing drastic labor provisions.	Yea	Favored.
Do	Motion to recommit Esch railroad bill to committee to strike out guaranty provision.	Yea	Do.
Do	Vote on Esch railroad bill containing Anderson amendment.	Nay	Opposed.
Feb. 21, 1920	Motion to recommit railroad bill framed by conferees, the effect of which would have given the opportunity to strike out of the bill the obnoxious anti-strike and other objectionable provisions.	Yea	Favored.
Do	Vote on railroad bill framed by conferees returning railroads to private owners with objectionable labor provisions contained therein.	Nay	Opposed.

Labor record of Senator J. Thomas Heflin—Continued

Date	Measure	Vote	Labor's attitude
Apr. 18, 1924	Immigration restriction bill	Yea	Favored.
June 2, 1924	Child labor constitutional amendment	Nay	Do.
May 11, 1926	Vote on railway labor bill agreed upon and supported by joint committee of the railway executives and the labor organizations.	Yea	Do.
Do	Amendment to railway labor act giving the Interstate Commerce Commission authority to definitely suspend railway wage agreements.	Nay	Opposed.

The foregoing is a copy of the digest of the voting record of Senator HEFLIN as it is compiled from the CONGRESSIONAL RECORD and kept in this office.

W. N. DOAK,
National Legislative Representative,
Brotherhood of Railway Trainmen.

CALL OF THE ROLL

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Smoot
Ashurst	George	La Follette	Steck
Baird	Gillett	McCulloch	Steiwer
Barkley	Glass	McKellar	Stephens
Bingham	Glenn	McNary	Sullivan
Black	Goff	Metcalf	Swanson
Blaine	Goldsborough	Norbeck	Thomas, Idaho
Blease	Gould	Norris	Thomas, Okla.
Borah	Greene	Nye	Trammell
Brock	Hale	Oddie	Tydings
Brookhart	Harris	Overman	Vandenberg
Broussard	Harrison	Patterson	Wagner
Capper	Hatfield	Phipps	Walcott
Caraway	Hawes	Pittman	Walsh, Mass.
Connally	Hayden	Ransdell	Walsh, Mont.
Copeland	Hebert	Robinson, Ind.	Waterman
Couzens	Heflin	Robsion, Ky.	Watson
Dale	Howell	Sheppard	Wheeler
Deneen	Johnson	Shipstead	
Dill	Jones	Shortridge	
Fess	Kendrick	Simmons	

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

REPLY TO REPRESENTATIVE TILSON ON THE DEBENTURE

Mr. BROOKHART. Mr. President, my attention has just been called to a release of the Republican National Committee on April 12, from the Barr Building, in Washington, D. C. This release purports to be a statement by Representative TILSON in the morning papers of Monday, April 14.

Of Mr. TILSON, a Member of the House of Representatives, I have nothing to say and no mention to make, but Mr. TILSON as water boy for this Wall Street committee which calls itself the Republican National Committee is a different proposition, and it is that proposition to which I want to address myself.

This release reads:

Representative JOHN Q. TILSON, Republican leader in the House of Representatives, to-day issued the following statement through the Republican National Committee:

"Inconsistency of the Democrats in tariff matters is well illustrated by their support of the proposition to place the wholly impractical and uneconomic scheme of export debentures in the pending tariff bill under the guise of aiding the farmers of the country."

There were at least 15 Republicans on this side of the Chamber, who are the genuine Republicans of this country, the Republicans who represent the Abraham Lincoln theory of Republicanism, the Republicans who refuse to be ruled by Wall Street and by water power trusts and other economic forces of that kind, who joined in the support of this debenture. Those Republicans are the ones who especially represent the farming districts of the United States, and they supported this debenture. Yet this statement says, "Under a guise of aiding the farmers of the country."

The statement continues:

I say inconsistency because in this same measure is a provision re-enacting the present law proposing either high-tariff penalties or embargoes against imports from countries which undertake to do precisely what the Democrats propose the American Government shall do in the case of the major agricultural crops—export the surplus for sale abroad at any price under a direct subsidy from the Federal Treasury.

Most of this statement is based upon the theory of countervailing duties or some kind of retaliatory action by other countries. The only country which will care to retaliate against us is a country in competition with us in the production of these agricultural products. Those which buy and use agricultural products for food are not going to retaliate with countervailing duties or any other kind of duties, and especially will that be true if the Farm Board does its duty in handling the exportable surplus. It is the duty of the Farm Board to get for the farmers of this country a cost-of-production price plus at least a cooperative profit for the farm surplus, and if they do that, and any other country buying and using our products puts on a countervailing tariff, or penalty of any kind, it will be added in as a part of the cost of production, and will be paid by that country. So this argument is one of the will-o'-the-wisps, one of the fallacies, which this institution calling itself the Republican National Committee is cooking up to try to defeat 60 or 70 Republican Congressmen in the next election, because that is going to be the effect if this line of argument is followed by the conference committees and by the Members of Congress.

The statement continues:

Should the debenture scheme be put into force by the American Government retaliatory measures unquestionably would be taken by other governments with far-reaching results to the American farmers as well as to general industry and commerce.

Here, I think, is the trouble in this situation: I think this organization is not looking out for the farmers, it is looking out for industry and commerce. It is the enemy of the farmers. It wants to protect industry and commerce at the expense of the farmers. That is the undercover argument of the statement all the way through.

The statement continues:

Consistency would call for repeal of this provision which operates for the protection of the agricultural and other industries of the country. Only recently the dairy industry on the Pacific coast invoked the American law against Government-bounty imports in the case of butter coming in from Australia under a subsidy from the Australian Government.

Australia would invoke a similar protection against us if we exported butter to Australia, because they have a surplus, as we have a surplus, but it is a different thing in Great Britain, where they produce no surplus of agricultural products. Thus the argument falls down as to all of our foreign markets.

The statement continues:

France recently undertook to carry out such a plan with respect to wheat, and as Chairman Legge, of the Federal Farm Board, so aptly stated it recently, every European country went on strike against that grain.

I would like to have the names of those countries that need wheat who went on a strike against it. There is no such country and the statement is absolutely unfounded. The only country which could go on a strike against our wheat would be one which itself produces a surplus for export.

I read further from the statement:

American farm products exported under a Government bounty would be subjected to a very high import tax in Austria, Belgium, Czechoslovakia, France, Poland, Portugal, Spain, Switzerland, Japan, Australia, New Zealand, the Union of South Africa, and the Argentine, as all of those countries have laws similar to that which the United States invoked in the case of the Australian Government-bounty butter.

Mr. President, every tariff rate enacted by the Congress of the United States is just as much a provocation for those countries to retaliate as the debenture is a provocation. Already France has retaliated against the automobile business and has put on a heavy rate, which will probably shut our automobile industry out of France. But this Republican National Committee, which sees special privilege in the law for everything except agriculture, is alert and keen to bring out these arguments under this sort of camouflage.

The statement continues:

Such a tax would serve to nullify the subsidy given by the American Government, which, based on the value and volume of 1929 exports, would total $280,000,000. Of this the three big items would be tobacco, $97,000,000; cotton, $80,000,000; and wheat, $19,000,000.

Mr. President, I have already pointed out how this would not be nullified by countervailing duties in the countries which need our products and can not afford to raise their prices by countervailing duties. Then the suggestion is made—and I have not had time to check this—that $97,000,000 of this would go to tobacco, and that threatens to discourage the scheme, because it is more than tobacco ought to have.

This Republican National Committee, if it were honest with the farmers of the United States, would suggest the proper modification in conference, instead of trying to defeat this plan

for the benefit of the farmer. This whole question of debenture is in issue in the conference. It can be modified in any way. On cotton there is only 2 cents a pound provided, and that is really not enough for cotton. Eighty million dollars is not enough for cotton.

If this committee were doing its duty, and were working in the interest of the farmer instead of pointing out a little defect of that kind, it would suggest a correction; but nothing of that kind comes from it. It gets up this statement, puts it under an official name so that it will get publication all over the country, and then proceeds to defeat every plan for the benefit of the farmers.

I read further from the statement:

Some governments regard the shipping of commodities to them under government bounty as dumping, and have adopted definite legislation to bar such imports. These Governments are Canada, Australia, New Zealand, and the Union of South Africa.

We might very well have adopted the antidumping law for agricultural products in the United States, but we do not adopt an antidumping law against rubber, we do not adopt an antidumping law against coffee, or against tea, or against any of the stuff we can not produce, or against anything we must buy abroad.

But the Republican National Committee in figuring this out is unable to see that side of the question in the interest of the farmer. It is ready to cook up these arguments and these schemes in order to defeat everything for the relief of agriculture.

The statement continues:

But beyond all of these considerations—and surely they are sufficient to give Congress pause—our chief competitors in grain exports to the world, Canada, the Argentine, Egypt, and India naturally would retaliate against the United States if this country used Treasury revenues to foster farm products.

And yet at this very moment the provincial governments of Canada have guaranteed the funds to back up the Canadian wheat pool, to hold back that product from being dumped into the world market, and to hold it for a better price as the world demand arises. This is another sample of the camouflage schemes that the Republican National Committee is adopting to cover up relief for agriculture and to provide a method for defeating these Congressmen and Senators in the coming election, as I have pointed out.

The statement continues:

Canada and the Argentine are among the principal customers of the United States in many lines of manufactured goods, and it would seem to be the logical course for them to increase their general tariffs on such American products. The result would be a slowing down of industry in this country, an increase in unemployment, and consequently a great shrinkage in the domestic market of the American farmers.

I think this statement contains the real reason for the action of the committee. The committee wants to protect industry at the expense of agriculture. When it comes to protecting agricultural products, they will not do it. The agricultural rates are not effective because of the exportable surplus, and we will not make them effective by a debenture or by any other means, because they will injure our surplus industry in the United States.

Mr. President, if the tariff system is to stand at all in this country, it must protect agriculture as it does the other industries. No longer can the Republican Party or any other party proceed with a system of protecting industry and then turn around and stab agriculture in the back upon any such theory as that.

The statement concludes:

Should Canada and the Argentine, for instance, begin shipping their chief farm products abroad under a Government bounty in competition with American farm products, the United States certainly would consider that an unfriendly act and there would be speedy agitation in Congress for action in retaliation.

I say that we have retaliated against Canada in every tariff schedule we have levied against Canada. Canada is familiar with retaliation in a tariff scheme. Not only is that true, but the Canadian Government guaranteed funds for the wheat pool in order to facilitate and control the surplus of Canadian wheat. The leader of that pool visited us here in the United States, visited the Senate committee, pointed out the operation of the pool, and said they would be glad to cooperate with us. Our Farm Board ought to be and I am informed are to some extent cooperating with the Canadian pool. Instead of there being a disagreement because Canada would hold back her wheat for a better price in the world market, we ought to approve it, and everybody who understands the agricultural situation does approve it except the Republican National Committee.

Mr. President, there is just one other proposition I desire to make. As I have already said, the debenture is an issue in every detail in the conference committee. A vast majority of the Republicans of the United States have indorsed the equalization-fee plan to handle the exportable surplus of agricultural products. An equalization fee would, of course, be levied upon the farmers and would be collected by the Farm Board and used as a fund to hold back the surplus and to pay the losses if any occurred. That plan has met the approval of a vast majority in Congress, although the national committee has never found it out. The debenture can be modified and turned to the Farm Board so it will perform every function of the equalization fee in exactly the same way.

In fact, Mr. President, if the Farm Board does its duty and takes charge of handling the exportable surplus under the amendment which the Senate has adopted, the debenture would all go to the stabilizing corporations of the Farm Board. There would be no occasion for any other exporter handling any portion of the debenture. It could then be used to purchase and hold back the surplus and to cover any loss if any such occurred. Since this tariff bill levies ten or twelve hundred million dollars upon the farmers of the country for higher prices on what they buy, who can deny the justice of taking two or three hundred million to make his own rates effective.

Where is the Republican National Committee showing that it is for the farmers of the United States? Why is it not helping the farmer by a plan which will do these things for the farmer? Why does it turn against the farmers of the United States and point out the sort of plan to defeat anything for the relief of the farmer? Here is the tariff bill levying rates on nearly everything the farmer buys, at least upon everything that we can produce in the factories of this country, and at the same time levying rates upon farm products that are absolutely ineffective, that are a fraud and a false pretense unless we do something to make them effective by handling the exportable surplus. Here is the Republican platform promising the farmers equality with the other industries of the country, and then comes the Republican National Committee and says, "We will do nothing of the kind." I hope the Members of Congress in the House and Senate will not follow this advice. If they do follow it, again I predict that it means the defeat of a large number of them in the coming election.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

Mr. WALSH of Massachusetts. Mr. President, in connection with the immigration bill, which is the unfinished business, and the amendment offered by the Senator from South Dakota [Mr. NORBECK] and now the pending question, I would like to have inserted in the RECORD a study prepared by the National Council for the Revision of the National Origin Quotas. This study seems to bring the discussion of the subject up to date and is very concise and informative.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

NATIONAL ORIGIN IMMIGRATION

On March 22, 1929, President Hoover was forced by an act of Congress to issue the proclamation announcing the annual quotas for various nations for the fiscal year beginning July 1, 1929, and for each fiscal year thereafter, thereby establishing a number which would bear the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin bore to the total number of such inhabitants in that year. Thus, through this new law, the following quotas were established for 1929 as compared with quotas of previous years—the so-called 1890 basis quotas:

Country	National-origins quotas	Previous quotas
Afghanistan	100	100
Albania	100	100
Andorra	100	100
Arabian Peninsula	100	100
Armenia	100	124
Australia (including Tasmania, Papua, and all islands appertaining to Australia)	100	121
Austria	1,413	785
Belgium	1,304	512
Bhutan	100	100
Bulgaria	100	100
Cameroon (British mandate)	100	100
Cameroon (French mandate)	100	100

Country	National origins quotas	Previous quotas
China	100	100
Czechoslovakia	2,874	3,073
Danzig, Free City of	100	228
Denmark	1,181	2,789
Egypt	100	100
Estonia	116	124
Ethiopia (Abyssinia)	100	100
Finland	569	471
France	3,086	3,954
Germany	25,957	51,227
Great Britain and Northern Ireland	65,721	34,007
Greece	307	100
Hungary	869	473
Iceland	100	100
India	100	100
Iraq (Mesopotamia)	100	100
Irish Free State	17,853	28,567
Italy	5,802	3,845
Japan	100	100
Latvia	236	142
Liberia	100	100
Liechtenstein	100	100
Lithuania	386	344
Luxemburg	100	100
Monaco	100	100
Muscat (Oman)	100	100
Nauru (British mandate)	100	100
Nepal	100	100
Netherlands	3,153	1,648
New Zealand	100	100
Norway	2,377	6,453
New Guinea, including appertaining islands (Australian mandate)	100	100
Palestine, with Trans-Jordan (British mandate)	100	100
Persia	100	100
Poland	6,524	5,982
Portugal	440	503
Ruanda and Urundi (Belgian mandate)	100	100
Rumania	295	603
Russia (European and Asiatic)	2,784	2,248
Samoa, Western (mandate of New Zealand)	100	100
San Marino	100	100
Siam	100	100
South Africa, Union of	100	100
Southwest Africa (mandate of the Union of South Africa)	100	100
Spain	252	131
Sweden	3,314	9,561
Switzerland	1,707	2,081
Tanganyika (British mandate)	100	100
Syria and the Lebanon (French mandate)	123	100
Togoland (British mandate)	100	100
Togoland (French mandate)	100	100
Turkey	226	100
Yap and other Pacific islands (Japanese mandate)	100	100
Yugoslavia	845	671

PRESIDENT HOOVER'S STAND

That President Hoover recognized the impracticability of this method of arriving at quotas was expressed in his acceptance speech of August 11, 1928, when he stated:

"No man will say that any immigration or tariff law is perfect. We welcome our new immigrant citizens and their great contribution to our Nation; we seek only to protect them equally with those already here. We shall amend the immigration laws and relieve unnecessary hardships upon families. As a member of the commission whose duty it is to determine the quota basis upon the national origins law I have found it is impossible to do so accurately and without hardship. The basis now in effect carries out the essential principle of the law, and I favor repeal of that part of the act calling for a new basis of quotas."

On February 15, 1929, the Christian Science Monitor again revealed President Hoover's stand as follows:

"As Secretary of Commerce he joined with Secretary of Labor James J. Davis and Secretary of State Frank B. Kellogg in submitting quota figures on the national origins as required by the immigration act and in advising the President (then Coolidge) that the information available 'raises grave doubts as to the whole value of these computations.'"

Following the date of attaching signature to this law the President's attitude was again reported. The following lines were taken from the United States Daily of March 23, 1929:

"President Hoover, in a statement made public simultaneously with the issuance of the proclamation, stated that, although he is strongly in favor of restricted and selected immigration, he has opposed the national-origins basis.

"'I, therefore,' he said, 'naturally dislike the duty of issuing the proclamation and installing the new basis, but the President of the United States must be the first to obey the law.'"

OTHER NATIONALLY IMPORTANT STATEMENTS

Ex-Governor Smith, in his St. Paul (Minn.) speech on September 27, 1928, said:

"The Democratic Party and the Republican Party both, in different language, declare absolutely for the retention in full force and effect of the present restrictive measures in the immigration laws." (That is, the measures previous to the "national origins" law.)

"I declared for it, so did the Republican candidate, except that he said that the 'national origins law was not workable,' and I agree with him on that. There is no issue between us * * *."

The Chamber of Commerce of the United States, at its seventeenth annual meeting at Washington, April 29, 30, and May 1, 2, and 3, 1929, adopted a resolution of its committee on immigration against the "national-origins" quotas for the reasons given in the following quotation:

"A policy must be judged by its results. Does our present restrictive immigration policy, as based on the 1890 census, give us the results we want? In the judgment of the chamber's immigration committee it does. It gives us a limited number of immigrants—164,667, and the bulk of this number, 140,999, from countries which are racially closely akin to the older social interests in the United States. For that reason the committee recommends the continuance of the quota system now in operation, based on 2 per cent of the foreign born living here in 1890.

"Second. The putting into effect of any restrictive immigration policy is bound to stir up racial antagonisms and misunderstandings. There is plenty of evidence that changing over to the national-origins plan would revivify these antagonisms without any large commensurate gain to our final purpose, which is building of a homogenous and united nation."

The present law providing for these quotas when enacted in 1924 by joint resolution, Sections B and E, purporting to amend this act were postponed consecutively each year until 1929, at which time in an extraordinary session of Congress further postponement was defeated. Hearings were held at that time before the Committee of Immigration of the United States Senate, composed of HIRAM W. JOHNSON, California, chairman; HENRY W. KEYES, New Hampshire; DAVID A. REED, Pennsylvania; GERALD P. NYE, North Dakota; ARTHUR R. GOULD, Maine; JAMES E. WATSON, Indiana; WILLIAM H. KING, Utah; WILLIAM J. HARRIS, Georgia; ROYAL S. COPELAND, New York; COLE. L. BLEASE, South Carolina; HUBERT D. STEPHENS, Mississippi; M. A. Connor, clerk.

SENATE HEARINGS DISCLOSE EXPERT OPINION

Some very pertinent facts unveiled during those hearings were:

A. Certain experts on immigration matters have opposed the national-origins quotas and upheld those of the previous years which were based on the 1890 census:

Mr. Ray L. Garis, professor of economics at Vanderbilt University, in an article on the subject of immigration in the Saturday Evening Post of October 10, 1926:

"As one critic put it, 'Against this iniquitous conspiracy of statistics it behooves all good Americans to rise in righteous wrath.' Naturally this is going to lead to serious charges of discrimination."

Then further:

"The national-origins plan means, therefore, that we must abandon practical methods and adopt something which we do not know anything or at best very little about.

"That there are no figures in existence which show completely the national origins of the population of the United States."

Our Commissioner of Immigration, Mr. Hull, said in 1925:

"The bureau feels that the present method of ascertaining the quotas is far more satisfactory than the proposed determination by national origins, that it has the advantage of simplicity and certainty.

"It is of the opinion that the proposed change will lead to great confusion and result in complexities, and, accordingly, it is recommended that the pertinent portions of section 11, providing for this revision of the quotas as they now stand, be rescinded."

And then at the 1929 hearings Commissioner Hull, speaking of the quota in force previous to the "national origins" law, said:

"I am not concerned as to the number of people that come in. That is a matter for Congress to decide, not for us who administer the law. It is purely a question for Congress to determine. But I have expressed myself on numerous occasions as opposed to any change in the quota law.

"The quota law existing to-day * * * is very satisfactory."

Mr. Curran, commissioner of immigration at Ellis Island, said:

"The 1890 measure is the soundest, the healthiest, the fairest, and the best."

The New York Herald Tribune:

"The present quota limitations, admitting 2 per cent of the foreign born from each country residing in the United States in 1890 has proved satisfactory. It has the solid census basis, and it is believed to correspond nearly with the racial compositions of the American people. The national-origins theory carries out the principle to an ideal degree, but if the theory presents practical difficulties for lack of data, it can be put on the shelf without damage."

LACK OF DATA REVEALED

B. The data upon which the national-origins quotas are based are incomplete and inadequate. The sources of information used in the attempt to determine the national origin of our 1920 white population and of their antecedents were (1) census reports and (2) immigration and emigration records. How incomplete and inadequate these reports and records were and to what extent guesses had to be relied upon may be judged from the following facts:

(1) The census of 1790, representing 45 per cent of the basis of the calculations, is only about half complete, the records for the States of New Jersey, Delaware, Georgia, Kentucky, Virginia, and Tennessee having been destroyed in or previous to the War of 1812.

(2) "No official Government record of immigration by nationality commenced until the year 1820." Sound and spelling of names were the only clues to the national origin of the individuals in the records previous to that date.

(3) Other reliable sources are at odds with the data used.

For instance, Representative MCCORMACK questioned the accuracy of the data by referring to Robert Proud's History of Pennsylvania, volume 2, page 273, in which statements are made of years previous to 1790 when 12,000 Irish immigrated to Pennsylvania as did 12,000 Germans, whereas the national-origins study only listed a total of 8,614 Irish and 11,357 Germans in that State for the 1790 census period.

(4) Relative national differences in fecundity were not considered.

(5) Guesses relative to the effect of changes in postwar sovereignty were as necessary and as far from giving accurate results as in the case of the quotas based on the 1890 census.

(6) The immigration statistics provided for by the law of 1819 were burned in the Ellis Island fire of 1896.

(7) Defects and omissions in census reports for 1800 and 1810 were admitted. Eighteen hundred and fifty was the first census in which we undertook to find out what country people came from and then no information was received about the birthplace of parents. The first complete classification we have of parents is in the census of 1890. Another defect of immigration statistics is involved in the fact that for some time all immigrants on a certain vessel were listed as emigrating from the country from which the boat sailed instead of the country of their residence or birth.

GOVERNMENT RECORDS STUDIED

Proceeding from a study of the Senate hearings to an investigation of immigration reports and other Government records what do we find?

Without considering the difficulty of fusion of certain national groups to the United States, or the national classification of undesirable aliens; without, in a word, throwing any discredit upon any group of immigrants, it is brought out in immigration statistics as well as in the ordinary course of experience that the occupations engaged in by various nationalities differ. Thus, in restricting immigration from one country more than another, this country is supplying itself with certain types of workmen in greater proportion than with other types.

ECONOMICALLY UNSOUND

If the kind of labor which is needed by this country is the kind which is being admitted, a healthy situation would naturally result. But if the contrary be the case, the economically strained situation would result of having too many men and women in some fields and too few in others. The past has shown in certain mining and factory areas that overcrowding, stagnation, unemployment, low wages, reduced standards, and closed markets are the corrolary.

Large proportions of recent immigrants who declared themselves domestic servants, mechanics, and trained farm workers were from Ireland, Germany, and the Scandinavian countries. An aid to the servant problem, the farm problem, and the problem of mechanical production are promised in the continuance of this kind of labor supply. Yet the so-called national-origins quotas, now in force, exclude even more of it than did the previous quota system.

AUTHORS' PURPOSE DEFEATED

The excuse has been that the national-origins quotas allow immigrants to come to our shores in proportion to the amount which their homeland contributed to our national stock. But the relatively rapid rate of increase of certain of the aliens brings home the fact that they are populating the country faster than are others, and therefore are changing the nature of our national stock regardless of the efforts of the immigration officials to keep it constant.

Moreover, the transient urban type of population which is thus being reared is not the type which might be engendered through proper selection of parent immigrants. It is not the type which the labor demands of the Nation require.

INTERNATIONALLY UNFAIR

Nor does the present immigration quotas treat foreign nations on an equal basis. Besides there being a wide variation in the chances for individuals to come to this country on the basis of their density of population, no consideration of the needs of other countries has been shown. For example, although the Irish immigration quota was unfilled at the end of the last fiscal year by 8,649 and the German quota was exhausted—according to the Herald Tribune of June 25, 1929—the new quotas make it twelve to sixteen times as easy for a member of the first-named country to come to the United States, as for the latter—as derived from the statements of Mr. Boggs before the Senate Committee on Immigration. The suggestion was been made that foreign good will has a material value to the business of this Nation.

One of the outstanding inconsistencies of the national-origins quotas is the fact that of the previous quotas under the law of May, 1924, the quota for Great Britain was placed at 34,007 and in the year 1926 only 29,782, or 87.6 per cent of the quota were used—being composed of 12,741 from England, 941 from Ireland, 14,764 from Scotland, and 1,336 from Wales.

In 1927, 31,090, or 91.4 per cent of the quota were used—12,088 came from England, 4,721 from Ireland, 13,270 from Scotland, and 1,011 from Wales.

The 1928 figures were: 32,053, or 94.3 per cent of the quota utilized, with 12,102 from England, 1,998 from Ireland, 14,622 from Scotland, and 747 from Wales.

Thus, in the face of their previous existing quota being unfilled, we find that the "national origin" law doubled the allotment for Great Britain and Northern Ireland. In addition and for no specific reason it deliberately cut in half the quota of Germany, reduced Sweden 66⅔ per cent, Norway 62½ per cent, and southern Ireland 33⅓ per cent, which is in itself a personal affront to those groups without a practical reason therefor. Germany has not lost that much in geographical area between the periods of pre-war and postwar population and the Scandinavian countries were not involved in the issue of geographical area or territory through the World War. Surely the operation of the "national origins" law will provoke racial antagonisms and misunderstandings and a feeling of discrimination against these nations with whom we now enjoy friendly relations in trade and commerce.

A SUMMARY

The "national origins" quotas do not seem to be beneficial economically or industrially, nor a fulfillment of the purposes of their authors, nor a fair basis considering the needs of emigrating countries. And it will be remembered that the Senate hearings revealed difficulties in the computation of the national-origin basis as well as doubts as to the adequacy of the data upon which the quotas were predicated.

METHOD AND POLICY?

Thus we have the "national origin" quotas questioned as to the method involved in their construction and the policy determined by its execution. Of these two, the second is probably the most important since the essential point is to get, no matter through what statistical means, the kind of immigration that will further the best interests of the United States. It would therefore appear, to quote the Chamber of Commerce of the United States in its booklet, The National Immigration Policy, that "it is relatively unimportant to the committee whether the desired result is arrived at by the 1890 census plan, basing quotas on foreign born residing here, or by the national-origins plan, counting not only the foreign born but the native whites living here in 1920. The committee can not help but feel that these plans have no merit other than as they may prove to be practical methods for carrying out a policy of restrictive immigration, and that it is the policy and not the method which is of major importance * * *.

"It was the judgment of the committee, however, that it is entirely practical to retain the 1890 census (as a basis for the quotas) * * *. It has five years of operation behind it, and with the support of an informed and sympathetic public opinion each year will make it more secure."

Viewing it, then, primarily as a basis of national policy and secondarily as a method, what shall our answer be to the question—

"Shall we accept the 'national origins' immigration quotas?"

The purpose of this voluntary organization of the National Council for the Revision of the National Origin Quotas is to present the true facts concerning the injustices that have been brought about by the recent proclamation and to ask all those who were interested in fair play to write their Congressmen and Senators to indorse and support a proposed movement to revise the present law, which revision will be presented at the coming session of Congress, the Seventy-first Congress.

NATIONAL COUNCIL FOR THE REVISION
OF THE NATIONAL ORIGIN QUOTAS.

LOAN OF EQUIPMENT FOR AMERICAN LEGION CONVENTION

Mr. WALSH of Massachusetts. Mr. President, I desire to ask unanimous consent for the immediate consideration of a bill reported from the Committee on Military Affairs this morning by the Senator from Missouri [Mr. PATTERSON]. I refer to the bill (H. R. 10118) to authorize the Secretary of War to lend the War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930. It will not lead to any discussion.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MCNARY. Mr. President, will the Senator state in a word the purpose of the bill?

Mr. WALSH of Massachusetts. It is a bill to authorize the Secretary of War in his discretion to supply certain equipment to the American Legion for their convention in Boston next fall.

Mr. MCNARY. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments.

The amendments were, on page 1, line 7, before the words "thousand cots," to strike out "fifteen" and insert "twenty"; in line 8, before the words "thousand blankets," to strike out "thirty" and insert "forty"; in the same line, before the words "thousand bed sheets," to strike out "thirty" and insert "forty"; in line 9, before the words "thousand pillows," to strike out "fifteen" and insert "twenty"; in the same line, before the words "thousand pillowcases," to strike out "fifteen" and insert "twenty"; and on page 2, line 1, before the words "thousand mattresses," to strike out "fifteen" and insert "twenty," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized to lend, at his discretion, to the American Legion 1930 Convention Corporation, for use at the Twelfth National Convention of the American Legion to be held at Boston, Mass., in the month of October, 1930, 20,000 cots, 40,000 blankets, 40,000 bed sheets, 20,000 pillows, 20,000 pillowcases and 20,000 mattresses or bed sacks: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said convention as may be agreed upon by the Secretary of War and the American Legion 1930 Convention Corporation, through the director of housing of the American Legion 1930 Convention Corporation, Raymond O. Brackett: *Provided further*, That the Secretary of War, before delivering said property, shall take from the said American Legion 1930 Convention Corporation a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

THE LONDON NAVAL CONFERENCE

Mr. HALE. Mr. President, section 7, of Article I of the Constitution, provides that the Congress shall have power to provide and maintain a Navy, also to make all laws which shall be necessary and proper for carrying into effect the foregoing power.

Under section 2 of Article II of the Constitution the President shall be Commander in Chief of the Army and Navy of the United States. He has no power over the provision and maintenance of the Navy other than the right of veto of any legislation pertaining thereto and the right to make treaties with the advice and consent of the Senate; and, the further right, under section 3 of Article II of the Constitution, from time to time to give to the Congress information on the state of the Union and to recommend to their consideration such measures as he shall judge necessary and expedient.

On Congress rests the full responsibility of determining the strength and make-up of the American Navy, except in so far as limited by treaty agreements which must themselves be ratified by a two-thirds vote in the Senate.

In the case of the London treaty, which it is to be assumed will soon be presented to the Senate, the President was especially requested by the cruiser act of February 13, 1929, to encourage an international agreement for the further limitation of armament.

Under this request by Congress the President has quite properly sought to negotiate a treaty providing for the further limitation of armament. The actual text of the treaty has not yet been presented to the Senate, and will not, I assume, be so presented to us until the treaty has been actually negotiated and brought back to this country.

A good deal of information has been given out about the terms of the treaty, but until the text is actually before us it is manifestly impossible for us to determine its merits or demerits.

From the reports that have already come to us it is evident that the general policy of Congress in relation to cruisers as evidenced by all cruiser legislation that Congress has enacted since the date of the signing of the Washington treaty, in 1922, to build nothing but the 8-inch gun treaty cruisers that our needs require has been set aside.

This policy of the Congress was insisted upon by the last administration at the Geneva conference, and has been supported until very recently by practically all responsible naval opinion. If it is to be set aside, the advisability of so doing must be demonstrated.

This question and other naval questions involved in the treaty are very technical in their character and require a thorough and intensive study before an intelligent support or opposition to the terms of the treaty can be given, and I am certain that very few of the Members of the Senate have as yet given it that thorough and intensive study.

The treaty when it comes to us, of course, will be referred to the Committee on Foreign Relations, and that committee will make its report to the Senate.

I think it is highly essential and entirely fitting that the Committee on Naval Affairs, of which I am chairman and which has to handle all legislation involving the authorization of naval construction, hold hearings and get the best naval opinion on the purely naval problems dealt with by the treaty. Information acquired in these hearings will then be available for the use of the Senate when the treaty comes up for ratification.

I hope very much that Senators will not determine their positions on ratification of a treaty which so vitally affects the national defense of the country until the information to be acquired at these hearings is laid before them.

Mr. CONNALLY. Mr. President, would it not be entirely proper for the Committee on Foreign Relations to conduct the hearings with reference to the matters to which the Senator has referred?

Mr. HALE. I can assure the Senator that nothing is farther from my mind than to suggest that the Committee on Foreign Relations do not hold its own hearings in its own way; but on purely naval matters it seems to me that the Committee on Naval Affairs, which has to deal with all naval legislation, is in a position where it can be of service by drawing out information at the hearings.

Mr. CONNALLY. I have no objection; but it seems to me the Committee on Foreign Relations, which will have charge of the treaty, ought to conduct the hearings in connection with the treaty.

Mr. HALE. I am sure there will be no conflict between the Committee on Foreign Relations and the Committee on Naval Affairs.

DEATH OF REPRESENTATIVE R. Q. LEE, OF TEXAS

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. R. Q. LEE, late a Representative from the State of Texas, and transmitted the resolutions of the House thereon.

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The legislative clerk read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
April 18, 1930.

Resolved, That the House has heard with profound sorrow of the death of Hon. R. Q. LEE, a Representative from the State of Texas.

Resolved, That a committee of 24 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. CONNALLY. Mr. President, on behalf of my colleague [Mr. SHEPPARD] and myself, I offer the resolutions which I send to the desk, and ask unanimous consent for their immediate consideration.

The resolutions (S. Res. 251) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. R. Q. LEE, late a Representative from the State of Texas.

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. Under the second resolution the Chair appoints as the committee on the part of the Senate the senior Senator from Texas [Mr. SHEPPARD], the junior Senator from Texas [Mr. CONNALLY], the senior Senator from Oregon [Mr. MCNARY], the junior Senator from Florida [Mr. TRAMMELL], the senior Senator from Oklahoma [Mr. PINE], the senior Senator from New Mexico [Mr. BRATTON], and the junior Senator from Oklahoma [Mr. THOMAS].

Mr. CONNALLY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 3 o'clock and 17 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Monday, April 21, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, *April 18, 1930*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal and everlasting God and Mary's Holy Child—worthy is the Lamb that was slain! O come let us bow down. In Thy marred and weary face are reflected the woes and sorrows of a sinful world. O Christ, Thou hast enveloped the whole world in Thy winding sheet, which expands to the remotest shades of humanity; Thou hast hung a lamp of undying hope in the darkest midnight of the world. Walking in the way of Thy cross, may we have forgiveness of our sins and have our lives transformed and exalted by Thy eternal purpose. Thus all earthly duties will take on new meaning. In this dark and forbidding hour we humble ourselves at Thy pierced feet and praise Thee for the blossom of that love which roots itself in the breast of Almighty God and puts new life into the skeleton form of a dead world. Again the summons has come to this Chamber. Again a faithful and painstaking servant of Thine and our country has left us. O give great comfort to the bereft fireside.

There is a green hill far away,
Without a city wall,
Where the dear Lord was crucified,
Who died to save us all.

We may not know, we can not tell,
What pains He had to bear;
But we believe it was for us
He hung and suffered there.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3141. An act to amend paragraph (11) of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929;

H. R. 8637. An act to fix the rank and pay of the Commandant of the Coast Guard;

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6130. An act to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes; and

H. R. 7356. An act for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 193. An act for the relief of the Union Shipping & Trading Co. (Ltd.);

S. 261. An act amending the act of January 25, 1917 (39 Stat. L. 868), and other acts relating to the Yuma auxiliary project, Ariz.;

S. 413. An act authorizing the issuance to Wesley A. Howard of a patent for certain lands;

S. 671. An act for the relief of E. M. Davis;

S. 917. An act for the relief of Margaret Diederich;

S. 1011. An act to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes;

S. 1254. An act for the relief of Kremer & Hog, a partnership;

S. 1255. An act for the relief of the Gulf Refining Co.;

S. 1256. An act for the relief of the Federation Bank & Trust Co., of New York, N. Y.;

S. 1257. An act for the relief of the Beaver Valley Milling Co.;

S. 1455. An act to amend the immigration act of 1924 in respect of quota preferences;

S. 1702. An act for the relief of George W. Burgess;

S. 1756. An act granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927;

S. 1963. An act for the relief of members of the crew of the transport *Antilles;*

S. 1971. An act for the relief of Buford E. Ellis;

S. 1979. An act for the relief of Warren J. Clear;

S. 2863. An act granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested;

S. 2972. An act for the relief of DeWitt & Shobe;

S. 3051. An act authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifice and the service of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe;

S. 3404. An act authorizing the Secretary of Commerce to dispose of a portion of the Amelia Island Lighthouse Reservation, Fla.;

S. 3577. An act for the relief of John Wilcox, jr.;

S. 3623. An act for reimbursement of James R. Sheffield, formerly American ambassador to Mexico City;

S. 3641. An act for the relief of owners of cargo aboard the steamship *Boxley;*

S. 3691. An act to amend an act entitled "An act relative to naturalization and citizenship of married women," approved September 22, 1922;

S. 3726. An act for the relief of the owner of the American steam tug *Charles Runyon;*

S. 3727. An act for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918;

S. 3728. An act for the relief of the owner of barge *Consolidation Coastwise No. 10;*

S. 3845. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924;

S. 3898. An act granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith;

S. 3901. An act to establish a commercial airport for the District of Columbia; and

S. 4022. An act to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia.

MINORITY VIEWS ON THE BILL H. R. 6998

Mr. CABLE. Mr. Speaker, I ask unanimous consent to file minority views on the bill (H. R. 6998) to establish an assay office at Dahlonega, Lumpkin County, Ga.

The SPEAKER. The gentleman from Ohio asks unanimous consent to file minority views on the bill H. R. 6998. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 25 minutes on next Thursday after disposition of business on the Speaker's desk.

The SPEAKER. The gentleman from Ohio asks unanimous consent that on next Thursday, at the conclusion of the address of the gentleman from New York [Mr. DICKSTEIN], he may address the House for 25 minutes. Is there objection?

Mr. RANKIN. Reserving the right to object, Mr. Speaker, if the gentleman will qualify his request and base it on the contingency that the veterans' bill has been disposed of, I shall not object, but I am not going to agree to any other debate until the veterans' bill is disposed of. If the gentleman will base it on that contingency, I shall not object.

Mr. JENKINS. That is satisfactory, and I modify my request.

Mr. BURTNESS. Mr. Speaker, reserving the right to object, I am wondering what would happen to the special orders for Tuesday that are also contingent upon the completion of the pending bill. Would those orders come in ahead of special orders that were set later on?

The SPEAKER. The Chair understands that the only special order that is contingent on the final disposition of the veterans' bill is the order of the gentleman himself to address the House for 60 minutes. The other two requests were not contingent.

Mr. BURTNESS. I understand the intention is to shortly adjourn to-day. This, of necessity, means that the pending bill will not be completed on Tuesday, and I am wondering under these circumstances what will happen to the requests.

The SPEAKER. In the opinion of the Chair, the situation is this: Time was allotted the gentleman on Tuesday with the understanding it should not be effective unless the veterans' bill had been passed. If the veterans' bill has not been passed on Tuesday, the order would be wiped out and the time would not carry over. The gentleman would have to submit another request.

Mr. BURTNESS. I tried to include that in my request when the modification was made yesterday. I may not have done so in clear language, but I did at that time intend to include in the request that the time be granted to me as soon as the pending legislation was disposed of.

The SPEAKER. It does not so appear in the order. The gentleman, of course, can make the request later.

Mr. BURTNESS. I would like to modify the request at the proper time.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JENKINS]?

There was no objection.

Mr. BURTNESS. Mr. Speaker, assuming that the Johnson bill has not been disposed of upon next Tuesday, I ask unanimous consent that the special order on my behalf for Tuesday may be effective on the first day following the conclusion of the consideration of the Johnson bill.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that the order granted him for Tuesday may become effective on the next day after the veterans' legislation shall have been disposed of. Is there objection?

Mr. GARNER. Mr. Speaker, I do not intend to object. I would like for the gentleman to have the time, but you are going to complicate matters. Suppose that day should come on Calendar Wednesday or consent day or some other day when the rules of the House would require special business.

The SPEAKER. It would not be effective either on a Monday or a Calendar Wednesday.

Mr. SNELL. Mr. Speaker, reserving the right to object, it seems to me the time has come in this session when we should not grant these limitless requests to address the House for a week or 10 days in advance. From this time on we are liable to have important business to transact in order at some time to close up the work of the session. I am absolutely opposed to the policy we have pursued all this winter along this line, and the time has come now, in my judgment, when we should not allow these requests for a week or 10 days in advance.

If a gentleman wants to address the House, say to-morrow, under a special order, and there is nothing of special importance before the House at that time, I think it is all right, but to ask for time a week or 10 days in advance leads to confusion just as is the case now before us. There are now two bills before the House that are unfinished, and from this time on I am going to object until the regular order of business is disposed of. I am not going to object to anything that has been requested up to this time.

Mr. GARNER. I want to congratulate that side of the House on having one gentleman who has sufficient courage to undertake to take care of the future legislation of the Congress.

Mr. SNELL. The gentleman from New York has never been considered as lacking courage, when necessary to show it.

Mr. TILSON. Was there not even one on that side who had sufficient courage to do it? [Applause.]

Mr. GARNER. Yes; and whenever we have command, we will take the responsibility.

Mr. SNELL. I will take this responsibility for the remainder of this session.

Mr. TILSON. Every Member on that side of the House has the same responsibility in regard to this matter as every Member on this side, for it requires unanimous consent.

Mr. BURTNESS. Of course, the gentleman understands the subject I intend to talk on is one that is coming up for consideration on the floor of the House.

Mr. SNELL. The gentleman has submitted his request, and I am not objecting to any request that has been submitted, but from now on I am going to object.

Mr. LAGUARDIA. Reserving the right to object, the gentleman from Ohio [Mr. JENKINS] has just obtained 25 minutes for next Thursday, conditioned on the disposition of the veterans' bill; and I was going to ask for 10 minutes to reply to the gentleman. If that request would come within the ban of the gentleman, I am willing to play ball.

Mr. SNELL. It does come within the ban.

Mr. LAGUARDIA. Then, I am going to make the request at that time.

Mr. SNELL. That will be all right.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

APPLE-BLOSSOM FESTIVAL AT WINCHESTER, VA.

Mr. GARBER of Virginia. Mr. Speaker, I ask unanimous consent to proceed for two minutes in order to make an announcement to the House.

The SPEAKER. The gentleman from Virginia asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. GARBER of Virginia. Mr. Speaker and gentlemen of the House, I wish to take this opportunity to extend a very cordial invitation to the membership of the House to attend the apple-blossom festival at Winchester, Va., on April 25, one week from to-day.

I simply want to say that if you have not been in the Shenandoah Valley of Virginia it will be worth your while to come down there and see the acres and acres of apple orchards, now in full blossom, and to witness the gorgeous festival with its riot of color.

Mr. COLE. Will the gentleman yield?

Mr. GARBER of Virginia. Yes.

Mr. COLE. Is not there an excursion planned for the 4th of May?

Mr. GARBER of Virginia. I do not want the gentleman to get the two occasions confused. The excursion is to the Grand Caverns in another section of the valley, and has nothing to do with the apple-blossom festival at Winchester. Winchester is 70 miles out from here, on a hard-surfaced road, by way of Fairfax, Middleburg, and Boyce. You can drive it in two hours or less. When you come there next Friday and see this great valley bedecked in white and pink and green you will never again ask where is the Garden of Eden! [Applause.] The great Shenandoah Valley at this season of the year blossoms as a rose from mountain to mountain.

Mr. GARNER. If the gentleman will yield, I know that everyone will be interested in the apple-blossom festival, but the gentleman's State is very much interested in the river and harbor bill which is assigned for consideration next Friday. I hope the gentleman will not depopulate the House to the extent that we can not pass that bill.

Mr. GARBER of Virginia. After the hearings which have been had on that bill if the gentleman can not successfully compete with the apple-blossom festival I am afraid we can not yield for this one day of all the year. Permit me to extend a cordial invitation to every Member to make us happy by visiting Winchester and the seventh apple blossom festival on April 25. [Applause.]

OMNIBUS PENSION BILL

Mr. NELSON of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 11588, a bill granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War, and certain widows and dependent children of soldiers, sailors, and marines of said war; and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill H. R. 11588, an omnibus pension bill, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill:

This bill is a substitute for the following House bills referred to this committee:

H. R. 294. Susan H. Waldo.
H. R. 312. Carrie D. Ince.
H. R. 319. Julia C. Baker.
H. R. 342. Mary C. Fisher.
H. R. 381. Ida May Gaston.
H. R. 570. Luella B. Davis.
H. R. 634. Mary Jane Wallace.
H. R. 638. Lizzie Smith.
H. R. 799. Mary R. Schroth.
H. R. 824. Catherine Cushman.
H. R. 841. Adelia Ormiston.
H. R. 1047. Alice A. Hayes.
H. R. 1070. Addie Conway.
H. R. 1104. Samuel C. Riel.
H. R. 1121. Joseph N. Riel.
H. R. 1334. Samantha Braley
H. R. 1336. Alice M. Henderson.
H. R. 1366. Susan Devore.
H. R. 1457. Elizabeth Perryman.
H. R. 1524. Jennie Carter.
H. R. 1565. Sarah E. Stevenson.
H. R. 1566. Elizabeth E. A. Shaw.
H. R. 1567. Ann M. Kisner.
H. R. 1569. Margaret J. Crabtree.
H. R. 1570. Lillie S. Buck.
H. R. 1588. Ann Million.
H. R. 1738. Charlotte A. Albin.
H. R. 1746. Harriet Comfort.
H. R. 1835. Catharine M. Bear.
H. R. 1948. Clara Robbins.
H. R. 2071. Sina B. Cook.
H. R. 2357. Missouri Bach.
H. R. 2445. Linnie C. Markward
H. R. 2509. Urania King.
H. R. 2515. Tebby May Price.
H. R. 2516. Fanny A. McKenzie.
H. R. 2517. Margaret Ort.
H. R. 2518. Anna E. Orris.
H. R. 2519. Henrietta Traver.
H. R. 2520. Sarah A. McKenzie.
H. R. 2522. Harriet E. A. Howell.
H. R. 2524. Edith M. Haller.
H. R. 2534. Hannah E. Van Meter.
H. R. 2581. Kate Hale Griffith.
H. R. 2651. Louisa E. Ludwig.
H. R. 2653. Charlotte Underwood.
H. R. 2835. Emma Burns.
H. R. 2836. Nellie Coss.
H. R. 2846. Mary D. Biery.
H. R. 2880. Mary Jane Estep.
H. R. 2891. Sarah F. Maxson.
H. R. 2893. Ann S. Shaffer.
H. R. 2925. Sophia Deke.
H. R. 2955. Rebbeca Holman.
H. R. 2956. Rebecca Paisley.
H. R. 3011. Mary Ann Sensency.
H. R. 3017. Harriet C. Hardacre.
H. R. 3020. Minnie Chapman.
H. R. 3030. Martha J. Symonds.
H. R. 3051. Anna Allen.
H. R. 3124. Ernestine Kranawetter.
H. R. 3184. Elizabeth Moorehead.
H. R. 3194. Jacob C. Keithley, alias J. C. Keithley.
H. R. 3216. Lillias Ames.
H. R. 3232. Susan M. Inks.
H. R. 3299. Wilmina Campbell.
H. R. 3361. Cora A. Spencer.
H. R. 3373. Rebecca J. Free.
H. R. 3380. Cortes Stephenson.
H. R. 3443. Eleanor H. Richardson.
H. R. 3459. Carrie M. Foss.
H. R. 3481. Mary Euphema Heard.
H. R. 3522. John Stacy.
H. R. 3529. Jennie Ferguson.
H. R. 3538. Vienna V. Riker.
H. R. 3587. Josephine E. Lang.
H. R. 3604. Mary Black.
H. R. 3605. Rose E. Van Horn.
H. R. 3606. Mary B. Haskell, pensioned as Mary B. McMaster.
H. R. 3609. May E. Clark.
H. R. 3672. Martha Barber.
H. R. 3703. George W. Williamson, alias George Williamson.
H. R. 3704. Nancy J. Tartar.
H. R. 3708. Esther J. Long.
H. R. 3710. Bertha C. H. R. Quick.
H. R. 3711. Jane Mosier.
H. R. 3739. Nancy D. Tobey.
H. R. 3747. Mary E. Weeden.
H. R. 3781. Louise C. Redding.
H. R. 3803. John N. Wolf.
H. R. 3812. Ollie Rodgers.
H. R. 3834. Susan C. Aurand.
H. R. 3837. Ellen Judy.
H. R. 3872. Johanna Lynch.
H. R. 3898. Mary Baker.
H. R. 3917. Harriett E. Tongue.
H. R. 3934. Allen R. Bybee.
H. R. 3996. Elizabeth Skidmore.
H. R. 4031. Tony Flynn.
H. R. 4034. Mary C. Pennington.
H. R. 4056. Harriet Laddy.
H. R. 4111. Annie Pride.
H. R. 4122. Sophia Mesack.
H. R. 4144. Edith Thompson.
H. R. 4210. Lucy S. Tolles.
H. R. 4237. Sarah Jones Warn.
H. R. 4255. Mary Fisher.
H. R. 4305. Florence Dulhanty.
H. R. 4345. Mary Stevenson (or Mary Stephenson).
H. R. 4346. Eliza J. Wright.
H. R. 4356. Clara M. Matkins.
H. R. 4370. Cemira Legg.
H. R. 4390. Mary H. Shotwell.
H. R. 4398. Dina Meyer.
H. R. 4399. Delila W. Gooch.
H. R. 4401. Martha Maria Harris.
H. R. 4424. Letticia C. Turner.
H. R. 4439. Alice Geister.
H. R. 4444. Virginia C. Teter.
H. R. 4456. Mary A. Snyder.
H. R. 4517. Mary R. Adams.
H. R. 4545. Caroline W. Jones.
H. R. 4551. Clara W. Hull.
H. R. 4566. Margaret Mead.
H. R. 4577. Eva Yost.
H. R. 4591. Julia M. Mann.
H. R. 4618. Richard C. Schults.
H. R. 4619. Mary F. Besly.
H. R. 4622. Josephine Connell.
H. R. 4630. Mary F. Stewart.
H. R. 4633. Harriet E. Carter.
H. R. 4642. Jennie L. Cranmer.
H. R. 4651. Louisa Squires.
H. R. 4662. Catherine J. Ingram.
H. R. 4666. Amina M. Braden.
H. R. 4676. Mary E. Elbert.
H. R. 4684. Margaret Beck.
H. R. 4687. Emma E. Merrill.
H. R. 4689. Emma Wise.
H. R. 4734. Frances L. Eggleston.
H. R. 4765. Ollie E. Montgomery.
H. R. 4776. Sarah E. Hitchcock.
H. R. 4825. Lucy J. Watkins.
H. R. 4835. Thomas Johnson, jr.
H. R. 4859. Elizabeth Huffman.
H. R. 4867. Mary L. Baird.
H. R. 4873. Harriet E. Gorden.
H. R. 4874. Harriet Hughes.
H. R. 4882. Nellie McLaughlin.
H. R. 4883. Corellah B. Price.
H. R. 4884. Ellen V. Lehr.
H. R. 4888. Anna E. Stout.
H. R. 4911. Sarah E. Hancock.
H. R. 4918. Laura E. Van Matre.
H. R. 4921. Eliza J. Coleman.
H. R. 4923. May Caton.
H. R. 4927. Sarah E. Arwine.
H. R. 4931. Angie R. Hodge.
H. R. 4935. Margaret A. Buck.
H. R. 4936. Ella M. Ashbrook.
H. R. 4937. Irene Fraine.
H. R. 4944. Prudence Hall.
H. R. 4962. Susan A. Wolf.
H. R. 4969. Jessie B. Zellers.
H. R. 4971. Mary Ellen Miller.
H. R. 4972. Elisabeth E. Fry.
H. R. 4973. Mary M. Armstrong.
H. R. 4975. Margaret A. Newton.
H. R. 4978. Lizzie Whiteside.
H. R. 4979. Alice S. Paul.
H. R. 4980. Mary J. Eyre.
H. R. 4981. Sarah E. Warner.
H. R. 4984. Elizabeth A. Bench.
H. R. 4986. Catherine Casteel.
H. R. 4992. Hazel I. Van Zandt.
H. R. 5000. Mary P. Hill.
H. R. 5001. Amanda Dunn.
H. R. 5011. Anna B. Sibert.
H. R. 5015. Polly R. Messenger.
H. R. 5018. Hannah Leach.
H. R. 5020. Allie M. McQueen.
H. R. 5028. Dema Castner.
H. R. 5031. Mary Haywood.
H. R. 5040. Esther McC. Chapman.
H. R. 5043. Marion P. Newell.
H. R. 5064. Emma G. Palmer.
H. R. 5065. Thomasine Combs.
H. R. 5074. Ellen M. Brewster.
H. R. 5083. Ermina F. Sipe.
H. R. 5084. Effie A. Reynolds.
H. R. 5086. Kitty J. Ong.
H. R. 5087. Mary P. Murray.
H. R. 5090. Katherine Heppe.
H. R. 5116. Sarah E. Butler.
H. R. 5117. Etta S. Dobell.
H. R. 5122. Frances C. Dennis.
H. R. 5125. Lucy Kammerer.
H. R. 5131. Sarah J. Murphy.
H. R. 5144. Sarah Miller.
H. R. 5147. Sarah J. Smith.
H. R. 5156. Nellie Kaster.
H. R. 5158. Amanda J. Ward.
H. R. 5159. Rebecca J. Wanker.
H. R. 5165. Annie Doughty.
H. R. 5166. Christianna Lewis.
H. R. 5168. Margaret Hide.
H. R. 5169. Mary E. Anderson.
H. R. 5172. Martha J. Moore.
H. R. 5173. Margaret Stultz.
H. R. 5197. Mary J. Hiser.
H. R. 5202. Mary Cleaver.
H. R. 5207. Mary Myers.
H. R. 5208. Elozan Clark.
H. R. 5209. Charlotte A. Modesitt.
H. R. 5210. Niagara Shannon.
H. R. 5211. Paulina Harvey.
H. R. 5219. Amanda Maddock.
H. R. 5220. Emma Pomeroy.
H. R. 5224. Sarah C. Reed.
H. R. 5230. Paradine Turner.
H. R. 5231. Mary Elizabeth Travis.
H. R. 5232. Francis M. Smith.
H. R. 5233. Sarah F. Ragland.
H. R. 5234. John T. Pendley.
H. R. 5237. Neoma Hunt.
H. R. 5242. Newton H. Latham, alias N. H. Latham.
H. R. 5243. Josie Henly.
H. R. 5250. Ettie Myser.
H. R. 5252. Dorothea Jane Sharp.
H. R. 5256. Angie S. Ames.
H. R. 5288. Abbie D. Humphrey.
H. R. 5293. Elisabeth Tunison.
H. R. 5294. Elizabeth Fenton.
H. R. 5308. Emma J. Weinburg.
H. R. 5339. Harry E. Applegate.
H. R. 5342. Sarah A. Belford.
H. R. 5346. Malinda Hite.
H. R. 5350. Neoma Duff.
H. R. 5352. Cordelia E. Murphy.
H. R. 5354. Leona May Robertson.
H. R. 5355. Amanda E. Smith.
H. R. 5356. John P. Tatum.
H. R. 5357. Sarah A. Busby.
H. R. 5360. Catherine E. Cox.
H. R. 5361. Eliza A. Davis.
H. R. 5362. Rebecca J. Dodd.
H. R. 5363. Alice Gardner.
H. R. 5364. Elizabeth Gatts.
H. R. 5365. Minnie H. King.
H. R. 5362. Caroline Mills.
H. R. 5367. Matilda Pensinger.
H. R. 5368. Elizabeth Porter.
H. R. 5369. Amanda C. Thomas.
H. R. 5370. Sarah A. Burkhead.
H. R. 5371. Laura E. Temple.
H. R. 5373. Althea B. Teitter.
H. R. 5374. Martha Hunt.
H. R. 5375. Sarah L. Hill.
H. R. 5376. Mary J. Van Keuren.
H. R. 5377. Mary Van der Mark.
H. R. 5383. Mary A. Forny.
H. R. 5386. Mary A. Hamilton.
H. R. 5389. Sarah J. Shultis.
H. R. 5397. Jemima White.
H. R. 5398. Eliza A. Dutrow.
H. R. 5399. Theresa Sullivan.
H. R. 5417. Julia Price.
H. R. 5418. Clara Maud Landis.
H. R. 5419. Sarah C. Barr.
H. R. 5420. Margaret Isenberg.
H. R. 5421. Elizabeth Dile.
H. R. 5425. Sarah A. Childers.
H. R. 5426. Margaret J. Martin.
H. R. 5427. Mary E. Buchanan.
H. R. 5429. Hollen Morris.
H. R. 5432. Elizabeth Moore.
H. R. 5433. Winifred B. Stritmater.
H. R. 5435. Jennie E. Cook.
H. R. 5438. Mary C. Hayden.
H. R. 5439. Sarah Cleaver.
H. R. 5440. Susan M. Potts.
H. R. 5441. Adaline Templing.
H. R. 5443. Maggie H. Oaks.
H. R. 5444. Martha C. Walton.
H. R. 5467. Dollie Reed.
H. R. 5469. Francina Atkinson.
H. R. 5473. Mary A. Buell.
H. R. 5475. Jennie D. Whisler.
H. R. 5476. Catherine Davis.
H. R. 5478. Electa C. Hoffman.
H. R. 5479. Phebe A. Rubottom.
H. R. 5480. Henrietta Nelson.
H. R. 5482. Ellen Driver.
H. R. 5484. Georgie E. Sparks.
H. R. 5485. Lydia A. Wertz.
H. R. 5486. Hannah M. Williams.
H. R. 5487. Barbra E. Cassidy.
H. R. 5488. Tillie T. Gorsuch.
H. R. 5489. Mary J. Corbin.
H. R. 5490. Susan Miller.
H. R. 5491. Susan Feight.
H. R. 5492. Annie Troutman.
H. R. 5493. Nancy Watkins.
H. R. 5494. Mary F. Stoutenour.
H. R. 5495. Mary J. Kissel.
H. R. 5496. Lavina Ritchey.
H. R. 5497. Savanah Belle Grove.
H. R. 5499. Jennie C. Sheeder.
H. R. 5500. Margaret Dick.
H. R. 5501. Sarah Hoover.
H. R. 5502. Elizabeth Hagerty.
H. R. 5503. Louisa J. Hyde.
H. R. 5504. Sarah C. Rhine.
H. R. 5505. Susan J. Reighard.
H. R. 5506. Susan Tetwiler.
H. R. 5507. Julia A. Slick.
H. R. 5511. Elizabeth Withrow.
H. R. 5512. Mary E. Dowell.
H. R. 5513. Thomas Smith.
H. R. 5514. Ella Wilcut.
H. R. 5515. Sarah A. Reed.
H. R. 5516. Mary S. Burrows.
H. R. 5527. Sarah J. Garrell.
H. R. 5528. Amelia F. Jones.
H. R. 5529. Martha Ann Pierce.
H. R. 5550. Julia Borders.
H. R. 5554. Catharine M. Hale.
H. R. 5556. Eva J. Knowles.
H. R. 5558. John B. Glick.
H. R. 5559. Cassie E. Chesnut.
H. R. 5560. Amanda Morris.
H. R. 5561. Matilda Cattell.
H. R. 5562. Anna D. Wilkinson.
H. R. 5566. Mary A. Bittner.
H. R. 5577. Mary H. Webster.
H. R. 5578. Barbery E. Bower.
H. R. 5579. Cordelia Woste.
H. R. 5580. Mary A. Warren.
H. R. 5588. Helen M. Graver.
H. R. 5591. Magdalene DeMott.
H. R. 5592. Sarah E. Dyer.
H. R. 5596. Mary E. Coffman.
H. R. 5597. Mary R. Clapper.
H. R. 5601. Martha Anna Daniels.
H. R. 5602. Mary F. Long.
H. R. 5603. Belle M. Williams.
H. R. 5606. Flora O. Flye.
H. R. 5608. Almeda Dunham.
H. R. 5613. Mary A. Middleton.
H. R. 5724. Catherine Sammon
H. R. 5727. Anna M. W. Chase.
H. R. 5729. Millie S. Paine.
H. R. 5730. Nancy Parker Middleton.
H. R. 5731. Mary E. Cooley.
H. R. 5732. Nancy Gartin.
H. R. 5734. Mary E. Crow.
H. R. 5735. Sarah Hart.
H. R. 5736. Marcillie M. McGee.
H. R. 5737. Jennie E. Gist.
H. R. 5742. Mary J. Faux.
H. R. 5747. Mary E. Long.
H. R. 5749. Priscilla E. Robinson.
H. R. 5752. Betsy A. Sites.
H. R. 5753. Charles W. Shreve, alias Charles W. Shreave.
H. R. 5754. Mary Doll.
H. R. 5758. Sarah M. Long.
H. R. 5759. Ella D. Manifold.
H. R. 5761. Flora M. King.
H. R. 5762. Melissa Quick.
H. R. 5763. Margaret M. Downing.
H. R. 5767. Maggie A. Freeman.
H. R. 5770. Mary J. Fowler.
H. R. 5773. Mary Martin.
H. R. 5774. Anna C. Wilson.
H. R. 5776. Agnes S. Kelley.
H. R. 5777. Sophia Krise.
H. R. 5779. Hulda S. Miller.
H. R. 5788. Cornelia M. Gage.
H. R. 5789. Mary A. Dugan.
H. R. 5796. Lillie C. Rood.
H. R. 5817. Ella M. Brewer.
H. R. 5819. Catherine Enzslin.
H. R. 5820. Catherine Hart.
H. R. 5822. Mary E. Pilsworth.
H. R. 5825. Fannie O. Wheeler.
H. R. 5827. Susan H. Ashcraft.
H. R. 5828. Sarah A. Howke.
H. R. 5830. Emma Phelps.
H. R. 5831. Anna Smith.
H. R. 5836. Stella J. Kidder.
H. R. 5837. Angeline M. Rumrill.
H. R. 5844. Talitha Plank.
H. R. 5845. Sarah J. Smith.
H. R. 5846. Sarah J. Fish.
H. R. 5852. Mary B. O'Hara.
H. R. 5853. Eliza J. Ketzler.
H. R. 5855. Mary M. Wilson.
H. R. 5869. Susan Smith.
H. R. 5875. Mary M. Wood.
H. R. 5876. Elizabeth Close.
H. R. 5878. Sarah Clingman.
H. R. 5880. Jane Skinner.
H. R. 5881. Emma Steadman.
H. R. 5882. Freelove Goings.
H. R. 5883. Mary C. Ballard.
H. R. 5884. Sarah F. Turner.
H. R. 5885. Laura F. Robinson.
H. R. 5886. Caroline V. Clary.
H. R. 5887. Nancy A. Fleming.
H. R. 5890. Harry Graham.
H. R. 5892. Lulu E. McKee.
H. R. 5895. Anna McPharlin.
H. R. 5896. Frances E. McDowell.
H. R. 5899. Mary P. Miller.
H. R. 5906. Christianna Kuns.
H. R. 5907. Hattie C. Wilson.
H. R. 5919. Lydia Louise L. Darmer.
H. R. 5921. Caroline Parker.
H. R. 5922. Almira Parish.





H. R. 5923. Katie Miller.
H. R. 5934. Charles M. Rittenburg.
H. R. 5935. George W. Rittenburg.
H. R. 5936. Ellen L. Daniels.
H. R. 5938. Jane Jones.
H. R. 5939. Clementine B. W. Hayden.
H. R. 5941. Carrie A. Nimlow.
H. R. 5943. Francina Joy Plett.
H. R. 5945. Mary A. Wagner.
H. R. 5947. Mary M. Overbeck.
H. R. 5948. Susan A. Fulton.
H. R. 5949. Margaret Krichten.
H. R. 5950. Annie M. Guyer.
H. R. 5951. Mary F. Northamer.
H. R. 5953. Mary M. Myers.
H. R. 5959. Evaline N. Edson.
H. R. 5972. Addie Huffman.
H. R. 5980. Mary Brennan.
H. R. 5990. Jane Woolverton.
H. R. 5990. Jane Woolverton.
H. R. 6019. Sophia Shy.
H. R. 6020. Elizabeth Kelley.
H. R. 6023. Lucy H. Giles.
H. R. 6024. Cordelia S. Harris.
H. R. 6027. Sarah C. Lalone.
H. R. 6028. Coral Boas.
H. R. 6029. Abbie Denton.
H. R. 6030. Catharine Martin.
H. R. 6031. Rachel W. Zeise.
H. R. 6035. Missouri Strope.
H. R. 6036. Jane Swonger.
H. R. 6038. Mary Eva Stephens.
H. R. 6039. Elizabeth M. Rittenhouse.
H. R. 6041. Critty A. Rayford.
H. R. 6042. Sarah S. Plimpton.
H. R. 6043. Mary Nangle.
H. R. 6045. Sarah Martin.
H. R. 6046. Alice J. Marsh.
H. R. 6047. Sarah McCarty.
H. R. 6051. Emma J. Field.
H. R. 6053. Sarah A. Cydrus.
H. R. 6054. Rachel Cupp.
H. R. 6056. Louisa Bullock.
H. R. 6057. Mary J. Bower.
H. R. 6058. Rosa Anderson.
H. R. 6062. Isabelle Eccles.
H. R. 6065. Mary E. Bechtel.
H. R. 6066. Nannie J. North.
H. R. 6068. Jennie Mitts.
H. R. 6075. Elizabeth A. McConahy.
H. R. 6086. Charlesanna Marsh.
H. R. 6095. Rebecca A. Ward.
H. R. 6099. Elizabeth Simons.
H. R. 6101. Margaret J. Cramp.
H. R. 6105. Edwin D. Davisson, alias E. D. Davisson.
H. R. 6156. Nancy J. Gillan.
H. R. 6159. Andrew Thomas, alias Anderson Thomas.
H. R. 6161. Alvora Bartlett.
H. R. 6162. Sarah Shumaker.
H. R. 6163. Emma Y. Davison.
H. R. 6168. Mary E. Barrett.
H. R. 6170. Emma J. Churchill.
H. R. 6171. Mary G. Barrett.
H. R. 6172. Ida Copple.
H. R. 6179. Harriet E. Norrington.
H. R. 6185. Josephine A. Clark.
H. R. 6201. Susan B. Lewis.
H. R. 6212. Mary E. Miller.
H. R. 6214. Martha J. Hart.
H. R. 6215. Frank Wolf.
H. R. 6216. Hannah E. James.
H. R. 6217. Marie Lytle.
H. R. 6221. Esther F. Yarnall.
H. R. 6233. Kittie Shortlidge.
H. R. 6247. Rebecca Howe.
H. R. 6255. Rosa L. Stevens.
H. R. 6260. Clara L. Leach.
H. R. 6269. Martha E. Lemmons.
H. R. 6353. Theodosia F. Fraseur.
H. R. 6355. Mahala Harman.
H. R. 6356. Ruea A. Cole.
H. R. 6357. Sabra Martz.
H. R. 6373. Emma D. Jones.
H. R. 6409. Mary E. Butterfield.
H. R. 6412. Rebecca A. Miller.
H. R. 6415. Mary Hanna.
H. R. 6417. Katherine E. Kelly.
H. R. 6418. Millicent C. Murray.
H. R. 6419. Maggie Hafele.
H. R. 6421. Sarah L. Pyles.
H. R. 6423. Elizabeth Dillon.
H. R. 6426. Frank Lieb.
H. R. 6429. Nancy J. Pack.
H. R. 6430. Anna M. Felder.
H. R. 6437. Elizabeth Huhn.
H. R. 6438. Leah V. Spalding.
H. R. 6457. Rachel G. Perkins.
H. R. 6458. Emma E. Yorgy.
H. R. 6459. Sarah Barnes.
H. R. 6461. Susan Brookhart.
H. R. 6462. Sallie C. Crulkshank.
H. R. 6463. Martha R. Miller.
H. R. 6470. Mary Bushey.
H. R. 6471. Marcella C. Ingersoll.
H. R. 6472. Jennette H. Mason.
H. R. 6487. James H. Russell.
H. R. 6499. Glennie E. Smith.
H. R. 6500. Agnes A. Tiffin.
H. R. 6501. Clara A. Akin.
H. R. 6502. Alice L. Austin.
H. R. 6503. Emma Babcock.
H. R. 6504. Josephine Bell.
H. R. 6505. Eliza J. Hale.
H. R. 6506. Lelia C. W. Lee.
H. R. 6508. Olive M. Persons.
H. R. 6509. Minerva M. Russell.
H. R. 6510. Adelia K. Wright.
H. R. 6511. Minnie H. Thompson.
H. R. 6912. Sarah Brooks Cross.
H. R. 6518. Amanda Jones.
H. R. 6519. Mary C. Galleher.
H. R. 6527. Charlotte A. Jaques.
H. R. 6530. Susannah J. Israel.
H. R. 6532. Clarissa Francisco.
H. R. 6533. Biasa T. Miller.
H. R. 6539. Marie M. Berard.
H. R. 6541. Isabella Allison.
H. R. 6542. Louise E. Lafaille.
H. R. 6551. Nellie M. Reed.
H. R. 6554. Edward J. Platt.
H. R. 6556. Amanda Hough.
H. R. 6558. Mary Catherine McClain.
H. R. 6560. Mary T. Hartman.
H. R. 6561. Anna M. Walter.
H. R. 6562. Mary E. Wright.
H. R. 6563. Frederica Fox.
H. R. 6630. Calista Branstetter.
H. R. 6632. Lucy J. Richardson.
H. R. 6634. Barbara Sramek.
H. R. 6643. Marietta Bare.
H. R. 6646. Matilda Le Saulnier.
H. R. 6661. Barbara E. Johns.
H. R. 6666. Lydia C. Dyer.
H. R. 6673. Mary A. Kessler.
H. R. 6674. Euretta Nichols.
H. R. 6677. Cyrene D. Mason.
H. R. 6678. Catherine Jones.
H. R. 6681. Amanda Artman.
H. R. 6686. Amey V. P. Miller.
H. R. 6689. Louisa James.
H. R. 6692. Mary A. Weber.
H. R. 6699. Ursula A. Beckhorn.
H. R. 6729. Daniel R. Shively.
H. R. 6731. Emma Stout.
H. R. 6736. Mary E. Carruthers.
H. R. 6737. Emma C. McNeal.
H. R. 6740. Mabel C. Smith.
H. R. 6743. Lottie Rice.
H. R. 6744. Kate J. Manning.
H. R. 6745. Carrie B. Davis.
H. R. 6747. Mary E. Patterson.
H. R. 6751. Addie L. Wright.
H. R. 6757. Rachel E. Calkins.
H. R. 6768. Mary L. Brummett.
H. R. 6773. Mary E. Patterson.
H. R. 6781. Martha Bostwick.
H. R. 6783. Cora R. Painter.
H. R. 6786. Mary E. Romfelt.
H. R. 6822. Delia Maples.
H. R. 6824. Celia A. Plyley.
H. R. 6826. Francelia Scofield.
H. R. 6829. Mary C. Osborn.
H. R. 6830. Relia A. Sherwin.
H. R. 6831. Fannie McGuire.
H. R. 6886. Elizabeth Earhart.
H. R. 6897. Mary Etta Rumler.
H. R. 6907. Martha E. Cook.
H. R. 6908. Emily J. Goodwin.
H. R. 6909. Ann Katherine Kindred.
H. R. 6911. Addie Burge.
H. R. 6913. Elizabeth E. Sellers.
H. R. 6930. Nellie Huributt.
H. R. 6931. Sarah E. Thompson.
H. R. 6933. Rebecca J. Creach.
H. R. 6939. Dora Parsels.
H. R. 6940. Mary A. Ackley.
H. R. 6941. Ida Gordon.
H. R. 6943. Livonia Taylor.
H. R. 6944. Agnes Tannery.
H. R. 6945. Ann Richardson.
H. R. 6946. Martha Dykes.
H. R. 6947. Francelia Mitchell.
H. R. 6949. Louisa A. Ferris.
H. R. 6950. Susan A. South.
H. R. 6953. Mary Malone.
H. R. 6954. Nancy M. Brown.
H. R. 6955. Susie E. Ostrander.
H. R. 6956. Julia A. Taber.
H. R. 6958. Mary A. Westlake.
H. R. 6959. Matilda McDougall.
H. R. 6968. Catherine Slocum.
H. R. 6972. Mary Saxman.
H. R. 7010. Josephine Edwards.
H. R. 7020. Mary C. G. West.
H. R. 7022. Louie Nixon.
H. R. 7030. Rebecca Funderburgh.
H. R. 7033. Isabella Huff.
H. R. 7034. Sarah E. Mutchler.
H. R. 7037. Mary Y. Sandos.
H. R. 7039. Harriet Boyer.
H. R. 7040. Margret Morey.
H. R. 7054. Kate C. Kirkland.
H. R. 7055. Amalva Willson.
H. R. 7056. Christina Fakiner.
H. R. 7062. Minnie F. Harris.
H. R. 7072. Margaret A. Boyer.
H. R. 7078. Ida M. Stanley.
H. R. 7079. Mary E. Cole.
H. R. 7080. Anna J. Westlake.
H. R. 7084. Mary Jones.
H. R. 7085. Augusta A. Wedge.
H. R. 7086. Sophia G. Gibbons.
H. R. 7089. Amelia M. Holt.
H. R. 7093. Mary Kliby.
H. R. 7097. Nancy L. Skelton.
H. R. 7100. Maria E. Steele.
H. R. 7102. Anna M. Dieringer.
H. R. 7107. Martha A. Ayres.
H. R. 7109. Demarcus Corbin.
H. R. 7150. Annie Branigan.
H. R. 7159. Harvey Guyan.
H. R. 7167. Ella Lower.
H. R. 7168. Fannie Delaney.
H. R. 7180. Joseph Smith.
H. R. 7184. Barbara Myers.
H. R. 7185. Frank Kennedy.
H. R. 7189. Sarah R. Wright.
H. R. 7200. Jane Smith.
H. R. 7201. Mary T. K. Rankin.
H. R. 7212. Louisa Becker.
H. R. 7213. Libbie B. Sanders.
H. R. 7214. Juliet Thompson.
H. R. 7223. Addie M. Farnham.
H. R. 7225. Martha Jessee.
H. R. 7226. Joanna E. Butler.
H. R. 7231. Mary Standacker.
H. R. 7287. Agnes M. Ulrich.
H. R. 7292. Bridget K. Sheridan.
H. R. 7308. Bertha Minch.
H. R. 7309. Irene Gillespie.
H. R. 7312. Hollen E. Day.
H. R. 7313. Sarah C. Simmons.
H. R. 7314. Mary E. B Bridges.
H. R. 7316. Elizabeth Aulgur.
H. R. 7317. Alice C. McCormick.
H. R. 7324. Margaret A. Olinger.
H. R. 7328. Anna Allen.
H. R. 7330. Priscilla Johnson.
H. R. 7334. Eliza Jane McCoy.
H. R. 7336. Mary C. Pearson.
H. R. 7345. Alice McCloskey.
H. R. 7347. Helena K. Rose.
H. R. 7348. Emma N. Gurney.
H. R. 7353. Nannie L. Lewis.
H. R. 7354. Mary E. Welch.
H. R. 7358. Charles O. B. Spencer.
H. R. 7425. Mary J. McClearen.
H. R. 7427. Elizabeth Adams.
H. R. 7431. Ruth Blakey.
H. R. 7437. Ida E. Armstrong.
H. R. 7438. Laura B. Ivory.
H. R. 7451. Jennie McMullen.
H. R. 7452. Mary C. Phillips.
H. R. 7454. Elsie A. Beelman.
H. R. 7455. Roe A. Grimm.
H. R. 7456. Eleanor Welsh.
H. R. 7457. Margaret Doup.
H. R. 7459. Elnora M. Scott.
H. R. 7462. Adelia Turnham.
H. R. 7469. Floyd Harvey.
H. R. 7472. Alice A. Holden.
H. R. 7473. Martha A. Tiffany.
H. R. 7474. Priscilla H. Heckman.
H. R. 7475. Avilla K. Miles.
H. R. 7477. Isadore W. Foote.
H. R. 7478. Laura E. Lawrence.
H. R. 7479. Mary E. Racklyeft.
H. R. 7481. S. Janie Speir.
H. R. 7487. Maude P. Bostwick.
H. R. 7488. Kate Bakeley.
H. R. 7489. Frank F. McCurdy.
H. R. 7513. Isabelle P. Shaw.
H. R. 7549. Altha Russell.
H. R. 7551. Ora B. Wilhite.
H. R. 7552. Maria McDiarmid.
H. R. 7556. Delia Fayette.
H. R. 7557. Emily F. Robinson.
H. R. 7558. Isabella Reilly.
H. R. 7559. Adaline Keefer.
H. R. 7596. Rosannah Robinson.
H. R. 7599. Maselvia Lee.
H. R. 7600. Annie E. Conley.
H. R. 7611. Mary E. Taylor.
H. R. 7615. Neva Search.
H. R. 7624. Mary G. Wood.
H. R. 7625. Ella McMurray.
H. R. 7651. Vitalia Hansford.
H. R. 7652. Mary F. Kennedy.
H. R. 7653. Margaret M. Cronin.
H. R. 7654. Mary A. K. Oswald.
H. R. 7663. Caron Emma Tull.
H. R. 7665. Elzina Clemans.
H. R. 7666. Mary E. James.
H. R. 7668. Emma A. Ragan.
H. R. 7674. Lizzie Sneary.
H. R. 7679. Catherine A. Burdick.
H. R. 7681. Sarah Hopkins.
H. R. 7694. Mary A. Meehan.
H. R. 7705. Mary E. Dorman.
H. R. 7709. Mary Crowell.
H. R. 7725. Mary C. Bonner.
H. R. 7727. Elizabeth Terry.
H. R. 7729. Nancy J. Haskell.
H. R. 7730. Polly Ann Hicks.
H. R. 7732. Harriet J. Gray.
H. R. 7734. Libbie Nokes.
H. R. 7742. Amanda Russell.
H. R. 7747. Nancy M. Gillum.
H. R. 7769. Leo Henrie.
H. R. 7777. Elizabeth Dunlavy.
H. R. 7787. Elisabeth Pfarr.
H. R. 7789. Amanda Miner.
H. R. 7804. Sarah E. Bailey.
H. R. 7811. Sarah Hopkins.
H. R. 7813. Mary Pickens.
H. R. 7838. Frances N. Wilcox.
H. R. 7858. Mary A. Snyder.
H. R. 7863. Arthur Dohnken.
H. R. 7866. Connie Skyles.
H. R. 7873. Adeline Wyant.
H. R. 7896. Elizabeth Sprague.
H. R. 7897. Mary E. Robinson.
H. R. 7900. Margaret H. Lucas.
H. R. 7904. Lettie Gay.
H. R. 7905. Mary F. Wells.
H. R. 7906. Sarah Stansbury.
H. R. 7910. Minerva Mentzer.
H. R. 7912. Hannah Cartwright.
H. R. 7914. Mary C. Butler.
H. R. 7918. Sarah Jane Curl.
H. R. 7921. Ada Granger Jones.
H. R. 7935. Jane Stoner.
H. R. 7942. Sarah J. Buck.
H. R. 7946. Lillian F. Reed.
H. R. 7947. Susan F. Freshwater.
H. R. 7951. Reuben (Rubin) Hartley.
H. R. 8007. Albertina Rockstead.
H. R. 8008. Annie E. Thompson.
H. R. 8016. Lulu E. Smith.
H. R. 8017. Lucy C. Bowler.
H. R. 8027. Margie R. Ashbrook.
H. R. 8031. Annie L. Nichols.
H. R. 8032. Frances E. Kanahan.
H. R. 8033. Fanny R. La Pierre.
H. R. 8034. Julia A. Leeds.
H. R. 8037. Mary A. Cracraft.
H. R. 8040. Catherine Phillippe.
H. R. 8044. Anna Williams.
H. R. 8045. Henrietta A. West.
H. R. 8046. Sarah E. Ewing.
H. R. 8051. Wilhelmina Peetz.
H. R. 8054. Emma Pettengell.
H. R. 8055. Lena W. Rostock.
H. R. 8061. Katherine W. Crockett.
H. R. 8063. Eliza A. Pendergrast.
H. R. 8064. Linda M. Miller.
H. R. 8065. Lucinda Bollinger.
H. R. 8067. Laura A. Jackson.
H. R. 8068. Bertha P. Park.
H. R. 8070. Elizabeth Cornish.
H. R. 8071. Mary E. Walker.
H. R. 8076. Elizabeth Van Aken.
H. R. 8080. Seneth M. Farley.
H. R. 8084. Elizabeth Stambaugh.
H. R. 8087. James S. George.
H. R. 8088. Mary J. Whitworth.
H. R. 8090. Susan L. Emery.
H. R. 8092. Sarah J. Vanderpool.
H. R. 8094. Josephine E. Cleveland.
H. R. 8101. Anna Whitmore.
H. R. 8104. Eliza J. S. Starks.
H. R. 8108. Nancy J. Wright.
H. R. 8113. Mary Payne.
H. R. 8124. Bridget Meighan.
H. R. 8168. Mary E. Delabar.
H. R. 8170. Sarah E. Mooney.
H. R. 8171. Flora E. Collins.
H. R. 8175. Katie Mulford.
H. R. 8182. Elizabeth A. Woods.
H. R. 8187. Mollie E. Greer.
H. R. 8191. Sadie A. McDaniel.
H. R. 8193. Louise Schmitthenner.
H. R. 8194. Elisibeth Copeland.
H. R. 8195. Barbara Keller.
H. R. 8199. Jennie Ingram.
H. R. 8204. Coral W. Broad.
H. R. 8206. Jemima H. Hollopeter.
H. R. 8215. Charlotte Hawk.
H. R. 8216. Mary L. Rannells.
H. R. 8217. Mary A. Smith.
H. R. 8221. Evah D. Lammers.
H. R. 8222. Harriett Daniels.
H. R. 8228. Eliza J. Haviland.
H. R. 8229. Fannie Morrison.
H. R. 8236. Margaret A. Witcraft.
H. R. 8237. Sarah Sager.
H. R. 8240. Emma J. Marcille.
H. R. 8241. Gracy Manly.
H. R. 8244. Elizabeth Jane Marlett.
H. R. 8245. Minnie Gibson.
H. R. 8246. Sarah Pearl Wheat.
H. R. 8247. Mary J. Brewer.
H. R. 8248. Elizabeth A. Buck.
H. R. 8251. Nellie Stickney.
H. R. 8252. Mary A. Fleming.
H. R. 8256. Ella Louise McDonald.
H. R. 8259. Sarah Roberts.
H. R. 8260. Lida E. Calmes.
H. R. 8261. Maggie L. Oliver.
H. R. 8262. Fannie Lowery.
H. R. 8263. Rachel Moore.
H. R. 8264. Rosanna Harvey.
H. R. 8265. Sarah M. Shetter.
H. R. 8266. Mary E. Barnhart.
H. R. 8267. Caroline A. Campbell.
H. R. 8268. Catherine J. Gold.
H. R. 8269. Margaret Gilkey.
H. R. 8276. Catharine M. Gabriel.
H. R. 8277. Susan L. A. Walker.
H. R. 8278. Mary Barnett.
H. R. 8279. Loyal F. McKeever.
H. R. 8303. Amanda J. Black.
H. R. 8315. Nellie A. Brown.

H. R. 8325. Clara B. Schaeffer.
H. R. 8326. Mary M. Linn.
H. R. 8327. Alta Douglass.
H. R. 8328. Kate F. White.
H. R. 8330. Mary E. Roszell.
H. R. 8336. Thomas B. McMullin.
H. R. 8338. Susan Dull.
H. R. 8339. Clara M. Prentice.
H. R. 8343. Henrietta C. Main.
H. R. 8350. Rachel J. Pierce.
H. R. 8377. Mary S. Buiz.
H. R. 8381. Amanda Brobst.
H. R. 8395. Katherine Tracy.
H. R. 8400. Sarah E. Smith.
H. R. 8410. Amelia A. Vaughan.
H. R. 8413. Ida Craig.
H. R. 8437. Lilah J. Lane.
H. R. 8444. Mathilda E. Stewart.
H. R. 8446. Frances Luse.
H. R. 8449. Sarah Ann Reiley.
H. R. 8452. Matilda Bandtholtz.
H. R. 8455. Rebecca H. Riddell.
H. R. 8462. Adelaide B. Kinter.
H. R. 8463. Annie Rees.
H. R. 8464. Ella J. Aber.
H. R. 8467. Dora Anders.
H. R. 8486. Emma Hoover.
H. R. 8501. Charlotte Brown.
H. R. 8502. Arnitt Mitchell.
H. R. 8504. Malinda J. Mizer.
H. R. 8506. Emma B. Varnum.
H. R. 8508. John A. Potter.
H. R. 8511. Sarah J. McMahon.
H. R. 8513. Mary A. Cummings.
H. R. 8514. Lura L. Duncan.
H. R. 8516. Hattie E. Rogers.
H. R. 8519. Nellie E. Donnelly.
H. R. 8520. Lavenia Hawkins.
H. R. 8537. Ella S. Harbert.
H. R. 8543. Emma McMahan.
H. R. 8545. Sarah E. Pitman.
H. R. 8549. Mary C. Williams.
H. R. 8553. Rose Harlow.
H. R. 8555. Mary E. Tribbett.
H. R. 8560. Susan Boyer.
H. R. 8584. Ella L. Green.
H. R. 8586. Sarah J. Amrine.
H. R. 8592. Abbie E. Nichols.
H. R. 8596. Julia E. Drake.
H. R. 8600. Emma E. Chamberlain.
H. R. 8606. Margaret L. Keating.
H. R. 8609. Flora A. Tripp.
H. R. 8610. Mary E. Garretson.
H. R. 8611. Mary M. Sills.
H. R. 8618. Bertha Kretzer.
H. R. 8625. Minnie Haggart.
H. R. 8658. Ellie M. Harris.
H. R. 8659. Elizabeth Reynolds.
H. R. 8664. Catharine Wagner.
H. R. 8674. Celia C. Lewis.
H. R. 8676. Della G. Davis.
H. R. 8680. Elizabeth Turner.
H. R. 8688. John H. Norton.
H. R. 8692. Miemah Remley.
H. R. 8720. Elizabeth Moppin.
H. R. 8732. Etta F. Shank.
H. R. 8734. Eliza N. Stanley.
H. R. 8739. Hester Powers.
H. R. 8742. Maria J. Blakeley.
H. R. 8751. Sarah Cairns.
H. R. 8753. Harvey Aurand.
H. R. 8775. Emma Preble.
H. R. 8787. Elizabeth Jackson.
H. R. 8790. Emaline Franklin.
H. R. 8825. Mary J. Hutchinson.
H. R. 8826. Ella F. Peterson.
H. R. 8828. Amanda C. Campbell.
H. R. 8830. Eliza Kiefer.
H. R. 8832. Melissa J. King.
H. R. 8851. Anna M. Bryan.
H. R. 8852. Mamie V. Brittingham.
H. R. 8853. Evalena Johns.
H. R. 8857. Jennie V. Proctor.
H. R. 8859. Sarah C. Tate.
H. R. 8860. Mary E. Price.
H. R. 8861. Mattie J. Irwin.
H. R. 8862. Maria E. Johnson.
H. R. 8863. Myrtie E. Preston.
H. R. 8864. Sophia A. Treese.
H. R. 8882. Elizabeth B. Rose.
H. R. 8890. Anna E. Sheldon.
H. R. 8891. Abigal Goodbread.
H. R. 8892. Margaret Boody.
H. R. 8894. Lulu M. Gray.
H. R. 8896. John B. Fountleroy.
H. R. 8903. Ellen M. Munsell.
H. R. 8907. Nellie J. Shaw.
H. R. 8931. Jethro Davis, jr., alias Jethrow Davis.
H. R. 8937. Elijah T. Slaughter, alias E. T. Slaughter.
H. R. 8951. Phebe De Moranville.
H. R. 8952. Barbera E. Black.
H. R. 8957. Maggie Hastaday.
H. R. 8959. Annie R. Brooker.
H. R. 8982. Ada E. Crouse.
H. R. 9005. Harriet Drummond.
H. R. 9006. Virginia Bunce.
H. R. 9009. Letcher Collins.
H. R. 9010. Nannie Goldsmith.
H. R. 9011. John A. Mayo.
H. R. 9014. Harriett M. Chamberlin.
H. R. 9024. Sophia Gillespie.
H. R. 9031. Amanda Smith.
H. R. 9056. Sarah Roum.
H. R. 9064. Mary A. Sipe.
H. R. 9066. Mary E. S. Hardenbrook.
H. R. 9082. Ellen S. Elliott.
H. R. 9085. Emily Smith.
H. R. 9086. Laura E. Broughton.
H. R. 9099. Cora Scott.
H. R. 9100. Augusta Letzgus.
H. R. 9114. Sarah E. Hicks.
H. R. 9116. Eliza J. Reed.
H. R. 9125. Nancy A. Fink.
H. R. 9133. Elizabeth J. Grubaugh.
H. R. 9136. Nellie A. Kimberly.
H. R. 9139. Cleo T. Warren.
H. R. 9157. Joann Wilson.
H. R. 9166. Mary A. Guy.
H. R. 9178. Lucinda Evans.
H. R. 9190. Isabella F. Strickland.
H. R. 9208. Bell J. Norris.
H. R. 9213. Jennie Wedemeyer.
H. R. 9268. Emma W. Cook.
H. R. 9285. Mary L. Turman.
H. R. 9313. Louisa H. Burch.
H. R. 9314. Lizzie R. Pratt.
H. R. 9316. Teresa Murphy.
H. R. 9318. Mattie C. Dunham.
H. R. 9340. Samantha A. Broszt.
H. R. 9351. Mary Peifer.
H. R. 9360. Adaline McAnaney.
H. R. 9367. Orpha H. Lawton.
H. R. 9369. Clara F. Woods.
H. R. 9379. Louvice Miller.
H. R. 9383. Florence Webster.
H. R. 9389. Ida Neely.
H. R. 9400. Fannie B. Smith.
H. R. 9402. Elizabeth S. Sims.
H. R. 9404. Laura E. Clevinger.
H. R. 9420. Priscilla Baxter.
H. R. 9424. Amelia Walker.
H. R. 9428. Georgena Leland.
H. R. 9454. Hannah E. Cupp.
H. R. 9462. Maggie Garrett.
H. R. 9465. Julia A. Smith.
H. R. 9477. Anna M. Hazen.
H. R. 9481. Mary Watson.
H. R. 9508. Margaret Roberts.
H. R. 9521. Carrie M. Mabee.
H. R. 9578. Anna D. Bush.
H. R. 9604. Uzetta A. Ingram.
H. R. 9624. Mary Ann Kelly.
H. R. 9625. Minnie E. Searle.
H. R. 9644. Edwina Brecount.
H. R. 9646. Miriam Warren.
H. R. 9647. Nora B. Rathbun.
H. R. 9648. Jane D. Chapman.
H. R. 9649. Emma J. Gardner.
H. R. 9654. Mary F. Boggess.
H. R. 9663. Ephrem D. Goodwin.
H. R. 9689. Ella Elizabeth McVicker.
H. R. 9692. Ada Shepard.
H. R. 9694. Rosie C. Ledgerwood.
H. R. 9703. Lillie F. Eden.
H. R. 9741. Mary J. Hasamire.
H. R. 9751. Ruth Letrace.
H. R. 9782. Lucinda Ridge.
H. R. 9793. Ollie Alldredge.
H. R. 9808. Mary F. R. Sanford.
H. R. 9823. Charles Vogler.
H. R. 9826. Sarah E. McDonald.
H. R. 9833. Ella L. Johnson.
H. R. 9838. Adaline A. Hughes.
H. R. 9839. Rebecca J. Stine.
H. R. 9857. Hattie H. Hill.
H. R. 9862. George Washington Lynch, alias G. W. Lynch.
H. R. 9863. Mary E. Harrison.
H. R. 9874. Jane Cook.
H. R. 9909. Annie M. Kennedy.
H. R. 9942. Anna M. Oswald.
H. R. 9943. Hattie Furry.
H. R. 9960. Cora A. Beckwith.
H. R. 9965. Margaret Gettamle.
H. R. 9974. Helen Bullard.
H. R. 9976. Sarah J. King.
H. R. 10008. Eliza E. Cuddy.
H. R. 10047. Alice Yocum.
H. R. 10089. Nancy A. Garrett.
H. R. 10098. Florence Sanders.
H. R. 10103. Diadamia C. Wheeler.
H. R. 10115. Anna L. Dyer.
H. R. 10138. Elizabeth A. Pool.
H. R. 10179. Angeline Abbott.
H. R. 10182. Maggie Ellis.
H. R. 10219. Sarah A. Garlick.
H. R. 10223. Matilda A. Armes.
H. R. 10229. Elizabeth A. Hayes.
H. R. 10235. Josephine E. Kellinbarger.
H. R. 10238. Roxina Carroll.
H. R. 10239. Malvina Niederriter.
H. R. 10260. George W. Strother.
H. R. 10274. Nancy Jane Sikes.
H. R. 10279. Sarah Crow.
H. R. 10280. Jane Forcier.
H. R. 10282. Elizabeth Allen.
H. R. 10399. Maria E. Brown.
H. R. 10400. Oma Miller.
H. R. 10404. Lucy E. Wilson.
H. R. 10432. Mary E. Laird.
H. R. 10437. Emeline J. Davison.
H. R. 10441. Osborne Gun, alias Osman D. Gunn, alias O. D. Gunn.
H. R. 10501. Sarah Lucetta Kidder.
H. R. 10522. Katie B. Johnston.
H. R. 10564. Martha O. Howe.
H. R. 10566. Annie J. Jones.
H. R. 10569. Orpha Willett.
H. R. 10722. Callie N. Todd.
H. R. 10773. Mary E. G. Owens.
H. R. 10859. Anna Sanders.
H. R. 10944. Mary Booher.
H. R. 10945. Nancy Dean.
H. R. 10958. Mary S. Weekly.
H. R. 10972. Louisa Ferguson.
H. R. 10974. Cathern Swanson.
H. R. 10975. John A. Webb.
H. R. 10977. Lucinda Edwards.
H. R. 10978. Mary J. Brittain.
H. R. 10979. Menda Francis.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. NELSON of Wisconsin. I yield.

Mr. CHINDBLOM. Is it the hope of the committee to bring in any further bill at this session?

Mr. NELSON of Wisconsin. There will be one brief bill after this.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion by Mr. NELSON of Wisconsin to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE

Mr. CHINDBLOM, by unanimous consent, was given leave of absence, for four legislative days, on account of important business.

DEATH OF REPRESENTATIVE R. Q. LEE

Mr. GARRETT. Mr. Speaker, it becomes my sad duty to announce to the House of Representatives the death of the second Member of the Texas delegation since my service in this House. I came to the House of Representatives 18 years ago, and during that time Father Time has been exceedingly kind to our delegation. But now another link in the long chain is broken and one of our Members this morning passed away, the Hon. R. Q. LEE, one of our most faithful and painstaking Members, one who shortened his hours and days of useful service to his country by his devotion to duty on the floor of this House. In honor and out of respect to his memory, I offer the following resolutions, which I now send to the Clerk's desk.

The Clerk read the resolutions, as follows:

House Resolution 208

1. *Resolved*, That the House has heard with profound sorrow of the death of Hon. R. Q. LEE, a Representative from the State of Texas.

2. *Resolved*, That a committee of 24 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

3. *Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

4. *Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The Chair appointed the following committee to attend the funeral:

Mr. PATMAN, Mr. BOX, Mr. SANDERS of Texas, Mr. RAYBURN, Mr. SUMNERS of Texas, Mr. JOHNSON of Texas, Mr. BRIGGS, Mr. GARRETT, Mr. MANSFIELD, Mr. BUCHANAN, Mr. CROSS, Mr. LANHAM, Mr. WILLIAMS, Mr. WURZBACH, Mr. GARNER, Mr. HUDSPETH, Mr. JONES, Mr. PARKS, Mr. MCCLINTIC of Oklahoma, Mr. KNUTSON, Mr. UNDERHILL, Mr. CURRY, Mr. MCKEOWN, and Mr. SANDLIN.

The Clerk read the remaining resolution:

Resolved, That as a further mark of respect this House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 24 minutes p. m.), as a further mark of respect, the House, under its order previously adopted, adjourned until Monday, April 21, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, April 21, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE DISTRICT OF COLUMBIA—SUBCOMMITTEE ON PARKS AND PLAYGROUNDS

(10.30 a. m.)

To amend the act regulating the height of buildings in the District of Columbia (H. R. 10528).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To establish and operate a national institute of health, to create a system of fellowships in said institute, and to authorize the Government to accept donations for use in ascertaining the cause, preventions, and cure of disease affecting human beings (S. 1171).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To provide for certain public works at Parris Island, S. C. (H. R. 11367).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. PEAVEY: Committee on War Claims. H. J. Res. 303. A joint resolution to amend Public Resolution No. 80, Seventieth Congress, second session, relating to payment of certain claims of grain elevators and grain firms; without amendment (Rept. No. 1213). Referred to the Committee of the Whole House on the state of the Union.

Mr. JENKINS: Committee on Immigration and Naturalization. H. R. 3309. A bill to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service; without amendment (Rept. No. 1214). Referred to the House Calendar.

Mr. HOWARD: Committee on Coinage, Weights, and Measures. H. R. 6998. A bill to establish an assay office at Dahlonega, Lumpkin County, Ga.; with amendment (Rept. No. 1215). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SINCLAIR: Committee on War Claims. H. R. 2281. A bill for the relief of Edwina R. Munchhof; without amendment (Rept. No. 1211). Referred to the Committee of the Whole House.

Mr. SINCLAIR: Committee on War Claims. H. R. 11493. A bill to reimburse Lieut. Col. Charles F. Sargent; with amendment (Rept. No. 1212). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 11752) to rename B Street NW. to L'Enfant Avenue, Washington, D. C.; to the Committee on the District of Columbia.

By Mr. LEAVITT (by request): A bill (H. R. 11753) to amend an act for the relief of certain tribes of Indians in Montana, Idaho, and Washington; to the Committee on Indian Affairs.

By Mr. WALKER: A bill (H. R. 11754) to provide for the establishment of the Fort Boonesboro National Monument, in Madison County, in the State of Kentucky; to the Committee on the Library.

By Mr. ZIHLMAN: A bill (H. R. 11755) to provide for the closing of certain streets and alleys in the Reno section; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 11756) granting a pension to Mary Josephine Blain; to the Committee on Invalid Pensions.

By Mr. BRUNNER: A bill (H. R. 11757) for the relief of Charles V. Wanamaker; to the Committee on Military Affairs.

By Mr. CANFIELD: A bill (H. R. 11758) for the relief of the heirs of David H. Fish, deceased; to the Committee on Claims.

By Mr. CARLEY: A bill (H. R. 11759) granting a pension to Anna P. Sinclair; to the Committee on Pensions.

By Mr. DALLINGER: A bill (H. R. 11760) for the relief of Ellen N. Nolan; to the Committee on Claims.

By Mr. ESTERLY: A bill (H. R. 11761) granting an increase of pension to Mary C. Calvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11762) granting an increase of pension to Susan Fisher; to the Committee on Invalid Pensions.

By Mr. GOODWIN: A bill (H. R. 11763) providing compensation to M. J. Harbinson for injuries sustained while in the Government service at and on the Belknap Reservation, Mont., engaged as a moundsman; to the Committee on Claims.

By Mr. HOGG: A bill (H. R. 11764) for the relief of Ralph L. Fell; to the Committee on Claims.

Also, a bill (H. R. 11765) granting an increase of pension to Nancy M. Skelton; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 11766) for the relief of Joseph J. McMahon; to the Committee on Military Affairs.

By Mr. NOLAN: A bill (H. R. 11767) for the relief of the city of Minneapolis, Minn.; to the Committee on Claims.

By Mr. PERKINS: A bill (H. R. 11768) granting an increase of pension to Harriet Carman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11769) granting an increase of pension to Charity Wentzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11770) granting an increase of pension to Augustus Hendershot; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11771) granting an increase of pension to Mary H. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11772) granting a pension to Maria L. Brown Morse; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11773) granting an increase of pension to Mary E. Bullock; to the Committee on Invalid Pensions.

By Mr. SCHNEIDER: A bill (H. R. 11774) to reimburse the Laona public schools of Laona, Wis.; the Wabeno school district No. 1, of Wabeno, Wis.; and the Stone Lake school district, of Crandon, Wis., for expenses incurred in educating certain Indian children; to the Committee on Claims.

By Mr. THATCHER: A bill (H. R. 11775) for the relief of the legal representatives of Lyman Randall, J. E. Sarrazin, and James Williams; to the Committee on War Claims.

By Mr. TREADWAY: A bill (H. R. 11776) granting a pension to Mary A. Mercer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11777) granting an increase of pension to Mary L. Histon; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 11778) granting a pension to Ellen McKinney; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6830. By Mr. BLOOM: Petition of the United Roumanian Jews of America at 799 Broadway, New York City, opposing the enactment of the voluntary alien registration bill now before Congress, or any other legislation requiring the registration of aliens, whether voluntary or compulsory; to the Committee on Immigration and Naturalization.

6831. By Mr. HOGG: Petition of citizens of Fort Wayne and Allen County, Ind., urging early enactment of increased pension relief for veterans and dependents of the Spanish War; to the Committee on Pensions.

6832. By Mr. HULL of Wisconsin: Resolution of La Crosse (Wis.) Woman's Christian Temperance Union, regarding legislation on Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6833. Also, petition of Woman's Christian Temperance Union of Onalaska, Wis., regarding Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6834. By Mr. LINDSAY: Petition consisting of individual letters, registering protest against the Federal education bill, and contending that education is a local matter and not for Government administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Mrs. S. Cuff, Anthony F. Graer, Mrs. John Mellett, and Elizabeth O'Donnell; to the Committee on Education.

6835. By Mr. STONE: Resolution signed by J. T. Smythe, Helen Gloyd Hampton, Frances G. Snyder, Mrs. Philip Pierce, Eloise H. Shumate, M. Rodman, Helen H. Lackey, and Mrs. F. C. Noschel that our adult blind should be provided with reading matter and heartily in favor of House bill 9042; to the Committee on the Library.

6836. By Mr. BLACKBURN: Memorial of the Old Union Antioch Missionary Society, of Lexington, Ky., signed by Louise C. Gragg, president, and Mrs. W. K. Thomas, secretary, memorializing Congress to enact a Federal statute providing for governmental supervision of the production and distribution of motion pictures; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, *April 21, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty Father, whose goodness hath no bounds, whose compassion reacheth to the farthest corner of our life, make us glad with the gladness of the Eastertide with life and immortality brought to light. Open our eyes to the simple beauty of the wayside, where nature decks herself in robes of spring; to the loveliness men hide because of our mistrust; to Thy spirit of illumination in every form of life, that heart may throb and mind may glow with a diviner purpose.

Bestow upon this Nation the unmeasured gifts of peace, upon our President, Vice President, the Members of the Congress, and all others in authority the wisdom needful for their tasks. Draw us from all base content, with a vision fixed on far-off goals, by the boundlessness of hope, the endlessness of charity, the confidence of faith, to the concord of all nations and the brotherhood of man. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday last, when, on the request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 11588) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 7881) authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 3141. An act to amend paragraph (11) of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929;

H. R. 8637. An act to fix the rank and pay of the Commandant of the Coast Guard;

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

REPORT OF BOARD OF ENGINEERS FOR RIVERS AND HARBORS

Mr. JOHNSON. Mr. President, I present four important reports from the Board of Engineers for Rivers and Harbors—first, Ashland Harbor, Wis.; second, Brunswick Harbor, Ga.; third, Manistee Harbor, Mich.; and fourth, Los Angeles and Long Beach Harbors, Calif.—and I ask that, with the accompanying illustrations, they may be printed as a Senate document and referred to the Committee on Commerce.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Jones	Robsion, Ky.
Ashurst	George	Kendrick	Shipstead
Barkley	Gillett	Keyes	Shortridge
Bingham	Glass	La Follette	Simmons
Black	Goff	McCulloch	Smoot
Blaine	Goldsborough	McKellar	Steck
Blease	Gould	McNary	Steiwer
Borah	Greene	Metcalf	Stephens
Brock	Hale	Norbeck	Swanson
Brookhart	Harris	Norris	Thomas, Idaho
Broussard	Harrison	Nye	Thomas, Okla.
Capper	Hastings	Oddie	Trammell
Caraway	Hatfield	Overman	Tydings
Copeland	Hawes	Patterson	Vandenberg
Couzens	Hayden	Phipps	Walsh, Mass.
Dale	Hebert	Pine	Walsh, Mont.
Deneen	Heflin	Pittman	Waterman
Dill	Howell	Ransdell	Watson
Fess	Johnson	Robinson, Ind.	Wheeler

Mr. WALSH of Montana. I announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are absent attending the funeral services of the late Representative Lee, of Texas. They will probably be absent until Thursday.

I also wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

The PRESIDING OFFICER (Mr. JONES in the chair). Seventy-six Senators having answered to their names, a quorum is present.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing were communicated to the Senate from the President of the United States, by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On April 15, 1930:

S. 3487. An act to provide for the acceptance of a donation of land and the construction thereon of suitable buildings and appurtenances for the Forest Products Laboratory, and for other purposes.

On April 17, 1930:

S. 3473. An act to amend the act of Congress approved March 16, 1926, establishing a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes.

On April 18, 1930:

S. 2719. An act granting the consent of Congress to the superintendent of public works of the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at the southerly extremity of the city of Troy;

S. 3618. An act granting the consent of Congress to rebuild, reconstruct, maintain, and operate the existing railroad bridge across the Cumberland River near the town of Burnside, in the State of Kentucky;

S. 3745. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Smithland, Ky;

S. 3820. An act to extend the times for commencing and completing the construction of certain bridges in the State of Tennessee; and

S. 3425. An act to amend the act of Congress approved March 1, 1929, entitled "An act to provide for the construction of a children's tuberculosis sanatorium."

On April 19, 1930:

S. 2757. An act to authorize the United States Shipping Board to sell certain property of the United States situated in the city of Hoboken, N. J.;

S. 3440. An act authorizing the exchange of 663 square feet of property acquired for the park system for 2,436 square feet of neighboring property, all in the Klingle Ford Valley, for addition to the park system of the National Capital;

S. 3715. An act authorizing the State Highway Board of Georgia, in cooperation with the State Highway Department of South Carolina, the city of Augusta, and Richmond County, Ga., to construct, maintain, and operate a free highway bridge across the Savannah River at or near Fifth Street, Augusta, Ga.;

S. 3747. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near the mouth of Clark River; and

S. 4027. An act to legalize a bridge across the American Channel of the Detroit River leading from the mainland to Grosse Isle, Mich., and about 16 miles below the city of Detroit, Mich.

INVESTIGATION OF LEASES FOR POST-OFFICE BUILDINGS

The VICE PRESIDENT appointed the Senator from Wisconsin [Mr. BLAINE], the Senator from Delaware [Mr. HASTINGS], the Senator from Rhode Island [Mr. HERBERT], the Senator from Georgia [Mr. GEORGE], and the Senator from Arizona [Mr. HAYDEN] as the special committee under Senate Resolution 244, to investigate all leases for post-office buildings and commercial postal stations and substations.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a communication from the national president of the National Society, Daughters of Founders and Patriots of America, which was ordered to lie on the table and to be printed in the RECORD, as follows:

NATIONAL SOCIETY, DAUGHTERS OF FOUNDERS AND PATRIOTS OF AMERICA,
April 18, 1930.

Hon. CHARLES CURTIS,
Vice President of the United States, Washington, D. C.

MY DEAR MR. VICE PRESIDENT: At the annual meeting of the general court of the National Society of Daughters of Founders and Patriots of America, held in Washington, D. C., April 10, 1930, it was unanimously voted to write you urging your strong support of the pending bill providing for registration of aliens. This society believes that this measure is well calculated not only to protect the country against the illegal entry of aliens but also to protect the honest alien who has entered the country legally.

At this meeting of our general court delegates were present representing 30 States and a membership of nearly 3,000.

With kind regards, yours sincerely,

ELIZABETH C. B. BUEL
(Mrs. John Laidlaw Buel),
National President Daughters of Founders and Patriots of America.

The VICE PRESIDENT also laid before the Senate resolutions adopted by Drapeau-McPhetres Post, No. 180, Massachusetts Branch, the American Legion, of Danvers, Mass., favoring amendment of existing law relative to the disability compensation of veterans, so as to provide for equality and to prohibit discrimination tending to deprive enlisted men of their compensation, while, at the same time, certain commissioned officers are granted generous retirement allowances, which were referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by Lincoln Post, No. 17, Department of the District of Columbia, the American Legion, protesting against the location of any permanent airport in the vicinity of Arlington National Cemetery, and also urging the prompt abandonment of the landing fields now maintained in that vicinity, which were ordered to lie on the table.

He also laid before the Senate a resolution adopted by members of the Woman's Forum at a meeting held in the Hotel Roosevelt, New York City, favoring the prompt ratification of the proposed World Court protocol, and also the proposed 3-power naval treaty, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a communication from John A. McInall, of Brooklyn, N. Y., inclosing photostatic copies of letters from people interested in his cancer essay, and also favoring the initiation of a coordinated cancer research program, which, with the accompanying papers, was referred to the Committee on Commerce.

Mr. VANDENBERG presented resolutions adopted by the common council of the city of Grand Rapids, Mich., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which were referred to the Committee on the Library.

THE TARIFF AND THE FARMER

Mr. NORRIS. Mr. President, as additional proof tending to show how the farmers of America are going to be benefited by the tariff bill which was ostensibly passed for their benefit I send to the desk an editorial appearing in this morning's Washington Herald and ask that it may be read.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Washington Herald, April 21, 1930]

TRUST LOBBY BOOSTS TARIFF ON FARMERS' RAKES AND HOES

Where are the farmer's friends in the tariff conference?

They seem to be even fewer than he had when the schedules were before the House and the Senate.

In the House and the Senate they were at least able to keep rakes and hoes on the free list, but in the conference they have been overpowered by the industrial lobby.

The conferees have put rakes and hoes on the duty list at 30 per cent.

Poems have been written about the man with the hoe, but tariff schedules are not being written for him by a lobby-ridden Congress.

If that conference agreement is allowed to stand, the man with the hoe will get the tariff ax in the neck 30 per cent.

If he also uses a rake he will get it twice in the same place at the same rate.

A duty of 30 per cent on rakes and hoes will mean that the farmer must pay still higher prices for those necessary implements.

He is already paying 25 per cent more than the prices quoted for export.

The American farmer is being gouged by the Farm Tool Trust in order to provide foreign farmers with cheaper tools.

With a tariff of 30 per cent on rakes and hoes our farmers could be gouged just that much more.

When will the American farmer fully realize that what he produces he must sell in a world's market at a world's competitive price while buying in a restricted market and paying whatever the protected manipulators of that market choose to charge him?

World production decides what he is to get for his products. A domestic combination of manufacturers decides what he is to pay for what he uses.

A tariff written by lobbyists decrees that he must sell in the cheapest and buy in the dearest market.

But what the lobbyists could not do to injure the farmer in the Senate and the House they are proceeding to do in the conference.

A Republican Congress was called to relieve the farmer and all it has done is to relieve him of whatever money he has left.

Instead of giving the farmer relief it is giving him the raspberry.

NOMINATION OF JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I send to the desk and ask to have read a letter from Mr. John L. Lewis, president of the United Mine Workers of America, with reference to the nomination of Judge John J. Parker to be justice of the Supreme Court of the United States.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

UNITED MINE WORKERS OF AMERICA,
Indianapolis, Ind., April 19, 1930.

Hon. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

DEAR SENATOR: The eminent lawyers of the United States Senate will scarcely be influenced by the opinion of a layman affecting fine legal equations involved in the Hitchman decision, yellow-dog contracts, and the Red Jacket injunction case. The human factors, however, deserve consideration.

Admittedly, the mine worker is unfortunately placed in the domestic economy of the Nation; intermittently employed in an overdeveloped and intensely competitive industry, his annual earnings are most meager and his bodily wants are unsatisfied; constantly beset by the ghastly horror of underground work, his numbers are daily decimated by falling earth, breaking equipment, rush of water, noxious and explosive gases, occupational diseases, and economic neglect; living most often in isolated camps, devoid of modern sanitary and living conveniences, and lacking social, educational, and spiritual advantages, his children are denied the inspirational outlook upon life which is given to the sons and daughters of other men; recognizing the value of mutual association with his fellow mine workers and having the desire of a normal man to improve his lot, he is yet prevented by judicial decree, in large areas, from collectively bargaining for his labor and denied the right as an employee to join the trade-union of his choice.

If these things be true, and none can gainsay them, then why, from all that long list of eminent legal minds comprising our Federal judiciary, was it necessary for the President to appoint, and why is it necessary for the Senate to confirm the elevation to the Supreme Bench of Parker, the judge, who in the Red Jacket injunction suit, delivered 50,000 free Americans into indentured servitude? Why lay another lash across the tortured shoulders of the struggling mine workers by placing in a position of vastly increased power a man who regards them as industrial bondmen? Why should any consideration

of politics or statecraft impel any Senator to vote for the confirmation of a man who would operate American industry with bonded menservants?

Yours truly,

JOHN L. LEWIS, *President.*

Mr. OVERMAN. I also send forward a letter from Mr. J. Elwood Cox, who, I think, is the greatest Quaker in the United States, and was at one time candidate for Governor of North Carolina. I ask that his letter may be read.

The PRESIDING OFFICER. At the request of the Senator from North Carolina, the letter will be read.

The Chief Clerk read as follows:

THE COMMERCIAL NATIONAL BANK,
High Point, N. C., April 19, 1930.

Hon. LEE S. OVERMAN,
Washington, D. C.

MY DEAR SENATOR OVERMAN: Some time ago I wrote the President indorsing the appointment of Judge John J. Parker before the appointment was made. I felt that I had done all I could do, but this morning I am almost outraged to see in the Greensboro News the announcement that, "Among the exhibits found in the office of Senator OVERMAN to-day was a letter from the committee on race relations of the Society of Friends of Philadelphia, objecting to the Parker appointment and saying the society had asked the President to withdraw the nomination papers. Judge Parker, stated the letter of protest, had gone on record as opposed to the presence of the negro in the political affairs of his State."

I say I was almost outraged because these Philadelphia Friends know little or nothing about Judge Parker or the conditions here. I have written Mr. Passmore Elkinton, a prominent Friend near Philadelphia, copy of which letter I inclose to you.

You will have a telegram from Dr. L. L. Hobbs, of Guilford College, who has been clerk or chairman of North Carolina yearly meeting for more than 40 years.

I earnestly hope, Senator, that you will not permit yourself or any of your associates on the committee to be influenced in the slightest degree against Judge Parker by reason of these prejudiced remarks from Philadelphia, or elsewhere.

Yours very truly,

J. ELWOOD COX.

Mr. OVERMAN. I also send to the desk a telegram from Mr. L. L. Hobbs, president of Quaker College, one of the oldest institutions in the country, and ask that it may be read. Mr. Hobbs for more than 40 years has been presiding clerk of the North Carolina yearly meeting of the Society of Friends.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

GREENSBORO, N. C., *April 19, 1930.*

Senator OVERMAN:

I believe the opposition to Parker's confirmation s[illegible]ings mainly from prejudice. In favor his appointment.

L. L. HOBBS.

(For more than 40 years presiding clerk of the North Carolina meeting of the Society of Friends.)

Mr. OVERMAN. I also send to the desk and ask to have read a letter from Mr. R. L. Flowers, of Duke University, Durham, N. C.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

DUKE UNIVERSITY,
Durham, N. C., April 19, 1930.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: I am writing to you because I have been a friend of the negroes, and because I am anxious to do everything possible for them. I feel that the action of certain negroes in opposing Judge Parker's appointment as Associate Justice of the Supreme Court is a very great mistake and will do great harm to the Negro race. Certainly there is no justification for the protest, and I am sure that all who believe in justice and fair play will agree that a great injustice is being done Judge Parker. I am confident the action of certain members of the Negro race does not in any way represent the attitude of the real leaders.

With kindest regards, I am, sincerely yours,

R. L. FLOWERS.

Mr. BINGHAM. Mr. President, in this connection, I ask unanimous consent that there may be read at the desk two editorials, one from the Hartford Courant, the leading Republican newspaper of Hartford, Conn., and the other from the Hartford Times, the leading Democratic newspaper in that city.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

[From the Hartford Courant, Tuesday morning, April 15, 1930]

POLITICS AND JUDGE PARKER

In the controversy over the appointment of Judge Parker, of North Carolina, to the Supreme Court President Hoover is showing no lack of courage. He has not only refused to withdraw the nomination of Judge Parker but has caused the Department of Justice to issue a memorandum in his defense. Brought clearly to light the issues which have been raised are seen to be based largely upon emotional prejudice, a factor decidedly out of place in considering the qualifications of an appointee to the highest bench.

Inspired largely by the American Federation of Labor, the opposition to the appointment of Judge Parker springs for the most part from a decision which he wrote in 1927 as a judge of the circuit court of appeals, in which he upheld an injunction against violations of so-called "yellow dog" contracts. These contracts bind employees not to join a union while in the employ of the company issuing them. Such contracts naturally are bitterly opposed by the unions, which have on several occasions undertaken to persuade workers bound by them to disregard their agreement. An injunction against such activity was one which Judge Parker upheld.

Had Judge Parker written the decision in question solely in the light of his own opinion the charge that he favors "property rights above human rights" might have some force. It fails utterly, however, in the light of the circumstance that, reaching a verdict, he was bound by a decision of the Supreme Court, which declared illegal the efforts of the union to cause the contracts to be broken. Issued in 1917, the decision covered precisely the situation with which Judge Parker was dealing, and he had no choice but to follow the precedents and apply the law as he found it. Had he failed to do so he would have not fulfilled his function as a judge and would have been open to severe censure.

What the American Federation of Labor is asking is, in effect, that Judge Parker be refused confirmation by the Senate on the ground that he is a conscientious jurist. Conscientiousness, together with integrity, is a high recommendation for an appointee of the Supreme Court, and the majority of the Senate should so regard it. Only political motives of the lowest sort, involving fear on the part of many Senators that they may suffer in the impending elections if they vote against the wishes of the unions, would dictate a refusal of the Senate to ratify the appointment. President Hoover is to be congratulated for the vigorous manner in which he has struck out against politics in consideration of appointees to the highest court.

[From the Hartford (Conn.) Times]

THE PARKER QUALIFICATIONS

If Judge John J. Parker's judicial record is as good in other respects as it has been reputed it would seem a misfortune if his path to the Supreme Court bench should be blocked by the protest of union labor now threatening, based upon his decision in an old case dealing with the issue of injunction to restrain efforts of a mining union to persuade nonunion workers to break an outstanding contract between the latter and their employers. The decision stood and may be presumed to reflect the law as it is, whether it should be so or not. And it is for judges to say what the law is.

There has been much controversy about what the law should be in the matter of injunctions applicable in labor disputes. If the country should stack the Supreme Court with personal pros and cons of preconviction on that or any other issue, it would be an unwise proceeding.

It is well enough to have consideration for temperaments and habitual points of view toward principles, but the proper forum for debate over the question of when and for what injunctions shall lie is Congress and not the Supreme Court, after statutes and precedents are so plain that an impartial, informed mind must respect them.

If Judge Parker has a real slant of mind antagonistic to the laboring class, if he is a "reactionary" or a "tool of the corporations," in the years of his service as circuit court judge this must have become clear, not from one decision, but many. Examine the whole record.

President Hoover has now taken a rather striking step, indicating that he will back the Parker appointment with all the administration's prestige. He has made public a memorandum from the Department of Justice which reviews the so-called "yellow-dog contract" cases, and concludes with the statement:

"To refuse the nomination of Judge Parker for his decision in the Red Jacket Coal Co. case will amount to refusing to confirm him because he followed and gave binding effect to decisions of the Supreme Court of the United States."

The Red Jacket Coal Co. case came to the circuit court and Judge Parker on appeal from a decision by a district court judge issuing injunction against union miners forbidding them to interfere with the companies' employees by violence, threats, intimidation, and the like, or by

procuring them to break their contracts with the plaintiffs. The district court had found that the United Mine Workers, in connection with a general strike in the coal fields, had been committing these offenses maliciously, with intent to damage the plaintiffs. Judge Parker in his decision, joined by the other appellate judges, stated that he was not speaking as a trial judge, but as a judge of an appeal. In the position he said:

"The rule is well settled that the findings of a trial judge should not be disturbed, unless it clearly appears that he has misapprehended the evidence or has gone against the clear weight thereof."

The Supreme Court having already decided in precisely analogous recent cases that injunction should issue on facts such as had been found by the district court, the circuit court merely affirmed the law as it so stood, without attacking its policy. It is the policy of the law which the labor unions condemn. We reiterate that the field of their contention should be confined to Congress and public opinion rather than be narrowed to criticism of a judge who did no more than to declare and respect the rulings of the highest court in the land, which rulings still stand. Mr. Hoover has met the controversy head on and upon sound grounds. Senatorial debate is expected to materialize this week.

Mr. OVERMAN. Mr. President, this morning the nomination of J. J. Parker to be a Justice of the Supreme Court was ordered to be reported from the Committee on the Judiciary unfavorably. I want to state that there was a large minority of that committee favorable to his confirmation.

MEASURES FOR THE RELIEF OF AGRICULTURE

Mr. BLEASE. Mr. President, on the 15th day of April, last Tuesday, more than 200 prominent farmers and business men of South Carolina held a convention at the State capital and adopted certain resolutions and a manifesto. Without reading, I ask that the resolutions and manifesto may be printed in the RECORD and lie on the table.

There being no objection, the resolutions and manifesto were ordered to lie on the table and be printed in the RECORD, as follows:

FARMERS' AND TAXPAYERS' LEAGUE—RESOLUTIONS PASSED AT MEETING APRIL 15, 1930

That we indorse the debenture plan as being the only method suggested through which the farmers can get any protection under the tariff act, and urge our Washington delegations to get it passed, it now being before the Congress.

That the sense of this meeting is that the attitude of the banks of South Carolina toward agriculture is detrimental to the interests of the State, and such attitude is hereby condemned.

MANIFESTO

We farmers and other landowners of South Carolina and allied interests address ourselves to all thinking men and women.

We come not as advocates but as principals. The things of which we speak we ourselves have suffered.

Our cause deserves your attention. It is of the gravest importance to you as well as to us. Its gravity demands that we use means bold and compelling enough to secure your attention and our relief.

Farmers and owners of farm lands in every part of the United States are being forced into bankruptcy by the thousands. A vast acreage is being abandoned. Those who remain and are now supplying the Nation's food and clothing material are struggling under tremendous handicaps.

The intermediate credit bank system has broken down as a source of production credit for the farmers of the Nation. There is no other sufficient source of credit for the farmers, for, following the rapid extension of the concentration of banks through the chain system of banking, the limited help that formerly came from local commercial banks is rapidly disappearing.

For a long period the lien merchant was in position to make advances to farmers, but they have had to abandon this policy.

The present farm land banks are pursuing a policy of ruthless foreclosures of mortgaged farms—a senseless and merciless exercise of discretionary power.

FUNDAMENTAL REMEDIES

Imperative remedies lie in extending to farming the same protection and consideration shown by government to industry and finance and commerce. The farmer is bearing a tax burden from two to three times as great as these others. The farmer is compelled by the tariff to pay highly protected prices for his equipment and materials and has to sell at prices depressed by competition with foreign farmers. The farmers' profits are reduced by freight rates, against which he has a lawful grievance. The farmer's share of what the consumers pay for farm products is unreasonably reduced by a system of distribution beyond his control. The farmer's interest rate is necessarily onerously high because of his small profits. High prices for what he buys, low prices for what he sells, high interest, and high taxes have brought him to desperation.

The Federal Government and the State governments make these conditions. By government they are made easier for industry, commerce, and finance. Farming requires and demands the same consideration. No relief is in sight. To-day the Federal land banks are foreclosing farm mortgages from one end of the country to the other. To-day the Congress is adding to the tariff burdens of the farmer. The last reduction in general freight rates was six years ago. To-day the interest rate and credit conditions are harder than for years. To-day the national and local taxes still climb.

Remedy must come from aroused public opinion. This awakening will result from the full understanding of the facts that it is our purpose to bring about by persistent pitiless publicity, for publicity of the truth will correct error and points the way to constructive building. Responding to this awakened public opinion will come legislative action by the State legislatures and by the Congress. To this end we urge all farmers and other landowners and allied interests in each county throughout the country to organize for the purpose of studying the facts, deciding on definite remedies, and bringing their decisions to the attention of Members of Congress and State legislatures.

The remedies will follow when these decisions are urged with all the vigor and determination and earnestness and persistence their importance warrants; when they are championed by word and deed by the mass of farmers assembled in frequent meetings, and through the press; when the ingenuity of their leaders is exercised in devising means to attract and hold the attention of the Nation; and when voters require compliance from their officials. Let us repeat—publicity is our hope.

Relief must come both from the State government and from the Federal Government.

STATE ISSUES

Relief that only the State can render is reduction of all State and local taxation. We urge that their reduction include the abolishment of all State and county taxes on homes and on agricultural land being used by bona fide farmers.

These reductions can be brought about by cutting down the State and county appropriation bills; by financial reforms based on constant publicity of the financial condition of the State and the counties; by putting on the tax books stocks and bonds and notes which amount to over $300,000,000 and now escape direct taxes; and by shifting the tax burden by extending South Carolina's present system of sales taxes; and further extension of the general principle that all taxation should be proportionate to the earnings of the taxpayer.

Some of these proposals require constitutional amendments, one of which is placed on next fall's ballots by the last legislature. Other amendments are necessary to cure a tax assessment system that is rotten to the core and based on fraud.

It is a time for economy in State and county government, and consolidations, eliminations, and changed methods can bring economy. We are ready for sweeping changes and fundamental consolidations of our departments, bureaus, and commissions. The State should not take on new activities until its farmers and others reach an American standard of living.

We declare for democracy as opposed to bureaucracy as the controlling force of our Government.

We will ask the opportunity to present to the budget commission and to the legislative committees our detailed proposals for cutting appropriations and our proposals for a new tax system to free our homes and farms from the property tax.

We urge the enactment of a most stringent lobbying control act, as lobbying at the State capital has become a public disgrace.

While the State can reduce our land taxes we must look to the Federal Government for the most important relief. From Washington we ask:

NATIONAL ISSUES

Equalization of the farmer's tariff with industry's tariff, and to this end indorse the debenture plan now being proposed in Congress.

Reduction of freight, power, and light rates with preferential rates for agricultural users.

Establishment of marketing conditions to assist stabilization of prices of farm products and to reduce to the minimum present wasteful marketing practices, so that the consumer will get more food for his dollar and so that the farmer will get more of that dollar.

Reconstruction of the intermediate credit bank under a separate board composed of a membership the majority of which shall be actively engaged in farming and representing the several sections of the Nation, and making it accessible to the farmer as a means of production credit.

Putting the land banks in the hands of their farmer stockholders to the extent of giving them an important share of its management. Inauguration of a policy by the Federal Farm Loan Board which shall include a reduction of the rate of interest to the farmer and a return of the system to the purposes for which it was intended.

Refraining from foreclosing mortgages held by the Federal land banks, the joint-stock land banks, and the intermediate credit banks until such time as relief measures shall restore the farmer's ability to pay, and protection of the bonds of these banks by the Federal Government.

We oppose any plan proposing federalized farming of foreclosed lands under a chain system of farming financed by the Federal Government.

GOVERNMENT'S OBLIGATION TO ACT

Fourteen years ago the Federal Government began to encourage farmers to borrow on long-time mortgages with the assurance agriculture

would be protected and encouraged by Government. The farmer responded and borrowed two and three-fourths billions from the Federal land banks. But the Government failed to establish conditions under which agriculture could succeed. To-day the Government ruthlessly demands payment, and is seizing the farmer's lands and goods and is driving him into the highways adrift and impoverished.

He has done his part. He has made his acres more productive. He has increased the output of his animals. He has increased in skill and adopted improved machinery and methods. But there are conditions he can not control and that Government should control. Government in its foreclosures give no consideration to short crops, overproduction, nor unforeseen disasters of nature. This is the only leading agricultural country that does not recognize in its farm credit system conditions outside the control of its farmer debtors. In this obligation Government has failed, and for this failure exacts a terrible penalty from its farmers.

Let the Nation, so far as it now can, right this wrong at whatever financial cost. There are tens of thousands to whom it can never restore the hard-won wealth they have lost, nor their shattered homes, nor make good the heartbreaks of hundreds of thousands of the fathers and mothers and children driven by a callous Government from the farms of the United States.

ORGANIZATION AND ACTION

To these ends we resolve here and now to form a permanent State organization by the election of a president, a secretary, a treasurer, and three others who, with these officers, will constitute an executive committee; to encourage the forming of county units the chairmen of which, acting with the executive committee, will form a board of directors, one of the duties of said board being to adopt such regulations and by-laws as they may deem necessary.

The name of this organization shall be the Farmers and Taxpayers League.

We ask each Democratic club and the several county Democratic conventions and the State Democratic convention to indorse this manifesto at their next meetings; and we recommend that at the primary campaign meetings each candidate be asked to declare his opposition to, or his support of, this manifesto.

We commend the efforts made by certain members of the South Carolina congressional delegation to secure Federal relief, and we petition and pray the entire Congress to use their every effort to support the legislation asked for herein.

Nothing contributes more to our State than its homes. They constitute the foundation of its freedom, the very bulwark of its prosperity, the citadel of its virtue, and the source of its patriotism. "The homes of our people is the ark of the covenant on which rests our Government," and when one is lost the fact should be brought strikingly to the attention of the State and Federal Governments. To that end every home owner against whom foreclosure proceedings are begun is requested to report that fact and all the surrounding circumstances to his county chairman of this league, who in turn will report it to the State chairman to be reported by him to the Congressman of the district and to the Senators of the State.

This movement is based on the proposition that in the economic system of the Nation there is necessity for the independent, individual farmer; and that from his prosperity will come an increase of the prosperity of the average man, of whatever vocation, of the State and the Nation.

We call on a machine-mad nation, intent on its factories, its commerce, and its banks, to consider the condition to which it has reduced its agriculture.

We propose to bring home to every man and woman in this country the obligations of Government to the farmers of the United States.

GRAIN FUTURES LAW

Mr. NYE. Mr. President, on March 22 a very large delegation of farmers in meeting at Alamo, N. Dak., adopted resolutions that have commanded widespread interest in the Northwest. I ask that these resolutions may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions are as follows:

At a mass meeting held in Alamo, N. Dak., March 22, 1930, the following resolutions were adopted:

"Whereas the grain future law now on the statute books of the United States has always been a detriment to the farmers of the Nation, because under it speculative interests have been able to manipulate the prices of farm products to their advantage, and because it enables such interests to obstruct and prevent the stabilization of prices, and because it encourages conspiracies between domestic and foreign citizens for such manipulation and obstruction, with the depression of the price of agricultural commodities as the ultimate result; and

"Whereas these speculative interests, the grain elevators, and commission firms have at no time during the last decade had over four to five hundred millions of bushels of actual wheat in their possession, while nevertheless they have been yearly gambling in from sixteen to twenty-five billions of bushels, on which amount the 5-cent margins and their commissions alone have amounted to more than the value of the entire season's crop; and

"Whereas this legalized gambling has unsettled domestic and foreign markets throughout the world to the detriment of farmers everywhere; and

"Whereas liquidation always takes place when these gamblers choose and not when the law of supply and demand dictates; and

"Whereas this legalized gambling does not add one cent to the national wealth of our country, but instead works toward the ultimate destruction of the agricultural community by causing distress and financial stringency, not only among its members but among the members of all industries dependent upon agriculture; and

"Whereas the only argument claimed in favor of this system is that it is necessary as an insurance protection, although protection may be legitimately secured in an efficient ordinary insurance method. Although this argument is deceptive and misleading, the gambling is the main purpose and object; and

"Whereas under an advanced and civilized Government all industries and all citizens engaged in these industries have the inalienable right to full legal protection and have the right to liberty, peace, and the pursuit of happiness, with justice administered to all on an equal basis; and

"Whereas any element or group of the population tending to disrupt such rights and such justice, is undesirable; and

"Whereas wheat and many other farm products is far below cost of production; and

"Whereas we believe that the speculative interests do present such a group and are enabled to work to the detriment of justice and the promotion of crime in our Nation under the protection of the grain futures law: Therefore be it hereby

"*Resolved*, That the Congress of the United States take immediate steps to repeal said grain futures law and secure the control of all commodity exchanges in order that public interests might be protected, and further that Congress authorize the Farm Board to buy 300,000,000 bushels of wheat in the open market, demanding the delivery of the actual wheat, in order that the market may be stabilized, thus further protecting public interest; and be it further

"*Resolved*, That we oppose all increases of tariff on industrial products, which said tariff has already worked to the detriment of the farmers, and further increases of which would bring actual ruin to the agricultural community; and be it further

"*Resolved*, That, in our opinion, this agricultural community can never be on a par with the industrial community and receive the benefits guaranteed it under the American Constitution until a natural market is established for agricultural products that is not subject to the artificial market influences of the speculative interests, there can be no stabilization under the dual marketing; and be it further

"*Resolved*, That we do not believe that such a market is possible until the speculative interests have been entirely removed from all trading in agricultural commodities; and be it further

"*Resolved*, That in order to achieve the abolition of the grain futures law, and in order that a natural market may be established, we are heartily in favor of cooperating with any group that works for these ends; and be it further

"*Resolved*, That we also heartily indorse all cooperating along national economic lines with the South, that will work to the lasting benefit of the greatest number of people in our Nation; and be it further

"*Resolved*, That the Congress awake the proper officials to perform this duty or remove those negligent from office; and be it further

"*Resolved*, That it is the will of this meeting that a copy of this resolution be sent to each Member of Congress from North Dakota, and that a copy also be sent to each of several of the most influential newspapers in our Nation."

B. JOHNSON, *Chairman*.
ANDREW HAGEN, *Secretary*.

MATERNITY AND INFANCY

Mr. WALSH of Massachusetts. Mr. President, may I have the attention of the Senator from California [Mr. JOHNSON], the chairman of the Committee on Commerce?

I have a protest from Mrs. Herbert Johnson, secretary of a large organization of women in Massachusetts. This telegram of protest states that the Committee on Commerce have reported to the Senate Senate bill 255, known as the maternity and infancy bill, that requests for hearings were not granted, and that thereby an injustice has been done the groups in this country who were desirous of presenting evidence in opposition to this legislation.

May I ask the chairman of the committee for an explanation of the position of the committee on this protest?

Mr. JOHNSON. Mr. President, the bill—as the distinguished Senator presiding over this body [Mr. JONES] will recall—is a

bill introduced by him. It is a bill that continues in operation merely what has been a law of the land.

When the bill came before the Commerce Committee as at present constituted it was referred to a subcommittee. That committee subsequently reported favorably to the Commerce Committee. Thereupon the Commerce Committee reported the bill favorably. In its initial stages, before this law was put upon the statute books, there were elaborate hearings concerning it. At those hearings, as I recall, all parties in interest were heard; and it was deemed, I assume, by the subcommittee of the Commerce Committee—certainly it was my opinion—that no additional or further hearings were necessary or required. The bill was reported out some weeks ago by the full Commerce Committee after its serious and detailed consideration by a subcommittee of the Commerce Committee.

Mr. WALSH of Massachusetts. What was the date of the expiration of the former law?

Mr. JOHNSON. I am unable to say exactly, but it was, as I recall, in 1929. I will ask the Presiding Officer if he recalls the exact date.

The PRESIDING OFFICER. The present occupant of the chair thinks it expired on June 30, 1929.

Mr. WALSH of Massachusetts. Is this the bill against which a filibuster was conducted?

Mr. JOHNSON. Yes; very serious opposition to the bill was presented by the then Senator from Missouri, Mr. Reed.

Mr. WALSH of Massachusetts. And that resulted in terminating the activities of the Children's Bureau in connection with maternity and infant welfare work through appropriations from the National Treasury?

Mr. JOHNSON. The filibuster resulted in a compromise by which the law was continued for a definite period only; and in order that the work might be carried on in the same beneficent fashion I think the present occupant of the chair introduced the bill this year, the law having expired last year.

Mr. WALSH of Massachusetts. The bill is now pending on the calendar and is to revive the law that was formerly in effect?

Mr. JOHNSON. Exactly.

Mr. WALSH of Massachusetts. Providing for a bureau to promote maternity and infancy welfare work by authorizing an appropriation of $1,000,000, and its expenditure through Federal cooperation with the several States?

Mr. JOHNSON. Yes.

Mr. WALSH of Massachusetts. I thank the chairman of the committee and ask that two telegrams in connection with the matter may be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none.

The telegrams are as follows:

BROOKLINE, MASS., *April 15, 1930.*

Hon. DAVID I. WALSH,
Senate Office Building, Washington, D. C.:

At a large meeting of women held to-day at the home of Mrs. Herman F. Vickery, Brookline, an organization known as the Woman Patriots of Massachusetts, the following resolution was unanimously adopted:

"We protest against the smothering by the Senate committee of the opposition to S. 255, known as maternity and infancy bill, by its refusing to grant public hearing which we consider unethical and subversive of the rights of the public."

Mrs. HERBERT JOHNSON, *Secretary.*

BOSTON, MASS., *April 18, 1930.*

Hon. DAVID I. WALSH,
Senate Office Building, Washington, D. C.:

Would you be so kind as to insert in CONGRESSIONAL RECORD the telegram sent you by Woman Patriots in protest of action by Commerce Committee in reporting out maternity bill without hearing.

MASSACHUSETTS WOMAN PATRIOTS,
Mrs. HERBERT S. JOHNSON, *Secretary.*

RESTRICTION OF IMMIGRATION

Mr. McNARY. Mr. President, I propose the unanimous-consent agreement, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read.

The Chief Clerk read as follows:

It is agreed by unanimous consent that after the hour of 2 o'clock p. m. to-day no Senator shall speak more than once or longer than 10 minutes upon the pending unfinished business, S. 51, the immigration bill, or upon any pending amendment thereto.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. DILL. I object.

The PRESIDING OFFICER. Objection is made.

Mr. McNARY. By whom, Mr. President?

The PRESIDING OFFICER. By the junior Senator from Washington.

Mr. DILL. I object, Mr. President.

PHILIPPINE INDEPENDENCE

Mr. BINGHAM. I have received a letter in the nature of a memorial from the two Resident Commissioners from the Philippines, which I ask to have read at the desk and appropriately referred.

There being no objection, the letter was read and referred to the Committee on Immigration, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 18, 1930.

Hon. HIRAM BINGHAM,
United States Senate, Washington, D. C.

DEAR SIR: Before the Senate there is a proposal in the form of a bill (S. 4183) and an amendment (S. 51) presented by Senator SHORTRIDGE, the effect of which is Filipino exclusion from the United States.

The members of the Philippine delegation are opposed to this measure and we would like respectfully to request that we be given an opportunity to present the views of the Philippine people and the Philippine Legislature before action is taken. We have previously communicated with the chairman of the Committee on Immigration to which the measure was referred.

We sincerely trust that no action will be taken to exclude Filipinos from the United States at least while the American flag waves over the Philippines. Besides, the Committee on Territories and Insular Possessions already has held extensive hearings on the independence of the Philippine Islands and it would seem that a favorable decision on this all-important question will solve the American-Philippine problem, including immigration.

Sincerely yours,

PEDRO GUEVARA,
CAMILO OSIAS,
Resident Commissioners from the Philippines to the United States.

Mr. BORAH. Mr. President, in view of that letter, may I ask the Senator from Connecticut if there is any great assurance as to when we will have an opportunity to pass on the Philippine independence bill?

Mr. BINGHAM. Mr. President, if the Senator from Idaho can tell us when the delegation now in London are going to sail, and when they are going to arrive, I can tell him when the last hearings probably will be held and when the bill will be reported.

My last information from a member of that delegation was received this morning. They expected to sail within two or three days. If so, they probably will arrive here within about 10 days; and it is the purpose of the committee, in accordance with its unanimous vote, a large number of members of the committee being present, to hear the Secretary of State and the Secretary of the Navy immediately or as soon as possible after their arrival on the various bills that are now before us. The committee also voted that as soon as that hearing was held they would have an executive session to consider the four or five bills, and make reports thereon as soon as possible thereafter.

Mr. BORAH. The Senator from Connecticut is expert in delay. One excuse is as good as another.

Mr. BINGHAM. Mr. President, I think the Senator's remarks are uncalled for, in view of the fact that the Senator from Connecticut neither made nor suggested to any other Member the motion calling before the committee the Secretary of State and the Secretary of the Navy. The motion was made by a distinguished member of the Democratic Party, sitting across the aisle, one of those most interested in securing independence.

The Senator from Connecticut had nothing to do with the suggestion that the motion be made, or any of the proceedings that followed, except to suggest to the committee that it would be appropriate to hear these gentlemen as soon as possible after their arrival from Europe.

Mr. BORAH. I have been interested in the manner in which the Philippine independence legislation has been delayed ever since we were promised that it should be speedily brought before the Senate for consideration.

ADDRESS BY M. H. AYLESWORTH ON RELATION OF RADIO TO NEWSPAPERS

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an address by Merlin H. Aylesworth, president of the National Broadcasting Co., before the American Society of Newspaper Editors. This is an address discussing the relation of advertising over the radio as compared to advertising in the newspapers, and is a most excellent state-

ment of the situation. I think it contains information which will be of interest to those who read the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RELATION OF RADIO TO NEWSPAPERS

I am reliably informed that it is customary for a layman addressing a group of newspaper people to state at the outset that he was once a newspaper man himself. It seems that this is the method by which he attempts to establish a community of interest with his audience, indicates his interest in their problems, and manifests his own unquestioned integrity.

I am certainly under a severe handicap. The closest approach I ever had to prominence in the journalistic or literary world was reached when I waded through snowdrifts to deliver newspapers to the Fort Collins (Colo.) Star subscribers. Perhaps my share in the loss of circulation caused me to turn to other fields.

However, my education has not been entirely neglected. You might almost say that I have gone to night school of journalism. When we organized the National Broadcasting Co. about three years ago one of the things most obvious to me was the close relationship between radio and the newspaper industry.

I am glad to say that in this formative period of the National Broadcasting Co. I was fortunate to have the close personal friendship of a large number of newspaper men. These friends formed a sort of unofficial advisory council which guided me in all matters which had to do with the relationship of broadcasting to the publications industry.

Radio broadcasting in America is economically sound. While the newspaper or weekly magazine charges 2, 3, or 5 cents a copy, this is not even the cost of white paper. It is advertising which makes it possible to publish a successful newspaper or magazine. The same is true of radio broadcasting.

The obligation of the radio industry does not cease with the building of a radio receiving set. With the purchase and maintenance of a radio set the owner has a right to expect service.

The radio-broadcasting problem in the United States has been solved in the same manner that the newspaper and magazine have solved the problem of the cost of publication. The sponsor of radio programs furnishes radio entertainment with advertising which does not interfere with the program, in the same manner that the newspaper prints advertising without interfering with the news or the editorial policy. Just as advertising in newspapers and magazines makes possible space used in news, editorials, and fiction, so do sponsors of radio programs make possible entertainment and other programs not sponsored.

In my opinion, American newspapers would be less interesting and would give less public service if advertising were eliminated, because advertising in its present high state of development has real reader interest, is informative, newsy, and truthful. The same is identically true in radio.

Radio broadcasting would be less interesting if there were no competition between sponsors of programs nor brief information regarding the sponsor that furnishes entertainment.

I am quite familiar with the differences in attitude of newspaper men toward the publication of radio news, including the listing of programs. I fully appreciate the fact that there can be no actual unanimity of opinion on this subject, as every editor has a problem different from that of every other editor.

There are some who are inclined to the attitude that radio is a competitor with the newspaper for the advertiser's dollar. I realize that radio has a business aspect as well as a news aspect, and for that reason let us consider newspaper revenues for a moment as related to broadcasting and radio in general.

A radio set in itself is just about the most useless thing in the world. The only thing that gives it any value at all is what comes out of it; that is, what the broadcaster sends into it. Now, the advertising of radio sets and accessories is a valuable source of newspaper revenue. In many newspapers it stands third or fourth on the list in national advertising. Broadcasting is, therefore, directly responsible for the revenue you get from radio advertising, for if there were no broacasting there would be no radio sets to sell or to advertise.

In the report of the American Newspaper Publishers' Association for the last year, I note that radio advertising showed the greatest increase in lineage of any national advertising classification. Some 24 radio manufacturing companies spent a total of more than sixteen million in advertising radios and phonographs. This classification stood fourth in the list of all national advertising for the year, being exceeded only by automobiles, tobacco, and food.

I have no doubt that local radio advertising accounted for another sixteen millions or more in newspaper revenues during the year.

The present situation and the immediate future are set forth in a survey made by the Association of National Advertisers. This institution, which has, I believe, some 400 members, will increase its newspaper advertising appropriations for 1930 approximately 10 per cent over those for 1929. And the 1929 appropriations exceed those of 1928 by some $30,000,000. That doesn't look as if radio were cutting into newspaper revenues very badly. That American Newspaper Association survey shows that only 6 per cent of their number will decrease their advertising this year, and these by relatively small amounts. The reasons for decreases are given as: Overproduction, change in selling set-up, falling off in orders generally, or mergers with other organizations. I find no reference to diverting of funds for radio advertising.

As a matter of fact, I have never been able to find evidence of any material diversion of funds from newspaper advertising to radio. We always inquire about this when new clients seek contracts with us, and we always urge them to continue or to increase their newspaper advertising when they become broadcasters.

The two forces—radio and the press—cooperate logically. One of the ways in which they do this is through the announcement of radio programs in the press. The sponsor of a radio program naturally likes to have his program identified by the name of his institution. We have tried to reduce to a minimum the amount of direct advertising which we put on the air, but in listing sponsored programs we identify the program through the name of the sponsor—no more.

Most of the radio advertisers are on the air only once a week, and it is well worth while for them to remind the listeners of the time and the name of the station. They will be doing this in ever-increasing numbers. The question that confronts you in this connection, and I know that many of you have discussed it in editorial conferences, is why should you publish the daily programs of the important broadcasting stations in your territory? I think I can answer that question very briefly and very simply: Programs are news. I think it would be an entirely fair estimate to say that between 90 and 100 per cent of your subscribers have radio sets in their homes, and that they tune in on various stations every day. The daily press is the logical place for the announcement of these programs.

The fact is that the editor, to some extent, is aware of the tremendous amount of listener interest. He feels, rather vaguely, perhaps, that this is a menace. As a matter of fact, if the newspaper editor will take advantage of listener interest he will find in radio a remarkable potentiality for the creation of reader interest in his paper.

Many of you must have a concrete idea of how universal listener interest has developed. Let me give you just an example or two of what the public thinks of broadcasting:

Radio is less than 10 years old. During this period the American public has invested approximately three billions of dollars in radio equipment. That is an average expenditure of $300,000,000 a year, over the 10-year period. Last year the expenditure totaled more than $800,000,000. In 1930 or 1931 the business will undoubtedly pass the billion dollar a year mark. That is an expression in terms of actual dollars of the interest that the people of the United States take in broadcasting.

Or let us examine it from another angle: A survey of radio sets and broadcasting was recently completed by Dr. Daniel Starch, one of America's foremost statisticians. His investigators visited a sufficient number of homes in various geographical locations to obtain a reliable cross section of American life, covering the entire United States. On the basis of these figures there are at least 14,500,000 radio sets in the United States to-day.

Doctor Starch found that 80 per cent of the owners of radio sets have them in operation two and one-half hours a day, and that the average listening group at such times was 4.1 persons. It is obvious that an activity which holds the interest of 40,000,000 people two and one-half hours a day is worthy of deep consideration as a matter of news interest.

Please do not misunderstand me. I do not present these figures to show you the importance of radio to the world. I am presenting them to emphasize the importance of radio news in the columns of a newspaper.

I am informed that 80 per cent of all radio listeners consult their newspapers before turning the dials. Eliminating the weather report from consideration, I doubt whether there is an editor here who would be willing to state that any other feature in his newspaper holds such a percentage of reader interest.

Is the radio a serious competitor of newspapers in dissemination of news? Certainly not! There is certain material occasionally carried on the air which might be classified as news, but the amount of it is so small that it seems to me almost negligible.

The utmost that can be expected in radio presentation of news is a bulletin service, which if intelligently handled can materially promote the sale of newspapers as well as certain special events which lend themselves to radio broadcasting.

On news events our most outstanding success has been in the realm of sports. These contests are unique in complying with the limitations of radio. They are scheduled long in advance for specific places and they begin on time, and we know just how long they will last. Moreover—and this is a very important point—the interest in them is universal.

In the realm of sports we have the perfect type of event for radio broadcasting. I wonder if you have asked yourselves in all fairness what the effect is upon your circulation of a play by play broadcast of a sporting event. I can answer for myself as a newspaper reader and a radio listener what the effect has been on me. After I have

heard a radio report I want to read what the newspaper correspondents had to say about the same facts. A radio broadcaster doesn't editoralize. He hasn't time. A few hours after the event, opinion crystallizes, and I am interested in expert opinion. Even when I am present at the event I still want to know what the better qualified observers of the press thought about it.

I want to compare their opinions with mine. I read them with more interest, and especially more pleasure, than ever for the very fact of having been present.

If you are considering the broadcasts of a few sporting events and ceremonials as an indication of future competition, I think you may dismiss the danger from your minds.

It seems to me the best evidence that can be offered to this so-called competition between the radio and the press would be that of the newspapers themselves. We have on our system 20 associated stations operated by newspapers and a considerable number of others which are closely allied to newspaper organizations. In our three years of existence we have never had any newspaper-owned station fail to accept a single broadcasting program, descriptive or otherwise, on the ground that such broadcast would be injurious to circulation. That seems to me to be the best answer to those most vitally concerned and best informed.

Radio is not something that somebody has built or forced upon the country. It is here in response to a constant and consistent demand from the public. It is not an experiment or a fad. Its universal acceptance is responsible for the greatest industrial marvel of all ages. The growth of the radio-manufacturing industry in less than 10 years is the greatest phenomenon in all business records.

Radio is here to stay. It exists as a force, capable of producing unlimited results by those who utilize it. It provides a listening audience which includes readers of your newspaper and nonreaders of your newspaper as an outlet for promotion. It seems to me that the wise thing to do is not to worry about radio as a competitor but to recognize in radio a powerful ally and to take advantage of its tremendous power. We in radio are always eager to cooperate with you. We have many problems in common. We are all on the same side of the fence. I sincerely hope that we may continue to work together and that our friendships may become stronger. I know that if we understand each other we are going to continue to cooperate to the benefit of both radio and the publications world.

ADDRESS BY SENATOR ROBINSON ON LONDON NAVAL CONFERENCE

Mr. WALSH of Montana. Mr. President, on yesterday the Senator from Arkansas [Mr. ROBINSON], now a member of the American delegation to the naval conference at London, was heard over the radio in an address published at length in the New York Times of this morning. I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York Times of Monday, April 21, 1930]

SENATOR ROBINSON'S SPEECH

Senator ROBINSON'S address was heard in New York over a nation-wide hook-up.

Senator ROBINSON, the ranking Democrat in the United States Senate, spoke on the subject of "The Democratic View of the Naval Conference," but he did not speak from a partisan viewpoint. He made his address in the London studios of the British Broadcasting Co., speaking from 7 p. m. to 7.25 p. m., English daylight-saving time, the address being broadcast here over the National Broadcasting Co. network from 1 p. m. to 1.25 p. m., eastern standard time. The reception was clear and uninterrupted.

Following is the text of Senator ROBINSON'S address as heard here:

"The conference having concluded its work, except for the formal ceremony of signing the treaty, it seems appropriate to summarize the results. No effort is in mind to speak from a technical viewpoint. The desire is to present in condensed form the principal features of the arrangement entered into with regard to the programs of the three chief naval powers.

"The prime objectives of our delegation have been:

"First. To cooperate with other delegations in terminating naval competition by limiting all classes of warships.

"Second. To secure equality of naval strength for the United States with Great Britain.

"Third. To arrange a satisfactory relation between our Navy and that of the Japanese.

"Fourth. To bring about reductions in tonnage wherever practicable.

"Let us consider the degree to which these objectives have been attained.

"It is clear that as a 5-power enterprise there is not complete success. The importance of this is not to be minimized. Unquestionably it would have been more satisfactory to have a treaty defining the programs of France and Italy as well as those of Great Britain, the United States, and Japan. The Italians insisted on parity with the navy of the strongest continental power, even though there is little likelihood that Italy would actually build up to French tonnage during the period of the treaty. The French refused this demand. France is carrying forward a naval-construction program materially increasing her tonnage in cruisers, submarine boats, and destroyers. She was not disposed to reduce these tonnages without new guaranties of security.

CONTINGENT CLAUSE USED

"The various methods of creating new guaranties of security were amply discussed in the press while the negotiations were in progress. No delegation asked the United States to participate in any security pact. The American delegation made it plain that the United States would not join any consultative pact which could by implication be regarded as giving security. The French said that a mere consultative pact would not take one ton off their navy.

"The French and British tried to restate their security obligations as a basis for a reduction in French tonnage. This effort had to be linked with a settlement between France and Italy. It was the realization that this double settlement would have to be postponed that led to the conclusion of the conference on the present basis and the insertion of a contingent clause, to which further reference will be made.

"We took the position that fair limitation of armament is of itself a wholesome and effective measure of security, tending to promote international good will and pacific measures for adjustment of disputes where treaty relations are threatened or disturbed. Consultation is a logical and probably inevitable process; but agreements for consultation, unless carefully safeguarded and entered into in advance, in the opinion of many, tend to the formation of alliances and to the assumption of responsibility for decisions which might result in involvements which our people desire to avoid.

"Efforts to negotiate a 5-power arrangement were continued—perhaps they were unduly prolonged—finally resulting in a postponement of conclusions between the European powers and participation by France and Italy in the provisions of the treaty except those relating to the limitation of tonnages. The provisions in which all five powers join, while less comprehensive than those entered into by the United States, Great Britain, and Japan, include the battleship holiday and the restriction on the use of submarines against merchant ships in time of war, which in themselves are achievements of magnitude and value.

SUBMARINE WARFARE LIMITED

"With respect to the above-mentioned restriction on the use of submarines, the five powers accept as rules of international law:

"First. That submarines in action with regard to merchant ships must conform to the rules applicable to surface vessels.

"Second. More definitely stated, save in case of persistent refusal to stop when duly summoned or of active resistance to visit or search, neither surface craft nor submarine may sink or render incapable of navigation a merchant ship without first safeguarding the passengers, crew, and ship's papers. It is further declared that placing passengers, crew, and ship's papers in the ship's boat is not a compliance with this rule unless safety is assured by sea and weather conditions, proximity to land, or the presence of another vessel to take them on board.

"The acceptance of these rules as international law may not prevent all abuses of the character denounced. Undoubtedly in time of war belligerents will be tempted to violate them. However great such temptations may prove, parties to future conflicts will be slow to challenge the resentment of mankind by ruthless destruction of merchant vessels, for such a course would invite results disastrous to the offender.

"The limitations agreed to by the three powers are accompanied by a contingent clause which provides that if any one of the three feels its national security jeopardized by new naval construction of any power whose auxiliary fleet has not been limited, it may notify the others what increase it requires. The others may then make proportionate increases. This is in no sense a sanction; neither does it provide for consultation.

"Of course, it may be said in criticism that this clause permits a disturbance of the limitation agreed to on the sole responsibility of either the United States, Great Britain, or Japan, and that if any one of the three adjudges it to be necessary to build in excess of the treaty program this will increase the building of the other two. But even if this should happen the relation of the fleets and the principles of limitation would still be maintained.

"It should also be remembered that the limitation of armaments must proceed only through the voluntary action of nations and that no power can arbitrarily impose on another restrictions of the means of defense without assuming moral responsibility for its safety. It is of first importance that the limitation of armaments shall be regarded as increasing rather than diminishing the safety of peoples, and if emergencies, regarded as remote but nevertheless as possible, arise, threatening immediate danger, the people should be free to respond to the requirements of their situation.

"Otherwise the fate of nations must forever be bound up with the maintenance of large armaments and the imminence of war. This clause is based upon the good faith of the three nations, and it is inconceivable that it will be used except upon necessity. It leaves the responsibility of determining the requirements for national security where it belongs, namely, on the respective nations.

"A clause providing for consultation or mutual agreement might imply some measure of obligation of all who enter into it. Failure to bind ourselves to consult or mediate in no way impairs the right of the United States to consult and give advice and even tender good offices should the occasion justify, but we should be left free to act as the friend of both parties to a dispute or at least as impartial in all controversies which do not involve American rights or interest.

"This treaty vitally affects the relations between the Navies of Great Britain, Japan, and the United States in every category of war vessels.

"The treaty contemplates two important changes from the Washington treaty adjustment regarding capital ships. Under the plan now in force, prior to December 31, 1936, the United States would lay down 10, Great Britain 10, and Japan 6 new capital ships. Under the proposed London treaty no new ships of this class will be laid down.

"In addition to the holiday the three powers will commence to scrap in this class prior to December 31, 1931:

"Great Britain, 5; United States, 3; Japan, 1.

SEES HUGE EXPENSE DEFERRED

"Thus, substantial parity between the United States and Great Britain will result following the close of 1931. Postponement of construction of the 10 ships referred to will probably contribute to a final permanent reduction in this category. It will certainly defer the expenditure by the United States of at least $300,000,000 during the life of the treaty. The early scrapping agreed upon likewise will result in avoiding expenditure which otherwise would be required for repair, maintenance, and operation.

"Our experts are of the unanimous opinion that these amendments to the battleship program will bring about actual parity between the United States and Great Britain in capital ships.

"In the large cruiser class, carrying 8-inch guns, the United States will have 18 ships, with a tonnage of 180,000; Great Britain will have 15 ships, aggregating in tonnage 148,000; and Japan 12 ships, totaling 108,400 tons. The United States desired a considerable number of vessels having a long-cruising radius, while Great Britain found a comparatively large number of the small type better adapted to her purpose.

"The superiority afforded the United States in these large cruisers constituted recognition to some extent of the difference in type of cruisers required for her purposes as compared with the British needs. Prolonged investigation of the subject led to the conclusion that no scientific basis exists for measuring the difference in value between large 8-inch gun cruisers and vessels carrying 6-inch guns. To offset the American advantage of 33,200 tons in 8-inch gun cruisers Great Britain has the right to employ in 6-inch gun cruisers 48,700 tons more than the United States, making a net difference in the cruiser tonnage of the two powers of 15,500 in favor of Great Britain in cruisers of all classes.

"It is not possible to say that this difference corresponds with mathematical accuracy to the superior value of the large cruisers which the United States has the right to possess over those allowed Great Britain.

"Within certain ranges 6-inch guns are more effective than 8-inch guns. At great distances, however, the advantage clearly is in the ship carrying guns with the longest range. On the other hand, the smaller guns can be fired more rapidly and perhaps more accurately than the heavy 8-inch weapons.

"There can be no important advantage to either of the two powers because of this difference in 8-inch cruiser tonnage.

"Moreover, it may be emphasized that the United States has the option to build exactly Great Britain's program and thereby produce a ton-for-ton parity between the two countries.

DESTROYERS CUT SHARPLY

"In the destroyer category very material reductions are made. The United States now has a tonnage considerably in excess of 200,000, but many of the ships are old, and nothing like the present number is required. Great Britain and the United States will each have 150,000 tons in destroyers. The present Japanese fleet of 6-inch-gun cruisers is 98,415 tons. The treaty gives Japan 100,450 tons. The present Japanese destroyer fleet is 129,375 tons. In these two categories Japan will have 70 per cent of our fleet and 17,000 tons less than the present.

"Finally, each of the three powers may have 52,700 tons in submarines. In the conference the United States and Great Britain sought to abolish warships of this class, but other powers were unwilling to do so and limitation was resorted to at a relatively low tonnage.

"The United States at the opening of the conference was inferior in submarine tonnage to both Great Britain and Japan. Our inferiority in this class, as in the cruiser category, is attributable to our failure to build following the Washington conference. From the ratification of the Washington treaty until now the United States has neglected building not only in those classes in which a war surplus remained but also in cruisers in which our Navy was deficient.

COMPARES TONNAGES LAID DOWN

"The total tonnage in all classes of auxiliary craft laid down by the United States during the years 1922 to 1930, inclusive, was 138,120. During that time Great Britain laid down 203,725 tons; Japan, 242,771 tons; France, 249,454 tons; and Italy, 163,943 tons. It is apparent that in those years the United States had a much smaller building program than any of the other four powers.

"Our war tonnage is now becoming obsolescent and we are faced with the necessity of rebuilding much of the Navy. The treaty enables us to proceed with the task in an orderly manner and at a lower total tonnage than we have had in the past, in spite of the fact that we have built less than any other country represented at the conference.

"This is the story of the treaty in figures as comprehensively related as found practicable within the proper limits of this address. There are other bases than that here employed for comparison, but it is believed that the one chosen for present purposes gives the clearest showing possible of what has been accomplished and some reasons for the programs incorporated in the treaty."

FOREIGN POLICY

Mr. BORAH. Mr. President, we have as visitors in this country at the present time a distinguished journalist who writes under the name of "Pertinax," and also Mr. Wickham Steed, former editor of the London Times, now editor of the English Review of Reviews. These gentlemen addressed a party of newspaper editors in the city of Washington a few nights ago. The Baltimore Sun, in giving an account of these addresses, says:

The burden of the criticism leveled at our foreign policy by the two visiting editors concerned our failure to accept responsibility in connection with world affairs. Time after time they drove this point into the minds of their hearers while the man chiefly responsible for the formulation of American foreign policy sat listening within 3 feet of the table by which they stood.

"The European problem can not be solved," Pertinax insisted in a speech of great earnestness, "as long as the attitude of America remains an unknown factor. Your Nation must take a position either positive or negative. The present situation is unexampled.

APOLOGIZES FOR FRANKNESS

"You decline all responsibility. You even refuse to assist in enforcing international law, which is largely American law. In the end you will be forced to make some choice. You will pardon me for being so frank, but earlier in my talk I pointed to the need for a fearless and independent journalism. You could hardly expect me after that to turn back before the first obstacle that presents itself in the way of frankness and independence."

Quoting Mr. Steed—

"You have achieved parity," said Mr. Steed, addressing himself to the same theme, "but you have not achieved full parity. You have asked and obtained only parity of strength. You have not sought parity of responsibility. And may I say that when you claim parity of that character, there will be no voice in the world to say you nay?"

Further quoting—

"We want the United States to join with the rest of the world in saying that no nation can disregard that great instrument for peace—

Referring to the Kellogg pact—

and still count on friendly neutrality on the part of signatory nations. We want the United States to say that nations which refuse to take advantage of the machinery for the peaceful settlement of disputes, through conference and otherwise, place themselves outside the pale."

"I am not so sure that we want you in the league," he observed. "You might be quite a nuisance there. While our representatives at Geneva were announcing the decisions of our governments, yours would be cabling the State Department. The Secretary of State would be consulting the President."

Then Mr. Pertinax, referring to the league, says:

You have been told that the league is rich with promise and is bound to succeed. Do not believe a word of it. The League of Nations is little more than a conference of nations, and, like all conferences, it is subject to deadlock and failure.

Mr. President, I have read these excerpts from these addresses for the reason, first, we seldom find such modest, unselfish, and self-effacing advice as is found in these two addresses. I read them further for illustration of the fact that the advice of one of these gentlemen makes the advice of the other absurd.

I do not propose at this time to discuss what I conceive to be the unfairness of these statements, but at a later time, when a certain matter comes before the Senate, we will find time to discuss them from the standpoint of facts and truth.

Mr. SHIPSTEAD. Mr. President, in connection with the speeches referred to by the Senator from Idaho, I ask that an editorial with reference to the matter printed in the Washington Post of this morning may be read at the desk.

The VICE PRESIDENT. Is there objection to the reading of the editorial? The Chair hears none, and the clerk will read.

The Chief Clerk read as follows:

ADVICE TO AMERICA

President Hoover and the members and guests of the American Society of Newspaper Editors had the benefit of frank advice from two distinguished foreign journalists at the society's dinner on Saturday evening. M. Andre Geraud, speaking for France, and H. Wickham Steed, speaking for England, generously told the Americans that the United States shares responsibility for maintaining peace in Europe. These visitors, who can view Europe's problems free from the handicap of any prejudice in behalf of American tradition, joined in a perfect union of sentiment, quite in contrast with the spokesmen of their respective governments at the London naval conference. In London France and Great Britain reached a deadlock, but in Washington their self-appointed spokesmen rendered an exquisitely harmonious duet.

M. Geraud, better known as "Pertinax," warned his American hearers that "the European problem can not be solved as long as the attitude of America remains an unknown factor. Your Nation," he said, "must take a position either positive or negative. You decline all responsibility. You even refuse to assist in enforcing international law, which is largely American law. In the end you will be forced to take some choice."

This reminder was especially forcible, coming from the spokesman of a nation that has maintained neither a positive nor a negative position at the London naval conference, which declined all responsibility for the 5-power pact which it pretended to support, and which now isolates itself from the principal naval powers that have reached an agreement to limit naval forces.

Mr. Steed's part in the duet was to emphasize the importance of America agreeing in advance to accept the decision of Europe whenever it should declare a nation a violator of the Kellogg pact. "International peace," he said, "must be organized by the surrender on the part of every nation of the right to pass finally on its own international problems. Nations must allow other nations to take a hand in their decisions. They must take advantage of the opportunities for consultation through the World Court, through arbitration, through conferences. The League of Nations is imperfect, but it is a good agency for peace."

Thus all that is required to insure world peace is a guaranty by the United States that it will fight on the side that is designated by the League of Nations. Since the league is controlled by the great powers, it follows that the United States would always fight on the side of the great powers and against any nation that dared to run counter to their plans. If India, for example, should insist upon a war of independence it would be denounced by the league as a violator of the Kellogg pact, and it would be the duty of the United States to assist Great Britain in putting down the war. Many Americans ignorantly suppose that India is a vassal of Great Britain; but this is not true. India is a member of the League of Nations, and India has separately adhered to the Kellogg pact. So that is settled.

America now knows where it stands. If it wants world peace, let it "allow other nations to take a hand in its decisions." Let it accept responsibility for peace in Europe and cheerfully obey the summons of the League of Nations whenever it is necessary to overawe a nation that refuses to obey. India, Egypt, Syria, Morocco, Palestine, Soviet Russia, or China may need discipline at any time. Europe will be embarrassed unless the United States agrees to support it in any war it may decide to wage.

The courageous action of Messrs. Geraud and Steed in telling America where its duty lies can not fail to stir up a furor of enthusiasm in Europe if not in this country.

REPORTS OF COMMITTEES

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3555) authorizing the purchase, establishment, and maintenance of an experimental farm or orchard in Mobile County, State of Alabama, and authorizing an appropriation therefor, reported it without amendment.

Mr. HARRIS, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1301) for the relief of Julius Victor Keller (Rept. No. 480);

A bill (H. R. 1444) for the relief of Marmaduke H. Floyd (Rept. No. 481); and

A bill (H. R. 4198) to authorize the exchange of certain lands adjoining the Catoosa Springs (Ga.) Target Range (Rept. No. 482).

Mr. PATTERSON, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 707) to authorize an appropriation for construction at Fort McKinley, Portland, Me. (Rept. No. 483); and

A bill (H. R. 6338) authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Volunteer Soldiers at Togus, Me. (Rept. No. 484).

Mr. STECK, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 23) to regulate the procurement of motor transportation in the Army (Rept. No. 485);

A bill (S. 4017) to amend the act of May 29, 1928, pertaining to certain War Department contracts by repealing the expiration date of that act (Rept. No. 486); and

A bill (S. 4108) to provide for reimbursement of appropriations for expenditures made for the upkeep and maintenance of property of the United States under the control of the Secretary of War used or occupied under license, permit, or lease (Rept. No. 487).

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 1644) authorizing the county of Vanderburgh, Ind., to construct, maintain, and operate a toll bridge across the Ohio River at or near Evansville, Ind. (Rept. No. 488); and

A bill (S. 3298) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Evansville, Ind. (Rept. No. 489).

Mr. DALE also, from the Committee on Commerce, to which was referred the bill (S. 4009) granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Stillwater, N. Y., reported it with amendments and submitted a report (No. 490) thereon.

He also, from the same committee, to which was referred the bill (S. 3713) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind., reported it without amendment and submitted a report (No. 494) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the bill (S. 4008) to provide funds for cooperation with the school board of Browning, Mont., in the extension of the high-school building to be available to Indian children of the Blackfeet Indian Reservation, reported it without amendment and submitted a report (No. 491) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 2816) to amend section 1125, chapter 31, of the District of Columbia Code, reported it with amendments and submitted a report (No. 492) thereon.

OPERATIONS OF THE FEDERAL RESERVE SYSTEM

Mr. GLASS, from the Committee on Banking and Currency, to which was referred the resolution (S. Res. 71) to investigate certain operations of the Federal reserve system and matters relating thereto (submitted by Mr. KING on May 24, 1929), reported it with an amendment in the nature of a substitute, submitted a report (No. 493) thereon, and moved that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which was agreed to.

EXECUTIVE REPORTS

As in open executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. STEPHENS, from the Committee on the Judiciary, reported the nomination of Fred Cubberly, of Florida, to be United States attorney, northern district of Florida, which was placed on the Executive Calendar.

Mr. BORAH, from the Committee on the Judiciary, reported the nomination of John J. Parker, of North Carolina, to be an Associate Justice of the Supreme Court of the United States, vice Edward T. Sanford, deceased, with the recommendation that the nomination be rejected, and it was placed on the Executive Calendar.

Mr. NORRIS, from the Committee on the Judiciary, reported the nomination of Charles E. Sandall, of Nebraska, to be United States attorney, district of Nebraska, which was placed on the Executive Calendar.

Mr. GILLETT, from the Committee on the Judiciary, reported the nomination of Edgar C. Snyder, of the District of Columbia, to be United States marshal, District of Columbia, which was placed on the Executive Calendar.

Mr. GREENE, from the Committee on Military Affairs, reported the nominations of sundry officers in the Army, which were placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKHART:

A bill (S. 4212) granting a pension to Mary E. Stone; to the Committee on Pensions.

By Mr. BINGHAM:

A bill (S. 4213) to amend section 35 of the organic act approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes"; to the Committee on Territories and Insular Affairs.

By Mr. BARKLEY:

A bill (S. 4214) granting an increase of pension to Sarah Ann Owens; to the Committee on Pensions.

A bill (S. 4215) granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.; to the Committee on Commerce.

By Mr. HARRIS:

A bill (S. 4216) for the relief of L. E. Blanchard and Nell Blanchard; to the Committee on Claims.

By Mr. PATTERSON:

A bill (S. 4217) for the relief of Maria Maykovica; to the Committee on Claims.

By Mr. GREENE:

A bill (S. 4218) to amend an act approved February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes"; to the Committee on Military Affairs.

By Mr. METCALF:

A bill (S. 4219) granting a pension to Mary P. Law (with accompanying papers); to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 4220) granting an increase of pension to Marianne Winder Fullam; to the Committee on Pensions.

A bill (S. 4221) for the disposal of combustible refuse from places outside of the city of Washington (with an accompanying paper); to the Committee on the District of Columbia.

By Mr. CAPPER:

A bill (S. 4222) to authorize the Commissioners of the District of Columbia to sell by private or public sale a tract of land acquired for public purposes, and for other purposes;

A bill (S. 4223) to amend the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927;

A bill (S. 4224) to provide for the operation and maintenance of bathing pools under the jurisdiction of the Director of Public Buildings and Parks of the National Capital;

A bill (S. 4225) to authorize the Commissioners of the District of Columbia to lease certain real property under their jurisdiction and not required for public use;

A bill (S. 4226) to authorize the Commissioners of the District of Columbia to sell at public or private sale certain real property owned by the District of Columbia, and for other purposes; and

A bill (S. 4227) to authorize the Board of Education of the District of Columbia to make certain provisions for the relief of congestion in the public schools of the District of Columbia; to the Committee on the District of Columbia.

By Mr. WATSON:

A bill (S. 4228) granting an increase of pension to Rhoda Brondenburg (with accompanying papers);

A bill (S. 4229) granting an increase of pension to Sarah P. Denham (with accompanying papers); and

A bill (S. 4230) granting an increase of pension to Emeline Keeling (with accompanying papers); to the Committee on Pensions.

By Mr. WHEELER:

A bill (S. 4231) to provide for additional hospital facilities at United States Veterans' Hospital No. 72, Fort Harrison, Mont.; to the Committee on Finance.

By Mr. BLAINE:

A bill (S. 4232) granting an increase of pension to Christena Coey (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 4233) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928; to the Committee on Commerce.

By Mr. STEIWER:

A bill (S. 4234) to provide for the termination of Federal operation of the Hermiston irrigation district and the West extension irrigation district of the Umatilla irrigation project, Oregon; to the Committee on Irrigation and Reclamation.

By Mr. WHEELER:

A joint resolution (S. J. Res. 167) to clarify and amend an act entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes," approved March 2, 1927; to the Committee on Indian Affairs.

HOUSE BILL REFERRED

The bill (H. R. 11588) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was read twice by its title and referred to the Committee on Pensions.

ADMINISTRATION OF NATIONAL PROHIBITION LAW

Mr. HAYDEN submitted an amendment intended to be proposed by him to the bill (H. R. 8574) to transfer to the Attorney General certain functions in the administration of the national prohibition act, to create a bureau of prohibition in the Department of Justice, and for other purposes, which was referred to the Committee on the Judiciary and ordered to be printed.

FOOD STANDARDS, ETC.

Mr. COPELAND submitted an amendment intended to be proposed by him to the bill (S. 1133) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENT OF OLEOMARGARINE ACT

Mr. METCALF submitted an amendment intended to be proposed by him to the bill (H. R. 6) an act to amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended, which was ordered to lie on the table and to be printed.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. JONES in the chair) laid before the Senate sundry messages from the President of the United States making nominations, which were referred to the appropriate committees.

WATERS OF THE LOWER RIO GRANDE, THE LOWER COLORADO, AND TIA JUANA RIVERS

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I inclose herewith a copy of a letter from the Acting Secretary of State, transmitting the report submitted by the American section of the International Water Commission, United States and Mexico, setting forth the result of its study, in cooperation with representatives of Mexico, of a plan looking to the equitable use of the waters of the Lower Rio Grande, the Lower Colorado, and Tia Juana Rivers in accordance with the provisions of the acts of Congress approved May 13, 1924, and March 3, 1927, respectively.

HERBERT HOOVER.

THE WHITE HOUSE, *April 21, 1930.*
(Enclosures: As above stated.)

CHANGE IN DATE OF INAUGURATION

Mr. NORRIS. Mr. President, there is a resolution on the Vice President's desk which went over. I would like to have it laid before the Senate.

The VICE PRESIDENT laid before the Senate the resolution (S. Res. 245) submited by Mr. NORRIS on the 9th instant, which was read, as follows:

Whereas on the 7th day of June, 1929, the Senate passed S. J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President, Vice President, and Members of Congress and fixing the time of the assembling of Congress; and

Whereas on the 8th day of June, 1929, by an official message from the Senate, the House of Representatives was duly notified thereof and said resolutions so passed was properly certified and delivered to the House of Representatives by the duly authorized agent of the Senate; and

Whereas the Speaker of the House of Representatives has retained possession of said joint resolution, has not referred the same to any committee of the House of Representatives, and no action whatever has been taken thereon by the House of Representatives or by the Speaker, and the said resolution is still upon the Speaker's desk of the House of Representatives; and

Whereas the retention of said joint resolution by the Speaker for 10 months without referring the same to a committee of the House of Representatives and without taking any other action thereon is a discourtesy to the Senate and establishes a precedent which, if carried to its logical conclusion, will bring misunderstanding between the coordinate branches of the Congress and will result not only in a failure to act upon important matters of national legislation but will destroy the harmony, confidence, and respect which should exist between the two coordinate branches of our National Legislature: Therefore be it

Resolved, That the Vice President is hereby directed to appoint a committee of five Senators to look into the matter above referred to and to report to the Senate what action, if any, should be taken in the premises.

Mr. NORRIS obtained the floor.

Mr. McNARY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Oregon?

Mr. NORRIS. For what purpose?

Mr. McNARY. On former occasions I have requested the Senator from Nebraska to defer action on his resolution. He has been very considerate about the matter, and I shall not interpose an objection to-day but will leave the matter to the consideration of the Senate.

Mr. NORRIS. I thank the Senator.

Mr. President, in view of what was said in the House of Representatives a few days ago by the Speaker in referring the resolution mentioned in the Senate resolution now before the Senate, I would like to have the attention of Senators for a few moments while I show from the record just what the conditions are in regard to the joint resolution referred to.

On the 7th day of June, 1929, the Senate passed a joint resolution providing for an amendment to the Constitution of the United States, ordinarily known as the "lame-duck" amendment.

On the 8th day of June, 1929, the very next day, that joint resolution was duly certified by the proper official of the Senate to the House of Representatives, so that it was officially delivered into the possession of the Speaker of the House of Representatives on the 8th day of June, 1929.

The Speaker retained possession of that joint resolution, on the Speaker's desk, without referring it to any committee, until the 17th day of April, 1930, a few days over 10 months. On the latter date the Speaker referred the joint resolution to the committee which, under the House rules, is entitled to have it, the Committee on the Election of President, Vice President, and Representatives in Congress, and in referring that joint resolution 10 months after it had first been placed upon his desk, the Speaker made an explanation, which I want to read. His explanation is found at the beginning of the House proceedings of Thursday, April 17, 1930. I read:

The SPEAKER. The Chair desires to make an announcement touching the reference of a joint resolution. The Chair has retained on the Speaker's table for some time Senate Joint Resolution No. 3, providing for an amendment to the Constitution. The Chair did this in the hope and expectation that a rule now pending, and pending for some time, in the Committee on Rules, providing that all joint resolutions with reference to amendments to the Constitution should be referred to the Committee on the Judiciary, would be reported by that committee. The Chair is distinctly of the opinion that such a rule should be passed. The Chair thinks that all matters with reference to amendments to the Constitution should be considered by the Committee on the Judiciary. The Chair, of course, has the greatest confidence in the learning and ability of the Committee on the Election of President, Vice President, and Representatives in Congress, which has had jurisdiction over this matter for a number of years, but at the same time the Chair would have been glad, if it were possible, to have had the Committee on the Judiciary pass upon this resolution. However, in view of the fact that the Chair is convinced that that rule will not be adopted at this session of Congress, and in view of the further fact that an almost precisely similar joint resolution has been reported by the Committee on the Election of President, Vice President, and Representatives in Congress and is now on the calendar, the Chair thinks it proper to now refer Senate Joint Resolution No. 3 to the Committee on the Election of President, Vice President, and Representatives in Congress.

Then follows in the CONGRESSIONAL RECORD a colloquy of a friendly nature between the Speaker and several Members of the House in regard to the joint resolution. The opinion seems to be universal upon the part of Members of the House that the explanation of the Chair is perfectly satisfactory and makes an obscure thing perfectly plain. That opinion was expressed by one of the leading Members of the House.

But, Mr. President, I want to analyze the statement of the Speaker in connection with the admitted facts and the admitted record, and when I do it will be found that the Speaker by his explanation has placed himself in deeper water than he was in before he made the explanation. Observe that the Speaker said that the only reason why he kept the joint resolution on the Speaker's desk for about 10 days more than 10 months is because he was in hopes that a rule then pending would be reported from the Committee on Rules and adopted by the House under which he could have referred the joint resolution to the Committee on the Judiciary.

What are the facts? The joint resolution was placed on the Speaker's desk on the 8th day of June, 1929. The resolution which he said was pending before the Rules Committee, which would have changed the rule, was not introduced until the 14th day of November, 1929. Moreover, during that time Members of the House of Representatives had introduced various joint resolutions proposing to amend the Constitution of the United States. I have before me House Joint Resolution No. 25, introduced by Mr. BROWNE, of Wisconsin. It proposes an amendment to the Constitution very similar to the amendment proposed by the Senate joint resolution; in fact, I do not know but that it is identical. I have not examined it closely. At least it is a proposal to amend the Constitution along the same lines as the Senate joint resolution which the Speaker kept on his desk for more than 10 months. When was that introduced? April 15, 1929, and it was promptly referred by the Speaker to the Committee on the Election of President, Vice President, and Representatives in Congress.

On April 15, 1929, Mr. LAGUARDIA introduced a joint resolution proposing an amendment to the Constitution of the United States along the same lines as Senate Joint Resolution No. 3. It may be it is in identical terms; I have not examined it carefully. It seems to be in the same language. At any rate, it is a proposal to amend the Constitution of the United States. It was introduced on April 15, 1929, and on the same day the Speaker referred it to the Committee on the Election of President, Vice President, and Members in Congress.

Again, on June 13, 1929, Mr. LEA, of California, introduced House Joint Resolution 106, which proposed an amendment to the Constitution of the United States. On the same day the Speaker referred it to the Committee on the Election of President, Vice President, and Members in Congress.

Again, Mr. ROMJUE, on January 17, 1930, which was long after the Senate joint resolution had been reposing on the Speaker's desk, introduced a joint resolution, No. 216, proposing an amendment to the Constitution of the United States. On the same day of its introduction it was referred by the Speaker to the Committee on the Election of President, Vice President, and Representatives in Congress.

Again, on April 4, 1930, Mr. MAAS introduced a joint resolution proposing an amendment to the Constitution of the United States along the same lines. That resolution was referred by the Speaker on the 4th day of April, 1930, to the Committee on the Election of President, Vice President, and Members in Congress.

On the 4th day of April, 1930, Mr. GIFFORD introduced House Joint Resolution 292, and on that same day, the 4th day of April, 1930, the resolution was referred to the Committee on the Election of President, Vice President, and Members in Congress.

On the 2d day of April, 1930, Mr. CABLE introduced House Joint Resolution 286 and on the same day, April 2, 1930, the joint resolution was referred to the Committee on the Election of President, Vice President, and Members in Congress.

Mr. President, the Speaker, himself, said that a certain joint resolution had been reported by the very committee to which he has refused to refer the Senate joint resolution, and that resolution to amend the Constitution in the same way in which the Senate resolution undertook to amend it, he said, is on the calendar of the House. That was House Joint Resolution 292, introduced by Mr. GIFFORD, and I have already referred to it. Here is the Senate joint resolution lying on the Speaker's table, kept there by the arbitrary action of the Presiding Officer of the House——

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. And here on the 4th day of April comes the joint resolution introduced by Mr. GIFFORD, proposing along the same line an amendment to the Constitution, in exactly the same way but in different words, and he refers it promptly to the committee.

I yield to the Senator from Ohio.

Mr. FESS. I raise the question whether the Senator ought to use the term "arbitrary action of the Speaker," whether it is in accordance with the rule of the Senate.

Mr. NORRIS. Let us strike out the word "arbitrary." Suppose we say "the religious attitude of the Speaker." Will that suit the Senator from Ohio any better?

Mr. FESS. The Senator is anxious that no violation of the rule shall occur?

Mr. NORRIS. Oh, yes, I am; and I have noticed the Senator from Ohio sitting here with his eagle eye on me and I knew if there was an opportunity to correct me, if in any respect I might say something that tended to violate or did violate a parliamentary rule, he would be on his feet immediately.

I am just as anxious as he is to retain the good feeling between the two Houses, but does the Senator think, when that very feeling is alleged to be violated, that we can not refer to it? What would the Senator think and what would he say of the Vice President if he had kept on his desk for 10 months a House joint resolution and had not referred it to a committee, and in the meantime Senators had introduced joint resolutions on the same subject, some of them identical word for word, and those resolutions had been referred to a committee by the Vice President? Would he think that proper treatment of the House of Representatives on the part of the Vice President?

Mr. FESS. The Senator from Ohio would criticize the action of the Vice President, but I think that no House Member on the floor of the House would criticize the Vice President.

Mr. NORRIS. How would he ever be criticized? Suppose the House wanted to take advantage of that situation, what would they do about it? I can illustrate it very well to the Senator. In the constitutions of most of the States there is a provision that a wife shall not be a witness against her husband without his consent. That is considered necessary in modern civilization. But if the husband strikes his wife in the face with his fist and she applies for a divorce, then that provision would not apply. There is no other way to reach him. If she were the only witness and that provision applied universally, the husband could do anything he pleased and she never would dare tell it on account of the constitutional provision. It would be held that such a provision does not apply where the very gravamen of the offense is a thing that necessarily comes within the attitude and only within the attitude of those who are complaining. If we can not complain because a resolution of the Senate is not taken up in the House, if we must remain silent about it forever, we are helpless indeed, and we can not do anything about it.

Mr. FESS. The Senator recognizes that the rule of the Senate does not permit a Senator on the floor of the Senate to criticize what is said by a Congressman on the floor of the House nor the action of the House.

Mr. NORRIS. Will the Senator point out the rule? I would be obliged to him if he would read that rule to me. Can the Senator find it?

Mr. FESS. I think I am correct about it.

Mr. NORRIS. The Senator may be, but I would rather have him read the rule to me. If he can turn to it, I will yield to him to enable him to read it.

Mr. FESS. I will do it as quickly as I can find it.

Mr. NORRIS. The Senator will have some time to find it before he interrupts me for that purpose, because I am going to speak probably an hour or more.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Virginia?

Mr. NORRIS. Just let me get through with the Senator from Ohio first.

Mr. FESS. I think the Senator will agree that the action in referring to a committee a bill introduced is not the same as the action in referring to a committee a message from the other House. It is a very common thing to hold a message from the other House on the Speaker's or Vice President's table. I admit, as I said to the Senate the other day, that holding it indefinitely would seem to be a peculiar practice.

Mr. NORRIS. I am going to show this was an indefinite holding if the Senator will allow me to proceed. Nobody would criticize the Speaker or the Vice President if he held on the desk for a few days something where it was perfectly apparent that another measure from the other body was going to be brought out on the same subject and for which it could be substituted. But no one would think of doing it when there is no such similar measure pending. Nobody would think of doing so when there is no such resolution or bill anywhere in the vicinity. Nobody would think of doing so as an indefinite proposition.

Mr. FESS. I will read the rule to the Senator just as soon as I can find it.

Mr. NORRIS. All right. I yield now to the Senator from Virginia.

Mr. SWANSON. The only justification the Speaker could have for refusing to refer the joint resolution to a committee is the rule which used to exist in the other House when I was a Member, providing that where a bill had passed the Senate and a similar bill was on the calendar of the House, a Member could then move to take the Senate bill from the Speaker's desk and substitute it for the House measure and have it passed. That could be done if it did not provide for the appropriation of money; if it provided for the appropriation of money it was a different matter and came under a different rule.

Mr. NORRIS. Yes; I am familiar with that rule. The Speaker referred to it later on in the colloquy on the same day.

Mr. SWANSON. If the rule is now as it used to be, any friend of the measure of the Senator from Nebraska could, as a privileged matter—I have not read the rule recently—move to take up the resolution and substitute it for a similar House measure without reference to the committee; that is, that could be done if it did not propose to appropriate money. I can not see any excuse for not referring it, unless it was in the mind of the Speaker to ignore the Senate.

Mr. NORRIS. If the Senator will read what the Speaker said, if he will read the colloquy, he will find that the Speaker himself has answered his question. The rule of the House provides that if a joint resolution or bill comes over from the Senate at a time when a standing committee of the House has reported the same kind of a bill or resolution and the House measure is on the calendar, then the Senate measure may be substituted for the House measure thus reported by the House committee. However, in this case the Senate resolution was on the Speaker's desk more than 10 months prior to the time when the House committee reported their resolution. The Speaker calls attention to the fact that that substitution could not take place because the Senate resolution was there first, even if he had held it longer.

Mr. SWANSON. Mr. President——

Mr. NORRIS. I will ask the Senator to wait a moment. Let me, while we are on that point, show just what happened. The House committee reported to the House another joint resolution on the same subject 10 months after the Senate resolution had been laid on the Speaker's table. The next day, or within a day or two, anyway, after the House committee had reported another joint resolution the Speaker referred the Senate resolution to the committee. Even if the rule which the Senator has mentioned did apply, the Speaker by that maneuver sidetracked the Senate joint resolution. In other words, when the Senate joint resolution went over there, before it got to the committee, it went on the sidetrack; it stopped at the Speaker's desk. He unloaded it and kept it there. When the Committee on the Election of President, Vice President, and Representatives in Congress reported a House joint resolution on the same subject, it went on the calendar; and so no substitution could take place immediately. The Speaker loads up the Senate joint resolution which he has on the sidetrack, shoves it on to the committee, and thus it has passed the House joint resolution on the way. The Senate joint resolution is not on the Speaker's table now; it is before the committee. Under those circumstances there can be no such thing as a substitution.

Mr. SWANSON. I understand the Senate joint resolution was held up until a House joint resolution was reported for which the Senate measure could be substituted by a privileged motion, but as soon that that occurred, then the Senate joint resolution was sent to the committee.

Mr. NORRIS. That is true, excepting this correction must be made. Under the rules of the House, even if the Senate joint resolution had remained on the Speaker's table, the Speaker says—and I think he is right about it—that under the rules it could not have been substituted, because it was there first. The rules provide that where there is a House bill on the calendar and a similar bill comes over from the Senate, it can be held on the Speaker's desk and that a substitution can take place. In this case, however, the Senate joint resolution came first, 10 months previously, and lay there all that time, slumbering sweetly; but to avoid any possible controversy when the House joint resolution does come out of the committee, the Speaker loads up the Senate resolution, shoves it into the committee, and that is where it is now.

Mr. President, it may be said by some, but it is no defense, if the statement be analyzed, that the House did not appoint its committees as soon as the Congress convened in special session, as the Senate did. The House Committee on the Election of President, Vice President, and Representatives in Congress was appointed on December 12, 1929. The Committee on Rules of the House was appointed on April 16, 1929. This has not anything to do with the immediate question, but for fear some one will jump at this opportunity and say that at the time the Senate joint resolution went over to the House there was no



membership of the Committee on the Election of President, Vice President, and Representatives in Congress, I wish to suggest that that identical condition existed in every single instance where the Speaker did refer House joint resolutions proposing amendments to the Constitution to that committee. That committee was provided for by the rules, but it had not been appointed. Nevertheless, the Speaker in the case of other House joint resolutions referred them to that committee. As soon as it was appointed on December 12, 1929, the committee had all this work already before it, and it would have had the Senate resolution before it on December 29, 1929, if the Speaker had treated the Senate joint resolution the same as he treated the joint resolutions introduced by Members of the House.

I am about through, but I want to yield to the Senator from Ohio. He was going to read the rule.

Mr. FESS. Mr. President, on page 248 I find this statement——

Mr. NORRIS. That which appears on page 248 is not one of the rules. The Senator promised to read the rule.

Mr. FESS. This is from Jefferson's Manual, which is the basis of all our rules.

Mr. NORRIS. Yes; it is general parliamentary law; I am not disputing that, but I wanted the Senator to find the rule, which he said he would find.

Mr. FESS. I will find it in the precedents.

Mr. NORRIS. What the Senator may find in the precedents will not be an answer.

Mr. FESS. Let me refer to it.

Mr. NORRIS. No; I am not going to yield to the Senator to read general parliamentary law, because there is no dispute between the Senator and me as to that. I admit it; I am not contradicting it for a moment.

Mr. FESS. The Senator will not yield——

Mr. NORRIS. I will yield if the Senator will do what he promised to do, namely, read the rule of the Senate. I yield for that purpose but not for any other.

Mr. FESS. Will the Senator yield to permit me to read a precedent?

Mr. NORRIS. No; there is not any dispute about what the law is. The Senator made a promise; he said he would read the rule, and I said when he should find it I would yield so that he might read it. I should like to have it read now. Will the Senator read the rule?

Mr. FESS. Well, Mr. President, every precedent is based upon a rule.

Mr. NORRIS. That is a different proposition; I have not disputed the precedents; I presume I agree with the Senator fully as to the parliamentary law which governs this proposition; but I say to the Senator now that I knew when he said he would read the rule that he never could find it. There is no such rule, and that is the reason he could not find it.

Mr. FESS. But there are precedents.

Mr. NORRIS. Of course there are precedents; there are hundreds of them; but we were not talking about precedents. We were talking about the rules of the Senate, which the Senator was going to read, but he has not done it as yet——

Mr. FESS. Well, Mr. President——

Mr. NORRIS. I relieve the Senator from reading it, because, while he is very powerful and influential and able, it must be admitted in regard to the Senator from Ohio that he can not perform impossibilities.

The VICE PRESIDENT. The Senator from Ohio rose to a point of order. The Senator will state it.

Mr. FESS. The Senator from Ohio meant to state to the President of the Senate that he would wait until the Senator from Nebraska again reaches the point he reached a while ago, and then he would make a point of order and ask for a ruling of the Chair.

Mr. NORRIS. The Senator may make a point of order now if he wants to.

Mr. FESS. The Senator is not violating the rule now.

The VICE PRESIDENT. The Chair is willing to rule on the question. The Senate has not adopted Jefferson's Manual as a part of the rules of the Senate. It is left to the discretion of Senators as to what they may or may not say about the proceedings of the House in connection with the resolution under consideration.

Mr. FESS. That is not a rule.

The VICE PRESIDENT. The Chair makes that ruling now.

Mr. NORRIS. Mr. President, let me say in conclusion that in mentioning this matter here this morning I think I have done so courteously. I have not expressed my feelings and sentiments, because I realized that I could not do so within parliamentary limitations. I want to be courteous in the discussion, and I am going generally to be courteous about it; but I have called attention here to a condition which, if the Senator will throw aside his prejudice in favor of some of the leaders of the House and against me, a humble private in the rear ranks in the Senate, if he will wipe the cobweb from his eyes and look at the question fairly and squarely with the ability and the honesty the Senator can bring to his command, he must agree—there is no escape from it—is absolutely indefensible and intolerable. Now, we all know why it was done.

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. I have not said why it was done; I know why, I think; but I am not going to tell it.

Mr. FESS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. NORRIS. Yes.

Mr. FESS. The Senator knows that I voted for his resolution and supported it every time it came up.

Mr. NORRIS. Yes.

Mr. FESS. The Senator knows that I am in sympathy with what he is trying to do; the Senator knows that I have some sympathy with what he is saying, because I spoke to him about it the other day. The only difference between the Senator and me is that I, in this body, would not criticize the action of an officer of the House, and I thought the Senator was subject to being called down for doing so.

Mr. NORRIS. I do not want the Senator to get the idea that I am finding fault with his interruptions; I am not; I welcome them; I have no objection to them whatever. I do not think I have overstepped the bounds of parliamentary procedure or of good fellowship or of common honesty, but I am reading the record; I have called attention to the record, and I say that the record absolutely refutes the statement of the Speaker. That is a conclusion as to which some one may say I am wrong, but I do not believe that the Senator will say that. I do not believe anyone who will read the record, as I have narrated it here, will say that. So what are we going to do about it? Keep still and say nothing?

Mr. FESS. Will the Senator yield?

Mr. NORRIS. Yes.

Mr. FESS. Nothing the Senator from Nebraska has said disturbs me so much as what the Presiding Officer just now said, in that precedents do not have any force here, and that any Senator can use his own judgment as to what he will say or will not say about what procedure may take place in the House or what a Member of the House may say. I think that is the most unfortunate statement that has been made.

Mr. NORRIS. I think the Senator is wrong about that. The Senator is drifting away from the question, and he was trying to drift away from it. I am not surprised that he tried to do it when he realized he could not find the rule which he was sure he was going to find, and which I was sure he would not find. I never read such a rule in the rules of the Senate, and I was satisfied the Senator was mistaken. When I promised to yield if he would find the rule, and I asked him to find it and to read it, I was not laboring under any misapprehension; I knew it was not there. On the other hand, the Senator was perfectly honest in thinking that it was there without it being there. I will conduct myself just the same without it as I will with it, I will say to the Senator. I am not going to be a gentleman merely because the law says that I shall be one. I would be one anyway if the law was silent on the subject, as it is here. There is no rule about it.

Here is a case where, unless we can speak of and mention the situation in respectful language, such as I think I have tried to use, the result may be, if carried to its logical conclusion, that the House and the Senate will drift apart; they will have no respect for each other; we will refuse to consider their bills and they will refuse to consider ours; as the whereas of the resolution says, we will reach a condition where legislation of national importance will fail because of the feeling between the House and the Senate.

Mr. President, I have no other interest in it. The Senate has four or five times passed a joint resolution to amend the Constitution. It has been held up with one exception in the House each time. The committee has reported it every time except this once. With one exception, however, they have never been able to get recognition in the House of Representatives. Those things are true according to the record; and I think there is no violation of any rule when I mention them on the floor of the Senate or elsewhere, anywhere. It is proper for House Members to mention them on the floor of their House. There is not anything wrong about it.

If we can not say that our presiding officers are not doing their duty under the law and the rules of these bodies, then we are helpless, and the country is helpless; and there would rule

over the country two monarchs—one in the Senate and one in the House—holding up legislation at their sweet will, making impossible the enactment of matters of importance, as this is of the utmost importance, in my judgment, and in the judgment of millions of our people, more important than any other legislation than has been before Congress in the past 25 years. If we adopt this joint resolution, and it becomes a part of the Constitution, it means that a little machine controlling a great body of the people's representatives will be shorn of their power. It means that men who are defeated for election to the Senate and the House will not have the right to legislate after the people have condemned them, repudiated them, and after they have elected somebody to take their places.

This legislation means that in case there should be a failure of the election of a President and Vice President at a general election, the President and the Vice President should not be elected by a lame-duck Congress, should not be elected by men who have been repudiated at home in the very election in which the presidential election occurs.

If this joint resolution is enacted, it means that in that kind of a case the President would be elected by men in the House fresh from the people, and the Vice President would be elected by Senators fresh from the people. It means that men elected to carry out the wishes of the American people in a national way would go into office in January after they are elected in November, instead of waiting 13 months before they take up the duties of their office, instead of waiting until the House Member's term has almost expired before he takes the oath of office, unless there be a special session called by the President.

That is what this means. To say that that kind of a measure should be held by the Presiding Officer either of the Senate or of the House for 10 months and 10 days after it has passed the other body without referring it to a committee is simply to say that if we have that kind of legislation the democracy is over; the Republic is gone; tyranny reigns supreme; and we have a tyrant, whatever he may be called, holding up the legislation of 120,000,000 people.

Mr. GILLETT. Mr. President, I only came onto the floor a few minutes ago, but I can not agree with the attitude taken by the Senator from Nebraska [Mr. NORRIS] as to the course which we ought to pursue with reference to the actions of the House.

Each House is exceedingly jealous of interference by the other House with its methods of business or with its officials. Hundreds of bills have come over to the Senate from the House that have been pigeonholed and buried in committees of the Senate; but we would consider it an impertinence and an interference if the House should criticize us for it. I have no doubt there will be hundreds more that will be buried in the same way. The House has no right to object if we consider that that is our duty, and we have no right to object if they follow out their own methods of doing business and acting on our bills.

The Senator talks about tyranny. There are just as able men in the House who are just as earnestly in favor of this joint resolution of the Senator's as he is. Perhaps they have not the same personal pride of authorship; but they earnestly and impartially desire the passage of that joint resolution, and they can be depended upon to do whatever is wisest to bring that resolution to consideration without any action on the part of the Senate. I think myself that action such as the Senator has proposed by a resolution, because the House does not pass something which we have sent over to it, is apt to defeat its own purpose.

Mr. NORRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. GILLETT. Certainly.

Mr. NORRIS. I have not introduced any resolution because the House has not passed the joint resolution. If the Senator will read this resolution, he will find that I have introduced it because the Speaker for 10 months has held the Senate joint resolution on the desk.

Mr. GILLETT. Exactly.

Mr. NORRIS. That is an entirely different proposition. They have a right to defeat the joint resolution on the floor; they have a right to defeat it in the committee; but if the House had passed a joint resolution, and the Vice President should hold it on his desk for 10 months, would the Senator say that that was right? Would that be treating the House right?

Mr. GILLETT. I am not either advocating or condemning the action of the Speaker; but what I am asserting is that it is their business and not ours; and if the Vice President should hold something on his desk I think Senators would say it is none of the business of the House, but it is our business. Particularly is that true when we know, as we do in this case, that there are plenty of men in the House who have at heart the very same purpose that the Senator from Nebraska has about this joint resolution. They know what is the best way to bring about its enactment; and I think we can trust them, without the Senate interfering and thereby very possibly exciting the prejudices and animosities of the House, and coupling that feeling with the opposition which there is, apparently, on the part of a minority of the House.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Virginia?

Mr. GILLETT. Certainly.

Mr. SWANSON. I should like to have the Senator address his remarks to this situation:

The Senator from Nebraska states that over half a dozen Members of the House have introduced similar joint resolutions, and they were referred to a committee by the Speaker. The Senate has passed a joint resolution, passed it overwhelmingly, and under the Constitution that sends it to the House for consideration. If the House passes a joint resolution, it is sent here for consideration. The judgment of each body is taken on a proposition passed by the other. All that the Senator from Nebraska has contended for, as I understand, is that a joint resolution of the Senate, sent to the House under the Constitution with a vote of four-fifths of the Senate, shall receive the consideration required under the rules of the House.

Individual Members have had joint resolutions immediately referred to the committee. This joint resolution was sent there, held 10 months, and then, as soon as a joint resolution was reported, so the Senator from Nebraska states, when possibly it would be in order—and I differ with the Speaker of the House that it would not be in order; I think if they are contemporaneously on the calendar they are entitled to substitution, and that it is not a question of which one got there one minute ahead of the other, if they are contemporaneously there——

Mr. GILLETT. The Senator is mistaken in that, I think. That is the rule of the House.

Mr. SWANSON. It is the rule of the House; but I have served in the House, and I believe the spirit of the rule is that if joint resolutions of the same character are contemporaneously there, and they do not appropriate money, it is in order to move to take one of them from the Speaker's desk and substitute it for another.

Mr. GILLETT. I think the Senator is mistaken in that.

Mr. SWANSON. However, I will not discuss that. Here is a case in which the Speaker for 10 months refused to permit the organized committee of the House even to receive a joint resolution passed by the Senate. Now, what ought we to do—quietly submit? Suppose that should be acquiesced in, and they should say, "We will not consider anything of a certain character sent by the House"; what would the Senator recommend us to do?

Mr. GILLETT. I should say that the Senator is suggesting something that is inconceivable.

Mr. NORRIS. Mr. President, it is right here now—right before us.

Mr. GILLETT. The Senator is mistaken in saying that it is right here now. I venture to say that that joint resolution will be considered, and that it would have been considered quite as quickly if the Senator from Nebraska had not introduced his resolution.

Mr. SWANSON. All right. I will ask the Senator to consider this phase of the matter:

The Constitution requires that we shall pass our judgment on a joint resolution or a bill passed by the House. The concurrence of the two judgments is the spirit of the Constitution, and one has no right to ignore the other. Each one has the right of initiation. Now, if a condition should arise——

Mr. GILLETT. I will take the floor for a moment now.

The VICE PRESIDENT. The Senator declines to yield further.

Mr. GILLETT. The Senator from Virginia is mistaken about that, because the Senate, as I suggest, very frequently takes bills that come over from the House and just buries them in the committee, never reports them out, does not take any action about them; and we have a right to do it.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. GILLETT. I do not yield just at present.

Mr. SWANSON. I should like to ask the Senator a question right on that point.

Mr. GILLETT. Very well; I yield.

Mr. SWANSON. We have sent a measure under the rules of the Senate to an agency of the Senate to pass on it, which in its judgment was against it. Under the rules of the Senate any Senator could move to discharge the committee; but what could a man do in the House in regard to this joint resolution? He could not move to discharge the committee from its consideration because it is not in the hands of a committee. He could not

have it taken from the Speaker's desk, because he would not be recognized. I should like to know what process the Senator would suggest if a condition like that arose and was continued as this has been continued.

Mr. GILLETT. I would suggest the same process which has already been followed in the House, and always will be, and a process which the Senate will interfere with rather than promote by adopting such a resolution as the Senator from Nebraska has brought in—by leaving the Members of the House to attend to their own business and to determine the best way to bring up the matter; and they will do it a great deal quicker than the Senate can do it.

I think, with all respect, that the resolution of the Senator from Nebraska was very unwise. Suppose it had been adopted. What would have been the result? We would have appointed a committee. Suppose that committee had gone over and interviewed a committee of the House or the Speaker of the House. They would, of course, have been received politely and courteously, and they undoubtedly would have been politely and courteously told that the House was able to attend to its own business, and that when they wished the advice of a committee of the Senate they would notify them; and the Senate would be snubbed and would be made ridiculous by the House.

My theory is that each House should attend to its own business, and that Senators are interfering with the very object they have in view if they try by resolution in this method to induce the House to do something that it does not want to do. The House in due time will attend to its own business; and the men in the House who are in thorough sympathy with the Senator, who want this joint resolution passed, are, in my opinion, better judges and can be better trusted to carry out the purposes of the House than we can over here.

Mr. SWANSON. Mr. President——

Mr. GILLETT. I yield to the Senator from Virginia.

Mr. SWANSON. I remember that at one time when I was chairman of the Committee on Public Buildings and Grounds the House committee had a very arbitrary chairman. He said he would not consider any bill sent over by the Senate making appropriations of money for public buildings; and we had some such bills over here. I promptly gave out an interview that I would not call my committee together to consider any bill that they passed. If we had not done that, we never would have gotten any legislation except what they initiated. The judgment of the Senate was ignored.

Mr. GILLETT. I think that was much wiser than it would have been to appoint a committee to go over and suggest that they should legislate.

I am not arguing the merits of the matter at all, as the Senator did. I am simply saying that in my opinion it is much wiser to let each body attend to its own affairs and parliamentary methods and not interfere with the business of the other. In that way not only will accord and harmony be better promoted, but the very object the Senator has in mind will be more quickly advanced.

Mr. NORRIS. Mr. President, let us follow the Senator from Massachusetts. Assume, now, that we are in earnest when we pass this joint resolution to amend the Constitution. We mean what we say. Assume that the House of Representatives, as the Senator says, feel the same way. They are in earnest. Now, let us see.

Mr. GILLETT. I did not say the House was in earnest about it. I said there are plenty of Members of the House who are. The joint resolution was defeated in the House the last time it came up.

Mr. NORRIS. I know it was, and it would be an interesting thing to tell the story of its defeat; but I am afraid I should be called to order for violating the parliamentary rules if I told what I believe to be the truth as to the method by which it was defeated.

Mr. President, let us just follow the Senator from Massachusetts, the great statesman from New England. He is telling us how to act: "You attend to your business, and let them attend to theirs."

Let us assume we believe in what we are doing, that we are not a lot of crooks, that we are in earnest about this. We have passed this joint resolution to amend the Constitution. We want to see it amended. The House feels the same way. We pass our resolution and it goes to the House, and the Speaker keeps it 10 months and then refers it to a committee, after the committee has reported a joint resolution of a similar nature, introduced by a Member of the House.

Let us assume that the House, carrying out its constitutional prerogatives, passes the House resolution and it comes over here. It has missed the Senate resolution. It has been on that sidetrack of the Speaker's desk, and it is over there with nobody doing anything with it, and theirs is over here.

Now, the Senator certainly will give to the Vice President the same discretion, the same power, and attribute to him the same statesmanship, if we want to call it that, in holding up a resolution for 10 months, which he wants to concede to the Speaker. So the House pass their resolution and send it over here, and we pass ours and send it over there. In what position are we? When are we ever going to get together?

Let us assume that the resolutions are identical in form, word for word. We have not accomplished anything. Yes; we have accomplished one thing; we have followed the ideas of the Senator from Massachusetts, and they have run us into the ditch. There is no escape from it, there is no way to get away from it. Their resolution comes over here and we keep it on the Vice President's desk 10 months. At the end of 10 months the Vice President refers it to the Committee on the Judiciary. What have we done?

Let us assume that both Houses are honest, and that Congress wants the very thing we are passing. We pass it here and send it to the House, they sidetrack it and will not consider it. They pass a joint resolution introduced by a Member of the House and send it over here, and we will not consider it. Where are we?

Mr. President, it does not require an expert parliamentarian to see that we never could pass a law in the world if we followed that precedent. We would never do a single thing. We would run into a blind alley every time.

Mr. President, we commit a sin when we call attention to it. Yet the Senator must admit that if we do the same thing that he wants permitted in the House, without anybody saying a word about it, we never could legislate, we could not pass an appropriation bill, we could not pass a single thing that required the concurrence of both the House and the Senate, and the country would be practically dissolved, the Government would be worse than no Government. That is what I want to have avoided by calling attention to it, to see if we can not, before we get too far, steer clear of that kind of a condition.

We have the same right to hold up bills from the House that they have to hold up ours, and taking this identical case, for instance, what would it mean? It would accomplish the defeat of the joint resolution. That is what the political machine wants, and, practically speaking, with a very few exceptions, nobody but the political machine does want it.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. SWANSON. I simply want to correct the Senator in connection with the rule of the Senate. As I understand the rule of the Senate, when a matter is on the table any Senator can demand that it be laid before the Senate, and if that is refused, he can move that it be laid before the Senate. I do not know whether that is the rule in the House or not.

Mr. NORRIS. No; that is not the rule in the House. I was not saying that that could happen here. I was saying that the Senator from Massachusetts certainly would claim for his own body the same courtesy he demands for the House, so we could do what the House has done, if we followed his theory.

Mr. SWANSON. A reference to the rules of the Senate shows that what is done in the House can not be done in the Senate. The Vice President could not suppress a bill from the House which came over here. When it got on the desk, any Senator, as I understand the rule, could demand that it be laid before the Senate, either referred to committee or disposed of by the Senate. What we object to is the House allowing suppression and tyranny.

Mr. NORRIS. Mr. President, I suppose, anyway, under any circumstances, this resolution is going to the calendar, and I am taking up most of the time myself. But I feel justified in doing it, because I think if we can call the real facts to the attention of the Members of the Senate, and of the House, as well, we will steer clear of a dangerous snag we are going to run into. The House can not treat the Senate that way without expecting similar treatment, or some other kind of treatment that would be just as bad, on the part of the Senate. We are justified in acting the same way they act. It is no defense to say that bills are killed in committee. Everybody realizes that that is true. But if our Secretary, in this particular case, who was directed by the Presiding Officer then presiding over the Senate, to report the action of the Senate on this joint resolution, suppose instead of reporting it he had stuck it in his pocket and never reported it. Suppose he had gotten inside the House, on the floor, and had given it to the Sergeant at Arms of the House, and that official had stuck it in his pocket. It would be all over with, according to the Senator's theory. We would be helpless, could not do anything. The same could be done with every other resolution and every other bill we pass. Unless we are going to have these bills and joint resolutions referred to committees, as the rules both of the House and the Sen-

ate provide shall be done, we are helpless unless we speak out our sentiments, call attention to the fact that what was actually done in this case will mean no legislation if carried to its logical conclusion. No bill, no resolution, would ever get to the President of the United States for his signature if we followed that procedure. There is no escape from that. They keep a Senate measure 10 months, and then send it to a committee, and we keep a House measure 10 months and send it to a committee, even that 20 months will represent more time than has been covered by any session so far held. It means ruin, it means absolute ruin, there is no escape from it. There is no way out.

We know that anything to become a law must pass the House and the Senate both, and it must be either the Senate bill or the House bill, or the Senate joint resolution or the House joint resolution. The House can not pass a House bill, and the Senate pass a Senate bill, even though they are identical in words, and make a law of them. If that were done, which one would be sent to the President for his signature? He must know, he must have the proper certificate, that the identical bill which he is called upon to sign or veto has passed both the House and the Senate, and until that is certified to him he does not touch it. So that after all this would mean, even though it were rectified afterwards, a discourtesy of one body to the other. It means legislative catastrophe and ruin.

Mr. GILLETT. Mr. President, it seems to me the Senator from Nebraska is inventing ruin and blind alleys and impossibilities which exist simply in his own imagination. It is perfectly obvious how the difficulty he suggests would be remedied.

The House joint resolution, I understand, has been reported out by the committee. If, as the Senator says, the House is earnestly in favor of this joint resolution, this is what will certainly be done: They will substitute the Senate joint resolution for the House joint resolution and proceed to its consideration, as is done constantly.

Mr. NORRIS. How can they, when it is not before the House? It is not there. It is before the committee.

Mr. GILLETT. It has been referred to the committee, I understand.

Mr. NORRIS. Yes.

Mr. GILLETT. The practice of substituting a Senate bill for a House bill, and over here substituting a House bill for a Senate bill, is constantly followed. In that way the difficulty which the Senator imagines will easily be avoided, and such a difficulty is constantly avoided in the practical conduct of the two branches of Congress.

Mr. NORRIS. The Senator mentions a practice which is common, of substituting one bill for another, but in order to substitute a bill it must be before the body which does the substituting. A bill can not be substituted when it is in the jurisdiction of a committee.

Mr. GILLETT. No; but the committee can report it out.

Mr. NORRIS. Of course it can.

Mr. GILLETT. Exactly, and it will, if it is favorable.

Mr. NORRIS. It may be that, after all, the talk and publicity that will come to this matter, as I hope, will result in the joint resolution being reported out.

Mr. GILLETT. In my opinion it would be reported out any way. That would be the very natural and obvious progress of the measure, what is done day after day and week after week, so it is part of the natural parliamentary process of each House.

Mr. NORRIS. Mr. President, I would like to ask the Senator a question.

Mr. GILLETT. Certainly.

Mr. NORRIS. I wish the Senator would throw aside his prejudice, now——

Mr. GILLETT. I hope I am not prejudiced in the matter.

Mr. NORRIS. Does the Senator think the Speaker did right in holding this joint resolution 10 months, while he was referring House bills to the same committee to which he finally referred it?

Mr. GILLETT. I do not defend that practice. The Senator has only just showed me what the Speaker said, and that was the first knowledge I had about it. He said he understood there would be a new rule under which all those reports were to be sent to the Judiciary Committee.

Mr. NORRIS. If he did that, why did he not hold up the House bills just the same?

Mr. GILLETT. I do not know.

Mr. NORRIS. Of course the Senator does not know, and nobody else knows.

Mr. GILLETT. I am neither criticizing nor defending. It is the sentiment of his own House which will influence the Speaker, and not ours. All I say is that the wisest plan is to leave it to the Members of the House, who are just as earnest as is the Senator, and for us not to expose ourselves to the possibility of being snubbed by the House. And it would interfere with the progress of the Senator's resolution, which I think the House committee would naturally report out, as they do constantly, although they may have first reported measures originating in the House. They would report it out and substitute it, and in that way it will come over, just as is always done.

This "impossibility" and "ruin" about which the Senator speaks it seems to me is just a bugaboo of his imagination.

Mr. BLEASE. Mr. President, I do not care to discuss this resolution, but I hope that the chairmen of some of the committees of the Senate will read the speech of the Senator from Nebraska and strike out the word "Speaker" wherever it appears and substitute the word "chairman." I think we had better clean up before our own doors before we go to criticizing the House. There are bills pending in committees of the Senate which have been before them since almost the first day of this session. I think that the chairmen of the committees who are holding the bills to which I have referred and have been holding them for a long time, notwithstanding the fact that they have received letters asking that hearings be had on them or that some disposition be made of them, should take to heart some of the remarks which the Senator from Nebraska has made in reference to the action of the Speaker of the House in regard to his joint resolution.

SALE OF SONGS BY RADIO

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial appearing in the New York Times of Friday, April 18, 1930, entitled "The Maine Stein Song," which is an editorial showing how the radio has been able to take a song of which a copy has not been sold in many years and cause the sale of 250,000 copies in two weeks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MAINE STEIN SONG

Most of the facts necessary to clear up the mystery of the latest song to sweep the country are now available. They make a curious story, with an oddly scientific modern moral. People have been hearing this rousing march with its lively, amusing words every time they hear a program of popular music lately. It is apparently included in every dance orchestra repertory, and you can not go into a restaurant where music is supplied or turn on your radio without being caught by its dashing swing. The mysterious thing about it has been its lack of connection with any of the usual backgrounds for popular songs. It is not a theme song, and no musical comedy, revue, or talking picture has featured it, simply through being played persistently everywhere it has become the best-known tune on the air to-day, and it has all happened within a few weeks and for no obvious reason.

A week or so ago the Portland Press-Herald revealed the origin of the song, though no explanation of its sudden rally was given. In 1902 Prof. A. W. Sprague, of the music department of the University of Maine, adapted a march, Opie, composed by Bandmaster Fenstad, of the United States Army, for the use of students. Lincoln R. Colcord, of the class of 1904, wrote the words. The university band played the tune often, and it became popular locally. It was much used again when the Second Maine Infantry, of the State National Guard, went to the Mexican border in 1916. When this company became the One hundred and third Infantry of the Twenty-sixth Division and went to France, its band was still composed largely of former Maine University students, and in its first engagement the bandsmen were called on to act as stretcher bearers at Belleau Wood. Several of them were killed, many were injured, and after that the Maine Stein Song became sacred to the veterans of the old One hundred and third. Naturally the new One hundred and third has adopted it as its regimental march, and it will certainly be heard often when the Maine outfit goes to Camp Devens this year.

What the Portland newspaper apparently did not know is why the song has suddenly swept into nation-wide popularity. A reporter for Variety gives us the rest of the story. The National Broadcasting Co. wanted to test a theory "that radio as a song plugger tops all other mediums." It had acquired the entire files of Carl Fisher when that concern was merged with Feist's into the Radio Music Corporation. Search of the old catalogues revealed this song, of which not a copy had been sold for 20 years. A modern orchestration was made, and the first "plugging" was assigned to Rudy Vallee. Constant repetition by every station from coast to coast has produced the desired effect. Radio authorities suspected that broadcasting was more effective than any other method of popularising a tune. Now they know it. The sales for the past two weeks reached 250,000 copies.

RADIO MERGER

Mr. DILL. Mr. President, I ask permission to have printed in the RECORD an article giving details of the deal between the Westinghouse Co., the General Electric Co., and the Radio Corporation of America, as printed in the Herald Tribune of April

18; also an article in the New York Times of April 18 explaining how the products of the General Electric, the Westinghouse, and the Radio Corporation will be marketed.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald-Tribune, April 18, 1930]

DEAL ASSURES ELECTRIC CONTROL OF RADIO CORPORATION—FIFTY-ONE PER CENT OF VOTING STOCK PROVIDED BY PLAN; WESTINGHOUSE'S POSITION STRONGER—SWOPE INTERPRETS CHANGES—SEES NOTHING NEW AS BASIS FOR FEDERAL INVESTIGATION

By virtue of holding more than 51 per cent of the voting stock of the Radio Corporation of America, the General Electric Co. and the Westinghouse Electric Co. will have undisputed control of the corporation under the agreement made to turn over to these two companies 6,580,375 new common shares of radio in exchange for radio plants and patents now owned by General Electric and Westinghouse.

Although the radio business, patents, and licenses now involved will be concentrated in the same group as before, Westinghouse emerges in a much more prominent position in the affairs of Radio Corporation than before. The company was formed in 1919 largely through the efforts of General Electric and American Telephone & Telegraph, and General Electric has been the largest stockholder in the company.

COMMON STOCK DOUBLED

Westinghouse will receive 2,632,150 shares of new radio stock, or 40 per cent, and General Electric will receive 3,948,225, or 60 per cent. The new common, all of which will go to these two companies, will double the amount of common stock outstanding, leaving 13,160,750 common shares outstanding of 15,000,000 authorized, with General Electric and Westinghouse holding 8,020,905 common shares by reason of holdings of the old common stock. The companies will therefore hold jointly 60 per cent of the common voting stock.

The company's A preferred, however, has a voting power of 10 votes a share, against 1 vote a share of the common. The company has 395,597 A preferred shares outstanding, of $50 par value, which creates 3,955,970 additional votes, or 17,116,720 votes in all.

With their holdings of common stock alone General Electric and Westinghouse would fall a little short of having full control of Radio Corporation, but would have complete working control. Adding their holdings of preferred stock, however, the companies have actual control of the corporation. General Electric holds 27,080 preferred A shares and Westinghouse holds 50,000 of the A shares, giving the companies 770,808 votes from the preferred stock, or 8,791,713 votes in all, which is a little more than a half of the 17,583,426 outstanding votes. Preferred B stock issued in connection with the deal has no voting power.

DETAILS OF DEAL ARISE

Several points as to the financial details of the transaction, which brings Westinghouse and General Electric's ownership of Radio voting stock up from 20.5 per cent to a little more than 51 per cent, arose yesterday. Inasmuch as properties "substantially equal" in value to Radio's properties are being transferred to Radio in exchange for stock having a market value of about $475,000,000, it is presumed that the properties being turned over to Radio are worth in the neighborhood of $158,679,883, as this was the figure for total assets of Radio as of December 31, 1929.

Because the stock being received by Westinghouse and Radio is not on a dividend basis and the companies are transferring income-producing properties to Radio in exchange, it was pointed out that the companies probably deem the compensation adequate, as the market value of the stock, predicated on the future of Radio, is greater than the indicated value of properties being turned over to Radio. In compensation for holding nondividend paying stock which will not yet contribute to the earnings of the two companies, Westinghouse and General Electric will hold a controlling interest valued in the open market at more than the total assets of the Radio Corporation after it takes over the Westinghouse and General Electric radio properties.

The properties acquired by Radio through the deal will have the effect of greatly increasing gross and net incomes of the company, which has previously purchased its product on a cost-plus basis from Westinghouse and General Electric, both of which held exclusive contracts on a 40-60 basis to manufacture equipment for Radio Corporation.

Radio common stock closed yesterday at 62⅝, up 3¼. The closing quotation compares with the recent high of 62⅞. General Electric closed at 93, up 2⅛, and Westinghouse closed at 198⅛, up ⅝.

SWOPE INTERPRETS DEAL

ST. LOUIS, April 17 (A. P.).—Acquisition by the Radio Corporation of America of the radio manufacturing, engineering, and licensing activities of the General Electric Co. and the Westinghouse Electric was described here to-day by Gerard Swope, president of General Electric, as the final step in a plan to consolidate the engineering, manufacturing, and selling departments of the radio business into one corporation.

"I do not see that there is anything particularly new to investigate," he said, in commenting on the possibility of an inquiry by the Department of Justice into the deal by which General Electric and Westinghouse Electric acquire large blocks of stock in Radio Corporation of America.

"The community of interests between the two electrical corporations has existed for several years, and the Department of Justice has been fully informed about it," he said. "The situation has not changed in principle, though the degree of interest has been increased. General Electric had some 20 per cent of Radio Corporation of America stock; it now has thirty to thirty-five odd per cent.

"None of us knows what Congress or the agencies of the Government will decide to do, but I do not see that there is anything particularly new to investigate."

Mr. Swope denied in an address here to-day that he had authorized any statement that the company plans to build a plant in St. Louis involving expenditure of $75,000,000. He said the company had no immediate plans for a 155-acre tract of land it has held here for many years, but it intended ultimately to have a major plant in St. Louis.

The statement was made at a chamber of commerce luncheon, during which Mr. Swope talked of general business conditions in an optimistic tone. He said a good barometer of better conditions was an increased use of electric current so far this year over 1929 throughout the country.

[From the New York Times, April 18, 1930]

TO MARKET RADIO CORPORATION OF AMERICA WARES—GENERAL ELECTRIC AND WESTINGHOUSE WILL REVERSE ACTIVITIES

Following the sale of their radio manufacturing factories, licenses, and equipment to the Radio Corporation of America, the General Electric and Westinghouse Electric & Manufacturing Cos. will engage in the marketing through their distributing systems of radio receiving sets and tubes manufactured by Radio Corporation of America, thus reversing the rôles that have existed for the past decade, it was learned yesterday.

The radio sets so distributed will be sold under the trade names of Westinghouse and General Electric, it is understood, and Radio Corporation of America will receive royalties therefrom.

Reports that the two electric companies would realize on the sale of their radio manufacturing activities by selling the shares received from Radio Corporation to their stockholders, through rights, were declared in well-informed quarters to be unfounded. Both companies have at present the intention of retaining their entire holdings in the Radio Corporation, present and future, it was said.

This indicates the expectation of the electric companies that earnings of the Radio Corporation within the next year or two will be sufficient to pay dividends on Radio Corporation of America common stock which will insure revenues greater than or equal to those derived by these companies from the sale of radio apparatus to Radio Corporation of America at cost plus 20 per cent.

By the elimination of these manufacturing profits and the concentration of radio manufacturing and research in the hands of the Radio Corporation itself, lower prices of radio sets are expected to be made possible, while increased sales are relied upon to provide for the initiation of dividends on Radio common stock. There is at present no intimation as to how soon common dividends may be paid, inasmuch as the merchandising year for radio sets begins on July 1.

The Radio Corporation has been operating its two manufacturing divisions, Radio Corporation of America-Victor Corporation and Radio Corporation of America-Radiotron Corporation, since the beginning of the year, with engineers and skilled machinists formerly employed by the two electric companies. The arrangement to be submitted to the stockholders on May 6 merely provides for the financing of this change.

Upon the approval of Radio Corporation stockholders for the delivery of 6,580,375 shares to the two electric companies in exchange for their factories, equipment, and other assets employed in making radio receiving sets and tubes, new contracts will be drawn up by General Electric and Westinghouse to replace the old contracts entered into with the Radio Corporation upon its formation after the war.

The new contracts, to be made separately by the two electric companies, will determine all future relationships between the electric companies and the Radio Corporation. The termination of the old contracts will, in effect, mean the withdrawal of the General Electric and Westinghouse companies from the radio patent pool, formed, it was said yesterday, on account of certain political considerations affecting American leadership in radio.

Although together General Electric and Westinghouse will have a majority of votes in the Radio Corporation following consummation of the plan, officials of the two companies said yesterday that they are competitors in the electrical business and, after the deal is consummated, will cease to be partners in the radio business.

An earlier move to bring out the radio patent pool to a close, it was said, was impossible on account of the fact that the Radio Corporation had not grown sufficiently to become an independently operated organization. Acquisition of Victor manufacturing activities a year ago provided the means through which Radio Corporation activities could be completed and centralized, it was explained.

RESTRICTION OF IMMIGRATION

The PRESIDING OFFICER (Mr. JONES in the chair). The hour of 2 o'clock having arrived, the resolution of the Senator from Nebraska will go to the calendar, and the Chair lays before the Senate the unfinished business, which is Senate bill 51.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants, born in countries of the Western Hemisphere, to the quota under the immigration laws.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Jones	Robsion, Ky.
Ashurst	George	Kendrick	Shipstead
Barkley	Gillett	Keyes	Shortridge
Bingham	Glass	La Follette	Simmons
Black	Goff	McCulloch	Smoot
Blaine	Goldsborough	McKellar	Steck
Blease	Gould	McNary	Steiwer
Borah	Greene	Metcalf	Stephens
Brock	Hale	Norbeck	Swanson
Brookhart	Harris	Norris	Thomas, Idaho
Broussard	Harrison	Nye	Trammell
Capper	Hastings	Oddie	Tydings
Caraway	Hatfield	Overman	Vandenberg
Copeland	Hawes	Patterson	Walsh, Mass.
Couzens	Hayden	Phipps	Walsh, Mont.
Dale	Hebert	Pine	Waterman
Deneen	Heflin	Pittman	Watson
Dill	Howell	Ransdell	Wheeler
Fess	Johnson	Robinson, Ind.	

Mr. WALSH of Montana. I wish to announce that the Senator from Oklahoma [Mr. THOMAS] is necessarily absent on official business.

The PRESIDING OFFICER. Seventy-five Senators have answered to their names. A quorum is present.

Mr. JOHNSON. Mr. President, I rise to inquire what is the pending amendment.

The PRESIDING OFFICER. The clerk will report the pending amendment.

The LEGISLATIVE CLERK. The Senator from Georgia [Mr. HARRIS] proposes the following amendment to the amendment of the Senator from South Dakota [Mr. NORBECK]: On page 2, line 1, strike out "1½" and insert "one-half of 1."

Mr. JOHNSON. In order that we may understand exactly what is pending, the amendment presented was the amendment of the Senator from South Dakota [Mr. NORBECK] whereby the quota provision is reduced to 1½ per cent and whereby, as well, the so-called national-origins provision is repealed. Then to that amendment presented by the Senator from South Dakota, as I understand it now, is the amendment of the Senator from Georgia [Mr. HARRIS] by which he adopts the percentage of quotas, 1½ per cent, but eliminates from the amendment of the Senator from South Dakota the repeal of the national-origins clause. Am I accurate in that statement?

Mr. HARRIS. Mr. President, under the amendment of the Senator from South Dakota we would do away with the national-origins provision and put immigrants under the quota of 1½ per cent, which would mean 120,000 people coming in during the year. I have proposed to amend that so as to make it one-half of 1 per cent. Under my amendment there would be only 40,000 permitted to come in during the year, or 80,000 less than the number proposed by the Senator from South Dakota. With several million unemployed in this country, what excuse have we for allowing the foreigners to come in in such great numbers?

Mr. JOHNSON. I was not seeking to argue the merits of the amendment but to get before us accurately what it is.

Mr. HARRIS. I thank the Senator.

Mr. JOHNSON. I think it is thoroughly understood that the amendment pending is the amendment of the Senator from Georgia fixing the quota provision at one-half of 1 per cent.

Mr. HARRIS. That is correct.

Mr. JOHNSON. Which would permit possibly 40,000 people to come in from all countries.

Mr. HARRIS. From all countries except Mexico.

Mr. JOHNSON. And the Senator from Georgia proposes to eliminate the remaining provision of the amendment of the Senator from South Dakota, which provides for the repeal of the national-origins provision.

Mr. HARRIS. Yes.

The PRESIDING OFFICER. The Chair will state that the amendment of the Senator from Georgia does not affect the national-origins provision of 1½ per cent at all.

Mr. JOHNSON. It does not touch the national-origins provision?

Mr. HARRIS. It does not.

Mr. WALSH of Massachusetts. In other words, the amendment of the Senator from Georgia provides for one-half of the present immigration under the present law. It provides for a reduction in immigration to one-half and provides that the quota shall be based upon the present law.

Mr. HARRIS. It reduces the number from 150,000 to 40,000. The amendment of the Senator from South Dakota reduces it from 150,000 to 120,000. His reduction is to 120,000, and my proposed reduction is to 40,000.

Mr. WALSH of Massachusetts. But the quotas are to be based upon the existing law?

Mr. HARRIS. Yes; upon existing law.

Mr. WALSH of Montana. Mr. President, am I to understand the Senator to say that the present law admits 150,000?

Mr. HARRIS. The national-origins provision in the present law admits 150,000. The Senator from South Dakota [Mr. NORBECK] wishes to change that and make it 1½ per cent instead of 2 per cent under the quota. Two per cent would be 162,000. The amendment of the Senator from South Dakota provides for 1½ per cent, which would admit about 120,000. My amendment would reduce it to one-half of 1 per cent, or about 40,000.

Mr. FESS. The present law is 2 per cent, and the Senator proposes to make it one-half of 1 per cent?

Mr. HARRIS. The present law is not quite 2 per cent. Two per cent would be 162,000. The national-origins provision is only 150,000 admitted now, and the Senator from South Dakota wants to reduce that to 120,000, while I want to reduce it to 40,000. I do not believe there is any excuse in allowing 80,000 more people to come into the country when there are several millions of people in the country to-day without jobs.

COMMENTS ON RASKOB-MELLON COMBINATION

Mr. BROOKHART. Mr. President, a few days ago I called attention to the Raskob-Mellon combination which is conspiring to nominate and elect wet Republicans and wet Democrats to the Congress of the United States. I have some confirmation upon this attempt in the State of Montana. There is a collector of internal revenue in that State, Mr. C. A. Rassmussen, who met with other wet Republicans in Montana in violation of the primary laws of the State, and voted to indorse Mr. A. J. Galen, a wringing wet Republican, for United States Senator.

It should also be noted that one Charles L. Sheridan, collector of customs in Montana, who is also under the Treasury Department, added his indorsement to this wet Republican. Likewise Mr. Joseph M. Dixon, Assistant Secretary of the Interior, indorsed this wet candidate.

The resolution which was passed indorsing Mr. Galen, read as follows:

Be it further resolved, That we do hereby unanimously indorse him—

Referring to Mr. Galen—

as candidate of the Republican Party of the State of Montana for the office of United States Senator, and pledge him our cordial and wholehearted support for the coming election.

Of course, these Republicans were not drafting Mr. Galen, as the Great Falls Tribune headlines would have the people believe. He was drafted in New York and at a meeting in Washington before the committee meeting was held in Montana. I have here a letter from a man who also knows about the committee meeting, in which he said:

The preliminary meeting, in fact the meeting, was held on Friday night. It seems that the Galen crowd had obtained proxies in blank from all of the State committeemen who were unable to attend, and of course these proxies were peddled out to the persons selected by the leaders. While the company was not represented in person, Tom Marlow, Doctor Monohan, Frank Conley, J. A. Poor, and a few others had evidently had their instructions and were meeting all of the delegates who came in Thursday morning.

To show you how everything was fixed, the resolutions committee was appointed and returned with its report in about two minutes.

Then he says further:

It was evident from the talk at the hotel, where the meeting was held, that the enthusiasm for Galen is principally for the reason that he is a wet; that Judge Ayers is going to run for Congress against LEAVITT, and Judge Ayers is going to run on a wet platform, and this particular crowd seemed to be for Ayers and Galen.

I also have reliable information to the effect that after this first meeting, which was held in Washington, another meeting was held in New York, attended by Democratic and Republican wets, where they decided upon Mr. Galen. So it will be seen that the wets in New York are picking wet candidates in some States on the Republican ticket and in other States they are going to pick wet Democrats, as in Illinois and Iowa.

The people of Montana may think that the so-called Republican leaders are drafting a candidate, but they are not; Wall Street wets are picking the candidates, and the Wall Street wets are nonpartisan. They do not care whether a candidate is a Democrat or a Republican so long as he is their kind of a stand-patter and is wet.

I, for one, want to serve notice now that I intend to fight the Curran-Raskob-Mellon wet Republicans in the coming election just the same as I would fight their wet Democratic candidates. The Raskob-Mellon combination is nonpartisan in this matter, and I intend to be.

I am sure Mr. Hoover, who is a dry, will not approve of his appointees indorsing wet candidates or trying to elect them to come to Washington to fight him on an issue that had as much to do with his election as anything else. And I am sure he will not cherish the idea, particularly where there is a dry Republican running who is and has been his friend.

It might be interesting to know if the money of John Raskob, national chairman of the Democratic commitete, is going to be poured into Montana to help nominate a wet Republican. How about it, Mr. Raskob?

Mr. President, that is in line with the testimony given by this man Curran, who is the head of the Association Against Prohibition. He previously contributed to three candidates for Congress in Iowa, secretly; it was covered up; nobody knew they were wet. That dishonest fraud is to be practiced everywhere. The lobby committee has done a very great service in uncovering that kind of fraud.

I want to call a little further attention to the testimony of this man Curran:

> Asked if he would favor "armed revolution" against the prohibition law, Curran replied, "We will cross that bridge when we come to it." He added that there already was "armed revolution" so far as some of the prohibition officers were concerned.
>
> Five States were in "revolt," he said, maintaining that the rights of the people "ought to be defended in any way that becomes necessary."

Mr. NYE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. BROOKHART. I yield.

Mr. NYE. The Senator from Iowa has spoken of the situation in Montana. Does he know whether or not there is any avowed dry candidate running in the Republican primary of Montana?

Mr. BROOKHART. I understand there is, and that is the reason of this conspiracy which I have mentioned.

Mr. NYE. Does the Senator have reference to the candidacy of Mr. Shelley?

Mr. BROOKHART. Mr. Shelley is a dry candidate; yes.

Mr. NYE. And he is recognized as a dry?

Mr. BROOKHART. Oh, yes; there is no question about that.

Mr. NYE. And in the face of his campaign these eastern influences are being brought to bear to bring into the field in Montana a wet Republican candidate? Do I understand the Senator to mean that?

Mr. BROOKHART. That is right. Mr. Curran, Mr. Raskob, Mr. Mellon, Mr. Dixon, and others get together and pick out a wet candidate with a view to nominating a wet Republican against Senator WALSH, who is a dry Democrat.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Georgia [Mr. HARRIS] to the amendment of the Senator from South Dakota [Mr. NORBECK].

Mr. NORBECK. Mr. President, this is an unusual form of amendment. The Senator from Georgia proposes not to amend his own bill so as to have it to his liking, but he proposes to amend my amendment so as to deprive me of getting a chance to vote on it in the form in which I desire. The Senator had an opportunity to put the provision in his own bill as it has been reported, but he has chosen not to do so.

Mr. HARRIS. Mr. President, the Senator from Georgia has a bill pending; so instead of the Senator from Georgia giving the Senator from South Dakota any trouble, the Senator from South Dakota is the one who is interfering with the Senator from Georgia.

Mr. NORBECK. The Senator from South Dakota, with other Senators, agrees that the Senator from Georgia may perfect his own bill in any way he may desire.

Mr. PITTMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PITTMAN. As I understand—and if I do not understand the situation correctly I desire to be corrected—if the amendment of the Senator from Georgia [Mr. HARRIS] to the amendment of the Senator from South Dakota [Mr. NORBECK] shall be agreed to, then the question will come on the amendment of the Senator from South Dakota as amended, and he will still get a vote on the question of the national-origins plan.

Mr. NORBECK. I will get a vote on that part of it; yes.

Mr. PITTMAN. While if the amendment of the Senator from Georgia to the amendment of the Senator from South Dakota shall be defeated, the question automatically recurs on the amendment of the Senator from South Dakota.

Mr. HARRIS. Yes.

Mr. BARKLEY. Mr. President, will the Senator from South Dakota yield?

Mr. NORBECK. Yes.

Mr. BARKLEY. As I understand, this bill originally affected only immigrants from certain countries of the Western Hemisphere; it did not affect immigration from Europe?

Mr. NORBECK. No.

Mr. BARKLEY. The amendment of the Senator from South Dakota, however, seeks to repeal the provision of the law which affects immigration from all countries?

Mr. NORBECK. Yes, sir.

Mr. BARKLEY. So that on a bill which is limited in its scope the Senator seeks to attach a provision that is universal in its scope? Is that correct?

Mr. NORBECK. It is correct to say that I am seeking to deal with the whole immigration problem or, at least, with that part of it which is left out of the pending bill.

Mr. President, by way of explanation, let me say that we have now come back to the old contest as to what the quota should be based on. Should it be based on the number of nationals of a given country who live in the United States, or should we try to go back and discover, if possible, the national origins of those who are in this country. Ever since we adopted restrictive immigration we have followed the theory that it would be better to base immigration on the nationals of the respective nations living in this country. That was only changed last July. As a result of the change the quota of Italy was increased by a couple of thousand. There are many splendid people in Italy, of course, but they have not been sending us their best. We opened the gates to them.

The main argument for the national-origins plan was that the British quota might be increased, but we are cognizant of the fact that it has not worked out as was expected. The British are not interested in a large quota; that is very apparent from the number of British applicants on the list.

The Senator from Kansas [Mr. ALLEN] a few days ago called attention to the fact that in the case of the British they do their own sorting. The Englishman has wonderful opportunities to go to British colonies—and he is not barred in other places—with the result that, after the sifting takes place, some of the less desirable come here; but, Mr. President, in our great anxiety to put the British on the preferred list we included certain of their colonies, so that the negroes of the West Indies can now come in as Englishmen. That is one thing I am protesting against.

Two points only are covered by my amendment. First, shall we reduce the immigrants by one-fourth; second, shall we go back to the law which was in force up to July 1 of basing our quota upon the 1890 census? As I have said, this plan will give preference to self-governing countries of northern Europe, to Germany, Ireland, and to the Scandinavian countries; it will reduce the British quota, but not seriously. The reduction will not be so large that they will even protest. It is amply sufficient for their needs.

Mr. President, I voted for immigration reduction; I have introduced a bill to reduce immigration; but I think a spirit of fairness should prevail. Notice has been served on certain countries that we will grant them a certain quota; applications have been made on that basis sometimes by near relatives and sometimes a little more distant relatives of people who live here. I am for reducing the quota further. I am willing to follow the Senator from Georgia later on, but not all of a sudden. I think it would be unfair, in a way, to legislate so as to cut the quota down suddenly to one-fourth. I propose to cut it down to three-fourths, and later we can take the other step.

Mr. President, in our anxiety to make this a country of white, self-governing people, let us not forget that we have other immigration problems to meet besides the immigration of Europeans and Mexicans. Let us look nearer home and see if we can not do something to make this more of a white man's country.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. NORBECK. I yield.

Mr. HARRIS. Does not the Senator think that there are just as good people in this country as live in any other countries?

Mr. NORBECK. Exactly so.

Mr. HARRIS. Yet there are several million people in this country who are out of employment now. What excuse have we for letting in 120,000?

Mr. NYE. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. NORBECK. I yield.

Mr. NYE. Will the Senator advise me as to what number of Mexicans would be admissible under the so-called Harris proposal?

Mr. NORBECK. I will ask the Senator from Georgia to answer that question.

Mr. HARRIS. I called up the Commissioner of Immigration this morning so as to answer that very question. By putting immigration from Mexico under the national-origins provision, as other countries are, of course the Mexicans would get a quota just as other countries do. Those who are opposed to this bill know pretty well the number that will come in under such an arrangement, but in order to get it exactly I asked the Commissioner of Immigration this morning, and he said between 1,200, the lowest estimate, and 2,000, the highest estimate. Mexicans have been coming here on an average of 55,000 a month until within the past few months, when they could not get jobs here. We know that many have been coming in each month; as a matter of fact, there have been nearer a hundred thousand a month coming in here, and they are the least desirable of the people of Mexico. Mexico does not send us her best citizens, but is sending us the worst type. I am not reflecting upon Mexico; in that Republic are many fine people; but what my amendment proposes to do is this: It would, if adopted, put Mexico under the quota; and if that should be done, it would allow between 1,200 and 2,000 Mexicans to come in here in a year instead of several hundred thousand.

Mr. NYE. Upon what basis is that computed—on the basis of 150,000?

Mr. HARRIS. It is computed on the basis of 150,000, the same as in the case of other countries under the national-origins plan.

Mr. NORBECK. Mr. President, in closing, I merely wish to express the hope that we shall not act hastily in this matter. I would like, if possible, to get a vote on my amendment as it was offered, but I can not support such a violent change in the immigration law as is proposed by the Senator from Georgia. I do not think we should be dealing fairly with other countries if we should adopt his amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Georgia [Mr. HARRIS] to the amendment offered by the Senator from South Dakota [Mr. NORBECK].

Mr. HARRIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). I have a pair with the Senator from Texas [Mr. SHEPPARD]. I transfer that pair to the Senator from Connecticut [Mr. WALCOTT] and will vote. I vote "nay."

Mr. HAWES (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. CUTTING]. Not knowing how he would vote, I withhold my vote.

Mr. HASTINGS (when Mr. TOWNSEND's name was called). My colleague [Mr. TOWNSEND] is necessarily detained from the Senate.

The roll call was concluded.

Mr. SHIPSTEAD. My colleague [Mr. SCHALL] is unavoidably absent. I do not know how he would vote on this question.

Mr. GOULD. I have a general pair with the Senator from New Mexico [Mr. BRATTON]. Not knowing how he would vote on this question, I withhold my vote.

Mr. WALSH of Montana. I desire to announce that the Senators from Texas [Mr. SHEPPARD and Mr. CONNALLY] are necessarily detained by attendance upon the funeral of the late Representative Lee, of Texas; and that the Senator from New York [Mr. WAGNER] and the Senator from Oklahoma [Mr. THOMAS] are necessarily detained on official business.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

I am not advised how any of these Senators would vote on this question.

The result was announced—yeas 34, nays 39, as follows:

YEAS—34

Allen	Dill	Jones	Shipstead
Ashurst	George	McCulloch	Simmons
Barkley	Glass	McKellar	Steck
Black	Harris	Overman	Stephens
Blease	Harrison	Pine	Swanson
Brock	Hatfield	Pittman	Trammell
Capper	Hayden	Ransdell	Wheeler
Caraway	Heflin	Robinson, Ind.	
Couzens	Howell	Robsion, Ky.	

NAYS—39

Bingham	Gillett	La Follette	Smoot
Blaine	Goff	McNary	Steiwer
Borah	Goldsborough	Metcalf	Sullivan
Brookhart	Greene	Norbeck	Thomas, Idaho
Broussard	Hale	Norris	Tydings
Copeland	Hastings	Nye	Vandenberg
Dale	Hebert	Oddie	Walsh, Mass.
Deneen	Johnson	Patterson	Walsh, Mont.
Fess	Kendrick	Phipps	Waterman
Frazier	Keyes	Shortridge	

NOT VOTING—23

Baird	Gould	Moses	Thomas, Okla.
Bratton	Grundy	Reed	Townsend
Connally	Hawes	Robinson, Ark.	Wagner
Cutting	Kean	Schall	Walcott
Fletcher	King	Sheppard	Watson
Glenn	McMaster	Smith	

So Mr. HARRIS's amendment to Mr. NORBECK's amendment was rejected.

Mr. ASHURST. Mr. President, I rise simply for information. If I am correctly advised, the present number of admissions is about 150,000 each year?

Mr. HARRIS. That is correct, under the national origins act.

Mr. ASHURST. But the amendment proposed by the Senator from South Dakota [Mr. NORBECK] would reduce that number to 120,000. Is that correct?

Mr. NORBECK. That is correct.

Mr. HARRIS. Mr. President, I move to strike out "1½" and insert "1"; and on that I ask for the yeas and nays.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 1, it is proposed to strike out the numerals "1½" and insert "1."

Mr. WALSH of Massachusetts. Mr. President, what would that make the total number of immigrants?

Mr. HARRIS. The total number of immigrants under that amendment would be 81,000. Under the amendment of the Senator from South Dakota it would be 120,000.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Georgia [Mr. HARRIS] to the amendment of the Senator from South Dakota [Mr. NORBECK]. On that question the yeas and nays have been demanded.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). I have a pair with the Senator from Texas [Mr. SHEPPARD]. I transfer that pair to the Senator from Connecticut [Mr. WALCOTT] and will vote. I vote "nay."

Mr. HAWES (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. CUTTING]. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. WALSH of Montana. I desire to announce that the Senator from Oklahoma [Mr. THOMAS] and the Senator from New York [Mr. WAGNER] are necessarily detained on official business.

Mr. DENEEN (after having voted in the negative). I am informed that the Senator from North Carolina [Mr. OVERMAN], with whom I am paired, is out of the Chamber. I therefore withdraw my vote.

Mr. METCALF (after having voted in the negative). Has the Senator from Maryland [Mr. TYDINGS] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. METCALF. Not knowing how he would vote, I withdraw my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER]; and

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necessarily detained by attendance upon the funeral of the late Representative Lee, of Texas.

The result was announced—yeas 33, nays 34, as follows:

YEAS—33

Allen	Dill	McCulloch	Steck
Ashurst	George	McKellar	Stephens
Barkley	Glass	Pine	Swanson
Black	Harris	Pittman	Trammell
Blease	Harrison	Ransdell	Vandenberg
Brock	Hatfield	Robinson, Ind.	Wheeler
Capper	Hayden	Robsion, Ky.	
Caraway	Heflin	Shipstead	
Couzens	Jones	Simmons	

NAYS—34

Bingham	Gillett	Kendrick	Phipps
Blaine	Goff	Keyes	Shortridge
Borah	Goldsborough	La Follette	Steiwer
Brookhart	Greene	McNary	Sullivan
Broussard	Hale	Norbeck	Thomas, Idaho
Copeland	Hastings	Norris	Walsh, Mass.
Dale	Hebert	Nye	Waterman
Fess	Howell	Oddie	
Frazier	Johnson	Patterson	

NOT VOTING—29

Baird	Grundy	Reed	Tydings
Bratton	Hawes	Robinson, Ark.	Wagner
Connally	Kean	Schall	Walcott
Cutting	King	Sheppard	Walsh, Mont.
Deneen	McMaster	Smith	Watson
Fletcher	Metcalf	Smoot	
Glenn	Moses	Thomas, Okla.	
Gould	Overman	Townsend	

So Mr. HARRIS's amendment to Mr. NORBECK's amendment was rejected.

The VICE PRESIDENT. The question now is on the amendment of the Senator from South Dakota [Mr. NORBECK].

Mr. ASHURST. I call for the yeas and nays.

Mr. NORRIS. Mr. President, now is the time for all good men to come to the aid of the party.

This is a proposition of the Republican leader, the President of the United States. This amendment now pending is what he has recommended officially and otherwise. As the leader of the Republican Party, he has a right to take an attitude on this great and important question, and he has a right to ask of all faithful party men that they should follow him.

We have had votes on this before. We had a vote on it on June 13, 1929. I think that was the last one. We had a roll call. At that time there were 26 Republicans who stood behind their leader and voted for what he wanted, as I am in hopes every Republican will do now.

Listen to the names of some of the stalwart, loyal band who stood bravely out in the open, striving to uphold the hands of the President of the United States on that occasion. We find favoring the President, and what the President had advocated, and what, therefore, ought to be good Republican doctrine, among others these stalwart Republicans standing faithful at their guns:

BORAH, of Idaho; COUZENS, of Michigan; HOWELL, of Nebraska; JOHNSON, of California; LA FOLLETTE, of Wisconsin; NORBECK, of South Dakota; NORRIS; NYE.

Mr. JOHNSON. Mr. President, what was the name the Senator just read?

Mr. NORRIS. NYE.

Mr. JOHNSON. No; the one preceding that.

Mr. NORRIS. That was my name.

Mr. JOHNSON. "And lo! Ben Adhem's name led all the rest." [Laughter.]

Mr. NORRIS. This is an instance where it did not lead all the rest, but it was amongst them.

Then there is the name of SHIPSTEAD.

Mr. President, we went down to defeat that day, this gallant army of Hoover Republicans, and the reason why we went down to defeat was because some of our brethren broke over the breastworks and went over to the enemy. Just think of it!

Mr. CARAWAY. Name them.

Mr. NORRIS. DALE; GILLETT; my friend from West Virginia, GOFF; GOLDSBOROUGH; GREENE; KEAN; KEYES. And what is this? Let me wipe my glasses. That must be a mistake; there must be a misprint. M-O-S-E-S—MOSES [laughter]; PHIPPS; REED.

Let us see; some were absent. There was that well-known Republican from Wisconsin, BLAINE, who did not vote, but we find, on looking at the RECORD, that he was paired, paired in favor of the President's program.

BROOKHART, another stalwart Republican, did not vote, but he was paired, paired in favor of Hoover.

There was Senator MCMASTER, of South Dakota, who did not vote; but he was paired in favor of Hoover's plan.

Then let us see; some of these great leaders were absent and not paired. Think of that!

SMOOT was absent. I can not find anywhere a record that he was paired. When the President of the United States was in need of assistance—in fact, when he went down to defeat with this brave coterie of men whose names I have just read—SMOOT was not here.

And the greatest one of all, WATSON, was absent, not voting, when Hoover needed him. When the Republican Party was asking for him he was absent.

Oh, you wayward brethren, how can you expect to keep the party together when you wander away after false gods under such circumstances? Do you not regularly go up to the other end of the Avenue and, on bended knees, before the throne, ask our great leader, President Hoover, to shake the plum tree so that the luscious fruit may fall into your extended, open, itching palms? And now are you going to turn your backs on him again when he needs your support? Are you now going back on this valiant little band whose names I have read to you, who went down bravely to defeat, and who are now here on this occasion battling to the very limit of their lives to save the plan of President Hoover?

Oh, it will never do, my brethren, it will never do! I am going into my great State, and I am coming back here with the indorsement and the backing of all the stalwart stand-pat Hooverites in the State, commissioned to fight you, to fight on and on and on to get this legislation which our Republican leader, President Hoover, has been pleading for so long.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Dakota. The yeas and nays have been demanded.

The yeas and nays were ordered.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment to the pending amendment.

The VICE PRESIDENT. The Senator offers an amendment, which the clerk will read.

The LEGISLATIVE CLERK. The Senator from Florida proposes to amend the amendment of the Senator from South Dakota by striking out on page 1 from lines 1 to 6, inclusive, and the word "repealed" on line 7.

Mr. TRAMMELL. Mr. President, briefly, the object of the amendment which has just been proposed is to strike from the amendment of the Senator from South Dakota the repeal of the national-origins plan. If this amendment is adopted then the national-origins provision will remain intact and will be the law in the future. Then we will vote upon the question as to whether or not we shall reduce the quota from 2 per cent, as provided under present law, to 1½ per cent or 1¾ per cent, whichever it is. We will first have a vote on the question of the repeal of the national-origins plan. I am opposed to that. I have offered an amendment to strike that from the proposed amendment. Then, if we adopt that, we can vote on the question as to whether we shall reduce the quota from 2 to 1½ or 1¾ per cent.

I hope this amendment to the amendment will be agreed to.

Mr. NORBECK. Mr. President, I am not sure I understand the explanation the Senator from Florida has made. He is offering an amendment to the amendment I have proposed, to do what?

Mr. TRAMMELL. It strikes from the Senator's amendment lines 1 to 6, inclusive, and the word "repealed" on line 7. That is the part of the amendment which deals with the national-origins plan. The Senator's amendment contemplates the repeal of the national-origins plan. My amendment contemplates striking that from the Senator's amendment.

Mr. JONES. To continue the national-origins plan.

Mr. TRAMMELL. Retaining it.

Mr. NORBECK. I would just as soon have the Senator strike it all out, and get a vote on it in that way.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Florida to the amendment proposed by the Senator from South Dakota.

Mr. TRAMMELL. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). I have a pair with the senior Senator from Texas [Mr. SHEPPARD], which I transfer to the junior Senator from Connecticut [Mr. WALCOTT], and vote "nay."

Mr. HAWES (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. CUTTING]. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. WALSH of Montana. I desire to announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are necessarily detained attending the funeral of the late Representative Lee, of Texas.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from New Jersey [Mr. BAIRD] with the Senator from Mississippi [Mr. HARRISON].

I am not advised how any of these Senators would vote if present.

I also wish to announce the following special pairs:

The Senator from Pennsylvania [Mr. REED] with the Senator from Minnesota [Mr. SCHALL]; and

The Senator from Arkansas [Mr. ROBINSON] with the Senator from South Dakota [Mr. MCMASTER].

I wish further to announce also that the Senators from New Jersey [Mr. KEAN and Mr. BAIRD] are necessarily absent from the city.

The result was announced—yeas 29, nays 43, as follows:

YEAS—29

Barkley	Glass	McKellar	Stephens
Black	Hale	Overman	Swanson
Blease	Harris	Pine	Thomas, Okla.
Brock	Hatfield	Pittman	Trammell
Capper	Hayden	Ransdell	Tydings
Caraway	Heflin	Robinson, Ind.	
George	Keyes	Robsion, Ky.	
Gillett	McCulloch	Simmons	

NAYS—43

Allen	Dill	Kendrick	Shortridge
Ashurst	Fess	La Follette	Steck
Bingham	Frazier	McNary	Steiwer
Blaine	Goff	Metcalf	Sullivan
Borah	Goldsborough	Norbeck	Thomas, Idaho
Brookhart	Greene	Norris	Vandenberg
Broussard	Hastings	Nye	Walsh, Mass.
Copeland	Hebert	Oddie	Walsh, Mont.
Couzens	Howell	Patterson	Waterman
Dale	Johnson	Phipps	Wheeler
Deneen	Jones	Shipstead	

NOT VOTING—24

Baird	Gould	McMaster	Smith
Bratton	Grundy	Moses	Smoot
Connally	Harrison	Reed	Townsend
Cutting	Hawes	Robinson, Ark.	Wagner
Fletcher	Kean	Schall	Walcott
Glenn	King	Sheppard	Watson

So Mr. TRAMMELL's amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. NORBECK], on which the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). On this vote I have a pair with the senior Senator from Texas [Mr. SHEPPARD]. I transfer that pair to the Senator from Connecticut [Mr. WALCOTT] and vote "yea."

Mr. HAWES (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. CUTTING]. Not knowing how he would vote, I withhold my vote.

Mr. JOHNSON (when his name was called). On this vote I am paired with the junior Senator from Texas [Mr. CONNALLY]. I transfer that pair to the junior Senator from Illinois [Mr. GLENN] and vote "yea."

The roll call was concluded.

Mr. SHIPSTEAD. On this vote my colleague [Mr. SCHALL] is paired with the senior Senator from Pennsylvania [Mr. REED]. I understand that if the Senator from Pennsylvania [Mr. REED] were present he would vote "nay." If my colleague [Mr. SCHALL] were present, he would vote "yea."

Mr. NORBECK. I desire to announce that on this vote my colleague [Mr. MCMASTER] is paired with the senior Senator from Arkansas [Mr. ROBINSON].

Mr. FESS. I wish to announce that the Senators from New Jersey [Mr. KEAN and Mr. BAIRD] are necessarily absent from the city.

Mr. WALSH of Montana. I desire to announce that the Senators from Texas [Mr. SHEPPARD and Mr. CONNALLY] are absent in attendance upon the funeral of the late Congressman Lee, of Texas.

I also wish to announce that the junior Senator from New York [Mr. WAGNER] is necessarily detained from the Senate on official business.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING]; and

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER].

I am not advised how any of these Senators would vote on this question.

Mr. WALSH of Massachusetts. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are necessarily detained by reason of being in attendance upon the naval conference in London.

The result was announced—yeas 39, nays 34, as follows:

YEAS—39

Allen	Dill	McCulloch	Shortridge
Ashurst	Fess	McNary	Steck
Bingham	Frazier	Metcalf	Steiwer
Blaine	Hastings	Norbeck	Sullivan
Borah	Hebert	Norris	Thomas Idaho
Brookhart	Howell	Nye	Vandenberg
Broussard	Johnson	Oddie	Walsh, Mass.
Copeland	Jones	Patterson	Walsh, Mont.
Couzens	Kendrick	Ransdell	Wheeler
Deneen	La Follette	Shipstead	

NAYS—34

Barkley	Glass	Heflin	Simmons
Black	Goff	Keyes	Stephens
Blease	Goldsborough	McKellar	Swanson
Brock	Greene	Overman	Thomas, Okla.
Capper	Hale	Phipps	Trammell
Caraway	Harris	Pine	Tydings
Dale	Harrison	Pittman	Waterman
George	Hatfield	Robinson, Ind.	
Gillett	Hayden	Robsion, Ky.	

NOT VOTING—23

Baird	Gould	Moses	Smoot
Bratton	Grundy	Reed	Townsend
Connally	Hawes	Robinson, Ark.	Wagner
Cutting	Kean	Schall	Walcott
Fletcher	King	Sheppard	Watson
Glenn	McMaster	Smith	

So Mr. NORBECK's amendment was agreed to.

Mr. BINGHAM. Mr. President, I offer the amendment which I send to the desk and ask to have read. I will say in explanation that it is in line with the remarks which I made the other day in which I called attention to the fact that the bill as drawn by the Senator from Georgia [Mr. HARRIS] provided a quota for 18 of the countries to the south of Mexico, practically none of which sends us any immigrants to compete with our laborers. The people who come to us from those countries are almost exclusively teachers, business men, and travelers, who are not affected by the quota, and therefore the quota is unnecessary. Without such a provision as my amendment proposes, it would make it harder for us to remain on friendly relations with those countries. My amendment would limit the quota to Mexico and provide the same figures for Mexico as now provided for in the Johnson bill pending in the House of Representatives.

The VICE PRESIDENT. Under the present status the amendment of the Senator from Connecticut would be an amendment to the amendment proposed by the Senator from Kansas [Mr. ALLEN].

Mr. DILL. Mr. President, I desire to ask the Senator from Connecticut if I correctly understand that his amendment strikes out all quotas except as relating to Mexico?

Mr. BINGHAM. That is correct. The only argument that I have heard advanced on the floor which seemed to me at all applicable is the argument relating to the quota as it applies to Mexican labor. There has been no argument against Canada and no argument against immigrants from the 18 countries south of Mexico.

Mr. DILL. I wanted to be sure of it, because I am very strongly in favor of limiting the provisions of the bill to Mexico. I think it is foolish to try to tie all the other countries up in such legislation.

The VICE PRESIDENT. Let the amendment of the Senator from Connecticut be read, in order that Senators may know what it is.

The CHIEF CLERK. The Senator from Connecticut offers the following amendment: Strike out all after the enacting clause and insert in lieu thereof the following:

That subdivision (c) of section 4 of the immigration act of 1924, as amended (which enumerates certain countries immigrants born in which are defined to be "nonquota immigrants"), is amended by striking out "the Republic of Mexico"; but the Republic of Mexico shall continue to be excepted from the provisions of section 11 of such act, as amended (relating to national origins), in the manner and to the extent provided in such section 11.

SEC. 2. (a) Section 11 of such act, as amended, is amended by adding after subdivision (e) thereof the following new subdivision: "(f) The annual quota of the Republic of Mexico shall be 2,000, such figure approximating four times the number of American citizens departing to Mexico for permanent residence during the fiscal year ended June 30, 1929."

(b) Subdivision (f) of section 11 of such act, as amended, is amended by striking out "(f)" and inserting in lieu thereof "(g)"; and subdivision (g) of section 11 of such act, as amended, is amended by striking out "(g)" and inserting in lieu thereof "(h)."

SEC. 3. Notwithstanding the provisions of section 2 of this act, the quota of the Republic of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021, and for the fiscal year beginning July 1, 1931, shall be 6,961.

SEC. 4. This act shall take effect July 1, 1930, but immigration visas may be issued prior to such date to quota immigrants of Mexican nationality, which visas shall not be valid for admission to the United States before July 1, 1930. In the case of quota immigrants of such nationality, the number of immigration visas to be issued prior to July 1, 1930, shall not be in excess of 10 per cent of the quota fixed in section 3 of the fiscal year beginning July 1, 1930, and the number of immigration visas so issued shall be deducted from the number which may be issued during the month of July, 1930. In the case of such immigration visas issued before July 1, 1930, the 4-month period referred to in subdivision (c) of section 2 of the immigration act of 1924 shall begin to run on July 1, 1930, instead of at the time of the issuance of the immigration visa.

Amend the title so as to read: "A bill to establish quota limitations for the Republic of Mexico."

Mr. BINGHAM. Mr. President, the amendment I have offered was drafted before the amendment of the Senator from South Dakota, upon which we have just voted, was offered, and I ask leave to perfect the amendment by adding to it the paragraph offered by the Senator from South Dakota upon which we just voted, so that in case my amendment shall be adopted as a substitute for the pending measure it will carry with it the provision offered by the Senator from South Dakota.

Mr. BORAH. Mr. President, I should like to ask the Senator from Connecticut a question.

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Idaho?

Mr. BINGHAM. I yield.

Mr. BORAH. As I understand, the effect of the amendment of the Senator from Connecticut is to single out Mexico from all the countries of the Western Hemisphere and apply the law against Mexico alone?

Mr. BINGHAM. Yes. As I have stated, the only arguments which have been used in favor of changing the law have been based on the fact of the coming of immigrants from Mexico. No arguments have been presented against immigration now coming in from Canada or any possible immigration which has been coming in from the other 18 Latin American countries.

Mr. BORAH. While actually there is no immigration coming in from the other Latin American countries at the present time, can not an argument well be made against singling out one nation on the western continent and legislating concerning that nation, thereby apparently expressing our feelings toward the Mexican people?

Mr. BINGHAM. Mr. President, I do not think this would show any feeling against the Mexican people. Everyone realizes that there is a problem connected with immigration from Mexico. Editorials which I have read from leading journals in South America say that they themselves, while sympathizing strongly with Mexico, realize that immigration from that country presents a problem which needs to be faced, and that there could be no objection to our attempting to solve that problem. What they object to is, without their sending us any immigrants at all, to have applied to them a quota contrary to what we did in 1924.

Mr. BORAH. That is mere sentiment. If they are not affected in any way, if we are not proposing to keep out emigrants from their borders, if we see fit to adopt a universal policy they ought not to object; they are not injured in any way. If the Senator says their feelings might be hurt by the action proposed in the pending bill, what does he think about the feelings of Mexico?

Mr. BINGHAM. That is true, but it seems to me better to hurt the feelings of 1 country rather than to hurt the feelings of 18 countries.

Mr. BORAH. That may be true; but there ought to be some regard for the policy as a whole—against all the western nations or against none.

Mr. BINGHAM. I wish very much that it might have been possible for the executive departments of the two nations, to have come to a gentleman's agreement, so as to regulate immigration in a way that would satisfy the needs and the requirements of the situation without doing anything to hurt the feelings of any nation. I did not believe this amendment would be necessary, but I have offered the amendment in order to meet what appears to be necessary, namely, some way of meeting increased Mexican immigration; and I have done so in a way which will serve not to hurt the feelings of the other 18 Latin American countries, even if it does hurt the feelings of 1 such country.

Mr. BORAH. The Senator's amendment would accentuate the feeling in Mexico in order to mollify the feelings of the people of other countries who are not affected by the bill at all. I think the discrimination indefensible.

Mr. BINGHAM. Mr. President, the only answer to that is that our friends to the south of us are an extremely logical people; they admit the logic of the situation so far as it concerns Mexico, but there is no logic at all in including the other 18 nations, for they are not sending us immigrants.

Mr. BORAH. Of course, there is no logic in favor of a thing they do not want, it does not make any difference what it is; they undoubtedly do not want the law applied to them, and, therefore, may be willing to have it applied to Mexico; but what about Mexico? How does Mexico feel in regard to a quota? Why single Mexico out from all the others and apply the law to Mexico? It is true that at this particular moment the other countries are not sending us immigrants, but immigrants could come here from those countries.

Mr. BINGHAM. When the time comes that the other countries send us large numbers of immigrants, then, it seems to me, is the time to deal with that question. When we enacted the law in 1924 we eliminated all countries of the Western Hemisphere, and I should like to see that policy continued; but that does not seem to be possible, because there appears to be so much feeling against immigration from Mexico. Personally, I would prefer not to have the quota applied to any country on the Western Hemisphere.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Kentucky?

Mr. BINGHAM. I yield.

Mr. BARKLEY. If there are no immigrants coming from the other Latin American countries, what particular difference does it make whether or not the law applies to them? Why should they be offended at a situation that does not exist if, in fact, no immigrants come to this country from those countries?

Mr. BINGHAM. I spent the time of the Senate for the better part of two days in giving an answer to that question. I realize that the Senator from Kentucky could not have been here at that time, but I do not want to repeat the speech I then made.

Mr. BARKLEY. I regret that I was not able to be present during the entire time the Senator from Connecticut held the floor.

Mr. BINGHAM. The point is that the Latin American countries have been taught to believe that there was something in Pan Americanism. The only practical result of Pan Americanism to-day is the fact that we do not apply immigration quotas to persons coming from those countries. In all other matters they are on an equality. Furthermore, Pan Americanism has been employed on our part to promote peace on the Western Hemisphere and also to promote our commerce with Latin American countries. We have been in a number of cases selected as the judge in disputes over boundary questions and other matters between Latin American countries, and it is the belief of persons best qualified to know that if we do this thing it will appeal to them as so unreasonable and illogical, in view of the fact that there are no immigrants from those countries, it will cause much ill feeling to arise and will make it more difficult for us to promote peace on the Western Hemisphere. Furthermore, it is the opinion of our representatives, our ministers and consuls, and of business men who have had most to do with those countries, that the passage of the bill in its original form, applying to all Latin American countries, would result in very serious loss in commerce and would also actually result in greater unemployment in this country.

Mr. BARKLEY. I want to suggest to the Senator from Connecticut that Mexico is a part of Pan America as much as are the other countries, and our relations with Mexico have been more acute on more different occasions than they have been with any South American country. I am wondering how much will be contributed to Pan American good feeling by singling out one of those countries as the object of our immigration restriction without applying it to all the others.

Mr. BINGHAM. I regret very much that it is necessary to apply it to Mexico at all; I should much prefer that it should not apply to any country on the Western Hemisphere; but if it is necessary to apply it to any country it is certainly necessary to apply it to Mexico. It is not necessary to apply it to all the other 18 countries, because there are virtually no immigrants coming to us from those countries. It seems to me it will appeal to their logical sense if we proceed as suggested by my amendment, even though it shall hurt the feelings of our friends in Mexico, much as I regret that that should happen.

Mr. HAYDEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Arizona?

Mr. BINGHAM. I yield.

Mr. HAYDEN. Mr. President, permit me to remind the Senator that there is immigration coming to the United States in large numbers, not only from Mexico, but also from Canada. I suggest to the Senator that he modify his amendment in accordance with the Johnson bill now pending in the House of Representatives, which treats Canada and Mexico and Cuba on a different basis than the rest of Pan America because they are contiguous countries.

That would mean the adoption of a uniform rule with respect to countries contiguous to the United States. If the Senator from Connecticut will take the Canada, Cuba, and Mexico provisions of the Johnson bill and adopt them as a part of his amendment, then there could be no offense, either to Mexico, Canada, or Cuba, because they would all be treated alike. The Senator may be perfectly logical in his argument as to mention of the other countries of the Western Hemisphere being unnecessary because immigration is negligible from them.

Mr. BINGHAM. May I suggest to the Senator that he offer his ideas as an amendment to my amendment?

Mr. BORAH. Mr. President, I should like to ask the Senator from Connecticut where this idea of singling out Mexico comes from? Have any of the departments or have the ministers of the Latin American countries of whom the Senator has spoken recommended any such measure as a settlement?

Mr. BINGHAM. Not that I know of. The suggestion came up as a natural result of the discussion. If the Senator happened to be here on the second day when I was addressing myself to the question he will remember that the matter was brought up in the discussion by the Senator from California and others, and although at that time I did not propose to offer this amendment, thinking that perhaps some one else would offer it, since it has not been offered by anyone else I offered it myself. It has not been suggested by any department or any Government official. So far as I have been able to read the hearings and the testimony, our State Department prefers that there be no quota provided as to any country of the Western Hemisphere.

Mr. BORAH. I think the department certainly prefers not to have one country singled out.

Our trouble to the south has been, so far as countries outside of Mexico are concerned, largely sympathetic; that is to say, they have never been satisfied with our treatment of Mexico, Nicaragua, and some of the other countries. If we shall now single out Mexico and adopt a wholly different policy with reference to Mexico, in my opinion, it will not help the situation in the other Latin American countries as much as the Senator thinks it will. There is some logic and some reason for a government adopting a general policy, but there is very little logic, it seems to me, and very little reason, to single out one country in a group of countries and legislate against that one country.

Mr. SWANSON. Mr. President, it seems to me that the amendment offered by the Senator from Connecticut is discriminatory; that it would be irritating; and that, if adopted, Mexico would have just cause for complaint against this Government.

Of all the Latin American countries, or Pan American countries, as some call them, Mexico alone is isolated; her citizens alone are restricted in coming here. She is our neighbor; our relations with her are close; it is important that they should be close and more amicable than our relations with any other member of the Pan American group. We have had many difficulties with Mexico. It took a great deal of time and persistent effort to iron out those differences and establish harmony between the United States and Mexico. When that condition is established, when the relations between the two countries are now friendly, when they are better than we expected they would be some years ago, this firebrand is thrown into the Senate. It would prove irritating; it would give offense to the Mexican people. It would, in effect, be a notification to them that the rule we apply to them is different from that which we apply to all other Latin American or Pan American countries; that it is different from the rule applied to Cuba; it is different from the rule applied to Canada; it is different from the rule applied to islands of the West Indies, from which we have some immigrants.

The proposal of the Senator from Connecticut seems to be that whenever any immigrants begin to arrive from any Latin American country other than Mexico we will at once irritate the government of the country from which those immigrants come by enacting a law to prohibit them from coming and providing a quota for those countries. The irritation will be continuous and will arise whenever immigration starts from one of those countries.

I am not willing to start on a system of perpetual irritation like that. This amendment is fair. It treats all Latin American or Pan American nations alike. It fixes a quota. If any of these people show a disposition to come here, they are treated like other people, like the people of Europe, like other nations are treated, and there can be no complaint. It will be a serious mistake to irritate Mexico at this time.

The excuse of having a quota for nations that have not availed themselves of the privilege of coming here is no reason why we should irritate, why we should really impose dishonor upon Mexico because her people are so fond of us that they are anxious to come here and live with us, anxious to share our institutions, anxious to be part of us. That is the way to affront them. We ought not to discriminate. There is no excuse for it. If nobody comes from Brazil, if none comes from Argentina, the law is applied to them. We simply serve notice upon them that they shall have the same right that anybody else has to come here—no more and no less.

The Senator from Connecticut has talked about Pan America being irritated. They are irritated more than anything else by the tariff he is passing, of which he is the stanchest, firmest champion here. I think, if he had his way, he would put a wall against all trade and commerce between Pan America and the United States. That is where the irritation is. That is where the trouble will come. That is where the carriers will be arrayed against the trade of the United States. If the Senator is trying to bring about peace and extend our trade and commerce in Latin America, which seems to be the object of this amendment, the best way to do it is to have reciprocal trade between the United States and other countries.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. SWANSON. I do.

Mr. BLACK. As I understand the Senator, he says the Senator from Connecticut would put up a wall to keep any goods from coming in here from South America, but at the same time that would protect the manufacturer. He would then leave the gates wide open for all the laborers from South America to come in and compete with the laborers of these manufacturers that he is protecting, so that the manufacturers could get cheap labor in unlimited quantities.

Mr. SWANSON. Of course. After the factories of Brazil and the rest of Latin America are closed, and the factories here have the demand for their products increased for sale in the American market, they would be able to get cheap labor from these countries whose products we exclude and increase the profits of the American factories.

Mr. President, I do hope we will not make a departure and a discrimination like this. When we discriminate against Asia, it is not against one nation. We do not allow any immigration from Asia. The exclusion applies to an entire continent. No person, no nation on that continent, is discriminated against. Here we propose to have favorites in Latin America. Here we propose to make favorites of certain nations, to extend certain privileges to them. I think it would be a serious mistake. We have had difficulty in keeping our relations with Mexico as friendly as we wanted to. It is more important to us to be friendly with her than with any other nation in Latin America, it seems to me, as she borders on us. Consequently I hope the Senate will not vote for this amendment and start on this departure of discrimination.

The VICE PRESIDENT. The Chair desires to state to the Senate that the modified amendment changes the parliamentary situation. The Chair stated a while ago, when the amendment was first proposed, that it was a substitute for the amendment of the Senator from Kansas [Mr. ALLEN]; but, as modified, it becomes an amendment to the text.

Mr. JOHNSON. Mr. President, let me explain how originally the suggestion came about which I believe has culminated in the presentation of this amendment by the Senator from Connecticut [Mr. BINGHAM].

On one of the days of this discussion we were indulging in an endeavor to dissect the bill of Congressman ALBERT JOHNSON, which has come from the House and which has been offered by the Senator from Maine [Mr. GOULD] as a substitute for the bill of the Senator from Georgia. In the course of that discussion it developed that the substitute thus offered, which seemed to find much favor with the Senate, provided a quota, first, for Canada which represented substantiaHy the number of Canadians who come into this country now yearly. It provided, secondly, a quota for each South American country which represented substantially those who came from the South American countries into this country. Lastly, it provided for a quota in definite numbers from Mexico which reduced very

materially the number that had been coming from Mexico into this country.

All of us who have dealt with this subject in the past years realize that the endeavor of this legislation is to deal with Mexican immigration, not with South American immigration, which is negligible in quantity and which amounts to nothing at all; not, indeed, with Canadian immigration, which is satisfactory to many of those who have been discussing the question here. The bill that represented the consensus of opinion in the House in reality dealt with neither South American immigration nor with those who came from Canada, because it left the numbers coming in from South America and Canada substantially what they have been in the past and what it is expected they will be in the future; and it touched what we were pleased to call, in the discussion a week ago upon this floor, the sore spot in our immigration problem—that is, the immigration from Mexico.

I recognize the logic of assuaging the feelings and soothing the perturbed spirit of any nation that may be affected by our immigration laws; but when we are doing nothing else by a bill than that which is being done to-day and which will be done to-morrow, the bill to those of us whose minds are somewhat direct is of little consequence in particulars of that kind. So the suggestion was made upon the floor and discussed that we might deal with the one thing that constituted a menace and a danger in our immigration problem, and that was the immigration from Mexico; and I assume that it is upon that theory that the Senator from Connecticut has presented his amendment.

Offensive? Of course. All immigration laws are offensive to countries whose peoples come here far beyond the number we have fixed in our quota. That is a fact that we can not gainsay. It is something that we regret, but which, in the definite national policy which has been adopted, we have preferred to accept rather than to continue unrestricted immigration to our Nation.

To-day, quotas from European countries are filled for years to come. People are practically standing in line in the desire to come; and the argument is not forceful with me at all which says, "If people are so anxious to come here, why not let them come? Why keep them out by offensively passing an immigration law by which they are not permitted to come?"

Here, to-day, in this bill is present one evil we are endeavoring to remedy. We do not do it in offensiveness to Mexico. That is not the idea in any aspect. We are not doing it for the purpose of saying to Mexico that it shall not be permitted to do something that every other nation on the face of the earth is permitted to do. We say that a certain kind of immigration that comes from a particular country, and that we know to be harmful to this country, should, if it be possible, be limited by the legislation that was conceived by the Senator from Georgia [Mr. HARRIS] and that has been presented here for discussion on this floor.

Mr. GLASS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Virginia?

Mr. JOHNSON. I yield to the Senator.

Mr. GLASS. Have we not just gone very much farther than that? Have we not repealed the national-origins provisions of existing law?

Mr. JOHNSON. Yes; that has been done just now.

Mr. GLASS. May I inquire of the Senator if the Committee on Immigration acted on this bill, beyond merely reporting it without recommendation?

Mr. JOHNSON. Does the Senator mean the Harris bill?

Mr. GLASS. Yes.

Mr. JOHNSON. The Harris bill was reported by the Senator from Georgia [Mr. HARRIS] out of the Immigration Committee.

Mr. GLASS. Without recommendation, was it not?

Mr. JOHNSON. No; it was reported out by the Immigration Committee favorably.

Mr. HARRIS. And unanimously.

Mr. JOHNSON. It was unanimous with those who then were present in the Immigration Committee.

Mr. HARRIS. Which was a majority.

Mr. GLASS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. GLASS. When will it be in order to move to recommit the whole question to the committee?

The VICE PRESIDENT. That motion may be made at any time.

Mr. GLASS. I move that the bill be recommitted to the committee for further consideration of it.

Mr. McKELLAR. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. HAWES (when his name was called). I have a pair with the junior Senator from New Mexico [Mr. CUTTING]. Not knowing how he would vote, I withhold my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON].

I am not advised as to how any of these Senators would vote on this question.

The roll call was concluded.

Mr. SHIPSTEAD. My colleague [Mr. SCHALL] is unavoidably absent from the Senate. If he were here, he would vote "nay."

Mr. BROOKHART. I have a pair with the senior Senator from Texas [Mr. SHEPPARD]. I transfer that pair to the junior Senator from Minnesota [Mr. SCHALL] and vote "nay."

Mr. WALSH of Montana. The junior Senator from Arkansas [Mr. CARAWAY] is necessarily detained from the Senate on official business.

The result was announced—yeas 34, nays 38, as follows:

YEAS—34

Bingham	Greene	Keyes	Simmons
Black	Hale	McKellar	Smoot
Blease	Harris	Metcalf	Swanson
Brock	Harrison	Overman	Thomas, Okla.
Broussard	Hastings	Phipps	Trammell
Dale	Hatfield	Pine	Tydings
Glass	Hayden	Pittman	Waterman
Goff	Hebert	Ransdell	
Goldsborough	Heflin	Robinson, Ind.	

NAYS—38

Allen	Dill	McCulloch	Steck
Ashurst	Fess	McNary	Sullivan
Barkley	Frazier	Norbeck	Thomas, Idaho
Blaine	George	Norris	Vandenberg
Borah	Gillett	Nye	Wagner
Brookhart	Howell	Oddie	Walsh, Mass.
Capper	Johnson	Patterson	Walsh, Mont.
Copeland	Jones	Robsion, Ky.	Wheeler
Couzens	Kendrick	Shipstead	
Deneen	La Follette	Shortridge	

NOT VOTING—24

Bajrd	Glenn	McMaster	Smith
Bratton	Gould	Moses	Steiwer
Caraway	Grundy	Reed	Stephens
Connally	Hawes	Robinson, Ark.	Townsend
Cutting	Kean	Schall	Walcott
Fletcher	King	Sheppard	Watson

So the Senate refused to recommit the bill to the Committee on Immigration.

The VICE PRESIDENT. The question now is on agreeing to the amendment proposed by the Senator from Connecticut [Mr. BINGHAM].

Mr. ASHURST. I ask for the yeas and nays.

Mr. HARRIS. Mr. President, I have just a word to say about the amendment of the Senator from Connecticut. When the bill was being considered we thought by including all the countries of South and Central America we would not discriminate and offend Mexico. If this bill is passed, it will place under the quota all the countries of the world except Canada and Newfoundland.

All of us know that conditions in Canada are different, so far as our country is concerned, from those in any other country. Some years more of our people go into Canada than the number of Canadians coming into this country, and it is an entirely different proposition. That is the reason why it was left out of this bill.

In my judgment if the amendment of the Senator from Connecticut is agreed to, it will do more to offend Mexicans than anything that has happened in a great many years.

Mr. HEFLIN. Mr. President, I would like to have the amendment reported.

The VICE PRESIDENT. The amendment will be again read.

Mr. BINGHAM's proposed substitute was again read as modified.

MEXICAN PEONS AND RESTRICTED IMMIGRATION

Mr. HEFLIN. Mr. President, this is a dangerous amendment. It seeks to deny to the United States the right to say who shall come here from the various other countries on this continent. It seeks to defeat the purpose of the measure of the Senator from Georgia to apply the quota idea to any country to which this country decides to apply it. I said the other day, and I want to repeat before we vote, that whenever we

surrender the right to say who shall come here, and from what countries they shall come, we are undone and lost as a Nation.

It must be plain to Senators that foreign influences—alien influences in the United States—are seeking to control and direct the votes of Senators on this important question. Senators, if we permit this evil to continue to go along here undisturbed and unopposed, the day will come when these foreigners will control on every important measure in the Nation. Already some Senators are afraid of the foreign vote and influence in their States. Already some are influenced here in their votes and have become timid when we demand protection of American citizens in the full enjoyment of their American rights.

Already there are 5,000,000 aliens in this country who have never sworn allegiance to our flag. They are going up and down the land, taking jobs which belong to Americans, working for half the price paid Americans, and American families are made to feel the pangs of poverty because of this foreign evil already in our country. Surely we do not want to add to it.

Back in the States and the congressional districts in many of the States this foreign element grows and these dangers to our country multiply. These aliens get together. They have their friends already here who are voters to say to the Member of Congress, "If you are not with us on the immigration question, we will vote against you. We control so many thousand votes, and if you do not pledge us that you will vote as we want you to vote on immigration we will not let you go back to Congress."

They threatened Senators in the same way, and we are feeling the dangerous effect of that deadly influence on this question right here to-day. Does not that alarming condition present a fearful and a dangerous situation to the thoughtful American?

We are reduced to the humiliating point in the great Senate of the United States, by the amendment of the Senator from Connecticut [Mr. BINGHAM], of considering the proposition of denying us the right to pass on any part of this great immigration question except that part which applies to Mexico. Here you are, bringing in your Filipinos, led by Roman Catholic priests, taking jobs that belong to Americans. Here you are, bringing in your Mexican peons by the tens of thousands, led by Catholic priests, taking positions and doing work that belongs to American citizens. I have a statement on my desk to the effect that the Roman Catholic priests and other Catholics had a conference in California recently discussing the matter of protecting them in the matter of bringing in these Mexicans. One Roman Catholic representative from Washington went out there and attended the meeting with them.

O Mr. President, this matter reaches to the very heart of the highest and best interests of our country. Are we going to meet this question squarely like Americans should meet it, or are we going to stand here and tremble like aspen leaves when these dangerous alien influences who put other things above the good of our country walk abroad in this land and wave the big stick of their political power over our heads?

What are we going to do? Are we going to permit these Mexicans to continue to come and permit the Filipinos to come in by the thousands, overrunning California and other States? Give the Filipinos their freedom, and then put the quota plan on Mexico and the Filipinos and apply it to the other countries where we think we should apply it. That is our business, and nobody else's business. I am not willing for these alien influences here or foreign influences to tell us what to do. Let the other countries apply their quota principle to us if they want to. I have no objection on earth to that. We are just seeking to say what we have a right to say and what we ought to say on this occasion on this important question at this distressing and critical time.

Senators, some of you are fooling with the most important and the most dangerous question that touches the rights and interests of the whole American people.

Senators, some of you are playing with a question to-day upon which the people of this country are better educated or informed than any other great national question. You are playing with a question that has dynamite in it. Beware! The question is, Are we going to be true to American ideals, interests, and institutions or are we going to let this alien foreign influence decide our position on this great question? I trust that the amendment of the Senator from Connecticut will be defeated. What a pitiful and humiliating thing it would be for us to adopt such a miserable amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Connecticut as modified.

Mr. BLACK. I demand the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). I have a pair with the Senator from Texas [Mr. SHEPPARD]. I am informed that if present he would vote as I intend to vote on this question and therefore I am at liberty to vote. I vote "nay."

Mr. WALSH of Montana (when Mr. CARAWAY's name was called). The Senator from Arkansas [Mr. CARAWAY] is necessarily detained on official business.

Mr. GOULD (when his named was called). I have a general pair with the Senator from New Mexico [Mr. BRATTON]. If permitted to vote I would vote "nay."

Mr. JOHNSON (when his named was called). I have a general pair with the Senator from Texas [Mr. CONNALLY], which I transfer to the Senator from Connecticut [Mr. WALCOTT], and vote "yea."

Mr. SHIPSTEAD (when Mr. SCHALL's name was called). My colleague the junior Senator from Minnesota [Mr. SCHALL] is necessarily absent. If present, he would vote "nay."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES].

The result was announced—yeas 11, nays 56, as follows:

YEAS—11

Bingham	Johnson	Phipps	Sullivan
Broussard	Jones	Ransdell	Waterman
Dill	Metcalf	Shortridge	

NAYS—56

Allen	Frazier	Howell	Simmons
Ashurst	George	Kendrick	Smoot
Barkley	Gillett	La Follette	Steck
Black	Glass	McCulloch	Steiwer
Blaine	Goff	McKellar	Stephens
Blease	Goldsborough	McNary	Swanson
Borah	Greene	Norbeck	Thomas, Idaho
Brock	Hale	Norris	Thomas, Okla.
Brookhart	Harris	Oddie	Trammell
Capper	Harrison	Overman	Vandenberg
Copeland	Hatfield	Patterson	Wagner
Dale	Hayden	Robinson, Ind.	Walsh, Mass.
Deneen	Hebert	Robsion, Ky.	Walsh, Mont.
Fess	Heflin	Shipstead	Wheeler

NOT VOTING—29

Baird	Gould	Moses	Smith
Bratton	Grundy	Nye	Townsend
Caraway	Hastings	Pine	Tydings
Connally	Hawes	Pittman	Walcott
Cousens	Kean	Reed	Watson
Cutting	Keyes	Robinson, Ark.	
Fletcher	King	Schall	
Glenn	McMaster	Sheppard	

So Mr. BINGHAM's proposed substitute was rejected.

Mr. BLACK. Mr. President, I send to the desk an amendment, which I offer and ask to have read.

The VICE PRESIDENT. The amendment offered by the Senator from Alabama will be read for the information of the Senate.

The Chief Clerk read as follows:

SEC. 4. Providing that for the period of five years beginning January 1, 1931, the immigration of aliens into the United States is prohibited. This provision shall not apply to aliens of the following classes:

(a) Aliens excepted from the class of immigrants by section 3 of the immigration act of 1924, as amended; and (b) aliens included in subdivisions (a), (b), (d), (e), and (f) of section 4 of such act, as amended, except that no alien in any of such classes shall be admitted to the United States (1) if not otherwise admissible under the immigration laws as in force at the time of application for admission, nor (2) except in the manner and subject to the restrictions now provided by law for admission of persons of such classes.

SEC. 5. The Commissioner General of Immigration, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this act.

SEC. 6. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws, and shall be enforced as a part of such laws; and all the penal or other provisions of such laws, not inapplicable, shall apply to and be enforced in connection with the provisions of this act. An alien, although admissible under the provisions of this act, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this act; and an alien, although admissible under the provisions of the immigration laws other than this act, shall not be admitted to the United States if he is excluded by any provision of this act.

Mr. BLACK. Mr. President, I do not care to make any extended remarks except to call the attention of the Senate to the fact that this is an amendment which would suspend all immigration into the country for a period of five years with

the exception of visitors under the law and with the exception that those who have heretofore come into the country as nonquota immigrants will still be permitted to come into the United States. In other words, the amendment provides for an immigration holiday for five years. It would not affect the provision which has just been voted upon with reference to national origins. At the expiration of five years the suspension of immigration would be ended and, unless some other law had been enacted in the meantime, we would then receive immigration under the law as it now exists.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. BLACK. I yield.

Mr. SWANSON. I wish the Senator would explain the exemptions to which he has referred. Who would be permitted to come in under the provisions of his amendment? Will the Senator tell us who could come in if his amendment were adopted? Who are the aliens included in subdivisions (a), (b), (c), (d), (e), and (f) of section 4 of the immigration act of 1924 referred to in his amendment?

Mr. BLACK. Under the old law the section relating to nonquota immigrants defines that term as follows:

(a) An immigrant who is the unmarried child under 18 years of age, or the wife, of a citizen of the United States who resides therein at the time of the filing of a petition under section 9.

Those now come in as nonquota immigrants.

(b) An immigrant previously lawfully admitted to the United States, who is returning from a temporary visit abroad;

(c) An immigrant who was born in the Dominion of Canada, Newfoundland, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, or an independent country of Central or South America, and his wife, and his unmarried children under 18 years of age, if accompanying or following to join him;

(d) An immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of, carrying on the vocation of minister of any religious denomination, or professor of a college, academy, seminary, or university; and his wife and his unmarried children under 18 years of age, if accompanying or following to join him; or

(e) An immigrant who is a bona fide student at least 15 years of age and who seeks to enter the United States solely for the purpose of study at an accredited school, college, academy, seminary, or university, particularly designated by him and approved by the Secretary of Labor, which shall have agreed to report to the Secretary of Labor the termination of attendance of each immigrant student, and if any such institution of learning fails to make such reports promptly the approval shall be withdrawn

Mr. ALLEN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. BLACK. I yield.

Mr. ALLEN. Under the provisions of the Senator's amendment how many immigrants could come annually from continental Europe?

Mr. BLACK. Exactly the same number that can come now as nonquota immigrants.

Mr. ALLEN. How would it affect the quota countries of Europe?

Mr. BLACK. It suspends all immigration except that which has been coming as nonquota immigration.

Mr. ALLEN. How would it affect the Western Hemisphere?

Mr. BLACK. It suspends it all except as to those that would come as nonquota immigrants if the quota had been applied to them heretofore. In other words, my amendment would prohibit all immigration with the exception that those who have heretofore been coming into the country as nonquota immigrants would be admitted.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. BLACK. I yield.

Mr. WALSH of Massachusetts. What effect would the amendment have upon immigration from Canada?

Mr. BLACK. It would suspend all immigration from any country except those immigrants who would come in as nonquota immigrants?

Mr. WALSH of Massachusetts. It would be more far-reaching than the countries to which the immigration quotas now apply? It would include South America?

Mr. BLACK. It would include every country in the world.

Mr. ROBSION of Kentucky. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. BLACK. I yield.

Mr. ROBSION of Kentucky. There are immigrants coming in now as quota immigrants to the number of about 150,000 from Europe. As I understand the Senator's amendment, it would shut out the 150,000 coming in from Europe, would it not?

Mr. BLACK. That is correct.

Mr. ROBSION of Kentucky. And it would also exclude many coming to our country from the Western Hemisphere?

Mr. BLACK. That is correct.

Mr. ALLEN. Mr. President, will the Senator yield further?

Mr. BLACK. Certainly.

Mr. ALLEN. Would it give to the Department of Labor the privilege of letting in at any time any cheap labor?

Mr. BLACK. No; it would not. If it does, I would want to strike it out, because I am opposed to any such provision.

Mr. ALLEN. It is an absolute closing of all immigration?

Mr. BLACK. It is so intended, except as to those who have come in previous to this time as nonquota immigrants. They would still be permitted to come into the United States. In other words, those who are specified in the original law would still be permitted to come as nonquota immigrants.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Washington?

Mr. BLACK. I yield.

Mr. DILL. Would the Senator accept an amendment providing that all aliens except those coming from the Dominion of Canada should be barred?

Mr. BLACK. I would not accept it, but if it is desired it would be up to the Senate to vote that way.

Mr. DILL. I want to say to the Senator that I have never heard it seriously proposed that we should stop all immigration of Canadian-born citizens in the United States. Personally, I could not think of voting for a provision that would do that. I think the Senator does not really want to stop Canadian immigration which is made up of people of our own kind and our own class.

Mr. BLACK. There are two phases of any argument with reference to immigration. In connection with one element of that argument I thoroughly agree with the Senator; that is, that racially speaking, there is certainly no reason why Canadians should be kept out of this country. If it were considered altogether from the standpoint of the possibility and certainty of race amalgamation and national absorption, then there would be no argument which could be advanced, in my judgment, to prohibit Canadian immigration. But, on the other hand, I am offering the amendment at the present time based upon the principle that we have millions of people out of employment, and that so long as laborers can come in from any other country they are a disturbing factor in the labor situation in America. I can see no reason why our Government should not adopt the policy which most of the other civilized countries of the world have adopted, and that is to make special provision for the suspension of immigration at a time when there is a scarcity of employment. I placed in the RECORD a few days ago a synopsis of the laws of the various countries of the world which prohibit the entry of Americans in order to work at a time when there is a scarcity of employment. The amendment which I propose is based upon the principle that when there is in this country, as there is to-day, want and hunger all over the land, we should protect the American laborer by excluding immigration instead of in accordance with the hypocritical cry that we will protect American labor by protecting American manufacturers by an embargo tariff.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. BLACK. I yield.

Mr. SWANSON. The Senator has suggested that his amendment is intended to relieve the present distressing condition of unemployment in this country. As the amendment is to become operative on January 1, 1931, I suggest to him to limit the proposed legislation to two or three years, because as we expect to have a Democratic administration by 1933, the reason for hard times will not then exist. Does the Senator from Alabama object to inserting three years? Should that be adopted we can then try the proposed legislation for three years.

Mr. BLACK. Of course, it might be better to make the amendment read "until such time as the Democratic Party

comes into power," because I feel sure that then there will be a change in conditions.

Mr. SWANSON. It looks as though, if there is anything in the claim of the Republican Party that the activity which they have been exhibiting will relieve present distressing conditions, the proposed legislation ought to be limited to a certain time. Let us try it any way. The amendment I think would be stronger if it were limited.

Mr. BLACK. If there is a decided sentiment that three years would be a sufficient time, I would have no objection to that, if the Senator thinks the limit should be three years, because it involves a different policy as to immigration.

Mr. SWANSON. I was merely making the suggestion that the limit be made two or three years. I think that would be a good limitation.

Mr. BLACK. In line with the Senator's suggestion, and because a number of my colleagues have indicated a desire to limit the proposed legislation to three years, and in view of the further fact that we shall have ample time to pass other legislation during the next three years, I will change the word "five" to the word "three."

The VICE PRESIDENT. The Senator from Alabama modifies his amendment as indicated.

Mr. BLACK. I merely wish to call attention to one other fact before I sit down. I have heard enough arguments made on the other side of the Chamber with reference to protecting American labor by putting on embargo tariffs to fill numbers of volumes of the CONGRESSIONAL RECORD, and yet this afternoon when it was proposed to vote on the question of decreasing the number of immigrants who will be permitted to come here to compete with American labor, the proposition to decrease the volume of immigration was defeated largely by the votes of the very Senators who have talked most about protecting American labor.

The way to protect American labor is not to permit huge industries that have grown into giant monopolies to import labor, whether it be from Panama, Costa Rica, the Philippine Islands, Mexico, or anywhere else in the world. That is exactly what the interests that have grown rich and bloated on a protective tariff do not want. They always oppose, except in their platforms, any effort to protect American labor by cutting down immigration. Let those Senators who talk and shed tears about protecting American labor by increasing tariff rates and protecting the manufacturer so that he may raise his prices prove their faith and profession by their votes on this amendment.

Mr. SWANSON. Mr. President——

Mr. BLACK. I yield to the Senator from Virginia.

Mr. SWANSON. It seems to me the amendment as drawn would prohibit any labor coming from Canada. As I understand, there is a larger emigration from the United States to Canada and New Brunswick than there is to the United States from those countries. They might readily prevent any emigration from the United States going there. If it is true that there is a larger emigration from the United States to Canada, than there is immigration to the United States from Canada, it would seem to me we ought to exclude Canada by providing in section 4 of the amendment that "the immigration of aliens into the United States, except from Canada, is prohibited."

Mr. BLACK. I will say with reference to that suggestion that strong argument might be advanced on that side of the question. Personally, I should vote against an amendment to my amendment which excluded Canada, although I realize the potency of the argument which has been suggested. I have now in my possession a letter from a man in Detroit who tells me that there are thousands of people who are being fed there by the city. It was pointed out that, while those thousands are being fed by the charity of the city of Detroit, there are many people of alien birth, both from Mexico and Canada, who are holding positions there. I realize that there is this argument in favor of Canadian immigration, which would probably not apply to the kind of Mexican immigration we secure, namely, that the Canadian immigrants, perhaps, who go to Detroit and to other cities close to the border are more of the character of skilled laborers, and it is doubtless true that they draw salaries commensurate with the salaries which are paid to the American citizens; but that is not true of Mexicans.

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield further to the Senator from Virginia?

Mr. BLACK. I yield.

Mr. SWANSON. I am not speaking as to the respective merits of immigration from Canada and from Mexico. I know that immigration from Canada might result in severe competition in Detroit and some other industrial centers. The Senator from Georgia, however, stated that those who emigrate from the United States to Canada exceed the number of Canadians who come to the United States. In view of the fact that we have an unemployment situation in the United States now, why does the Senator from Alabama want to prevent American workingmen from going to Canada and obtaining good employment there? The Senator from Georgia says the reason he excluded Canada is not on account of the merits or the demerits of the immigration, respectively, from Mexico and from Canada but because more emigrants go from the United States to Canada than immigrants come from Canada to the United States. That is the reason I understood the Senator from Georgia left it out of his measure.

Mr. BLACK. I have no hesitation in saying to the Senator that, so far as I am concerned, I am perfectly willing to go a step farther. I think the United States has a right to select the race and the nationality in the type of immigrants who come into this country. It is my judgment that they should be mainly of those types that can be most readily absorbed in the great national stream of our American life. I am frank to say that, in so far as Canada is concerned, no earthly reason can be advanced from a racial standpoint why they would not be readily absorbed and amalgamated into American citizenship, and, if an amendment shall be offered to my amendment on the point suggested, so far as I am concerned, I will have nothing to say against it.

Mr. HAYDEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Arizona?

Mr. BLACK. I yield.

Mr. HAYDEN. Does it make any difference to the American workingman whether his job is taken away from him by a Canadian or by a Russian or by an Englishman or by a Mexican? Of course, he loses his job in any event.

Mr. BLACK. I agree with the Senator. I stated in the beginning that there were two phases of the immigration argument, and that, so far as the phase which the Senator is now mentioning was concerned, there is no difference between the people who come from one country and those who come from another. Another argument, however, is that with reference to racial characteristics, and in connection with that argument there is a difference.

Mr. HAYDEN. I agree with the Senator that if it were proposed to select immigrants, the statement he makes would be correct, but the sole purpose of his amendment is to prevent anyone coming to the United States who would take away jobs from American workingmen.

Mr. BLACK. That is the reason I said I would not accept an amendment which excluded Canada from the operation of my amendment, although I realize there are many who might want it done; but if an amendment shall be offered to that effect the Senate can vote upon the proposition. What I want to get fairly and squarely before the Senate and the question on which I want a record vote is this: Are arguments which have been made by those who are about to perpetrate the most iniquitous tariff bill that has ever been foisted upon America sincere when they claim that it is their desire to protect American workingmen? Do they want to protect those workingmen, or do they want to protect the huge trusts and monopolies which have grown rich by extorting from the pockets of the people money which has come from unfair practices by reason of the absence of foreign competition?

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. BLACK. I yield.

Mr. WALSH of Massachusetts. The Senator is aware of the fact, I presume, that large numbers of immigrants, those who are not of Anglo-Saxon origin, and who do not speak the English language, come from Canada?

Mr. BLACK. I realize that.

Mr. WALSH of Massachusetts. The Senator spoke about their being assimilated and about speaking the same language, and being of the same race.

Mr. BLACK. When we consider the question of assimilation I should say that assimilation would depend, first, upon their being able to speak our language, and second, upon the similarity of blood, color, and race.

Mr. WALSH of Massachusetts. I thought the Senator indicated that all Canadian immigrants spoke the English language.

Mr. BLACK. I understand that some of them do not.

Mr. WALSH of Massachusetts. Let me add, however, that they make very excellent citizens.

Mr. BLACK. I agree with the Senator thoroughly as to that. I am not claiming any superiority of one race over another. I am not here to make an argument of that kind, and I am not advancing it.



Mr. HARRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. BLACK. I yield.

Mr. HARRIS. I am in favor of the Senator's amendment; I am in favor of putting Canada on a quota basis, but there are several Senators, otherwise friendly to the amendment, who would vote against it unless Canada should be excluded. So there is no hope of the Senator securing the adoption of his amendment unless he does provide for such an exception. So I suggest that he exclude Canada.

Mr. BLACK. I should like to say to the Senator that there are some Senators who will vote for it if Canada shall be left in who will not vote for it if Canada shall be excluded. I have no objection to a vote on an amendment to exclude Canada. I do not ask for a yea-and-nay vote on it, but let it be voted on viva voce. Let the Senator offer it and we can have a vote on it.

Mr. DILL. Mr. President, I offer an amendment, in line 4, after the word "aliens," to insert the words "from Canada and New Brunswick and," so that the amendment would read:

This provision shall not apply to aliens from Canada and New Brunswick and of the following classes—

And so forth.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington [Mr. DILL] to the amendment offered by the Senator from Alabama [Mr. BLACK]. [Putting the question.] The ayes seem to have it.

Mr. BLACK. Let us have a division.

On a division, the amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is upon the amendment of the Senator from Alabama [Mr. BLACK], as amended.

Mr. ASHURST and Mr. NORBECK called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). I have a pair with the Senator from Texas [Mr. SHEPPARD]. I transfer that pair to the Senator from Minnesota [Mr. SCHALL] and will vote. I vote "nay."

Mr. GOULD (when his name was called). I have a general pair with the Senator from New Mexico [Mr. BRATTON] and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. JOHNSON (when his name was called). Upon this question I am paired with the Senator from Texas [Mr. CONNALLY]. I transfer my pair to the Senator from Connecticut [Mr. WALCOTT] and will vote. I vote "nay."

The roll call was concluded.

Mr. METCALF (after having voted in the negative). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. Has that Senator voted?

The VICE PRESIDENT. The Senator from Maryland has not voted.

Mr. METCALF. I transfer my pair with him to the Senator from South Dakota [Mr. MCMASTER] and will allow my vote to stand.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES]; and

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

I am not advised how any of these Senators would vote on this question.

Mr. WALSH of Montana. I desire to announce that the Senator from Nevada [Mr. PITTMAN], the Senator from Missouri [Mr. HAWES], and the Senator from Maryland [Mr. TYDINGS] are necessarily detained at a meeting of the Committee on Interstate Commerce.

I also desire to announce that the Senator from Arkansas [Mr. CARAWAY] is detained on official business.

The result was announced—yeas 29, nays 37, as follows:

YEAS—29

Ashurst	Brock	Glass	Hatfield
Barkley	Capper	Goff	Hayden
Black	Dill	Harris	Hebin
Blease	George	Harrison	Jones
McCulloch	Robinson, Ind.	Stephens	Wheeler
McKellar	Robsion, Ky.	Swanson	
Overman	Simmons	Thomas, Okla.	
Patterson	Steck	Trammell	

NAYS—37

Allen	Goldsborough	McNary	Sullivan
Bingham	Greene	Metcalf	Thomas, Idaho
Blaine	Hale	Norbeck	Vandenberg
Brookhart	Hastings	Norris	Wagner
Broussard	Hebert	Nye	Walsh, Mass.
Copeland	Howell	Oddie	Walsh, Mont.
Deneen	Johnson	Phipps	Waterman
Fess	Kendrick	Shipstead	
Frazier	Keyes	Shortridge	
Gillett	La Follette	Steiwer	

NOT VOTING—30

Baird	Fletcher	Moses	Smith
Borah	Glenn	Pine	Smoot
Bratton	Gould	Pittman	Townsend
Caraway	Grundy	Ransdell	Tydings
Connally	Hawes	Reed	Walcott
Couzens	Kean	Robinson, Ark.	Watson
Cutting	King	Schall	
Dale	McMaster	Sheppard	

So Mr. BLACK's amendment, as amended, was rejected.

The VICE PRESIDENT. The question now is upon the substitute of the Senator from Kansas [Mr. ALLEN] for the amendment offered by the Senator from Maine [Mr. GOULD].

Mr. GOULD. Mr. President, this has been a long-drawn-out debate, as we all know. We have seen that there are many men of many minds.

A great deal has been said about the Mexican situation. The Mexican situation perhaps is the most prominent thing in this immigration bill at the present time. Perhaps the greatest contention has been about the Mexicans.

I have listened for three years in the Immigration Committee to testimony on the Mexican question and the character and habits of Mexicans. I can positively prove by the testimony that has been given that the Mexicans are the best, the cleanest, the nicest, the most respectable, the most peace-loving people that there are on earth. I can also prove by testimony that has been offered in the Immigration Committee that they are not fit to come up here and live with our pigs; that they are the most disreputable, cheap class of people on earth. So there you are.

I think enough testimony has been given here, pro and con, so that if we can equalize it a little, and consider both sides a little extravagant in their statements, we will have to admit that California, Arizona, and some other States need some Mexican labor at certain seasons of the year.

The substitute I have offered for the Harris bill I think equalizes the whole situation pretty well. There is one thing we have to say about it—that this measure was drawn up by the Immigration Committee of the House. In all our immigration bills in the past few years it has been very hard to get through the House anything that we agreed to over here. Now they have the best immigration bill that I have ever seen, and I shall be glad to adopt their bill. There is one thing we are sure of: We are going to give Mexico a chance to furnish some of our labor—about 11,000 for the first year, about 7,000 for the second year, and then they go on a quota, whatever we have a mind to do with them, after that. This will help out the people down there who are depending on Mexican labor for the next year or two, and give them a chance to prepare for some other sources of labor if they have too.

The next good feature of this measure is that it is acceptable to the House; and if we pass it we may do something that we have not done in my four years of experience here—that is, get any satisfaction out of immigration bills. The national origins bill passed here by a very close shave a year or two ago, and it has not been very satisfactory. The so-called Norbeck amendment takes care of a good deal of that. I suggest that the amendment to the Johnson bill that has already been offered here should go along now, and we should take a vote and settle this matter once for all.

Mr. NORBECK. Mr. President, may I ask the Senator if I understand correctly that the Senator from Maine, in offering the Albert Johnson House bill as a substitute, in perfecting that amendment has included the provision adopted by the Senate this afternoon relating to immigration from Europe?

Mr. GOULD. That is just what I meant to say when I was speaking.

Mr. HARRIS. Mr. President, what amendment is pending now?

The PRESIDING OFFICER (Mr. JONES in the chair). The Chair understands that the junior Senator from Kansas [Mr. ALLEN] has offered a substitute for the substitute proposed by the Senator from Maine, and that that is the pending question.

Mr. HARRIS. The junior Senator from Kansas offered a substitute for the substitute?

The PRESIDING OFFICER. An amendment in the nature of a substitute. Each substitute, of course, is amendable; and if it is desired to amend the original text, such an amendment will take precedence over amendments to these other proposals.

Mr. ALLEN. Mr. President, the effect of the substitute I have offered is to place the entire system of immigration into the United States upon a selective basis. It does not affect the present quotas, and it solves more problems that have arisen this afternoon in this debate than any other proposal that has been suggested.

It gives to the Secretary of State, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor the power to prescribe selective immigration as to classes, as to the needs of the hour, as to the provisions under which these people shall come in. It establishes the quotas as the metes and bounds under which these Secretaries shall make their administrative rulings.

It does not affect, for example, the quotas as changed this afternoon by the amendment of the Senator from South Dakota. It means that the quota basis as fixed by that amendment remains as the limit under which the Secretary of Labor and his associates shall operate.

It does not provide the objectionable features touching the Western Hemisphere which have been discussed. It merely provides that as to Mexico and the United States and the other nonquota countries of the New World the Secretary of Labor and his associates in the Government shall, after studying the conditions, make the rules of administration and admission. For the first time it puts immigration into this country upon the proper selective basis.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. WALSH of Massachusetts. Is the amendment proposed by the Senator supported and approved by the Department of Labor?

Mr. ALLEN. It is, and it has been submitted to the tests of their legal department. It is their belief that it is constitutional, and that it meets the various purposes of these different amendments. It is the first time in the history of this country that any effort has been made to give the United States the power to control its own immigration in its own way, to limit the classes of labor as they come into this country according to the particular needs of the peculiar periods.

For example, if this measure were to-day in operation, there would be no immigration coming in from many of the quota countries, because there is no need of the labor. It does not build a fence around the United States, as would the Senator from Alabama in his amendment. It says to all the world that is now subject to immigration to this country, "You are welcome into the United States at such times when there is provided in the natural circumstances room for your labor, and at such other times we are not asking you to come; we have nothing with which to invite you."

Mr. SHIPSTEAD. Mr. President, as I understand the Senator, it would leave to an executive department of the Government the decision as to who should come and how many might come and at what times they might come.

Mr. ALLEN. It would leave to the executive departments of the Government the making of the administrative provisions which would do exactly that thing, which would establish, first, the peculiar needs of the period, and the period would be constantly shifting, and therefore the power given to this board of Cabinet officers is an elastic power, and they shall provide the qualifications and the classes.

Mr. SHIPSTEAD. The Senator feels no hesitancy in conferring all of this power upon a small group of people?

Mr. ALLEN. I would rather confer this power upon four members of the President's Cabinet than to confer it, as it is now conferred, very largely, upon the consular agents around the world. I feel that in the arrangement of these four, in the introduction of these administrative responsibilities, we have a natural system of checks and balances. For example, we know that the Department of Agriculture would not admit into this country at any time any character of seasonal labor that would be detrimental to agriculture.

We know that the Secretary of Labor, always jealous for the rights of labor, would not admit into the country at any time any undue number of people. At this time he would not admit anybody.

We know that the Secretary of State, always jealous about our neighborly relationships, would object to any stringent orders which, at the time they were made, might bring unfavorable relationships.

We know that the Secretary of Commerce, jealous always for commercial relations, would have his interest attracted by any angle of this subject which might be affected by the orders they might make. So, with the responsibility of these four administrative officers specifically divided, I think there is no danger of giving too much latitude or discretionary power.

Mr. SHIPSTEAD. Mr. President, if the Senator will indulge me just a moment, the reason why I asked the Senator these questions was because I have not had an opportunity to study his amendment.

Mr. ALLEN. I understand; the Senator has been away.

Mr. SHIPSTEAD. Would the Senator's amendment interfere with an act of Congress providing, for instance, that a certain number of immigrants should be allowed to come into this country every year?

Mr. ALLEN. With respect to what I believe to be the very excellent changes made in the quota system by the amendments this afternoon, the amendment merely says that the quotas established by that amendment shall be the limitations under which the Secretary of Labor and his associates shall make their program of selectivity. They shall go no further than that. If they do not need at any time to go that far, they shall go only so far as in their judgment the condition of the country requires. Do I answer the question?

Mr. SHIPSTEAD. I think the Senator has answered it. Let me ask him just one other question. For instance, if under the present law 2,000 immigrants are permitted to come from a certain country, the provision of the Senator's amendment would not interfere, it would not give the Cabinet officers the power to reduce the number?

Mr. ALLEN. If 2,000 immigrants were permitted to come into the United States from any country, and there should be a condition of unemployment here, or any other condition which would justify the closing of the quota from that country altogether, then these four Cabinet officers would have the power to suspend that quota for the time being.

Mr. SHIPSTEAD. I thank the Senator.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. ALLEN. I yield.

Mr. COPELAND. I am very much interested in the proposal of the Senator, and I want to be clear about its significance. If I understand correctly, the quotas are left as they are now?

Mr. ALLEN. Entirely so.

Mr. COPELAND. Then, 50 per cent of the quota of each nationality is set apart to include fathers, mothers, and the others designated?

Mr. ALLEN. Yes; for the uniting of families.

Mr. COPELAND. The fireside friends, the family friends?

Mr. ALLEN. Yes.

Mr. COPELAND. If, after that assignment of fathers and mothers and husbands has been exhausted, any portion of that 50 per cent shall remain, the remaining portion is applied to the admission of the unmarried children under 21 years of age?

Mr. ALLEN. Yes.

Mr. COPELAND. Of alien residents?

Mr. ALLEN. Yes.

Mr. COPELAND. They do not necessarily have to be naturalized?

Mr. ALLEN. No; but they would have to be eligible under the present quota law.

Mr. COPELAND. That is, persons who were to come in under this would have to be eligible?

Mr. ALLEN. Yes; eligible under the present quota law.

Mr. COPELAND. But the remainder of the 50 per cent would be applied in that way?

Mr. ALLEN. Yes. Let me add, if the 50 per cent of the quota is not sufficient to take care of the preferential nonquota people—the relatives—the entire quota shall be preferential for that purpose, as to the small countries.

Mr. COPELAND. Does it say that in the amendment?

Mr. ALLEN. Yes.

Mr. COPELAND. I wish the Senator would point out where that is.

Mr. ALLEN. I do not know whether it says it in that language, but the experts who have studied the amendment say that would be the operation of it.

Mr. COPELAND. That is probably in section 3.

Mr. ALLEN. It is in section 3.

Mr. COPELAND. It reads:

"(3) No portion of the quota of any nationality for any year not required for the issuance of immigration visas to the classes specified in paragraphs (1) and (2) shall be made available in such year for

the issuance of immigration visas to other quota immigrants of such nationality unless authorized by the Secretary of Labor, and then only—

To the extent of the selection——

Mr. ALLEN. Authorized by law.

Mr. COPELAND. Then the fourth section provides:

No alien shall be deemed to be a nonquota immigrant under section 4 (c)—

That is, of the Western Hemisphere?

Mr. ALLEN. Yes.

Mr. COPELAND. "Unless he is of a class of relatives described in paragraphs (1) and (2)"—

That is, relating to the reunion of families?

Mr. ALLEN. Yes.

Mr. COPELAND. "Unless his admission be permitted by regulations authorized."

Mr. ALLEN. There is the broad provision under which the board of Secretaries would be given selective power, unless the immigrant belongs to those sections of aliens who are permitted by the regulations adopted.

Mr. COPELAND. Mr. President, I am forced to say that the Senator has made a very interesting proposal, which has much merit in it, as I view it.

Mr. ALLEN. Mr. President, I am not going to detain the Senate any longer with this discussion.

It is my belief that this amendment would solve the problems which have been discussed here ever since the immigration question came up, and it would place the entire immigration system of this country upon the same basis of scientific selectivity as that it occupies in other countries which have made a study of the immigration problem.

Mr. COPELAND. Mr. President, no complaint could be raised regarding this matter of the way the immigrants are selected; that is, that remnant, because now they must be selected through the consular agents, and under the amendment proposed by the Senator, it would be by a board set up by these various secretaries directly responsible to the President.

Mr. ALLEN. And the new administrative features would clearly give us a more careful and thorough selection on the part of the elements of our foreign service.

Mr. COPELAND. I assume the Senator had in mind—if I may ask him this further question—the humanities, the reunion of families, and taking the cruelties out of our present law.

Mr. ALLEN. The actual effect of this provision touching the 50 per cent will be to unite families of those who have come here from the southern European countries. So many of the heads of families have come and have not taken advantage, and under this provision they will take advantage of the opportunity to unite their families.

From the northern countries the 50 per cent will not be exhausted. Therefore that 50 per cent not exhausted by the family conditions will be added to the natural quota. So that it will add to the extent of the immigration coming from the northern countries.

The PRESIDING OFFICER. The question is on agreeing to the substitute offered by the Senator from Kansas for the substitute proposed by the Senator from Maine.

Mr. ALLEN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COPELAND. Mr. President, I want to ask a question: The Senator from Kansas accepts the amendment proposed by the Senator from South Dakota?

Mr. ALLEN. My amendment does not affect that amendment in any way. The new quota arrangement, if the amendment of the Senator from South Dakota prevails, merely acts as the metes and bounds under which the four Cabinet officers administer their privileges, and it can be done as well under the amendment of the Senator from South Dakota as under the provision of the present law of national origins.

The PRESIDING OFFICER. The Chair would like to ask the Senator from Kansas whether or not the amendment of the Senator from South Dakota is made a part of his substitute?

Mr. ALLEN. Yes; I will accept it as a part of my substitute.

Mr. DILL. Mr. President, if the amendment of the Senator from Kansas is adopted, does it apply then to the amendment of the Senator from Maine [Mr. GOULD] or to the Harris bill?

Mr. ALLEN. My amendment is in effect a substitute for the Harris bill.

Mr. DILL. So that if the Senator's amendment is adopted, it overrides both the amendment of the Senator from Maine [Mr. GOULD] and the Harris bill?

Mr. ALLEN. It does in that it makes it unnecessary to consider quotas from the Western Hemisphere. It establishes the power of selectivity in the hands of the four Cabinet officers, and it takes the place of the other two proposals.

Mr. DILL. I want to get the situation clear in my mind. To-day there is no limitation on the number of immigrants of Canadian birth to the United States. There are some of us deeply concerned that that condition shall not be interfered with, because of the free exchange which occurs both in our business and our social intercourse. As I understand it, the Senator's plan will place in the hands of a bureau here in Washington the right to say whether any Canadian citizen may be permitted to enter the United States?

Mr. ALLEN. My plan merely proposes to place the United States on exactly the plane that exists in Canada in reference to us. Over there, by their government in council, they establish the rules and regulations under which immigration from the United States may come in. Under my plan the Secretary of Labor and his associates in the Cabinet shall determine at every period the necessities of labor as affected by the desirability of the Canadian situation, and they shall deal with that situation. In the council which deals with that subject there is always the Secretary of State as well as the Secretary of Commerce, the Secretary of Agriculture, and the Secretary of Labor.

Mr. DILL. The point I make is that under the plan of the Senator the control of the immigrants from other countries is simply under a bureau, and the only thing the immigration law has to do with it is to limit the number the bureau can allow to come in here. It fixes no minimum but fixes the maximum.

Mr. ALLEN. It fixes the maximum in the quota countries at the quota, but in the nonquota countries of the Western Hemisphere it fixes the entire maximum at 75,000 per annum for all Western Hemisphere countries.

Mr. SWANSON. Mr. President, may I ask the Senator from Kansas a question?

Mr. ALLEN. Certainly.

Mr. SWANSON. The four Cabinet officers distribute that number to any country they please?

Mr. ALLEN. Yes.

Mr. SWANSON. They do not have to take into consideration race or any other basis except the caprice and will of the four Cabinet members?

Mr. ALLEN. Except their conclusions after a thorough and fair study of the needs of the situation.

Mr. SWANSON. Then Congress will have no authority to determine whether all shall come from Mexico or all from Canada or all from Brazil or all from the West Indies? That is left entirely to the bureau?

Mr. ALLEN. The administration of the discretion which we give them is left to their judgment. Congress will retain the power to control the general situation at any time it thinks desirable.

Mr. SWANSON. If they wanted to show favoritism to any nation they could do it?

Mr. ALLEN. They could.

Mr. SWANSON. It is left to their judgment?

Mr. ALLEN. It is left to the judgment of the Secretary of State and his associates.

Mr. SWANSON. Does the Senator know of any country other than Canada which has created a bureaucracy of that kind to deal with immigration?

Mr. ALLEN. Great Britain in her Board of Trade does precisely this thing. Through an act of Parliament she establishes the metes and bounds under which the Board of Trade accepts the immigration.

Mr. SWANSON. Under the present law, as I understand it, we establish the law and we have to have somebody to execute it.

Mr. ALLEN. Great Britain does exactly this thing.

Mr. SWANSON. But the Secretary of Labor does not determine the matter. He executes the will of Congress. It seems to me that under the Senator's amendment the will of Congress is transferred to the Cabinet officers, and they execute their own will.

Mr. ALLEN. I was afraid the Senator from Virginia was getting to that point. I did not expect to get my amendment adopted without having Senators with the constitutional obsession pick out that particular objection.

Mr. SWANSON. Do not call it an obsession. Love of the Constitution and love of our system of government is evidence of a patriotic desire to maintain our institutions.

Mr. ALLEN. I share with the Senator from Virginia a love of Constitution, but I do not like to have it throw all other things out of proportion. We do give to the Cabinet of the United States some very, very great discretionary power.

Mr. SWANSON. But the Constitution does not throw anybody out of proportion; but people are always trying to

use force to throw the Constitution out of place. Congress fixes the limit of immigration. It is a domestic question. Congress determines the number and the basis upon which the number is divided under the present law. All that the Secretary has to do is to be practically a clerk and make effective the will of Congress. I would not like to see 75,000 fixed for North and South America, and then let four men determine all the other quotas.

Mr. ALLEN. Does the Senator think that is too large a latitude to adopt?

Mr. SWANSON. Yes; of course; this is legislation.

Mr. ALLEN. I presume it would be legislation also if under the quota we gave to the Secretary of Labor and his associates the power to say how many should come from Germany or Holland or any other country under the provisions of the quota law.

Mr. SWANSON. Oh, no; we establish the basis, and all he has to do is to perform a mechanical act.

Mr. ALLEN. Let me say to the Senator from Virginia that we are trying to get the problem of immigration away from the mechanical acts of clerks. We are trying to get it to a plane where it may receive the judgment and the study and the cooperation of a great council aided at all times by the other elements of the Foreign Service.

Mr. SWANSON. If the Senator will remember, our Constitution leaves that to the Congress. He is trying to secure a new constitutional method of depriving Congress of its rights.

Mr. ALLEN. May I ask the Senator from Virginia to differ with him on what this means constitutionally? As I understand, it is entirely allowable even amongst lawyers for men to entertain different convictions as to what the Constitution means in a particular application.

Mr. SWANSON. The Supreme Court has decided that Congress has the right to enact a law such as it did in creating the Interstate Commerce Commission and the Federal Trade Commission, and while we exercise discretion and fix limitations and give directions to those bodies, we do not give them any legislative discretion.

Mr. ALLEN. I do not think this surrenders the legislative discretion. I asked the legal department of the Bureau of Immigration if they would study the amendment with that particular objection in mind. It was the unanimous decision of the lawyers in the bureau that we do not violate the Constitution if we adopt this amendment.

Mr. SWANSON. Yes; but the unanimous decision of every commander under Julius Cæsar was that he did not violate the constitution when he crossed the Rubicon.

Mr. ALLEN. He made it all right.

Mr. SWANSON. Yes; but he got in trouble.

Mr. COPELAND. Mr. President, I would like to ask the Senator from Kansas a question. I find that I omitted to read one very important section of his amendment. Under section 3, as I read it, it is apparent that after the preferences have been extracted from the quota the surplus is taken away from that particular nationality and turned over to the board to pass upon and determine by selection.

Mr. ALLEN. The surplus of the 50 per cent if it is not needed for the particular nationality.

Mr. COPELAND. That introduces quite another angle of the case.

Mr. ALLEN. The purpose of it is to force those elements of immigration, which all these years have failed to bring their families here, to bring those families here and unite them.

Mr. COPELAND. I am in favor of that.

Mr. ALLEN. That is what it is for, and that seemed to be the only constitutional way we could do it.

Mr. COPELAND. Of course it is quite unfair, as I see it, to have the balance of the quota turned aside to be used for some other country.

Mr. ALLEN. I would not object if the Senator wished to offer an amendment eliminating that feature.

Mr. COPELAND. Would the Senator be willing to omit the third paragraph?

Mr. ALLEN. Yes; I would be willing if the Senator from New York wishes to offer that as an amendment. I do not think it is of great importance.

The PRESIDING OFFICER. The question is on the substitute offered by the Senator from Kansas [Mr. ALLEN] for the substitute proposed by the Senator from Maine [Mr. GOULD]. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BROOKHART (when his name was called). I have a pair with the Senator from Texas [Mr. SHEPPARD]. I transfer that pair to the Senator from Minnesota [Mr. SCHALL] and vote "nay."

Mr. GOULD (when his name was called). I have a general pair with the Senator from New Mexico [Mr. BRATTON]. If I were at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. CARAWAY (after having voted in the negative). I have voted, but I have a pair with the junior Senator from California [Mr. SHORTRIDGE]. I transfer that pair to the junior Senator from Tennessee [Mr. BROCK] and let my vote stand.

Mr. SIMMONS. I transfer my pair with the senior Senator from Massachusetts [Mr. GILLETT] to the junior Senator from Texas [Mr. CONNALLY] and vote "nay."

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The junior Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES]; and

The senior Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

I am not advised how any of these Senators would vote on this question.

The result was announced—yeas 11, nays 55, as follows:

YEAS—11

Allen	McCulloch	Patterson	Sullivan
Hastings	Oddie	Robsion, Ky.	Vandenberg
Hatfield	Overman	Steiwer	

NAYS—55

Ashurst	Fess	Johnson	Simmons
Barkley	Frazier	Jones	Steck
Bingham	George	Kendrick	Stephens
Black	Glass	Keyes	Swanson
Blaine	Goff	La Follette	Thomas, Idaho
Blease	Goldsborough	McKellar	Thomas, Okla.
Borah	Greene	McNary	Trammell
Brookhart	Hale	Metcalf	Tydings
Broussard	Harris	Norris	Wagner
Caraway	Harrison	Nye	Walsh, Mass.
Copeland	Hayden	Phipps	Walsh, Mont.
Dale	Hebert	Ransdell	Waterman
Deneen	Heflin	Robinson, Ind.	Wheeler
Dill	Howell	Shipstead	

NOT VOTING—30

Baird	Gillett	Moses	Shortridge
Bratton	Glenn	Norbeck	Smith
Brock	Gould	Pine	Smoot
Capper	Grundy	Pittman	Townsend
Connally	Hawes	Reed	Walcott
Couzens	Kean	Robinson, Ark.	Watson
Cutting	King	Schall	
Fletcher	McMaster	Sheppard	

So the substitute proposed by Mr. ALLEN was rejected.

TESTIMONY OF MR. HENRY H. CURRAN BEFORE SENATE LOBBY COMMITTEE

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the New York Times of April 19, 1930, regarding the testimony of Mr. Henry H. Curran before the Senate Lobby Committee.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, April 19, 1930]

HOOVER PICTURED IN DOUBT OF ENFORCING THE DRY LAW—STAYTON LETTER VOICED IT—HIS VIEW READ AT HEARING—PRESIDENT "WANTS PLENTY OF TIME TO CONSIDER," WET LEADER WROTE—URGED NEED OF PATIENCE—CURRAN, AGAIN ON STAND, SAYS CONGRESS IS GROWING COOL TO "EXTREME" PROPOSALS—SEES NEED OF REFERENDA—PROHIBITION IS SELDOM A CLEAR-CUT ISSUE IN AN ELECTION, THE WITNESS ASSERTS

WASHINGTON, April 18.—President Hoover was represented as "beginning to doubt whether prohibition can be enforced" in a letter read to-day at the Senate lobby hearing.

The letter, which was written by Capt. W. H. Stayton, chairman of the board of the Association Against the Prohibition Amendment, to Charles S. Wood, of Philadelphia, was read into the record by Senator CARAWAY during the third day of testimony by Henry H. Curran, president of the association. It expressed the personal opinion of Captain Stayton, based on talks with "Senators, Members of Congress, and public officials," and opened with the words, "This is absolutely confidential."

Captain Stayton expressed the belief that the President "wants plenty of time to consider it, but he is being abused a little too much."

TIDE IS TURNING, SAYS CURRAN

Introduction of the letter by Mr. CARAWAY followed a discussion in which Mr. Curran expressed the belief that "the high tide of fanatical legislation" had turned with the Jones law, which, he remarked, had been "passed with a whoop," in contrast with the "lack of interest" shown by the present Senate in measures proposing to make the pur-

chaser equally guilty with the seller of liquor, and doing away with trial by jury in minor cases.

His own organization, however, he assured the committee, was engaging in no activities in connection with these proposed laws, other than the appearance of its representatives at the hearings held by the House Judiciary Committee.

"Let's see about that," interrupted Senator CARAWAY. "I have here a letter written by W. H. Stayton, manager of your office here, to Charles S. Wood, in Philadelphia. Do you know him?"

"He is one of our vice presidents," Mr. Curran replied.

"It is marked 'This is absolutely confidential,'" continued Mr. CARAWAY. "Most of the letters you have there are confidential."

Mr. Curran agreed.

With the deduction, denied by Mr. Curran, that "that shows you were carrying on in some way an activity you did not want the public to know about," Senator CARAWAY read the letter.

CAPTAIN STAYTON'S LETTER

Captain Stayton's letter to Mr. Wood was as follows:

FEBRUARY 15, 1930.

CHARLES S. WOOD, Esq.,

Widener Building, Philadelphia, Pa.

DEAR WOOD: This is absolutely confidential.

Judge GRAHAM, who is, I suppose, thinking not only of the wet and dry issue but also of the Republican Party, which he very dearly loves, has shown that these matters are so close to his heart that he has personally urged me to do three things:

First. To ask General Atterbury to come down and go to the stand for a few minutes on Wednesday and Thursday. Way will be made for him instantly and he will not be detained.

Second. To put Judge GRAHAM himself in touch with Mr. Pierre du Pont in Florida. Mr. du Pont went there yesterday to stay until the 27th of this month, but Judge GRAHAM is going to ask him to come back here and testify on the 19th or 20th.

Third. The judge is also going to reach Senator Wadsworth in Cuba by phone and ask him to break up his vacation and come back for the same purpose.

I can not ask you too strongly to impress upon General Atterbury that Judge GRAHAM thinks the three above-mentioned things of vast importance to the cause.

My own feeling is, as I talk to Senators, Members of Congress, and public officials here, that Mr. Hoover is beginning to doubt whether prohibition can be enforced. He wants to take plenty of time to consider it, but he is being abused a little too much and I believe that, if General Atterbury should take the stand, it would cause a great many people to be more generous to Mr. Hoover's attitude.

I think there are thousands of people—and especially prominent people here—who would at once say that, if General Atterbury, with his strong convictions on this subject, is willing to wait for Mr. Hoover's calm consideration, then the rest of us ought to equally be willing to wait—and I believe that a real service would thereby be done to the Republican Party.

Very truly yours,

W. H. STAYTON.

ADMITS SEEING REPRESENTATIVES

"It appears, then," commented Senator ROBINSON, as Senator CARAWAY finished, "that you do talk to Members of Congress and others in Washington."

"Once in a while I run across one of them," Mr. Curran told him.

"And Captain Stayton does talk to Congressmen," added Mr. ROBINSON.

"He wouldn't cut one if he met him on the street and knew him," Mr. Curran agreed.

"The point is," Senator ROBINSON insisted, "he discusses legislation and procedure as to legislation?"

"He certainly did with Judge GRAHAM," Mr. Curran answered.

"I understood you to say you paid no attention to Congress," Mr. ROBINSON said.

"Oh, not at all," exclaimed Mr. Curran. "On the contrary, we are much interested and watch with interest your doings in Congress. Everybody does. It's very important."

Reverting to Mr. Curran's expressed belief that "the tide is turning against prohibition" throughout the country, to which strong exception was taken by Senators WALSH, CARAWAY, and ROBINSON, and who argued the point with the witness at considerable length, Senator ROBINSON exclaimed:

"Well, you are finding it more and more difficult to get contributions to your association, and that does not look as if the sentiment for repeal of the amendment is so very widespread."

CURRAN DENIES GIFTS FALL OFF

Mr. Curran denied the falling off in contributions alleged by Senator ROBINSON, who read from a list of last year's contributors several names, following each with a demand to know if a contribution had not been refused or not sent in so far this year.

Mr. Curran denied any refusal to contribute, but admitted that in some cases a contribution had not yet been received.

"But the year's young yet," he added, cheerfully. "I may get a contribution from that very man in the next mail."

"Well, now, here are the letters you sent out last December to the contributors to the Republican and Democratic funds in the 1928 campaign," said Senator ROBINSON. "Take this letter signed by Lammot du Pont, a Republican, for the Republicans. According to your record, that was sent to 240 contributors to the Republican campaign fund, resulting in contributions to your association from five contributors of $2,125.

RASKOB SOLICITS CONTRIBUTIONS FOR WETS

"Take this other letter, sent out last December, signed by John J. Raskob, to 494 names on the Democratic committee list, which brought in from 12 contributors a total of $875. That was disappointing, was it not?"

"Oh, I don't know," replied Mr. Curran. "As I say, the year is young yet."

LETTERS ARE PUT IN RECORD

The letters which Senator ROBINSON read into the record were identical, with the exception of the first three paragraphs of the "Republican" letter, which were as follows:

"A letter to Republicans from a Republican:

"You undoubtedly voted last year in the presidential election as a loyal Republican for the best interests of your country. Nevertheless, on account of the many conflicting issues involved, you were deprived, in my opinion, of an opportunity to express yourself completely on the vital issue of prohibition.

"Our association took no part in the presidential contest, as our officers and directors, early in the campaign, sensed the impossibility of doing so because of the presence of so many acute issues. They felt that this could not be done at that time in a nation-wide contest with satisfaction to our members, who are of both shades of political conviction."

MR. RASKOB'S LETTER

The remainder of the Du Pont letter was identical with that signed by Mr. Raskob, dated December 3, 1929, which said:

"I am writing under the assumption that with many others of our citizens you are in favor of a change in the prohibition laws and in sympathy with the sound, progressive, energetic, and highly successful measures that our association is taking to remove them. From my observation of conditions throughout the country, and probably yours, there exists a clear majority of voters opposed to the cruel and absurd laws on the statute books.

"Final success in our great enterprise can be achieved when it is possible to unite all our members and those of our citizens who indorse our view of prohibition in elections or other political contests, untrammeled by any other issues."

Mr. Raskob referred to the results in Massachusetts, where the State recorded itself against prohibition by a 284,000 majority, as pointing the way "to hundreds of thousands of voters in each State who reject prohibition as unsound in principle and harmful in practice to unite in an organized protest, State by State, that will be heard in Congress and that will secure direct political action in the States themselves.

"We expect to help the thinking people of the State," he added, "to take the prohibition issue out of the hands of those who use it for their own particular purposes, and so enable the people to express their will.

"Failure to enforce prohibition during the last 10 years (which failure was inevitable from the beginning) has been accompanied by an orgy of graft, corruption, and lawlessness such as our Nation has never seen before. In my opinion, this can only be ended by an adequate expression of the will of the people, impressed upon Congress by votes."

The letter concluded with the assertion that the plan to hold referenda in several States during the year will involve heavy expenditures and appealed for contributions "to keep the present tide of victory running."

DU PONT NAME RECURS

Senator ROBINSON went in detail into the organization of the association in various States, and its connection with and contributions to State campaigns. The recurrence, as a contributor, of the names of first one and then another member of the Du Pont family led him at one point to inquire:

"Is this another Du Pont subsidiary?"

"You've said that before. I don't know what you mean by a 'Du Pont subsidiary,'" replied Mr. Curran.

"Well, I would rather call it that than a Du Pont racket," Senator ROBINSON said.

"You probably know more about rackets than I do," Mr. Curran said. "By the way, what has all this got to do with lobbying, or with anything this committee is authorized to investigate?"

"Let's not go into that," Senator ROBINSON told him, continuing to read from a letter suggesting several activities with which the association was requested to cooperate.

"'Circulation of Ritchie's speech,'" read Senator ROBINSON, "'*Black Duck* meeting,' 'pamphlet on abuses in Coast Guard.' All these activities are designed to further the taking of the prohibition amendment

out of the Constitution, aren't they? Well, that has some connection with lobbying."

"You say so, but that doesn't make it so," Mr. Curran replied. "That is another one of the letters taken from my file by your investigator on his fishing trip to my office, and not one thing in it has any bearing whatever on this inquiry."

"We'll see about that," Senator ROBINSON promised, continuing to read from it the reported arrangements for a meeting and suggestions as to speakers and topics for addresses, of one of which Mr. ROBINSON commented, "that was to be a 'shot heard 'round the country.'"

"Oh, no, 'the world,' Senator, 'around the world,'" Curran interrupted.

WALSH READS DRY ARTICLE

The hearing to-day was opened by Senator WALSH, who, reading from an article written to show that the dry sentiment in the country was greater than ever before and still growing, instead of the reverse, as contended by Mr. Curran, questioned the witness at length on each paragraph in the article, concluding with the question, "You still think the tide is turning against prohibition?"

"I'm sure of it, Senator," Mr. Curran replied. "I take no issue with the statements in that article, but I do take issue, with all respect, with your deductions from them, so far as the Federal amendment is concerned.

"That is not to say, you understand, that many sections of the country are now dry and will remain dry. For instance, it is not my business what legislation is preferred in Alabama, but when Alabama tries to put dry legislation over on New York, which is my State, I resent it, and I know others resent it, and I feel that it is a condition that can not last.

"It is very difficult to get an expression on this one issue except in a referendum, because in elections so many other issues are involved that it is difficult to get an expression on this one. But it's coming, Senator, it's coming."

Senator WALSH called attention to the last election, but Mr. Curran contended that that only illustrated his point.

"That was a Hoover-Smith fight," he said.

"We will pass to something else," said Senator WALSH.

CURRAN SEES SIGNS OF CHANGE

Later on, in answer to Senator ROBINSON, who reverted to the same line of discussion, Mr. Curran added that some signs of the "turn of the tide" against prohibition were beginning to become apparent in Congress.

"Even in the present Senate, which is dry," he said, "there are two bills in which Members of Congress are not interested at all—the Sheppard bill, making the buyer equally guilty with the seller of liquor, and the Wickersham bill, doing away with trial by jury. I'm perfectly sure neither of these bills will pass. On the other hand, the Jones bill passed with a whoop.

"Those were the old days, the halcyon days of prohibition legislation when the Jones bill was passed making a man a felon and liable to be sent to jail for five years if he carried a glass of wine across the street from one house to another. Already Congress is beginning to back away from legislation of that kind."

Senator ROBINSON objected, and Mr. Curran agreed that the Wickersham commission lacked responsibility for legislation and only made recommendations.

Senator ROBINSON insisted that the executive branch of the Government was undertaking to enforce the law.

"They are trying very hard," said Mr. Curran, "but they are backing away from the Jones law because they can not enforce prohibition through such a law. It can't be done."

"My own opinion differs slightly from yours," said Mr. ROBINSON, "that the Jones law is being used and that the Jones law has produced some considerable betterment."

"If you can only find out how much they are using the Jones law, I would like to know," suggested Mr. Curran.

DENIES FIGHTING DRY BILLS

At this point Senator BLAINE, the only wet member of the committee, interposed:

"I am not interested, and I don't think the committee is interested. At least, it has no authority to investigate all these predictions and prophecies. I would like to know what activities your organization is engaged in conducting, if any, with reference to the Sheppard bill or the Wickersham bill. Are you taking any action in regard to them, or either of them?"

"None whatever," replied Mr. Curran. "I believe in giving gentlemen who are willing to pass that kind of legislation all the rope they want."

"Are you taking any action in regard to any other prohibition legislation now pending before Congress?" asked Senator BLAINE.

"We are not lifting a finger," Mr. Curran assured him, "beyond appearing before congressional committees, as our representative did a few weeks ago before the House Judiciary Committee."

Senator WALSH, returning to the charge that no headway was being made toward repeal of the amendment, took up the list of candidates whose campaigns Mr. Curran testified yesterday had been assisted by his organization, and argued that of 19 candidates other than "sitting Members" indorsed by the association, only two had been elected.

"Well," Mr. Curran said, "we were lucky to get two that year."

He added that it was not fair to exclude sitting Members, as contests had developed in several districts, citing the case of Representative WHITLEY, of Rochester.

POINTS TO WHITLEY'S REELECTION

In that district, he said, the Woman's Christian Temperance Union and the Anti-Saloon League put up a candidate with no idea of electing him, but as a means of disciplining, and if possible defeating, Mr. WHITLEY, in which "pious endeavor," he added, they were unsuccessful.

And then, too, Mr. Curran added, the nature and extent of the assistance they were able to extend varied. In several districts the association only enlisted the interest of their local members by letter. It spent some money in others to help the campaigns of wet candidates with literature, public meetings, and, in one case, in Massachusetts, by political activities arranged by a local league which, when reported, met with the disapproval of the association. Senator WALSH pointed out that campaigns had presumably been assisted only in districts where preliminary surveys by the association's "scouting force" had revealed a situation in which their candidate might be assumed to have at least a chance of winning, but Mr. Curran said that the chance was sometimes not too good, and also that the "surveys" had been highly incomplete.

"We did not have much of a scouting force," he said.

WHITLEY DENIES CONTRIBUTION

With reference to the election campaign of Representative WHITLEY, the latter issued to-night the following statement:

"I note in the morning papers a statement of contributions made by the Association Against the Prohibition Amendment to various Members of Congress in the last campaign. My name was included in the list as beneficiary in the sum of $2,500.

"Representatives of the association during the campaign offered me their aid and expressed a willingness to finance my campaign. However, not being desirous of being bound to any group, financial aid was not accepted, and the statement that such contribution was made is untrue, to which fact I am ready to testify before the Senate lobby committee at its next hearing."

The hearing was adjourned to-day until next Tuesday.

Carter Field, Washington syndicate writer on political topics, to-day resigned as a member of the press galleries of Congress on account of testimony given yesterday before the lobby committee that he was employed by the Association Against the Prohibition Amendment.

In his letter of resignation Mr. Field informed the standing committee of correspondents which has charge of the press galleries that he had not engaged in any lobbying for the association and had nothing to do with legislation in which it was interested.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 18 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, April 22, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 21, 1930

COAST GUARD

The following-named young men to be ensigns in the Coast Guard of the United States, to rank as such from May 15, 1930:

Herman Thomas Diehl.	Clifford Rolston MacLean.
Harold Albert Theodore Bernson.	William Louis Maloney.
	True Gilbert Miller.
George William Dick.	Carl Uno Peterson.
Arthur Joseph Hesford.	Kenneth Coy Phillips.
William Lee Clemmer.	Sidney Frete Porter.
John Stites Cole.	Russell Jay Roberts.
Ralph Roy Curry.	William Schissler.
Harold Joseph Doebler.	Henry St. Clair Sharp.
Edmund Eugene Fahey.	William Ernest Sinton.
John Francis Harding.	John Rupert Stewart.
Joseph Dennis Harrington.	Henry Florian Stolfi.
George Andrew Knudsen.	Charles Ernest Toft.
George Carroll Lindauer.	Spencer Foster Hewins.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

TO FINANCE DEPARTMENT

First Lieut. Charles Walter Hensey, Field Artillery, with rank from July 1, 1920.

TO CAVALRY

Second Lieut. Rogers Alan Gardner, Air Corps, with rank from June 12, 1925.

PROMOTIONS IN THE ARMY

To be colonel

Lieut. Col. Gustave Adolphus Wieser, Infantry, from April 16, 1930.

To be lieutenant colonel

Maj. William Torbert MacMillan, Adjutant General's Department, from April 16, 1930.

To be major

Capt. Arthur Vollmer, Cavalry, from April 16, 1930.

To be captains

First Lieut. Morris Barnett DePass, jr., Infantry, from April 6, 1930.

First Lieut. Charles Ennis, Infantry, from April 13, 1930.

First Lieut. Herbert Joseph McChrystal, Infantry, from April 16, 1930.

To be first lieutenants

Second Lieut. George Henry Decker, Infantry, from April 6, 1930.

Second Lieut. Conrad Lewis Boyle, Field Artillery, from April 8, 1930.

Second Lieut. Edward Joseph O'Neill, Infantry, from April 10, 1930.

MEDICAL CORPS

To be lieutenant colonels

Maj. Albert Sidney Bowen, Medical Corps, from April 15, 1930.

Maj. Ernest Robert Gentry, Medical Corps, from April 16, 1930.

To be majors

Capt. Howard Moore Williamson, Medical Corps, from April 10, 1930.

Capt. Francis Joseph Cluns, Medical Corps, from April 10, 1930.

Capt. George Edward Lindow, Medical Corps, from April 16, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be captains

First Lieut. Thomas Pinkney Brittain, Medical Administrative Corps, from April 12, 1930.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICERS

To be brigadier generals, reserve

Brig. Gen. Herbert Reynolds Dean, Rhode Island National Guard, from April 18, 1930.

Brig. Gen. Wallace Ashton Mason, California National Guard, from April 18, 1930.

PROMOTIONS IN THE NAVY

Lieut. Commander Forrest P. Sherman to be a lieutenant commander in the Navy from the 1st day of March, 1930, to correct the date of rank as previously nominated and confirmed.

Lieut. James Fife, jr., to be a lieutenant commander in the Navy from the 11th day of March, 1930.

Lieut. Rudolf L. Johnson to be a lieutenant in the Navy from the 7th day of February, 1930, to correct the date of rank as previously nominated and confirmed.

Lieut. (Junior Grade) Roland P. Kauffman to be a lieutenant in the Navy from the 9th day of March, 1930.

Passed Assistant Dental Surgeon Hugh R. Alexander to be a dental surgeon in the Navy, with the rank of lieutenant commander, from the 7th day of January, 1930.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 10th day of January, 1930:

William A. Budding.	Hugh L. Shaw.
Uriel H. Leach.	Jesse Meridew.

The following-named ensigns to be assistant naval constructors in the Navy, with the rank of ensign, from the 2d day of June, 1927:

Philip W. Snyder.	Herbert J. Pfingstag.
Robert A. Hinners.	Robert D. Conrad.
Allan L. Dunning.	Leroy V. Honsinger.

The following-named ensigns to be assistant civil engineers in the Navy, with the rank of ensign, from the 2d day of June, 1927:

Joseph F. Jelley, jr.	Wesley H. Randig.
Thomas L. Davey.	Archibald D. Hunter.
John E. Faigle.	Hunt V. Martin.

POSTMASTERS

ALABAMA

William F. Crownover, jr., to be postmaster at Oakman, Ala., in place of W. F. Crownover, jr. Incumbent's commission expired April 20, 1930.

ARIZONA

Edward L. Gay to be postmaster at Clemenceau, Ariz., in place of J. F. Reeves, resigned.

Harriette A. Hiener to be postmaster at Superior, Ariz., in place of H. H. Hiener, deceased.

CALIFORNIA

Josephine Costar to be postmaster at Greenville, Calif., in place of Josephine Costar. Incumbent's commission expires April 28, 1930.

Bernard G. Larrecou to be postmaster at Menlo Park, Calif., in place of B. G. Larrecou. Incumbent's commission expires April 28, 1930.

William P. Boyer to be postmaster at Reedley, Calif., in place of W. P. Boyer. Incumbent's commission expired April 20, 1930.

John W. G. Mauger to be postmaster at Standard, Calif., in place of J. W. G. Mauger. Incumbent's commission expired March 25, 1930.

Roy Bucknell to be postmaster at Upper Lake, Calif., in place of Roy Bucknell. Incumbent's commission expired April 5, 1930.

Francis R. Coleman to be postmaster at Weed, Calif., in place of F. R. Coleman. Incumbent's commission expired April 20, 1930.

COLORADO

Byron T. Shelton to be postmaster at Hayden, Colo., in place of B. T. Shelton. Incumbent's commission expired April 5, 1930.

Hugh L. Large to be postmaster at Longmont, Colo., in place of H. L. Large. Incumbent's commission expires April 28, 1930.

Daniel Vigil to be postmaster at Saguache, Colo., in place of Daniel Vigil. Incumbent's commission expires April 28, 1930.

CONNECTICUT

Mary H. Newton to be postmaster at Uncasville, Conn., in place of M. H. Newton. Incumbent's commission expires April 28, 1930.

William M. Logan to be postmaster at West Cheshire, Conn., in place of W. M. Logan. Incumbent's commission expires April 28, 1930.

GEORGIA

Daniel F. Davenport to be postmaster at Americus, Ga., in place of D. F. Davenport. Incumbent's commission expired April 20, 1930.

Lila H. Rambo to be postmaster at Blakely, Ga., in place of L. H. Rambo. Incumbent's commission expired April 20, 1930.

Jessie Gunter to be postmaster at Social Circle, Ga., in place of Jessie Gunter. Incumbent's commission expired December 14, 1929.

HAWAII

Hung Luke to be postmaster at Kohala, Hawaii, in place of Paul Kaelemakule, jr., removed.

Frank Cox to be postmaster at Waimea, Hawaii, in place of Frank Cox. Incumbent's commission expired April 16, 1930.

ILLINOIS

Howard K. Johnson to be postmaster at Blue Mound, Ill., in place of H. K. Johnson. Incumbent's commission expired April 16, 1930.

Charles Koenig to be postmaster at Brookfield, Ill., in place of Charles Koenig. Incumbent's commission expired March 24, 1930.

Harry S. Pensinger to be postmaster at Cerro Gordo, Ill., in place of H. S. Pensinger. Incumbent's commission expired March 3, 1930.

Orville B. Lane to be postmaster at Fillmore, Ill., in place of O. B. Lane. Incumbent's commission expired April 16, 1930.

Frances Baker to be postmaster at Golconda, Ill., in place of Frances Baker. Incumbent's commission expires April 28, 1930.

Pauline E. Carnahan to be postmaster at Hindsboro, Ill., in place of P. E. Carnahan. Incumbent's commission expired April 16, 1930.

Robert A. Blackmon to be postmaster at Lacon, Ill., in place of R. A. Blackmon. Incumbent's commission expired April 16, 1930.

Rola Eubanks to be postmaster at Omaha, Ill., in place of Rola Eubanks. Incumbent's commission expires April 28, 1930.

Lewis S. Shrum to be postmaster at Orient, Ill., in place of L. S. Shrum. Incumbent's commission expired April 16, 1930.

Homer F. Kelly to be postmaster at Roseville, Ill., in place of H. F. Kelly. Incumbent's commission expired April 16, 1930.

Walter L. Eaton to be postmaster at Sidney, Ill., in place of W. L. Eaton. Incumbent's commission expired April 16, 1930.

Walter A. Foster to postmaster at Steward, Ill., in place of W. A. Foster. Incumbent's commission expires April 28, 1930.

John J. Barton to be postmaster at Sublette, Ill., in place of J. J. Barton. Incumbent's commission expires April 28, 1930.

Iley Smith to be postmaster at Willow Hill, Ill., in place of Iley Smith. Incumbent's commission expired April 16, 1930.

Alfred J. Meyer to be postmaster at Worden, Ill., in place of A. J. Meyer. Incumbent's commission expired April 16, 1930.

William E. West to be postmaster at Yates City, Ill., in place of W. E. West. Incumbent's commission expires April 28, 1930.

INDIANA

Edgar H. Newlin to be postmaster at Bloomingdale, Ind., in place of E. H. Newlin. Incumbent's commission expired March 17, 1930.

Roscoe B. Conklin to be postmaster at Dana, Ind., in place of E. C. Bales, deceased.

Benjamin F. Smith to be postmaster at Hamilton, Ind., in place of C. B. Dirrim. Incumbent's commission expired December 15, 1929.

William H. Jones to be postmaster at Logansport, Ind., in place of W. H. Jones. Incumbent's commission expires April 28, 1930.

John W. Rudolph to be postmaster at Montgomery, Ind., in place of J. W. Rudolph. Incumbent's commission expired February 6, 1930.

Albert C. Heithecker to be postmaster at Plainville, Ind., in place of A. C. Heithecker. Incumbent's commission expired January 29, 1930.

Katheryn L. Huckleberry to be postmaster at Whitestown, Ind., in place of K. L. Huckleberry. Incumbent's commission expires April 28, 1930.

IOWA

William E. Anderson to be postmaster at Arlington, Iowa, in place of O. Z. Wellman, resigned.

Frank Popper, jr., to be postmaster at Clutier, Iowa, in place of Frank Popper, jr. Incumbent's commission expired April 5, 1930.

Weber B. Kuenzel to be postmaster at Garnavillo, Iowa, in place of W. B. Kuenzel. Incumbent's commission expired March 25, 1930.

Ralph A. Dunkle to be postmaster at Gilman, Iowa, in place of R. A. Dunkle. Incumbent's commission expired March 25, 1930.

Glen M. Reynolds to be postmaster at Irwin, Iowa, in place of G. M. Reynolds. Incumbent's commission expires April 28, 1930.

Wayne M. Osborn to be postmaster at Jefferson, Iowa, in place of J. W. Fowler. Incumbent's commission expired January 25, 1930.

John A. Ruesink to be postmaster at Lime Spring, Iowa, in place of J. A. Ruesink. Incumbent's commission expired April 5, 1930.

Dewey E. Warthman to be postmaster at Oxford, Iowa, in place of J. E. Crissinger, deceased.

Glenn A. Tibbitts to be postmaster at Waterloo, Iowa, in place of H. B. Plumb, resigned.

Edith H. Ashby to be postmaster at Wellsburg, Iowa, in place of E. H. Ashby. Incumbent's commission expired March 5, 1930.

KANSAS

John L. Lee to be postmaster at Atlanta, Kans., in place of J. L. Lee. Incumbent's commission expires April 28, 1930.

Guy H. Byarlay to be postmaster at Green, Kans., in place of G. H. Byarlay. Incumbent's commission expires April 23, 1930.

Amos J. Laird to be postmaster at Mayetta, Kans., in place of S. E. Cathcart. Incumbent's commission expired February 15, 1930.

KENTUCKY

Francis A. Wiseman to be postmaster at Cecilia, Ky., in place of F. A. Wiseman. Incumbent's commission expired March 29, 1930.

Eva B. Weatherholt to be postmaster at Cloverport, Ky., in place of E. B. Weatherholt. Incumbent's commission expired April 20, 1930.

Thomas D. Tapp to be postmaster at Springfield, Ky., in place of T. D. Tapp. Incumbent's commission expires April 28, 1930.

MAINE

Earle H. Roberts to be postmaster at Fort Kent, Me., in place of E. H. Roberts. Incumbent's commission expired April 13, 1930.

Eugene H. Lowe to be postmaster at Gray, Me., in place of E. H. Lowe. Incumbent's commission expired February 26, 1930.

Edward Johnson to be postmaster at Monson, Me., in place of Edward Johnson. Incumbent's commission expired April 5, 1930.

Thomas H. Phelan to be postmaster at Sabattus, Me., in place of T. H. Phelan. Incumbent's commission expired April 13, 1930.

MASSACHUSETTS

Roy S. Bailey to be postmaster at Agawam, Mass., in place of R. S. Bailey. Incumbent's commission expired January 14, 1930.

Frederick A. Shepard to be postmaster at Amherst, Mass., in place of F. A. Shepard. Incumbent's commission expired February 1, 1930.

W. Lincoln Burt to be postmaster at Canton, Mass., in place of W. L. Burt. Incumbent's commission expires April 28, 1930.

MICHIGAN

Charles E. Bassett to be postmaster at Fennville, Mich., in place of C. E. Bassett. Incumbent's commission expires April 27, 1930.

William M. Snell to be postmaster at Sault Ste. Marie, Mich., in place of W. M. Snell. Incumbent's commission expires April 27, 1930.

MINNESOTA

Gladys H. Payne to be postmaster at Bertha, Minn., in place of G. H. Payne. Incumbent's commission expires April 30, 1930.

Delmar J. Carruth to be postmaster at Danvers, Minn., in place of D. J. Carruth. Incumbent's commission expired December 18, 1929.

E. Jay Merry to be postmaster at Fairmont, Minn., in place of E. J. Merry. Incumbent's commission expires April 28, 1930.

Fred E. Joslyn to be postmaster at Mantorville, Minn., in place of F. E. Joslyn. Incumbent's commission expired December 18, 1929.

Sarah E. Jones to be postmaster at Zimmerman, Minn., in place of S. E. Jones. Incumbent's commission expires April 28, 1930.

MISSOURI

Mayme Prather to be postmaster at Advance, Mo., in place of Mayme Prather. Incumbent's commission expired April 19, 1930.

Claude P. Dorsey to be postmaster at Cameron, Mo., in place of C. P. Dorsey. Incumbent's commission expired April 20, 1930.

Charles T. Lease to be postmaster at Forest City, Mo., in place of C. T. Lease. Incumbent's commission expired April 19, 1930.

Robert E. Ward to be postmaster at Liberty, Mo., in place of R. E. Ward. Incumbent's commission expired April 19, 1930.

Lorenzo T. McKinney to be postmaster at Marceline, Mo., in place of L. T. McKinney. Incumbent's commission expired April 19, 1930.

Lena B. Porter to be postmaster at Novelty, Mo., in place of L. B. Porter. Incumbent's commission expired April 19, 1930.

MONTANA

Gale E. McKain to be postmaster at Eureka, Mont., in place of G. E. McKain. Incumbent's commission expires April 28, 1930.

NEBRASKA

Henry J. Steinhausen to be postmaster at Creighton, Nebr., in place of H. J. Steinhausen. Incumbent's commission expires April 28, 1930.

Joseph S. Jackson to be postmaster at Inman, Nebr., in place of J. S. Jackson. Incumbent's commission expired April 5, 1930.

James E. Scott to be postmaster at Osmond, Nebr., in place of J. E. Scott. Incumbent's commission expires April 28, 1930.

James D. Finley to be postmaster at Sargent, Nebr., in place of J. D. Finley. Incumbent's commission expires April 28, 1930.

Edward A. Walker to be postmaster at Stuart, Nebr., in place of E. A. Walker. Incumbent's commission expired March 30, 1930.

Herbert C. Robbins to be postmaster at Wallace, Nebr., in place of H. C. Robbins. Incumbent's commission expired April 3, 1930.

NEW JERSEY

Eva H. Ketcham to be postmaster at Belvidere, N. J., in place of E. H. Ketcham. Incumbent's commission expires April 30, 1930.

Charles Morgenweck, sr., to be postmaster at Egg Harbor City, N. J., in place of Charles Morgenweck, sr. Incumbent's commission expired April 20, 1930.

Emma A. Clawson to be postmaster at Scotch Plains, N. J., in place of E. A. Clawson. Incumbent's commission expired February 4, 1930.

NEW MEXICO

Guy Miner to be postmaster at Des Moines, N. Mex., in place of Guy Miner. Incumbent's commission expired March 10, 1930.

William S. Medcalf to be postmaster at Hope, N. Mex., in place of W. S. Medcalf. Incumbent's commission expires April 27, 1930.

Fern I. Brooks to be postmaster at Maxwell, N. Mex., in place of F. I. Brooks. Incumbent's commission expired April 9, 1930.

NEW YORK

Joseph F. Krampf to be postmaster at Allegany, N. Y., in place of J. F. Krampf. Incumbent's commission expired March 25, 1930.

Harry H. Kasch to be postmaster at Buchanan, N. Y., in place of H. H. Kasch. Incumbent's commission expired December 21, 1929.

Stella Hackett to be postmaster at Central Park, N. Y., in place of Stella Hackett. Incumbent's commission expired April 5, 1930.

Hubert F. Strickland to be postmaster at Chenango Forks, N. Y., in place of H. F. Strickland. Incumbent's commission expired April 20, 1930.

Ghale D. Thomas to be postmaster at Cranberry Lake, N. Y., in place of E. F. Gaylord. Incumbent's commission expired December 21, 1929.

May M. Ferry to be postmaster at Edwards, N. Y., in place of M. M. Ferry. Incumbent's commission expires April 28, 1930.

Winfield S. Carpenter to be postmaster at Horicon, N. Y., in place of W. S. Carpenter. Incumbent's commission expired April 20, 1930.

Horace B. Fromer to be postmaster at Hunter, N. Y., in place of H. B. Fromer. Incumbent's commission expired February 27, 1930.

Albertine R. Betts to be postmaster at Lyons, N. Y., in place of C. H. Betts, deceased.

Alfred B. Kent to be postmaster at Nunda, N. Y., in place of A. B. Kent. Incumbent's commission expired April 20, 1930.

Elmer G. Miller to be postmaster at Phelps, N. Y., in place of E. G. Miller. Incumbent's commission expired January 29, 1930.

Raymond C. Green to be postmaster at Sauquoit, N. Y., in place of R. C. Green. Incumbent's commission expires April 28, 1930.

William J. Herbage to be postmaster at Slingerlands, N. Y., in place of W. J. Herbage. Incumbent's commission expired April 20, 1930.

Manley S. Mack to be postmaster at Springwater, N. Y., in place of M. S. Mack. Incumbent's commission expired April 20, 1930.

Mortimer F. Mekeel to be postmaster at Yorktown Heights, N. Y., in place of M. F. Mekeel. Incumbent's commission expired March 30, 1930.

NORTH CAROLINA

William P. Lee to be postmaster at Benson, N. C., in place of W. P. Lee. Incumbent's commission expired April 20, 1930.

Ethel L. Smith to be postmaster at Garland, N. C., in place of E. L. Smith. Incumbent's commission expired April 20, 1930.

Elijah F. Pearce to be postmaster at Princeton, N. C., in place of E. F. Pearce. Incumbent's commission expired April 20, 1930.

NORTH DAKOTA

Edna S. Johnson to be postmaster at Crystal, N. Dak., in place of L. A. Nissen, resigned.

Andrew D. Cochrane to be postmaster at York, N. Dak., in place of A. D. Cochrane. Incumbent's commission expired March 23, 1930.

OHIO

Laird I. Kerr to be postmaster at Bigprairie, Ohio, in place of J. P. Grassbaugh, resigned.

Herbert S. Cannon to be postmaster at Canal Winchester, Ohio, in place of H. S. Cannon. Incumbent's commission expires April 28, 1930.

John J. Haines to be postmaster at East Liberty, Ohio, in place of J. J. Haines. Incumbent's commission expires April 28, 1930.

George P. Phillips to be postmaster at Fayette, Ohio, in place of G. P. Phillips. Incumbent's commission expired March 27, 1930.

Ruth G. McWilliams to be postmaster at Grand Rapids, Ohio, in place of R. G. McWilliams. Incumbent's commission expires April 28, 1930.

George W. Burner to be postmaster at Johnstown, Ohio, in place of G. W. Burner. Incumbent's commission expired April 5, 1930.

Addie F. Hosler to be postmaster at Kingston, Ohio, in place of A. F. Hosler. Incumbent's commission expires April 28, 1930.

Arthur R. Hurd to be postmaster at Lawndale, Ohio, in place of A. R. Hurd. Incumbent's commission expires April 28, 1930.

Charles L. Oberlin to be postmaster at Mineral City, Ohio, in place of C. L. Oberlin. Incumbent's commission expired April 20, 1930.

Lester L. Leech to be postmaster at New London, Ohio, in place of L. L. Leech. Incumbent's commission expired March 22, 1930.

Mathias Tolson to be postmaster at Salineville, Ohio, in place of Mathias Tolson. Incumbent's commission expired March 16, 1930.

James W. Rush to be postmaster at Sardis, Ohio, in place of J. W. Rush. Incumbent's commission expired March 16, 1930.

John H. Siegle to be postmaster at Urbana, Ohio, in place of J. H. Siegle. Incumbent's commission expired April 20, 1930.

OKLAHOMA

George A. Strouse to be postmaster at Billings, Okla., in place of G. A. Strouse. Incumbent's commission expired April 13, 1930.

Lillie M. Sheel to be postmaster at Burbank, Okla., in place of L. M. Sheel. Incumbent's commission expires April 28, 1930.

Edward Kohler to be postmaster at Copan, Okla., in place of W. S. Miller. Incumbent's commission expired December 21, 1929.

George Rainey to be postmaster at Enid, Okla., in place of George Rainey. Incumbent's commission expires April 28, 1930.

Robert C. Mayfield to be postmaster at Glencoe, Okla., in place of R. C. Mayfield. Incumbent's commission expired April 20, 1930.

Cora B. Scott to be postmaster at Milburn, Okla., in place of C. B. Scott. Incumbent's commission expired April 20, 1930.

James S. Goodwin to be postmaster at Stratford, Okla., in place of J. S. Goodwin. Incumbent's commission expired March 11, 1930.

Harrison Brown to be postmaster at Watonga, Okla., in place of Harrison Brown. Incumbent's commission expired December 18, 1927.

Harvey G. Brandenburg to be postmaster at Yale, Okla., in place of H. G. Brandenburg. Incumbent's commission expired April 13, 1930.

PENNSYLVANIA

Althea D. A. Busch to be postmaster at Fairview, Pa., in place of A. D. A. Busch. Incumbent's commission expired April 1, 1930.

Louis S. Matiska to be postmaster at Glassmere, Pa., in place of J. G. Galbreath, jr., resigned.

Elwood M. Stover to be postmaster at Kulpsville, Pa., in place of E. M. Stover. Incumbent's commission expires April 28, 1930.

Joseph B. Hackman to be postmaster at Norristown, Pa., in place of H. S. Drake, resigned.

Grant Piper to be postmaster at Petersburg, Pa., in place of Grant Piper. Incumbent's commission expires April 28, 1930.

John A. Stevens to be postmaster at Three Springs, Pa., in place of J. A. Stevens. Incumbent's commission expired April 2, 1930.

SOUTH CAROLINA

William T. Stewart to be postmaster at Camden, S. C., in place of W. T. Stewart. Incumbent's commission expires April 28, 1930.

Mason C. Stroud to be postmaster at Great Falls, S. C., in place of M. C. Stroud. Incumbent's commission expired March 30, 1930.

TEXAS

Scott F. Benson to be postmaster at Alvin, Tex., in place of S. F. Benson. Incumbent's commission expired April 20, 1930.

Jasper N. Coffman to be postmaster at Duingerfield, Tex., in place of J. N. Coffman. Incumbent's commission expired April 13, 1930.

Clarence R. Redden to be postmaster at De Leon, Tex., in place of C. R. Redden. Incumbent's commission expires April 28, 1930.

Mary V. Rollings to be postmaster at Dodsonville, Tex., in place of M. V. Rollings. Incumbent's commission expired April 20, 1930.

Arthur H. Johnson to be postmaster at Eastland, Tex., in place of A. H. Johnson. Incumbent's commission expired March 25, 1930.

Maggie Beck to be postmaster at Hillsboro, Tex., in place of Maggie Beck. Incumbent's commission expired March 11, 1930.

Maye B. Fitzgerald to be postmaster at Marfa, Tex., in place of M. B. Fitzgerald. Incumbent's commission expired April 20, 1930.

William H. Everitt to be postmaster at North Pleasanton, Tex., in place of W. H. Everitt. Incumbent's commission expired March 15, 1930.

Rufus L. Hybarger to be postmaster at Pineland, Tex., in place of R. L. Hybarger. Incumbent's commission expired March 16, 1930.

Howard F. McWilliams to be postmaster at Queen City, Tex., in place of H. F. McWilliams. Incumbent's commission expires April 28, 1930.

Herman C. Feist to be postmaster at Rowena, Tex., in place of H. C. Feist. Incumbent's commission expires April 28, 1930.

Floyd S. Worth to be postmaster at San Benito, Tex., in place of F. S. Worth. Incumbent's commission expired April 3, 1930.

Don A. Parkhurst to be postmaster at Tahoka, Tex., in place of D. A. Parkhurst. Incumbent's commission expires April 28, 1930.

John W. Osborn to be postmaster at West Columbia, Tex., in place of J. W. Osborne. Incumbent's commission expires April 28, 1930.

UTAH

John A. Israelsen to be postmaster at Hyrum, Utah, in place of J. A. Israelsen. Incumbent's commission expires April 28, 1930.

VERMONT

Charles H. Austin to be postmaster at Richford, Vt., in place of C. H. Austin. Incumbent's commission expires April 28, 1930.

VIRGINIA

James W. Foster to be postmaster at Arrington, Va., in place of C. R. Coakley, removed.

Otis R. Thornhill to be postmaster at Culpeper, Va., in place of O. R. Thornhill. Incumbent's commission expired April 8, 1930.

Philip B. Nourse to be postmaster at East Falls Church, Va., in place of P. B. Nourse. Incumbent's commission expires April 23, 1930.

James F. Walker to be postmaster at Fort Defiance, Va., in place of J. F. Walker. Incumbent's commission expires April 23, 1930.

Charles E. Neal to be postmaster at Stuart, Va., in place of H. L. Gilbert, removed.

Eva C. Hudson to be postmaster at Tye River, Va., in place of E. C. Hudson. Incumbent's commission expires April 23, 1930.

George W. Hammontree to be postmaster at Yorktown, Va., in place of G. W. Hammontree. Incumbent's commission expires April 23, 1930.

WASHINGTON

Richard A. McKellar to be postmaster at Cashmere, Wash., in place of R. A. McKellar. Incumbent's commission expires April 28, 1930.

Helen M. Purvis to be postmaster at Sumner, Wash., in place of H. M. Purvis. Incumbent's commission expires April 28, 1930.

WEST VIRGINIA

Jesse H. Petty to be postmaster at Gary, W. Va., in place of J. H. Petty. Incumbent's commission expires April 30, 1930.

Wendell Evans to be postmaster at Winona, W. Va., in place of Wendell Evans. Incumbent's commission expires April 23, 1930.

WISCONSIN

Elmer Carlson to be postmaster at Brantwood, Wis., in place of Elmer Carlson. Incumbent's commission expires April 23, 1930.

Henry C. Scheller to be postmaster at Cecil, Wis., in place of H. C. Scheller. Incumbent's commission expires April 23, 1930.

Eugene F. Stoddard to be postmaster at Downing, Wis., in place of E. F. Stoddard. Incumbent's commission expires April 23, 1930.

Mae F. Harris to be postmaster at Goodman, Wis., in place of M. F. Harris. Incumbent's commission expires April 28, 1930.

Simon Skroch to be postmaster at Independence, Wis., in place of Simon Skroch. Incumbent's commission expires April 23, 1930.

Charles Pearson to be postmaster at La Valle, Wis., in place of Charles Pearson. Incumbent's commission expires April 23, 1930.

Carrie B. Carter to be postmaster at Lyndon Station, Wis., in place of C. B. Carter. Incumbent's commission expires April 23, 1930.

Emmet W. Zimmerman to be postmaster at Phelps, Wis., in place of E. W. Zimmerman. Incumbent's commission expires April 23, 1930.

Edmund O. Johnson to be postmaster at Warrens, Wis., in place of E. O. Johnson. Incumbent's commission expires April 23, 1930.

Hartvig J. Elstad to be postmaster at Whitehall, Wis., in place of H. J. Elstad. Incumbent's commission expired February 16, 1930.

Oscar M. Waterbury to be postmaster at Williams Bay, Wis., in place of O. M. Waterbury. Incumbent's commission expires April 23, 1930.

George E. King to be postmaster at Winneconne, Wis., in place of G. E. King. Incumbent's commission expires April 23, 1930.

WYOMING

Chester A. Lindsley to be postmaster at Yellowstone Park, Wyo., in place of C. A. Lindsley. Incumbent's commission expires April 28, 1930.

WITHDRAWAL

Executive nomination withdrawn from the Senate April 21, 1930

POSTMASTER

James I. McIlwain to be postmaster at Holladay, in the State of Tennessee.

HOUSE OF REPRESENTATIVES

MONDAY, *April 21, 1930*

The House met at 12 o'clock noon, pursuant to adjournment.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, we pray that we may be altogether Thine. Take our human natures and banish the shallow happiness; open our eyes to the hills above the clouds and touch the chords that have never given their sweetest music. The charm of courage is its note of heroism. As true and brave men, help us to put the accent there. In the stress, fret, and weariness of things give us a glimpse of the eternal purpose. Thus the mists of feelings shall be dispelled and we shall be led into that strength and sweet attachment without which we can not do our best work. O there is genius in this kind of manhood and manhood in this kind of genius. We thank Thee, blessed Father, for the providence of this new day. Give us guileless hearts and souls that can serve, because there is love, home, and country in them. Amen.

The Journal of the proceedings of Friday, April 18, 1930, was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On April 9, 1930:

H. R. 8807. An act to provide for the coordination of the public-health activities of the Government, and for other purposes.

On April 10, 1930:

H. R. 6153. An act authorizing the President to appoint a commission to study and report on the conservation and administration of the public domain;

H. R. 7391. An act that the Secretary of the Navy is authorized, in his discretion, upon request from the Governor of the State of North Carolina, to deliver to such governor as custodian for such State the silver service presented to the United States for the U. S. S. *North Carolina*—now U. S. S. *Charlotte*, but out of commission; and

H. R. 7968. An act granting the consent of Congress to agreements or compacts between the States of Oklahoma and Texas for the purchase, construction, and maintenance of highway bridges over the Red River, and for other purposes.

On April 11, 1930:

H. R. 9894. An act to discontinue the coinage of two and one-half dollar gold pieces; and

H. R. 10076. An act to amend sections 476, 482, and 4934 of the Revised Statutes, sections 1 and 14 of the trade-mark act of February 20, 1905, as amended, and section 1 (b) of the trade-mark act of March 19, 1920, and for other purposes.

On April 12, 1930:

H. R. 564. An act for the relief of Josephine Laforge (Sage Woman);

H. R. 565. An act for the relief of Clarence L. Stevens;

H. R. 4289. An act to approve act No. 55 of the session laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, island and county of Hawaii";

H. R. 7701. An act to authorize fraternal and benevolent corporations heretofore created by special act of Congress to divide and separate the insurance activities from the fraternal activities by an act of its supreme legislative body, subject to the approval of the superintendent of insurance of the District of Columbia;

H. R. 7830. An act to amend section 5 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900;

H. R. 7855. An act for the relief of Carl Stanley Sloan, minor Flathead allottee;

H. R. 7984. An act to approve act No. 29 of the session laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Hanalei, in the district of Hanalei, island and county of Kauai";

H. R. 8143. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Pocahontas, Ark.;

H. R. 8559. An act to authorize the incorporated town of Cordova, Alaska, to issue bonds for the construction of a trunk sewer system and a bulkhead or retaining wall, and for other purposes;

H. R. 9046. An act to amend the fourth paragraph of section 13 of the Federal reserve act, as amended;

H. R. 9088. An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Red House, N. Y.; and

H. R. 10653. An act to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes," approved March 3, 1927.

On April 14, 1930:

H. J. Res. 195. Joint resolution authorizing and requesting the President to invite representatives of the Governments of the countries members of the Pan American Union to attend an Inter-American Conference on Agriculture, Forestry, and Animal Industry, and providing for the expenses of such meeting;

H. J. Res. 197. Joint resolution to authorize the purchase of a motor lifeboat, with its equipment and necessary spare parts, from foreign life-saving services;

H. J. Res. 227. Joint resolution authorizing the erection of a Federal reserve branch building in the city of Pittsburgh, Pa.;

H. R. 2331. An act for the relief of Leonard T. Newton;

H. R. 3097. An act for the relief of Capt. George G. Seibels, Supply Corps, United States Navy;

H. R. 3098. An act for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy;

H. R. 3100. An act for the relief of Capt. P. J. Willett, Supply Corps, United States Navy;

H. R. 3101. An act for the relief of Lieut. Arthur W. Babcock, Supply Corps, United States Navy;

H. R. 3104. An act for the relief of Lieut. Edward F. Ney, Supply Corps, United States Navy;

H. R. 3105. An act for the relief of Lieut. Henry Guilmette, Supply Corps, United States Navy;

H. R. 3107. An act for the relief of Lieut. Edward Mixon, Supply Corps, United States Navy;

H. R. 3108. An act for the relief of Lieut. Archy W. Barnes, Supply Corps, United States Navy;

H. R. 3109. An act for the relief of Capt. William L. F. Simonpietri, Supply Corps, United States Navy;

H. R. 3110. An act for the relief of Capt. John H. Merriam, Supply Corps, United States Navy;

H. R. 3112. An act for the relief of Lieut. Commander Thomas Cochran, Supply Corps, United States Navy;

H. R. 4055. An act to authorize a cash award to William P. Flood for beneficial suggestions resulting in improvement in naval material;

H. R. 5693. An act providing for retired pay for certain members of the former Life Saving Service equivalent to compensation granted to members of the Coast Guard; and

H. R. 8294. An act to amend the act of Congress approved June 28, 1921 (42 Stats. 67, 68), entitled "An act to provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Territory of Hawaii."

On April 15, 1930:

H. R. 6119. An act for the relief of the Gray Artesian Well Co.;

H. R. 2825. An act to amend section 5 of the act entitled "An act to establish a national military park at the battle field of Stones River, Tenn.," approved March 3, 1927;

H. R. 155. An act providing compensation to the Crow Indians for Custer Battle Field National Cemetery, and for other purposes;

H. R. 6131. An act authorizing the Secretary of the Interior to erect a marker or tablet on the site of the battle between Nez Perces Indians under Chief Joseph and the command of Nelson A. Miles; and

H. R. 9306. An act to authorize per capita payments to the Indians of the Pine Ridge Indian Reservation, S. Dak.

On April 17, 1930:

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.; and

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

On April 18, 1930:

H. R. 7960. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan;

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.;

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1931, and for other purposes; and

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses.

On April 19, 1930:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes;

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616);

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 8799. An act to provide for a survey of the Choctawhatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 9546. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain

at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930.

The message also announced that the Senate had passed the following resolution:

Senate Resolution 251

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. R. Q. LEE, late a Representative from the State of Texas;

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative;

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased;

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The message also announced that pursuant to the foregoing resolution the Vice President had appointed Mr. SHEPPARD, Mr. CONNALLY, Mr. MCNARY, Mr. TRAMMELL, Mr. PINE, Mr. BRATTON, and Mr. THOMAS of Oklahoma members of the committee on the part of the Senate to attend the funeral of the deceased Representative.

MONUMENT TO DECEASED INDIAN CHIEFS AND EX-SERVICE MEN

Mr. LEAVITT. Mr. Speaker, by direction of the Committee on Indian Affairs I call up the bill (H. R. 7881) authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians, with a Senate amendment thereto, and ask unanimous consent that the Senate amendment be agreed to.

The SPEAKER. The gentleman from Montana calls up a House bill with a Senate amendment, which the Clerk will report.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 2, line 5, strike out the words "the tribal funds" and insert "any money in the Treasury of the United States not otherwise appropriated."

The SPEAKER. Is there objection to the request of the gentleman from Montana that the Senate amendment be concurred in?

There was no objection.

HON. GILBERT N. HAUGEN

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent for permission to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARKE of New York. Mr. Speaker and fellow colleagues, I have always felt that if there was one day that should be a national holiday, aside from the Fourth of July, it should be this day—this day because it is the birthday of Hon. GILBERT N. HAUGEN, the chairman of the Committee on Agriculture. [Applause.] I would dedicate this day to the life and outstanding service of men who have done their meed for agriculture. I would go into the great State of Iowa and there I would pick out former Secretary Wilson and former Secretary Wallace, and I would select other outstanding figures; but far and above them all stands GILBERT N. HAUGEN. [Applause.]

For 16 consecutive terms, as long as any man has ever continuously represented any district in the House of Representatives, GILBERT N. HAUGEN has been a representative from that district, and I say to-day that I know of no man in all my years of service in this House who in season and out of season has been more faithful to the agricultural cause. Therefore let it be my suggestion upon this day, April 21, that if there ever comes a time when we are going to dedicate one day to agriculture that particular day be the birthday of GILBERT N. HAUGEN. [Applause.]

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. CLARKE of New York. Yes.

Mr. COLE. In behalf of the State of Iowa, I thank the gentleman from New York for his high compliment to a most worthy man.

TRUTH AS SHOWN BY THE RECORD

Mr. LANKFORD of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD of Georgia. Mr. Speaker, there is no more firmly established principle than that of self-defense. Life itself is dependent upon this great right. The Creator gave to all the animal kingdom and even the vegetable world not only the right of self-defense but as well an effective means for self-protection and preservation. This great God-given right is recognized in all legislative bodies as a personal privilege of the highest order. Thus it is that Members of Congress can arise as a matter of personal privilege, stopping and having priority over all other proceedings, and defend themselves against an improper, unwarranted, and unjust attack.

Before I introduced a bill to provide for a reasonable Sunday observance law for the District of Columbia I never at any time had cause to rise to a question of personal privilege, but since introducing this bill I have often felt that I had just cause to raise the question of personal privilege. I have never asked for time for this purpose, though, as I knew the statements not only to be untrue but so palpably without foundation until I considered them unworthy of a reply. Many of my friends have advised me that those circulating these rumors have been saying they must be true since I have ignored them and so far refused to answer them. Therefore, in justice to my friends and to myself, I shall briefly discuss some of these fabrications and show their falsity and the vicious motive back of them.

The Sunday haters admit their lack of logic when they resort to a tirade of vilification directed against all who feel that Sunday is a day more sacred than the other six. Why do not they argue their case instead of spending their power in vituperation and slander directed against me and those favoring Sunday legislation? Why not be fair and quote me correctly and overcome my argument with counterargument rather than attempt to get sufficient false reports going the rounds to destroy me politically? These questions answer themselves. Their position is so absurd until they dare not attempt to support it by fair argument before an impartial patriotic American people. Instead of reason dominating their being their mouths are filled with falsehood and guile.

They know an overwhelming majority of the people would at once repudiate their false position if they were to make a fair presentation of whether or not there should be at least some sort of Sunday law in the Capital of the greatest Christian Nation on earth. These haters of the Christian faith, in conjunction with the infidels of the country and their henchmen, feel that by circulating enough slanderous reports about the author of a Sunday bill they can defeat the bill, drive the author out of Congress, and make others afraid to introduce similar bills in the future. I would not make this statement without evidence to support it. Here is only a small part of my evidence, and yet it is sufficient.

Just after I first introduced the bill to provide for a reasonable Sunday law in the city of Washington, the Washington Herald threatened to drive me out of Congress, and boasted of having retired another Member who would not do its will. (See CONGRESSIONAL RECORD, 69th Cong., 1st sess, p. 5725.) I replied at length to this Washington paper, and made, to my mind, one of the best arguments I ever presented to Congress. I argued many evils here, urged the necessity for reasonable laws for the segregation of the races, and stressed many other matters of interest to the whole Nation. The editor referred to the attendance upon the sessions of Congress by Members generally, and in reply I said:

> Since the matter of attendance upon the sessions of Congress has been referred to, I will suggest to the gentleman that my record in this respect can be obtained very easily, and I will gladly furnish him addressed envelopes and arrange for him to mail free my record in this respect or in any other respect to all the voters in my district if he wishes to do so. If I had plenty of money, I would gladly pay the gentleman for this service.

Of course, the editor did not mail out my official attendance record that would have proven my attendance to be among the three or four highest out of 435 Members. Neither did he nor those opposing me get the truth from hundreds of Members of Congress and Capitol employees who will testify that my record for hours spent in actual congressional work is one of the very best. They were not looking for the truth. I could not be hurt by the truth concerning my service here.

Just about this time the Washington News carried an article attacking me and containing the greatest number of false accusations ever made against me in one short newspaper article. While my reply to this article is contained in the CONGRESSIONAL RECORD, Sixty-ninth Congress, first session, pages 6989 to 6991, I find the wrong impression made by that false article still is going the rounds and is being used against me. I shall not now repeat that reply, but in justice to myself I shall pay for the resetting of that type and have that part of the speech I made on April 6, 1926, reprinted at my expense and mailed out to my people at the same time I mail out these remarks. I shall in my present remarks answer some of the other false statements that have been circulated against me by those who oppose certain legislation I favor and who are not willing to urge their objections to my bills, speeches, and votes, but prefer to seek to injure me by statements they do not know to be true and which are untrue. Some who repeat them know them to be false or purposely shut their eyes to keep from learning of their falsity, while others innocently pass them along without realizing the great injustice that may come from circulating a report one does not know to be true and which very probably is false.

In fairness to all who live in my district let me say that while I have from time to time heard of these reports being circulated in my district I am convinced that none of them originated in my congressional district. I am absolving all citizens of Georgia from all guilt of originating these fabrications. Let me mention first the ones that have pained me most and yet are utterly untrue. I refer to all statements to the effect that I do not stay on the job and do my very best for the people who elected me. Mr. Chairman, if some one says I am ignorant, or not highly educated, he does not offend me, for I admit my lack of complete knowledge. If any man is without faith about all he knows is that he is here. The one who criticizes ofttimes has book learning or information which does not add to one's capacity to serve his fellow man, and yet he is devoid of the sublimest of all wisdom concerning life's greatest truths.

Let me know very little and be sure it is the truth, rather than think I know much that is not so.

Again if I am criticized as being poor financially, I humbly admit the allegation. I rather suffer any other vilification than that of being charged with disloyalty to those that have trusted me.

> Who steals my purse steals trash;
> * * * * *
> But he that filches from me my good name
> Robs me of that which not enriches him,
> And makes me poor indeed.

Let me be accused of stealing chickens from the farmer's hen roost, corn from his crib, or bacon from his smokehouse rather than, being Congressman, be accused of devoting my time to personal affairs or entertainment and away from the job while those I was sent here to watch and fight break in and steal all the farmer hath. If I was a sneak thief I would probably steal from only one, and only a little food; but if I, their Representative, am derelict in my duty and without my most determined effort and in my absence, should allow all the earth to rob my people, I would be one of the lowest of thieves and should be one of the most detested of men.

Whatever else may be said, I have remained on the job and done my best for the people of my district and Nation. I have been scrupulously strict in this particular, and no honest man, being familiar with the facts, ever originated or circulated a report to the contrary. Those who desire to destroy the faith my people have in me have said I neglected my work for many reasons. The written records of Congress show exactly the contrary. Except in case of sickness I have only missed four roll calls in 11 years. Three were only calls to get a quorum present, and I was engaged at the time in official matters of supreme importance to my district, and even then was able to be present within a few minutes after the roll call was completed. One other call was missed when I knew my vote could not possibly change the result, and when I was at a department using the very last opportunity I had to make an argument in a matter that meant life and death to some people in my district.

I am truly glad I personally made the last possible argument in that case even if I did miss an immaterial vote. I have never missed a vote or been absent from a session of the House on account of my own personal affairs, financial or otherwise, except when too sick to attend. I have never attended a show, took part in a game, or attended any form of commercialized or free entertainment while the House was in session, statements to the contrary notwithstanding.

Some one circulated over my district a report that I ran a foot race in Washington in some kind of a contest and by so doing failed to discharge some of my duties as a Congressman. Let me say I never in my life ran a foot race in Washington or in the District of Columbia. I remember running only one foot race during the last 25 years. Nearly 12 years ago, just after I came here, one Saturday afternoon when Congress was not in session I went down the Potomac River about 20 miles on a boat to Marshall Hall just across the river from George Washington's old home at Mount Vernon and found that the navy yard workers were having a picnic there. They were having a good time and among other amusements staged a fat man's race in which they wanted all men present, both laboring men and public officials, weighing over 200 pounds to take part. Another gentleman and myself weighing over 200 pounds and being over 40 years of age were called the old men. I was glad to act the boy again and joined in the race. The others were all younger and laughed at us until the race started. We outran the crowd and then the crowd laughed at the fat squabby young men. Evidently this is the foot race that was used as a basis for the report that has been circulated so long, that I engaged in a foot race to the neglect of my duty.

But unfair as this report is, it is not near so vicious as the statement that I devote nearly all my time to real-estate business when I have never devoted any time to my own private, personal, or financial affairs while the House was in session or to the neglect of any departmental or other official business. I have never spent as much time since I came to Congress in connection with property I have bought here as many Members spend playing golf or at shows every week. I have never been in the real-estate business here or elsewhere, and it has been seven years since I bought our home here and I have bought no land since. I give some real-estate men a commission to handle the little property we own here. I never at any time put a minute on the making of the trades or in connection with the property except when the House was not in session and there was no other official work to be done. I used in this connection only a few minutes a month, about seven years ago, when I found it necessary to leave off for a little while the steady grind of office work while the House was not in session. I have been able to average from 12 to 15 hours a day on the job attending to congressional business. The few minutes I spent seven or more years ago in connection with a little property was to a much better advantage than if I had spent it at a show or simply idled it away.

Since I have also been criticized for buying any property at all here, let me say that it is paying for itself and is now about half paid for. At present it is paying all expenses, gradually reducing the amount due on it, and paying about $75 a month clear. It has been urged that this property kept me from sending more money to Georgia. This is also a mistake. More money has been borrowed here on this property and sent to Georgia than ever went on this property out of my salary. My friends in Georgia have been benefited financially rather than injured by the property here.

Some time ago while in Georgia I heard two more erroneous reports about the property which are answered by the statement just made. One statement was I had gone further in debt the full value of the property, and had paid nothing on it. Another was that I had put all my salary in property here and it was paid for in full. Both were, and are, wrong. I have put practically none of my salary into the property. It is not all paid, and neither is none paid. It is about half paid for, and is now paying for itself. The statement that I devote my time to real estate is the falsest of all.

Mr. Speaker, I have been up in an airplane twice since I came to Washington, once in 1919, and once with Lindbergh in 1929, 10 years later. It would be just as fair to say I spend all my time flying around, over Washington, in an airplane as it is just or right to say I devote my time to the real-estate business. I took both airplane trips while Congress was not in session.

May I repeat that for a long time I have ignored the various false reports that have been circulated but I find if I pass them without reply those who circulate them say they must be true as they are not denied. Therefore, in justice to my friends and myself, I must state the real truth concerning at least a few of these flagrant misrepresentations. Just in passing let me say I am sure the people of my district feel I sufficiently answered, two years ago, the many distorted and untrue statements which were then made concerning my financial affairs.

I feel it is my duty to make answer and payment to those who have trusted me and whom I owe, and I shall continue to do this until I am out if I live only a few more years and am not overcome by some great misfortune. Unless it again becomes necessary, I shall not make any further reply to those statements than was done by written statement about two years ago, which statement gave positive evidence of the truthfulness of my reply as contained therein.

Another most unfair criticism is the reports that were circulated to the effect that my brother Henry while my secretary

received pay from the Government without earning it. He was my secretary for a little more than a year out of the 12 years I have served. During the services of my first two secretaries of nearly seven years, like most Congressmen, I closed my Washington office upon adjournment of Congress, especially if I went home. My brother, even with a sick wife, spent practically all his time here while Congress was in session. It happened that both of my secretaries during this first seven years had sick wives or a sick child and visited Georgia on this account. No partiality was shown in behalf of Brother Henry. I managed the work as best I could for both secretaries while away and both drew their full salaries while away.

As a further evidence of the unfairness of this criticism and to show that I did not show my brother any courtesy I would not have shown a man no blood kin to me let me say my first secretary had a case of typhoid fever while with me and I managed the office as best I could for several weeks while he was ill and allowed him to draw his full salary of about $10 per day, amounting to about $600, during the time.

After Brother Henry served as my secretary for about a year I decided it was best for me to employ some one as secretary who could remain in Washington all the time so my office here could remain open all the year. I had the chance to secure the services of my present secretary, Mrs. Nanna Griffin Cross, of Valdosta, Ga., who had been in Washington doing departmental work for 25 years and knew more about the very kind of work a secretary does for a Congressman than either of my former secretaries or I could possibly know.

I talked to Brother Henry about the matter, and even though he appreciated the place of secretary he consented for the change, and I then appointed him as clerk and told him he would have to pay for all necessary clerical work needed by Mrs. Cross, my new secretary, or myself in Washington and help me while in Georgia in any way possible. This he agreed to, but was able to save practically nothing out of his salary. Ofttimes he was paying for the work of four or five persons here, and many months all his salary was insufficient to pay the clerical help here, and I had to pay part out of my own salary. So he asked me some time ago to make arrangements for all the clerical help to be paid here without any money passing through his hands as he would help me all he could free of pay rather than be abused by those trying to harm me politically. All criticisms lodged against him for the purpose of hurting me were most unfair. He deserves credit for standing ready at all times to make any necessary sacrifice in order to help me render the best possible service to my people.

Dozens of Congressmen here have told me of their experiences where they found it necessary to change secretaries, and in many cases the retiring secretary became the bitter enemy of the Congressman who had given him, for a long number of years, a job with a larger salary than he ever received before and probably larger than he would ever get again. This was not the case with Henry Lankford. He was true and loyal at all times and did not change when his pay stopped. I resent these criticisms of him. I can stand unfair criticism if it must come, and I prefer for it to be made of me directly rather than by abusing those that I love, who are near to me, and who at a personal sacrifice are loyal to me and the best interest of my people.

Another wholly unfounded charge is that for many years after I first came to Congress I would leave my office after only remaining in the office a few minutes each morning and go down town to deal in real estate. This is wholly untrue. It is true I stay in my office only a little while each morning, for after I check my mail over with my secretary I get busy with committee hearings and departmental matters which require every minute of my time until Congress meets at noon. Yes; I get out of the office just as soon as I can so as to devote every possible minute to matters that concern the World War veterans and people generally of my district. Ofttimes I spend many hours at the Veterans' Bureau on a single case and often do work on one case for which an average lawyer in the ordinary court case would charge five hundred to a thousand dollars.

Many people do not know the actual fact that the departments of Government are scattered all over town and are often 2 or more miles apart. When a person handles the business of his district personally and goes from one department to another without an automobile, as I do, walking most of the way, he gets plenty of physical exercise and does not find it necessary to go horseback riding or to play golf for exercise.

I am not boasting about doing my duty. I am only answering untrue charges. I am one of the very first of 435 Congressmen to reach my office of a morning and among the very last to leave at night, and am not afraid for any honest person in Washington or visiting Washington to tell the truth concerning the hours per day I put on my official duties. One thing I pride myself on, I repeat, is that I stay on the job and do my best. It is so unfair for anyone to make false statements to the contrary. I do not play golf or attend any games that conflict with my work and I have neither the money nor time to go to the shows or movies. I have been to shows or movies four or five times during the last two years. I prefer to stay at my office and work rather than attend shows and other entertainments and, therefore, am able to do a lot of work that most Congressmen leave for their secretaries.

When people are practicing deception they eventually contradict themselves and out of their deception sometimes comes the truth. This has been true in the case of those criticizing me. My enemies have on several occasions disproved their own statements.

Oh, what a tangled web we weave,
When first we practice to deceive.

They have falsely said I do not work on the job as Congressman and yet the same people have said I even do a considerable amount of my secretarial work. They even had me working for about eight long hours on a typewriter on Sunday. Which, of course, is all wrong again. Some nights I work three or four hours on a typewriter, but I never worked eight hours on a typewriter on any one day since I came to Congress, and I never required anyone else, as my secretary or stenographer, to work that long continuously on a typewriter. This all shows how easy it is to take the truth and stretch it until it becomes false. I do considerable work most men would have done by a stenographer, and I work on Sunday in case of emergency. I have never objected to anyone doing work on Sunday for relief of those in distress or need. I am glad to write a letter or send a wire in response to many requests I get for speedy and urgent action. For instance, if I should get a wire on Sunday from a mother or father asking about a sick son in the Navy on the sea, I would do my best to get the news from the ship at sea and to the parent before the end of the day. I often on Sunday visit those from my district in Government hospitals. This is no reason though why there should be open desecration of Sunday in the Nation's Capital and no law providing for a reasonable Sunday observance.

When these objectors believe they can hurt me by saying I do not work, they give out statements that I do not stay on the job, and when they get the idea I can be injured by their saying I work overtime, they make exaggerated statements as to amount of work I do. How inconsistent they are. I now quote from the Washington News item as printed in CONGRESSIONAL RECORD of Sixty-ninth Congress, second session, page 6990, as follows:

> LANKFORD does a great deal of his secretarial work personally, and hence the regular working week sometimes leaves little odds and ends to be cleaned up on the Sabbath.

As I have already said, I shall have this entire article reprinted and mailed out with these remarks. For this reason I shall not now quote further from this article.

It is now going the rounds in some of the newspapers that I am neglecting my other official duties and putting all my time on a Sunday bill for the District of Columbia and the Nation. This is an unfair, untrue, malicious statement. I have never at any time neglected the business of the people of my district to work on a general Sunday bill or any other general bill. I put first the legislation my people are directly interested in and put second all bills of a general nature. Let us face the facts again. During the last two years I have not spent two hours' time on Sunday legislation.

I introduced a Sunday bill, which I drew in a few minutes one night. There has been no hearing on it, and I spoke for only about five minutes on it last year. I am making these remarks now not so much to argue the merits of my Sunday bill as to tell the truth about some reports, originated largely by those who are fighting all Sunday legislation. There are hundreds of bills and matters I put much more time on than on proposed Sunday legislation.

This Congress was convened in extra session more than a year ago to pass farm-relief legislation. Both parties and every elected and defeated candidate for Congress had promised to put the farmer on an equality with industry. This pledge has not been kept, but I have done my best. I have presented a plan which will solve the farm problem and spoke in committees and on the floor of Congress for several solid hours on farm relief. I have probably made more speeches on farm relief during this Congress than any other man in the House, unless some man on the Committee on Agriculture exceeded me.

During this time until to-day I have not spent one minute in committees or in Congress talking about Sunday legislation. Where is the justice in anyone saying I am neglecting my other duties and putting all my time on Sunday legislations? During this time in which I have put no time on a discussion of Sunday

legislation I have made two of the most extended discussions yet made of the proposed canal across south Georgia and north Florida. Many have told me they are the best on this subject ever presented by anyone.

I respectfully submit it is very unfair to say I have devoted my time to Sunday legislation to the exclusion of the canal proposition. I here and now invite the Sunday haters with all their fellow haters of the Christian faith or Protestant Church and all their infidel associates to discuss Sunday legislation fairly and not simply sling mud and make ugly faces. I also courteously and respectfully ask those who honestly differ with me on other issues to please argue the merits of my farm-relief proposals or canal discussion or position and not try to put my eyes out with second-hand infidel mud and Sunday-hater dirt. Here again we have an illustration of the inconsistency of those that are striving to destroy Sunday as a day of rest and worship, and with its destruction work the downfall of the Christian religion.

Some are saying I am putting all my time on Sunday legislation to the exclusion of other matters, while others are jubilantly shouting that I am doing nothing in the move to save Sunday and to maintain faith of our children in the Bible of our mothers and the God of our fathers. Both of these contentions can not be true.

They are inconsistent and in fact neither are true. I never intend to abandon my faith in the Bible and its teachings as inculcated in me when a child by my Primitive Baptist parents, relatives, and friends in Clinch County, Ga., and I shall always do my bit in behalf of Sunday legislation and in support of proper Sunday observance.

I realize, though, that there is a time for all things, and I shall never neglect any one piece of legislation of vital importance to my people to work on some measure of general interest. I shall help all I can on Sunday legislation, but I have always let it be known that I can not work on this move or any other general program to the exclusion or neglect of all or any of my other congressional duties.

It so often happens that a good man will unconsciously do some one an injustice by repeating a false report without stoping to investigate the truthfulness of the charge. Many newspapers reproduce vicious propaganda which they do not have the heart to originate and which is in behalf of a cause repulsive to the honest conviction of the editor and management of the paper. This is done without the thought that they are helping to destroy that which they hold sacred.

I have on my desk now a paper which in one column asks why it is that on the very day 10,000 people passed by the bier of President Taft, the only President to become Chief Justice and thus the only man to hold the two highest offices in the United States, three times as many people in Chicago passed by the coffin of a notorious racketeer crook and criminal? May I suggest to the good man who is the editor of this paper that there are many causes direct and remote for the shocking fact mentioned by him. One cause is found in good newspapers like the one making the inquiry, reproducing and apparently vouching for propaganda of those who hold up to ridicule, contempt, and scorn all law and law enforcement officials, and who heroize the criminal, the profiteer, and those who would destroy our Bible, our Constitution, and our very national existence.

In the very newspaper which makes this inquiry, in the very next column, bordering on the particular inquiry, this same paper reproduces an unfair and untrue, mean dig or thrust at me, for fighting for the preservation of respect for the Bible, constituted authority, and our public officials, as well as our great common people. Mr. Editor, your question is answered in part in the adjoining column of your own paper.

Too many men either consciously or unconsciously are helping in the fight in behalf of those things that mean the undoing of our civilization and Government and are helping to create resentment against all that is highest and best in our national life. The editor to whom I have just been referring is one of my best friends, is one of the best men in the country, and stands for the very best interest of his Nation, and what I have just said is with the very greatest respect for my very dear friend. I am only attempting to show the great injury that may be done by passing along an unfair statement if we fail to check up its merits before giving it our approval.

I must hurry to a conclusion. I can not mention all the mean things that have been said about me by those who oppose Sunday legislation. I will mention enough to show how unfair they are.

Some may wonder why a Sunday bill should bring about such a bitter fight. I know and I will gladly name a few of the reasons. Any bill that seeks to interfere with a person's religion or lack of religion or in the least interferes with the effort of those seeking to destroy all faith in God or which bill bothers anyone in making enormous profits in cash out of the public at once arouses a determined fight. My bill does not interfere with anyone's religion. It does, though, run counter to the ideas of those who would destroy all religion. Therefore I am bitterly fought by those who wish to commercialize Sunday and wish to desecrate the day in order to swell their movie, theater, dance hall, and other Sunday gate receipts. I am also bitterly fought by those who either hate the Christian faith or the Protestant belief or who, hating the Bible and its teachings, declare there is no God. Outside of these, there are very few who oppose all Sunday recognition. I have only sought reasonable Sunday legislation for the Nation's Capital.

A newspaper recently said I had the right to neglect my other congressional duties and put all my time on Sunday legislation if I wished, but that I could not be defeated, because I was born in a log house and learned to crawl on a clay floor. The first part of this statement is wrong, for two reasons: First, I do not claim the right to put all my time on any one class of legislation, and second, I do not have the right to put an unreasonable amount of time on any general measure.

I have always put only such time on Sunday legislation and other similar bills as is entirely consistent with full and proper performance of my fullest duty in other legislative and departmental matters. As to the jab about my being born poor—so far as property is concerned, let me say that it is probably indirectly true that I get many votes because I was born in humble circumstances, was raised that way, and, God being my helper, shall always live with and for the common people. I do not get and keep my friends solely because I was born in a log house, learned to crawl on a clay floor, and plowed with an ox, but because these things made my heart right with the greatest and best people on earth—the common folks.

To my way of thinking, the greatest compliment ever paid me is by those who have made almost every imaginable unfair criticism of me but do not endeavor to show that I have ever been untrue to little children or their fathers and mothers or to the laboring man, the farmer, or to the common folks of our Nation.

Surely some weak place could be found by these eagle-eyed, persistent enemies in the thousands upon thousands of things in a legislative and congressional way I have done since I came here unless I have been true and steadfast in my heartfelt determination and purpose to serve to the very best of my ability. By their silence on my official record they unwittingly put their stamp of approval upon thousands of votes, bills, speeches, remarks, and other official acts, every one of which shows and reflects my very heart throbs for the right.

God knows I have tried to do right; my friends say I have kept the faith and my enemies dare not attempt to show by fair discussion where I have been false. It must be my humble honest beginning started me right and that I am still fighting for those among whom I was raised and whom I love.

Another criticism on a parity with the one I have just mentioned is that I first came to Congress "astraddle an old ox" and that I ride that same ox into Congress every two years. If by this they mean that I keep my feet close to the ground, my hands ready to serve, my head humbly bowed in appreciation, and my heart with the common people, then I accept the compliment. He who served as no one ever served before or since was born in a manger with cattle gathered about Him and rode not in a chariot but on the back of a lowly beast of burden. "He that humbleth himself shall be exalted." If we had more ox riders in Congress, we would have more wholesome legislation for the common people.

I prefer to come to Congress on the back of an honest ox rather than in the finest car, with negro caddies, golf sticks, and golf balls stuffed around me. And, by the way, the man who made the accusation about the old ox would be glad to pay a whole lot of boot and swap his knee breeches golf suit, golf balls, golf sticks, negro caddy, and all for that old ox, if he only could. But the ox I plowed is dead and the figurative ox they say I still ride is not for sale. I am not ashamed of either and I am firm in my belief that true legislation for the laboring man, the farmer, and the common people will spring more readily from the mind of the poor man "astraddle an old ox" rather than from the idle rich chasing a golf ball.

I again state that I would not discuss these personal criticisms except that I feel it is best to call attention to the purpose to fight me by anything and everything except a fair and reasonable discussion of my real, printed, official, authentic record.

I must mention just one more unfair, untrue, general criticism to the effect that I do not make the speeches I mail out. It has even been said that during the first five years I was in Congress I never spoke over three minutes at any one time. Again I appeal to the official CONGRESSIONAL RECORD for the pur-

pose of showing that this charge is without foundation and that it and other kindred charges are false.

I took my first oath of office as a Member of Congress on May 19, 1919, and just 11 days thereafter, on May 30, 1919, that great Democratic statesman, Champ Clark, of Missouri, yielded me 10 minutes, which I used in a memorial address on the services of our American forces in the World War. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, page 454.

While the Esch-Cummins Act was being considered on July 1, 1919, I offered an amendment to protect the rights of the cities, counties, and States of our country, and on the floor entered into a full discussion of my proposal. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, pages 2220–2221.

On July 19, 1919, just two months after I began my first service, while the Volstead Prohibition Act was being considered, I offered and secured the adoption of an amendment protecting bona file lien holders on automobiles and other carrier vehicles. I discussed the amendment fully on the floor of Congress. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, pages 2902 and 2903.

During the course of this debate Congressman Gard, of Ohio, a Democrat and a lawyer of recognized ability, in speaking of my amendment used the language which appears in the RECORD of Sixty-sixth Congress, first session, page 2903, as follows:

Mr. GARD. Mr. Chairman, I desire to say, first, that I think the amendment offered by the gentleman from Georgia [Mr. LANKFORD] is the most lucid amendment and expressed in the best legal phrasing of any amendment offered during the consideration of this bill. [Applause.] It should be adopted because it stands for justice, and stands for the right of a man having an honest interest in property to assert that lien in a court of competent jurisdiction wherever such property may be.

On August 13, 1919, Mr. MCCLINTIC of Oklahoma yielded me 12 minutes and later 2 minutes more to oppose a tariff on potash, and during my discussion I yielded to Mr. POU, of North Carolina; Mr. DAVIS, of Tennessee; and Mr. DENISON, of Illinois. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, pages 3848–3849.

Here is official record of four speeches all much more than three minutes long, all during my first three months in Congress and on most important subjects and yet there are people who are willing to make the statement that I never made a single speech over three minutes long during my first five years' service. I have never tried to be the most noisy Member here, but I have made many more speeches on the floor than the average Member. I have remained quiet when I thought best to keep my mouth shut. When I felt I could help my people by talking I have done so, if I could get the floor. If I could not get time, I filed my remarks for printing in the RECORD and made a speech later, if necessary.

I have only covered a 3-months' period. The RECORD shows that I have made many speeches ranging in length from five minutes to an hour or more every session of Congress. The thing that puzzles me is why anyone will make statements in direct conflict with truthful, authentic, official court records or CONGRESSIONAL RECORDS. The speeches I have just referred to were actually delivered and must not be confused with remarks and statements which all Members of the House and Senate from time to time have printed in the RECORD without delivery. The RECORD speaks the truth and shows which are extensions and which are addresses.

It is not my purpose at this time to enter into a discussion of the hundreds, yea, thousands of things I have said and which are in the RECORD. No one so far has seen proper to attack my position on various important matters as shown by the RECORD. I only am doing what I have hoped would not become necessary. I am answering a few of the unfair criticisms others have made.

In conclusion let me say I want to state specifically that I want no one to get the idea that I am either directly or indirectly criticizing either Dr. Adrian D. Williams, of Folkston, Ga., or Hon. Braswell Deen, of Alma, Ga., the two gentlemen who have stated their purpose to oppose me in the Democratic primary this year. Both are gentlemen of the highest type, and I am convinced that neither would attempt a campaign or any other undertaking except upon a high and honorable plane. Their past record justifies and prompts me to say this in their behalf.

I have been in Congress more than 10 years. I have done my best even if I have not always succeeded. No one gets all he hopes for in a legislative way. I have been in many interesting fights. I can not discuss them all now. Before concluding I want to refer to one fight I am still waging with the help of my friends and also one we have won. I took an active part in both when I first came here. One was against a tariff on potash and the other was for a canal across southern Georgia and northern Florida. Several have said I am only seeking a survey of a canal across the northern part of my district for political purposes this year. Another said I did not let anyone know I favored such a scheme before my last election.

Let me again appeal to the CONGRESSIONAL RECORD of more than 10 years ago. I quote from the RECORD of Sixty-sixth Congress, second session, page 3192, of February 20, 1920, as follows:

Mr. SISSON. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman, there are now pending for consideration by this Congress bills for two canals affecting my district in Georgia.

One of the proposed canals—the St. Marys-St. Marks—begins at Cumberland Sound on the Atlantic Ocean near St. Marys in my district, proceeds along the border of Camden and Charlton Counties, through the Okefenokee Swamp, possibly touching the counties of Ware and Clinch in the Okefenokee Swamp, and thence into Florida to the Gulf of Mexico. The other canal—the Altamaha-Apalachicola Canal—would use the harbor at Brunswick, Ga., in my district, as the Atlantic terminal and would proceed along the Altamaha and Ocmulgee Rivers, bordering on the following counties in my district, to wit: Glynn, Wayne, Appling, Jeff Davis, Coffee, and across near Cordele to Flint River and down Flint to Apalachicola River and to the Gulf. This canal would be in close touch with every county in my district and within easy access by motor truck and railroad with every community in the eleventh district. The Altamaha-Apalachicola Canal would help not only my district, but would touch about 25 south Georgia counties and would do more to improve all of south Georgia than has ever been done by an improvement.

One of the battles which we gained was against a tariff on potash, an important ingredient in fertilizer.

I have already referred to the speech which I made soon after I came here against this unjust tax. I made another on October 2, 1919, in time yielded me by that great patriotic debater and Democratic leader, Hon. Claude Kitchen, of North Carolina.

I shall not now quote from either of these speeches, but hope to have the type of at least one reset and the speech reprinted for mailing to my people with these remarks.

I am anxious to keep my people fully advised as to my services here, and beg that I be judged by my official record and by my actual service to the people of my district and Nation.

PROPOSED AMENDMENT TO AGRICULTURAL MARKETING ACT

Mr. GLOVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on a bill which I introduced a few days ago.

The SPEAKER. Is there objection?

There was no objection.

Mr. GLOVER. Mr. Speaker, ladies and gentlemen of the House, the first bill introduced in the first session of the Seventy-first Congress was H. R. 1, an act to establish a Federal Farm Board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce and to place agriculture on a basis of economic equality with other industries.

The bill was sponsored by the administration and was in many respects a good bill as far as it went, but it did not go far enough to be effective on many of the commodities of agriculture.

The first section of this bill declares the policy of legislation, and reads as follows:

That it is hereby declared to be the policy of Congress to promote the effective merchandising of agricultural commodities in interstate and foreign commerce so that the industry of agriculture will be placed on a basis of economic equality with other industries, and to that end to protect, control, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their food products—

(1) By minimizing speculation.

(2) By preventing inefficient and wasteful methods of distribution.

(3) By encouraging the organization of producers into effective associations or corporations under their own control for greater unity of effort in marketing and by promoting the establishment and financing of a farm-marketing system of producer-owned and producer-controlled cooperative associations and other agencies.

(4) By aiding in preventing and controlling surpluses in any agricultural commodity, through orderly production and distribution, so as to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in prices for the commodity.

(b) There shall be considered as a surplus for the purposes of this act any seasonal or year's total surplus, produced in the United States and either local or national in extent, that is in excess of the requirements for the orderly distribution of the agricultural commodity or is in excess of the domestic requirements for such commodity.



(c) The Federal Farm Board shall execute the powers vested in it by this act only in such manner as will, in the judgment of the board, aid to the fullest practicable extent in carrying out the policy above declared.

It was declared to be the policy of the Government to place the industry of agriculture on a basis of economic equality with other industries, and to that end to protect, control, and stabalize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their production.

This section further provides that it is the policy of the Government to minimize speculation. Webster defines "minimize"—

To reduce to the smallest possible amount or degree.

Subsection c of section 1 reads as follows:

The Federal Farm Board shall execute the powers vested in it by this act only in such manner as will, in the judgment of the board, aid to the fullest practicable extent in carrying out the policy above declared.

So from this legislation we see, as was stated on the floor of this House by me when the bill was up for consideration, that the success or failure of this legislation depends upon the board and the policy they pursue or adopt.

As I see it, one of the weaknesses of this bill is that it did not designate by law a course of procedure to be followed by the board in dealing with some of the commodities. There are some commodities of agriculture that are wholly different from the others and must be dealt with by different procedure altogether from that of dealing with the others.

Cotton is the largest agricultural crop and one on which the success or failure of the United States in a financial way depends more than any other. It seems to me that it is the easiest commodity raised by a farmer to stabilize and control, because it is not of a perishable nature and will keep for many years if properly protected. No two crops of cotton that have ever been grown in the past were the same. It ranges from ten to eighteen million bales per year in the United States. The actual consumption is around 16,000,000 bales, and the new uses for cotton coming in and increasing all the time.

If this commodity could be stabilized and orderly handled it would always be a profitable crop both to the producer and the consumer.

The size of the cotton crop never has regulated the prices of cotton and never will as long as we have speculations and gambling on it as we have now. To substantiate that statement let us take the record of the production of cotton and prices since 1922.

In 1922 the United States produced 9,760,000 bales of cotton which brought an average price of 25.94; in 1923 the United States produced 10,140,000 bales of cotton which brought an average price of 30.40; in 1924 we produced 13,627,800 bales which brought an average price of 22.60 cents per pound. In 1925 we produced 16,103,000 bales of cotton which brought an average price of 18.20; in 1926 we produced 17,977,000 bales of cotton which brought an average price of 10.90; in 1927 we produced 12,955,000 bales of cotton which brought an average price of 19.60; in 1928 we produced 14,373,000 bales of cotton that brought an average of 18 cents, and in 1929 we produced 13,000,000 bales plus, at an average price of 15 cents per pound.

Or, in other words, during the 8-year period we produced 106,935,800 bales. Then taking the price paid each year during the 8-year period and dividing it by 8 we have an average price paid for cotton during the 8 years of 20.8 per pound, and the price ranging from 10.90 to 30.40 per pound.

Any man that will take these figures and study them for a moment will know that there is no justification for such a condition as this to prevail. Practically all of the cotton that has ever been raised in the world has been consumed and will continue to be consumed as long as time lasts. The increased production will be offset by the increased uses for this commodity.

Population of the world is rapidly increasing and will continue to increase. Their wants and needs for cotton for the making of cloth and for the uses to which it is put and the increased uses will about keep pace with the increased production.

The purpose of the bill passed by this Congress known as the agricultural marketing act, as stated above, declared in subsection 1 that one of its purposes was to minimize speculation, and we have found that to minimize means to reduce to the smallest possible amount or degree. If speculation and gambling in futures were minimized, or reduced to its smallest possible degree, it would be obliterated altogether.

No reasonable man objects to lawful buying and selling of this commodity the same as any other article of merchandise that is produced. It is estimated that about 128,000,000 bales of cotton that never did exist and never will exist were bought and sold on a gambling market during last year, when only 13,000,000 bales were actually produced and could have been delivered under any conditions.

There is nothing wrong in a producer of cotton selling the same on a future market for a stipulated price and to be delivered on that price. That is legitimate trading. But when it comes to buying and selling on a gambling market more than 1,000,000 bales of cotton that never did exist and could not possibly be produced, and which never was intended to be delivered, and which has always been the downfall of the production of cotton, it ought not to be permitted by the Government.

The Federal Farm Board is now taking the position and advocating an amendment to the cotton futures act passed in 1916 by Congress. The Lord knows they could make it very little worse than what it is by amendment, but they will never bring justice to the producer of cotton by a speculative scheme as set up by that character of legislation.

Gambling in futures is either inherently wrong or it is right. I take the position that it is inherently wrong; that it is unjust and should be prohibited by the severest penalty of law. A wrong should be abolished and not regulated.

The agricultural marketing act passed and which is now a law authorizing the establishment of stabilization corporations to be authorized by the Federal Farm Board and to function at their will and command. The figures cited above show clearly and conclusively that what cotton needs is stabilization.

The producer of cotton and the manufacturer of cotton are each put to a great disadvantage under the existing conditions. The farmer does not know when he plants his cotton whether to expect 10 cents per pound or 30 cents per pound; he does not know whether to enlarge his efforts or decrease them; and he is left to grope his way in the dark and finally have some fellow, when he grows his crop, to tell him what it is worth.

The spinner that wants to buy cotton and make his contract for delivery of the manufactured product is equally left in the dark, because he does not know what the gambling market is going to be; whether it will be high or low. So in making his contract for delivery of the manufactured product in order to play safety first and protect himself he sells the manufactured product high for future delivery, not knowing what he is going to have to pay for the cotton. If the spinner knew what would be a stabilized price on cotton, then he could afford to make his contract of delivery of the manufactured cloth possibly for much less than he now does and by reason of conditions that exist and are permitted under the law.

There is no question in my mind that the solution to the cotton question is stabilization. I introduced on April 3, 1930, H. R. 11369, to amend the agricultural marketing act, approved June 15, 1929, so as to fix a loan price on cotton and thus stabilize, as nearly as possible, its price.

The agricultural marketing act authorized an appropriation for use by this board of $500,000,000 for stabilizing and marketing. Anyone who has ever dealt in cotton knows that cotton is one of the best securities that has ever been known to the South.

It can be made very much better security by the proper handling and stabilizing of this commodity.

A careful study should be made of the actual cost of the production of cotton and carry out the purpose as expressed in section 1 of the agricultural marketing act, which declares in its first declaration that it is hereby declared to be the policy of Congress to promote the effective merchandising of agricultural commodities in interstate and foreign commerce so that the industry of agriculture will be placed on a basis of economic equality with other industries, and to that end to protect and stabilize the currents of interstate and foreign commerce in marketing agricultural commodities and their food products.

Section 1 of H. R. 11369, introduced by me, reads as follows:

That it is hereby made the duty of the Federal Farm Board in furtherance of section 1 of the agricultural marketing act, approved June 15, 1929, to make a careful study of the cost of production of cotton so that a stabilized price may be fixed for this commodity as a basis for loan; and for the purpose of correctly determining the cost of production of cotton the board shall hear testimony of farmers actually engaged in raising cotton, and shall take into consideration in determining the cost of production of cotton the value of lands, stock, farming tools, machinery, labor, seed, and all other elements of cost that are incurred in its production so that the industry of agriculture and those engaged in cotton raising will be placed on a basis of economical equality with other industries, and the board shall fix a stabilized loan price equal to the cost of production. The stabilized price shall not be less than 20 cents per pound, and the board is hereby authorized to make

loans out of the revolving fund on cotton equal to the stabilized price when so fixed by said board.

You will note that this section provides for a careful study of the production of cotton so that a stabilized price may be fixed for this commodity as a basis of loan. This section provides that the Federal Farm Board shall hear testimony of farmers actually engaged in raising cotton and shall take into consideration in determining the cost of production of cotton the value of the lands, stock, farming tools, machinery, labor, seed, and other elements of cost that are incurred in its production, so that those engaged in cotton raising will be placed on a basis of economic equality with other industries.

The bill further provides that the stabilized price shall not be less than 20 cents per pound, and the board is authorized to make loans on cotton equal to the stabilized price.

Anyone who has ever produced cotton and who knows the cost of production giving a reasonable return for the labor invested in it knows that it can not be produced for less than 20 cents per pound.

The great trouble with the hearings that have been had for agriculture, as shown by the records, is that the most of the testimony comes from some editor of an agricultural journal or from the head of some college and very little, if any, comes direct from the man who knows and can testify from actual experience. Many of those referred to above are wise in their way and in their theory, but they know but little from practicable experience. We doubt if some of them could bridle a mule, let alone plow, after it was hitched up.

If cotton was stabilized at 20 cents per pound, then everyone producing it would know what to depend upon and it would be placed upon a sound and economic basis with other industries.

Section 2 of the act introduced by me, above referred to, reads as follows:

The board is hereby authorized and empowered, in case an attempt is made to corner or to unlawfully control cotton so as to fix and control the price thereof to the detriment of the producer of said cotton and to prevent the gambling in futures on cotton, to adopt such means as are necessary to prevent same by purchasing a sufficient number of bales of cotton to prevent a corner or unlawful control of said commodity, so that the same may be marketed in an orderly way.

If this was the law now the board could put out of commission each gambling exchange in the United States at once, which should be done.

One of the weaknesses of the agricultural marketing act is the lack of inducement to get farmers into an organization. It is a known fact to every thinking man that if you are going to control the price of a commodity you must first be able to control the commodity itself.

Section 3 of the bill introduced by me, as above referred to, reads as follows:

The Federal Farm Board is hereby authorized to loan to any person, persons, associations, or corporations engaged in growing cotton, out of the revolving fund at a rate of interest not to exceed 4 per cent per annum, on cotton grown and stored to an amount equal to the value of the commodity on the open market at the time the loan is made or the stabilized price fixed by the board and retaining a lien on said cotton to secure the payment of said loan, and said loan or loans shall not be made until said commodity on which a loan is to be made is placed in the storage, or storages, to be designated, built, rented, or leased by said board; and said board is hereby authorized to build, rent, or lease sufficient storage and in places convenient and acceptable for the use of storing cotton on which a loan is made, and when said loan is collected it shall be placed back in the revolving fund.

(a) It shall be the duty of the Federal Farm Board to protect said cotton so stored on which a loan is made by carrying insurance on same to the amount of the loan and to insure same against decline in price.

(b) Said loan may be made by said board for a definite period and may be renewed from time to time as agreed to by said board and the owner or owners of the cotton so stored.

(c) When cotton is so stored and a loan is made it shall be sold by said board on demand in writing by the owner, if said cotton will bring on the market an amount in excess of the loan and cost of marketing same, and the difference in the amount due said board for said loan and for insuring and handling same and the selling price shall be immediately turned over after said sale to said owner.

If this section was the law now, then every man producing a bale of cotton, whether he was a member of an organization or not, could place his cotton into the control of those marketing the entire crop and he would be paid the value of the cotton at the time it was placed in and could not possibly lose anything himself, and would give the entire control of cotton over to the marketing agency; and having control of the larger part of the production, could necessarily sell it for much more than a single individual could sell it for. Then, after the cost of handling of that bale of cotton was paid, the farmer placing it there would get the profit made after handling it.

Section 4 of the bill introduced by me reads as follows:

It is hereby made the duty of the Department of Agriculture receiving reports on cotton-crop conditions and ginners' reports and the other information helpful to the Farm Board in the discharge of its duties to speedily disclose such information to the Farm Board, and said board shall treat such information as confidential and shall not publish the same until authorized by the Agricultural Department and said board jointly.

The ginners' reports and other information that has been gathered by the Government and furnished to those speculating in cotton has been more help to the speculator than to the producer. This information ought to be gathered by the Government, but should be kept by the Government and used for the benefit of the producer and not in favor of the speculator.

When this question is finally settled, and settled right, it will be on this plan of stabilizing this great world commodity.

SALE OF COLUMBIA ARSENAL PROPERTY, MAURY COUNTY, TENN.

The SPEAKER. The Clerk will call the Consent Calendar.

The first business on the Consent Calendar was the bill (H. R. 2156) authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have an amendment, which I understand is acceptable, which simply provides that the entire amount to be paid is to be covered into the Treasury of the United States without deduction of any expense.

Mr. ESLICK. Mr. Speaker, that is perfectly satisfactory to me.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to sell to and to make proper deed of conveyance to the Columbia Military Academy, a corporation organized under the laws of the State of Tennessee, all of the title, interest, limitations, conditions, restrictions, reservations, and rights owned and held by the United States of America as defined in Public Act No. 152 of the second session of the Fifty-eighth Congress and in the deed of the United States of America to the lands conveyed therein to the Columbia Military Academy, of record in book No. 105, volume 4, page 495, in the register's office of Maury County, Tenn. Said limitations, conditions, restrictions, reservations, and rights are defined in said public act and deed as follows:

"That the Secretary of War shall be a visitor to said school, and have and exercise full rights of visitation, and he shall have the right and authority in his discretion, as the public interest requires, to prescribe the military curriculum of said school, and to enforce compliance therewith, and upon refusal or failure of the authorities of said school to comply with the rules and regulations so prescribed by the Secretary of War, or the terms of the act, he is authorized to declare that the estate of the grantee has terminated and the property shall revert to the United States, and the Secretary of War is authorized thereupon to take possession of said property in behalf of the United States, and shall further reserve to the United States the right to use such lands for military purposes at any time upon demand of the President of the United States."

Said lands to which said limitations, conditions, restrictions, reservations, and rights attach are described as situated in the ninth civil district of Maury County, Tenn., and were formerly used as an arsenal and known as the Columbia Arsenal property, the same comprising about 67 acres, more or less, and generally bounded by the Hampshire Pike, the Louisville & Nashville Railroad, the Mount Pleasant Pike, and a public road connecting the two pikes above named.

All of said limitations, conditions, restrictions, reservations, and rights of the United States of America, whether legal or equitable, vested or contingent, in and to said lands as specified and defined in said public law and deed and belonging to the United States of America will pass to the purchaser under the sale herein authorized.

SEC. 2. The Secretary of War shall accept the bid of the Columbia Military Academy, a body corporate, to purchase the rights of the United States of America in and to said property hereinabove defined, said bid being for the sum of $10,000, and to be paid in cash.

SEC. 3. That the proceeds of said sale shall be deposited in the Treasury to the fund known as the military post construction fund, after first paying the expenses, if any, of said sale.

SEC. 4. Public Law No. 542, Seventieth Congress (H. R. 12479), is hereby repealed.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 3, line 21, after the word "that," strike out the words "the proceeds of said sale," and insert "the said sum of $10,000," and in line 23, after the word "fund," insert a period and strike out the balance of the paragraph.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

COMPACT BETWEEN COLORADO AND WYOMING

The next business on the Consent Calendar was the bill (H. R. 202) granting the consent of Congress to compacts or agreements between the States of Colorado and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, the gentleman from Colorado [Mr. TAYLOR] is not here, and there are other Members who are interested in this matter. It is their desire and mine as well that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SUSPENSION OF THE RULES

Mr. GARNER. Mr. Speaker, would it be convenient at this time for the Speaker to let the membership know if the Speaker intends at any time to-day to suspend the rules for the passage of bills by unanimous consent?

The SPEAKER. The Chair will state that he has two suspensions in mind to-day. The first is the bill (H. R. 10960) to amend the law relative to the citizenship and naturalization of married women and for other purposes, which he expects to recognize about quarter past 3, and following that, the bill (H. R. 11704) to amend the air mail act, to encourage commercial aviation, and so forth. So far as the Chair knows, these will be the only two bills on which motions will be entertained for suspension of the rules.

MEMORIAL BUILDING AT CHAMPOEG, OREG.

The next business on the Consent Calendar was the bill (H. R. 7983) to authorize the construction of a memorial building at Champoeg, Oreg.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, in the absence of the gentleman from Oregon [Mr. HAWLEY], I will ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LATE CLAIMS AGREEMENT

The next business on the Consent Calendar was the bill (H. R. 8881) to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928.

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the settlement of war claims act of 1928 is amended by adding at the end thereof the following new subsection:

"(k) The amounts deducted under subsection (e) of this section from payments on account of the awards of the Mixed Claims Commission, United States and Germany, rendered under the agreement between the United States and Germany of December 31, 1928 (entered into under the authority of subsection (j) of this section), shall be available for reimbursing the German Government on account of the expenses incurred in connection with the adjudication by the commission of claims under such agreement, and the Secretary of the Treasury is authorized and directed to pay the amounts so deducted to such representative of the German Government as the Secretary of State may designate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

PATENTS LICENSED TO THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 9142) to extend the jurisdiction of the arbiter under the Settlement of War Claims Act to patents licensed to the United States pursuant to an obligation arising out of their sale by the Alien Property Custodian.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, I have no objection, but this is a very important bill, and in the absence for the time being of the gentleman from Oregon [Mr. HAWLEY] I will ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PENSIONS TO CREWS OF VESSELS OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 6997) granting pensions to the crews of vessels owned or chartered by the United States and engaged in the transportation of troops, supplies, ammunition, or materials of war during the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Reserving the right to object, Mr. Speaker, in the absence of the gentleman from California [Mr. WELCH] I ask unanimous consent that this bill be passed over without prejudice.

Mr. LAGUARDIA. Will the gentleman permit this bill to be considered with certain amendments, or is his request simply for the purpose of defeating it?

Mr. COLLINS. I thought it would be a good idea for it to go over in the absence of the gentleman from California.

Mr. LAGUARDIA. I have no objection to that.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE STAR-SPANGLED BANNER

The next business on the Consent Calendar was the bill (H. R. 14) to make The Star-Spangled Banner the national anthem of the United States of America.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. I object.

The SPEAKER. This bill requires three objections. The Chair notes one. This bill has been objected to once before. Is there objection to its present consideration?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the poem written by Francis Scott Key entitled "The Star-Spangled Banner," with music by John Stafford Smith, be, and the same is hereby, declared to be the national anthem of the United States of America and under its care and protection.

With a committee amendment as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the composition consisting of the words and music known as The Star-Spangled Banner is designated the national anthem of the United States of America."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

REPEAL OF OBSOLETE STATUTES

The next business on the Consent Calendar was the bill (H. R. 10198) to repeal obsolete statutes and to improve the United States Code.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object.

Mr. COLLINS. If the gentleman will permit me to make a suggestion, I will say I have carefully checked all these laws that are proposed to be repealed, and with the exception of one, which the gentleman will find on page 23 of the report——

Mr. LAGUARDIA. I have that marked, too.

Mr. COLLINS. We ought to repeal both sections (a) and (b).

Mr. LAGUARDIA. I think so. It occurs to me that would be a wise thing to do. If we consider any of them in the absence of the gentleman from Ohio [Mr. FITZGERALD], it seems to me we ought to pass this over.

Mr. JENKINS. The gentlemen appreciate the fact that this work has been done by the gentleman from Ohio [Mr. FITZGERALD]. We all know how industriously my colleague from Ohio [Mr. FITZGERALD] has worked on this codification. The gentleman knows that he is an expert on this subject.

Mr. LAGUARDIA. Yes.

Mr. JENKINS. I suggest that it be passed over and taken up when he returns.

Mr. LAGUARDIA. I think that is a good suggestion.

Mr. STAFFORD. We can not establish that practice. The gentleman should be here now.

Mr. LAGUARDIA. It is a very unusual bill.

Mr. STAFFORD. It is an unusual bill. The gentleman will have another day in court, two weeks hence.

Mr. LAGUARDIA. The gentleman from Colorado has also given this a great deal of study. We are referring to "43 Stat. 116, section 2." We are inclined to agree with Mr. McClennon that "(b)" should also be stricken out.

Mr. COLLINS. He is the gentleman who has been doing the checking for this committee and is a very excellent lawyer.

Mr. EATON of Colorado. Then does the gentleman suggest that (b) should be added to this bill?

Mr. COLLINS. Yes.

Mr. EATON of Colorado. There would be no objection on the part of the committee.

Mr. COLLINS. I misstated it. "(a)" should be added. "(b)" is sought to be repealed now.

Mr. LAGUARDIA. And we should add "(a)"?

Mr. COLLINS. "(a)" should be added, on page 3 of the bill.

Mr. LAGUARDIA. On page 3, where appear the words "U. S. Code," there should be added "(a)" and "(b)."

Mr. COLLINS. I do not know whether the gentleman from New York [Mr. LAGUARDIA] is reading at the right place or not. The amendment should be added at this point, "43 Stat. 116, section 2, act of May 9, 1924, c. 150, Title 43, sec. 384 (b)." Just before "(b)" should be added "(a) and." It should read "(a) and (b)."

Mr. LAGUARDIA. That is not sufficient. A corresponding section will have to be in the statute with paragraph (a) in the United States Code. Paragraph (a) is the code reference, but there is a corresponding paragraph in the statute; and if the gentleman has not that citation, it can not be amended at this time, so it should go over.

Mr. COLLINS. Why not strike out that particular paragraph of the bill and allow the other laws to be repealed?

Mr. LAGUARDIA. And let this go to the next bill?

Mr. COLLINS. Yes. Let the line beginning at "43 Stat." be eliminated entirely.

Mr. EATON of Colorado. There is no objection to striking that out.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, with the understanding there will be stricken out one statute which is not to be repealed until an opportunity can be had to check up the proper citation, there will be no objection.

Mr. COLTON. Mr. Speaker, further reserving the right to object, will the gentleman from Colorado [Mr. EATON] state whether the sections relating to lands in the Interior Department were eliminated from the bill?

Mr. EATON of Colorado. Every section that was the subject of complaint was eliminated from the bill. Those that are remaining in the bill are not subject to any type of controversy.

Mr. LAGUARDIA. They were all checked up on both sides. I withdraw the reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

To repeal obsolete statutes and to improve the United States Code

Be it enacted, etc., That the following obsolete sections and parts of sections of the Revised Statutes and Statutes at Large are hereby repealed:

Statutes (Stat. or R. S.)	U. S. Code
R. S. 162	Title 5, sec. 26.
R. S. 196	Title 5, sec. 107.
12 Stat. 505, sec. 6, act of July 2, 1862, c. 130	Title 7, sec. 306.
R. S. 1156	Title 10, sec. 182.
R. S. 1243, first sentence	Title 10, sec. 941.
39 Stat. 308, fifth complete paragraph, act of July 1, 1916, c. 209	Title 16, sec. 42.
34 Stat. 832, sec. 3, resolution of June 11, 1906, No. 27	Title 16, sec. 50.
39 Stat. 308, third complete paragraph, act of July 1, 1916, c. 209	Title 16, sec. 56.
40 Stat. 152, fifth paragraph, act of June 12, 1917, c. 27	Title 16, sec. 106.
32 Stat. 202, sec. 3, act of May 22, 1902, c. 820	Title 16, sec. 123.
32 Stat. 765, secs. 3 and 4, Act of Jan. 9, 1903, c. 63	Title 16, secs. 143, 144.
36 Stat. 1421, second sentence of seventh complete paragraph, act of Mar. 4, 1911, c. 285.	Title 16, sec. 180.
R. S. 2463	Title 16, sec. 597.
20 Stat. 470–471, secs. 1 and 2, act of Mar. 3, 1879, c. 189	Title 16, secs. 598, 599.
28 Stat. 814, act of Mar. 2, 1895, c. 182	Title 16, sec. 600.
R. S. 2052	Title 25, sec. 26.
27 Stat. 120, first proviso, act of July 13, 1892, c. 164; 30 Stat. 573, first proviso, act of July 1, 1898, c. 545.	Title 25, sec. 27.
R. S. 2056, as amended by 22 Stat. 87, act of May 17, 1882, c. 163	Title 25, sec. 28.
R. S. 2060	Title 25, sec. 30.
R. S. 2061	Title 25, sec. 33.
R. S. 2080	Title 25, sec. 72.
R. S. 2083	Title 25, sec. 91.
R. S. 2084	Title 25, sec. 92.
35 Stat. 71, first complete paragraph, except the second proviso, act of Apr. 30, 1908, c. 153.	Title 25, sec. 94.
35 Stat. 73, third proviso, act of Apr. 30, 1908, c. 153	Title 25, sec. 103.
R. S. 2098	Title 25, sec. 125.
R. S. 2100	Title 25, sec. 127.
18 Stat. 424, last clause of seventh paragraph, act of Mar. 3, 1875, c. 132.	Title 25, sec. 129.
37 Stat. 496, act of Aug. 24, 1912, c. 367	Title 30, secs. 111–113.
R. S. 3482	Title 31, sec. 208.
24 Stat. 402, sec. 3, act of Feb. 12, 1887, as amended by 34 Stat. 450, sec. 3, act of June 22, 1906, c. 3515.	Title 32, sec. 32.
34 Stat. 1174, last paragraph, act of Mar. 2, 1907, c. 2511	Title 32, sec. 34.
43 Stat. 606, sec. 9, act of June 7, 1924, c. 316	Title 33, sec. 425.
R. S. 1413	Title 34, sec. 141.
R. S. 1414	Title 34, sec. 142.
R. S. 1415	Title 34, sec. 143.
R. S. 1438	Title 34, sec. 144.
R. S. 1439	Title 34, sec. 145.
30 Stat. 1007, sec. 11, act of Mar. 3, 1899, c. 413	Title 34, sec. 391.
34 Stat. 554, second complete paragraph, act of June 20, 1906, c. 3360.	Title 34, sec. 392.
35 Stat. 753, last paragraph, act of Mar. 3, 1909, c. 255	Title 34, sec. 393.
33 Stat. 349, last paragraph, act of Apr. 27, 1904, c. 1622	Title 34, sec. 682.
34 Stat. 584, third complete paragraph, act of June 29, 1906, c. 3560.	Title 34, sec. 682.
R. S. 2469	Title 43, sec. 19.
R. S. 2470	Title 43, sec. 20.
R. S. 461, as amended by 25 Stat. 76, act of Apr. 2, 1888, c. 54, and 25 Stat. 469, sec. 15, act of May 29, 1908, c. 220; 25 Stat. 557, act of Oct. 12, 1888, c. 1098.	Title 43, sec. 21.
R. S. 2230	Title 43, sec. 61.
R. S. 2231	Title 43, sec. 62.
R. S. 2232	Title 43, sec. 63.
31 Stat. 270, sec. 3, except the proviso, act of June 5, 1900, c. 716	Title 43, sec. 181.
40 Stat. 430, act of Dec. 20, 1917, c. 6	Title 43, sec. 236.
41 Stat. 271, fifth complete paragraph, act of July 24, 1919, c. 26	Title 43, sec. 237.
34 Stat. 1248, act of Mar. 2, 1907, c. 2563	Title 43, sec. 262.
35 Stat. 350, third complete paragraph, act of May 27, 1908, c. 200	Title 43, sec. 370.
40 Stat. 675, thirteenth complete paragraph, act of July 1, 1918, c. 113.	Title 43, sec. 380.
43 Stat. 116, sec. 2, act of May 9, 1924, c. 150	Title 43, sec. 384 (b).
44 Stat. 650, sec. 49, act of May 25, 1926, c. 383	Title 43, sec. 423g. (appendix).
32 Stat. 389, sec. 5, third sentence, act of June 17, 1902, c. 1093	Title 43, sec. 476.
R. S. 2353	Title 43, sec. 672.
R. S. 2354	Title 43, sec. 673.
R. S. 2355	Title 43, sec. 674.
R. S. 2365	Title 43, sec. 676.
R. S. 2356	Title 43, sec. 677.
R. S. 2364	Title 43, sec. 683.
R. S. 2358	Title 43, sec. 684.
R. S. 2359	Title 43, sec. 685.
19 Stat. 221, sec. 2, act of Jan. 12, 1877, c. 18	Title 43, sec. 686.
R. S. 2360	Title 43, sec. 687.
R. S. 2398	Title 43, sec. 754.
R. S. 2399, as amended by 26 Stat. 650, act of Oct. 1, 1890, c. 1262, 28 Stat. 285, act of Aug. 15, 1894, c. 288, and 32 Stat. 120, act of Apr. 26, 1902, c. 592.	Title 43, sec. 755.
R. S. 2400	Title 43, sec. 756.
R. S. 2404	Title 43, sec. 764.
R. S. 2405	Title 43, sec. 765.
R. S. 2407	Title 43, sec. 767.
R. S. 2411	Title 43, sec. 771.
37 Stat. 687, act of Feb. 27, 1913, c. 85	Title 43, sec. 800.
33 Stat. 64, act of Mar. 9, 1904, c. 503	Title 43, sec. 1167.
34 Stat. 1162, both provisos, act of Mar. 2, 1907, c. 2511	Title 48, sec. 4.
36 Stat. 248, thirteenth paragraph, act of Mar. 23, 1910, c. 118	Title 48, sec. 5.
31 Stat. 328, sec. 17, act of June 6, 1900, c. 786	Title 48, sec. 28.
31 Stat. 333, sec. 32, except the first two sentences, act of June 6, 1900, c. 786, as amended by 33 Stat. 1266, sec. 2, act of Mar. 3, 1905, c. 1497.	Title 48, sec. 42.
33 Stat. 1266, sec. 3, act of Mar. 3, 1905, c. 1497	Title 48, sec. 65.
33 Stat. 301–303, first eighteen paragraphs, act of Apr. 27, 1904, c. 1629.	Title 48, secs. 331–336.
40 Stat. 604, act of June 12, 1918, c. 97	Title 48, sec. 618.
25 Stat. 489, sec. 1, act of Sept. 22, 1888, c. 1028	Title 50, sec. 11.
26 Stat. 769, last paragraph, act of Feb. 24, 1891, c. 283	Title 50, sec. 12.
31 Stat. 910, second proviso, act of Mar. 2, 1901, c. 803	Title 50, sec. 13.
27 Stat. 461, proviso, act of Feb. 18, 1893, c. 136	Title 50, sec. 14.
25 Stat. 491, first two complete paragraphs, act of Sept. 22, 1888, c. 1028.	Title 50, sec. 15.

SEC. 2. Rights or liabilities existing under the foregoing statutes or parts thereof on the date of the enactment of this act shall not be affected thereby.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York [Mr. LAGUARDIA] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 3, in the twelfth from the last line, strike out "43 Stat. 116, sec. 2, act of May 9, 1924, c. 150, title 43, sec. 384 (b)."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COMMERCIAL POST-OFFICE STATION, ST. PAUL, MINN.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on a pamphlet which was issued attacking me on post-office leases.

The SPEAKER. The gentleman from Minnesota [Mr. MAAS] asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. MAAS. Mr. Speaker, recently there has appeared a pamphlet issued by the Chicago Title & Trust Co., and Abel Davis, as trustees under a mortgage securing the commercial station post-office bonds issued on the St. Paul post-office station. It is dated March 3, 1930, and purports to be a memorandum giving the past history and present status of the St. Paul commercial post-office station situation, particularly in reference to the bonds against the property. In the pamphlet it states that the authors are endeavoring to bring the facts of the situation to the attention of responsible Government officials with a view to having an impartial determination of an amount which may fairly be paid by the Government, and which will be sufficient to protect these bondholders. This pamphlet is one of the grossest misstatements of the facts yet to appear, and is either prepared in the crudest carelessness, or is a most flagrant attempt at deliberate deception with a purpose to influence legislation.

It attempts to give the impression that the controvery over the condemnation of this property by the Federal Government is a political fight and that the innocent bondholders are being made the victims of a political battle.

Among some of the most glaring misstatements of facts in this pamphlet are the following:

It alleges that the bonds are secured by first mortgage on a building of fireproof construction and states that the foundations and columns were designed to permit the construction of three additional stories whenever the Government might require such space to increase post-office facilities, and that the structure is the largest individual post office in St. Paul, which is not the case. It overstates the purchase price of the land and also overstates the cost of the building by more than $200,000 and places a value on the furniture and fixtures at $35,000 more than was actually paid for them. It gives a total physical valuation of $807,000. It quotes various appraisals, one being as high as $1,783,413. It also quotes the valuation given by the Postmaster General in a memorandum to Congressman SPROUL of Illinois, which was read on the floor of the House on February 25, 1930, placing the value at $677,932. But even the highest figures that they claim themselves—$807,000—hardly explains the issuance of $1,150,000 in bonds against the property in addition to $100,000 stock, all of which is secured only by the property.

The Government went into Federal court and condemned the property and a commission appointed by the Federal court gave an award in condemnation action of $317,000 as the damages for the land, building, and the lease.

A grand jury at St. Paul, which investigated the situation because of the scandalous nature of the transaction of the making of the lease, reported that at no time did the land and building ever have a value in excess of $290,000. Although this pamphlet states that the value of the furniture and fixtures is $60,000, I have in my possession a sworn statement by the owners, made to the county assessor, Ramsey County, in which this building is located, that the furniture in 1928 was valued at $29,462.51. By their own showing in this pamphlet there was not sufficient income even from this exhorbitant lease had the Government paid every dollar it called for to have retired all of the bond issues outstanding. At the end of the lease there would still have been some $500,000 of bonds outstanding, for which the bondholders would have only a property to show, which would be worth probably considerably under $200,000. However, the terms of the lease could never be fulfilled because in any event the building could not possibly be occupied more than a year or two longer because of its dangerous condition. It was very faultily constructed and has deteriorated so rapidly that it has been declared unsafe, and the city of St. Paul has passed an ordinance condemning it as dangerous to life. Large parts of it have had to be vacated as a safety measure. It is not in fact a fireproof building as alleged by this pamphlet, nor were the foundations and pillars designed for three additional stores. Two sides have no piling and rest on a bog.

This pamphlet does not explain why, when a new lease was made in 1925, which was noncancelable and for which the Government got no benefit for surrendering its cancellation clause, an original $750,000 issue of bonds, which was sold before even the original lease in 1922 was signed, was retired and new bonds in the amount of $1,150,000 were issued in their place. No additional construction work or new equipment of any sort was added under the new lease and therefore there was no need for new financing. The building had already been paid for and the land had been paid for. The total investment was less than $500,000 and inasmuch as $750,000 in bonds had been sold, there has never been explanation made as to why it was necessary to place $1,150,000 in bonds later.

This pamphlet also launches into an attack upon me alleging that I had made this fight to terminate the lease for political reasons. I shall not dwell on that, for whatever the reasons may be, it was time that somebody terminated this contract.

This pamphlet contends that the only assets of the corporation owning the property are the land, building, and the lease, and that the bonds are dependent upon the lease for their validity. The amount of the rent agreed to be paid was based upon a fraudulent and false appraisal as to the value of the property and a misrepresentation as to the construction of the building.

The lease is dependent upon annual appropriations and therefore can not be considered as part of the security of the bonds. The bondholders should look to the syndicate which issued them and the investment houses that distributed the bonds.

In my opinion this pamphlet is a direct misrepresentation of the situation and is an improper attempt to influence legislation, and I have therefore turned this pamphlet over to the Senate committee investigating lobbying activities and have also turned a copy over to the Federal Trade Commission, which is investigating the sale of these bonds.

Fortunately Congress was not influenced by this last-minute attempt to protect this unconscionable gouge against the Government which apparently is being aided by certain Government officials who have thrown every possible obstacle in the way of the Government's own attempt to acquire this property as a site for a new Federal building. Intentionally or unintentionally, Government officials gave aid and comfort to the perpetrators of this indefensible pamphlet.

CHARGES ON GOODS SHIPPED TO THE PHILIPPINE ISLANDS

The next business on the Consent Calendar was the bill (H. R. 6127) to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the checking charges and arrastre charges which have been, or may hereafter be, imposed by authority of the government of the Philippine Islands upon merchandise, supplies, equipment, and other material imported into the Philippine Islands on commercial vessels, and duly consigned to official agencies of any executive department or bureau of the United States Government, are hereby legalized and ratified, as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed.

The payment of such charges heretofore or hereafter incurred shall be made by the United States Government from appropriations, heretofore or hereafter made for the particular departments or bureaus of the United States Government concerned, which are or may hereafter be made available for the payment of transportation charges on shipments of the character hereinbefore referred to: *Provided*, That the charges shall in no case exceed those charged commercial concerns for like services, shall not include any charges for shipside deliveries when services in connection therewith are not requested by the department or bureau concerned, and shall not be imposed in case of any deliveries made on piers owned or operated by the United States Government.

With the following committee amendment:

On page 2, line 12, after the word "services," strike out the comma and the remainder of the line, and all of lines 13 and 14 and the word "concerned" in line 15.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COMPACTS OR AGREEMENTS BETWEEN CERTAIN STATES

The next business on the Consent Calendar was the bill (H. R. 200) granting the consent of Congress to compacts or agreements between the States of Colorado, New Mexico, Utah, and Wyoming with respect to the division and apportionment of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and all other streams in which such States or any thereof are jointly interested.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, on account of the absence of the gentleman from Colorado [Mr. TAYLOR] and certain others who are interested in this bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

COMPACTS OR AGREEMENTS BETWEEN THE STATES OF COLORADO, NEBRASKA, AND WYOMING

The next business on the Consent Calendar was the bill (H. R. 201) granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Nebraska [Mr. SIMMONS] wherein this bill differs from the bill which was previously passed over without prejudice relating to the same authority of Congress.

Mr. SIMMONS. Does the gentleman refer to H. R. 200?

Mr. STAFFORD. Yes.

Mr. SIMMONS. Well, H. R. 200 refers to the Colorado River and its tributaries, while H. R. 201 refers to the North Platte River and its tributaries. H. R. 202 touches only the States of Colorado and Wyoming.

Mr. STAFFORD. I was under the impression that H. R. 202 also related to the River Platte.

Mr. SIMMONS. It is not named in the bill, but they are all objectionable.

Mr. HOOPER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PREVENTION OF PROFESSIONAL PRIZE FIGHTING IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, I do not see the gentleman from Michigan [Mr. MCLEOD] present, and as this bill raises some rather novel questions and some questions about which I would like to have some information, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a list of the States which permit boxing.

Mr. LAGUARDIA. Amateur boxing or professional boxing?

Mr. COLLINS. Amateur boxing.

Mr. LAGUARDIA. This bill relates to amateur boxing.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD by printing a list of States permitting boxing. Is there objection?

There was no objection.

The list referred to follows:

Alabama. Laws 1927, No. 134.
Arizona. Laws 1919, chapter 167.
Arkansas. Laws 1927, No. 131.
California. Laws 1925, page 89.
Colorado. Laws 1927, chapter 70.
Connecticut. Laws 1925, chapter 243; amended laws 1927, chapter 163.
Idaho. Laws 1919, chapter 127; amended laws 1923, chapter 180.
Illinois. Laws 1925, page 164.
Kansas. Laws 1925, chapter 255.[1]
Kentucky. Laws 1928, chapter 153.
Louisiana. Laws 1926, chapter 229.
Maine. Laws 1925, chapter 207 [amateur matches only].
Maryland. Bagby's Code 1924, article 56, sections 137–154.
Massachusetts. General Laws 1921, pages 1532–1536.
Michigan. Laws 1919, No. 328; amended laws 1921, No. 326.
Minnesota. Mason's Statutes 1927, sections 3251–3260.
Mississippi. Laws 1928, chapter 54.
Missouri. Revised Statutes 1919, sections 7674 (17), 7976 (18, 19), 8322, 8497, 8713 [license by cities authorized]; Laws 1927, pages 114–116.[1]
Montana. Laws 1927, chapter 103.
Nebraska. Compiled Statutes 1922, sections 8302–8316.
Nevada. Laws 1919, chapter 58; Laws 1925, chapter 46.
New Jersey. Cumulative Supplements 1924, sections *25–1 to 25–19; 1927, chapter 258; Laws 1928, chapter 14.
New York. Cahill's Constitutional Laws 1923, pages 2429–2432; Supplement 1928, page 1166.
Oregon. Laws 1920, sections 3879–3887.
Pennsylvania. Laws 1923, No. 295.
Porto Rico. Laws 1927 Executive, No. 15; amended laws 1928, No. 73.
Rhode Island. Laws 1926, chapter 772; amended laws 1927, chapter 963.
South Dakota. Laws 1923, chapter 274.
Tennessee. Thompson's Shannon's Code 1919, section 6675a.
Wisconsin. Statutes 1927, section 169.01.
Wyoming. Laws 1927, chapter 85.

TRADE-MARKS USED IN COMMERCE

The next business on the Consent Calendar was the bill (H. R. 2828) to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, and it is not my purpose to object, I would like to ask my friend from Indiana if he thinks a bill which, like this, involves so much should come up at this time, under these circumstances, and whether he believes it is in such shape that it can properly be considered under unanimous consent? I do not care to make an objection, but the bill is almost a code in itself, is it not?

Mr. VESTAL. That is correct. May I say to the gentleman that this bill has been under consideration by the Committee on Patents for the past five years, and we passed the bill unanimously two years ago in practically the same language as the bill under consideration now.

Mr. HOOPER. Mr. Speaker, I will withdraw my reservation of objection.

Mr. SNELL. Is this the bill that has the divisible copyright proposition in it?

Mr. VESTAL. No; it is the trade-mark bill. I want to say that this bill has the unanimous support of the American Bar Association and the patent law associations throughout the United States. No bill was ever brought into this House that had more earnest consideration by the Committee on Patents than this one. It had a unanimous report last year, when it was passed in the last Congress, and it has a unanimous report this year.

Mr. STAFFORD. Mr. Speaker, I think a bill of this magnitude and importance should have some explanation of its purpose, so the RECORD will show and the House will know just what the scope of the bill is.

Mr. VESTAL. The report that accompanies this bill——

Mr. STAFFORD. I have read the report, but the RECORD should show that there has been some consideration given to the bill.

Mr. VESTAL. I am now trying to say to my friend from Wisconsin that this bill has had careful consideration for the past five years. We did not bring in a bill until we had ironed out all of the difficulties that had come up. The committee feels that this is an important piece of legislation, really codifying the trade-mark law and putting it in such condition that it will be workable throughout. The bill ought to be passed. There is really an emergency for it. The bill passed the House a year ago, but went to the Senate too late to be passed in the Senate.

Mr. LAGUARDIA. Was there any opposition to the bill at the other end of the Capitol?

Mr. VESTAL. No; it was just caught in the jam.

[1] In Kansas and Missouri the licenses are issued only to bona fide patriotic, benevolent, fraternal, or religious organizations, or local unit thereof, which has been in existence one year prior to granting license.

Mr. STAFFORD. Will the gentleman explain the reason the committee recommended an increase in the fee from $10 to $15? I know the report says that this is to meet the current expenses of the bureau.

Mr. VESTAL. I can enlighten the gentleman on that. The Committee on Patents feels that the Patent Office ought to be a self-sustaining institution of the Government and it is necessary to have the amount of these fees increased in order to do that very thing. There has not been any objection from anyone.

Mr. HOOPER. Has it been estimated that this proposed law will make the office self-sustaining by increasing the fee from $10 to $15?

Mr. VESTAL. Yes; together with the increase of fees in the patent bill, which has already been passed and signed by the President. It simply puts the fees in trade-mark cases upon the same basis as patent fees.

Mr. JENKINS. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. JENKINS. Is there any difference in this bill and the bill that was passed by the committee last year?

Mr. VESTAL. No differences except a few minor amendments that were agreed upon by the Patent Bar Association.

Mr. JENKINS. Was there any contest in the committee about these amendments?

Mr. VESTAL. None whatever.

Mr. GREENWOOD. Reserving the right to object, I do not see in the report any recommendation of the Secretary of the Interior or the Commissioner of Patents.

Mr. VESTAL. There should be such a report. That is an oversight.

Mr. GREENWOOD. The bill has been submitted to the department.

Mr. VESTAL. It has been submitted to the department and has been approved by the department.

Mr. ELLIS. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. ELLIS. I do not know that I should break into this mutual admiration society that we see here to-day, but I want to say that I have received many letters urging the passage of this measure. Out in my country they feel it ought to become the law.

Mr. VESTAL. I thank the gentleman.

Mr. GREENWOOD. As I understand, this bill would simplify procedure in the department.

Mr. VESTAL. Yes.

Mr. GREENWOOD. And the only change in the fees is an increase of $5.

Mr. VESTAL. And this is to coincide with the increase of fees in patent matters so as to put them all on the same basis.

Mr. STAFFORD. How does the fee we are prescribing here correspond with the fees charged by members of the union that met at Santiago, Chile, some time back in respect of this legislation?

Mr. VESTAL. Oh, the fees are much smaller here than they are in any other country, and with the increase they will still be smaller than in any other country.

Mr. STAFFORD. The gentleman seeks by this bill to more or less dovetail our practice with the practices of members of the Pan American Union?

Mr. VESTAL. That is correct.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the owner of a trade-mark in use in commerce within the control of Congress may register such trade-mark—

A. By filing in the Patent Office—

(a) A written application addressed to the commissioner, signed and verified by the applicant before any officer mentioned in section 15 (b), stating the applicant's name, citizenship, domicile, residence and business address, upon what goods the trade-mark is used, the duration of such use, how the right was acquired, and, if by succession or assignment, from whom, and upon information and belief that the applicant is entitled to the exclusive use of the trade-mark in the United States, and that the applicant is using it in commerce. A description of the trade-mark may be included if desired by the applicant or required by the commissioner;

(b) A drawing of the trade-mark; and

(c) Such number of specimens or facsimiles of the trade-mark as actually used as may be required by the commissioner;

B. By paying into the Patent Office the sum of $10; and

C. By complying with such rules or regulations not inconsistent with law as may be prescribed by the commissioner.

If the applicant resides or is located in a foreign country, and the trade-mark has been registered by the applicant or an application for the registration thereof has been filed by him in such foreign country, the application shall set forth this fact and shall give the date of such registration or application. In such cases the applicant need not allege use in commerce if by treaty relieved therefrom.

SEC. 2. No mark by which the goods to which it is applied by the applicant may be distinguished as to source or origin shall be refused registration as a trade-mark on account of its nature unless it—

(a) Consists of or comprises immoral, deceptive, or scandalous matter.

(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof.

(c) Consists of or comprises the portrait or signature of a living individual unless by his written consent, or the name, portrait, or signature of any deceased President of the United States during the life of his widow, if any, unless by her written consent.

(d) Consists of or comprises a mark which so resembles a trade-mark previously used by another as to be likely, when applied to the goods of the applicant, to cause confusion or mistake or to deceive purchasers as to their source or origin.

When such previously used trade-mark is applied to merchandise of the same descriptive properties it shall constitute prima facie grounds for refusing registration.

(e) Consists of a mark which when applied to the goods of the applicant has merely a descriptive or geographical meaning or is merely a surname.

Rejection on any of the foregoing grounds shall be subject to rebuttal by evidence of relevant facts.

(f) Except as expressly excluded in paragraphs (a), (b), (c), and (d) of this section, nothing herein shall prevent the registration of any mark used as a trade-mark by the applicant in commerce which, in accordance with the principles of common law, shall be shown by proof convincing beyond a reasonable doubt to have acquired a secondary meaning distinguishing the applicant's goods.

(g) Registrations of a mark under this act except under paragraph (f) of this section shall be prima facie evidence of ownership as of the date the application was filed. Registration of a mark by virtue of paragraph (f) shall be prima facie evidence of secondary meaning distinguishing the registrant's goods as of the date of registration.

SEC. 3. In addition to the registration provided in sections 1 and 2 of this act, the commissioner shall keep a register of all marks communicated to him by an international bureau organized under the provisions of a treaty or convention to which the United States is a party and in connection with which the fee required by such conventions for international registration and the fee for registration provided by the laws of the United States have been paid where the mark so communicated is deemed by the Commissioner of Patents to be such that protection can be granted thereto in accordance with law. The communication from the international bureau shall show the name and address of the owner of the mark; the date of application for registration in the State of first registration, which State must be one of the signatory countries; the number of the registration and the date of expiration in the State of first registration; a facsimile of the mark; a statement of the goods on which the mark is used in the State of first registration; the date of the application for recognition of the rights claimed under the convention; and such other data as may be useful concerning the mark. If objection is made to the registration of such mark, notice thereof shall be communicated by the commissioner to the said international bureau.

Registrations effected under the foregoing paragraph shall be subject to renewal and to cancellation in accordance with the provisions of this act.

When protection is refused to any mark communicated by an international bureau as above specified, or applied for directly under the terms of any convention to which the United States is a party, by reason of a prior registration, the proprietor of the mark claiming recognition of rights under treaty or convention shall have the right to seek and obtain the cancellation of the previously registered mark, upon proving, according to the procedure fixed by existing law, such refusal and—

(1) The stipulations in paragraph (1) and those of either paragraph (b) or (c) below:

(a) That he enjoyed legal protection for his mark in any of the contracting States prior to the date of the application for the registration or deposit which he seeks to cancel; and

(b) That the registrant of the mark sought to be canceled had knowledge of the use, employment, registration, or deposit in any of the contracting States of such mark for the specific goods to which such mark is applied prior to the registrant's adoption and use thereof; or

(c) That the petitioner for cancellation has traded or trades with or in the United States and that goods designated by his mark have circulated and circulate in the United States from a date prior to the adoption and use of the mark the cancellation of which is sought.

(2) That the mark covered by the registration which he seeks to cancel has been abandoned.

The commissioner may record transfers or assignments of trade-marks upon regular notification of such transfers or assignments received from

the proper international bureau upon the payment of the statutory recording fee.

Owners of marks so registered, being domiciled in any country which is a party to said convention, shall enjoy, while the registration remains in force, all the rights and benefits conferred by said convention.

SEC. 4 (a). In addition to the registrations hereinbefore provided for, the commissioner shall keep a register of marks as a continuation of the register of marks heretofore registered under paragraph (b) of section 1 of the act of March 19, 1920, entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes." Whenever any person engaged in manufacturing in, or exporting from, the United States shall apply for registration of any mark which distinguishes or is adapted to distinguish the goods as those of the applicant (including, for the purposes of this section, a trade-mark, symbol, label, package, configuration of goods, name, word, or phrase) other than those expressly excluded by paragraphs (a), (b), (c), and (d) of section 2, which is used upon goods manufactured by or for such applicant and exported, or about to be exported, to any foreign country, in a verified statement that such mark distinguishes or is adapted and intended to distinguish the goods as those of the applicant, and shall pay into the Patent Office the sum of $25, the commissioner, subject to prompt examination and search and determination that the mark distinguishes or is adapted to distinguish the goods as those of the applicant and is not excluded by paragraphs (a), (b), (c), and (d) of section 2, shall forthwith register said mark in said register and issue a certificate of registration for such mark, which shall be evidence of the date of filing the application therefor, and of the claim of the registrant of right in such mark. Registrations under this section, including marks heretofore registered under paragraph (b) of section 1 of said act of March 19, 1920, shall give the registrant the same protection in commerce of the marks so registered as the common law affords. Applications under this section shall not be published for opposition, as provided in section 7, and shall not be subject to opposition as provided in section 13, but the registrations shall be subject to cancellation under section 13, paragraph (b), or section 14, paragraph (f). Such registration shall not be used to stop importations under section 28. Registration under this section or under the act of March 19, 1920, shall not preclude reregistration to the owner of a trade-mark under any other section of this act.

(b) Upon the filing in the Patent Office of the written consent of a registrant under sections 1 and 2 hereof, or under the act of February 20, 1905, as amended, a subsidiary or subsidiaries or representative or representatives of such registrant may register the same trade-mark under paragraph (a) of this section. By written notice to the commissioner, the said registrant may withdraw such consent, whereupon the registration under this section shall be transferred on the records of the Patent Office to the name of the registrant under sections 1 and 2 hereof or under the act of February 20, 1905, as amended, or his nominee, or canceled at the said registrant's option.

SEC. 5. A. In order to have available for search purposes a collection of unregistered marks, the commissioner is authorized to form such a collection and to that end to accept, file, and classify such unregistered marks as may be entered as provided in this section.

(1) Any mark (including, for the purposes of this section, a trade-mark, symbol, label, package, configuration of goods, name, word, or phrase) used in commerce and identifying any merchandise or business, may be entered in the Patent Office by the user by filing one or more copies, facsimiles, or representations thereof, as the commissioner may direct, on a form to be furnished by the commissioner, and under oath, and by paying into the Patent Office a fee of $2. Any person using, in commerce, any such mark, which shall not have been registered and for which no application for registration has been filed before this act becomes effective, who shall fail either to apply to register or enter such mark before the expiration of one year after the first use thereof in commerce, or within one year after this act takes effect, shall, on applying to register in any form under this act, pay, as a fee for such registration, in addition to any other fees prescribed in this act, the sum of $20. There shall be excepted from the foregoing the trade names embraced in article 8 of the convention mentioned in section 6 (b) hereof, but such trade names may be entered under this section at the option of the user thereof. Any user of a mark solely within a State may, at his option, enter the same under this section.

(2) The commissioner shall not accept for entry any mark already registered, or for which an application for registration is pending, for the same goods.

(3) The commissioner shall mark as abandoned or canceled and may remove from this collection abandoned marks and marks which are immoral, scandalous, or otherwise unlawfully entered.

(4) Any mark entered under the provisions of this section shall be marked as abandoned or canceled and may be removed from said collection of unregistered marks at the end of five years following the date of entry thereof, unless within three months next preceding the expiration of such five years the entrant or his successor in business shall file in the Patent Office an affidavit in such form as may be prescribed by the commissioner to the effect that said mark is still in use by the entrant or his successor in business. A form of such affidavit shall be mailed by the commissioner to the entrant not less than three months prior to the expiration of such 5-year period, but failure to receive such form shall not excuse the failure to file such affidavit. At the expiration of each succeeding 5-year period thereafter a similar procedure shall be followed in the case of each entered mark and the entered mark shall be marked as abandoned or canceled and may be removed from said collection unless such affidavit is filed by the entrant or his successor in business within three months preceding the expiration of each such 5-year period.

(5) An entry under this section shall have no legal effect except as evidence that, at its date, the entrant claimed a right in the entered mark.

(6) An entered mark shall not of itself be ground for rejection of an application for registration, but if the commissioner believes that an entered mark conflicts or may conflict with an application for registration under sections 1, 2, or 23 hereof, the commissioner, upon the publication of the applied-for mark or before the allowance of applications under sections 3 and 4 hereof, shall notify both the applicant and the entrant.

B. (1) The commissioner shall cause to be assembled for search purposes, in such form as the commissioner may determine, all marks—

(a) Now registered and which may hereafter be registered;

(b) For which applications for registration are pending;

(c) Which may be entered under section 5 A; and

(d) Any other marks in actual use which the commissioner may direct.

Such collection of marks shall be open to public inspection at such times as the commissioner may prescribe.

(2) The commissioner may remove from the file for search purposes abandoned or other marks at his discretion.

SEC. 6. (a) An application for registration of a trade-mark, filed in this country by any person who has previously regularly filed an application for registration of the same trade-mark in a foreign country, and which is his first application in any country, if such country by treaty, convention, or law affords similar privileges to citizens of the United States, shall be accorded the same force and effect as would be accorded to the same application if filed in this country on the date on which the application was first filed in such foreign country, if such application is filed in this country within four months from the date on which the application was first filed in such foreign country. Applications under this section shall conform as nearly as practicable to the requirements of section 1, but need not allege use in commerce, if by treaty relieved therefrom, but no registration in this country may be perfected until the mark has been actually registered in such foreign country, except in the case of citizens of countries which make no such requirement of citizens of the United States.

(b) Every owner of a trade-mark, being domiciled in any country which is a party to the international convention entered into at Paris March 20, 1883, revised at Brussels December 14, 1900, and at Washington June 2, 1911, shall enjoy with respect to the registration of said trade-mark, and while such registration remains in force, all the rights and benefits concerning trade-marks and unfair competition conferred by said convention. Rights of priority under such registrations shall be determined as provided in said convention.

(c) Foreign or alien owners of trade-marks used in this country shall, unless otherwise provided by treaty, enjoy the same right to such trade-marks at common law and the same right to register or enforce such trade-marks under the other sections of this act as citizens or residents of the United States, and their rights of priority, unless otherwise provided by treaty, shall be determined by their actual use of such trade-marks within the United States.

SEC. 7. Upon the filing of an application for registration under sections 1, 2, or 23 hereof, and payment of the fees herein provided for, the commissioner shall cause an examination thereof to be made, and if on such examination it shall appear that the applicant is entitled to registration under the provisions of this act, the commission shall cause the mark to be published at least once in the Official Gazette of the Patent Office. If no notice of opposition, as hereinafter provided, is filed within the period specified in section 13, paragraph (a), the commissioner may issue a certificate of registration therefor. If on examination an application is refused, the commissioner shall notify the applicant, giving his reasons therefor. Applications under sections 3 and 4 shall not be published for opposition, but shall be published when registered. This section (sec. 7) shall not apply to marks entered under section 5.

SEC. 8. Every applicant for registration of a trade-mark or for renewal of registration of a trade-mark, who is not resident within the United States, shall, before the issuance of the certificate of registration or renewal, as herein provided, designate, by a notice in writing filed in the Patent Office, some person residing within the United States on whom process or notice of proceedings affecting the registration of the trade-mark of which such application may claim to be the owner, brought under the provision of this act or under other laws of the United States, may be served, with the same force and effect as if served upon the applicant or registrant in person. Such designation

shall be continuously maintained. Any nonresident registrant shall in like manner designate such a representative; and after this act takes effect no suit or action shall be brought under any registration owned by such nonresident registrant, and no profits or damages for infringement of such registered mark shall be recoverable under this act, until and unless such notice of designation has been filed and maintained. Such service may be made by leaving a copy of the process or notice at the last address of which the commissioner has been notified or by mailing it to such address.

SEC. 9. In an ex parte case appeal may be taken to the commissioner in person from the decision of the examiner in charge of trade-marks and from the decision of the commissioner to the Court of Customs and Patent Appeals or relief from a decision of the commissioner may be sought by action under the provisions of section 4915 of the Revised Statutes, but proceedings to avail of either remedy shall constitute a waiver of all right to the other remedy. The conditions required in case of an appeal from the decision of the Board of Appeals by an applicant for patent shall be complied with in an appeal to said Court of Customs and Patent Appeals under this section, and the same rules of practice and procedure shall govern in every stage of such proceedings, as far as the same may be applicable.

SEC. 10. (a) All certificates of registration of trade-marks shall be issued in the name of the United States of America under the seal of Patent Office, and shall either be signed by the commissioner or have his name printed thereon and attested by an assistant commissioner or by one of the law examiners duly designated by the commissioner, and shall be recorded, together with printed copies of the drawing and application, in the Patent Office in books to be kept for that purpose. The certificate shall state the date on which the application for registration was received in the Patent Office. Certificates of registration of trade-marks may be issued to the assignee of the applicant where the assignment has been recorded in the Patent Office. In case of succession or change of ownership of a trade-mark registered under this or any previous acts the commissioner may, upon a proper showing at the request of the owner or successor and upon the payment of a fee of $10, issue to such owner or successor a new certificate of registration of the said trade-mark in the name of such owner or successor.

(b) The commissioner, upon application of the registrant, may permit any registration under this or any previous act to be canceled or for good cause to be amended or disclaimed in whole or in part at any time, provided when so amended or disclaimed in part it shall still contain registrable matter, and shall make appropriate entry upon the records of the Patent Office and upon the certificate of registration, or if such certificate is lost or destroyed upon a certified copy thereof.

(c) Copies of any records, books, papers, or drawings relating to trade-marks belonging to the Patent Office, and of certificates of registration, authenticated by the seal of the Patent Office and certified by the commissioner or in his name by a chief of division duly designated by the commissioner, shall be evidence in all cases wherein the originals would be evidence, and any person making application therefor and paying the fee required by law shall have such copies.

(d) Whenever a mistake in a trade-mark registration, incurred through the fault of the Patent Office, is clearly disclosed by the records of the office a certificate stating the fact and nature of such mistake, signed by the commissioner and sealed with the seal of the Patent Office may be issued, without charge, and recorded in the records of trade-marks and a printed copy thereof attached to each printed copy of the trade-mark registration, and such certificate shall thereafter be considered as part of the original, and every trade-mark registration, together with such certificate, shall have the same effect and operation in law on the trial of all actions or causes thereafter arising as if the same had been originally issued in such corrected form. All such certificates heretofore issued in accordance with the rules of the Patent Office and the trade-mark registrations to which they are attached shall have the same force and effect as if such certificates had been specifically authorized by statute.

(e) Whenever a mistake has been made in a trade-mark registration and a showing has been made that such mistake occurred in good faith through the fault of the applicant, the commissioner is authorized to issue a certificate of correction upon the payment of a fee of $10, provided the correction is not such as to necessitate republication of the mark.

SEC. 11. (a) Each certificate of registration shall remain in force for 20 years and shall be effective throughout the United States: *Provided*, That the registration of any mark under the provisions of this act shall be canceled at the end of five years following the date of said registration, unless within three months next preceding the expiration of such five years the registrant shall file in the Patent Office an affidavit in such form as may be prescribed by the commissioner to the effect that said mark is still in use by the registrant. If, however, nonuse is due to special circumstances beyond the control of the registrant and not to any intention not to use or to abandon such trade-mark, the registrant shall file an affidavit to this effect at the time and in the manner provided for the affidavit of continued use, in which case the registration shall not be canceled because of such nonuse. Forms for such affidavits shall be mailed by the commissioner to the registrant or to his duly authorized attorney or to his representative designated as provided in section 8 hereof, not less than three months prior to the expiration of such 5-year period, but failure to receive such form shall not excuse the failure to file such affidavit.

(b) Certificates of registration may be renewed for like periods of 20 years from the end of the expiring period on payment of the renewal fees required by this act upon requests by the registrant, and such requests may be made at any time within six months prior to the expiration of the period for which the certificates of registration were issued or renewed. Certificates of registration in force at the date at which this act takes effect shall remain in force for the period for which they were issued and shall have the same force and effect as if the acts under which they were issued had not been repealed, except that those under the act of March 19, 1920, shall expire in 20 years from the date of registration. But all registrations in force at the date on which this act takes effect shall be renewable only under the provisions of this act, and when so renewed shall have the same force and effect as certificates issued under this act.

SEC. 12. (a) Registration under sections 1, 2, and 23 hereof or under the act of February 20, 1905, shall, from the date when this act takes effect, be constructive notice as of the date of registration to all persons of the fact of registration and of the fact that the registrant claims the right to the exclusive use in commerce of the mark so registered.

(b) It shall be the duty of the registrant to accompany a trade-mark registered under the act of February 20, 1905, or under the act of March 19, 1920, or under sections 1, 2, and 3 hereof and trade-names, marks, and devices registered under section 23 hereof with the words "Registered in U. S. Patent Office" or "Reg. U. S. Pat. Off.," and in any suit for infringement under this act by a registrant failing so to mark, no profits and no damages shall be recovered except on proof that the defendant had actual notice or knowledge and continued to infringe after such notice or knowledge, and no such profits or damages shall accrue except after such notice or knowledge.

(c) It shall be unlawful for any person to accompany any mark, name, or device used in commerce and not registered under the act of February 20, 1905, or under the act of March 19, 1920, or under sections 1, 2, 3, or 23 hereof or a mark merely entered under section 5 hereof, or merely registered under section 4 hereof, with the words "Registered in U. S. Patent Office," or "Reg. U. S. Pat. Off.," or "Deposited in the U. S. Patent Office," or "Entered in the U. S. Patent Office," or "Recorded in the U. S. Patent Office," or with any other letters, words, or abbreviations of like import; or to use in commerce in connection with any such mark any such words or abbreviations on any label or in any catalogue, circular, or advertising matter.

(d) Any person who violates the provisions of section 12 (c) of this act shall be guilty of a misdemeanor punishable by a fine of not less than $100 or more than $250.

SEC. 13. The following shall be the contested proceedings in the Patent Office:

(a) Opposition: Any person who would be damaged by the registration of a mark under section 1, 2, or 23, including any person using any mark which the applicant's mark so resembles as to be likely when applied to the goods or services of the applicant to cause confusion or mistake or to deceive purchasers as to their source or origin, may oppose the same by filing notice of opposition in the Patent Office, in such form as the commissioner may by rule prescribe, within 30 days after the publication in the Official Gazette of the mark sought to be registered. A notice of opposition may be filed by an authorized attorney, but shall be void unless ratified by the opposer within a reasonable time after such filing. For good cause shown the time for filing notice of opposition may be extended by the commissioner not more than 30 days and for good cause shown the commissioner may receive a notice of opposition filed within 60 days from the date of publication.

(b) Cancellation: Any person who is damaged by the registration of a trade-mark, including any person using any mark which the registrant's mark so resembles as to be likely when applied to the goods or services of the registrant to cause confusion or mistake or to deceive purchasers as to their source or origin, except a person against whom a suit is pending thereunder, may at any time apply to the commissioner to cancel the registration thereof by filing a petition in the Patent Office in such form as the commissioner may by rule prescribe. Abandonment shall be among the grounds for cancellation. Nonuse by the registrant for more than two years shall be prima facie evidence of abandonment unless such nonuse is shown to be due to special circumstances beyond the control of the registrant and not to any intention not to use or to abandon such trade-mark.

(c) Interference: Whenever application is made for the registration under any section of this act of a trade-mark which so resembles a trade-mark for which a certificate of registration has previously been issued to another, or for the registration of which another has previously made application, as to be likely, in the opinion of the commissioner, when applied to the goods of the applicant, to cause confusion

or mistake or to deceive purchasers as to their source of origin the commissioner may declare that an interference exists.

(d) In every case of opposition to registration, petition for the cancellation of a registered trade-mark, or interference, the commissioner shall direct the examiner in charge of interferences to determine the issues according to the common law or treaty rights of the parties, and under rules prescribed by the commissioner.

(e) Appeal may be taken to the commissioner in person from the decision of the examiner of interferences.

(f) The commissioner may refuse to register the mark against the registration of which opposition is filed, may cancel the registration of a registered trade-mark, or may refuse to register any or all of the interfering marks, or may register the trade-mark for the person entitled thereto. Action shall be stayed for 60 days after final decision by the commissioner to give time for proceeding as provided in section 14, notice of which must be given by the moving party to the commissioner within such 60 days.

(g) Whenever there shall be pending in the Patent Office an interference and an opposition or cancellation concerning the same trade-mark and involving the same or like issues, so that the proceedings may conveniently be determined upon the same evidence, such proceedings may be consolidated upon motion of any party thereto or by direction of the commissioner.

(h) In any suit pending in a Federal court between the parties to a contested proceeding in the Patent Office involving the same trade-mark, the record in the Patent Office, or a duly certified copy thereof, shall be admitted in whole or in part on motion of either party subject to such terms and conditions as to costs, expenses, and the further cross-examination of the witnesses as the court may impose, without prejudice, however, to the right of the parties to take further testimony. The testimony and exhibits or parts thereof of the record in the Patent Office when admitted shall have the same force and effect as if originally taken and produced in the suit.

SEC. 14. (a) Upon the decision of the commissioner any party to any of the proceedings mentioned in section 13 hereof may, within 60 days after the decision of the commissioner, give notice to the commissioner and file a bill in equity for relief in any court of original jurisdiction named in section 21 hereof in the district of the residence or principal place of business of the adverse party; or, if there are two or more such parties, then in the district of the residence or principal place of business of any of them; or, if such party is not domiciled in the United States, then in the court of the district of the residence of the representative designated as provided in section 8 or 15 (a) hereof; or, if no representative is so designated, then in the District of Columbia. The court shall then issue its process (which may be served anywhere in the United States) to all parties to such proceeding and shall thereupon have general jurisdiction of the controversy and of the parties.

(b) In all suits brought hereunder the record in the Patent Office, or a duly certified copy thereof, shall be admitted in whole or in part on motion of either party, subject to such terms and conditions as to costs, expenses, and the further cross-examination of the witnesses as the court may impose, without prejudice, however, to the right of the parties to take further testimony. The testimony and exhibits or parts hereof of the record in the Patent Office when admitted shall have the same force and effect as if originally taken and produced in the suit.

(c) The court may determine the right to registration, order the cancellation of registrations, in whole or in part, restore canceled registrations and otherwise rectify the register, and shall make and enter such orders and decrees as the case may require, including relief by way of injunction, damages, profits, costs, and otherwise, as provided in section 18, and such judgment or decree may be enforced as provided in section 22 hereof.

(d) Except in ex parte cases, the provisions of section 4915 of the Revised Statutes shall not apply in trade-mark cases.

(e) Any order of the court with respect to the right of registration, the cancellation of registrations, the restoration of canceled registrations, or otherwise rectifying the register shall be certified to the commissioner, who shall make appropriate entry upon the records of the Patent Office and be controlled thereby.

(f) In lieu of the method provided in paragraph (b) of section 13 any person damaged by any registration of a trade-mark may have relief by a suit in equity against the registrant for cancellation of such registration brought in the district of the residence or principal place of business of the registrant or if the registrant is not a resident of the United States then in the district of the residence of the representative designated, as provided in section 8 or section 15 (a) hereof, or if no representative is so designated then in the District of Columbia, and the court on due proceedings had may, according to the circumstances of the case, adjudge the right to cancellation of such registration in whole or in part or to other rectification of the register. And such adjudication in favor of the right of a party shall authorize the commissioner to cancel such registration in whole or in part or otherwise rectify the register as the case may require, on the party filing in the Patent Office a copy of the adjudication and otherwise complying with the requirements of law.

SEC. 15. (a) Every registered trade-mark and every mark for the registration of which application has been made, together with the application for registration of the same, shall be assignable in connection with the business and good will in which the mark is used, or the portion thereof to which the mark is appurtenant, by an instrument in writing, duly acknowledged or otherwise proved, according to the laws of the country or State in which it is executed or made; any such assignment shall be void as against any subsequent purchaser for a valuable consideration, without notice, unless it is recorded in the Patent Office within three months from the date thereof or prior to such subsequent purchase. The commissioner shall keep a record of such assignments.

The commissioner shall not accept for record any such assignment in which the assignee therein named is not a resident within the United States unless and until such assignee shall designate a representative in compliance with the requirements of section 8 hereof.

(b) If any such assignment be acknowledged before any person within the United States authorized by law to administer oaths, or before any secretary of legation or consular officer authorized by the laws of the United States to administer oaths or perform notarial acts, or before any notary public, judge, or magistrate of any foreign country authorized to administer oaths or perform notarial acts in such country whose authority shall be proved by certificate of a diplomatic or consular officer of the United States, the certificate of such acknowledgment shall be prima facie evidence of the execution of such assignment and when recorded in the Patent Office such record shall be prima facie evidence of the execution of such assignment.

SEC. 16. Fees payable to the Patent Office under this act shall be as follows: On filing each original application for registration of a trade-mark except under section 4, $10; under section 4, $25; on filing each such application after one year, as provided in section 5, additional, $20; on filing application under section 23, $10; on filing each application for renewal, $10; on issuing a new certificate under section 10, paragraphs (a) and (e), $10; on each entry under section 5, $2; on filing notice of opposition or a petition for cancellation (except under section 10 (b)), $10; on filing a disclaimer or an amendment to a registration, $10; on filing petition for correction, $10; on appeal from the examiner in charge of trade-marks to the commissioner, $15; on appeal from the decision of the examiner in charge of interferences to the commissioner, $15; for manuscript copies, for every 100 words or fraction thereof, 10 cents; for each printed copy of registration and drawing, 10 cents; for comparing other copies, 5 cents for every 100 words or fraction thereof; for certifying in any case, additional, 75 cents; for each additional registration or application which may be included under a single certificate, 25 cents additional; for recording every assignment or other paper of 300 words or under, $1; of over 300 and under 1,000 words, $2; and for each additional thousand words or fraction thereof, $1; for each additional registration or application included, or involved in one writing where more than one is so included or involved, additional, 25 cents.

SEC. 17. The commission is authorized to refund fees paid by mistake or in excess.

SEC. 18. Any person who shall infringe in commerce any trade-mark registered under sections 1, 2, 3, or 23 hereof or under any previous act shall be liable—

(a) To an injunction restraining infringement of such registered trade-mark.

(b) To pay to the owner such damages as he may have suffered from the infringement.

(c) To pay to the owner all profits which the infringer shall have made from such infringement, and in proving profits the plaintiff shall be required to prove sales only, and the defendant shall be required to prove every element of cost or deduction claimed; but there shall be no recovery of profits from any defendant whose adoption and use of an infringing trade-mark was in good faith and without knowledge of the plaintiff's right thereto, except such profits as accrued therefrom after such defendant had actual notice or knowledge thereof.

(d) If the court shall find that the damages or profits or both are either inadequate or excessive, the court may in its discretion decree the payment of such sum as the court shall find to be just according to the circumstances of the case, such sum to constitute compensation and not a penalty.

(e) To deliver up, on oath, upon such terms and conditions as the court may prescribe, all copies, counterfeits, or colorable imitations of the registered trade-mark, to be impounded during the pendency of the proceeding.

(f) To deliver up, on oath, for destruction, all copies, counterfeits, or colorable imitations of the registered trade-mark, and all plates, molds, matrices, or other means of making the same.

(g) To deliver up, on oath, for destruction, all printed matter containing any copies, counterfeits, or colorable imitations of the registered trade-mark, and all plates, molds, matrices, or other means of making the same; but when such printed matter is a catalogue, or otherwise

consists mainly of noninfringing matter, the objectionable contents thereof may be obliterated or otherwise removed as the court may direct.

(h) The remedy of injunction against infringement of a registered trade-mark may extend throughout the United States or any lesser territory, as may be determined by the court according to the circumstances of the case, and need not be limited to be merely coextensive with the territory within which the owner has used such registered trade-mark; and the court may give the plaintiff the benefit of all other remedies named in this section.

(i) This section shall be applicable only to infringements committed after this act shall take effect; for infringements previously committed the remedies shall be those provided by the statutes heretofore in force.

(j) The benefits of this section shall not inure to entries made under section 5, or to registration under section 4.

(k) Rules and regulations for practice and procedure under this section and under sections 14, 28 (c), and 29 may be prescribed by the Supreme Court of the United States.

SEC. 19. Any court given jurisdiction under this act may, in any action, suit, or proceeding, enter a judgment or decree enforcing the remedies herein provided. It shall be the duty of the clerks of said courts upon the filing of any pleading in any action, suit, or proceeding under this act, to give notice to the commissioner, giving the title of the case and the numbers of the registrations or of any entry which may be involved therein, and upon the entry of each judgment or decree to give notice thereof to the commissioner; and for each such notice the clerk shall tax a fee of 50 cents as costs of suit. It shall be the duty of the commissioner on receipt of each such notice to enter the same in the file wrapper of each registration so named.

SEC. 20. The proceedings for an injunction, damages, and profits, and those for the seizure of infringing trade-marks, plates, molds, matrices, or other means for making such infringing marks may be united in one action.

SEC. 21. The District and Territorial courts of the United States, the District Court of the Canal Zone, and the Supreme Court of the District of Columbia shall have original jurisdiction, and the circuit courts of appeal of the United States and the Court of Appeals of the District of Columbia shall have appellate jurisdiction of all actions, suits, and proceedings under this act, concerning registrations and registered trade-marks, trade names, and devices without regard to diversity or lack of diversity of the citizenship of the parties and irrespective of the amount in controversy, and the judgment of such appellate courts shall be final, except that they may be reviewed by the Supreme Court as provided by sections 239 and 240 (U. S. C., title 28, secs. 346–347), respectively, of the Judicial Code.

SEC. 22. Any injunction which may be granted according to section 14 or section 18 may be served anywhere in the United States, and shall be operative, and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other Federal court having jurisdiction of the party enjoined. The clerk of the court or the judge granting the injunction shall, when requested to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of any necessary papers or which the said injunction was granted that are on file in his office.

SEC. 23. Subject to the same provisions as appear in section 2 hereof relating to trade-marks, so far as the same may be applicable, any person, firm, corporation, union, agricultural or other association, club, or fraternal society, being the owner thereof, may register any trade name or device, including union labels, collective marks, and the marks of associations, used in commerce upon or in relation to specific goods or specific service, in the same manner and with the same effect, and when registered they shall be entitled to the same protection and remedies against infringement as provided herein in the case of trade-marks used upon goods. Applications under this section shall comply as nearly as practicable with the requirements of section 1, and the same procedure shall be followed so far as applicable with respect to trade names and devices as is provided in the sections of this act relating to trade-marks.

SEC. 24. Nothing in this act shall prevent, lessen, impeach, or avoid any remedy at law or in equity which any party aggrieved by any wrongful use of any trade-mark might have had at common law; nor shall anything in this act deprive a defendant in a suit upon any registered trade-mark or in any proceeding under this act of any defenses against the validity of the trade-mark which he would have had if the trade-mark had not been registered.

SEC. 25. All applications for registration and all contested proceedings pending in the Patent Office or in the courts on appeal therefrom at the time this act becomes effective shall be proceeded with under the provisions of this act.

SEC. 26. Any person who shall file application for or procure registration or entry of a trade-mark in the Patent Office by a fraudulent declaration or representation, oral, written, or by any fraudulent means, shall be liable to pay any damages sustained in consequence thereof to the injured party, and such fraudulent declaration or representation shall constitute perjury.

SEC. 27. The commissioner may make rules and regulations, not inconsistent with law, concerning the registration of trade-marks, trade names and devices, the entry of marks under section 5 A hereof and practice in proceedings in the Patent Office. He may require of the applicant or entrant such information and in such form as he deems necessary. He may require nonregistrable matter to be disclaimed, but no such disclaimer shall affect any common-law rights. He may establish a classification of merchandise, for convenience of Patent Office administration, but not to limit or extend the applicant's rights. The applicant may register his trade-mark in one application for any or all goods included in one class upon which the mark has actually been used in commerce. The commissioner may establish a classification under section 23 hereof.

SEC. 28. (a) Any merchandise, whatever may be its source or origin, which shall bear any registered trade-mark or any infringement thereof, except a mark registered under section 1 (b) of the act of March 19, 1920, or under section 4 (a) hereof, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of the registrant to such importation or entry be first had and obtained, or unless such offending mark be removed or obliterated; and if brought into the United States in violation of the provisions of this section, any person selling, offering for sale, or dealing in such merchandise shall be amenable, at the suit of the registrant, to the liabilities prescribed in section 18 hereof, and in addition be required to export or destroy such merchandise or to remove or obliterate such infringing trade-mark therefrom, and such merchandise shall be subject to seizure and forfeiture for violation of the customs laws. In order to aid the officers of the customs in enforcing this paragraph the registrant may require a copy of the certificate of registration of his trade-mark to be recorded in books which shall be kept for this purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of customs.

(b) Any merchandise, whatever may be its source or origin, which shall bear the name or a simulation thereof of any domestic manufacture or manufacturer or trader, or of any manufacturer or trader located in any foreign country which by treaty, convention, or law affords similar privileges to citizens of the United States, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of such manufacturer or trader to such importation or entry be first had and obtained, or unless such offending name be removed or obliterated, and if brought into the United States in violation of the provisions of this section, any person selling, offering for sale, or dealing in such merchandise may be enjoined from dealing therein and in addition be required to export or destroy such merchandise or to remove or obliterate such name therefrom, and the merchandise shall be subject to seizure and forfeiture for violation of the customs laws. In order to aid the officers of the customs in enforcing this paragraph, any such domestic or foreign manufacturer or trader may require a statement of his business or commercial name and the locality where his business is located and where his goods are manufactured to be recorded in books which shall be kept for this purpose in the Department of the Treasury under such regulations as the Secretary of the Treasury shall prescribe, and thereupon the Secretary of the Treasury shall cause one or more copies of such record to be transmitted to each collector or other proper officer of customs.

(c) The owner, importer, or consignee of merchandise refused entry or seized under paragraphs (a) and (b) of this section may have relief against the registrant, manufacturer, or trader by a bill in equity or by a summary proceeding on petition in any court of original jurisdiction named in section 21 in the district where such merchandise is held, or where such registrant, manufacturer, or trader or a designated representative under section 8 or section 15 (a) is an inhabitant or may be found, and after such notice and upon such proceedings as the court may direct, the court may determine whether the plaintiff or petitioner for any reason has the right to import such merchandise under the names or marks which it bears.

(d) A decree or order of such court for the plaintiff or petitioner, upon being certified to the collector of the port where the merchandise is held, shall be warrant to such collector to release the merchandise from arrest or seizure or forfeiture under this section.

(e) Such order or decree, whether interlocutory or final, shall be appealable, and the court making such order or decree may, in its discretion, suspend the operation thereof pending appeal.

SEC. 29. Any person who shall affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, or any false description or representation including words or other symbols, tending falsely to identify the origin of the merchandise, or falsely to describe or represent the same, and shall cause such merchandise to enter into commerce, and any person who shall knowingly cause or procure the same to be transported in commerce, or shall knowingly deliver the same to any carrier to be so transported, shall be liable to an action at law for damages and to a suit in equity for an injunction, at the suit of any person doing business in the locality falsely indicated as

that of origin, or in the region in which said locality is situated, or of any person who is or is likely to be damaged by the use of any false description or representation, or at the suit of any association of such persons, and any article marked or labeled in contravention of the provisions of this section shall not be imported into the United States or admitted to entry at any customhouse of the United States. The owner, importer, or consignee of merchandise refused entry in any customhouse under this section may have any recourse by protest or appeal that is given under the customs revenue laws, or may have the remedy given by paragraphs (c), (d), and (e) of section 28.

SEC. 30. In the construction of this act, unless otherwise plainly apparent from the context, the United States includes and embraces all territory which is under the jurisdiction and control of the United States. The word "State" includes and embraces the District of Columbia, the Territories of the United States, and such other territory as shall be under the jurisdiction and control of the United States. The word "commerce" means all commerce within the control of Congress. The terms "person" and "owner" and any other word or terms used to designate the applicant or other entitled to a benefit or privilege or rendered liable under the provisions of this act, include a firm, corporation, or association, or any legal representative or entity capable of possessing and transferring title, as well as a natural person. The terms "entrant," "applicant," and "registrant" embrace the legal representatives, successors, and assigns of such entrant, applicant, or registrant. The term "commissioner" means the Commissioner of Patents. The term "trade-mark" includes any mark so used as to distinguish the source or origin of the users' goods, and a trade-mark shall be deemed to be applied to an article when it is placed in any manner in or upon either the article itself or the receptacle or package or upon the envelope or other thing in, by, or with which the goods are packed or inclosed or otherwise prepared for sale or distribution. The terms "registration" or "registered" mean registration or registered under this act or under any of the prior acts named in the following sections so long as such registration shall remain in force, but has no application to marks merely entered under section 5. Words used in the singular include the plural, and vice versa. Except as otherwise expressly provided, this act is declaratory of the common law of trade-marks, trade names, and devices and applies such law, so far as concerns registered trade-marks, trade names, and devices, to commerce within the control of Congress, and in case of doubt its provisions are to be construed accordingly.

SEC. 31. This act shall be in force and take effect 60 days after its passage. All acts and parts of acts inconsistent therewith are hereby repealed, including the following, namely: The act of Congress, approved March 3, 1881, entitled "An act to authorize the registration of trade-marks and protect the same," the act approved August 5, 1882, entitled "An act relating to the registration of trade-marks," the act of February 20, 1905 (U. S. C., title 15, secs. 81 to 109, inclusive), as amended, entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, with Indian tribes, and to protect the same," the act of March 19, 1920 (U. S. C., title 15, secs. 121 to 128, inclusive), entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes," and sections 304 and 526 of the "Tariff act of 1922" (U. S. C., title 19, secs. 141 to 143, inclusive), except that this repeal shall not affect the validity of registrations under said acts, respectively, or rights or remedies thereunder for infringements committed before this act shall take effect. Registrations under previous acts for the unexpired term thereof shall continue in force and effect and reregistration under this act shall not be required. Registrations under the act of March 19, 1920, shall expire in 20 years from the date of registration, and such registrations shall not be used to stop importations under section 28 of this act. Sections 13 and 14 of this act (except par. (a) of sec. 13) shall apply to registrations under the act of March 19, 1920.

SEC. 32. Section 4 of the act of January 5, 1905 (U. S. C., title 36, sec. 4), as amended, entitled "An act to incorporate the National Red Cross," and section 7 of the act of June 15, 1916 (U. S. C., title 36, sec. 27), entiled "An act to incorporate the Boy Scouts of America, and for other purposes," are not repealed or affected by this act.

SEC. 33. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for clerical service, office equipment, stationery, and supplies for carrying into effect this act for the fiscal year ending June 30, 1929, $50,000, and thereafter such sums as Congress may deem necessary, to be expended by the Commissioner of Patents.

SEC. 34. This act may be cited as the "trade-mark act, 1929."

With the following committee amendments:

Page 2, line 5, after the word "trade-mark," insert the words "on said goods."

Page 2, line 13, strike out "$10" and insert "$15."

Page 4, beginning in line 10, strike out lines 10, 11, 12, 13, 14, and 15 and insert:

"(g) Registrations of a mark under the act of February 20, 1905, or under sections 1, 2, 4 (b), and 23 of this act, except under paragraph (f) of section 2 of this act, shall be prima facie evidence of ownership as of the date the application was filed. This shall not apply to registrations under the act of March 19, 1920, or under sections 3 and 4 (a) of this act. Registration of a mark by virtue of paragraph (f) of this section shall be prima facie evidence of secondary meaning distinguishing the registrant's goods as of the date the application was filed. It shall be unlawful for any person other than the registrant, after the date of the registration to use in commerce any registered trade-mark on the same class of goods unless he has begun such use prior to the date of registration."

Page 6, line 15, strike out "(1)" and insert the letter "(a)."

Page 19, line 8, insert "(a)" before the word "Each."

Page 20, line 5, insert "(b)" before the word "Certificates."

Page 20, line 19, after the word "act," strike out the balance of line 19 and all of line 20 and insert the following:

"(c) Applications for renewal of certificates of registration under the acts of March 3, 1881, February 20, 1905, and March 19, 1920, shall be examined and classified as applications under sections 1, 2, 3, 4, or 23, respectively, but they shall not be published for opposition nor, while pending, be involved in interferences, and the certificates of renewal, when issued, shall have the same force and effect as certificates issued under the respective sections of this act."

Page 21, line 13, after the word "under," insert "section 1 (b) of."

Page 21, line 25, after the word "under," insert "section 1 (b) of."

Page 29, line 19, strike out "$10" and insert "$15."

Page 29, line 21, strike out "$20" and insert "$25."

Page 29, line 22, strike out "$10" and insert "$15."

Page 29, line 23, strike out "$10" and insert "15."

Page 30, line 4, after the word "correction," insert "under section 10 (e)."

Page 30, line 5, strike out "$15" and insert "$20."

Page 30, line 7, strike out "$15" and insert "$20."

Page 30, line 15, after the word "paper," strike out the balance of line 15 and all of lines 16 and 17 down to the word "for" in line 18, and insert in lieu thereof "$3."

Page 30, line 20, strike out "$25" and insert "$50."

Page 30, line 21, strike out "commission" and insert "commissioner."

Page 36, line 10, after the word "by," insert the words "or in opposition or cancellation proceedings employ."

Page 36, line 13, after the word "party," strike out the balance of line 13 and all of lines 14 and 15.

Page 39, line 18, after the word "found," insert the words "or if the registrant is a foreigner and no such designation has been filed, then in the District of Columbia."

Page 40, line 6, strike out the words "such order or decree" and insert in lieu thereof the words "an order or decree for either party."

Page 40, line 7, after the word "appealable," insert the words "provided the petition for appeal is filed in 30 days."

Page 41, line 19, after the word "person," insert the word "user."

Page 42, line 24, strike out the word "passage" and insert the word "enactment."

Page 44, line 16, strike out "1929" and insert in lieu thereof "1930."

Page 44, line 20, strike out "1929" and insert in lieu thereof "1930."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

RADIO RESEARCH INVESTIGATIONS

The next business on the Consent Calendar was the bill (H. R. 10652) to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable to radio research investigations.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this bill was up the other day under unanimous consent of bills reported from the District of Columbia when I made some observations on it. I think the bill is of a character which departs from the usual policy of the Bureau of Standards in extending its activities away from the central grounds in the District of Columbia, and I think the gentleman from Indiana ought to make some explanation as to the necessity for it.

Mr. ELLIOTT. This bill explains itself. It says that it is a bill for experimental researches in the reception of radio signals. I do not pretend to be an expert on radios, but I do work enough with radios to know that about half the time one gets a boiler factory when he is trying to get something else. The radio is getting better every year, and that is brought about by reason of the fact that some institutions and the bureau are conducting investigations and researches and by reason of that they are enabled to improve conditions surrounding the radio.

What they are proposing to do here is to establish a research station. They already have one radio place out in the Bureau of Standards. They want to put another one in Beltsville, Md., on land that is owned by the Government. Then it is necessary to have a third place out in the country as far away from buildings and electrical disturbances as they can get one, and it is necessary to have in the neighborhood of 200 acres, as I understand. I am not able to explain to this House from a technical standpoint why it is necessary to do this. The Bureau of Standards is the only organization we have that is capable of carrying out this research.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. LaGUARDIA. There is a very complete and informative statement on page 2 of the report under the caption "Field Stations for Radio Work at the Bureau of Standards," which I believe carries all the purposes and information necessary. Is it not also true that the art is still in its infancy?

Mr. ELLIOTT. It is.

Mr. LaGUARDIA. And it is necessary to conduct this research and supplementary work at this time, otherwise as the gentleman pointed out a company able to carry on the research work might go ahead and capture the field before this research work could be carried on by the Government.

Mr. JENKINS. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. JENKINS. Did the investigation before the gentleman's committee indicate that the bill will benefit the common radio receiver, or is it a part of something for the special benefit of the big companies?

Mr. ELLIOTT. Anything that will benefit the radio will benefit the user. I think this will inure to the benefit of the common people, who use the radio.

Mr. JENKINS. The gentleman appreciates my inquiry—there is a great sentiment against the big radio control, and does the gentleman think that this will inure to the further benefit of the big men or be reflected to the benefit of everybody?

Mr. HOOPER. Does the gentleman think that this will help to prevent playing radios in apartment houses all night? [Laughter.]

Mr. ELLIOTT. That would be beyond the hope of man. [Laughter.]

Mr. STAFFORD. When this measure was last under consideration I had doubts as to whether similar work is not being carried on by universities. Since then I have been given the assurance that nothing comparable is being undertaken by any university. I am informed—and this is in reply to the gentleman from Ohio—that the work as proposed in this authorization will be for the benefit of the industry in general. The bureau having made the investigation, it will be appropriated by the manufacturers, and in turn redound to the benefit of the large number of users of the radio receivers.

Mr. Speaker, I withdraw my reservation of the objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce be, and he is hereby, authorized to acquire, by purchase or otherwise, for the Bureau of Standards a parcel of land in the vicinity of the District of Columbia, not in excess of 200 acres, provided a suitable site now owned by the Government is not available for the purpose, and to construct thereon buildings, facilities, and equipment suitable for experimental researches in the propagation and reception of radio signals and also to construct upon land now owned by the Government in the vicinity of the District of Columbia, which may be made available for that purpose by any department having jurisdiction thereof, buildings, facilities, and equipment suitable for an experimental radio transmitting station. There is hereby authorized to be appropriated to carry out the foregoing purposes the sum of not to exceed $147,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CONSTRUCTION OF RURAL POST ROADS

The next business on the Consent Calendar was the bill (H. R. 7585) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. JENKINS. Reserving the right to object, I notice on page 2 of the bill that the road shall be made and the construction and reconstruction maintained. That indicates that there will be some expense. I would like to ask the gentleman how much the expense will be?

Mr. COLTON. It is the policy of the Bureau of Public Roads, as I understand, to maintain the roads on the national forests, after having constructed them, for a period of about two years. It has been the policy to wait until the construction is fully completed. Then arrangements are made to turn the roads over to the States. I suppose some policy of this kind would be followed as regards roads on the public domain.

Mr. JENKINS. How much mileage is it expected to include?

Mr. COLTON. It would be impossible to say at this time, although this does not make any appropriation. This simply amends the basic law so that in the future Congress may authorize appropriations from time to time to build, connecting the links of the roads on the public domain, and it would be left entirely to Congress in the future to say what, if anything, should be expended under the provisions of this bill.

Mr. JENKINS. What is the necessity for this bill?

Mr. COLTON. We are trying to build interstate transcontinental highways, and there are large areas of public domain in all of the Western States in which there is no taxable property whatever. Therefore, it is impossible to build many connecting links across this public domain which is owned by the Government, unless the Government itself does the building.

For instance, in the State of Nevada something like 85 per cent of all the land is publicly owned. These are well-constructed highways up to Nevada, both east and west, but there is no way at all that the State of Nevada has of constructing many connecting links on those interstate highways which cross the State, and this would enable the Government to build these connecting links.

Mr. JENKINS. As I read this bill it does not apply to any State unless the State has a certain percentage of public lands.

Mr. COLTON. That is it.

Mr. JENKINS. Then it would not apply to any State east of the Mississippi?

Mr. COLTON. No; unless 5 per cent of the land in the State is publicly owned it would not apply.

Mr. JENKINS. Does not the gentleman think it is opening the door to an enormous expenditure of money?

Mr. COLTON. I can hardly imagine that Congress will appropriate any enormous sums. I believe each appropriation will be carefully considerated by Congress before any money is expended.

Mr. JENKINS. Then, as I understand this bill, it does not contemplate any immediate demand or request for any money.

Mr. COLTON. Not at this time.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, the gentleman from Michigan [Mr. CRAMTON] is not here to-day. He gives these bills a great deal of study. I request the gentleman to permit this bill to go over without prejudice.

Mr. COLTON. I have no objection to that. The gentleman from Michigan [Mr. CRAMTON] has been cooperating in the work of securing help for the building of these roads. His help has been greatly appreciated, and it may be well to let the bill go over.

Mr. COLLINS. Mr. Speaker, before the gentleman makes that request, I have been advised that this bill, if passed, will authorize appropriations of not less than $20,000,000 and probably would authorize appropriations in sums very much greater than that. It seems to me that the gentleman ought to confer with other persons interested in the bill and ask for a straight-out authorization of, say, not to exceed $5,000,000. I had prepared an amendment to the effect that the total authorizations by this act shall not exceed $5,000,000, but it has been hastily prepared, so I hesitate to offer it.

Mr. COLTON. I do not know how the gentleman gets his figures of $20,000,000.

Mr. COLLINS. I have secured the information from sources that ought to know.

Mr. COLTON. I do not question that at all. The amount to be appropriated, if the bill is passed in its present form, would, of course, be subject to study and scrutiny in the future by Congress, but I believe that the $5,000,000 mentioned by the gentleman would take care of the present urgent demands, and I would not object to that amendment. The amount would certainly help. I do not believe we would ask, at least for many years, for $20,000,000.

Mr. COLLINS. My proposed amendment has been hastily prepared.

Mr. COLTON. When we passed similar legislation through both Houses of Congress a few years ago it authorized an appropriation of three and a half million dollars for three years, or $10,500,000 all together. That is, it would have authorized us to appropriate that amount, but I am informed by those who have been studying this most carefully—and this matter originated in the beginning with the Association of Highway Commissioners of the country—that if we amend the basic law, as

provided in this bill, in the future we could come to Congress and make such representation as the cases would justify, and Congress would then pass on the amount to be appropriated.

Mr. COLLINS. I take it it is an authorization bill.

Mr. STAFFORD. There is no question about that.

Mr. COLLINS. And if it should pass, then any amount, it matters not how much it is, could be appropriated. In other words, you would have authority to appropriate $100,000,000 or $150,000,000, and I am certain that ultimately that amount would be appropriated and perhaps more.

Mr. COLTON. I can not imagine Congress doing that, but I do not dispute the gentleman's statement that possibly it could do it.

Mr. STAFFORD. Mr. Speaker, there is warrant for the gentleman's position. When we originally passed the authorization for constructing roads through public forests, we placed a limit of $5,000,000, I believe, on the amount that could be expended annually. That amount has recently been raised. There should be some limit placed in this bill, if they are going to take over this road construction through the public-land States.

Mr. COLLINS. I think there is justice in the gentleman's bill, but I do think that we ought to fix an outside limit to be appropriated.

Mr. STAFFORD. I understand the purpose of the gentleman's bill is to place the construction in the public domain and Indian lands in the same category with other Government-owned lands, and that in the future it would be left to Congress to say what amount should be appropriated.

Mr. GREENWOOD. This does not authorize any particular amount. Congress would have complete control.

Mr. STAFFORD. But the gentleman ought to know with his experience that if we pass a certain amount in this body, in another body they may load it up to an enormous extent.

Mr. GREENWOOD. But we can not keep them from doing that.

Mr. STAFFORD. If we limit it to a certain amount, we can.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TO FACILITATE ADMINISTRATION OF NATIONAL PARKS

The next business on the Consent Calendar was the bill (H. R. 8163), to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, is it the intention of the gentleman to retain sections 3 and 11 of the House bill?

Mr. COLTON. If there is no objection raised to the consideration of this bill, I shall ask unanimous consent to consider S. 195, which is an identical bill, with sections 3 and 11 included. Sections 3 and 11 at the time we considered the bill in the Public Lands Committee were thought not to be necessary because they would probably be included in the general contract bill, but inasmuch as there is no prospect of passing that bill, I think sections 3 and 11 should be included.

Mr. LAGUARDIA. Then the understanding is that if there is no objection, the gentleman will call up the Senate bill, and the Senate bill contains the same as the House bill, with sections 3 and 11 in it, and that the gentleman will not disturb them?

Mr. COLTON. It is not my purpose to disturb them.

Mr. STAFFORD. Mr. Speaker, I wish to give further consideration to this bill, especially in view of the fact that it is now the purpose to retain sections 3 and 11. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. COLTON. Mr. Speaker, reserving the right to object, this bill is introduced for the purpose of aiding in the administration of national parks. It authorizes by law, in most instances, that which we have been doing for a long time in appropriation bills by special enactment. Of course, I shall not object to the gentleman's request that it be passed over without prejudice, but I do hope that it may be taken up the next time we consider the calendar and passed in time to be effective during this present year in the administration of the parks of the country.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS THE OHIO RIVER AT CANNELTON, IND.

The next business on the Consent Calendar was the bill (H. R. 10258) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, this bill went over without prejudice at my request on the last consent day. It relates to one of the bridge franchises which are held by E. M. Elliott, a professional bridge promoter, and was assigned to the American Bridge Co., an Elliott corporation. I understand the gentleman from Indiana [Mr. DUNBAR] has secured affidavits which show that Mr. Elliott is no longer connected with this project, by reason of the fact that he did not start work as agreed before March 22, 1930. I am satisfied from the affidavits that they have eliminated Elliott. With the assurance of the gentleman from Indiana that that agreement will be carried out, I do not propose to object to the consideration of the bill.

But while I am on my feet I want to protest and protest vigorously against the action of the Committee on Interstate and Foreign Commerce in bringing in a report of this character. If you will read the report, you will find on page 2 a letter by Arthur J. Lehman, secretary to the Hawesville-Cannelton Bridge Co., addressed to Mr. DUNBAR, in which this sentence occurs:

> In one of your letters you indicated some knowledge of our previous connection here in New York. I am glad to tell you that early in April we will sever our connection with—

Then there is a blank space. The name of the man we were trying to prevent from obtaining bridge franchises has been deleted.

Mr. LAGUARDIA. Was that name deleted from the letter by Mr. Lehman, or was it deleted by the committee?

Mr. COCHRAN of Missouri. If it was deleted by the secretary, we should know it; and, if it was deleted by the committee, we should have some explanation. The final sentence says:

> And the financing and construction of our bridge will be handled by some very reputable people here in New York.

I hope they keep their word.

I will not oppose the consideration of the bill if the gentleman from Indiana will insert in the RECORD the letters he has received from his constituents, as well as the statements of the officers of the bridge company.

Mr. LAGUARDIA. I would like to have these affidavits read.

Mr. DUNBAR. Shall I send them to the Speaker's desk, or shall I read them? This communication is dated Cannelton, Ind., April 15, 1930, as follows:

CANNELTON, IND., *April 15, 1930.*

To the COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
House of Representatives, Washington, D. C.:

In the matter of H. R. 10258, a bill to extend the time for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.

The undersigned, Lee Rodman, vice president of the Hawesville & Cannelton Bridge Co., Cannelton, Ind., being duly sworn, deposes as follows:

1. That E. M. Elliott is not connected in any way with the Hawesville & Cannelton Bridge Co.; that he has received no compensation and that he is not to receive any compensation from the Hawesville & Cannelton Bridge Co. in connection with this bridge bill or with any other matter.

2. On March 22, 1929, the Hawesville & Cannelton Bridge Co. assigned their right, title, and interest to the American Bridge & Ferry Co., a Delaware corporation, in a certain congressional enactment, H. R. 16565, on condition that a bridge was to be placed in construction not later than March 22, 1930, and if construction had not been started by that time the assignment was to be null and void.

The American Bridge & Ferry Co. have not started construction, and prior to March 22, 1930, a legal notice was sent to them, notifying them that the assignment above referred to was null and void and would not be renewed.

THE HAWESVILLE & CANNELTON BRIDGE CO.,
LEE RODMAN, *Vice President.*

Subscribed and sworn to before me this 15th day of April, 1930.

BETTIE SUTCLIFFE,
Notary Public.

My commission expires December 8, 1933.

INDIANA COTTON MILLS,
Cannelton, Ind., April 15, 1930.

Hon. JAMES W. DUNBAR,
House of Representatives, Washington, D. C.

DEAR MR. DUNBAR: Your telegram of the 11th to Mr. A. J. Lehman has been referred to me in his absence.

I inclose affidavit stating that Mr. E. M. Elliott is not connected with us in any way and has received no compensation.

Your telegram gives Mr. Elliott's initials as C. N., whereas my records show that his initials are E. M., and I have used his correct initials in the affidavit.

With best regards, I am yours truly,

LEE RODMAN.

CANNELTON, IND., *March 11, 1930.*

Hon. EVERETT DENISON,
Chairman of Interstate and Foreign Commerce Committee,
Congressional Office Building, Washington, D. C.

DEAR MR. DENISON: This has regard to H. R. 10258, introduced by Mr. DUNBAR on February 25, 1930, seeking time extension to H. R. 16565, the latter being made a law March 1, 1929.

The Hawesville-Cannelton Bridge Co. is strictly a local organization, consisting of citizens residing in Cannelton, Ind.; Hawesville, Ky.; and Tell City, Ind., as shown along the left of this letter.

The Hawesville-Cannelton Bridge Co. is not affiliated with any foreign promotional organization and has no outside connection except that of its engineers, Robinson & Steinman, 117 Liberty Street, New York, who are in their employ.

We seek this time extension because—

The country-wide collapse of all securities prevented our securing proper finances with which to begin construction of our bridge during the period granted us in the original bill, H. R. 16565.

In view of our new financial structure now nearing completion, we have several reputable bridge builders ready to begin construction.

Our preliminary plans, traffic reports, as well as the general opinion of our citizens, are indicative that a bridge at this point is most desirable and necessary.

Both Indiana and Kentucky Highway Commissions look with favor upon our bridge movement and are already building highways in anticipation of a more efficient river crossing at this location.

We propose that all financing, construction, and operation be consummated economically without the usual promotional expense—the latter having already been assumed by our own citizens in a public-spirited manner.

In conclusion, we point with pride to the overwhelming enthusiasm of our citizens and to the manner in which they have contributed moneys liberally to the cause. This, we feel, is our most convincing proof of the sincerity of our people in beseeching your committee to approve the extension of time to the original enactment. This also is your assurance that we "mean business," and that we will not assign or "peddle" our franchise for lucrative promotion.

We will thank you now for your diligent consideration of our cause, which we are confident will be given it.

Yours very truly,

HAWESVILLE & CANNELTON BRIDGE CO.,
ARTHUR J. LEHMAN, *Secretary.*

BALTIMORE, MD., *February 18, 1930.*

Mr. HERBERT WEBB,
Treasurer Hawesville & Cannelton Bridge Co.,
Cannelton, Ind.

MY DEAR MR. WEBB: Your favor of February 15, referring to House bill (H. R. 16565), permitting of the building of a bridge across the Ohio River, duly received. The facts in the case are as follows:

The above franchise has been assigned to American Toll Properties Corporation, which company is at the present moment interested in the efforts being made by the Tidewater Toll Properties (Inc.), a subsidiary company, to finance and build a bridge at or near Cambridge, Md.

The recent upset in the stock market has, up to the present time, made it very difficult to float new stock issues, and the American Toll Properties Corporation felt that it was wise to complete the bridge projects it had begun here in Maryland before undertaking to underwrite or promote the Cannelton bridge.

This does not in any sense indicate lack of faith in the Cannelton bridge, but rather indicates the conservative and careful manner in which we operate.

I expect to pay an early visit to your section for the purpose of verifying and following up previous surveys made of this proposed bridge, our board feels that this bridge should be the next one to receive our attention.

Unquestionably our success with local bridges here will make the financing and building of your bridge much easier.

We are pleased to say that the business atmosphere, so far as it relates to bridge securities, is becoming clearer every day, and we have the utmost confidence in the future and success of toll bridge securities and further trust that we may have your continued cooperation and confidence in our efforts to give you this bridge at the earliest possible moment.

In view of the fact that this franchise expires March 1, we deem it of utmost importance that steps be taken at once to procure a renewal of the same, and would appreciate your taking such steps, immediately in order that we may adhere to the policy outlined herein, namely, taking this bridge up for our next active project.

You may count upon us for our cooperation in every way.

Very truly yours,

AMERICAN TOLL PROPERTIES CORPORATION,
HENRY G. PERRING, *Chief Engineer.*

Mr. LaGUARDIA. The gentleman has just read from the affidavit the language "a Delaware corporation, in a certain congressional enactment."

Mr. DUNBAR. Yes; "a Delaware corporation in a certain congressional enactment," H. R. 16565, on condition that a bridge was to be placed in construction not later than March 22, 1930, and if construction had not been started by that time the assignment was to be null and void and would not be legal.

This letter is signed by Lee Rodman, vice president of the Hawesville & Cannelton Bridge Co., and subscribed and sworn to before a notary.

Mr. LaGUARDIA. That affidavit, or what purports to be an affidavit, states in one of the propositions cited, that whatever rights the Hawesville & Cannelton Bridge Co. may have in connection with the bill, H. R. 10258, or the previous bill, was assigned to the American Toll Properties Corporation on condition that the work would be commenced before a certain date, and then it says that the work was not commenced and therefore the contract was null and void. Let me ask the gentleman what was the purpose of extending the life of the franchise to the bridge company?

Mr. DUNBAR. It does not extend the time to anybody except the Hawesville & Cannelton Bridge Co., which is composed of some of the best business men of Cannelton. Those other men are not now connected with this company, and any arrangement entered into is now null and void, and we are so informed.

The proposed bridge between Cannelton, Ind., and Hawesville, Ky., which will span the Ohio River, is the only bridge between Louisville and Henderson, Ky., a distance of about 300 miles. There is a railroad bridge at Evansville and there is agitation for a passenger bridge. When this bridge is constructed the bridge at Cannelton and Hawesville will be 125 miles below Louisville by river and about 100 miles to Evansville. It will be the only bridge in a distance of 225 miles to span the Ohio River and will connect up territory in Indiana and Kentucky which is required by the development in these two States.

Cannelton is within 4 miles of Anderson Creek, from where Abraham Lincoln piloted boats across the Ohio River, and within about 30 miles of the place Abraham Lincoln's mother died and where he lived as a boy until the time he was 21 years of age. The distance from Hawesville to the place where Abraham Lincoln was born in Hardin County, Ky., is 50 miles. This bridge will afford the shortest route to go to the birthplace of Abraham Lincoln and to his mother's grave than any other that now exists.

Four miles above, on the Ohio River, from where the proposed bridge is to be located, is where Lafayette took refuge on the Indiana shore after the boat he was on struck some treacherous rocks in the river and sank. He was protected from the inclemency of the weather by a perpendicular rock 100 feet high and a log bonfire was built in order that he and his companions might dry their clothes, and where they remained for about 20 hours until assistance came from Louisville.

The three cities of Hawesville, Ky., Cannelton and Tell City, Ind., are industrial centers and this bridge will afford connection with the world so as to materially promote trade within a radius of from 75 to 100 miles from Cannelton and, I judge, an equal distance from Hawesville, Ky.

All of the protections in the bill are afforded for its eventually becoming a free toll bridge in 10 years' time, less minimum charges that may be made to pay for the operations of the bridge.

Objection is made to the construction of this bridge because of some connection of Mr. Elliott with the project. He has and will not receive compensation. He is entirely out of the picture and will not be employed either directly or indirectly by the company, but it will be financed by people of the cities of Hawesville, Ky., and Cannelton and Tell City, Ind., and on a legitimate basis.

Mr. LaGUARDIA. Was the original bill granted to the American Bridge & Ferry Co.?

Mr. KINCHELOE. The Hawesville & Cannelton Bridge Co., which is a corporation composed of the business men of the town.

Mr. LaGUARDIA. Elliott was connected with that, was he not?

Mr. KINCHELOE. Not with that but the one this was assigned to. Hawesville is in Kentucky, in my district, across the

river from Cannelton. Those people have written to me about this bill, and I have written to them and said that if this man Elliott is in any way connected with the measure I will have nothing to do with it. I agree with the sentiment of the gentleman from Missouri on that subject.

At that time they did enter into negotiations with Elliott for this proposition. I want to assure the gentleman, in behalf of the business men of Cannelton and Hawesville, that they are as anxious to get rid of this man Elliott as the gentlemen are.

Mr. LAGUARDIA. May I ask the gentleman from Illinois [Mr. DENISON] a question? I will say to my colleague, the gentleman from Illinois [Mr. DENISON], that he has usually been very fair and courteous, and some of us are quite shocked, and feel that an attempt has been made to put something over on us. I will submit that frankly to the gentleman from Illinois [Mr. DENISON]. The report contains a letter written by the secretary of the Cannelton-Hawesville Bridge Co., and a blank is inserted in that letter which led many of us astray. It concealed the fact that Elliott has his fingers in this proposition, and, to that extent, it was tainted.

I wish to say to the gentleman from Illinois [Mr. DENISON] that it is not playing fair to delete from a letter the name of a man which causes some of us who are interested in these bills much concern and worry.

Mr. DENISON. Will the gentleman yield?

Mr. LAGUARDIA. I will yield.

Mr. DENISON. I will say to the gentleman from New York [Mr. LAGUARDIA] that this matter came up while I was absent in Illinois, and I am not familiar with it. I never saw the report before and I do not know anything about it. The subcommittee tries to be perfectly frank, and if we have any suspicion that the party to whom the gentleman objects has any connection with a bridge, we do not report that bill out. I do not know anything about it, frankly.

Mr. LAGUARDIA. Now, it is interesting, as a matter of record, to note that the gentleman from Indiana [Mr. DUNBAR] and the gentleman from Kentucky [Mr. KINCHELOE], who have looked into the matter, say that there was no consideration passed by Elliott to the bridge company, the Hawesville-Cannelton Bridge Co. Are we agreed about that?

Mr. DUNBAR. I will say to the gentleman from New York [Mr. LAGUARDIA] that Mr. Elliott never received one dollar.

Mr. LAGUARDIA. The gentleman from Indiana [Mr. DUNBAR] does not understand me. Elliott had absolutely nothing of value to convey to this bridge company? Are we agreed on that?

Mr. DUNBAR. I do not know whether he had or not, but I know that they have no further connection with him. They have severed all relationship with him, and he is not again to appear in the picture.

Mr. HOOPER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. HOOPER. Does the gentleman know this man Elliott who is involved here?

Mr. DUNBAR. I never knew of this Mr. Elliott; never knew he was connected with the case; knew nothing about him, until the gentleman from Missouri [Mr. COCHRAN] told me that he was an objectionable character.

Mr. HOOPER. I want to say that I hope somebody sometime will extend his remarks by putting in the RECORD a brief biographical sketch of Mr. Elliott. He has been kicked around here like a football for the last three or four years.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. HOOPER. No. I will not yield until I finish what I was going to say. This man has been kicked around like a football for the last three or four years. He has been painted as black as Satan himself. Does the gentleman not think he is good to his family; good to his children? Is there not some good in the man? If there is not, can we not have somebody extend his remarks and show him up as black as he is, and quit wasting time on Mr. Elliott?

Mr. COCHRAN of Missouri. If the gentleman from Michigan [Mr. HOOPER] will refer to the record he will find that I placed in the record a copy of the indictment returned against Elliott in the Federal court in Florida and a record of the action of the court after his plea of guilty to defrauding the United States Government in connection with income-tax returns.

Mr. HOOPER. Many men have been indicted and have never been found guilty.

Mr. COCHRAN of Missouri. I also placed in the RECORD his plea of guilty and the sentence received for defrauding the Government of $125,000. The bridge he made the money out of cost $2,400,000 to construct, and $2,500,000 more as finance and promoter's charges were added.

Mr. LAGUARDIA. I am not concerned with Elliott's soul. The gentleman from Michigan [Mr. HOOPER] will have to consult his spiritual advisor about that, but I am concerned about toll bridges and bridges connecting public highways being peddled out to men of this kind who misrepresent their influence with Congress and sell something they have not got to sell.

Mr. HOOPER. I will say that I feel the same way the gentleman from New York [Mr. LAGUARDIA] does about the matter; but there should come a time when one individual, whoever he is, however mean he may be, will not have to take up page after page of the CONGRESSIONAL RECORD in recording the denunciations and vituperations against him.

Mr. LAGUARDIA. That is not our fault. That is the fault of giving permits to this man who goes out and peddles them.

Mr. DENISON. The gentleman is now referring to the committee.

Mr. LAGUARDIA. Certainly I am.

Mr. DENISON. The committee has never given him any permit.

Mr. LAGUARDIA. He has certainly worked his way in.

Mr. DENISON. The committee makes due inquiry and that is as far as we can go.

Mr. LAGUARDIA. But we find Elliott in all of these bills. We do not bring him in.

Mr. COCHRAN of Missouri. The gentleman will not deny that Congress has passed bills for E. M. Elliott and associates and the American Bridge & Ferry Co.

Mr. DENISON. Yes. I deny that statement.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I object.

MESSAGE FROM THE PRESIDENT—COINAGE OF SILVER 50-CENT PIECES IN COMMEMORATION OF SEVENTY-FIFTH ANNIVERSARY OF THE GADSDEN PURCHASE (H. DOC. NO. 354)

The SPEAKER laid before the House the following message from the President, which was ordered printed:

To the House of Representatives:

Herewith is returned, without approval, H. R. 2029, "An act to authorize the coinage of silver 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden purchase."

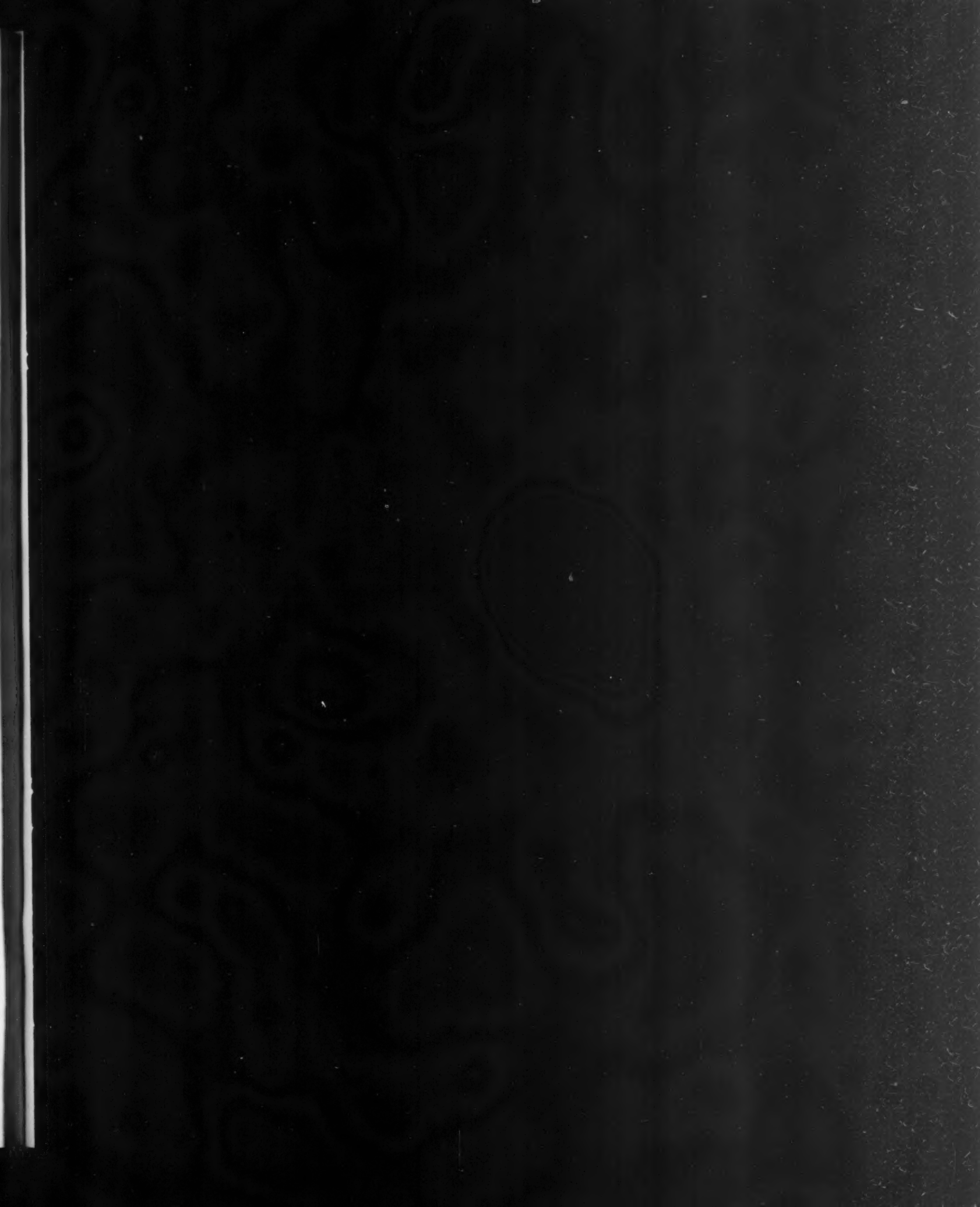
This bill provides that in commemoration of the seventy-fifth anniversary of the acquisition by the United States of the territory known as the Gadsden Purchase, there shall be coined in the mints of the United States 50-cent pieces to the number of 10,000, to be of a design fixed by the Director of the Mint and approved by the Secretary of the Treasury. The coins are to be legal tender and are to be issued only upon the request of the Gadsden Purchase Coin Committee, in such numbers and at such times as they shall request.

The matter is not perhaps one of large importance in itself, were it not for the fact of the great number of other similar proposals by the aggregate of which the principles of sound coinage are being jeopardized. Moreover, the multiplicity of these demands have largely destroyed their interest and value for the purposes intended.

During the past 10 years 15 such special coins have been issued, an average of one each eight months, an aggregate of over 13,000,000 such coins having been authorized. There are now pending before Congress five other bills for such coinage and before the Treasury Department several other requests for support to proposals of the same character.

The monetary system of the country is created and exists for certain well-defined and essential purposes. Sound practice demands that it should not be diverted to other uses, if we are best to serve the needs of trade and commerce, satisfy the convenience of the people, and protect the integrity of our coins. Experience has demonstrated that the necessities and convenience of the people can best be served and the integrity of our coins can only be protected from counterfeiting by limiting the number of designs with which in the course of time the public can become thoroughly familiar. Indeed, the Congress itself has recognized the soundness of this principle by providing that "no change in the design or die of any coin shall be made oftener than once in 25 years from and including the year of the first adoption of the design, model, die, or hub from the same coin."

The growing practice of issuing commemorative coins, incidentally to be sold at a profit and provide funds for projects or celebrations, appears to me to run counter to this principle and by their multiplicity to have become a misuse of our coinage system. These coins do not serve for circulating medium which is the real function of coins. They introduce an element of confusion and lack of uniformity. The danger of counterfeit coins being successfully passed is unquestionably increased by a multiplicity of designs, with which the public can not become thoroughly familiar. Furthermore, the very premiums at which these coins are sold stimulate counterfeiting of them.





There are a great many historical events which it is not only highly proper but desirable to commemorate in a suitable way, but the longer use of our coins for this purpose is unsuitable and unwise. This would seem to be clear from the very number of events to be commemorated, and past experience indicates how difficult it is to draw the line and how such a practice, once it is recognized, tends constantly to grow. If this bill is to become law, it is not apparent on what grounds similar measures, no matter how numerous, may be rejected. Yet their enactment in such numbers must bring further confusion to our monetary system. The Government would be glad to assist such celebrations in the creation of appropriate medals which do not have coinage functions.

HERBERT HOOVER.

THE WHITE HOUSE, *April 21, 1930.*

Mr. PERKINS. Mr. Speaker, I move that action on the veto message of the President be postponed until immediately after the reading of the Journal to-morrow.

The SPEAKER. The gentleman from New Jersey moves that consideration of this message be postponed until to-morrow, after the conclusion of the reading of the Journal.

The motion was agreed to.

BRIDGE ACROSS THE OHIO RIVER

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent that H. R. 10258, a bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind., be passed over without prejudice and retain its place on the calendar.

The SPEAKER. The gentleman from Indiana asks unanimous consent that House bill 10258 be passed over without prejudice and retain its place on the calendar. Is there objection?

There was no objection.

CONSTRUCTION OF A DAM ACROSS ROBINS COVE, CHESTER RIVER, MD.

The next business on the Consent Calendar was the bill (S. 3135) granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Helena S. Raskob, and her successors and assigns, to construct and maintain a dam at a point on her property across Robins Cove, a small tributary of the Chester River, near the town of Centreville, in the county of Queen Annes, in the State of Maryland, in accordance with the provisions of section 9 of the river and harbor act, approved March 3, 1899: *Provided*, That this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

AIR MAIL ACT

The next business on the Consent Calendar was the bill (H. R. 9500) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation by authorizing the Postmaster General to establish air mail routes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SANDERS of New York. Mr. Speaker, a substitute bill having been prepared, and which bill will be considered this afternoon under suspension of the rules, I ask unanimous consent that this bill be laid on the table.

The SPEAKER pro tempore. Without objection the bill will be laid on the table.

There was no objection.

INVESTIGATION OF THE MOVEMENT OF TIDES IN PASSAMAQUODDY AND COBSCOOK BAYS

The next business on the Consent Calendar was House Joint Resolution 243, authorizing an appropriation to defray one-half of the expenses of a joint investigation by the United States and Canada, of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. JENKINS. Mr. Speaker, reserving the right to object, in view of the fact that this bill calls for the expenditure of quite a lot of money, I think we should have some explanation from those interested in it.

Mr. NELSON of Maine. Mr. Speaker, this is a matter of great importance and one of considerable emergency. It is not only of national importance, but of especial interest to all New England.

This legislation was the subject of a special message from the President to Congress in February. In that communication he recommended the appropriation of this amount of money and inclosed a further communication from the Department of State also recommending the appropriation of this money.

This need arises out of the necessity of determining the effect of a great proposed hydroelectric development on important fisheries of the United States and Canada in the Gulf of Maine. It is an international matter, a subject of diplomatic intercourse between the two countries that can only be adjusted between them, as their national interests may appear.

Mr. JENKINS. I take it that is the reason this resolution was referred to the Committee on Foreign Affairs.

Mr. NELSON of Maine. Yes; and that is the only way it could be adjusted. I would say it involves the ultimate construction of a great hydroelectric plant between Maine and New Brunswick, utilizing the tide waters of the Bay of Fundy, which will be comparable in importance, size, and development to that of Boulder Dam or Muscle Shoals. They have already expended on the preliminary work about $350,000, and if it is found that this development will not seriously injure the fisheries it is proposed to expend from $75,000,000 to $100,000,000 in its completion. This will furnish work for 5,000 men for four years, and furnish as much electricity as the development on the American side of Niagara Falls, about 3,000,000,000 kilowatt-hours yearly. This power will be distributed throughout all of New England and throughout eastern Canada.

Mr. JENKINS. This bill only provides for an expenditure of $45,000 at this time.

Mr. NELSON of Maine. Yes. It is a matter which is being promoted by Americans, but Canada has offered to pay her share of $45,000, and, through correspondence, is asking this Government to pay its share. This would be an impartial investigation for the benefit of the two Governments.

Mr. JENKINS. I notice from the report that they propose to use the force of the tides. Is that a new departure from a mechanical and engineering standpoint?

Mr. NELSON of Maine. I am not sure, but I will say that this is probably the only place in the world where a development of this kind could be constructed. The tide waters pour into the Bay of Fundy from the Gulf of Maine, and the tides vary from 27 feet in height to something like 16 feet, with a mean height of 18½ feet. They propose to build dams from the mainland and between the connecting islands, and so create one great body of water of about 64,000 acres, to be filled by the rising tide. That water will then pour down into a second basin of about 32,000 acres. There will be a drop of about 13 feet and the water will be run through turbines.

Mr. JENKINS. Is it a fact that our distinguished President has recommended this bill?

Mr. NELSON of Maine. Yes. It is a diplomatic matter, so that a private company can do nothing until there has been an adjustment between the two countries. It is a matter of international interest because of the probable effect on the fisheries.

Mr. JENKINS. The fact that our distinguished President has recommended the passage of this bill constrains me to withdraw my reservation of objection.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, the gentleman from Maine [Mr. NELSON] clearly states this is a private project.

Mr. NELSON of Maine. What does the gentleman mean by a private project?

Mr. LAGUARDIA. It will be supported and operated by private capital and is not a Government agency.

Mr. NELSON of Maine. Yes; but we are not asking the Government to build this as they built Muscle Shoals or as they are to build Boulder Dam. This is not a proposition to finance this company.

Mr. LAGUARDIA. That is just the reason for my question. We are to investigate whether or not this project will interfere with fishing conditions up there.

Mr. NELSON of Maine. Yes.

Mr. LAGUARDIA. That being so, why should this investigation be conducted at the expense of the Government?

Mr. MARTIN. If I may interrupt, this request comes from the Government itself.

Mr. LAGUARDIA. I understand that.

Mr. MARTIN. The Canadian Government has asked the United States Government to cooperate in the investigation. The power company has not asked for it.

Mr. NELSON of Maine. It could not be done by them.

Mr. MARTIN. They could not pay this money because we would then be in a position where a private company would be treating with a foreign government.

Mr. LAGUARDIA. May I ask the gentleman from Massachusetts this question? Let us assume the investigation should indicate that this project would be destructive to fish life; what are the rights of the Canadian Government under such conditions?

Mr. MARTIN. This permit, undoubtedly, would not be granted, and that is why they wish to have an investigation—to be certain that the fisheries will not be disturbed. There are in these two bays a fishing industry amounting annually to $1,000,000, and the Canadian Government is fearful the construction of these power works will interfere with the propagation of the fish.

Mr. LAGUARDIA. May I now go into the details of the bill? Why is it necessary to provide here that the allowances for subsistence may be expended notwithstanding the provisions of any other act?

Mr. MARTIN. This is the regular form——

Mr. LAGUARDIA. No; this is not regular; it is quite unusual. Would the gentleman object to striking out this parenthetical provision?

Mr. MARTIN. This bill came from the Bureau of Fisheries, and they have reached an understanding as to how the investigation should be conducted.

Mr. LAGUARDIA. Yes; we have passed that stage. Now, why provide in this particular instance that the expenditure of the money may be made contrary to all existing statutes, when we have several of these commissions working?

Mr. MARTIN. There is, of course, the fact that there are to be Canadian investigators, and perhaps our standards may be different from theirs.

Mr. LAGUARDIA. We have nothing to do with them.

Mr. NELSON of Maine. They will have to work jointly, and I think that must be the reason.

Mr. LAGUARDIA. The provision here is "including travel and subsistence, or per diem in lieu of subsistence, compensation of employees, stenographic and other services," and that is quite all right, but you insert the language "notwithstanding the provisions of any other act." Suppose we strike out that proviso, and if you find it is necessary you can insert it in the other body and I shall not object to it when it comes back; but I think in the interest of orderly legislation we ought to strike it out, so that other departments will not come in and ask for the same thing.

Mr. MARTIN. I have no objection.

Mr. HOOPER. If the gentleman will permit, I have not personally had an opportunity to make a study of this bill; but as I understand this is the great experiment that has been projected for a long time past into the matter of harnessing the tides of the Bay of Fundy.

Mr. MARTIN. The gentleman is correct.

Mr. HOOPER. Has there ever been any experiment along this line on a large scale before?

Mr. MARTIN. No; I think they will be pioneering in this work.

Mr. HOOPER. That is what I understood.

Mr. MARTIN. Already they have expended half a million dollars in these experiments.

Mr. HOOPER. And the tides of the Bay of Fundy are the highest in the world and, theoretically, the most powerful.

Mr. MARTIN. Yes.

Mr. LAGUARDIA. I hope this will mean we will get cheap rates at least in New England.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read as follows:

House Joint Resolution 243

Resolved, etc., That the sum of $45,000 is hereby authorized to be appropriated to defray one-half of the expenses of an investigation to be made jointly by the United States and Canada of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays on the fisheries of that region, including travel and subsistence or per diem in lieu of subsistance (notwithstanding the provisions of any other act), compensation of employees, stenographic and other services, rent of offices in the District of Columbia or elsewhere by contract if deemed necessary, printing and binding, purchase of necessary equipment, charter of vessels, and such other expenses as may be authorized by the Secretary of State.

With the following committee amendment:

Page 1, line 6, after the word "proposed" insert the word "international."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 1, after the word "subsistence," strike out the words "notwithstanding the provisions of any other act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COLLECTION OF CONSTRUCTION COSTS AGAINST INDIAN LANDS WITHIN IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 5282) authorizing the deferring of collection of construction costs against Indian lands within irrigation projects, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. LAGUARDIA. Mr. Speaker, in the absence of the gentleman from Michigan, I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

APOSTLE ISLANDS NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 8763) to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park, to be known as the Apostle Islands National Park, in the State of Wisconsin, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, I would like to ask the author of the bill a question. I notice on page 2 the language providing for an appropriation is stricken out. What is the reason for that? It is rather a strange situation.

Mr. PEAVEY. I can explain that in a word. The bill was drawn originally on the advice of an employee of the department, and the amount was fixed as stated by him that would be necessary for a survey. But after the bill was introduced and before it was considered by the committee I was advised by the department that they had sufficient funds in an appropriation made in a prior Congress for this general purpose and that no additional appropriation would be necessary.

Mr. JENKINS. Then there will be no extra expense, for this has already been provided for in the National Park Service?

Mr. PEAVEY. Yes.

Mr. HOOPER. Mr. Speaker, I am in a position to corroborate what has been said by the gentleman from Wisconsin as to why the language was stricken from the bill. But I want to add a word further. This project is simply an investigation to determine whether this shall be taken over as a national park. The region is one of rare scenic beauty, and in all probability, unless some action is taken, private interests will acquire all these islands. People who know something about these islands will be glad to know that we are going to have an investigation and make a report back to Congress as to the advisability of making these islands a national park. I am heartily in favor of the measure.

Mr. JENKINS. Mr. Speaker, I withdraw my reservation.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to investigate and report to Congress as to the desirability and practicability of establishing a national park to be known as the Apostle Islands National Park, located in the northern part of the counties of Ashland and Bayfield, in the State of Wisconsin, and known as the Apostle Island Group in Lake Superior, for the benefit and enjoyment of the people of the United States and to preserve said area in its natural state, including in his report full information as to the ownership, value, estimated cost to acquire, and character of the lands involved, and his opinion as to whether such areas measure up to national-park standards. And there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500, or so much thereof as may be necessary, for expenses of such investigation.

The following committee amendment was read:

On page 2, line 7, after the word "standards," strike out the balance of the paragraph.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING THE ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE, APPROVED MAY 16, 1928

The next business on the Consent Calendar was the bill (H. R. 10037) to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1929, and for other purposes," approved May 16, 1928.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENDING THE PROVISIONS OF PUBLIC RESOLUTION NO. 47, SEVENTY-FIRST CONGRESS

The next business on the Consent Calendar was the bill (H. R. 10818) to extend the provisions of Public Resolution No. 47, Seventy-first Congress, entitled "Joint resolution for the relief of farmers in the storm, flood, and/or drought-stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I make a point of order that the bill is not properly before the House in that the bill seeks to amend existing law and the report accompanying the bill does not comply with the Ramseyer rule, showing what new provision is inserted and what matter is stricken from the bill.

Mr. LEAVITT. It was my intention if the bill was considered to substitute the Senate bill which has already passed the Senate.

Mr. LAGUARDIA. That being so how will the House be informed as to what the bill does?

Mr. LEAVITT. I can explain it to the House.

Mr. LAGUARDIA. The gentleman did explain it once before and I objected to it.

Mr. LEAVITT. That is true.

Mr. STAFFORD. I want to say that I am going to object if the gentleman from New York does not.

Mr. LEAVITT. In view of the emergency that this is intended to take care of, I am sure that the gentleman would not object to the bill because of the error of the Agricultural Committee in making up its report. I did not make the report.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. STAFFORD. I well remember the first bill that was brought into the House to make loans to farmers in the Northwest, I think in North Dakota, making advances for the purpose of purchasing seed grain. We have gone ahead and gone ahead. It is now proposed by this bill, not to provide clothing for the farmers, but almost that, because it provides not only loans for fuel oil and gasoline for tractors, but authorizes the department to go into the business of purchasing oil and gas to furnish to the mendicant farmers. Why would not the next logical step be, because a man has not proper clothing or hosiery or shoes, for the Government to purchase his wearing apparel?

Mr. LEAVITT. Of course there is no objection to striking out the provision with regard to the purchase of gas by the Government. That was merely language in the preparation of the bill put in by the department itself.

Mr. STAFFORD. Of course the department is paternalistic in its desire to purchase everything and supply the farmers with everything they need. I happen to be one of the old-fashioned kind of legislators who do not believe that the Government should go into private business.

Mr. LEAVITT. I would be glad to accept an amendment to strike that out. This is a bill that has already passed the Senate through introduction by Senator WHEELER, and already for two weeks the making of these loans has been under way. The Department of Agriculture has made a rule that no farmer who got a crop of more than 5 bushels of wheat to the acre last year may receive the benefit of this loan. Those who had a crop of more than that are not being given any benefit under this loan.

Mr. JENKINS. It seems to me that a man who can not produce more than 5 bushels to the acre ought not to be helped at all.

Mr. LEAVITT. The drought period was very exceptional last year.

Mr. LAGUARDIA. Coming from the city let me see if I get this correctly. If I remember correctly we were assured that when this money would be loaned that there would be a lien taken upon the crop, and the department now thinks that if they have any chance of having a crop they will not get the money, but the department is going to lend it to farmers who will not get a crop.

Mr. LEAVITT. Oh, no. Ordinarily in that section good crops are produced, but last year there were droughts that reduced the crops, which made necessary the loans now being made. An objection to this bill will not stop that. There are farmers in this section who farm with tractors rather than with horses. Under the present law the horse feed can be purchased, and those who require tractor fuel to put in their crop are not able to get the same small loan, which in some cases is absolutely necessary.

Mr. JENKINS. Would not the Federal Farm Loan Board act cover such cases as this?

Mr. LEAVITT. Oh, no.

Mr. LAGUARDIA. The reason is that they have to have some sort of collateral.

Mr. GREEN. In case they buy this machinery, do they take collateral against the machinery?

Mr. LEAVITT. Yes.

Mr. GREEN. I know in the case of the loans made in our section of the country, they paid back 80 per cent of them, and expect to get all of them.

Mr. STAFFORD. Oh, we have not yet gone quite so far as to buy farm machinery.

Mr. LEAVITT. I did not mean to say that in any case here there is any provision for buying farm machinery. It is a case of allowing these loans to apply to the farmers who have to have fuel for tractors to put in their crops, just the same as it does for horse feed to put in the same crops. The farmer on one side of the fence, as I explained once before, can get this benefit, while a farmer on the other side under the same conditions can not get the benefit because he has been buying a small tractor on time. Some one asked me the question as to whether he could not put up his tractor against a loan. That often is one of his difficulties. He is buying his tractor on time payments and he can not put that up as collateral. The Government is operating in a very careful way, and if anyone is able to get a loan in any other way, the Government is not making it to him. If he had a crop last year of 5 bushels of wheat to the acre or more, they are leaving him out and saying that he had enough crop to look out for himself.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, what about my point of order that the bill does not comply with the Ramseyer rule, in that the report does not show what new matter is added to existing law or what matter is stricken from it.

The SPEAKER pro tempore. Has the gentleman from Montana anything to say about that?

Mr. LEAVITT. I can not defend the report. I did not make the report. It comes from the Committee on Agriculture. If it is not in form, that is our misfortune. I greatly hoped that under the emergency of this bill that point of order would not be made.

Mr. LAGUARDIA. Mr. Speaker, I do not want to be put in the position that I am blocking an emergency. I received a letter from Mr. Legge only a few days ago that we have too much surplus products on hand now, and I fail to see where there is any emergency; but perhaps I am wrong again.

Mr. LEAVITT. I think I can show the gentleman that he is wrong in that, because this is in a settled community, with people who are living on the land, who have their homes and their investments, who are supporting schools and other institutions, who are usually prosperous. We have already made loans to those who have horses to get the horses fed, and we are not doing anything if we defeat this bill except to discriminate in favor of one class of people of a community as against another class of people in the same community.

The SPEAKER pro tempore. The Chair will overrule the point of order because the Ramseyer rule does not apply to bills of this character.

Mr. LAGUARDIA. I ask unanimous consent to pass over the bill without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CITIZENSHIP AND NATURALIZATION OF MARRIED WOMEN

The next business on the Consent Calendar was the bill (H. R. 10960) to amend the law relative to the citizenship and naturalization of married women, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I understand this is the bill which the Speaker is going to recognize on a motion to suspend the rules?

Mr. JOHNSON of Washington. Yes.

Mr. LAGUARDIA. What does it do?

Mr. JOHNSON of Washington. It amends the act of 1922 so that married women married at that time will have the same right as those married since that time.

Mr. LAGUARDIA. In a case where a married woman seeks to retain her citizenship while marrying an alien with a title, she is required to renounce such title if she wants to retain her American citizenship.

Mr. JOHNSON of Washington. There are not enough of such cases where a woman married a man of that class and secured a divorce and wishes to return to the United States and resume her citizenship here. This is for the relief of women returning or coming back to this country, who were married prior to the enactment of the Cable Act, and it provides that she shall have the right acquired after that.

Mr. LAGUARDIA. The matrimonial market is now flooded with impecunious foreign counts and dukes, and if American girls want to marry those chaps, if they want to marry titles, they should renounce their American citizenship.

Mr. STAFFORD. Cases have been called to my attention recently of American women who married aliens, who labored under the impression that their fathers had been naturalized. Those women were born in this country and have continued to live here. The parents of the alien husband came over when the children were of a young age, and yet those women, American born, are deprived of their citizenship under the existing law. When the original bill was passed it was not the intention to take away the citizenship from Americans who married foreigners and continued to reside in this country.

May I ask the gentleman from Washington if his committee gave any consideration to excepting women with that status and to allow those women to retain their rights, having been born here, regardless of the fact that they have married foreigners and whose husbands thought they were duly naturalized, and who were laboring under a mistaken belief that their fathers had been naturalized?

Mr. JOHNSON of Washington. This covers that.

Mr. STAFFORD. Oh, it does not cover that case.

Mr. JOHNSON of Washington. This applies to all women.

Mr. STAFFORD. I do not think your remedial clause goes far enough. I think we should give those women of the States I have referred to immediately their right of citizenship.

Mr. GREEN. How about the children then?

Mr. STAFFORD. A child born in the United States becomes a citizen when it becomes of age.

Mr. GREEN. Will you bring Chinese and Japanese back here?

Mr. STAFFORD. I am not referring to those. Children born here, when they become 21 years of age are, under the Constitution, entitled to the full privileges of American citizens.

Mr. GREEN. Suppose a woman marries in China and brings her children back here. Would the children be Chinese citizens?

Mr. STAFFORD. Oh, that is like the case of an ambassador having a child born while abroad. There was the notable case of George B. McClellan, who was born in Europe while his parents were abroad, but he became a citizen as of right, just as much as if he had been born in the United States, although he was born in a foreign country. He was considered as having been born on United States soil.

I have a case arising out in my county—Waukesha County—of a woman who married a young man who came over from Wales as a child and voted, thinking that his father had become fully naturalized. Later on it was discovered that his father had not taken out his complete naturalization papers.

Mr. JOHNSON of Washington. I think that is the usual naturalization form.

Mr. STAFFORD. We ought to grant her her right instanter.

Mr. JOHNSON of Washington. If we do not do that, will you hold the bill up?

Mr. STAFFORD. I have an amendment here. I am surprised that the gentleman did not give that phase of the question consideration. There are many similar cases.

Mr. FISH. Is this bill in conformity with the action taken by the American delegation recently at The Hague conference in refusing to approve Article I of the proposed world code of law because it contained distinctions based on sex?

Mr. JOHNSON of Washington. Yes. The witnesses were Miss Dorothy Straus, an attorney, New York City, who represented the National League of Women Voters, who had charge of the presentation of the testimony on behalf of the organizations; Miss Margaret Lamble, representing the National Federation of Business and Professional Women, New York City; Miss Harlean James, Washington, D. C., representing the American Association of University Women; Miss Alice Edwards, Washington, D. C., the American Home Economics Association; Miss Cecilia Razovsky, New York City, chairman of the department of service to the foreign born of the National Council of Jewish Women; Mrs. E. E. Danly, representing the national board of the Young Women's Christian Association; Mrs. Clarence Fraim, representing the General Federation of Women's Clubs; Mrs. Ellis Yost, representing the Woman's Christian Temperance Union; and Mr. Edward S. McGrady, Washington, D. C., representing the American Federation of Labor.

Communications in support of the same principle were received from Miss Elizabeth Christman, secretary of the National Woman's Trade Union League, and from Mrs. Adena Miller Rich, of the Immigrants' Protective League. H. R. 10960 is also indorsed by the National Woman's Party through their legislative representative, Mrs. Max Rotter, and Miss Maud Younger.

Mr. FISH. This is a very important piece of legislation and should be made known to the House, because the American delegation at The Hague Conference for the Codification of International Law just refused to sign article 1 of the proposed code, although 40 other nations did sign it, because it contained discriminations against sex. The American delegates refused to sign with, I believe, the authority of the State Department; and as a result the United States was the only nation which declined to approve the code unless rewritten in conformity with the principle of sex equality on nationality. This bill carries out that principle.

Mr. JOHNSON of Washington. This bill is based on the Cable Act, passed in 1922, which gave independent citizenship to women married after that date in 1922.

Mr. FISH. Yes; and this bill extends the provisions of the Cable Act.

Mr. JOHNSON of Washington. This bill goes beyond the fact. The Cable Act was satisfactory until the quota law was passed. That stopped the operation of the Cable Act to a certain extent. The bill is not offensive. It can not reach all naturalization troubles. This bill has not passed heretofore because it has been a part of the large recodification of naturalization laws, which it is impossible to get out of the committee.

Mr. FISH. I am trying to point out the importance of passing the bill at this time. Our delegates refused to sign the present Hague Nationality Code, although 40 other nations did sign, and it would be most unfortunate if the Congress did not uphold the hands of the American delegates by approving this bill.

Mr. JENKINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. JENKINS. Does the gentleman not think, from his study of this bill, that while the bill may not reach every possible contingency that may arise, it does go quite a distance toward alleviating the situation?

Mr. STAFFORD. There is no question about that. It relieves the situation somewhat.

Mr. JENKINS. From the hearings before our committee, I gather it to be the substance of this bill that at the present time there are certain impediments against American-born women who have been expatriated being repatriated. The purpose of this bill is to remove every possible impediment?

Mr. STAFFORD. I am in sympathy with that provision, and I had hoped it would cover the case I cited. I will not press my amendment, in view of the proposal to have the bill pass in its present form.

Mr. GREENWOOD. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. GREENWOOD. In passing this bill, does it not remove the presumption that an American-born woman, unless she does some overt act of assuming citizenship or going there to live, still retains her American citizenship? If she does commit some

overt act or go through the necessary requirements to become a citizen there, then it simplifies the possibility of her becoming a citizen here again or coming back? It simplifies the application for her citizenship.

Mr. JOHNSON of Washington. That is the purpose of the bill.

Mr. GREEN. Reserving the right to object, Mr. Speaker, suppose an American woman married a German in Germany and lived in Germany for 10 or 12 or 15 years, and children were born to her in Germany, and she decides to come back to America and bring her children with her, can she enter, under the provisions of this law, and assume American citizenship?

Mr. JOHNSON of Washington. Yes; just the same as if she had been married since 1922. Time is running. All American women who married, no matter whom they married, after September 2, 1922, have independent citizenship in their own right.

Mr. GREEN. That is going pretty far.

Mr. JOHNSON of Washington. It would have been all right not to go behind that fact had we not passed the quota law, which put limitations on the number that may return to the United States.

Mr. GREEN. Then, she can bring her German children with her?

Mr. JOHNSON of Washington. Yes. They would have to go through the proper process to get their citizenship.

Mr. LAGUARDIA. Is it not true that there would be a presumption of expatriation in that case, and the children could not come in as American citizens?

Mr. JOHNSON of Washington. They could not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last three sentences of section 3 of the act entitled "An act relative to the naturalization and citizenship of married women," approved September 22, 1922 (relating to the presumption of loss of citizenship by married women by residence abroad), are repealed, but such repeal shall not restore citizenship lost under such section 3 before such repeal.

SEC. 2. (a) Section 4 of such act of September 22, 1922, is amended to read as follows:

"SEC. 4. (a) A woman who has lost her United States citizenship by reason of her marriage to an alien eligible to citizenship or by reason of the loss of United States citizenship by her husband may, if eligible to citizenship and if she has not acquired any other nationality by affirmative act, be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions:

"(1) No declaration of intention and no certificate of arrival shall be required, and no period of residence within the United States or within the county where the petition is filed shall be required;

"(2) The petition need not set forth that it is the intention of the petitioner to reside permanently within the United States;

"(3) The petition may be filed in any court having naturalization jurisdiction, regardless of the residence of the petitioner;

"(4) If there is attached to the petition, at the time of filing, a certificate from a naturalization examiner stating that the petitioner has appeared before him for examination, the petition may be heard at any time after filing.

"(b) After her naturalization such woman shall have the same citizenship status as if her marriage, or the loss of citizenship by her husband, as the case may be, had taken place after this section, as amended, takes effect."

(b) The amendment made by this section to section 4 of such act of September 22, 1922, shall not terminate citizenship acquired under section 4 before such amendment.

SEC. 3. Subdivision (f) of section 4 of the immigration act of 1924, as amended, is amended to read as follows:

"(f) A woman who was a citizen of the United States and lost her citizenship by reason of her marriage to an alien, or the loss of United States citizenship by her husband, or by marriage to an alien and residence in a foreign country."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DELINQUENT LANDS ON IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 11200) to provide for the acquisition, sale, and closer settlement of delinquent lands on irrigation projects by the Government to protect its investment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, in view of the absence of the gentleman from Michigan, I ask that this matter go over without prejudice.

The SPEAKER pro tempore. The gentleman from New York [Mr. LAGUARDIA] asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

PAROLE OF UNITED STATES PRISONERS

The next business on the Consent Calendar was the bill (H. R. 9674) to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill to give some explanation of how it affects the deportation laws at present.

Mr. CHRISTOPHERSON. The bill provides that an alien prisoner in the Federal penitentiary, who is eligible for parole, may be paroled and deported, but under the law now he can not be deported. He must remain within the jurisdiction of the court while under parole; as a consequence such prisoner is not granted a parole, therefore, the result is he must remain in prison until his full term has expired.

Mr. JENKINS. Is the gentleman familiar with the facts in those cases where the Governor of New York had some trouble involving this proposition?

Mr. CHRISTOPHERSON. I do not recall those particular cases.

Mr. LAGUARDIA. I can inform the gentleman. That was where an alien was convicted under the State law and paroled under the State law. It would not be affected by this bill, because this bill affects Federal prisoners only.

Mr. CHRISTOPHERSON. Yes; aliens who are in Federal penitentiaries. Under the law as it is now they must remain until their terms have expired, while with this law, when eligible for parole, they may be surrendered to the Labor Department for deportation, thereby reducing the time the Government must maintain them in prison.

Mr. JENKINS. With the result of a saving in the cost of their keep in the institutions?

Mr. CHRISTOPHERSON. Yes. There will be that saving during the time which would intervene between the time they are eligible for parole and the expiration of their sentences.

Mr. JENKINS. The gentleman from New York [Mr. LAGUARDIA] has answered the point I had in mind. The gentleman will remember that the Governor of New York had quite a tiff with the immigration officials over the surrender of prisoners who were aliens. The governor would not parole them or grant them any pardon of any kind until they had served their last day.

Mr. CHRISTOPHERSON. The Department of Justice says this will greatly help them in shortening the terms of these prisoners and thereby relieve the congestion of Federal prisons, as well as reducing the cost.

Mr. LAGUARDIA. I think what the gentleman wanted to say was that the State would not relinquish such prisoners until their terms had expired, but this bill would not affect that situation. May I ask this question of the gentleman from South Dakota? It has come to me since the bill left our committee. Suppose a prisoner refuses to accept parole?

Mr. CHRISTOPHERSON. I do not believe he would have anything to say about it. I think that when the time came for a parole and a prisoner is paroled then he is released from the penitentiary, and the Department of Labor could take custody of him for the purpose of deportation.

Mr. LAGUARDIA. Of course, that could be tested in the first case on a habeas corpus proceeding.

Mr. CHRISTOPHERSON. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act of June 25, 1910 (ch. 387, 36 Stat. 819; title 18, sec. 716, U. S. C.), be amended by adding at the end thereof the following: *"Provided*, That where a Federal prisoner is an alien and subject to deportation the board of parole may authorize the release of such prisoner after he shall have become eligible for parole on condition that he be deported and remain outside of the United States and all places subject to its jurisdiction, and upon such parole becoming effective said prisoner shall be delivered to the duly authorized immigration official for deportation."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CHARLES J. HARRAH

The next business on the Consent Calendar was House Joint Resolution 248, authorizing an appropriation for the expenses of the arbitration of the claim of Charles J. Harrah against the Government of Cuba.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, and I am going to object, for this reason: It is quite all right to arbitrate claims of citizens, and it is a proper function of the State Department to protect the interests of American citizens whose rights have been infringed upon by foreign governments. But my objection to the bill is that while the Department of State shows a great deal of solicitude for Mr. Harrah, the Department of State has studiously and purposely avoided protecting Mr. Joseph E. Barlow, whose case against Cuba is even more meritorious than the case covered in this bill. If the committee will accept an amendment providing for an arbitration in the case of Joseph E. Barlow then I shall not object to this bill. But I am going to object if you are going to protect Mr. Harrah and allow Mr. Barlow to be deprived of his rights in Cuba.

Mr. HOOPER. Mr. Speaker, I further reserve the right to object. I am not sure I shall object, but I think the report accompanying the bill is quite inadequate for the purpose of giving to the membership of the House any real knowledge of the situation. We do not know from the report how this claim arises. I see it refers to honoraria to be paid to the commissioners. I do not know anything about whether these honoraria are fixed fees or whether they are gratuities to be paid by the governments to these people. In fact, in the report there is very little which gives such a history of the matter as those who have studied it—in the meager time we ordinarily have to study these matters—would like to have. I wish the gentleman from Pennsylvania, if he knows the history of this case, as I presume he does, would tell us something of the story, and why we are called upon in this way to pay the expenses of what is really a private arbitration.

Mr. TEMPLE. If the gentlemen will withhold their objections for the present I shall be very glad to make a statement about the case, although I did not expect to have to do that. I supposed the chairman of the committee would be here, and I had not seen, until this afternoon, the report which he had written. I remember, however, the testimony taken by the Foreign Affairs Committee with regard to this case.

A protocol has been signed between the United States Government and the Government of Cuba providing for this arbitration, and the President has asked for an appropriation to pay the expenses of the arbitration.

The dispute arose over a railroad that was built in 1908 by Mr. Harrah. It was a short road—about 12 kilometers long—to bring sand and gravel to a point at which it would connect with another railroad. There was a building boom in Habana at the time, with a chance for a good profit on the sand and gravel.

Mr. LAGUARDIA. Was it a narrow-gage road?

Mr. TEMPLE. At the time it was a narrow-gage road, but it was changed later to a standard gage.

Mr. HOOPER. Was it a road leading from a sugar plantation?

Mr. TEMPLE. No; not from a sugar plantation, but from a deposit of sand and gravel, which could be marketed profitably in Habana because of the building boom. The railroad was built over the public domain. Application was made for a permit. The permit was expected, and in the meantime the road was built under the supervision of Cuban officials. It was built as a narrow-gage road, but at the suggestion of the Cuban officials the bridges and the approaches were made wide enough to carry a standard-gage road and it was afterwards made standard gage. The permit which had not been granted when the road was built was afterwards approved. Then a dispute arose between Mr. Harrah and his agent in Cuba, Mr. Harrah being in this country and the agent attending to affairs there. The agent is said to have appropriated the profits to himself. Mr. Harrah entered suit against his agent in the Cuban courts and won the suit. His right to the road was confirmed by the Cuban courts.

But in the meantime when the agent saw that the lawsuit was about to go against him, he had influence enough with the Secretary of the Treasury of Cuba, so Mr. Harrah claims, to get an order issued for the destruction of the railroad. The order was issued by the secretary and approved by the President of Cuba. Through some error in the office of the Government in Cuba the order was really for the destruction of another railroad which Mr. Harrah had been authorized to build but had never built. In spite of this error, to which the attention of the Government authorities was called, they went ahead and the rural guard of the Republic of Cuba blew up the bridges and tore up the rails and destroyed the road.

The dispute which followed has been going on for some years and now the Cuban Government and the American Government have agreed to arbitrate and this bill is for the expenses of the arbitration.

Mr. HOOPER. If the gentleman will permit one further question, the result of this arbitration would be either what we might call a verdict of no cause of action or else a judgment in favor of Mr. Harrah for damages against those who were responsible for the destruction of the railroad; is that so?

Mr. TEMPLE. Yes.

Mr. HOOPER. Then in case the judgment was in Mr. Harrah's favor, would there be reimbursement to the United States Government for the amount expended for honoraria, clerk hire, and so on?

Mr. TEMPLE. That question was asked in committee and the representatives of the Department of State stated it was customary to have the person who received the compensation reimburse the State Department for its expenditures.

Mr. HOOPER. And does the gentleman understand that would be done in this case?

Mr. TEMPLE. That is my understanding.

Mr. HOOPER. Provided, of course, the result was favorable to Mr. Harrah.

Mr. TEMPLE. Yes. I would like to suggest in regard to the other case which the gentleman from New York has mentioned that the gentleman from New York introduce a bill providing for the relief of the man whose case he mentions—whatever relief may be necessary—whether by arbitration or otherwise, and have that bill go to the Committee on Foreign Affairs. I never heard of the case the gentleman has mentioned. We can only act on the cases that are brought before us.

Mr. LAGUARDIA. I will say to the gentleman that I have been in Congress for some time, and I am not as young and innocent as I used to be, and I know that if I introduced a bill——

Mr. TEMPLE. The gentleman is still quite young.

Mr. LAGUARDIA. I know that if I introduced a bill at this time I would get a 48-page adverse report from the Department of State, because the Department of State has not given Joseph E. Barlow a square deal, and I protest at this time. I am going to hold up this bill and let the Department of State come down to the gentleman's committee and explain its failure to protect the rights of this American citizen who has been through the Cuban courts, who can not have his judgments enforced, and who is being deprived of his property at this time.

Mr. TEMPLE. The gentleman is so anxious to have the Department of State deal fairly that he refuses to allow it to deal fairly in this case.

Mr. LAGUARDIA. Exactly.

Mr. HOOPER. Will the gentleman yield?

Mr. TEMPLE. Yes.

Mr. HOOPER. Does the claim to which the gentleman from New York is referring grow out of this claim?

Mr. TEMPLE. I have no knowledge of it.

Mr. LAGUARDIA. No; it is not related to this case at all.

Mr. TEMPLE. The case the gentleman is referring to has never been brought before the committee at all. I never heard of it until I heard of it from the gentleman from New York a few moments ago.

Mr. LAGUARDIA. Everybody in the United States except the Department of State and the Committee on Foreign Affairs of this House knows about the Barlow claim. I will say that, with all due deference to the gentleman from Pennsylvania.

Mr. TEMPLE. The gentleman is accustomed to making broad statements that, of course, need qualification.

Mr. LAGUARDIA. That statement does not need any qualification.

Mr. MOORE of Virginia. If my friend will permit, may I call attention to a fact which I think ought to be considered in this connection? This arbitration has already been arranged and the proceedings will go forward as soon as the appropriation is made. There is a solemn arrangement between the Government of the United States and the Government of the Republic of Cuba, and the arbitration is to be of the same character as many arbitrations we have conducted heretofore. For instance, at the Geneva arbitration the United States was a party to the arbitration proceedings in behalf of its own citizens, and in this case the United States is exactly in that status. It is a party

to the arbitration in behalf of the citizen who makes the claim. I do not think there can be any good ground for the position of my friend when he admits that this claim and the Barlow claim of which he speaks have no relation to each other. If that is the reason for disapproving the resolution, it will in effect mean that one citizen shall be punished because the State Department may be in default in some other case.

Mr. LAGUARDIA. I will go further and say that they are not related at all, they are not connected at all, but I say it is the duty and the function of the Department of State to treat all citizens alike.

Mr. MOORE of Virginia. I think so, but there may be a hundred citizens in the same status as Mr. Barlow; and does my friend think he ought to hold up a case that is meritorious, as this seems to be, because the State Department has not dealt with some other case or some other 100 cases?

Mr. LAGUARDIA. There are not 100 cases such as Mr. Barlow's. There is only one case of that kind.

Mr. PALMER. If the gentleman will yield, I am inclined to think this is a meritorious case, and I think the gentleman from New York is doing this gentleman an injustice in penalizing him because he has a similar case——

Mr. LAGUARDIA. Oh, no; I have no interest in the Barlow case at all. He is not a citizen of my State.

Mr. PALMER. If the gentleman has a case of similar nature, I think he should not penalize this man, inasmuch as arrangement has been made for arbitration. The gentleman would be doing this man an injustice and doing the Nation an injustice.

Mr. LAGUARDIA. I want the Department of State to distinguish these two cases, and I would like to have this bill go over without prejudice.

Mr. TEMPLE. The gentleman has called attention to the Barlow case, and certainly that accomplishes all that he intended.

Mr. LAGUARDIA. Oh, no.

Mr. TEMPLE. Would it not be wise to allow this bill to go through rather than do an injustice to Mr. Harrah?

Mr. LAGUARDIA. I do not want to do any injustice to Mr. Harrah, but I am going to ask the Department of State to distinguish between the two cases. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RECONSTRUCTION OF BRIDGE ACROSS THE HUDSON RIVER AT STILLWATER, N. Y.

The next business on the Consent Calender was the bill (H. R. 11046) granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Stillwater, N. Y.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I think this is an unusual bill and calls for an explanation.

Mr. PARKER. Mr. Speaker, this is a bill that authorizes the reconstruction of a bridge that has been there for 40 years. The Highway Department of the State of New York thought they had a perfect right to go on and reconstruct it, and the Army engineers granted them consent to go on. The bridge connects two important highways. The reconstruction of the bridge has to be authorized by Congress.

Mr. JENKINS. This act will legalize the reconstruction?

Mr. PARKER. It legalizes the repairs and reconstruction of the bridge.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, That the consent of Congress is hereby granted to the State of New York to construct, maintain, and operate a free highway bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, at or near Stillwater, Saratoga County, N. Y., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Strike out all after the enacting clause and insert the following in lieu thereof:

"That the bridge now being reconstructed across the Hudson River at Stillwater, N. Y., by the State of New York, if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War, as providing suitable facilities for navigation, and operated as a free bridge, shall be a lawful structure, and shall be subject to the conditions and limitations of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906, other than those requiring the approval of plans by the Secretary of War and the Chief of Engineers before reconstruction of the bridge is commenced.

"SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

PROTECTION OF LAND IN NORTHERN MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 6081) to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

ADDITION OF CERTAIN LANDS TO THE FREMONT NATIONAL FOREST, OREG.

The next business on the Consent Calendar was the bill (H. R. 3717) to add certain lands to the Fremont National Forest in the State of Oregon.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, I would like to ask the author of the bill the possible extent of the bill and what it will do.

Mr. BUTLER. Mr. Speaker, it will add 96,000 acres of land to the present Fremont Reserve. That is practically the number of acres that will be added which will be to the great benefit of the reserve to which it is added, as well as the Government of the United States.

Mr. JENKINS. Where is this 96,000 acres coming from?

Mr. BUTLER. It is Government land.

Mr. JENKINS. Will there be any expense to the Government?

Mr. BUTLER. No; it will save expense to the Government, and that is the reason we are asking for it.

Mr. STAFFORD. Reserving the right to object, I would like the attention of the gentleman from Oregon, because I assume that he is cognizant with the condition of the territory involved in the purview of the bill. I notice in the report, and I assume that is the reason, or a major occasion for the bill being brought in under the national forest, this statement:

None of the lands are cultivated, but they are quite extensively used during the summer months for grazing, and because of lack of management are being overgrazed.

I took occasion a week or more ago when a similar bill was up for consideration providing for taking public domain into some national park, to call attention to the outrageous policy pursued by these robber grazers appropriating public land for their own aggrandizement, until the land is impoverished? How much of this public land has been overgrazed?

Mr. SMITH of Idaho. What does the gentleman mean when he speaks of the "robber barons"?

Mr. STAFFORD. It is notorious that these large, rich ranchmen of Wyoming and Idaho have pilfered the public lands until they are impoverished. They have lined their pockets with filthy lucre accruing from the grazing of their herds on the public lands.

Mr. SMITH of Idaho. This legislation is intended to correct that situation by placing the public lands in the national forest, so that they can be controlled and a fee can be charged for their use.

Mr. STAFFORD. I am calling attention to a condition that was called to the attention of the country by President Roosevelt, and yet no action has been taken up to this time. The only remedy the gentleman has proposed is by bringing these lands into national parks. Now, can the gentleman from Oregon tell us the extent that the public lands have been overgrazed?

Mr. BUTLER. Mr. Speaker, for a number of years efforts have been made to restrict the grazing of the public domain. This is one of a number of efforts that have been made to protect the public domain and prevent overgrazing. In this particular parcel of land there are 96,000 acres, approximately. Some of it juts up into the main Fremont Forest Reserve and some of it zigzags, and under the situation which has existed since we have had no public domain land law, with innumerable Congresses meeting and remeeting, there has been no law to cover the grazing of the public domain. There has been a law governing and controlling the national forests. The national forest into which this land juts and zigzags across will be under that control, and the object of this particular bill covering about 96,000 acres and bringing it into the forest reserve is to enable the Government to receive some benefit from it and thereby enable it to pay out something with which to employ rangers to protect the forests and to protect this land and the grazing.

Mr. STAFFORD. Can the gentleman inform the House how much of the public domain outside the national forests is susceptible of grazing?

Mr. COLTON. If the gentleman will permit, there are about 200,000,000 acres in the 11 Western States in the public domain, and a large part of it is grazed some time of the year.

Mr. STAFFORD. Has the gentleman any information as to how much of that public domain is overgrazed, as is the case with this particular tract?

Mr. COLTON. I should say the larger part of it.

Mr. STAFFORD. What corrective measures has the gentleman's committee taken to meet that condition rather than bring the land into the national forests?

Mr. COLTON. We have pending before the Public Lands Committee bills to authorize the regulation and control of grazing upon the public lands. A commission has been appointed by the President to make a study of the entire public-domain problem, and our bills are simply waiting the study and report of that commission, which must be not later than December 1, 1930.

Mr. STAFFORD. Has that commission been appointed, and is it now at work?

Mr. COLTON. Yes; it has been appointed and has done some work.

Mr. STAFFORD. Has the gentleman any private information which can be made public as to when the commission will make its report?

Mr. COLTON. I have not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, subject to any valid existing claim or entries, all lands of the United States in the areas hereinafter described be, and the same are hereby, added to and made parts of the Fremont National Forest, to be hereafter administered under the laws and regulations relating to the national forests; and the provisions of the act approved March 20, 1922, entitled "An act to consolidate national-forest lands," as amended, are hereby extended and made applicable to all other lands within the said described area:

Sections 31 and 32, township 25 south, range 10 east; township 26 south, ranges 9, 10, 11, and 12 east; township 27 south, ranges 9, 10, 11, and 12 east; township 28 south, ranges 9, 10, 11, and 12 east; all Willamette base and meridian.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

VALIDATING APPLICATIONS FOR ENTRIES OF PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 9849) validating certain applications for and entries of public lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Mr. Speaker, reserving the right to object, this seems to be a sort of omnibus bill validating certain claims. What is there about the entries of these claims that they can not be completed under the general land laws? What is the reason for a bill like this?

Mr. COLTON. Each particular section has a peculiar reason for its inclusion. For instance, if the gentleman will take the first case in the bill and read the letter found on page 2 of the report, he will find an explanation of the particular reason for including this item.

Mr. GREENWOOD. Does this make any exception or give this man any greater rights than he can get under the general land law?

Mr. COLTON. It is usually to correct some particular case that has arisen that is not covered by the general land law, where the equities are altogether with the entryman and an injustice will be done if no legislation is passed.

Mr. GREENWOOD. Has the gentleman's committee gone into the merits of each one of these?

Mr. COLTON. Yes. Every year since I have been in Congress we have passed a bill of this kind. We have made careful investigation in each case, and we find there are particular equities that make it necessary to pass the bill.

Mr. GREENWOOD. And they are entitled under the equity to this, without making any exception or increasing their rights above entries generally?

Mr. COLTON. Precisely.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLTON. Mr. Speaker, I ask unanimous consent to consider Senate bill 3477, which is an identical bill, except as to section 11 of the House bill, which is not attached to the Senate bill, and I shall offer an amendment at the proper time to add section 11 to the House bill.

The SPEAKER pro tempore. The gentleman from Utah asks unanimous consent that Senate bill 3477 be considered in lieu of H. R. 9849, and that H. R. 9849 be laid on the table. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patents upon the entries hereinafter named upon which proof of compliance with law has been filed, upon the payment of all moneys due thereon:

Stock-raising homestead entry, Cheyenne, Wyo., No. 035545, made by William D. Brydon on August 24, 1921, for the northeast quarter, section 21, northwest quarter of the northwest quarter, section 22, and east half of the northwest quarter, southwest quarter and northwest quarter of the northwest quarter, section 15, township 32 north, range 79 west, sixth principal meridian.

Stock-raising homestead entry, Miles City, Mont., No. 046599, now Billings 019823, made by Jennie K. Wells (now Jennie K. Chaffin) on January 15, 1921, for the east half of the west half, west half of the east half, section 9, and west half of the southeast quarter, east half of the southwest quarter, southeast quarter of the northwest quarter, and southwest quarter of the northeast quarter, section 4, township 9 south, range 49 east, Montana principal meridian.

Stock-raising homestead entries, Cheyenne, Wyo., Nos. 044849 and 045077, made by Edwin M. Ballinger on November 8, 1924, and September 8, 1926, respectively, for lots 3 and 4, section 11, south half of the southwest quarter, northeast quarter of the southwest quarter, southwest quarter of the southeast quarter, and lot 6, section 12, and northwest quarter of the northeast quarter, and northwest quarter of the northwest quarter, section 13, township 51 north, range 103 west, sixth principal meridian.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to reinstate homestead entry, Glenwood Springs, Colo., No. 014808, made by William T. Jones on April 20, 1918, for lot 1, southeast quarter of the northeast quarter, southwest quarter of the northeast quarter, north half of the southeast quarter, and southwest quarter of the southeast quarter, section 6, and west half of the northeast quarter section 7, township 3 north, range 102 west, sixth principal meridian, which is hereby validated, and to issue patent thereon upon submission of satisfactory proof of compliance with the law.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized and directed to accept final proof submitted July 16, 1928, on homestead entry, Alliance, Nebr., No. 020335, made on June 16, 1924, by the heirs of Mahala F. Edwards, deceased, for the southeast quarter of the southwest quarter section 23, and east half of the northwest quarter section 26, township 22 north, range 57 west, sixth principal meridian: *Provided, however*, That patent shall not be issued thereon until proof is made showing compliance with the provisions of the act of June 17, 1902 (32 Stat. L. 388), and acts amendatory thereof and supplemental thereto.

SEC. 4. That the Secretary of the Interior be, and is hereby, authorized and directed to allow John J. McInerney, of Nashua, Mont., to make homestead entry for the south half of the northwest quarter section 23, township 31 north, range 42 east, Montana principal meridian, upon payment of the appraised price of the land.

SEC. 5. That stock-raising homestead entry, Sacramento, Calif., No 018236, made by Theresa Alexander on April 14, 1924, for the west half of lot 2 of the northeast quarter, the southeast quarter of the northeast quarter, northeast quarter of the southeast quarter, and the south half of the southeast quarter, section 3, township 23 south, range 11 east, Mount Diablo meridian, be, and the same is hereby, validated.

SEC. 6. That where a conveyance of land has been made or may hereafter be made to the United States in connection with an application for amendment of a patented entry or entries, for an exchange of lands, or for any other purpose, and the application in connection with which the conveyance was made is thereafter withdrawn or rejected, the Commissioner of the General Land Office is hereby authorized and directed, if the deed of conveyance has been recorded, to execute a quitclaim deed of the conveyed land to the party or parties entitled thereto.

SEC. 7. That the Secretary of the Interior be, and he is hereby, authorized to accept the final proof submitted by Donald Skougard in support of his stock-raising homestead entry, Salt Lake City, Utah, No. 033922, made on July 28, 1924, for the southeast quarter, east half of the northeast quarter, section 34, southwest quarter, south half of the northwest quarter, southwest quarter of the southeast quarter, section 35, township 30 south, range 17 west, and lots 1, 2, 7, and 8, section 3, township 31 south, range 18 west, Salt Lake meridian, and to issue patent thereon.

SEC. 8. That the Secretary of the Interior be, and he is hereby, authorized to accept the final proof submitted by Orange A. Roode on January 15, 1929, in support of his additional stock-raising homestead entry, Buffalo, Wyo., No. 017490, made on November 15, 1923, for the southeast quarter of the southwest quarter and southwest quarter of southeast quarter, section 19, township 55 north, range 81 west, sixth principal meridian, upon payment therefor at the rate of $1.25 per acre.

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized to exchange, under the provisions of section 44 of the Act of Congress approved May 25, 1926 (44 Stat. L. 636), lots 1 and 2, and south half of the northeast quarter, section 5, township 30 north, range 31 east, Montana principal meridian, for east half of the southeast quarter, section 24, township 30 north, range 31 east, and lots 2, 3, and 4, section 19, township 30 north, range 32 east, Montana principal meridian, and issue to James Kennedy, an unrestricted patent therefor.

SEC. 10. That stock-raising homestead entry, Cheyenne, Wyo., No. 041699, made by Warren F. Deuel on January 15, 1926, for the southwest quarter, south half of southeast quarter, section 13, and north half of northeast quarter, section 24, township 38 north, range 66 west, sixth principal meridian, be, and the same is hereby validated.

Mr. COLTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLTON: Page 6, after line 7, insert a new section, as follows:

"SEC. 11. That notwithstanding the provisions of any other law the Secretary of the Interior be, and he is hereby, authorized and directed to allow homestead application No. 014848, filed by Patrick J. Greaney, jr., on July 23, 1929, for the south half northeast quarter section 18, township 64 north, range 21 west, fourth principal meridian, in St. Louis County, Minn., subject to compliance with the requirements of the homestead law, and payment of all moneys due thereon."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Utah.

The amendment was agreed to.

Mr. COLTON. Mr. Speaker, I offer another amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After section 11, add a new section to read as follows:

"SEC. 12. That the Secretary of the Interior be, and he is hereby, authorized and directed to convey by patent to Alma Laird 127.11 acres, said land being lots 5, 6, and 8, section 32, and lot 4, section 31, all being in township 2 south, range 17 west, Tallahassee meridian, according to Government survey of 1924, upon payment by said Alma Laird to the United States of $1.25 per acre within six months after passage of this act."

Mr. LAGUARDIA. Mr. Speaker, I will make a point of order on that. No; I will reserve my point of order.

The SPEAKER pro tempore. What is the gentleman's point of order?

Mr. LAGUARDIA. It is not germane to the bill.

Mr. STAFFORD. I think it is germane, but it violates the understanding we had when consideration was sought for the Senate bill. It was proposed to take up a similar bill with one amendment. Now, here is another amendment.

Mr. COLTON. This is done at the request of the gentleman from Florida [Mr. YON], who has a bill which is germane, and which would have been considered by the committee if it had been called to the attention of the committee. This bill, introduced by the gentleman from Florida, has been reported out by the Committee on the Public Lands and is on the Private Calendar. It was brought in at this time at the request of the gentleman from Florida in order to facilitate the passage of his bill which has already been reported favorably.

Mr. JENKINS. May I ask the gentleman if this last bill applies to exactly the same territory as the other?

Mr. COLTON. Yes.

Mr. STAFFORD. I do not wish to have violated an agreement that has been made with the House, but I do not wish to be too restrictive as to the policy. Does the gentleman propose to offer other private bills? This is an omnibus private claims bill. Objection might have been raised to it originally. We have not the Private Calendar up now. If you are going to have that kind of practice, you will not have unanimous consent to have Senate bills substituted.

Mr. COLTON. Mr. Speaker, I can not let the statement or intimation go by that there has been a violation of an agreement. It is true when this bill was read I asked unanimous consent to substitute the Senate bill, and I explained that I would offer an amendment. Since then the gentleman from Florida called my attention to this bill. It was entitled to go upon this bill. The gentleman from Florida was absent at the time this omnibus bill was considered by the committee. Otherwise it would have been included in this omnibus bill. If there is any thought that an agreement has not been kept, I do not want to press the amendment, and will withdraw it.

Mr. LAGUARDIA. The gentleman will understand that in following so large a calendar as we have to-day and looking up the cases and reports in many instances it is impossible to follow amendments that are flashed upon us in this way. But clearly, from the explanation of the gentleman from Utah, it seems that the bill was before the committee and reported favorably and was of the same nature or character as the other bill now before the House.

Mr. COLTON. I think it is in order and I hope the gentleman from Wisconsin will not continue his opposition. If there is objection, I will withdraw the amendment.

Mr. LAGUARDIA. Mr. Speaker, I withdraw the point of order.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

The SPEAKER pro tempore. What is the number of that bill which was included?

Mr. YON. The bill H. R. 8148.

The SPEAKER pro tempore. Without objection, the similar House bill will be laid on the table.

There was no objection.

YOSEMITE NATIONAL PARK, CALIF.

The next business on the Consent Calendar was the bill (H. R. 10581) to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, I do not object to the consideration of this bill, but I would like the author of the bill to make an explanation of it. It deals with public lands.

Mr. COLTON. Mr. Speaker, this bill makes a small addition to the Yosemite National Park. During the survey of a particular road it was found necessary to change the survey and allow the roadway to run through a piece of fine timberland. This legislation would simply include that timberland in the park in order to have the road also within the park.

Mr. JENKINS. There is no expense to the Government?

Mr. COLTON. None. No additional expense except that incident to administration.

Mr. STAFFORD. Mr. Speaker, I understand this is adjacent to the territory of the Hetch Hetchy Valley. They cut down some large trees during the building of the dam in the Hetch Hetchy Valley, and it is the purpose now to bring that region adjacent thereto within the confines of the park and thereby protect the timber?

Mr. COLTON. Yes; and protect the timber.

Mr. FITZGERALD. I understand there are only 4 square miles in this park.

Mr. STAFFORD. Oh, this is the Yosemite National Park, one of the largest national parks.

Mr. FITZGERALD. How much does it add?

Mr. COLTON. It adds 960 acres.

Mr. KNUTSON. If it is so large a park, that would not be much of an acquisition.

Mr. STAFFORD. It goes back to the time of the building of the Hetch Hetchy Dam, when they had occasion to cut down large quantities of timber in the construction of that dam. Now it is proposed to place that territory in the Yosemite National Park.

Mr. JENKINS. Mr. Speaker, I withdraw my reservation of an objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of preserving and consolidating timber stands along the western boundary of the Yosemite National Park the President of the United States is hereby authorized, upon the joint recommendation of the Secretaries of Interior and Agriculture, to add to the Yosemite National Park, in the State of California, by Executive proclamation, section 1 and the north half of section 12, township 1 south, range 19 east, Mount Diablo meridian.

SEC. 2. That the provisions of the act of June 10, 1920, known as the Federal water power act, shall not apply to any lands added to the Yosemite National Park under the authority of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SIXTH PAN AMERICAN CHILD CONGRESS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 270) authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That for the purpose of defraying the expenses of participation by the Government of the United States by means of delegates to be appointed by the President in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930, an appropriation in the sum of $13,000, or so much thereof as may be necessary, is hereby authorized for travel expenses, subsistence, or per diem in lieu of subsistence (notwithstanding the provisions of any other act), printing and binding, compensation of employees, rent, official cards, preparation, transportation, installation, and demonstration of a suitable exhibit, and such other expenses as the President shall deem proper.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York [Mr. LAGUARDIA] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 1, line 10, strike out the parenthesis and "notwithstanding the provisions of any other act."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PROMOTION OF COMMISSIONED OFFICERS OF THE LINE OF THE NAVY

The next business on the Consent Calendar was the bill (H. R. 1190) to regulate the distribution and promotion of commissioned officers of the line of the Navy, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois [Mr. BRITTEN] whether he would be willing to permit this bill to go over without prejudice?

Mr. BRITTEN. I have already spoken to the chairman of the subcommittee of the Committee on Appropriations, and I think there is objection to it. I think the objection to the bill is in error, as the bill is needed by the department.

Mr. HOOPER. Probably.

Mr. BRITTEN. The bill is recommended by the Bureau of the Budget. It will start saving money on the 1st of July of this year, and will save $15,000 next year on the pay of the Navy, and thereafter it will save more than $200,000 in some years, and in the next 20 years will save $2,000,000 or more in the pay of the Navy alone.

Mr. HOOPER. The gentleman has laid a valuable foundation for the time when the bill comes up next. If the gentleman has no particular objection, I should like to ask unanimous consent that it be passed over.

Mr. BRITTEN. I should like to have the bill passed to-day, if possible.

Mr. HALE. The bill has passed the Senate, has it not?

Mr. BRITTEN. It has passed the Senate, and it passed Congress unanimously last year.

Mr. HOOPER. Is it just the same bill as this which has passed the Senate?

Mr. BRITTEN. Yes.

Mr. HOOPER. When did it pass the Senate?

Mr. BRITTEN. About two and a half weeks ago.

Mr. HOOPER. Was it passed in exactly the same form as this bill stands now?

Mr. BRITTEN. Exactly; and it was passed unanimously in the last Congress by the House and went to the Senate, and was caught in the legislative jam in the Senate and did not pass the Seventieth Congress.

Mr. HALE. It is putting into permanent law what already exists in temporary law, is it not?

Mr. BRITTEN. In part.

Mr. HOOPER. May I ask the gentleman from New Hampshire [Mr. HALE] if he thinks it should pass at this time?

Mr. HALE. I do.

Mr. HOOPER. Without taking the time to pass it over for two weeks?

Mr. HALE. The bill has been considered for the last three years.

Mr. HOOPER. If the gentleman will state that it should be passed at this time, I will withdraw the objection.

Mr. FRENCH rose.

Mr. LAGUARDIA. What does the gentleman from Idaho [Mr. FRENCH] think about it?

Mr. BRITTEN. I have talked to the gentleman from Idaho [Mr. FRENCH] about this. I do not believe I am violating any confidence when I say that the principal objection of the gentleman from Idaho [Mr. FRENCH] to this bill was in the 1½ per cent increase in officers in the lower grades and taking them from another grade. It does not increase the total number of line officers. It only affects the line of the Navy and not the staff, and because of that slight change in the percentage I have agreed with the gentleman from Idaho [Mr. FRENCH] to offer to amend the bill myself so that the percentages in the new bill will be exactly as they are in existing law.

Mr. FRENCH. Mr. Speaker, I did not make myself plain to the gentleman from Illinois [Mr. BRITTEN] if I indicated that that was my main objection to the bill. So far as the details of the bill may be concerned, that would be my main objection. My main objection to considering and passing the bill at this time is more fundamental than that, and goes to whether or not this House, at a time when it has appointed members of a joint pay committee on behalf of the House to consider and report to the House a joint pay bill that will affect the pay of the Army, the Navy, the Marine Corps, and other services should now by piecemeal undertake to pass other legislation that will have some effect, some bearing upon the consideration of the pay bill. It is because of this situation that I think we should not pass this bill or any other similar bill dealing with one service alone during the time that committee is at work. I think the better plan would be to pass a bill that would have regard for promotion in all services.

Mr. BRITTEN. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. BRITTEN. Answering the gentleman's remark, I know he is the essence of fairness, and I also have always been exceedingly frank and fair with the House. I pledge my word that there is not a single word in this bill that affects the pay of the Navy. Not a single word that has anything whatever to do with the very important work which the gentleman's committee is doing in connection with the pay for the various services. This bill carries a number of legislative features like this, if you will permit me for a moment: Last year we only had one or two vacancies in the grade of rear admiral. Captains could not be promoted, and if they could not be promoted they had to be retired.

It worked a great hardship on a number of exceedingly high-grade captains who should have had an opportunity for promotion, but they did not have that opportunity because of the small number of vacancies in the grade above. This bill provides that men shall be put on the promotion list and retained for one year or two years, until the class above becomes more uniform.

There ought to be from 7 to 10 vacancies in the rear admiral grade every year. This bill equalizes the flow of promotion up above, but it does not cost anything. It equalizes service at the Naval Academy. In many instances, during the war, officers were graduated with three years' service at the academy while some had five years' service before the war. This establishes a uniform 4-year period at the academy. It does another thing. We now have promotions by seniority from lieutenant to lieutenant commander. This bill provides for

selection up in that grade. In other words, we extend selection up one grade lower.

There are between 600 and 800 officers in the service who came out of the ranks. They were formerly enlisted men. They are now petty and warrant officers, and they were the backbone of the service. Many of those men want to retire. They are not qualified to do the job to the same extent that a Naval Academy man is qualified, that is, they are not expert mathematicians, they are not expert navigators, and they are not expert radio men.

Mr. LAGUARDIA. Then what are they good for?

Mr. BRITTEN. They are excellent men in handling ships under the type of men I am talking about from the Naval Academy. Many of these men would like to retire but they can not. Every one of them is now getting the maximum pay for the grade, but when they go out their pay will depend upon the length of their service.

The Government will save in the next year $15,000 on that pay, because of the difference between their retirement pay and their present pay and allowances. In some cases that will amount to as much as $4,000 a year, and none will run less than $2,000. That represents the difference between their retirement pay and their present pay and allowances.

My thought is, gentlemen, that the legislative features carried in this bill are very highly necessary. They favor no one in the service but they favor the service generally. I can not understand why the gentleman from Idaho or anyone should object to this bill, which will make a saving of $2,000,000 to the Treasury within the next 20 years in the item of pay of the Navy alone.

Mr. FRENCH. Is the gentleman aware of the fact that the joint pay board, representing the Army, the Navy, and the other services after making a study of this whole problem, in its report referred to the incongruous situation which exists on account of the lack of systematic promotion legislation?

Mr. BRITTEN. In the Navy?

Mr. FRENCH. In the different services the different promotion methods followed.

Mr. VINSON of Georgia. That is the purpose of the bill now before the House to correct the situation as to the Navy.

Mr. BRITTEN. I will be very glad to offer an amendment to the bill which will change the percentages in those unimportant grades. I think the gentleman ought to allow the bill to be considered.

Mr. FRENCH. The point I have in mind is this: The gentleman indicated that the promotion bill would have no relation whatever to any pay bill that might be reported. On the other hand, as I see it, it does have very vital relationship to the pay problem as is evidenced by the statement made by the joint pay board, which board was unofficially appointed and prepared a report touching the pay situation.

Members of the joint pay committee feel, as we study the question, that the problem is so serious that it ought not to be considered as a piecemeal proposition but that it ought to be considered at a time when the promotion plans for the Army, the Marine Corps, the Navy, and the other services likewise can be considered.

Mr. HALE. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. HALE. One of the original resolutions which undertook to establish the joint pay commission, as the gentleman will recollect, gave that commission authority to investigate not only the question of pay but also the question of promotion. The promotion feature was stricken out of the resolution under which the gentleman's committee was appointed, and the authority of the gentleman's committee is confined solely to the consideration of pay. Now, no one in this House is more interested in that pay situation than I am. If I may say so, I introduced the first bill which started the whole investigation; but I say to the gentleman from Idaho, as the gentleman from Illinois has said to him, there is not one line in this bill which changes any rate or schedule of pay in the Navy.

Mr. FRENCH. That is true. But the very fact that you provide the system of promotion which you do provide does throw out of harmony the work we are undertaking to do and which involves several services.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. If the gentleman from Idaho will permit, the statement made by the gentleman from New Hampshire [Mr. HALE] is absolutely correct. Under the joint pay resolution, the committee, of which the gentleman from Idaho is a distinguished member, will never have jurisdiction over or consider the question of rates or the question of promotion, but the committee will have authority to consider the question of pay. This proposition deals exclusively with rates and promotions, and no authority is conferred upon the gentleman's committee to take into consideration questions relating to ratings or questions relating to promotions. Therefore it is necessary to have proper ratings before you are authorized to make a proper pay bill, and that is all this bill seeks to do.

Mr. FRENCH. The gentleman from Georgia, although supporting the gentleman from Illinois [Mr. BRITTEN] in support of the bill has said, in very fine, clear-cut language, that it is essential that we know what the promotion plan shall be before we can act wisely on a pay bill.

Mr. VINSON of Georgia. But the gentleman's committee can not determine that. It can not consider any questions relating to ratings or any questions relating to promotions. This committee has that authority, and it has reported certain provisions with reference to this particular bill that your committee could not consider for one moment—the question of promotion or the question of rating of anybody in these services.

Mr. FRENCH. Yes; but the difficulty arises in attempting to do something for the Navy or for the Marine Corps or for some other service that you are not doing for the services generally.

Mr. VINSON of Georgia. Let me ask the gentleman, then, what committee has jurisdiction to grant proper ratings to the members of the Naval Establishment? Of course, the gentleman's committee has not that authority, and there is but one other committee, and that is the Naval Affairs Committee. Now, the Naval Affairs Committee, exercising that right, has brought in a bill giving certain ratings. When you come to consider the question of pay you have the right, under the joint resolution, to deal with it, but you have not the right to deal with this question at all. You have limited jurisdiction, and I venture to say, as was said in the 1922 pay bill, not one line will deal with the question of rating but the bill will deal entirely with the question of pay.

Mr. BARBOUR. Will the gentleman yield?

Mr. BRITTEN. I yield to the gentleman from California.

Mr. BARBOUR. The report of the Interdepartmental Pay Board, which is before the joint pay committee, recommends—and this is one of the things that the joint pay committee will have before it—that pay shall hereafter be based on rank and not on pay periods as it is at the present time.

Mr. VINSON of Georgia. Let me ask the gentleman this question: Have you any authority under the joint pay committee resolution to say what the different grades and ranks shall be?

Mr. BARBOUR. No.

Mr. VINSON of Georgia. Of course, you have not, and therefore you can not deal with it at all.

Mr. BARBOUR. But one of the very things this committee must do is to fix the pay for the various ranks.

Mr. VINSON of Georgia. You have not any authority to say how they are going to be promoted, whether they are going to be promoted by selection or whether they are going to be promoted by seniority; those things are questions of ratings. But you do have authority to say what the pay shall be. The Naval Affairs Committee and the Military Affairs Committee fix the method of promotion, fix the rating, and the gentleman's committee recommends to Congress what the pay shall be.

Mr. BARBOUR. Absolutely; and if we are going to keep changing that from time to time as we go along, our committee has no definite basis to work upon.

Mr. VINSON of Georgia. You can not know until you have some authority, and that is what we are trying to give you now.

Mr. BARBOUR. We can take the situation as it exists at the present time and work on that basis.

Mr. BRITTEN. If the gentleman will pardon me, this bill materially improves what the gentleman just says they may work upon; that is, the existing condition of the Navy. This bill materially improves the existing condition of the Navy, and it is something that the Navy wants.

Mr. BARBOUR. The principal objection to it is that it changes existing conditions and we do not know what the result will be.

Mr. BRITTEN. What does it change?

Mr. BARBOUR. It changes the plan of promotion.

Mr. BRITTEN. No; it does not change the method of promotion at all. In the selection, for instance, we come down one grade, but the present selective system remains. We are making permanent a law that provides for time in grade, in all the grades of the line. That law is a temporary one and we are making it permanent under this bill. We are giving you and your committee, my dear Mr. BARBOUR, some legislative features that you highly need on the pay committee. You need it and the Navy Department wants it. I can not understand the mental make-up of a person who would object to a thing of this

kind, if you will pardon the expression. I mean no offense, of course.

Mr. BARBOUR. No objection has been offered yet.

Mr. BRITTEN. But here is a gentleman who is interested in the development of the Navy, and has been for years. The gentleman is chairman of the subcommittee that cares for the financial needs of the Navy. The Navy begs him to pass certain legislation, the Navy wants it, and the Director of the Budget is for it. It will promote a saving of $2,000,000 or more in 20 years, and yet some Member stands on the floor of the House and states he objects because of a fundamental basis or a fundamental reason. His fundamental reason is that the joint pay board has said that there should be something done to harmonize the method of selection in the various services. This is true.

We agree with that statement, but up to the present time the Navy has had selection for years, and the Army will not accept it. What are you going to do about it? Are you going to destroy valuable legislation of this kind because we can not get together on uniform promotion by selection in all the services? The Army has repeatedly said it is opposed to selection. It prefers promotion by seniority, and this same condition may prevail 20 years from now; but surely you should not object to legislation like this for that reason.

Mr. FRENCH. Does not the gentleman think that all of these promotion bills should be considered by some one committee that might be charged with that responsibility?

Mr. BRITTEN. What does the gentleman mean by all these promotion bills—what promotion bills?

Mr. FRENCH. The gentleman has two on this Consent Calendar.

Mr. BRITTEN. Does the gentleman charge that this is a promotion bill?

Mr. FRENCH. Yes.

Mr. BRITTEN. This is not a promotion bill. This is a bill affecting the line of the Navy in a dozen different directions. It is not merely a promotion bill.

Mr. FRENCH. It is called a promotion bill.

Mr. GREENWOOD. Mr. Speaker, I demand the regular order

Mr. FRENCH. Then I object, Mr. Speaker.

EXTENDING PROVISIONS OF JOINT RESOLUTION FOR THE RELIEF OF FARMERS IN STORM, FLOOD, OR DROUGHT AREAS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 152, to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

The SPEAKER. The gentleman from Montana asks unanimous consent for the present consideration of Senate Joint Resolution 152, which the Clerk will report.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the authority conferred upon the Secretary of Agriculture by the provisions of the joint resolution entitled "Joint resolution for the relief of farmers in the storm, flood, and/or drought stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri," approved March 3, 1930, is hereby extended to include the making of advances or loans to farmers for the purchase of fuel and oil for tractors for use in crop production, and, when necessary, to produce such fuel and oil and sell the same to such farmers.

The SPEAKER. Is there objection?

Mr. FISH. Reserving the right to object, I would like to ask the gentleman, would it be in order to amend the bill by including another State?

Mr. LEAVITT. I refer the gentleman to the Speaker to answer that.

Mr. FISH. I want the gentleman's opinion if it is open for amendment. Is it in order to include another State?

Mr. STAFFORD. I question whether the legislative situation would permit that character of amendment. All that is being sought here is to utilize the fund already appropriated under the general law. This is merely to extend the purview of this fund in its scope and purposes apportionable to certain States. It does not seek to add another State, it does not seek to increase the available States under the original law.

Mr. FISH. This carries no appropriation?

Mr. STAFFORD. None at all; it is amendatory of an act we passed last year, and then amended about a month ago.

Mr. SNELL. I would like to ask my colleague what is the idea of putting New York in?

Mr. FISH. I had in mind certain districts where the situation is bad from overflows due to heavy rains, particularly down in the onion section of the southern part of New York.

Mr. SNELL. I do not think it is necessary to put that in. The original bill did not affect our State.

Mr. FISH. No; it did not. Mr. Speaker, I withdraw my reservation of objection.

Mr. STEVENSON. Reserving the right to object, is this to further dissipate the fund that was appropriated?

Mr. KETCHAM. It does not increase the total.

Mr. STEVENSON. It does not add another State?

Mr. KETCHAM. No.

Mr. STAFFORD. Mr. Speaker, further reserving the right to object, when the House bill was under consideration I drew attention to the provision carried in the original bill, which I assume is carried in the Senate bill, authorizing the Secretary of Agriculture to go into the business of purchasing gasoline and fuel oil——

Mr. LEAVITT. I will say that if there is no objection to the consideration of the bill I will move to strike that out.

Mr. STAFFORD. If the gentleman intends to offer an amendment to that effect I will not interpose further objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVITT. Mr. Speaker, in accordance with my agreement with the gentleman from Wisconsin, I offer the following amendment:

The Clerk read as follows:

Amendment by Mr. LEAVITT: Page 2 line 2, after the word "production," strike out the comma and insert a period, and strike out the remainder of the paragraph.

Mr. STEVENSON. Mr. Speaker, I would like to hear read what is proposed to be stricken out.

The SPEAKER. The Clerk will report the language stricken out.

The Clerk read as follows:

After the word "production," page 2, strike out the following language: "and, when necessary, to produce such fuel and oil and sell the same to such farmers."

The amendment was agreed to.

The bill was ordered to be read the third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

EXTENSION OF AIR MAIL CONTRACT

Mr. SANDERS of New York. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 11704, as amended, to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 4 of the air mail act of February 2, 1925, as amended by the act of June 3, 1926 (44 Stat. 692; U. S. C., Supp. III, title 39, sec. 464), be amended to read as follows:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed $1.25 per mile: *Provided,* That where the air mail moving between the designated points does not exceed 25 cubic feet, or 225 pounds, per trip the Postmaster General may award to the lowest responsible bidder, who has owned and operated an air transportation service on a fixed daily schedule over a distance of not less than 250 miles and for a period of not less than six months prior to the advertisement for bids, a contract at a rate not to exceed 40 cents per mile for a weight space of 25 cubic feet, or 225 pounds. Whenever sufficient air mail is not available, first-class mail matter may be added to make up the maximum load specified in such contract."

SEC. 2. That section 6 of the act of May 17, 1928 (45 Stat. 594; U. S. C., Supp. III, title 39, sec. 465c), be amended to read as follows:

"SEC. 6. The Postmaster General may, if in his judgment the public interest will be promoted thereby, upon the surrender of any air mail contract, issue in substitution therefor a route certificate for a period of not exceeding 10 years from the date service started under such contract to any contractor or subcontractor who has satisfactorily operated an air mail route for a period of not less than two years, which certificate shall provide that the holder thereof shall have the right, so long as he complies with all rules, regulations, and orders that may be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting mail operations to the advances in the art of flying and passenger transportation, to carry air mail over the route set out in the certificate or any modification thereof at rates of compensation to be fixed from time to time, at least annually, by the Postmaster General, and he shall publish in his annual report his reasons for the continuance or the modification of

any rates: *Provided*, That such rates shall not exceed $1.25 per mile. Such certificate may be canceled at any time for willful neglect on the part of the holder to carry out any rules, regulations, or orders made for his guidance, notice of such intended cancellation to be given in writing by the Postmaster General and 45 days allowed the holder in which to show cause why the certificate should not be canceled."

SEC. 3. That after section 6 of the said act as amended, additional sections shall be added as follows:

"SEC. 7. The Postmaster General, when in his judgment the public interest will be promoted thereby, may make any extensions or consolidations of routes which are now or may hereafter be established.

"SEC. 8. That the Postmaster General in establishing routes for the transportation of mail by aircraft under this act may provide service to Canada within 150 miles of the international boundary line, over domestic routes which are now or may hereafter be established and may authorize the carrying of either foreign or domestic mail, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic air mail service: *Provided*, That this section shall not be construed as repealing the authority given by the act of March 2, 1929, to contract for foreign air mail service.

"SEC. 9. After July 1, 1931, the Postmaster General shall not enter into contracts for the transportation of air mail between points which have not theretofore had such service unless the contract air mail appropriation proposed to be obligated therewith is sufficient to care for such contracts, and all other obligations against such appropriation, without incurring a deficiency therein."

The SPEAKER. Is a second demanded?

Mr. MEAD. Mr. Speaker, I demand a second.

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York, Mr. SANDERS, is entitled to 20 minutes, and the gentleman from New York, Mr. MEAD, to 20 minutes.

Mr. SANDERS of New York. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Speaker, this measure as it now stands is an amendment of the present air mail law and is a sound and logical step in the progress of air mail and commercial aviation.

It will do four things. First, it changes the system of payment to air-mail contractors from a poundage to a mileage basis, with proper consideration for the space and weight factors. It carries this same change into force in the certificates now provided for the protection of the pioneers of air mail.

Second. It puts air mail and first-class mail on qualified passenger lines at limited rates through contracts let on competitive bidding, thus giving these lines needed assistance during the early stage of such transportation service.

Third. It permits the extension and consolidation of routes so that some present illogical features of the air-mail map may be remedied.

Fourth. It provides for carrying Canadian and American mail jointly to points within 150 miles from the boundary line of the Dominion.

These provisions are safeguarded for the protection of the revenues of the Government and the right of Congress to control expenditures. It safeguards also the rights of those engaged in actual commercial aviation by assuring them equal opportunity to secure contracts.

From certain objections which have come to me to-day, I want to make it clear that this measure is not H. R. 9500, which was previously on the calendar. The first three sections of that measure were as follows:

SEC. 2. That mailable matter of any description may be transported by aircraft; and that the term "air mail" when used in this act means any mail upon which air mail postage is prepaid authorized by the Postmaster General to be carried by aircraft under such regulations as he may prescribe.

SEC. 3. The rates of postage on air mail shall be prescribed by the Postmaster General: *Provided*, That the air mail rate on first-class mail matter shall not be less than 5 cents for each ounce or fraction thereof: *And provided further*, That whenever facilities contracted for as in section 4 hereof provided are not required for the transportation of air mail, the Postmaster General, under such regulations and at such rates as he may prescribe, may permit the utilization of such facilities for the transportation of any other mail matter he may authorize to be so transported.

SEC. 4. The Postmaster General is authorized to award contracts for the transportation of mail by aircraft between such points as he may designate to the lowest responsible bidders at rates not to exceed $1.25 per mile: *Provided*, That when in his opinion the public interest shall so require, he may award such contracts by negotiation and without advertising for or considering bids. In awarding air mail contracts the Postmaster General may give proper consideration to the equities of air mail and other aircraft operators with respect to the routes which they have been operating and the territories which they have been serving.

In the measure now before us these three sections have been stricken out and one section inserted, as follows:

SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed $1.25 per mile: *Provided*, That where the air mail moving between the designated points does not exceed 25 cubic feet, or 225 pounds, per trip the Postmaster General may award to the lowest responsible bidder, who has owned and operated an air transportation service on a fixed daily schedule over a distance of not less than 250 miles and for a period of not less than six months prior to the advertisement for bids, a contract at a rate not to exceed 40 cents per mile for a weight space of 25 cubic feet, or 225 pounds. Whenever sufficient air mail is not available, first-class mail matter may be added to make up the maximum load specified in such contract.

Mr. Speaker, I could not support the bill as it came from the Post Office Department, nor as first reported out of the Post Office Committee. I opposed it as vigorously as possible in the belief that such arbitrary power granted to any man would lead to abuses which would endanger the entire air mail service. When requested for an opinion the Comptroller General of the United States pointed out in vigorous terms the dangers of such provisions.

All parties have accepted the situation and the Postmaster General and the Post Office Committee join in agreement upon this new bill—H. R. 11704—which is under consideration.

Now, Mr. Speaker, section 4 of the present law provides for the letting of contracts for the carriage of air mail at rates not to exceed $3 per pound. Under that law 25 contracts have been let at varying rates of payment. In view of the experimental nature of the service there was certain to be illogical routes, yet there was, on the whole, a fair coordination of the routes making up the air mail map.

However, experience has demonstrated the fact that a more uniform and efficient system can be built up on a mileage basis, qualified by the airplane space required and the weight of air mail carried.

Therefore, it is provided in this bill that contracts shall be let on the new basis, upon competitive bidding, at rates which shall in no case exceed $1.25 a mile. There will be need for varying amounts of space to take care of varying amounts of air mail. In each case 1 cubic foot of space shall be computed as the equivalent of 9 pounds of air mail, which is the result of our experience in the service.

Under section 6 of the present law authorization is made for the issuance of certificates to contractors who have operated an air mail line for at least two years in a manner satisfactory to the department. This is for the protection of the pioneer operators who received their contracts under competitive bidding and in most cases have invested large sums in this new transportation service.

This measure amends that provision so that the certificates will be based on a mileage basis, with proper regard for space and weight.

There is an additional feature contained in section 4 of this amendment. It provides for special aid to passengers carrying lines which now have no air mail contracts. Where the air mail moving between designated points does not exceed 225 pounds or a required capacity of 25 cubic feet, a contract may be let for a definite weight space not to exceed 225 pounds and 25 cubic feet at a rate not to exceed 40 cents a mile.

Only those individuals, firms, or corporations which have actually operated at least a 250-mile line for at least six months on daily schedule will be eligible to secure such a contract, which must be let under competitive bidding.

The bidders need not have been operating the route on which bids are asked but operation on a route anywhere in the United States will meet the requirement.

Authority is given to use first class or letter mail in making up the maximum load specified in the contract.

Under this provision every air passenger line will have an equal chance to bid for the carriage of mail by aircraft. The payments up to 40 cents a mile will be of great assistance and yet does not put the Government in the position of paying all costs of operation. Revenues from passenger traffic will be necessary if profits are to be made.

Mr. COLLINS. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. COLLINS. As a matter of fact, this bill would raise the average mileage rate from $1.05 a mile to $1.25 a mile?

Mr. KELLY. No; it will bring it down to an average of about 72 cents, instead of $1.05 now paid.

Mr. COLLINS. The report says that for the first 11 months of the year 1929 the Post Office Department paid an average of $1.05 for air mail service.

Mr. KELLY. That is true, but the adjustment contemplated by this measure will bring it down to 72 cents, so that we expect to save by the operation of this measure something like $3,000,000 a year on present contract payments, and that sum will be used for letting special-aid contracts to passenger lines which now have no contracts at all.

Mr. LAGUARDIA. The bill provides also for the establishment of air routes to and from Canada?

Mr. KELLY. Yes.

Mr. LAGUARDIA. If we pay for service carrying mail into Canada, on what justification do you pay service for carrying mail from Canada, when the Canadian Government receives postage for that?

Mr. KELLY. That is under arrangement with Canada just as we have now with the Railway Mail Service. We carry mail into Canada and bring mail back on an agreed arrangement.

Mr. LAGUARDIA. We get some adjustment?

Mr. KELLY. We get credit for all we do, and Canada gets credit for its service.

Mr. MILLER. How does this affect the existing contracts?

Mr. KELLY. Every existing contractor will be protected by section 6, which is the present law changed to a mileage basis. When they have furnished two years' satisfactory service, the Postmaster General may give them a certificate for six years' time in addition to the original contract at adjusted rates.

Mr. COLLINS. The report further states that the department is now paying from $3 to 78 cents per pound.

Mr. KELLY. I stated that; yes.

Mr. COLLINS. I know you did. It also follows that by using the present rates, some of them were high and some below the actual cost of operation.

Mr. KELLY. That is true.

Mr. COLLINS. Now, if they are already too low, and the gentleman states that under this particular bill the cost will be 72 cents, that is still lower.

Mr. KELLY. The gentleman is confusing poundage with mileage. I said the average will be 72 cents a mile, as compared with $1.05 a mile. The gentleman refers to the rates per pound.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. BANKHEAD. The gentleman referred to some aid or assistance in the exploiting of passenger-carrying service. Is that in the nature of a subsidy?

Mr. KELLY. A subsidy, subvention, or whatever you choose to call it. Whatever letter mail is added to the load contracted for will be in the nature of a subvention. There is certain to be a difference between revenues and expenditures.

Mr. BANKHEAD. What proportion of your bill will be called a subvention?

Mr. KELLY. It will be permanently, but a small proportion as the bill is now written. Under the original bill it could have been a much larger proportion.

Mr. BANKHEAD. The gentleman can not tell what amount will be given by way of contracts and what amount by way of subsidy?

Mr. KELLY. That will depend on the amount of letter mail that will be necessary to make up the contract requirements, and of course on the contract payments agreed upon.

Mr. BYRNS. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. BYRNS. Are any rights reserved to the Congress in the making of new contracts?

Mr. KELLY. That is fully protected by section 9, which provides that after the adjustment period in 1931 there can be no contracts let that might lead to an increase of the amount appropriated.

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman yield there?

Mr. KELLY. Yes.

Mr. OLIVER of Alabama. What preference will be given under section 9 to those who now have contracts?

Mr. KELLY. That protection is ample, for they will receive first consideration. We need anticipate no great expenditude above the amounts already appropriated, for in the adjustment that will come immediately, changing this system to the mileage basis, the money saved by the adjustment will be put into new contracts, which will aid the passenger air system of transportation.

Mr. OLIVER of Alabama. Is it the gentleman's information that this saving will be sufficient to authorize the extension of the service of air mail?

Mr. KELLY. Yes. There are 178 cities in the United States with direct mail routes now. This bill will add a substantial increase to that number, without any large additional expenditure on the part of the Government.

Mr. LAGUARDIA. As it is worked out, though, actually mail will be carried and paid for on the basis of the amount carried, and the bill contemplates the carriage of mail. As to the other matter, on the question raised by the gentleman from Washington [Mr. MILLER], there is no way to compel a carrier now under contract to relinquish that contract to carry mail?

Mr. KELLY. Those contracts will expire. The contracts of six of the pioneer contractors expire on the 5th of May, and it is necessary to give them certificates under this law, if they are to have the protection desired.

Mr. LAGUARDIA. There are no certificate contracts?

Mr. KELLY. Not one at present.

Mr. KETCHAM. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. KETCHAM. Are any estimates submitted in the report, or has the gentleman any information as to how much this will run into in a period of five years?

Mr. KELLY. It should not run substantially above the present cost, and it will give a better service, on the expenditure of the funds.

Mr. KETCHAM. Will the gentleman take one-half minute while I ask him what limit is placed on the discretion of the Postmaster General in determining where these routes shall be? What is the general course of procedure?

Mr. KELLY. That will be carried out in cooperation with the Department of Commerce in laying out logical trade routes, and of course good judgment will be necessary in that regard.

Mr. Speaker, the air mail is one of the romances of the United States Postal Service. I admit that I have been an air-mail enthusiast since the beginning.

The United States should be first in the air, and that means all proper encouragement for commercial aviation.

The three laws under which the contract air mail service has developed were sponsored by myself in the belief that the air-mail system must be the foundation of commercial air transportation in this country. These laws are as follows:

[H. R. 7064, Public, No. 359, 68th Cong., approved February 2, 1925]

An act to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service

Be it enacted, etc, That this act may be cited as the air mail act.

SEC. 2. That when used in the act the term "air mail" means first-class mail prepaid at the rates of postage herein prescribed.

SEC. 3. That the rates of postage on air mail shall be not less than 10 cents for each ounce or fraction thereof.

SEC. 4. That the Postmaster General is authorized to contract with any individual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate at a rate not to exceed four-fifths of the revenues derived from such air mail, and to further contract for the transportation by aircraft of first-class mail other than air mail at a rate not to exceed four-fifths of the revenues derived from such first-class mail.

SEC. 5. That the Postmaster General may make such rules, regulations, and orders as may be necessary to carry out the provisions of this act: *Provided*, That nothing in this act shall be construed to interfere with the postage charged or to be charged on Government-operated air-mail routes.

[H. R. 11841, Public, No. 331, 69th Cong., approved June 3, 1926]

An act to amend section 4 of the air mail act of February 2, 1925, so as to enable the Postmaster General to make contracts for the transmission of mail by aircraft at fixed rates per pound.

Be it enacted, etc., That section 4 of the air mail act of February 2, 1925, is amended to read as follows:

"That the Postmaster General is authorized to contract with any individual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate, and to further contract for the transportation by aircraft of first-class mail other than air mail at fixed rates per pound, including equipment, under such rates, rules, and regulations as he may prescribe, not exceeding $3 per pound for air mail for the first 1,000 miles and not to exceed 30 cents per pound additional for each additional 100 miles or fractional part thereof for routes in excess of 1,000 miles in length, and not exceeding 60 cents per pound for first-class mail other than air mail for the first 1,000 miles, and not to exceed 6 cents per pound additional for each additional 100 miles or fractional part thereof for routes in

excess of 1,000 miles in length. Existing contracts may be amended by the written consent of the contractor and the Postmaster General to provide for a fixed rate per pound, including equipment, said rate to be determined by multiplying the rate hereinabove provided by a fraction, the numerator of which is the per cent of revenues derived from air mail to which the contractor was previously entitled under the contract, and the denominator of which is 80."

[Public, 410, 70th Cong., approved May 17, 1928]

An act to amend the air mail act of February 2, 1925, as amended by the act of June 3, 1926

Be it enacted, etc., That section 3 of the air mail act of February 2, 1925 (U. S. C., title 39, sec. 463), as amended by the act of June 3, 1926, is hereby amended to read as follows:

SEC. 3. "That the rates of postage on air mail shall not be less than 5 cents for each ounce or fraction thereof."

SEC. 2. That after section 5 of said act (U. S. C., title 39, sec. 465), a new section shall be added, as follows:

"SEC. 6. That the Postmaster General may, by negotiation with an air-mail contractor who has satisfactorily operated under the authority of this act for a period of two years or more, arrange, with the consent of the surety for the contractor and the continuation of the obligation of the surety during the existence or life of the certificate provided for hereinafter, for the surrender of the contract and the substitution therefor of an air-mail route certificate, which shall be issued by the Postmaster General in the name of such air-mail contractor, and which shall provide that the holder shall have the right of carriage of air mail over the route set out in the certificate so long as he complies with such rules, regulations, and orders as shall from time to time be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting air-mail operations to the advances in the art of flying: *Provided*, That such certificate shall be for a period not exceeding 10 years from the beginning of carrying mail under the contract. Said certificate may be canceled at any time for willful neglect on the part of the holder to carry out such rules, regulations, or orders; notice of such intended cancellation to be given in writing by the Postmaster General and 60 days provided to the holder in which to answer such written notice of the Postmaster General. The rate of compensation to the holder of such an air-mail route certificate shall be determined by periodical negotiation between the certificate holder and the Postmaster General, but shall never exceed the rate of compensation provided for the original contract of the air-mail route certificate holder."

Mr. Speaker, it is universally agreed that, without the air mail, we would have no air transportation system worthy of the name.

The first air mail law was passed in 1925, and the following figures show the progress made:

Year	Air mail route miles	Mileage flown	Pounds carried
1925	2,815	2,076,764	232,513
1926	8,420	4,133,478	850,931
1927	8,223	5,041,659	1,452,426
1928	14,155	7,673,786	3,542,074
1929	26,597	13,052,507	7,100,027

The efficiency with which the air mail has operated under operation by private contractors is shown by the month by month reports of percentage of scheduled mileage flown for the last three years. The table follows:

	1927	1928	1929	Average
January	82.6	81.2	82.2	82.0
February	84.0	86.4	86.5	85.6
March	90.8	93.2	91.2	91.7
April	92.2	94.2	91.6	92.7
May	94.6	97.3	96.3	96.1
June	95.6	94.8	98.1	96.5
July	99.1	98.3	99.5	99.0
August	99.2	98.8	99.7	99.2
September	97.8	97.0	95.9	96.9
October	96.3	95.1	92.3	94.6
November	90.5	86.4	91.9	90.3
December	82.8	89.6	75.3	82.6

The table shows an efficiency average of 92.26 for the 3-year period, which is almost equal to that of the train service.

To-day there are 25 contract air mail routes in operation, with 45,556 miles scheduled to be flown each day.

The list of domestic air mail routes in operation is as follows:

	Miles
CAM–1, Boston to New York	192
CAM–2, Chicago to St. Louis	278
CAM–3, Chicago to Dallas	1,059
CAM–4, Salt Lake City to Los Angeles	600
CAM–5, Salt Lake City to Pasco	530
CAM–6, Seattle to Los Angeles	1,141
CAM–9, Chicago to Minneapolis	664
CAM–11, Cleveland to Pittsburgh	123
CAM–12, Cheyenne to Pueblo	199
CAM–16, Cleveland to Louisville	345
CAM–17, New York to Chicago	718
CAM–18, Chicago to San Francisco	1,932
CAM–19, New York to Atlanta	780
CAM–20, Albany to Cleveland	446
CAM–21, Dallas to Galveston	320
CAM–22, Dallas to Brownsville	529
CAM–23, Atlanta to New Orleans	483
CAM–24, Chicago to Cincinnati	270
CAM–25, Atlanta to Miami	754
CAM–26, Great Falls to Salt Lake City	489
CAM–27, Bay City to Chicago	773
CAM–28, St. Louis to Omaha	404
CAM–29, New Orleans to Houston	319
CAM–30, Chicago to Atlanta	768
CAM–32, Pasco to Spokane and Seattle	449
Total	14,565

Mr. Speaker, we have spent out of the Treasury of the United States above revenues received for the carriage of air mail not to exceed $20,000,000. It has been an outlay paying a hundredfold and has led to an investment of a billion dollars by Americans.

This amendment we are considering will grant special aid to many companies now carrying on an air passenger service and losing money each month in doing so. We have helped the railroad industry by land grants and the automobile industry by highway improvements. We are justified in helping through the carriage of mail matter to bridge the gap between actual cost of air passenger transportation and the revenues received during the pioneer period. In doing that we have safeguarded the public funds and assured a fair chance to those in the business.

We are carrying out the traditional policy of the United States Post Office Department in giving even wider and better service to the people of the Nation.

In this service are hundreds of modest, competent young air mail flyers who show every moment those traditions of courage, loyalty, and self-reliance which we like to think are American virtues.

Heading them is Charlie Lindbergh, an air-mail pilot, who made his epoch-making flight as a postal worker, on leave of absence.

When the lad was given a reception in Washington, President Coolidge said:

> Later he became connected with the United States mail service, where he exhibited marked ability and from which he is now on leave of absence.

His flying experience as an air-mail pilot made his trans-Atlantic flight possible. The training of Lindbergh and those like him is one of the results of the air-mail service.

Mr. Speaker, this measure as now written deserves the support of every Member.

Mr. MEAD. Mr. Speaker, I yield myself eight minutes. I ask unanimous consent to extend my remarks in the RECORD and to include in my remarks some references to certain propaganda.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, beginning in 1921 the Post Office Committee of the House worked faithfully to provide a contract air mail service which would encourage commercial aviation and furnish valuable service to the patrons of the Post Office. The first bill enacted was Public 359, Sixty-eighth Congress, approved February 2, 1925. This measure defined air mail as first-class mail, prepaid at rates which should not be less than 10 cents for each ounce or fraction thereof. The Postmaster General was authorized to contract with air carriers for the transportation of air mail at rates not to exceed four-fifths of the revenues.

Under this measure advertisements or bids were issued and some contracts were let. Experience showed, however, that the mail was delayed on account of scanning each individual piece of mail matter in order to determine the four-fifths of the revenue. Then the act of June 3, 1926, was passed, providing that the pay to contractors might be at fixed rates per pound, not exceeding $3. Under this amendment additional contracts were let, in every case bids being advertised for and a fair chance given to all who desired to bid. Then the act of May 17, 1928, was passed, lowering the rate of postage on air mail to a rate not to be less than 5 cents for each ounce or fraction thereof. In connection with this lower rate it was provided that the Postmaster General should negotiate with the holders

of contracts and agree upon an adjusted rate because of the lower postage rate provided. The contractors in almost every instance urged that a rate be fixed upon so that they could be given the 6-year certificate provided in the law. The Postmaster General to this date has refused to adjust such rates and issue such certificates.

These three laws are those dealing with the air mail service. In every instance Congress has required advertising for bids and award to contractors after competition. In no case has there been an attempt to give power to the Postmaster General to award contracts without bidding. The policy has been to make air mail a real postal service and one which would be paid for by those who desire to use it.

It was our thought that the conservative policy of Congress in the past should be retained. The air mail has grown from a few pounds to 5,000,000 pounds of air mail in 1929. Of course, an excessive amount is being paid to the contractors to-day, because the Postmaster General has refused to carry out the mandate of Congress that the rates be adjusted in view of the 5-cent postage rate given. As to the payment of $3 a pound on short flights, it is unfair to compare that with lower pound rates. On the short flights only a few pounds of air mail can be carried, and of course only the pounds actually carried are paid for. On the Chicago-New York route thousands of pounds of air mail are carried, and a much smaller rate means a proportionately greater profit.

The Kelly amendment to section 4 now contained in this bill is aimed to remove the dangers of favoritism and fraud in the award of contracts. It provides that when subsidy contracts are let to the air passenger lines, they shall be limited to 25 cubic feet or 225 pounds, and the rate paid the contractor shall not be over 40 cents a mile. It provides that the guaranteed load contracted for must be made up with first-class mail at regular rates. It provides further that bidders must have had six months' actual experience in operation and not have a prior air-mail contract. This gives the Postmaster General authority to revise the present air-mail contracts on a space basis and pay up to $1.25 per mile for such contracts. The limitation of 40 cents a mile is only on those contracts where air mail will not be sufficient to justify a contract.

Mr. Speaker, I also desire to clear up some misunderstanding that might exist in the minds of Members of the House in regard to this bill, because of a minority report which the gentleman from Nebraska [Mr. MOREHEAD] and I signed, and which accompanied the report on the original Watres bill. In that report we registered our objection to the unlimited grant of power to the Postmaster General as contained in section 4 of that measure, for the reason that it was a deviation from the traditions of 140 years relative to the rate-making powers of Congress affecting rates of postage.

While we have steadfastly stood for the best interests of aviation and consistently supported legislation from the very beginning of the air mail service, we refused to confer upon the Postmaster General the unlimited and unwarranted powers contained in the original Watres bill reported to the House some time ago. Since that measure was placed on the House Calendar a change has come over the Postmaster General. The original bill has been withdrawn, and the safeguarding and limiting provisions recommended by the gentleman from Nebraska [Mr. MOREHEAD] and myself have been adopted and are contained in the bill now before us.

This bill carries with it the unanimous approval of the Committee on the Post Office and Post Roads, which includes the approval of both the gentleman from Nebraska [Mr. MOREHEAD] and myself, who signed the original minority report.

Mr. Speaker, this bill aids and assists a particular industry—aviation—and with that objective we very gladly support the new bill. Some time ago a bill was passed granting a similar subsidy to the merchant marine, also a highly meritorious and commendable measure. However there is a more serious problem which Congress and the President of the United States have so far neglected. That is the unemployment problem. Our Government has neglected in this period of suffering, unemployment, and poverty, to enact legislation that would set an example for the great industries of the country to follow. We have failed thus far to give any consideration to the masses of our people who plead for aid, for help.

While we are creating a subsidy for the aviation industry in this measure, and while we did the same for our merchant marine in the passage of the shipping bill, we forget to consider the bigger question—the welfare of the workers of our country.

The same committee that reported out this bill also reported out a measure, limiting the hours of service of the men who toil in the Post Office Department, and, while we may have permission to suspend the rules in the interest of the aviation industry, we find it impossible to bring up the bill that would be of material help to the men who work in this great service, a measure that would set a splendid example to private employers of labor throughout the United States. Are we not missing the chance to practice what we preach? We are remiss in our duty unless we consider the want and suffering existing in the country to-day, brought about, as we all know, by mergers and consolidations and the substitution of labor-saving machinery and electrical energy for human labor. Unless we favorably consider such bills as the 44-hour bill, the retirement bill, and similar measures, we fail to grasp the seriousness of the situation which the country finds itself in to-day. Our people by the million are rapidly reaching a period of despair in a cloud that promises no correction for the better, no matter where they look for better times, for better things. The unemployment situation is by far the greatest and most serious evil in this country to-day. While we are taking care of the so-called big interests, we must not fail to take care of the masses who are in great need of our help.

The position of the minority on this particular legislation is one of approval. We favor its adoption. As I have already stated, it has the unanimous support of the committee. It is a better bill, as far as Congress and the Post Office Department are concerned, than the original measure, because there are limiting safeguards surrounding the administration of the law. It will do more for aviation, more for the air mail service, more to promote this great industry than the original measure which would create an unlimited, unwarranted subsidy, and make the Postmaster General a dictator and czar of the industry.

The principal changes made in this legislation involve a departure from the existing poundage system to a mileage system that will help regulate the issuance of contracts, but in all cases, whether it be to the lines now carrying air mail or to passenger lines that will be permitted to carry all mail, there is fair and just competition in the consideration of all contracts. Every legitimate company which has had at least six months' experience can bid for the contract for the carrying of all mail under the bill which is now before you.

The SPEAKER. The time of the gentleman has expired.

Mr. MEAD. I yield myself two additional minutes, Mr. Speaker.

The present bill, in my judgment, bids fair to promote the aviation industry in America beyond that of any other nation on earth. The minority, therefore, recommends its favorable consideration on the part of the House.

Mr. SWING. Will the gentleman yield?

Mr. MEAD. I yield to the gentleman.

Mr. SWING. The gentleman from New York [Mr. MEAD] has made a very persuasive and convincing statement in behalf of the Government air mail service. Does the gentleman know of any reason why Members of Congress should be excluded from the use of this governmental agency? The gentleman understands that Members of Congress do not have the right to send official letters requiring expeditious transmission by air mail. We now must choose between the slow mail and the expensive telegraph. Does not the gentleman think there should be extended to Government officials the right to use the Government's air mail service, under proper limitations and safeguards, the same as we use the post office ordinary mail and the telegraph? I think it would save the Government money by cutting down our telegraph bills.

Mr. MEAD. I shall gladly yield to the gentleman from Pennsylvania [Mr. KELLY], who will answer your question.

Mr. KELLY. While I know the gentleman from New York [Mr. MEAD] understands the matter thoroughly, I shall answer the gentleman. Of course, we are in favor of his proposal, but, there should be, under a provision like this, a bill granting help to the mail service, an appropriation by Congress to pay for the letters sent by Members of Congress.

Whatever amount is necessary should be appropriated by the Appropriations Committee to cover our letters when they are sent out under these contracts.

Mr. SWING. I have a bill pending and I hope I can get favorable action on it. It provides, not for the franking privilege, but for Congress paying for the air mail that may be sent by its Members.

Mr. MEAD. I thank the gentleman for his contribution, and I shall be glad to favorably consider such a measure.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. MEAD. Mr. Speaker, I yield myself one additional minute.

Mr. BANKHEAD. The gentleman from Pennsylvania [Mr. KELLY] in answer to my inquiry said he did not know how much the subsidy involved in this proposition would figure out. The gentleman from New York says this involves a subsidy to the operators. Does the gentleman know to what extent





that subsidy may go annually under the provisions of this bill?

Mr. MEAD. I do not believe it can be stated with any degree of accuracy, but I will say to the gentleman that there are so many limitations and safeguards placed around the provisions of the bill that it is reduced to a very reasonable minimum. For example, on passenger lines not now carrying air mail no more than 225 pounds of space at 40 cents a mile can be contracted for, and in planes now carrying mail under existing contracts this bill provides that the maximum paid to them shall not exceed $1.25 a mile. Then there is this added check, that there must be 9 pounds of air mail for every cubic foot of space required.

The following is a copy of the minority report on the original Watres bill:

MINORITY VIEWS

We, the undersigned members of the Committee on the Post Office and Post Roads, object to the approval of H. R. 9500 in its present form and recommend the adoption of an amendment which will define and limit the power conferred upon the Postmaster General by the provisions of this legislation.

Under the provisions of section 4 of this bill the Postmaster General is authorized to award contracts by negotiation without advertising for or considering bids. This provision, making the Postmaster General a law unto himself, eliminates competition, and is nothing more than a subsidy in the interest of the aircraft industry. While we favor, and have in the past voted for, liberal appropriations and liberal legislation in the interest of the development of aeronautics, we believe this legislation is a step in the wrong direction and some limitations and safeguards should be written into the bill before it becomes a law.

An amendment limiting the powers of the Postmaster General was offered by Representative KELLY and rejected by the committee. This amendment is as follows:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed $1.25 per mile: *Provided*, That the Postmaster General may contract with any individual, firm, or corporation not having an air mail contract, and having maintained an air transportation service for not less than six months prior thereto, for the carriage by aircraft of a guaranteed load of mail matter not to exceed 25 cubic feet and not more than 225 pounds, at a rate not to exceed 40 cents a mile. And he is hereby authorized to add any first-class mail matter necessary to make up the guaranteed load specified in the contract. In awarding a mail contract the Postmaster General may give proper consideration to the equities of air mail and other aircraft operators with respect to the routes which they have been operating and the territories which they have been serving."

An illustration of the comparative cost of rail and air transportation of mail follows:

A 640-mile run from Washington to Atlanta by rail for a 3-foot closed-pouch unit of 125 cubic feet capacity would cost $28.80, and for a round trip the cost would be $57.60 between these two cities. By airplane with a maximum capacity of 125 cubic feet and at the rate of $1.25 per mile it would cost $717.25. The round trip cost would be $1,434.50.

We believe the legislation was considered hastily and should be amended in the House.

JAS. M. MEAD.
JOHN H. MOREHEAD.

The following comment by the Comptroller General of the United States relative to the original Watres bill is interesting:

In re provisions of section 4 of H. R. 9500, Seventy-first Congress, second session, entitled "A bill to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation by authorizing the Postmaster General to establish air mail routes."

The section referred to above provides:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of mail by aircraft between such points as he may designate to the lowest responsible bidders at fixed rates per mile for definite weight spaces, such rates not to exceed $1.25 per mile: *Provided*, That when in his opinion the public interests shall so require, he may award such contracts by negotiation and without advertising for or considering bids. In awarding air-mail contracts the Postmaster General will give proper consideration to the equities of air mail and other aircraft operators with respect to the routes which they have been operating and the territories which they have been serving."

The provisions of section 3709, Revised Statutes, require generally that all contracts in any of the departments of the Government, except for personal services and except in cases of emergency, be made after advertising a sufficient length of time previously respecting same. Among the apparent purposes of this requirement are (1) to give all citizens an equal right to compete for and share in the Government's business, (2) to prevent fraud and collusion on the part of officers and employees in the awarding of Government contracts, and (3) to obtain for the Government the benefit of getting its needs supplied at the lowest prices available. It is not apparent why these same purposes are not desirable of accomplishment with respect to the awarding of air-mail contracts. Evidently as a precaution against any holding that because of the element of personal service involved in the carrying of mails the provisions of section 3709, Revised Statutes, would not be applicable thereto, the Congress has from time to time enacted legislation specifically requiring the Postmaster General to advertise for bids for such service and to award the contract to the lowest responsible bidder. See in this connection the acts of June 8, 1872 (17 Stat. 313), March 1, 1881 (21 Stat. 374), April 21, 1902 (32 Stat. 114), May 12, 1910 (36 Stat. 366). The long-established policy of the Congress with respect to requiring advertising in the matter of letter mail-carrying contracts is exemplified by the provisions of section 3949, Revised Statutes, as amended, as late as March 18, 1916 (39 Stat. 161), which read:

"All contracts for carrying the mail shall be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract."

For reasons that are apparent section 3942, Revised Statutes, authorizes the awarding of contracts for carrying the mail on railway trains without advertising. Similar authority is granted under section 3943, Revised Statutes, with respect to carrying the mail on vessels plying between ports of the United States "whenever the public interest and convenience will thereby be promoted."

The air mail act of February 2, 1925, as amended by the act of June 3, 1926, was further amended by the act of May 17, 1928 (45 Stat. 594), which provided for what is known as the certificate provision, apparently designated to protect certain equities and rights of air-mail contractors who have successfully operated for a period of two years or more under the provisions of the said air mail act, the practical effect of the act being that the Postmaster General was granted authority to extend the life of contracts from the original 4-year period to a maximum of 10 years, with revision of the rates downward, only.

The circumstances and conditions which evidently influenced the Congress to exempt from the advertising requirement contracts for carrying the mail by rail and on vessels plying between ports of the United States do not exist or arise in the matter of air-mail contracts. Railroads and the vessels referred to either are the only available means of carrying the mail over the particular route, or else they operate on established schedules between the points regardless of whether mail is or is not carried. No competing lines over the identical route would operate on the same schedule. In either situation advertising would serve no useful purpose. With respect to air mail routes, the situation is entirely different. As stated in a recent decision of the Comptroller General of the United States (6 Comp. Gen. 557), "The air is an open field without rights of way or routes being within the control or monopoly of anyone, but apparently open to all who may furnish or satisfy of their ability to furnish the equipment, etc., to carry out the undertaking." Hence there would appear to be no sufficient reason why there should not be competition in the matter of these air-mail contracts.

Under our system of government, it is necessary that there be checks and balances in the administration of the Government, and whenever the Congress fails to control by law the discretion of purchasing and contracting officers of the Government, with adequate machinery to enforce that control, it opens the door to fraud, favoritism, waste, and extravagance. Responsible, loyal, and conscientious administrative heads of the departments and establishments of the Government—drawn for short intervals from the body politic to serve their Government—should not be subject to pressure of would-be contractors, nor should legitimate contractors be required to indulge in questionable practices in order to secure public contracts. Also, the interest and confidence of the people in their Government and the integrity of their officers must be preserved and such preservation requires that there be no modification or departure from the century-old procedure of control by law over the expenditures of public funds, not only for the Post Office Department but for the entire administrative service of the Government. Furthermore, it is contrary to the principles of American government that legislative control over public funds as contemplated by the act in question, be surrendered to the agent or agency that is to spend it.

That competition should be had in contracting for carrying of mail by airplane and that pressure would be brought to bear on the Postmaster General if the proposed bill is enacted into a law, is admitted by the Postmaster General in his testimony before the committee. See page 25, hearings of February 19, 1930, wherein he stated as follows:

"Postmaster General BROWN. * * * I personally believe in competitive bidding as a fundamental principle. * * *

* * * * * * *

"Postmaster General BROWN. Of course, when we come to section 5 we take the certificate feature of the law of 1928 and adapt it to this different principle of compensation, but we thought it was necessary in section 4 to provide for the cases of essential air mail routes that are not now being served, and for the passenger-mail routes that are not being served. We believe that there were equities there that ought to be observed, and that we would be better off if we could pick our man in the present state of the art, rather than to submit the result to competitive bidding.

"Mr. KELLY. Do you think that will result in considerable pressure upon you?

"Postmaster General BROWN. I am inclined to think, Mr. KELLY, that if you pass this bill you will add about six years to my age by so doing. But somebody has got to try to solve this problem or we are going to have a collapse of the passenger-carrying industry in this country.

"Mr. KELLY. I am afraid there will be responsibility on every Member of Congress."

Mr. SANDERS of New York. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. WATRES].

Mr. WATRES. Mr. Speaker, as I view it, the vital part of the measure before the House is the change in the provision of the law which provides that the compensation to the carriers of the air mail shall be on the basis of fixed rates per mile, for definite weight spaces. It is true there are other matters in the bill. The compensation paid to the air mail carriers at the present time, resulting from a combination of conditions under which the contracts must now be made, is so inequitable as to require a rewriting of the law. There is no uniformity whatever in the present contracts.

As was explained to you fully by the gentleman from Pennsylvania and the gentleman from New York, compensation is now based on poundage without reference to distance carried. Under the proposed law it will be based on mileage for definite weight spaces. That is the vital provision of the proposed law.

I would like to say, in answer to the question raised by the gentleman from Alabama, as to the amount of subsidy now paid, that it is true, as stated by the gentleman from New York, that there can be no definite figure given as to the amount of subsidy now paid for the reason that regular postage stamps may be used for air mail, and there is no possibility of computing exactly what the receipts on account of air mail are at the present time. As nearly as can be estimated by the department, the loss at the present time is about $7,000,000, and the total cost to the department is $15,000,000. I think I may say that if this bill becomes a law the department contemplates an increase in the air mail rates which will proportionately decrease the amount of loss to the department for the air mail. Does that answer the gentleman?

Mr. BANKHEAD. No; it does not answer it, but I imagine that comes as nearly answering it as possible under the language of this bill. It is merely a guess, and I do not imagine there is any way of estimating the amount of subsidy authorized by the bill now under consideration.

Mr. WATRES. I may say in answer to that that the present law authorizes the unlimited placing of contracts, while the proposed law places a limit on the contracts which may be authorized. I think the gentleman will find that is true on an examination of the bill and the present law.

Mr. HASTINGS. Will the gentleman yield?

Mr. WATRES. Yes.

Mr. HASTINGS. How much do we expend out of the Federal Treasury on the air mail service?

Mr. WATRES. Fifteen million dollars.

Mr. HASTINGS. We expend $15,000,000 out of the Federal Treasury on the 25 air mail routes mentioned in the report.

Mr. WATRES. That is true, but you should offset against that the amount received for postage.

Mr. HASTINGS. Which is about $8,000,000.

Mr. WATRES. Yes.

Mr. HASTINGS. Therefore the loss is about $7,000,000.

Mr. WATRES. The loss is about $7,000,000 and the income is about $8,000,000. To a large extent the last section of the bill will take care of that deficit.

Mr. MEAD. Mr. Speaker, I yield four minutes to my colleague on the committee, the gentleman from Indiana [Mr. HOGG].

Mr. HOGG. Mr. Speaker and Members of the House, every day planes carrying United States mail travel 51,156 miles. A letter can be sent in 32 hours from Boston to Los Angeles for 5 cents. A letter is carried from the Gulf to the Twin Cities in 14 hours. More than 100,000 men are employed in the aviation industry. The total capital investment is near a billion dollars. There are 43,520 licensed pilots in the United States.

UNITED STATES AIR LINES

In 1929 there were 93 air lines operating in the United States, of which 64 carried passengers, 50 carried mail, and 32 express. Some of these routes extended into foreign countries. About 120,000,000 miles were flown during the year.

Seven million ninety-six thousand nine hundred and three pounds of mail were carried in 1929. For this the Government paid the contractors $13,869,606.16. The average compensation per mile traveled was $1.05. In 1929 there were 92.7 per cent of the airplane mail schedules completed on exact schedule time.

More than 5,000 commercial airplanes are being built each year. The greatest element in the development of aviation in the United States has been the use of the airplane for carrying mail, which has caused planes to be operated on exacting schedules and in all kinds of weather conditions. There has been only one fatal accident for every million miles of travel. America is leading the world in every line of aviation development as well as in the volume of travel and service.

COMPETITIVE BIDDING ON SPACE BASIS

At the present time much mail is carried by operators who have secured contracts by competitive bidding for certain pay per pound between specified points. As the amount of mail is greater in proportion to the distance between these points, the bids for longer hauls are lower. The limit under the present law is $3 per pound. Thus the Government is paying, by means of competitive bidding, 78 cents per pound from Chicago to Atlanta and $3 a pound from Cleveland to Pittsburgh.

Under the terms of the present bill before the House contracts will be let to the lowest responsible bidder for definite weight spaces per mile, and the Postmaster General is given the right to consolidate and to extend the present routes.

One cubic foot of space is computed as being equivalent to 9 pounds of mail and the rate shall not exceed $1.25 per mile in any instance.

SAVING UNDER PRESENT BILL

It is estimated by the Post Office Department that the cost of carrying the mail by this method the compensation will be lowered from $1.05 per mile to 72 cents per mile.

Rural free-delivery routes are being consolidated and a saving is made of an average of a thousand dollars for each route consolidated. This saving is being used by the Post Office Department for the further extension of rural free-delivery service.

Through the saving effected by the present air mail bill there will be further extensions of air-mail service to parts of our country not now having such service.

Passenger-carrying lines are usually operating at a loss. The Postmaster General is authorized by means of competitive bidding to purchase space in these planes for the carrying of mail to the extent of 25 cubic feet, or 225 pounds. This will materially assist passenger-carrying lines to continue passenger service.

After a contract is let to the lowest responsible bidder the pay can not be increased, but the Postmaster General has the right to lower the pay at regular intervals, to the end that no bidder shall make an unusual profit in the carrying of air mail.

CERTIFICATE METHOD

The bill further provides that the Postmaster General may, if in his judgment the public interest will be promoted thereby, upon the surrender of any airmail contract, issue in substitution therefor a route certificate for a period of not exceeding 10 years from the date service started under such contract to any contractor or subcontractor who has satisfactorily operated an airmail route for a period of not less than two years, which certificate shall provide that the holder thereof shall have the right, so long as he complies with all rules, regulations, and orders that may be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting mail operations to the advances in the art of flying and passenger transportation, to carry air mail over the route set out in the certificate or any modification thereof at rates of compensation to be fixed from time to time, at least annually, by the Postmaster General, and he shall publish in his annual report his reasons for the continuance or the modification of any rates, provided that such rates shall not exceed $1.25 per mile. Such certificate may be canceled at any time for willful neglect on the part of the holder to carry out any rules, regulations, or orders made for his guidance, notice of such intended cancellation to be given in writing by the Postmaster General and 45 days allowed the holder in which to show cause why the certificate should not be canceled.

EXTENSIONS AUTHORIZED

The Postmaster General, when in his judgment the public interest will be promoted thereby, may make any extensions or

consolidations of routes which are now or may hereafter be established. He may also provide service to Canadian points within 150 miles of the international boundary line, over domestic mail, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic air-mail service.

PASSAGE OF BILL IMPERATIVE

Under the leadership of Generals Walter F. Brown, Harry S. New, and W. Irving Glover the Post Office Department has, and is expending, every possible effort for the development of aviation in the United States. By means of progressive legislation it is welding together distant parts of our country with air transportation. The provisions of the present bill are above criticism. Its passage is imperative for the continued development of aviation. [Applause.]

Mr. MEAD. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, it is frankly admitted that the purpose of this bill is to subsidize new aviation lines. That being so, the mere fact that we legislate and the fact we appropriate does not necessarily mean that aviation is assisted or the industry developed. Legislation is necessary, appropriation is necessary, but you must have intelligent, prudent, and honest administration of a subsidy law and the funds appropriated for that purpose, otherwise nothing is accomplished.

It is true this bill attempts to safeguard as much as it is humanly possible to safeguard a subject of this kind by legislation. In the light of the experience we have had with subsidies, it is well that we state here the intent of Congress in passing the bill now before us. I think we are all agreed that the bill provides that mail must be actually carried in order to obtain and earn the payments provided in the bill. In other words, in order to qualify for a contract or subsidy, if you please, it is necessary to establish to the satisfaction of the department that the applicant has, first, the equipment; second, the experience; third, the space in flying planes; and, fourth, the actual operation of planes between given points. I point out these requirements in order to avoid any misconstruction of the law later on.

If this is followed and contracts are given where mail can and will be actually carried, then we will do some good; but I submit to the House that such was the intention at the time we passed the merchant marine act. It was there intended that we would subsidize ships that carry mail or capable of carrying mail in competition with foreign ships, and we find that the merchant marine act has been so construed and so administered, Mr. Speaker, as to permit one contractor to charter ships from the Government at 25 cents a ton, pay the Government $2,000 a month for the ship, and get $14,000 a month for that same ship from the Government for ostensibly carrying mail on that ship, while, as a matter of fact, it carried no first-class mail.

Surely such administration of a subsidy fund is not going to build up our American merchant marine. We will not build up an aviation industry or an air mail service if the same business prudence, the same favoritism, or the same lack of vision is followed that has been followed in the administration of the merchant marine act and in the spending of the appropriations which we have provided for that purpose.

I sincerely hope there will be some fairness and some common sense exercised in administering this law.

We can build up air mail lines, we can build up a commercial aviation industry, if the law is properly administered and the available fund judiciously allotted.

Now, here we have a new means of transportation. If Congress decides to subsidize air mail in order to encourage air transportation, it does so because of the belief that this new method will eventually be the normal way of carrying mail. Surely the money spent for the carrying of mail by air should come out of the amount now spent for carrying mail by rail, otherwise we are not progressing. It is incomprehensible that we should continue the same contracts with the railroads and develop these air lines carrying thousands of pounds of first-class mail and not economize in the amount of money paid the railroads for carrying the mail. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. SANDERS] to suspend the rules and pass the bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

CONSTRUCTION OF PUBLIC WORKS BY THE NAVY

The next business on the Consent Calendar was the bill (H. R. 1192) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FRENCH. Mr. Speaker, I reserve the right to object, and I do not think it will be necessary to object.

Among the different places where it is proposed that authorization be made for construction of quarters or accommodations are several where it seems important that the same accommodations be provided for the Navy as we have provided heretofore for the Army. For instance, one of the places referred to is on page 3 of the bill where it is provided that commandant's quarters shall be built at the naval base in the Canal Zone at a cost of $35,000.

Now, it happens that the commanding officer or the general officer of the Army in any post has quarters that may not cost in excess of $15,000. The quarters of other officers in the Army, from majors to colonels, inclusive, are rated at not to exceed $12,000, and from second lieutenants to captains at not to exceed $9,000.

It is the experience of our committee that wherever the Congress has provided accommodations in general law for one service that are greatly in excess of the accommodations provided for another service, we run into great difficulty; dissatisfaction exists, and it is necessary, in the interest of good legislation, as well as economy, that a somewhat systematic program touching all the services to be carried forward.

With the thought of harmonizing the situation in the Canal Zone, I want to ask the gentleman who reported the bill if he would be agreeable to an amendment that would fix the amount to be expended for commandant's quarters at $15,000 instead of $35,000?

Mr. WOODRUFF. I would be very glad to do that, and I think I can speak for the committee.

Mr. FRENCH. And may I ask in the same connection, if you would accept this language at the end of the paragraph?—

Provided, That the limit of cost in the act of June 25, 1910, shall apply to all authorizations contained in the act in building quarters for officers corresponding in grade and rank.

That language would provide the same condition for the naval establishment as for the Army.

Mr. WOODRUFF. I will say that that seems a fair proposition, but the gentleman should not forget the fact that at the time the law he quotes became a law in 1910, the cost of construction was very much less than it is to-day. However, this is a very important bill. It has been before Congress for the last four years. It has passed the House twice unanimously and the Senate has recently passed it unanimously, and as this seems to be the only opportunity we will have to secure the passage of this bill promptly we might much better accept the relative unimportant proposal of the gentleman than to bring about the defeat of so many more important items.

Mr. COLLINS. The gentleman refers to title 10, section 1327?

Mr. FRENCH. Yes.

Mr. COLLINS. Reserving the right to object, there appears an item, "Naval station at San Diego, Calif., $425,000."

Mr. WOODRUFF. That item is for a small floating dry dock at San Diego.

Mr. COLLINS. Paragraph 10 provides for the lease of a floating dry dock at New Orleans. I would like to ask the gentleman if he would be willing to strike out the dry dock at San Diego.

Mr. WOODRUFF. I would not care to do that. I will not say that I will not do it, but I will state the reason. I want to say that we have had this same bill before the House for four years. Twice it has passed the House unanimously. It was reported by the committee unanimously, and the item which the gentleman refers to is of first importance, in the judgment of the Navy Department.

The department submitted to the committee a list of the different things required in the order of their priority, the most important being No. 1, the next No. 2, and so forth. No. 1 on this list is the item of which the gentleman speaks. Now, this particular dry dock proposed in this item is of more importance than appears on the face of things. There has never yet been constructed in the world anywhere a dry dock such as is proposed in this bill. It is something new in the way of a dry dock. It is something that I can not go into detail about on the floor of the House, and I am going to ask the gentleman to accept my statement in regard to its importance.

Mr. LAGUARDIA. How about the dry dock in New Orleans? I have a hazy recollection that we had a dry dock down there and authorized either the Shipping Board or the Navy to sell it or give it away.

Mr. WOODRUFF. A year ago when this same bill was before the House an amendment was offered by the gentleman from Indiana [Mr. WOOD] providing that the Secretary of the

Navy might lease this particular dock. This same item was in the Senate bill and it was stricken out in the Senate.

Mr. LAGUARDIA. Are you going to build another dry dock in New Orleans?

Mr. WOODRUFF. No; the dry dock proposed for San Diego is a small dock, and the one at New Orleans is a large one.

Mr. LAGUARDIA. What are you going to do at New Orleans?

Mr. WOODRUFF. We are going to leave the dock there.

Mr. LAGUARDIA. And you are not going to sell it or give it away?

Mr. WOODRUFF. Of course we are not going to give it away or sell it.

Mr. LAGUARDIA. Why did you want to give it away a year ago?

Mr. WOODRUFF. We never wanted to give it away. It is not now being used by the Navy and we want to lease it to some one who will use it, keep it in repair, and have it ready for us at any time it is needed by the Government.

Mr. LAGUARDIA. And now you want to give it away?

Mr. WOODRUFF. We do not want to give it away. The provision in the bill is to lease the dry dock as it was in the bill that we passed a year ago, but the Senate, which passed this bill unanimously the other day, struck from the bill that particular item. That is the only difference between the Senate bill and the House bill.

Mr. FRENCH. Would it be practicable to move the dry dock from New Orleans to San Diego?

Mr. WOODRUFF. No; because the dry dock at New Orleans is a dry dock for large ships and the proposed dock at San Diego is a dry dock for destroyers, submarines, mine layers and the smaller ships of the Navy and the commerce of that port, and it is this type of dry dock that is needed at San Diego.

Mr. BRITTEN. There is no dry dock at San Diego. There is a small marine railway that was used by the Shipping Board years ago for construction purposes. That marine railway extends its nose into the salt water and is rotted.

Mr. COLLINS. Ships are brought up by the use of chains.

Mr. BRITTEN. Yes.

Mr. COLLINS. It is operating perfectly.

Mr. WOODRUFF. It is not operating perfectly. Within the last two years that marine railway has been disabled at different times and once it was out of commission for a period of more than nine months. It is frequently out of repair and is not capable of handling the business of that harbor continuously and satisfactorily.

Mr. BRITTEN. And it is not a floating dry dock; it is permanent construction.

Mr. WOODRUFF. It has been built for a great many years.

Mr. VINSON of Georgia. In view of the fact that there are a great many other items of considerable importance to the national defense in this bill, will the gentleman not accept these two amendments and let us get the bill up and consider it in the House?

Mr. O'CONNOR of Louisiana. Mr. Speaker, I reserve the right to object. This is a most important and interesting bill from many standpoints. I could probably talk for an hour upon it with some little value to the Members of this House. But I will be brief as my main purpose is to answer the question asked by the gentleman from Idaho [Mr. FRENCH] about taking the dry dock from New Orleans and moving it to San Diego.

I am wondering what patriotic impulse, what economic theory, or what historic incident or recollection would suggest to his mind the wisdom of moving the dock from New Orleans to San Diego. Why, the Mississippi River has been inseparably associated with all that is great, splendid, inspiring, and wonderful in your Navy. I did not think it would be necessary to suggest to his mind, or to the mind of any Member here that the Mississippi River is forever connected with the enterprise that led Great Britain to invade the United States of America in 1812, and it was below New Orleans, as a result of that invasion, that was fought the only battle in that tragic struggle which relieved us from the many disgraceful defeats we encountered in the engagements we had with the British Armies. It was in the Civil War that the Union broke the back of the Confederacy by invading the Mississippi River and taking New Orleans under Farragut and Butler. Does the gentleman believe that history will not repeat itself? Does anyone believe that the lower Mississippi may not become again the theater and stage of another great epoch should a foe ever try to come that way into the heart of the country? My friends, one of the things that no one will ever understand in connection with the placement of our naval stations is why New Orleans has not been given first consideration by virtue of its geographical and strategic situation. And we wonder and marvel the more when we are told that there are about seven stations from Hampton Roads up the Atlantic coast, where no naval engagement can ever take place. You have any number on the Pacific coast, and has anyone else believed that an engagement will ever be fought off that coast? The Caribbean Sea, the Gulf of Mexico, and the Mississippi River are the theaters on which have been played out the greatest naval engagements in the history of our country, and to suggest now that the one place that ought to have the consideration and attention of the country, if you wish to place your naval stations at a strategic and in a proper place, shall be practically bludgeoned out of existence, is in my judgment the most unnavalistic suggestion, if I may use such a word, that I ever heard.

Mr. WOODRUFF. Will my friend permit me to offer the suggestion that there is no danger of moving this dry dock from New Orleans to any other place on the coast.

Mr. O'CONNOR of Louisiana. I hope not, patriotically and otherwise. I admit that politics apparently is inseparably associated with every problem that comes before the House, but if this administration could forget that Louisiana happens to be a Democratic State, although we do vote for Republican policies frequently here on the floor, and give it the same consideration that they give to other places from the Army and Navy standpoint, the gentleman knows, and I know that the New Orleans Navy Yard would be in operation ready for the tremendous day that we all know must come, if not within 10 years, then within 20 years.

Mr. LAGUARDIA. Is the gentleman in favor of the leasing of this dry dock?

Mr. O'CONNOR of Louisiana. Yes; I would like to see it operated there. I admit the dock ought to be put to some useful purpose, but if the Senate has stricken it out of its bill, which is presently under consideration, having been substituted for the House bill, why should I undertake to butt my head against a stone wall and ask for something I can not get on the floor now? Let that phase and part of the bill be threshed out in conference—and I hope that the House conferees will insist upon the House views and force the Senate conferees to yield, so that this great dock may be used as an additional facility to the commerce of the Mississippi Valley until such time as the administration and the Republican leadership of the Congress will be inspired and have the patriotic vision to see that which in the light of our history and the possession and development of naval bases by European nations in the Caribbean Sea and the Gulf makes it the common sense and entirely obvious thing to do, and that is to open and operate the New Orleans Navy Yard so that we may be ready for any contingency or eventuality. I have nothing to say about the location of other navy yards, for those locations speak for themselves, and everyone in this House may draw his own conclusions. But ask yourselves if with the whole picture before us, Is New Orleans not the one place that should be considered above all others as an Army and naval base in the preparation or execution of our plan for the national defense?

The SPEAKER. Is there objection?

Mr. COLLINS. Reserving the right to object, will the gentleman accept my amendment?

Mr. BRITTEN. What is the gentleman's amendment?

Mr. COLLINS. Four hundred and twenty-five thousand dollars.

Mr. WOODRUFF. I do not like to accept an amendment of that kind. I will say, Mr. Speaker, that because of the fact that this bill, as I said before, has been before the House for the last four years, and inasmuch as this seems to be the only opportunity we will have to get the bill through the House this year, I am prepared to accept the amendment, but I must say that I can not congratulate the gentleman from Mississippi on his proposition.

Mr. PATTERSON. Reserving the right to object, Mr. Speaker, how much of an appropriation does this bill carry?

Mr. BRITTEN. None.

Mr. PATTERSON. I mean authorization.

Mr. BRITTEN. Ten million dollars.

Mr. PATTERSON. It is in line with the President's program?

Mr. BRITTEN. Yes; it is indorsed by the Budget and it has the approval of the President.

Mr. PATTERSON. I hope we shall arrive at some conclusion as to armament as the President announced in his speech last year.

Mr. BRITTEN. There is not an item in this bill that would not be in the bill if we cut our Navy in half.

Mr. PATTERSON. If it is $10,000,000 to-day, and other large amounts follow hereafter, big items, which you pass by unanimous consent——

Mr. WOODRUFF. It has already passed the Senate, and heretofore has passed the House by unanimous consent on two different occasions. These things provided in the bill are clearly

needed. There should be no question of the advisability of any item.

Mr. PATTERSON. I am not going to object, but I think we should take into account the sentiment of the President as to the reduction or limitation of armament.

Mr. WOODRUFF. The committee has conformed with the President's wishes in every respect.

The SPEAKER. Is there objection?

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Senate bill 549 be considered instead of the House bill.

Mr. WOODRUFF. I ask unanimous consent, Mr. Speaker, that the Senate bill 549 be taken from the Speaker's table, and that all after the enacting clause be stricken out and that the House bill be substituted. I may state, Mr. Speaker, that the Senate bill is identical with the House bill, with the exception of section 10.

The SPEAKER. The Chair thinks that consent should first be obtained for the consideration of the Senate bill. Is there objection to the consideration of the Senate bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent that all after the enacting clause be stricken out and that the House bill be inserted.

Mr. FRENCH. Mr. Speaker, ought we not to perfect the language of the House bill first?

The SPEAKER. The Chair thinks that would be the proper way to proceed.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, the motion of the gentleman from Mississippi [Mr. COLLINS] will be taken care of under the suggestion of the Speaker, would it?

The SPEAKER. The amendment could be offered only by unanimous consent.

Mr. WOODRUFF. I ask unanimous consent that the procedure be as I have suggested.

The SPEAKER. The gentleman from Michigan asks unanimous consent that all after the enacting clause of the Senate bill be stricken out and that the House bill be substituted for the body of the Senate bill. Is there objection?

There was no objection.

The SPEAKER. The Chair thinks under the circumstances that the House bill will be considered as one amendment. Amendments can be offered at the conclusion of the reading.

The Clerk read as follows:

That the Secretary of the Navy is hereby authorized to proceed with the construction of the following-named public-works projects at a cost not to exceed the amount stated after each item enumerated:

Naval station, San Diego, Calif.: One small floating dry dock, $425,000.

Naval station, Pearl Harbor, Hawaii: Water-front development, $1,200,000; to continue improvements to harbor and channel, $500,000.

Submarine base, Pearl Harbor, Hawaii: General facilities buildings, $290,000; officers' quarters, $100,000.

Naval air station, San Diego, Calif.: Metal aircraft structures shop, $130,000; physical instruction, gymnasium, and welfare building, $150,000; seven land-plane hangars, $275,000.

Navy yard, Puget Sound, Wash.: Accessories and crane, Pier No. 6, $1,310,000; equipment house, $100,000; paint and oil storehouse, $125,000.

Naval air station, Pearl Harbor, Hawaii: Hangar, $224,000; torpedo storage and charging plant, $25,000.

Naval air station, Coco Solo, Canal Zone: Aircraft-overhaul shop, $90,000; bachelor officers' quarters, $120,000.

Naval training station, San Diego, Calif.: Mess hall and galley for enlisted men, $173,500; barracks for enlisted men, $348,000.

Navy yard, Mare Island, Calif.: Barracks and mess hall for submarine crews, $195,000; battery storage and overhaul building, $240,000.

Naval air station, Lakehurst, N. J.: Barracks for enlisted men and marines, $250,000; gas cell shop and storage building, $200,000; quarters for married officers, $90,000.

Marine barracks, Quantico, Va.: Barracks for enlisted men; roads; walks; and distributing systems, $1,450,000.

Marine Corps flying field, Quantico, Va.: Filling and grading flying field, $500,000.

Navy yard, Norfolk, Va.: Purchase or condemnation of land and dredging, $65,000.

Naval air station, Anacostia, D. C.: Offices and barracks and mess hall for 250 men, $275,000; heating plant and distributing system, $25,000.

Navy yard, Philadelphia, Pa.: Storage facilities for gear, Dry Dock No. 3, $10,000.

Naval base, Canal Zone: Commandant's quarters, $35,000; officers' quarters, $58,000.

Submarine base, Coco Solo, Canal Zone: Officers' quarters, $240,000.

Naval air station, Hampton Roads, Va.: Administration building, $200,000.

Naval training station, Hampton Roads, Va.: Barracks and mess hall, $600,000.

SEC. 2. That the Secretary of the Navy is hereby authorized to enter into contract, at a cost not to exceed $35,000, for the removal of certain private lines of poles supporting telegraph, power, signal, and telephone wires and cables located on private rights of way adjoining the Marine Corps flying fields at Quantico, Va., and for the placing of said wires and cables underground; for providing additional ducts and laying of cables for the Government's power and telephone service at said flying fields, and for the construction of the necessary manholes for the separate or joint use of all interested parties; the contract to be placed with such party or parties, with or without competition, and on such terms and conditions as the Secretary of the Navy may in the interests of the Government, deem most advantageous.

SEC. 3. That the Secretary of the Navy be, and he hereby is, authorized to acquire on behalf of the United States by purchase or condemnation, after an appropriation of the necessary funds has been made therefor, the site of the Marine Corps flying field at Reid, Quantico, Va.; and for that purpose a sum not in excess of $15,000 is hereby authorized to be appropriated and made available in addition to the amount of $20,000 made available by section 6 of the act of March 4, 1925, under the appropriation "Aviation, Navy, 1924."

SEC. 4. That the Secretary of the Navy be, and he hereby is, authorized to acquire on behalf of the United States by purchase or condemnation, after an appropriation of the necessary funds has been made therefor, the site of the naval air station at Sumay and the naval station at Piti, Guam; and for that purpose a sum not in excess of $9,000 is hereby authorized to be appropriated and made available.

SEC. 5. That the Secretary of the Navy is authorized, when directed by the President, to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego, all right, title, and interest to so much of the property now constituting the site of the submarine and destroyer base, San Diego, Calif., together with any improvements thereon belonging to the United States, as lies to the north of a line running due east from station 300 on the United States bulkhead line as established in 1918, in consideration of the transfer to the United States by said city of San Diego, free from all encumbrances and without cost to the United States, of all right, title, and interest to the following described property, together with any improvements thereon, now belonging to the said city of San Diego: Beginning at station 300 on the United States bulkhead line, as established in 1918; thence south 40° 38′ 36″ east along said bulkhead line, a distance of 899.38 feet to the southwest corner of that tract of land conveyed by the city of San Diego to the United States of America for a dry-dock station or similar purposes, by deed dated September 3, 1919; thence north 16° 00′ east along the westerly line of said tract a distance of 709.93 feet to a point; thence due west 781.49 feet to the point or place of beginning.

SEC. 6. That the Secretary of the Navy is hereby authorized to establish boundary lines of the United States property constituting Governors Island, in Boston Harbor, Mass., as follows: Beginning at a point in the pierhead and bulkhead line established by the Secretary of War December 1, 1921, in latitude south 2,147.2 and longitude east 12,625.6; thence running north 33° 15′ 55.6″ east 2,000 feet to a point in latitude south 475 and longitude east 13,722.6; thence south 56° 44′ 4.4″ east 2,500 feet to a point in latitude 1,846.3 south and longitude 15,812.9 east; thence south 49° 53′ 30″ east 2,517.9 feet to a point in latitude south 3,468.4 and longitude east 17,738.7; thence south 33° 15′ 55.6″ west 2,020.5 feet to a point in the United States pierhead and bulkhead line established March 6, 1923, in latitude south 5,157.8 and longitude east 16,630.4; thence north 74° west 796.9 feet in said pierhead and bulkhead line established March 6, 1923, to a point in latitude south 4,938.1 and longitude east 15,864.4; thence north 49° 14′ 55″ west 4,275.5 feet in said pierhead and bulkhead line established March 6, 1923, to the point of beginning.

In addition, the Secretary of the Navy is authorized to establish property boundary lines of an area for a wharf 600 feet long and 100 feet wide bordering on the United States pierhead and bulkhead line between the points "K" and "L" and a right of way 100 feet wide connecting said wharf area with the main portion of the flats appurtenant to Governors Island, in accordance with the points, bearings, and delineated areas as shown on a plan marked "Governors Island exchange of land by Commonwealth of Massachusetts and United States of America, November, 1922," Bureau of Yards and Docks, No. 100040.

That in consideration of the conveyance by the Commonwealth of Massachusetts to the United States of all property of said Commonwealth lying inside of said boundary lines, all as approximately shown on the aforesaid plan, the Secretary of the Navy is hereby authorized to convey to the Commonwealth of Massachusetts the property of the United States lying outside of and immediately adjoining said boundary lines.

SEC. 7. That the Secretary of the Navy is hereby authorized in his discretion to return to the heirs-at-law of John H. Abel the title to all that tract of land containing 5.17 acres, more or less, which was taken over by the United States by proclamation of the President, dated November 4, 1918, as a part of the Marine Corps Reservation, Quantico, Va.

SEC. 8. That the Secretary of the Navy is hereby authorized to dispose of the land and improvements comprising the former naval hospital property, Key West, Fla., in like manner and under like terms, conditions, and restrictions as prescribed for the disposition of certain other naval properties by the act entitled "An act to authorize the disposition of lands no longer needed for naval purposes," approved June 7, 1926 (44 Stats. 700), and the net proceeds from the sale of said hospital property shall be deposited in the Treasury to the credit of the naval hospital fund.

SEC. 9. That the Secretary of the Navy is hereby authorized to dispose of the land and improvements comprising the former naval radio station, Marshfield, Oreg., in like manner and under like terms, conditions, and restrictions as prescribed for the disposition of certain other naval properties by the act entitled "An act to authorize the disposition of lands no longer needed for naval purposes," approved June 7, 1926 (44 Stats. 700), and the net proceeds from the sale of said radio-station property shall be deposited in the Treasury to the credit of the naval public-works construction fund created by section 9 of said act.

SEC. 10. That the Secretary of the Navy be, and he hereby is, authorized to lease for periods not exceeding 10 years, and revocable on six months' notice, the floating dry dock and water-front accessories at the naval station, New Orleans (Algiers), La., and to credit to the rental the reasonable cost of such repairs to said property as the lessee may be required to make to prevent physical deterioration. All remaining money received from any such lease shall be covered into the Treasury as miscellaneous receipts. Such leases shall be reported to Congress: *Provided*, That said floating dry dock and accessories shall not be removed from the vicinity of New Orleans.

SEC. 11. That the Secretary of the Navy is hereby authorized to execute on behalf of the United States all instruments necessary to accomplish the aforesaid purposes.

Mr. FRENCH. Mr. Speaker, I offer an amendment to the amendment offered by the gentleman from Michigan [Mr. WOODRUFF].

The SPEAKER. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 3, line 15, strike out the sign and figures "$35,000" and insert in lieu thereof "$15,000."

On page 3, line 15, at the end of the paragraph, add the following: "*Provided*, That the limit of cost prescribed in the act of June 25, 1910 (U. S. C., title 10, sec. 1377), shall apply to all authorizations contained in this act for building single quarters for officers of corresponding grades and rank."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Idaho to the amendment offered by the gentleman from Michigan.

The amendment to the amendment was agreed to.

Mr. COLLINS. Mr. Speaker, I offer an amendment to the amendment.

The SPEAKER. The gentleman from Mississippi offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: Page 1, lines 7 and 8, strike out the language, "naval station, San Diego, Calif., one small floating dry dock, $425,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

OMNIBUS BRIDGE BILL

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9806, the omnibus bridge bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Illinois [Mr. DENISON] asks unanimous consent to take from the Speaker's table the bill H. R. 9806, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DENISON, BURTNESS, and PARKS.

MESSAGE FROM THE PRESIDENT—INTERNATIONAL WATER COMMISSION

The SPEAKER laid before the House the following message from the President, which was referred to the Committee on Foreign Affairs and ordered to be printed with accompanying appendices.

To the Congress of the United States:

I inclose herewith a copy of a letter from the Acting Secretary of State, transmitting the report submitted by the American section of the International Water Commission, United States and Mexico, setting forth the result of its study, in cooperation with representatives of Mexico, of a plan looking to the equitable use of the waters of the Lower Rio Grande, the Lower Colorado, and Tia Juana Rivers in accordance with the provisions of the acts of Congress approved May 13, 1924, and March 3, 1927, respectively.

HERBERT HOOVER.

THE WHITE HOUSE, *April 21, 1930.*
(Inclosures: As above stated.)

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 193. An act for the relief of the Union Shipping & Trading Co. (Ltd.); to the Committee on War Claims.

S. 261. An act amending the act of January 25, 1917 (39 Stat. L. 868), and other acts relating to the Yuma auxiliary project, Arizona; to the Committee on Irrigation and Reclamation.

S. 413. An act authorizing the issuance to Wesley A. Howard of a patent for certain lands; to the Committee on the Public Lands.

S. 671. An act for the relief of E. M. Davis; to the Committee on Claims.

S. 917. An act for the relief of Margaret Diederich; to the Committee on Claims.

S. 1011. An act to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

S. 1254. An act for the relief of Kremer & Hog, a partnership; to the Committee on Claims.

S. 1255. An act for the relief of the Gulf Refining Co.; to the Committee on Claims.

S. 1256. An act for the relief of the Federation Bank & Trust Co., New York, N. Y.; to the Committee on Claims.

S. 1257. An act for the relief of the Beaver Valley Milling Co.; to the Committee on Claims.

S. 1455. An act to amend the immigration act of 1924 in respect of quota preferences; to the Committee on Immigration and Naturalization.

S. 1702. An act for the relief of George W. Burgess; to the Committee on Claims.

S. 1756. An act granting the sum of $5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927; to the Committee on Claims.

S. 1963. An act for the relief of members of the crew of the transport *Antilles;* to the Committee on War Claims.

S. 1971. An act for the relief of Buford E. Ellis; to the Committee on Claims.

S. 1979. An act for the relief of Warren J. Clear; to the Committee on Claims.

S. 2972. An act for the relief of DeWitt & Shobe; to the Committee on Claims.

S. 3051. An act authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifice and the service of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe; to the Committee on the Library.

S. 3404. An act authorizing the Secretary of Commerce to dispose of a portion of the Amelia Island Lighthouse Reservation, Florida; to the Committee on Interstate and Foreign Commerce.

S. 3577. An act for the relief of John Wilcox, jr.; to the Committee on Claims.

S. 3585. An act to eliminate certain lands from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation; to the Committee on Public Lands.

S. 3623. An act for reimbursement of James R. Sheffield, formerly American ambassador to Mexico City; to the Committee on Claims.

S. 3641. An act for the relief of owners of cargo aboard the steamship *Boxley;* to the Committee on Claims.

S. 3691. An act to amend an act entitled "An act relative to naturalization and citizenship of married women," approved

September 22, 1922; to the Committee on Immigration and Naturalization.

S. 3726. An act for the relief of the owner of the American steam tug *Charles Runyon;* to the Committee on Claims.

S. 3727. An act for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918; to the Committee on Claims.

S. 3728. An act for the relief of the owner of barge *Consolidation Coastwise No. 10;* to the Committee on Claims.

S. 3845. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924; to the Committee on Interstate and Foreign Commerce.

S. 3898. An act granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; to the Committee on Irrigation and Reclamation.

S. 3901. An act to establish a commercial airport for the District of Columbia; to the Committee on Public Buildings and Grounds.

S. 4022. An act to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3141. An act to amend paragraph (11) of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes;

H. R. 4810. An act to add certain lands to the Helena National Forest, in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929;

H. R. 8637. An act to fix the rank and pay of the Commandant of the Coast Guard;

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River, at or near Stillwater, Minn.;

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President for his approval bills of the House of the following titles:

On April 18, 1930:

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616); and

H. R. 9546. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes.

On April 21, 1930:

H. R. 3141. An act to amend paragraph (11) of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929;

H. R. 8637. An act to fix the rank and pay of the Commandant of the Coast Guard;

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 36 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 22, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, April 22, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the interstate commerce act, as amended, to require separate valuation of terminal facilities and a reasonable return thereon (H. R. 10418).

COMMITTEE ON FLOOD CONTROL—SUBCOMMITTEE ON PRELIMINARY EXAMINATION AND SURVEY

(10.30 a. m.)

To authorize a preliminary examination of the French Broad River for the purpose of flood control (H. R. 10720).

Authorizing a preliminary examination and survey of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods (H. R. 9779).

To provide for a survey of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods (H. R. 2936).

To authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control (H. R. 11201).

To provide a preliminary survey of Waccamaw River, N. C. and S. C., with a view to the control of its floods (H. R. 10264).

To authorize and direct a preliminary examination of the Hocking River for the distance it flows through Athens County, Ohio (H. R. 8736).

To authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles (H. R. 8290).

Authorizing the Secretary of War to cause a preliminary examination and survey to be made of Pearl River from Jackson, Miss., to Rockport, Miss. (H. R. 7430).

To provide for examination and survey of Licking River, Ky. (H. R. 7608).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

EXECUTIVE COMMUNICATIONS, ETC.

Under Clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

415. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1931, amounting to $665,000 (H. Doc. No. 355); to the Committee on Appropriations, and ordered to be printed.

416. A letter from the Secretary of War, transmitting a partial report from the Chief of Engineers on preliminary examination and survey of the Allegheny River, Pa. and N. Y., with a view of enlarging the present adopted project for the improvement of said river (covering section below Dam No. 4) (H. Doc. No. 356); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BUCKBEE: Committee on the Post Office and Post Roads. H. R. 5190. A bill to enable the Postmaster General to authorize the establishment of temporary or emergency star-route service from a date earlier than the date of the order requiring such service; without amendment (Rept. No. 1225). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUDLOW: Committee on the Library. H. R. 7924. A bill for the erection of tablets or markers and the commemoration of Camp Blount and the Old Stone Bridge, Lincoln County, Tenn; with amendment (Rept. No. 1226). Referred to the Committee of the Whole House on the state of the Union.

Mr. EATON of New Jersey: Committee on Foreign Affairs. H. R. 11371. A bill to provide living quarters, including heat, fuel, and light, for civilian officers and employees of the Government stationed in foreign countries; without amendment (Rept. No. 1227). Referred to the Committee of the Whole House on the state of the Union.

Mr. CRAIL: Committee on Foreign Affairs. H. J. Res. 235. A joint resolution authorizing an annual appropriation for the expense of establishing and maintaining a United States passport bureau at Portland, Oreg.; with amendment (Rept. No. 1228). Referred to the Committee of the Whole House on the state of the Union.

Mr. KORELL: Committee on Foreign Affairs. H. J. Res. 305. A joint resolution providing for the participation by the United States in the International Conference on Load Lines, to be held in London, England, in 1930; without amendment (Rept. No. 1229). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 252. A bill to facilitate work of the Department of Agriculture in the Territory of Alaska; without amendment (Rept. No. 1233). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 8651. A bill to authorize the dispatch from the mailing post office of metered permit matter of the first class, prepaid at least 2 cents but not fully prepaid, and to authorize the acceptance of third-class matter without stamps affixed in such quantities as may be prescribed; without amendment (Rept. No. 1234). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 10344. A bill to provide for the classification of extraordinary expenditures contributing to the deficiency of postal revenues; with amendment (Rept. No. 1235). Referred to the House Calendar.

Mr. WOLVERTON of West Virginia: Committee on the Post Office and Post Roads. H. R. 11007. A bill to amend the act of August 24, 1912 (ch. 389, par. 7, 37 Stats. 555), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913; with amendment (Rept. No. 1236). Referred to the House Calendar.

Mr. JENKINS: Committee on Immigration and Naturalization. H. R. 9803. A bill to amend the fourth proviso to section 24 of the immigration act of 1917, as amended; without amendment (Rept. No. 1237). Referred to the Committee of the Whole House on the state of the Union.

Mr. HESS: Committee on Naval Affairs. H. R. 10082. A bill to authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic at Cincinnati, Ohio; with amendment (Rept. No. 1238). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10464. A bill to facilitate and simplify national forest administration; without amendment (Rept. No. 1239). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10780. A bill to transfer certain lands to the Ouachita National Forest, Ark.; without amendment (Rept. No. 1240). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10823. A bill to grant a right of way or easement over lands of the United States within the Upper Mississippi River Wild Life and Fish Refuge to the Wabasha-Nelson Bridge Co., assignee of the Wabasha bridge committee, for the construction of a bridge from Wabasha, Minn., to Nelson, Wis., as authorized by the act of March 10, 1928, as amended December 13, 1929; without amendment (Rept. No. 1241). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11285. A bill to amend the Alaska game law; with amendment (Rept. No. 1242). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALE: Committee on Naval Affairs. S. 428. An act to authorize the transfer of the former naval radio station, Seawall, Me., as an addition to the Acadia National Park; without amendment (Rept. No. 1243). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. S. 3185. An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy; without amendment (Rept. No. 1244). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOOPER: Committee on the Public Lands. S. 3934. An act granting certain lands to the city of Sault Ste. Marie, State of Michigan; without amendment (Rept. No. 1245). Referred to the Committee of the Whole House on the state of the Union.

Mr. CABLE: Committee on Immigration and Naturalization. H. R. 10668. A bill to authorize issuance of certificates of citizenship to certain veterans of the World War; without amendment (Rept. No. 1251). Referred to the House Calendar.

Mr. CABLE: Committee on Immigration and Naturalization. H. R. 10670. A bill to amend the naturalization laws in respect of competency of witnesses; without amendment (Rept. No. 1252). Referred to the House Calendar.

Mr. WARREN: Committee on the Library. H. R. 11547. A bill to provide for the erection of a marker or tablet to the memory of Joseph Hewes, signer of the Declaration of Independence, member of the Continental Congress, and patriot of the Revolution, at Edenton, N. C.; without amendment (Rept. No. 1253). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 11582. A bill to provide monuments to mark the birthplaces of deceased Presidents of the United States; without amendment (Rept. No. 1254). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. J. Res. 306. A joint resolution establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; without amendment (Rept. No. 1255). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GUYER: Committee on Claims. H. R. 456. A bill for the relief of Hans Roehl; with amendment (Rept. No. 1216). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 558. A bill for the relief of the Chico-Westwood-Susanville Auto Stage Co., Chico, Calif.; without amendment (Rept. No. 1217). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 1882. A bill for the relief of Harry Cinq-Mars; with amendment (Rept. No. 1218). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 5810. A bill to pay the Westinghouse Electric & Manufacturing Co. the sum of $1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act; without amendment (Rept. No. 1219). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 6243. A bill for the relief of A. E. Bickley; without amendment (Rept. No. 1220). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 6268. A bill for the relief of Thomas J. Parker; without amendment (Rept. No. 1221). Referred to the Committee of the Whole House.

Mr. SIMMS: Committee on Claims. H. R. 7013. A bill for the relief of Howard Perry; with amendment (Rept. No. 1222). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 8347. A bill for the relief of the Palmer Fish Co.; without amendment (Rept. No. 1223). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 8440. A bill for the relief of Henry A. Levake; with amendment (Rept. No. 1224). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 1527. A bill for the relief of Edna B. Erskine; with amendment (Rept. No. 1230). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 6362. A bill for the relief of Con Murphy; without amendment

(Rept. No. 1231). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 7664. A bill to authorize payment of fees to M. L. Flowe, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment; with amendment (Rept. No. 1232). Referred to the Committee of the Whole House.

Mr. DRANE: Committee on Naval Affairs. H. R. 10365. A bill for the relief of Tracy Lee Phillips; without amendment (Rept. No. 1246). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 11337. A bill for the relief of Joseph N. Marin; without amendment (Rept. No. 1247). Referred to the Committee of the Whole House.

Mr. SANDERS of Texas: Committee on Naval Affairs. S. 8. An act for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy; without amendment (Rept. No. 1248). Referred to the Committee of the Whole House.

Mr. SANDERS of Texas. Committee on Naval Affairs. S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble; without amendment (Rept. No. 1249). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. S. 3784. An act for the relief of John Marks, alias John Bell; without amendment (Rept. No. 1250). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11253) granting a pension to Addaline Collins, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKBEE: A bill (H. R. 11779) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Pecatonica River northwest of Rockford, Ill., in section 5, township 27 north, range 11 east, fourth principal meridian; to the Committee on Interstate and Foreign Commerce.

By Mr. KINCHELOE: A bill (H. R. 11780) granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. DEMPSEY: A bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. LEAVITT: A bill (H. R. 11782) to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; to the Committee on Indian Affairs.

Also, a bill (H. R. 11783) to authorize the collection of penalties and fees for stock trespassing on Indian lands; to the Committee on Indian Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 11784) to provide for the addition of certain lands to the Rocky Mountain National Park in the State of Colorado; to the Committee on the Public Lands.

By Mr. SWING: A bill (H. R. 11785) to conserve the water resources and to encourage reforestation on the watersheds of San Bernardino and Riverside Counties, Calif., by the withdrawal of the public lands within the San Bernardino National Forests from location and entry under the mining laws; to the Committee on the Public Lands.

By Mr. RAGON: A bill (H. R. 11786) granting the consent of the Congress to the Arkansas State Highway Commission to construct, maintain, and operate a toll bridge across the Arkansas River, at a point suitable to the interests of navigation, near the town of Ozark, Franklin County, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER: A bill (H. R. 11787) authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain revested and reconveyed lands in the State of Oregon; to the Committee on the Public Lands.

By Mr. FREE: A bill (H. R. 11788) authorizing pursers or agents of vessels of the United States to perform the duties of the masters of such vessels in relation to entrance and clearance of same in customs collection districts of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAUGEN: A bill (H. R. 11789) to aid in the maintenance of engineering experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplemental thereto; to the Committee on Agriculture.

By Mr. MORTON D. HULL: A bill (H. R. 11790) to purchase and erect in the city of Washington the group of statuary known as the Indian Buffalo Hunt; to the Committee on Rules.

By Mr. KELLY: A bill (H. R. 11791) to readjust the salaries of certain third-class postmasters; to the Committee on the Post Office and Post Roads.

By Mr. LANKFORD of Virginia: A bill (H. R. 11792) granting pensions to certain soldiers who served in the Mexican border or Tin Horn war, and for other purposes; to the Committee on Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 11793) to compensate the Delaware Indians for services rendered by them to the United States in various wars; to the Committee on Indian Affairs.

By Mr. CAMPBELL of Pennsylvania: Joint resolution (H. J. Res. 309) providing for participation in the dedication of a memorial park in commemoration of the western rebellion generally known as the Whisky Insurrection of 1794, and establishing a commission to be known as the United States Whisky Insurrection Commission; to the Committee on Rules.

By Mr. FISH: Joint resolution (H. J. Res. 310) relative to The Hague Conference on the Codification of International Law; to the Committee on Foreign Affairs.

By Mr. BLOOM: Joint resolution (H. J. Res. 311) for the participation of the United States in an exposition to be held at Paris, France, in 1931; to the Committee on Foreign Affairs.

By Mr. LEAVITT: Joint resolution (H. J. Res. 312) to clarify and amend an act entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes," approved March 2, 1927; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 11794) granting a pension to Sarah E. Dunbar; to the Committee on Invalid Pensions.

By Mr. BLACKBURN: A bill (H. R. 11795) granting a pension to Eline Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11796) granting a pension to Belle Moore; to the Committee on Invalid Pensions.

By Mr. BLOOM: A bill (H. R. 11797) for the relief of the heirs of Jacob J. Udelson; to the Committee on Claims.

By Mr. BRAND of Ohio: A bill (H. R. 11798) granting an increase of pension to Anna E. Canfield; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 11799) granting a pension to Rosa Ellis; to the Committee on Invalid Pensions.

By Mr. CONNERY: A bill (H. R. 11800) granting a pension to Charles M. Porter; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 11801) granting an increase of pension to Mary A. Ripley; to the Committee on Invalid Pensions.

By Mr. EATON of New Jersey: A bill (H. R. 11802) granting a pension to Mary E. Tiger; to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 11803) granting a pension to Addie J. Bridges; to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 11804) for the relief of Mary Cooper; to the Committee on Claims.

By Mr. GAMBRILL: A bill (H. R. 11805) for the relief of the heirs of James Henry Birch; to the Committee on Claims.

By Mr. GARNER: A bill (H. R. 11806) granting a pension to William Fawcett Hardeman; to the Committee on Pensions.

Also, a bill (H. R. 11807) granting a pension to Charles W. McFaddin; to the Committee on Pensions.

Also, a bill (H. R. 11808) granting a pension to Wyatt E. Heard; to the Committee on Pensions.

Also, a bill (H. R. 11809) granting a pension to Henry W. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 11810) granting a pension to George W. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 11811) granting a pension to members of Troop G, First Texas Volunteer Cavalry, commonly known as Montell Guards; to the Committee on Pensions.

Also, a bill (H. R. 11812) granting a pension to James Whitecotton; to the Committee on Pensions.

Also, a bill (H. R. 11813) granting a pension to Sidney J. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 11814) granting a pension to Oscar D. Baker; to the Committee on Pensions.

By Mr. HOOPER: A bill (H. R. 11815) granting a pension to Ruth M. Forker; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 11816) granting a pension to Charles E. Sloan; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 11817) granting a pension to Annie Paty; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11818) granting an increase of pension to Ladocia L. Calhoun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11819) granting an increase of pension to Elizabeth Delong; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 11820) to authorize issuance of a patent for certain lands to J. R. Murphy; to the Committee on the Public Lands.

By Mr. MOUSER: A bill (H. R. 11821) granting an increase of pension to Melissa Hauman; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 11822) granting an increase of pension to Edith G. Joseph; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 11823) granting an increase of pension to Elizabeth J. Kemper; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 11824) granting a pension to Ida May Stewart; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 11825) for the relief of Martin-Walsh (Inc.); to the Committee on Claims.

By Mr. RAMSPECK: A bill (H. R. 11826) for the relief of the heirs of Wellborn Echols; to the Committee on War Claims.

By Mr. McREYNOLDS: A bill (H. R. 11827) granting a pension to Alton Frazier Cowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11828) granting a pension to Annie Grom; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11829) granting an increase of pension to Anna Webber; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11830) granting a pension to Robert Lovens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11831) granting a pension to Mary E. Bryant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11832) granting a pension to Henry C. Potter; to the Committee on Pensions.

Also, a bill (H. R. 11833) granting a pension to David Johnson; to the Committee on Pensions.

Also, a bill (H. R. 11834) granting a pension to Mary Ann Tabler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11835) granting a pension to Martha Rutherford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11836) granting a pension to Frank Bullock; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 11837) granting an increase of pension to Hattie Dersam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11838) granting a pension to Julia C. Wharton; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 11839) for the relief of Robert Pease; to the Committee on Claims.

By Mr. SWANSON: A bill (H. R. 11840) for the relief of Uriel Sliter; to the Committee on Military Affairs.

By Mr. SWICK: A bill (H. R. 11841) granting an increase of pension to Mary E. Martin; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 11842) granting a pension to Lammie Clement; to the Committee on Pensions.

By Mr. TURPIN: A bill (H. R. 11843) for the relief of Harold Heidel; to the Committee on Military Affairs.

Also, a bill (H. R. 11844) for the relief of Joseph R. Redlhammer; to the Committee on Claims.

By Mr. UNDERWOOD: A bill (H. R. 11845) granting an increase of pension to Elizabeth Rainey; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 11846) for the relief of Thomas Kelly; to the Committee on Naval Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 11847) granting a pension to Sallie J. Fossit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11848) granting an increase of pension to Margaret E. Russell; to the Committee on Invalid Pensions.

By Mr. COOKE: Resolution (H. Res. 209) to pay Anne Falkenreck, sister of Carl F. Falkenreck, six months' compensation and an additional amount not exceeding $250 to defray funeral expenses and last illness of the said Carl F. Falkenreck; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6837. By Mr. BLACKBURN: Memorial of the Baptist Women's Missionary Union of Kentucky, adopted at the central district meeting at Lexington, Ky., signed by Mrs. C. F. Creal, president, and Mrs. M. G. Peak, secretary, memorializing Congress to enact a statute for the regulation of the production and supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6838. By Mr. BLOOM: Petition of citizens of Cincinnati, Ohio, opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

6839. By Mr. BOWMAN: Petition from constituents in West Virginia, urging support of pension-increase legislation; to the Committee on Pensions.

6840. By Mr. CONNERY: Petition of citizens of Lawrence, Mass., asking for increase in pensions for Spanish War veterans; to the Committee on Pensions.

6841. By Mr. COOPER of Wisconsin: Memorials of Wisconsin State Horticultural Society, Wisconsin State Grange, Wisconsin Council of Agriculture, Wisconsin State Legislature, and Wisconsin Farm Bureau Federation, protesting against the proposed tariff on lumber and shingles from Canada; to the Committee on Ways and Means.

6842. By Mr. DAVENPORT: Petition of George O. Pennock, Christian Klossner, and John O. Clark, of Utica, N. Y., and others, favoring the passage of House Joint Resolution 20, providing for an amendment to the Constitution to eliminate unnaturalized aliens from the population count for apportionment of Members of Congress; to the Committee on the Judiciary.

6843. By Mr. ELLIOTT: Petition of Charles W. Archey and 159 citizens of Shelby County, Ind., to amend section 200 of the World War veterans act; to the Committee on World War Veterans' Legislation.

6844. By Mr. ENGLEBRIGHT: Petition of Femdale Woman's Christian Temperance Union, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6845. Also, petition of Sororis Club of Fort Bragg, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6846. Also, petition of Mednocino Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6847. Also, petition of East Palo Alto Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6848. Also, petition of South San Francisco Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6849. Also, petition of Woman's Club of San Malco, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6850. Also, petition of Burlingame Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6851. Also, petition of Women's One Hundred Per Cent Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6852. Also, petition of Tomalis Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6853. Also, petition of Tamalporis Civic Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6854. Also, petition of Sansolito Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6855. Also, petition of Outdoor Art Club (Inc.), California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6856. Also, petition of San Rafael Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6857. Also, petition of the Larkspur Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6858. Also, petition of Fairfax Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6859. Also, petition of Corte Madera Woman's Club, California, indorsing House bill 3245, Engelbright fire prevention bill; to the Committee on Agriculture.

6860. Also, petition of Bolinas Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6861. Also, petition of Reedley Study and Civic Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6862. Also, petition of the Woman's Civic Club, of Riverdale, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6863. Also, petition of Kingsburg Tuesday Club, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6864. Also, petition of United West Side Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6865. Also, petition of Orange Cove Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6866. Also, petition of the Welcome Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6867. Also, petition of the Salide Ladies Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6868. Also, petition of Woman's Club, of Bakersfield, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6869. Also, petition of the Friday Club, of Fresno, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6870. Also, petition of Pio Pica Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6871. Also, petition of Belmont Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6872. Also, petition of Highland Park Ebell Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6873. Also, petition of Corcoran Thursday Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6874. Also, petition of Sonoma C. Federation of Woman's Clubs, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6875. Also, petition of McFarland Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6876. Also, petition of Coalinga Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6877. Also, petition of Los Angeles District (Calif.) Federation of Woman's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6878. Also, petition of Covina Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6879. Also, petition of the Lomita Park Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6880. Also, petition of the Northbrae Woman's Club, California, indorsing house bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6881. Also, petition of Monday Universal Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6882. Also, petition of Girl's Auxiliary of Philomathean Club of Stockton, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6883. Also, petition of Rockbridge Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6884. Also, petition of University of California Mother's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6885. Also, petition of Alta Vista Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6886. Also, petition of Foothill Boulevard Women's Club of Oakland, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6887. Also, petition of the Park Boulevard Club, Oakland, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6888. Also, petition of Hill and Valley Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6889. Also, petition of California State Nurses' Association, District X, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6890. Also, petition of Lockeford Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6891. Also, petition of Philomathean Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6892. Also, petition of the Aldine Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6893. Also, petition of Menlo Park Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6894. Also, petition of the California History and Landmark Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6895. Also, petition of Lions Club, Yreka, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6896. Also, petition of Chambers Board of Supervisors of Siskiyou County, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6897. Also, petition of Sam Duker, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6898. Also, petition of Lions Club, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6899. Also, petition of D. Fricot, Angels Camp, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6900. Also, petition of Pacific Gas & Electric Co., Salinas, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6901. Also, petition of A. A. Arnold, Bank of Italy, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6902. Also, petition of Fred B. Risley, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6903. Also, petition of Santa Barbara County Board of Forestry, Santa Barbara, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6904. Also, petition of San Joaquin Regional Advisory Council, California Development Association, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6905. Also, petition of Merced County Board of Supervisors, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6906. Also, petition of Santa Cruz County Rod and Gun Club, Santa Cruz, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6907. Also, petition of Orange County Farm Bureau Board of Directors, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6908. Also, petition of Southern California Regional Advisory Council, California Development Association, Los Angeles, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6909. Also, petition of Business and Professional Women's Club of Lodi, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6910. Also, petition of Westwood Auto Club, Westwood, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6911. Also, petition of California Barrel Co. (Ltd.), indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6912. Also, petition of Women's Civic Center, San Francisco, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6913. Also, petition of Parent Teacher Association of Yosemite, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6914. Also, petition of Hortense Davis, Pass Christian, Miss., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6915. Also, petition of supervisors of Riverside County, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6916. Also, petition of Lions Club of Sonora, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6917. Also, petition of Santa Clara Exchange Club, Santa Clara, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6918. Also, petition of neighbors and coworkers with the Government year round, in Yosemite National Park, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6919. Also, petition of Rotary Club of Fresno, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6920. Also, petition of Cajon Parent Teacher Association, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6921. Also, petition of San Joaquin County Farm Bureau Federation, Stockton, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6922. Also, petition of Deer Creek Livestock Association, Porterville, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6923. Also, petition of Chamber of Commerce of Redondo Beach, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6924. Also, petition of American Legion, Department of California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6925. Also, petition of Rio Vista Post 178, the American Legion, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6926. Also, petition of James McDermott Post, No. 72, the American Legion, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6927. Also, petition of Glendale Post, No. 127, the American Legion, Glendale, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6928. Also, petition of Yosemite Post, No. 257, the American Legion, Yosemite, Calif., indorsing House bill 3245, the Englebright fire prevention bill; to the Committee on Agriculture.

6929. Also, petition of American Legion of Sonora, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6930. Also, petition of Joseph G. McComb Post, No. 146, Oceanside, Calif., the American Legion, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6931. Also, petition of Charles P. Rowe Post, No. 30, American Legion, Pomona, Calif., indorsing House bill 3245, the Englebright fire prevention bill; to the Committee on Agriculture.

6932. Also, petition of Lake Merritt Post, No. 340, the American Legion, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6933. Also, petition of Wilmington Post, No. 287, Wilmington, Calif., the American Legion, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6934. Also, petition of Madera County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6935. Also, petition of Oakland Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6936. Also, petition of Santa Paula Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6937. Also, petition of Lodi District Chamber of Commerce (Inc.), California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6938. Also, petition of Salinas Chamber of Commerce, California, indorsing House bill 3245, the Englebright fire prevention bill; to the Committee on Agriculture.

6939. Also, petition of Richmond Chamber of Commerce, Richmond, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6940. Also, petition of San Diego Chamber of Commerce, San Diego, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6941. Also, petition of Tracy Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6942. Also, petition of Redding Chamber of Commerce, Redding, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6943. Also, petition of Merced County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6944. Also, petition of Pittsburg Chamber of Commerce, Pittsburg, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6945. Also, petition of San Lorenzo Valley Chamber of Commerce, Santa Cruz County, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6946. Also, petition of board of directors Berkeley Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6947. Also, petition of Lassen County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6948. Also, petition of Sebastopol Chamber of Commerce, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6949. Also, petition of Santa Cruz Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6950. Also, petition of Ingelwood Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6951. Also, petition of Fresno County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6952. Also, petition of Coachella Valley Associated Chambers of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6953. Also, petition of Mount Shasta Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6954. Also, petition of Los Angeles Chamber of Commerce, Los Angeles, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6955. Also, petition of Visalia Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6956. Also, petition of Stockton Chamber of Commerce, Stockton, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6957. Also, petition of Exeter Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6958. Also, petition of Arcata Chamber of Commerce, California indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6959. Also, petition of the Lindsay Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6960. Also, petition of La Canada Valley Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6961. Also, petition of Fresno County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6962. Also, petition of Hawthorne Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6963. Also, petition of San Jose (Calif.) Chamber of Commerce, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6964. Also, petition of Eureka Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6965. Also, petition of Mill Valley Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6966. Also, petition of Crescent City Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6967. Also, petitions of Chamber of Commerce, Novato, Calif., and Santa Barbara County Farm Bureau, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6968. Also, petition of San Juan Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6969. Also, petition of Big Valley Community Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6970. Also, petition of Arcata Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6971. Also, petition of Woman's Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6972. Also, petition of Ord Bend Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6973. Also, petition of Fortnightly Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6974. Also, petition of Pasadena Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6975. Also, petition of Women's Improvement Club of Hughson, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6976. Also, petition of Lehama County Federation of Women's Clubs, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6977. Also, petition of Del Norte Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6978. Also, reptition of Calaveras-Tuolumne Bi County Federation, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6979. Also, petition of Marin County Federation of Women's Clubs, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6980. Also, petition of San Francisco district of the California Federation of Women's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6981. Also, petition of southern district, California Federation of Women's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6982. Also, petition of California Federation of Women's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6983. Also, petition of Alameda district of the California Federation of Women's Clubs indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6984. Also, petition of Outdoor Art League, of San Jose, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6985. Also, petition of North Sacramento Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6986. Also, petition of Yuba City Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6987. Also, petition of Colusa Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6988. Also, petition of Willows Monday Afternoon Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6989. Also, petition of Wilson Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6990. Also, petition of Red Bluff Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6991. Also, petition of Etna Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6992. Also, petition of Arbuckle Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6993. Also, petition of Sheridan Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6994. Also, petition of Woman's Club of Williams, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6995. Also, petition of Woman's Club of Gridley, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6996. Also, petition of Wythia Club of Truckee, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6997. Also, petition of Mount Pleasant Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6998. Also, petition of Maxwell Tuesday Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6999. Also, petition of Placerville Shakespeare Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7000. Also, petition of Woman's Thursday Club of Fair Oaks, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7001. Also, petition of Maywood Woman's Club of Corning, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7002. Also, petition of Portoe Woman's Civic Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7003. Also, petition of Women's Club of Biggs, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7004. Also, petition of Durliani Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7005. Also, petition of Woman's Club of Lincoln, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7006. Also, petition of Capay Rancho Women's Home Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7007. Also, petition of Chico Art Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7008. Also, petitions of G. W. Grannis Club, California, and District 14, California State Nurses' Association, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7009. Also, petition of American College Club of Chico, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7010. Also, petition of Womens Improvement Club of Roseville, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7011. Also, petition of Woman's Club of Sutter Creek, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7012. Also, petition of Meridian Wednesday Afternoon Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7013. Also, petition of Sycamore Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7014. Also, petition of Greenville Sierra Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7015. Also, petition of Orange Vale Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7016. Also, petition of Wyandotle Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7017. Also, petition of Thammonton Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7018. Also, petition of Woman's Study Club of Westwood, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7019. Also, petition of Bayliss Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7020. Also, petition of Woman's Club of Loomis, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7021. Also, petition of Women's Improvement Club of Nevada City, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7022. Also, petition of Village Club, Ferndale, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7023. Also, petition of Trinidad Civic Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7024. Also, petition of Eureka Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7025. Also, petition of Carlotta Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7026. Also, petition of Country Club of Washington Township, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7027. Also, petition of Oakland New Century Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7028. Also, petition of Atlanta Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7029. Also, petition of Rhodora Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7030. Also, petition of Calaveras Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7031. Also, petition of South Alhambra Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7032. Also, petition of Pacific Grove Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7033. Also, petition of Dinuba Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7034. Also, petition of Hamilton City Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7035. Also, petition of Monterey County Federation, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7036. Also, petition of Lodi Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7037. Also, petition of Fruitvale Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7038. Also, petition of Unit X, California State Organization Public Health Nursing, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7039. Also, petition of the Oakland Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7040. Also, petition of Adelphian Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7041. Also, petition of Dorcas Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7042. By Mr. FULMER: Resolution submitted by R. B. Waters, board of trade of Sumter, S. C., and passed by the city council of Sumter, S. C., indorsing legislation to enlarge the present post-office building at Sumter, S. C.; to the Committee Public Buildings and Grounds.

7043. By Mr. GARBER of Oklahoma: Petition of Ingham Lumber Co., Kansas City, Mo., in opposition to the tariff on lumber; to the Committee on Ways and Means.

7044. Also, petition of Euchee Lodge No. 524, Ancient Free and Accepted Masons, Sapulpa, Okla., in support of Capper-Robinson bill; to the Committee on Education.

7045. Also, petition of Oklahoma State Federation of Labor in support of House bill 6603; to the Committee on the Post Office and Post Roads.

7046. By Mr. GIBSON: Petition of citizens of the towns of Wells River and Newbury, Vt., urging legislation (H. R. 2562) for the relief of Spanish War veterans; to the Committee on Pensions.

7047. By Mr. KORELL: Petition of residents of Multnomah County, Oreg., urging the enactment of House bill 8976, for the relief of veterans and widows and minor orphans of veterans of Indian wars; to the Committee on Pensions.

7048. By Mr. MILLER: Petition of residents of Seattle, Wash., for favorable report and enactment of House bill 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7049. By Mr. O'CONNELL of New York: Petition of the Kings County (N. Y.) Pharmaceutical Society, 350 members, respectfully favoring the passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

7050. By Mr. O'CONNOR of Oklahoma: Petition of Mrs. T. E. Berry and 80 other residents of Tulsa, Okla., protesting any proposed change in the calendar of the weekly cycle; to the Committee on Foreign Affairs.

7051. By Mr. PURNELL: Petition of Elizabeth M. Reagan et al., favoring the passage of Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products; to the Committee on Agriculture.

7052. By Mr. RAMSPECK: Petition of Mr. J. R. Bosworth and 55 other citizens of Atlanta, Ga., in behalf of the proposed legislation to increase Spanish War pensions; to the Committee on Pensions.

7053. By Mr. STONE: Resolution signed by Jerry Small, president, and W. A. Lile, secretary, of the Painters Local Union, No. 1002, Stillwater, Okla., to support House bill 10343, relating to restriction of immigration; to the Committee on Immigration and Naturalization.

7054. By Mr. SWICK: Petition of Mrs. J. B. Mickey and 147 residents of Vanport and vicinity, Beaver County, Pa., urging the enactment of House bill 2562 and Senate bill 476, for the relief of veterans and their widows of the Spanish-American War; to the Committee on Pensions.

7055. By Mr. SWING: Petition of 103 citizens of the eleventh congressional district of California, urging the adoption of a bill to restrict Mexican immigration; to the Committee on Immigration and Naturalization.

7056. By Mr. TARVER: Petition of J. Leo Baker and other citizens of Chattooga County, Ga., in the interest of Spanish-American War veterans' legislation; to the Committee on Pensions.

SENATE

TUESDAY, *April 22, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3135) granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

The message also announced that the House had passed the following bills and joint resolution of the Senate severally with an amendment, in which it requested the concurrence of the Senate:

S. 549. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes; and

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DENISON, Mr. BURTNESS, and Mr. PARKS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 14. An act to make The Star-Spangled Banner the national anthem of the United States of America;

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress;

H. R. 2828. An act to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes;

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;

H. R. 6127. An act to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes;

H. R. 8881. An act to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910;

H. R. 10198. An act to repeal obsolete statutes, and to improve the United States Code;

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes;

H. R. 10652. An act to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations;

H. R. 10960. An act to amend the law relative to the citizenship and naturalization of married women, and for other purposes;

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.;

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation;

H. J. Res. 243. Joint resolution authorizing an appropriation to defray one-half of the expenses of a joint investigation by the United States and Canada of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.; and

H. R. 7881. An act authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians.

NATIONAL FINANCES

Mr. JONES. Mr. President, I hold in my hand a letter from the President, which I received two or three days ago. It deals with a very important situation which I know everyone desires to meet in a proper way. I did not feel like having it placed in the RECORD or read before the Senate until I had conferred with the President and had his wishes in regard to the matter. I now ask that the letter be read from the clerk's desk.

The VICE PRESIDENT. The clerk will read, as requested.

The Chief Clerk read as follows:

THE WHITE HOUSE,
Washington, April 18, 1930.

The Hon. WESLEY L. JONES,
United States Senate.

MY DEAR MR. SENATOR: I thought you would like to know that a reexamination of our fiscal situation for the next year by the Director of the Budget shows that upon the indicated income of the Government and the expenditures to which the Government is already committed through Budget proposals and legislation which has been completed, we are faced with a deficit of some twenty or thirty millions of dollars. This, of course, is not as yet a very material sum, but it is obvious that any further large amounts of expenditure will jeopardize the primary duty of the Government; that is, to hold expenditures within our income.

Something over 125 acts have been passed by either the Senate or the House or favorably reported by different committees, which would authorize an additional expenditure of three hundred or three hundred and fifty million dollars next year. A good many of these proposals are, of course, for comparatively small sums, and some of them are necessary for the functioning of the Government, but I know you will agree with me that there is cause for real alarm in the situation as we can not contemplate any such deficit.

I am writing a similar note to Representative WOOD.

Yours faithfully,

HERBERT HOOVER.

Mr. BORAH. Mr. President, I think the letter which has just been read is a very important one. I would like to ask the Senator to whom it is addressed if it has any practical application to any measure of which he knows that is now pending.

Mr. JONES. I have not followed closely all the measures that we have passed. So far as the general appropriation bills are concerned, the Committee on Appropriations have held them, in the aggregate at any rate, below the Budget estimate, so that whatever increases may be contemplated are probably going to arise from independent legislation that we have passed or that may be in contemplation.

Mr. BORAH. Has the Senator knowledge of any specific bill to which the letter has reference?

Mr. JONES. No; I have not.

Mr. BORAH. Does he know how we could get any information as to what specific measure it has reference?

Mr. JONES. No; I do not.

The VICE PRESIDENT. The President's letter will be referred to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a communication in the nature of a petition from the chairman of the gold-star mothers of the World War at Wayne, Pa., praying for the passage of the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," which was ordered to lie on the table.

He also laid before the Senate the memorial of McCook Post, No. 51, and McCook Corps, No. 145, Grand Army of the Republic, of Iola, Kans., remonstrating against the passage of the bill (S. 3810) to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va., which was referred to the Committee on Military Affairs.

Mr. TYDINGS presented a petition of sundry citizens of Baltimore, Md., praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which was ordered to lie on the table.

Mr. BLAINE presented a resolution adopted by the Woman's Christian Temperance Union of Neillsville, Wis., favoring the passage of legislation for the supervision of motion pictures and the establishment of higher standards in the production of films that are to be licensed for interstate and foreign commerce, which was referred to the Committee on Interstate Commerce.

CONTROL OF NARCOTICS

Mr. COPELAND. Mr. President, I find in my State a great deal of opposition on the part of the medical profession to the so-called Porter narcotic bill. I hold in my hand a letter from Dr. Howard Lilienthal, a prominent physician of New York, who incloses an editorial from the Journal of the American Medical Association relating to the subject, and also a reprint from the American Medical Association Bulletin and a memorial from members of the Schenectady County Medical Society, who are opposed to the passage of the bill in its present form. I do not wish at all to state that these objections voice my own view, but I do wish to have them made a matter of record. I therefore ask permission to have them printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the letter and inclosures were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

NEW YORK, *April 21, 1930.*

Hon. ROYAL S. COPELAND,
Washington, D. C.

MY DEAR DOCTOR: Thank you for your kind interest in the matter of the Porter narcotic bill.

My reasons for objecting to this bill are those which you have doubtless seen in the April 5 number of the Journal of the American Medical Association. Since that time I understand that the bill, without amendment, has been acted upon favorably by the House of Representatives. I am inclosing a clipping from the April 19 number of the same journal, which seems to me to cover the matter pretty well. Personally I think it would be little short of a disaster to have any one person placed in charge of the professional use of narcotics by physicians.

I therefore protest once more the passage of H. R. 11143 as it now stands. I feel quite sure that with your broad knowledge of professional matters you can not fail to realize that bills of this kind will place a premium upon the illicit sale of narcotics while merely hampering their legitimate use.

Hoping that I may have enlisted your sympathy and with renewed thanks for your courtesy, I am,

Respectfully yours,

HOWARD LILIENTHAL.

DEMAND AMENDMENT OF PORTER NARCOTIC BILL IN SENATE

The House of Representatives, April 7 passed without amendment the Federal narcotic service reorganization bill—H. R. 11143—introduced by Representative PORTER March 26, and reported by the Committee on Ways and Means March 31. The Journal, April 5, advised physicians to protest to their representatives in Congress against the enactment of this bill unless amended; but it has been jammed through the House of Representatives in such short order as to make such protests ineffective. The bill should be amended in the Senate to authorize importation by accredited laboratories for use in research of the rarer derivatives of opium and coca leaves that are not manufactured in the United States. It is even more important that it be amended to require the Federal narcotic service to cooperate with the States in enforcing State laws relating to narcotic drugs. Without such an amendment the bill menaces the medical profession with a Federal narcotic dictator, who may assume charge of the practice of medicine so far as relates to the professional use of narcotic drugs. Forcible protests should be sent immediately to every Senator by telegram and by letter, so that he may not vote on this bill without full knowledge of the views of the physicians of his State. (J. A. M. A., April, 1930.)

[Reprinted from American Medical Association Bulletin, February, 1930, vol. 25, pp. 34–35]

A FEDERAL NARCOTIC DICTATOR

The Porter bills are before Congress and the papers of Mr. Hearst are actively supporting them. If the bill (H. R. 9054) introduced in the House of Representatives by Representative PORTER, of Pennsylvania, January 23, becomes a law, licenses from the United States Commissioner of Prohibition will be necessary to enable physicians to use narcotics lawfully in the practice of medicine. The commissioner is authorized by the bill to prescribe regulations governing the issuing, suspension, and revocation of licenses. He is not bound in any way by any license of any kind that any State may have issued. Since the proposed law is not inconsistent with the Harrison Narcotic Act and does not expressly repeal it, licenses from the Commissioner of Prohibition will not relieve physicians of the obligation to register annually with the Commissioner of Internal Revenue, to pay an annual narcotic tax, and to comply with all the conditions imposed by that act. What is true of physicians under the proposed law is equally true of dentists, veterinarians, and pharmacists.

Except for two limitations the authority of the Commissioner of Prohibition to control licenses under the proposed act is subject only to the right of the Secretary of the Treasury to approve or disapprove such regulations as the commissioner may propose and the right of the courts to review final action by the commissioner. No one who has ever been convicted of any offense against a Federal or State law relating to narcotic drugs, regardless of how trivial that offense may have been, may ever be licensed under the proposed act; if his license is revoked, its possessor can never thereafter use narcotic drugs professionally, for a new license can not be issued. A narcotic addict may not be licensed, and it is left to the commissioner to determine when a person becomes a narcotic addict and when he ceases to be one. The bill offers no other suggestions from Congress as to who may and who may not be licensed; what conditions are to govern the issue, suspension, and revocation of licenses; how long a period and how great an area a single license is to cover; what limitations are to be imposed on the character and amount of narcotic drugs that a licentiate may use; what records are to be kept or what reports made. All these matters the commissioner is to determine and control by regulations.

It would seem that these stipulations would in themselves endow the commissioner with sufficient power, but there is more to come! If the commissioner is considering the rejection of an application for a license, he is not required to give the applicant notice of his supposed disqualifications. In suspending or revoking a license the commissioner does not have to give the licentiate notice of the charges against him, if there are any. The commissioner merely calls on the applicant to show cause why a license should be issued, or calls on the licentiate to show cause why his license should not be suspended or revoked; the burden of proof is on the applicant and the licentiate. When the answer comes, the commissioner is to arrange for a hearing. This may be anywhere that the commissioner considers most practicable and convenient, in view not only of the place of residence of the applicant or licentiate but also of the place where the evidence bearing on the case is most readily obtainable. The person who must defend his rights has no voice in determining the place of hearing, and no method is provided by which he can cause a hearing to be transferred. Whether the hearing shall be public or private is apparently left to the person who holds it. Any officer or employee of the Bureau of Prohibition may be assigned by the Commissioner of Prohibition to hold such a hearing.

The employees and officers assigned to conduct hearings and the Commissioner of Prohibition may issue subpœnas to compel the attendance and testimony of witnesses and the production of books, papers, documents, and other evidence. A subpœna so issued may apparently be served in any place under the jurisdiction of the United States. The applicant or licentiate who wants subpœnas compelling the attendance of witnesses and the production of evidence on his own behalf can get them only by telling the officer who is to hold the hearing what each witness will testify to. Then the officer determines the necessity for the subpœna before he issues it.

Although any employee of the Bureau of Prohibition may hold hearings, only the Commissioner of Prohibition may pass on the evidence. All evidence is to be recorded and forwarded to the Commissioner of Prohibition for final action. Even if the commissioner has never seen the applicant or the witnesses, he makes the decision. Provision is made for appeals to the courts from decisions rendered by the Commissioner of Prohibition, but no provision is made for suspending the operation of the commissioner's decision pending a decision by the court. Indeed, the rules to be followed with respect to appeals are vague and uncertain.

Supplementing this legislation, a companion bill was introduced by Representative PORTER on the same day. It proposes to transfer from the Commissioner of Prohibition to a proposed commissioner of narcotics all Federal functions with respect to narcotics now vested in the Commissioner of Prohibition. It proposes further to abolish the Federal Narcotics Control Board and to vest all authority and power of that board in the proposed commissioner of narcotics. The division of narcotics in the Bureau of Prohibition is to be magnified into a bureau of narcotics, under the supervision and control of the proposed commissioner of narcotics.

Certainly there is nothing to indicate that such a transformation would in any way increase the efficiency of narcotic control.

The legislation proposed is in complete harmony with the prevailing tendency to substitute a powerful bureaucracy in Washington for the authority of the States. If the Porter bills become law, a physician, dentist, veterinarian, or pharmacist authorized by a State to practice his profession can not use narcotic drugs in connection with his work until a Washington bureau chief, under rules and regulations of his own making, says that he may. Autocrats of such a type have no place in the American scheme of government. Efforts are already being made to bring about the early enactment of this legislation. Physicians and all interested organizations must protest at once against its enactment. Reach both Representatives and Senators even though the bill is not yet before the Senate. In the face of such a menace and with an understanding of the type of propaganda that will be behind the Porter bills, all the power that an intelligent people and particularly the medical profession can wield, must be mustered to the defense of the right of physicians and related professions to practice for the good of man without further bureaucratic molestation. (J. A. M. A.)

We, the undersigned members of the Schenectady County Medical Society, are opposed to the passage of the Porter bill and hope you will do all in your power to defeat this measure (H. R. 9054).

John D. Gulick, James M. Dunn, F. C. Reed, K. S. Clark, L. L. Linewaer, A. N. Blatphall, I. Shapiro, J. M. W. Scott, Lester Betts, R. C. Taylor, J. E. Smith, A. E. Wells, W. L. Pearson, O. F. Park, H. Miller, J. H. Fallon, Hugo Gutmann, E. B. O'Keeffe, John J. O'Brien, A. W. Breene.

CONTROL OF NARCOTICS

Mr. COPELAND subsequently said: Mr. President, this morning I placed in the RECORD sundry material relating to the Porter narcotics bill, H. R. 11143. The material I placed in the RECORD was in the form of letters from members of the medical profession.

I hold in my hand a letter which I have just received from Congressman PORTER making a reply to the criticism of the bill as found in the letters which I have placed in the RECORD. I ask that this letter from Congressman PORTER be included in the RECORD in connection with those letters which I placed in the RECORD this morning.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., April 22, 1930.

Hon. ROYAL S. COPELAND,
United States Senate, Washington, D. C.

MY DEAR SENATOR COPELAND: I notice that you inserted in the CONGRESSIONAL RECORD to-day a few communications relating to H. R. 11143, a bill which I introduced and which was passed unanimously by the House of Representatives. After extended hearings this bill was reported unanimously by the House Committee on Ways and Means. It has the full indorsement of the State and Treasury Departments. On April 4, 1930, Secretary of the Treasury Mellon wrote to Chairman HAWLEY, of the Ways and Means Committee:

"In order to remove any possible misunderstanding as to the position of the Treasury with respect to the bill creating the bureau of narcotics, introduced by Congressman PORTER and reported by your committee (H. R. 11143), I assure you that the bill has my approval, and I



believe that its enactment will be a substantial step forward in the control of narcotics."

One communication you introduced in the RECORD is a reprint of an editorial appearing in the Journal of the American Medical Association. Another is from Dr. Howard Lilienthal, of New York. Doctor Lilienthal said, in part:

"Personally, I think it would be little short of a disaster to have any one person placed in charge of the professional use of narcotics by physicians."

It is evident that Doctor Lilienthal has been misinformed as to the purposes of this bill. The bill extends in no way whatever the authority of the Government over the professional use of narcotics by physicians. I have pointed this out in a letter to the editor of the Journal of the American Medical Association, which declared:

FEBRUARY 14, 1930.

EDITOR THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill.

DEAR SIR: Needless to say I was astounded to read in the issue of February 8 of the Journal of the American Medical Association an editorial criticizing the antinarcotic bills I introduced in the House of Representatives on January 23, because I fully expected the wholehearted support of the medical profession in my efforts to pass these bills.

Please believe, sir, that it is my earnest desire to protect the rights and privileges of the medical profession. The profession of medicine would be an unhappy calling, indeed, without narcotic drugs wisely and judiciously used in the treatment of disease.

Either through an inadvertence or through a complete misunderstanding of the purposes of the bills, the editorial conveys a decidedly erroneous impression of the purposes I am seeking to accomplish in attacking the abuses of habit-forming narcotic drugs.

The editorial is so filled with misrepresentations—not deliberate, I am sure—that I feel it my bounden duty to correct some of the misstatements it makes in order that the medical profession and the general public may not obtain a wrongful impression of the purposes of the proposed legislation.

I have introduced two bills. One is to create a separate and independent bureau of narcotics in the Treasury Department. The need for this separation of narcotic from prohibition administration and enforcement is so obvious and has been proposed in response to such widespread demands that further explanation is unnecessary. Who can doubt for a moment the wisdom of having a board of medical men, as proposed in the bill, advise on the amounts of narcotic drugs required for medicinal and scientific purposes? Under existing law the narcotic control board, charged with this very important duty, is composed of three men, one each from the Departments of State, Treasury, and Commerce, who are not members of the medical profession. I naturally assumed that the medical profession would be especially pleased with this provision of the bill, because for years it has been demanding representation on Federal boards where its interests are involved.

The second bill, which the editorial marked out for particular criticism, does but one thing—it authorizes the Government to deny licenses to any registrants under the Harrison Act who are habitually addicted to narcotic drugs or who have pleaded guilty or have been convicted of violating the narcotic laws.

The issue raised by the bill is clear and unequivocal. Under existing law a physician, dentist, druggist, or veterinarian may be hopelessly addicted to these drugs and still allowed to prescribe, administer, or dispense them, and one convicted of the grossest violation of the narcotic laws can, immediately after discharge from imprisonment, resume the prescribing, administering, or dispensing of these drugs. Shall this condition continue and add further to the misery and degradation of thousands of unfortunate American citizens? Certainly such a hideous privilege must be denied.

Nothing else is involved. The bill does not set up a dictatorial autocrat in Washington. It does not impose any additional fees; it does not require any additional narcotic records; it does not impose restrictions on honest practitioners not now required by the Harrison Act, save that the physician, dentist, druggist, veterinarian, or other registrant shall not be an addict or violator of the narcotic laws.

The legislation should have the whole-hearted support of the professions. It is not hostile to their interests. Rather, it fully protects their rights and privileges.

The bill takes away none of the rights of the conscientious practitioners in the bona fide use of narcotics in the practice of medicine. It does not superimpose on the Harrison Act any limitations whatever on the ethical administration of narcotics by physicians.

But the bill does strike at the few unscrupulous practitioners who are disgracing and degrading their professions, as has been so well pointed out in a newspaper article by Dr. William Gerry Morgan, president elect of the American Medical Association. In that article he declared he saw no reason why the medical profession may not be wholeheartedly behind this legislation. I am certain his views echo the sentiments of all the responsible physicans of the United States.

The editorial mentions that a "powerful bureaucracy in Washington" shall dictate the rights of physicians to prescribe narcotics. Nothing could be more alien to the truth, as a reading of the bill will convince the most partisan mind that it has been carefully drafted so as to prevent any semblance of bureaucracy. The proposed commissioner of narcotics must issue licenses to all registrants except those who are addicts or law violators. He is given no other authority. Full and impartial hearings under provisions which are eminently fair to the physicians are allowed. Further safeguard of the physicians' rights is provided by permitting an appeal to the courts from any decision of the commissioner. At all times the burden of proof lies upon the Government to establish that an applicant or licensee is an addict or a law violator—the only bar to the issuance of a license.

Congress is duty bound under the obligations of The Hague opium treaty to enact this legislation, as chapter 3, article 9, of that treaty, to which 52 nations are signatory, provides:

"The contracting powers shall enact pharmacy laws and regulations in such a way as to limit the manufacture, the sale, and the use of morphine, cocaine, and their respective salts to medical and legitimate users only, unless existing laws or regulations have already regulated the matter. They shall cooperate amongst themselves in order to prevent the use of these drugs for any other purpose."

The illegal dispensing or using of narcotics by addicts is not in conformity with medical requirements, and certainly, therefore, addicts should not be allowed to dispense or prescribe these drugs. On that there should be no dispute.

As the proposed legislation so jealously protects the medical profession, the honest, ethical, and law-abiding physicians of the United States have nothing to fear from this legislation.

On the contrary, I have already had sufficient indorsements from prominent physicians all over the country to know that they welcome it, not as an abridgment of their professional practice but as a great step forward in the humanitarian fight to curb abuses of narcotic drugs.

To clarify an apparent unfortunate misunderstanding I shall be happy if you will publish this letter in the Journal.

You may be assured that the medical profession will be given every opportunity to be heard when hearings are held. I am convinced that with a full understanding of the purposes of the legislation the profession will actively cooperate in its passage.

Very truly yours,

STEPHEN G. PORTER.

Another communication you introduced is an editorial from the Journal of the American Medical Association of April 19, 1930. It suggests that the bill should be amended as follows:

1. To authorize the importation by accredited laboratories for use in research of the rarer derivatives of opium and coca leaves that are not manufactured in the United States.

2. To require the Federal narcotic service to cooperate with the States in enforcing State laws relating to narcotic drugs.

Neither amendment is wise or necessary. The rarer alkaloids mentioned in the editorial can be manufactured in the United States, as attested by the following letter:

HUGHES, SCHURMAN & DWIGHT,
ATTORNEYS AND COUNSELLORS AT LAW,
100 Broadway, New York, April 8, 1930.

Hon. STEPHEN G. PORTER,
House of Representatives, Washington, D. C.

MY DEAR MR. PORTER: It was very gratifying to receive your telegram advising of the passage by the House of your bill to create a separate bureau of narcotics. Please permit me to extend my most sincere congratulations, for you have done a fine public service in getting this bill so well along toward enactment.

Just this morning I received from Mr. Merck a copy of the editorial that appeared in the April 5, 1930, edition of the Journal of the American Medical Association. The opposition to your bill there voiced was apparently based upon its failure to order Federal cooperation with the States in the enforcement of narcotic laws and because the bill fails to permit the importation of so-called rare forms of narcotic drugs for the purpose of research.

As to the first objection, you can deal with this adequately. As to the second, this concerns the three manufacturers whom we represent, and on their behalf I want to acquaint you with the facts.

Mallinckrodt Chemical Works, Merck & Co. (Inc.), and New York Quinine & Chemical Works (Inc.), whom we represent, have at all times manufactured any salts or derivatives of crude opium which they have been requested to make, and they are still willing and able to do so. We do not know just what so-called rare salts and derivatives the Medical Association wants that it can not get. The only one specifically mentioned is papaverine, but it is manufactured in this country and is available for any proper use. Therefore, in the face of the facts, this cry for the importation of the so-called rare salts and derivatives seems entirely unwarranted.

If I can be of any further assistance to you, please do not hesitate to call upon me.

Very truly yours,

OSCAR R. EWING.

The second suggested amendment is entirely superfluous. There already exists the closest cooperation of Federal and State agencies in the enforcement of the antinarcotic laws.

I am at a loss to understand the attitude of the Journal of the American Medical Association, for, on March 7, 1930, Dr. William C. Woodward, legislative counsel for the American Medical Association, told the Ways and Means Committee:

"I am satisfied that putting this work under the charge of a commissioner of narcotics, appointed by the President by and with the advice and consent of the Senate, whether it be in the Treasury Department or somewhere else, will relieve us of some of the trouble that now arises through the division of narcotics in the Bureau of Prohibition."

"Mr. ESTEP. But in this bill do you find anything that will in any way harass or restrict the individual members of the profession in carrying out their work?"

"Doctor WOODWARD. Speaking personally, I will say no; and if I might be permitted to explain, I had agreed with Representative PORTER yesterday to make that statement to the committee—that this bill appeared to me personally as not being a bill that would interfere with the physicians, and that I was prepared to make that statement to our board of trustees."

The bill does not menace any legitimate interests but it does go a long way toward protecting the American people from the ravages of the illicit use of narcotic drugs.

Very sincerely yours,

STEPHEN G. PORTER.

MATERNITY AND INFANCY

Mr. COPELAND. Mr. President, I have a letter from Dr. James N. Vander Veer, president of the Medical Society of the State of New York, in opposition to the Jones-Cooper maternity bill. I ask that the letter may be printed in the RECORD and lie on the table.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

MEDICAL SOCIETY OF THE STATE OF NEW YORK,
Albany, N. Y., April 18, 1930.

Hon. ROYAL S. COPELAND,
United States Senator, Washington, D. C.

MY DEAR DOCTOR COPELAND: There is now pending before the Senate bill S. 255 relative to maternity and infancy, and as president of the medical society of this State I am writing you asking that you voice your opposition to the same, inasmuch as the medical profession in general through the United States is in opposition to the thoughtful and careful deliberation of the house of delegates of the American Medical Association.

The medical profession in general has been in opposition to the Jones-Cooper bill because it is a tendency in the direction which is in general opposed by medical men relative to the federalization and care of the sick through a policy which, if adopted, would become nation-wide and place in the hands of the Government the direction, care, and treatment of the sick, which it has been the experience of the profession in European countries as not serving the people as it would seem on its face to be to their best interests. Experience has taught us in the profession that such measures of police regulations and directions do not serve them as consistently and as well as the theory of such measures would warrant.

Therefore, I am directed to write and convey to you the impressions of the majority of the profession in this State.

Hoping that you can see your way clear to act in accord with the desires of the profession, believe me

Very sincerely yours,

JAMES N. VANDER VEER, M. D.

REPORTS OF COMMITTEES

Mr. SHORTRIDGE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 389) for the relief of Kenneth M. Orr, reported it without amendment and submitted a report (No. 495) thereon.

Mr. TOWNSEND, from the Committee on Banking and Currency, to which was referred the bill (S. 4028) to amend the Federal farm loan act as amended, reported it without amendment and submitted a report (No. 497) thereon.

Mr. ODDIE, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the Governments of the Latin-American Republics in highway matters, reported it without amendment and submitted a report (No. 498) thereon.

Mr. BROCK, from the Committee on Military Affairs, to which was referred the bill (S. 465) to give war-time rank to retired officers and former officers of the United States Army, reported it with amendments and submitted a report (No. 499) thereon.

Mr. FRAZIER, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3044) to amend section 39 of title 39 of the United States Code, reported it with amendments and submitted a report (No. 500) thereon.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 7395) to extend to Government postal cards the provision for defacing the stamps on Government-stamped envelopes by mailers (Rept. No. 501); and

A bill (H. R. 8650) to authorize the Postmaster General to charge for services rendered in disposing of undelivered mail in those cases where it is considered proper for the Postal Service to dispose of such mail by sale or to dispose of collect-on-delivery mail without collection of the collect-on-delivery charges or for a greater or less amount than stated when mailed (Rept. No. 502).

REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

A bill (S. 4235) to prohibit the sending of unsolicited merchandise through the mails; to the Committee on Post Offices and Post Roads.

By Mr. McKELLAR:

A bill (S. 4236) to pay money-order cashiers the same compensation as postal cashiers; to the Committee on Post Offices and Post Roads.

By Mr. SHORTRIDGE:

A bill (S. 4237) for the relief of Hamilton Stone Wallace; to the Committee on Military Affairs.

A bill (S. 4238) granting a pension to Cora Edna Kuderski; to the Committee on Pensions.

By Mr. TYDINGS:

A bill (S. 4239) granting a pension to William H. Wheeler;

A bill (S. 4240) granting an increase of pension to Cornelia F. Grove (with accompanying papers); and

A bill (S. 4241) granting an increase of pension to George W. King; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 4242) to fix the salaries of the Commissioners of the District of Columbia;

A bill (S. 4243) to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia; and

A bill (S. 4244) authorizing the continuance of William Tindall in the service of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. GOLDSBOROUGH:

A bill (S. 4245) for the relief of Thompson E. Woodward (with accompanying papers); to the Committee on Claims.

By Mr. CARAWAY:

A bill (S. 4246) for the relief of the city of Jonesboro, Ark.; to the Committee on Claims.

By Mr. BINGHAM:

A bill (S. 4248) authorizing the Secretary of War to convey the Fort Griswold tract to the State of Connecticut; to the Committee on Military Affairs.

A bill (S. 4249) to extend the duties and powers of the Bureau of Efficiency to include the governments of the insular possessions of the United States; and

A bill (S. 4250) to amend an act entitled "An act supplemental to the national prohibition act," approved November 23, 1921; to the Committee on Territories and Insular Affairs.

By Mr. BROUSSARD:

A bill (S. 4251) granting a pension to Amelia W. Ziegel; to the Committee on Pensions.

By Mr. GOFF:

A bill (S. 4252) for the relief of James L. Morris; and

A bill (S. 4253) for the relief of George L. Stone; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 4254) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended; to the Committee on Interstate Commerce.

By Mr. ROBSION of Kentucky:

A bill (S. 4255) for the relief of James E. King et al.; to the Committee on Claims.

A bill (S. 4256) to establish a national Lincoln museum and veterans' headquarters in the building known as Ford's Theater; to the Committee on the District of Columbia.

A bill (S. 4257) granting an increase of pension to Virgil Hamilton; and

A bill (S. 4258) granting an increase of pension to J. F. Prater; to the Committee on Pensions.

A bill (S. 4259) granting the consent of Congress to the Louisville & Nashville Railway Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.; to the Committee on Commerce.

By Mr. BARKLEY:

A bill (S. 4260) for the relief of the American-La France & Foamite Corporation of New York; to the Committee on Finance.

ROAD TO CONFEDERATE CEMETERY AT FAYETTEVILLE, ARK.

Mr. CARAWAY. Mr. President, I introduce a bill asking for the authorization of $820 to construct a road from the city of Fayetteville, Ark., to a cemetery that was purchased and laid out by the ladies of that town, in which are buried 940 Confederate dead, men who lost their lives in the Battles of Prairie Grove or Elk Horn Tavern. They came from the four States of Missouri, Texas, Louisiana, and Arkansas. They include most of the known Confederate dead in that community.

The cemetery has been well cared for; there are markers at the graves; and every dollar of that expense has been paid by the people living there. It is inaccessible, and I am hopeful that an appropriation may be made for the construction of a road under the direction of the Secretary of War.

Two generations have been born and lived since these brave men laid down their lives for their country's sake. Many of them are unknown.

As such they sleep in this cemetery, their graves cared for, and their memory kept green by the loving care of the patriotic ladies who in 1872 purchased this land and made it the resting place of these until God shall call them to life again.

The bill (S. 4247) to provide for the improvement of the approach to the Confederate Cemetery, Fayetteville, Ark., was read twice by its title and referred to the Committee on Military Affairs.

EXECUTIVE MESSAGE

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 14. An act to make The Star-Spangled Banner the national anthem of the United States of America;

H. R. 9674. An act to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910; and

H. R. 10198. An act to repeal obsolete statutes, and to improve the United States Code; to the Committee on the Judiciary.

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress; to the Committee on Military Affairs.

H. R. 2828. An act to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes; to the Committee on Patents.

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;

H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park, in the State of Wisconsin, and for other purposes; and

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 6127. An act to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to the Philippine Islands; to the Committee on Territories and Insular Affairs.

H. R. 8881. An act to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928; to the Committee on Finance.

H. R. 10652. An act to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations; and

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.; to the Committee on Commerce.

H. R. 10960. An act to amend the law relative to the citizenship and naturalization of married women, and for other purposes; to the Committee on Immigration.

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation; to the Committee on Post Offices and Post Roads.

H. J. Res. 243. Joint resolution authorizing an appropriation to defray one-half of the expenses of a joint investigation by the United States and Canada of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays; and

H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress to be held at Lima, Peru, July, 1930; to the Committee on Foreign Relations.

INTERNATIONAL CONFERENCE ON THE UNIFICATION OF BUOYAGE AND LIGHTING OF COASTS (S. DOC. NO. 134)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Acting Secretary of State, to the end that legislation may be enacted to authorize an appropriation in the sum of $4,500 for the expenses of participation by the United States in an International Conference on the Unification of Buoyage and Lighting of Coasts, to be held in Lisbon October 6, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *April 22, 1930.*

CALL OF THE ROLL

Mr. HEFLIN obtained the floor.

Mr. FESS. Mr. President, will the Senator from Alabama yield to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Alabama yield for that purpose?

Mr. HEFLIN. I yield.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Simmons
Ashurst	Gillett	Keyes	Smoot
Baird	Glass	La Follette	Steck
Barkley	Goff	McCulloch	Steiwer
Bingham	Goldsborough	McKellar	Stephens
Black	Gould	McNary	Sullivan
Blaine	Greene	Metcalf	Swanson
Blease	Hale	Norbeck	Thomas, Idaho
Borah	Harris	Norris	Thomas, Okla.
Brock	Harrison	Nye	Townsend
Broussard	Hastings	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Caraway	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Couzens	Hebert	Pine	Walsh, Mass.
Dale	Heflin	Ransdell	Walsh, Mont.
Deneen	Howell	Robinson, Ind.	Waterman
Dill	Johnson	Robsion, Ky.	Watson
Fess	Jones	Shipstead	Wheeler
Frazier	Kean	Shortridge	

Mr. WALSH of Montana. I announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are absent attending the funeral services of the late Representative Lee, of Texas. They will probably be absent until Thursday.

I also wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are in London attending the naval conference.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

THE POLITICAL SITUATION IN ALABAMA

Mr. HEFLIN. "Know the truth, and the truth shall make you free."

Mr. President, I shall speak principally to the Democrats of Alabama, but what I shall say will be of interest to every true American.

Thomas Jefferson, former President of the United States, author of the Declaration of Independence, and father of the Democratic Party, has taught us that the preservation of free government in America depends upon the action of the citizen who votes his or her conscientious convictions. He insisted that if the voters get "the truth" regarding the issues involved in any election, they will render the proper verdict with their ballots.

Washington, the father of the Republic, warned us against blindly following a dangerous and corrupt party leadership, a leadership that would wander off after false political gods and abandon the things that the party was intended to protect and preserve.

My appeal is to all Democrats—those who supported Smith and those who supported Hoover. The issues presented in the last presidential election were not only complicated, confusing, and disagreeable, but very embarrassing to four-fifths of the Democrats of Alabama. Thousands of Democrats in our State voted for Smith because they decided to go along and vote for him and "be regular," and I have never criticized them for doing that. Thousands of Democrats in the State voted against him because they decided that it was best for the party and best for the country to defeat him. Both groups of Democrats did what they felt they should do under the circumstances. They were dealing not only with an unfortunate but with an extraordinary national political situation, different from any that we had ever had before, and the State committee of Alabama should have handled the matter with a fine and magnanimous consideration for those lifelong Democrats who could not conscientiously support Smith, just as practically all of the Democratic State committees of the other Southern States have done.

As I said in my speech at Anniston on February 14, 1930:

> If the truth regarding Governor Smith's record in the legislature and in the constitutional convention of New York and as governor of that State had been put in the hands of every Democratic voter in Alabama, as was done in Maryland, Virginia, North Carolina, Texas, Tennessee, Kentucky, and Florida, I do not believe that he would have received 25,000 votes in the State.

Certain subsidized newspapers in Alabama did everything in their power to keep "the truth" from reaching the voter. And the truth about Smith was suppressed in wet Catholic-controlled newspapers in our State. I said:

> Those Democrats who did not know the whole truth about Smith's record should not be blamed for supporting him, and those who did know the truth about his record should not be blamed for opposing him.

SMITH FIRST TO BOLT IN 1928

The Roman Catholic Democrats bolted Wilson in 1916 and tried to defeat him for President because he would not go to war with Mexico in behalf of the Roman Catholic Church. I knew that Governor Smith had bolted the Democratic platform, upon which he had been nominated in 1928, just as the Catholics had bolted Wilson, and that he had gone out of the Democratic Party and appointed Raskob, a wet Roman Catholic Republican, chairman of the Democratic National Committee, and I felt that in view of my knowledge of Governor Smith, the things he stood for, and the dangerous "alien forces" back of him, that it was my duty to oppose him, and I did so.

Now, may I not in all fairness inquire, Are more than a hundred thousand Democrats in Alabama, your neighbors and mine, life-long members of the Democratic Party, who refused to support Smith, to be offended, penalized, and punished, treated as though they were convicts, under instructions from the Roman-Tammany bunch in New York? Are our dear old Confederate veterans, the few that are left among us, and our brave Spanish-American War veterans and our heroic World War soldiers who opposed Smith to be humiliated and punished by "this new, long-distance, Roman-Tammany power in Alabama politics" and denied their sacred rights and privileges in the house of their Democratic fathers? Is our party management in Alabama to be under "carpet-bag rule," emanating from Tammany Hall in New York City?

I have had many letters from Democratic friends who voted for Smith and who are supporting me whole-heartedly for the Senate and they say that thousands of men voted for Smith whose wives, sons, and daughters, and sons-in-law voted for Hoover. I had a letter yesterday from one of them who said that while he had voted for Smith in order to be regular that his wife and son had voted for Hoover. He said that he knew of many Democratic families in his county that were divided like that and that he had heard of families in various parts of the State that were divided like that in the presidential election of 1928, and that the general feeling among nearly all of such Democratic families was—

> If we can't all go in at the front door of the primary and take our Democratic wives and sons and daughters in with us like they are doing in other Southern States, we won't go in the primary set up by the "twenty-seven" at the instance of the Smith-Raskob-Tammany régime.

GOVERNOR SMITH'S POSITION ON THE NEGRO QUESTION

When Governor Smith was a member of the Legislature of New York State he voted for a bill which compelled all white hotel proprietors and white restaurant proprietors to admit and serve in their establishments both whites and negroes on equal terms. While in the Legislature of New York he was instrumental in helping to defeat a bill which would have prevented in New York State the shocking and nauseating practice of marriage between whites and negroes. His position on those two measures marked him as the enemy of the white supremacy doctrine of Alabama and the South. While he was Governor of the State of New York, negro Democrats, so-called, members of the Smith-Roman-Tammany organization, were permitted to marry white women who had come in from certain foreign Catholic countries. You can go to New York and see them now, the disgusting and sickening fruits of Roman-Tammany-Democratic rule. What a shocking and shameful brand of "Democratic rule."

EDITOR EDMONDS'S SERIOUS CHARGE NEVER DENIED

While Smith was Governor of New York and during his campaign for the Presidency the Manufacturers Record, published at Baltimore by that able and distinguished southerner, Richard H. Edmonds, carried a statement which was never denied—that dance halls were being operated in New York City every night in the week where "negro men danced with white women" and "white men with negro women." The same dance halls, with the same shocking and disgraceful performances, are being operated in New York City to-day, under so-called Democratic-Tammany rule. I know that none of you believe in that brand of "Democracy." God help us to free the party from such control. And yet the Tammany-controlled "27" members of the Alabama State committee would at the instance of the Roman-Tammany leaders punish white Democrats of the South who "knew these things" at the time they declined to support Smith.

Those leaders are seeking to compel all Democrats in the South to take their hats off to this new "Roman-Tammany rule," surrender their convictions and become obedient servants of the Roman-Tammany brand of Democracy. The State Democratic committees of the other Southern States refused to take orders from Tammany. They wanted to unite the party and provided a fair-for-all old-fashioned Democratic primary. The Roman-Tammany leaders are seeking now to compel Alabama Democrats to surrender their principles and support the principles laid down by Tammany. I decline to do it.

During the presidential campaign in 1928 the New York World, a strong supporter of Governor Smith, knowing his position on the negro question and seeking to turn it to good account with the negro vote boldly proclaimed that Governor Smith was for "social equality." I read that statement in the open Senate. I requested Governor Smith, in a speech from the floor of the Senate, to tell me and to tell southern Democrats whether or not he believed in "social equality." He never has said and he will not "now" say that he is not in favor of "social equality." Senator BLEASE, a Democrat from South Carolina read a newspaper statement on the floor of the Senate which charged that Governor Smith, in an effort to get the negro vote, had promised, if elected President, to put a negro in his Cabinet. In a speech in the Senate I called upon Governor Smith to tell me and the Democrats of Alabama and to tell the South and the country whether he had made "such a promise" and whether or not, if elected President, he would place a "negro" in his Cabinet. He has not answered yet. If he had answered and told the truth he would not have carried a single Southern State.

The newspaper statement read by Senator BLEASE in the Senate charging that Smith would put a negro in his Cabinet stands to "this day" unanswered.

HOOVER EXPLAINED POSITION ON NEGRO QUESTION—SMITH DID NOT

I criticized and condemned Mr. Hoover in the Senate for having negro and white employees of the Commerce Department placed in the same division while he was Secretary of Commerce. Later, after he had been nominated for President, a report was circulated in Alabama to the effect that if Hoover was elected President he would appoint negro postmasters in our State and in other Southern States. During the presidential campaign in a speech in Tennessee, Hoover denied the charge, and the truth is he has not appointed any negroes to office in the South.

During the presidential campaign in 1928, a high public official in Mississippi gave publicity to a report that Mr. Hoover had attended a negro dance and had danced with a negro woman. Mr. Hoover immediately denounced the statement as false and the man who gave utterance to the charge retracted it. I mention this to show that Hoover who comes from the West and who was running as a Republican answered the charges made against him during the campaign about what he had done or would do concerning certain phases of the negro question, while Smith coming from the East and running as a Democrat had failed and refused all during the campaign and to this day to say how he stood or how he stands on any phase of the "negro question."

When charged with being an "advocate of social equality" and with having promised, if elected, to "put a negro in his Cabinet," he either ignored or deliberately defied the whole group of southern Democrats who believe in "white supremacy," because he flatly refused to say anything whatever on the subject. Think of a man calling himself a "Democrat" being on the "Democratic ticket" for President holding such views on the "negro question" that he dare not let the Democratic advocates of "white supremacy" in Alabama and elsewhere "know his real position" on the "negro question." Taking into consideration the negro problem as we have it, is it good policy or is it wise from our southern Democratic point of view to permit a State committee, serving for only a brief time, to offend, stigmatize, and seek to destroy Alabama Democrats who, knowing the truth of Smith's record on "this subject," declined to support him for President of the United States?

Would it not be better for all Democrats who believe in Democratic principles to see to it hereafter that "no candidate" who believes as Smith does on social equality is ever "nominated again" by the Democratic Party? The well-laid Roman-Tammany plan is to nominate Smith again, and the leaders, who have reached their hands into Alabama, boast that they will put me out of the Senate before that fight comes on in 1932.

ROMAN CATHOLIC PLAN TO CONTROL NEGRO VOTE

Nobody denies that the leaders of the Roman Catholic political group in the United States are making a persistent, determined, and desperate effort to get the negro vote under the control of "the Roman Catholic political machine," and the first step is to get the negro in the Catholic Church. Their leaders have pointed out that the Roman Catholics can soon control the United States through "unrestricted immigration," which would permit the coming in of Catholics in "unlimited numbers" from various Catholic countries and through the control of the Indian vote and the negro vote in certain States.

The national leaders of the Roman Catholic group admit that they permit and indorse mixed Catholic parochial schools, where white children and negro children sit side by side in the same schoolroom, with both white and negro Catholic teachers. They admit that they permit and indorse the practice which allows white and negro Catholics to attend the same Catholic Church and worship together, and approve marriage between whites and negroes, and under the Roman Catholic plan there are places where white women "confess" to negro Catholic priests.

CATHOLIC ORGAN ADMITS SERIOUS CHARGES ON NEGRO QUESTION

The Roman Catholic political machine is seeking "power" to help "carry forward" the Roman plan and purpose in the United States, and "the weekly Roman periodical" published in New York City, called "America," of February 22, 1930, a Roman Catholic mouthpiece, in substance says, editorially, that it has wiped out all lines of distinction between negro and white Catholics, and says that when "Senator HEFLIN stated in the Senate that the Roman Catholic group permits white and negro Catholic children to attend the same Catholic schools and sit side by side in the same schoolroom, and permits white and negro Catholics to attend the same church at the same time and worship together, and approves marriage between white Catholics and negro Catholics, he tells the truth."

So there is another admission by a Roman Catholic editor of a noted Roman Catholic paper that I told the "truth" about that. That admission is further evidence of the Roman Catholic purpose to control "the negro vote." They are showing him what their position is on the "negro question," and seeking through any means and every means possible to induce more negroes to come in under the direction and control of the Roman Catholic political organization.

The only two Democratic Presidents that we have had since the war between the States—Cleveland and Wilson—both denounced and repudiated Tammany. They characterized it as the most unscrupulous and corrupt political organization in the United States. Bryan denounced it as the most tyrannical and venal political organization in the country.

HERE IS SOME OF THE PROOF OF THE ROMAN-TAMMANY PLAN AND PURPOSE TO CONTROL THE NEGRO VOTE

Since the presidential election in 1928 the Democratic Congressmen from Tammany voted "to cut down the South's representation in Congress" because a certain New England Republican claimed that the Democratic South had discriminated against the Negro. Just recently one of these Democratic Members of Congress from Tammany—Mr. GAVAGAN, a Roman Catholic, Knight of Columbus—appointed two negro boys to the United States, Naval Academy. And just the other day The Crisis, the leading negro paper in the United States published in New York City, said editorially:

We are still chuckling merrily over TOM HEFLIN and the Alabama election. To see this apostle of race purity outside the breastworks of the white primary fills us with keen enjoyment.

This negro paper strongly supported Mayor Walker, the Roman-Tammany candidate, for reelection as mayor of New York City. The following excerpts are taken from the negro campaign book used in 1929 in the campaign for the reelection of Mayor Walker:

PUBLISHED AND ISSUED BY THE COLORED CITIZENS' NONPARTISAN COMMITTEE FOR THE REELECTION OF MAYOR WALKER

(From an address by Tammany negro civil-service commissioner, Ferdinand Q. Morton, who has a white secretary)

"Only a little more than 10 years ago, with the exception of a few school-teachers, there were in the public employ scarcely more than 100 colored citizens and the majority of those were laborers. Compare this meager number with the more than 2,200 colored city employees to-day and the $200,000 then being drawn by colored employees from the city treasury, with the nearly $4,000,000 now being paid to them by the city annually."

Colored children and colored teachers in the public schools, colored doctors, nurses, and patients in the city hospitals are all treated with "exact equality."

The intelligent and courageous use of his suffrage imperatively requires that the colored voter give his support to the administration of Mayor Walker.

This happy state of affairs should continue to obtain, but the only assurance of that lies in the reelection of the present Democratic city administration headed by Mayor James J. Walker. A vote for Mayor Walker in the coming election means a vote for an administration that has "actually gone out of its way" to make New York City the finest spot in America for the negro.

SCHOOL SYSTEM

Here the very highest standards are maintained, and what is far more important to the colored citizen, negro children are given absolutely the same instruction and consideration as other children and occupy the same classrooms.

MAYOR WALKER'S TAMMANY HOSPITAL POLICY

The Walker administration has shown "unusual" and commendatory solicitude for the negro citizen. Harlem Hospital affords a spectacle to be seen "nowhere else in the United States." Negro physician and white physician, colored nurses and white nurses work side by side upon terms of equality. Doctor Schroeder, the Walker administration's new commissioner of hospitals, recently made public announcement of the fact that at the "mayor's direction" equal opportunity is to be afforded for the training of colored nurses, and that all hospitals under the city's control are to be "thrown open to all persons alike without regard to race or color, whether physicians, nurses, or patients. Every negro voter, by reason of this fact alone, ought to cast his ballot for the reelection of an administration with such a policy."

WALKER, THE TAMMANY MAN, APPOINTED MORE NEGROES THAN ANY OTHER MAYOR

Notice the tremendous percentage of increase of colored employees as compared with the total percentage increase of all employees. These are the cold facts. The intelligent negro voter can arrive at but one conclusion after a perusal of these figures: That Mayor James J. Walker should be reelected on his record.

Next we present an analysis of the average total salaries and the average salary of colored employees for 4-year periods since 1917. It is immediately seen that during the administration of Mayor James J. Walker the total salary of negro city employees has increased over $1,700,000, or almost threefold.

THIS INCREASE WILL CONTINUE

The number and percentage of colored city employees will continue to increase and the average wage will rise. The city administration attended to that "when Mayor James J. Walker recently reappointed Ferdinand Q. Morton one of the three members of the civil service commission for the regular term of six years." Since then the number of colored employees has been vastly increased. With the Walker administration behind Mr. Morton we can expect to see "more and more

negroes" receiving various city positions. It is up to the negro voter to do his part by standing by the Walker administration."

The foregoing list of salaries of negro city employees and the number receiving each is a graphic illustration of what the Democratic administration has meant to negro Harlem. The list grows longer month by month. As further and conclusive evidence of the fact that the administration of Mayor James J. Walker has been unusually fair and liberal in the placing of colored city employees we submit the following table showing the number of colored employees appointed each year since 1895. It is significant that over half these appointments have been made during the administration of Mayor James J. Walker.

Am I to be punished because I refuse to surrender my Democratic principles and accept the Roman-Tammany social equality brand of Democracy? That disgusting, sickening stuff in favor of Mayor Walker, the Tammany Democrat (?), reads more like the campaign material used in the old days to elect the old-time carpetbag Republican.

The Roman-Tammany political bunch is the "deadly enemy" of the South's doctrine of "white supremacy." I regret to have to say that that Roman-Tammany bunch in New York will do anything, sacrifice any principle, to push forward its Roman program in the United States. Will the "27" members of the State committee in Alabama be permitted to put loyalty to the Tammany candidate for President above loyalty to the Democratic Party and its noble principles in Alabama?

I knew of Governor Smith's "position" and of the Roman-Tammany political machine's "position" on the "negro question" when I opposed him in 1928, and while I could not support Smith, I did support the Democratic State, district, and county ticket from top to bottom. I have had hundreds of Democrats in Alabama who supported Smith to tell me or to write me since the election of 1928, and thousands of others feel the same way, that if they had been in my place and had the facts that I had they would have opposed Smith just as I did.

DANGER SIGNALS

The political program of the Roman Catholic leaders in the United States as I have described it, if "insisted upon," means "serious trouble." It means trouble between the Protestants and Jews on the one hand who want to preserve the "American Government," and those Roman Catholics on the other hand who would change it and set up the "Roman Catholic Church government" in its place. The colonial fathers fought to create this great American Government, and every American worthy of the name "American" will fight if need be to "preserve it" in its "true American form." The evil that I am warning my country against and the kind of trouble that I am seeking to avoid in the United States has caused more bitterness, persecution, bloodshed, and war through the ages than any other thing.

The program that is quietly but persistently attacking and seeking to undermine the free institutions of America in favor of another form of government is a deadly program to "free government" in America. As I said at Anniston, I am a strong believer in religious freedom. I want everybody to have the religion of his or her own choice. I want Protestant, Jew, and Catholic and all to worship God according to the dictates of their own consciences. I am not attacking the individual Catholic or his method of worshiping God. The priests and Roman Catholic newspapers teach Catholics that I am attacking their religion. They do that in order to keep the real, patriotic Catholic from getting the force of my appeal to "all Americans" to preserve the American Republic. I want all Catholics to worship just as they choose to worship, but I am against the "political beliefs" and "political activities" of the "Roman Catholic political machine" as I know them and as I have shown them to be, because they mean "death to democracy in America" and "death" to American ideals and institutions. The "Roman Catholic" theory of "government" has always been and is to-day deadly to human liberty and free institutions. Certain Roman Catholic leaders "hate me," as they hated Senator Tom Watson, of Georgia, because I am uncovering and bringing to the attention of the American people positive evidence of their far-reaching and dangerous "political activities." The same kind of activities that have destroyed free government in other countries.

AMERICA IS WEDDED TO DOCTRINE OF SEPARATION OF CHURCH AND STATE

One of the fundamental principles of our great American Government and "the one" upon which its continued existence depends is the "separation of church and state." And yet I have discovered within the last three years and have brought it to the attention of the Senate and the country that the Roman Catholics are teaching in their "parochial schools" in every State in the Union that the proper form of government is the "union of church and state." The Pope and Mussolini would not permit Protestants and Jews for even a day to teach in Italy the American doctrine of "separation of church and state." This Roman Catholic doctrine of "union of church and state" is now and always has been a deadly doctrine to free government like ours.

THE PEOPLE OF THE UNITED STATES STAND FOR RELIGIOUS FREEDOM

Plans and programs that antagonize our American form of government are gradually being forced upon us and they must be met. The question involved in it all is, Shall this Government continue in the years to come to remain truly an "American Government" or shall it in some "evil and unsuspecting hour" become a "Roman Catholic government under a Roman Catholic Pope and king?" The Roman Catholics here would do well to do as the Episcopalians did in other days. They cut loose from the Catholic Church for conscience sake and for their country's good, and declared for "the liberty of conscience" and the "separation of church and state." The Episcopalians know that the doctrine of "union of church and state" is wrong and contrary to the doctrine of free government in America and deadly to our "free institutions" and they abandoned it.

I am hoping and praying that there will be found enough patriotic Roman Catholics in the United States who will refuse to follow the political program of the Roman Catholic political leaders who make bold to announce their purpose when they are able to do so to substitute for our "American Government" the "Roman Catholic government." It is the duty of every Roman Catholic in the United States who appreciates and wants to preserve our American Government to publicly repudiate and abandon the political program of Doctor Ryan, an appointee of the Catholic king. He is a professor in the Roman Catholic University of America here in Washington, and his program appears in his recent Catholic book called "The State and the Church," and in it he boldly says that when the Roman Catholics are "strong enough" they intend to set up the "Roman Catholic government here in the United States." I feel that if the Roman Catholic youth of the country and their fathers and mothers could truly realize just "what in time" that "political Roman program means" they would take the steps necessary now to help us keep the American Republic as it is to-day, a government of the people, by the people, and for the people, where everyone can worship God according to the dictates of his or her own conscience. Let the Roman Catholics in the United States abandon the things that are in conflict with free government in America and establish an American church.

AMERICA IS FOR FREE PRESS

Roman Catholic authorities teach Catholics in America that it is not only right and proper, but their duty to "boycott" newspapers and "put out of business" all papers that criticize and point out the dangers in the "Roman Catholic program" to the Government of the United States. Just think of that! So they are against the "American position" on the "free press." In the States where Roman Catholics are in large enough numbers compared to the Protestants and Jews, they not only try to prevent American citizens from obtaining a hall in which to speak in opposition to the Roman Catholic program, but if the speaking is arranged in spite of them they frequently send their agents to the meeting to interfere with "free speech" and attempt to do physical violence to the speaker who dares to stand up as an American and oppose the Roman Catholic program in the United States. I know from personal experience, and when I, as a United States Senator, commenced to oppose their program for war with Mexico, I was amazed to find this "un-American spirit" so persistently and "secretively" moving about right here in the Government of the United States. I must confess that when I attacked the Roman Catholic program for war with Mexico that I discovered things—plans and programs that I never dreamed of—plans and purposes of the leaders of Roman Catholics in the United States.

THE AMERICAN BOY AND GIRL AND THE PUBLIC SCHOOL

You all know that one of the fundamental principles of our great American Government is that no religious group—Roman Catholic, Protestant, or Jew—can compel the people to pay taxes to support their church schools or any other sectarian school. You can only tax the people to carry on "the great American public school" which is the citadel and stronghold of American liberty. The Roman Catholic "political machine" is the deadly enemy of the American public school; and because I have called attention to their un-American activities, regarding this and other things, they have reached into Alabama and demanded of the State committee that I be struck down and destroyed, politically.

A TREE IS KNOWN BY ITS FRUITS

In 1915 Governor Smith, a Roman Catholic, was a delegate in the constitutional convention of New York State, and he introduced an amendment in that convention to change the constitution and require that the public-school funds be "divided" between the "Roman Catholic schools" and the "public school" in the State of New York. True Americans were on guard and his amendment was defeated, but the Bible tells us that "By their fruits ye shall know them," and we got an idea of Alfred Smith's thought and of the "Roman Catholic" thought and purpose in the United States in the amendment that he introduced. It was an effort to plant that doctrine in the United States—to have the Government "commit itself" to the support of Roman Catholic schools and to compel Protestants and Jews to pay taxes to support such schools. It was an attack upon the American public-school system and was an undemocratic and an un-American act. Governor Smith did not hesitate in that instance to try to use the government of the State of New York to put into the constitution of that State the program of the Roman Catholic hierarchy.

AGAIN I SAY, "BY THEIR FRUITS YE SHALL KNOW THEM"

In Brockton, Mass., on the night of March 18, 1929, I had addressed 1,600 Protestants and Jews—all Vasa Hall would hold—who, at the close of my speech, stood in solid mass indorsing my address on the "Dangers that Threatened the American Government." When I, an American citizen and a United States Senator, was leaving the hall as the automobile in which I rode passed through a large group of rowdy and insulting Roman Catholics who had waited all the while on the outside, "sent there" by Roman Catholics "higher up" to insult and attack me, one of their number threw a deadly missile directly at me in the car. I did not know of this occurrence until I saw it in the newspaper the next morning. A Protestant policeman, walking beside the car seeking to protect me from violence of any kind, was struck in the head by the Catholic missile intended "for me" and knocked unconscious. This was in Massachusetts and within 30 miles of Plymouth Rock where the Pilgrim Fathers landed. Just think of that! and neither Smith nor Raskob or any other Catholic leader in the United States, either in church or state, has to this day condemned that un-American and cowardly conduct. So "they are against" free speech and peaceful assemblage for all those who oppose their Roman Catholic program and purpose in this country.

This is only one of many instances where Roman Catholics interfered with "free speech" where I was speaking in opposition to the Roman Catholic plan to use the United States Army to fight the Pope's battles in Mexico, and opposing the "Roman Catholic political program" in the United States. Just think of this hostile alien influence being bold and brazen enough to seek through intimidation and "physical violence" to suppress "free speech" in the United States!

Are they to be encouraged in this and the American who opposes it to be rebuked and punished? I called attention to their un-American attitude and I cited instances where at that very time Roman Catholics were busy inviting Protestant and Catholic United States Senators to go out into the States and address the Roman Catholic Knights of Columbus and other Catholic groups in Northern States and paid their expenses and a fee for their lectures, just as my expenses and a lecture fee was paid by various patriotic Protestant organizations—Masons, Junior Order of American Mechanics, Klansmen, and others—who opposed war and who desired to know the "truth" as to what really happened in the Senate when I led the fight which resulted in the defeat of the Roman Catholic program for war with Mexico. The Catholic-controlled press and that portion of it which is afraid of the "Roman Catholic power" in the United States misrepresented me and what I said in the Senate. They were seeking to discredit and destroy me.

MY POSITION ON THE ROMAN CATHOLIC PROPOSED WAR WITH MEXICO

Then calls for me to come and speak came from patriotic Americans in several States in the Union, and it was then the "Roman Catholic political machine" which had kept the newspapers from taking the points in my speeches in the Senate to the country, sought to frighten me "personally" and make me afraid to oppose the Roman Catholic program in the United States, so that I would not dare to go out and speak in my own country where Roman Catholics had threatened to use "physical force and violence" to prevent me from speaking in behalf of our "American boys" and in defense of "American institutions," and in opposition to the "Roman Catholic program for war with Mexico." I said, "You will not use American boys to fight the Roman Catholic Pope's battles in Mexico. You will not kill a single Alabama boy or any other American boy to restore the Pope to power in Mexico!"

The Roman Catholic Knights of Columbus in the United States had raised just prior to that time, at their national convention in Philadelphia, a "million dollars" to carry out their Mexican war program. And they had Roman Catholic speakers going all over the country then advocating the Roman Catholic Mexican program, and Protestants and Jews in various States who did not want war with Mexico wanted me to come and present the other side of the question. That is when Roman Catholics sought strenuously to frighten me and to prevent me from going into the States and speaking in opposition to the Roman Catholic program.

As I have said, nobody interfered at any place with the Roman Catholic speakers, but when thousands of Americans turned out to hear me, a Protestant United States Senator in a Protestant country, in opposition to their Roman program, it disturbed and irritated them and they interfered in various ways and threatened to "murder me" if I did not cease to make speeches against their program in America.

Think of such a thing happening right here in the United States of America! If such as that is to be tolerated, what will America be 25 years from now?

I called attention to those threats in the Senate, and no Catholic leader or Catholic newspaper in the United States has to this day ever criticized or condemned the un-American and cowardly conduct of those Roman Catholics who sought to prevent an American Senator from going anywhere in the United States and saying what he felt he ought to say. In spite of their threats to murder me and in spite of their efforts now being made to destroy me politically in Alabama, I shall continue to protect and safeguard our American institutions.

STOOD FOR WELFARE AND PRESERVATION OF MY COUNTRY

Because I have stood for the welfare and preservation of my own country certain Roman leaders have been for months devising ways and means to prevent me from even being a candidate in the Democratic primary in Alabama to succeed myself in the Senate, and the story of "visits" to New York by "certain persons" in Alabama who hope to "benefit" by striking me down politically will be of interest in due time to the people of our State.

There is no doubt that the Roman-Tammany political machine, well oiled financially, is operating in Alabama to carry out the "papist plan and purpose" to remove me from the Senate. It is "running true to form." A prominent Roman Catholic leader has said that the day will come in the United States when no man will sit in either branch of Congress who does not have the indorsement of the Pope. That machine has sought "through the ages" in "one way or another" to "put out" of the way those who have dared to oppose the Roman Catholic political program.

If God raises up a public man anywhere who discovers what certain Roman Catholic leaders "are doing" and who in spite of their opposition and threats calls attention to it, they go to work "secretly" to destroy him. They move "secretively" and "noiselessly" around, "reaching" and "influencing" those who are in "position to serve them," just as it is said they did with some of the "27" on the State committee in Alabama.

The fact that the Democratic committees of Virginia, Kentucky, Tennessee, Mississippi, North Carolina, Georgia, and Florida, our sister States, are inviting all Democrats regardless of how they voted in 1928 to participate in the primary of 1930 naturally causes the clean, courageous, and honest "Alabama Democrat" who loves the State and wants to see fair play and party harmony to ask, "Why did the '27' members of the Alabama State committee set up a different rule in Alabama—a rule that would deny more than a hundred thousand Alabama Democrats the right to be candidates for district, State, or Federal office and that would prevent 'a certain' Democratic United States Senator in Alabama—who had offended Rome—from being a candidate in the primary before the Democrats who elected him to succeed himself in the United States Senate?"

STRANGE INFLUENCES AT WORK

Democrats all over Alabama who want to preserve the party in its integrity, regardless of who they supported in 1928, are condemning the State committee's strange action. They know that "strange influences" brought that strange action about, for there is "more talk" in the State now of "crooked and corrupt doings" in connection with the action of some of the "27" members of the State committee on December 16, 1929, than I have ever heard in connection with the action of "all the other State committees" in the whole history of the Democratic Party in Alabama. Have arrangements been secretly made in some conference in New York and elsewhere that the Democratic Party in Alabama is to become the tool and handy instrument of the Roman Catholic political machine in the United States? Is the Democratic Party in Alabama to be suddenly perverted

from the ends of its institution and "swallowed up" by the Roman Catholic political party in the United States so as to be ready to serve Al Smith in 1932? Premier Herriot, of France, says that the Pope of Rome is secretly forming Roman Catholic political parties in every country where there are Roman Catholics.

Three big things were planned in the Roman Catholic program in 1928—the election of a Roman Catholic President of the United States, the greatest Protestant country in the world, the crowning of the Roman Catholic Pope as "Catholic king," and the overthrow of the Mexican Government and the placing of Mexico again under the rule of the Roman Catholic Pope and king. They failed to elect Smith President and failed to destroy free government in Mexico, but they did succeed in crowning the Roman Catholic Pope "king of the Catholics of all the world."

This outrageous action of the "27" against me and 185,000 other Democrats in Alabama is the first step in Al Smith's campaign for President in 1932, and I repeat they are determined, if possible, to get me out of the Senate before that time comes. I am convinced that that accounts for the action of the "27" members of the Alabama State committee.

CIVIL SERVICE

I am going to bring to your attention what I said in the Senate a few months ago on a matter of interest to all true Americans:

Mr. President, last June I was a member of a special committee of the Senate of which the junior Senator from Vermont [Mr. DALE] was chairman, the other members were the Senator from Iowa [Mr. BROOKHART], the Senator from Georgia [Mr. GEORGE], and the Senator from Oklahoma [Mr. PINE]. It was a committee appointed under a resolution introduced by me to investigate the civil service. President Deming, of the Civil Service Commission, was testifying before the committee. We were discussing the sending out of notices to the people of the United States when examinations were to be held for Government positions. I complained that Alabama and more than half of the other States were being discriminated against in favor of Washington city and a few other favorite States, that notices of examinations for Government positions were not being sent generally enough into the various States; that they ought to be sent into every nook and corner of the country so that men and women in every State who might desire a Government position would be apprised of the fact that the Government had positions to fill and was giving notice of the time and place when the examinations would be held. I stated that Alabama had not received half the Government positions that she was entitled to under the civil service law, and that over half the other States were in the same fix. I asked Mr. Deming some questions as to this detail work, and he said he was not as well posted on that as some man under him. He suggested Mr. Morgan, an employee of the civil service, who came forward and testified.

HOW ROMANISTS WORM INTO GOVERNMENT SERVICE

I asked Mr. Morgan to whom he sent the notices that examinations were going to be held for the various Government positions. He said, "To the Knights of Columbus, to the Young Men's Christian Association, and various educational groups." I asked him if he sent any to the Masonic fraternity, and he said, "No." I asked him if he sent any to the Junior Order of American Mechanics, and he said, "No." I asked him if he sent any to the Klan people, or the Woodmen of the World, or Odd Fellows, and several other fraternal orders that I named, and he said, "No." I said, "Why do you not send to them?" he said, "They did not ask for them." I said, "If you are going to send notices of these examinations for positions in the Government to any fraternal order you ought to send to all of them." So he admitted that when Government positions were to be filled that he first gave notice of that fact to Roman Catholic Knights of Columbus, and that that was the only fraternal order that he sent them to. He said so in his testimony. He informed them what positions were open and when the examinations for filling them would be held.

When it dawned on Morgan that he had in an unguarded moment disclosed a very damaging secret he tried to change the record of his testimony, and I condemned his conduct in the open Senate and called the names of the other Senators, members of the committee, who would bear witness to my statement.

So it is clear that this favoritism shown by the civil service under Mr. Deming to the Roman Catholic group in the United States is responsible for the fact that the Catholics hold a larger per cent of Federal Government positions here at Washington than all the Protestant and Jew denominations combined. Do you wonder why the Roman machine wants to get me out of the Senate? I am the first Senator to discover this situation.

I submit here a letter from a citizen of Pennsylvania giving statistics of Roman Catholics holding positions in the Government service. I have read it in the Senate and discussed it, and no Senator has ever disputed its accuracy. The letter is addressed to me from Williamsport, Pa., and is, in part, as follows:

MY DEAR SENATOR: I am inclosing copy of the Index, published by the Prohibition League of Williamsport, Pa. Do not know of anyone better prepared to handle the question than yourself.

Then he says:

A letter just received at State headquarters from an old veteran prohibitionist makes the following statement. The Herald of Holiness published this statement:

"In the Department of State at Washington 61 per cent of the employees are Catholics.

"In the Treasury Department, in which the work of prohibition enforcement is lodged, 70 per cent of the employees are Catholics.

"In the War Department 53 per cent of the civilian and 70 per cent of the Army employees are Catholics.

"In Insular Affairs, 89 per cent.

"In the Bureau of Indian Affairs, under the Department of the Interior, 95 per cent.

"In the Education Bureau 60 per cent are Catholics, and on the Alaskan Railroad 100 per cent are Catholics."

Roman Catholics have only 18 per cent of our population. Is it not suggestive and sinister that they hold 75 per cent of our offices? These undisputed figures show that the Roman Catholics hold 75 per cent of the Government positions at Washington. We are told here in Washington that they are always on the job to get into the various departments, and especially to get a Roman Catholic at the head of a bureau or division so as to get Catholics "in" all down the line. This practice is not only unfair but very harmful to those who are "not Catholics." This situation is becoming very acute and very disagreeable here in Washington. Senators are told frequently that Protestants are being put out of Government positions to make places for Catholics.

WANTS FAIR TREATMENT FOR ALL

I am insisting that the civil service law be "honestly enforced" so that all the States discriminated against, as Alabama is, shall have justice. Three hundred and fifty Alabama boys and girls who are now entitled under the law to Government positions have been denied their rights because the law has been disregarded and discriminations have been practiced in favor of Roman Catholics.

I am demanding a fair deal for all, Protestant, Jew, and Catholic. I want the Protestant, the Jew, and the Catholic all to be treated fairly. And yet, in spite of my stand for fair play and justice to all, it is known all over the country that the Roman Catholic leaders not only want to get me out of the Senate but they have gone into Alabama and demanded that I be denied the right to run as a Democratic Senator to succeed myself in the Senate. And they have done so far what they said months ago they would do—prevent me from running in the Democratic primary in Alabama. They decided that it would be less trouble and "less expense" to "influence" a bare majority of the State Democratic committee than it would be to control a majority of the Democrats of Alabama in a Democratic primary.

STRIVING TO SERVE COUNTRY

I am trying to serve my country and I want to get Roman Catholics who really love our American form of government to see that it is best for them and their children as it is best for us and our children to keep this "American Republic" truly an "American Republic." The day will come in America when Roman Catholics who really love "religious liberty" and who want to preserve "this Republic" will indorse my efforts to preserve a great American Government which guarantees fair treatment and religious freedom for all.

THE AMERICAN HOME

During the campaign of 1928 among other things I knew from undenied newspaper reports that Governor Smith's son had been married by a Protestant judge in the State of New York, and that Governor Smith had phoned his son, telling him "not to come home" until he had gone to a Catholic priest and had himself "properly married." Well, I know that my "Protestant parents" and yours were "properly married," and that Jewish husbands and wives and all others who are married under the laws of the United States are "properly married."

A ROMAN CATHOLIC MAN MARRIED A PROTESTANT WOMAN
(Harlow v. Harlow)

Read the Virginia Supreme Court's decision of a few months ago in the case of Harlow against Harlow, where a Catholic

man married a Protestant woman in the city of Washington. They lived together happily for about two years after their marriage, when he became ill and his Catholic mother, brothers, and sisters took him to his mother's home in Virginia. He had a position in the Government service and his wife had a Government position. There is where he met her. His people told her that they would be glad to look after him and that she could continue her work and come over to see him after work hours. She consented to the arrangement, not dreaming that they intended to try to alienate his affections or cast any reflection upon their "marriage ceremony" performed by a Protestant preacher." After a few visits they told her she was coming too frequently. Then the brother of her husband met her out in the hall one day and told her that she was not his brother's wife and could not see him. Think of telling an anxious and devoted wife such a thing! She got a Protestant Virginia policeman who compelled them to admit her. Again, on a visit to her husband, the same brother met her in the hall and told her she could not see him. He took her by the wrists and held her, saying, "You are not my brother's wife, you are not 'properly married' to him and you are not going to see him any more." She cried and begged to see him. This was just two or three days before he died. Finally the Catholic brother took her in to see him. When they reached the bedside this "brother" said to her husband, "Go ahead and tell her, Dick." He repeated that two or three times. Then the feeble and much agitated husband who died two or three days later said to her, "Pet, it is all over between us. You are not my wife. I must say that and renounce you in order to save my soul." Her eyes wet with tears and her heart filled with an indescribable feeling of humiliation and sorrow, she was escorted from the room and never saw her husband again.

Just think of such a brutal and barbarous thing as that happening right here in the United States! In the meantime they had drawn $1,400 of her money out of the bank, which was in a joint account with her husband, and they had caused her husband to change his life-insurance policy, leaving his wife out and making it payable to his mother, brothers, and sisters and two "Roman Catholic priests" who visited and advised him nearly every day. The wife, the outraged Mrs. Harlow, a courageous and indignant American woman, brought suit against the Harlows, who had so mistreated, humiliated, insulted, and wronged her. The lower court in Virginia returned a verdict in her favor, compelling the Harlows to pay her damages in the amount of $13,000. They appealed the case to the Supreme Court of Virginia, and that court sustained the verdict of the lower court with a clear-ringing and scathing American opinion against the Roman Catholic authorities that had questioned the "marriage ceremony" of Mr. and Mrs. Dick Harlow and that had put their "Roman Catholic views on marriage" above the principles and provisions laid down in the laws of the United States. The supreme court reprimanded Roman Catholic authorities who put the Catholic mode of marriage "above the laws of the United States." That fine American opinion was rendered by Judge Chichester, of the Supreme Court of Virginia.

These facts make it plain just what Governor Smith had in mind when he phoned his son, who had been married by a Protestant judge under the law of the United States, "not to come home" until he had himself "properly married" by a Catholic priest.

SACREDNESS OF OUR MARRIAGE CEREMONY

I knew of all this when I opposed Smith for President in 1928. Is there a patriotic citizen in Alabama or elsewhere who would have me remain silent and submissive when the Roman Catholic or anybody else reflects upon, or even questions, the "validity" or "propriety" of the "marriage ceremony" of our American people, whether Protestants or Jews? When they do that they invade the sacred precincts and strike at the very heart of the American home, which is the foundation of our great Government. When they do that they cast a reflection upon every Protestant and Jew, father and mother, and upon the children of every home, born under the "sacred bonds of the American marriage ceremony."

We should cry out against attacks upon these dear and sacred institutions immediately whenever and wherever we discover them. Eternal vigilance is the price of liberty and the price of everything else worth while. This Roman machine wants you to remove your own true and tried American guards from the gates of your Government and take your own true and tried watchmen out of the tower of the American Republic and put in those desired by the Roman-Tammany-Smith-Raskob régime.

THE RISE AND FALL OF GOVERNMENTS

"Duty," said General Lee, "is the sublimest word in the English language." It has been my duty as an American citizen and as a Member of the House of Representatives and as a United States Senator to study the history of the rise and fall of governments, to inform myself as to the "forces and influences" that have deprived human beings of their "rights and liberties" and that have destroyed free governments in the past. I have said in the Senate and I am going to repeat here, that "six fundamental things" are essential to liberty anywhere and everywhere, to wit: Free speech, peaceful assemblage, free press, religious freedom, separation of church and state, and the preservation of the public school.

I said in the Senate and I am going to repeat here, that wherever the Roman Catholics have had the "political power"—that is, wherever their leaders have gotten hold of the government and could carry out their purpose—they have destroyed free speech, peaceful assemblage, free press, religious freedom, separation of church and state, and the public school. In every instance where they have had control they have destroyed free government and set up the "Roman Catholic government" in its place. They have destroyed "all other religions" and set up the "Roman Catholic religion" and "used force" to compel the people to accept it. And they have taxed the people to support the "Roman Catholic Church" and the "Roman Catholic schools."

ROMAN HISTORY A HISTORY OF INTOLERANCE

The CONGRESSIONAL RECORD will show that I have several times made this statement in debate on the floor of the Senate and that I have challenged any Senator to deny the truthfulness of my statement. No Senator has ever yet arisen to deny the correctness of my statement. They can not deny it. The facts of history justify me in saying that the history of "Roman rule" the world over is the history of "intolerance," "bigotry," and "persecution" of Protestant and Jew and the history of "bloodshed and murder." Note what has happened recently in Mexico. They murdered President Obregon, and just the other day they shot and tried to murder President Rubio. Where are Lincoln, McKinley, and Garfield? Dead by a Roman assassin's bullet! They are seeking to set up again the Roman Catholic government in Mexico.

I have personally received many threatening letters from Roman Catholics, because I have strongly opposed their war program and the political program of the Roman machine in the United States. They have threatened to murder me because I have dared to stand for my country against their program in America, and a Roman Catholic priest named Belford, in New York City, claiming power from God "to pray souls out of purgatory," said in his Roman Catholic paper that they should hire "thugs" to waylay and mob me some night on my way home from the Capitol. These are the intimidative tactics employed by certain Roman leaders to frighten into silence and submission those who oppose them. And the disturbing and alarming thing in it all is that so many Americans are careless, indifferent, or ignorant of the dangers of their un-American activities.

WHAT OTHERS HAVE SAID

Tom Watson, of Georgia, who was threatened by them time and time again, said, "Wherever Rome has ruled she has left the people sunk in ignorance." And Thomas Jefferson, the father of the Democratic Party, said, "Every priest-ridden country has lost its liberty." And Lafayette, of France, he who helped to achieve our liberty, said, "If ever America loses her liberty it will be through the work of priests and nuns."

Jefferson knew "history," and he was seeking to put his people on guard against the very dangers that I am talking about to-day.

MAJORITY OF SOUTHERN STATES DEFEAT SMITH

Is it not a significant thing that Jefferson's home State, his Democratic State of Virginia, went "against Smith," and that a majority of the Southern States, all Democratic, supported Hoover and went "against Smith," because of their "opposition" to "Smith and what he and the interests back of him stood for"?

Hoover, who had voted for President Wilson and who had been selected by him to have charge of the food supply in the United States during the great World War and who secured a few delegates as a Democratic candidate for President in 1920, was running on the opposition ticket in 1928, and it will be remembered that every elector on the Hoover presidential ticket in Alabama was a Democrat. Does not that confirm my statement that the situation in our State was an extraordinary one? The situation presented by the "means employed" to secure Smith's nomination, his "nomination" itself and his conduct in "bolting" the party platform upon which he was nominated, and in appointing a Roman Catholic Republican chairman of the Democratic National Committee, and Raskob's statement that he was going to use the Democratic power placed in his hands, "to rid the country of the damnable affliction of prohibition," and his uncouth, brazen, and insulting suggestion that Protestant preachers who opposed Smith should

have their "pay reduced" until they were willing to become obedient supporters of the wet Smith-Raskob-Tammany régime, all constituted a very "trying ordeal" to the Democrats of those States who knew these things and the absolute truth about Smith's record.

TO SET UP ROMAN CATHOLIC GOVERNMENT

The Roman Catholic leaders admit right here in this American country of ours that they intend finally to set up a Roman Catholic government in the United States, and they are using the same methods, but in a little "different form," "so far" to "remove me" from the Senate that they used to put President Obregon out of the way, and that they used a few days ago in their efforts to put President Rubio, of Mexico, out of their way. Roman-Tammany influence has touched and tainted certain State committee leadership in Alabama and succeeded in getting 27 members of the State committee to deny me the right to appear and be heard in a Democratic primary where all the Democrats who elected me would have the opportunity, which is their right, to express their views regarding me. Is that fair to the Democrats of Alabama?

A LIFELONG DEMOCRAT

The Democrats of the State elected me to the Senate. I have voted the Alabama Democratic ticket all my life. Is it fair to me as a Democratic Senator from Alabama to deny me a hearing and a trial by Democratic jurors in a Democratic primary? Our forefathers won their independence fighting against the tyranny and star-chamber proceedings of a British King. We will not now submit to the rule of a Catholic king. Am I to be denied a hearing before the Democrats of my State who elected me? Am I to be tried in my absence and adjudged guilty by my political enemies?

The State committee is supposed to look after the interest of the Democratic Party in Alabama and be absolutely fair to "all Democrats" in the State. I regret to say it, but there are Democrats all over the State who believe that some of the members of the State committee have been "strangely influenced" by outsiders, including this New York Roman-Tammany régime. The Alabama State committee is the only one east of the Mississippi River that heard and heeded the voice of Tammany. Is not that strange? A majority of the members of the State committee in Alabama told their Democratic neighbors just prior to the meeting of the State committee at Montgomery last December that they would vote just as Virginia and Kentucky and other Southern States had to admit all Democrats to vote or run for office in the primary in 1930, but after "being seen" by "certain people" they voted for the Roman-Tammany plan. There are two statements regarding the meeting of the State committee at Montgomery which, in due time, may be exceedingly interesting to the Democrats of the State. The thing the "27" did at Montgomery is pleasing to the Roman-Tammany organization in New York, and The Crisis, the leading negro paper in the Nation, says that the northern "negroes are delighted."

PRINCIPLES MUST NOT BE SURRENDERED

I was born a Democrat and reared a Democrat, and I believe that I know what Democratic principles are. I love the Democratic Party, and point with pride to its long, clean, and honorable record. I will not, if I know it, permit its great principles to be surrendered or destroyed. I felt it to be my duty to the Democratic Party and my duty to the country in 1928 to oppose the election of Governor Smith, and I did so. I voted the precinct, county, district, and Alabama State Democratic ticket just as I have always done.

I was elected to the Senate in 1920 as a Democrat and was appointed as a Democrat on two of the most important committees of the Senate, the only committees that I asked for, the Committee on Agriculture and Forestry and the Committee on Post Offices and Post Roads. I desired most of all to be on those two committees, where I thought I could be of most service to our people in agricultural matters and in building good roads in Alabama. The Democrats of the Senate have a Democratic organization known as the "Democratic conference." I became a member of that party organization when I first entered the Senate, and I am still a member and attend its meetings regularly and participate in all its proceedings as a Democrat. When the Senate reconvened in December, 1928, just one month after the presidential election, a Democratic conference was called, and with all the other Democrats Senator SIMMONS and myself were invited just as we had always been invited. No Democratic Senator who supported Smith even suggested that we be reprimanded or punished in any way for our failure to support Smith, and here was the first place following the election that a Democratic organization had the opportunity to question our Democracy. It was not done. The Democrats of the Senate wanted Democratic harmony. We went along just as we had done before. And not only was I reappointed as a Democrat immediately on the Senate committees that I have mentioned, but was given an additional appointment as a Democratic Senator.

PREVIOUS EFFORTS HAVE BEEN MADE TO "READ ME OUT"

I feel that I should say that in my case Roman Catholic influence was brought to bear then and prior to the election of 1928 to have the Senate Democratic conference read me out of the party. Smith supporters, Roman Catholics of Boston, Mass., who called themselves Democrats, wired Senator ROBINSON, minority leader, urging him to have the Senate conference read me out of the Democratic Party. Democratic members of the Senate conference criticized and ridiculed the suggestion. Think of the gall of this outside interference and attempt on the part of leaders of the Smith-Raskob-Tammany machine to take charge of and use the Democratic organization of the Senate of the United States to punish and injure an Alabama Democratic Senator because he had successfully opposed the Roman Catholic program to involve the United States in war with Mexico, where thousands of American boys would have been killed.

Again, certain Roman Catholics from the North wired Governor Graves of Alabama to call the State legislature into extra session for the purpose of reading me out of the Democratic Party. But when they called on "certain" members of the State committee in Alabama they did not call in vain!

In six public meetings in Alabama where I have spoken, 24,000 Democrats repudiated the action of the committee and called upon it to rescind that action. At those meetings all told only 19 Democrats voted to uphold the committee's action. Those meetings were composed of Democrats who voted for Smith and Democrats who voted for Hoover. Are they to be ignored or denied the right of petition, a right dear to the American people? Are they to be insulted by having their petitions thrown into the wastebasket, as was done by the chairman of the State committee?

WHAT ARE THE FAIR-MINDED AND COURAGEOUS DEMOCRATS OF ALABAMA GOING TO DO ABOUT IT?

Is the desire and determination to stand for the right, fair play, and justice and to protect and preserve white supremacy and American ideals and institutions dead in the Democrats of our State? Is our great party to be betrayed and bartered through "certain strangely influenced and drunken" members of a committee into the hands of those who would use it to our hurt and injury as a political instrument and agency of the Roman-Raskob-Tammany régime? When the Master found that the dove sellers and money changers had taken possession of and abused and misused the temple at Jerusalem He drove them out.

Is a Democratic Senator from Alabama, doing what he believes to be his duty to those who elected him and to the people of the United States, to be struck down and destroyed without a hearing in the Democratic Party that he has loved and served so long? Strange influence has induced 27 members of the Alabama State committee to put loyalty to the Roman-Tammany plan and purpose above loyalty to white supremacy and other vital principles of the Democratic Party in Alabama. Just think of that! Putting loyalty to Al Smith, the high chief of Tammany, with all its alienism, negroism, and rottenness, above loyalty to the Democratic Party and what it stands for in Alabama. What is the price for such a betrayal?

When the Democrats of Virginia, Kentucky, North Carolina, Tennessee, Georgia, Mississippi, and Florida are all providing for a free and fair for all "white Democratic primary," without asking any questions of "any Democrats" in those States as to how they voted in 1928, but cordially inviting "all Democrats" to come in and vote or run for office in the primary, it becomes not only clear but exceedingly plain to every fair-minded Democrat in Alabama that this "Smith-Roman-Raskob-Tammany bunch," which has been busy for months in Alabama, has deliberately planned to "politically assassinate" me so as to prevent my return to the Senate. This is the punishment provided for me for daring to help defeat their "war program" for war with Mexico and for helping to upset the Roman program in 1928.

GIVING WARNINGS TO AMERICAN PEOPLE

By giving warnings to the American people I am interfering with their various schemes and their plan and purpose to "make America Catholic," and that is why they have made "arrangements through 27 members" of the State committee to prevent me from being a candidate in the party to succeed myself, and that is why they have arranged to allow "only those" to run for the Senate in the Democratic primary in Alabama who are "satisfactory" to the Roman-Tammany régime. They are not

only satisfied but well pleased with both Bankhead and Thompson. Both of them have condemned me for my stand on this Roman question. They either do not understand the question or they are like some others that I know, seeking to gain favor with the Roman régime.

Gen. Robert E. Lee was an officer in the United States Army, and when the War between the States came on he would not take up arms against the South, but resigned and became a general in the Confederate Army. He was called by many a bolter and a deserter, but he answered that an extraordinary situation had arisen and that he had done what his judgment and conscience told him was his duty to Virginia.

I ask and I demand fair play and justice for the Democrats who elected me and for myself a Democratic Senator from Alabama. And in the name of fair play and justice I decline to permit "27" strangely influenced members of the State committee to deny to the Democrats of Alabama the right to pass upon me and my conduct as a Democratic Senator from that State. And I decline to permit the "27" members to deny to me, a life-long Democrat, the right to have the rank and file of the Democratic Party pass judgment upon my case in this particular. The State committee is not the Democratic Party nor is it the master of the party. It is only a temporary agent of the party, and if it exceeds its authority or acts arbitrarily and does a harmful thing something should be done to correct the evil—to right the wrong.

I opposed Governor Smith, among other things, because "I knew" his disgusting position on the "negro question," because he was and is in favor of "social equality" and because he repudiated the party platform on prohibition. But my knowledge from what I have seen as a United States Senator of the present Roman Catholic program in the United States and my knowledge of the history of Roman Catholic rule the world over compelled me as a United States Senator, desiring to protect and sworn to defend American institutions, to look with "dread and fear" upon "Roman Catholic rule" in the United States. I felt that I should do my duty and be faithful to the "people of my State" and the people of the "whole United States" in doing everything in my power to preserve free government in America, not only for ourselves but for our children and our children's children.

I had two duties to perform, one as an "American citizen" and one as a "Democratic United States Senator from Alabama," the State I love best of all. And now in the face of the efforts that are being made to destroy me, I can look the people of Alabama in the face, and lay my hand over my heart and say, before the God who made me, that I did my duty in both instances as God gave me the light to see it.

Mr. President, the New York Times of yesterday contained an editorial criticizing me in connection with the political situation in Alabama. Among other things it charges me with being alarmed about certain dangerous conditions in this country which the Times claims do not exist. In effect it accuses me of seeing "phantoms" regarding the papal plan and purpose in the United States. The Times is but voicing the view of its Roman Catholic political masters. It admits that the 27 members of the State Democratic committee in what they did were seeking to retire me from the Senate. That is exactly what I have said and what thousands of Democrats in Alabama have said. That the committee, Tammany inspired and strangely influenced, were denying to the Democrats of Alabama the right to vote on my candidacy in a Democratic primary. That the committee had acted arbitrarily, had exceeded its authority, and had done a very harmful and undemocratic thing.

Four-fifths of Democrats of Alabama regardless of how they voted in 1928 wanted the State committee to have an old-fashioned, fair for all Democratic primary, where all Alabama Democrats could come together in party reunion like they did in Virginia, Kentucky, and the other Southern States. But the Tammany-inspired committee in Alabama decreed otherwise. Let me read a few lines from the New York Times:

> If the Senator and his outcast companions live up to their professions, they will run as independents in the general election. This will afford an interesting test of the degree to which the Alabama public supports the pious efforts of the Democratic committee to retire Mr. HEFLIN to private life.

Mr. President, that is exactly what the State committee has tried to do, and that is exactly what my enemies want done. All intelligent Democrats know that the Democratic State committee of my State has undertaken and agreed to do whatever it could to deny to the Democrats of Alabama the right to vote on my candidacy. Is it not strange that it is the only Democratic committee in the entire country that has taken such action? All the other State committees in the United States, with the single exception of Texas, has provided a fair-for-all Democratic primary for all Democrats, regardless of whom they supported in 1928. No discrimination. You can vote or be a candidate for office, just as you choose.

When I led the fight in this body against the move made by a Tammany Roman Catholic Democrat in the House of Representatives to bring about war with Mexico, through the medium of a resolution calling for the immediate severance of diplomatic relations, which was the first step toward war, when I opposed that resolution, and for seven weeks combated it as best I could, and many of the newspapers of the country did me the honor to say that I had made impossible the passage of such a resolution through Congress, then the Roman Catholic newspapers all over the country pounced down upon me, assailed me most bitterly, calling me the vilest names, and Roman Catholic priests and Roman Catholic leaders joined in that war upon me, and announced at that time and ever since that time that I must be defeated for reelection to the Senate; they announced at that time their purpose to drive me from the Senate, all because I opposed the Roman effort to get us into war with Mexico. Did they show that they really meant what they said? Yes; and they started immediately to carry out their program of punishment of me. Senators will recall that the Senator from Arkansas [Mr. ROBINSON], the minority Democratic leader, received a telegram, signed by leading Roman Catholic Democrats of Boston, asking him to have me read out of the Democratic caucus. That was the first step made by the Roman political machine in the program to bring about my political destruction. That is not the only thing they did.

This same group and other Roman Catholics wired the governor of my State, Governor Graves, and urged him to call the legislature together for the purpose of reading me out of the Democratic Party. Mr. President, did you ever hear of such a high-handed performance? We have heard much about "bigotry," about "intolerance," did you ever hear anything to excel that—Roman Catholics calling themselves Democrats in other States wiring to the Democratic leader of this body to have me read out of the Democratic caucus because I had opposed the Roman Catholic program to plunge my country into war with Mexico, to restore the Pope to power there; sending telegrams to the Governor of Alabama, asking him to assemble the legislature, at the instance of the Roman Catholic political party in the United States, to read me, a Democrat, out of the Democratic Pary for opposing the Roman Catholic program? That is not all.

Certain members of the State committee of Alabama have been to New York; they have been to Washington; and I believe that some of them have received "substantial" encouragement to do what they have done, and there is no doubt that a large slush fund has been used in my State to bring about my retirement from the Senate. The opportunity was there. The "tempter" was there—Catholic coin was there. And you remember that Joseph's brethren sold him to Pharaoh's men.

What happened in Alabama? There are 50 members of the Democratic State committee. Some thirty-odd of them, before the State committee met, pledged their friends at home in various sections of the State that they were going to the capital and vote for a fair-for-all Democratic primary; that they were for harmony and were going to do as Democrats in Virginia and Kentucky did and invite all Democrats to come in and participate in the primary just as they had always done. But, I repeat, what did they do when they got there?

Some of them, I am informed, arrived on Saturday night; the meeting was on the following Monday. They were there Sunday and Sunday night. Some of them, it has been charged—and not denied—were drinking very heavily; and some of them were drunk. A law enforcement officer told me that he tried to get papers out to raid the hotel where all this scandalous performance was going on before the meeting on Monday, but the papers were not prepared in time and he was not able to raid the hotel until the liquor had been disposed of. However, there was found an auto-truck load of gallon glass jugs and quart bottles and pint bottles freshly emptied of their contents. That occurred at the hotel where the State committee met, and where they took action to put into effect their agreement to strike me a body blow in carrying out the mandate of the Roman Catholic political régime.

What happened, Mr. President, after filling vacancies with men who pledged themselves in advance to deny me the right to be a candidate in the primary? When the vote was taken 27 members out of 50 voted "to put up the bars," as they called it, against all Democrats who did not vote for Alfred Smith or who openly opposed him. That was never done before when the Democratic candidate for President was a Protestant.

Does not that prove that the Roman Catholic political machine is seeking to penalize, and punish, and coerce Protestant Democrats into a frame of mind to support Smith in 1932?

Can there be anything plainer than that this was an effort not only to punish me for daring to expose their efforts to involve us in war, for exposing this effort to lead the party not along paths of Democracy but into the Roman Catholic political camp. In furtherance of this end, Raskob was selected from the Republican side to lead the Roman Catholic Republicans into the Roman Catholic party, led by Al Smith, in disguise a Democrat, and Raskob, in disguise a Republican. So you saw, Mr. President, in that campaign, Smith, the Roman Catholic Democrat, and Raskob, the Roman Catholic Republican, bringing these Roman Catholic political forces together under one leadership when the Roman Catholic party had a big program to put over in 1928.

What occurred in California? I have shown you that between 35,000 and 50,000 Roman Catholic Republicans changed their politics and registered as Democrats in order to help Al Smith carry California over McAdoo and Jim Reed, and they did it.

Then what occurred in Wisconsin? Jim Reed received 35,000 Democratic votes and Smith 8,000, but Smith got the delegation. There never was more skullduggery, more contemptible methods employed than were employed in that campaign to make Al Smith, the Roman Catholic, the standard bearer of the Democratic Party.

Mr. President, I could not support Governor Smith. I did not believe that it was for the best interests of the Democratic Party for him to be elected; I thought it was best for the party and best for the country to defeat him. As I have said, Jefferson has taught us that the way to preserve this country is for the individual to vote according to his convictions and his judgment. Washington has taught us that it is a dangerous thing to follow a leadership that will pervert your party from the ends of its institution and cause it to do things that will bring about its destruction.

A party's platform is the party's bond to the people. At Houston the Democratic Party laid down a platform. The Democratic South stands for prohibition. It has been a great blessing to our country; it has been a great blessing to the masses of our people; the South is strong for prohibition. It has helped us greatly with the negro problem, present with us always. When in the Democratic platform the prohibition plank was adopted at Houston Governor Smith waited until the convention was about to adjourn, when three-fourths of the delegates had gone, and had a telegram read in that convention saying that he could not stand on the prohibition plank; he bolted the platform, when it was too late to have any kind of action on his strange action, and the convention adjourned. The platform pledged us to prohibition; the candidate repudiated the platform. If he bolted the platform, certainly Democrats had a right to bolt him.

He went out of the party over the heads of all the Democrats of the United States and went over into the Republican Party, picked out Raskob, and made him chairman of the Democratic National Committee. I hold that that action excused any Democrat who did not want to vote for Smith from doing so.

But, Mr. President, his attitude on the stump everywhere all during the campaign on the prohibition question was an attack upon prohibition and a repudiation of the platform upon which he was running.

I had other fears in this connection. When I entered this body I took an oath that I would defend my country against all enemies, both foreign and domestic. The Bible teaches us to watch as well as pray; the Bible in another place says, "My people perish for lack of knowledge."

Mr. President, the way nations have lost their liberty, the things that have caused the downfall of governments are the failure of the people to see what is going on, the failure to mark approaching danger and point it out, and call it to the attention of those who would like to preserve their government. I have done that from time to time. But the New York Times says that there is nothing in my position on that subject. I will answer the New York Times with an editorial from the New York Times. On January 13 of this year the New York Times had this to say editorially:

THE CHURCH AND THE SCHOOL

The Pope's encyclical sounds a note that will startle Americans, for it assails an institution dearest to them—the public school—without which it is hardly conceivable that democracy could long exist. As was said only yesterday by a critical authority, despite its shortcomings and mistakes, the public school has "already contributed to society more than all other agencies combined."

Mr. President, the New York Times, which now hastens to attack me at the instance of the Roman Catholic political party, says itself in an editorial that "the Pope's attack on the public school in America is startling to the American people." Why? "Because," it says, "the Pope attacks an institution dearest to the American people." Then, what is my duty as an American Senator in the premises? If the Roman Catholic Pope attacks an institution dear to us, one that the New York Times admits if destroyed would mean the destruction of our American democracy, I feel that it is my business to expose that attack and condemn it. I apologize to nobody for that position. But I am condemned by the New York Times for taking the stand that I do, and it says that I am seeing "phantoms." What sort of phantoms did the editor of the Times see when three months ago he wrote that fine American editorial? Let me repeat a line or two:

The Pope's encyclical sounds a note that will startle Americans, for it assails an institution dearest to them.

Is a United States Senator to remain silent here because the Roman Catholic political machine objects if he rises and says something in behalf of his country, something that opposes the plan and purpose of Roman Catholic leaders in the United States?

Senators, what do you imagine this Senate will be 25 years from now if this un-American, intolerant, and bigoted political Roman program keeps up in the United States; if American Senators are to be attacked and intimidated, and if American Senators are to be marked for slaughter, as I have been, because in their efforts to serve their country and preserve free government in America they oppose the Roman Catholic plan and purpose in the United States?

Mr. President, what is my offense against the Roman Catholic hierarchy in the United States? What is my offense against the Roman Catholic political party, not yet strong enough to be willing to disclose its identity? What is my offense? It is living up to my oath as an American Senator; doing my duty as an American citizen; standing by the Constitution of my country, which I will continue to do in spite of the Roman Catholic king and all his Roman Catholic priests and cardinals combined.

Why, Mr. President, I would be a miserable and a pitiful figure in the American Senate if I were afraid to say what I believe I ought to say to save my country from the dangers that threaten it. I would be a contemptible coward if I should remain silent in the face of the present-day open and bold announcements of Roman Catholic political leaders to change our American form of government when they are strong enough to do so and set up in its place a Roman Catholic government.

O Mr. President, Doctor Ryan, one of the appointees of the Roman Catholic king right here at the Capital, in his book called "State and Church," boldly lays down the Roman Catholic plan that when the Roman Catholics are strong enough politically in the United States they are going to change the form of our American Government and set up here in the United States a Roman Catholic government; and just think, if you please, that I am being pursued by Roman Catholic bitterness, hate, and Roman Catholic money in an effort to defeat me because I am seeking to prevent them from obtaining the positions of leadership necessary and from becoming strong enough politically to change the form of my Government into that of a Roman Catholic government.

I do not want the form of our American Government changed. I want to see it preserved for all time in its true American form. Here is an appointee of the Roman Catholic king, a temporal sovereign and a spiritual ruler combined in one, a Roman Catholic king, with Italy stripped and deprived of all her civil laws and bound all around with the canon laws of the Roman Catholic Church. I am marked for slaughter by this Roman Catholic political machine because I have tried to hold this Government of ours true to its American form.

Have we reached the time when American patriotism can be punished and where American Senators can be driven out of public life without a chance to be heard in behalf of their efforts to serve their own country? Can such a bold and brazen effort as that employed by certain members of the present State committee in Alabama go unrebuked and unrepudiated by the clean, courageous, and upstanding Democrats of Alabama?

These Roman Catholic leaders, bent on my retirement from the Senate, are saying that "HEFLIN is poor, and we can easily defeat him."

Mr. President, they told the truth when they said that I am a poor man, but they are mistaken when they think they can buy a senatorship in Alabama and bring about my defeat. All that I need to do is to get the truth of my service to the Democrats of Alabama.

Mr. President, what did Doctor Ryan say in his book? "If there is a law passed that any considerable number of the people"—meaning Catholics, of course—"do not agree to, they must consult their priests, their bishops, and the Pope, and then decide what they will do."

What does that mean, Senators? That means that if a Catholic priest or a Catholic bishop or Pope tells you that you ought not to obey that law passed by Congress, you need not do it. What sort of a Government have we with that sort of thing going on here? That is in Mr. Ryan's book. That is his doctrine.

Am I to be condemned for calling attention to these things? Ought I to sit silent here, with folded arms and sealed lips, because I am afraid of the Roman machine, because I am afraid of poison, because I am afraid of the dirk or of the assassin's bullet that killed Lincoln, Garfield, and McKinley? Shall I be a coward and sit silent, or shall I do my duty as an American Senator and point out these evils—for what? In the hope of checking them; in the hope of preventing harm coming from them.

I am a Methodist. If the Methodist Church held any such doctrine, I would quit the church. I would not belong to a church that taught a doctrine that meant the injury and the ruin ultimately of my country. It ought not to be. We can not all agree on religion; but we have agreed in the construction of a great Government that gives fair protection to all—Catholic, Protestant, and Jew. I hold that it is the duty of every Catholic, as it is the duty of every Protestant and every Jew, to swear eternal allegiance to this Government, its flag, its Constitution, and to permit no Pope or potentate, by any decree of his, to swerve them from their duty in the premises. That is my offense. Am I to be driven from the Senate because I have dared to do these things?

I predict that inside of 10 years the New York Times will be owned completely by the Roman Catholics. They have large stock holdings in it now. Whenever they find a paper that criticizes them in the least, as this paper did in January, they either put it out of business by the boycott or they buy it up and control it. I predict that inside of 10 years they will own that sheet outright, as they own many others of the big dailies of the country. I assert here to-day that they dominate the press. They dominate three-fourths of the press of the United States. What an appalling statement! What an astounding fact! Nobody can deny it.

Why, I printed in the RECORD here the other day a letter quoting from a report of the Catholic political organization which represents the Catholic king right here in Washington. They have headquarters that cover nearly a block. They claim in their reports that they are in personal contact daily with Congress, with the Cabinet, and with the President of the United States. In one of those reports they set out that the Associated Press misrepresented them, and they got after the Press good and strong, and the Associated Press apologized, and the Associated Press had been doing finely ever since; and not only that, but that incident had had a wholesome effect on the other newspaper reporters, and all was well with the Catholic interests!

That is what you have. I want Senators to try it out. You go to one of these boys—and there are some mighty clever boys up there, as well as some clever ladies—you go to them and start to telling them about some scandal connected with a preacher, and see them commence jotting down the notes. Oh, they will take it down in earnest. Finally, when they ask you, "Who is this fellow?" and you say, "He is a Catholic priest," they say, "Oh! Oh!" [laughter], and the story goes dead. They know it just as well as I know it. You know it, too. Have we a free press in this country with that condition of affairs obtaining?

I want a press that will tell the truth on everybody including all the preachers, a press that will tell the truth on all parties, on Catholics, Protestants, and Jews. If we are going to have a free press, let it speak the truth fearlessly regarding all these interests.

Why, they have the Associated Press now so that it will eat salt out of their hands. It is utterly impossible for me to get a square deal at the hands of the Associated Press since one of its vice presidents recently became a candidate for the Senate in my State. I pass bills and resolutions through the Senate, and no mention is made of them. I do not care personally; but the people who sent me here are entitled to have the truth with regard to my service, and the facts ought to be told. I do this to show you that we have no free press.

This Government is founded on six fundamental principles—free press, free speech, peaceful assemblage, religious freedom, separation of church and State, and the public school. These are the six pillars underneath this great structure of ours called constitutional government. Pull down those pillars, and you pull down the Republic.

Is the Roman Catholic machine in favor of free speech? It is not. It is the deadly enemy of free speech. I know from personal experience. When I was going around the country, invited by patriotic men and women to come and speak where a Roman Catholic Knight of Columbus had been speaking on the Catholic side of the Mexican question, they wired me to come and present the other side, and I went. The experiences that I had would fill a book. Let me tell you what occurred at Butler, Pa.

The school board had charge of the auditorium. They came up to see me at the hotel and said, "The Roman Catholic priest objects to you speaking in the school auditorium."

I said, "In a Protestant school auditorium?"

"Yes."

I said, "Did Catholics build that school?"

"No; they had nothing to do with it."

"Does the priest own it, or is he the keeper of it?"

"No."

"What business is it of his?"

"Well, that is what we would like to know. He says if you speak on matters generally and will not mention the Catholic Church he has no objection to you speaking."

I said, "You tell that priest for me that I have never yet asked a Roman Catholic priest what I could or would discuss in my speeches, and I do not propose to do it now. The Catholic Church is in the resolution passed by the Roman Catholics, laid before the committee in the House of Representatives. That is the part of the subject, and I will speak about what I please to discuss."

They said, "Well, he said he had no objection to you speaking if you would make him these promises."

Think of having a Roman Catholic priest coming out from his Roman organization and challenging a United States Senator's right to speak about what he pleases to talk about in this free country of ours.

"Well," I said, "gentlemen, I will speak about what I want to speak about."

"Sure," they said.

"All right. Then that is settled."

They went back and saw the priest, who was waiting. They had to report to him. When they told him what I said he threw his hands up and said, "Well, you will have trouble down there to-night." That was to frighten people away, to make them think they were going to have a riot. What did he say? He said, "They will have trouble because I can not control the Knights of Columbus."

They told me about it that night just before I got up to speak. "Well," I said, in opening my address, "the priest may not be able to control them, but if they start anything here to-night, by golly, we'll control them." They did not start anything. I made my speech.

I went to Ridgeway, Pa.—it had been advertised for two weeks—to speak in a theater. They sold tickets. The owner of the theater had advertised in the program of the week that "Senator HEFLIN will lecture Friday night about Mexico." Two days before I was to lecture the manager of the theater came to the committee and said, "You can not use the theater."

"Why?"

"The Catholic priests have taken it up with headquarters at Pittsburgh. They have ordered us to close the hall on that night."

One member of the committee said, "You can not do that. We have your contract. We have sold 1,200 tickets. The people have them; they paid for them, and they will be in here to the seating capacity of this building."

"That is all right," he said, "you can not use it. The Catholics have threatened to boycott the theater if we let you use it, and you can not have it."

"Well," he said, "we will see."

So they went to a circuit judge, who was at that time sick in bed; they laid the facts before him, and he issued an order that that theater be opened and lighted up, and that that contract be carried out. They brought that order back and tried to turn it over to a Roman official, whose duty it was to serve it. He slipped out of his house and stayed in hiding, and they did not get the writ executed, and 1,200 American men and women, in the dark, stood outside waiting to go in to hear a United States Senator speak on a question of whether their boys should go to war with Mexico. A Roman Catholic official in this country, obeying the mandates of the Roman Catholic government, defied an order of court in this country and punished American citizens because a Roman Catholic priest wanted it done. Is that free speech? I could give instances for four hours of what happened to me over the country because I was interfering with the Roman Catholic program for war with Mexico.

Mr. President, General Lee said that the sublimest word in the English language is "duty." I have simply tried to do my duty. I have dared to do it frequently when it was dangerous, very dangerous. People have warned me that I would be

poisoned. I have received letters galore from Roman Catholics threatening to put me out of the way. I have received them, and have read some of them in this Chamber, stating that if I did not stop my fight for the preservation of my country I was going to be murdered.

An evil is springing up in the land so gigantic that public men are as afraid of it as they are of death. They know it. We all know it.

You can discuss a question that involves the Methodist or Baptist Church or any other Protestant church, but not the Catholic Church. Whenever you touch that—"Sh! Sh!" They put on the soft pedal; and why? I have had them tell me why. They have said, "You know how they are. They will combine against and seek to drive you from office."

Mr. President, if we have something in the United States that is so touchy and tender that you can not discuss it, we have reached a pitiful pass in the history of our country. I think we ought to discuss in this place any question which vitally affects free government in the United States. That is my position. If the Methodist Church is doing something it should not do, involving the Government, it ought to stop it; and the same is true of the Baptist Church and the balance of them. We talk about them, but you must not talk about the Catholic Church.

I want you to listen to this, and let the New York Times then answer whether I am seeing phantoms or not. Here is the Atlantic Monthly for March of this year, containing an article by Hilaire Belloc, one of the strong and leading writers of the Roman Catholic group, and what does he say? This is what he says:

> Where there is a conflict between civil law and the moral law of the Catholic Church, the members of the Catholic Church will resist the civil law and obey the law of the church.

My God! Did you think you would ever reach the time when a distinguished leader of any group would rise up and say that if Congress in its judgment, after due deliberation, and with the President's approval, enacted a law for the American people, which ran counter to a Catholic canon law, the Catholics would resent the law of the Government and sustain the law of the Catholic group? What are we coming to? What are we coming to in the United States?

I am criticized, and an effort is being made to drive me from the Senate; for what? Because I have exposed these un-American activities, because I helped to defeat the Roman Catholic plan for war with Mexico, because I helped to defeat Alfred E. Smith, who was to be elected President in 1928, under all their signs.

Oh, what big doings they had mapped out. They were to elect Al Smith, a Roman Catholic, President of the greatest Protestant country in all the world. Following that they were to crown a Catholic king of the Catholics of all the world. Following that they were to have a revolution in Mexico, aided by Al Smith, for the overthrow of constitutional government there, and to restore the Pope to power. Those were the three big things in their program, and because I helped to defeat them they have marked me for slaughter.

Mr. President, one of the leading Catholics of the United States has said boastfully that the day will come when there will be no Member of Congress in either branch who does not have the O. K. of the Pope. Oh, it looks as if they think that time has come now, because I certainly have not the O. K. of the Pope. [Laughter.]

What is there in common between Alfred Smith and the Democratic Party of the South? The Democratic Party of the South stands for strict restriction of immigration. The Catholic plan, when I came to Congress, was to flood this country with Catholics, and one day to have a majority in this country so that they could control it. When I came to Congress in 1904 they were sending in a million and a quarter immigrants a year, two-thirds of them Roman Catholics. Just think. At that rate, if that had continued, they would have had twenty-odd millions of Catholics coming in during my time.

We cut that down. We voted for restricted immigration. I am going to repeat what I said before; the first immigration bill we passed, Taft vetoed, under Roman Catholic influence. The second immigration bill we passed, Woodrow Wilson vetoed, under Roman Catholic influence. I am going to tell the truth about all of them. They operate on Democrats just as they do on Republicans when the Catholic government's interests are at stake. The third bill we passed, Calvin Coolidge approved. We passed it by an overwhelming vote.

I found Tammany standing in solid phalanx against our immigration moves at every turn. The Roman Tammany group stood there like a stone wall, beating back our forces for years and years and years. We did not succeed until we got enough Republicans from the West to join with the Democrats of the South to put that measure over.

In 1924, when the immigration bill was up in the House, the Tammany group solidly, with one exception, was in opposition to it. A Mr. O'CONNOR, I believe it was, came over to Representative Stengle, of the New York delegation, and showed him a letter which "Boss" Murphy wanted signed by all the Tammany Congressmen. They had all signed it but that one, and they presented it for his signature. Stengle said, "I can not sign it." The man said, "Listen, do you know what that means?" He said, "Yes; I think I do." "All right." He made a motion toward his head indicating that it would mean that his head would be taken off politically.

Mr. O'CONNOR went back. Then Mr. CAREW came over and sat down by Mr. Stengle and said, "They tell me you will not sign this letter which the boss asked you to sign?" He said, "That is right." "You know what it means?" "Yes; it means the jig is up with me politically." "But," he said, "I believe it is to the best interests of the American people, and I am going to vote for the bill." "All right, that eliminates you," and it did. Mr. Stengle went down before the Speaker's desk, made his speech in favor of the bill, saying that he knew that it meant his political death, and they drove him out of Congress. That is the way Tammany does. By their fruits ye shall know them! Because I refuse to bow the knee to the Baal of Tammany I am marked for political slaughter in Alabama.

Catholics of Boston called on the caucus here to read me out of the party. The same group and others called on the governor of my State to read me out of the party. Then the Raskob-Smith-Tammany crowd manipulated—quietly, of course, and secretly—through the State committee in my State, 27 out of 50 of the members of that committee, to the astonishment of everybody, put this dastardly thing over, denying me the right to run as a Democrat in the Democratic primary, where all Democrats would have a chance either to approve my course or to repudiate it. It is a cowardly and scoundrelly thing. The Democrats of my State will never submit to it.

Mr. President, there is nothing in common between Tammany and the Democratic Party of my State. Tammany is rotten on the negro question. I believe in giving the negro a fair deal. I believe in treating him right, and we do that. But I am opposed to social equality. There is a dead line between the white race and the Negro race. When you cross that line you are bringing about a lot of trouble for both races. The way to treat that question is to preserve the Negro race as a Negro race and the white race in its integrity, to prevent marriage between the races. While Governor Smith was Governor of New York State he permitted negroes to marry with white people in that State.

In the city of New York, when the present Tammany mayor was recently running for reelection, it was boasted that they had done more for the negro than the Republicans or anybody else had done. The negro campaign book sets out that Mayor Walker had appointed more negroes to office in New York City by 50 per cent than all the mayors since 1895. Just think of that!

Listen, Senators! I believe in negro school and a negro teacher, negro church and negro preacher, a negro hospital with negro patients, negro doctors and negro nurses. I believe in white hospitals for white patients, with white doctors and white nurses. What has been done in New York? Recently Mayor Walker has thrown open the doors of all the hospitals of New York City, alike and without discrimination, to negroes and whites—white nurses and negro nurses, white doctors and negro doctors—such a conglomerated mess in the largest city of our great country! That is the price paid in part for the negro vote of New York City by Tammany's so-called Democratic Mayor Jimmie Walker.

Mr. President, I hold that any man who will surrender his own clean, superb, fine convictions in order to hold office, who will shape his creed for his cravings and swallow his convictions for a job, is unworthy of any position of honor in this country. The Tammany-negro political mixup, if Democracy at all is Democracy of high rank and smell! Negroes and whites, all alike, are admitted into the hospitals of New York to please the negro vote and to obtain it for the Roman Catholic political machine.

I know they do not like to hear me say these things, but that does not deter me in the least. I want this devilish program stopped. We have ideas upon this subject. The American people have ideas about it. Lincoln had them. Lincoln opposed marriage between the whites and the blacks, and he said so. But here we have reached the point where in order to corral and obtain the negro vote they have opened the hospitals, where a white man must take his wife or his daughter, to negroes and whites, all alike. Deliver me from such Democracy as that!

It is not Democracy. That is not the work of the Democratic Party; it is the humiliating and shameful work of the Tammanycratic Party.

Mr. President, I repeat there is nothing in common between the Alabama Democracy and the Tammany crowd. We do not want social equality; they do. We do not permit marriage between the races; they do. We do not permit negroes and whites to go to the same school; they do. We do not permit the whites and the negroes to worship together in the same church; they do. Crowning it all, they now permit them indiscriminately to go to the same hospitals, they now permit negro women to marry white men, and that is the fruit of Democratic Tammany. By their fruits ye shall know them!

But I have opposed them. I have interfered with their program. The Democratic South is for restricted immigration. The Democratic South wants the jobs in America for American men and women. The Tammany Democrats want those jobs for foreigners if they are Catholics and for negroes if they will vote the Tammany ticket.

I know they do not like to hear that. They have boasted that they would put me out of office. I do not fear them. I defy them! I take my cause to the people of my State, confident of their verdict. Fearless and brave and fair a people as ever lived, they believe in fair play and justice to all. They will not indorse the action of the committee that seeks, at the instance of the Roman-Tammany crowd, to assassinate me politically.

Mr. President, what would you think of a judge if a man should come in when some charges were made against him and the judge would say, "Take him out and lock him up. I will sentence him." But the man would say, "If you honor please, I am not guilty and I want a hearing. I want a jury to hear me. If they say I am guilty, all right; but I demand that right. It is my right." But the judge says, "No; I have decided this matter. Your enemies want to punish you and I must do their bidding."

The Roman-Tammany crowd told the committee in my State, "You can not beat him in a primary. The thing to do is to break him down and cripple him and deny him the right to run as a Democrat." What does that mean? That is an admission that a majority of the Democrats want to reelect me, but they would not permit them to have that opportunity. It is an admission that they were seeking to keep the majority from doing what the majority wants to do. That is not Democratic. That is Tammanycratic. All I asked was, "If you say I have done wrong, assemble the party and let them hear me. If they say I have done wrong, I bow to their judgment, I accept their action." "No," they said, "We are not going to let you be heard." "You say I have offended against the majority of Democrats?" "Yes." "All right; I am willing to go in there and run before them. Knowing in advance that you charge that a majority of them are against me, I am ready to accept their judgment. Will you let me in?" They said, "No; we will not do that." Is there anything fair in their position?

Mr. President, what is it in a nutshell. They decided to drive me from the Senate and perhaps they decided that it was cheaper financially to influence 27 members of that committee than it was to beat me in a primary where 300,000 Democrats would vote—cheaper and less trouble to stab me in the back and murder me politically and keep me out of the primary than to let me in and seek to control the primary. It is the most outrageous performance that has been pulled off in this country in my lifetime. Nicodemus said, "That it was against the law to punish a person without a hearing."

O Mr. President, I am pleading for fair play and justice and I propose to have it. I am still seeking to have the way opened for a fair-for-all Democratic primary, so that we can all get in the primary, but if we are unable to do that I want to set all minds at rest on one matter, and that is that I will be a candidate in the November election. If I live, I will carry the principles involved to the judgment bar of the people of my State. I shall not permit 27 members of the State committee, strangely influenced, arbitrarily, to strike me down without a hearing at the hands of those who elected me. I will not permit that committee to deny to all Democrats a chance to vote for me or any other candidate for whom they want to vote. That is fair, that is just, that is Democratic!

The New York Times says that I am seeing phantoms. Let me read again for the edification of that agent of the Roman machine. This is from the October, 1928, issue of Cardinal Hayes's Missionary Magazine, published in New York. The Bible says, "As a man thinketh in his heart so is he." What were they thinking in their hearts? What was the thing uppermost in their minds? What was the great plan in it all in 1928? Here it is in the Catholic Missionary editorial of October, 1928:

The Missionary finds many reasons for sharing the interest of fellow Catholics in the campaign. It seems to be a most beneficent provision of the Heavenly Father for the advancement of those ideals to which the Missionary is dedicated. * * *

God, in His mercy, has permitted these Americans to be bound—

Listen to this—

God, in His mercy, has permitted these Americans to be bound, in the stimulating, electrical current of their own ambitions, to the candidacy of one who represents ideals they have banned in their blindness for the past 300 years.

Oh, they are rejoicing that we "heathens" are going to be enlightened; that God is going to use this opportunity to get us out of the wilderness and out of the darkness of Protestantism into the light of Roman Catholicism. This writer is rejoicing that Alfred Smith is leading the way. But I read further:

The strains, toils, and bruises of the campaign are amply compensated to the Catholic candidate by a happy consciousness, which no election returns can take from him, that he has brought the Catholic Church into the minds of the American people, in a way, with a force, surpassing the utmost capacities of pulpiteers.

That was true, was it not? I saw men on the stump berating Protestants because they opposed Smith and themselves eulogizing him and urging that he be supported. In their political zeal they lost sight of what this writer had in mind.

I am not opposing Smith because he has a different religion from mine. I am not attacking the individual Catholic; I am not attacking the Catholic form of worship; I am attacking their un-American political activities. I am against their political beliefs and intentions.

What are those beliefs? Doctor Ryan sets them out; he says that when the Catholics are strong enough they are going to change our form of government; in other words, they are going to overthrow it and set up in the United States a Catholic form of government. I ought not to be for that; I am not for it; and because I am not for that they are falsely stating that I am attacking the Catholic religion. They do that, as they have done through the centuries in order to carry their political program under cover, hidden from the eyes of those who are interested until it is too late to protect their Government and preserve it.

Listen. Speaking of Governor Smith, this article goes on:

His opportunity to enlighten and convert America has been stupendous, and stupendous will be his reward. He earned it by being a sincere, practical Catholic.

Now, listen:

Our blessed Lord wins through failure and sets up the principle "unless the grain of wheat falling into the ground die, it remains alone."

And so on. But here is the point:

The campaign has been intensely significant to Catholics because it is so plainly part of our Divine Lord's own, age-long and world-wide campaign.

The Catholics are trying to make it appear that I offended the Lord when I opposed Alfred. I deny it. This writer continues:

With this in view, is it any wonder that all Catholic lovers of Christ are feverishly praying for Governor Smith's success?

Have you ever thought—

Now listen to this—

Have you ever thought of what life would be like in the United States when it becomes the fashion, the rage, to be Catholic? This change is almost certain to come. It is highly probable that it will come suddenly. You will go to sleep some night in the same atmosphere you and your ancestors have breathed for the past 400 years; the oppressive, sad atmosphere of a detested, exploited, sullenly tolerated sect, and you will wake up in the morning to find Catholic interests in big type on the front page of your daily paper and all the world clapping its hands in applause. The reason for the suddenness of the change is twofold.

First, it has been prepared, during the past 50 years, by the army of American visitors to Europe, who spend half a billion dollars every year for the privilege of basking for a few weeks in Catholic culture in Europe.

Now, here is the milk in the coconut, the climax of it all:

America is going to become pro-Catholic all at once, because this is the nearest approach to gracefulness with which anyone who knows he is in the wrong can begin to be right. We should be charitable enough to take no notice of the change; forget America was ever anti-Catholic and carry on as if we had always been, all of us, loyal children of Holy Church.

Listen:

This change may take place early in the administration of Governor Smith as President—Democratic President—of the United States * * *. Oh, how we should pray for trained missionaries to Americans!

Is not that a marvelous document? Missionaries! Old fathers in Israel, descendants of Isaac and Jacob and that long line of illustrious Hebrews; old fathers and mothers descended from John Knox and Huss and Luther and Roger Williams and a long line of illustrious Protestants, you have become the "heathen," and Catholic missionaries must come by the hundreds and thousands to lead you out of the darkness into the light! These were to be the great accomplishments of Governor Smith's administration. The restoration of Mexico and the rule of the Pope; the setting up of a Catholic kingdom in Rome; hog tying the Government of Italy with canon law; making the United States Catholic with a Catholic President, with missionaries from abroad going into various States teaching us to tear down the old altar places where our fathers and mothers have worshipped and where they sleep until the resurrection morn. These are some of the things to be accomplished under Roman Catholic rule in the United States; and all this was to come about suddenly when Governor Smith was made President.

One of the newspapers of my State which is opposing me and supporting one of the other two candidates for the Senate made a rather interesting pronouncement on this subject in 1924. The Birmingham News, discussing the Democratic convention at New York on Friday, July 4, 1924, had this to say:

If Smith is named, he will be knifed in the doubtful States not only by the resentful and disappointed McAdoo strength but by a great host of Democrats who are bone dry in their political alignment and who are everlastingly committed to the "unwritten law" which has obtained since the creation of this country, that the Chief Magistrate must be a Protestant.

You ask me why I am opposed to making a Roman Catholic President. I have told you and I will tell you again: Because wherever the Roman Catholic party has been in power it has overthrown free government; wherever the Roman Catholic party has been in power it has destroyed free speech, peaceful assemblage, free press, religious freedom, separation of church and state, and the public school. Destroy those six elements of our national strength and you destroy free government in America. And I am sought to be destroyed because I am trying to save my Government.

I love this Government, Mr. President; I love this great, free country of ours. I would not interfere with the birthright of any boy or girl. I hold that it is the birthright of every child born in this country to worship God just as he or she chooses, to select his or her own church. Deny that and you deny them their birthright. What is the Roman Catholic position on that question? They bind the children to be brought up in the Catholic Church. Let a Protestant who believes in religious freedom marry a Catholic, and the priest will swear them to bring up their children in the Catholic faith. That is binding children in bondage before they are born. It is not American. The child is deprived of his birthright when that is done. That is not all. What happens when they are married? If a Protestant marries a Catholic and a Protestant preacher performs the ceremony, it is not a marriage according to Catholic authorities, and the children born of such union are not legitimate. That is what they hold. Their authorities time and again have announced that position and that is their position. I can cite you, Mr. President, to an instance, one of the most appalling in my lifetime, which occurred right here in the city of Washington.

A girl from New York, a war worker, came here to do her bit when the country's liberty and the world's liberty was involved. She met a young man who had been married and divorced. He was a Catholic by the name of Harlow. They were married by a Protestant preacher. They lived together happily two years. Both of them had Government positions. There is where he met her. He was taken ill. His Catholic mother and brothers and sisters came over and asked the wife—they lived over here at Alexandria—to let them have him; that they would look after him, and she could continue her work, and come over and see him after Government hours. She did that. Little did she dream that they were going to question the propriety of her living with him, the marriage ceremony that had been performed. Little did she dream that they were going to alienate his affection and have him renounce her; but they did.

Two Catholic priests visited him every day. The wife went over to see him frequently. Finally they said, "You are coming too often." One day the brother of the sick man met her out in the hall and told her she could not see him. He said, "You are not his wife. You have never been properly married to him." She cried like a child in the hall—denied the right to see her own husband, nigh unto death! She went out and told the policeman, a Protestant. He came in and made them open the door and admit the wife to see her stricken husband. She went away and came again. This time the brother met her in the hall, and caught her by the wrists and twisted them around, and told her she could not go in; that she was not Dick's wife. She begged and cried. Finally he said, "All right"; he took her in, and they stood by the bedside. He said, "Dick, go ahead and tell her. Go on!" The sick man lay there, and his lips quivered. He was near unto death. He died two days later. He said, "Pet, it's all over between us. You are not my wife. They say I must renounce you in order to save my soul."

They led her out of the room heartbroken, weeping. She never saw him again. When he was dead and buried, friends said, "Why don't you prosecute those people, or bring suit against them?" She sued them, and obtained a judgment for $13,000. They had drawn out of the bank her money, $1,400, that she had in joint account with her husband. She brought suit. A Virginia jury returned a verdict for $13,000. They took the case to the supreme court. The supreme court affirmed the judgment of the lower court, sustaining her and her judgment for $13,000; and that court's opinion, written by a brave American judge, Judge Chichester, excoriated those priests and that Catholic group who had mistreated this woman, and denied her the right to see her husband, and questioned the propriety and validity of the American marriage ceremony. He said it was religious fanaticism gone mad, and that they were putting it above the law of the land.

But I am seeing phantoms, the New York Times tells us. That strikes at the bedrock of our society. That strikes at the heart of the country, the American home. You question the validity of the marriage vow and ceremony out of which have come the millions of men and women in America, and you insult every father and mother in the land. You place a stigma upon every child born under such wedlock. I denounce it. I repudiate that conduct. It does not belong in America. It has no place here.

Am I talking the American doctrine, or not? I know it is unpopular with those who believe in the other doctrine. I want them to come out in the open with that doctrine. Let the sunlight of truth down on it. "Know the truth, and the truth shall make you free." That is all I want. If they do not like my argument, let them answer it. I challenge them, here and now, to answer it—to answer it anywhere. I will discuss it anywhere, before any audience, with anyone whom they may select, and let the audience decide whether or not I am chasing phantoms.

Governor Smith's son ran off and was married by a Protestant judge. He telephoned that boy not to come home until he had gone down and had a Catholic priest marry him properly. What do you think of that? My father and mother were properly married, and so were yours, and the countless thousands that have come and gone. What did he mean when he said, "Have yourself properly married by a priest"?

Mr. President, these things strike at the foundation of our Government. They strike at the very root of all that is dear to us.

Why, I spoke here before about the Catholics favoring mixed schools and mixed churches and marriages between niggers and whites, and a Catholic paper of New York City called "America" came out editorially and said, "When Senator HEFLIN said this and that he told the truth." So they admit that I was right about that.

Wherein am I wrong? Challenge me here or challenge me elsewhere, but let me have a chance to answer in the name of my country and in the name of truth and right and justice.

The New York Times, expressing the wish of their friend up there who inspired this editorial, said, "The party is tired of Senator HEFLIN in Alabama." Well, is it not strange if the party is tired of me that they will not let the party have a chance to retire me? Is not it? They prefer to do it the other way. I deny that the party in Alabama is tired of me. It is the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring in Alabama that is tired of me, but it is not half as tired of me as it will be before the election next November. Now, let me tell you what they have done.

They have said that I can not run in the primary; that I can not be a candidate to succeed myself. I am therefore denied the right to have those who elected me pass on my service to them. That is it. They will not let me run to succeed myself. I can go in there and vote for some candidate that they will anoint and send down there; but they confine me, in the exer-



cise of my choice, to a candidate that they approve in our primaries. I refuse to accept such a thing. The two candidates running—both of them eminently satisfactory to these—have condemned my position. They will not let me run in the primary, but I can go in and vote.

They have two situations that are remarkably close to the Catholic way of doing things. One set of candidates can vote, and the other set of candidates can vote and run, too. They get them from Rome. They allow one set of people to kiss the Pope's hand and another set to kiss his toe. [Laughter.] They have two sets of business for them over there. So I take it that that is where this committee got its idea. They are seeking to drive me out and prevent me from being heard, and prevent Democrats all over the State from expressing themselves at the polls on me and the other issues involved.

Mr. President, I knew that Governor Smith and his crowd had bolted President Wilson in 1916 because he would not go to war with Mexico. I knew, when I opposed Smith, that Colonel Lindbergh's father, then a Member of the House—we served together—introduced a resolution to investigate the activities of the Roman Catholic hierarchy toward getting us into war with Mexico in 1916. I knew that they tried to punish Wilson because he would not use the Army for the Roman Catholic cause, and they came within a handful of votes of beating him. If they had had two weeks more, I believe they would have defeated him. What were they trying to defeat him for? Because he had been unfaithful to his country? No; because he would not betray his country and kill American boys, Protestants and Jews, to restore the Pope to power in Mexico.

That was the truth of it—the whole truth of it. I knew when I opposed Smith that the New York World had said that Governor Smith stands for social equality between the white and black races. Well, now, the idea of my voting for anybody who stands for social equality! I will not do it if I know it. I do not care who nominates him. The idea of a Democrat from the South, a Democrat from Alabama, believing in the principles of white supremacy and white control, voting for a man who believes in social equality between niggers and whites! I would not vote for him.

I stood on this floor and asked Governor Smith, if that was not true, to deny it. He has not denied it to this day. Former Governor BLEASE, Senator BLEASE, of South Carolina, read on the floor of the Senate, or had read, a paper charging that Smith had promised to put a negro in his Cabinet, in order to get the negro vote, if he was elected President. I stood here in my place and asked Governor Smith, "Is it true that you said that? Would you, if elected, put a negro in your Cabinet?" He has not answered to this day.

I read here that Governor Smith, when in the Legislature of New York, voted for a bill requiring all hotel proprietors to open their places to negroes and whites alike, to admit them and serve them, negroes and whites, without discrimination. I stated that Governor Smith voted for it. He has not denied it. He can not deny it. He will not deny it. I charged that he permitted marriage between negroes and whites. He has not denied it. He can not deny it. He will not deny it.

He will not deny now that he believes in marriage between negroes and whites. He will not deny now that he stands for social equality; that he approves the mixing of the breed, and the destruction of Anglo-Saxon superiority in our country in time. That is what it leads to.

In every country where these mixed breeds are found, there has been a downfall of civilization. Go back to Spain in the day of her pride and glory, with pure blood and high ideals: She ascended the scale of glory; but when she mixed and mingled with all sorts of people, brought in in the influx of Catholic immigration, what happened? Her ideals were lowered; her standards came down; a mixed breed resulted, and Spain lost her high standing in the world.

There you are. I am fighting for the preservation of American ideals and institutions, and I expect to continue to fight for them.

Mr. President, I want to say another thing before I close. The New York Times said the court decided against me. That is not true. I thought their decision amounted to that; but it is not so. There were five judges who sat on the case. It was not my case, by the way, but it involved the questions at issue.

Four of the judges said the case should be dismissed without deciding anything, except that it was not started in the proper court. But one of the judges, a learned, able, and courageous judge, Judge William H. Thomas, elected by a larger majority than any other man on the bench, a man of the people, able and brave, decided that the primary ordered is an unlawful primary. So the only judge who has decided the point decided it against the Raskob-controlled committee, and among other things he said:

> The importance of the primary system as a step in getting the name of a candidate upon the official ballot, the freedom of choice of candidates from those of the association or organization who may become candidates, are of equal importance with the freedom of the expression of the choice between candidates at a general election.

That is as sound as the Rock of Ages. Again:

> The primary is the initial step in the system looking to the nomination of candidates whose names are to find a place upon the official ballot, and through its agencies to be submitted to the qualified electors for an expression of their choice.

That is what I am pleading for, Mr. President and Senators. Again he said, and I hope the New York Times will take note of this:

> It is the legislative intent that as to affiliation and party loyalty all electors may become candidates and all candidates may be electors.

Again—

> The only interpretation of section 612 and section 672 of the Code of Alabama that is reasonable is that contained in its plain and simple language—that the same tests of party loyalty and affiliation be prescribed for party electors as for party candidates. * * * The law exacts of this court the construction of the law as duly enacted, and I conceive it my duty to do so as to these statutes and the resolution in question.

Then—

> It follows from this material departure in the resolution from the requirements of law that the primary election called is not the kind of primary that may be held under the law and at public expense in the State of Alabama.

The only utterance from the bench on the case is in my favor and in favor of 300,000 Democrats who are asking for a fair deal and for simple justice.

O, Mr. President, I was born a Democrat, I was reared a Democrat, and I believe I know what Democratic principles are. I am trying to serve my party. I must decide in the final analysis what is best for me to do to preserve my party in its integrity.

I can not and will not take the direction of a strangely influenced State committee. I must listen to the dictates of my own conscience and my judgment, and it was my deliberate judgment, and my conscience told me, that Governor Smith's election would be a deadly thing to the Democratic Party in the United States; and not only that, but deadly to the American Government, which we love. They are seeking now to get me out of the way because he is going to be a candidate again in 1932. They want to clear the way. They are making all their preparations.

Mr. President, I shall meet them. I will be here in my place standing for American principles, as I have always stood. I take my cue from God as He speaks to me through my conscience and my mind. I will not bow to this Baal of the Roman-Tammany group. I will continue to do my duty.

I have two duties to perform, one as an American citizen, one as a Senator from Alabama, the State I love best of all, and I love to repeat a part of Julia Tutwiler's poem:

> Alabama, Alabama, we will aye be true to thee.

When General Lee was a colonel in the Federal Army and the war broke out, he resigned his commission and went back to Virginia. They called him a bolter, a deserter, and a traitor. General Lee said, "My father before me said to Mr. Madison, 'Virginia is my country. Her will I obey, however lamentable the fate to which it may subject me.' A peculiar situation has arisen. His home state, Virginia, is involved. Virginia is my mother."

That was the doctrine. Then secession was settled by the arbitrament of the sword. Lee said, "I have to answer her call; and I cast my fortune with the people of the South." He was true to Virginia.

Alabama, I have been taught that my first duty is to my mother, mother State of mine. I was reared at her knee, taught to pray at her altar places. Trained in her principles at the fireside of Democracy in my State, I will aye be true to them.

> Alabama, Alabama, broad the stream whose name thou barest,
> Grand thy Bigbee rolls along,
> Fair thy Coosa, Tallapoosa, bold thy Warrior dark and strong.
> Goodlier than the land that Moses
> Climbed lone Nebo's height to see,
> Alabama, Alabama, I will aye be true to thee.

I will meet these 27 members of Tammany on the hustings. I will meet them at the judgment bar of the people of my State, and they will determine whether we are to surrender Alabama Democracy, Alabama ideals and principles, and accept those of the Bowery, of Tammany, of Raskob and his group.

I decline to accept them. I knew when I opposed Smith that Raskob had said that he had taken control of the national committee of my party in order to rid the country of the "damnable affliction of prohibition." I knew how the ministers of the Gospel of my State stood in fear and trembling at that announcement. I knew how the Christian women workers, who had preached and crusaded against the liquor traffic and drove it out of my State and the other States, quailed before this strange announcement from the strange head of the Democratic National Committee.

The question was whether they would do that which was best for their firesides, their homes, their Southland, their country, or follow the lead of such a monstrous hydraheaded leadership as we had emanating from Tammany and the ranks of the eastern Republican Party.

Mr. President, I have called upon Raskob to resign. Discredited he stands before the American people to-day, chairman of the great Democratic National Committee, coming down here and stultifying himself, lifting his hand under oath, telling the lobby committee that he knew but little about the whisky ring he has up there, a committee to elect wet Republicans against dry Democrats. He "believed" he was a director, just waving the thing aside.

Then he got on a ship, and he has gone to Rome. He is a chamberlain to the Pope. He is an officeholder in the Catholic kingdom of Italy. He is no doubt now in the royal council discussing the plans and purposes of the Roman Catholic governments on the earth. He is over there, and what does his hired man Friday—Curran—say? He comes out and the lobby committee questions him, and they brought out things which Curran did not know they knew, which Raskob never dreamed would come out. What were they? They disclosed the fact that Raskob, with four others, signed a contract to pay this man Curran $25,000 a year, Raskob subscribing $5,000, to go out and help get up money to carry on a propaganda to defeat dry Democrats—think of it—and elect wet Republicans in their places. Have we not come to a miserable pass in the Democratic Party under such miserable leadership?

Listen to what this man Curran said as he testified. Raskob admitted that he had contributed personally—think of that, Senators—$65,000 to help elect wet Republicans against dry Democrats. Is not that leadership for you with a vengeance in the Democratic Party? How the mighty have fallen with us!

Listen! Senators, this is enough to make you leap out of your seats, if anything can make you leap. Mr. Curran, this brazen agent of Raskob and the Du Ponts, was testifying. I read from a paper of April 16th of this year:

He was directed to reappear again to-morrow for further questioning.

Listen to this:

Asked if he would favor armed revolution—

Do you get that, Senators?—

Asked if he would favor armed revolution against the prohibition law, Curran replied that "We will cross that bridge when we come to it."

My God! What are we coming to in the United States? That is the statement of a hireling of Raskob, a man he has contracted to pay $5,000 himself, personally, hired to carry on this propaganda; and what is it? A part of it is the failure to disclose whether they are going to have war against the Government for its efforts to enforce the law. That is what it is.

Mr. Curran, would you advocate armed violence against this law?

"We will cross that bridge when we get to it."

He should have been punished. If he had been an ordinary man, no doubt he would have been locked up. If he had been some poor fellow who walked in there and threatened that he was going to start armed revolution against the Government and its authority, somebody would have said, "Take this little hickory-nut head and lock him up." But Mr. Curran has millions back of him. Mr. Curran comes here representing the European program to lay down our law and to set up the barroom business again, and Alfred Smith is to be the candidate. God help us to deliver the Democratic Party out of such hands.

Mr. President, I was reared a Protestant, trained by a Protestant mother. When I was about 9 years old my father—a doctor, a farmer—and my mother had commenced to have family prayer. One night my father had gone to see some one who was sick. Bedtime came and my mother had to lead the prayer. I had never heard her pray, except the little prayer that she taught me that will go up to-night from millions of hearthstones, "Now I lay me down to sleep." Two lighted candles were on a little center table and the big Bible was in her lap. She put on her glasses and read the Twenty-third Psalm, this Protestant mother of mine. We all listened. She knelt down and prayed God to bless her children and to make them useful in the world.

Many a summer the grass has grown green,
Blossomed and faded our faces between;
Still with yearning and passionate pain,
Mother, we long for your presence again.

I shall never forget that scene. It has followed me to this good day, blessing and comforting me. I do not want anybody to take from me my religion. I want the Catholic to have his religion; I want the Jew to have his religion; but I want the right to worship as I choose to worship. That is my doctrine, but that is not the Catholic doctrine. Wherever they have the power they have killed religious freedom and set up their religion to the exclusion of all others. I challenge anybody here to deny that assertion. It can not be done. It is the truth the world over.

Then what am I doing? I am fighting for the preservation of American principles. What are they seeking to do to me? To make me doff my hat and bow my knee to this Roman Tammany rule, and I decline to do it!

THE DEFENSE OF JUDGE PARKER

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial in the New York World of this date entitled "The Defense of Judge Parker."

This editorial is a commentary on the contention of the Attorney General that a progressive justice of the Supreme Court, Justice Brandeis, had approved the "yellow dog" contract injunction. I think it is very enlightening.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York World of Tuesday, April 22, 1930]

THE DEFENSE OF JUDGE PARKER

The Senate Judiciary Committee has voted against the confirmation of Judge Parker as an Associate Justice of the United States Supreme Court. It is possible that a fight in behalf of his nomination will still be made on the floor of the Senate. Meantime, while the matter is still fresh in the minds of the people, it is well to call attention to an injustice which has been done a member of the Supreme Court by those who have been trying to strengthen the case for Judge Parker.

In defending Judge Parker's labor decisions Attorney General Mitchell sought to show that he was following the precedents established by the Supreme Court and that this was his bounden duty under the law and under his oath of office. But the Attorney General did not stop with this. He attempted to show that the form of labor contract which Judge Parker upheld, known to union labor as the "yellow-dog contract," and requiring employees to abjure union membership on pain of losing their jobs, had been declared lawful by no less progressive a jurist than Justice Brandeis. Accepting the Attorney General's statement at its face value, our neighbor the Times says that this particular argument against Judge Parker "had all the stuffing knocked out of it."

Mr. Mitchell's attempt to align Justice Brandeis in support of the closed-shop contract is unfair and should not be allowed to go unchallenged. He cites the dissenting opinion of Justice Brandeis in the Hitchman case as his proof. A careful reading of that opinion fails to substantiate his claim. The majority of the court in this case held that where miners had agreed not to join a union, a union organizer might be enjoined from inducing them to break their contract. Justice Brandeis held that in this case the union organizer was not causing the employees to violate their contract. He was merely seeking promises from them that they would join the union when a large number of them had consented to do so, "with the purpose, when such time arrived, to have them join the union together and strike, unless plaintiff consented to unionize the mine." Under this contract the employee was left free to join the union at any time, but was obligated to withdraw from his employment if he did so. What the union organizer contemplated, therefore, was in the opinion of Justice Brandeis, "clearly permissible under the contract."

It is a far call from this to the defense of the "yellow-dog contract" which has been unfairly attributed to the dissenting justice. The heart of the question is whether an employer can prevent a union organizer from even attempting to persuade a worker to join his union. Justice Brandeis insists emphatically that the organizer and the employees have certain rights which are not infringed by the closed-shop agreements.

PAYMENT OF JUDGMENT TO IOWA TRIBE OF INDIANS

Mr. THOMAS of Oklahoma. Mr. President——

Mr. McNARY. Mr. President, I inquire if the unfinished business has been laid before the Senate?

The VICE PRESIDENT. It is already before the Senate, the Senate having taken a recess last evening.

Mr. McNARY. May I ask the Senator from Oklahoma if he desires to discuss the unfinished business?

Mr. THOMAS of Oklahoma. I merely desire to submit a report from a committee on a joint resolution and ask unanimous consent for its present consideration. There will be no controversy over it, I think.

Mr. McNARY. I yield to the Senator for that purpose.

Mr. THOMAS of Oklahoma. From the Committee on Indian Affairs I report back favorably, with amendments, the joint resolution (S. J. Res. 156) to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians of Oklahoma, and I submit a report (No. 496) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, does the joint resolution merely propose to refer a claim to the Court of Claims?

Mr. THOMAS of Oklahoma. Mr. President, some time ago the Congress granted the Iowa Tribe of Indians the right to go into the Court of Claims. Under that jurisdictional act, suit was filed and judgment rendered in favor of the Iowa Tribe of Indians. At the present session of Congress on the deficiency appropriation bill an item of $254,000 was carried in order to pay that judgment. At that time I offered an amendment providing the procedure for the paying out of the money, and the Senate agreed to my amendment. In conference, however, the item was eliminated. The money is appropriated, but the Indian Bureau can not make payment without some authority of the Congress. The joint resolution which I have reported, and for which I have asked present consideration, carries that authority as to the method of paying out the money only, the money having already been appropriated.

Mr. McNARY. I have no objection, Mr. President.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Indian Affairs with amendments, on page 2, line 3, after the word "Indians," to strike out "including the shares of their minor children," and in line 5, after the word "Indians," to insert "including minors," so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States funds on deposit arising out of a judgment rendered by the United States Court of Claims on claim No. 34677, entitled "The Iowa Tribe of Indians *v.* The United States," and cause the total sum, less fees and expenses as fixed by the Court of Claims, to be paid in pro rata shares to all members of the Iowa Tribe of Indians of Oklahoma who were alive and properly enrolled or legally entitled to enrollment on the date of said judgment: *Provided*, That the said Secretary shall cause to be paid in cash all shares due or belonging to competent Indians: *Provided further*, That the shares of all other Indians, including minors, shall be deposited to their individual credit and be subject to existing laws governing individual Indian moneys.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

INVESTIGATION OF SALE OF GOVERNMENT SHIPS

Mr. McKELLAR. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution No. 129, being Order of Business 456 on the calendar. The resolution provides for the appointment of a special committee to investigate the sale of ships by the Shipping Board. It has been reported by two committees, and the Senator from Washington [Mr. JONES] has stated that he had no objection to the consideration of the resolution.

Mr. McNARY. Has it been favorably reported from the standing Committee on Commerce?

Mr. McKELLAR. It has been favorably reported from the standing committee.

Mr. McNARY. And also from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. McKELLAR. It has also been reported from the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, on page 2, line 19, after the word "exceed," to strike out "$10,000" and insert "$5,000," and from the Committee on Commerce with an amendment, on page 2, line 1, after the word "Corporation," to insert "and also thoroughly to investigate all construction loans and mail contracts made under or pursuant to the merchant marine act. Said committee shall report to the Senate the facts found by it after such investigations and its conclusions as to any appropriate action or legislation in respect thereto," so as to make the resolution read:

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a thorough investigation into all the acts and doings of the United States Shipping Board and Merchant Fleet Corporation and especially into the question of sales of ships by the board, the prices secured, the terms under which ships have been sold, the character and responsibility of the purchasers, the change in terms, and all other facts relating to the conduct of the board and of the Emergency Fleet Corporation, and also thoroughly to investigate all construction loans and mail contracts made under or pursuant to the merchant marine act. Said committee shall report to the Senate the facts found by it after such investigations and its conclusions as to any appropriate action or legislation in respect thereto.

For the purposes of this resolution such committee or any duly authorized subcommittee thereof is authorized to hold hearings, to sit and act at such times and places during the sessions and recesses of the Senate until its report is submitted, to employ such experts and clerical, stenographic, and other assistants, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. WALSH of Massachusetts. Mr. President, I inquire of the Senator from Tennessee, does the resolution contemplate an investigation into the sales of all ships since the inauguration of the Shipping Board or only into sales recently consummated?

Mr. McKELLAR. It covers all sales as reported by the Comptroller General, Mr. McCarl, the general accounting officer of the Government.

Mr. WALSH of Massachusetts. If I am correctly informed, the Shipping Board a few months ago offered for sale and received bids for a number of ships. Were those sales held up?

Mr. McKELLAR. They will be included in the proposed investigation.

Mr. WALSH of Massachusetts. Were those sales consummated or were they held up?

Mr. McKELLAR. I do not know; I can not say as to that.

Mr. WALSH of Massachusetts. I have an impression that the Senator submitted the resolution at the time those sales were in contemplation.

Mr. McKELLAR. No; the resolution was submitted immediately after General McCarl had made his report in which he pointed out a number of transactions that needed investigation.

Mr. WALSH of Massachusetts. Will the Senator please state the limitations in the resolution of investigation?

Mr. McKELLAR. The resolution is very full and will cover all matters which need to be investigated.

Mr. FESS. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. McKELLAR. I yield.

Mr. FESS. The question the Senator from Massachusetts asked is in my mind also; we went into it, but I have forgotten whether the resolution goes back so far as to include the sale of ships immediately following the war.

Mr. WALSH of Massachusetts. I suggest that the last clause of the resolution be read.

The VICE PRESIDENT. Let the resolution be read for the information of the Senate.

The resolution as proposed to be amended was again read.

Mr. FESS. It appears that the proposed investigation is to go clear back to the very beginning.

Mr. McKELLAR. Yes; the investigation may go back as far as the committee sees fit to take it, and I think it ought to have the power to go back as far as they see fit to go.

Mr. FESS. The question I wanted the author of the resolution to answer was whether it is intended to investigate the

sales of ships immediately following the war, including all sales from that time up to the present hour?

Mr. McKELLAR. If irregularities in regard to such sales are pointed out in General McCarl's report, of course, they ought to be investigated. The McCarl report will be the basis of the investigation. I think the resolution ought to be broad enough to cover everything that is pointed out by his report, and, in addition, the Senate Committee on Commerce has asked that mail contracts be included, and provision to take care of that aspect has been put in.

The VICE PRESIDENT. The question is on agreeing to the amendments which have been stated.

The amendments were agreed to.

The resolution, as amended, was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLTON, Mr. SMITH of Idaho, and Mr. EVANS of Montana were appointed managers on the part of the House at the conference.

RELIEF OF FARMERS IN STORM, FLOOD, AND DROUGHT STRICKEN AREAS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 152) to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930, which was, on page 2, line 2, to strike out all after the word "production" down to and including the word "farmers" in line 4.

Mr. WHEELER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CUSTER NATIONAL FOREST LANDS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. NYE. I move that the Senate insist on its amendment, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. NYE, Mr. KENDRICK, and Mr. WALSH of Montana conferees on the part of the Senate.

CONSTRUCTION OF BRIDGES

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON. I move that the Senate insist upon its amendments, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON, Mr. HOWELL, Mr. VANDENBERG, Mr. RANSDELL, and Mr. SHEPPARD conferees on the part of the Senate.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, which was to strike out all after the enacting clause and insert a substitute.

Mr. HALE. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HALE, Mr. ODDIE, Mr. SHORTRIDGE, Mr. SWANSON, and Mr. TRAMMELL conferees on the part of the Senate.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Kendrick	Simmons
Ashurst	Gillett	Keyes	Smoot
Baird	Glass	La Follette	Steck
Barkley	Goff	McCulloch	Steiwer
Bingham	Goldsborough	McKellar	Stephens
Black	Gould	McNary	Sullivan
Blaine	Greene	Metcalf	Swanson
Blease	Hale	Norbeck	Thomas, Idaho
Borah	Harris	Norris	Thomas, Okla.
Brock	Harrison	Nye	Townsend
Broussard	Hastings	Oddie	Trammell
Capper	Hatfield	Overman	Tydings
Caraway	Hawes	Patterson	Vandenberg
Copeland	Hayden	Phipps	Wagner
Couzens	Hebert	Pine	Walsh, Mass.
Dale	Heflin	Ransdell	Walsh, Mont.
Deneen	Howell	Robinson, Ind.	Waterman
Dill	Johnson	Robsion, Ky.	Watson
Fess	Jones	Shipstead	Wheeler
Frazier	Kean	Shortridge	

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. WALSH of Massachusetts. Mr. President, I understand that the so-called immigration bill is now pending before the Senate. In connection with the debate upon that measure, I ask to have printed in the RECORD an article which was published in the Railroad Trainmen in April of this year. The article is entitled "Analysis of Statistics of Immigration for December, 1929," and is by Hon. Harry E. Hull, Commissioner of Immigration. It is an excellent analysis and study of the present type of immigrants to this country, with references to the countries from which they come. I think the article is very informative, and that it ought to have a place in the RECORD.

The VICE PRESIDENT. Without objection, the article will be printed in the RECORD.

The article is as follows:

[From the Railroad Trainmen, April, 1930]

ANALYSIS OF STATISTICS OF IMMIGRATION FOR DECEMBER, 1929

(By Hon. Harry E. Hull, Commissioner of Immigration)

In December last, 29,319 aliens, comprising 17,842 immigrants and 11,477 nonimmigrants, were admitted to the United States. The exodus of aliens this month totaled 23,626, of which number 18,746 were nonimmigrants going abroad for a short stay or leaving after a visit in this country, the remaining 4,880 being emigrants who left for permanent residence outside the United States.

During the six months from July to December, 1929, a total of 252,590 aliens, including 136,970 immigrants and 115,620 nonimmigrants were admitted and 148,540 (28,647 emigrants and 119,893 nonemigrants) aliens departed, resulting in an increase of 104,050 in the alien population of this country. In the same period a year ago when 258,190 aliens were admitted and 149,423 departed, the net increase was 108,767.

Over three-fourths of the 252,590 aliens admitted during the last six months came in by water, 194,633, or 77.1 per cent, entering the country at our seaports, while 47,255 came in over the northern land border and 10,702 via the southern land border. The four largest groups admitted under the immigration act of 1924 included 71,096 immigrants charged to the quota, 62,593 residents of the United States returning from a visit abroad, 42,881 natives of nonquota countries, principally Canada and Mexico, and 35,814 visitors for business or pleasure. Other principal classes under the act were 19,813 husbands, wives, and unmarried children of American citizens, and 13,510 transits passing through the country on their way elsewhere. Compared with the same period a year ago, all of these principal classes show an increase, except the quota immigrants and the natives of nonquota countries. The decrease of the latter class was mainly due to the decline in immigration from Mexico.

Two-fifths of the 136,970 immigrant aliens entering the country during the six months from July to December last, came from countries in the Western Hemisphere, Canada and Mexico contributing the major portion as usual. These two countries, with 39,684 and 8,589, respectively, contributed 35.2 per cent of the total. Europe sent us 78,099 immigrants in the same period, Great Britain now leading the list with 15,511, followed by Germany with 13,802, and Italy with 12,839. The Irish Free State sent us 9,713, Poland 5,030, Scandinavian countries 3,644, Czechoslovakia 2,663, and France 2,068. The other countries of Europe combined sent 12,829, or 16.4 per cent of the total immigrants from that Continent.

Compared with the corresponding period a year ago, immigration from Mexico during the six months from July to December, 1929, shows not only the largest numerical but largest proportionate decrease, the number of immigrants coming from that country dropping from 25,020 to 8,589, or 65.7 per cent. While immigration from all Europe was approximately the same as a year ago, there was a decrease of 7,956, or 36.6 per cent, from Germany, and 4,135, or 53.2 per cent, from the

Scandinavian countries; but a comparatively large increase of 5,212, or 50.6 per cent, from Great Britain; of 3,373, or 35.6 per cent, from Italy; and 4,691, or 13.4 per cent, from Canada. There was a small increase in immigration from the Irish Free State of 356, or 3.8 per cent.

Aliens deported under warrant proceedings numbered 8,309 for the six months ended December 31, 1929, an increase of 2,652, or 47 per cent, over the 5,657 aliens deported during the corresponding period last year.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. McNARY. Will the Chair state the pending amendment?

The VICE PRESIDENT. The pending amendment is that proposed by the Senator from Maine [Mr. GOULD] to the bill, which is the unfinished business. The amendment will be stated.

The CHIEF CLERK. The Senator from Maine [Mr. GOULD] offers the following amendment:

Strike out all after the enacting clause and insert:

That this act may be cited as the immigration act of 1930.

SEC. 2. Subdivision (c) of section 4 of the immigration act of 1924, as amended (which specifies certain geographical areas, immigrants born in which are defined to be nonquota immigrants), is hereby repealed; but the geographical areas specified in such subdivision shall continue to be excepted from the provisions of section 11 of such act, as amended (relating to national origins), in the manner and to the extent provided in such section 11.

SEC. 3. (a) For the purpose of regulating immigration from certain countries of the Western Hemisphere section 11 of such act, as amended, is amended by adding after subdivision (e) thereof the following new subdivision:

"(f) The annual quotas of the nationalities hereinafter specified shall be as follows, such figures approximating, in the case of Canada and Newfoundland, Mexico, and Cuba, four times the number of American citizens departing thereto for permanent residence during the fiscal year ended June 30, 1929, and, in the case of each of the other countries, the number of immigration visas issued during the fiscal year ended June 30, 1929, to immigrants born in such country, with a minimum quota of 100 for each nationality:

"Argentina, 375; Bolivia, 100; Brazil, 517; Canada and Newfoundland, 67,556; Chile, 230; Colombia, 548; Costa Rica, 163; Cuba, 860; Dominican Republic, 240; Ecuador, 129; El Salvador, 188; Guatemala, 236; Haiti, 100; Honduras, 208; Mexico, 2,900; Nicaragua, 278; Panama, 355; Paraguay, 100; Peru, 305; Uruguay, 100; Venezuela, 586."

(b) Subdivision (f) of section 11 of such act, as amended, is amended by striking out "(f)" and inserting in lieu thereof "(g)."

(c) Section 12 of such act, as amended, is amended by adding at the end thereof the following new subdivision:

"(f) For the purposes of this act, Canada and Newfoundland shall together be treated as a separate country."

SEC. 4. (a) Section 11 of such act, as amended, is amended by adding after subdivision (g) thereof, as above relettered, the following new subdivision:

"(h) Not more than 1 per cent of the total number of immigration visas which may be issued in any fiscal year to quota immigrants of any nationality shall be issued in such year to quota immigrants of such nationality who were born in the colonies, dependencies, or protectorates of the country by which such nationality is determined; except that in the case of any nationality the quota for which is less than 10,000 the above maximum shall be 100 instead of such 1 per cent."

(b) Subdivision (g) of section 11 of such act, as amended, is amended by striking out "(g)" and inserting in lieu thereof "(i)."

SEC. 5. Notwithstanding the provisions of section 3 of this act, the quota of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021, and for the fiscal year beginning July 1, 1931, shall be 6,961.

SEC. 6. This act shall take effect July 1, 1930; but immigration visas may be issued prior to such date to quota immigrants of any nationality specified in subdivision (f) of section 11 of the immigration act of 1924, as amended by this act, which visas shall not be valid for admission to the United States before July 1, 1930. In the case of quota immigrants of any such nationality, the number of immigration visas to be issued prior to July 1, 1930, shall not be in excess of 10 per cent of the quota for such nationality, and the number of immigration visas so issued shall be deducted from the number which may be issued during the month of July, 1930. In the case of such immigration visas issued before July 1, 1930, the 4-month period referred to in subdivision (c) of section 2 of the immigration act of 1924 shall begin to run on July 1, 1930, instead of at the time of the issuance of the immigration visa.

SEC. 7. That with respect to quotas after June 30, 1930, for any nationality other than those within section 4 (c) of the immigration act of 1924 (43 Stat. L. 153), such provisions of that act, or any act amendatory thereof, as relate to quotas based on national origins (as referred to in subdivision (b) of section 11 of such act) are hereby repealed; subdivision (a) of section 11 of the immigration act of 1924 (which provides for quotas based on the United States Census of 1890) is amended by striking out the figure "2" and inserting in lieu thereof the figure "1½"; and the quotas for the fiscal year beginning July 1, 1930, and for each fiscal year thereafter shall be determined and proclaimed (including any annual revision thereof, if necessary) in the same manner as such act prescribed for quotas for the fiscal year beginning July 1, 1924, and shall be final and conclusive for every purpose.

The VICE PRESIDENT. The question is on the amendment, in the nature of a substitute, offered by the Senator from Maine.

Mr. GOULD. Mr. President, I have debated this matter on several occasions before. I think the measure that I have offered as an amendment is the best immigration bill for all concerned, for all interests; and that takes in a big scope. I appreciate that.

It is mighty hard to get anything in the way of an immigration bill that will carry by a majority. There are so many opinions about the different elements connected with an immigration bill that I guess we all know it is a mighty hard thing to get a majority of the Senate to agree to any one thing.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Massachusetts?

Mr. GOULD. Yes, sir.

Mr. WALSH of Massachusetts. Will the Senator state in just what particulars his amendment differs from the bill introduced by the Senator from Georgia [Mr. HARRIS], other than the fact that his amendment provides for a fixed quota upon immigration from Canada?

Mr. GOULD. For one thing, it is more agreeable than the Harris bill to those who are advocating permitting Mexican labor to come in here.

Mr. WALSH of Massachusetts. Does the Senator's amendment provide for the possible immigration to this country of more Mexicans than the Harris bill provides for?

Mr. GOULD. It certainly does.

Mr. WALSH of Massachusetts. How much more?

Mr. GOULD. The bill that I propose as an amendment provides for 11,000 for the first year and about 7,000 for the next year. I am giving round figures only.

Mr. WALSH of Massachusetts. What does the Harris bill provide for each year? I will ask the Senator from Georgia what number of immigrants can migrate to this country from Mexico under his bill?

Mr. HARRIS. Between 1,200 and 2,000.

Mr. WALSH of Massachusetts. So there is quite a substantial difference in the number of immigrants?

Mr. GOULD. Yes, sir.

Mr. WALSH of Massachusetts. I thank the Senator. What further differences are there between his amendment and the so-called Harris bill?

Mr. GOULD. The whole Western Hemisphere is affected by both these bills, and it is a question which one is the better. The Johnson bill, which I have offered here as an amendment, permits a reasonable number of immigrants from the whole Western Hemisphere. It takes care of about what is coming in every year now, and that is about all they might be expected to ask for.

Mr. WALSH of Massachusetts. How many immigrants from Canada does the Senator's amendment provide for?

Mr. GOULD. It provides for 67,000 from Canada and Newfoundland.

Mr. WALSH of Massachusetts. Newfoundland and Canada are treated as separate countries under the Senator's amendment, as I understand.

Mr. GOULD. Yes.

Mr. WALSH of Massachusetts. How many are admitted from Newfoundland, and how many from Canada?

Mr. GOULD. They come in through the same channels, and in a case like this should be considered as one country.

Mr. WALSH of Massachusetts. I understand that care has been taken to fix the quota from Canada to represent a figure in excess of the present immigration to this country.

Mr. GOULD. That came about in this way: The Johnson bill provides in certain instances that where one American has gone to one of these foreign countries, four citizens of that country may come here. That happens to figure out in this way for Canada, to their advantage, perhaps, if they want to come here; but that quota of 67,000 for those two countries, Canada and Newfoundland, is in excess of the number that have been coming over here in the past few years. I believe 55,000 is the most that have come in any one year for a long time. This happens to figure out, on the 4-to-1 basis, a little more than that.

Mr. WALSH of Massachusetts. Briefly stated, the Senator's amendment provides, first, for a strict quota upon Canadian immigration, while the Harris amendment provides for no quota of immigration from Canada. Secondly, the Senator's amendment provides for more liberal immigration from Mexico than

the Harris bill. Thirdly, the Senator thinks that his amendment is not so likely to create unpleasant relations with the South and Central American countries as the Harris bill.

Have I briefly stated the differences between the Senator's amendment and the bill offered by the Senator from Georgia [Mr. HARRIS]?

Mr. GOULD. I think the Senator from Georgia will explain to the Senator that he either intentionally or unavoidably omitted Canada and Newfoundland in the way that I should be glad to have the measure go through.

Mr. DILL. Mr. President, will the Senator yield?

Mr. GOULD. I yield.

Mr. DILL. Why does the Senator provide for a quota on Canadian immigrants?

Mr. GOULD. Because they are the best people we have coming across the border.

Mr. DILL. This measure allows 67,000. What is the reason for having any quota on Canada?

Mr. GOULD. You might say it is equivalent to not having any quota, because that is more than was ever known to come over from Canada.

Mr. DILL. What is the reason for putting the quota on?

Mr. GOULD. Just for the reason I am telling the Senator—it puts them on the basis of 4 to 1.

Mr. DILL. But the Senator would create two new methods of quotas. Now, there is a quota system for Europe, and the Senator would create an entirely new quota system for Canada, Cuba, Newfoundland, and Mexico. Then he would create another system of quota for South America. What is the idea of having three kinds of quotas?

Mr. GOULD. There is good reason for it.

Mr. DILL. What is the reason?

Mr. GOULD. Let me explain it to the Senator. This is a great question. There is a whole lot to it, and I am not going to undertake to tell the Senator all about it in this one afternoon, but I will give him a little synopsis of it in just a few words.

For one thing, Canada is our greatest customer. We sell Canada more raw material, we export more to Canada, than to any other country in the world. We take from Canada only about one-third of what we export over to the Canadians.

Mr. DILL. Mr. President, will the Senator yield?

Mr. GOULD. I yield.

Mr. DILL. The Senator is discussing commerce. I asked about the quota of human beings.

Mr. GOULD. I will get around to that if the Senator will just let me.

We have been on friendly terms with Canada for over a hundred years. Canadians in our country are as numerous as any other or all other nationalities, all up and down the line, from Halifax to Vancouver. Our people go over and marry Canadian girls, and Canadians come over and marry our girls; they marry back and forth. We are one class of people for 4,000 miles along the Canadian border, from New Brunswick to Vancouver.

Do you suppose we want to get in trouble with those people, who have relatives on both sides of the line? It is to our interest to be good to the Canadians, as they are good to us. We have billions of dollars invested in Canada. It is proper that we should get along with those people the very best we can. That is business. The whole thing is business, is it not? It is not a matter of pride, or whether we like the looks of Mexicans more than of Canadians, or of an Englishman more than of an Italian, or anything of that kind. It is a matter of business with us, and we should treat it as such.

The idea of drawing a hair line up and down the border and saying, "It does not make any difference whom you married or who your friend is over here, you stay on the other side of that imaginary line," to my mind is one of the most absurd things that could be mentioned.

Now the Senator wants to know why Canada should be treated differently from the way Europeans or Asiatics are treated. They are a long way from us. They are a different kind of people. They are a different race entirely, everyone of them. They have different habits. They have the distinction of being—well, the Senator knows what we call them when they come over here. They come over here as railroad workers; and lots of good people come over, I am not denying that; but the general riffraff, 90 per cent of the people who come over from the European or the Asiatic countries come over here as cheap labor. We do not want those people. We might just as well state it as plain as day, it is not that kind of people we want to come over here.

I can show the Senator letters from some of the leading people of Canada saying, "Put on your quota if you wish to; we will be glad to have it go on." Why do they say that? "We are educating bright, smart young men in all the colleges, of which we feel very proud; and we have the best colleges in the world," they say up in Canada. The moment they get their diplomas they strike for the cities of the United States, where they can get bigger fees as lawyers and doctors or in the other professions for which they are trained.

This is a very peculiar situation. You have to take it as you find it. Any man who has lived as near the Canadian border as I have all my life can perhaps appreciate the conditions existing between the United States and Canada better than one who has lived away down South or away out West, who sees a Canadian only once in a while.

Mr. DILL. Mr. President, will the Senator yield?

Mr. GOULD. I yield.

Mr. DILL. This quota of 67,000 will not stop the students who graduate from coming into the United States, because it is three and a half times as many as now come in. But it will not do any good from the standpoint of keeping people out.

Mr. GOULD. No; it is not necessary to have that.

Mr. DILL. What I want to get at is, why we should have a quota at all.

The Senator has made the argument better than I could have made it as to why there should not be a quota. Our families are intermarried back and forth across the line, we are one people, speaking the same language, having the same customs. We do not know whether we are Canadians or Americans along that border unless we know each other, and why should we set up a quota system to annoy the Americans and Canadians who want to travel back and forth across the line?

Mr. GOULD. It should not annoy anyone, because it happens to fall into that line of what Congressman JOHNSON has lined up as 4 to 1.

There are a great many Americans who go over and settle in Canada, going there either as factory men or as agriculturists, and so on. There are more who go to Canada than to any other country. That makes this 4-to-1 quota come a little higher for Canada than for South America or any other country. Does that answer the question to suit the Senator?

Mr. DILL. No; the Senator has not answered my question at all, for this reason: The Senator does not tell why we need any quota; he does not give any reason for a quota.

Mr. GOULD. I did not draw the bill, but I believe it is the best bill that has been offered.

Mr. DILL. The Senator helped to report out the bill of the Senator from Georgia, and I can not understand why he deserts the Senator from Georgia, when the Senator from Georgia has a real bill here which ought to be passed.

Mr. GOULD. He has a good bill. There is merit in every one of the amendments that have come up. There is something good in them. But I believe this is the best one of all. It has more meat in it. It has more sense in it.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arizona?

Mr. GOULD. I yield.

Mr. ASHURST. I desire to direct the Senator's attention to some offensive meat in his substitute. The Senator's amendment sets up quotas as follows:

For Argentine, 375; Bolivia, 100; Brazil, 517; Canada and Newfoundland, 67,556; Chile, 230; Colombia, 548; Costa Rica, 163; Cuba, 860; Dominican Republic, 240; Ecuador, 129; El Salvador, 188; Guatemala, 236; Haiti, 100; Honduras, 208; Mexico, 2,900; Nicaragua, 278; Panama, 355; Paraguay, 100; Peru, 305; Uruguay, 100; Venezuela, 586.

Then the Senator, in section 5, further provides:

SEC. 5. Notwithstanding the provisions of section 3 of this act, the quota of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021, and the fiscal year beginning July 1, 1931, shall be 6,961.

At this time when bread lines are established in every city in our land; when workingmen in the land of their birth or adoption are pleading for the right to earn their daily bread, the Senator proposes to be a party to flooding this country with more Mexican labor. That is the "meat" to which I object, and I move to strike out section 5 of this substitute bill.

The VICE PRESIDENT. The Senator's amendment to the amendment will be entertained when he has the floor for the purpose of moving it.

Mr. GOULD. Mr. President, that matter has been explained so many times that it seems needless for anyone to go into any further discussion of it. There is certain labor to be performed in the Imperial Valley, and in Arizona, and in that section——

Mr. ASHURST. Will the Senator yield? The Senator makes the old plea that we need these men for labor. Let those who employ labor pay decent wages, and American working men by the thousands will be found ready and willing to work in

the fields, on the farms, in the mines, and in the factories. Men by the thousands all over this country are now pleading for the right to work as agricultural laborers in the fields of our country, and the Senator stands there with the time-worn argument that we must have cheap labor in order to maintain our country. That idea was exploded a decade ago. The Government does not owe any man a livelihood, but it does owe every man here an opportunity to earn a livelihood.

Mr. GOULD. Let me ask the Senator one question. Does the Senator know of one instance of one employer who employs Mexican labor, and why?

Mr. ASHURST. The employer will usually employ labor as cheaply as they may; that is human nature.

Mr. GOULD. That is the only answer the Senator has?

Mr. ASHURST. That is a part of my answer.

Mr. GOULD. That does not answer the question.

Mr. ASHURST. The employer, sometimes moved by a desire for higher profits, will ask for a high tariff on his manufactured article and for free trade on labor.

Mr. GOULD. The statement has been made here and is undisputed that the railroad man, the fruit grower, the vegetable grower hires hundreds and thousands of laborers such as the Mexicans are able to furnish because he can get the Mexican labor to do the work. He pays them just as much as he pays to the Americans, black or white.

Mr. ASHURST. Mr. President, let the fruit grower and the manufacturer pay a decent wage, and he will never find a scarcity of labor. If the Senator thinks there is no scarcity of work, let him lay aside his senatorial toga and go out in a pair of O. K. boots and a pair of Levi Strauss overalls on and try to get a job, and he will walk the roads and streets of this country for weary months in search of employment. It is easy enough, sitting here, to assert that we can not obtain labor unless we import cheap labor, but, I declare, those who vote to import cheap labor for the farmers of Imperial Valley in California or for Arizona or elsewhere, or for the mills of New England will rue their action. A decade ago the American people said, "If this is to be a protective tariff country, and if we are going to have a protective tariff as a policy, you shall not have free trade on labor." So be it. You have made your choice. You have chosen protective tariffs. By the heathen gods, you shall also have a high tariff on labor.

Mr. GOULD. The Senator has only told one side of the story. I can not holler quite as loud as he can [laughter], but I can tell the other side.

The Senator has told the truth, that New Hampshire, Maine, Massachusetts, and like States, will prefer and do employ American labor, but, as I understand it, Arizona and the hot countries down there, the Imperial Valley and that section, is a different proposition entirely.

Mr. ASHURST. If every man and every woman in my State should ask me to vote to admit cheap labor into the United States, I would walk out through the door of this Chamber, never to return, before I would vote to bring cheap labor into the United States.

Mr. GOULD. Very well; that may be the theory of the Senator——

Mr. ASHURST. I will stand on it.

Mr. GOULD. It is a theory, just the same. I have sat on the Immigration Committee with the senior Senator from California [Mr. JOHNSON] for three years, and I think he will agree that I have been as constant a listener to all the testimony that has come in from all sections of the country as any member of the committee. I am not going into any more argument about this matter, because it has been argued for over a week, and I do not know of anything more that could be said unless we repeat something that has been said, and that is what the Senator and I are doing now, so let us go no further with that. [Laughter.]

Some of these people from Arizona or from California or some other State could explain better than I can the needs for Mexican labor. I can tell the Senator why we want the Canadian labor—we have to have it.

Mr. ASHURST. Why? Can we not obtain American labor?

Mr. GOULD. No; we can not get American labor.

Mr. ASHURST. I deny that. I say you can.

Mr. GOULD. Very well; the Senator can deny it, but I know it. [Laughter.]

Mr. ASHURST. I therefore deny something the Senator knows.

Mr. GOULD. Here is the labor situation——

The VICE PRESIDENT. The Senator will suspend a moment. If the Senator from Arizona desires to interrupt, will he not please address the Chair and get the consent of the Senator from Maine?

Mr. GOULD. I will give the Senator one instance. I was in the lumber business and the sawmill business for 25 years. The best, what is called skilled labor now, is the Canadian French, particularly the Quebec French. They know how to use an axe.

We could get those people to come over and do more execution and render better service in the woods on a drive and in the sawmills than any people we could find in part of the country. Why? Let me give an instance.

Ten or twelve years ago we had a labor condition worse than it is now. There were a lot of idle laborers in our country. We appealed to the Secretary of Labor to let up a little and let some more Canadians come over to help us. His reply was, "No; you must employ what idle labor there is here." "Where are they?" we asked. He said, "Boston is full of them." We went down and got a whole trainload of them, took them up there, and landed them in camp just about dusk one night. These poor tramps were as empty as tin cans. We filled them up with supper and breakfast. The first one who came out in the morning after breakfast saw an axe sticking in the log. He went over and picked it up and said, "What do you do with that thing?" That is a typical instance of what they knew about going into the woods and using an axe. It was hardly a week before the tote road, as we call it, was all broken down by them getting back to the city, where they could sit around and smoke and talk and enjoy themselves. They would not work in the Maine woods nor in the New Hampshire woods nor in any other woods.

Mr. ASHURST. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arizona?

Mr. GOULD. I yield.

Mr. ASHURST. If the mills of whom the Senator speaks had paid a decent wage, he would have found American brain and muscle ready to work.

Mr. GOULD. It was not a matter of wages at all. We wanted to get the work done, and we were willing to pay anything to have it done. We could not find among the Italians and Bulgarians and men of that type loafing around the cities any who knew anything about the work we had to have done. That is what we wanted—we wanted the work done, and it was not a matter of wages.

Mr. ASHURST. I thought the Senator said a moment ago that he took some Americans from Massachusetts into the Maine woods.

Mr. GOULD. No; I did not say Americans. I said we went down there and took a trainload of idle men up to the Maine woods.

Mr. ASUHRST. Now the Senator says they took Italians and Bulgarians! [Laughter.]

The VICE PRESIDENT. The Senate will be in order.

Mr. ASHURST. Mr. President, will the Senator yield further?

Mr. GOULD. What is the use of arguing in that way? The Senator knows as well as I do, and probably better, that he could get Mexicans to come over into his State and do more work for the same money than he could get anybody in the United States to do. What is the use to deny it?

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. GOULD. Very well.

Mr. ASHURST. Let us explore that statement. The Senator said, "We can go over into Mexico and get Mexicans who will do as much labor as the American will do for half the wages." Is that the Senator's statement?

Mr. GOULD. No; that is not my statement.

Mr. ASHURST. What is the Senator's statement?

Mr. GOULD. No; that is not the idea at all. They will come over and do the work, and they will do work that the Senator can not hire his loafers around there to do at all. That is the idea.

Mr. ASHURST. I say that a remedy in part for unemployment is to stop the influx of foreign labor coming into the United States and to pay decent wages to those who are here. America has lighted a torch of leadership; we have set up a high standard in America. We assert in our political speeches and in our political philosophy that we are trying to afford the workingmen of the United States better opportunities, better chances in life than may be found elsewhere. We say that in America we do not bind labor as indentured servants. We say in America that the laborer's day shall be divided in three parts—one-third for labor, one-third for recreation, and one-third for repose.

America has, I believe, abandoned the idea that there is any real economic value in "cheap labor."

I say to the Senator that his own great State and all the other States will improve more rapidly if and when they begin to employ home labor at decent wages rather than looking over the border to find French Canadians in Quebec or some of the nationals of Peru, Chile, Mexico, or Brazil. The remedy is to adopt the proposal of the Senator from Georgia [Mr. HARRIS], or still better, the amendment proposed by the Senator from Alabama [Mr. BLACK], for which on yesterday my colleague and I voted, proposing an absolute embargo upon all admissions into the United States for the next five years.

I thank the Senator.

The VICE PRESIDENT (rapping for order). The Chair must state to the Senator from Maine that he can yield only for a question. If he yields further for anything else than a question, he will lose the floor.

Mr. ASHURST. Mr. President, I enjoy the music of the President's gavel. [Laughter.]

The VICE PRESIDENT. The Senator from Arizona will be in order.

Mr. ASHURST. I will.

The VICE PRESIDENT. The Senator from Maine has the floor.

Mr. ASHURST. If the Chair had not told me, I would not have known it. [Laughter.]

The VICE PRESIDENT. The Senator from Arizona will be in order. The Senator will please take his seat.

Mr. ASHURST took his seat.

The VICE PRESIDENT. The Senator from Maine has the floor.

Mr. ASHURST. Mr. President, will the Senator from Maine yield to me?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arizona?

Mr. GOULD. No; I do not yield. I want to make a remark now myself.

The VICE PRESIDENT. The Senator from Maine declines to yield.

Mr. GOULD. I am very sorry the Senator from Arizona has not gotten clear around the globe. He started in Arizona; he has been up in Canada; he has been over across the water; and he has taken in the entire globe with the exception of China. If the Chair had let him alone a moment longer I think he would have included China and would have told us all about China.

But the Senator from Arizona knows that what I have told him is the truth about Mexican labor coming into Arizona. He can not deny that I have told him the truth about Canadians coming over the border into all our Northern States from Halifax to Vancouver. I think I know a little something about the immigration business. I can not hope to expound it as well as some of the good linguists in the Senate, and I can not get all over the world in five minutes as the Senator from Arizona did; but I know a little about conditions on the Canadian border. I have had evidence enough submitted to me about the Mexican border to know something about it, too.

The States or countries in the Western Hemisphere which the Senator mentioned have been given all the quota they need, according to the statistics which have been presented with reference to immigration which has been coming into the United States. We have given them all they want. I have not heard any complaint about their wanting any more. If they do, this is not the last session of Congress and we may be able to help them out hereafter. But if the Johnson bill, which has been approved by the Immigration Committee in the House, is the nearest thing to a good bill, a reasonable bill, and a satisfactory bill that can be had, then I must admit that I do not know anything about the matter of immigration.

The VICE PRESIDENT. The Senator from Arizona endeavored to propose an amendment. Does he desire to present it at this time?

Mr. ASHURST. Mr. President, at this juncture I move to amend——

Mr. DILL. Mr. President, does not the Senator think it would be better to defeat the entire substitute and get rid of all the bad features of it?

Mr. BLACK. Mr. President, I agree it would be better to defeat them all, but the experience we have had in voting on a number of questions relating to immigration, and the reluctance of the high-tariff Senators who believe in a high tariff for manufacturers to vote for a high tariff for labor, would indicate to my mind that it would be better for the Senator to go ahead and offer his amendment and see if we can not get the matter settled in that way.

Mr. ASHURST. Mr. President, I now wish formally and heartily to tender an apology to the Chair. I meant no indignity toward the Chair.

The VICE PRESIDENT. The Chair is satisfied of that.

Mr. ASHURST. I now move to strike from the bill section 5, and in support of my motion I desire to make a very brief statement. We have set up a quota for the various countries of the Western Hemisphere. We have given to Mexico 2,900 annually. Then it is proposed that Mexico and her nationals shall have some special privilege, to wit, that in addition to the quota, 11,021 persons may come in for the next ensuing fiscal year and that in the following fiscal year 6,961 persons shall enter.

Mr. NORRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Nebraska?

Mr. ASHURST. I yield.

Mr. NORRIS. In order that I may comprehend better what his argument is, I wish the Senator would read the section which he proposes to strike out.

Mr. ASHURST. It is section 5.

Mr. NORRIS. Is it section 5 of the substitute offered by the Senator from Maine?

Mr. ASHURST. Yes; of the substitute proposed by the Senator from Maine, which reads, as follows:

> Notwithstanding the provisions of section 3 of this act the quota of Mexico for the fiscal year beginning July 1, 1930, shall be 11,021 and for the fiscal year beginning July 1, 1931, shall be 6,961.

Mr. NORRIS. Is that all of the section?

Mr. ASHURST. That is all of that section.

Mr. NORRIS. What would it be for the fiscal year ending July 1, 1932?

Mr. ASHURST. It would be 2,900 annually thereafter.

Mr. NORRIS. According to section 3, then?

Mr. ASHURST. Yes.

Mr. NORRIS. In other words, the exception included in section 5, as I understand it, runs through two fiscal years?

Without that provision what would be the number entitled to come in during the fiscal year?

Mr. ASHURST. It would be 2,900 annually.

Mr. NORRIS. How many are coming in now?

Mr. ASHURST. My colleague, who is well posted, gave figures; but if there is one person coming in from Mexico who is thereby displacing one American laborer, that is exactly one too many.

Mr. HARRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Georgia?

Mr. ASHURST. I yield.

Mr. HARRIS. In answer to the question of the Senator from Nebraska, an average of 55,000 came over in the past two years. In the last two months there has been a smaller number, proportionately.

Mr. NORRIS. Oh, no; not 55,000?

Mr. HARRIS. Yes; 55,000 a year. Probably 50 per cent more than that number really came over. We know that 55,000 came, and we know it is very difficult to ascertain the exact number who are coming.

Mr. JOHNSON. Mr. President, I fear that my friend from Arizona [Mr. ASHURST] was a little harsh with my friend the Senator from Maine [Mr. GOULD]. The Senator from Maine has suffered, as he told, for three years as a member of the Immigration Committee over which I presided. He is now the chairman of that committee, so that his suffering there has assumed a new form. I think he had sufficient punishment serving upon the Immigration Committee under the chairman who presided over it for those three years to be immune here on the floor.

But let me explain, if I can, what I think was in the mind of Congressman JOHNSON in the presentation of his measure. I endeavored to do it the other day in drawing a comparison between the two measures—the Harris bill and the House bill—and I do it now with some seriousness because of the importance of this legislation.

In the Immigration Committee while I was chairman and subsequently in like fashion in the House committee, were held very elaborate hearings upon a bill for the restriction of Mexican immigration. The only thing that it was sought to remedy, as has repeatedly been stated upon the floor, by the bills which have been pending before the Immigration Committees, is Mexican immigration. That has been the source of a great deal of irritation to many of us and it has been, in the opinion of many, the source of a great wrong to our own people. In the endeavor to remedy that, various measures before the two committees have been pending for some years past. When the hearings were held by the Senate committee there was an attempted demonstration, such as the Senator from Maine has endeavored to recall to the Senator from Arizona, that there were certain

classes of labor in this country that would be performed and could be performed only by Mexicans, and that our own people would not undertake that peculiar kind of labor. I neither subscribe to the contention thus presented nor do I deny it, but that was the testimony. Among others who testified, one of the strongest statements made before our committee was by the Senator from Wyoming [Mr. KENDRICK], who is familiar with conditions in his particular State, and with what is essential in the sugar-beet fields there. The Senators from Colorado likewise made effective statements, and from the State which I represent in part, the State of California, and from the State which the Senators from Arizona represent, there came various civic organizations, chambers of commerce, agricultural associations, and the like, who all harped upon the one string, the necessity in various industries for Mexican labor. Out of the discussion there finally emerged a measure in the House and one in the Senate. Now for the first time, in reality, there is before the Senate an opportunity to remedy the situation and to deal with the question of Mexican immigration.

In order that Senators may understand something of the seriousness of the situation, let me say to them that the vital statistics of the State of California, which have been released but a short time ago, show that one-sixth of the births in the State of California to-day are Mexican. It seems incredible, because there is no such proportion of Mexicans to the whole population in that State, and there is no such proportion in any of the States, I take it, of Mexican population. The controversy has grown acute in the West between those who insist upon the necessity for Mexican labor and those who deny that necessity and desire restriction of immigration. On the one side are the big interests, the farming and agricultural organizations, the chambers of commerce, and the like, begging and pleading that we pass no bill at all. On the other side are the representatives of labor, social workers, and others asking that we enact legislation controlling and restricting Mexican immigration.

Long ago it seemed to me essential because of the peculiarities—I do not care to dwell upon them or to indulge, indeed, in any criticism of peoples of other lands—it seemed to me essential that something should be done to curb, at the earliest possible time, with the least possible harm, the immigration that thus is coming to us from Mexico.

The committee of the House of Representatives recently held very elaborate hearings; other elaborate hearings were also held by the Agricultural Committee of the Senate, which is presided over so ably by the Senator from Oregon [Mr. MCNARY]. In the hearings before his committee, held within the last two or three weeks, the representative of the Federal Farm Board appeared, and he made very plain—and his view has been no secret during the years—what his view was in respect to immigration. All along the line the same sort of thing has appeared, with the line of demarcation, as I have stated, very plainly shown, and with the difference of viewpoints becoming, with the passage of time, more and more accentuated.

The House thought it would find a solution and solve the problem in its bill. There are parts of the bill which seem to me to be somewhat far-fetched, but it has one virtue, namely, that it proposes to fix a definite, specific number of immigrants who may come from other countries of the Western Hemisphere and from Mexico; and, I assume upon the theory that has been spoken of here so often, it deals with every country of the Western Hemisphere rather than with one alone.

With my peculiar directness of approach to a problem, I would have preferred that we deal with Mexico alone, and reach our conclusion in regard to immigration from that country, because that was the only country which would require upon our part activity and the only country from which came any menace or any danger to our people from immigration. The Senate, however, in its wisdom, has determined that it does not desire to do anything of the sort; and now have come before us two measures, the one which has been approved with practical unanimity by the committee of the House of Representatives; the other, introduced by the Senator from Georgia [Mr. HARRIS], which comes from a part of the Senate Committee on Immigration. In the latter I challenge Senators to show upon what basis the computation will be made, or with any degree of accuracy to determine the number of immigrants who shall come from Mexico.

Mr. HARRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. JOHNSON. I yield.

Mr. HARRIS. Those who are opposed to this legislation know very well how the computation is made. They know it is made just as other computations are made in connection with immigration. In fact, that is the only way they can be made. I stated on the floor yesterday that the Commissioner of Immigration said that according to their estimate the number who could come from Mexico would be between 1,500 and 2,000. I know of no better authority than the Commissioner General of Immigration in regard to this matter, and he bases his quota on the same standard that the quotas from all other countries are based. I do not see how what the Senator suggests enters into the question, because if we put Mexico under a quota we would treat her as we treat every other country, and I repeat the same computation would be used. So I can not see how the question he suggests enters into the matter if the Senator really wants Mexican immigration restricted.

Mr. JOHNSON. It is perfectly obvious what I am endeavoring to do. I am going to endeavor to have a bill passed, and not have it recommitted to the committee, as the Senator from Georgia voted yesterday.

Mr. HARRIS. The Senator is advocating a substitute which is less restrictive than that recommended by the Senate committee.

Mr. JOHNSON. Let me say that it is a difficult thing to estimate a quota in regard to Mexico. The junior Senator from Arizona [Mr. HAYDEN] demonstrated that the other day, and those coming from Arizona are perfectly familiar with the situation, as I think I also am familiar with it. Mexicans walk across the line, and it is an utter and absolute impossibility to determine with any degree of exactness along that border extending for what—2,000 miles?

Mr. ASHURST. For 1,980 miles from San Diego to Brownsville.

Mr. JOHNSON. It is an utter and absolute impossibility, with the border patrol insufficient as it is to-day, for us to have any adequate conception of the number of Mexicans who come across the line in any specific year. Therefore, of course, we can not determine the number; it is an impossibility to determine accurately the quota by any arithmetical process, and a percentage of 1, 2, or 3 can never be intelligently or fairly computed.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Massachusetts?

Mr. JOHNSON. I yield.

Mr. WALSH of Massachusetts. The number, of course, would depend upon whether or not the amendment offered by the Senator who sits next to the Senator from California [Mr. NORBECK] should prevail and become a part of the bill. In other words, the number of immigrants would depend upon whether we apply finally the principle of national origins or whether we base, as in the old law, the number upon the census of 1890. Is not that true?

Mr. JOHNSON. I am not very clear that that would make the number any more accurate or any more exact.

Mr. WALSH of Massachusetts. I am informed by the Senator from Georgia that it would make a difference of about 2,000; that is, if the national-origins plan were retained in the immigration law, the number of Mexicans who could come in would be about 100, whereas if the national-origins plan should be repealed—as it has been repealed by a vote on this measure—in the final enactment, then we would have restored as the basis percentages of those residing in the country of a given nationality in 1890, under which about 2,000 Mexicans could come in.

Mr. HARRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Georgia?

Mr. JOHNSON. I yield.

Mr. HARRIS. I called up the Census Bureau and ascertained they know the number of Mexicans who were in this country in 1890 just as they know the number of immigrants from other countries who were here then. They can figure 1¾ per cent of the number of Mexicans here, just as they can in the case of any other country. I think it would be a great surprise to the Census Bureau to be told that they did not know the number of Mexicans in this country in 1890.

Mr. JOHNSON. If the Senator will look at the census blank he will see that that blank will not afford the information that is desired, and it never has afforded it; it can not do so, in view of the way in which it is worded. But the fact is we are presented now with these two measures. One of them I want to have passed; I am not particularly anxious which one it shall be; but I want at least one of them passed. If we may put our finger upon the number of Mexicans who are going to be dealt with by the immigration law, that one apparently would be preferable; and the one that enables us to do that, in my opinion, in the first instance is the Johnson bill, introduced in the House of Representatives, rather than the Harris bill which is pending here.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Nebraska?

Mr. JOHNSON. I yield.

Mr. NORRIS. I want to ask the Senator if the so-called Norbeck amendment, which repeals the national-origins clause, is in the substitute bill as well as in the original Senate bill.

Mr. JOHNSON. Yes, sir.

Mr. NORRIS. Therefore, so far as that question is concerned, it is not involved in this discussion.

Mr. JOHNSON. It is not involved in this discussion at all. The amendment of the Senator from Maine was perfected by adding the amendment of the Senator from South Dakota.

Mr. WALSH of Massachusetts. But the provisions of the Norbeck amendment are not in the House bill.

Mr. JOHNSON. No; they are not in the House bill.

Mr. WALSH of Massachusetts. And they may be eliminated in conference. It will make quite a difference in the quota if those provisions shall remain.

Mr. JOHNSON. The provisions of the Norbeck amendment are not in the House bill at all; they are in the amendment now offered by the Senator from Maine, which is the House bill, and which had as an addendum the amendment of the Senator from South Dakota.

Mr. ASHURST. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Arizona?

Mr. JOHNSON. I yield.

Mr. ASHURST. The Senator from California rendered valuable services during his administration as chairman of the Senate Committee on Immigration. Realizing the vast fund of information the Senator possesses on this subject, I should like to have him give me his views on my motion to strike out section 5.

Mr. JOHNSON. I was just going to reach that.

Mr. ASHURST. If it does not disturb the sequence of the Senator's argument——

Mr. JOHNSON. Not in the least, because I was just about to reach that point.

Mr. ASHURST. Because, in my opinion, section 5 destroys the symmetry of the bill, and is illogical and unfair.

Mr. JOHNSON. Let me first dispose of the quota. It is a perfectly arbitrary means of ascertainment which, in my opinion, the House committee has taken. It has taken one departing American to any of the various countries that are described in the bill, and has given such country four of that particular nationality who may be permitted to come in as immigrants. One of the reasons that actuated them in doing that was that that number could be definitely ascertained, because as to those Americans who have gone into other countries there are accurate figures. That is the mode by which they fix these quotas.

The reason, I assume, I say to the Senator from Washington, why the House bill includes Canada and Newfoundland and gives to Canada a very much larger number than perhaps will be needed for a long period to come is the theory that has been announced here so often of the lack of desire in an immigration bill to be discriminatory or offensive. So all the Western Hemisphere has been included by the House in this measure.

Mr. DILL. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield to the Senator.

Mr. DILL. If it was the desire of the committee to have a bill that would not be discriminatory against Canada, or against any country in the Western Hemisphere, would it not be necessary, then, to use the same basis of quota? The moment we change the basis of quota immediately we become discriminatory; and thus in attempting to give a quota, or to have the name of a quota, we discriminate much more than we would by using a regular quota basis.

Mr. JOHNSON. But may I say to the Senator that I think for the Western Hemisphere exactly the same quota is used for every country, save in the instance that has been described by the Senator from Arizona, that is found in section 5 of this bill.

Mr. DILL. But the Senator recognizes that we use one basis of quota for Canada, Mexico, Newfoundland, and Cuba, and then we use another basis of quota for the other countries of Central and South America.

Mr. JOHNSON. Oh, that is quite true.

Mr. DILL. So that we do not use the same basis of quota for all the Western Hemisphere.

Mr. JOHNSON. No; I think the Senator is in error there. The same quota, I think, is utilized for all the Western Hemisphere. It is true that that is a different mode of computation than we use for the countries across the Atlantic; but I think for all of the Western Hemisphere the endeavor is to use exactly the same mode of computation.

Mr. DILL. No; I call the Senator's attention to lines 10 and 12 on page 2. The basis for Canada, Cuba, Newfoundland, and Mexico is four times the number departing to those countries; but if the Senator will read on line 10, "in the case of each of the other countries the number of immigration visas issued during the fiscal year ended June 30, 1929, to immigrants born in such country," that is the number coming to this country.

Mr. JOHNSON. Yes.

Mr. DILL. So we use the basis of the number that go out of this country for a part of the Western Hemisphere and the basis of the number that come into this country from other countries of the Western Hemisphere.

Mr. JOHNSON. The Senator from Washington is correct in that. I beg his pardon for suggesting that he was in error. He is absolutely accurate in that; but let me say to the Senator that the immigration from those countries is negligible. The amounts are all very, very small; and the results of the computations, I take it, would be of little or no consequence.

Now, let me return again to what the hearings have demonstrated.

In all of these hearings we have had the testimony of individuals who were entitled, of course, to respect and to the same sort of regard that we would wish to extend to gentlemen of repute who were presenting their views in good faith. All through them there has been a plethora of testimony about the necessity for adjustment, the necessity for the use of certain of this labor. The Senator from Wyoming [Mr. KENDRICK] insisted, and I think he still insists, that it is an impossibility for his people in the State of Wyoming to maintain their activities in relation to the beet-sugar fields without Mexican labor. I think I quote him accurately in that regard, and I remember the impression his testimony made upon our committee.

Mr. KENDRICK. Mr. President——

Mr. JOHNSON. I yield to the Senator from Wyoming.

Mr. KENDRICK. The statement made by the Senator is literally true; but, at the same time, I want to call attention to the fact that the Mexican labor as employed in my State, and, as I believe, in surrounding States, is not in any sense of the word cheap labor. The price paid for it is the highest price that is paid for any agricultural labor of which I have information.

Mr. JOHNSON. Did not the Senator say to our committee that he believed it to be absolutely essential for his sugar-beet industry?

Mr. KENDRICK. Mr. President, I am not so sure. I believe I did make exactly that statement; and I base the statement on the fact that I have never known our own people to engage in this kind of labor.

If the Senator will pardon me, the need of this labor is entirely unrelated, as I see it, to the question of employment or unemployment. It is a form of labor that involves so much of drudgery, so much that is unpleasant, that our own people simply will not do it; so the only source that we have ever found to secure labor was from the Mexicans.

Mr. JOHNSON. I thank the Senator from Wyoming, because what he has said indicates the character of testimony that was adduced by the committees, and of which there was such an abundance. I can not describe to you the organizations headed by the agricultural aggregations that came before our committees and testified exactly as the Senator from Wyoming has now spoken.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield to the Senator from Montana.

Mr. WHEELER. I desire to call the Senator's attention, however, to the fact that in my home city of Butte—which, as the Senator knows, is the largest mining city in the world—the Mexicans are coming in at the present time. They come into this country under the pretext that they are going to work in the sugar-beet fields. In some instances they work in the sugar-beet fields for a time, and then they come into the mines and take the places of the white miners and the American citizens. To-day you will find them there, living 6 and 8 and 10 in a little shack, and working in the mines. While white miners, American citizens, are walking the streets, these Mexican laborers are taking their places.

I find, Mr. President, that the unanimous sentiment among the labor organizations in my State is that they are opposed to these Mexicans coming into the State, particularly at this time, when there is this depression throughout the country. As far as their not taking the place of the workingmen is concerned, there is not any doubt in the world of it, because we have the evidences of it right in my home city.

Mr. JOHNSON. I thank the Senator for what he has said.

The Mexican penetration, in regard to its inroads on labor, can be best demonstrated by saying to you that on the rail-

roads that run into Chicago—I am not speaking now of those that are out at the coast—on the railroads running into Chicago, more than 50 per cent of the labor is Mexican. I mean by that the actual labor on the track and the like. That indicates to you the penetration of Mexican labor. They have penetrated into mills in Indiana; they have penetrated into mills in all of the territory in the North at the present time.

Now, as to section 5:

After the testimony that was adduced, such as we have heard from the distinguished Senator from Wyoming, from the farm organizations, from those who dealt with this labor in the States of California, Arizona, New Mexico, Colorado, and Texas, after the plaint of those who were using Mexican labor and their insistence upon its necessity, the House committee reached the conclusion that it would be a wise thing if there could be a period of adjustment; and that period of adjustment the House committee fixed under section 5. It not only permitted the quota of 2,900, but it took the misleading visa figures that have been presented, I think, to every Senator upon this floor, and gave those visa figures for the last six months of last year, in addition to the quota of 2,900 for the year 1930. Then, pursuing its desire for a readjustment, it halved that visa number and added its fixed quota of 2,900 for 1931; so that it gave 1930 and 1931 as a period of readjustment, with a figure in 1930 of 11,021, and a figure in 1931 of 6,961. As has been stated by the Senator from Georgia, the number who come over, so far as we have been able to count them, is in excess of 50,000 per year.

Mr. WALSH of Massachusetts. Mr. President, pardon me. Will the Senator permit a correction there?

Mr. JOHNSON. Certainly.

Mr. WALSH of Massachusetts. I put into the RECORD to-day an article written by Commissioner Hull, which is entitled:

ANALYSIS OF STATISTICS OF IMMIGRATION FOR DECEMBER, 1929

* * * * * * *

Two-fifths of the 136,970 immigrant aliens entering the country during the six months from July to December last, came from countries in the Western Hemisphere, Canada and Mexico contributing the major portion as usual. These two countries, with 39,684 and 8,589, respectively, contributed 35.2 per cent of the total.

In other words, in the six months ending in December last, there came into this country from Mexico only 8,589 immigrants, making a total for the year, assuming that that ratio kept up during the year, of between sixteen and seventeen thousand.

One other sentence:

Compared with the corresponding period a year ago, immigration from Mexico during the six months from July to December, 1929, shows not only the largest numerical but largest proportionate decrease, the number of immigrants coming from that country dropping from 25,020 to 8,589, or 65.7 per cent.

I insert that only for accuracy's sake.

Mr. JOHNSON. Yes; but let me say to the Senator that it is totally inaccurate. The number that is there stated I believe to be the number to whom visas were issued.

Mr. WALSH of Massachusetts. I assume that. We would have no other record. Any other estimate is, of course, a guess.

Mr. JOHNSON. Yes. The Senators from Arizona can say to the Senator from Massachusetts what I say to him now: That does not demonstrate at all the number of Mexicans who come into this country. The Mexicans coming across our border do not bother to get visas.

I instanced the other day, as showing the mode in which they came, the head tax that we put upon them four, five, or six years ago. We put an $18 head tax, as I recall, upon every Mexican coming into this country. The year previous there were 87,000 Mexicans who came in here.

The year we put the head tax on I think there were 32,000, and yet there was a complete demonstration, and I think the fact is admitted that the numbers coming each year were substantially the same.

Mr. WALSH of Massachusetts. Would that condition be changed by the passage of this immigration law?

Mr. JOHNSON. It is very doubtful; and if we pass a law we are confronted with the probability that perhaps it can not be enforced.

Mr. WALSH of Massachusetts. We have not experienced that difficulty so far as immigration from Canada is concerned. It is very satisfactorily controlled. There is very little entrance over the border by Canadians without the proper passports, and, as the Senator knows also, there are thousands of Europeans from various countries who have gotten as far as Canada and who have been trying to come over into the United States, and have tried in devious ways to get in, but in many instances they have been apprehended and deported.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. ASHURST. I fully appreciate that it is difficult to enforce any law like an immigration law, but I wish to remind the Senator, with his permission, and to remind the Senate that on yesterday my colleague, the junior Senator from Arizona [Mr. HAYDEN], prepared an amendment, which he has offered to a bill now pending before the Senate Committee on the Judiciary, the bill known as the one transferring the enforcement of the prohibition laws from the Treasury to the Attorney General, and his amendment proposes a consolidation or a unification of the methods of controlling the border. I have read his amendment with great care, and I am in hearty support of it, and I believe that if Senators will read the amendment they will find that my colleague has taken a long and a very definite and a very proper step in looking toward complete border control. Of course, he refers in his amendment to the land border.

Mr. JOHNSON. That would be a most important thing in case we passed a bill restricting Mexican immigration.

As to section 5, as I have said, the endeavor was to please, to placate, to be just to those who said that the immediate rupture of their labor conditions would work the greatest harm to them, and they wanted a period of readjustment, and that period was given in these two years.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. NORRIS. I would like to ask the Senator about section 5. It has for its object the same thing that the Senator from Wyoming has asked for in the amendment he has offered?

Mr. JOHNSON. There is a like purpose, to aid. It is essentially different, because the Senator from Wyoming asks that the seasonal laborers be permitted to come over here, under bond, and stay, I think, for a period of eight months, and then to be sent back by virtue of the bond, and the like.

Mr. NORRIS. If the Senate should decide to adopt the amendment proposed by the Senator from Wyoming, would section 5 then be superfluous?

Mr. JOHNSON. Oh, yes; but I think any bill would be superfluous in that case.

Mr. NORRIS. I do not know whether I get the Senator's idea or not.

Mr. JOHNSON. I mean that if we give the right to bring over into this country seasonal laborers in such numbers as he may have described—I am not sure whether he puts in accurately in his amendment or not——

Mr. NORRIS. I am not sure, either.

Mr. JOHNSON. Here is his amendment. It is very different from section 5.

Mr. NORRIS. It is a very practical proposition upon which I am trying to get information. If there is a conflict between section 5 and the proposed amendment of the Senator from Wyoming, we ought to take them up together.

Mr. JOHNSON. They conflict, absolutely.

Mr. NORRIS. The adoption of the one makes the other unnecessary?

Mr. JOHNSON. No; I would not say that, because I think that even with the adoption of section 5, the Senator from Wyoming would want his amendment. Section 5 permits a certain number in 1930 in addition to the quota, and a certain number, half of that, practically, in 1931. Then we go to the quota; that is all.

Mr. WALSH of Massachusetts. Mr. President, will the Senator state how much that quota is?

Mr. JOHNSON. Two thousand nine hundred, under the amendment.

Mr. WALSH of Massachusetts. So that there is not so much difference between that and the number who could enter under the bill presented by the Senator from Georgia, who states that about 2,000 Mexicans could enter.

Mr. JOHNSON. If his figures are accurate, and if they can be computed, and that is the mathematical demonstration of how many will come, then there is not a vast difference between the numbers.

Mr. WALSH of Massachusetts. Let me state that the Senator has been very generous in his time and in giving information.

Mr. JOHNSON. I am going to conclude in just a moment. The only purpose of section 5 that the House had, as related to me, was to give 1930 and 1931 as a period of adjustment for those who claim so very earnestly that they require some period in which to adjust themselves to this new relationship.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. BLAINE. The Senator was about to conclude his statement with reference to the effect of the amendment proposed by the Senator from Wyoming when he was interrupted. I would like to have the Senator complete his answer.

Mr. JOHNSON. The amendment of the Senator from Wyoming is an entirely different thing from section 5. Section 5 for two years permits a decreasing number to come, as a period of adjustment for those who use Mexican labor. The amendment of the Senator from Wyoming provides:

> The Commissioner General of Immigration, with the approval of the Secretary of Labor, under such regulations as he, with the approval of the Secretary of Labor, may prescribe (including the requirement of bond with sufficient surety, or other guaranty, to insure that, at the expiration of the prescribed period or upon failure to maintain the status under which admitted, the immigrant will depart from the United States), may, during any year, admit temporarily as nonimmigrants, for periods of not more than eight months, otherwise admissible aliens—

And so forth.

They are two entirely different items. Of course, each has the ultimate purpose of relieving the situation in agriculture and the like that is asserted to require alleviation or readjustment.

Mr. NORRIS. Mr. President, does the amendment of the Senator from Wyoming apply to any country except Mexico?

Mr. JOHNSON. Yes; it is made applicable to aliens from any country of the Western Hemisphere.

Mr. NORRIS. Is it confined entirely to agricultural labor?

Mr. JOHNSON. Yes; I think it refers to agricultural labor.

Mr. President, I had no idea of taking more than a moment or two when I got upon my feet, and I took the floor solely in view of the discussion which had raged here during the afternoon.

I want some bill enacted into law if it is possible to get it. I am not wedded to the Johnson bill in the House or to the bill of the Senator from Georgia. But I do want a measure, if it be possible to obtain a measure, by which we may endeavor, at least, to remedy the situation which now exists on our borders.

I shall vote, personally, for the bill of the House committee, because I think it presents with exactness the number who may be permitted to come. Whether it shall be adopted or not is a matter of some indifference to me, because if it be not adopted, personally I shall vote for the measure of the Senator from Georgia; but some measure ought to be adopted, and I trust we may adopt one this afternoon.

Mr. ASHURST. Mr. President, the Senator has made an illuminating speech, as he usually does, but I venture to ask the Senator as to section 5. Obviously that section, or at least its substance, was drawn many months ago.

Mr. JOHNSON. I do not think so.

Mr. ASHURST. In other words, was not section 5 drawn, or conceived, before this tremendous debacle came upon the country and before there was such acute unemployment?

Mr. JOHNSON. I might not be able to answer the Senator accurately, but this bill was only reported this month by the Committee on Immigration to the House.

Mr. ASHURST. I was inquiring as to whether the section was drawn not having in view the serious and acute unemployment situation.

Mr. JOHNSON. I am not informed as to that.

Mr. ASHURST. I do not wish to detain the Senate further on my own amendment, except to say that the substitute proposed by the Senator from Maine [Mr. GOULD], with the exception of section 5, has some symmetry and is logical, but section 5, to my mind, is unfair and illogical

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. ASHURST. I yield.

Mr. WALSH of Massachusetts. I am inclined to agree that the Senator's amendment is helpful. I would like to inquire whether the Senator has any recollection of any such provision as is proposed in section 5 being incorporated in the bill of 1921 or 1924?

Mr. ASHURST. I do not.

Mr. WALSH of Massachusetts. Neither do I. If we are going to apply the quota basis to immigration from Mexico, we ought to apply the same rules that we apply to all of them.

Mr. ASHURST. I agree with the Senator. In conclusion, there arises in the career of every public man, and it comes upon him sometimes when he least expects it, a time when he must choose whether he will follow a policy which he has advocated for years, and which he believes to be right, or whether, for a temporary emergency or to please special interests, he will relax and violate the principle which has been the cornerstone of his whole public career.

That time has come to me. From the day I entered public life until this hour I have been opposed to unrestricted immigration, and I here and now shall adhere to and sustain my views upon this subject. I do not premise or place my opposition to immigration upon any prejudice against any particular foreign country or against any particular race, because every man in this Chamber knows how constantly we have drawn upon the other races of the world for our own culture.

Name our language; it is only 60 per cent English. Our election laws and ballot come from Australia, and the decimal money system from Holland. Name anything of our culture that is of particular value, and it will be found that we drew the germ of its truth and beauty from some foreign country. Therefore it would ill become any Senator to entertain any prejudice against any country.

I do not oppose immigration into the United States because of any opposition to or ill feeling against any country. I have no prejudice against the people of the British Isles. They gave us the stately language of Shakespeare and Milton, of Burns, and of Moore and of Byron. The Irish race has furnished to us on the field of battle and in the forums and senates the bravest and the most eloquent of men. How could I have a prejudice against Italy, which has given to the world her poems of stone and her heritage of music? Or the great Germanic and Scandinavian races, which have made such valuable contributions to our own culture? Who could be so base as to have a prejudice against them? I could go on if I had the time and Senators desired to listen, and could prove that every nation has contributed something that has helped to make America great and strong. But immigration into the United States long ago reached the point where we can not continue to expand and to grow and to improve if we continue to receive this excessive foreign immigration.

Mr. President, you can invite me to your home; you do it with pleasure, and I accept with pleasure. You can invite 10 friends and entertain them and house them. You can invite even 100, but you can not invite a thousand or 10,000. The United States can accept and can digest and mold into the life and culture of our people some 100,000 or 120,000 immigrants annually. But with safety to ourselves and our own Nation and our own ideals we can not absorb more than 100,000 immigrants annually. If we attempt to do it, that American lamp of which I spoke in the early part of my remarks, which illuminates the earth, will be extinguished, never to be reillumed within the next hundred years. The safety of our own country, the safety of our institutions, of our laws, or our culture and our leadership amongst the powers of the earth depends upon the most rigid immigration laws.

Mr. BLACK. Mr. President, the question has been raised as to whether or not these immigrants are needed to perform labor. I claim that the record of the hearings before the Senate Committee on Immigration, when it is carefully investigated, shows they are not needed.

In the first place, I invite attention to the fact that the Association of Mexicans in Los Angeles have only recently passed resolutions concerning unemployment. They have criticized the situation and say they want to prevent more Mexicans from coming in and depriving local Mexicans in the West of their jobs. They have been thrown out of employment in California by immigration. They state they have been receiving $1.50 to $2 a day for labor. The Mexican Association of Los Angeles only a few weeks ago adopted resolutions asking the Government of Mexico to stop Mexican immigration into the United States. The Mexicans themselves who are now out of employment in California are appealing to their own Government of Mexico to prevent any more Mexicans coming into the United States. They want those jobs, if any jobs are to be given to foreigners.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. BLACK. I yield.

Mr. WALSH of Massachusetts. I was surprised to learn that it was of the greatest importance to the sugar industry that there should be a steady flow of Mexican immigration to this country annually. I would like to inquire of the Senator from Alabama or any other Senator who can give me the information what percentage of the employees in the sugar-beet fields are Mexican immigrants?

Mr. BLACK. I find no statistics concerning that matter. I have the statistics with reference to all people who work on the farms, which I can give the Senator. These statistics relate to laborers.

Mr. WALSH of Massachusetts. I have been told privately that nearly all of them are Mexicans. I was led to believe that the imposition of a high duty upon sugar would be of great

benefit to American labor in the sugar industry. I think we ought to know whether our increase of the sugar duty is going to be for the benefit of a few Mexican immigrants or whether it is really to be a benefit to American capital and American labor.

Mr. WHEELER. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Montana?

Mr. BLACK. I yield.

Mr. WHEELER. Let me state to the Senator from Massachusetts in answer to his question that in my State I would say the greater percentage of the men employed on the railroads are Mexicans. The sugar-beet people not only employ Mexican men, but their wives and children, who all go out and work in the fields.

Mr. WALSH of Massachusetts. It seems there is something about the sugar-beet industry that develops the fact that after immigrants have once had experience working in the sugar-beet fields they never go back. There has to be a constant flow of new immigration each year. Rather generally those who come here stay. They come for a period of months and work in the sugar-beet fields, but never go back again. It appears to me that the industry is so completely controlled by and dependent upon foreign labor that we ought not to talk about protecting American labor by imposing high tariff duties.

Mr. WHEELER. In my State they depend upon Mexican labor. The trouble is that when they work in the beet fields for a few months they then go into the mines at Butte and on the railroads in other places, and take the places of American workmen who are working upon the railroads of the country.

Mr. WALSH of Massachusetts. I think the Senator from Wyoming [Mr. KENDRICK] can inform us about the question I asked.

Mr. KENDRICK. Mr. President, will the Senator from Alabama yield?

Mr. BLACK. Certainly.

Mr. KENDRICK. I invite the attention of the Senator from Massachusetts to the fact that the cultivation of the beet is not the entire process in the production of beet sugar or even of the beets themselves. When the Mexicans or when any laborers that can be induced to perform that kind of work have begun and completed their part of the labor, they have by that fact provided an unusual amount of increased work for our own people at very profitable wages in the handling of the beets and manufacturing the raw material into the finished product, and then, too, the manufacturing of the by-product from the raw material into the feeding of livestock, again making a finished product.

Mr. WALSH of Massachusetts. Is it not a fact that after they have for one season performed the field work, they go into other employment and we then have to go to Mexico and get another lot of Mexicans for the sugar-beet work?

Mr. KENDRICK. Exactly; and in addition to that let me say that I have an amendment which would provide for their return to Mexico or any other foreign country.

Mr. WALSH of Massachusetts. The Senator's amendment would provide that they would come in under Government supervision and perform this temporary work and then go back?

Mr. KENDRICK. Yes.

Mr. WALSH of Massachusetts. So they would not go into the mines of Butte or the mills of New England?

Mr. KENDRICK. No; they would go back to their own country. It is my opinion that agriculture, which is the only industry in which they would be allowed to take part, would be vastly benefited by having them return home at the end of a series of eight months as provided in my amendment, because when they come to this country with an agreement and understanding that they are going to perform labor on the farms of the United States, then we are assured that they are not going out into any other industry.

Mr. WALSH of Massachusetts. I thank the Senator. We have already trespassed upon the time of the Senator from Alabama and we should permit him to proceed.

Mr. BLACK. Mr. President, I rose only to call attention to two points in connection with the question that has arisen about labor. May I state with reference to what the Senator from Wyoming [Mr. KENDRICK] has said that I think it is just as bad to have cheap labor come in and work on plantations or on farms as it is to have cheap labor come in and work in industry. The backbone of the agricultural industry of this country consists of the millions of small farmers who plow with their own mules and perform their own services, and not of those who are industrialists in the agricultural field and who own hundreds of thousands of acres and seek to employ cheap labor.

Mr. KENDRICK. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Wyoming?

Mr. BLACK. Certainly.

Mr. KENDRICK. If the Senator will indulge me just a moment further, I will say to him, as I said to the Senator from California [Mr. JOHNSON] a moment ago, that the alien labor employed in my section of the West and every other section with which I am familiar is not cheap labor but is very expensive labor. It is employed to meet an emergency for which there is no other recourse. It does not mean cheap labor at all, but it means any kind of labor at any price that will secure the labor.

Mr. BLACK. So far as I am concerned, I am opposed to bringing Mexicans into this country to work for any kind of labor or at any kind of price. In the next place, I say that the figures show that we do not need them. I claim, as does the Senator from Arizona [Mr. ASHURST], that the American will work anywhere if he is paid to work in decent surroundings.

Mr. KENDRICK. Mr. President, will the Senator yield once more?

Mr. BLACK. Certainly.

Mr. KENDRICK. One can only judge of the future by the past. In 20 years of cultivation in special crops in the West there is hardly an instance on record where white people have done this kind of work in the different kinds of special crops. It is confined not altogether to sugar beets, but to fruit growing and truck farming and other sorts of crops. The answer is because there is profitable employment in the western country, as a rule, in other lines of business and other lines of work which the Americans prefer to do.

Mr. BLACK. Mr. President, in order to conclude my statement I am not going to yield any further, although I have been delighted to yield to the Senator from Wyoming. If it were not for the fact that it is late in the afternoon, I should not object to yielding. I am only going to occupy two or three minutes more. I think we should have a vote.

Mr. HARRIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. BLACK. Very well; I yield.

Mr. HARRIS. In connection with the Mexicans who are working at other things after starting in on the farm, I want to say that no one would deny that half of the men who work on the railroad tracks in the West are Mexicans. No one will deny that statement. They keep just that many Americans out of jobs.

Mr. BLACK. According to the statistics, 51 per cent of the men who work on the railroads at common labor are Mexicans.

So far as I am concerned, it is my belief that any industry that has to be pampered with a tariff and then pampered with cheap labor has no place in American industrial life. If it has to be treated like a hothouse plant, if we have to pamper the sugar industry by a high tariff that raises the price to the American consumer and then pamper it again by bringing in cheap or illiterate Mexican labor, then I say we had better put our soil to some other use. Nobody—or at least very few people—will receive any benefit from any such pampered and hothouse industry as that.

The statement has been made that Americans will not work at this kind of labor. The census of 1920 shows that there were 1,939,948 white male native American-born working out for wages on farms for other people. At the same time there were 203,902 foreign-born so employed. Yet we constantly hear the cry that Americans will not do the work. They will do it if they are paid for it.

Here is the highest authority that can be presented. I ask the attention of any Senator who is considering voting against the amendment on the ground that we need labor. I ask him to listen to what the Department of Labor itself says about it. We have a man in charge of the department who has made a careful study of the labor situation. Here is his report dated April 7, 1930, a report by Mr. Francis I. Jones, Director General of the Department of Labor, made within the present month. Here is what he said:

> It is believed that with the opening of new offices in Texas, Arizona, and California the apparent shortage of seasonal labor in the Arizona and California cotton and lettuce industries will be relieved. This belief, however, is based upon a special railroad rate, suitable housing conditions, a fair wage—
>
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>
> and considerate treatment. With new offices established and special agents located at strategic points it does not appear necessary to bring

Mexicans and others into this country for temporary employment to harvest the crops in the States mentioned successfully. There appears to be plenty of American labor available to meet agricultural demands, provided the employment is under favorable conditions.

There is the proposition which faces us. If the American laborer is paid for his services so that he can live decently, he will perform those services. The amendment of the Senator from Arizona should carry, unless we believe in a country where we have free labor and embargo tariffs to protect the bloated manufacturing industries of the Nation.

Mr. HAYDEN. Mr. President, in support of the amendment offered by my colleague [Mr. ASHURST], I should like to say to the Senate that a careful study of the situation convinces me that section 5, if enacted into law, would be of no value to those for whose benefit the provision is intended. The State Department has so greatly reduced the number of legal immigrants from Mexico by the enforcement of the existing immigration laws that the numbers mentioned in section 5 of the House bill could not possibly be admitted to the United States during the next two years under the proposed quotas. As I have heretofore stated to the Senate, during the past nine months the average number of Mexicans lawfully admitted into the United States was only 1,185 per month, or at the rate of 13,980 a year. Of that number only 139 a month, or at the rate of about 1,600 a year, are laborers, who would come within the quota. Therefore the Senate should adopt the amendment suggested by my colleague, which recognizes that the time to consider a gradual reduction of Mexican immigration has passed. The State Department has already made a drastic reduction an accomplished fact.

Mr. BLACK. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Alabama?

Mr. HAYDEN. Yes.

Mr. BLACK. I call the Senator's attention to the issue of Railway Conductor of the present month in which this statement is made:

> Over one Southern California highway during one week recently 322 automobiles filled with Mexican laborers and families passed northward. This is exclusive of Mexican passengers in auto stages and trains.

One immigration study commission field worker asked one of the drivers how many children he had brought in and the reply was 11; the next one brought in 9, and the next one 8.

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from South Carolina?

Mr. HAYDEN. I yield.

Mr. BLEASE. I should like to ask the Senator from Arizona if his figures include the laborers who are brought across the line temporarily?

Mr. HAYDEN. There is now no provision of law for the temporary admission into the United States of common laborers from any country. They may come and go as they please, so far as Canada and Mexico and other countries of the Western Hemisphere are now concerned, and many of them do enter and return after comparatively brief periods. I am giving, however, the figures of actual legal entry. How long they stay after they entered is another matter.

Mr. WALSH of Massachusetts. Is there a head tax required?

Mr. HAYDEN. There is a visa fee of $10 and a head tax of $8.

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Mr. HAYDEN. Yes. So it costs $18 for a Mexican to enter the United States.

Mr. HEFLIN. Mr. President——

Mr. BLACK. I should like to ask the Senator another question.

The VICE PRESIDENT. To whom does the Senator from Arizona yield?

Mr. HAYDEN. I yield first to the senior Senator from Alabama.

Mr. HEFLIN. There is no fee paid by those who are smuggled in?

Mr. HAYDEN. Of course not.

Mr. HEFLIN. There are thousands and tens of thousands of those, and they never return to their own country. The testimony of Mr. Wilson, of California, before our committee was that after those who wanted them brought them in—temporarily had brought them in—the railroads could then take them into other States, so that our country is being filled up with these people without permission on the part of the United States.

Mr. HAYDEN. I entirely agree with the Senator, that there is much illegal immigration. I have pointed out repeatedly to the Senate that three things are necessary to restrict immigration: First, there must be a limit upon the number of aliens who may enter lawfully; second, the international boundary lines must be strongly guarded by a border patrol to make sure that they do not enter illegally; and, third, there must be adequate means of deporting them if they do get into the United States in violation of law. I now yield to the junior Senator from Alabama.

Mr. BLACK. Mr. President, the Senator from Arizona made the statement, inadvertently, I think, that there was no provision of law for the temporary admission of laborers. I call the Senator's attention to the fact that during six months of 1929 we admitted 4,975 woodchoppers as skilled laborers, who were specially permitted to come in. I also call his attention to the fact that we permitted to come in a number of traffic experts, chauffeurs, fox-ranch superintendents, beauty-parlor experts, lubrication experts, expert rate clerks, reindeer herders; in fact, all kinds of skilled laborers were admitted into the country.

Mr. WALSH of Massachusetts. They came from European countries, did they not?

Mr. BLACK. They were admitted from various parts of the world, as I understand. Of course, they now come from European countries, and they could come from other countries if the quota were adopted to cover the nations of the world.

Mr. HAYDEN. Let me say to the Senator from Alabama that I was well aware of the provision of the law which authorizes so-called skilled laborers to be admitted.

Mr. BLACK. Soccer and football players are also admitted.

Mr. HAYDEN. But there is no provision of law whereby an unskilled or common laborer may be admitted temporarily into the United States at the present time.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. ASHURST] to the amendment proposed by the Senator from Maine [Mr. GOULD].

Mr. ASHURST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Connecticut [Mr. BINGHAM]. Not knowing how he would vote on this particular question, I withhold my vote.

Mr. JOHNSON. On this question I have a pair with the Senator from Texas [Mr. CONNALLY]. I transfer that pair to the Senator from Rhode Island [Mr. HEBERT] and vote "nay."

The roll call was concluded.

Mr. CARAWAY. I have a pair with the junior Senator from California [Mr. SHORTRIDGE]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. SIMMONS. I wish to inquire whether the senior Senator from Massachusetts [Mr. GILLETT] has voted?

The VICE PRESIDENT. The Chair is informed that that Senator has not voted.

Mr. SIMMONS. I have a general pair with that Senator, which I transfer to the Senator from Iowa [Mr. STECK] and vote "yea."

Mr. SHIPSTEAD. I wish to announce that my colleague [Mr. SCHALL] is unavoidably absent from the Senate.

Mr. WALSH of Montana. I wish to announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are necessarily absent from the Senate in attendance upon the funeral of the late Representative LEE, of Texas.

Mr. GOULD (after having voted in the negative). I transfer my pair with the Senator from New Mexico [Mr. BRATTON] to the Senator from Connecticut [Mr. WALCOTT] and allow my vote to stand.

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The junior Senator from New Hampshire [Mr. KEYES] with the senior Senator from Texas [Mr. SHEPPARD];

The senior Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The junior Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The senior Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES]; and

The Senator from Illinois [Mr. GLENN] with the Senator from Oklahoma [Mr. THOMAS].

The result was announced—yeas 40, nays 26, as follows:

YEAS—40

Ashurst	Copeland	Kean	Shipstead
Barkley	Dill	La Follette	Simmons
Black	George	McCulloch	Stephens
Blaine	Hale	McKellar	Swanson
Blease	Harris	Metcalf	Trammell
Borah	Harrison	Overman	Vandenberg
Brock	Hatfield	Patterson	Wagner
Broussard	Hayden	Pine	Walsh, Mass.
Capper	Heflin	Robinson, Ind.	Walsh, Mont.
Caraway	Jones	Robsion, Ky.	Wheeler

NAYS—26

Allen	Goff	McNary	Steiwer
Baird	Goldsborough	Norbeck	Sullivan
Couzens	Gould	Norris	Thomas, Idaho
Dale	Greene	Nye	Townsend
Deneen	Howell	Oddie	Waterman
Fess	Johnson	Phipps	
Frazier	Kendrick	Ransdell	

NOT VOTING—30

Bingham	Glenn	Moses	Smoot
Bratton	Grundy	Pittman	Steck
Brookhart	Hastings	Reed	Thomas, Okla.
Connally	Hawes	Robinson, Ark.	Tydings
Cutting	Hebert	Schall	Walcott
Fletcher	Keyes	Sheppard	Watson
Gillett	King	Shortridge	
Glass	McMaster	Smith	

So Mr. ASHURST's amendment to Mr. GOULD's amendment was agreed to.

The VICE PRESIDENT. The question is upon the amendment, in the nature of a substitute, proposed by the Senator from Maine [Mr. GOULD], as amended.

Mr. DILL. Mr. President, I rise to speak against the amendment of the Senator from Maine [Mr. GOULD]. I do this for the reason that, in the first place, it places a quota upon Canada. Nobody on this floor or anywhere else has shown that there is any need or any demand for a quota on Canadian immigration; and, even if there were such a thing and were such a demand, this bill does not in any manner meet that demand.

The record shows that the average immigration from Canada amounts to about 19,000. This bill allows 67,000, more than three times the average number that come into this country; so there is not any argument for the quota even on the part of those who might want to restrict immigration from Canada.

What is the reason that Canada is to be included under a quota? The reason given is that we do not want to arouse any feeling on the part of South American countries by not putting a quota on Canada. We do not want to discriminate, we are told; and yet this bill is the rankest kind of discrimination.

When we passed the immigration law in 1924 we provided that the quota should apply to European countries and other parts of the world except the countries of North and South America. Nobody considered that that was discrimination, and we have had no complaint of that being discrimination. The committee in reporting out the Harris bill simply extended the application of the same quota to the countries of the Americas south of the United States, leaving the country of Canada to the north not included under the quota.

There is far less discrimination in that than there is in the substitute amendment of the Senator from Maine. In the first place, the substitute of the Senator from Maine has two new methods of determining the quotas. It takes the four countries—Canada, Newfoundland, Cuba, and Mexico—adjoining the United States, and takes as the basis for the quota four times the number of Americans that departed into those countries.

In the first place, that is such a ridiculous basis to take for a quota of immigration that it is not worthy of being called a basis of quota. It was taken simply in order to get some figures as to Canadian immigration to which nobody would object, from the number that is permitted to come in here; but it goes further, and fixes the quota for other South American countries on the basis of the number of people who have been coming from those countries to the United States. So, if we adopt the Gould substitute, we have one basis for the quota from other parts of the world. We have a second basis, and that basis now would be the census of 1890. We have the basis of four times the number of Americans who have gone from this country into these four countries adjoining as the second basis of quota, and then we have the number who came from South American and Central American countries into the United States. There could not be ranker discrimination than to set up these special quotas to meet our own arbitrary demands and desires as to these people coming into the United States.

I recognize that placing a quota of 67,000 on Canada will not greatly limit for many years to come the number of people that come into this country from Canada; but it will set up a system of red tape on the part of the immigration officials along the Canadian border that will tend to cause friction in crossing the border.

There is not any demand for it. There is not any need for it. As the Senator from Maine well said, families intermarry across the border. He spoke particularly of conditions along the border of Maine. I am familiar with the conditions along the western part of the border. I would not attempt to say, without investigating the census returns, how great a percentage of the people in the Northwestern States, and particularly the State of Washington, are Canadian born. We do not know they are Canadians unless they tell us so; and I know that a tremendous number of the people in British Columbia are American born. They go over there, and they not only live there but they become public officials, in many cases, of the cities of British Columbia.

Our lodges have a district composed of British Columbia, Washington, Oregon, Idaho, and sometimes Montana and Wyoming. In some years the convention of these lodges will meet in British Columbia, and in some other years it will meet in one of the States. We have both the English flag and the American flag; and we object to raising this border distinction in the form of a quota on the people who are native-born Canadians.

So I say there is not any reason that can be given that is met by this legislation. If it be that we do not want to discriminate, then we should take the quota system as applied to Europe and South America, as it will be under the Harris plan, and apply it to Canada. Nobody proposes that seriously; and it can not be for the purpose of keeping out Canadians, because it proposes to let in more than three times as many as come in, on the average, now. So I say it is a confusing, an unnecessary, and an improper piece of legislation.

I am not going to take time to enlarge upon the discussion; but I wanted to express myself in this way, and to say that I hope the Senate will pass the bill that was reported here by the committe of the Senator from Georgia [Mr. HARRIS]. It is a natural, direct, and proper method of dealing with this situation. If we want to stop the wholesale immigration of Mexicans, that bill provides the method. Not only does it provide the method to stop the Mexicans, but it would prevent the bringing in of large numbers of South Americans and Central Americans in case we do stop the Mexicans and were to leave the border open as to them.

I hope this substitute will be voted down, and we may pass the Harris bill.

Mr. HAYDEN. Mr. President, the Senator from Washington [Mr. DILL] has said that he opposes the adoption of the Gould amendment because there is no basis for the quotas as provided in that amendment, the Gould amendment being identical in language with the Johnson bill heretofore reported to the House of Representatives.

The basis for the proposed quotas is clearly stated in the report on the Johnson bill which completely explains the origin and purpose of that measure. The House Committee on Immigration adopted four times the number of emigrants leaving the United States in 1929 to the contiguous countries of Canada, Mexico, and Cuba as the unit of control. That committee could have used a uniform rule, except that there were no figures kept by the United States Immigration Service to show the departures of American citizens for the countries of Central and South America. Therefore, in the absence of a record, the committee adopted an entirely practical plan, which is that as many may enter from such countries as visas were issued to their citizens departing for the United States during the past year. No discrimination is intended, and none can be construed from the adoption of that provision.

I sincerely hope that the Gould amendment will be adopted, primarily because it avoids discrimination between countries of the Western Hemisphere. Canada is our neighbor on the north. Mexico is our neighbor on the south. We should treat our two nearest neighbors exactly alike; and that will be done if the Gould amendment is adopted.

The Senator speaks of red tape, as though the adoption of the Gould amendment would make it more difficult for persons to come and go between Canada and the United States. I want to read to the Senator three short paragraphs covering that point from the report on his bill made by Congressman JOHNSON, of the State of Washington, to the House of Representatives:

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Borah	Harrison	Overman	Vandenberg
Brock	Hatfield	Patterson	Wagner
Broussard	Hayden	Pine	Walsh, Mass.
Capper	Heflin	Robinson, Ind.	Walsh, Mont.
Caraway	Jones	Robsion, Ky.	Wheeler

NAYS—26

Allen	Goff	McNary	Steiwer
Baird	Goldsborough	Norbeck	Sullivan
Couzens	Gould	Norris	Thomas, Idaho
Dale	Greene	Nye	Townsend
Deneen	Howell	Oddie	Waterman
Fess	Johnson	Phipps	
Frazier	Kendrick	Ransdell	

NOT VOTING—30

Bingham	Glenn	Moses	Smoot
Bratton	Grundy	Pittman	Steck
Brookhart	Hastings	Reed	Thomas, Okla.
Connally	Hawes	Robinson, Ark.	Tydings
Cutting	Hebert	Schall	Walcott
Fletcher	Keyes	Sheppard	Watson
Gillett	King	Shortridge	

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immigrants from Canada have to be examined, and this involves an examination of all persons coming over the border.

And then Mr. JOHNSON adds:

It is remarkable, and a cause of praise, that the United States immigrant inspectors have become so expert that they handle the great movement with practically no inconvenience. If more citizens of the United States would recognize the fact that the border must be protected and the general immigration laws are to be maintained, there would be no friction.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Washington?

Mr. HAYDEN. I yield.

Mr. DILL. The Senator recognizes, however, that just as soon as we put on a quota, immediately applications by immigrants will be listed. Now there is not any limitation. The immigrant simply makes his application, fulfills the requirements, and is allowed to enter. There will be a vast difference in the treatment of Canadian immigrants as compared to the present time.

Mr. HAYDEN. No; I can not see that it would make the slightest difference. I think the Congressman from Washington is absolutely correct in that regard. If it is known that the number of applications in any year will not exceed the quota, it will not be necessary to list the Canadians numerically.

Mr. DILL. But how will it be known what there may be?

Mr. HAYDEN. Reports will be made monthly to the United States Immigration Service at Washington, and, of course, if the numbers came up to a point where they were anywhere near the total quota during any month, then some such regulation as that would be necessary. The Senator from Washington must concede that the Canadian quota provided in the Johnson bill will not be reached for many, many years.

Mr. DILL. I will not concede that. I do not know when it might be reached.

Mr. HAYDEN. I have not checked his figures, but the Senator stated that only 19,000 Canadians entered the United States each year. The quota for Canada is fixed at over 67,000.

Mr. DILL. On an average, 19,000. That is the figure given by the officials of the Immigration Bureau.

Mr. HAYDEN. Mr. President, the Senator from Washington must also concede that many who come from Canada would not be quota immigrants. Therefore there is not the slightest danger of anything happening such as he anticipates. The House report correctly states the fact that there is absolutely no cause to fear any greater interference with coming and going across the Canadian border than now exists.

That, it seems to me, disposes of the "red-tape" argument so far as it applies to opposition to this bill.

Now we come to the point so well emphasized by the Senator from California [Mr. JOHNSON]. The Senate must choose between these two measures. If we adopt the Harris bill, the first effect is to give offense to our neighbors to the south by omitting from the quota our neighbors to the north. That is one bad effect. The second is that the quota proposed in the Harris bill is now one-half of 1 per cent of the number of persons residing in this country in 1890 from the nations of the Western Hemisphere, except Canada and Newfoundland.

Mr. HARRIS. Mr. President, I know the Senator does not want to misstate the facts. He certainly remembers that that amendment of mine was voted down.

Mr. HAYDEN. I misspoke myself. I should have said 1½ per cent of the number.

Mr. HARRIS. The Senator said one-half of 1 per cent.

Mr. HAYDEN. I should have said 1½ per cent of the number of persons who were in the United States in 1890 who came here from Latin American countries.

I have examined the census returns for 1890 and find that there were 980,938 Canadians in the United States that year. If the quota proposed in the Harris bill were applied, Canada would have a quota of 14,714. There were 77,853 Mexicans in the United States, according to the census of 1890, and 1½ per cent of that would be 1,167. Then, according to the 1890 census statistics, there were 6,198 people from all South America in the United States in 1890. One and one-half per cent of that would be 92 persons who could come into the United States from all of South America. The only way that small figure can be avoided is to allow a minimum quota of 100 to each country.

The other division is the West Indies—that is, Cuba, Haiti, Porto Rico, and the other islands of the Caribbean Sea—lumped together, from which there were 23,556 in the United States in 1890. One and one-half per cent of that number would be 348 from the West Indies.

Common sense dictates that, with the statistics available from the census of 1890, Congress can not lay down quotas for the West Indies and Latin America. The House committee therefore had good reason to provide that the number coming from the West Indies and from Central and South America should be equivalent to the number of citizens of each country who obtained visas on their passports to enter the United States last year.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Maine as amended.

Mr. HARRIS. Mr. President, of course everyone in the Senate who is opposed to restricting immigration from Mexico will take the position taken by the Senator from Arizona. They do not want us to shut out the Mexicans. Anyone who votes for the substitute of the Senator from Maine will vote to allow more Mexicans to come into this country than under the bill of which I happen to be the author. There is no use for me to take the time of the Senate longer.

Mr. SHIPSTEAD. Mr. President, can the Senator tell us how many more?

Mr. HARRIS. There would be a good many thousands more.

Mr. SHIPSTEAD. About a thousand more?

Mr. HARRIS. After the first two years, more than a thousand more.

Mr. SHIPSTEAD. Mr. President, did I understand the Senator from Washington to say that he would have no objection if Canada were put upon the same quota basis with Europe?

Mr. DILL. No; I said that nobody had seriously proposed anything of that kind, and it could not be defended, but in order to meet the situation created, an arbitrary rule has been adopted of taking the people who have gone from this country into other countries and multiplying it by four, in order to get the quota high enough for Canada.

Mr. SHIPSTEAD. Of course, all quotas must be based on a somewhat arbitrary rule.

I think something should have been said which I am not aware has been said. I dare say there is no country in Europe which does not provide by law for an embargo upon immigration whenever there is an oversupply of labor. It is perfectly within the right of any country to do that.

I remember some years ago it was necessary for me to write some letters to Canadian immigration officials on behalf of some young men going up into Canada in the summer as tourists. They were turned back at the border because they had nothing to show that they did not intend to work in the harvest fields. There was a great deal of unemployment in Canada, and the Candian Government was taking steps to see to it that whatever work was available should go to Canadian citizens.

I think the Canadian Government was perfectly right in seeing to it that Canadian citizens should have the work that was available there. I do not find any fault with them for doing that. I am only pointing out what was done. Certainly no nation on the face of the earth can find fault with the Government of the United States, if and when we have such an oversupply of unemployed labor, for adopting reasonable restrictions.

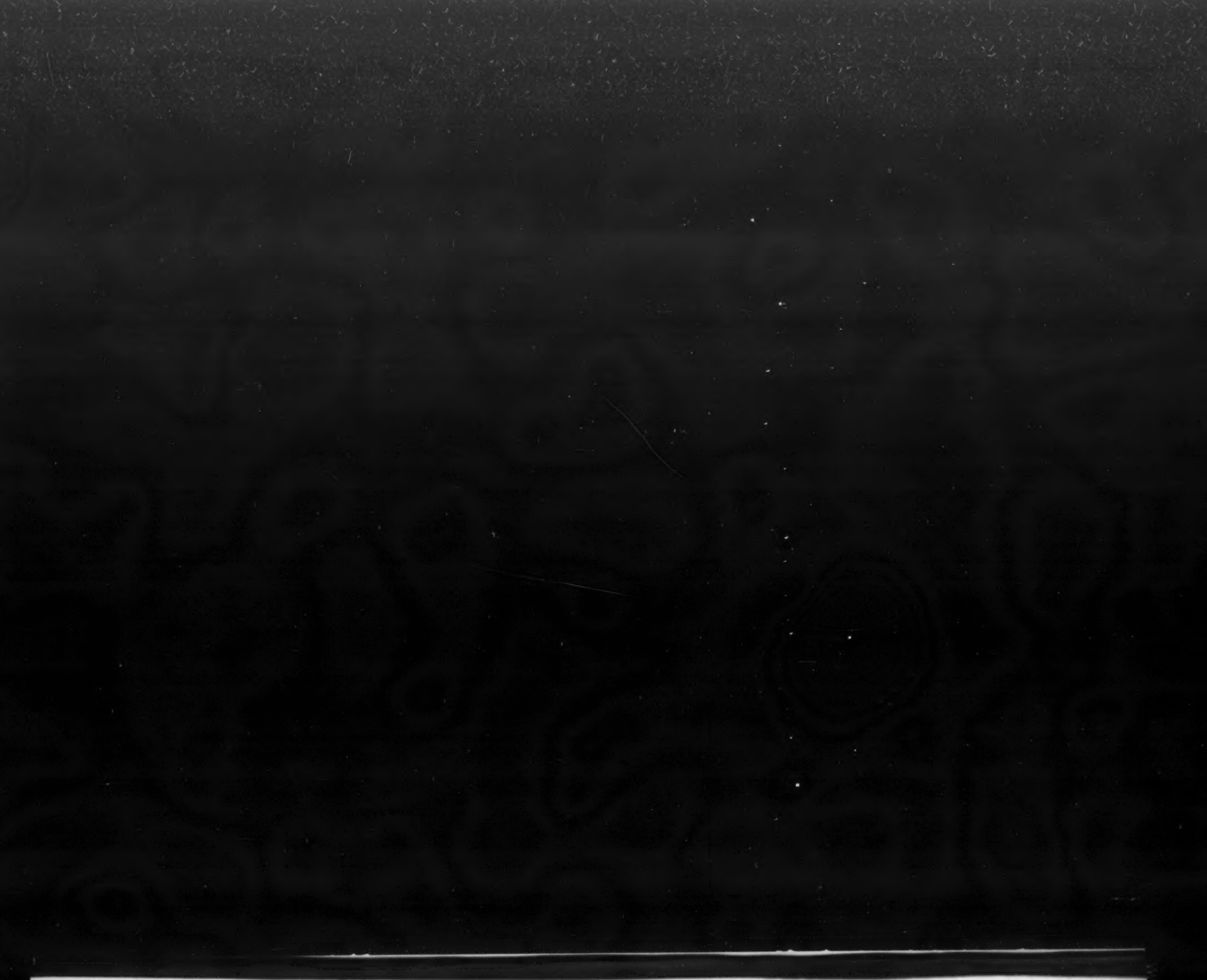
So far as Canada and Mexico are concerned, they are near neighbors. I think we should be as liberal in our construction of travel across the border both ways as is possible. Something like 18,000 or 20,000 Americans go to Canada every year, and somewhat the same number come from Canada here. There is absolutely no restriction. I would say hundreds of thousands of Americans go to Canada to spend the summer, and anything that would hamper or embarrass people who travel across the border by the thousands every year should be avoided, so far as possible.

I do not see, however, how Canada can object to being established on a quota basis where we allow her to send in four times more; at least three and one-half times more Canadians can come into the United States under this proposed legislation than have come in in any one year within the last 10 or 15 years.

I can not see how Canada can take any offense. We do not want to do anything that will offend the Canadian Government. They are our best customers; they are as good people as there are on the face of the earth, and still, at the same time, no one can deny that if we discriminate in favor of one country it is a discrimination against the other countries of the Western Hemisphere. I would very much prefer to have it found possible not to put any of the nations of the Western Hemisphere on a quota basis, but in view of our unemployment situation I do not see how we are going to avoid it.

Mr. WHEELER. Mr. President, there is one question I would like to get clear in my mind. I would like to ask the Senator from Georgia if his bill places a greater limitation upon immigration from Mexico into this country than does the Gould amendment.

Mr. HARRIS. It does, decidedly so.





Mr. WHEELER. And the Gould amendment, as far as the Canadians are concerned, does not limit them; that is, they could send in more than are coming in at the present time?

Mr. HARRIS. Three times as many.

Mr. WHEELER. As far as I am concerned, I have no objection to placing Canada upon a quota basis. As a matter of fact, I think we should do so, but I am much more interested in keeping the Mexicans out than I am in placing Canada upon a quota basis. As I pointed out a while ago, Mexicans are coming into the State of Montana and taking the places of American miners; they are going upon the railroads and taking the places of American workingmen. They do not assimilate with Americans as well as any other race of people, excepting some of the orientals, and I think we should do everything we can to limit the number of Mexicans coming into this country. For that reason I am going to vote for the Harris bill.

Mr. NORRIS. Mr. President, I want to submit a parliamentary inquiry to the Chair. If this amendment should prevail, would it still be in order for the Senator from Wyoming [Mr. KENDRICK] to offer his amendment?

The VICE PRESIDENT. It would be in order when the bill gets into the Senate.

Mr. NORRIS. He could not offer it in Committee of the Whole?

The VICE PRESIDENT. Not in Committee of the Whole. The question is on agreeing to the amendment offered by the Senator from Maine, in the nature of a substitute, as amended.

Mr. WALSH of Massachusetts. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. JOHNSON (when his name was called). I transfer my pair with the Senator from Texas [Mr. CONNALLY] to the Senator from Rhode Island [Mr. HEBERT] and vote "yea."

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. Not knowing how he would vote, I withhold my vote.

Mr. SIMMONS (when his name was called). I transfer my general pair with the senior Senator from Massachusetts [Mr. GILLETT] to the Senator from Iowa [Mr. STECK] and vote "nay."

Mr. THOMAS of Oklahoma (when his name was called). On this question I have a general pair with the junior Senator from Illinois [Mr. GLENN]. If he were present, he would vote "yea." If I were privileged to vote, I would vote "nay."

The roll call was concluded.

Mr. CARAWAY (after having voted in the negative). I have a general pair with the junior Senator from California [Mr. SHORTRIDGE]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and let my vote stand.

Mr. FESS. I desire to announce the following general pairs:

The Senator from New Hampshire [Mr. KEYES] with the Senator from Texas [Mr. SHEPPARD];

The Senator from New Mexico [Mr. CUTTING] with the Senator from Missouri [Mr. HAWES];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON].

The result was announced—yeas 29, nays 37, as follows:

YEAS—29

Ashurst	Fess	Nye	Thomas, Idaho
Bingham	Hayden	Oddie	Vandenberg
Blaine	Johnson	Patterson	Wagner
Borah	Kendrick	Phipps	Walsh, Mont.
Broussard	La Follette	Ransdell	Waterman
Copeland	McCulloch	Robsion, Ky.	
Cousens	McNary	Shipstead	
Deneen	Norris	Steiwer	

NAYS—37

Allen	Frazier	Heflin	Stephens
Baird	George	Howell	Sullivan
Barkley	Glass	Jones	Swanson
Black	Goff	Kean	Townsend
Blease	Goldsborough	McKellar	Trammell
Brock	Greene	Norbeck	Walsh, Mass.
Capper	Hale	Overman	Wheeler
Caraway	Harris	Pine	
Dale	Harrison	Robinson, Ind.	
Dill	Hatfield	Simmons	

NOT VOTING—30

Bratton	Connally	Fletcher	Glenn
Brookhart	Cutting	Gillett	Gould
Grundy	McMaster	Schall	Thomas, Okla.
Hastings	Metcalf	Sheppard	Tydings
Hawes	Moses	Shortridge	Walcott
Hebert	Pittman	Smith	Watson
Keyes	Reed	Smoot	
King	Robinson, Ark.	Steck	

So Mr. GOULD'S amendment as amended was rejected.

The VICE PRESIDENT. The bill is still as in Committee of the Whole and open to amendment.

Mr. DILL. Mr. President, the Senator from California [Mr. SHORTRIDGE] offered an amendment a few days ago and had it printed. I discussed the matter with him to-day at noon, and he said if he were not in the Senate at the time the amendment might be offered, I was at liberty to offer it as his amendment. I now offer it and ask that it may be read.

The VICE PRESIDENT. The clerk will read the amendment submitted by the Senator from Washington in behalf of the Senator from California.

The CHIEF CLERK. On page 2, after line 19, insert the following:

That from and after July 1, 1930, migration of citizens of the Philippine Islands to continental United States shall be limited to students, visitors for business or pleasure, merchants, government officials, their families, attendants, servants, and employees.

For the issuance of permits to travel to continental United States an official shall be designated as provided in paragraph (f) of section 28 of the immigration act of 1924, as amended.

This act shall be in force and effect for five years from and after the date of its approval and, if within that time the independence of the Philippines shall have been granted or by act of Congress definitely provided for, then this act shall continue in force indefinitely thereafter.

Mr. DILL. Mr. President, I desire merely to say that under the bill which the Senator from Georgia [Mr. HARRIS] has before us, which will probably be passed by the Senate, every source of cheap labor in the world will have been limited in coming into this country with the exception of Filipino labor. We on the Pacific coast have been forced to bear the brunt of cheap labor from Asia and the Orient for a long period of time. We first had the Chinese inrush of cheap labor and Congress enacted a law to protect the American workingmen against that condition. Then we found the Japanese cheap labor as a menace and Congress effectively provided against that condition.

With the shutting out of the Chinese and Japanese those who desired cheap labor found another great source in Mexico, and literally thousands and thousands of Mexicans were brought in to supply that need. When we shut off the Mexican laborers and make it impossible to bring them from Mexico, or others from South and Central America, the tremendous supply of cheap labor to meet the demand will then come from the Philippine Islands.

The amendment does not propose a quota upon the Philippines, for they are under the control of the United States, but it does propose to designate certain consular officers, as provided in the immigration law, who may act to control the migration of people from the Philippines who come here as laborers. This does not prevent the coming of students, it does not prevent the coming of travelers, it does not prevent the coming of those who are engaged in business, but it will give the consular officials of the Government the power to stop the great inrush of cheap labor that will come from the Philippine Islands with the adoption and enforcement of the measure known as the Harris bill.

I believe that we on the Pacific coast are entitled to this protection. The enormous number of Filipinos who have been coming into our Pacific coast cities during the past can not be realized and the effect can not be appreciated by those who live in other sections of the country. We find that thousands of them come afflicted with spinal meningitis, and it has taxed the efforts of our health officials to limit or prevent those who were actually afflicted with that disease coming into the country at all. In addition to that it is claimed by medical men that those who are not yet afflicted with the disease are carriers of spinal meningitis, and when they come into our Pacific coast cities they carry that terrible disease, which is so destructive of the health of the ordinary human being when afflicted with it.

I believe that it is the right and the duty of the Congress to give to the consular officials of the Government the power to control the migration of those laborers who will undoubtedly be brought here in far greater numbers than they now are when the demand is made as a result of cutting off the supply which we have had from Mexico.

Mr. JONES. Mr. President, may I suggest to my colleague that he make this a new section, so that he can refer to it as a separate section rather than as a part of another section?

Mr. DILL. I think that is a good suggestion, to have it numbered as a new section. I ask permission to do that.

The VICE PRESIDENT. The Senator modifies his amendment as stated.

Mr. NORRIS. Mr. President, attention has been called to a very vital thing by the senior Senator from Washington [Mr. JONES]. The amendment of his colleague [Mr. DILL] provides that if a certain contingency happens the entire act shall become null and void. The junior Senator from Washington probably does not intend that, but means merely the provision itself shall become null and void. I think that has been remedied by the suggestion of the senior Senator from Washington which has been adopted by his colleague.

But, Mr. President, while I am in entire sympathy with the argument submitted by the junior Senator from Washington [Mr. DILL], and while I believe that we ought to keep cheap labor out wherever we can honorably do so, yet I can not bring myself to reach the conclusion, while we are holding the Philippine people without their consent, while we are confronted from year to year and from month to month with their demands for freedom, while against their will we are holding them under the dominion and control of our Government, that we should limit the right of those people to come and go from the continental United States just the same as any other citizens of the United States have the right to come and go.

The remedy for the situation, and to my mind the only honorable remedy, is to give the Filipinos their independence. Then I would be glad to put them upon the same quota basis, so far as immigration is concerned, that we apply to like peoples. But we are here retaining our jurisdiction and our control over the Philippine people, making laws under which they must live, and now if the amendment proposed by the junior Senator from Washington should be agreed to we would say to them, in effect, "Except in limited numbers and under certain regulations you can not come to the mainland of the United States."

It seems to me that is inconsistent with every policy and with every fundamental principle which has underlaid our Government from the days of the Revolution down to the present hour. I can not understand possibly how on the one hand we can hold them in subjection, as it were, and on the other hand deny to them the freedom of travel which we extend to everybody else. It seems to me, therefore, while I am in entire sympathy with the object the Senator desires to accomplish by his amendment, that this is not an honorable way to do it.

Mr. DILL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. Certainly.

Mr. DILL. In the meantime, and until we can come to a vote upon the question of Philippine freedom and independence, and it seems to be very doubtful whether that will be within the next year or two, we must suffer from the condition to which I have referred.

Mr. NORRIS. Yes, we must; and we are suffering it because of our own deliberate acts.

Mr. DILL. Does not the Senator think that in the meantime we might very properly control the migration of those people to continental United States?

Mr. NORRIS. I think not. I think it would be just the same as though we levied a tariff upon the products of the Philippine Islands, as some want to do. As I look at it, it would be indefensible to think of levying such a tariff, and it seems to me this proposal is along the same line. We are in a way levying a tariff upon the people themselves and saying to them, "Contrary to your wish and your will, we are going to hold you under our control, but we will not let you come to the mainland of the United States."

Mr. McNARY. Mr. President, I had hoped we might secure a final vote on the unfinished business this afternoon, but I am advised that there are a number of Senators who want to discuss the proposal made by the Senator from Washington [Mr. DILL]. I have also been requested by the Senator from Nebraska and the Senator from Idaho to move an executive session.

FLATHEAD RIVER POWER PROJECT, MONTANA

Mr. FRAZIER. Mr. President, I ask unanimous consent to have printed in the RECORD a brief tabulation showing a comparison of the proposal of Walter H. Wheeler with that of the Rocky Mountain Power Co. in connection with the development of the Flathead River project in Montana.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Flathead River power project, Montana—Comparison of proposal of Walter H. Wheeler with proposal of Rocky Mountain Power Co.

Item	Wheeler's water power-industrial development	Rocky Mountain Power development controlled by Electric Bond & Share Co.
Number of power sites to be developed.	5	1.
Average horsepower to be generated per annum.	214,000	68,000.
Total investment in power plants	$18,000,000	$7,500,000.
Total investment in chemical, metallurgical, industrial, and fertilizer plants.	$30,000,000 to $50,000,000.	Nothing.
Probable number of men to be permanently employed.	1,000 in power plant and industries.	4 to 10 to run power plant only.
Probable annual revenue to be paid Indians.	$240,000	$68,000.

LONDON NAVAL CONFERENCE

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the proposed London naval treaty.

I also ask, in the same connection, to have printed in the RECORD an article by Frank H. Simonds appearing in last Sunday's Washington Star; also an article appearing in the New York Evening Post of April 21, 1930, commenting upon statements by Mr. Bickel, one of the best-known correspondents in the country.

I ask that those be printed in the RECORD as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, April 22, 1930]

TEXT OF TREATY

PART 1

Article I

The high contracting parties agree not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931–1936, inclusive, as provided in Chapter II, part 3, of the treaty for the limitation of naval armament signed between them at Washington on the 6th of February, 1922, and referred to in the present treaty as the Washington treaty.

This provision is without prejudice to the disposition relating to the replacement of ships accidentally lost or destroyed contained in Chapter II, part 3, section 1, paragraph (C) of the said treaty.

France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said treaty.

Article II

1. The United States, the United Kingdom of Great Britain and Northern Ireland and Japan shall dispose of the following capital ships as provided in this article:

United States: *Florida, Utah, Arkansas, or Wyoming.*

United Kingdom: *Benbow, Iron Duke, Marlborough, Emperor of India, Tiger.*

Japan: *Hiyei.*

(A) Subject to the provisions of subparagraph (b), the above ships unless converted to target use exclusively, in accordance with Chapter II, part 2, Paragraph II (c) of the Washington treaty, shall be scrapped in the following manner:

One of the ships to be scrapped by the United States and two of those to be scrapped by the United Kingdom shall be rendered unfit for warlike service, in accordance with Chapter II, part 2, Paragraph III (b) of the Washington treaty, within 12 months from the coming into force of the present treaty. These ships shall be finally scrapped, in accordance with Paragraph II (a) or (b) of the said part 2, within 24 months of the said coming into force. In the case of the second of the ships to be scrapped by the United States and of the third and fourth of the ships to be scrapped by United Kingdom, the said periods shall be 18 and 30 months, respectively, from the coming into force of the present treaty.

(B) Of the ships to be disposed of under this article, the following may be retained for training purposes:

By the United States: *Arkansas* or *Wyoming.*

By the United Kingdom: *Iron Duke.*

By Japan: *Hiyei.*

These ships shall be reduced to the condition prescribed in Section V of Annex II to Part II of the present treaty. The work of reducing these vessels to the required condition shall begin, in the case of the United States and the United Kingdom, within 12 months, and in the case of Japan within 8 months from the coming into force of the present treaty; the work shall be completed within six months of the expiration of the above-mentioned periods.

Any of these ships which are not retained for training purposes shall be rendered unfit for warlike service within 18 months and finally scrapped within 30 months of the coming into force of the present treaty.

2. Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington treaty, by building by France or Italy of the replacement tonnage referred to in Article I of the present treaty, all existing capital ships mentioned in chapter 2, part 3, section 2, of the Washington treaty and not designated above to be disposed of may be retained during the term of the present treaty.

3. The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced, even though due for scrapping under chapter 2, part 3, section 2, of the Washington treaty.

Article III

1. For the purpose of the Washington treaty, the definition of an aircraft carrier given in chapter 2, part 4, of the said treaty is hereby replaced by the following definition:

The expression "aircraft carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

2. The fitting of a landing-on or flying-off platform on deck of a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged to or classified in the category of aircraft carriers.

3. No existing capital ship shall be fitted with a landing-on platform or deck.

Article IV

1. No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1 inches (155 millimeters) caliber shall be acquired by or constructed by or for any of the high contracting parties.

2. As from the coming into force of the present treaty in respect of all the high contracting parties, no aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun in excess of 6.1 inches (155 millimeters) shall be constructed within the jurisdiction of any of the high contracting parties.

Article V

An aircraft carrier must not be designed and constructed for carrying a more powerful armament than that authorized by Article IX or Article X of the Washington treaty or by Article IV of the present treaty, as the case may be. Wherever in the said Articles IX and X of the Washington treaty the caliber of 6 inches (152 millimeters) is mentioned, the caliber of 6.1 inches (155 millimeters) is substituted therefor.

PART 2

Article VI

1. The rules for determining standard displacement described in chapter 2, part 4, of the Washington treaty shall apply to all surface vessels of war of each of the high contracting parties.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in nonwater-tight structure), fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores, and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water, or ballast of any kind on board.

PART 3

Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition. The word "ton," except in the expression "metric tons," shall be understood to be the ton of 2,240 pounds (1,016 kilos).

Article VII

1. No submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1 inches (130 mm.) caliber shall be acquired by or constructed by or for any of the high contracting parties.

2. The high contracting parties may, however, retain, build, or acquire a maximum number of three submarines of a standard displacement not exceeding 2,800 tons (2,845 metric tons); these submarines may carry guns not above 6.1 inches (155 mm.) caliber. Within this number France may retain one unit, already launched, of 2,880 tons (2,926 metric tons), with guns the caliber of which is 8 inches (203 mm.).

3. The high contracting parties may retain the submarines which they possessed on the 1st of April, 1930, having a standard displacement not in excess of 2,000 tons (2,032 metric tons), and armed with guns above 5.1 inches (130 mm.) caliber.

4. As from the coming into force of the present treaty in respect of all the high contracting parties, no submarine, the standard displacement of which exceeds 2,000 tons (2,032 metric tons), or with a gun above 5.1 inches (130 mm.) caliber, shall be constructed within the jurisdiction of any of the high contracting parties, except as provided in paragraph 2 of this article.

Article VIII

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(A) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under.

(B) Naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:

(1) Mount a gun above 6.1 inches (155 mm.) caliber.
(2) Mount more than four guns above 3 inches (76 mm.) caliber.
(3) Are designed or fitted to launch torpedoes.
(4) Are designed for a speed greater than 20 knots.

(C) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

(1) Mount a gun above 6.1 inches (155 mm.) caliber.
(2) Mount more than four guns above 3 inches (76 mm.) caliber.
(3) Are designed or fitted to launch torpedoes.
(4) Are designed for a speed greater than 20 knots.
(5) Are protected by armor plate.
(6) Are designed or fitted to launch mines.
(7) Are fitted to receive airplanes on board from the air.
(8) Mount more than one airplane-launching apparatus on the center line, or two, one on each broadside.
(9) If fitted with any means of launching airplanes into the air, are designed or adapted to operate at sea more than three airplanes.

Article IX

The rules as to replacement contained in annex 1 to this Part II are applicable to vessels of war not exceeding 10,000 tons (10,160 metric tons) standard displacement, with the exception of aircraft carriers, whose replacement is governed by the provisions of the Washington treaty.

Article X

Within one month after the date of laying down and the date of completion, respectively, of each vessel of war, other than capital ships, aircraft carriers, and the vessels exempt from limitation under Article VIII, laid down or completed by or for them after the coming into force of the present treaty, the high contracting parties shall communicate to each of the other high contracting parties the information detailed below:

(A) The date of laying the keel and the following particulars:

The classification of the vessel.

Standard displacement in tons and metric tons.

The principal dimensions, namely, length at water line, extreme beam at or below water line, mean draft at standard displacement, the caliber of the largest gun.

(B) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The information to be given in the case of capital ships and aircraft carriers is governed by the Washington treaty.

Article XI

Subject to the provisions of Article II of the present treaty, the rules for disposal contained in Annex II to this Part II shall be applied to all vessels of war to be disposed of under the said treaty, and to aircraft carriers as defined in Article III.

Article XII

1. Subject to any supplementary agreements which may modify, as between the high contracting parties concerned, the lists in Annex III of this Part II, the special vessels shown therein may be retained and their tonnage shall not be included in the tonnage subject to limitation.

2. Any other vessel constructed, adapted, or acquired to serve the purposes for which these special vessels are retained shall be charged against the tonnage of the appropriate combatant category, according to the characteristics of the vessel, unless such vessel conforms to the characteristics of vessels exempt from limitation under Article VIII.

3. Japan may, however, replace the mine layers *Aso* and *Tokiwa* by two new mine layers before December 31, 1936. The standard displacement of each of the new vessels shall not exceed 5,080 metric tons; their speed shall not exceed 20 knots, and their other characteristics shall conform to the provisions of paragraph (B) of Article VIII. The new vessels shall be regarded as special vessels, and their tonnage shall not be chargeable to the tonnage of any combatant category. The *Aso* and *Tokiwa* shall be disposed of in accordance with Section I or II of annex 2 to this Part II on completion of the replacement vessels.

4. The *Asama*, *Yakumo*, *Izumo*, *Iwate*, and *Kasuga* shall be disposed of as stated in Section I or II of annex 2 to this Part II when the first three vessels of the *Kuma* class have been replaced by new vessels. These three vessels of the *Kuma* class shall be reduced to the condition prescribed in Section V, subparagraph (B) 2 of annex 2 to this Part II, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

Article XIII

Existing ships of various types which, prior to April 1, 1930, have been used as stationary training establishments or hulks may be retained in a nonseagoing condition.

Annexes follow:

ANNEX 1

RULES FOR REPLACEMENT

Section I

Except as provided in section 3 of this annex and annex 3 of the present treaty, a vessel shall not be replaced before it becomes "over age." A vessel shall be deemed to be "over age" when the following number of years have elapsed since the date of its completion:

(A) For a surface vessel exceeding 3,000 tons (3,048 metric tons), but not exceeding 10,000 tons (10,160 metric tons), standard displacement:

(I) If laid down before January 1, 1920, 16 years.

(II) If laid down after December 31, 1919, 20 years.

(B) For a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement.

(I) If laid down before January 1, 1921, 12 years.

(II) If laid down after December 31, 1920, 16 years.

(C) For a submarine, 13 years.

The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced become "over age," but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

Section II

Except as otherwise provided in the present treaty, the vessel or vessels whose retention would cause the maximum tonnage permitted in the category to be exceeded, shall, on the completion or acquisition of replacement tonnage, be disposed of in accordance with Annex II to this Part II.

Section III

In the event of loss or accidental destruction, a vessel may be immediately replaced.

ANNEX II

Rules for disposal of vessels of war:

The present treaty provides for the disposal of vessels of war in the following ways:

(I) By scrapping (sinking or breaking up).

(II) By converting the vessel to a hulk.

(III) By converting the vessel to target use exclusively.

(IV) By retaining the vessel exclusively for experimental purposes.

(V) By retaining the vessel exclusively for training purposes. Any vessel of war to be disposed of, other than a capital ship, may either be scrapped or converted to a hulk, at the option of the high contracting party concerned.

Vessels other than capital ships which have been retained for target usages, experimental or training purposes, shall finally be scrapped or converted to hulks.

Section I

Vessels to be scrapped:

(A) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the day of the completion of its successor, or of the first of its successors, if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within 4½ years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement, this period is reduced to 3½ years.

3. Japan may, however, replace the mine layers *Aso* and *Tokiwa* by two new mine layers before December 31, 1936. The standard displacement of each of the new vessels shall not exceed 5,000 tons (5,080 metric tons), their speed shall not exceed 20 knots, and their other characteristics shall conform to the provisions of paragraph (b) of article 8. The new vessels shall be regarded as special vessels and their tonnage shall not be chargeable to the tonnage of any combatant category. The *Aso* and *Tokiwa* shall be disposed of in accordance with section 1 or 2 of Annex II to this part 2 on completion of the replacement vessels.

4. The *Asama, Yakumo, Izumo, Iwate,* and *Kasuga* shall be disposed of as stated in section 1 or 2 of Annex II to this part 2, when the first three vessels of the *Kuma* class have been replaced by new vessels. These three vessels of the *Kuma* class shall be reduced to the condition prescribed in section 5, subparagraph (b) 2 of Annex II to this part 2, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

Article 13

Existing ships of various types which prior to April 1, 1930, have been used as stationary training establishments or hulks may be retained in a nonseagoing condition.

Annexes follow:

ANNEX I

RULES FOR REPLACEMENT

Section 1

Except as provided in section 3 of this annex and Annex III of the present treaty, a vessel shall not be replaced before it becomes "over age." A vessel shall be deemed to be "over age" when the following number of years have elapsed since the date of its completion:

(a) For a surface vessel exceeding 3,000 tons (3,048 metric tons), but not exceeding 10,000 tons (10,160 metric tons), standard displacement:

(1) If laid down before January 1, 1920, 16 years.

(2) If laid down after December 31, 1919, 20 years.

(b) For a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement:

(1) If laid down before January 1, 1921, 12 years.

(2) If laid down after December 31, 1920, 16 years.

(c) For a submarine, 13 years.

The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over age," but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

Section 2

Except as otherwise provided in the present treaty, the vessel or vessels, whose retention would cause the maximum tonnage permitted in the category to be exceeded, shall, on the completion or acquisition of replacement tonnage, be disposed of in accordance with Annex II to this Part II.

Section 3

In the event of loss or accidental destruction a vessel may be immediately replaced.

ANNEX II

RULES FOR THE DISPOSAL OF VESSELS OF WAR

The present treaty provides for the disposal of vessels of war in the following ways:

(I) By scrapping (sinking or breaking up).

(II) By converting the vessel to a hulk.

(III) By converting the vessel to target use exclusively.

(IV) By retaining the vessel exclusively for experimental purposes.

(V) By retaining the vessel exclusively for training purposes. Any vessel of war to be disposed of, other than a capital ship, may either be scrapped or converted to a hulk at the option of the high contracting party concerned. Vessels, other than capital ships, which have been retained for target usages, experimental or training purposes, shall finally be scrapped or converted to hulks.

Section 1

VESSELS TO BE SCRAPPED

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the day of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within 4½ years from the date of laying the keel of the new vessel or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons), standard displacement, this period is reduced to 3½ years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

(1) All guns and essential parts of guns, fire-control tops, and revolving parts of all barbettes and turrets.

(2) All hydroelectric machinery for operating turrets.

(3) All fire-control instruments and range finders.

(4) All ammunition, explosives, mines, and mine rails.

(5) All torpedoes, war heads, torpedo tubes, and training racks.

(6) All wireless telegraphy installations.

(7) All main propelling machinery or alternatively the armored conning tower and all side armor plate.

(8) All aircraft cranes, derricks, lifts, and launching apparatus. All landing-on or flying-off platforms or alternatively all main propelling machinery.

(9) In addition, in the case of submarines, all main storage batteries, air-compressor plants, and balor pumps.

(c) Scrapping shall be finally effected in either of the following ways within 12 months of the day on which the work of rendering the vessel incapable of war-like service is due for completion:

(1) Permanent sinking of the vessel.

(2) Breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers, and armor, and all deck, side, and bottom plating.

Section II

VESSELS TO BE CONVERTED TO HULKS

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in section (I), paragraph (BL) have been complied with, omitting subparagraphs (6), (7), and (8), and when the following have been effected:

(1) Mutilation beyond repair of all polishing shafts, thrust blocks, turbine gearing, or main propelling motors, and turbines or cylinders of main engines.

(2) Removal of propeller boxes.

(3) Removal and breaking up of all aircraft lifts, and the removal of all aircraft cranes, derricks, and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in section (I) for rendering a vessel incapable of war-like service.

Section III

VESSELS TO BE CONVERTED TO TARGET USE

(A) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of war-like service when there have been removed and landed, or rendered unserviceable only, the following:

(1) All guns;

(2) All fire control tops and instruments and main fire control communication wiring;

(3) All machinery for operating gun mountings or turrets;

(4) All ammunition, explosives, mines, torpedoes, and torpedo tubes;

(5) All aviation facilities and accessories.

The vessel must be put into the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(B) In addition to the rights already possessed by each high contracting party under the Washington treaty, each high contracting party is permitted to retain, for target use exclusively, at any one time:

(1) Not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement.

(2) One submarine.

(C) On retaining a vessel for target use the high contracting party undertakes not to recondition it for warlike service.

Section IV

VESSELS RETAINED FOR EXPERIMENTAL PURPOSES

(A) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section II (A), this annex.

(B) Without prejudice to the general rules, and provided that due notice be given to the other high contracting parties, reasonable variation from the conditions prescribed in Section II (A), this annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any high contracting party taking advantage of this provision is required to furnish full details of any such variations and the period for which they will be required.

(C) Each high contracting party is permitted to retain for experimental purposes exclusively at any one time:

(I) Not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;

(II) One submarine.

(D) The United Kingdom is allowed to retain in their present conditions the monitor *Roberts*, the main armament guns and mountings of which have been mutilated, and the seaplane carrier *Ark Royal*, until no longer required for experimental purposes. The retention of these two vessels is without prejudice to the retention of vessels permitted under (C) above.

On retaining a vessel for experimental purposes the high contracting party undertakes not to recondition it for warlike service.

Section V

Vessels retained for training purposes: (a) In addition to the rights already possessed by each high contracting party under the Washington treaty, each high contracting party is permitted to retain for training purposes exclusively the following vessels:

United States—One capital ship (*Arkansas* or *Wyoming*).

France—Two surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement.

United Kingdom—One capital ship (*Iron Duke*).

Italy—Two surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement.

Japan—One capital ship (*Hiyei*), three cruisers (*Kuma* class).

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall within six months of the date on which they are required to be disposed of be dealt with as follows:

CAPITAL SHIPS

The following is to be carried out:

(1) Removal of main armament guns, revolving parts of all barbettes and turrets, machinery for operating turrets; but three turrets with their armament may be retained in each ship.

(2) Removal of all ammunition and explosives in excess of the quantity required for target practice training for the guns remaining on board.

(3) Removal of conning tower and the side armor belt between the foremost and aftermost barbettes.

(4) Removal or mutilation of all torpedo tubes.

(5) Removal or mutilation on board of all boilers in excess of the number required for a maximum speed of 18 knots.

2. Cruisers retained by France, Italy, and Japan.

(1) Removal of one-half of guns; but four guns of main caliber may be retained on each vessel.

(2) Removal of all torpedo tubes.

(3) Removal of all aviation facilities and accessories.

(4) Removal of one-half of boilers.

(c) The high contracting party concerned undertakes that vessels retained in accordance with the provisions of this section shall not be used for any combatant purposes.

ANNEX III

Special vessels

UNITED STATES

Name and type of vessel:	Tons
Aroostook, mine layer	4,950
Ogalala, mine layer	4,950
Baltimore, mine layer	4,413
San Francisco, mine layer	4,083
Cheyenne, monitor	2,800
Helena, gunboat	1,392
Isabel, yacht	938
Niagara, yacht	2,600
Bridgeport, destroyer tender	11,750
Dobbin, destroyer tender	12,450
Melville, destroyer tender	7,250
Whitney, destroyer tender	12,450
Holland, submarine tender	11,579
Henderson, naval transport	10,000
Total	91,496

FRANCE

Castor, mine layer	3,150
Pollux, mine layer	2,461
Commandant-Teste, seaplane carrier	10,000
Aisne, dispatch vessel	600
Marne, dispatch vessel	600
Ancre, dispatch vessel	604
Scarpe, dispatch vessel	604
Suippe, dispatch vessel	604
Dunkerque, dispatch vessel	644
Laffaux, dispatch vessel	644
Bapaume, dispatch vessel	644
Nancy, dispatch vessel	644
Calais, dispatch vessel	644
Lassigny, dispatch vessel	644
Les Eparges, dispatch vessel	644
Remiremont, dispatch vessel	644
Tahure, dispatch vessel	644
Toul, dispatch vessel	644
Hainaultal, dispatch vessel	644
Lievin, dispatch vessel	644
——, net layer	2,293
Total	28,644

BRITISH COMMONWEALTH OF NATIONS

Adventurer, mine layer (United Kingdom)	6,740
Albatross, seaplane carrier (Australia)	5,000
Erebus, monitor (United Kingdom)	7,200
Terror, monitor (United Kingdom)	7,200
Marshall Soult, monitor (United Kingdom)	6,400
Clive, sloop (India)	2,021
Medway, submarine depot Shi (United Kingdom)	15,000
Total	49,651

ITALY

Miraglì, seaplane carrier	4,880
Faa Dibruno, monitor	2,800
Monte Grappa, monitor	605
Montello, monitor	605
Monte Cengio, ex-monitor	500
Monte Novegno, ex-monitor	500
Compania, sloop	2,070
Total	11,960

JAPAN

Aso, mine layer	7,180
Tokiwa, mine layer	9,240
Asama, old cruiser	9,240
Yakumo, old cruiser	9,010
Izumo, old cruiser	9,240
Iwate, old cruiser	9,240
Kasuga, old cruiser	7,080
Yodo, gunboat	1,320
Total	61,430

PART 3

The President of the United States of America, His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the seas, Emperor of India, and His Majesty the Emperor of Japan have agreed as between themselves to the provisions of this part 3:

Article XIV

The naval combatant vessels of the United States, the British Commonwealth of Nations, and Japan, other than capital ships, aircraft carriers, and all vessels except from limitation under Article VIII, shall be limited during the term of the present treaty as provided in this part 3, and in the case of special vessels, as provided in Article XII.

Article XV

For the purpose of this part 3 the definition of the cruiser and destroyer categories shall be as follows:

Cruisers: Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons), or with a gun above 5.1 inches (130 mm.) caliber.

The cruiser category is divided into the following subcategories:

(a) Cruisers carrying a gun above 6.1 inches (155 mm.) caliber.

(b) Cruisers carrying a gun not above 6.1 inches (155 mm.) caliber.

Destroyers: Surface vessels the standard displacement of which does not exceed 1,850 tons (1,880 metric tons), and with a gun not above 5.1 inches (130 mm.) caliber.

Article XVI

1. The completed tonnage in the cruiser, destroyer, and submarine categories, which is not to be exceeded on December 31, 1936, is given in the following table:

	United States	United Kingdom	Japan
Cruisers:	*Tons*	*Tons*	*Tons*
With guns of more than 6.1-inch (155 mm.) caliber	180,000	146,800	108,400
	[1] 182,880	[1] 149,149	[1] 110,134
With guns of 6.1-inch (155 mm.) caliber or less	143,500	192,200	100,450
	[1] 145,796	[1] 195,275	[1] 102,057
Destroyers	150,000	150,000	105,450
	[1] 152,400	[1] 152,400	[1] 107,188
Submarines	52,700	52,700	52,700
	[1] 53,543	[1] 53,543	[1] 53,543

[1] Metric tons.

2. Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table shall be disposed of gradually during the period ending on December 31, 1936.

3. The maximum number of cruisers of subcategories (a) shall be as follows:

For the United States, 18; for the United Kingdom, 15; for Japan, 12.

4. In the destroyer category not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement. Destroyers completed or under construction on April 1, 1930, in excess of this percentage, may be retained, but no other destroyers exceeding 1,500 tons (1,524 metric tons) standard displacement shall be constructed or acquired until a reduction to such 16 per cent has been effected.

5. Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

6. It is understood that the submarines referred to in paragraphs 2 and 3 of Article XII will be counted as part of the total submarine tonnage of the high contracting parties concerned.

7. The tonnage of any vessels retained under Article XIII or disposed of in accordance with annex 2 to part 2 of the present treaty shall not be included in the tonnage subject to limitation.

ARTICLE XVII

A transfer not exceeding 10 per cent of the allowed total tonnage of the category or subcategory into which the transfer is to be made shall be permitted between cruiser of subcategory (b) and destroyers.

ARTICLE XVIII

The United States contemplates the completion by 1935 of 15 cruisers of subcategory (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the remaining three cruisers of subcategory (a) which it is entitled to construct, the United States may elect to substitute 15,166 tons (15,409 metric tons) of cruisers of subcategory (b). Subject to this option the sixteenth unit will not be laid down before 1933, and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

Article XIX

Except as provided in Article XX, the tonnage laid down in any category subject to limitation in accordance with Article XVI shall not exceed the amount necessary to reach the maximum allowed tonnage of the category, or to replace vessels that become "overage" before December 31, 1936.

Nevertheless replacement tonnage may be laid down for cruisers and submarines that become "overage" in 1937, 1938, and 1939, and for destroyers that become "overage" in 1937 and 1938.

Article XX

Notwithstanding the rules for replacement contained in annex 1 to part 2:

(a) The *Frobisher* and *Effingham* (United Kingdom) may be disposed of during the year 1936. Apart from the cruisers now under construction, the total replacement tonnage of cruisers to be completed, in the case of the United Kingdom, prior to December 31, 1936, shall not exceed 91,000 tons (92,456 metric tons).

(b) Japan may replace the *Tama* by new construction to be completed during the year 1936.

(c) In addition to replacing destroyers becoming "overage" before December 31, 1936, Japan may lay down, in each of the years 1935 and 1936, not more than 5,200 tons (5,283 metric tons) to replace part of the vessels that become "overage" in 1938 and 1939.

(d) Japan may anticipate replacement during the term of the present treaty by laying down not more than 19,200 tons (19,507 metric tons) of submarine tonnage, of which not more than 12,000 tons (12,192 metric tons) shall be completed by December 31, 1936.

Article XXI

If, during the term of the present treaty, the requirements of the national security of any high contracting party in respect of vessels of war limited by part 2 of the present treaty are, in the opinion of that party, materially affected by new construction of any power other than those who have joined in part 3 of this treaty, that high contracting party will notify the other parties to part 3 as to the increase required to be made in its own tonnages within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reasons therefor, and shall be entitled to make such increase. Thereupon the other parties to part 3 of this treaty shall be entitled to make a proportionate increase in the category or categories specified; and the said other parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

PART 4

Article XXII

The following are accepted as established rules of international law:

(I) In their action with regard to merchant ships, submarines must conform to the rules of international law to which surface vessels are subject.

(II) In particular, except in case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine boat, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew, and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

The high contracting parties invite all other powers to express their assent to the above rules.

PART 5

Article XXIII

The present treaty shall remain in force until the 31st of December, 1936, subject to the following exceptions:

(1) Part IV shall remain in force without any limit of duration.

(2) The provisions of Articles III, IV, and V and Article II, so far as may relate to aircraft carriers, shall remain in force for the same period as the Washington treaty.

Unless the high contracting parties should agree otherwise by reason of a more generally known agreement limiting naval armaments, to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present treaty, it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties as the conference agreed to.

Article XXIV

1. The present treaty shall be ratified by the high contracting parties in accordance with their respective constitutional methods and the ratification shall be deposited at London as soon as possible. Certified copies of all the procès verbaux of the deposit of ratification will be transmitted to all the high contracting parties.

2. As soon as the ratification of the United States of America or His Majesty the King of Great Britain, Ireland, and the British dominions beyond the seas, Emperor of India, in respect of each and all of the members of the British commonwealth of nations as enumerated in the preamble of the present treaty, and of his Majesty the Emperor of Japan have been deposited the treaty shall come into force in respect of the said high contracting parties.

3. On the date of the coming into force referred to in the preceding paragraph parts 1, W, R, and 5 of the present treaty will come into

force in respect to the French Republic and the Kingdom of Italy if their ratifications have been deposited at that date; otherwise, these parts will come into force in respect of each of these powers on the deposit of their ratifications.

4. The rights and obligations resulting from part 3 of the present treaty are limited to the high contracting parties mentioned in paragraph 2 of this article.

The high contracting parties will agree as to the date on which, and the conditions under which, the obligations assumed under the said part 3 by the high contracting parties mentioned in paragraph 2 of this article will bind them in relation to France and Italy; such agreement will determine at the same time the obligations of France and Italy in relation to the other high contracting parties.

Article XXV

After the deposit of the ratifications of all the high contracting parties, His Britannic Majesty's Government in the United Kingdom, Great Britain, and Northern Ireland will communicate, on their behalf, the provisions inserted in part 4 of the present treaty to all governments, inviting them to accede thereto definitely and without limit of time.

Such accession shall be effected by a declaration addressed to His Britannic Majesty's Government in the United Kingdom, Great Britain, and Northern Ireland.

Article XXVI

The present treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of His Britannic Majesty's Government in the United Kingdom. Duly certified copies thereof shall be transmitted to the governments of all the high contracting parties. In faith whereof the above-named plenipotentiaries have signed the present treaty and have affixed thereto their seals. Done at London the 22d day of April, 1930.

[From the Washington Sunday Star of April 20, 1930]

PARITY DEMAND OF UNITED STATES SHAPED PARLEY RESULT—THREE-POWER NAVAL PACT WITH FIVE-POWER TRIMMINGS BELIEVED TO MEAN SENATE ROW

By Frank H. Simonds

After four months of confusion and contradiction hardly paralleled even in the bewildering post-war array of international conferences, the world is at last presented with something like the completed product of the naval conference.

The best way of estimating the real achievement of the London conference is to weigh the results against the expectations, which, particularly on this side of the Atlantic, had their origin in official quarters.

What were the American people invited by their Government to expect from London? Briefly, this: A 5-power treaty which should bind the great naval powers—Britain, France, Japan, Italy, and the United States—to a program covering the next few years, a program of naval construction which should be distinguished by these things: Reduction, limitation, and parity as between the United States and Great Britain along with the preservation of the Washington ratios as between Britain, the United States, and Japan.

TOLD OF PERIL TO PEACE

All people, beginning with the American, were told that the size of existing armament and the dimensions of pending naval construction programs constituted a peril to world peace, produced a condition of competitions as between various powers, and amounted to an intolerable burden for the peoples of all the countries concerned. These peoples, therefore, were led to believe that navies would be cut down, further expansion limited, and the burdens of taxation greatly lightened.

Now, what emerged from London? A three-power pact, with certain five-power trimmings, which, while in all cases calling for little or no actual expansion in tonnage, insures enormous increases in those branches of naval craft regarded as important for contemporary combat—that is, enormous increases over the existing strength.

As to limitation, since only three of the five powers present at the conference joined in the full treaty, the other two are free to build as they choose, while the signatory powers are bound, as a result of the future decisions of the free powers, to increase still further their naval tonnage and combat strength.

QUESTION OF PARITY

Finally, as to parity and ratio as between the United States on the one hand and Japan and Britain on the other, the judgment of our naval authorities is that we have not gained parity with Britain, while the language of the treaty shows we have consented to a relatively sweeping modification of the Washington ratio to the advantage of Japan.

Taking these things up in detail, what of the question of reduction? At the beginning of the current year the British naval authorities estimated the tonnage of the American fleet as 1,095,000 tons. The American naval estimate was 1,125,000, and the difference is explained by the inclusion in the latter figures of three 10,000-ton cruisers the building of which was suspended by President Hoover pending conference decisions.

In the postconference fleet the United States will have 1,125,000 tons, or almost exactly the same total. But during the next years it will, if it carries out the provisions of the treaty, spend hundreds of millions of dollars in a construction and replacement program which will include the building of 125,000 tons of new cruisers and 45,000 tons of fresh destroyers. This enormous increase will be balanced by a small submarine reduction, a vast restriction in destroyer tonnage, which is big because of World War circumstances, and the scrapping without replacement of three obsolescent capital ships.

RESULTS ARE ANALYZED

Two things are to be said at once of this program. It is not a result of the London conference, but of the American demand for parity with Great Britain. Just as clearly, it is not the realization of the prospectus of reduction which was boldly sketched at the moment when the conference assembled.

In indorsing the results of the London conference the President recently affirmed that vast financial savings and tonnage reductions had been achieved if one compared the results of London with the proposals made at the abortive conference of Geneva in 1927. But the savings were really due to the fact that President Coolidge at that time bade his delegates reject the Geneva proposals and later signed the bills passed by Congress insuring the expansion of the American fleet, notably the 15-cruiser bill.

The British at Geneva had believed the United States would not pay the price and had put the tonnage incredibly high. But when Congress and the President accepted the challenge and undertook the 15-cruiser bill there was a swift change in British temper. This change was revealed at the Rapidan, when MacDonald, long in advance of the London conference, proposed the figures which were later adopted there.

As a result of the naval treaty, Britain will almost completely, Japan measurably, stand still, while the United States undertakes a very far-reaching program of new construction and replacement that will, without changing the gross tonnage of the American fleet, make it three or four times more effective as a fighting machine than before. But no other consequence was to be looked for in any conference where parity was the main desideratum. All the confusion in the American mind has arisen from the mistaken assertions in official quarters that parity and reduction were both to be had at London.

In the matter of limitation—the second objective—it is the fact that Britain, the United States, and Japan have set limits to their tonnage for the next six years. But this limitation is only conditional. Great Britain has in the notorious "escalator" or "slippery" clause reserved the right to continue expansion if France continues to carry out her naval law of 1924. And America and Japan are, of course, free to follow suit.

Manifestly, then, just as there is to be no reduction of the various fleets below the existing strength, there is to be no assurance of limitation for the treaty period. Within less than two years, if France holds to her present mind, Britain will have to ask the United States to recognize the necessity to go beyond the Rapidan figures, and to maintain parity America also will have to embark on further construction.

GAINS SEEN FOR JAPAN

There remains the question of parity and ratio. As to Japan, the case is clear. At Washington the Japanese, in return for our consent to abandon the right to fortify further our territories in the Philippines, the Aleutian Islands, and Guam, accepted a ratio of 60 per cent vis-à-vis the British and ourselves. They have at London run this ratio in all auxiliary craft up to 70 per cent, have attained parity in submarines, and for the life of the treaty will have 72 per cent of our strength in the offensive arm, which is the big 8-inch cruiser.

In respect of the British the case is less clear. But the chairmen of our naval committees in the Senate and House, HALE and BRITTEN; Admiral Hilary Jones, who was our naval adviser at London, and all the members of the general board of the Navy, without known exception, agree that we have not obtained parity at London. On the contrary, they assert that we have abandoned the 8-inch gunned cruiser for the 6-inch craft for a very large fraction of our tonnage and thus in permitting the British to persuade us to use the ship their experts desire us to have, our delegates, while getting the semblance of parity in tonnage, have sacrificed the reality in actual fighting force.

SENATE STRUGGLE FORESEEN

In the face of this situation it is clear that the treaty will pass the Senate, if at all, only after a fight which may well recall in length and fierceness the struggle over the treaty of Versailles. Against it are arrayed the best of the fighters, BORAH and HIRAM JOHNSON; the head of the Senate Naval Committee, HALE; the progressives, led by young LA FOLLETTE, and many Democrats, including PAT HARRISON. It will be attacked by the progressives because it is not reduction, by the Navy champions because it is not parity, and by many others because it is not limitation but an involvement of our naval policy in European complications.

Since adjournment is at hand it will be next winter before the treaty can come up, and an election will have intervened. If the election results in a Democratic victory, the fate of the treaty seems assured, but even if the Republicans hold the House, the fight in the Senate promises to be one of the bitterest in recent years. The victory of Mrs. McCORMICK in Illinois has heartened all the opponents of the naval treaty.

In reading the proof of this article it occurs to me that I have paid too scant attention to the battleship detail. The decision to scrap 5 ships for the British, 3 for ourselves, and 1 for the Japanese, although all 3 will retain a ship for training purposes, does represent a reduction, but only in obsolescent ships, which would in any event disappear long before 1936.

As the battleship holiday, this represents a saving of the interest on the sums which would be expended during the next six years for replacement, less the added costs of maintaining old ships. This has been variously estimated, and perhaps might amount to $50,000,000. But, as the New York Herald Tribune pointed out the other day, no claim of saving of the cost of replacement can be advanced until the conference of 1936 determines whether capital ships are to be abandoned or the existing ships replaced by a new type. What has been done is no more than deferring payment on the note. Real saving in costs of replacement would have been assured only if we had decided to abolish the type. Then the $350,000,000 mentioned in some reports, instead of the problematical $60,000,000, would be the measure of economy.

[From the New York Evening Post of April 21, 1930]

MR. STIMSON, THE PRESS, AND THE RADIO

The first challenge to the mishandling of the American press by Secretary Henry L. Stimson and Mr. Arthur L. Page at the London Naval Conference comes from Mr. Karl A. Bickel, president of the United Press Association. That challenge had to come. It will have deep repercussions.

Mr. Bickel, in his cable to Mr. Stimson, first stated (and states mildly, as is known to every correspondent at the conference) the policy laid down by Stimson for the treatment of what should have been considered a strong and friendly ally, the American press.

"It was understood when the conference opened," said Mr. Bickel, as his message is quoted in Editor and Publisher, "that no American delegate was to give any direct interview to the press of this country and that all quotable information must be secured through general press conferences or as issued by Arthur Page or in formal statements. At no time during the entire period of the conference, to the best of my present recollection, have you or any of your associates given the newspapers anything like a formal interview revealing to the American people any important news facts or affording them to any degree important interpretative background material except via regular press conference."

Returning correspondents will bear Mr. Bickel out in this extremely conservative statement of the stupidity with which they were handled at London. He goes on to say that, nevertheless, throughout the entire course of the conference almost every week American delegates have appeared before the radio, giving into the microphone interpretative statements such as they were forbidden to give at the press conferences. Mr. Stimson himself did it. Senator ROBINSON did it last night. Against this discrimination in favor of radio as against the newspapers Mr. Bickel protests.

We are not so much interested in any "discrimination" as we are in the fundamental wrongness of Mr. Stimson's attitude. This attitude he stated in his reply to Mr. Bickel's protest. The exact wording we do not know. As it is outlined in Editor and Publisher, it reads: "He explained that the whole theory in disseminating news of the conference by the American delegation in London has been that all the facts went to the press, which did its own interpreting. Such speeches as were made by the American delegates, he explained, were, on the other hand, their own interpretations of the news facts."

This pretty well characterizes Mr. Stimson's London practice, save in the assumption that "all the facts" went to the American press. But, passing that, his announced policy of handing out "facts" and then letting the press do its own interpreting is, we believe, one of the most unintelligent and harmful that could have been followed. President Hoover does not follow it at Washington. No other nation followed it at London.

To throw suddenly to the gathered American correspondents the statement of the American naval position, to accompany it with no interpretation, to permit no "background" questioning on it is about as "dumb" a piece of diplomacy as we can conceive. The surly distrust shown in it is something that newspapers, for their own sins, have to accept as part of the game. But as Americans they can well resent the fact that this unintelligence forces them to go for interpretative material to the naval delegations of other nations. Refused their fair due by their own countrymen they have to go to the British, the French, the Japanese, and the Italians.

This is one stupidity chargeable to Mr. Stimson. Its effect has been to make a necessarily confused situation yield even greater confusion. And of this the effect, in turn, has been to prevent the American people from building up a clear public opinion which Mr. Stimson and Mr. Hoover will assuredly need if they are to put through the Senate their 3-power treaty.

As for the radio side of the question, we object to it only because Mr. Stimson and his delegates chose as a publicity vehicle for their "interpretations" a medium upon which they could not be cross-questioned. In a press conference it is always possible to ask questions to bring out any points that are either doubtful or criticizable. It is, therefore, a real interpretation; it interprets or makes clear to the press what may be a bald statement. A radio discourse, however, is absolutely unchecked and may be not interpretation but propaganda. Here is the danger of denying interpretation to the press and giving it without direct responsibility over the radio.

Mr. Bickel has done good service to journalism, to statesmanship, and to Americanism by thus directly questioning the newspaper policies of Henry L. Stimson at London.

THE PHILIPPINE QUESTION

Mr. PITTMAN. Mr. President, as we have one phase of the Philippine question now before the Senate, I ask unanimous consent that there may be printed in the RECORD an article by the senior Senator from Missouri [Mr. HAWES] on the Philippine question. The article was published in the National Farm Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Farm Journal]

THIS PHILIPPINE QUESTION

By HARRY B. HAWES, Senator from Missouri

At the present time 80 per cent of the imports of the Philippine Islands into the United States consists of farm products. Only 20 per cent of our exports to the Philippines comes from American farms.

When it is considered that only 10 per cent of the agricultural lands of the Philippines are now cultivated it may be said that the agricultural development of the islands has made only a fair beginning. Their prospective development with new capital and modern machinery is almost unlimited.

To-day, throughout the entire East and Central West, there are tens of thousands of idle farms; hundreds of thousands of acres of land which were once cultivated are now practically abandoned.

We are proposing and constructing immense dams and reservoirs for the distribution of water over western desert lands, converting them into tillable farms, and throwing all this new acreage in our own country into competition with the present farm area within our own boundaries. Unless we soon grant independence to the Philippines, it means that we add to this national American agricultural development the competition from these Asiatic islands 7,000 miles away.

To-day, the American farmer is told that his great problem is overproduction. The chairman of the Federal Farm Board has warned the wheat growers of America, over and over again, that unless they limit their production the board can not be of practical help to them.

With all this overproduction within our own borders, there are those who would add to this complex problem the products of another 114,000 square miles of territory—a territory as large as five of our important States.

THE MORE DELAY, THE HARDER

Each year we hold the Philippines in uncertain tenure we make more difficult for them and for our business men the final problem of separation.

We may even be encouraging them to a style of living, and inculcating thoughts of luxuries and conveniences which might lessen their now fixed purpose to secure independence.

We are tightening the chains that bind American commerce and American business with Philippine development.

Would it not be more honest to tell the Filipinos, and our own industries, that we propose to give them freedom; or if we decide the other way, that we propose to keep them under some form of colonial government—

Why not be honest about it?

Continuing as at present the Philippines will each year become more dependent upon us. We already observe that they have not sought foreign markets, have not attempted to build up a commerce with Asia or enter into barter and trade with the teeming millions of China and Japan. They have naturally drifted into close ties with our people, and are each year weakening their ability to assume the political responsibilities of independence, and to grapple with the problems of world trade.

Serious as is the competition of the products of the islands with those of our own farms, it is the uncertainty of the present situation that aggravates this problem and all the others.

Through the provisions of the Jones Act and its interpretation by American Governors, the Philippine people, encouraged by our national

promise, have moved forward in self-government to a point which leaves only one short step to complete independence.

Personally I believe we have no choice; we must remove the last barrier to independence or step back and destroy American traditions and forget our promises by making the Filipino people the perpetual wards of the United States.

Uncertainty is preventing further American investments in the Philippines, has the effect of discouraging all foreign investments, and until this uncertainty is dispelled by congressional action both American interests and Philippine interests will suffer.

PERMANENT POSSESSION NEVER PLANNED

The capture of Manila in 1898 by Admiral Dewey was an incident of war. The Spanish-American War was waged not against the Filipinos but against Spain, not to acquire territory but to free a people in our hemisphere from oppression.

It was both the national and international understanding at that time that we would exercise control over the Philippines, limited, or to be extended, but eventually to be followed by independence.

We, therefore, established military government for a short time, until the islands were completely pacified. Later President McKinley appointed the Taft Commission. Under this commission civil government was established.

In 1902 the first organic act was passed by the Congress. This act provided for the creation of a Philippine legislative assembly to be elected by the Filipino people.

In 1916 the Congress approved the Jones Act, which authorized the Filipinos to conduct their own government with as little interference from the American Government as possible. They were, in effect, given a civil administration which stopped only at the actual point of complete Philippine sovereignty. Under the Jones Act the President of the United States still retains the power to appoint the Governor General, the vice governor, the justices of the supreme court, and the auditor and deputy auditor. But all the other offices of the government were transferred for their administration to native Filipinos.

ISLAND GOVERNMENT CHIEFLY NATIVE

At the present time the chief justice and three associate justices of the supreme court are Filipinos. All the courts of first instance, with one exception, as well as justice of the peace courts, are now filled by Filipinos.

There are 30,000 teachers conducting 8,000 schools, and of the 30,000, less than 300, or less than 1 per cent, are Americans. Of all the civil-service employees of the Philippine government barely 1½ per cent are Americans.

Both branches of the legislature are now elected by the people. The legislature acts upon its own initiative, though its laws may be annulled by the American Congress.

We note the tremendous advance in Filipino control of the government. As to personnel, only a few Americans now remain in the official life of the islands.

The present population is estimated at approximately 13,000,000, of which less than 500,000 are what are known as Moros, or Mohammedans—about 4 per cent of the population.

A small number of about 30,000 hill men are called Igorrotes. These are practically wards of the state, treated in somewhat the same manner as are the American Indians.

The rest of the population—more than 90 per cent—are Christian Filipinos.

WE CAN NOT REMAKE A RACE

The people are orientals, of Malay stock. We will never be able to change their thoughts, their characteristics, their minds, or their national aspirations, any more than we can change the color of their hair, the texture of their skin, or their physical characteristics.

Over 300 years of Spanish rule did not bring about racial changes, and yet certain theorists would have us believe that 15 years or 30 years might bring such change. We can not expect them, now or in the future, to conform their thoughts and emotions to our own, or their mental processes to operate as do ours.

This is not a criticism; it is human nature. It is a fact that exists throughout the world, even in the older European nations—physical characteristics, mental processes, and human attributes differ. Yet our 30-year theorists, in some vague way, oppose independence within a reasonable period.

Personally I believe that these theorists, especially when they have trade in mind, seem to be willing to gamble with the future, but have not the courage to accept the present and pressing responsibility that now rests upon them—they would transfer their own responsibility to their grandchildren.

The American lawyer or student who attempts to define the present status of a Filipino will find difficulties.

He is neither a citizen of the United States at present nor is he a free citizen of his own country. He has no sovereignty of his own; he has a large degree of freedom; and yet there is the final check, the final sovereignty, the final dictation deposited with another race, another people.

The uncertainty as to his status is equaled only by the uncertainty regarding the status of the products he sends to the United States. While they come in free of duty, we can not classify them as domestic products. They are not subject, and should not be subject, to our tariff until there has been a definite determination as to independence.

Uncertain as to their nationality, uncertain as to their political future, uncertain as to tariff regulations, there is present confusion which thwarts new enterprise, and which will bring ultimate economic stagnation. This uncertainty creates an insuperable hazard. New capital will not invest in the Philippines so long as this uncertainty remains.

Very few Americans will openly advocate permanent possession of the Philippine Islands. Those who are opposing independence now say we should wait 20 years or 30 years. As a matter of fact, men who ask that a generation shall elapse before the Filipinos shall control their own government are not deceiving either the Filipinos or Americans.

EVENTUALLY, WHY NOT SOON?

The man who advocates 30 years' control advocates permanent control, and I am surprised that there are so few that seem to have the courage to honestly and openly advocate permanent retention.

From the evidence before congressional committees there is a united demand by all classes of the Filipino population for independence. We found Tories in our own country in the days of trial during our struggle for freedom. There may be found some Filipino Tories, but they are few and usually belong to the semiofficial or dependent class that has some immediate contact with foreign financial influence.

The total exports of the Philippine Islands to the United States amount to more than $115,000,000 annually, and our exports are something over $83,000,000. Last year we imported from the Philippines coconut oil amounting to $23,000,000; copra, almost $18,000,000; sugar, $45,000,000; and tobacco, $5,000,000. While the American farmer may consider this much competition bad enough, he should bear in mind also that these vast imports are coming to our country free of duty from a nation whose agricultural development is only just beginning.

LABOR IS INTERESTED, TOO

The American laborer is aware that in these islands agricultural labor is paid 30 cents a day; lumbermen, 30 cents a day; miners, 87 cents a day; bricklayers and masons, 60 cents a day; and common or unclassified labor, 20 cents a day. Labor finds that there are now 68,000 Filipinos in the United States, and that they are coming each year in increasing numbers, all without a fixed political status. While we may restrict our immigration from all the countries of the world, there can be no restriction upon Filipinos coming to our country until their political status is determined by Congress.

The temptation to relate some of the struggles for liberty of our own people in 1776 is alluring, but we need not, in talking to the American farmer, occupy much time in telling anew the stories of other people and of our own efforts in demanding and securing self-determination. Whatever we may think of the Filipinos out there 7,000 miles across the Pacific, close to the shores of Asia, every tradition which we have nationally, will lead us to the inevitable conclusion that these 13,000,000 people, separated from us by race, history, traditions, and geography, have a perfect right to demand the freedom which we have promised them, and which is in keeping with the noblest traditions of our Nation.

We should at least dispel the uncertainty which now exists. It is bad for the Philippines, and bad for American public policy; it is bad for our international policy; it is bad and harmful from every standpoint.

It goes without saying that under such circumstances some one must make a move toward affirmative action. I have had something of the sort in mind, and a few weeks ago I drew up, in collaboration with Senator BRONSON M. CUTTING, of New Mexico, a plan for disposing of the whole Philippine question. This was introduced in the form of a bill early in March.

It is not possible to explain here the provisions of this proposed measure. But I may say that its aim is to give due consideration to the rights and hopes of every party involved in any way, with independence for the islands as the goal, at the end of a reasonably short period.

We should either grant them independence on some such terms as provided in the Hawes-Cutting bill, or we should tell the world, and tell them, that we do not propose to give them independence. We should at least be honest about it.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business in open session.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States making nominations, which were referred to the appropriate committees.

TREATY—RIGHTS OF AMERICANS IN IRAQ

The VICE PRESIDENT. Reports of committees are in order. If there are no reports of committees, the calendar is in order. The Secretary will state the first business on the calendar.

The Chief Clerk announced the first business on the calendar is Treaty Executive E (71st Cong., 2d sess.), convention and protocol with Great Britain defining the rights of the United States and its nationals in Iraq, signed in London on January 9, 1930.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, which is as follows:

CONVENTION AND PROTOCOL WITH GREAT BRITAIN DEFINING THE RIGHTS OF THE UNITED STATES AND ITS NATIONALS IN IRAQ

To the Senate of the United States:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States of America, of the one part, and His Britannic Majesty and His Majesty the King of Iraq, of the other part, signed in London on January 9, 1930, defining the rights of the United States and of its nationals in Iraq, together with a protocol signed at the same time, which also calls for ratification as an integral part of the convention.

It will be observed from the inclosed report of the Acting Secretary of State that the provisions of the convention follow closely the provisions of similar conventions concluded by this Government with France on April 4, 1924, and with Great Britain on December 3, 1924, whereunder the rights of the United States and of its nationals were defined in Syria and Palestine, respectively.

Accompanying the convention and the protocol are copies of notes exchanged by the Iraq plenipotentiary and the American ambassador at London, and by the British Secretary of State for Foreign Affairs and the American ambassador, which are furnished for the information of the Senate.

THE WHITE HOUSE, *February 4, 1930.*

HERBERT HOOVER.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a convention signed at London on January 9, 1930, in behalf of the United States of America, of the one part, and of His Britannic Majesty and His Majesty the King of Iraq, of the other part, and a protocol signed on the same day, which is made an integral part of the convention and requires ratification at the same time as the convention.

The purpose of the convention and the protocol is to define the rights of the United States and of its nationals in Iraq, and the provisions thereof follow closely the provisions of similar conventions concluded by this Government with France on April 4, 1924, and with Great Britain on December 3, 1924, whereunder the rights of the United States and its nationals were defined in Syria and Palestine, respectively.

There are also inclosed for the information of the Senate copies of notes exchanged on January 9, 1930, by the Iraq plenipotentiary and the American ambassador at London and by His Majesty's principal Secretary of State for Foreign Affairs and the American ambassador at London.

Respectfully submitted.

J. P. COTTON,
Acting Secretary of State.

DEPARTMENT OF STATE,
Washington, February 3, 1930.

(i) Whereas in virtue of the Treaty of Peace concluded with the Allied Powers and signed at Lausanne on the 24th day of July, 1923, and in virtue of the Treaty concluded with His Britannic Majesty and His Majesty the King of Iraq, signed at Angora on the 5th day of June, 1926, Turkey has renounced all rights and titles over the territory of Iraq; and

(ii) Whereas by their decision of the 27th day of September, 1924, which is set forth in the first schedule hereto, the Council of the League of Nations agreed that, in so far as concerns Iraq, effect had been given to the provisions of article 22 of the Covenant of the League of Nations in the Treaty of Versailles by the communication received by them from His Britannic Majesty's Government on that date; and

(iii) Whereas the Treaty of Alliance referred to in the aforesaid decision of the Council of the League of Nations, and set forth in the second schedule hereto, entered into force on the 19th day of December, 1924; and

(iv) Whereas, with the object of extending the duration of the aforesaid Treaty of Alliance, a new Treaty between His Britannic Majesty and His Majesty the King of Iraq was signed at Baghdad on the 13th day of January, 1926, as set forth in the third schedule hereto, and hereinafter referred to as the Treaty of 1926; and

(v) Whereas on the 2nd day of March, 1926, a letter in the terms set forth in the fourth schedule hereto was addressed by His Britannic Majesty's Government to the League of Nations; and

(vi) Whereas on the 11th day of March, 1926, the Council of the League of Nations recorded a resolution taking note of the Treaty of 1926; and

(vii) Whereas the Treaty of 1926 entered into force on the 30th day of March, 1926; and

(viii) Whereas the United States of America, by participating in the war against Germany, contributed to her defeat and the defeat of her Allies, and to the renunciation of the rights and titles of her Allies in the territory transferred by them, but has not ratified the Covenant of the League of Nations embodied in the Treaty of Versailles; and

(ix) Whereas the United States of America recognises Iraq as an independent State; and

(x) Whereas the President of the United States and His Britannic Majesty and His Majesty the King of Iraq desire to reach a definite understanding with respect to the rights of the United States and of its nationals in Iraq;

(xi) The President of the United States of America of the one part and His Britannic Majesty and His Majesty the King of Iraq of the other part have decided to conclude a Convention to this effect, and have named as their plenipotentiaries:

The President of the United States of America;
His Excellency General Charles G. Dawes, Ambassador Extraordinary and Plenipotentiary of the United States at London;

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India; for Great Britain and Northern Ireland;
The Right Honourable Arthur Henderson, M.P., His Majesty's Principal Secretary of State for Foreign Affairs;

His Majesty the King of Iraq;
Ja'far Pasha El Askeri, C.M.G., His Majesty's Envoy Extraordinary and Minister Plenipotentiary at London;

who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

Subject to the provisions of the present Convention, the United States consents to the régime established in virtue of the decisions of the Council of the League of Nations of the 27th day of September, 1924, and of the 11th day of March, 1926, the Treaty of Alliance (as defined in the said decision of the 27th day of September, 1924), and the Treaty of 1926, and recognises the special relations existing between His Britannic Majesty and His Majesty the King of Iraq as defined in those instruments.

ARTICLE 2

The United States and its nationals shall have and enjoy all the rights and benefits secured under the terms of the aforesaid decisions and treaties to members of the League of Nations and their nationals, notwithstanding the fact that the United States is not a member of the League of Nations.

ARTICLE 3

Vested American property rights in Iraq shall be respected and in no way impaired.

ARTICLE 4

Subject to the provisions of any local laws for the maintenance of public order and public morals, and to any general educational requirements prescribed by law in Iraq, the nationals of the United States will be permitted freely to establish and maintain educational, philanthropic and religious institutions in Iraq, to receive voluntary applicants and to teach in the English language.

ARTICLE 5

Negotiations shall be entered into as soon as possible for the purpose of concluding an Extradition Treaty between the United States and Iraq in accordance with the usages prevailing among friendly States.

ARTICLE 6

No modification of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, as defined in article 1 (other than the termination of such special relations as contemplated in article 7 of the present Convention) shall make any change in the rights of the United States as

defined in this Convention, unless such change has been assented to by the Government of the United States.

ARTICLE 7

The present Convention shall be ratified in accordance with the respective constitutional methods of the High Contracting Parties. The ratifications shall be exchanged in London as soon as practicable. The present Convention shall take effect on the date of the exchange of ratifications, and shall cease to have effect on the termination of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq in accordance with the Treaty of Alliance and the Treaty of 1926.

On the termination of the said special relations, negotiations shall be entered into between the United States and Iraq for the conclusion of a treaty in regard to their future relations and the rights of the nationals of each country in the territories of the other. Pending the conclusion of such an agreement, the nationals, vessels, goods and aircraft of the United States and all goods in transit across Iraq, originating in or destined for the United States, shall receive in Iraq the most-favoured-nation treatment; provided that the benefit of this provision cannot be claimed in respect of any matter in regard to which the nationals, vessels, goods and aircraft of Iraq, and all goods in transit across the United States, originating in or destined for Iraq, do not receive in the United States the most-favoured-nation treatment, it being understood that Iraq shall not be entitled to claim the treatment which is accorded by the United States to the commerce of Cuba under the provisions of the Commercial Convention concluded by the United States and Cuba on the 11th day of December, 1902, or any other commercial convention which may hereafter be concluded by the United States with Cuba or to the commerce of the United States with any of its dependencies and the Panamá Canal Zone under existing or future laws, and that the United States shall not be entitled to claim any special treatment which may be accorded by Iraq to the nationals or commerce of neighbouring States exclusively.

In witness whereof, the undersigned have signed the present Convention, and have thereunto affixed their seals.

Done in triplicate in English and Arabic, of which, in case of divergence, the English text shall prevail, at London, this 9th day of January, 1930.

(L. S.) CHARLES G. DAWES.
(L. S.) ARTHUR HENDERSON.
(L. S.) JA'FAR EL ASKERI.

SCHEDULE I

DECISION OF THE COUNCIL OF THE LEAGUE OF NATIONS DATED THE 27TH DAY OF SEPTEMBER, 1924, RELATING TO THE APPLICATION TO IRAQ OF THE PRINCIPLES OF ARTICLE 22 OF THE COVENANT

The Council of the League of Nations,

Having regard to article 16 of the Treaty of Peace signed at Lausanne on the 24th July, 1923;

Having regard to article 22 of the Covenant of the League of Nations;

In view of the communication which has been made by the Government of His Britannic Majesty to the Council of the League of Nations on the 27th September, 1924, in the following terms:

"Whereas the territory of Iraq, which formerly constituted a part of the Turkish Empire passed into the occupation of the military forces of His Britannic Majesty in the course of the recent war, and

"Whereas it was intended by the Principal Allied Powers that the territory of Iraq should until such time as it might be able to stand alone be entrusted to a mandatory charged with the duty of rendering administrative advice and assistance to the population in accordance with the provisions of article 22 (paragraph 4) of the Covenant, and that this Mandate should be conferred on His Britannic Majesty; and

"Whereas His Britannic Majesty agreed to accept the Mandate for Iraq; and

"Whereas His Britannic Majesty has, in view of the rapid progress of Iraq, recognised an independent Government therein and has concluded with the King of Iraq a treaty with Protocol and subsidiary agreements, as set forth in the Schedule hereto, and hereinafter referred to as the Treaty of Alliance; and

"Whereas the purpose of the said Treaty of Alliance is to ensure the complete observance and execution in Iraq of the principles which the acceptance of the Mandate was intended to secure;

"The Government of His Britannic Majesty is willing to agree as follows:

"I

"So long as the Treaty of Alliance is in force, His Majesty's Government will assume, towards all Members of the League of Nations who accept the provisions of this arrangement and the benefits of the said Treaty, responsibility for the fulfillment by Iraq of the provisions of the said Treaty of Alliance.

"II

"During the currency of the Treaty of Alliance, the Government of His Britannic Majesty, in consultation with His Majesty the King of Iraq, will take such steps as may be necessary for the conclusion of special extradition agreements on behalf of Iraq. Copies of all such agreements shall be communicated to the Council of the League.

"III

"An annual report, to the satisfaction of the Council of the League, will be made to the Council as to the measures taken in Iraq during the year to carry out the provisions of the Treaty of Alliance. Copies of all laws and regulations promulgated in Iraq during the year will be attached to the said report.

"IV

"No modifications of the terms of the Treaty of Alliance will be agreed to by His Britannic Majesty's Government without the consent of the Council of the League.

"V

"If any dispute should arise between the Government of His Britannic Majesty and that of another Member of the League as to whether the provisions of the Treaty of Alliance or of the present decision are being fulfilled in Iraq, or as to their interpretation or application, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by article 14 of the Covenant of the League.

"VI

"In the event of Iraq being admitted to the League of Nations, the obligations hereby assumed by His Britannic Majesty's Government shall terminate.

"VII

"On the conclusion of the period for which the Treaty of Alliance has been concluded, the Council of the League of Nations shall, if Iraq has not been admitted to the League, be invited to decide what further measures are required to give effect to article 22 of the Covenant."

Accepts the undertakings of the Government of His Britannic Majesty; and

Approves the terms of the above communication as giving effect to the provisions of article 22 of the Covenant; and

Decides that the privileges and immunities, including the benefits of consular jurisdiction and protection formerly enjoyed by capitulation or usage in the Ottoman Empire, will not be required for the protection of foreigners in Iraq so long as the Treaty of Alliance is in force.

The present instrument shall be deposited in original in the archives of the League of Nations, and certified copies shall be forwarded by the Secretary-General of the League of Nations to all Members of the League.

Done at Geneva, on the twenty-seventh day of September, one thousand, nine hundred and twenty-four.

SCHEDULE II

TREATY OF ALLIANCE BETWEEN GREAT BRITAIN AND IRAQ OF THE 10TH DAY OF OCTOBER, 1922; PROTOCOL OF THE 30TH DAY OF APRIL, 1923; AND SUBSIDIARY AGREEMENTS (BRITISH OFFICIALS, MILITARY, JUDICIAL AND FINANCIAL) OF THE 25TH DAY OF MARCH, 1924

No. 1

Treaty between His Britannic Majesty and His Majesty the King of Iraq

His Britannic Majesty of the one part, and His Majesty the King of Iraq of the other part;

Whereas His Britannic Majesty has recognised Feisal Ibn Hussein as constitutional King of Iraq; and

Whereas His Majesty the King of Iraq considers that it is to the interests of Iraq and will conduce to its rapid advancement that he should conclude a treaty with His Britannic Majesty on the basis of alliance; and

Whereas His Britannic Majesty is satisfied that the relations between himself and His Majesty the King of Iraq can now be better defined by such a treaty of alliance than by any other means:

For this purpose the High Contracting Parties have appointed as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

Sir Percy Zachariah Cox, G.C.M.G., G.C.I.E., K.C.S.I., High Commissioner and Consul-General of His Britannic Majesty in Iraq;

His Majesty the King of Iraq:

His Highness Sir Saiyid 'Abd-ur-Rahman, G.B.E., Prime Minister and Naqib-al-Ashraf, Bagdad;

Who, having communicated their full powers, found in good and due order, have agreed as follows:

ARTICLE 1

At the request of His Majesty the King of Iraq, His Britannic Majesty undertakes, subject to the provisions of this treaty, to provide the State of Iraq with such advice and assistance as may be required during the period of the present treaty, without prejudice to her national sovereignty. His Britannic Majesty shall be represented in Iraq by a High Commissioner and Consul-General assisted by the necessary staff.

ARTICLE 2

His Majesty the King of Iraq undertakes that for the period of the present treaty no gazetted official of other than Iraq nationality shall be appointed in Iraq without the concurrence of His Britannic Majesty. A separate agreement shall regulate the numbers and conditions of employment of British officials so appointed in the Iraq Government.

ARTICLE 3

His Majesty the King of Iraq agrees to frame an Organic Law for presentation to the Constituent Assembly of Iraq, and to give effect to the said law, which shall contain nothing contrary to the provisions of the present treaty and shall take account of the rights, wishes and interests of all populations inhabiting Iraq. This Organic Law shall ensure to all complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals. It shall provide that no discriminaton of any kind shall be made between the inhabitants of Iraq on the ground of race, religion or language, and shall secure that the right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Government of Iraq may impose, shall not be denied or impaired. It shall prescribe the constitutional procedure, whether legislative or executive, by which decisions will be taken on all matters of importance, including those involving questions of fiscal, financial and military policy.

ARTICLE 4

Without prejudice to the provisions of articles 17 and 18 of this treaty, His Majesty the King of Iraq agrees to be guided by the advice of His Britannic Majesty tendered through the High Commissioner on all important matters affecting the international and financial obligations and interests of His Britannic Majesty for the whole period of this treaty. His Majesty the King of Iraq will fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy, and will ensure the stability and good organisation of the finances of the Iraq Government so long as that Government is under financial obligations to the Government of His Britannic Majesty.

ARTICLE 5

His Majesty the King of Iraq shall have the right of representation in London and in such other capitals and places as may be agreed upon by the High Contracting Parties. Where His Majesty the King of Iraq is not represented, he agrees to entrust the protection of Iraq nationals to His Britannic Majesty. His Majesty the King of Iraq shall himself issue exequaturs to representatives of foreign Powers in Iraq after His Britannic Majesty has agreed to their appointment.

ARTICLE 6

His Britannic Majesty undertakes to use his good offices to secure the admission of Iraq to membership of the League of Nations as soon as possible.

ARTICLE 7

His Britannic Majesty undertakes to provide such support and assistance to the armed forces of His Majesty the King of Iraq as may from time to time be agreed by the High Contracting Parties. A separate agreement regulating the extent and conditions of such support and assistance shall be concluded between the High Contracting Parties and communicated to the Council of the League of Nations.

ARTICLE 8

No territory in Iraq shall be ceded or leased or in any way placed under the control of any foreign Power; this shall not prevent His Majesty the King of Iraq from making such arrangements as may be necessary for the accommodation of foreign representatives and for the fulfilment of the provisions of the preceding article.

ARTICLE 9

His Majesty the King of Iraq undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation or usage. These provisions shall be embodied in a separate agreement, which shall be communicated to the Council of the League of Nations.

ARTICLE 10

The High Contracting Parties agree to conclude separate agreements to secure the execution of any treaties, agreements or undertakings which His Britannic Majesty is under obligation to see carried out in respect of Iraq. His Majesty the King of Iraq undertakes to bring in any legislation necessary to ensure the execution of these agreements. Such agreements shall be communicated to the Council of the League of Nations.

ARTICLE 11

There shall be no discrimination in Iraq against the nationals of any State, member of the League of Nations, or of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League (including companies incorporated under the laws of such State), as compared with British nationals or those of an foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Nor shall there be any discrimination in Iraq against goods originating in or destined for any of the said States. There shall be freedom of transit under equitable conditions across Iraq territory.

ARTICLE 12

No measure shall be taken in Iraq to obstruct or interfere with missionary enterprise or to discriminate against any missionary on the ground of his religious belief or nationality, provided that such enterprise is not prejudicial to public order and good government.

ARTICLE 13

His Majesty the King of Iraq undertakes to co-operate, in so far as social, religious and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

ARTICLE 14

His Majesty the King of Iraq undertakes to secure the enactment, within twelve months of the coming into force of this treaty, and to ensure the execution of a Law of Antiquities based on the rules annexed to article 421 of the Treaty of Peace signed at Sèvres on the 10th August, 1920. This law shall replace the former Ottoman Law of Antiquities, and shall ensure equality of treatment in the matter of archæological research to the nationals of all States members of the League of Nations, and of any State to which His Britannic Majesty has agreed by treaty that the same rights should be ensured as it would enjoy if it were a member of the said League.

ARTICLE 15

A separate agreement shall regulate the financial relations between the High Contracting Parties. It shall provide, on the one hand, for the transfer by His Britannic Majesty's Government to the Government of Iraq of such works of public utility as may be agreed upon, and for the rendering by His Britannic Majesty's Government of such financial assistance as may from time to time be considered necessary for Iraq, and, on the other hand, for the progressive liquidation by the Government of Iraq of all liabilities thus incurred. Such agreement shall be communicated to the Council of the League of Nations.

ARTICLE 16

So far as is consistent with his international obligations, His Britannic Majesty undertakes to place no obstacle in the way of the association of the State of Iraq for customs or other purposes with such neighbouring Arab States as may desire it.

ARTICLE 17

Any difference that may arise between the High Contracting Parties as to the interpretation of the provisions of this treaty, shall be referred to the Permanent Court of International Justice provided for by article 14 of the Covenant of the League of Nations. In such case, should there be any discrepancy between the English and Arabic texts of this treaty, the English shall be taken as the authoritative version.

ARTICLE 18

This treaty shall come into force as soon as it has been ratified by the High Contracting Parties after its acceptance by the Constituent Assembly, and shall remain in force for twenty years, at the end of which period the situation shall be examined, and if the High Contracting Parties are of opinion that the treaty is no longer required it shall be terminated. Termination shall be subject to confirmation by the League of Nations unless before that date article 6 of this treaty has come into effect,

in which case notice of termination shall be communicated to the Council of the League of Nations. Nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of this treaty, and those of the separate agreements arising out of articles 7, 10 and 15, with a view to any revision which may seem desirable in the circumstances then existing, and any modification which may be agreed upon by the High Contracting Parties shall be communicated to the Council of the League of Nations.

The ratifications shall be exchanged at Bagdad.

The present treaty has been drawn up in English and Arabic. One copy in each language will remain deposited in the archives of the Iraq Government, and one copy in each language in those of the Government of His Britannic Majesty.

In witness of which the respective plenipotentiaries have signed the present treaty and have affixed thereto their seals. Done at Bagdad in duplicate this tenth day of October, one thousand nine hundred and twenty-two of the Christian Era, corresponding with the nineteenth day of Sa'far, one thousand three hundred and fourty-one, Hijrah.

P. Z. Cox,
His Britannic Majesty's High Commissioner in Iraq.
'ABD-UR-RAHMAN,
Naqib-al-Ashraf of Bagdad and Prime Minister of the Iraq Government.

No. 2

Protocol to the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 30th day of April, 1923, corresponding to the 14th Ramazan, 1341, in order to sign the following protocol to the Treaty of Alliance concluded between their Majesties aforesaid on the 10th October, 1922, corresponding to 19th Sa'far, 1341, Hijrah, subject to ratification.

PROTOCOL

It is understood between the High Contracting Parties that, notwithstanding the provisions of article 18, the present treaty shall terminate upon Iraq becoming a member of the League of Nations, and in any case not later than four years from the ratification of peace with Turkey. Nothing in this protocol shall prevent a fresh agreement from being concluded with a view to regulate the subsequent relations between the High Contracting Parties; and negotiations for that object shall be entered into between them before the expiration of the above period.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 30th day of April, 1923, of the Christian era, corresponding with the 14th day of Ramazan, 1341, Hijrah.

P. Z. Cox,
His Britannic Majesty's High Commissioner in Iraq.
ABDUL MUHSIN-AL-SA'ADUN,
Prime Minister of the Iraq Government.

No. 3

British Officials Agreement made under Article 2 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

WE, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 2 of the Treaty of Alliance concluded between their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the said treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 2 of the said treaty His Majesty the King of Iraq undertakes that for the period of the same treaty no gazetted official of other than Iraq nationality shall be appointed in Iraq without the concurrence of His Britannic Majesty; and

Whereas by the same article it is provided that a separate agreement regulating the numbers and conditions of employment of British officials so appointed in the Iraq Government shall be concluded between the High Contracting Parties:

Now therefore it is agreed as follows:

ARTICLE 1

The Iraq Government agrees to appoint a British official approved by the High Commissioner as and when it may be requested to do so to any of the posts enumerated in schedule 1 hereto annexed.

ARTICLE 2

The Iraq Government agrees that any British official appointed to serve the Iraq Government in any of the posts reserved under article 1 of this agreement, or in any of the posts enumerated in schedule 2, shall be given a contract on the pay and grading prescribed for it in the said schedule and embodying the terms and conditions of service set forth in schedule 3, save and except that British officers seconded or appointed to serve under the Ministry of Defence of the Iraq Government shall be given contracts on the pay and grading prescribed in schedule 4, and embodying the terms and conditions of service prescribed in schedule 4.

ARTICLE 3

Subject to the provisions of article 2 of the Treaty of Alliance, nothing in this agreement shall prevent the Iraq Government from engaging British technical or scientific experts or British clerical and subordinate staff on special contracts.

ARTICLE 4

The Iraq Government undertakes that the obligations accepted by them under any contract of employment signed and issued in accordance with this agreement prior to the termination of the Treaty of Alliance, including the payment of contributions to the provident fund as prescribed in schedule 3 of this agreement, shall continue in force during the continuance of such contract and on its termination, notwithstanding the prior termination of the said Treaty of Alliance.

ARTICLE 5

For the purpose of contracts of employment entered into before the termination of the Treaty of Alliance, but continuing in force after such termination as provided in article 4 of this agreement, a revision of such clauses in schedules 3 and 4 of this agreement as contain a reference to His Britannic Majesty's High Commissioner or to the Disciplinary Board constituted under clause 17 of schedule 3 shall be undertaken in connexion with the negotiations for the conclusion of a fresh agreement between the High Contracting Parties provided for in the protocol to the Treaty of Alliance.

ARTICLE 6

All British officials appointed to posts in the Iraq Government under the terms of this agreement, shall be in the service of the Iraq Government and responsible to that Government and not to the High Commissioner.

SCHEDULE 1

Advisers to the Ministries of Interior, Finance, Justice, Defence and Communications and Works.

Directors or Inspectors-General of Irrigation, Public Works, Agriculture, Tapu, Surveys and Veterinary Services.

Director or Assistant Director of Audit, Inspectors-General of Police, Posts and Telegraphs, Health, Education, Customs and Excise.

President of Court of Appeals.

SCHEDULE 2

GRADE I

Advisers to Ministries of Interior, Finance and Justice.

Pay.....Rs. 2,500—100—3,500, provided that these rates may be exceeded if the Iraq Government is unable to obtain suitable officials except on a higher rate of pay.

GRADE II

(1) Adviser to the Ministry of Communications and Works.
President of the Court of Appeal.
Inspector-General of Posts and Telegraphs.
Inspector-General of Police.
Inspector-General of Health.
Inspector-General of Education.
Inspector-General of Customs and Excise.
Director of Irrigation.
Director of Public Works.
Director of Audit.
Director of Agriculture.
Assistant Adviser to the Ministry of the Interior.
Assistant Adviser to the Ministry of Finance.
Revenue Secretary to the Ministry of Finance.

Pay.....Rs. 1,800—100—2,800.

NOTE.—(1) This post may be on special short-term contract ex-grade, or may be combined with the post of Director of Irrigation or Public Works, whichever of the two is senior. If so combined or on ordinary contract, the starting pay will be Rs. 2,200.

GRADE III

Senior Administrative Inspectors.
Senior Finance Inspectors.
Senior Police Inspectors.
Deputy Inspector-General, C.I.D.
(i) Judges, Court of First Instance.
Secretary to the Ministry of Communications and Works.
Director of Tapu.
Director of Veterinary Services.
Superintending Engineers.
(ii) Health Specialists.
Directors of Hospitals and Institutes.
Chief Medical Officers in Mosul and Kirkuk.
Medical Officers of Health in Bagdad and Basrah.

Pay.....Rs. 1,500—75—1,800—100—2,300.

NOTE.—(i) If appointed without knowledge of Arabic and local legal experience, to start at Rs. 1,350 and be on probation for two years.

(ii) If allowed to take private practice, to start at Rs. 1,200, and, in the case of future appointments of Health Specialists, if they are allowed to take private practice, they may be placed in another Grade.

GRADE IV (*a*)

Collectors of Customs.
Director of Surveys.
Chief Agricultural Research Officer.
Chief Agricultural Inspector.
Executive Engineers, P. W. D.
Electrical Specialist.
Government Architect.
Executive Engineers, Irrigation.
Inspector of Posts.
Senior Executive Engineer, Telegraphs.
Inspectors of Education.
Qualified Medical Officers not in Grade III.

Pay.....Rs. 1,200—75—1,800.

GRADE IV (*b*)

(i) Junior Administrative Inspectors.
Junior Finance Inspectors.
Junior Police Inspectors (1st class).
Junior Executive Engineers, Telegraphs.
Agricultural Officers.
(ii) Deputy Collectors of Customs.
Assistant Director of Public Health (Personnel and Accounts Section).

Pay.....Rs. 900—50—1,200—75—1,800.

NOTE.—(i) Increments of Rs. 75 throughout.

(ii) Not to rise beyond Rs. 1,500 in this grade unless they pass a departmental test qualifying them for post of Collector and no such post is vacant.

GRADE V

Assistant Collectors of Customs.
Assistant Irrigation Officers.
Assistant Engineers, P.W.D.
Junior Police Inspectors (2nd class).
Survey Officers.
Other Officials in Departments of Posts and Telegraphs.
Veterinary Officers.
Superintendent of Medical Stores.

Pay.....Rs. 800—50—1,300.

General Note

(i) An official already in the service of the Iraq Government, who is appointed to any post mentioned in this schedule and similar in grade to that in which he is serving at the time of such appointment, shall be placed in the grade prescribed for the post at such a point as will give him a total salary not less than the salary which he is drawing at the time of signing the new contract. In calculating such salary regard shall be had to the number of months which he has served towards the new increment due under his old contract.

(ii) Junior Administrative Inspectors shall be placed at such a point in Grade IV as shall give them the salary nearest (either above or below) to their present salary plus Rs. 200, their position as regards increments being taken into account as above.

(iii) In order to enable them to meet the extra expense which will be involved by the payment of rent, lighting and conservancy charges, married officers (other than Junior Administrative Inspectors) stationed in Bagdad, Basrah or Mosul, and drawing pay at the rate of less than Rs. 1,500 per mensem, shall be granted a personal allowance, to be absorbed in future increments, of Rs. 150 or such portion of Rs. 150 as shall together with their salary amount to Rs. 1,500 per mensem in all.

SCHEDULE 3

REGULATIONS RELATING TO THE SERVICE OF BRITISH OFFICIALS IN IRAQ

Period of Service

1. (1) Every official whom it is desired to employ in the Iraq Government will be required to enter into an agreement to serve the Iraq Government for a definite period, to be specified in his agreement, of five, ten or fifteen years.

(2) Such period of service will commence on the date on which he embarks to take up his appointment, or in the case of an official already serving in Iraq, on a date to be fixed in his contract, and shall not be considered to be interrupted by any local, sick or ordinary leave granted in accordance with these regulations.

(3) Except in the case of officials who before the commencement of such period of service have served not less than one year in the Iraq Government and whose retention in the posts in which they are specialised has been asked for by the Iraq Government, the first year (or, in the case of officials referred to in Note (i) under Grade III in schedule 2, the first two years) of such period of service shall be probationary and the official's contract may be terminated at the end of the first or second year, as the case may be, by three months' notice in writing, and when such notice is given the High Commissioner shall be given an opportunity to give his opinion regarding the official concerned. On such termination of his contract, the official shall be entitled to any leave or leave gratuity which he has earned and a free passage to England for himself. He shall receive from the Provident Fund only the amount of such contributions as he has made thereto.

Salary

2. (i) The salary of an official, together with the increment to it, will be that provided for his office in schedule 2, provided that—

(*a*) In the case of officials already serving under the Iraq Government and (*b*) in the case of new appointments of officials with special experience or qualifications, the initial salary of an official may be fixed by his contract at a point in the grade of his office higher than the initial salary of the grade.

Half Salary During Voyage on Appointment

(ii) On being appointed an official will be entitled to half salary from the date of his embarkation to take up his new appointment to the date of his arrival in Iraq and to full salary from the date of his arrival in Iraq.

(iii) For the purpose of this and the succeeding regulations the term "salary" means the salary attached to the office held by the official and does not include a personal allowance or other payment made to the official.

The term "emoluments" means and includes all payments made to an official including salary and allowances of every kind.

Currency of Payment in Iraq

3. (1) Subject to clause 16 of these regulations, emoluments paid in Iraq will be paid in rupees.

(2) An official, on giving three months' notice, shall have the option of drawing one-third of his salary in London at the fixed conversion rate of Rs. 15 to £1, or in the event of the currency being altered at the par rate of exchange.

An official who shall have availed himself on this option may, by giving three months' notice, cancel the arrangement and draw his salary in rupees in Iraq.

Passages of Officials

4. A (1) An official will, on first appointment, be allowed a free first-class passage out to Iraq subject to his executing an agreement under which he will be found to refund the cost thereof in the event of his relinquishing the appointment within three years from the date of his arrival in Iraq in order to take up other employment in Iraq, or within one year from the date of such arrival for any other reason than bodily or mental infirmity.

(2) He will also, on the termination of his service, be allowed a free passage to England: provided that if the Government terminate his contract under clause 18 of these regulations for misconduct or insubordination, or the official himself terminates it for any reason other than bodily or mental infirmity, the allowance of this passage shall be at the discretion of the Disciplinary Board constituted under clause 17.

(3) During the currency of his agreement an official will be further allowed a free passage from Iraq to England and back, once if his contract is for five years' service, twice if it is for ten years' service, and three times if it is for fifteen years' service.

(4) The Government may provide the passage allowed under this regulation on any ship of a recognised line which carries first-class passengers between England and Iraq. If the official elects to proceed by a different route, he shall receive the actual cost of the passage chosen by him or the value of the passage chosen by Government, whichever is less.

Wives of British Officials

B (1) The wife of an official already married at the commencement of his contract shall be allowed two free first-class single passages either way between England and Iraq when the contract of the official is for five years' service, three such passages when the contract is for ten years', and four such passages when it is for fifteen years' service.

(2) When the official marries during the period of his contract, his wife shall be allowed two free single passages either way for the next five years remaining to be served by the official under his contract at the time of the marriage, and one free single passage either way for every subsequent five years remaining to be served. A period of less than five years shall not be taken into consideration in deciding to what free passage a wife may be entitled under these regulations.

(3) Passages allowed to wives shall be provided under the same conditions as those allowed to officials under 4 (A) of these regulations.

Quarters

5. In the case of an official occupying a house which is the property of the Government, an official who is occupying a house by himself shall pay rent at the rate of 8 per cent. of his salary, and an official who is sharing a house with another official shall pay rent at the rate of 4 per cent. of his salary provided that the payment made by the official or officials occupying the house shall in no case exceed a fair rent for the house calculated on the basis of the actual rents of privately-owned houses in the locality. Rent will be paid on the same principle by officials occupying houses which are not the property of the Government, provided that the payment made by the official or officials occupying the house shall in no case exceed the actual rent of the house. Should such payment be less than the rent of the house, then, in order to assist the official in paying the balance of the rent, the Government shall give such officials an allowance in aid as follows:

In Basrah and Bagdad:
Married officials not exceeding 12 per cent. of their salary.
Unmarried officials not exceeding 6 per cent. of their salary.

In other stations:
Married officials not exceeding 8 per cent. of their salary.
Unmarried officials not exceeding 4 per cent. of their salary.

These allowances in aid shall be subject to revision every year in accordance with the actual fluctuations of rents.

For the purposes of this clause the term "salary" shall be deemed to include personal allowance, if any.

Equipment of Quarters

6. The Government shall, if possible, equip all Government houses occupied by officials with such electric lights, fans and water as may be recommended by the Directorate of Health Services.

Local Leave

7. An official may at the discretion of the Government be allowed local leave not exceeding twenty-one days in each calendar year. Such leave shall not be cumulative, and shall not be combined with ordinary leave.

Ordinary Leave

8. (i) An official will earn ordinary leave at the rate of one days' leave for every five days of effective service. No leave other than local leave shall count as effective service.

(ii) Ordinary leave shall be cumulative.

(iii) Subject to the exigencies of the service, an official may be granted the ordinary leave due to him at any time he desires, and may claim the right to take the leave due to him if under a fifteen years' contract, three times; if under a ten years' contract, twice; and if under a five years' contract, once.

(iv) An official on the expiry of his service, or on the termination of his contract by the Government for any reason other than insubordination or misconduct, shall receive a gratuity in respect of ordinary leave which is due to him and which owing to the exigencies of the service he has been unable to take. This gratuity shall be calculated at the rate of one day's leave allowance for every day of leave due subject to maximum of nine months.

(v) When on ordinary leave an official shall be entitled to full salary.

Sick Leave

9. (i) Short periods of absence from duty owing to sickness not exceeding ten consecutive days will be allowed in Iraq on full salary. Any absence extending beyond that period will be counted as sick leave.

(ii) The aggregate amount of sick leave which an official may be allowed shall be as follows:

If he is on a five years' contract	1 year.
If he is on a ten years' contract	2 years.
If he is on a fifteen years' contract	3 years.

(iii) If these aggregate amounts are exceeded the Government shall have the option of terminating the contract without compensation.

(iv) On each occasion of taking sick leave an official shall receive full salary for a period up to six months and thereafter such leave as is due to him up to a further six months. If no leave or insufficient leave is due to him to cover the second six months he may complete the period by additional sick leave on half-pay. At the end of this period of twelve months the Government shall have the right to terminate without compensation the service of an official who is on a five years' contract, and in other cases, *i. e.*, if the official is on more than five years' contract, a medical board shall assemble, and, if it is considered that the official is unlikely to be fit to return to duty within the limits laid down in sub-clause (2) above, Government shall have the right to terminate the contract without compensation.

(v) Nothing in this clause shall in any way modify the obligations of the Iraq Government to pay an officer of the Imperial forces or Indian army on return from his employment until he is fit for duty in the Imperial or Indian establishment as the case may be, subject to the maximum period of sick leave with full pay of this substantive rank provided in the regulations of the service concerned.

Medical attendance

10. In Iraq an official will be entitled to free medical treatment, but this privilege does not extend to his family.

Compensation in case of Termination by Government

11. In the case of an official whose services are terminated by Government other than for reasons stated in clauses 1, sub-clause (3), 9, 14 and 18. Government shall pay into the Provident Fund on his behalf, and he shall receive from that fund, in addition to the sum already due to him therefrom, a sum equal to the combined contributions of Government and the official which would have fallen due in respect of the balance of his contract.

Special Compensation for Death, &c., due to Local Disturbances, &c.

12. Special compensation, which shall not be less favourable in the case of an officer of the Imperial forces or Indian Army than that to which he would be entitled under the regulations of his parent service, under rules to be laid down hereafter, will be granted in the case of death, injury, or loss of property, &c., due to war or local disturbances, or in the case of permanent disability certified by a medical board to have arisen out of the special circumstances of his employment. In the case of loss of property, no compensation will be paid unless it can be reasonably shown that it was impossible to insure such property, or that insurance could only have been effected at an exorbitant premium. In any case compensation will be paid only in respect of articles considered necessary and indispensable, and the Government will take no responsibility for the loss, theft, or destruction of valuables, such as jewellery, works of art, &c.

Provident fund

13. A Provident Fund shall be instituted to which Government and the officials shall contribute as follows:

(i) Every official shall contribute to the Provident Fund monthly by the deduction from his salary bill of one-tweifth of his pay.

(ii) The Government shall contribute monthly in respect of each official a sum equal to twice the official's contribution during the preceding month.

(iii) Sums deducted on this account from the salary bills of officials, together with the sums due from Government, shall be transmitted monthly to such person or persons as may be appointed Treasurer of the fund by His Britannic Majesty's Government, and the fund will be administered by trustees approved, and in accordance with rules laid down by His Britannic Majesty's Government.

(iv) Every official, except officials on whose behalf the Government has paid or accepted liability for pension contribution up to the date of commencement of service under the new conditions, shall contribute to the fund in respect of service between the 11th November, 1920, and the date on which these

conditions of service become applicable to him a sum equal to one-twelfth of his aggregate pay during such period.

(v) Government shall contribute a like amount to that contributed by the official in respect of pre-contract service referred to in sub-clause (iv).

(vi) In the case of officials who are lent or transferred to the Iraq Government by other Governments and who continue to qualify for the pension payable by their parent service on condition that their pension contributions continue to be paid, such pension contributions (except in so far as they are payable by the official himself under the rules of his parent service) shall continue to be paid by the Iraq Government.

The first five sub-clauses of this clause shall not apply in the case of such officials.

Languages

14. An official will be required to comply with the provisions of such regulations relating to language examinations as may be drawn up by a Disciplinary Board constituted under clause 17 of this schedule and approved by the High Commissioner. Such regulations may provide for the stoppage of promotion in the event of failure to pass an examination prescribed as compulsory, and may further provide for termination of the official's contract without compensation in the event of repeated failures.

Travelling Allowances: Acting Allowances

15. Travelling and transport allowances within Iraq and acting allowances shall be admissible in accordance with rules applicable to local officials.

Currency

16. In the event of the currency being altered, the rupee emoluments shall thereafter be payable in the new currency at the current rate of exchange except as provided in clause 3 (2) of this schedule.

Discipline

17. Officials will, for the purposes of discipline, be under the supervision of a Board composed as follows:

President:

The Prime Minister.

Members:

A representative of his Excellency the High Commissioner, three Ministers and three senior British officials nominated by His Majesty the King.

The findings of the Board shall be subject to the approval of His Majesty the King. Before such approval is given, his Excellency the High Commissioner shall be given an opportunity of expressing his opinion on such findings.

Termination for Insubordination, &c.

18. The Government has the right, subject to the approval of the Disciplinary Board as constituted under clause 17, to terminate without compensation the services of an official who has been guilty of misconduct and insubordination, and to receive back from the Provident Fund the whole or part, as may be decided by the said Board, of the amount contributed by Government to his credit in the Provident Fund.

Termination of Contract by Official

19. An official will be entitled to terminate his contract during its currency by giving six months' notice in writing to the head of his department, but should he do so it shall be put before the Disciplinary Board as constituted under clause 17 to decide in the circumstances whether he should receive his free passage home, any or all of the leave due to him, or more than half only of the amount standing to his credit in the Provident Fund at the time of his resignation.

20. In the case of any seconded officer of the Imperial forces or Indian army, if, on the termination of his contract otherwise than under clauses 18 and 19, he cannot be absorbed within the authorised establishment, the Iraq Government shall be liable for his pay and allowances at normal British rates for the period during which he is awaiting absorption.

Arbitration

21. If any question arises under the agreement entered into by an official whether as regards its interpretation or in any other respect, it shall be referred to the Disciplinary Board, whose decision, after the approval of His Majesty the King as provided in clause 17, shall be final.

SCHEDULE 4

REGULATIONS RELATING TO THE SERVICE OF BRITISH OFFICERS EMPLOYED UNDER THE MINISTRY OF DEFENCE OF THE IRAQ GOVERNMENT

Period of Service

1. (1) An officer will be required on appointment to enter into an agreement to serve the Iraq Government for a period of three years, extendable, if both parties agree and, in the case of an officer of the Imperial forces or Indian army, subject to the approval of His Britannic Majesty's Government or the Government of India, as the case may be, to five, seven and ten years by successive renewals.

2. Such period of service will commence on the date on which he embarks to take up his appointment, or in the case of an officer already serving in Iraq on a date to be fixed in his contract, and shall not be considered to be interrupted by any local, sick, or ordinary leave granted in accordance with these regulations.

Salary

2. (1) The salary of an officer together with the increment attached to it will be that provided for his office in the table of grades annexed to this schedule.

Half Salary during Voyage on Appointment

(2) An officer proceeding to Iraq to take up an appointment under the Government of Iraq will be entitled to the full pay of his Iraq appointment from the date of arrival in Iraq and for the period from the date of embarkation to the date of his arrival in Iraq, (*a*) if an officer of the Imperial forces, to half-pay of his Iraq appointment or to his British regimental pay (without allowances) of his substantive rank, whichever is the greater; (*b*) if an officer of the Indian army, to half the pay of his Iraq appointment or to the pay of his substantive rank without staff pay if proceeding from India to Iraq, or if not so proceeding the British regimental pay of his substantive rank, whichever is the greater; (*c*) in all other cases to half the pay of his Iraq appointment.

Currency of Payment in Iraq

3. (1) Subject to clause 16 of these regulations, emoluments paid in Iraq will be paid in rupees.

(2) An officer, on giving three months' notice, shall have the option of drawing one-third of his salary in London at the fixed conversion rate of Rs. 15 to £1, or, in the event of the currency being altered, at the par rate of exchange.

An officer who shall have availed himself of this option may, by giving three months' notice, cancel the arrangement and draw his salary in rupees in Iraq.

Passages of Officers

4. A (1) An officer will, on first appointment, be allowed a free first-class passage out to Iraq subject to his executing an agreement under which he will be bound to refund the cost thereof in the event of his relinquishing the appointment within three years from the date of his arrival in Iraq in order to take up other employment in Iraq, or within one year from date of such arrival for any other reason except bodily or mental infirmity.

(2) He will also on the termination of his service be allowed a free first-class passage to England; provided that, if the Government terminates his service under clause 18 of these regulations for misconduct or insubordination, or if the officer terminates it for any other reason than bodily or mental infirmity, the allowance of this passage shall be at the discretion of the Government.

(3) During the currency of his agreement an officer will be further allowed a free return first-class passage from Iraq to England and back, once on a three or five years' contract and once again if the contract is extended beyond five years.

If an officer who has already taken the free return passage or passages to England granted under this sub-clause or who is not entitled to any such free return passage, is sent to England on the ground of ill-health, a similar free return passage to England and back shall be granted to him.

(4) The Government may provide the passage allowed under this regulation on any ship of a recognised line which carries first-class passengers between England and Iraq or on a British Government transport.

If the officer elects to proceed by a different route, line or class, or to a destination other than the United Kingdom, he shall receive the actual cost of the passage he takes or the value of the passage allowed under this regulation, whichever is the less.

Wives of Officers

B (1) The wife of an officer already married at the commencement of his contract shall be allowed two free first-class single passages either way between England and Iraq if the officer's contract is for three or five years' service and one further single passage if the officer's contract is extended beyond five years.

(2) When the officer marries during the period of his contract, the wife shall be allowed two free first-class single passages either way if and when the officer's contract is extended.

(3) Passages allowed to wives shall be provided under the same conditions as those allowed to officers under 4 A of these regulations.



Quarters

5. In the case of an officer occupying a house which is the property of the Government, rent will be charged on the following principle:

An officer who is occupying a house by himself shall pay rent at the rate of 8 per cent. of his salary and an officer who is sharing a house with another officer shall pay rent at the rate of 4 per cent. of his salary, provided that the payment made by the officer or officers occupying the house shall in no case exceed a fair rent for the house calculated on the basis of the actual rents of privately-owned houses in the locality. Rent will be paid on the same principle by officers occupying houses which are not the property of the Government, provided that the payment made by the officer or officers occupying the house shall in no case exceed the actual rent of the house, then, in order to assist the officer in paying the balance of the rent, the Government shall give such officers an allowance in aid as follows:

In Basrah and Bagdad

Married officers, not exceeding 12 per cent. of their salary.
Unmarried officers, not exceeding 6 per cent. of their salary.

In other stations

Married officers, not exceeding 8 per cent. of their salary.
Unmarried officers, not exceeding 4 per cent. of their salary.

These allowances in aid shall be subject to revision every year in accordance with the actual fluctuation of rents.

Equipment of Quarters

6. The Government shall, if possible, equip all Government houses occupied by officers with such electric light, fans and water as may be recommended by the Directorate of Health Services.

Local Leave

7. An officer may, at the discretion of the Government, be allowed local leave not exceeding twenty-one days in each calendar year. Such leave shall not be cumulative and shall not be combined with ordinary leave. When on local leave an officer shall be entitled to full salary.

Ordinary Leave

8. (1) An officer shall earn one day's ordinary leave for each five days of effective service. No leave other than local leave shall count as effective service. The period spent on voyages other than on first appointment shall be reckoned as ordinary leave.

(2) Ordinary leave shall be cumulative.

(3) Subject to the exigencies of the service, an officer may be granted ordinary leave at any time and may claim the right to take such leave as may be due to him—

In a three years' contract—Once.
In a five years' contract—Once.
In a seven years' contract—Twice.
In a ten years' contract—Twice.

(4) When on ordinary leave an officer shall be entitled to full salary.

(5) An officer on the expiry of his period of service, or on the termination of his contract by the Government for any reason other than insubordination or misconduct, shall receive pay in lieu of any ordinary leave which is due to him and which owing to the exigencies of the service he has been unable to take. The amount so issued shall not in any case exceed nine months' salary.

9. (1) Short periods of absence from duty owing to sickness, not exceeding ten consecutive days, will be allowed in Iraq on full salary. Any such absence extending beyond that period will be counted as sick leave.

(2) The aggregate amount of sick leave which an officer may be allowed on a three years' contract shall be eight months.

(3) If this aggregate amount is exceeded the Government shall have the right of terminating the contract without further notice.

(4) On each occasion of taking sick leave an officer shall receive full salary for a period up to four months and, thereafter, such leave as is due to him up to a further four months. If no leave or insufficient leave is due to him to cover the second four months he may complete the period by additional sick leave on half-pay.

At the end of this period of eight months the Government shall have the right to terminate his contract without further notice or compensation.

(5) If his original contract or his contract as extended under clause 1 hereof exceeds three years, he shall come under the regulations as to sick leave laid down for civilian officials under clause 9 of schedule 3.

(6) Nothing in this clause shall in any way modify the obligations of the Iraq Government to pay an officer of the Imperial forces or Indian army on return from his employment until he is fit for duty in the Imperial or Indian establishment, as the case may be, subject to the maximum period of sick leave with full pay of his substantive rank and allowances as ordinarily issuable as provided in the regulations of the service concerned.

Medical Attendance

10. In Iraq an officer will be entitled to free medical treatment, but this privilege shall not extend to his family.

Termination of Contract by Government

11. In cases other than those provided for in clauses 9, 14 and 18, the Government shall have the right to terminate an officer's contract on giving him three months' notice in writing. Such notice shall only be given with the consent of the senior British officer attached to the Ministry of Defence.

11A. Where an officer of the Imperial forces or Indian army cannot be absorbed within the authorised establishment on termination of his service under the Iraq Government, that Government shall be liable for his pay and allowances under the regulations of the service concerned for the period during which he is awaiting absorption.

Special Compensation for Death, &c., due to Local Disturbances, &c.

12. Special compensation, which shall not be less favourable in the case of an officer of the Imperial forces or Indian army than that to which he would be entitled under the regulations of his parent service, will be granted under rules to be laid down hereafter by agreement between the High Contracting Parties in the case of death, injury and loss of property, &c., due to war or local disturbances, or in the case of permanent disability certified by a medical board to have arisen out of the circumstances of his employment. In the case of loss of property, no compensation will be paid unless it can be reasonably shown that it was impossible to insure such property, or that insurance could only have been effected at an exorbitant premium. In any case compensation will be paid only in respect of articles considered necessary and indispensable and the Government will take no responsibility for the loss, theft or destruction of valuables, such as jewellery, works of art, &c.

Gratuity

13. On the expiry or termination of his contract, except under clauses 14 and 18, an officer shall be entitled in addition to any sums payable under clause 8 (5) to a gratuity of one month's pay at the rate he is then drawing for every completed year of service, fractions of a year to be reckoned at the rate of one day's pay for twelve days' service.

In the case of officers who are lent or transferred to the Iraq Government by other Governments and who would continue to qualify for the pension payable by their parent service on condition that their pension contributions continue to be paid, such pension contributions (except in so far as they are payable by the officer himself under the rules of his parent service) shall continue to be paid by the Iraq Government.

Such officers will not be eligible for payment of a gratuity under this clause.

Languages

14. An officer will be required to comply with the provisions of such regulations relating to language examinations as may be drawn up by the Ministry of Defence and approved by the High Commissioner.

Such regulations may provide for the stoppage of promotion in the Iraq service in the event of failure to pass any examination prescribed as compulsory and may further provide for the termination of the officer's contract without compensation in the event of repeated failures.

Travelling Allowances. Acting Allowances

15. Travelling and transport allowances within Iraq and acting allowances shall be admissible in accordance with rules applicable to local officers.

Currency

16. In the event of the currency being altered the rupee emoluments shall thereafter be payable in the new currency at the current rate of exchange, except as provided in clause 3 (2) of this schedule.

Discipline

17. Officers will for the purpose of discipline be under the senior British officer employed under the Ministry of Defence, who will himself for disciplinary purposes be under the High Commissioner.

Termination for Insubordination, &c.

18. The Government has the right, subject to the concurrence of High Commissioner, to terminate without compensation the services of an officer who has been guilty of insubordination or misconduct.

Termination of Contract by Officer

19. An officer will be entitled to terminate his contract on giving three months' notice in writing to the Minister of Defence, but in that case he will not be entitled to a free passage home unless he has completed at least 18 months' service in the country since joining or since his last return from leave. He will be entitled to receive the gratuity due to him under clause 13, but not to any leave or gratuity in lieu of leave.

Arbitration

20. If any question arises under the agreement entered into by an officer, whether as regards its meaning or in any other respect, it shall be referred to the High Commissioner, whose decision shall be final.

GRADES

GRADE I

Adviser or Under-Secretary of State to the Ministry of Defence:

	Rs.
Pay	2,500—100—3,500

GRADE II

Senior officers, whether in headquarters or liaison officers, with a rank not lower than that of Major, except in the case of officers already employed in such senior posts:

	Rs.
Pay	1,500—75—1,800 1,800—100—2,300

GRADE III

Junior (A'wan) officers:

	Rs.
Pay	900—50—1,200 1,200—75—1,800

REMARKS

If the officer under grade III holds the rank of Captain, his salary shall commence at Rs. 1,200, and if he holds the rank of full Lieutenant or has more than seven years' service to his credit, his salary shall commence at Rs. 1,000.

General Note

(i.) An officer already in the service of the Iraq Government who is appointed to any post mentioned in this schedule and similar in grade to that in which he is serving at the time of such appointment shall be placed in the grade prescribed for the post at such a point as will give him a total salary not less than the salary which he is drawing at the time of signing the new contract. In calculating such salary regard shall be had to the number of months which he has served towards the new increment due under his old contract.

(ii.) In order to enable them to meet the extra expense which will be involved by payment of rent, lighting and conservancy charges, married officers stationed in Bagdad, Basrah or Mosul, and drawing pay at the rate of less than Rs. 1,500 per mensem shall be granted a personal allowance, to be absorbed in future increments, of Rs. 150, or such portion of Rs. 150 as shall bring their salary up to Rs. 1,500 per mensem.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,
His Britannic Majesty's High Commissioner for Iraq.
JA'FAR AL 'ASKARI,
Prime Minister of the Iraq Government.

No. 4

Military Agreement made under Article 7 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 7 of the treaty of alliance concluded between Their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the same treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 7 of the said treaty His Britannic Majesty undertakes to provide such support and assistance to the armed forces of His Majesty the King of Iraq as may from time to time be agreed by the High Contracting Parties; and

Whereas by the same article it is provided that a separate agreement regulating the extent and conditions of such support and assistance shall be concluded between the High Contracting Parties and communicated to the Council of the League of Nations; and

Whereas by article 18 of the same treaty it is provided that nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of the separate agreement referred to above with a view to any revision which may seem desirable in the circumstances then existing, any modifications which may be agreed upon by the High Contracting Parties being communicated to the Council of the League of Nations:

Now therefore it is agreed as follows:

ARTCLE 1

The two Governments hereby recognize the principle that the Government of Iraq shall at the earliest possible date, provided it shall not be later than four years from the date of the conclusion of this agreement, accept full responsibility both for the maintenance of internal order and for the defence of Iraq from external aggression. With this end in view, it is agreed that the material support and assistance now being rendered by His Britannic Majesty's Government to the Government of Iraq shall be progressively reduced with all possible expedition.

ARTICLE 2

Such support and assistance as may for a time be provided by the Government of His Britannic Majesty shall take the form of the presence in Iraq either of an Imperial garrison or of local forces maintained by His Britannic Majesty's Government and of the granting of facilities in the following matters, the cost of which will be met by the Iraq Government:

1. Military and aeronautical instruction of Iraq officers in the United Kingdom so far as this may be possible.

2. The provision in sufficient quantities of arms, ammunition, equipment and aeroplanes of the latest available pattern for the Iraq army.

3. The provision of British officials whenever they may be required by the Iraq Government within the period of the Treaty.

Such support and assistance shall in no case take the form of a contribution by His Britannic Majesty's Government to the cost of the Iraq army or other local forces maintained and controlled by the Government of Iraq, and similarly the Government of Iraq shall not contribute to the cost of the Imperial garrison or forces maintained and controlled by His Britannic Majesty's Government.

ARTICLE 3

So long as the presence of an Imperial garrison or the maintenance of local forces under the control of His Britannic Majesty's Government is necessary in order to assist the Government of Iraq in attaining the full responsibility accepted in principle under article 1 of this agreement, the following provisions shall regulate the military relations to be maintained between the two Governments in Iraq.

ARTICLE 4

The Iraq Government undertake to devote not less than 25 per cent. of the annual revenue of Iraq as defined in article 4 of the separate agreement regulating the financial relations between the two Governments, to the maintenance of the regular army and other local forces controlled by them, and in so far as their financial capacity permits, progressively to increase the strength of their permanent regular army of various arms in accordance with the programme prescribed in the schedule hereto annexed and to form a reserve army. The British Government shall equip the units of these forces, as and when they are completed, in accordance with the provisions of article 2 of this agreement.

ARTICLE 5

The strength and composition of the Imperial garrison and of the local forces under the control of His Britannic Majesty's Government shall be reviewed each year with a view to the progressive reduction provided for in article 3 of the financial agreement referred to in the preceding article.

ARTICLE 6

The Iraq army shall, subject to the provisions of the Iraq Constitutional Law, be commanded by His Majesty the King of Iraq. The Officer Commanding the British Forces in Iraq shall not intervene in matters relating to the Iraq army except as provided in articles 7 and 9 of this agreement.

ARTICLE 7

The Iraq Government undertake to grant the Officer Commanding the British Forces in Iraq authority to carry out such inspections of the Iraq army and other local forces as he may consider necessary in order that he may test their efficiency and

to submit to His Majesty the King of Iraq, through the High Commissioner, his recommendations as to such steps as he considers necessary for their improvement, and they agree to give full consideration to the wishes of the High Commissioner regarding the movements and disposition of the Iraq army, and to provide such protection for aerodromes and landing grounds as the High Commissioner, at the instance of the Air Officer Commanding, may require. The Iraq Government shall not be entitled to assistance from His Britannic Majesty's Government as contemplated in article 8 should they fail to give effect to any recommendation of the High Commissioner regarding the movements and dispositions of the Iraq army given in virtue of this article.

ARTICLE 8

The Iraq army shall only be employed in the interests of Iraq and the two Governments hereby agree that neither Government shall undertake any military operations for the maintenance of internal order or for the defence of Iraq from external aggression without previous consultation and agreement with the other Government. The Iraq Government shall not be entitled to the assistance of any forces maintained or controlled by His Britannic Majesty's Government against or for the suppression of any external aggression or any civil disturbance or armed rising, which shall, in the opinion of the High Commissioner, have been provoked or occasioned by action taken or policy pursued by the Iraq Government contrary to the advice or express wishes of His Britannic Majesty's Government.

ARTICLE 9

In the event of operations being undertaken in which forces maintained or controlled by His Britannic Majesty's Government are to take part, the command of the combined forces shall, subject to any special arrangement which may be accepted by both parties, be vested in a British military commander selected for the purpose.

ARTICLE 10

The Iraq Government undertake to recognise and, if necessary, to secure by legislation or otherwise, the following powers and immunities for any armed forces maintained or controlled by His Britannic Majesty's Government in Iraq, such armed forces to be regarded as including civilian officials and Indian public followers attached to and inhabitants of Iraq serving with the air and military forces:

(a) The right to require from the Iraq Government such action according to law as may be necessary in the detection and arrest of persons accused of offences committed against such armed forces or any members thereof and to secure the trial of persons so accused. It is understood that the right to secure the trial of such accused persons shall include the right to secure their trial by a British Judge of the Iraq Courts or by a Special Court composed of two British Judges of the Iraq Courts and one Iraqi Judge. Appeals either from the Ordinary Courts or from the Special Court shall lie to the Iraq Court of Appeal, which shall in such cases have a majority of British Judges. Trial before the Special Court shall only take place in circumstances which are certified in writing by the High Commissioner and the Air Officer Commanding to be of such exceptional urgency or importance as to render trial by the Ordinary Courts undesirable. Such certificate may specify the date and place of assembly of the Court in which event members of the Court shall proceed if necessary by air with such despatch as is needful for the Court to assemble at such date and place.

(b) The right to exercise over all members of the said forces the control and jurisdiction provided by the British, Indian or other military law, to which the members of such forces are subject.

(c) The right voluntarily to enlist inhabitants of Iraq under the Army and Air Force Acts or otherwise, it being understood that the Iraq Government undertakes for its part when called upon by the Air Officer Commanding or any person authorised by him in that behalf, to give all the assistance necessary to effect such enlistment and to remove as far as possible causes tending to prevent such enlistment.

(d.) Immunity from arrest, search, imprisonment or trial by the civil power in Iraq in respect of criminal offences for all enrolled and enlisted members of the said forces: provided that inhabitants of Iraq being members of such forces shall be ordinarily subject to the jurisdiction of the Iraq Courts and shall only enjoy such immunity in respect of acts certified by the High Commissioner or the Air Officer Commanding to be done in the performance of military or other official duties. Nothing in this subclause shall prevent the forcible detention by the civil power of any member of the said forces who has just committed, or is in the act of committing an offence which involves danger to life. If the member so arrested is not an inhabitant of Iraq, he shall be forthwith handed over to the Air Force or Military authorities.

(e.) Immunity from civil process in respect of any act done or omission or default made in good faith by any member of such forces when acting in performance of his military or official duties; the certificate of the High Commissioner or Air Officer Commanding that an act or omission or default was done or made in good faith in performance of such duties to be conclusive. The immunity provided by this sub-clause shall not debar persons who have incurred material damage on account of the said acts or omissions or defaults from claiming compensation otherwise than by civil process.

(f.) All such immunities and privileges in respect of civil process as are granted by the Air Force Act, the Army Act and the Indian Army Act to persons subject to such Acts, and immunity from imprisonment on the order of a Civil Court in respect of any civil action tried by such court.

ARTICLE 11

The Iraq Government undertake to introduce legislation providing for the arrest and punishment of any person who is acting or conspiring in such a way as to endanger or obstruct the said armed forces or attempting or conspiring to cause mutiny or disaffection among the said forces, or to bring the said forces into hatred or contempt, and to take action according to law against any person who is certified by the High Commissioner to be to the best of his belief so acting, attempting or conspiring, and in the case of persons of other than Iraq nationality so acting, attempting or conspiring or being likely so to act, attempt or conspire, to take such preventive steps according to law as the High Commissioner may consider desirable and practicable.

ARTICLE 12

The Iraq Government agree that, in the event of the said forces undertaking military operations in Iraq for the purpose of assisting the Iraq Government to repel external aggression or to suppress civil commotion, the King of Iraq will, on the request of the High Commissioner, proclaim martial law in all such parts of Iraq as may be affected by such aggression or commotion, and entrust its administration to the Air Officer Commanding or such other officer or officers as the Air Officer Commanding may appoint, and will further secure the passing of the necessary measure of indemnification for all acts done by the armed forces under martial law upon the subsequent reestablishment of civil government.

ARTICLE 13

The Iraq Government undertake to provide every facility for the movement of His Britannic Majesty's forces (including the use of wireless telegraph and land-line telegraphic and telephonic services and the right to lay land-lines), and for the carriage and storage of fuel and supplies for such forces on the roads, railways and waterways and in the ports of Iraq.

ARTICLE 14

The Iraq Government undertake to recognise and to secure by licence or legislation the right of His Britannic Majesty's forces to establish and work at the expense of His Britannic Majesty's Government a system of wireless telegraphs for the transmission and reception of external and internal messages on British Government service.

No payment either by way of charge or compensation for loss of traffic shall be made to the Iraq Government in respect of such messages.

His Britannic Majesty's Government undertake that no messages other than on British Government service shall be transmitted by the said system except by agreement with the Iraq Government, which agreement shall provide for compensation for loss of such traffic by the Iraq Government's Department of Posts and Telegraphs unless such messages are transmitted at the request of the Iraq Government, in which case His Britannic Majesty's Government shall be entitled to payment for the transmission of such messages.

Any compensation which may be due to the Iraq Government shall be in the form of a reduction of the debt due by the Iraq Government in respect of the telegraph system transferred to it by His Britannic Majesty's Government.

ARTICLE 15

The Iraq Government undertake at all times on the request of the High Commissioner so to restrict the working and method of transmission of the wireless telegraph station at Basrah and so to define its wave length as to obviate interference with British Government stations, and further undertake, in the event of an emergency arising, to hand over the said station on the request of the High Commissioner to His Britannic Majesty's forces for the transmission of messages on the service of His Britannic Majesty's Government, subject to the payment of compensation for the loss of other traffic.

Furthermore, the Iraq Government agree that the above undertakings shall hold good notwithstanding the disposal of the wireless telegraph station at Basrah by sale or otherwise and that, in the event of their deciding to discontinue the use of the station, three months' notice of such intention shall be given to His Britannic Majesty's Government, who shall be given an opportunity of taking over the station before dismantlement, and of operating it for the remainder of the period of the treaty.

The terms of this article shall apply equally to any other permanent wireless telegraph installation which may be established by the Iraq Government during the period of this agreement.

SCHEDULE

PROGRAMME OF EXPANSION

1924–25—1 Pack Battery.
2 Battalions Infantry.
1 Company Engineers.
First Line Transport for all existing units.
Expansion of Bagdad Training Centre, including initiation of a Cadets' College.

1925–26—Air Unit to be initiated as recommended by Air Headquarters, subject to satisfactory progress being made in the strength and efficiency of the local ground forces in Iraq.
2 Pack Batteries.
1 Cavalry Regiment.
3 Infantry Battalions.
2 Transport Companies.
1 Field Ambulance.
Ammunition Column.
Formation of Infantry Training Depots.
Formation of Artillery and Cavalry Depots.

1926–27—2 Field Batteries.
3 Infantry Battalions.
1 Company Engineers.
1 Skeleton Company Engineers.
1 Signal Company.
1 Field Ambulance.

1927–28—1 Field Battery.
1 Pack Battery.
3 Infantry Battalions.
2 Transport Companies.
1 Field Ambulance.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,
His Britannic Majesty's High Commissioner for Iraq.
JA'FAR AL 'ASKARI,
Prime Minister of the Iraq Government.

No. 5

Judicial Agreement made under Article 9 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 9 of the treaty of alliance concluded between Their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the same treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 9 of the said treaty His Majesty the King of Iraq undertakes that he will accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation or usage, and that such provisions shall be embodied in a separate agreement which shall be communicated to the Council of the League of Nations:

Now therefore it is agreed as follows:

ARTICLE 1

The expression "foreigners" means the nationals of any European or American State which formerly benefited by capitulations in Turkey and did not renounce the same by an agreement signed before the 24th July, 1923, and of any Asiatic State which is now permanently represented on the Council of the League of Nations, and includes corporations constituted under the laws of such States, and religious or charitable bodies or institutions wholly or mainly composed of nationals of such States.

Nothing in this article shall prevent the conclusion by His Majesty the King of Iraq in agreement with His Britannic Majesty of a special convention with any State providing for the extension of the benefits of this agreement to nationals and persons enjoying the protection of that State or for the non-application of this agreement to nationals of that State.

ARTICLE 2

His Majesty the King of Iraq undertakes to employ British legal experts in the Courts and to grant them judicial powers under the laws of Iraq and that the procedure now observed in the Courts in regard to the investigation of offences and the trial of cases and other matters in which foreigners are concerned shall continue and be put into force by law, that is to say:

(a) That foreigners accused of an offence (other than a contravention) which is within the jurisdiction of a Magistrate may claim to be tried by a British Magistrate.

(b) That foreigners accused of an offence which is beyond the jurisdiction of a Magistrate may claim that the interrogation during the preliminary investigation shall be undertaken and that the orders as to their release on bail and as to their committal for trial shall be made by a British Magistrate.

(c) That foreigners committed for trial may claim that their trial shall be held before a Court which includes at least one British Judge, who shall preside.

(d) That in civil actions over 750 rupees in value, foreigners who are parties to the cause may claim that the final judgment in a Court of First Instance shall be given, and that appeals or applications for revisions shall be heard by a Court presided over by a British Judge and composed so as to include one British Judge in a Court of three or less than three, two British Judges in a Court of four or five, and three British Judges in a Court of more than five.

(e) That in criminal cases foreigners may claim that their appeal or application for revision shall be heard by a Court presided over by a British Judge and composed as prescribed by the preceding paragraph, or if all the parties joining in such appeal or application are foreigners and agree to that course, by a British Judge sitting alone.

(f) A foreigner who is a party to the proceedings and has not sufficient knowledge of Arabic to understand them may claim that all proceedings shall be translated in English and the Magistrate shall so order if he considers the claim to be well grounded.

(g) That in the towns of Bagdad and Basrah and their environs and in all other places where a British Judge or Magistrate having jurisdiction for that purpose is available the house of a foreigner shall not be entered by any judicial or administrative authority except on a warrant issued by a British Judge or Magistrate.

Where no British Judge or Magistrate is available as above and in all cases where the police are by law allowed to enter houses without search warrant, the house of a foreigner shall not be entered without a report of such entry being immediately made to the nearest British Judge or Magistrate.

ARTICLE 3

His Majesty the King of Iraq undertakes that every law affecting the jurisdiction, constitution or procedure of Courts or the appointment and discharge of Judges shall, before being presented to the legislature, be submitted in draft to the High Commissioner for his views and advice on such of its provisions as concern the interest of foreigners.

ARTICLE 4

In matters relating to the personal status of foreigners or in other matters of a civil and commercial nature in which it is customary by international usage to apply the law of another country, such law shall be applied in manner to be prescribed by law. Without prejudice to the provisions of any law relating to the jurisdiction of religious courts, or to such powers of Consuls in regard to the administration of estates of their nationals as may be recognized under agreements concluded by the Government of Iraq, cases relating to the personal status of foreigners will be dealt with by the Civil Court, subject to the conditions of this agreement. In questions of marriage, divorce, maintenance, dowry, guardianship of infants and succession of movable property, the President of the Court hearing the case, or, in case of appeal or revision, the President of the Court of Appeal and Revision hearing the case may invite the Consul or representative of the Consulate of the foreigner concerned to sit as an expert for the purpose of advising upon the personal law concerned.

ARTICLE 5

His Majesty the King of Iraq agrees to submit beforehand to the High Commissioner for his concurrence the appointment of all British Presidents and members of Courts of Appeal and Revision as well as the termination of the appointment of any British Judge or Magistrate.

ARTICLE 6

The provisions of this agreement shall remain in force for the period of the treaty and shall cease to have effect after the expiration of that period.

In witness of which the respective plenipotentaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,
His Britannic Majesty's High Commissioner for Iraq.
JA'FAR AL 'ASKARI,
Prime Minister of the Iraq Government.

No. 6

Financial Agreement made under Article 15 of the Treaty of Alliance between Great Britain and Iraq of October 10, 1922

We, the undersigned plenipotentiaries of His Britannic Majesty and of His Majesty the King of Iraq respectively, having been duly authorised, met together this 25th day of March, 1924, corresponding to the 19th day of Sha'ban, 1342, in order to sign the following agreement subsidiary to article 15 of the treaty of alliance concluded between Their Majesties aforesaid on the 10th day of October, 1922, corresponding to the 19th day of Sa'far, 1341, Hijrah, subject to ratification.

THE AGREEMENT

Whereas a treaty of alliance between His Britannic Majesty and His Majesty the King of Iraq was signed at Bagdad on the 10th day of October, 1922, corresponding with the 19th day of Sa'far, 1341, Hijrah, and a protocol to the same treaty was signed at Bagdad on the 30th day of April, 1923, corresponding with the 14th day of Ramazan, 1341, Hijrah; and

Whereas by article 15 of the said treaty it is provided that a separate agreement shall regulate the financial relations between the High Contracting Parties, which shall provide, on the one hand, for the transfer by His Britannic Majesty's Government to the Government of Iraq of such works of public utility as may be agreed upon, and for the rendering by His Britannic Majesty's Government of such financial assistance as may from time to time be considered necessary for Iraq, and, on the other hand, for the progressive liquidation by the Government of Iraq of all liabilities thus incurred, and that such agreement shall be communicated to the Council of the League of Nations; and

Whereas by article 4 of the same treaty His Majesty the King of Iraq undertakes that he will fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy, and will ensure the stability and good organisation of the finances of the Iraq Government so long as that Government is under financial obligations to the Government of His Britannic Majesty; and

Whereas by article 18 of the same treaty it is provided that nothing shall prevent the High Contracting Parties from reviewing from time to time the provisions of the separate agreement referred to above with a view to any revision which may seem desirable in the circumstances then existing, any modifications which may be agreed upon by the High Contracting Parties being communicated to the Council of the League of Nations:

Now therefore it is agreed as follows:

ARTICLE 1

The two Governments hereby recognise the principle that the entire cost of the civil administration of Iraq shall be borne on Iraq revenues, and that the Government of Iraq shall, at the earliest possible date, accept full financial responsibility for the maintenance of internal order, and for the defence of Iraq from external aggression.

ARTICLE 2

Such financial assistance as may for a time be provided by the Government of His Britannic Majesty shall take the form of the maintenance in Iraq, at the expense of His Britannic Majesty's Government, of an Imperial garrison or of local forces controlled by His Britannic Majesty's Government, but shall in no case take the form of a contribution by His Britannic Majesty's Government to the cost of the Iraq army or local forces maintained and controlled by the Government of Iraq.

ARTICLE 3

The financial assistance to be provided for the aforesaid purposes shall be progressively reduced as His Britannic Majesty's Government may determine in each financial year, and shall in any case terminate within a period not exceeding four years from the date of the ratification of peace with Turkey.

ARTICLE 4

The Government of Iraq undertake to devote not less than 25 per cent. of the revenues of Iraq towards the cost of the defence and security of Iraq.

For the purpose of this article the revenue of Iraq shall be regarded as the gross receipts in all cases under each head of revenue service with the exception of the commercial services, other than Posts, Telegraph and Telephones, of which the net revenues shall be included.

ARTICLE 5

His Britannic Majesty's Government agree to the transfer to the Government of Iraq, and the Government of Iraq agree to accept the transfer, of the undermentioned works of public utility at the valuation shown against each of the works specified:—

	Rs.
Irrigation	62, 12, 040
Roads	3, 20, 000
Bridges	11, 17, 500
Posts, Telegraphs and Telephones	17, 60, 000
Total	94, 09, 540

ARTICLE 6

The Government of Iraq accept the liability to repay to His Britannic Majesty's Government the full value of the works specified in the preceding article, representing a total sum of Rs. 94,09,540.

ARTICLE 7

The sum of Rs. 94,09,540 shall constitute a debt to be repaid by means of a terminal annuity, calculated so as to repay the capital sum, with interest at 5 per cent. per annum, within twenty years from the conclusion of this agreement.

The Government of Iraq further agree that, if from any cause the whole or part of the annuity payable in any year shall remain unpaid at the close of that year, the amount so outstanding shall be added to the total debt and converted into an annuity terminable within twenty years from the conclusion of this agreement, with interest at 5 per cent. per annum. The annuity payments required under this article shall be a first charge on the general revenues of Iraq, and no prior charge shall be set up without the consent of His Britannic Majesty's Government.

ARTICLE 8

His Britannic Majesty's Government hereby transfer to the Government of Iraq as from the 1st day of April, 1923, and for a period not exceeding four years from the ratification of the Treaty of Alliance, the management and administration of the Iraq railway system, which shall remain the property of His Britannic Majesty's Government, and the Government of Iraq hereby accept the responsibility for administering and managing the said system. So long as the railways are administered and managed by the Iraq Government, all receipts of the Iraq railways will be kept separate from the general revenues of Iraq and will be used solely for meeting (*a*) current expenditure of the railway, and (*b*) in so far as there may be any surplus of receipts over such current expenditure, the cost of further capital works undertaken with the approval of the High Commissioner, or the payment of interest on money borrowed for the purpose of such capital works. So long as the railways are administered or managed by the Government of Iraq, His Britannic Majesty's Government will do everything in their power to obtain for that Government any advice or assistance which they may require, the cost of such advice or assistance being charged as a part of the current expenses of the railways. His Britannic Majesty's Government will not sell the railways to any private purchaser within the period of four years from the ratification of the treaty except with the concurrence of the Iraq Government, which shall not be unreasonably withheld, and the Iraq Government shall not within the same period lease the railways to any private lessee without the concurrence of His Britannic Majesty's Government. In the event of the Government of Iraq desiring within the said period to acquire the ownership of the railways, whether for the purpose of selling or leasing them to any private purchaser or lessee or otherwise, His Britannic Majesty's Government shall state the terms upon which they will be prepared to transfer such ownership, and the transfer shall be made upon terms to be mutually agreed. In default of agreement as to such terms, the matter shall be referred to three arbitrators, of whom one shall be appointed by His Britannic Majesty's Government and one by the Government of Iraq. The third arbitrator shall be chosen by the other two arbitrators by agreement, or failing such agreement, by the President of the Permanent Court of International Justice. The arbitrators shall take into consideration the ex-

penses incurred by His Britannic Majesty's Government in the construction, equipment and maintenance of the railways, and the past, actual and prospective value of the railways to the Government and people of Iraq, and shall decide what payment ought to be made by the Government of Iraq to His Britannic Majesty's Government for the transfer of ownership, and in what manner and at what dates, having regard to the general financial resources and liabilities of Iraq, such payment ought to be made. His Britannic Majesty's Government and the Government of Iraq undertake to accept and to give effect to the decision of the arbitrators.

His Britannic Majesty's Government and the Government of Iraq agree that on the expiry of the period of four years from the ratification of the Treaty of Alliance, the ownership of the railway system shall in default of prior sale or transfer be forthwith transferred to the Iraq Government on terms to be mutually agreed, or failing such agreement, to be decided by arbitration as hereinbefore provided.

ARTICLE 9

The Government of Iraq agree not to dispose by sale or in any other manner of any of the works specified in articles 5, 6, 7 and 8 without the prior consent of His Britannic Majesty's Government, until such time as repayment of the value of all the said works has been completed. Should any of the said works be so disposed of with the concurrence of His Britannic Majesty's Government, the outstanding debt to His Britannic Majesty's Government in respect of the work or works so disposed of shall simultaneously be liquidated by the Iraq Government. The negotiations for such disposal shall be conducted by the High Commissioner, and shall be subject to the approval of His Britannic Majesty's Government.

ARTICLE 10

His Britannic Majesty's Government and the Government of Iraq agree that the Port of Basrah shall be transferred to a Port Trust, and that the conditions of this transfer shall be dealt with separately, and shall include the following:—

1. Port receipts and expenditure shall be excluded from Iraq General Accounts, and a Port Trust shall be set up with the authority of the Iraq Government, and subject to the approval of His Britannic Majesty's Government, to administer the port.

2. The valuation of Rs. 72,19,000 shall be treated as a debt of the Port Trust to His Britannic Majesty's Government. The terms and conditions on which the Port Trust shall operate shall be subject to the approval of His Britannic Majesty's Government, and shall be dealt with by separate arrangement in consultation with the Government of Iraq, who hereby agree to facilitate the negotiations for the establishment of the Port Trust, and to secure the position in Iraq of the said Port Trust by such legislation as may be necessary.

ARTICLE 11

1. The Government of Iraq agree that all lands and buildings, the property of the Iraq Government now in the occupation of His Britannic Majesty's Government for military and other purposes, shall remain in the undisturbed occupation of His Britannic Majesty's Government until such time as they are no longer required: provided that after the termination of the Anglo-Iraq Treaty and subject to the provisions of any further treaty or agreement which may be concluded in pursuance of the protocol to the said treaty, His Britannic Majesty's Government shall not retain such land or buildings for a period longer than may be reasonably necessary for the sale or disposal of any buildings or works, the property of His Britannic Majesty's Government, situate thereon.

2. The Iraq Government agree to transfer to His Britannic Majesty's Government, free of charge, waste Government land required for military and other purposes by His Britannic Majesty's Government, and such land as well as the buildings thereon, or to be erected thereon, shall remain the property of His Britannic Majesty's Government for so long as such land and buildings are required by His British Majesty's Government, provided that after the termination of the Anglo-Iraq Treaty, and subject to the provisions of any further treaty or agreement which may be concluded in pursuance of the protocol to the said treaty, His Britannic Majesty's Government shall not require the transfer of any further waste Government land for military purposes, and shall not retain any such land already so transferred for military purposes for a period longer than may be reasonably necessary for the disposal of such land and the buildings thereon as provided in sub-clause 5 of this article.

3. Privately-owned land or buildings required at any time before the termination of the Anglo-Iraq Treaty by His Britannic Majesty's Government for military and other purposes shall at the request of His Britannic Majesty's Government be acquired or leased by the Iraq Government under such Expropriation Law as may from time to time be in force, and the Iraq Government shall receive the purchase price or rental from His Britannic Majesty's Government. The Iraq Government agree to promulgate such legislation as may be necessary for the compulsory acquisition or leasing of any privately-owned land or buildings required by His Britannic Majesty's Government for military and other purposes, and any such legislation shall, in the case of land compulsorily leased on behalf of His Britannic Majesty's Government, empower His Britannic Majesty's Government on or before the expiration of such lease to remove any works or buildings erected on such land by His Britannic Majesty's Government, and shall further provide that, where the land or building is to be acquired or leased on behalf of His Britannic Majesty's Government, a representative of His Britannic Majesty's Government to be selected by the High Commissioner shall serve in any Assessment Board constituted under such laws. As regards privately-owned land of which ownership is acquired under this sub-clause by His Britannic Majesty's Government for military purposes, the Iraq Government shall have the right, at the termination of the treaty, to purchase by agreement or arbitration the land and the buildings thereon. As regards privately-owned land of which the leasehold is obtained under this sub-clause by His Britannic Majesty's Government for military purposes, the period of the lease shall be for the period of the treaty, but shall be extended after the termination of the treaty at the request of His Britannic Majesty's Government for such time as may be reasonably necessary to enable His Britannic Majesty's Government to dispose of the buildings thereon.

4. The Iraq Government shall place no obstacle in the way of His Britannic Majesty's Government purchasing by agreement privately-owned land or buildings.

5. His Britannic Majesty's Government shall have full power to sell land acquired by them prior to the conclusion of this agreement, and to be acquired under paragraphs 3 and 4 of this article, together with the buildings thereon, and to appropriate for their own use the proceeds of such sale, if at any time such land is no longer required by His Britannic Majesty's Government. His Britannic Majesty's Government shall have full power to dispose of land, together with the buildings thereon, transferred to them under paragraph 2 of this article, subject to payment to the Government of Iraq of the sale or rental value of the site, such value to be determined, where possible, by reference to the market value of similar land in the neighbourhood or by agreement between the two Governments.

ARTICLE 12

The Iraq Government undertake that, notwithstanding the termination of the treaty of alliance, the financial obligations accepted by them in articles 5–11 of this agreement shall continue in force until repayment of all sums due by them to His Britannic Majesty's Government under this agreement has been completed, and shall be faithfully fulfilled. They further agree that until the completion of such repayment no prior charge on the general revenues of Iraq shall be created in order to secure a loan or for any similar purpose without the prior consent of His Britannic Majesty's Government. Such consent shall not be withheld if His Britannic Majesty's Government are satisfied that the object for which such prior charge is to be created is one which will tend to secure the sound financial development of Iraq, and will not impair the capacity of the Iraq Government to discharge their liabilities to His Britannic Majesty's Government.

ARTICLE 13

The ordinary expenses of civil government and administration and the salaries and expenses of the High Commissioner and his staff will be borne entirely by the Government of Iraq. His Britannic Majesty's Government will invite Parliament to make a contribution amounting to half of the expenditure approved by the Secretary of State upon salaries and other expenses of the High Commissioner and his staff. The Government of Iraq will provide quarters for the accommodation of members of the staff of the High Commissioner, subject to the payment of reasonable rent by the officers concerned.

ARTICLE 14

1. The Government of Iraq agree that the following articles shall be exempt from customs duties on import or export:—

(a) All articles for the personal use of the High Commissioner.

(b) All articles for the official use of the High Commissioner and his staff and of the Imperial and other forces or services maintained in Iraq at the expense of His Britannic Majesty's Government, all articles imported by or consigned to the Navy, Army and Air Force Institute or any other official canteen for His Britannic Majesty's forces, and all personal effects introduced on arrival in Iraq by members of the High Commissioner's staff and of such forces or services: provided that if any articles

imported or introduced under this exemption are disposed of to other parties than those entitled to this exemption, the customs duty then in force shall be paid by the person, service, force or institute making such disposal.

(c) All imported articles addressed to individual members or recognised messes of His Britannic Majesty's forces on production of a certificate that they are for the use of the individual or mess concerned.

(d) All articles exported by members of His Britannic Majesty's forces on production of a certificate that they are not exported for sale.

2. Duty shall be paid on all articles not imported directly by the authorities, forces and services detailed above, but the Iraq Government agree to grant a rebate of the duty so paid on production of a certificate from a competent authority that the articles on which duty has been paid have been delivered to and received for the official use of the High Commissioner and his staff and of the Imperial and other forces maintained in Iraq at the expense of His Britannic Majesty's Government.

ARTICLE 15

The Government of Iraq agree not to levy any tax on the forces or services of His Britannic Majesty's Government in respect of offices, buildings, land or premises occupied by such forces or services for official purposes.

ARTICLE 16

The Government of Iraq undertake to provide for the due payment of all sums which may be payable to officials of British nationality in the employment of the Iraq Government in accordance with the provisions of the terms of the contracts of those officials, and this undertaking shall continue in force during the continuance and on the termination of such contracts.

ARTICLE 17

The Government of Iraq recognise their liability to meet as they fall due all sums or charges in respect of the Ottoman Public Debt which may be assigned to the Government of Iraq under the Treaty of Peace with Turkey.

ARTICLE 18

The forces and services of His Britannic Majesty's Government, including the Navy, Army and Air Force Institute or any other official canteen of His Britannic Majesty's forces, shall pay at most-favoured rates for all services rendered by Departments of the Iraq Government.

ARTICLE 19

His Britannic Majesty's Government agree to contribute towards the cost of upkeep and maintenance of roads and bridges used for traffic by His Britannic Majesty's forces. The expenses incurred by His Britannic Majesty's Government on public roads and bridges shall be taken into account in assessing such contribution.

In witness of which the respective plenipotentiaries have affixed their signatures thereto. Done at Bagdad in duplicate this 25th day of March, 1924, of the Christian era, corresponding with the 19th day of Sha'ban, 1342, Hijrah.

H. DOBBS,
His Britannic Majesty's High Commissioner for Iraq.
JA'FAR AL 'ASKARI,
Prime Minister of the Iraq Government.

SCHEDULE III

ANGLO-IRAQ TREATY OF THE 13TH DAY OF JANUARY, 1926

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, of the one part; and His Majesty the King of Iraq, of the other part:

Anxious to give full effect to the stipulations in the decision of the Council of the League of Nations dated the 16th day of December, 1925, fixing the frontier between Turkey and Iraq in pursuance of article 3 of the Peace Treaty signed at Lausanne on the 24th day of July, 1923, to the effect that the relations between the high contracting parties now defined by the Treaty of Alliance and by the undertaking of His Britannic Majesty's Government approved by the Council of the League of Nations on the 27th day of September, 1924, should be continued for a period of twenty-five years, unless Iraq is, in conformity with article 1 of the Covenant of the League of Nations, admitted as a member of the League before the expiration of that period:

Bearing in mind the intention which the high contracting parties have mutually expressed in the protocol of the 30th day of April, 1923, to conclude a fresh agreement regulating subsequent relations between them:

Have decided by means of a new treaty to ensure due fulfilment of the said stipulations and have for this purpose named as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Bernard Henry Bourdillon, Esquire, C. M. G., Acting High Commissioner of His Britannic Majesty in Iraq;

His Majesty the King of Iraq, Abdul Muhsin Beg al-Sa'dun, Prime Minister of the Iraq Government and Minister for Foreign Affairs;

Who, having communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE 1

The provisions contained in article 18 of the treaty between the high contracting parties signed at Bagdad on the 10th day of October, 1922, of the Christian Era, corresponding with the 19th day of Safar, 1340, Hijrah, and in the protocol signed on the 30th day of April, 1923, of the Christian Era, corresponding with the 14th day of Ramazan, 1341, Hijrah, in so far as they relate to the duration of the said treaty are hereby abrogated, and the said treaty shall remain in force for a period of twenty-five years from the 16th day of December, 1925, unless before the expiration of that period Iraq shall become a member of the League of Nations.

The various agreements between the high contracting parties subsidiary to the said treaty of the 10th day of October, 1922, shall, in so far as their duration is made dependent on that of the said treaty, likewise remain in force for the period laid down in the present treaty, but in other respects their provisions shall not be affected.

ARTICLE 2

The high contracting parties agree, immediately after the ratification of the present treaty and its approval by the Council of the League of Nations, to continue active consideration of the questions which have already been under discussion between them in regard to the revision of the agreements arising out of articles 7 and 15 of the treaty of October 10th, 1922.

ARTICLE 3

Without prejudice to the provisions of article 6 of the treaty of October 10th, 1922, in regard to the admission of Iraq into the League of Nations or the provisions of article 18 of the said treaty which permit the revision at any time, subject to the consent of the Council of the League of Nations, of the provisions of the said treaty or of certain of the agreements subsidiary thereto, His Britannic Majesty undertakes that, at the time when the treaty of October 10th, 1922, would have expired under the protocol of April 30th, 1923, and at subsequent successive intervals of four years until the expiry of the period of twenty-five years mentioned in the present treaty or until the admission of Iraq into the League of Nations, he will take into active consideration the following two questions, namely:—

(1) The question whether it is possible for him to press for the admission of Iraq into the League of Nations.

(2) If it is not so possible, the question of the amendment, on account of the progress made by the Kingdom of Iraq or for any other reason, of the agreements referred to in article 18 of the treaty of October 10th, 1922.

The present treaty, in English and Arabic, of which in case of divergence the English text will prevail, shall be ratified and ratifications shall be exchanged as soon as possible.

In witness whereof the above-named plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done at Bagdad the Thirteenth day of January, one thousand nine hundred and twenty-six of the Christian Era, corresponding to the Twenty-eighth day of Jamadi-al-Ukhra, one thousand three hundred and forty-four, Hijrah, in three copies, of which one shall be deposited in the archives of the League of Nations at Geneva and one shall be retained by each of the high contracting parties.

(L. S.) B. H. BOURDILLON,
His Britannic Majesty's Acting High Commissioner in Iraq.
(L. S.) ABDUL MUHSIN AL-SA'DUN,
Prime Minister of the Iraq Government, and Minister for Foreign Affairs.

SCHEDULE IV

LETTER FROM HIS BRITANNIC MAJESTY'S GOVERNMENT TO THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS, OF THE 2ND DAY OF MARCH, 1926

FOREIGN OFFICE, *March 2, 1926.*

SIR: In compliance with the invitation conveyed in article 2 of the decision recorded by the Council of the League of Nations on the 16th December, 1925, I am directed by Secretary Sir Austen Chamberlain to transmit to you herewith, for submission to the Council, the text of a new treaty between Great Britain

and Iraq which was signed at Bagdad on the 13th of January, 1926.

2. By decision dated the 27th September, 1924, the Council accepted the terms of the Treaty of Alliance between Great Britain and Iraq supplemented by certain undertakings given by His Majesty's Government, as giving effect, in respect of Iraq, to the provisions of article 22 of the Covenant of the League of Nations. By article 2 of their decision of December last the Council made the further condition that the régime established by the aforesaid Treaty of Alliance and undertakings should be continued for a specified period. The requisite extension of the duration of the Treaty of Alliance is provided for by article 1 of the new treaty. In submitting this treaty to the Council, His Majesty's Government declare that so long as it remains in force they will regard as binding the undertakings given by them to the Council in September 1924, and will continue to act in conformity therewith.

3. His Majesty's Government are thus in a position to inform the Council that the stipulations of article 2 of the decision of December, 1925, have been fulfilled, and that the necessary steps have been taken to ensure the continuance for twenty-five years of the present régime as approved by the Council in September 1924, unless Iraq is, in conformity with article 1 of the Covenant, admitted as a Member of the League before the expiration of that period.

4. Provision for periodical review of the question of the admission of Iraq to the League of Nations is made in article 3 of the new treaty.

5. By article 4 of their undertakings, approved by the Council in September 1924, His Majesty's Government engaged that they would agree to no modification of the Treaty of Alliance without the consent of the Council of the League. They hereby give a similar undertaking in regard to the treaty of the 13th January, 1926. This undertaking will apply to any proposals that may be made, as a result of the discussions contemplated in articles 2 and 3 of the new treaty, for the revision or amendment of the agreements subsidiary to the treaty of the 10th October, 1922.

6. In the light of these explanations, His Majesty's Government request that the Council may now be moved to take action, as contemplated in article 2 of their decision of December last, to declare that their decision in regard to the Turco-Iraq frontier has become definitive.

7. The treaty of the 13th January, 1926, has now been approved by the British House of Commons and by the Chamber of Deputies and Senate of Iraq.

8. With reference to article 3 of the Council's decision of December last, I am to enclose, for the information of the Council, a memorandum dealing with the administration of the Kurdish districts in Iraq.

I am, &c.

LANCELOT OLIPHANT.

PROTOCOL

On the signature this day of the Convention between His Britannic Majesty and His Majesty the King of Iraq, respectively, of the one part, and the President of the United States of America of the other part, the undersigned Plenipotentiaries, duly authorised thereto, have agreed as follows:—

(1) It is understood by the High Contracting Parties that the term "exercise of industries" as employed in article XI of the Anglo-Iraq Treaty of Alliance signed the 10th October, 1922, covers the granting and operation of concessions.

(2) With reference to article 4 of the Convention signed this day, it is understood by the High Contracting Parties that the Iraq Government will not interfere in matters concerning the curriculum, such as the time-table, discipline and purely internal administration in schools established or maintained by nationals of the United States of America in Iraq.

(3) It is understood that upon the entry into force of the Convention signed this day and during the period of the special relations existing between His Britannic Majesty and His Majesty the King of Iraq, defined in article I of the said Convention, there will be a suspension of the capitulatory régime in Iraq so far as the rights of the United States and its nationals are concerned, and that such rights will be exercised in conformity with the decision of the Council of the League of Nations dated the 27th September, 1924.

(4) It is understood that article 3 of the Convention signed this day does not prohibit the Iraq Government from expropriating American property for public purposes under normal expropriation laws of general application, and subject to the previous provision for just and reasonable compensation.

The present Protocol shall be deemed an integral part of the Convention signed this day and shall be ratified at the same time as that Convention.

In witness whereof, the respective Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Done in triplicate in English and Arabic, of which, in case of divergence, the English text shall prevail, at London, this 9th day of January, 1930.

(L. S.) CHARLES G. DAWES.
(L. S.) ARTHUR HENDERSON.
(L. S.) JA'FAR EL ASKERI.

FOREIGN OFFICE, S. W. 1, *9th January, 1930.*

YOUR EXCELLENCY:

On the signature this day of the convention between His Britannic Majesty and His Majesty the King of Iraq, respectively, of the one part, and the President of the United States of America of the other part, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree to furnish to the Government of the United States a duplicate of the annual report to be made in accordance with the terms of the decision of the Council of the League of Nations on the 27th day of September, 1924.

I have the honour to be, with the highest consideration,
Your Excellency's obedient servant,

ARTHUR HENDERSON.

His Excellency General CHARLES G. DAWES, C. B.,
etc., etc., etc.

EMBASSY OF THE UNITED STATES OF AMERICA,
London, January 9, 1930.

No. 372.

SIR: On the signature this day of the convention between the President of the United States of America of the one part, and His Britannic Majesty and His Majesty the King of Iraq of the other part, I have the honor to take note of your declaration that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland agree to furnish the United States Government with a duplicate of the annual report to be made in accordance with the terms of the decision of the Council of the League of Nations on the 27th day of September, 1924.

I have the honor to be, with the highest consideration, sir,
Your most obedient, humble servant,

CHARLES G. DAWES.

The Right Honorable ARTHUR HENDERSON, P. C.,
Etc., etc., etc., The Foreign Office.

IRAQ LEGATION. 51, QUEEN'S GATE GARDENS, S. W. 7,
January 9th, 1930.

YOUR EXCELLENCY,

I have the honour to bring to your notice a point connected with article 2 of the protocol attached to the tripartite convention between the United States of America, the United Kingdom, and Iraq. Article 2 of the protocol provides that the Government of Iraq shall not interfere in matters concerning the curriculum, such as the time-tables, discipline, and purely internal administration in schools established or maintained by nationals of the United States of America in Iraq. The Iraq Government interpret this article as not preventing the enforcement on the said schools of article 28 of the public instruction law of 1929 the translation of which runs:

It is obligatory to teach the Arabic language and the history and geography of Iraq and the history of the Arabs in accordance with the programme of the Ministry of Education in all nontechnical private schools both primary and secondary. The hours devoted to the Arabic language must be not less than five hours a week in primary classes and three hours a week in secondary classes.

I have therefore been instructed by my Government to inform your excellency that the Iraq Government consider that article 2 of the said protocol shall not override the provisions of article 28 of the above-mentioned law.

I have the honour to be, sir
Your obedient servant,

JÁFAR EL ASKERI,
The Iraq Plenipotentiary.

His Excellency the UNITED STATES PLENIPOTENTIARY.

EMBASSY OF THE UNITED STATES OF AMERICA,
London, January 9, 1930.

YOUR EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of to-day's date, which reads as follows:

I have the honour to bring to your notice a point connected with article 2 of the protocol attached to the tripartite convention between

the United States of America, the United Kingdom, and Iraq. Article 2 of the protocol provides that the Government of Iraq shall not interfere in matters concerning the curriculum, such as the time-tables, discipline, and purely internal administration in schools established or maintained by the nationals of the United States of America in Iraq. The Iraq Government interpret this article as not preventing the enforcement on the said schools of article 28 of the public instruction law of 1929, the translation of which runs:

"It is obligatory to teach the Arabic language and the history and geography of Iraq and the history of the Arabs in accordance with the programme of the Ministry of Education in all nontechnical private schools, both primary and secondary. The hours devoted to the Arabic language must be not less than five hours a week in primary classes and three hours a week in secondary classes."

I have therefore been instructed by my Government to inform Your Excellency that the Iraq Government consider that article 2 of the said protocol shall not override provisions of article 28 of the abovementioned law.

In taking note of this communication I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

I have the honor to be, Excellency,
Your most obedient servant,

CHARLES G. DAWES.

His Excellency JÁFAR PASHA EL-ASKERI, C. M. G.,
etc., etc., etc.,
The Legation of Iraq, London.

Mr. BORAH. Mr. President, this is a convention with Great Britain defining the rights of the United States and its nationals in Iraq. It is similar to the treaties which we entered into with France concerning Syria and Lebanon. What the treaty really accomplishes is to give citizens of the United States in Iraq the same commercial privileges and the same privileges with reference to religious matters that are now enjoyed by Great Britain under her mandate.

Mr. SHIPSTEAD. Mr. President, the Senator is referring to Iraq, which is now under the mandate of Great Britain?

Mr. BORAH. Yes.

Mr. SHIPSTEAD. Is that where the large oil fields are located?

Mr. BORAH. There are large oil fields in Iraq; yes.

Mr. SHIPSTEAD. Will we get our share of them?

Mr. BORAH. We will get the privilege of going in there and acquiring and holding property, just as we have that privilege elsewhere.

Mr. President, I have nothing further to say, except to ask permission to place in the RECORD a memorandum of facts concerning this treaty furnished by the State Department.

The VICE PRESIDENT. Without objection, the statement will be printed in the RECORD.

The statement is as follows:

FEBRUARY 20, 1930.

MEMORANDUM

The tripartite convention between the United States, of the one part, and Great Britain and Iraq, of the other part, is similar in purpose to the convention concluded by the United States with France on April 4, 1924, with respect to Syria and the Lebanon, and to the convention concluded with Great Britain on December 3, 1924, with respect to Palestine. The primary purpose of all of these conventions has been to regularize the position of the United States in certain of the territories detached from the former Ottoman Empire following the war.

It had originally been intended that Great Britain should receive a mandate for Iraq similar to that for Palestine, but the situation so developed that the British Government reached the conclusion that it would be best to incorporate the mandate principles in a treaty with the Emir Faisal, who had been elected King of Iraq. Such a treaty was signed and ratified, and on September 27, 1924, it was accepted by the council of the League of Nations as giving effect to article 22 of the covenant with respect to the mandate principle.

The present convention differs in form from those regarding Palestine and Syria and the Lebanon in that Iraq is one of the contracting parties, but the principle involved is the same. In the Palestine convention, signed with Great Britain, the United States "consented to the administration of Palestine by His Britannic Majesty's Government"; in the present convention the United States "consents to the régime established in virtue of the decisions of the Council of the League of Nations"; that is, to the so-called special relations between Great Britain and Iraq.

The keystone of the present convention is that the United States obtains the same rights in Iraq that are secured to members of the League of Nations. The specific rights of league members are defined in the treaty of alliance between Great Britain and Iraq, signed at Baghdad on October 10, 1922. Among these rights may be mentioned those with respect to taxation, commerce, or navigation, the exercise of industries and professions, and the treatment of merchant vessels and civil aircraft. Under another clause of the Anglo-Iraq treaty of alliance assurance is given that missionary enterprise will not be interfered with or obstructed and that missionaries will not be discriminated against on the ground of their religious beliefs or nationality.

The present tripartite convention, following the form of the conventions regarding Syria and Palestine, provides that the schools established by American nationals in Iraq will be permitted freely to operate, to receive voluntary applicants, and to teach in the English language. It further provides that no modification of the existing "special relations" between Great Britain and Iraq shall have any effect upon the rights of the United States and its nationals unless the changes have been assented to by the United States. Thus any change that may be made in the relationship between Great Britain and Iraq, though affecting the rights of members of the League of Nations, will have no effect upon the rights of the United States. In other words, the United States has all the rights of a member of the league with respect to Iraq, and, in addition, is in a position to maintain those rights even after they may have been lost to league members.

One of the clauses of the Anglo-Iraq treaty of 1926 provides that the "special relations" between Great Britain and Iraq will be terminated upon the entrance of Iraq into the League of Nations. That is, the treaty provisions now regulating the relations between Great Britain and Iraq (and consequently regulating Iraq's relations with members of the League of Nations) will terminate as soon as Iraq has secured entrance to the league. After the termination of the "special relations" between Great Britain and Iraq the present tripartite convention will also cease to have effect, but one of its clauses provides that the United States will continue to enjoy most-favored-nation treatment in Iraq pending the conclusion of a treaty with regard to the future relations of the two States.

One other provision of the convention should be mentioned. That is the recognition of Iraq by the United States as "an independent state." In this connection it should be stated that among the countries that have already recognized Iraq are the following: Great Britain, France, Italy, Germany, Turkey, Persia, Norway, and Sweden.

The treaty was reported to the Senate without amendment.

The VICE PRESIDENT. The resolution of ratification will be read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of (Executive E, 71st Cong., 2d sess.) a convention and protocol with Great Britain defining the rights of the United States and its nationals with reference to Iraq, signed in London on January 9, 1930.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the ratification of the treaty? [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution is adopted and the treaty is ratified.

NOMINATION OF JOHN J. PARKER

The Chief Clerk announced as next on the calendar the nomination of John J. Parker, of North Carolina, to be Justice of the Supreme Court of the United States, reported adversely.

Mr. BORAH. Mr. President, I desire, if it is practicable, to ask that a time be set for the consideration of this nomination. I understand from the Senator from North Carolina [Mr. OVERMAN] that any time will be satisfactory to him after, say, 24 hours' notice.

Mr. McNARY. Mr. President, I hope the Senator from Idaho will not ask for a vote during the present week. The calendar is quite filled, and the program is pretty well mapped out so far as the legislative work is concerned. I think some day next week might appropriately be fixed.

Mr. BORAH. I would not want to consent that the nomination go over until next week. This being Tuesday, I would be willing to have it go over until Thursday. If we could set it down for Thursday at 3 o'clock, I should think that would afford ample time.

Mr. DILL. Mr. President, I hope that will not be done, for it is absolutely necessary for me to be out of the city on Thursday. I hope the Senator will say Friday.

Mr. McNARY. Mr. President, it is the habit of a great many Senators to leave the city on Friday, and some as early as Thursday. If we can agree upon, say, 2 o'clock on Monday, I think that it will accommodate practically all the Members of this body.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Let us say at 3 o'clock on Monday, because there is another matter to which I have to attend at 2 o'clock.

Mr. McNARY. Very well.

Mr. BARKLEY. Mr. President, if this nomination is going over until next week to accommodate individual Senators who are going to be absent, I will have to suggest that I will be compelled to be absent on Monday next. I am not going to ask that it go over on my account, but if it is going over on account

of other Senators, because of their absence, I shall have to insist on the same consideration. I had not intended to make any such suggestion as that; I myself planned to be absent on Thursday, but I will forego that if the Senator from Idaho can secure an arrangement to have the nomination considered on Thursday and will postpone my intended absence to some other day.

Mr. BORAH. If we could ascertain just what would be satisfactory to all Senators, we might reach an agreement.

Mr. McNARY. May I interrupt the Senator from Idaho?

Mr. BORAH. I yield.

Mr. McNARY. May I inquire of the Senator from Kentucky, if Monday would be inconvenient for him, whether it would be agreeable to set the consideration of the nomination for next Tuesday?

Mr. BARKLEY. I do not like to put my convenience against the convenience of the Senate, but, so far as I am concerned, I have got to be away on Monday, and I can not get back until Wednesday.

Mr. SWANSON. I suggest to the Senator from Idaho that it does not require unanimous consent to proceed to the consideration of a nomination. He may give notice that at 3 o'clock on Monday he will move an executive session in order that the nomination may be considered.

Mr. BORAH. Mr. President, I feel if I can not accommodate all Senators that I should make the motion on Thursday.

Mr. McNARY. I understand the Senator from Idaho will make a motion on Thursday to proceed to the consideration of the nomination of Judge Parker on Monday at 3 o'clock?

Mr. BORAH. No; my idea was that if the nomination has to be taken up by motion there is no reason why I should not on Thursday move to take it up. I know of no way to get it up, apparently, except by motion, because it is impossible to accommodate all Senators.

Mr. McNARY. Let me appeal to the Senator from Kentucky that he agree to permit the nomination to come up at 3 o'clock on Monday. It is the opinion of a great many that the discussion will not be ended for a day or so. I am sure, in any event, the Senator can arrange a pair.

Mr. BORAH. I think, Mr. President, it is safe to say to the Senator from Kentucky that if he can be back by Wednesday he will be here in time to vote.

Mr. BARKLEY. That will be satisfactory to me. I hesitate at all to inject a consideration of my personal convenience into a question of this kind, but it has been raised by others, so I felt at liberty to do so. If I can be assured that a vote will not be had until Wednesday, I have no objection to setting Monday as the time for taking up the nomination.

Mr. BORAH. I think such an assurance can safely be given.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Under the suggestion now made the nomination will be taken up, as I understand, at 3 o'clock on Monday next.

The VICE PRESIDENT. The Senator from Oregon is correct. Is there objection? The Chair hears none, and it is so ordered.

JUDICIAL NOMINATIONS

The Chief Clerk read the nomination of Fred Cubberly to be United States attorney for the northern district of Florida.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Charles E. Sandall to be United States attorney for the district of Nebraska.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Edgar C. Snyder to be United States marshal for the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

COAST GUARD NOMINATION

The Chief Clerk read the nomination of John S. Merriam, jr., to be lieutenant (junior grade) (temporary) in the Coast Guard.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read the nominations of sundry postmasters.

Mr. PHIPPS. Mr. President, I ask unanimous consent that the post-office nominations may be confirmed en bloc, and that the President may be notified.

The VICE PRESIDENT. Without objection, the post-office nominations are confirmed en bloc, and the President will be notified.

ARMY NOMINATIONS

The Chief Clerk proceeded to read sundry nominations for the Army.

The VICE PRESIDENT. Without objection, the nominations for the Army will be confirmed en bloc, and the President will be notified.

That completes the calendar. What is the further pleasure of the Senate?

RECESS

Mr. McNARY. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, April 23, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 22 (legislative day of April 21), 1930

ASSISTANT SECRETARY OF WAR

Frederick Huff Payne, of Massachusetts, to be Assistant Secretary of War.

SECRETARY IN THE DIPLOMATIC SERVICE

Edwin F. Stanton, of California, now a Foreign Service officer of class 7 and a consul, to be also a secretary in the Diplomatic Service of the United States of America.

COAST GUARD

Commander (Engineering) Michael N. Usina to be a captain (engineering) in the Coast Guard of the United States, to rank as such from January 22, 1930.

POSTMASTERS

ALABAMA

Amos N. Fain to be postmaster at Ariton, Ala., in place of A. N. Fain. Incumbent's commission expires May 6, 1930.

John S. Amos to be postmaster at Enterprise, Ala., in place of J. S. Amos. Incumbent's commission expires May 12, 1930.

John T. Williams to be postmaster at Evergreen, Ala., in place of J. T. Williams. Incumbent's commission expires May 17, 1930.

John E. Hurst to be postmaster at Leeds, Ala., in place of J. E. Hurst. Incumbent's commission expires May 12, 1930.

ARKANSAS

Homer H. Goodman to be postmaster at Cotter, Ark., in place of H. H. Goodman. Incumbent's commission expires May 12, 1930.

Rosse G. Roberts to be postmaster at Fulton, Ark., in place of R. G. Roberts. Incumbent's commission expires May 12, 1930.

Fred H. Price to be postmaster at Gurdon, Ark., in place of F. H. Price. Incumbent's commission expires May 12, 1930.

Bevie I. Abbott to be postmaster at Hampton, Ark., in place of B. I. Abbott. Incumbent's commission expires May 12, 1930.

Patrick F. Maskell to be postmaster at Hartman, Ark., in place of P. F. Maskell. Incumbent's commission expires May 12, 1930.

James H. Bass to be postmaster at Marvell, Ark., in place of J. H. Bass. Incumbent's commission expires May 12, 1930.

Carl J. Lauderdale to be postmaster at Stamps, Ark., in place of C. J. Lauderdale. Incumbent's commission expires May 12, 1930.

Juanita Barton to be postmaster at Turrell, Ark., in place of Juanita Barton. Incumbent's commission expires May 19, 1930.

Van Beavers to be postmaster at Williford, Ark., in place of Van Beavers. Incumbent's commission expires May 5, 1930.

ARIZONA

Laura E. Smith to be postmaster at Casa Grande, Ariz., in place of C. J. Wilson, resigned.

CALIFORNIA

Charles C. McGonegal to be postmaster at Bell, Calif., in place of J. F. Carroll, resigned.

Inez M. Benson to be postmaster at Calipatria, Calif., in place of I. M. Benson. Incumbent's commission expires May 20, 1930.

Harry A. Bradford to be postmaster at Hayward, Calif., in place of H. A. Bradford. Incumbent's commission expires May 17, 1930.

Percy H. Nordstrom to be postmaster at Kingsburg, Calif., in place of P. H. Nordstrom. Incumbent's commission expires May 17, 1930.

William F. Hanell to be postmaster at Patterson, Calif., in place of W. F. Hanell. Incumbent's commission expires May 12, 1930.

William L. McLaughlin to be postmaster at Sanger, Calif., in place of W. L. McLaughlin. Incumbent's commission expires May 6, 1930.

CONNECTICUT

Edwin H. Powell to be postmaster at Burnside, Conn., in place of E. H. Powell. Incumbent's commission expires May 20, 1930.

FLORIDA

Clayton P. Bishop to be postmaster at Eustis, Fla., in place of C. P. Bishop. Incumbent's commission expires May 17, 1930.

Clyde D. Prine to be postmaster at Fort Meade, Fla., in place of R. E. Coates, resigned.

Paul E. Mahan to be postmaster at Hobe Sound, Fla., in place of L. B. Boital, deceased.

Fred A. Carnell to be postmaster at Ormond, Fla., in place of F. A. Carnell. Incumbent's commission expires June 16, 1930.

Joseph J. B. Taylor to be postmaster at Panama City, Fla., in place of J. J. B. Taylor. Incumbent's commission expired December 20, 1928.

Maude M. O. Park to be postmaster at Sebastian, Fla., in place of M. M. O. Park. Incumbent's commission expired December 20, 1928.

GEORGIA

Henry L. Murphy to be postmaster at Hephzibah, Ga., in place of H. L. Murphy. Incumbent's commission expires May 20, 1930.

Lelia B. Tart to be postmaster at Oliver, Ga., in place of L. B. Tart. Incumbent's commission expires May 7, 1930.

George W. Jordan to be postmaster at Whigham, Ga., in place of G. W. Jordan. Incumbent's commission expires May 17, 1930.

Eben B. Smith to be postmaster at Wrens, Ga., in place of E. B. Smith. Incumbent's commission expires May 8, 1930.

IDAHO

Charles C. Henderson to be postmaster at Kamiah, Idaho, in place of C. C. Henderson. Incumbent's commission expires May 12, 1930.

ILLINOIS

Clare E. Godfrey to be postmaster at Morris, Ill., in place of C. E. Godfrey. Incumbent's commission expires May 4, 1930.

INDIANA

Josiah J. Hostetler to be postmaster at Shipshewana, Ind., in place of J. J. Hostetler. Incumbent's commission expires May 6, 1930.

IOWA

Adna Miller to be postmaster at Danville, Iowa, in place of Adna Miller. Incumbent's commission expires May 12, 1930.

KANSAS

Charles Friskel to be postmaster at Frontenac, Kans., in place of Charles Friskel. Incumbent's commission expires May 6, 1930.

Henry Uhlenhop to be postmaster at Leonardville, Kans., in place of Henry Uhlenhop. Incumbent's commission expires May 19, 1930.

Robert C. Caldwell to be postmaster at Topeka, Kans., in place of R. C. Caldwell. Incumbent's commission expires June 23, 1930.

KENTUCKY

Yaman Watkins to be postmaster at Clarkson, Ky., in place of Yaman Watkins. Incumbent's commission expires May 6, 1930.

James H. Thompson to be postmaster at Ewing, Ky., in place of J. H. Thompson. Incumbent's commission expires May 12, 1930.

Edgar P. Catron to be postmaster at Junction City, Ky., in place of E. P. Catron. Incumbent's commission expires May 4, 1930.

Willie G. Thornbury to be postmaster at Munfordville, Ky., in place of W. G. Thornbury. Incumbent's commission expires May 6, 1930.

MAINE

Ralph R. Mathews to be postmaster at Berwick, Me., in place of R. R. Mathews. Incumbent's commission expires May 4, 1930.

Ralph B. Parker to be postmaster at Wells, Me., in place of R. B. Parker. Incumbent's commission expires May 4, 1930.

MARYLAND

Stewart Rodamer to be postmaster at Grantsville, Md., in place of Stewart Rodamer. Incumbent's commission expires May 13, 1930.

MASSACHUSETTS

Helen C. Williams to be postmaster at Beverly Farms, Mass., in place of H. C. Williams. Incumbent's commission expires May 4, 1930.

Edward E. H. Souther to be postmaster at Cohasset, Mass., in place of J. W. Earle. Incumbent's commission expired December 14, 1929.

Frank D. Babcock to be postmaster at Haverhill, Mass., in place of F. D. Babcock. Incumbent's commission expires May 4, 1930.

MICHIGAN

Clifford L. Slocum to be postmaster at Addison, Mich., in place of C. L. Slocum. Incumbent's commission expires May 4, 1930.

Grace A. Grinnell to be postmaster at Centerville, Mich., in place of G. A. Grinnell. Incumbent's commission expires May 20, 1930.

Ruth F. Hastings to be postmaster at Engadine, Mich., in place of R. F. Hastings. Incumbent's commission expires May 14, 1930.

Eldon E. Baker to be postmaster at Flint, Mich., in place of E. E. Baker. Incumbent's commission expires May 14, 1930.

William Trebilcock to be postmaster at Ishpeming, Mich., in place of William Trebilcock. Incumbent's commission expires May 4, 1930.

Elmer L. Dalton to be postmaster at Leland, Mich., in place of E. L. Dalton. Incumbent's commission expires May 20, 1930.

Floyd B. Gates to be postmaster at Mesick, Mich., in place of F. B. Gates. Incumbent's commission expires May 4, 1930.

Florence C. Curtis to be postmaster at Whittemore, Mich., in place af F. C. Curtis. Incumbent's commission expires May 14, 1930.

MISSOURI

Frank R. Evans to be postmaster at Armstrong, Mo., in place of F. R. Evans. Incumbent's commission expires May 12, 1930.

Alfred L. Jenkins to be postmaster at Chula, Mo., in place of A. L. Jenkins. Incumbent's commission expires May 14, 1930.

Walter E. Pearson to be postmaster at Clarksdale, Mo., in place of W. E. Pearson. Incumbent's commission expires May 12, 1930.

Walter S. Johnston to be postmaster at Crocker, Mo., in place of W. S. Johnston. Incumbent's commission expires May 14, 1930.

Herman H. Reick to be postmaster at Independence, Mo., in place of H. H. Reick. Incumbent's commission expires May 4, 1930.

Hattie Biggs to be postmaster at Neelyville, Mo., in place of Hattie Biggs. Incumbent's commission expires May 14, 1930.

Victor N. Romley to be postmaster at Orrick Mo., in place of V. N. Romley. Incumbent's commission expires May 12, 1930.

Paul P. Groh to be postmaster at Peculiar, Mo., in place of P. P. Groh. Incumbent's commission expires May 4, 1930.

Lavinia B. Jones to be postmaster at Pilot Grove, Mo., in place of L. B. Jones. Incumbent's commission expires April 28, 1930.

MONTANA

Arthur T. Ruehrwein to be postmaster at Columbus, Mont., in place of A. T. Ruehrwein. Incumbent's commission expires May 4, 1930.

David Craig to be postmaster at Conrad, Mont., in place of David Craig. Incumbent's commission expires May 4, 1930.

NEBRASKA

Walter Nowka to be postmaster at Glenvil, Nebr., in place of Walter Nowka. Incumbent's commission expires May 5, 1930.

Vaclav Randa to be postmaster at Verdigre, Nebr., in place of Vaclav Randa. Incumbent's commission expired April 20, 1930.

NEW YORK

William E. Cartwright to be postmaster at Amagansett, N. Y., in place of W. E. Cartwright. Incumbent's commission expires May 12, 1930.

William M. Pinney to be postmaster at Arcade, N. Y., in place of W. M. Pinney. Incumbent's commission expires May 12, 1930.

C. Ransom Phelps to be postmaster at Camden, N. Y., in place of C. R. Phelps. Incumbent's commission expires May 4, 1930.

Annabel Wood to be postmaster at Hilton, N. Y., in place of Annabel Wood. Incumbent's commission expires May 12, 1930.

Thomas W. Crane to be postmaster at Locust Valley, N. Y., in place of T. W. Crane. Incumbent's commission expires May 4, 1930.

Charles D. Overacre to be postmaster at Manchester, N. Y., in place of C. D. Overacre. Incumbent's commission expires May 4, 1930.

H. Courtland King to be postmaster at Orient, N. Y., in place of H. C. King. Incumbent's commission expires May 12, 1930.

Annie S. Prince to be postmaster at Peconic, N. Y., in place of A. S. Prince. Incumbent's commission expires May 12, 1930.

Earl V. Jenks to be postmaster at Perry, N. Y., in place of E. V. Jenks. Incumbent's commission expires May 6, 1930.

John B. Read to be postmaster at Poland, N. Y., in place of J. B. Read. Incumbent's commission expired April 13, 1930.

Richard I. Gates to be postmaster at Redwood, N. Y., in place of R. I. Gates. Incumbent's commission expires May 4, 1930.

Anna M. Auch Moedy to be postmaster at Rosendale, N. Y., in place of A. M. Auch Moedy. Incumbent's commission expires May 14, 1930.

Albert D. Ritchie to be postmaster at Saratoga Springs, N. Y., in place of A. D. Ritchie. Incumbent's commission expires May 14, 1930.

Theodore C. Upton to be postmaster at Spencerport, N. Y., in place of T. C. Upton. Incumbent's commission expires May 12, 1930.

Harry C. McNamara to be postmaster at Valatie, N. Y., in place of H. C. McNamara. Incumbent's commission expires May 14, 1930.

Ruth E. Barlow to be postmaster at Wassaic, N. Y., in place of R. E. Barlow. Incumbent's commission expires May 20, 1930.

S. Mildred Taylor to be postmaster at Westbury, N. Y., in place of S. M. Taylor. Incumbent's commission expires April 28, 1930.

NORTH CAROLINA

George W. Lance to be postmaster at Fletcher, N. C., in place of G. W. Lance. Incumbent's commission expires May 12, 1930.

Wiley C. Ellis to be postmaster at Garysburg, N. C., in place of W. C. Ellis. Incumbent's commission expires May 12, 1930.

William B. White to be postmaster at Norlina, N. C., in place of W. B. White. Incumbent's commission expires May 18, 1930.

NORTH DAKOTA

Theodore H. Scholz to be postmaster at Beulah, N. Dak., in place of T. H. Scholz. Incumbent's commission expires May 4, 1930.

Edward F. Hamilton to be postmaster at Cavalier, N. Dak., in place of E. F. Hamilton. Incumbent's commission expires May 4, 1930.

Bessie G. George to be postmaster at Van Hook, N. Dak., in place of B. G. George. Incumbent's commission expires May 4, 1930.

Grace G. Berkness to be postmaster at Wolford, N. Dak., in place of G. G. Berkness. Incumbent's commission expires May 12, 1930.

OHIO

Arthur L. Behymer to be postmaster at Cincinnati, Ohio, in place of A. L. Behymer. Incumbent's commission expires June 14, 1930.

Lewis E. Clawson to be postmaster at Middle Point, Ohio, in place of L. E. Clawson. Incumbent's commission expires May 20, 1930.

Hilton C. Hart to be postmaster at New Waterford, Ohio, in place of H. C. Hart. Incumbent's commission expires May 14, 1930.

William M. Freeman to be postmaster at Otway, Ohio, in place of W. M. Freeman. Incumbent's commission expires April 28, 1930.

Harry W. Randels to be postmaster at West Unity, Ohio, in place of H. W. Randels. Incumbent's commission expires May 12, 1930.

OKLAHOMA

Ceaf W. Ramsey to be postmaster at Beggs, Okla., in place of C. W. Ramsey. Incumbent's commission expires May 4, 1930.

Russell E. Dickerson to be postmaster at Braman, Okla., in place of R. E. Dickerson. Incumbent's commission expires May 4, 1930.

Robert R. Sutton to be postmaster at Claremore, Okla., in place of R. R. Sutton. Incumbent's commission expires May 4, 1930.

Agnes L. Stahlheber to be postmaster at Geary, Okla., in place of A. L. Stahlheber. Incumbent's commission expires May 20, 1930.

Bert A. Hawley to be postmaster at Leedey, Okla., in place of B. A. Hawley. Incumbent's commission expires May 6, 1930.

Anna Lynde to be postmaster at Okarche, Okla., in place of Anna Lynde. Incumbent's commission expires May 4, 1930.

Frank R. Holt to be postmaster at Osage, Okla., in place of F. R. Holt. Incumbent's commission expired March 22, 1930.

Joe E. Ventress to be postmaster at Pauls Valley, Okla., in place of J. E. Ventress. Incumbent's commission expires May 12, 1930.

John L. Coyle to be postmaster at Rush Springs, Okla., in place of J. L. Coyle. Incumbent's commission expires May 20, 1930.

Hiram H. Snow to be postmaster at Sand Springs, Okla., in place of H. H. Snow. Incumbent's commission expires May 4, 1930.

Lester A. Presson to be postmaster at Sulphur, Okla., in place of L. A. Presson. Incumbent's commission expires May 12, 1930.

PENNSYLVANIA

Permelia H. Young to be postmaster at Jefferson, Pa., in place of P. H. Young. Incumbent's commission expired April 14, 1930.

Edward N. Dubs to be postmaster at New Hope, Pa., in place of E. N. Dubs. Incumbent's commission expires May 8, 1930.

Herman Raithel to be postmaster at Smithton, Pa., in place of Herman Raithel. Incumbent's commission expires May 4, 1930.

George W. Brelsford to be postmaster at South Langhorne, Pa., in place of G. W. Brelsford. Incumbent's commission expires May 14, 1930.

William E. Vance to be postmaster at Unity, Pa., in place of W. E. Vance. Incumbent's commission expires May 6, 1930.

Ruth Roberts to be postmaster at Vintondale, Pa., in place of Ruth Roberts. Incumbent's commission expires May 6, 1930.

SOUTH CAROLINA

Hobson B. Taylor to be postmaster at Kershaw, S. C., in place of H. B. Taylor. Incumbent's commission expires May 12, 1930.

Clifton O. Crosby to be postmaster at Walterboro, S. C., in place of C. O. Crosby. Incumbent's commission expires May 12, 1930.

SOUTH DAKOTA

Mabel M. Linker to be postmaster at Ardmore, S. Dak., in place of M. M. Linker. Incumbent's commission expires May 12, 1930.

Jessie Norton to be postmaster at Armour, S. Dak., in place of Jessie Norton. Incumbent's commission expires May 12, 1930.

Charles H. McCrossen to be postmaster at Ashton, S. Dak., in place of C. H. McCrossen. Incumbent's commission expires May 12, 1930.

Lester W. Button to be postmaster at Bradley, S. Dak., in place of L. W. Button. Incumbent's commission expires May 4, 1930.

Arthur H. Siem to be postmaster at Clark, S. Dak., in place of A. H. Siem. Incumbent's commission expires May 12, 1930.

William A. Hodson to be postmaster at Cresbard, S. Dak., in place of W. A. Hodson. Incumbent's commission expires May 12, 1930.

Emma Peterson to be postmaster at Draper, S. Dak., in place of Emma Peterson. Incumbent's commission expires May 4, 1930.

Jennie Dodge to be postmaster at Egan, S. Dak., in place of Jennie Dodge. Incumbent's commission expires May 12, 1930.

Lulu Turner to be postmaster at Ethan, S. Dak., in place of Lulu Turner. Incumbent's commission expires May 4, 1930.

Paul W. Lambert to be postmaster at Fairfax, S. Dak., in place of P. W. Lambert. Incumbent's commission expires May 4, 1930.

Otto W. Muchow to be postmaster at Hartford, S. Dak., in place of C. W. Muchow. Incumbent's commission expires May 12, 1930.

Gottlieb J. Walth to be postmaster at Hosmer, S. Dak., in place of G. J. Walth. Incumbent's commission expires May 12, 1930.

Richard A. Hummel to be postmaster at Hot Springs, S. Dak., in place of R. A. Hummel. Incumbent's commission expires May 12, 1930.

Harold French to be postmaster at Letcher, S. Dak., in place of Harold French. Incumbent's commission expires May 12, 1930.

Alice S. Esget to be postmaster at Lily, S. Dak., in place of A. S. Esget. Incumbent's commission expires May 12, 1930.

William H. James to be postmaster at Martin, S. Dak., in place of W. H. James. Incumbent's commission expires May 4, 1930.

Frank W. Farrington to be postmaster at New Effington, S. Dak., in place of F. W. Farrington. Incumbent's commission expires May 12, 1930.

Gertrude Snell to be postmaster at Tulare, S. Dak., in place of Gertrude Snell. Incumbent's commission expires May 12, 1930.

Amandus A. Breihan to be postmaster at Tyndall, S. Dak., in place of A. A. Breihan. Incumbent's commission expires May 12, 1930.

TENNESSEE

Woodford C. Monroe to be postmaster at Celina, Tenn., in place of W. C. Monroe. Incumbent's commission expires May 14, 1930.

Fannie J. Latta to be postmaster at Somerville, Tenn., in place of F. J. Latta. Incumbent's commission expires May 12, 1930.

TEXAS

Bessie F. Hefley to be postmaster at Cameron, Tex., in place of B. F. Hefley. Incumbent's commission expires May 5, 1930.

George P. Harden to be postmaster at Groom, Tex., in place of G. P. Harden. Incumbent's commission expires May 17, 1930.

Comodore V. Varner to be postmaster at Milford, Tex., in place of C. V. Varner. Incumbent's commission expires May 5, 1930.

Lucy A. Carhart to be postmaster at South San Antonio, Tex., in place of L. A. Carhart. Incumbent's commission expires May 12, 1930.

John W. White to be postmaster at Uvalde, Tex., in place of J. W. White. Incumbent's commission expires May 5, 1930.

VIRGINIA

Claibourne W. Beattie to be postmaster at Chilhowie, Va., in place of C. W. Beattie. Incumbent's commission expires May 4, 1930.

Francis P. Landon to be postmaster at Hopewell, Va., in place of F. P. Landon. Incumbent's commission expires May 4, 1930.

Jessie H. Cox to be postmaster at Washington, Va., in place of J. H. Cox. Incumbent's commission expires May 4, 1930.

Harry C. Stouffer to be postmaster at Winchester, Va., in place of H. C. Stouffer. Incumbent's commission expires May 4, 1930.

WASHINGTON

Bert L. McCarty to be postmaster at Battle Ground, Wash., in place of B. L. McCarty. Incumbent's commission expires May 5, 1930.

Frank G. Sanford to be postmaster at Bucoda, Wash., in place of F. G. Sanford. Incumbent's commission expires May 18, 1930.

Walter W. Shore to be postmaster at Farmington, Wash., in place of W. W. Shore. Incumbent's commission expires May 5, 1930.

Rees B. Williams to be postmaster at Ilwaco, Wash., in place of R. B. Williams. Incumbent's commission expires May 5, 1930.

Ray E. Simons to be postmaster at Leavenworth, Wash., in place of R. E. Simons. Incumbent's commission expires May 12, 1930.

Millard E. Meloy to be postmaster at Winlock, Wash., in place of M. E. Meloy. Incumbent's commission expires May 5, 1930.

WISCONSIN

Frank E. Shults to be postmaster at Baraboo, Wis., in place of F. E. Shults. Incumbent's commission expires May 4, 1930.

Oliver R. Weinandy to be postmaster at Cochrane, Wis., in place of O. R. Weinandy. Incumbent's commission expires May 4, 1930.

William H. Goldthorpe to be postmaster at Cuba City, Wis., in place of W. H. Goldthorpe. Incumbent's commission expires May 4, 1930.

Samuel M. Hogenson to be postmaster at Ephriam, Wis., in place of S. M. Hogenson. Incumbent's commission expires May 20, 1930.

Hazel A. Fritchen to be postmaster at Franksville, Wis., in place of H. A. Fritchen. Incumbent's commission expires May 5, 1930.

James C. Taylor to be postmaster at Gilman, Wis., in place of J. C. Taylor. Incumbent's commission expires May 4, 1930.

James N. Godsell to be postmaster at Hales Corners, Wis., in place of J. N. Godsell. Incumbent's commission expires May 20, 1930.

Henry A. Elmer to be postmaster at Maribel, Wis., in place of H. A. Elmer. Incumbent's commission expires May 4, 1930.

Edward Stackman to be postmaster at Ontario, Wis., in place of Edward Stackman. Incumbent's commission expires May 4, 1930.

Alvin E. Hafer to be postmaster at Roberts, Wis., in place of A. E. Hafer. Incumbent's commission expires May 4, 1930.

Andrew Bock to be postmaster at Stockholm, Wis., in place of Andrew Bock. Incumbent's commission expires May 5, 1930.

Harry Bradley to be postmaster at Taylor, Wis., in place of Harry Bradley. Incumbent's commission expires April 23, 1930.

George E. Bogrand to be postmaster at Wausaukee, Wis., in place of G. E. Bogrand. Incumbent's commission expires May 4, 1930.

Winfield J. Kyes to be postmaster at White Lake, Wis., in place of W. J. Kyes. Incumbent's commission expires May 4, 1930.

Thomas E. Noyes to be postmaster at Winter, Wis., in place of T. E. Noyes. Incumbent's commission expires May 5, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 22 (legislative day of April 21), 1930

UNITED STATES ATTORNEYS

Fred Cubberly, northern district of Florida.
Charles E. Sandall, district of Nebraska.

UNITED STATES MARSHAL

Edgar C. Snyder, District of Columbia.

COAST GUARD

John S. Merriman, jr., to be lieutenant (junior grade) (temporary).

APPOINTMENTS IN THE ARMY

Ralph William Mohri to be second lieutenant veterinary corps.

Leonard George Tate Perkins to be second lieutenant, Medical Administrative Corps.

Harold Lincoln Gard to be second lieutenant, Medical Administrative Corps.

Joe Edward McKnight to be second lieutenant, Medical Administrative Corps.

APPOINTMENT, BY TRANSFER, IN THE ARMY

First Lieut. Tyree Rivers Horn to Signal Corps.

PROMOTIONS IN THE ARMY

Osgood Cook McIntyre to be captain, Field Artillery.
James Emerson Bush to be captain, Field Artillery.
Harrison Wells Davison to be first lieutenant, Cavalry.
Thomas Clagett Wood, jr., to be first lieutenant, Field Artillery.
William Donaldson Fleming to be major, Medical Corps.
Samuel Demetrius Avery to be major, Medical Corps.
William Robert Lewis Reinhardt to be major, Medical Corps.
Merritt Gartley Ringer to be captain, Medical Corps.

POSTMASTERS

CALIFORNIA

Frank J. Biglow, Antioch.
Oscar E. Bailey, Avalon.
Christian F. Richter, Auburn.
Joseph M. Hamilton, Crescent City.
Nels S. Petersen, Del Rey.
John L. Pope, Lower Lake.
Miriam I. Paine, Mariposa.
Philip G. Scadden, Nevada City.
Charles H. Silva, Newcastle.
John Z. Shelton, Oroville.
George E. Cross, Puente.
Shirley S. Abeel, Sebastopol.

DELAWARE

Robert E. Harrington, Felton.
William H. Rogers, Frederica.

FLORIDA

Effie M. Robinson, Coleman.

GEORGIA

Edwin K. Large, Atlanta.
Eldon A. McCollum, Baconton.
John P. Herring, Climax.
Mary L. Ellis, Experiment.
Franklin W. Withoft, Fort Valley.
Robert L. Williams, Griffin.
Jefferson D. Stalvey, Lake Park.
Emma S. Brindle, Surrency.

IOWA

Guy T. Hardenburgh, Baxter.
Lou A. Brink, Clarence.
Joseph H. Dickens, Diagonal.
Lester J. Garrett, Early.
George E. Gates, Edgewood.
Clarissa A. Peck, Lawler.
Laura M. Smith, Montour.
John H. Taylor, New Sharon.
Ida G. Schloeman, Norway.
George H. Kinney, Stacyville.

Glenn F. Shortess, Traer.
Frederick W. Steele, Walker.
Boyd W. Smith, Waukon.

KENTUCKY

Walter Robins, Brodhead.
Henry I. Neely, Hazel.
Luther G. Bernard, Jamestown.
Quay C. Quigg, Livermore.
Mattie B. Griffin, Mount Vernon.
Robert H. Ledford, Paint Lick.
Albert R. Hornback, Sonora.

MARYLAND

John M. Reed, jr., Chesapeake City.
Herbert C. Leighton, Mountain Lake Park.
Frederick M. Gambrill, White Marsh.

MASSACHUSETTS

Harriett L. Green, East Brookfield.
Ursula G. Dehey, Hatfield.
Samuel F. Brown, Indian Orchard.
Delano E. Chase, Linwood.

MISSOURI

Kinzie K. Gittings, Chilhowee.
Vaughn Hammitt, Curryville.
Archie C. Witt, Gower.
Dwight A. Dawson, Lowry City.
John H. Fisher, Sullivan.

MONTANA

Harry D. Crandall, Bainville.
Pauline Polutnik, Belt.
Mary J. Tasa, Flaxville.
Blanche E. Breckenridge, Grassrange.
Francis P. Blair, Richey.

NEW JERSEY

Charles H. Conner, Bayonne.
George E. Obdyke, Landing.
Stephen H. Dayton, Mountain Lakes.
Edward W. Vanaman, Newfield.
Luther J. Higinson, Oradell.
Olla Mehlenbeck, Raritan.
Harry J. Manning, South Plainfield.

NEW MEXICO

Elizabeth A. Gumm, Carrizozo.
Charles Neustadt, Grant.

NEW YORK

Harold F. Kimball, Ballston Lake.
George E. Rockwood, Bombay.
Walter Carr, Chappaqua.
Daphine M. Brehme, Greenlawn.
C. Homer Hook, Greenville.
Sara H. Scott, Hague.
George P. Baumer, Kendall.
Clinton D. Drumm, Malverne.
Theodore W. Cook, Montauk.
Chester J. Hinman, Palenville.
George M. Grant, Parksville.
James R. Rodman, Port Ewen.
Sutherland Lent, Sloatsburg.
Howard M. Brush, Smithtown Branch.

NORTH DAKOTA

Howard S. Powlison, Wheatland.

PENNSYLVANIA

Arthur A. Butz, Alburtis.
J. Russell Clayton, Bryn Athyn.
John R. Diemer, Catawissa.
John W. Aumiller, Eagles Mere.
William H. Dickinson, Factoryville.
Benton C. Myers, Fayetteville.
Harvey L. Sterner, Gardners.
David K. Mead, Glenfield.
Hattie C. Liston, Isabella.
Claire A. Bower, Mather.
Katherine A. White, Mildred.
Archibald E. Patterson, Orangeville.
Charles A. Graeff, Schuylkill Haven.
Emma A. Smith, Seelyville.
Harry F. Groff, Seven Valleys.
Harry P. Medland, Waymart.

RHODE ISLAND

Lloyd B. Langworthy, Ashaway.

SOUTH CAROLINA

Dewey Stephens, Dillon.
William B. Gross, Holly Hill.
Stephen E. Leverette, Iva.
Harris P. DuBose, Jefferson.
Louis Stackley, Kingstree.
Horace A. White, Simpsonville.

TENNESSEE

Charles L. Bitner, Chuckey.
Glenn C. Hodges, Cowan.
Thomas W. Thompson, Mount Juliet.

UTAH

Frank M. Shafer, Moab.

VIRGINIA

Edward A. Lindsey, Boyce.
Mary F. Cunningham, Fort Myer.
Ruth E. Orrison, Hamilton.
Lilly G. Cook, Madison.
Robert E. Newman, Manassas.
James W. Moore, Rapidan.
Mandly K. Payne, Remington.
James R. Miller, Strasburg.

WASHINGTON

Fanny I. Jennings, Spangle.

WISCONSIN

Orrin W. Groot, Elmwood.
Victor F. Platta, Hatley.
Halvor Thorson, Hawkins.
Frank E. Munroe, Ladysmith.
John Lindow, Manawa.
Carl E. Reichenbach, Merrillan.
Milton R. Stanley, Shawano.
John H. Zahrte, Sparta.
Ernest L. Messer, Unity.
John E. Himley, Wabeno.

HOUSE OF REPRESENTATIVES

TUESDAY, *April 22, 1930*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dost lift us out of our mistakes and dost bear us beyond the blots and stains of wrongdoing, hear our prayer. O hear us! Again we are safely folded in the divine arms from whose embrace no peril can permanently separate us; we thank Thee. We are so grateful that we live in a world that is full of God. Thy wisdom, glory, and splendor are nearer than we think. May we feel their wonder. The lights and the shades, the murmurs and the silences, these all are voices that come and go at Thy call. O what a surplus of God everywhere. With such a God, who is our Father forevermore, let us be content to fulfill the divine ends of our beings in Thy good time and way. Again we ask Thee to hear us. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a joint resolution of the House of the following title:

April 21, 1930:

H. J. Res. 171. Joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a commission to be known as the United States Battle of the Monongahela Commission.

VETO MESSAGE OF THE PRESIDENT—COINAGE OF SILVER 50-CENT PIECES IN COMMEMORATION OF SEVENTY-FIFTH ANNIVERSARY OF THE GADSDEN PURCHASE

The SPEAKER. The business before the House is, Will the House, on reconsideration, pass the bill H. R. 2029, the objections of the President to the contrary notwithstanding?

Mr. PERKINS. Mr. Speaker, I ask recognition for an hour, and I yield myself 10 minutes.

Mr. BLAND. Will the gentleman yield?

Mr. PERKINS. Yes.

Mr. BLAND. Does not the gentleman think that on an important matter of this kind there should be a quorum present to hear the discussion? A quorum is going to vote on the measure.

Mr. PERKINS. Any Member of the House has the right to demand a quorum.

Mr. BLAND. Mr. Speaker, I make the point of order of no quorum.

The SPEAKER. The gentleman from Virginia makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 23]

Auf der Heide	Finley	Leech	Shreve
Beedy	Gambrill	Linthicum	Sinclair
Black	Garrett	McClintic, Okla.	Sirovich
Blackburn	Gifford	McDuffie	Sloan
Britten	Griffin	McKeown	Smith, Idaho
Brunner	Hammer	McMillan	Smith, W. Va.
Carley	Hartley	Mead	Snow
Celler	Hopkins	Montague	Spearing
Chase	Hudspeth	Nelson, Wis.	Steagall
Chindblom	Hull, Wis.	Newhall	Stedman
Clark, Md.	Igoe	Norton	Stevenson
Cooke	James	O'Connell, R. I.	Sullivan, Pa.
Cramton	Jeffers	Owen	Swanson
Cross	Johnson, Ill.	Palmisano	Taylor, Colo.
Crowther	Johnson, Tex.	Quayle	Tucker
Curry	Kading	Rainey, Henry T.	Underwood
Davis	Kemp	Rowbottom	White
Dempsey	Kennedy	Sabath	Whitehead
Dickinson	Kerr	Sandlin	Whitley
Doughton	Kunz	Schafer, Wis.	Wurzbach
Drewry	Kvale	Short, Mo.	Wyant

The SPEAKER. Three hundred and forty-three Members have answered to their names, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. PERKINS. Mr. Speaker and Members of the House, the bill (H. R. 2029) introduced by the gentleman from Texas [Mr. HUDSPETH] is a bill for the issue of ten thousand 50-cent memorial coins for the purpose of commemorating the settlement of the differences between the United States of America and the Republic of Mexico by the purchase known as the Gadsden purchase.

On the 4th of July of this year the seventy-fifth anniversary of that event will take place at El Paso, Tex., and other places along the border between the Republics.

There are two ways of looking at these coinage bills. One is that events of great national or international importance are very properly commemorated by the coinage of coins, and their sale—usually at a premium—in the particular sections interested in the coins. There have been before Congress in the last 10 years at least 15 different coinage bills. At the present time there are five bills of a similar nature pending. Inasmuch as H. R. 2029 has been vetoed by the President, it seemed proper that we have an expression of the House as to whether or not we should continue to report out of the Committee on Coinage, Weights, and Measures bills of this character.

The Treasury Department has a consistent policy against issuing commemorative coins. The position taken is that we ought not to interfere with our regular coinage for the purpose of commemorating some particular or special event; that such coinage is easily subject to being misused and counterfeited, and that all together it is something that out not to be done. The testimony before the committee is that, so far as any witness had knowledge, no coin issued for commemorative purposes has ever been counterfeited.

The other side is this, but our coinage ought to be regular; it ought not to be changed on varying occasions and that there ought to be a consistent and definite policy which the Treasury Department can follow.

The Secretary of the Treasury has written a letter to the chairman of the committee which explains the Treasury position fully. The letter contains a statement showing the coins that have been authorized heretofore and the probable return to the mint. I will ask that the letter be read in my time.

The SPEAKER. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, January 31, 1930.

DEAR MR. CHAIRMAN: I have for acknowledgement your letter of January 29, transmitting a copy of H. R. 2029, a bill introduced by MR. HUDSPETH, of Texas, to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden purchase, and asking for an expression of the views of this department on this proposed legislation.

In responding to your request for a report on this bill I feel that the department can do no better than to restate its position in regard to special coins. Objection is made for the following reasons: Since 1920 15 acts of Congress have been passed, authorizing the issue of special coins. By the authorization of the issue of these 15 special coins within 10 years, Congress has permitted a new design for the half dollar at an average of one every eight months.

Section 3510 of the Revised Statutes provides that "* * * no change in the design or die of any coin shall be made oftener than once in twenty-five years from and including the first adoption of the design, model, die, or hub for the same coin * * *." The department considers that this enactment of Congress enunciated a wise general public policy, adopted after due deliberation.

Upon practically every occasion when the department has been invited to express an opinion upon special coin issues it has recommended disapproval of the passage of the bills. Upon a vigorous appeal before the Committee on Coinage, Weights, and Measures, when the bill was pending for the issue of the Bennington coin, the committee agreed to cooperate with the department in discouraging the issue of special coins. The committee went on record at that time in its report in the following terms:

"The committee desires at this time to go on record as not favoring legislation of this class because of the great number of bills introduced to commemorate events of local and not national interests, and because such quantities of the coins so authorized have had to be taken back by the Government, melted, and reminted."

Aside from the very dangerous and objectionable policy of diverting coinage from its original use in trade, we are imposing upon the mints, and therefore upon the Government, an unnecessary and wasteful practice. We are required to invest money in metal for unnecessary coinage, and we are entirely defeating the original idea that coinage should be on Government account only. We are imposing an unnecessary burden on the manufacturing plants charged with the preparation of coinage needed in business and are diverting the activities of the mints, intended to supply the needs of all of the people, in order to meet the demands of a few of the people. The department is now endeavoring to meet the coinage requirements of the country with the same number of mints that we had 30 years ago. This can only be done by avoiding every unnecessary undertaking and confining the work of the mints to the legitimate demands of the enormous business of the country for regular coinage.

For your confidential information I am appending a table which indicates the number of special coins authorized, coined, and then returned to the mints to be destroyed.

	Authorized	Coined	Returned to the mints
Columbian Exposition	5,000,000	5,000,000	2,501,700
Lewis and Clark	250,000	60,000	40,003
Panama-Pacific	200,000	60,000	32,866
McKinley Memorial	100,000	30,000	10,023
Landing of Pilgrims	300,000	300,000	80,000
Missouri Centennial	250,000	50,000	29,600
Grant Memorial	250,000	100,000	28,400
Huguenot-Walloon	300,000	142,000	[1] 55,000
California seventy-fifth anniversary	300,000	150,000	63,696
Battle of Bennington	40,000	40,000	11,892
Fort Vancouver Centennial	300,000	50,000	35,000
Sesquicentennial	1,000,000	1,000,000	420,000
Stone Mountain	5,000,000	2,134,000	[2]

[1] 55,000 Huguenot coins placed in circulation at face value.
[2] It is understood that large numbers of Stone Mountain coins are on hand, unsold, at the banks.

I have gone into this subject at some length in the hope that you will consent to assist us by intercepting the passage of further legislation of this character.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

Hon. RANDOLPH PERKINS,
Chairman, Committee on Coinage, Weights, and Measures,
House of Representatives, Washington, D. C.

Mr. PERKINS. Our colleague, the gentleman from Texas [Mr. HUDSPETH], sent his check to cover the entire amount of the coinage provided for in this particular bill, and to include also the cost to the Treasury of minting the coins, so that in this case there can be no possible loss to the Treasury.

The matter has another aspect. There are now pending five bills for the coinage of commemorative coins. Our colleague, the gentleman from Ohio [Mr. FITZGERALD], has introduced a bill to commemorate the surrender of Cornwallis by a 50-cent coin. After the introduction of the bill Mr. FITZGERALD wrote a letter to the Treasury Department requesting information as

to the cost of minting, and seeking other information, the answer to which letter I will read:

MARCH 18, 1930.

Hon. ROY G. FITZGERALD,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN FITZGERALD: I have for acknowledgment your letter of March 8th relative to the proposed issue of 50-cent pieces for the sesquicentennial of the surrender of Cornwallis at Yorktown.

The cost of manufacturing 200,000 commemorative half dollars would be as follows:

Coinage charges	$1,500.00
Silver, at the March 15, 1930, market rate of 41 cents per fine ounce	29,660.00
Copper for alloy, at the current market price of 18 cents per avoirdupois pound	99.36

If the department can serve you further, please do not hesitate to call upon us.

Respectfully,

A. W. MELLON,
Secretary of the Treasury.

Mr. FITZGERALD has figured that if these 200,000 coins be actually issued and remained in circulation the profit to the Treasury would be something like $68,740.64, due to the difference in the cost of the silver in the coins and the value at which the Treasury put the coins out.

The SPEAKER. The gentleman from New Jersey has consumed 10 minutes.

Mr. PERKINS. Mr. Speaker, I yield myself five additional minutes.

Mr. BLAND. Will the gentleman yield?

Mr. PERKINS. Yes.

Mr. BLAND. I want to ask the gentleman if I understand that if the Treasury Department coined the 200,000 50-cent pieces under the bill authorizing the coinage of those commemorative coins there would be a profit to the Treasury of $68,000? Was that the statement made by the gentleman?

Mr. PERKINS. There would be that profit if the coins remained in the possession of the public, but if the coins went back to the Treasury Department there would not be that profit.

Mr. BLAND. Is it not a fact that in every bill that is now being reported from the Committee on Coinage, Weights, and Measures there is a provision that those coins shall be taken from the Treasury Department and that no part shall go back to the Treasury?

Mr. PERKINS. That is largely true. The committee has required the proponents of the bills to furnish a guarantee by way of a bank guarantee, or otherwise, that all the coins would be taken, but, of course, there is no method by which we can prevent the coins from eventually getting back to the Treasury.

Mr. BLAND. May I ask the gentleman one more question? Did I understand the gentleman to say that the evidence before his committee showed that these commemorative coins had never been counterfeited?

Mr. PERKINS. So far as the evidence went, it tended to show that there had never been any counterfeiting of a commemorative coin.

Mr. BLAND. Was not that statement made before the committee, and did not the Treasury fail to meet the statement?

Mr. PERKINS. The statement was made before the committee by a coin collector, but I can not say whether the Treasury met the statement or not.

Mrs. ROGERS. Will the gentleman yield?

Mr. PERKINS. I yield to the lady from Massachusetts.

Mrs. ROGERS. It is my recollection that the Assistant Director of the Mint, before your committee, stated twice in answer to that question that a special coin has never been counterfeited.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Illinois.

Mr. WILLIAM E. HULL. I would like to ask the gentleman if it is not true that about half of these coins have been returned to the Treasury?

Mr. PERKINS. It is true that the issuing of these coins has usually been a great disappointment to the proponents.

Mr. WILLIAM E. HULL. And about half of them have been returned?

Mr. PERKINS. More than half have been returned.

Mr. Speaker, I reserve the balance of my time and yield one minute to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Speaker, ladies and gentlemen of the House, apropos of the veterans' legislation which has been before the House for the past few days, I would like to call the attention of the Members to the fact that in the gallery to-day we have one of the finest officers who ever commanded a combat division, Maj. Gen. Clarence R. Edwards, former commander of the Twenty-sixth (Yankee) Division. [Applause, the Members rising.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, ladies and gentlemen of the House, as stated by the chairman of the committee, this bill is one introduced by the gentleman from Texas [Mr. HUDSPETH] asking for legislation that the mint shall coin ten thousand 50-cent coins to commemorate the historic event known as the Gadsden purchase.

In the interest of this bill, owing to the fact that my colleague was not permitted to be present on account of sickness, I appeared before the committee, and when the representative of the Treasury Department made the statement that one objection to the issuance of these coins was the fact that it would encourage counterfeiting, I asked him the direct question if he had an instance on record where one of these coins had been counterfeited. He said that he had not.

In reading the President's message giving his reasons for vetoing this bill, I wish to call your attention especially to the statement—

> During the past 10 years 15 such special acts providing for minting commemorative coins have been passed, an average of one each eight months, an aggregate of over 13,000,000 such coins having been minted.

The President evidently meant that authority had been given for the issuance of such coins, for the record shows that approximately a little over 7,000,000 coins have actually been minted. Of this number, 2,000,000 and some have been returned unused to the mint.

It occurs to me that while the Government is not at any expense, while the record shows there never has been any counterfeiting of a commemorative coin, Congress has the record for a number of years of recognizing similar historic events all over this great land of ours; and with a guaranty that the Government shall not be out any money on the coinage of these silver pieces, and as the record shows from the statement of the chairman relative to the letter of the Treasury to the gentleman from Ohio [Mr. FITZGERALD], on these 10,000 coins that we are asking the Government to coin for us the Government will make, owing to the low price of silver, $340 a thousand, or $3,400 net.

As stated by the gentleman from New Jersey [Mr. PERKINS] the authorities have a check from the gentleman from Texas [Mr. HUDSPETH] guaranteeing the Government against loss, and while my check may not be worth anything, I will give you one and have it certified, guaranteeing that not one of these 50-cent pieces will be returned to the Treasury; and if any should be returned, I will give $1 apiece for them. [Applause.]

Think about the great domain in the southwestern part of the country that is larger than the thirteen original States—Texas, New Mexico, Arizona, Colorado, most of Utah, and California—asking for recognition of an historic event, if you please, by the Government giving us the right to commemorate this event.

The celebration will be an international affair. The President of Mexico has already agreed to visit Villetros and El Paso on this date. Efforts are being made to have the President of the United States there. The Governors of Texas, New Mexico, and Arizona, and other States will be present.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. PERKINS. Mr. Speaker, I yield the gentleman two minutes more.

Mr. WILLIAMS. Ordinarily, I agree with the Executive of this Government in many of his vetoes, but here is a measure where the Government is guaranteed against loss. The facts are the Government will make between $3,400 and $3,500. Of course, this is not much to the Government, but it is better to be on the credit side than the debit side, and we surely need more funds on the credit side.

I may say, with respect to some of the other measures that the President and Mr. Mellon have referred to, that those coins were issued without any guaranty to the Government that there would not be a loss, and the result was that the Government sustained a loss; but this is not that kind of a case.

The Government is guaranteed against loss in every way, and as I have said, when you realize the great domain of the Southwest—Texas, Arizona, and New Mexico—commemorating the greatest historic event in that part of the country, I can not understand why this House on this bill would not override the President's veto. I thank you. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. DOUGLASS].

Mr. DOUGLASS of Massachusetts. Mr. Speaker and Members of the House, I speak primarily as a member of the Committee on Coinage, Weights, and Measures that has jurisdiction over such matters as are covered in this bill. I will take as my text in the brief time allotted to me that portion of the veto message which reads as follows:

> There are a great many historical events which it is not only highly proper but desirable to commemorate in a suitable way, but the longer use of our coins for this purpose is unsuitable and unwise.

I take it, as has been so eloquently expressed by the gentleman from Texas [Mr. WILLIAMS] that the Gadsden purchase is an event of the greatest historical significance in the United States, and is, therefore, "a great historical event," in the language of the President—

> Which it is not only highly proper but desirable to commemorate in a suitable way.

Reference has been made to the fact that there are other bills for coins to commemorate great historical events which have been passed by this committee, and one of them is the Massachusetts tercentennial bill, so-called, to provide for the issuance of 500,000 fifty-cent silver pieces to commemorate the landing of the Puritans and the establishment of representative government in America.

I say nothing of the great events in other parts of the country, but that certainly, the landing of the Puritans, 300 years ago, on these shores, is to quote the language of the President—

> An historical event which it is highly proper and desirable to commemorate in a suitable way.

We can commemorate events of that kind in many suitable ways.

The Gadsden Purchase coin will arouse the interest of people of the Southwest. In commemoration of the landing of the Puritans in Massachusetts, people will gather from all over the country to commemorate the establishment of free government in this country.

Is it any too much to ask that when we celebrate such movements that we should ask this little fragment of assistance from the Treasury of the United States?

President McKinley said—

> That the memory of heroes is the nurse of patriotism.

To commemorate heroes and historical events is to keep alive the spirit of patriotism in this country. The Treasury of the United States can cooperate to that end.

As to this particular bill, the arguments against it made before the committee and rehearsed in the letter of the Secretary of the Treasury, and in the memorandum of the veto message of the President, were fairly and completely heard. It was absolutely shown before the committee that never in the history of all of our coinage had there been a counterfeit of a memorial coin.

What is a memorial coin for? Where the State can not afford it and the Government is unwilling to afford assistance for a great national celebration, this kind of legislation affords the means for the issuance of coinage of 50-cent pieces to be sold for $1, so that the people will get the benefit of the increased sale, and by that means the Government places its approval on the public celebration.

Gentlemen, we can safely pass this legislation.

If we do not pass the bill to-day, meritorious as it is, we are going to accomplish what the President evidently desires in the second part of his message, which I read:

> But the longer use of our coins for this purpose is unsuitable and unwise.

The issue to-day is whether that is so or not. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker and gentlemen of the House, there are other bills which have been reported to the House. They are the bills commemorating the Lewis and Clark expedition, and the Massachusetts bill. In fact, the Massachusetts bill has passed the House. There is also the Yorktown bill, which the Yorktown Sesquicentennial Commission, consisting of five Senators and five Members of the House, has recommended. That measure was introduced by the gentleman from Ohio [Mr. FITZGERALD], and provides for the coinage of 500,000 fifty-cent silver pieces to commemorate the surrender of Cornwallis at Yorktown. It strikes me as exceedingly remarkable that the veto message of the President says that these coins have no particular value as commemorative coins, and then in the same message expresses the fear that there will be counterfeiting of these coins.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. ABERNETHY. Whose bill was this originally?

Mr. BLAND. This bill now before the House is the bill of the gentleman from Texas [Mr. HUDSPETH]. The point has been made and stressed that there has been no counterfeiting of these coins. Therefore, the objection made by the Treasury Department and by the President that there is danger of counterfeiting is answered by the cold, bald fact, that there has been no counterfeiting of these coins. The second objection is the burden that it places upon the Treasury. That point is answered by the information which was given to the gentleman from Ohio [Mr. FITZGERALD] that at the present price of silver, the Treasury, on 200,000 fifty-cent pieces, would be making a profit of $68,000. I think the Treasury might well assume the burden for the profit of $68,000 which will be made out of this coinage. This objection is also met by the guarantee that these coins will not come back into the Treasury. Then the point is made by the President in his message—and the President's message is nothing but a reiteration of the position taken by Mr. Mellon before the committee of the House—that there is an additional burden imposed upon the mints of the United States.

It strikes me, my countrymen, that the mints of the United States may bear the additional burden for the coinage of commemorative coins for the people of our own country, when we have here the uncontradicted letter from a coin collector written on March 5, 1930, that our mints are of sufficient capacity to do coining for Poland and Central and South American countries. During January we coined 2,000,000 bronze coins for Costa Rica and 40,000 for Nicaragua. Last year we coined 9,200,000 coins for Venezuela and 21,640,000 for Ecuador, and 1,500,000 for Panama. If there is an additional burden on the mints, let the mints bear it for the citizens of our own country and not for those of foreign countries as is shown by this letter. [Applause.]

Mr. Speaker, if there were anything in the message of the President that added anything new to the matter that has been before the Committee on Coinage, Weights, and Measures, I should not have the temerity to take the floor on this occasion, but that committee, as patriotic, as devoted, as loyal as the Secretary of the Treasury, has the right to submit legislation for this House, and the Congress has the right to determine the policies of this country. The Congress is as much interested in the protection of the money of this country as is the Secretary of the Treasury, or, even the President of the United States. So I ask this House to pass this bill over the veto of the President. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker and gentlemen of the House, my sole interest in this matter is because I have been appointed by the Speaker of this House as a member of the United States Yorktown Sesquicentennial Commission. At the request of the commission I introduced a bill for the coinage of 50-cent pieces commemorating the end of the Revolutionary War, the surrender of the British forces under Cornwallis at Yorktown. I took it up as a business measure. I knew that there had been reluctance on the part of the United States Treasury for many years to enter into these enterprises because they are beneath the dignity of the Treasury Department, which simply wants to coin money which will circulate freely and not serve any sentimental purpose. And I admire that type of man. It has a place in our political system and our economic system. But when I came to investigate the matter I find that only a few years ago silver cost $1.36 an ounce. I knew that silver had fallen to 40½ cents. But when I wrote to the Treasury for the figures I found they are paying 41 cents an ounce for fine silver. When they started this policy some years ago silver cost something. They apprehended that the commemorative coins might be counterfeited. They have clung to that policy of opposition and have given the same reasons over and over again. Experience shows that there never has been any counterfeiting of these coins. They are treasured in the homes of patriotic people in the United States, in the collections of numismatists, and they are not in general circulation. The mere fact that the Government by its mere stamp permits the coin to be legal tender at 50 cents is no indication that anyone will ever get one for 50 cents.

I knew that some of the coins have been returned to the mint for recoinage in years past, and so I asked the Secretary of the Treasury for a statement, and I shall put in the RECORD a complete statement of the coins issued and the number authorized and the number returned to the mint.

Those that are returned to the mint cost the Government little or nothing. They are made of fine silver of the standard required for our metallic money, and the expense of melting is insignificant. But when I asked the Secretary of the Treasury for the profit that would come to the United States Government itself by simply putting out these coins at par to the commission he gave me the figures that have already been inserted in the RECORD by my friend from New Jersey [Mr. PERKINS], showing that on 200,000 of these coins the Government would make a profit of $68,740. If the full 500,000 are minted and disposed of, the profit to the Government would be over $170,000. The commission has reason to believe that all could be sold, for the banks at Richmond, Va., have undertaken to form a committee for that purpose. If they could be so marketed, there would not only be the $170,000 of profit to the Government but there would be a fund produced of over $200,000 for the United States commission to carry out the duty with which you have charged it.

I have been over the ground at Yorktown. I know the great amount of work and the great expense that will be entailed if we invite the French and British to participate in the celebration in October of next year as they did at the centennial in 1881. I hope that we might get some contribution from those patriotic people who would gladly buy these coins to help pay the expense. When I find that the Government would make over $68,000 profit on 200,000 of these coins, I could see nothing to stand in the way either from a business or a sentimental standpoint. The President of the United States has been misinformed on this subject when he was advised that the mints would be overworked by the coinage of 10,000 coins in commemoration of the Gadsden purchase. I want you to know what the mints have been doing for foreign governments.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. FITZGERALD. Mr. Speaker, may I have a little more time?

Mr. PERKINS. Mr. Speaker, may I ask how many minutes I have remaining?

The SPEAKER. Eighteen.

Mr. PERKINS. I yield one minute more to the gentleman from Ohio.

Mr. FITZGERALD. To show what the mints have been doing for other countries I may mention these figures: For Siam, 10,000,000 coins in a year; for Peru, 20,000,000 coins in a year; for Cuba, 27,000,000 coins; for Indo-China, 27,000,000 coins; for Colombia, 24,000,000 coins.

Mr. Speaker, I ask leave to extend my remarks and insert in the CONGRESSIONAL RECORD the whole record as to what we are doing for foreign countries. [Applause.]

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. FITZGERALD. These memorial coins are the symbols of patriotic remembrance and appreciation of the outstanding events of the history of our country. They will endure when our monuments of granite and bronze have turned to dust. To-day we have the coins of Alexander the Great and Julius Cæsar cherished in our museums and in a multitude of private collections. There is nothing more imperishable, more lasting, or more calculated to serve as a commemorative token.

When the Treasury Department objects to the trifling labor involved in minting 10,000 coins to commemorate the Gadsden purchase or 500,000 to register our appreciation of the end of the War of the Revolution, it not only shows a callous disregard for the loyal sentiments of our people but a disregard of the material welfare of the Government. To claim that the mints are overtaxed, or likely to be by the striking of these coins, arouses suspicion in the face of the report that our mints have manufactured in the last 11 years more than 300,000,000 coins for foreign countries, as set forth in the following table:

Foreign coinages executed at the United States mints

Country:	Number of pieces
1919	
Siam	10,000,000
Salvador	3,000,000
Nicaragua	850,000
Venezuela	3,200,000
Peru	20,750,000
1920	
Cuba	37,548,000
Salvador	3,492,000
Peru	4,544,000
Nicaragua	850,000
Colombia	11,395,000
Indo-China	27,290,000
Argentina	11,383,334
1921	
Costa Rica	3,000
Cuba	1,590,352
Colombia	24,605,000
Venezuela	3,100,000
Peru	15,456,000
Indo-China	6,560,000
Salvador	3,780,000
1922	
Costa Rica	13,030
Colombia	3,000,000
Venezuela	2,800,000
Nicaragua	900,000
Indo-China	1,150,000
1923	
Peru	4,369,000
1924	
Poland	4,400,000
Peru	3,113,196
Venezuela	4,450,000
Nicaragua	700,000
1925	
Guatemala	1,570,000
Poland	1,600,000
Peru	1,291,000
Venezuela	2,800,000
Salvador	6,200,000
1926	
Costa Rica	15,000
Guatemala	115,000
Venezuela	2,800,000
Peru	11,657,000
Salvador	400,000
1927	
Nicaragua	850,000
Venezuela	2,800,000
1928	
Nicaragua	1,800,000
Ecuador	9,878,000
Costa Rica	25,000
Salvador	5,000,000
1929	
Venezuela	9,200,000
Nicaragua	640,000
Ecuador	21,640,000
Costa Rica	2,000,000
Panama	1,500,000
Total	300,070,912

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. GREEN].

The SPEAKER. The gentleman from Florida is recognized for five minutes.

Mr. GREEN. Mr. Speaker and colleagues, this legislation had my support in the committee, and I shall vote for it to-day, the veto of the President to the contrary notwithstanding.

If I felt that in this bill there was danger of injury to the coinage system of our country, of course I should support the President in his veto. But inasmuch as these commemorative coins have never been counterfeited, I wonder if it would not be well to have all our coins commemorative. This bill will not cost the Government anything. Possibly it will put a little more work on somebody in the Treasury Department, but we have no evidence that these employees are not able to perform this extra duty.

The minting of this coin would give encouragement to a section of the country, which, in my opinion, is deserving of as much recognition as any part of our entire Nation.

My history tells me that less than 100 years ago, on April 21, 1836, I believe, Sam Houston, with a band of brave persons who were native Texans, at the Battle of San Jacinto defeated the Mexican forces under Santa Anna and set up a state of their own, and the sons of those same men are now asking the Congress of the United States to permit them to purchase with a check here in hand $10,000 worth of coins to give honor and commemoration to the Gadsden purchase. Yes; their forefathers set up an independent nation of Texas, won with sword their independence, and then entered our Union of States as a brave, powerful, and patriotic member. Later Arizona and New Mexico came into the Union.

My friends, that is the way sons of Texas, Arizona, and New Mexico do things—open and whole-hearted, aboveboard, and unafraid. They do not ask the Government to lose a cent, but they say, "Here is the money for the coins and the cost of minting thereof." During my five years of service on the Coinage Committee I do not recall another instance where they have said, "Here is the money. All we want you to do is to lend us the moral assistance of our Government." To me, my friends, "word" of my Texas colleagues, Mr. HUDSPETH and Mr. WILLIAMS, was entirely sufficient; it was unnecessary for them to offer further guarantee that the cost of the coins would be met.

The great Southwest is anxious for the passage of the bill. These sturdy citizens of the great open spaces have written rich pages in the history of our Nation. They are strong in their patriotism and firm in causes for the common good of the country. I shall vote for the passage of the bill and thus give my approval to their commemorative efforts. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield three minutes to the gentleman from New Mexico [Mr. SIMMS].

Mr. SIMMS. Ladies and gentlemen of the House, I can understand full well why the distinguished head of the Treasury Department could have a fastidious dislike for such a bill. He is constantly occupied with the management of the most important branch of the Government's activities, and I know that one who has concentrated on the one subject of finance would quite likely lose sight of any sentimental value that might be attached to the passage of such a bill.

You may remember that the issue asked for in this bill is quite small, 10,000 coins, of the value of $5,000. It is not important in the life of the country but it is important to the region which I have the honor to represent, the State of New Mexico.

Please remember that this bill has been used as a stalking horse; that it is a typical bill; that the fate of this bill will be the fate of the Massachusetts Bay bill, the fate of the Yorktown bill, the fate of the Oregon purchase bill, and others. After all, why should there not be a little sentiment in Government? There ought to be other things beside the fact that two and two make four. It occurs to me that one of the most valuable thoughts to be considered about the advisability of the passage of this bill is that it will promote our international relations with the Republic of Mexico. On the occasion of this celebration, which is to be July 5, there will be friendly groups from both Republics, and we all know that the more people exchange ideas with each other the less likely they are to have prejudices and the more likely they are to have their sentiments grow into lasting feelings of friendship. It occurs to me it would be greatly in the public interest to pass this bill, and I ask the House to pass it without the aid of the White House. [Applause.]

Mr. PERKINS. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Speaker, I favor the enactment of this legislation, notwithstanding the Presidential veto. By this measure it is proposed to mint 10,000 half-dollor coins to commemorate the so-called Gadsden purchase. In July a celebration is to be held in El Paso, Tex., to commemorate this historic event which added 45,535 square miles of territory to our national domain. This is a celebration in which all of the people of the great Southwest are interested. It has been the custom in the past for the Government to issue coins on occasions of this character, however without expense to the Government. In the past, commemorative coins have been authorized and issued for the following expositions: Columbian, Louisiana Purchase, Lewis & Clark, Panama-Pacific, and Sesquicentennial; also for the Missouri and Fort Vancouver Centennials, the Stone Mountain, Grant, McKinley, and Huguenot-Walloon Memorials, and the Battle of Bennington and Landing of the Pilgrims celebrations.

Those behind this movement to celebrate the Gadsden purchase have offered to take these coins as soon as they are minted, and pay the Government their full value. I understand that a certified check has been deposited, or is available to insure the payment to the Government of the full value of these coins. While the Government will get 100 cents on the dollar for these coins, those in charge of this celebration will be able to sell them at a premium. In this way, the celebration will be promoted without expense to the Government, and these coins will be kept as mementoes of this celebration, and of the purchase it commemorates.

Moreover, the coining of these pieces will mean a net profit to the Government of about $3,400, because the silver in the coins will not cost the Government anything like the amount it receives for the coins. So from a business standpoint this is a good proposition for the Government.

The President suggests that these memorial coins might be counterfeited; but the evidence shows there has never been a single case where any of the coins of this kind were counterfeited. This is established by the testimony of Secretary Mellon, so that objection on the part of the President falls to the ground. There is no more danger of these special coins being counterfeited than there is of the other coins issued by the Government being counterfeited.

I can not believe that this measure was carefully considered by the President. I am convinced that if President Hoover had made an independent investigation of this matter he never would have written this veto message. It is quite evident that he has been imposed upon by Secretary Mellon, because in this veto message he follows very closely the statements made by Mr. Mellon in his testimony before the committee. The message reflects a selfish and sordid note or sentiment. It condemns a sentiment that ought to be encouraged in America. I do not think we should let the oncoming generations forget the wonderful achievements of those who built, developed, and expanded our mighty Nation.

I favor this bill because it will stimulate patriotism and inspire a feeling of pride for our many accomplishments as a nation, and while this project will not cost the Government a penny, if it cost $5,000 the money would be well expended in the stimulation of patriotism. I think we give too little thought to the spiritual things of life and are becoming a selfish and sordid nation. More and more we are measuring everything by the standard of the dollar. We are neglecting the higher, nobler, and better things of life, disregarding the high ideals that should actuate a republic such as ours, and we are measuring everything by the dollar, which is rapidly becoming the rule or yardstick for everything we are asked to do. These coins will be handed down from father to son, and will inspire patriotism, better citizenship, and interest in public affairs. In coming generations these coins will be prized and exhibited as memorials of outstanding historic events.

It is fitting that the Gadsden purchase be commemorated. It was an important event in the history of the great Southwest. Our war with Mexico was ended in 1848 by the treaty of Guadalupe-Hidalgo. This treaty indefinitely defined the boundaries between the United States and Mexico. Both nations claimed the territory bounded on the north by the Gila River and on the east by the Rio Grande. Under this treaty the United States agreed to protect Mexico from depredations in Mexico by Indians living on our side of the international boundary line. This we failed to do, and Mexico presented claims against our Government amounting to between $20,000,000 and $30,000,000.

The territory to which I have referred was claimed by our Territory of New Mexico and also by the State of Chihuahua, in Mexico, which controversy threatened no end of trouble, and possibly war. In order to adjust this conflict and to acquire this additional territory, James Gadsden, our minister to Mexico, acting under instructions from our Government, negotiated a treaty during the closing days of 1853, which was ratified in 1854, and by which treaty a district containing over 45,000 square miles of territory along the southern sides of Arizona and New Mexico was ceded by Mexico to the United States, in consideration of which we paid Mexico $10,000,000 and Mexico canceled her claims against the United States growing out of depredations of American Indians in Mexican territory.

It has been claimed that in the acquisition of this territory far-seeing Americans looked forward to the time when it would furnish a route for what is now the Southern Pacific Railroad through Arizona and New Mexico, with much lower grades than would have been required had the road been projected over a route through the more mountainous territory farther north which was conceded to belong to the United States.

The people of Mexico were very much opposed to ceding this land to the United States, and largely because of the transaction the Mexican President, General Santa Anna, was banished from his office and country. But no American has ever questioned the wisdom of our Government in having made the so-called Gadsden purchase, and the people of Texas are to be congratulated on their coming celebration of this important historic event. What this bill asks our Government to do costs the Government nothing, gives it a profit of $3,400, and encourages a commendable and patriotic enterprise. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. PERKINS. Mr. Speaker, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Speaker, ladies and gentlemen of the House, the fundamental question before us is whether this is a proper use of the coinage, or whether it is not; in fact, an abuse of the coinage. It is true we have entered upon this policy, and for a number of years we have reported out and passed certain of these bills, one after another, on some of the same excuses that have been presented in this case. After all, what is the purpose of the coinage? Is it to issue medals to celebrate historical occasions? No. The fundamental purpose of our coinage is to furnish a proper circulating medium for our people.

I believe in celebrating historical occasions, and there is a proper way to do it; but how much does it add to the dignity of the celebration to issue a half dollar purporting to commemorate that occasion?

There are other ways and proper ways to celebrate historical anniversaries. If we wish to authorize a medal, all right; but

let us not go on with this policy of really abusing our coinage by the issuance of one after another of these memorial coins.

As I understand, there are now five more bills of the same kind to follow this one; and if these pass there will be numerous other occasions to be commemorated in the same way. Our country's life has been so full of historical events that we might celebrate many of them every year, and where would it end, so far as our coinage is concerned? It seems to me that we have reached a place where we ought to consider this question calmly and dispassionately, and if we do I think we shall make up our minds that the time has come to cease using our coinage for such a purpose. We know in our hearts this is not the proper way to celebrate these events. We know that in this case the President is right in asking that this method of celebrating historical events should stop.

Being right—and, in my judgment, most of us believe that he is right—we should, of course, support him. I believe that each one of us upon calm and judicial reflection will conclude that he is warranted in asking us to stop what amounts to an abuse of the public coinage. I sincerely hope that this House will take this calm view of it, and because the President is right and because we know he is right, support him. [Applause.]

Mr. PERKINS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ACKERMAN). The question now is, Will the House, on reconsideration, pass the bill, H. R. 2029, the objections of the President to the contrary notwithstanding? Under the Constitution the vote is taken by the yeas and nays, and the Clerk will call the roll.

The question was taken; and there were—yeas 96, nays 244, answered "present" 2, not voting 86, as follows:

[Roll No. 24]

YEAS—96

Abernethy	Douglas, Ariz.	Hill, Wash.	Patman
Allgood	Douglass, Mass.	Howard	Patterson
Almon	Doxey	Hull, Tenn.	Pou
Bankhead	Drane	Jeffers	Prall
Bell	Driver	Jones, Tex.	Ragon
Bland	Edwards	Lampert	Ramspeck
Bloom	Eslick	Lanham	Rankin
Box	Esterly	Lankford, Ga.	Rayburn
Boylan	Evans, Mont.	Larsen	Romjue
Brand, Ga.	Fisher	Lindsay	Rutherford
Briggs	Fitzgerald	Lozier	Sanders, Tex.
Browning	Fitzpatrick	Ludlow	Simms
Buchanan	Fuller	McCormack, Mass.	Speaks
Busby	Fulmer	McDuffie	Sullivan, N. Y.
Canfield	Garner	McReynolds	Sumners, Tex.
Cartwright	Gasque	McSwain	Tarver
Clark, N. C.	Gavagan	Mansfield	Vinson, Ga.
Collier	Glover	Montet	Warren
Connery	Goldsborough	Moore, Ky.	Williams
Cooper, Tenn.	Green	Moore, Va.	Wilson
Cox	Gregory	O'Connor, La.	Wingo
Crisp	Hare	Oldfield	Woodrum
Cullen	Hastings	Oliver, Ala.	Wright
Dominick	Hill, Ala.	Parks	Yon

NAYS—244

Ackerman	Colton	Hale	LaGuardia
Adkins	Connolly	Hall, Ill.	Langley
Aldrich	Cooke	Hall, Ind.	Lankford, Va.
Allen	Cooper, Ohio	Hall, Miss.	Lea
Andresen	Cooper, Wis.	Hall, N. Dak.	Leavitt
Andrew	Coyle	Halsey	Lehlbach
Arentz	Craddock	Hancock	Letts
Arnold	Crail	Haugen	Luce
Ayres	Crosser	Hawley	McClintock, Ohio
Bacharach	Culkin	Hess	McFadden
Bachmann	Dallinger	Hickey	McCormick, Ill.
Bacon	Darrow	Hoch	McLaughlin
Baird	Dempsey	Hogg	McLeod
Barbour	Denison	Holaday	Maas
Beck	De Priest	Hooper	Magrady
Beers	Dickstein	Hope	Manlove
Blackburn	Doutrich	Houston, Del.	Mapes
Bohn	Dowell	Huddleston	Martin
Bolton	Dunbar	Hull, Morton D.	Merritt
Bowman	Dyer	Hull, William E.	Michaelson
Brand, Ohio	Eaton, Colo.	Hull, Wis.	Michener
Brigham	Eaton, N. J.	Irwin	Miller
Browne	Elliott	Jenkins	Milligan
Brumm	Ellis	Johnson, Ind.	Montague
Buckbee	Englebright	Johnson, Nebr.	Mooney
Burdick	Estep	Johnson, S. Dak.	Moore, Ohio
Burtness	Evans, Calif.	Johnson, Wash.	Morehead
Butler	Fenn	Johnston, Mo.	Morgan
Byrns	Fish	Jonas, N. C.	Mouser
Campbell, Iowa	Fort	Kahn	Murphy
Cannon	Foss	Kearns	Nelson, Me.
Carter, Calif.	Frear	Kelly	Nelson, Mo.
Carter, Wyo.	Free	Kemp	Niedringhaus
Chalmers	French	Kendall, Ky.	Nolan
Christgau	Garber, Okla.	Kendall, Pa.	O'Connor, Okla.
Christopherson	Garber, Va.	Ketcham	Oliver, N. Y.
Clague	Gibson	Kiefner	Palmer
Clancy	Golder	Kless	Parker
Clark, Md.	Goodwin	Kincheloe	Peavey
Clarke, N. Y.	Graham	Kinzer	Perkins
Cochran, Mo.	Grandfield	Knutson	Pittenger
Cochran, Pa.	Greenwood	Kopp	Poster
Cole	Guyer	Kurtz	Pratt, Harcourt J.
Collins	Hadley	Kvale	Pratt, Ruth
Pritchard	Selvig	Swanson	Wainwright
Purnell	Shaffer, Va.	Swick	Walker
Quin	Shott, W. Va.	Swing	Wason
Ramey, Frank M.	Simmons	Taber	Watres
Ramseyer	Sinclair	Taylor, Tenn.	Watson
Ransley	Snell	Temple	Welch, Calif.
Reece	Snow	Thatcher	Welsh, Pa.
Reed, N. Y.	Somers, N. Y.	Thompson	Whitley
Robinson	Sparks	Thurston	Whittington
Rogers	Sproul, Ill.	Tilson	Wigglesworth
Sabath	Stafford	Timberlake	Williamson
Sanders, N. Y.	Stalker	Tinkham	Wolfenden
Schafer, Wis.	Stobbs	Treadway	Wolverton, N. J.
Schneider	Stone	Turpin	Wolverton, W. Va.
Sears	Strong, Kans.	Underhill	Wood
Seger	Strong, Pa.	Vestal	Woodruff
Seiberling	Summers, Wash.	Vincent, Mich.	Yates

ANSWERED "PRESENT"—2

Aswell	O'Connor, N. Y.

NOT VOTING—86

Auf der Heide	Drewry	Korell	Short, Mo.
Beedy	Finley	Kunz	Shreve
Black	Freeman	Lambertson	Sirovich
Britten	Gambrill	Leech	Sloan
Brunner	Garrett	Linthicum	Smith, Idaho
Cable	Gifford	McClintic, Okla.	Smith, W. Va.
Campbell, Pa.	Griffin	McKeown	Spearing
Carley	Hammer	McMillan	Sproul, Kans.
Celler	Hardy	Mead	Steagall
Chase	Hartley	Menges	Stedman
Chindblom	Hoffman	Nelson, Wis.	Stevenson
Corning	Hopkins	Newhall	Sullivan, Pa.
Cramton	Hudson	Norton	Taylor, Colo.
Cross	Hudspeth	O'Connell, N. Y.	Tucker
Crowther	Igoe	O'Connell, R. I.	Underwood
Curry	James	Owen	White
Davenport	Johnson, Ill.	Palmisano	Whitehead
Davis	Johnson, Okla.	Quayle	Wurzbach
DeRouen	Johnson, Tex.	Rainey, Henry T.	Wyant
Dickinson	Kading	Reid, Ill.	Zihlman
Doughton	Kennedy	Rowbottom	
Doyle	Kerr	Sandlin	

So, two-thirds having failed to vote in favor thereof, the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Linthicum and Mr. Hudspeth (for) with Mr. Shreve (against).
Mr. McKeown and Mr. McClintic of Oklahoma (for) with Mr. Reid of Illinois (against).
Mr. Sandlin and Mr. Spearing (for) with Mr. Chindblom (against).
Mr. Stedman and Mr. O'Connell of New York (for) with Mr. Beedy (against).
Mr. Carley and Mr. Quayle (for) with Mr. Curry (against).
Mr. McMillan and Mr. Cellar (for) with Mr. Wyant (against).
Mr. Doughton and Mr. Hammer (for) with Mr. Cramton (against).
Mr. Smith of West Virginia and Mr. Cross (for) with Mr. Sullivan of Pennsylvania (against).
Mr. Garrett and Mr. Johnson of Texas (for) with Mr. Short (against).
Mr. Auf der Heide and Mr. Black (for) with Mr. Crowther (against).
Mrs. Norton and Mr. Brunner (for) with Mr. Hopkins (against).
Mr. DeRouen and Mr. Corning (for) with Mr. Hudson (against).
Mr. Mead and Mrs. Owen (for) with Mr. Cable (against).

Until further notice:

Mr. Campbell of Pennsylvania with Mr. Davis.
Mr. Smith of Idaho with Mr. Gambrill.
Mr. Dickinson with Mr. Kunz.
Mr. Gifford with Mr. Johnson of Oklahoma.
Mr. Johnson of Illinois with Mr. Igoe.
Mr. Menges with Mr. Kerr.
Mr. White with Mr. Steagall.
Mr. Zihlman with Mr. Tucker.
Mr. Wurzbach with Mr. O'Connell of Rhode Island.
Mr. Britten with Mr. Doyle.
Mr. Davenport with Mr. Kennedy.
Mr. Freeman with Mr. Whitehead.
Mr. James with Mr. Henry T. Rainey.
Mr. Leech with Mr. Drewry.
Mr. Newhall with Mr. Griffin.
Mr. Hartley with Mr. Underwood.
Mr. Rowbottom with Mr. Stevenson.
Mr. Chase with Mr. Palmisano.
Mr. Kading with Mr. Sirovich.
Mr. Hardy with Mr. Taylor of Colorado.

The result of the vote was announced as above recorded.

The SPEAKER. Without objection the Clerk will inform the Senate of the action of the House, and without objection the Chair will refer the bill and the President's message back to the Committee on Coinage, Weights, and Measures.

There was no objection.

ELECTION TO COMMITTEES

Mr. CRISP. Mr. Speaker, at the request of the gentleman from Texas [Mr. GARNER] I offer a privileged resolution.

The SPEAKER. The gentleman from Georgia offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 210

Resolved, That MARTIN J. KENNEDY, of New York, be, and he is hereby, elected a member of the standing committees of the House, as follows: Claims, Labor.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

MINORITY VIEWS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may have five days from to-morrow in which to file minority views on H. R. 10668 and H. R. 10670.

The SPEAKER. The gentleman from New York asks unanimous consent that he may have five legislative days in which to file minority views on House bill 10669 and 10670. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILLIAM E. HULL. Mr. Speaker, I ask unanimous consent to proceed for two minutes in order to make a statement with reference to the Rivers and Harbors bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM E. HULL. Mr. Speaker, the waterways of the Nation have for many years been of little service except along the seaboard and the Great Lakes system. The reason has been that our railroad transportation was so efficient and so cheap that it was unnecessary to consider waterways.

However, since the war, railroad costs have gone up by leaps and bounds. This is not a reflection upon the management of the railroads, but our railroads which have reached the highest efficiency in their history must maintain this efficiency. With a higher cost of labor and materials, they can not reduce their freight rates and therefore it is necessary to secure some other form of transportation in order to meet the requirements of the Nation. Under such conditions we must turn to our natural waterways with which Providence has blessed us.

In order to accomplish this we must deepen our rivers to permit modern barge transportation, deepen the outlet to the Great Lakes to permit ocean-going shipping, and connect the Lakes with the Atlantic into a definite transportation system.

This would give us 12,000 miles of connected inland waterway transportation, reaching from Duluth in the North to New York in the East, from Chicago to New Orleans, from Pittsburgh to Sioux City, from New Orleans to Houston, Tex., thus making a network of inland waterways larger than any in the world.

The Rivers and Harbors Committee will on Friday consider in the House a bill containing many projects that have accumulated since the last bill was passed in 1927. A 3-year period has elapsed from the time the last bill was passed until this bill was reported. Consequently, the total amount of this bill is larger than the usual bill. It will amount to, in round numbers, in the neighborhood of $111,000,000.

These projects have been well distributed throughout the United States, beginning at a point in northern Massachusetts, along the Atlantic seaboard to Florida, and then across the Gulf of Mexico to the farthest Texas points, and from southern California to northern Washington, taking in Alaska. All of the coast harbors are well provided for.

The Great Lakes system, the greatest inland-water system in the world, has received very generous treatment. Twenty-nine million dollars is authorized for the deepening of the channels to 24 feet. Every State bordering on the Great Lakes, starting with western New York, western Pennsylvania, northern Ohio, northern Indiana, Michigan, Illinois, and Wisconsin have fared well by the allocation of funds and a completion of necessary harbors and inland rivers.

The Central West, which includes all of the States between the Alleghenies and the Rockies, have been very generously treated in this bill, and I want at this time to impress upon the Congressmen and Senators who come from this part of the country and the South that this is one bill that will meet their requirements. We have all been generously treated; a sum of $42,344,487 has been authorized for our rivers in this part of the country and $37,929,237 to the Great Lakes section. And while some may complain that they have been unjustly treated, nevertheless, it is a fair bill and no one in this section of the country should rebel. It is my honest belief that those of us who have been fighting for these many years have now come into our own. We should be satisfied with what is given us; we should be willing to vote as one man for the entire bill.

In the development of a waterway bill, there are always kicks and complaints—there may be some against this bill—one section of the country complaining on account of the advantages gained by another section. That should be avoided, if possible, because remember the destruction of this bill would mean setting back waterway development for two years. Remember, it is only in the long session of Congress that we are able to develop and pass waterway legislation. If this bill should fail, we will be faced two years from now with going back and taking up the same projects in regular order and add additional projects that will be presented by the engineers. So I am asking you not to make this sectional legislation but make it legislation for the whole country.

THE ERIE CANAL

Many false statements have been made in reference to the Erie Canal. It has been said that the West traded with New York. I deny that anything of the sort was ever contemplated by the committee.

Early in the hearings, there was a unanimous vote of the entire committee to give consideration to the Erie Canal because it was the belief that by making a connection between the Great Lakes and the Atlantic Ocean it would be a great advantage for the transportation of grain and manufactured products of the West to the seaboard and would be equally advantageous for importations and domestic freight through the canal westward.

As the Erie Canal serves both domestic and foreign commerce, the very important finding is made that terminal and transportation facilities have been provided at all important canal points, with a 2,000,000-bushel grain elevator at New York City and 1,000,000-bushel grain elevators at Oswego and Albany. The terminals have direct railroad connections and are open to the public on equal terms.

The Erie Canal carried 1,424,434 tons of traffic in 1920; in 1928 this had grown to 3,089,988 tons, an increase of 117 per cent. And, mind you, this tremendous growth has resulted despite the fact that the project depth has not been obtained.

The construction and operation of modern type vessels which would carry the largest cargo possible on a 12-foot depth has been discouraged and prevented by the failure to obtain the project depth to make the canal as successful as it would be to bring about transportation of tonnage at the lowest rate on a 12-foot depth.

A somewhat greater depth than this, say 13 feet, must be obtained and maintained in order to make this canal a success.

It is reasonable to suppose that a canal of such wonderful proportions, of such great opportunities of carrying the freight from the West to the East, and from the East to the West, with very small expense, properly managed by the United States Government will become one of the important transportation canals of the Nation. By connecting the Great Lakes with the Atlantic, which in time will be connected up with all of the great western country, gives opportunity that could not be supplied in many years to come.

What is needed now is quick action and this we can have within a two or three year period.

I regard the Erie Canal as one of the outstanding projects in this general rivers and harbors bill.

The Illinois waterway has been amicably settled. The diversion question is entirely out of it. Members on the committee of the Great Lakes States have sanctioned it by a unanimous vote by roll call and the attorneys for the Great Lakes system and the Lake Carriers Association and the attorney general of the State of Illinois agreed upon the language that is in this bill.

In order to make the Mississippi system a success it is necessary to complete the Illinois waterway so as to make the connection between Lake Michigan and the Mississippi River. When that is done, then it will be an easy matter to make these channels pay their own way.

The upper Mississippi River has been treated fairly and the only way it could be treated.

All projects are adopted on the recommendation of the engineers' report. It was impossible for the engineers to complete the report on the upper Mississippi River, so an interim report was made. It left the committee without authority to adopt the full project. However, it is the belief of the committee that when the engineers' report is complete it will recommend a 9-foot channel from the mouth of the Illinois River to St. Paul and Minneapolis, and I am sure that it is in the minds of the members of the committee that if a favorable report is made, they will very gladly adopt it.

The upper Missouri River, which is in about the same position, will be allocated in this bill $15,000,000 to be spent above Kansas City on the upper Missouri within a 3-year period. This is all the engineers could expend, and it will take them in a northerly direction very close to the city of Omaha.

The Tennessee River, which has a full report, is in the same position as the other rivers, and $3,000,000 has been allotted for it, which will give it a good start. All of the rivers of the Central West have been generously treated.

We can not make a success of the inland waterway system without reaching the seaboard.

If the Erie Canal, at some future date, is turned over to the United States Government and is made a 13-foot channel, it will immediately give us a waterway from the Central West to the Atlantic coast.

When the Mississippi River is a completed project with a 9-foot channel, it will give the Central West an outlet by the Gulf of Mexico and through the Great Lakes and Erie Canal to the Atlantic Ocean. Consequently it will be of great advantage to every State between the Rocky and the Allegheny Mountains.

The St. Lawrence route has been treated fairly. Adoption of a 27-foot channel connecting Ogdensburg, N. Y. and Lake Ontario.

The development of these inland waterways, which connects up, as I said before, the Great Lakes system with the Atlantic coast, will be an incentive, in my judgment, to bring to a final conclusion the efforts that are being put forth for the building of the St. Lawrence waterway.

There is not a member of the Rivers and Harbors Committee but who favors a waterway through the St. Lawrence. We are, all, for that project but why wait indefinitely upon Canada; we are ready now, but they have never made any overture to this country that would consummate this great project. So, I say to the House of Representatives, study this bill carefully, lay aside your prejudices, clasp hands of friendship with the East and the West, the North and the South, carry this bill through to a successful conclusion and you will begin a great development of waterways that will eventually make our transportation the greatest of any country in the world. [Applause.]

LEAVE OF ABSENCE

Mr. ACKERMAN. Mr. Speaker, on behalf of my colleague, the gentleman from Pennsylvania [Mr. SHREVE], who is chairman of the subcommittee having in charge the appropriation bill for the Departments of State and Justice, the Judiciary, and the Departments of Commerce and Labor, I ask that he may be excused from attendance upon the sessions of the House for three weeks on account of attending an administrative conference of commercial attachés, Department of Commerce, at Panama, and then going to Los Angeles to attend a conference of trade commissioners.

The SPEAKER. Without objection, granted.

CUSTER NATIONAL FOREST

Mr. COLTON. Mr. Speaker, by direction of the Committee on the Public Lands, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6130) to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Utah asks unanimous consent to take from the Speaker's table the bill H. R. 6130, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. CRISP. Mr. Speaker, reserving the right to object, has the gentleman consulted the minority members of the committee?

Mr. COLTON. Yes; the matter was taken up in the committee this morning and I was directed by the committee to take this action.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection; and the Chair appointed the following conferees: Messrs. COLTON, SMITH of Idaho, and EVANS of Montana.

CONGESTION OF BUSINESS IN THE FEDERAL COURTS

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from West Virginia [Mr. BACHMANN] for 45 minutes.

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent that certain tables that I have prepared, showing the disposition of cases in the Federal courts in every State of the Union, may be incorporated in the RECORD as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BACHMANN. Mr. Speaker and Members of the House, on March 7 last I discussed the subject of congestion in the Federal courts in relation to prohibition enforcement. To-day I am prepared to discuss congestion in the Federal courts from all causes.

The President in his message to Congress on January 13, 1930, transmitting comments upon proposals to improve enforcement of the criminal laws of the United States said:

> In my previous messages I have requested the attention of the Congress to the urgent situation which has grown up in the matter of enforcement of Federal criminal laws.
>
> * * * increasing enactment of Federal criminal laws has finally culminated in a burden upon the Federal courts of a character for which they are ill designed, and in many cases beyond their capacity.

The President recommended, in part, provision for adequate court and prosecuting officials.

The Attorney General in his letter to the President on January 13, 1930, said:

> Congestion in the courts deserves utmost consideration. In many districts the Federal courts are unable to cope with the volume of business brought before them. This results in delay with weakening of evidence and difficulty in obtaining convictions.

The Attorney General also said:

> Some additional relief for congested conditions will be afforded by providing additional judges in a few districts already recommended by the conference of senior circuit judges and by me.

The Attorney General recommended, in part, immediate consideration of legislation to relieve congestion in the United States courts by providing some additional judges.

The Commission on Law Observance in its preliminary report, dated November 21, 1929, stated:

> From various parts of the country come complaints of congestion of the Federal courts.

The President, the Attorney General, and the Commission on Law Observance all agree that the Federal courts are congested and that action should immediately be taken by the Congress to relieve the situation.

However, before legislation to relieve the situation can be enacted it must be determined whether the congestion is general throughout the United States or whether it is "spotty" and confined to a few certain districts. To determine this, I have made a close study of the reports of the Attorney General concerning the volume of business transacted in each Federal district for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929. I have prepared certain tables, which will be inserted in the RECORD as a part of my remarks, which show the business transacted in each of the Federal districts in the United States, exclusive of Alaska, Hawaii, and Porto Rico.

In these tables, litigation in which the United States is a party, is listed as civil cases; litigation in which citizens of the United States are parties, is listed as private cases; while all violations of the various criminal laws are listed as criminal cases. Bankruptcy proceedings are not included in these figures.

Mr. CRISP. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. CRISP. Does your list show how many were tried and how many disposed of without a trial?

Mr. BACHMANN. It does not. I made that analysis in a speech on March 7, when I analyzed prohibition cases only.

Mr. CRISP. Unfortunately, I did not hear the gentleman's speech.

Mr. THATCHER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. THATCHER. Has the gentleman anything to show what percentage of these cases were misdemeanors and what percentage were felonies?

Mr. BACHMANN. I did not go into the analysis of the misdemeanors and the felonies, because it would have entailed too many figures.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. KINCHELOE. Does the gentleman's analysis show the number of criminal cases actually tried that pleaded guilty?

Mr. BACHMANN. That analysis was given in the other speech on March 7.

CASES COMMENCED

It may be of interest to know that in the 85 Federal districts in the United States, including the District of Columbia, for the 4-year period beginning with the fiscal year 1926 and ending with the fiscal year 1929, there was a total of 464,815 civil, private, and criminal cases commenced, an average of 116,200 cases each year. Of the total cases for the period, 165,885 were civil and private and 298,930 were criminal cases. Over one-third, or approximately 36 per cent, of the total cases commenced during the period were civil and private litigation, while almost two-thirds, or 64 per cent, of the total cases were criminal prosecutions.

In other words, approximately two-thirds of the cases brought into the Federal courts were for violations of the criminal laws of the United States.

Of the 298,930 criminal cases commenced during the period, 196,413, or over 64 per cent, were prohibition cases.

Of the total of all cases commenced during the period, over 42 per cent, or 196,413 cases, were prohibition cases; 102,517, or 22 per cent, were criminal cases other than prohibition; 165,885, or 36 per cent, were civil and private cases, showing that the greatest percentage of the total cases commenced in the Federal courts were prohibition cases.

For the fiscal year 1926 there were 105,831 cases commenced, 104,178 for the fiscal year 1927, 126,532 for the fiscal year 1928, and 128,185 for the fiscal year 1929. There were 22,354 more cases commenced in the fiscal year 1929 than were commenced in 1926. This means that the business of the Federal courts is steadily increasing.

The State of New York with 78,419 civil, private, and criminal cases commenced during the 4-year period ranks first in the volume of business commenced.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. O'CONNOR of New York. Has the gentleman considered the necessity of the Federal judicial system in New York? There is hardly one case in the southern district of that court that could not be brought before a State court. The only cases that are tried there are cases in which an attempt is made to evade the State courts by the public utilities. But nobody understands why there is a Federal judicial system in New York.

Mr. BACHMANN. I know that in the southern district of New York at this period there were commenced 14,897 cases.

Mr. O'CONNOR of New York. They could just as well have been brought before the State courts. The reason why they are brought before the United States courts is to evade the State courts, as in the case of some of our utility companies.

Mr. BACHMANN. The District of Columbia with 65,743 cases was second and Pennsylvania with 20,874 cases third.

The least number of cases was commenced in Wyoming with 212, Rhode Island was next with 502, and Delaware next with 782.

The greatest number of criminal cases for the period were commenced in the District of Columbia, where 49,187 criminal cases were started. New York was second with 47,896, and Kentucky third with 16,094.

The least number of criminal cases was commenced in the State of Wyoming with 124, Rhode Island next with 336, and Delaware next with 358.

There were more criminal cases started during the 4-year period in the States of New York, Kentucky, Texas, West Virginia, Illinois, and the District of Columbia than in the remaining 43 States combined. In other words, there were 151,055 criminal cases commenced in the 5 States mentioned and the District of Columbia, while there were only 147,875 criminal cases commenced in the other 43 States combined.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. O'CONNOR of New York. Would not a proper deduction from the figures the gentleman has given be that enforcement in the five States was more active than in the other parts of the country?

Mr. BACHMANN. You can not tell about that. The law may be better enforced and there may be more criminal violations there. I do not know, and I do not know that anybody else can tell.

Mr. O'CONNOR of New York. Does the gentleman happen to have the population?

Mr. BACHMANN. The population of New York is about 11,000,000.

Mr. ARENTZ. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. ARENTZ. In view of the similarity of numbers regarding the number of cases in the United States courts of New York and the District of Columbia, taking into consideration the fact that there are six times more people in the southern district of New York than in Washington, would that indicate that there are six times more criminals in the District of Columbia per capita than in New York?

Mr. BACHMANN. Not at all; in the States we have State courts that dispose of criminal cases. In the District of Columbia all violations of the criminal laws are handled in the Federal courts. That is why we find so many criminal cases in the District of Columbia.

Excluding the District of Columbia, there were more criminal cases commenced in the southern district of New York than in any other Federal district in the United States. There were 23,384 criminal cases commenced during the 4-year period in that district alone. The eastern district of Kentucky was second with 12,080 cases and the southern district of West Virginia third with 9,738 cases.

The greatest number of civil and private cases was commenced in the State of New York, where 30,523 cases were started during the period. The District of Columbia was second with 16,556 cases and the State of Pennsylvania third with 10,989 cases.

The least number of civil and private cases commenced during the 4-year period was in the State of Wyoming with 88 cases. Rhode Island was next with 166 and Vermont next with 249.

CASES TERMINATED

By cases terminated is meant the number of cases disposed of during the 4-year period.

There were 476,333 civil, private, and criminal cases terminated in all the States and the District of Columbia during the period, 113,361 cases in the fiscal year 1926, 108,538 cases in the year 1927, 128,329 in the year 1928, and 128,270 in the year 1929.

Approximately one-half of all the cases terminated were completed in the States of New York, Pennsylvania, Texas, Kentucky, Illinois, and the District of Columbia. This means that there was almost as much business transacted for the period in the Federal courts of the 5 States mentioned and the District of Columbia as was completed in all of the remaining 43 States in the Union combined.

The largest volume of business transacted was in the State of New York, where 81,829 cases were terminated. The District of Columbia was second with 63,268 cases completed, and the State of Pennsylvania third with 22,896 cases completed.

Mr. RAMSEYER. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. RAMSEYER. Does that include both supreme court cases and municipal court cases?

Mr. BACHMANN. I am discussing Federal district courts. Criminal cases are handled in the Supreme Court of the District of Columbia.

Mr. RAMSEYER. The figures for the District of Columbia only include criminal cases that come before the District Supreme Court?

Mr. BACHMANN. Yes; petty cases, traffic violations, and so forth, are handled in the municipal court.

Mr. O'CONNOR of New York. Of course in other districts no petty cases come into the Federal courts.

Mr. BACHMANN. No; the criminal cases here are handled in the Supreme Court of the District of Columbia.

Mr. O'CONNOR of New York. Are all the prohibition cases handled in that way in the District of Columbia?

Mr. BACHMANN. That is my understanding; the police court handles petty cases like traffic violations, and so forth.

Mr. STEVENSON. The Supreme Court of the District of Columbia occupies the same place as the district courts of the United States?

Mr. BACHMANN. Exactly, the gentleman is right. Next to the District of Columbia, more cases were completed in the southern district of New York, where 41,324 cases were terminated during the period. The eastern district of New York was next with 21,002 cases completed, and the eastern district of Kentucky next with 14,519 cases completed.

CASES PENDING

By cases pending is meant the number of cases remaining on the court dockets which the courts have been unable to dispose of.

At the end of the fiscal year 1926 there were 94,919 civil, private, and criminal cases pending in all the Federal courts. At the end of the fiscal year 1929 there were 89,540 civil, private, and criminal cases pending. In other words, there were 5,379 fewer cases pending in 1929 than there were in 1926. At the average rate the cases are being disposed of each year, it would take the courts approximately one year to dispose of all pending cases alone.

Of the 89,540 cases of all kinds pending at the end of the fiscal year 1929, 58,162 were civil and private cases, while 31,378 were criminal cases. In other words, approximately 65 per cent of the pending cases were civil and private and 35 per cent were criminal cases. According to the large volume of civil and private cases pending on the dockets, it is apparent that the courts are unable to dispose of them due to the excessive number of criminal cases necessary to be heard.

It is interesting to note that of the 31,378 criminal cases pending at the end of the fiscal year 1929, 18,650, or approximately 59 per cent, were prohibition cases.

The southern district of New York, with a total of 11,354 civil, private, and criminal cases pending at the end of the fiscal year 1929, had more pending cases than any other district in the United States. The eastern district of New York, with a total of 8,803 pending civil and private cases, had more civil

and private cases pending at the end of the fiscal year 1929 than any other district, while the District of Columbia, with 3,076 cases, had more criminal cases pending than any other district.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. O'CONNOR of New York. Of course, these figures have been discussed a number of times when the question was up about increasing the judges in both of those districts, and the figures which the gentleman gives for the number of cases pending in both those courts are infinitesimal compared with the number of cases pending in the State courts in the same districts and in the same locations. Where the gentleman mentions 8,000 or 11,000 it will run to 30,000 in the State courts having about the same jurisdiction.

Mr. BACHMANN. If I started to analyze the situation in all of the State courts in every State of the Union, we would have such a mass of figures here that we could not comprehend them.

Mr. O'CONNOR of New York. But where you have a big place like New York, with a congested population, you are bound to have this large number of cases pending, no matter what you do about it. The State courts have tried adding judges and have not succeeded one bit. The southern district of New York and the eastern district of New York have tried adding judges and they have not cut down the calendar. This is a condition that is just like the traffic condition. As fast as they build subways, they will be overcrowded, and as fast as you increase the personnel of the courts, they will be overcrowded with cases, and you will never catch up with them.

Mr. BACHMANN. But the gentleman understands there is a contrary view to that expressed by the gentleman, because the President of the United States and the Attorney General and some of the senior circuit court judges of the circuit court of appeals in this country, recognizing these conditions, have suggested as a remedy some additional district judges in these most congested districts.

Mr. O'CONNOR of New York. I have said on this floor before that I have yet to find a judge or a bar association or hardly a lawyer who is against more judges. They are all intuitively and innately for them, from the circuit court down.

Mr. BACHMANN. I think the gentleman is right about that in some instances.

New Hampshire, with 59 civil, private, and criminal cases pending, had the least number of cases pending at the end of the fiscal year 1929. New Hampshire also had the least number of civil and private cases pending at the end of the fiscal year 1929, while Delaware, with 7, had fewer criminal cases pending.

There were 45,761 total cases pending at the end of the fiscal year 1929 in the States of New York, Pennsylvania, Illinois, New Jersey, and the District of Columbia, while there was only a total of 43,779 cases pending in the remaining 44 States of the Union. In other words, there were more cases pending in the 4 States mentioned and the District of Columbia than in all of the 44 other States combined.

It can readily be seen from an examination of the business of each of the Federal districts that the congestion is only "spotty"; that is, confined to a few districts and not general throughout all the States.

RECOMMENDATIONS OF THE COMMISSION ON LAW OBSERVANCE

The Commission on Law Observance considered three plans for relieving this congestion: One, to increase the number of Federal judges; another, to create inferior Federal courts to be known as Federal police courts; and the third, to utilize the present machinery of the courts by enlarging the powers of the United States commissioners. The commission recommended the third plan, that of enlarging the powers of the United States commissioners.

Mr. GARBER of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. GARBER of Oklahoma. Is it not clear that the acceptance of the first recommendation, the appointment of additional Federal judges, ultimately will be the safest course and provide the most efficient and prompt dispatch of legal business as well as the most economical?

Mr. BACHMANN. The gentleman from Oklahoma is entirely correct. I will say to the gentleman that in the past week I introduced 16 bills asking for the appointment of 18 additional Federal judges. Those bills were introduced after I had had time and opportunity to study the facts in each Federal district, and I considered very carefully the private and civil litigation pending as well as the number of civil and private cases commenced and terminated. I was guided in my proposal of this legislation by the facts I found. I believe the appointment of these additional judges will relieve the congested conditions prevailing in our Federal courts. The President, the Attorney General, and the Commission on Law Observance all agree that we have this congestion. We have 148 district judges in the United States, who disposed of one-half million cases in four years. That is an average of over 800 cases per judge per year. That is a vast amount of work. Some of our district judges are breaking in health on account of excessive work, especially in Texas and Minnesota.

Mr. RAMSEYER. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. RAMSEYER. The gentleman from West Virginia [Mr. BACHMANN] speaks of 800 cases, on an average, for each Federal district judge. That of itself does not mean a great deal. The gentleman knows, as he stated a while ago, that 92 per cent of the prohibition cases are concluded by pleas of guilty.

Mr. BACHMANN. Yes.

Mr. RAMSEYER. The gentleman knows there are a great many civil cases filed, which are settled out of court, but before the figures mean anything at all—that is, an average of 800 per judge—we would have to know how many cases actually went to trial and how much of the time of the judge was required for their trial.

Mr. BACHMANN. I can not tell the gentleman from Iowa [Mr. RAMSEYER] how many cases were actually terminated in court.

Mr. RAMSEYER. Terminated, how?

Mr. BACHMANN. By final disposition, either by compromise or trial.

Mr. RAMSEYER. But, if they are compromised they may not take a minute of the time of the judge.

Mr. BACHMANN. I assume in a good many of the compromised cases the judge would have been required to pass on the pleadings and consider preliminary motions prior to the time of compromise.

Mr. RAMSEYER. That may or may not have involved the time of the judge.

Mr. BACHMANN. I agree with the gentleman.

Mr. RAMSEYER. I have often seen figures as to the number of cases pending in Federal courts, and a plea made for an additional judge because of the heavy docket. Figures of that kind are meaningless. There must be some other way of judging the amount of work which a judge does than merely statistics as to the number of cases.

Mr. BACHMANN. The gentleman from Iowa [Mr. RAMSEYER] is absolutely right. Before a thorough understanding of the situation is had, there must be two or three different things considered. First, the amount of business that is transacted according to the number of cases, must be known. That is an element which must be considered. Secondly, the character and nature of the work must be considered in that particular court. The character and nature of the work must be secured from the judge himself, or the senior circuit judge of the circuit court of appeals having jurisdiction, and from the Attorney General. If the judges and the Attorney General do not know about the character and nature of the work, how can it be ascertained? All these facts must be considered in deciding whether or not additional judges are necessary.

Mr. RAMSEYER. I think the gentleman is correct, that the judgment of the Attorney General and the conference of senior circuit judges should be given great weight, although not be accepted as conclusive proof. One case which a judge must try may take more time and work than 100 other cases that are disposed of in one way or another.

Mr. BACHMANN. That is true, but, the gentleman from Iowa [Mr. RAMSEYER] will understand that I have no plan and no program about this entire affair. Being a member of the Committee on the Judiciary I was asked to examine the records of each Federal district for the last four years, in order to ascertain the amount of business transacted in the Federal courts. I have spent the last five or six weeks getting that information together to present to the Judiciary Committee and the House.

Mr. RAMSEYER. I want to say to the gentleman from West Virginia [Mr. BACHMANN] that the gentleman has done a great deal of conscientious, intelligent work on the task to which he was assigned, and the information he is giving us now and which he gave us on the 7th of March is not only valuable to the membership of the House but to the country, and especially the bar of the country.

Mr. CHRISTOPHERSON. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. CHRISTOPHERSON. Is not the delay which occurs in the trial of civil cases—that is, the length of time that elapses between the time a civil suit is filed and the time it can be

brought to trial—good evidence of the congestion in the Federal courts?

Mr. BACHMANN. Yes; that is true.

Mr. CHRISTOPHERSON. That is an indication of the congestion?

Mr. BACHMANN. Yes; it is.

I want to call the attention of the Members of the House to the fact that when the Jones law was enacted it automatically required an indictment for every violation of the national prohibition act save and except unlawful possession and maintaining a nuisance. Prior to that time the district attorney could proceed in misdemeanor cases by information or complaint, and did not have to submit the cases to a grand jury. Since the enactment of the Jones law every case is a potential felony and must be submitted to a grand jury, save and except cases of unlawful possession and maintaining a nuisance.

After calling attention to the fact that the plan involves several constitutional questions the commission suggested that these questions might be overcome by amending the Jones law.

The suggested amendment is to define "slight and casual" violations and to provide for penalties in those cases such as to keep them within the category of petty offenses.

The commission suggests that a new paragraph be added to section 29, Title II, of the national prohibition act, making the penalty for each petty offense a fine of not to exceed $500 or confinement in jail, without hard labor, not to exceed six months, or both.

It can readily be seen, and I do not think it can be seriously doubted, that before the commission's plan, to have the United States commissioners hear these petty offenses, can be put into operation it will be necessary to first amend the Jones law by defining these petty offenses. As it is now, all offenses under the Jones law, except unlawful possession and maintaining a nuisance, are potential felonies. Consequently there are no petty offenses that the United States commissioners could hear other than those of unlawful possession and nuisance.

Apparently considerable opposition has developed to these proposals. Certain groups are opposed to any amendment to the Jones law because it is claimed it will reduce the penalties for substantial violations of the prohibition law as now provided by that law. Certain groups are opposed to conferring this power on the United States commissioners because it is claimed it will interfere with the constitutional right of trial by jury.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. MOORE of Virginia. Is the gentleman prepared to say that relief would be afforded to any extent by an act which would authorize the defendant in any case to waive a trial by jury?

Mr. BACHMANN. If you will refer to the RECORD of March 7, 1930, you will find in my remarks that about 92 per cent of those convicted for violations of the national prohibition law plead guilty.

Mr. MOORE of Virginia. I think the gentleman must realize that there are many serious criminal cases that it takes a long time to try with a jury, and relief might be given by allowing a jury to be waived.

Mr. BACHMANN. I am not prepared at this moment to discuss that.

Mr. MAAS. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. MAAS. If there were no Federal prohibition law there would be no congestion in our Federal courts, would there?

Mr. BACHMANN. No; I do not believe that. The enormous increase in civil, private, and criminal litigation has added considerable congestion in our Federal courts. Prohibition has contributed to the congestion in a great measure.

Mr. MAAS. It has largely contributed to it, has it not?

Mr. BACHMANN. I do not doubt that.

Mr. MAAS. The increase has been out of proportion to the increase in the normal population?

Mr. BACHMANN. No; I do not think so.

Mr. MOORE of Virginia. May I ask the gentleman whether he has considered the expediency of increasing the jurisdictional amount in civil litigation that goes into the district courts beyond $3,000?

Mr. BACHMANN. I have not gone into that phase of the question.

With this situation, it is very doubtful whether any legislation in accordance with the recommendation of the Commission on Law Observance, will be enacted at this time. Consequently, the Congress is faced with the problem of either leaving the matter as it is, or relieving the congestion by the enactment of legislation for the appointment of additional judges.

Mr. CHRISTOPHERSON. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. CHRISTOPHERSON. Right along that line, is it not a fact that Congress from year to year is enacting laws creating new crimes and adding work for the Federal courts, and must we not recognize that and increase the Federal judiciary from time to time to keep up with the new laws that we are passing from year to year?

Mr. BACHMANN. The gentleman is absolutely right. Every session of Congress we enact legislation, legislating some citizen of the United States to the penitentiary, and every time we enact a criminal law making more penalties, we bring into our Federal courts more criminal cases. For instance, at this session of Congress the House passed a bill giving the Federal courts jurisdiction in larceny cases where the stolen property was transported to another State and where the amount involved was over $300, as the gentleman knows.

Personally, I am of the opinion that by providing additional judges in the following districts, the congestion which now exists will be greatly relieved.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. LAGUARDIA. Of course one law that was enacted is the cause of 50 per cent of the present population of our Federal and State prisons, where they have also local laws.

Mr. BACHMANN. I have those figures and expect to touch on that situation a little bit later, though not to-day; but I say to the gentleman that, so far as I have gone in this survey, not 50 per cent of the prisoners in the Federal penitentiaries and not 50 per cent of the prisoners in the State penitentiaries are there because of the violation of any one law.

Mr. LAGUARDIA. Very nearly that amount?

Mr. BACHMANN. There are about one-fourth of the prisoners in the Federal penitentiaries who are there for violation of the prohibition law, and I think that is what the gentleman refers to; but only about one-tenth of the prisoners confined in the State penitentiaries are there for violation of the State prohibition laws.

Mr. DUNBAR. Mr. Speaker, will the gentleman yield there?

Mr. BACHMANN. Yes.

Mr. DUNBAR. Does not the gentleman believe that the penal institutions of the United States are so overcrowded that it is practically inhuman to put any more burden on those penitentiaries, and that it is a reflection on our civilization that more unfortunate men will have to endure the crowded conditions that are imposed on them?

Mr. BACHMANN. I will answer that in a speech which I contemplate making at a future time. The Federal penitentiaries are not overly congested with prisoners who have violated the national prohibition act. Only about one-fourth of the inmates of all the Federal penitentiaries are there for violations of the prohibition law. But every Federal penitentiary is overcrowded. They have about 4,000 more prisoners in all the Federal prisons than the capacity of those institutions. When you talk about the State penitentiaries I may say that I have letters from nearly all the State penitentiaries giving information which I have asked for, which I believe will show that fewer inmates are confined in the State penitentiaries for violation of the State prohibition laws, in proportion, than are confined in the Federal penitentiaries for violations of the national prohibition act.

DISTRICT OF COLUMBIA

There are seven judges in the Supreme Court of the District of Columbia.

For the last four fiscal years there were commenced in the District of Columbia 1,027 civil cases, 15,529 private cases, and 49,187 criminal cases, or a total of 65,743 cases.

For the fiscal year 1926 there was a total of 14,415 cases commenced, while for the fiscal year 1929 there was a total of 17,433 cases commenced, showing that there were 3,018 more cases commenced in 1929 than there were in 1926, which means that the business of the courts is on the increase.

At the end of the fiscal year 1926 there was a total of 7,148 cases pending, while at the end of the fiscal year 1929 there was a total of 7,415 cases pending, showing that the number of pending cases is also increasing.

Twenty-five per cent of the cases commenced were civil and private cases, while 75 per cent were criminal cases.

There were more criminal cases commenced during the 4-year period in the District of Columbia than in any other State or District in the United States. In fact there were more criminal cases commenced in the District of Columbia than in the 28 combined States of Alabama, Arizona, New Jersey, Montana, Mississippi, South Carolina, Virginia, Massachusetts, Nebraska, Wisconsin, Indiana, Iowa, Idaho, Oregon, Colorado, New Mex-

ico, New Hampshire, South Dakota, Nevada, Maine, Vermont, Kansas, Utah, Connecticut, North Dakota, Delaware, Rhode Island, and Wyoming. This may or may not be significant, because many criminal cases are disposed of by the State courts in the States, while in the District of Columbia all criminal cases are disposed of in the Federal courts.

Of all the criminal cases commenced in the District of Columbia, 8,292, or approximately one-sixth, were prohibition cases.

The seven judges in the Federal court of the District of Columbia terminated 63,268 cases in the 4-year period, or an average of 9,038 cases for each judge for that period. This shows a yearly average of 2,259 cases terminated by each of the seven judges.

It is believed that provision should be made for two additional judges for the District of Columbia.

NEW YORK

The business conducted by the courts in the State of New York is unusually heavy. It must be remembered that there is a population of about 11,000,000 in that State. It must also be remembered that New York does not have a State prohibition law, and that the whole load of prohibition enforcement is on the Federal courts.

During the 4-year period there were 15,013 civil cases commenced, 15,510 private cases, and 47,896 criminal cases, a total of 78,419 cases commenced. Of the total cases commenced, 61 per cent were criminal cases. Of the criminal cases commenced 42,899, or 89 per cent, were prohibition cases.

There are four Federal districts in the State of New York, with 17 presiding judges.

In the northern district there was a total of 11,300 cases commenced for the period; in the eastern district 20,085; in the southern district 38,277; and in the western district 8,757.

For the fiscal year 1926 there was a total of 17,197 cases commenced in the State, while for the year 1929, 21,741 cases were commenced, showing there were 4,544 more cases commenced for the year 1929 than were commenced in the year 1926, which means that the business of the Federal courts in the State of New York is on the increase.

There was a total of 29,318 cases pending in all four districts of the State for the fiscal year 1926. At the end of the fiscal year 1929, 26,399 cases were pending.

Of all the pending cases for the fiscal year 1929, 5,270 were civil, 13,774 were private, and 6,815 were criminal cases.

At present there are two judges in the northern district, five in the eastern district, eight in the southern district, and two in the western district.

There were nine judges in the southern district, but Judge Winslow resigned, and the act providing for an additional judge to which place Judge Winslow was appointed, provided there was to be no successor.

It is believed that there should be an additional judge for the northern district, one for the eastern district, two in the southern district, and one in the western district, of New York, a total of five additional judges for the State.

WEST VIRGINIA

There is a very large volume of business transacted by the two Federal courts in West Virginia. While West Virginia ranks twenty-sixth in population, it ranks seventh in the volume of business commenced in its Federal courts, and fifth in the number of criminal cases commenced. In fact there were one-fifth as many cases commenced in West Virginia during the 4-year period, as were commenced in the State of New York. New York has 17 judges while West Virginia has two.

During the 4-year period there were 1,932 civil cases commenced, 658 private cases, and 12,589 criminal cases, a total of 15,179 cases.

Of all the cases commenced, 82 per cent were criminal cases. Of the criminal cases commenced, 10,789, or 85 per cent, were prohibition cases.

There were more cases commenced in the State of West Virginia than in the combined 13 States of Idaho, New Hampshire, New Mexico, South Dakota, Nevada, Maine, North Dakota, Connecticut, Vermont, Utah, Delaware, Rhode Island, and Wyoming.

For the fiscal year 1926 there was a total of 3,652 cases commenced, while there was a total of 3,654 cases commenced for the fiscal year 1929.

At the end of the fiscal year 1926 there was a total of 1,645 cases pending, and at the end of the fiscal year 1929 there was a total of 1,476 cases pending.

Of the cases pending at the end of the fiscal year 1929, 341 were civil, 253 were private, and 882 were criminal cases.

There are two Federal districts in West Virginia, with one judge for each district. It is believed that because of the large number of cases in West Virginia an additional district should be created. There are sufficient places for holding court already provided, and if a new district were created very little additional expense would be needed.

KENTUCKY

Like West Virginia, there is a large number of cases handled each year in Kentucky.

For the 4-year period there were 1,411 civil cases, 1,168 private, and 16,094 criminal cases commenced, or a total of 18,673 cases commenced.

Of all the cases commenced, 86 per cent were criminal cases. Of the criminal cases commenced 13,828, or 85 per cent, were prohibition cases.

There was a total of 4,897 cases commenced for the fiscal year 1926, and 5,199 cases commenced for the fiscal year 1929, an increase of 302 cases in the fiscal year 1929.

For the fiscal year 1926 there was a total of 2,099 cases pending, while at the end of the fiscal year 1929, there was a total of 1,179 cases pending.

Of the cases pending at the end of the fiscal year 1929, 227 were civil cases, 438 private, and 514 criminal cases.

With a total of 16,094 criminal cases commenced during the period, Kentucky ranks third of all the States of the Union in the number of criminal cases commenced. It is surpassed only by the State of New York and the District of Columbia.

There were one-third as many criminal cases commenced in Kentucky as were commenced in the State of New York.

Mrs. LANGLEY. May I interrupt the gentleman?

Mr. BACHMANN. Yes.

Mrs. LANGLEY. The gentleman knows there are two districts in Kentucky, the eastern and western districts. Is it not a fact that in the eastern district of Kentucky there is a greater volume of business than in any other district in the United States? Is that not a fact?

Mr. BACHMANN. Well, I would not say there is more business in the eastern district of Kentucky than in any other district in the United States, but I will say that the eastern district of Kentucky ranks fourth of the 85 Federal judicial districts in the United States in the volume of business commenced in that State. It is exceeded only by the District of Columbia, the southern district of New York, and the eastern district of New York.

Mrs. LANGLEY. Does not the gentleman's survey or investigation show that there must be some relief in the eastern district of Kentucky?

Mr. BACHMANN. I am inclined to believe that Congress ought to give some relief to the State of Kentucky as soon as possible.

Mrs. LANGLEY. The gentleman is familiar with the bill I have pending before the Judiciary Committee creating a third judicial district, to be known as the southern district?

Mr. BACHMANN. Yes.

Mrs. LANGLEY. Knowing, as the gentleman does, that it contains a mountainous area and that the facilities of travel are very difficult in that section, is it not the opinion of the gentleman that the greatest relief for that section will be in the creation of this district?

Mr. BACHMANN. I have said you ought to have an additional judge or district in Kentucky, but as I understand that is a controversial question at this time.

Mrs. LANGLEY. What is the gentleman's final conclusion?

Mr. BACHMANN. I would think you ought to have a new district, and there is no question but what you should have either an additional judge or a new district.

There are two Federal districts in Kentucky and two judges.

Mr. THATCHER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. THATCHER. Is it not true that in the western district of Kentucky we feel we are entitled to relief just the same as they feel they are entitled to relief in the eastern district?

Mr. BACHMANN. I do not want to get mixed up in your political controversies in Kentucky. That can be fought out in the Judiciary Committee.

Mr. RAMSEYER. Do they want three or six new judges in Kentucky?

Mr. BACHMANN. I will say to the gentleman from Iowa that they only have two judges in the State of Kentucky, and yet that State is doing one-fourth as much business as they are doing in New York, and the State of New York has 17 judges.

CALIFORNIA

The State of California has two Federal districts, with three judges in each district.

During the 4-year period there were 3,579 civil cases, 3,087 private, and 7,937 criminal cases commenced in the State, a total of 14,513 cases.

Of the cases commenced, 55 per cent were criminal cases. Of the criminal cases commenced, 4,420, or 55 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 3,373 cases commenced, while for the fiscal year 1929 there was a total of 3,975 cases commenced, showing there were 602 more cases commenced in 1929 than in 1926. Business of the Federal courts in the State of California is on the increase. The northern district is carrying the largest load, with a total of 8,957 cases commenced during the period. A total of 5,556 cases were commenced in the southern district of the State.

At the end of the fiscal year 1926 there was a total of 3,460 cases pending in the State, while at the end of the fiscal year 1929 there was a total of 2,969 cases pending, a decrease of 491 cases.

Of the total number of cases pending at the end of 1929, 1,330 were pending in the northern district and 1,639 in the southern district.

California ranks eighth among the States in the number of cases commenced.

Because of the increase of business in the State of California, it is believed that an additional judge should be provided who would be appointed to serve in both the northern and southern districts.

OKLAHOMA

In the State of Oklahoma there are three Federal districts, with one judge for each district.

For the 4-year period there were 957 civil cases, 2,737 private cases, and 9,910 criminal cases, a total of 13,604 cases commenced in the State.

Of all the cases commenced, 72 per cent were criminal cases. Of the criminal cases commenced, 6,302, or 63 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 3,214 cases commenced, and 3,403 for the fiscal year 1929; 189 more cases were commenced in 1929 than were commenced in 1926.

There was a total of 4,616 cases commenced in the northern district, 5,181 in the eastern district, and 3,807 in the western district during the period. More cases were commenced in the eastern district than in either of the other two districts of the State.

At the end of the fiscal year 1926 there was a total of 2,232 cases pending in all three districts of the State. At the end of the fiscal year 1929 there was a total of 2,466 cases pending, an increase of 234 cases. At the end of the fiscal year 1929 there was a total of 83 cases pending in the northern district, 619 in the eastern district, and 1,016 in the western district.

Oklahoma ranks tenth among the States of the Union in the number of cases commenced during the period.

It is believed that the business conducted in the Federal courts of the State of Oklahoma is sufficient to warrant an additional judge who would be appointed to serve in all three districts.

MISSOURI

There were 1,052 civil cases, 3,131 private cases, and 7,494 criminal cases, a total of 11,677 cases commenced in the State of Missouri for the period.

Of all the cases commenced, 63 per cent were criminal cases. Of all the criminal cases commenced, 4,935, or 65 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 2,690 cases commenced, while for the fiscal year 1929 there was a total of 3,295 cases commenced, an increase for 1929 over 1926 of 605 cases.

There was a total of 5,866 cases commenced in the eastern district and a total of 5,811 cases commenced in the western district during the period.

At the end of the fiscal year 1926 there was a total of 1,770 cases pending in both districts, while at the end of the fiscal year 1929 there was a total of 1,979 cases pending in both districts, an increase for 1929 over 1926 of 209 cases.

At the end of the fiscal year 1929 there was a total of 780 cases pending in the eastern district and 1,199 cases pending in the western district.

Missouri ranks twelfth among the States of the Union in the number of cases commenced. There are two Federal districts in the State, with two judges for each district. It is believed that the business transacted in the Federal courts of the State warrants an additional judge to serve in both districts.

WASHINGTON

The State of Washington has two Federal districts with one judge in the eastern district and two judges in the western district.

There were 1,428 civil, 962 private, and 4,223 criminal, a total of 6,613 cases commenced in the State of Washington during the 4-year period.

Of all the cases commenced 63 per cent were criminal cases. Of the criminal cases commenced 3,151, or 47 per cent, were prohibition cases.

For the fiscal year ending 1926 there was a total of 1,789 cases commenced, while for the fiscal year 1929 there was a total of 1,666 cases commenced, a decrease of 123 cases.

There was a total of 5,476 cases, or 82 per cent of all the cases commenced, commenced in the western district. The work has been so heavy in this district that it has been necessary to have outside assistance.

During the fiscal year 1926 there was a total of 1,058 cases pending in the State, 890 of which were pending in the western district. At the end of the fiscal year 1929 there was a total of 1,003 cases pending in the State, 816 of which were pending in the western district.

The western district of Washington ranks 26th in the number of cases commenced in all the 85 districts of the United States.

It is believed that because of the large number of cases commenced in this district that an additional judge should be provided for the western district of Washington.

GEORGIA

In the State of Georgia there are three Federal districts with a judge in each district.

During the period there were 1,563 civil, 1,202 private, and 8,603 criminal, a total of 11,368 cases commenced in the State.

Of all the cases commenced, 75 per cent were criminal. Of the criminal cases commenced, 6,861 or 79 per cent were prohibition cases.

For the fiscal year 1926 there was a total of 2,241 cases commenced in the State, while for the fiscal year 1929, there was a total of 2,868, an increase of 627 cases commenced.

There was a total of 5,627 cases commenced in the northern district of Georgia during the period, and a total of 5,741 cases commenced in the other two districts combined. In other words there were as many cases commenced in the northern district as were commenced in both the middle and southern districts put together.

During the fiscal year 1926 there was a total of 3,976 cases pending in the State, 2,028 of which were pending in the northern district, while at the end of the fiscal year 1929, there was a total of 2,755 cases pending in the State, with 1,724 or 62 per cent pending in the northern district. At the end of the fiscal year 1929 there were 693 more cases pending in the northern district alone than in the other two districts combined.

The northern district of Georgia ranks twenty-fourth in the number of cases commenced. It is believed that because of the large number of cases pending in the northern district an additional judge should be provided for that district.

LOUISIANA

In the State of Louisiana, with two Federal districts and a judge for each district, 1,187 civil, 858 private, and 5,244 criminal, a total of 7,289 cases, were commenced during the period.

Of all the cases commenced 71 per cent were criminal cases. Of the criminal cases commenced 3,906, or 74 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 1,491 cases commenced, while for the fiscal year 1929 there was a total of 1,925 cases commenced, an increase of 434 cases for the year 1929 over 1926.

Of the total cases commenced in the State 5,717, or 78 per cent, were commenced in the eastern district.

During the fiscal year 1926 there was a total of 1,062 cases pending in the State, 844, or 79 per cent, of which were pending in the eastern district. At the end of the fiscal year 1929 there was a total of 542 cases pending in the State, 419, or 77 per cent, of which were pending in the eastern district.

The eastern district of Louisiana ranks twenty-third in the number of cases commenced.

It is believed because of the large number of cases in the eastern district that an additional judge should be provided for that district.

TEXAS

In the State of Texas during the 4-year period there were 2,044 civil, 3,227 private, and 15,246 criminal cases, a total of 20,517 cases commenced.

Of all the cases commenced 74 per cent were criminal cases. Of the criminal cases commenced 9,362, or 61 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 4,013 cases commenced, while for the fiscal year 1929 there was a total of 5,006 cases commenced, an increase for the year 1929 over 1926 of 993 cases.

The congestion in the State of Texas is in the southern district. There is only one judge in the southern district and there were 5,333 cases commenced in that district alone during

the 4-year period, while there were 6,087 cases commenced in the northern district with three judges, and 6,901 cases commenced in the western district with two judges.

For the year 1926 there was a total of 1,693 cases pending in the State, 470, or 27 per cent, of which were pending in the southern district. At the end of the fiscal year 1929 there was a total of 1,612 cases pending in the State, 473, or 29 per cent, of which were pending in the southern district.

The southern district of Texas ranks twenty-eighth in the number of cases commenced.

There are at present four Federal districts in the State. Three judges preside in the northern district, 1 in the eastern, 1 in the southern, and 2 in the western district, a total of 7 Federal judges for the State.

It is believed that because of the volume of business commenced in the southern district of Texas, an additional judge should be provided.

MICHIGAN

During the 4-year period there were 3,991 civil, 1,443 private, and 7,814 criminal, a total of 13,248 cases commenced in the State of Michigan.

Of all the cases commenced, 55 per cent were criminal cases. Of the criminal cases commenced, 5,053, or 64 per cent, were prohibition cases.

For the fiscal year 1926 there was a total of 2,586 cases commenced, while for the fiscal year 1929 there was a total of 3,862 cases commenced, an increase for the year 1929 over the year 1926 of 1,276 cases commenced.

The congestion in the State of Michigan is in the eastern district. Of a total of 13,248 cases commenced in the State, 11,553, or 87 per cent, were commenced in the eastern district. There was a total of 2,198 cases commenced in this district in the fiscal year 1926, while in the fiscal year 1929, 3,376 cases were commenced, an increase over 1926 of 1,178 cases commenced.

At the end of the fiscal year 1926 there was a total of 1,084 cases pending in the State, 883, or 81 per cent, of which were pending in the eastern district. At the end of the fiscal year 1929 there were 1,696 cases pending in the State, 1,577, or 93 per cent of which were pending in the eastern district. There was an increase of 694 in the number of pending cases at the end of the fiscal year 1929 over 1926 in the eastern district.

The eastern district of Michigan ranks eighth in the number of cases commenced.

At present there are two Federal districts in Michigan, with 3 judges in the eastern district and 2 judges in the western district, a total of 5 judges for the State.

Because of the large increase in the number of cases commenced in the eastern district, as well as the large increase in the number of pending cases, it is believed that an additional judge should be provided for the district.

FIFTH CIRCUIT COURT OF APPEALS

At present there are three circuit judges of the fifth circuit court of appeals. The circuit includes the States of Alabama, Florida, Georgia, Louisiana, Mississippi, Texas, and the Canal Zone, and composes 17 Federal districts, with 22 district courts. Last year there were 271 cases to be disposed of by the three judges in the circuit. The conference of senior circuit judges last October held that this was too many cases and recommended an additional judge for the circuit.

Hon. Richard W. Walker, senior judge of the circuit recently requested an additional circuit judge saying that an "additional judge is urgently needed."

Because of the excessive number of cases in the circuit, it is believed that an additional judge should be provided for the fifth circuit court of appeals.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. LaGUARDIA. The gentleman has spent weeks and weeks in the preparation of the information which he is now giving to the House. Some of the Members are anxious to get a complete and comprehensive idea of the information. Will the gentleman continue with his statement and yield to interruptions after he has completed?

Mr. BACHMANN. I am afraid I can not complete it in the time I have.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. BACHMANN. I yield.

Mr. SCHAFER of Wisconsin. I suggest that we would not need any more Federal judges if the House would do the wise thing and repeal the Jones law and repeal the eighteenth amendment.

Mr. BACHMANN. I can not agree with my friend from Wisconsin on that question, because additional judges in some districts would still be required because of the heavy civil and private litigation pending in those courts.

The SPEAKER pro tempore. The time of the gentleman from West Virginia [Mr. BACHMANN] has expired.

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. BACHMANN] may proceed for 15 additional minutes, without interruption.

The SPEAKER pro tempore. The gentleman from New York [Mr. LaGUARDIA] asks unanimous consent that the gentleman from West Virginia [Mr. BACHMANN] may proceed for 15 additional minutes. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, can the gentleman from West Virginia [Mr. BACHMANN] not finish in five minutes?

Mr. BACHMANN. I can by eliminating part of my prepared remarks.

Mr. LaGUARDIA. May we not compromise on 10 minutes?

Mr. RANKIN. I will compromise with the gentleman from New York [Mr. LaGUARDIA] once, and consent that the gentleman from West Virginia [Mr. BACHMANN] may proceed for 10 additional minutes.

The SPEAKER pro tempore. The request of the gentleman from New York [Mr. LaGUARDIA] has been modified to extend the time of the gentleman from West Virginia [Mr. BACHMANN] for 10 additional minutes. Is there objection?

There was no objection.

FEDERAL DISTRICT JUDGES

Mr. BACHMANN. There are now 85 Federal judicial districts in the United States, not including Alaska, Hawaii, and Porto Rico, with 148 presiding judges. During the fiscal year 1929 there was a total of 128,185 cases commenced in combined districts. Had it been possible to dispose of this number of cases in the fiscal year, each of the 148 district judges would have had to hear 866 cases, or an average of almost 3 cases per day.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. COX. I take it from what the gentleman says that it is his judgment that the prohibition cases are responsible for the congested condition in the Federal courts.

Mr. BACHMANN. Not necessarily. The progress that we have made in this country and the changing economic and social conditions is such that the Federal judiciary has been unable to keep pace with those changing conditions, and in some of these States, not only prohibition cases but other criminal cases, civil cases, and private litigation are responsible for the congestion.

Mr. COX. Since most of the States have prohibition laws that are quite as severe as the Federal law, and since there is a determination in most of the States to enforce those laws with equal severity, if not greater than the enforcement of the Federal law in the Federal courts, I am wondering whether the gentleman has given any thought to the question as to what relief might be obtained from this congested condition if the Federal officers would use the machinery for such cases provided by the States? In other words, take the cases into the State courts.

Mr. BACHMANN. That would be in part a good solution of the question, but the tendency, as I understand it, is for a good many of the Federal officers in the enforcement of the prohibition law to take cases from the State courts and transfer them into the Federal courts.

Mr. COX. That is true, but that practice, as I take it, is gradually being abandoned.

NEEDED LEGISLATION

Mr. BACHMANN. I have heretofore called attention to the fact that the President has recommended to the Congress that legislation of considerable importance should be enacted to relieve the congestion existing in the Federal courts in order that the law of the land may be properly enforced.

Up until this time no legislation of this character has been enacted.

The burden of enforcing the law is upon the President, and unless the Congress will enact legislation which will enable him to properly enforce the law, his program for law enforcement can not proceed as it should.

Mr. PALMER. Will the gentleman yield?

Mr. BACHMANN. Yes.

Mr. PALMER. The gentleman says we must enact certain laws. Does not the gentleman realize we already have plenty of machinery and all that is necessary is to have it put into motion to enforce the law.

Mr. BACHMANN. I do not realize we have plenty of machinery in the Federal courts at the present time to relieve the situation. I recognize just to the contrary, that our Federal judiciary has not progressed as the economic and social conditions of the country have progressed. We have outgrown our Federal judiciary. The President says the same thing and the Attorney

General says the same thing. The Commission on Law Observance says the same thing.

Mr. PALMER. I think we have adequate laws if we had officers who would go to work and enforce the laws.

Mr. BACHMANN. The number of arrests made does not necessarily mean that the law is being enforced. There must be adequate courts in which violators of the law may be punished. If there are not sufficient courts to try the cases and impose punishment, the law of the land can not be properly enforced.

There can be no doubt that due to the congestion existing in some of the district courts the law is not being properly enforced; and if the Congress refuses to enact legislation to relieve the situation certainly it will be grossly unfair to criticize the President, when, as a matter of fact, the Congress itself is at fault.

Legislation for the appointment of additional judges involves no constitutional controversy.

In a country whose population is rapidly increasing, whose social and economic conditions are continually advancing, it is only a natural sequence that litigation in the Federal courts must necessarily increase, and therefore the machinery of the courts must be adequate to cope with existing and changing conditions.

I am firmly of the opinion that proper relief from existing conditions in the Federal courts can be provided if Congress will enact legislation for the appointment of additional judges, as follows:

A circuit judge for the Fifth Circuit Court of Appeals.
Two judges for the Supreme Court of the District of Columbia.
One judge for the northern judicial district of New York.
Two judges for the southern judicial district of New York.
One judge for the eastern judicial district of New York.
One judge for the western judicial district of New York.
One judge for the western judicial district of Washington.
One judge for the northern judicial district of Georgia.
One judge for the eastern judicial district of Louisiana.
One judge for the southern judicial district of Texas.
One judge for the eastern judicial district of Michigan.

The SPEAKER pro tempore. The time of the gentleman from West Virginia has again expired.

Mrs. LANGLEY. Mr. Speaker, I ask unanimous consent that the gentleman may have one additional minute.

The SPEAKER pro tempore. The gentlewoman from Kentucky asks unanimous consent that the gentleman from West Virginia may proceed for one additional minute. Is there objection?

There was no objection.

Mr. BACHMANN. One judge for the two Federal judicial districts of Missouri.

One judge for the two Federal judicial districts of California.

One judge for the three Federal judicial districts of Oklahoma.

And the creation of a new Federal judicial district with one judge in the State of West Virginia.

And the creation of a new Federal judicial district in the State of Kentucky.

I will say to the Members of the House that following my remarks they will find the figures for each State in the Union for the fiscal years 1926, 1927, 1928, and 1929, the cases commenced, the cases terminated, the cases pending as well as the population in each State. [Applause.]

State	District	Cases commenced, beginning fiscal year 1926; ending fiscal year 1929			Cases terminated, beginning fiscal year 1926; ending fiscal year 1929			Cases pending, fiscal year 1926			Cases pending, fiscal year 1929			Number of district judges
		Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	
Alabama	Northern	817	1,916	2,733	932	2,107	3,039	177	346	523	125	176	301	1
Do	Middle	252	517	769	254	591	855	67	149	216	88	31	119	1
Do	Southern	266	1,128	1,394	273	1,223	1,496	87	155	242	75	116	191	1
Total		1,335	3,561	4,896	1,459	3,921	5,390	331	650	981	288	323	611	
Arizona		662	3,313	3,975	587	3,179	3,766	234	257	491	266	377	643	2
Arkansas	Eastern	951	2,952	3,903	793	3,001	3,794	210	249	459	326	173	499	1
Do	Western	762	1,215	1,977	807	1,486	2,293	166	393	559	140	166	306	1
Total		1,713	4,167	5,880	1,600	4,487	6,087	376	642	1,018	466	339	805	
California	Northern	3,873	5,084	8,957	4,805	6,201	11,006	1,063	665	1,728	956	374	1,330	3
Do	Southern	2,703	2,853	5,556	2,339	3,297	5,636	854	878	1,732	1,162	477	1,639	3
Total		6,576	7,937	14,513	7,144	9,498	16,642	1,917	1,543	3,460	2,118	851	2,969	
Colorado		1,136	1,341	2,477	1,069	1,362	2,431	362	158	460	332	222	554	1
Connecticut		569	332	1,101	809	562	1,371	968	46	414	137	16	153	2
Delaware		424	358	782	405	401	806	149	30	179	183	7	190	1
District of Columbia		16,556	49,187	65,743	15,142	48,126	63,268	3,203	3,945	7,148	4,339	3,076	7,415	7
Florida	Northern	194	777	971	172	830	1,002	114	149	263	107	115	222	1
Do	Southern	4,816	3,511	8,327	4,041	3,414	7,455	827	1,177	2,004	1,562	1,042	3,604	3
Total		5,010	4,288	9,298	4,213	4,244	8,457	941	1,326	2,267	1,669	1,157	2,826	
Georgia	Northern	1,497	4,130	5,627	1,657	4,593	6,250	433	1,595	2,028	334	1,390	1,724	1
Do	Middle	564	2,273	2,837	632	2,961	3,593		None.		193	275	468	1
Do	Southern	704	2,200	2,904	770	2,575	3,345	358	1,590	1,948	137	426	563	1
Total		2,765	8,603	11,368	3,059	10,129	13,188	791	3,185	3,976	664	2,091	2,755	
Idaho		631	1,602	2,233	721	1,634	2,355	302	215	517	197	142	339	1
Illinois	Northern	7,066	6,106	13,172	6,780	5,731	12,511	1,473	400	1,873	1,576	898	2,474	3
Do	Eastern	1,423	2,092	3,515	1,397	2,117	3,514	268	112	380	282	88	370	2
Do	Southern	1,351	1,845	3,196	1,191	1,694	2,885	293	115	408	455	392	847	1
Total		9,840	10,043	19,883	9,368	9,542	18,910	2,034	627	2,661	2,313	1,378	3,691	
Indiana	Northern	1,026	997	2,023	847	837	1,684	289	168	457	304	213	607	1
Do	Southern	807	1,014	1,821	991	1,072	2,063				197	125	322	1
Total		1,833	2,011	3,844	1,838	1,909	3,747	289	168	457	501	338	929	
Iowa	Northern	697	852	1,549	917	973	1,890	182	156	338	87	38	125	1
Do	Southern	618	921	1,539	717	1,002	1,719	237	125	362	154	65	219	2
Total		1,315	1,773	3,088	1,634	1,975	3,609	419	281	700	241	103	344	
Kansas		1,816	730	2,546	1,684	791	2,475	605	187	792	731	124	855	2
Kentucky	Eastern	1,746	12,060	13,826	1,963	12,556	14,519	497	549	1,046	354	415	769	1
Do	Western	833	4,014	4,847	860	5,004	5,864	351	702	1,053	311	99	410	1
Total		2,579	16,094	18,673	2,823	17,560	20,383	848	1,251	2,099	665	514	1,179	
Louisiana	Eastern	1,658	4,059	5,717	2,230	5,028	7,258	683	161	844	355	64	419	1
Do	Western	387	1,185	1,572	413	1,326	1,720	161	57	218	90	33	123	1
Total		2,045	5,244	7,289	2,643	6,354	8,997	844	218	1,062	445	97	542	

State	District	Cases commenced, beginning fiscal year 1928; ending fiscal year 1929			Cases terminated, beginning fiscal year 1928; ending fiscal year 1929			Cases pending, fiscal year 1928			Cases pending, fiscal year 1929			Number of district judges
		Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	Civil and private	Criminal	Total	
Maine		453	882	1,335	589	894	1,483	225	83	309	116	88	204	1
Maryland		2,375	5,582	7,957	3,002	6,078	9,080	607	1,044	1,651	317	246	563	2
Massachusetts		3,699	2,507	6,206	3,790	2,586	6,376	1,463	336	1,799	1,311	290	1,601	3
Michigan	Eastern	4,775	6,778	11,553	4,362	6,876	11,238	556	327	883	1,167	410	1,577	3
Do	Western	659	1,036	1,696	687	1,116	1,803	132	69	201	94	25	119	2
Total		5,434	7,814	13,248	5,049	7,992	13,041	688	396	1,084	1,261	435	1,696	
Minnesota		4,458	4,611	9,069	3,491	4,482	7,973	960	264	1,224	1,885	516	2,401	3
Mississippi	Northern	543	1,609	2,152	530	1,608	2,138	63	152	215	82	177	259	1
Do	Southern	966	1,311	2,277	695	1,399	2,094	419	160	579	181	100	281	1
Total		1,509	2,920	4,429	1,225	3,007	4,232	482	312	794	263	277	540	
Missouri	Eastern	1,726	4,140	5,866	1,671	4,080	5,751	500	278	778	502	278	780	2
Do	Western	2,457	3,354	5,811	2,182	3,467	5,649	691	301	992	891	308	1,199	2
Total		4,182	7,494	11,677	3,853	7,547	11,400	1,191	579	1,770	1,393	586	1,979	
Montana		2,267	3,186	5,453	1,859	2,859	4,718	337	193	530	758	488	1,246	2
Nebraska		1,514	2,247	3,761	1,475	2,245	3,720	532	315	847	590	353	943	2
Nevada		412	1,124	1,536	492	1,238	1,730	257	334	591	114	102	216	1
New Hampshire		502	1,295	1,797	515	1,288	1,803	42	24	66	33	26	59	1
New Jersey		6,273	3,238	9,511	6,253	5,053	11,306	2,444	1,030	3,474	2,133	1,029	3,162	4
New Mexico		418	1,319	1,737	469	1,350	1,819	120	68	188	80	55	135	1
New York	Northern	2,728	8,572	11,300	2,466	8,837	11,303	1,319	1,244	2,563	1,458	914	2,372	2
Do	Eastern	10,558	9,527	20,085	9,067	11,935	21,002	8,949	3,708	12,657	8,803	1,098	9,901	5
Do	Southern	14,893	23,384	38,277	15,899	25,425	41,324	9,093	2,077	11,170	8,406	2,948	11,354	8
Do	Western	2,344	6,413	8,757	2,162	6,038	8,200	827	2,101	2,928	917	1,855	2,772	2
Total		30,523	47,896	78,419	29,594	52,235	81,829	20,188	9,130	29,318	19,584	6,815	26,399	
North Carolina	Eastern	906	2,489	3,395	1,055	2,564	3,619	421	206	627	258	165	423	1
Do	Middle	649	1,849	2,498	510	1,383	1,893		None.		139	466	605	1
Do	Western	1,187	2,336	4,523	1,144	3,945	5,089	411	1,063	1,474	372	422	794	2
Total		2,742	7,674	10,416	2,709	7,892	10,601	832	1,269	2,101	769	1,053	1,822	
North Dakota		593	528	1,121	661	526	1,187	163	171	334	115	177	292	1
Ohio	Northern	5,549	4,709	10,258	5,479	4,832	10,311	1,007	568	1,575	1,166	496	1,662	3
Do	Southern	2,158	1,938	4,096	1,850	1,821	3,671	453	91	544	731	225	956	2
Total		7,707	6,647	14,354	7,329	6,653	13,982	1,460	659	2,119	1,897	721	2,618	
Oklahoma	Northern	1,225	3,391	4,616	1,077	3,005	4,082	254	342	596	283	548	831	1
Do	Eastern	1,288	3,893	5,181	1,346	4,064	5,410	286	493	779	337	282	619	1
Do	Western	1,181	2,626	3,807	997	2,540	3,537	285	572	857	415	601	1,016	1
Total		3,694	9,910	13,604	3,420	9,609	13,029	825	1,407	2,232	1,035	1,431	2,466	
Oregon		1,231	1,569	2,800	1,245	1,756	3,001	405	269	674	280	127	407	2
Pennsylvania	Eastern	4,107	2,274	6,381	4,119	2,622	6,741	2,435	615	3,050	2,316	343	2,659	3
Do	Middle	746	1,842	2,590	812	2,987	3,799	315	169	484	250	99	349	2
Do	Western	6,134	5,769	11,903	6,890	5,766	12,356	1,843	400	2,243	1,690	396	2,086	3
Total		10,989	9,885	20,874	11,521	11,375	22,896	4,593	1,184	5,777	4,256	838	5,094	
Rhode Island		166	336	502	205	364	569	216	98	314	111	75	186	1
South Carolina	Eastern	835	1,413	2,248	855	1,356	2,211	196	535	731	189	680	869	2
Do	Western	488	1,376	1,864	493	1,445	1,938	102	140	242	87	112	199	1
Total		1,323	2,789	4,112	1,348	2,801	4,149	298	675	973	276	792	1,068	
South Dakota		535	1,173	1,708	623	1,198	1,821	373	367	740	210	177	387	2
Tennessee	Eastern	899	3,376	4,275	845	3,503	4,348	164	391	555	253	204	457	1
Do	Middle	540	2,672	3,212	574	2,572	3,146	137	382	519	160	619	779	1
Do	Western	489	1,141	1,630	474	1,338	1,812	135	70	205	141	56	197	1
Total		1,928	7,189	9,117	1,893	7,413	9,306	436	843	1,279	554	879	1,433	
Texas	Northern	1,886	4,201	6,087	1,921	4,227	6,148	382	188	570	388	205	593	3
Do	Eastern	818	1,378	2,196	866	1,421	2,287	162	60	222	132	45	177	1
Do	Southern	1,469	3,864	5,333	1,534	3,948	5,482	312	158	470	282	191	473	1
Do	Western	1,098	5,803	6,901	1,143	5,904	7,047	190	241	431	207	162	369	2
Total		5,271	15,246	20,517	5,464	15,500	20,964	1,046	647	1,693	1,009	603	1,612	
Utah		428	562	990	455	596	1,051	101	75	176	72	71	143	1
Vermont		249	825	1,074	248	839	1,087	92	104	196	86	116	202	1
Virginia	Eastern	964	1,325	2,289	1,236	1,382	2,618	248	138	386	174	118	292	1
Do	Western	620	1,254	1,874	618	1,531	2,149	95	127	222	95	127	222	1
Total		1,584	2,579	4,163	1,854	2,913	4,767	343	265	608	269	245	514	
Washington	Eastern	399	738	1,137	371	745	1,116	107	61	168	129	58	187	1
Do	Western	1,991	3,485	5,476	1,899	3,729	5,618	376	514	890	570	246	816	2
Total		2,390	4,223	6,613	2,260	4,474	6,734	483	575	1,058	699	304	1,003	
West Virginia	Northern	744	2,852	3,596	686	3,084	3,770	200	265	465	260	100	360	1
Do	Southern	1,846	9,737	11,583	1,819	9,541	11,360	360	820	1,180	334	782	1,116	1
Total		2,590	12,589	15,179	2,505	12,625	15,130	560	1,085	1,645	594	882	1,476	
Wisconsin	Eastern	1,059	1,265	2,324	1,027	1,117	2,144	181	74	255	196	231	427	1
Do	Western	493	918	1,411	447	872	1,319	133	133	266	175	162	337	1
Total		1,552	2,183	3,735	1,474	1,989	3,463	314	207	521	371	393	764	
Wyoming		88	124	212	83	121	204	124	28	152	76	33	109	1

Total number of cases commenced by States, beginning fiscal year 1926, ending fiscal year 1929

Number of districts	Number of judges	Civil and private cases			Criminal cases			Total all cases		
			State	Cases		State	Cases		State	Cases
4	17	1	New York	30,523	1	District of Columbia	49,187	1	New York	78,419
1	7	2	District of Columbia	16,556	2	New York	47,896	2	District of Columbia	65,743
3	8	3	Pennsylvania	10,989	3	Kentucky	16,084	3	Pennsylvania	20,874
3	6	4	Illinois	9,840	4	Texas	15,246	4	Texas	20,517
2	5	5	Ohio	7,707	5	West Virginia	12,589	5	Illinois	19,883
2	6	6	California	6,576	6	Illinois	10,043	6	Kentucky	18,673
1	4	7	New Jersey	6,273	7	Oklahoma	9,910	7	West Virginia	15,179
2	5	8	Michigan	5,434	8	Pennsylvania	9,885	8	California	14,513
4	7	9	Texas	5,271	9	Georgia	8,403	9	Ohio	14,354
2	4	10	Florida	5,010	10	California	7,937	10	Oklahoma	13,604
1	3	11	Minnesota	4,458	11	Michigan	7,814	11	Michigan	13,248
2	4	12	Missouri	4,183	12	North Carolina	7,674	12	Missouri	11,677
1	3	13	Massachusetts	3,699	13	Missouri	7,494	13	Georgia	11,368
3	3	14	Oklahoma	3,694	14	Tennessee	7,189	14	North Carolina	10,416
3	3	15	Georgia	2,765	15	Ohio	6,647	15	New Jersey	9,511
3	4	16	North Carolina	2,742	16	Maryland	5,582	16	Florida	9,298
2	2	17	West Virginia	2,590	17	Louisiana	5,244	17	Tennessee	9,117
2	2	18	Kentucky	2,579	18	Minnesota	4,611	18	Minnesota	9,069
2	3	19	Washington	2,300	19	Florida	4,288	19	Maryland	7,957
1	2	20	Maryland	2,375	20	Washington	4,223	20	Louisiana	7,289
2	2	21	Montana	2,267	21	Arkansas	4,167	21	Washington	6,613
2	2	22	Louisiana	2,045	22	Alabama	3,561	22	Massachusetts	6,206
3	3	23	Tennessee	1,928	23	Arizona	3,313	23	Arkansas	5,880
2	2	24	Indiana	1,833	24	New Jersey	3,238	24	Montana	5,453
1	2	25	Kansas	1,816	25	Montana	3,186	25	Alabama	4,896
2	2	26	Arkansas	1,713	26	Mississippi	2,930	26	Mississippi	4,429
2	2	27	Virginia	1,584	27	South Carolina	2,789	27	Virginia	4,163
2	2	28	Wisconsin	1,552	28	Virginia	2,579	28	South Carolina	4,112
1	2	29	Nebraska	1,514	29	Massachusetts	2,507	29	Arizona	3,975
2	2	30	Mississippi	1,509	30	Nebraska	2,347	30	Indiana	3,844
3	3	31	Alabama	1,335	31	Wisconsin	2,183	31	Nebraska	3,761
2	3	32	South Carolina	1,323	32	Indiana	2,011	32	Wisconsin	3,735
2	3	33	Iowa	1,315	33	Iowa	1,773	33	Iowa	3,088
1	2	34	Oregon	1,231	34	Idaho	1,602	34	Oregon	2,800
1	1	35	Colorado	1,136	35	Oregon	1,569	35	Kansas	2,546
1	2	36	Arizona	662	36	Colorado	1,341	36	Colorado	2,477
1	1	37	Idaho	631	37	New Mexico	1,319	37	Idaho	2,233
1	1	38	North Dakota	593	38	New Hampshire	1,295	38	New Hampshire	1,797
1	2	39	Connecticut	569	39	South Dakota	1,173	39	New Mexico	1,737
1	2	40	South Dakota	535	40	Nevada	1,124	40	South Dakota	1,708
1	1	41	New Hampshire	502	41	Maine	882	41	Nevada	1,536
1	1	42	Maine	453	42	Vermont	825	42	Maine	1,335
1	1	43	Utah	428	43	Kansas	730	43	North Dakota	1,121
1	1	44	Delaware	424	44	Utah	562	44	Connecticut	1,101
1	1	45	New Mexico	418	45	Connecticut	532	45	Vermont	1,074
1	1	46	Nevada	412	46	North Dakota	528	46	Utah	990
1	1	47	Vermont	249	47	Delaware	358	47	Delaware	782
1	1	48	Rhode Island	166	48	Rhode Island	336	48	Rhode Island	502
1	1	49	Wyoming	88	49	Wyoming	124	49	Wyoming	212
			Total	165,885		Total	298,930		Total	464,815

Total number of all cases terminated by States, beginning fiscal year 1926, ending fiscal year 1929

	State	Cases
1	New York	81,829
2	District of Columbia	63,268
3	Pennsylvania	22,896
4	Texas	20,964
5	Kentucky	20,383
6	Illinois	18,910
7	California	16,642
8	West Virginia	15,130
9	Ohio	13,982
10	Georgia	13,188
11	Michigan	13,041
12	Oklahoma	13,029
13	Missouri	11,400
14	New Jersey	11,306
15	North Carolina	10,601
16	Tennessee	9,306
17	Maryland	9,080
18	Louisiana	8,997
19	Florida	8,457
20	Minnesota	7,973
21	Washington	6,734
22	Massachusetts	6,376
23	Arkansas	6,087
24	Alabama	5,390
25	Virginia	4,767
26	Montana	4,718
27	Mississippi	4,232
28	South Carolina	4,149
29	Arizona	3,766
30	Maryland	3,747
31	Nebraska	3,720
32	Iowa	3,609
33	Wisconsin	3,463
34	Oregon	3,001
35	Kansas	2,475
36	Colorado	2,431
37	Idaho	2,355
38	South Dakota	1,821
39	New Mexico	1,819
40	New Hampshire	1,803
41	Nevada	1,730
42	Maine	1,483
43	Connecticut	1,371
44	North Dakota	1,187

Total number of all cases terminated by States, beginning fiscal year 1926, ending fiscal year 1929—Continued

	State	Cases
45	Vermont	1,087
46	Utah	1,051
47	Delaware	806
48	Rhode Island	569
49	Wyoming	204
	Total	476,333

Total number of all cases pending, by States

	State	Fiscal year 1930	Fiscal year 1929
1	Alabama	981	611
2	Arizona	491	443
3	Arkansas	1,018	805
4	California	3,460	2,909
5	Colorado	460	554
6	Connecticut	414	153
7	Delaware	179	190
8	District of Columbia	7,148	7,415
9	Florida	2,267	2,826
10	Georgia	3,976	2,755
11	Idaho	517	339
12	Illinois	2,661	3,691
13	Indiana	457	929
14	Iowa	760	344
15	Kansas	792	855
16	Kentucky	2,099	1,179
17	Louisiana	1,062	542
18	Maine	309	204
19	Maryland	1,651	563
20	Massachusetts	1,799	1,601
21	Michigan	1,084	1,096
22	Minnesota	1,224	2,401
23	Mississippi	794	540
24	Missouri	1,770	1,979
25	Montana	530	1,246
26	Nebraska	847	943
27	Nevada	591	216
28	New Hampshire	66	89

Total number of all cases pending, by States—Continued

	State	Fiscal year 1926	Fiscal year 1929
29	New Jersey	3,474	3,162
30	New Mexico	188	135
31	New York	29,318	26,399
32	North Carolina	2,101	1,822
33	North Dakota	334	292
34	Ohio	2,119	2,618
35	Oklahoma	2,202	2,466
36	Oregon	674	407
37	Pennsylvania	5,777	5,094
38	Rhode Island	314	186
39	South Carolina	973	1,068
40	South Dakota	740	387

Total number of all cases pending, by States—Continued

	State	Fiscal year 1926	Fiscal year 1929
41	Tennessee	1,279	1,433
42	Texas	1,693	1,612
43	Utah	176	143
44	Vermont	196	202
45	Virginia	608	514
46	Washington	1,058	1,003
47	West Virginia	1,645	1,476
48	Wisconsin	521	764
49	Wyoming	152	109
	Total	94,919	89,540

Number of all civil and private cases commenced, by districts, for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929

State	District	Cases
1. District of Columbia		16,556
2. New York	S	14,893
3. Do	E	10,558
4. Illinois	N	7,066
5. New Jersey		6,273
6. Pennsylvania	W	6,134
7. Ohio	N	5,549
8. Florida	S	4,816
9. Michigan	E	4,775
10. Minnesota		4,458
11. Pennsylvania	E	4,107
12. California	N	3,873
13. Massachusetts		3,699
14. New York	N	2,728
15. California	S	2,703
16. Missouri	W	2,457
17. Maryland		2,375
18. New York	W	2,344
19. Montana		2,267
20. Ohio	S	2,158
21. Washington	W	1,991
22. Texas	N	1,886
23. West Virginia	S	1,846
24. Kansas		1,816
25. Kentucky	E	1,746
26. Missouri	E	1,726
27. Louisiana	E	1,658
28. Nebraska		1,514
29. Georgia	N	1,497
30. Texas	S	1,469
31. Illinois	E	1,423
32. Illinois	S	1,351
33. Oklahoma	E	1,288
34. Oregon		1,231
35. Oklahoma	N	1,225
36. North Carolina	W	1,187
37. Oklahoma	W	1,181
38. Colorado		1,136
39. Texas	W	1,098
40. Wisconsin	E	1,059
41. Indiana	N	1,026
42. Mississippi	S	966
43. Virginia	E	964
44. Arkansas	E	951
45. North Carolina	E	906
46. Tennessee	E	899
47. South Carolina	E	835
48. Kentucky	W	833
49. Texas	E	818
50. Alabama	N	817
51. Indiana	S	807
52. Arkansas	W	762
53. Pennsylvania	M	748
54. West Virginia	N	744
55. Georgia	S	704
56. Iowa	N	697
57. Arizona		662
58. Michigan	W	659
59. North Carolina	M	649
60. Idaho		631
61. Virginia	W	629
62. Iowa	S	618
63. North Dakota		593
64. Connecticut		569
65. Georgia	M	564
66. Mississippi	N	543
67. Tennessee	M	540
68. South Dakota		535
69. New Hampshire		502
70. Wisconsin	W	493
71. Tennessee	W	489
72. South Carolina	W	488
73. Maine		453
74. Utah		428
75. Delaware		424
76. New Mexico		418
77. Nevada		412
78. Washington	E	399
79. Louisiana	W	387
80. Alabama	S	266
81. Alabama	M	252
82. Vermont		249
83. Florida	N	194
84. Rhode Island		166
85. Wyoming		88
Total		165,685

Number of all criminal cases commenced, by districts, for the period beginnng with the fiscal year 1926 and ending with the fiscal year 1929

State	District	Cases
1. District of Columbia		49,187
2. New York	S	23,384
3. Kentucky	E	12,080
4. West Virginia	S	9,737
5. New York	E	9,527
6. Do	N	8,572
7. Michigan	E	6,778
8. New York	W	6,413
9. Illinois	N	6,106
10. Texas	W	5,803
11. Pennsylvania	W	5,769
12. Maryland		5,582
13. California	N	5,084
14. Ohio	N	4,709
15. Minnesota		4,611
16. Texas	N	4,201
17. Missouri	E	4,140
18. Georgia	N	4,130
19. Louisiana	W	4,059
20. Kentucky	W	4,014
21. Oklahoma	E	3,893
22. Texas	S	3,864
23. Florida	S	3,511
24. Washington	W	3,485
25. Oklahoma	N	3,391
26. Tennessee	E	3,376
27. Missouri	W	3,354
28. North Carolina	W	3,336
29. Arizona		3,313
30. New Jersey		3,238
31. Montana		3,186
32. Arkansas	E	2,952
33. California	S	2,853
34. West Virginia	N	2,852
35. Tennessee	M	2,672
36. Oklahoma	W	2,626
37. Massachusetts		2,507
38. North Carolina	E	2,489
39. Pennsylvania	E	2,274
40. Georgia	M	2,273
41. Nebraska		2,247
42. Georgia	S	2,200
43. Illinois	E	2,092
44. Ohio	S	1,938
45. Alabama	N	1,916
46. North Carolina	M	1,849
47. Illinois	S	1,845
48. Pennsylvania	M	1,842
49. Mississippi	N	1,609
50. Idaho		1,602
51. Oregon		1,569
52. South Carolina	E	1,413
53. Texas	E	1,378
54. South Carolina	W	1,376
55. Colorado		1,341
56. Virginia	E	1,325
57. New Mexico		1,319
58. Mississippi	S	1,311
59. New Hampshire		1,295
60. Wisconsin	W	1,265
61. Virginia	W	1,254
62. Arkansas	W	1,215
63. Louisiana	W	1,185
64. South Dakota		1,173
65. Tennessee	W	1,141
66. Alabama	S	1,128
67. Nevada		1,124
68. Michigan	W	1,036
69. Indiana	S	1,014
70. Do	N	997
71. Iowa	S	921
72. Wisconsin	W	918
73. Maine		882
74. Iowa	N	852
75. Vermont		825
76. Florida	N	777
77. Washington	E	738
78. Kansas		730
79. Utah		562
80. Connecticut		532
81. North Dakota		528
82. Alabama	M	517
83. Delaware		358
84. Rhode Island		336
85. Wyoming		124
		298,930

Total number of all cases commenced, by districts, for the period beginning with the fiscal year 1926 and ending with the fiscal year 1929

State	District	Cases
1. District of Columbia		65,743
2. New York	S	38,277
3. Do	E	20,085
4. Kentucky	E	13,826
5. Illinois	N	13,172
6. Pennsylvania	W	11,903
7. West Virginia	S	11,583
8. Michigan	E	11,553
9. New York	N	11,309
10. Ohio	N	10,258
11. New Jersey		9,511
12. Minnesota		9,069
13. California	N	8,957
14. New York	W	8,757
15. Florida	S	8,327
16. Maryland		7,957
17. Texas	W	6,901
18. Pennsylvania	E	6,381
19. Massachusetts		6,206
20. Texas	N	6,087
21. Missouri	E	5,866
22. Missouri	W	5,811
23. Louisiana	E	5,717
24. Georgia	N	5,627
25. California	S	5,556
26. Washington	W	5,476
27. Montana		5,453
28. Texas	S	5,333
29. Oklahoma	E	5,181
30. Kentucky	W	4,847
31. Oklahoma	N	4,616
32. North Carolina	W	4,523
33. Tennessee	E	4,275
34. Ohio	S	4,096
35. Arizona		3,975
36. Arkansas	E	3,903
37. Oklahoma	W	3,807
38. Nebraska		3,761
39. West Virginia	N	3,596
40. Illinois	E	3,515
41. North Carolina	E	3,395
42. Tennessee	M	3,212
43. Illinois	S	3,196
44. Georgia	S	2,904
45. Do	M	2,837
46. Oregon		2,800
47. Alabama	N	2,733
48. Pennsylvania	M	2,590
49. Kansas		2,546
50. North Carolina	M	2,498
51. Colorado		2,477
52. Wisconsin	E	2,324
53. Virginia	E	2,289
54. Mississippi	S	2,277
55. South Carolina	E	2,248
56. Idaho		2,233
57. Texas	E	2,196
58. Mississippi	N	2,152
59. Indiana	N	2,023
60. Arkansas	W	1,977
61. Virginia	W	1,874
62. South Carolina	W	1,864
63. Indiana	S	1,821
64. New Hampshire		1,797
65. New Mexico		1,737
66. South Dakota		1,708
67. Michigan	W	1,695
68. Tennessee	W	1,630
69. Louisiana	W	1,572
70. Iowa	N	1,549
71. Iowa	S	1,539
72. Nevada		1,536
73. Wisconsin	W	1,411
74. Alabama	S	1,394
75. Maine		1,335
76. Washington	E	1,137
77. North Dakota		1,121
78. Connecticut		1,101
79. Vermont		1,074
80. Utah		990
81. Florida	N	971
82. Delaware		782
83. Alabama	M	709
84. Rhode Island		502
85. Wyoming		212
		464,815



Total number of all cases terminated, by districts, beginning fiscal year 1926, ending fiscal year 1929

State	District	Cases
1. District of Columbia		63,268
2. New York	S	41,324
3. Do	E	21,002
4. Kentucky	E	14,519
5. Illinois	N	12,511
6. Pennsylvania	W	12,356
7. West Virginia	S	11,380
8. New Jersey		11,306
9. New York	N	11,303
10. Michigan	E	11,238
11. California	N	11,006
12. Ohio	N	10,311
13. Maryland		9,080
14. New York	W	8,200
15. Minnesota		7,973
16. Florida	S	7,455
17. Louisiana	E	7,258
18. Texas	W	7,047
19. Pennsylvania	E	6,741
20. Massachusetts		6,376
21. Georgia	N	6,250
22. Texas	N	6,148
23. Kentucky	W	5,864
24. Missouri	E	5,751
25. Do	W	5,649
26. California	S	5,636
27. Washington	W	5,618
28. Texas	S	5,482
29. Oklahoma	E	5,410
30. North Carolina	W	5,089
31. Montana		4,718
32. Tennessee	E	4,348
33. Oklahoma	N	4,082
34. Pennsylvania	M	3,799
35. Arkansas	E	3,794
36. West Virginia	N	3,770
37. Arizona		3,766
38. Nebraska		3,720
39. Ohio	S	3,671
40. North Carolina	E	3,619
41. Georgia	M	3,593
42. Oklahoma	W	3,537
43. Illinois	E	3,514
44. Georgia	S	3,345
45. Tennessee	M	3,146
46. Alabama	N	3,039
47. Oregon		3,031
48. Illinois	S	2,885
49. Virginia	E	2,618
50. Kansas		2,475
51. Colorado		2,431
52. Idaho		2,355
53. Arkansas	W	2,293
54. Texas	E	2,287
55. South Carolina	E	2,211
56. Virginia	W	2,149
57. Wisconsin	E	2,144
58. Mississippi	N	2,138
59. Do	S	2,094
60. Indiana	S	2,053
61. South Carolina	W	1,938
62. North Carolina	M	1,893
63. Iowa	N	1,890
64. South Dakota		1,821
65. New Mexico		1,819
66. Tennessee	W	1,812
67. Michigan	W	1,803
68. New Hampshire		1,803
69. Louisiana	W	1,799
70. Nevada		1,739
71. Iowa	S	1,719
72. Indiana	N	1,684
73. Alabama	S	1,496
74. Maine		1,483
75. Connecticut		1,371
76. Wisconsin	W	1,319
77. North Dakota		1,187
78. Washington	E	1,116
79. Vermont		1,087
80. Utah		1,051
81. Florida	N	1,002
82. Alabama	M	855
83. Delaware		806
84. Rhode Island		569
85. Wyoming		204
Total		476,333

Total number of all civil and private cases pending, by districts, at the end of the fiscal year 1929

State	District	Cases
1. New York	Eastern	8,803
2. Do	Southern	8,406
3. District of Columbia		4,339
4. Pennsylvania	Eastern	2,316
5. New Jersey		2,133
6. Minnesota		1,885
7. Pennsylvania	Western	1,690
8. Illinois	Northern	1,576
9. Florida	Southern	1,562
10. New York	Northern	1,458
11. Massachusetts		1,311
12. Michigan	Eastern	1,167
13. Ohio	Northern	1,166
14. California	Southern	1,162
15. Do	Northern	956
16. New York	Western	917
17. Missouri	do	891
18. Montana		758
19. Kansas		731
20. Ohio	Southern	731
21. Nebraska		590
22. Washington	Western	570
23. Missouri	Eastern	502
24. Illinois	Southern	455
25. Oklahoma	Western	415
26. Indiana	Northern	394
27. Texas	Northern	388
28. North Carolina	Western	372
29. Louisiana	Eastern	355
30. Kentucky	Eastern	354
31. Oklahoma	Eastern	337
32. Georgia	Northern	334
33. West Virginia	Southern	334
34. Colorado		332
35. Arkansas	Eastern	326
36. Maryland		317
37. Kentucky	Western	311
38. Oklahoma	Northern	283
39. Illinois	Eastern	282
40. Texas	Southern	282
41. Oregon		280
42. Arizona		266
43. West Virginia	Northern	260
44. North Carolina	Eastern	258
45. Tennessee	do	253
46. Pennsylvania	Middle	250
47. South Dakota		210
48. Texas	Western	207
49. Idaho		197
50. Indiana	Southern	197
51. Wisconsin	Eastern	196
52. Georgia	Middle	193

Total number of all criminal cases pending, by districts, at the end of the fiscal year 1929

State	District	Cases
1. District of Columbia		3,076
2. New York	Southern	2,948
3. Do	Western	1,855
4. Georgia	Northern	1,390
5. New York	Eastern	1,098
6. Florida	Southern	1,042
7. New Jersey		1,029
8. New York	Northern	914
9. Illinois	do	898
10. West Virginia	Southern	782
11. South Carolina	Eastern	680
12. Tennessee	Middle	619
13. Oklahoma	Western	601
14. Do	Northern	548
15. Minnesota		516
16. Ohio	Northern	496
17. Montana		488
18. California	Southern	477
19. North Carolina	Middle	466
20. Georgia	Southern	426
21. North Carolina	Western	422
22. Kentucky	Eastern	415
23. Michigan	Eastern	410
24. Pennsylvania	Western	396
25. Illinois	Southern	392
26. Arizona		377
27. California	Northern	374
28. Nebraska		353
29. Pennsylvania	Eastern	343
30. Missouri	Western	308
31. Massachusetts		290
32. Oklahoma	Eastern	282
33. Missouri	Eastern	278
34. Georgia	Middle	275
35. Maryland		246
36. Washington	Western	246
37. Wisconsin	Eastern	231
38. Ohio	Southern	225
39. Colorado		222
40. Indiana	Northern	213
41. Texas	Northern	205
42. Tennessee	Eastern	204
43. Texas	Southern	191
44. Mississippi	Northern	177
45. North Dakota		177
46. South Dakota		177
47. Alabama	Northern	176
48. Arkansas	Eastern	173
49. do	Western	166
50. North Carolina	Eastern	165
51. Texas	Western	162
52. Wisconsin	do	162

Total number of all cases pending, by districts, at the end of the fiscal year 1929

State	District	Cases
1. New York	Southern	11,354
2. Do	Eastern	9,901
3. District of Columbia		7,415
4. New Jersey		3,162
5. New York	Western	2,772
6. Pennsylvania	Eastern	2,659
7. Florida	Southern	2,604
8. Illinois	Northern	2,474
9. Minnesota		2,401
10. New York	Northern	2,372
11. Pennsylvania	Western	2,086
12. Georgia	Northern	1,724
13. Ohio	do	1,662
14. California	Southern	1,639
15. Massachusetts		1,601
16. Michigan	Eastern	1,577
17. California	Northern	1,330
18. Montana		1,246
19. Missouri	Western	1,199
20. West Virginia	Southern	1,116
21. Oklahoma	Western	1,016
22. Ohio	Southern	956
23. Nebraska		943
24. South Carolina	Eastern	869
25. Kansas		855
26. Illinois	Southern	847
27. Oklahoma	Northern	831
28. Washington	Western	816
29. North Carolina	Western	794
30. Missouri	Eastern	780
31. Tennessee	Middle	779
32. Kentucky	Eastern	769
33. Arizona		643
34. Oklahoma	Eastern	619
35. Indiana	Northern	607
36. North Carolina	Middle	606
37. Texas	Northern	593
38. Georgia	Southern	563
39. Maryland		563
40. Colorado		554
41. Arkansas	Eastern	499
42. Texas	Southern	473
43. Georgia	Middle	468
44. Tennessee	Eastern	457
45. Wisconsin	do	427
46. North Carolina	do	423
47. Louisiana	do	419
48. Kentucky	Western	410
49. Oregon		407
50. South Dakota		387
51. Illinois	Eastern	370
52. Texas	Western	369

Total number of all civil and private cases pending, by districts, at the end of the fiscal year 1929—Continued

State	District	Cases
53. South Carolina	Eastern	189
54. Delaware		183
55. Mississippi	Southern	181
56. Wisconsin	Western	175
57. Virginia	Eastern	174
58. Tennessee	Middle	160
59. Iowa	Southern	154
60. Tennessee	Western	141
61. Arkansas	do	140
62. North Carolina	Middle	139
63. Connecticut		137
64. Georgia	Southern	137
65. Texas	Eastern	132
66. Washington	do	129
67. Alabama	Northern	125
68. Maine		116
69. North Dakota		115
70. Nevada		114
71. Rhode Island		111
72. Florida	Northern	107
73. Virginia	Western	95
74. Michigan	do	94
75. Louisiana	do	90
76. Alabama	Middle	88
77. Iowa	Northern	87
78. South Carolina	Western	87
79. Vermont		86
80. Mississippi	Northern	82
81. New Mexico		80
82. Wyoming		76
83. Alabama	Southern	75
84. Utah		72
85. New Hampshire		33
Total		58,162

Total number of all criminal cases pending, by districts, at the end of the fiscal year 1929—Continued

State	District	Cases
53. Idaho		142
54. Oregon		127
55. Virginia	Western	127
56. Indiana	Southern	125
57. Kansas		124
58. Virginia	Eastern	118
59. Alabama	Southern	116
60. Vermont		116
61. Florida	Northern	115
62. South Carolina	Western	112
63. Nevada		102
64. Mississippi	Southern	100
65. West Virginia	Northern	100
66. Kentucky	Western	99
67. Pennsylvania	Middle	99
68. Illinois	Eastern	88
69. Maine		88
70. Rhode Island		75
71. Utah		71
72. Iowa	Southern	65
73. Louisiana	Eastern	64
74. Washington	do	58
75. Tennessee	Western	56
76. New Mexico		55
77. Texas	Eastern	45
78. Iowa	Northern	38
79. Louisiana	Western	33
80. Wyoming		33
81. Alabama	Middle	31
82. New Hampshire		26
83. Michigan	Western	25
84. Connecticut		16
85. Delaware		7
Total		31,378

Total number of all cases pending, by districts, at the end of the fiscal year 1929—Continued

State	District	Cases
53. West Virginia	Northern	360
54. Pennsylvania	Middle	349
55. Idaho		339
56. Wisconsin	Western	337
57. Indiana	Southern	332
58. Arkansas	Western	306
59. Alabama	Northern	301
60. North Dakota		292
61. Virginia	Eastern	292
62. Mississippi	Southern	281
63. Do	Northern	259
64. Florida	do	222
65. Virginia	Western	222
66. Iowa	Southern	219
67. Nevada		216
68. Maine		204
69. Vermont		202
70. South Carolina	Western	199
71. Tennessee	do	197
72. Alabama	Southern	191
73. Delaware		190
74. Washington	Eastern	187
75. Rhode Island		186
76. Texas	Eastern	177
77. Connecticut		153
78. Utah		143
79. New Mexico		135
80. Iowa	Northern	125
81. Louisiana	Western	123
82. Alabama	Middle	119
83. Michigan	Western	119
84. Wyoming		109
85. New Hampshire		59
Total		89,540

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929

ALABAMA

Population, 1920:

Northern district	1,225,082
Middle district	693,359
Southern district	429,733
Total	2,348,174

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N.	Civil	72	50	55	49	226
	Private	124	166	160	141	591
	Criminal	638	385	451	442	1,916
	Total for district	834	601	666	632	2,733
M.	Civil	21	22	31	20	94
	Private	34	34	21	69	158
	Criminal	236	66	128	87	517
	Total for district	291	122	180	176	769
S.	Civil	21	34	27	36	118
	Private	40	35	37	36	148
	Criminal	183	257	371	317	1,128
	Total for district	244	326	435	389	1,394
	Total for State	1,369	1,049	1,281	1,197	4,896
	CASES TERMINATED					
N.	Civil	74	80	64	49	267
	Private	185	156	161	163	665
	Criminal	810	402	465	430	2,107
	Total for district	1,069	638	690	642	3,039
M.	Civil	42	24	32	16	114
	Private	45	29	29	47	150
	Criminal	232	90	102	167	591
	Total for district	319	143	163	230	855
S.	Civil	30	26	23	37	116
	Private	26	47	46	38	157
	Criminal	239	295	342	347	1,223
	Total for district	295	368	411	422	1,496
	Total for State	1,683	1,149	1,264	1,294	5,390

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
N.	Civil	68	38	29	29	
	Private	109	119	118	96	
	Criminal	346	322	164	176	
	Total for district	523	479	311	301	
M.	Civil	18	16	15	20	
	Private	49	54	46	68	
	Criminal	149	125	151	31	
	Total for district	216	195	212	119	
S.	Civil	25	33	37	36	
	Private	62	50	41	39	
	Criminal	155	117	146	116	
	Total for district	242	200	224	191	
	Total for State	981	874	747	611	

ARIZONA

Population, 1920 334,162

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	83	55	24	146	308
	Private	110	82	84	78	354
	Criminal	940	759	684	930	3,313
	Total for State	1,133	896	792	1,154	3,975
	CASES TERMINATED					
	Civil	87	80	25	94	286
	Private	93	89	82	67	331
	Criminal	927	657	789	806	3,179
	Total for State	1,077	826	896	967	3,766
	CASES PENDING					
	Civil	119	94	93	145	
	Private	115	108	110	121	
	Criminal	257	358	253	377	
	Total for State	491	560	456	643	

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

ARKANSAS

Population, 1920:
Eastern district 1,158,661
Western district 893,543
Total 1,752,204

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	28	27	11	125	191
	Private	184	203	219	154	760
	Criminal	749	871	570	762	2,952
	Total for district	961	1,101	800	1,041	3,903
W	Civil	42	22	42	55	161
	Private	127	159	144	171	601
	Criminal	320	197	340	358	1,215
	Total for district	489	378	526	584	1,977
	Total for State	1,450	1,479	1,326	1,625	5,880
	CASES TERMINATED					
E	Civil	15	35	13	23	86
	Private	151	189	182	185	707
	Criminal	713	827	665	796	3,001
	Total for district	879	1,051	860	1,004	3,794
W	Civil	46	35	48	23	152
	Private	142	150	179	175	655
	Criminal	365	248	521	352	1,486
	Total for district	553	442	748	550	2,293
	Total for State	1,432	1,493	1,608	1,554	6,087
	CASES PENDING					
E	Civil	24	20	18	120	.....
	Private	186	200	237	206	.....
	Criminal	249	303	207	173	.....
	Total for district	459	523	462	499	.....
W	Civil	36	23	17	49	.....
	Private	130	130	95	91	.....
	Criminal	393	342	160	166	.....
	Total for district	559	495	272	306	.....
	Total for State	1,018	1,018	734	805	.....

CALIFORNIA

Population, 1920:
Northern district 1,746,646
Southern district 1,680,215
Total 3,426,861

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	559	401	847	548	2,346
	Private	330	312	410	466	1,527
	Criminal	1,165	1,123	1,200	1,596	5,084
	Total for district	2,054	1,836	2,457	2,610	8,957
S	Civil	243	235	340	325	1,143
	Private	317	414	420	409	1,560
	Criminal	759	744	719	631	2,853
	Total for district	1,319	1,393	1,479	1,365	5,556
	Total for State	3,373	3,229	3,936	3,975	14,513
	CASES TERMINATED					
N	Civil	508	544	645	654	2,351
	Private	1,206	388	303	467	2,454
	Criminal	1,988	1,233	1,137	1,843	6,201
	Total for district	3,702	2,165	2,175	2,964	11,006
S	Civil	197	232	279	224	932
	Private	307	316	383	401	1,407
	Criminal	802	1,183	684	628	3,297
	Total for district	1,306	1,731	1,346	1,253	5,636
	Total for State	5,008	3,896	3,521	4,217	16,642
	CASES PENDING					
N	Civil	516	373	575	469	.....
	Private	547	471	488	487	.....
	Criminal	665	555	621	374	.....
	Total for district	1,728	1,399	1,684	1,330	.....

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING—continued					
S	Civil	204	207	208	369	.....
	Private	650	748	785	793	.....
	Criminal	878	439	474	477	.....
	Total for district	1,732	1,394	1,527	1,639	.....
	Total for State	3,460	2,793	3,211	2,969	.....

COLORADO

Population, 1920 939,629

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	104	114	107	146	471
	Private	175	240	136	114	665
	Criminal	357	250	420	314	1,341
	Total for State	636	604	663	574	2,477
	CASES TERMINATED					
	Civil	107	86	130	95	418
	Private	126	198	202	125	651
	Criminal	442	240	364	316	1,362
	Total for State	675	524	696	536	2,431
	CASES PENDING					
	Civil	85	113	90	141	.....
	Private	217	359	202	191	.....
	Criminal	158	168	224	222	.....
	Total for State	460	540	516	554	.....

CONNECTICUT

Population, 1920 1,380,621

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	86	73	59	58	276
	Private	55	73	80	76	283
	Criminal	109	98	151	174	532
	Total for State	250	244	290	308	1,101
	CASES TERMINATED					
	Civil	89	120	68	68	345
	Private	61	85	99	219	464
	Criminal	109	97	163	193	562
	Total for State	259	302	330	480	1,371
	CASES PENDING					
	Civil	95	48	39	29	.....
	Private	273	261	251	108	.....
	Criminal	46	47	35	16	.....
	Total for State	414	356	325	153	.....

DELAWARE

Population, 1920 223,003

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	32	25	21	19	97
	Private	43	83	123	79	327
	Criminal	75	79	127	77	358
	Total for State	149	187	271	175	782
	CASES TERMINATED					
	Civil	44	18	24	32	118
	Private	45	63	126	53	287
	Criminal	95	55	166	85	401
	Total for State	184	136	316	170	806
	CASES PENDING					
	Civil	27	34	31	18	.....
	Private	122	142	130	165	.....
	Criminal	30	54	15	7	.....
	Total for State	179	230	185	190	.....

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

DISTRICT OF COLUMBIA

Population, 1920 437,571

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	366	172	254	235	1,027
	Private	3,461	3,750	4,358	3,960	15,529
	Criminal	10,588	11,982	13,378	13,238	49,187
	Total	14,415	15,905	17,990	17,433	65,743
	CASES TERMINATED					
	Civil	325	326	151	169	970
	Private	3,120	3,848	3,664	3,540	14,172
	Criminal	10,036	12,412	13,465	12,213	48,126
	Total	13,481	16,585	17,280	15,922	63,268
	CASES PENDING					
	Civil	431	382	485	551	.....
	Private	2,772	2,674	3,368	3,788	.....
	Criminal	3,945	2,148	2,071	3,076	.....
	Total	7,148	5,204	5,924	7,415	.....

FLORIDA

Population, 1920:
Northern district 291,243
Southern district 677,227
Total 968,470

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	3	2	6	15	26
	Private	55	32	42	39	168
	Criminal	127	210	227	213	777
	Total for district	185	244	275	267	971
S	Civil	148	289	513	794	1,744
	Private	507	718	856	991	3,072
	Criminal	838	559	1,007	1,107	3,511
	Total for district	1,493	1,566	2,376	2,892	8,327
	Total for State	1,678	1,810	2,651	3,159	9,298
	CASE TERMINATED					
N	Civil	1	9	2	16	28
	Private	36	56	21	31	144
	Criminal	146	232	242	210	830
	Total for district	183	297	265	257	1,002
S	Civil	235	179	356	730	1,500
	Private	325	576	668	972	2,541
	Criminal	606	829	660	1,319	3,414
	Total for district	1,166	1,584	1,684	3,021	7,455
	Total for State	1,349	1,881	1,949	3,278	8,457
	CASES PENDING					
N	Civil	19	12	16	11	.....
	Private	95	67	88	96	.....
	Criminal	149	127	112	115	.....
	Total for district	263	206	216	222	.....
S	Civil	176	286	443	507	.....
	Private	651	793	1,034	1,055	.....
	Criminal	1,177	907	1,254	1,042	.....
	Total for district	2,004	1,986	2,731	2,604	.....
	Total for State	2,267	2,192	2,947	2,826	.....

GEORGIA

Population, 1920:
Northern district 1,380,350
Southern district 1,515,482
Total 2,895,832

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	258	83	345	252	938
	Private	164	151	121	123	559
	Criminal	743	756	1,075	1,556	4,130
	Total for district	1,165	990	1,541	1,931	5,627
M	Civil (middle district not created until 1927)	.....	73	60	104	237
	Private	.....	109	111	107	327
	Criminal	.....	412	880	981	2,273
	Total for district	.....	594	1,051	1,192	2,837
S	Civil	93	64	96	135	388
	Private	118	61	52	85	316
	Criminal	865	331	479	525	2,200
	Total for district	1,076	456	627	745	2,904
	Total for State	2,241	2,040	3,219	2,868	11,368
	CASES TERMINATED					
N	Civil	272	273	254	281	1,080
	Private	211	104	150	112	577
	Criminal	1,001	916	1,323	1,353	4,593
	Total for district	1,484	1,293	1,727	1,746	6,250
M	Civil (middle district not created until 1927)	.....	67	123	107	297
	Private	.....	120	104	111	335
	Criminal	.....	723	1,298	940	2,961
	Total for district	.....	910	1,525	1,158	3,593
S	Civil	100	66	125	156	447
	Private	133	61	69	60	322
	Criminal	648	483	649	795	2,575
	Total for district	881	610	843	1,011	3,345
	Total for State	2,365	2,813	4,095	3,915	13,188
	CASES PENDING					
N	Civil	316	126	217	188	.....
	Private	117	164	135	146	.....
	Criminal	1,595	1,435	1,187	1,390	.....
	Total for district	2,028	1,725	1,539	1,724	.....
M	Civil (middle district not created until 1927)	.....	118	55	52	.....
	Private	.....	138	145	141	.....
	Criminal	.....	652	234	275	.....
	Total for district	.....	908	434	468	.....
S	Civil	159	91	63	45	.....
	Private	199	87	70	92	.....
	Criminal	1,590	880	696	426	.....
	Total for district	1,948	1,058	829	563	.....
	Total for State	3,976	3,691	2,802	2,755	.....

IDAHO

Population, 1920 431,866

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	105	20	38	117	280
	Private	123	68	81	79	351
	Criminal	422	374	385	421	1,602
	Total for State	650	462	504	617	2,233
	CASES TERMINATED					
	Civil	96	67	50	39	252
	Private	115	148	99	107	469
	Criminal	377	408	409	440	1,634
	Total for State	588	623	558	586	2,355
	CASES PENDING					
	Civil	91	44	34	112	.....
	Private	211	131	113	85	.....
	Criminal	215	186	161	142	.....
	Total for State	517	361	308	339	.....

ILLINOIS

Population, 1920:
Northern district 3,824,173
Eastern district 1,250,560
Southern district 1,410,542
Total 6,485,280

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	1,183	1,218	1,349	954	4,604
	Private	491	621	729	621	2,462
	Criminal	927	1,098	1,785	2,295	6,105
	Total for district	2,601	2,937	3,764	3,870	13,172
E	Civil	115	216	294	437	1,062
	Private	101	83	72	105	361
	Criminal	408	499	480	705	2,092
	Total for district	624	798	846	1,247	3,515
S	Civil	192	220	179	309	900
	Private	81	86	154	130	451
	Criminal	398	495	331	621	1,845
	Total for district	671	801	664	1,060	3,196
	Total for State	3,896	4,536	5,274	6,177	19,883
	CASES TERMINATED					
N	Civil	1,074	1,381	866	1,161	4,482
	Private	507	510	699	582	2,298
	Criminal	1,051	789	1,608	2,283	5,731
	Total for district	2,632	2,680	3,173	4,026	12,511
E	Civil	111	232	281	400	1,024
	Private	93	93	84	103	373
	Criminal	409	513	482	713	2,117
	Total for district	613	838	847	1,216	3,514
S	Civil	194	197	208	257	856
	Private	81	44	117	93	335
	Criminal	524	325	412	433	1,694
	Total for district	799	566	737	783	2,885
	Total for State	4,044	4,084	4,757	6,025	18,910
	CASES PENDING					
N	Civil	564	401	784	877	
	Private	909	1,020	960	999	
	Criminal	400	709	887	898	
	Total for district	1,873	2,130	2,631	2,474	
E	Civil	78	62	75	112	
	Private	190	180	168	170	
	Criminal	112	98	96	88	
	Total for district	380	340	339	370	
S	Civil	129	152	123	175	
	Private	164	206	243	280	
	Criminal	115	285	204	392	
	Total for district	408	643	570	847	
	Total for State	2,661	3,113	3,540	3,691	

INDIANA

Population, 1920:
Northern district 1,063,910
Southern district 1,866,480
Total 2,930,390

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	128	130	34	158	454
	Private	222	224	13	113	572
	Criminal	285	279	113	320	997
	Total for district	630	842	160	591	2,023
S	Civil (new district created in 1928).			330	91	421
	Private			252	134	386
	Criminal			623	391	1,014
	Total for district			1,205	616	1,821
	Total for State	630	642	1,365	1,207	3,844
	CASES TERMINATED					
N	Civil	105	93	3	149	353
	Private	230	178	16	70	494
	Criminal	277	264	13	283	837
	Total for district	615	535	32	502	1,684

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED—contd.					
S	Civil (new district created in 1928).			383	98	481
	Private			211	299	510
	Criminal			691	381	1,072
	Total for district			1,285	778	2,063
	Total for State	615	535	1,317	1,280	3,747
	CASES PENDING					
N	Civil	74	120	110	120	
	Private	215	261	221	265	
	Criminal	168	183	175	213	
	Total for district	457	564	515	607	
S	Civil (new district created in 1928).			67	60	
	Private			302	137	
	Criminal			115	125	
	Total for district			484	322	
	Total for State	457	564	999	929	

IOWA

Population, 1920:
Northern district 1,159,797
Southern district 1,244,224
Total 2,404,021

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	49	15	21	25	110
	Private	143	158	167	119	587
	Criminal	204	259	255	134	852
	Total for district	396	432	443	278	1,549
S	Civil	17	33	27	24	101
	Private	139	147	126	105	517
	Criminal	275	213	225	208	921
	Total for district	431	393	378	337	1,539
	Total for State	827	825	821	615	3,088
	CASES TERMINATED					
N	Civil	48	18	26	27	119
	Private	273	159	205	161	798
	Criminal	207	304	294	168	973
	Total for district	528	481	525	356	1,890
S	Civil	15	24	32	43	114
	Private	157	125	168	163	603
	Criminal	294	201	251	346	1,092
	Total for district	466	350	451	452	1,719
	Total for State	994	831	976	808	3,609
	CASES PENDING					
N	Civil	18	15	10	8	
	Private	164	158	120	79	
	Criminal	156	111	72	38	
	Total for district	338	284	202	125	
S	Civil	40	49	44	25	
	Private	197	219	187	129	
	Criminal	125	138	102	65	
	Total for district	362	406	333	219	
	Total for State	700	690	535	344	

KANSAS

Population, 1920 1,769,257

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	103	110	111	124	448
	Private	308	281	510	269	1,368
	Criminal	148	206	207	169	730
	Total for State	559	597	828	563	2,546

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED					
	Civil	110	88	132	85	415
	Private	205	337	349	288	1,369
	Criminal	146	206	242	197	791
	Total for State	551	631	723	570	2,475
	CASES PENDING					
	Civil	74	96	75	114	
	Private	531	475	636	617	
	Criminal	187	187	152	124	
	Total for State	792	758	863	855	

KENTUCKY

Population, 1920:
Eastern district 1,226,383
Western district 1,190,247
Total 2,416,630

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	306	206	317	256	1,087
	Private	185	189	160	125	659
	Criminal	2,703	2,293	3,363	3,721	12,080
	Total for district	3,196	2,688	3,840	4,102	13,826
W	Civil	68	62	112	82	324
	Private	119	164	123	103	509
	Criminal	1,514	716	872	912	4,014
	Total for district	1,701	942	1,107	1,097	4,847
	Total for State	4,897	3,630	4,947	5,199	18,673
	CASES TERMINATED					
E	Civil	322	332	278	280	1,212
	Private	248	140	187	176	751
	Criminal	3,045	1,790	3,984	3,737	12,556
	Total for district	3,615	2,262	4,449	4,193	14,519
W	Civil	100	87	94	89	370
	Private	80	143	130	137	490
	Criminal	1,901	1,194	975	934	5,004
	Total for district	2,081	1,424	1,199	1,160	5,864
	Total for State	5,696	3,686	5,648	5,353	20,383
	CASES PENDING					
E	Civil	236	110	149	125	
	Private	261	310	280	229	
	Criminal	549	1,052	431	415	
	Total for district	1,046	1,472	860	769	
W	Civil	117	92	109	102	
	Private	234	255	242	209	
	Criminal	702	224	121	99	
	Total for district	1,053	571	472	410	
	Total for State	2,099	2,043	1,332	1,179	

LOUISIANA

Population, 1920:
Eastern district 853,85
Western district 944,64
Total 1,798,509

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	270	137	162	457	1,026
	Private	166	212	132	122	632
	Criminal	663	1,109	1,273	1,014	4,059
	Total for district	1,099	1,458	1,567	1,593	5,717
W	Civil	39	35	38	48	161
	Private	42	93	42	49	226
	Criminal	311	268	371	235	1,185
	Total for district	392	397	451	332	1,572
	Total for State	1,491	1,855	2,018	1,925	7,289

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED					
E	Civil	358	214	188	383	1,143
	Private	322	383	258	124	1,087
	Criminal	1,535	1,214	1,305	974	5,028
	Total for district	2,215	1,811	1,751	1,481	7,258
W	Civil	44	40	44	40	168
	Private	34	80	53	78	245
	Criminal	428	258	390	250	1,326
	Total for district	506	378	487	368	1,739
	Total for State	2,721	2,189	2,238	1,849	8,997
	CASES PENDING					
E	Civil	168	91	65	139	
	Private	515	344	218	216	
	Criminal	161	56	24	64	
	Total for district	844	491	307	419	
W	Civil	17	13	7	15	
	Private	144	115	104	75	
	Criminal	57	67	48	33	
	Total for district	218	195	159	123	
	Total for State	1,062	686	466	542	

MAINE

Population, 1920 768,014

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	57	49	68	81	255
	Private	44	66	42	46	198
	Criminal	253	151	209	269	882
	Total for State	354	266	319	396	1,335
	CASES TERMINATED					
	Civil	65	55	57	69	246
	Private	62	182	42	57	343
	Criminal	270	137	237	250	894
	Total for State	397	374	336	376	1,483
	CASES PENDING					
	Civil	24	18	29	41	
	Private	202	86	86	75	
	Criminal	83	97	69	88	
	Total for State	309	201	184	204	

MARYLAND

Population, 1920 768,014

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	484	327	350	423	1,584
	Private	239	253	170	129	791
	Criminal	1,558	1,167	1,507	1,350	5,582
	Total for State	2,281	1,747	2,027	1,902	7,757
	CASES TERMINATED					
	Civil	502	380	371	440	1,693
	Private	557	366	198	188	1,309
	Criminal	1,256	1,124	2,166	1,532	6,078
	Total for State	2,315	1,870	2,735	2,160	9,080
	CASES PENDING					
	Civil	262	209	183	171	
	Private	345	233	205	148	
	Criminal	1,044	1,087	428	246	
	Total for State	1,651	1,529	821	563	

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

MASSACHUSETTS

Population, 1920 3,852,356

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	435	405	424	775	2,039
	Private	462	462	414	382	1,660
	Criminal	624	671	633	579	2,507
	Total for State	1,521	1,478	1,471	1,736	6,206
	CASES TERMINATED					
	Civil	459	492	517	373	1,751
	Private	377	384	737	541	2,039
	Criminal	657	590	620	729	2,586
	Total for State	1,493	1,366	1,874	1,643	6,376
	CASES PENDING					
	Civil	446	449	356	758	
	Private	1,017	1,035	712	553	
	Criminal	336	427	440	290	
	Total for State	1,799	1,911	1,508	1,601	

MICHIGAN

Population, 1920:
Eastern district 2,387,125
Western district 1,211,669
Total 3,598,794

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	688	800	940	1,241	3,678
	Private	149	252	392	304	1,097
	Criminal	1,361	1,706	1,880	1,831	6,778
	Total for district	2,198	2,758	3,221	3,376	11,553
W	Civil	48	49	80	136	313
	Private	68	102	100	76	346
	Criminal	272	224	266	274	1,036
	Total for district	388	375	446	486	1,695
	Total for State	2,586	3,133	3,667	3,862	13,248
	CASES TERMINATED					
E	Civil	786	723	779	1,050	3,338
	Private	256	148	295	325	1,024
	Criminal	1,510	1,687	1,879	1,800	6,876
	Total for district	2,552	2,558	2,953	3,175	11,238
W	Civil	29	59	69	150	317
	Private	77	90	102	101	370
	Criminal	308	241	285	282	1,116
	Total for district	414	400	456	533	1,803
	Total for State	2,966	2,958	3,409	3,708	13,041
	CASES PENDING					
E	Civil	228	305	388	659	
	Private	328	432	529	508	
	Criminal	327	346	379	410	
	Total for district	883	1,083	1,296	1,577	
W	Civil	50	30	41	27	
	Private	82	94	92	67	
	Criminal	69	52	33	25	
	Total for district	201	176	166	119	
	Total for State	1,084	1,259	1,462	1,696	

MINNESOTA

Population, 1920 2,387,125

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	232	261	852	1,408	2,753
	Private	376	606	382	341	1,705
	Criminal	778	698	1,364	1,771	4,611
	Total for State	1,386	1,565	2,598	3,520	9,069
	CASES TERMINATED					
	Civil	207	255	347	896	1,705
	Private	351	322	589	524	1,786
	Criminal	866	644	1,339	1,633	4,482
	Total for State	1,424	1,221	2,275	3,053	7,973

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
	Civil	326	342	845	1,357	
	Private	634	918	711	528	
	Criminal	264	353	378	516	
	Total for State	1,224	1,613	1,934	2,401	

MISSISSIPPI

Population, 1920:
Northern district 809,026
Southern district 981,592
Total 1,790,618

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	58	69	101	117	345
	Private	56	43	44	55	198
	Criminal	253	351	489	516	1,609
	Total for district	367	463	634	688	2,152
S	Civil	31	34	24	64	153
	Private	378	136	141	158	813
	Criminal	281	242	498	290	1,311
	Total for district	690	412	663	512	2,277
	Total for State	1,057	875	1,297	1,200	4,429
	CASES TERMINATED					
N	Civil	53	61	86	112	312
	Private	72	47	46	53	218
	Criminal	271	367	498	472	1,608
	Total for district	396	475	630	637	2,138
S	Civil	47	44	43	22	156
	Private	137	107	151	144	539
	Criminal	323	299	439	338	1,399
	Total for district	507	450	633	504	2,094
	Total for State	903	925	1,263	1,141	4,232
	CASES PENDING					
N	Civil	23	31	41	46	
	Private	40	36	34	36	
	Criminal	152	145	132	177	
	Total for district	215	312	207	259	
S	Civil	41	20	10	50	
	Private	578	407	117	131	
	Criminal	160	102	161	100	
	Total for district	579	539	288	281	
	Total for State	794	751	495	540	

MISSOURI

Population, 1920:
Eastern district 1,705,147
Western district 1,698,908
Total 3,404,055

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	66	70	73	129	338
	Private	353	383	305	347	1,388
	Criminal	929	881	1,211	1,119	4,140
	Total for district	1,348	1,334	1,589	1,595	5,866
W	Civil	119	153	174	268	714
	Private	435	375	539	394	1,743
	Criminal	788	647	881	1,038	3,354
	Total for district	1,342	1,175	1,594	1,700	5,811
	Total for State	2,690	2,509	3,183	3,295	11,677
	CASES PENDING					
E	Civil	66	52	73	78	269
	Private	375	302	288	337	1,402
	Criminal	868	988	1,127	1,097	4,080
	Total for district	1,309	1,342	1,588	1,512	5,751

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING—continued					
W	Civil	137	96	143	245	621
	Private	339	413	406	403	1,561
	Criminal	815	683	936	1,033	3,467
	Total for district	1,291	1,192	1,485	1,681	5,649
	Total for State	2,600	2,534	3,073	3,193	11,400
	CASES TERMINATED					
E	Civil	52	70	70	121	
	Private	448	454	371	381	
	Criminal	278	171	256	278	
	Total for district	778	695	697	780	
W	Civil	146	203	250	260	
	Private	545	507	640	631	
	Criminal	301	244	189	308	
	Total for district	992	954	1,079	1,199	
	Total for State	1,770	1,649	1,776	1,979	

MONTANA

Population, 1920 548,889

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	312	190	485	976	1,963
	Private	98	81	74	51	304
	Criminal	512	438	874	1,362	3,186
	Total for State	922	709	1,433	2,389	5,453
	CASES TERMINATED					
	Civil	325	178	234	822	1,559
	Private	97	71	79	53	300
	Criminal	480	345	832	1,202	2,859
	Total for State	902	594	1,145	2,077	4,718
	CASES PENDING					
	Civil	134	146	398	552	
	Private	203	213	208	206	
	Criminal	193	286	328	488	
	Total for State	530	645	934	1,246	

NEBRASKA

Population, 1920 1,296,372

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	118	159	193	144	614
	Private	250	231	215	204	900
	Criminal	516	507	805	419	2,247
	Total for State	884	897	1,213	767	3,761
	CASES TERMINATED					
	Civil	140	134	127	93	494
	Private	221	244	254	262	981
	Criminal	552	565	692	436	2,245
	Total for State	913	943	1,073	791	3,720
	CASES PENDING					
	Civil	136	161	225	276	
	Private	396	412	374	314	
	Criminal	315	257	370	353	
	Total for State	847	830	969	943	

NEVADA

Population, 1920 77,407

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	137	68	63	75	343
	Private	16	19	19	15	69
	Criminal	465	240	186	243	1,124
	Total for State	618	317	268	333	1,536
	CASES TERMINATED					
	Civil	63	100	148	66	377
	Private	31	42	20	22	115
	Criminal	344	368	285	241	1,238
	Total for State	438	510	453	329	1,730

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
	Civil	192	156	71	80	
	Private	65	42	41	34	
	Criminal	334	196	97	102	
	Total for State	591	394	209	216	

NEW HAMPSHIRE

Population, 1920 443,083

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	120	60	116	99	395
	Private	45	25	19	18	107
	Criminal	290	291	367	347	1,295
	Total for State	455	376	502	464	1,797
	CASES TERMINATED					
	Civil	114	72	112	90	388
	Private	55	31	26	15	127
	Criminal	285	307	361	335	1,288
	Total for State	454	410	499	440	1,803
	CASES PENDING					
	Civil	14	2	6	15	
	Private	28	22	15	18	
	Criminal	24	8	14	26	
	Total for State	66	32	35	59	

NEW JERSEY

Population, 1920 3,155,900

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	1,177	865	751	1,155	3,948
	Private	542	664	616	503	2,325
	Criminal	925	510	762	1,041	3,238
	Total for State	2,644	2,039	2,129	2,699	9,511
	CASES TERMINATED					
	Civil	1,035	983	651	1,054	3,723
	Private	353	518	792	867	2,530
	Criminal	2,739	635	628	1,051	5,053
	Total for State	4,127	2,136	2,071	2,972	11,306
	CASES PENDING					
	Civil	1,362	1,244	1,344	1,445	
	Private	1,082	1,228	1,052	688	
	Criminal	1,030	905	1,039	1,029	
	Total for State	3,474	3,377	3,435	3,162	

NEW MEXICO

Population, 1920 360,350

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	36	38	25	39	138
	Private	81	59	64	56	260
	Criminal	341	298	293	357	1,319
	Total for State	458	395	382	502	1,737
	CASES TERMINATED					
	Civil	26	47	25	38	136
	Private	104	85	66	78	333
	Criminal	359	318	278	395	1,350
	Total for State	489	450	369	511	1,819
	CASES PENDING					
	Civil	26	17	17	38	
	Private	94	68	64	42	
	Criminal	68	48	63	55	
	Total for State	188	133	144	135	

NEW YORK

Population, 1920:

Northern district	1,978,437
Eastern district	2,840,295
Southern district	3,801,364
Western district	1,765,131
Total	10,485,227

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	383	661	602	667	2,213
	Private	73	131	159	150	515
	Criminal	2,135	1,864	2,099	2,474	8,572
	Total for district	2,593	2,656	2,760	3,291	11,300
E	Civil	931	903	1,259	1,061	4,154
	Private	1,980	2,096	1,634	694	6,404
	Criminal	2,608	2,349	2,227	2,343	9,527
	Total for district	5,519	5,348	5,120	4,098	20,085
S	Civil	2,208	1,985	1,515	1,384	7,089
	Private	1,344	2,242	2,205	2,013	7,804
	Criminal	3,243	2,050	9,708	8,374	23,384
	Total for district	6,792	6,286	13,428	11,771	38,277
W	Civil	412	247	340	558	1,557
	Private	166	188	253	180	787
	Criminal	1,715	1,674	1,181	1,843	6,413
	Total for district	2,293	2,109	1,774	2,581	8,757
	Total for State	17,197	16,399	23,082	21,741	78,419
	CASES TERMINATED					
N	Civil	282	668	561	589	2,100
	Private	52	73	150	91	366
	Criminal	2,095	2,015	1,968	2,759	8,837
	Total for district	2,429	2,756	2,679	3,439	11,303
E	Civil	708	1,232	1,299	1,343	4,582
	Private	529	1,748	1,246	962	4,485
	Criminal	2,363	2,360	4,727	2,485	11,935
	Total for district	3,600	5,340	7,272	4,790	21,002
S	Civil	2,293	3,236	1,067	1,352	7,948
	Private	1,575	2,805	1,501	2,070	7,951
	Criminal	6,225	2,135	8,863	8,202	25,425
	Total for district	10,093	8,176	11,431	11,624	41,324
W	Civil	275	272	271	462	1,280
	Private	199	149	339	195	882
	Criminal	1,094	2,483	1,222	1,239	6,038
	Total for district	1,568	2,904	1,832	1,896	8,200
	Total for State	17,690	19,176	23,214	21,749	81,829
	CASES PENDING					
N	Civil	315	309	250	328	
	Private	1,004	1,052	1,071	1,130	
	Criminal	1,244	1,092	1,199	914	
	Total for district	2,563	2,453	2,520	2,372	
E	Civil	1,655	1,326	1,286	1,041	
	Private	7,204	7,642	8,030	7,762	
	Criminal	3,708	3,697	1,204	1,098	
	Total for district	12,657	12,665	10,520	9,901	
S	Civil	4,594	3,343	3,791	3,823	
	Private	4,499	3,936	4,640	4,583	
	Criminal	2,077	1,931	2,776	2,948	
	Total for district	11,170	9,210	11,207	11,354	
W	Civil	478	453	522	618	
	Private	349	387	314	299	
	Criminal	2,101	1,292	1,251	1,855	
	Total for district	2,928	2,132	2,087	2,772	
	Total for State	29,318	26,570	26,334	26,399	

NORTH CAROLINA

Population, 1920:
- Eastern district 1,164,785
- Middle district 725,344
- Western district 668,994
- Total 2,559,123

District	Cases	1926	1927	1928	1929	Tota
	CASES COMMENCED					
E	Civil	80	123	88	74	365
	Private	176	122	125	118	541
	Criminal	563	488	561	877	2,489
	Total for district	819	733	774	1,069	3,395

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED—continued					
M	Civil (middle district not created until 1927).		114	226	128	498
	Private		64	71	46	181
	Criminal		356	721	772	1,849
	Total for district		534	1,018	946	2,498
W	Civil	174	223	112	226	735
	Private	93	107	144	108	452
	Criminal	1,292	849	627	568	3,336
	Total for district	1,559	1,179	883	902	4,523
	Total for State	2,378	2,446	2,675	2,917	10,416
	CASES TERMINATED					
E	Civil	79	140	72	71	362
	Private	163	185	203	142	693
	Criminal	597	542	560	865	2,564
	Total for district	839	867	835	1,078	3,619
M	Civil (middle district not created until 1927).		1	230	171	402
	Private		5	62	41	108
	Criminal		21	656	706	1,383
	Total for district		27	948	918	1,893
W	Civil	154	295	130	133	712
	Private	84	120	111	117	432
	Criminal	1,260	1,003	767	915	3,945
	Total for district	1,498	1,418	1,008	1,165	5,089
	Total for State	2,337	2,312	2,791	3,161	10,601
	CASES PENDING					
E	Civil	61	44	60	63	
	Private	360	297	219	195	
	Criminal	206	152	153	165	
	Total for district	627	493	432	423	
M	Civil (middle district, not created until 1927).		113	109	66	
	Private		59	68	73	
	Criminal		335	400	466	
	Total for district		507	577	605	
W	Civil	180	108	90	183	
	Private	231	211	198	189	
	Criminal	1,063	909	769	422	
	Total for district	1,474	1,228	1,057	794	
	Total for State	2,101	2,228	2,066	1,822	

NORTH DAKOTA

Population, 1920 646,872

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	73	68	54	30	225
	Private	101	94	81	92	368
	Criminal	151	110	112	155	528
	Total for State	325	272	247	277	1,121
	CASES TERMINATED					
	Civil	31	65	78	48	222
	Private	163	78	107	91	439
	Criminal	154	72	168	132	526
	Total for State	348	215	353	271	1,187
	CASES PENDING					
	Civil	72	75	51	33	
	Private	91	107	81	82	
	Criminal	171	209	154	177	
	Total for State	334	391	286	292	

OHIO

Population, 1920:
- Northern district 3,195,677
- Southern district 2,563,717
- Total 5,759,394

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	503	539	508	534	2,084
	Private	815	1,020	893	737	3,465
	Criminal	1,337	1,005	1,142	1,225	4,709
	Total for district	2,655	2,564	2,543	2,496	10,258
S	Civil	110	197	310	374	991
	Private	328	294	267	278	1,167
	Criminal	318	402	663	555	1,938
	Total for district	756	893	1,240	1,207	4,096
	Total for State	3,411	3,457	3,783	3,703	14,354
	CASES TERMINATED					
N	Civil	517	531	563	414	2,025
	Private	890	828	932	804	3,454
	Criminal	1,388	1,104	1,091	1,249	4,832
	Total for district	2,795	2,463	2,586	2,467	10,311
S	Civil	127	169	293	201	790
	Private	281	268	249	262	1,060
	Criminal	316	438	621	446	1,821
	Total for district	724	875	1,163	909	3,671
	Total for State	3,519	3,338	3,749	3,376	13,982
	CASES PENDING					
N	Civil	356	364	309	429	
	Private	651	843	804	737	
	Criminal	568	469	520	496	
	Total for district	1,575	1,676	1,633	1,662	
S	Civil	58	86	103	276	
	Private	395	421	439	455	
	Criminal	91	74	116	225	
	Total for district	544	581	658	956	
	Total for State	2,119	2,257	2,291	2,618	

OKLAHOMA

Population, 1920:
- Northern district 403,687
- Eastern district 830,513
- Western district 794,083
- Total 2,028,283

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	63	55	110	86	314
	Private	270	191	259	191	911
	Criminal	761	746	1,090	794	3,391
	Total for district	1,094	992	1,459	1,071	4,616
E	Civil	57	60	61	76	254
	Private	239	177	332	286	1,034
	Criminal	861	1,027	1,055	950	3,893
	Total for district	1,157	1,264	1,448	1,312	5,181
W	Civil	120	95	77	97	389
	Private	184	133	251	224	792
	Criminal	659	587	681	699	2,626
	Total for district	963	815	1,009	1,020	3,807
	Total for State	3,214	3,071	3,916	3,403	13,604
	CASES TERMINATED					
N	Civil	46	38	102	94	380
	Private	173	203	182	239	797
	Criminal	581	566	1,098	760	3,005
	Total for district	800	807	1,382	1,093	4,082
E	Civil	62	49	57	64	232
	Private	343	150	240	381	1,114
	Criminal	821	1,151	1,182	910	4,064
	Total for district	1,226	1,350	1,479	1,355	5,410
W	Civil	54	82	66	64	266
	Private	218	133	191	189	731
	Criminal	623	614	662	641	2,540
	Total for district	895	829	919	894	3,537
	Total for State	2,921	2,986	3,780	3,342	13,029

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
N	Civil	46	63	71	58	
	Private	208	196	273	225	
	Criminal	342	522	514	548	
	Total for district	596	781	858	831	
E	Civil	51	62	66	78	
	Private	235	262	354	259	
	Criminal	493	369	242	282	
	Total for district	779	693	662	619	
W	Civil	111	124	135	146	
	Private	174	174	234	269	
	Criminal	572	545	564	601	
	Total for district	857	843	933	1,016	
	Total for State	2,232	2,317	2,453	2,466	

OREGON

Population, 1920 783,389

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	143	146	116	179	584
	Private	188	152	141	166	647
	Criminal	412	391	431	335	1,569
	Total for State	743	689	688	680	2,800
	CASES TERMINATED					
	Civil	123	175	114	130	542
	Private	219	175	177	132	703
	Criminal	462	463	493	338	1,756
	Total for State	804	813	784	600	3,001
	CASES PENDING					
	Civil	99	70	75	124	
	Private	306	158	122	156	
	Criminal	269	197	130	127	
	Total for State	674	425	327	407	

PENNSYLVANIA

Population, 1920:
- Eastern district 3,287,781
- Middle district 1,987,383
- Western district 3,444,853
- Total 8,720,017

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	427	497	659	725	2,308
	Private	411	463	461	464	1,799
	Criminal	467	310	552	945	2,274
	Total for district	1,305	1,270	1,672	2,134	6,381
M	Civil	118	69	119	113	419
	Private	72	61	101	95	329
	Criminal	474	390	456	422	1,842
	Total for district	664	520	676	30	2,590
W	Civil	335	1,625	1,535	1,474	4,969
	Private	485	169	247	264	1,165
	Criminal	1,312	1,811	1,377	1,269	5,769
	Total for district	2,132	3,605	3,159	3,007	11,903
	Total for State	4,101	5,395	5,507	5,871	20,874
	CASES TERMINATED					
E	Civil	466	527	760	706	2,459
	Private	265	570	398	427	1,660
	Criminal	533	580	614	895	2,622
	Total for district	1,264	1,677	1,772	2,028	6,741
M	Civil	92	85	101	124	402
	Private	97	70	116	127	410
	Criminal	1,549	427	482	529	2,987
	Total for district	1,738	582	699	780	3,799

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED—con.					
W	Civil	397	1,387	1,461	1,464	4,709
	Private	974	117	116	674	1,881
	Criminal	1,218	1,510	1,659	1,379	5,766
	Total for district	2,589	3,014	3,236	3,517	12,356
	Total for State	5,591	5,273	5,707	6,325	22,896
	CASES PENDING					
E	Civil	883	858	757	776	
	Private	1,547	1,440	1,503	1,540	
	Criminal	615	355	293	343	
	Total for district	3,050	2,653	2,553	2,659	
M	Civil	106	90	108	97	
	Private	209	200	185	153	
	Criminal	169	132	106	99	
	Total for district	484	422	399	349	
W	Civil	327	865	643	647	
	Private	1,510	1,568	1,482	1,043	
	Criminal	406	788	506	396	
	Total for district	2,243	2,921	2,631	2,086	
	Total for State	5,777	5,996	5,583	5,094	

RHODE ISLAND

Population, 1920: 604,397

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	128	127	119	119	493
	Private	42	47	45	47	181
	Criminal	328	297	225	336	1,186
	Total for State	498	471	389	502	1,860
	CASES TERMINATED					
	Civil	101	159	121	153	536
	Private	45	38	84	52	219
	Criminal	309	240	279	304	1,282
	Total for State	547	437	484	509	2,037
	CASES PENDING					
	Civil	125	92	90	56	
	Private	91	99	60	55	
	Criminal	98	156	102	75	
	Total for State	314	347	252	180	

SOUTH CAROLINA

Population, 1920:
- Eastern district: 965,010
- Western district: 718,714
- Total: 1,683,724

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	26	54	24	41	145
	Private	229	150	174	137	690
	Criminal	388	216	261	548	1,413
	Total for district	643	420	459	726	2,248
W	Civil	73	52	64	65	254
	Private	57	38	89	50	234
	Criminal	443	271	333	329	1,376
	Total for district	573	361	486	444	1,864
	Total for State	1,216	781	945	1,170	4,112
	CASES TERMINATED					
E	Civil	42	34	35	40	151
	Private	226	146	208	124	704
	Criminal	476	236	246	398	1,356
	Total for district	744	416	489	562	2,211
W	Civil	61	70	55	70	256
	Private	59	41	65	72	237
	Criminal	484	294	341	326	1,445
	Total for district	604	405	461	468	1,938
	Total for State	1,348	821	950	1,030	4,149

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Tota
	CASES PENDING					
E	Civil	37	57	46	47	
	Private	159	103	129	142	
	Criminal	535	515	530	680	
	Total for district	731	735	705	869	
W	Civil	42	24	33	28	
	Private	60	57	81	59	
	Criminal	140	117	109	112	
	Total for district	242	198	223	199	
	Total for State	973	933	928	1,068	

SOUTH DAKOTA

Population 1920: 783,389

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	33	25	27	28	113
	Private	140	136	78	68	422
	Criminal	404	172	286	311	1,173
	Total for State	577	333	391	407	1,708
	CASES TERMINATED					
	Civil	7	38	49	35	129
	Private	94	105	203	92	494
	Criminal	239	322	288	349	1,198
	Total for State	340	465	540	476	1,821
	CASES PENDING					
	Civil	88	75	53	43	
	Private	285	316	191	167	
	Criminal	367	217	215	177	
	Total for State	740	608	459	387	

TENNESSEE

Population, 1920:
- Eastern district: 804,581
- Middle district: 830,752
- Western district: 702,552
- Total: 2,337,885

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	160	114	138	251	663
	Private	47	55	63	70	235
	Criminal	1,092	648	823	813	3,376
	Total for district	1,299	818	1,024	1,134	4,275
M	Civil	98	68	118	134	418
	Private	36	29	26	31	122
	Criminal	685	794	575	618	2,672
	Total for district	819	891	719	783	3,212
W	Civil	63	69	84	49	265
	Private	73	48	59	44	224
	Criminal	304	196	385	276	1,141
	Total for district	440	313	508	369	1,630
	Total for State	2,558	2,022	2,251	2,286	9,117
	CASES TERMINATED					
E	Civil	178	132	138	155	603
	Private	63	44	55	80	242
	Criminal	1,032	666	709	1,006	3,503
	Total for district	1,273	842	902	1,241	4,348
M	Civil	130	58	122	121	431
	Private	61	29	30	23	143
	Criminal	822	613	676	462	2,572
	Total for district	1,013	700	827	606	3,146
W	Civil	75	49	89	28	241
	Private	52	63	81	37	233
	Criminal	487	216	335	300	1,338
	Total for district	614	328	505	365	1,812
	Total for State	2,900	1,870	2,324	2,212	9,306

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING					
E	Civil	102	85	85	181	
	Private	61	73	81	72	
	Criminal	391	373	397	204	
	Total for district	555	531	563	457	
M	Civil	69	79	75	88	
	Private	68	68	64	72	
	Criminal	382	563	463	619	
	Total for district	519	710	602	779	
W	Civil	21	41	37	58	
	Private	114	99	76	83	
	Criminal	70	50	80	56	
	Total for district	205	190	193	197	
	Total for State	1,279	1,431	1,358	1,433	

TEXAS

Population, 1920:
- Northern district 1,428,593
- Eastern district 1,144,483
- Southern district 850,751
- Western district 1,239,401

Total 4,673,228

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	125	73	117	160	475
	Private	282	358	414	357	1,411
	Criminal	538	940	1,552	1,171	4,201
	Total for district	945	1,371	2,083	1,688	6,087
E	Civil	36	47	78	63	224
	Private	123	153	148	170	594
	Criminal	263	243	423	449	1,378
	Total for district	422	443	649	682	2,196
S	Civil	183	245	204	262	894
	Private	134	145	160	136	575
	Criminal	690	928	956	1,290	3,864
	Total for district	1,007	1,318	1,320	1,688	5,333
W	Civil	98	102	133	118	451
	Private	142	145	140	220	647
	Criminal	1,399	1,357	1,437	1,610	5,803
	Total for district	1,639	1,604	1,710	1,948	6,901
	Total for State	4,013	4,736	5,762	5,006	20,517
	CASES TERMINATED					
N	Civil	114	77	101	147	439
	Private	335	347	408	397	1,482
	Criminal	580	970	1,533	1,144	4,227
	Total for district	1,029	1,394	2,037	1,688	6,148
E	Civil	52	41	77	63	233
	Private	125	161	199	148	633
	Criminal	291	241	422	467	1,421
	Total for district	468	443	698	678	2,287
S	Civil	206	274	199	219	898
	Private	146	191	158	141	636
	Criminal	807	910	958	1,273	3,948
	Total for district	1,159	1,375	1,315	1,633	5,482
W	Civil	115	116	128	89	448
	Private	187	133	151	224	695
	Criminal	1,421	1,409	1,458	1,616	5,904
	Total for district	1,723	1,658	1,737	1,929	7,047
	Total for State	4,379	4,870	5,787	5,928	20,964
	CASES PENDING					
N	Civil	83	79	94	107	
	Private	299	310	321	281	
	Criminal	188	158	178	205	
	Total for district	570	547	593	593	
E	Civil	17	23	24	24	
	Private	145	137	86	108	
	Criminal	60	62	63	45	
	Total for district	222	222	173	177	

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES PENDING—continued					
S	Civil	150	121	126	169	
	Private	162	116	118	113	
	Criminal	158	176	174	191	
	Total for district	470	413	418	473	
W	Civil	64	50	55	84	
	Private	126	138	127	123	
	Criminal	241	189	168	162	
	Total for district	431	377	250	369	
	Total for State	1,693	1,559	1,434	1,612	

UTAH

Population, 1920 449,396

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	37	24	92	72	225
	Private	51	46	65	41	203
	Criminal	134	105	201	122	562
	Total for State	222	175	358	235	990
	CASES TERMINATED					
	Civil	25	27	76	91	219
	Private	61	66	63	46	236
	Criminal	164	113	168	151	596
	Total for State	250	206	307	288	1,051
	CASES PENDING					
	Civil	33	30	46	27	
	Private	68	48	50	45	
	Criminal	75	67	100	71	
	Total for State	176	145	196	143	

VERMONT

Population, 1920 352,428

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	55	46	39	31	171
	Private	12	25	22	19	78
	Criminal	184	197	179	265	825
	Total for State	251	268	240	315	1,074
	CASES TERMINATED					
	Civil	35	46	55	29	165
	Private	25	13	20	25	83
	Criminal	210	201	157	271	839
	Total for State	270	260	232	325	1,087
	CASES PENDING					
	Civil	36	36	20	22	
	Private	56	68	70	64	
	Criminal	104	100	122	116	
	Total for State	196	204	212	202	

VIRGINIA

Population, 1920:
- Eastern district 1,204,774
- Western district 1,104,413

Total 2,309,187

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	112	82	92	113	399
	Private	153	165	129	118	565
	Criminal	435	298	307	285	1,325
	Total for district	700	545	528	516	2,289
W	Civil	175	143	58	70	446
	Private	59	47	25	43	174
	Criminal	235	316	366	337	1,254
	Total for district	469	506	449	450	1,874
	Total for State	1,169	1,051	917	966	4,163

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED					
E	Civil	130	99	123	80	433
	Private	250	260	176	118	804
	Criminal	472	308	300	302	1,382
	Total for district	852	667	599	500	2,618
W	Civil	194	118	61	59	432
	Private	66	37	43	40	186
	Criminal	512	305	353	351	1,531
	Total for district	772	460	487	430	2,149
	Total for State	1,624	1,127	1,086	930	4,767
	CASES PENDING					
E	Civil	22	88	57	90	
	Private	226	131	84	84	
	Criminal	138	128	135	118	
	Total for district	386	347	276	292	
W	Civil	45	70	30	50	
	Private	50	60	42	45	
	Criminal	127	138	121	127	
	Total for district	222	268	202	222	
	Total for State	608	615	478	514	

WASHINGTON

Population, 1920:
Eastern district 437,191
Western district 919,430
Total 1,356,621

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	34	34	38	84	190
	Private	58	56	42	53	209
	Criminal	172	138	259	169	738
	Total for district	264	228	339	306	1,137
W	Civil	238	242	262	496	1,238
	Private	210	176	218	149	753
	Criminal	1,077	944	749	715	3,485
	Total for district	1,525	1,362	1,229	1,360	5,476
	Total for State	1,789	1,590	1,568	1,666	6,613
	CASES TERMINATED					
E	Civil	45	39	45	43	172
	Private	41	57	55	46	199
	Criminal	178	155	207	205	745
	Total for district	264	251	307	294	1,116
W	Civil	282	201	284	315	1,082
	Private	255	162	205	185	807
	Criminal	1,034	681	1,161	853	3,729
	Total for district	1,571	1,044	1,650	1,353	5,618
	Total for State	1,835	1,295	1,957	1,647	6,734
	CASES PENDING					
E	Civil	31	26	19	60	
	Private	76	75	62	69	
	Criminal	61	42	94	58	
	Total for district	168	143	175	187	
W	Civil	170	212	194	373	
	Private	206	220	233	197	
	Criminal	514	776	381	246	
	Total for district	890	1,208	808	816	
	Total for State	1,058	1,351	983	1,003	

WEST VIRGINIA

Population, 1920:
Northern district 695,066
Southern district 768,635
Total 1,463,701

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
N	Civil	83	111	165	187	546
	Private	51	48	47	52	198
	Criminal	593	692	819	748	2,852
	Total for district	727	851	1,031	987	3,596

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED—continued					
S	Civil	325	351	335	375	1,386
	Private	131	119	95	115	460
	Criminal	2,469	2,663	2,428	2,177	9,737
	Total for district	2,925	3,133	2,858	2,667	11,583
	Total for State	3,652	3,984	3,889	3,654	15,179
	CASES TERMINATED					
N	Civil	83	35	166	214	498
	Private	47	37	50	54	188
	Criminal	661	688	1,029	706	3,084
	Total for district	791	760	1,245	974	3,770
S	Civil	290	362	329	269	1,250
	Private	198	101	133	137	569
	Criminal	2,215	2,610	2,619	2,097	9,541
	Total for district	2,703	3,073	3,081	2,503	11,360
	Total for State	3,494	3,833	4,326	3,477	15,130
	CASES PENDING					
N	Civil	67	149	148	121	
	Private	133	144	141	139	
	Criminal	265	269	59	100	
	Total for district	465	562	348	360	
S	Civil	204	193	199	220	
	Private	156	174	136	114	
	Criminal	820	893	702	782	
	Total for district	1,180	1,260	1,037	1,116	
	Total for State	1,645	1,822	1,385	1,476	

WISCONSIN

Population, 1920:
Eastern district 1,440,983
Western district 1,190,770
Total 2,631,753

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
E	Civil	108	82	162	186	638
	Private	114	93	118	106	431
	Criminal	223	153	361	528	1,265
	Total for district	535	328	641	820	2,324
W	Civil	34	83	60	70	247
	Private	63	44	53	86	246
	Criminal	140	137	278	363	918
	Total for district	237	264	391	519	1,411
	Total for State	772	592	1,032	1,339	3,735
	CASES TERMINATED					
E	Civil	103	83	116	234	626
	Private	102	80	114	96	401
	Criminal	252	123	386	376	1,117
	Total for district	527	295	616	706	2,144
W	Civil	46	67	58	58	229
	Private	47	56	67	48	218
	Criminal	123	173	226	350	872
	Total for district	216	296	351	456	1,319
	Total for State	743	591	967	1,162	3,463
	CASES PENDING					
E	Civil	46	45	91	43	
	Private	135	139	143	153	
	Criminal	74	104	79	231	
	Total for district	255	288	313	427	
W	Civil	14	30	32	44	
	Private	119	107	93	131	
	Criminal	133	97	149	162	
	Total for district	266	234	274	337	
	Total for State	521	522	587	764	

WYOMING

Population 1920 194,402

District	Cases	1926	1927	1928	1929	Total
	CASES COMMENCED					
	Civil	30	26	40	53	150
	Private	94	38	37	36	205
	Criminal	121	84	141	124	470
	Total for State	245	150	218	213	825

Business transacted in Federal courts of each State for the period beginning fiscal year 1926 and ending fiscal year 1929—Continued

District	Cases	1926	1927	1928	1929	Total
	CASES TERMINATED					
	Civil	34	36	30	48	157
	Private	81	60	60	35	236
	Criminal	163	79	145	121	508
	Total for State	278	175	244	204	901
	CASES PENDING					
	Civil	29	21	22	26	.....
	Private	95	72	49	50	.....
	Criminal	28	33	29	33	.....
	Total for State	152	126	100	109	.....

IMPROVEMENT OF PROCEDURE IN IMPEACHMENTS

The SPEAKER pro tempore. Under the special order of the House the gentleman, from Texas [Mr. SUMNERS] is recognized for 30 minutes.

Mr. SUMNERS of Texas. We have listened to a very interesting and instructive address dealing with the work of the judiciary.

It is a good thing for Members of the House occasionally to turn aside from the pressure incident to the enactment of current legislation, and give consideration to things which are of permanent and general interest to the Government.

I want to direct your attention this afternoon to a condition which holds possibilities of substantial improvement, namely, procedure in impeachments. In theory the impeachment power is applicable to all civil officers of the Government. But due to limited tenure and to other methods of removal of all Federal officers other than members of the judiciary the importance of the impeachment power in our system of Government in practical operation is limited almost exclusively to judicial officers, who are appointed for life, conditioned only upon good behavior.

It is not probable there ever will develop in this country any necessity to call a large number of Federal judges to the bar of the Senate. As a rule Federal judges are high class, conscientious persons. But the fact that these officers are appointed for life makes clear that there is associated with that character of tenure a necessity for an efficient agency of supervision and control exercised in the public interest, not control of the opinion of judges, to be sure, but control of the conduct of judges as that conduct is related to public confidence and to integrity of public justice. It was never contemplated that we would either in theory or in fact establish in this country a lot of petty despots answerable to nobody, which would be the case, potentially at least, but for the power of removal which is embodied in the impeachment provisions of the Constitution. Not only is there inherent in this character of tenure the necessity for an effective agency for examination and determination affecting the question of "good behavior" as that expression is used in the Constitution, but there is also the highest necessity to protect Federal judges against intimidation and unnecessary annoyance through the unwarranted initiation or threatened initiation of impeachment proceedings.

The rapidity with which the Federal judiciary is being increased and the rapidity with which the business of the Houses of Congress is being increased changes the nature of this question from a more or less academic one to a very practical one which calls for immediate consideration.

There is nothing more interesting to the student of the development of our system of government than an examination of that power and the place which impeachment holds in the scheme of our Government.

Originally, impeachment was a criminal trial. Those who have examined the development of this power and this procedure tell us that it began in the fourteenth century, but a more careful examination of the history of our system of government discloses that it has always obtained. When the Anglo-Saxon system was tribal the power rested with the people to remove their public officials and to punish them. As the tribal governments were blended into principalities and principalities into petty kingdoms and petty kingdoms into larger governmental organizations, the direct control of the people over their public officials, of course, was lessened. The power became vested in the king and his councilors, with the deeper power of revolution, of course.

It would be interesting, but perhaps not profitable, to trace in detail the development of this extraordinary power, or rather of the agency through which it is exercised. Sufficient to say that by the fourteenth century the distinctive characteristics of the impeachment procedure had developed. Two hundred years ago the identical procedure now had in the Senate had developed. There is a slight difference, but not important enough to make a modification of that statement necessary. The House of Commons appeared even then before the House of Lords by managers. Then it was a real, criminal trial, with the power over property, liberty, and life. One judgment I recall confiscated the property, tortured the person convicted, hanged him, beheaded him, and quartered him—otherwise they did not do anything to him at all.

When we came to write the impeachment provisions of our Constitution we deprived the Senate of all power to punish for crime, but we retained in practice the identical procedure which obtained under the English system where the House of Lords had the power to convict and execute.

Mr. STEVENSON. Will the gentleman answer a question?

Mr. SUMNERS of Texas. I am sorry, but I can not yield now. I will yield as soon as I get through my statement. I stand by my statement, if that is the point.

Under our Constitution, judgment is limited to removal from office with the possibility of a judgment in bar; in other words, it is the recapture clause in our Constitution dealing with powers delegated to public officials. It is an ouster proceeding, and that is all, with the possibility of a judgment in bar.

Really, Members of the House, if a modern Dickens should come on the scene and witness the managers of the House coming to the bar of the Senate, when the question involved is whether a district judge ought to continue in office, and with the tremendous responsibility of the Government of this Nation resting upon the Senate of the United States, and see that entire Senate of 96 Members suspending all their legislative and other duties to devote themselves exclusively for weeks to hearing all the evidence from the lips of witnesses in order to determine whether or not a district judge ought to be ousted; I say, if a modern Dickens should come on the scene and witness that, he could write a book that would make the world laugh longer and louder than Dickens made the world laugh as he portrayed the ridiculous procedure in the courts of chancery of England.

I have introduced a resolution, which has been pending before the Rules Committee for a year, to have the House appoint a committee of three and the Senate appoint a committee of three to constitute a joint committee to study this question and to ascertain if it is not possible to improve this method of procedure with regard to impeachment, and I hope the ladies and gentlemen of the House will bring to bear whatever persuasive influence they can upon the gentlemen who sit up there in the Rules Committee and make it possible for us now to study this question and report if this ridiculous procedure may not be improved.

I now yield for any questions that Members may want to propound.

Mr. BANKHEAD. If my friend will pardon me, in connection with the statement just made with reference to the attitude of the Rules Committee, I think I violate no confidence when I say that some objection was made to consideration of the gentleman's resolution upon the theory that the Committee on the Judiciary itself might appoint a subcommittee to study the question. The gentleman from Texas, when he was before the committee a few days ago, submitted a cogent reason why that would not meet the situation, and I wish the gentleman would restate it to the House.

Mr. SUMNERS of Texas. The reason that procedure, it seems to me, would not be the procedure suggested by the situation is this: The Judiciary Committee of the House has no general jurisdiction of the subject of impeachment. It is true that these matters, by reference, usually terminate with the Judiciary Committee of the House. This provision in our Constitution, of course, came indirectly from the procedure of Parliament. When the matter was considered in the Constitutional Convention there were a good many notions as to where the power ought to be placed. Finally, as occurred in most of the matters in controversy, it was settled by lifting some of the provisions of a State constitution already written. In this case we took the main part of our impeachment provision from the constitution of Massachusetts, and a very brief part of it from the constitution of New York. It is the power of the Government to rid itself of an official whose conduct demonstrates that he is unworthy to be an officer of the Government. The Judiciary Committee has no general jurisdiction which would warrant it in assuming responsibility.

Whatever committee is created ought to be created as the agent of the House. I think it would be a presumptuous thing for the Judiciary Committee to meet and select three of its members and undertake this responsibility. As a matter of fact, the major part of the procedure is in the Senate. The

trial is there. There is not much difficulty with what happens in the House.

Aside from the possibility that a study might disclose that something should be done further to control the exercise of the powers which are exercised in the House, the whole problem lies in the Senate. This power must be cautiously used. Power is lost in two ways; one is the nonuse and the other the abusive exercise of power.

In the main, as I have stated, the procedure is in the Senate. I do not want to anticipate what I think could be done, but I make this suggestion. I am sure that since this is an ouster suit the first thing to be done would be to determine in principle whether it is a civil or criminal procedure. When the committee comes to consider that question it is bound to determine that it is a civil procedure, because it is an ouster suit in its major aspect.

Having determined that, I see no reason why we could not abandon the present custom of bringing every witness in person before the Senate, there to testify to every fact in the case. The more important witnesses, perhaps, ought always to be called before the whole Senate; about that, however, I express no fixed opinion, but certainly committees and depositions could be used to a large extent.

When we had under consideration a comparatively recent case from Illinois I was one of the managers, and in the check-up we decided that under existing practice we would have to bring at least 100 people from southern Illinois to Washington at the inconvenience of the citizens, expense to the Government, and have them each testify before the whole Senate, in order to comply with the provisions of the Constitution to the effect that the defendant is entitled to be confronted with the witness, just as though we were trying a criminal case, and notwithstanding the fact that our Constitution declares that whatever trial for crimes committed is to be had must be in the ordinary courts in the ordinary way.

As I said a moment ago we have this anomalous situation, growing out of the fact that when we incorporated the impeachment power into our Constitution we stripped it of every aspect of a criminal case and yet in our practice have preserved the criminal procedure.

That is not the only instance in which such a thing as that occurs. The truth of it is, we make a mistake—even the Supreme Court seems to make it—in assuming that the men who sat in the Constitutional Convention fully comprehended the Constitution which was assembled. They did not create it. For 1,700 years within historical times it had been in process of creation.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman.

Mr. MOORE of Virginia. I did not understand the gentleman to state the character of the measure which he proposes to ask the Committee on Rules to report upon.

Mr. SUMNERS of Texas. I ask merely for a rule to make it possible for the House to consider a concurrent resolution for the appointment of three Members of the House and three Members of the Senate to study the procedure in impeachments and ascertain if a better method might not be worked out, and to report their conclusions to the House and to the Senate.

Mr. MOORE of Virginia. I was wondering why the very able and powerful Judiciary Committee of the House could not take that up and study the question and reach a conclusion.

Mr. SUMNERS of Texas. I have studied the question. I suggest to my friend from Virginia [Mr. MOORE], who has had experience, that I have been sitting almost at the door of the Committee on Rules for a year even to get a hearing on this rule. I am willing to do this work, but I am not willing to go over to the Senate merely as the agent of a committee of the House and try to get them to cooperate. If I go over there, I want to go with the prestige and support of the registered judgment of the House of Representatives that this ought to be done. That is what I want. If it is a thing that ought to be done, why can not the House consider it?

The Committee on the Judiciary has no authority with reference to it. It is not its business. The Judiciary Committee is the creature of the House; and I want this committee of the House Members, if it is created, to be the creature of the House, and have this matter presented to the Senate in the regular and orderly way—as a resolution coming from the House presents itself, not to a committee of the Senate, but to the Senate itself. I hope at least that the gentlemen of the Committee on Rules will let this resolution come to the floor of the House and make it possible to have this committee created, make it possible for this study to be made, at a time when there is no impeachment pending. That is the time to study this question, when we can do it deliberately, and not while an impeachment proceeding is pending.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SABATH. I am satisfied that the gentleman has devoted a great deal of thought and study to the proposition and that he has formulated a plan. Could he not introduce a resolution amending the practice, instead of asking for this committee to be appointed? I know the House would have just as much confidence in the resolution or bill that he would prepare and submit to the House as it would have in any recommendation of the committee that would be appointed.

Mr. SUMNERS of Texas. I appreciate very much the compliment of the gentleman from Illinois, but the difficulty is that most of this procedure is in the Senate. The difficulty lies in the major part beyond the jurisdiction of the House. Do I make myself clear?

Mr. SABATH. Yes.

Mr. SUMNERS of Texas. I see no other way to reach it than that which I have indicated.

Mr. SABATH. I am of opinion that if the House passes the gentleman's resolution and it reaches the Senate, it would receive that consideration which bills and resolutions passed by this House which reach the Senate usually receive.

Mr. SUMNERS of Texas. As I stated a moment ago, this power of impeachment and the several responsibilities of the House and the Senate in regard to impeachment are not joint responsibilities except in a limited and qualified sense. The House is a complete entity clothed with a distinct nonlegislative responsibility and the Senate is a complete entity clothed with a distinct nonlegislative responsibility. When they come to deal with the power of impeachment they do not deal with it as a matter that belongs to Congress. The House and the Senate do not act as constituent elements of the Congress. In other words, if we resolve in the House with regard to procedure in the House in impeachment matters, that resolution would never reach the Senate, because it is a matter with regard to which the Senate has no jurisdiction whatever. On the other hand, if the Senate resolves with regard to procedure of the Senate, that resolution would never reach the House. This is not as a bill, and the only thing with regard to which the House and Senate could properly concur would be with regard to the creation of this committee. Even the term "concurrent resolution" is a misnomer, because the Senate can not concur in any authoritative sense in what is done in the House as to this matter. What I have in mind is that Representatives of the House and Representatives of the Senate should get together and talk over this whole question of procedure so that the Representatives of the House may come back to their Chamber and make a report to the House as to what has been agreed the House ought to do to improve procedure, and the Representatives of the Senate could go back to the Senate and report to the Senate what is the judgment as to what the Senate should do to improve procedure. This is not a legislative procedure, in any sense, which I am suggesting.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. DENISON. In theory, at least, the House in impeachment proceedings acts as a grand jury and returns an indictment and the Senate acts as a jury and tries the case. Has the gentleman in his research found any justification for that procedure? Did the procedure for impeachment antedate the development of the grand-jury system or vice versa?

Mr. SUMNERS of Texas. There does not seem to have been any relationship between the development of the procedure with reference to impeachment and the development of the procedure such as the gentleman has indicated, except, of course, that having originated among the same people naturally there was some parallel in the line of development.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. STEVENSON. The question I desired to ask a while ago was this. The gentleman spoke of the power of impeachment and condemnation and confiscation of property. Was not the confiscation of property the result of a bill of attainder? The impeachment and bill of attainder were two separate things, and when they came to establish our Constitution it prohibited all bills of attainder. That was the clause of the Constitution which cut off the forfeiture of property and probably the capital punishment that grew out of that.

Mr. SUMNERS of Texas. Both the procedure in impeachment and attainder were used as agencies for the forfeiture of estates. The fact is that during a good many years the same sort of thing was accomplished under each of the procedures. As a matter of fact, between the Cromwell revolution and our Declaration of Independence there were very few impeachments. The Hastings impeachment was pending when we were writing our Federal Constitution, and Burke, in his argument in the

Warren Hastings case, made the most comprehensive analytical and philosophical statement of the place that impeachment holds in governments of our sort that has ever been made, in my judgment. It is as follows:

If little offenses, from their minuteness, escape you, and the greatest, from their magnitude, oppress you, it is impossible that this form of trial should not in the end vanish out of the constitution. For we must not deceive ourselves; whatever does not stand with credit can not stand long. And, if the constitution should be deprived, I do not mean in form but virtually, of this resource, it is virtually deprived of everything else that is valuable in it. For this process is the cement which binds the whole together; this is the individuating principle that makes England what England is. In this court it is that no subject in no part of the Empire can fail of competent and proportionable justice; here it is that we provide for that which is the substantial excellence of our constitution; I mean the great circulation of responsibility by which (excepting the Supreme Power) no man, in no circumstances, can escape the account which he owes the laws of his country. It is by this process that magistracy, which tries and controls all other things, is itself tried and controlled. Other constitutions are satisfied with making good subjects; this is a security for good governors. It is by this tribunal that statesmen who abuse their power are accused by statesmen and tried by statesmen, not upon the niceties of a narrow jurisprudence, but upon the enlarged and solid principles of state morality. It is here that those who by the abuse of power have violated the spirit of law can never hope for protection from any of its forms; it is here that those who have refused to conform themselves to its perfections can never hope to escape through any of its defects.

It ought, therefore, my lords, to become our common care to guard this, your precious deposit, rare in its use, but powerful in its effect, with a religious vigilance, and never to suffer it to be either discredited or antiquated. For this great end your lordships are invested with great and plenary powers; but you do not suspend, you do not supersede, you do not annihilate, any subordinate jurisdiction; on the contrary, you are auxiliary and supplemental to them all.

I shall not take any further time of the House. I appreciate very much your consideration. I always feel complimented when I can get up in a conversational sort of way and talk to my colleagues of the House and hold their interest and attention. I appreciate very much having had that sort of attention in this connection. [Applause.]

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381 to amend the World War veterans' act, 1924, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381, with Mr. MAPES in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10381, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended.

Mr. JOHNSON of South Dakota. Mr. Chairman, I would like to know how much time we have on general debate?

The CHAIRMAN. The gentleman from South Dakota has 2 hours and 11 minutes. The gentleman from Mississippi has 3 hours and 19 minutes.

Mr. JOHNSON of South Dakota. Will the gentleman from Texas use some of this time?

Mr. PATMAN. Yes. Mr. Chairman, I will yield myself 20 minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. PATMAN. Mr. Chairman and ladies and gentlemen of the committee, in the beginning I will briefly outline the situation which confronted the World War Veterans' Legislation Committee in arriving at the making of the bill now before the House for consideration. At first I believe the gentleman from Mississippi [Mr. RANKIN] introduced the bill last December which had for its object and purpose the liberalizing of the World War veterans' act of 1924, and on January 7, 1930, I think it was, the distinguished chairman of our committee, the gentleman from South Dakota [Mr. JOHNSON], introduced two bills, one to carry out the wishes of the organization known as the Disabled Veterans and the other to carry out the wishes of the American Legion.

Hearings were held on the Rankin bill, and after the hearings were held on the Rankin bill the two bills introduced by the gentleman from South Dakota were taken up and hearings were held on those two bills. After the hearings the Democratic members were excluded and the majority members of the committee got together and decided on what is now known as the Johnson bill, now before the House for consideration.

If I were permitted to write a bill for the purpose of liberalizing the terms of the World War veterans' act of 1924, but restricted and limited by the requirement to show service-connected disability, I could not devise a better bill than the one now before the House, the Johnson bill. It goes just as far as possible for a bill to go without being a pension bill.

But let us not be confused into believing that this is a pension measure. Although we are writing legislation into the World War veterans' act which will considerably liberalize the terms of that original act, if liberally construed, still it will be necessary for the veteran who applies for relief to show that his disability is connected with his military service in the World War. We are under the terms of this bill providing a way whereby it is possible for 175,000 additional veterans to get relief. I hope it will go as far as is claimed. Yet if they have to go through the mass of red tape that may be required for them to go through, it must be said that a comparatively few thousand will secure relief. I will say now candidly that it will be possible under the terms of this bill for not many thousands to get relief. The Veterans' Bureau can make the requirements, limitations, and restrictions so strict and rigid that the veterans could not make the required proof.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. PATMAN. Yes.

Mr. PERKINS. Is it not true that under the terms of the Johnson bill every disability of 10 per cent up to the year 1925 will be service connected?

Mr. PATMAN. That is true; and that is just as far as it is possible to carry the legislation, if it must be service connected. You are adopting a policy here that the proof must be service connected, but change the burden of proof and put the burden of proof on the Government, which will be easy for the Government to rebut in many deserving cases if the Veterans' Bureau is as diligent in trying to rebut these cases as it has been in the presumptive cases up to 1925.

Mr. PERKINS. Mr. Chairman, will the gentleman yield again?

Mr. PATMAN. Yes.

Mr. PERKINS. The Johnson bill will practically take care of 170,000 service cases; in fact, all of the border-line cases.

Mr. PATMAN. I will admit that the Johnson bill is as good a bill as could be written up to 1925 with service connection required.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. PATMAN. Yes.

Mr. JOHNSON of South Dakota. You will find in the Rankin bill this provision:

But in all cases such presumption shall be rebutted by clear and convincing evidence.

So that the two bills are exactly the same in that respect.

Mr. PATMAN. That is so. I would like to give my support to the Rankin bill. I would like to see the Rankin bill superimposed on the Johnson bill after 1925, but I believe the Johnson bill is better than the Rankin bill up to 1925. I think it is the best basis we can build this legislation on, but it does not go far enough. Up to 1925 it will not include more than 23,205 mental and nervous cases.

Mr. JOHNSON of South Dakota. The gentleman from Texas [Mr. PATMAN] mentioned tuberculosis cases and prayed for sympathy for them. The gentleman and I are both on the committee, and I know we have sympathy for them. Is it not true that already four laws have been passed which prefer tuberculosis cases above any other class of cases?

Mr. PATMAN. I think that is true, yes; if you want to refer to them as preferences.

Mr. JOHNSON of South Dakota. In the gentleman's opinion, is it possible that the Government can afford to pay men who have been afflicted with different diseases up to the present time a pension of $225 or $250 a month? That is, pension and hospitalization? Can the Government afford to pay that.

Mr. PATMAN. The gentleman from South Dakota [Mr. JOHNSON] is speaking of exceptional cases. We should not make the exception a general rule, and we should not attempt to pass legislation based upon exceptions. We should pass legislation based upon the average case; the distinguished chairman of the committee certainly would not contend that would be the average case. The primary consideration is the need of the veterans.





Mr. JOHNSON of South Dakota. It would be of all hospitalization cases.

Mr. PATMAN. After all, he does not get $120 a month for hospitalization. It is true the Government pays out that much money, but the veteran only gets $80.

Mr. JOHNSON of South Dakota. The veteran gets $80, plus allowances.

Mr. PATMAN. He gets $80, plus allowances. Knowing the gentleman from South Dakota as I do, I know that he would not think of taking that amount away from the veterans in such a case. He has a wife and children to support. I know the gentleman from South Dakota would not deprive that soldier of the $80 and allowances.

Mr. JOHNSON of South Dakota. Certainly not; but the Government, in my judgment, can not, in perpetuity, pay this great body of service men, numbering 4,250,000, compensation and hospitalization which, in practically every case, will result in a payment by the Government to that service man for a certain period of $225 to $250 a month, because that would bankrupt the Government.

Mr. PATMAN. But the gentleman from South Dakota must remember that, for every dollar paid out in compensation, whether it is called a pension or compensation, there is a saving of $2 or $3 in hospitalization. Under the terms of the bill, a tubercular patient or a neuropsychiatric patient who can not show service connection before 1925 has every incentive in the world to go to a hospital. If he goes to a hospital and remains 30 days, which he will, on the thirty-first day he can make an affidavit that his total income, exclusive of all pensions and compensation from the Government, is less than $1,000, and his family will receive compensation during his confinement and for two months after he gets out of the hospital. That creates an incentive for that class of men to go to the hospital. In other words, it is coaxing them into the hospitals of the country; whereas if they are paid a small pension of $50 a month, it would save $120 a month in hospitalization as well as the allowance to their families.

Mr. DENISON. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. DENISON. Does the gentleman from Texas [Mr. PATMAN] not think that that feature should commend it? Should not a man with tuberculosis go to a hospital?

Mr. PATMAN. Yes; he should. If it is impossible for him to receive proper treatment at home.

Mr. DENISON. Then the feature of which the gentleman is speaking should commend the bill.

Mr. PATMAN. At the same time the gentleman from Illinois [Mr. DENISON] is speaking from the standpoint of the public health?

Mr. DENISON. From every standpoint, from the standpoint of the veteran himself, his family, and the public health. Since we take care of his family with a good pension the man should go to the hospital.

Mr. PATMAN. And from the standpoint of the public health it is promoting the general welfare, and if that is done the Government should pay for the expense. The Government should pay a man compensation just as has been done for disabilities prior to 1925.

Mr. PERKINS. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. PERKINS. At the present time we are paying pensions to Civil War veterans, to veterans of the Spanish-American War, and we are paying compensation to World War veterans. Does the gentleman not think that the time has arrived when Congress or a committee of Congress should make a study of the treatment of service men and have one general rule applying to all ex-service men?

Mr. PATMAN. I agree with the gentleman from New Jersey [Mr. PERKINS]. I think that policy should be adopted, and for that reason I am in favor of this limitation of three years in the present bill. This bill is not a permanent policy. As I understand, it will expire in three years; and we anticipate that during this time the committee of which the gentleman from New Jersey [Mr. PERKINS] speaks will have met and will have agreed upon some form of legislation that is just and reasonable for veterans of all wars, and will have submitted that to Congress and the Congress will have adopted it and we will have a permanent pension system for the veterans of all wars. For that reason I am heartily in favor of this provision of three years.

Before I go further into the presumptive clause I would like to say a few words about the support and assistance rendered to the committee by different individuals.

The distinguished chairman of our committee [Mr. JOHNSON] is to be congratulated for his sponsorship of this measure. The gentleman, I believe, has the interest of the ex-service men at heart. The gentleman is going to do his very best for the men with whom he served during the World War. This is a much more liberal piece of legislation than I ever expected to come from the committee.

On the other hand, there is another gentleman, the ranking Democratic member [Mr. RANKIN], who has been very courageous in this fight. The gentleman has spent a lot of time and has worked very hard to try to have the World War veterans' act liberalized for the benefit of the veterans of the World War.

I believe the ex-service men of the country owe the gentleman from Mississippi [Mr. RANKIN] a debt of gratitude for the work he has done.

I do not say this for the purpose of detracting from the assistance rendered by other members of the committee nor the assistance rendered by representatives of service organizations. I do not believe it would be possible for the American Legion, if they should search the entire United States, to find a better man to represent the wishes of the veterans of the World War than Mr. Watson B. Miller.

I do not believe it would be possible for the Disabled American Veterans, if they should search the entire United States, to find a better man to represent the wishes of that organization and the American people than Tom Kirby. I do not believe it would be possible for the Veterans of Foreign Wars, if they should search the entire 48 States of the United States and the District of Columbia, to find a better man to represent that organization and to carry out its wishes and promote the general welfare than Mr. Bettelheim. All of these gentlemen appeared before our committee and rendered such assistance as was possible for them to render, and without their assistance I am sure this bill would not have been nearly as satisfactory as it is written to-day and as sponsored by the chairman of the committee, Mr. JOHNSON.

With reference to the presumptive clause, the burden of proof, take, for instance, such a case as a man coming to the Veterans' Bureau in 1931 claiming disability on account of asthma. Under the provisions of the Johnson measure the Veterans' Bureau will say to the applicant, "If you can show that your disability was connected with the service before 1925, it is presumed that your disability is connected with the service. Can you show that?" He shows them that in 1924 he was examined by the very best physicians in the country and he has their affidavits to show that he was suffering from asthma in 1924, but the Veterans' Bureau can turn to their files and say, "Yes, Mr. Jones, it is true you were examined in 1924; you were suffering from asthma, but we have a record of where you applied for compensation in 1922 and you were examined by the bureau doctors at that time, and the bureau doctors probably examined you for another disability, but there is nothing to indicate that you were suffering from asthma or had any symptoms of asthma. Therefore under the act passed by Congress the bureau has rebutted your testimony by clear and convincing evidence and your claim must be refused."

Mr. ABERNETHY. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. ABERNETHY. I have had a great deal of experience with the Veterans' Bureau. They require medical testimony. I remember one case which I fought for about five years. Finally, after the man died, his insurance was allowed. The man lived in the country away from a doctor, but the Veterans' Bureau at that time would not consider lay testimony. It had to be medical testimony. Is there anything in the present bill that cures that feature in any way?

Mr. PATMAN. Yes; it is supposed to cure it; but, I will say frankly, I do not see where it will be any command to the Veterans' Bureau to carry out any particular policy of Congress. The law simply says that the Veterans' Bureau, in passing upon these claims, shall give due regard to lay affidavits. But, of course, that is very broad in its scope. The bureau could make such requirements as to lay affidavits, if it desired to do so, that this would not help matters the least bit in the world.

Further, with reference to connecting these cases. If the Johnson bill passes without extending the presumptive period to 1930 or without superimposing the Rankin bill on the Johnson bill from 1925 to 1930 or putting any amendment on the bill, you are going to leave out a class of cases that is really responsible for the enactment of this legislation. The cases we have heard so much about are the neuropsychiatric cases and the tuberculosis cases—the most pitiful cases of them all. I will not say they are more pitiful but they are just as pitiful as any could be. You will leave them out in the cold if you pass the Johnson bill as it is now.

There are 23,205 neuropsychiatric cases broken down since 1925. They have possibly been carrying on; they had good jobs; they were getting good salaries; and they were anxious to live

with their families. So they went ahead until after 1925, when they began to break down. If the Johnson bill passes as it is, these 23,205 cases will not get one penny of compensation. The only way in the world they can help their families is by going to a hospital and remaining there for more than 30 days. Then if they can make an affidavit that their incomes are less than $1,000 a year their families can get a little support in that way. There are tubercular cases to the number of 18,986. If this bill passes like it is, it will leave those 18,986 cases out in the cold, so to speak. They will not receive one penny of compensation and they will not receive any benefits from the provisions of this law except that possibly they can go to a hospital, remain there for more than 30 days, and then make an affidavit that they have an income of less than $1,000 a year, and then their families can receive a small sum in support. That is the only way on earth they can help their families, namely, by going to a Government hospital and staying there more than 30 days.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, being in charge of the time on the Democratic side at this time, I yield myself 10 additional minutes.

Mr. PERKINS. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. PERKINS. In further answer to the inquiry made by the gentleman from North Carolina, I would refer him to section 1 of the bill, which provides that the regulations relating to the nature and extent of the proofs and evidence shall provide that due regard shall be given to lay evidence and to other evidence not of a medical nature. I do not know how you can make it any broader.

Mr. PATMAN. I can not yield for a statement. I do not expect to use more than 30 minutes, and these interruptions are taking too much of my time. In reply to the gentleman from New Jersey, I will ask him, What does "due regard" mean? That is up to the bureau to say, is it not? They can make such rules as they want to make about due regard. The term can be construed to be meaningless.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. CONNERY. I did not hear the whole of the gentleman's statement, but is the gentleman in favor of the amendment which I am going to propose to bring the Johnson bill up to 1930?

Mr. PATMAN. Well, I will favor any amendment which will liberalize this legislation. I am in favor of the Johnson bill like it is up to 1925, and I am in favor of building it up as far as 1930 just as much as I can. Then, however, I do not believe it will include as many cases up to 1930 as it is represented it will include.

Mr. DUNBAR. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. DUNBAR. Under the provision read by the gentleman from New Jersey, would not anyone who has a neuropsychiatric case or a tuberculous case in 1925 or the year previous thereto be able to prove his case without going to a hospital?

Mr. PATMAN. Well, suppose he were to come into the bureau to submit his proof? The gentleman means a tuberculosis case?

Mr. DUNBAR. Yes.

Mr. PATMAN. Of course, I presume the gentleman has received many replies from the bureau stating that although the examination showed that the one applying for compensation had tuberculosis at this time they found there was an examination made back in 1921 or 1922, when the applicant was in perfect health, and no signs of tuberculosis appeared. Therefore that is clear and convincing proof his disability is not connected with his service, and the claim is disallowed.

Mr. DUNBAR. As I understood the provision just read by the gentleman from New Jersey, a tuberculosis case would be presumed to be service connected if in 1924 he were able to prove he had tuberculosis.

Mr. PATMAN. Or 1925.

Mr. DUNBAR. Nineteen hundred and twenty-four.

Mr. PATMAN. In 1925 under the Johnson bill.

Mr. DUNBAR. Then under the Johnson bill a man who had tuberculosis in 1924 can receive compensation?

Mr. PATMAN. Absolutely. Service presumption of tuberculosis, spinal meningitis, paresis, permanently helpless cases, and bedridden cases are not rebuttable.

Mr. BRIGGS. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. BRIGGS. I want to ask the gentleman if it is not true that neuropsychiatric cases are more on the increase than any others?

Mr. PATMAN. I think heart diseases are more on the increase now than any other disability. I have the information here some place, and I believe heart diseases are more on the increase; in fact, they have doubled the tuberculosis cases.

Mr. BRIGGS. And the neuropsychiatric cases, which make up one of the largest elements of increase, are expressed in terms of insanity and dementia præcox, and these men, for instance, after the 1st of January, 1925, who become afflicted with insanity, will have no means of establishing their cases with their own testimony.

Mr. PATMAN. That is very true. I shall not yield to anyone else at this time. I want to tell you something about how difficult it is for a soldier to connect his case with the service under the present law. All of you have had experience in attempting to do that and possibly much more experience than I have had, although I have tried to help the soldiers ever since this law was passed. We will take a soldier who gets affidavits from his physician who has examined him ever since he has been out of the service. This physician makes an affidavit which shows clearly and convincingly that the soldier is afflicted with tuberculosis or any other disease. Well, what does the bureau do? And if the bureau is just one-half as diligent in the future, if this bill is passed, as it has been in the past, it is going to rebut about two-thirds of those cases. They will send an agent down to see the doctor who made the affidavit. The agent will say, "You made an affidavit and I want to see your book." He asks to see the book in which the doctor made a notation at the time showing he made such an examination. Well, maybe the doctor says he did not keep any books. Then the agent of the bureau says, "We can not take that. You have no record that is clear and convincing proof and which backs up what you have said. We can not give weight to your statement." Although the doctor is telling the truth and can corroborate his statement by other facts, his affidavit is not given consideration because he has not kept the proper books showing the examination of the veteran.

I know of one case where the doctor had a record, but it was a loose-leaf or a card-index system. He was a railroad doctor and he used the card-index system, and the bureau's agent even criticized that and said it was a loose-leaf system, was not recorded in a bound book, and therefore intimated that it should not be given the credence and should not be accepted with the same reliance as if he had put it in a book that was not a loose-leaf or card system, or one that could not be detached. We know there are proper tests to be made to determine accurately whether a patient has tuberculosis, but a doctor, probably not getting a fee for his services, but is doing the work as a matter of accommodation, and, consequently, he is not going to the trouble and the expense of making a sputum test or sending the sputum to be tested in some hospital in a distant city, and then pay the bill himself for the purpose of aiding the soldier.

It is not expected of the doctor. Although the medical profession has been very considerate of the wants and needs of ex-service men, doctors can not be expected to do everything that the bureau claims they should have done. Consequently, the soldiers' records are incomplete. These cases, my friends, are the border-line cases. They are the cases of patients who are afflicted with tuberculosis, and they are service-connected cases if the proof could be found or if true records had been properly kept, but they have not been so kept and therefore they can not connect their disabilities with the service.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Missouri.

Mr. COCHRAN of Missouri. Is it not a fact that practically all the men who will benefit under the Rankin bill have already filed a claim for compensation and the claim has been denied?

Mr. PATMAN. I do not want to discuss that phase of the matter just now.

Mr. COCHRAN of Missouri. I am making that statement in order to lead up to the question I have in mind. The bureau will be in a position to use the evidence now in the files in order to rebut the claim of the soldier when he files his claim if the Johnson bill or the Rankin bill becomes the law.

Mr. PATMAN. I am glad the gentleman has suggested that, and I thank him for his contribution.

There should be some amendment to the bill providing that the record heretofore made against any soldier should not be used against him when he seeks benefits under this law. If you do not do this, you are going to destroy the purpose of the legislation.

There is one way you can place the poor and the unfortunate on a parity with the rich and the well informed, and that is to give each of them the benefit of the same kind of counsel or counsel of equal ability. Congress has denied the poor and uninformed soldiers of this country a chance to be placed on a parity with the influential and those who are informed about the

law by refusing them the right to employ counsel, except for an insignificant fee. A poor, uninformed soldier goes into a lawyer's office with a large bundle of papers under his arm relating to his case. Do you think that lawyer is going to take the case and the interest in his case that he would take if he were permitted to charge a reasonable fee? He can not pay the lawyer more than a $10 fee. Although the lawyers have been very good to ex-service men they can not be expected to give the same care and attention to a case without a fee as they would give for a reasonable fee. To properly work up many of these cases a lawyer is required to spend considerable money for traveling expenses, and other purposes. I know of cases where lawyers spent several times the $10 allowed in actual expenses helping the soldiers. Many lawyers render their very valuable and faithful services without charge. The veterans in many instances have not had the services of skilled help in preparing their papers for submission to the Veterans' Bureau. Mistakes and errors have crept in the files and are now being held against the interest of the veterans, and causing them to be denied compensation. If you are now going to use that poorly prepared and loosely drawn evidence against these soldiers you are going to destroy the benefits of this legislation.

Mr. CONNERY. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CONNERY. Along the lines of what the gentleman was saying a moment ago, was it not brought out at the hearings that even under the present law in cases of active tuberculosis the country physicians have not the facilities or the instruments to make the sputum tests which are required by the bureau to prove active tuberculosis?

Mr. PATMAN. That is absolutely correct.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RANKIN. Mr. Chairman, I yield the gentleman five more minutes.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BRAND of Georgia. I want to ask the gentleman a question that is perhaps not very material to the issue here, but why does the gentleman say that if the soldier goes to a lawyer to have him prepare his case he does not take any interest in it?

Mr. PATMAN. I do not say he does not take any interest in it.

Mr. BRAND of Georgia. That is what I understood the gentleman to say, and I regard the statement a reflection on the bar.

Mr. PATMAN. Oh, no. I am a member of the bar myself. And besides I do not care to reflect on the bar.

Mr. BRAND of Georgia. The gentleman made that statement just now.

Mr. PATMAN. I did not intend to make the statement that a lawyer would not take any interest. I said probably he would not take the interest he would take if he were getting a reasonable fee, and I believe the gentleman will agree with what I have said.

Mr. BRAND of Georgia. I do not agree with the gentleman and I am glad the gentleman has modified what I understand was his statement.

Mr. RUTHERFORD. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. RUTHERFORD. Will the gentleman tell me what percentage of the 18,000 tuberculosis patients have been drawing compensation under the statutory award, that under the decision of the Comptroller General have had their service connection broken because activity had not been shown?

Mr. PATMAN. There are others here better informed on that question, I will say to the gentleman from Georgia, than I am and I would rather they would speak on that. I do not have the accurate figures before me.

There is one other proposition I want to mention before concluding.

The medical records were not properly kept, at least they were not sufficiently kept during the period of the national emergency and there are 15,000,000 pieces of paper, as explained to you by our distinguished chairman the other day, scattered all over the United States in different hospitals, and if this legislation passes all this evidence will be brought together here in Washington and compiled for the purpose of assisting veterans who have been clamoring for relief ever since they were discharged from the service. It has been reported that they did not have a medical record of any kind in the Army or that there was no notation made with reference to certain disabilities suffered by them when, in truth and in fact, the notations were properly made, but the records and the documents and papers, including such information, have not been sent to Washington and compiled or arranged alphabetically so it could be properly used and the information promptly given.

I thank the members of the committee for their good attention. [Applause.]

Mr. PERKINS. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. CAMPBELL].

Mr. CAMPBELL of Iowa. Mr. Chairman, ladies and gentlemen of the House, to-day I stand between two fires. On one side is what I would like to do; on the other side is what I ought to do. We realize that this Government of ours, through its respective Congresses, have been exceptionally liberal to the ex-service men of the World War. This has been due not only to the hearts of our people but also our national finance.

It has been argued here on the floor of this House that it was long after the Civil War before pensions were granted to the Federal veterans of that war, and that it was long after the Spanish-American War before the veterans of that war received their just dues. This is all true, but, Mr. Chairman, let us review for a moment the conditions of our country during those periods.

The Civil War was a war among our own people, in which millions of dollars of property was destroyed and millions of debts created. These debts were owed largely to foreign lands. The South was bankrupt and the North was badly crippled. Following the Spanish-American War our national income was around twenty to twenty-five billions. How different from the condition that we emerged from the World War.

We came out of the last war the richest nation in all the world, with the other nations owing us billions of dollars. If we were to figure by dollars and cents the real profits that came from the last engagement, we would find that those profits not only covered the years of the war but have extended to this Nation in all the years that have followed.

We of all nations were in a financial condition and in an industrial condition to immediately send out our lines of communication and get in touch with the trade of the world. Our commerce with the countries south of us has expanded by leaps and bounds. We immediately assembled our plants in mass production; our goods poured out of our ports to practically every nation in the world. Our balance of trade has brought to us from $500,000,000 to close to $1,000,000,000 a year. We have sent our money out in the form of loans to countries and municipalities to the amount of over $10,000,000,000. Many have grown rich during this prosperous period, and especially has this been so in regard to the kings of industry. Millionaires and multimillionaires have grown up on every side, and, as has been stated on this floor before, 496 persons now enjoy an income of over $1,000,000 a year. This number has grown but recently from 268 to the number before mentioned.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Iowa. Yes.

Mr. LUCE. So that I may at this moment insert the fact that up to the 30th of June, last, we had spent for the veterans $3,899,272,291.53.

Mr. CAMPBELL of Iowa. Yes; and I think that is a wonderful thing. I am a member of the American Legion and also a member of the World War Veterans' Committee. We are proud of our country. We are proud of that fact, and I hope the gentleman will not for a minute think that I am saying that we have done nothing for the World War veterans.

Mr. PERKINS. Will the gentleman yield further at this point?

Mr. CAMPBELL of Iowa. Yes.

Mr. PERKINS. For something else to be proud about. Under present existing law, between the present time and 1940, this country is committed to expend $6,000,000,000 more for the ex-service men of the World War.

Mr. CONNERY. And, if the gentleman will yield for something else to be proud about, so far as the $3,877,000,000 is concerned. It is much better to be able to pay to the soldiers of the United States than it would have been to be paying it to Germany, is not that so?

Mr. CAMPBELL of Iowa. Oh, I agree with all of you gentlemen, so far as that is concerned.

The American standard of living has been raised, and the only question now is just how far we can go in taking care of the disabled soldiers.

Mr. Chairman, I have no criticism to offer to those members of the committee or the Members of the House who disagree with me. I am not to-day laying claim to a bigger heart or a more sympathetic attitude than any Member here, but I do feel that the American people are anxious and ready to aid to the fullest extent those who have offered their lives for the sake of their country.

We have done well toward those who have been able to prove service connection, but there is not a woman or man within the sound of my voice who has not had her or his trouble when it comes to prove that connection. I feel, as do many of you, that the members of the Veterans' Bureau, under the instructions as given them by General Hines, the director, could have gone further in taking in the consideration of lay evidence than they have in the past, as shown by the records.

Mr. Chairman, I approve the passage of the resolution by which a committee can be appointed to work out the injustices, and to provide for fair and honest treatment to all the soldiers. Let us stand face to face with the fact that we are shortly coming to a pension for the soldiers who suffer disabilities; in fact, the Johnson bill is but a pension in its form, but the thing that bothers me is what shall I do toward bringing relief to those who are without the pale of the Johnson bill, or rather those who have broken down in health since the year 1925.

Can I go home and face my bedridden comrade, destitute and suffering in his bed of pain? Are we to say that the lapse of time has been too short since the World War to take care of him and his beloved ones?

If it is a question of money, then, let us take the maximum amount that can be approved by the President, and let us scatter it out as far as possible.

Mr. Chairman, if two destitute men came to my door asking aid, and if in my humble dwelling I had but one loaf of bread, would I give that loaf to the one man and tell the other to go out into the world and starve? Mr. Chairman, I would do exactly as you would do. I would take my carving knife, I would cut that loaf as near as possible straight in the middle, and to each man would be given one-half of that loaf of bread.

We have before us here, the chairman says, and he perhaps is right, a certain amount of money. By his bill we are going to give the greater amount to those who are not service connected, but whose disabilities have occurred before 1925. Mr. Chairman, I am going to offer an amendment to that bill, and that amendment will read as follows:

I move to amend section 10 by striking out the figures "1925" in line 11 on page 14, and line 1 on page 15, and insert in lieu thereof the figures "1930"; and to add to said paragraph after the word "Congress" in the eighth line on page 15, the following: "*And further provided*, That where service connection is granted solely by virtue of this act, that the compensation to be paid shall be on a basis of 50 per cent of the compensation heretofore allowed for like disabilities."

It looks to me under the circumstances that that is the only fair way to do.

Mr. Chairman, I belong to one of the greatest organizations in this country—the American Legion. This organization, together with other organizations of its kind, has fought a wonderful fight for their disabled comrades. Iowa has produced great leaders in this movement. The heads of the organization in my home State have faithfully performed their part of the duty. Their positions have enabled them to study these veteran measures better than I. I feel that I must, in a way, at this time as a new Member of Congress, and having been but a short time in this work, be controlled by their desires.

I have received two telegrams, both from the Legion heads, as well as that of the auxiliary, in which they asked me not to jeopardize the great benefits in the Johnson bill by supporting the advancement of the date of presumptive evidence from 1925 to 1930. I know well what is in their hearts; I know that if they could feel that 1930 would not jeopardize this bill in its final enactment that they would be heartily in favor of the measure. But, Mr. Speaker, this is the middle of April; this bill is to pass the House and the Senate; it then goes to the President for his signature; if it should be vetoed I doubt if there would be any legislation of this kind which would pass this Congress and be signed by the President.

In the cases that I have the Johnson bill will cover many of them, but I shall not be satisfied until something is done for all of the destitute disabled veterans.

The other day the gentleman from Mississippi [Mr. RANKIN] told you of a pitiful case down in his own district. A case with which the chairman of the committee was familiar. I noticed at that time, when the gentleman told us of this case, tears came into his eyes. Knowing him as I do I wish to say that those tears did not come from his eyes but they came from his heart.

I have before me the record of a young man who was in perfect health when he enlisted on February 26, 1918. He was honorably discharged on June 10, 1919. While in the service he was treated for measles, scarlet fever, infection of the lip, and hospitalized as a meningitis suspect. The affidavits show he was suffering from influenza and diarrhea, although the record in the Army is silent as to these last two diseases. A short time after leaving the Army it was found he was unable to work; he tried to farm, and at last he gave up his work, and to-day is totally disabled, living with his wife's parents in Canada.

Another case is a man in about the same condition. He filed his claim for compensation on September 4, 1924. The bureau found that he had valvular heart disease, a scar from an appendicitis operation, with adhesive complications; that he has neurocirculatory asthenia. This case, however, I take it, would be covered by the Johnson bill.

I have another case of a man who has given up his professional practice, has gone to live with a relative. He writes a very pitiful letter in which he states that he has given up all hope, and that life does not interest him. In this case claimant furnished affidavits to show that he entered the service in splendid physical condition; that when he was discharged he had evidence of tuberculosis and deafness, and that he is still suffering from that disease. Within three months after his discharge he took up his case with the authorities and they found that he had tuberculosis. He was allowed $40 per month, although he had evidence to show that he was totally disabled. He was re-examined, and his compensation taken from him. Through my efforts he was but lately hospitalized, and his case is again pending. His nerves are shattered, is practically deaf, and evidence shows that he is still suffering from tuberculosis. I could continue along this line with numerous cases, but I know that all of you Congressmen have the same complaint, and I am not going to burden the records with like uncompensated cases.

Mr. JOHNSON of South Dakota. Does the gentleman yield for a question?

Mr. CAMPBELL of Iowa. Yes.

Mr. JOHNSON of South Dakota. Of course I am not familiar with all of the facts in the case, but I should judge that a good many of those things could be chargeable to the service, but regardless of that fact it is true that the bill before the committee would operate to take care of this young man.

Mr. CAMPBELL of Iowa. I am glad to know that under this bill that there is every chance in the world that it will take care of these poor fellows. But what are you going to do when you go back home for the fellow that has broken down since 1925?

Life looks dark to these boys. It simply means that they and their families must be taken care of either by the local American Legion, the Red Cross, or eventually to be sent to the poorhouse.

Mr. Chairman, war is a terrible thing. As Sherman said, "War is hell." When a Government assumes the responsibility, as often they must, of defending their national honor and the principles of humanity, the people of that Nation should and must pay the cost of the conflict.

I have heard many say that a great portion of these young men came out of the war strong and healthy, but, Mr. Chairman, the results of that war will never be shown in the first few years following the same. Nervous diseases, consumption, cancer, and many others which came from that service, will show themselves in years to come.

As the people of America bid the boys Godspeed as they left their homes and their firesides to go out and face death, they vowed in their souls that nothing would be too good for those that returned.

I am proud of my State; I am proud of the fact that as a member of the State Legislature of Iowa I voted for submission to the people of my State a provision providing that they should vote on a bond issue of $22,000,000 to pay in a small way the service men who enlisted from my Commonwealth.

I am more than proud of her people who walked into the secrecy of the ballot box and there in overwhelming numbers cast their vote in favor of that bond issue. It was the first time, I believe, that the State of Iowa issued bonds; and although during those years our people were hard hit financially yet they were willing to give a share of what they had in compliance with the vows that they had made during the days when the dark clouds of war were hovering over our fair land.

The clamor of war is over. Over 10 years has elapsed, but their hearts have not hardened nor their purse strings tied.

Mr. CONNERY. Will the gentleman yield?

Mr. CAMPBELL of Iowa. Yes.

Mr. CONNERY. Do the World War veterans and the members of the American Legion fear that you would overload the bill?

Mr. CAMPBELL of Iowa. Yes.

Mr. CONNERY. That is the old saw that we have been having here about overloading the bill, and that the President of the United States will veto it. I do not believe that the Presi-

dent of the United States will veto any bill that Congress would put up to him.

Mr. CAMPBELL of Iowa. I am afraid you are wrong. I have had instructions from those whose hearts are just as big and broad as your heart, and they have worked for their comrades from the day they got out of the Army. I know those boys and I know the work they have done there.

Mr. RUTHERFORD. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Iowa. Yes.

Mr. RUTHERFORD. Can you tell me how many persons in your State have had the service connection broken because of the activity shown by the comptroller?

Mr. CAMPBELL of Iowa. I have not the number of cases.

Mr. BRIGHAM. Mr. Chairman, will the gentleman yield there?

Mr. CAMPBELL of Iowa. Yes.

Mr. BRIGHAM. Can the gentleman give us an estimate of what this amendment would cost?

Mr. CAMPBELL of Iowa. It would advance the time from 1925 to 1930. I do not think my amendment will cost as much as the present bill.

Mr. BRIGHAM. I hope the gentleman will insert his amendment in the RECORD so that we can have it before us for examination.

Mr. CAMPBELL of Iowa. I will ask the unanimous consent, Mr. Chairman, to place that amendment in the RECORD for the reason that I may not have drawn it correctly. I know what I expected to do, but I want every Member to know when he looks it over just exactly what it means.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield there?

Mr. CAMPBELL of Iowa. Yes.

Mr. OLIVER of Alabama. There is now pending an amendment well drawn, inserted in the RECORD last week by the gentleman from Ohio [Mr. FITZGERALD].

Mr. CAMPBELL of Iowa. The gentleman from Ohio gives 60 per cent up to 1925, and then takes in the tubercular cases to 1930 in the full ratio.

Mr. OLIVER of Alabama. The amendment of the gentleman from Ohio is so drawn that it qualifies the presumption in favor of the veteran from 1925 to 1930 in reference to T. B. cases.

Mr. CAMPBELL of Iowa. Yes; that is the difference between his amendment and mine. I wanted to cover the whole field.

Mr. OLIVER of Alabama. The gentleman's idea is to take it up to 1930?

Mr. CAMPBELL of Iowa. Yes; I wanted to take my buddies right up to 1930.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Iowa. Certainly.

Mr. JOHNSON of South Dakota. The gentleman's idea is not to prefer one disease over another?

Mr. CAMPBELL of Iowa. That is it exactly.

Mr. JOHNSON of South Dakota. The gentleman from Iowa made the statement that the men in the higher class might in the future be brought down. In this bill (H. R. 10381) is a provision that the rates paid under this presumption are to continue for only three years. There is no vested right in them whatever. I will not vote for a pension of $225 or $250 a month for nonservice-connected cases.

Mr. CAMPBELL of Iowa. I am not going to take up the further time of this House for the reason that I expect again to speak when I submit my amendment, but, Mr. Speaker, let me say this in conclusion: That I feel it an honor to serve on the World War Veterans' Legislation Committee. I have known our chairman, ROYAL C. JOHNSON, of South Dakota, since we were young men just out of college. I have watched his career in the Congress of the United States as well as his service in behalf of his country. In that service he has seen the front-line trenches; he carries to-day the scars of battle. [Applause.]

His position is a hard one, but I know that his heart is with his buddies. I have received letters of censure from service men in regard to my colleagues of the committee; they have been very unfair, but I have looked upon them in a different light than if they should come from one in the prime of life and in the enjoyment of health. When we are sick the world does not look bright to us. We see the clouds and not the sunshine, and I forgive them and hope that some day they may know that down here in the Halls of Congress are women and men that look forward to the day when we may place these men on a reasonable compensation to in a small way recompense them for the services which they rendered their country in the hour of need and in support of the flag under which they fought.

Mr. RANKIN. Will the gentleman yield?

Mr. CAMPBELL of Iowa. I yield.

Mr. RANKIN. The record shows that the veterans now receiving compensation are receiving, on an average, $43 a month. Is that correct?

Mr. CAMPBELL of Iowa. The gentleman from Mississippi [Mr. RANKIN] is correct.

Mr. RANKIN. The testimony before the committee was that they were receiving $43 a month, on the average. If these men are cut down to 50 per cent of that amount, it will leave a little less than $22 a month; possibly $21.75 per month for the tubercular and neuropsychiatric cases. Does the gentleman not think that is too small for men suffering as the tubercular men are, to sustain themselves in their present unfortunate condition?

Mr. CAMPBELL of Iowa. In answer to the gentleman from Mississippi [Mr. RANKIN] I will say he is right in that part, but the gentleman is a little wrong in regard to the proportions. In other words, when a man is totally disabled and bedridden he will get a higher amount than one-half of $40.

Mr. RANKIN. I agree with the gentleman from Iowa, that the higher the degree of disability the more money the man will receive. Is it not a fact that a great many of the best soldiers we had came back from the Army thinking they were all right, resisting all importunities to apply for compensation, and attempted to carry on until after 1925, when they finally broke down and are now suffering from tuberculosis, and who are just as deserving and whose disabilities are just as much due to the service as a great many who have been on the roll all the time? Does the gentleman not think that the tubercular men at least should receive full compensation instead of being reduced 50 per cent?

Mr. CAMPBELL of Iowa. As I said before, I have no argument with the gentleman on this point. In my town I know a man who came out of the Army with stomach trouble. He was suffering from stomach trouble from the day he got out of the Army. He finally reached the stage where ulcers had perforated his intestines and he had to be taken immediately to the hospital and be operated upon. That simply shows the type of man he was. There are hundreds of that class of men.

Mr. Chairman, I hope that my amendment may pass, that the benefits, although small, may reach out into each soldier's home which is to-day darkened by sickness and pain. But, Mr. Chairman, if this amendment should fail, I shall support the Johnson bill for there is no question that it goes a long way to alleviate the sufferer, and I am afraid that if I should vote for the extension of time for presumptive disability to 1930 that the financial weight will be so heavy that the bill will not become a law. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. DUNBAR]. [Applause.]

Mr. DUNBAR. Mr. Chairman and members of the committee, I am not one of those who believe that the United States has done wonderful things for the soldiers of the World War. I do not believe we have been parsimonious, but I do believe we pat ourselves too much and congratulate ourselves too much for what we have doled out to them for their inestimable efforts in behalf of this Republic. [Applause.]

Certain underlying causes, among them our national integrity, were given for our entering the World War, which preserved our Nation and incidentally piled up billions of dollars of wealth for those who remained at home. The mere pittance of $5,000,000,000 which we have paid to them, and which has been referred to by some of the Members of this body with so much pride, is nothing but a drop in the bucket as compensation to them for what they did for us.

I am first for the financial integrity of the Nation, and then I am in favor of paying compensation and providing for World War veterans in keeping with the amount we have in order to preserve our financial integrity. We can do so and provide handsomely for World War veterans.

I do not like the way we approach the passage of legislation for the "benefit" of the soldier. From what is said on the floor of the House it would appear that they are but mere beneficiaries of our charity and that we congratulate ourselves like the philanthropist who has made a world of money and then after dispensing a small amount of it for alms pats himself on the back and says, "Well done, good and faithful servant." So I do not like the way we approach what we do for the World War soldiers.

On page 17 of the report is this language:

> Giving weight to the uncertain factors as to which no definite estimate is possible, it is expected that this bill will add at least $100,000,000 a year to the annual appropriations, now amounting to about $500,000,000.

Now, mark this:

For the "benefit" of veterans of the World War and their dependents.

How can we give them any benefit for what they have done for us? Rather should that have read:

For aid and partial payment, small though it may be, to the veterans of the World War and their dependents.

What is the meaning of the word "benefit"? The word "benefit" means "profit."

Mr. PERKINS. The word "benefit" does not mean "profit." It comes from two Latin words which mean "make good."

Mr. DUNBAR. You look in your dictionary and you will find that the word "benefit" means "profit." Where did you get your information?

Mr. PERKINS. Well, I studied a little bit of Latin once.

Mr. DUNBAR. Are you acquainted with any American dictionary?

Mr. PERKINS. I have seen one.

Mr. DUNBAR. Do you want to carry us back to the days of the Cæsars, and to the days of the Coliseum, when men had to fight wild beasts—and gave up the ghost?

Mr. PERKINS. No.

Mr. DUNBAR. Why do you not Americanize yourself on this bill which we propose for the benefit of our soldiers? [Laughter and applause.] The gentleman should find out the meaning of the words put in that bill. If you want Latin or Greek, put it in there.

Mr. PERKINS. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. PERKINS. I think the term used by the gentleman who drafted the committee report was as practical and as sensible as any word that could be used to express the meaning of the committee. We can never pay these men. The gentleman suggests partial payment. We can never pay the ex-service men but we can do something to benefit them.

Mr. DUNBAR. Which will be partial payment.

Mr. PERKINS. No; it does not mean that. You can not pay for flesh and blood and human anguish in dollars. [Applause.] For that reason the words "partial payment" were not put in there. But it does benefit these ex-service men a little bit to receive something from their Government.

Mr. DUNBAR. A little bit.

Mr. PERKINS. Yes; I will admit a little bit. I will also admit you can never compensate these men. The word "compensation" is wrongly used when you speak of these ex-service men, because you can never compensate them for what they suffered.

Mr. DUNBAR. I did not yield to the gentleman for a speech.

Mr. PERKINS. The gentleman yielded to me for a little Latin.

Mr. DUNBAR. Well, we have gotten very little knowledge and very little benefit from his Latin. In the American dictionary the word "benefit" means "profit"; it means advantage; it means the promotion of wealth and prosperity; it means a benefaction, a deed of kindness. I would like to know where any of the soldiers of the World War are going to get any profit out of this proposed legislation by reason of having served in the World War.

Mr. PERKINS. Will the gentleman yield?

Mr. DUNBAR. For a question.

Mr. PERKINS. Does the gentleman mean to say that the word "benefit" has all of the implications of the word "benefit" in the dictionary? No. It has a limited meaning. It means simply to give a slight advantage.

Mr. DUNBAR. No; it does not mean to give a slight advantage. I beg the gentleman's pardon.

Mr. PERKINS. It means making a small payment, not as compensation but by way of benefit to the ex-service men.

Mr. DUNBAR. I will take the American Dictionary, and I will call the gentleman's attention to the fact that it does not mean what he says it means. Now, it is said we spend $500,000,000 a year for the benefit of our World War soldiers. That is the language used; but we do not spend $500,000,000 a year for their benefit, so called.

In the message of the President transmitted through the Bureau of the Budget, we find there was expended during the year for the Veterans' Bureau $581,000,000. Of this amount there was paid to soldiers for "benefits" which they received, the amount of $189,000,000 for military and naval compensation. There was paid for medical and hospital services $29,000,000. This makes a total of approximately $230,000,000. Two hundred and thirty million dollars out of five hundred and eighty-one millions dollars is all that the veterans received.

It is true that military insurance amounted to $115,000,000, which is counted as a part of this expenditure, but of that $115,000,000 there was more than $60,000,000 paid by the soldiers to the Government in order that they might be the beneficiaries of this insurance.

Then in addition to this, there is the adjusted-service compensation fund amounting to $111,000,000. I claim this adjusted-compensation fund should not be regarded as a "benefit" to our soldiers, because it was only an amount of money voted to them as partial payment for incomplete compensation rendered to the soldiers for their activities in the World War.

But, Members of the House, it is a fact that out of $581,000,000 appropriated last year for the United States Veterans' Bureau, the military and naval compensation, as well as the medical and hospital compensation, amounted to only $230,000,000.

Mr. JOHNSON of South Dakota. Will the gentleman yield there for a question?

Mr. DUNBAR. Yes.

Mr. JOHNSON of South Dakota. It is true, is it not, that out of the total appropriations made for these purposes, hospitalization, adjusted compensation, disability compensation, hospitals, and so forth, all but 3.7 per cent go for the service men. In other words, there is only 3.7 per cent of overhead; is not that true?

Mr. DUNBAR. Medical and hospital services or military and naval insurance amount to $115,000,000, and that is 20 per cent of the entire appropriation. There is more than the gentleman's 3 per cent in this one item.

Mr. JOHNSON of South Dakota. If the gentleman will pardon me, I think we can straighten this question out, and I believe the gentleman is wrong. That comes under the old war-risk insurance, which has, or will, cost the Government $1,300,000,000, and these payments are going to these old war-risk insurance boys who get total disability, and therefore receive these payments of $57.50 per month. They paid all the expense except $1,300,000,000, which was a Government gratuity.

Mr. DUNBAR. Does the gentleman mean to say that military and naval insurance of $115,000,000 is not money that is appropriated for the purpose of providing a fund to pay the insurance which will fall due in some years hence?

Mr. JOHNSON of South Dakota. Why, certainly. As the gentleman will recall, we had the old war-risk insurance that was given at a very, very low rate, so low that the men themselves paid only enough so that the total will cost the Government $1,300,000,000 in addition to what the men will pay. So it is to that extent a gratuity.

Mr. DUNBAR. At the end of what time?

Mr. JOHNSON of South Dakota. At the end of the time we are done with the lawsuits, and we are practically done with them now.

Mr. DUNBAR. Then this $115,000,000——

Mr. JOHNSON of South Dakota. Is a part of that and goes to the totally disabled men.

Mr. DUNBAR. That is more than 3 per cent.

Mr. JOHNSON of South Dakota. But that is not overhead. The overhead is only 3.7 per cent. In other words, 3.7 per cent goes to salaries, which is overhead.

Mr. RANKIN. Will the gentleman from Indiana yield right there?

Mr. DUNBAR. Yes.

Mr. RANKIN. The gentleman from South Dakota is entirely wrong about that.

Mr. DUNBAR. Then let me answer the gentleman.

Mr. RANKIN. The salaries in the Veterans' Bureau amount to more than $40,000,000, and that is more than 5 per cent of the amount appropriated.

Mr. DUNBAR. It is almost 10 per cent.

Mr. JOHNSON of South Dakota. The gentleman is talking there about the doctors in the hospitals, which is an entirely different thing from overhead.

Mr. DUNBAR. I may say to the gentleman that I will admit he knows more about Veterans' Bureau legislation than I do, but I do not accept his statements because I do not think they figure out properly.

Mr. JOHNSON of South Dakota. Has the gentleman read the hearings?

Mr. DUNBAR. Only part of them.

Mr. JOHNSON of South Dakota. Well, this is in the hearings.

Mr. DUNBAR. Oh, there are a great many things in the hearings that I have read that I do not approve of, and I do not believe that the persons who made the statements themselves knew what they were talking about.

Mr. JOHNSON of South Dakota. What statements does the gentleman refer to? I may agree with the gentleman.

Mr. DUNBAR. I read in the hearings that the Rankin bill will only increase the cost $40,000,000; does the gentleman agree with that statement?

Mr. JOHNSON of South Dakota. Certainly not, because that is an impossibility.

Mr. DUNBAR. That is one of them that I referred to.

Mr. RANKIN. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. RANKIN. The gentleman from South Dakota talks about the overhead being 3.7 per cent. Of course, I do not know what the dictionary on the other side of the House would include as overhead, but I do know that the salaries in the Veterans' Bureau outside of the hospitals amount to $21,000,000 a year, and that is more than 4 per cent of the total amount appropriated.

Mr. DUNBAR. Does the gentleman suppose there is a difference in the definition of overhead as between a Latin dictionary and an American dictionary? [Laughter.]

Mr. RANKIN. I have never seen the dictionary used by the steering committee over there and I do not know what language is used by them. [Laughter.]

Mr. HASTINGS. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. HASTINGS. While we are injecting figures in here to show the amount of money paid annually and the amount paid in toto to the ex-service men, let me remind the House of the settlement with the foreign governments of $10,705,000,000, according to the statement of the Treasury Department. If I understand the gentleman from Indiana right, he is more in favor of being generous to the ex-service men at home than to the foreign governments.

Mr. DUNBAR. At least equally so.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PERKINS. I yield the gentleman 15 minutes more.

Mr. DUNBAR. The gentleman who has just spoken to us says that we are liberal with the European creditor but not liberal with our own soldiers. I want to say that I agree with him. You take the settlement of our debt with France and it has been heralded all over the land and all over the world that France has discharged its obligation to the United States. To what extent did she discharge her obligation to the United States? If France had commenced in 1925 to pay the Government 2⅛ per cent interest on the amount of money she owed us and paid that for 62 years, then the proposition which we accepted from France would be equivalent to our cancelling the debt at that time.

So France does not pay us one dollar principal of the amount of money that she owes us. On the other hand, we are giving France the benefit in the interest which she pays between 2½ per cent and 3½ per cent, which is being paid by the Government of Great Britain.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. JOHNSON of South Dakota. I do not like to inject these debt settlements into this discussion, but it was brought up by the gentleman from Oklahoma. I was a Member of the House in 1917, and the gentleman from Oklahoma who has injected this into the debate says that that money was loaned to the country, and I want to say that it was loaned without a note or a promise to pay. There was not one note or a promise to pay given in the Wilson administration. I know that we are never going to collect the settlements that we did make.

Mr. HASTINGS. If the gentleman will permit, when the loan was advanced we loaned our credit to the foreign governments, and these foreign governments said that they would pay us in toto not only the amount loaned but the amount with interest that we were paying on the loans, which was then 4¼ per cent. It was stated here on the floor of this House again and again that every single, solitary dollar of that money and interest would be paid. I remember well that Speaker Champ Clark stated over and over again that no government had ever defaulted in payment to another government.

Mr. JOHNSON of South Dakota. The Secretary of the Treasury in the Wilson administration was Mr. McAdoo, and I challenge the gentleman from Oklahoma to bring before the House one note or promise to pay taken from any one of those countries.

Mr. HASTINGS. The gentleman from South Dakota well knows that the amount of money loaned in the Wilson administration has not been challenged, and that is not a question at issue.

Mr. JOHNSON of South Dakota. But nobody can produce a note given by one of these foreign governments.

Mr. HASTINGS. The gentleman from South Dakota can debate it in that way, because the amount has never been challenged.

Mr. DUNBAR. The gentleman from South Dakota said that he did not want to bring politics into the debate.

Mr. JOHNSON of South Dakota. And I did not bring it in.

Mr. DUNBAR. But the gentleman participated in it.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. WAINWRIGHT. Although, of course, there will always be the question of whether those debt settlements will be lived up to, however, if carried out on the basis of these settlements I say that, extending over a period of 62 years, we will have this result, that Great Britain will have paid every penny of the principal with interest at somewhat over 3 per cent, France every penny with interest at a little over 2 per cent, and that Italy will have paid every dollar of principal with interest at about 1¾ per cent.

Mr. DUNBAR. I admit Great Britain is our only large debtor who intends faithfully to discharge its war obligations.

Mr. HASTINGS. Yes; and Italy is extended over a period of 62 years, and for the first 10 years she pays nothing, and then she starts at one-eighth of 1 per cent and, with the gentleman's permission, let me state that if you count the time that this is extended from and the amount of interest that we collect, instead of the 4¼ per cent that we pay on our Liberty bonds you will find that we lose, according to the statement that I have had put into the RECORD a dozen times, made by the Treasury Department, $10,705,000,000.

Mr. DUNBAR. That is absolutely correct, and it can be proven by statements and the records obtained from the Treasury Department, and I say to the gentleman that the statement that France will have paid back every dollar of principal is not true, that the gentleman has been misinformed, that if he was properly informed he would find out that the statement of Mr. Mellon or some one equal in authority will bear out the assertion that I have made, that if France would pay us 2⅛ per cent interest for 62 years, she would not pay one dollar of her debt.

Mr. WAINWRIGHT. And I contradict the gentleman just as much as he contradicts me, and I stand on my assertion.

Mr. KETCHAM. Mr. Chairman, I am interested in this discussion of the debt settlement, but that has passed the stage in the House where it is under discussion. I am more interested now in the gentleman's viewpoint as to his attitude on this pending legislation. He has been diverted in his discussion of the question and I would like to have him now return to that and tell the House before he is again diverted exactly what he would do if this legislation were up to him now?

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. DUNBAR. Yes.

Mr. KETCHAM. But first let the gentleman tell the House what he would do if this matter were put up to him. I am interested in his interpretation of what it would be wise for the House to do now?

Mr. DUNBAR. I would vote to extend the provisions of the Johnson bill for five years. I will vote to add the Rankin bill, if the Johnson bill is not extended for five years, and supplement it for an additional five years. I will vote for either one of the measures which would extend it for an additional three years, pending which time there should be a scientific investigation as to the best means for this Government to treat all of its former soldiers. That is how I stand. Then, if I can not get that, I will gladly vote for the Johnson bill, and congratulate him on having at least done much for the ex-service man, but still not what they deserve and not what the gentleman thinks in his own heart they deserve. I fully believe that after Mr. JOHNSON has enacted this legislation for the benefit of the soldiers, which will be a long step forward, in his own soul he will immediately begin to think of some way by which he can function so as to bring the soldiers a greater amount of justice for the services they have rendered and for which in our treatment we have so neglected them.

I know Congressman JOHNSON, and he will do it. He was a man who resigned his seat in Congress and went to the front to fight as a private. He was wounded in action. That is the kind of a man he is. He sympathizes with the soldiers a great deal more than his bill indicates. [Applause.]

Mr. KETCHAM. Mr. Chairman, I am grateful to the gentleman for this very clear outline of what he would do. I was afraid that he was not going to be permitted to put in his own interpretation of his own attitude.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. RANKIN. I just want to make this statement in answer to the gentleman from South Dakota who said that the United States Government had no note or I O U for the moneys advanced the European countries during the war.

Mr. DUNBAR. That is going back to that other subject.

Mr. RANKIN. That statement is incorrect, because in the debate on those debt settlements, the I O U's were read in which those countries promised to pay the amount loaned.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of South Dakota. This entire debate on the matter of debt settlement is out of order under the rule, is it not?

The CHAIRMAN. The rule provides that debate shall be confined to the bill.

Mr. DUNBAR. Let us all keep off the matter of the debt.

Mr. RANKIN. Mr. Chairman, the point of order is not well taken.

The CHAIRMAN. The gentleman did not make a point of order. The gentleman from Indiana will proceed in order.

Mr. RANKIN. I just want to say, if the gentleman will yield there, that this discussion has been entirely in order.

Mr. DUNBAR. I think so.

Mr. RANKIN. The gentleman from Indiana was entirely within his rights in discussing it.

Mr. DUNBAR. I think so. I have heard many subjects discussed on this floor in which the speaker deviated more from his subject than I have deviated from mine to-day, and I think those who addressed the House deviated farther than I. [Laughter and applause.]

Mr. JOHNSON of South Dakota. I think the gentleman is entirely correct.

Mr. CONNERY. The gentleman from Indiana will remember that the gentleman from Texas said that this bill is going along and will be passed and then will go over to the Senate and proceed in proper order to the President. Is not this the gentleman's experience with veterans' legislation—that if we should pass the amendment I suggest, bringing it up to 1930, and the gentleman said he would support that, which would cost approximately $300,000,000, yet when that gets to another body, that body will immediately slash it, and then when it is put up to the President it will not be $300,000,000, but that in the last days of the session it will be rushed through and not be anywhere near $100,000,000?

Mr. DUNBAR. I say to the gentleman that no conclusive evidence, founded on any calculation with facts as a basis, has been submitted to this body, although the statement has been made that if the Rankin amendment is adopted it will increase the amount to be paid by $400,000,000 a year, and I say to the gentlemen who have charge of the bill that while you have received this information in the last few days, at the same time it should have been given to the committee two or three months ago so that the calculations which went to make up this amount could have been analyzed and investigated, and determined upon, with those who had another viewpoint, and then it would have been a matter for discussion.

Mr. RANKIN. The Director of the Veterans' Bureau has written within the last few days, and I have inserted his statement in the RECORD, in which he says that if the Rankin bill is imposed on the Johnson bill up to 1930 it would only increase the amount by $31,000,000 a year.

Mr. JOHNSON of South Dakota. That would be so with respect to the claims that have been filed, but all of the claims have not yet been filed.

Mr. DUNBAR. Various suppositions may have been brought into the cases.

Mr. RANKIN. If you were to add $400,000,000 you would probably have five times as many cases as you have had heretofore?

Mr. DUNBAR. What if you did pay $400,000,000, if we could thereby relieve the suffering of the World War Veterans?

Mr. RANKIN. I think his statement is simply misleading the House. If the Rankin bill is imposed on the Johnson bill, extending the presumptive period to 1930, the entire bill will cost only $108,000,000. That is according to the figures submitted by the Veterans' Bureau.

Mr. DUNBAR. Now gentlemen talk about the large amount of money drawn out of the Treasury of the United States in behalf of our veterans. We paid last year $221,000,000 of actual money to the veterans themselves. But that is not much more than half the money that the Government of the United States received for the tax imposed on cigarettes.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. RANKIN. I yield to the gentleman five minutes more.

Mr. DUNBAR. Three hundred and forty-one million dollars was paid into the Treasury of the United States last year from the tax imposed on cigarettes, and that did not include the revenue on the paper used in the making of the cigarettes. That tax, I say, was paid on cigarettes, and yet we paid only $221,000,000 for the relief of the World War veterans, using the words put in by the committee.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. SCHAFER of Wisconsin. When considering the tax revenues from cigarettes you must realize that Dr. Clarence True Wilson, the ardent prohibitionist, has launched an attack upon the use of cigarettes. If he is as successful on cigarettes as he has been on prohibition, we will not have that cigarette-tax revenue in the future.

Mr. DUNBAR. Does not the gentleman think that if a man smoked a pipe or a cigar he would be better off than if he smoked cigarettes?

Mr. SCHAFER of Wisconsin. No. I think he would be much better off if he drank light wine or beer. [Laughter.]

Mr. RANKIN. There is no more danger of prohibiting the use of cigarettes by law than there is of repealing the eighteenth amendment or modifying the Volstead Act, for which the gentleman from Wisconsin [Mr. SCHAFER] has been clamoring.

Mr. DUNBAR. Mr. Chairman, it has been stated that if T. B. was not connected up with service to 1925 it could not be connected up with service from 1925 to 1930. Let me read to you about T. B. from the Encyclopedia Americana. It has been stated by some that if T. B. has not manifested itself by 1925 the predisposing cause was other than war. This is not true. As stated by the Encyclopedia Americana:

> Any circumstance which tends to lower the general resistance decreases the resistance to tuberculosis.

Who is there who will proclaim that those who engaged in the World War did not encounter circumstances which tended to lower vital resistance to T. B.?

The Encyclopedia Americana, on the subject of tuberculosis, written by James Walsh, A. M., M. D., and who was considered one of the best authorities on this subject by the editors, states that chronic tuberculosis of the lungs at the onset is usually insidious and the disease frequently progresses for from 5 to 20 years before the patient recognizes it, unless he is examined annually by a physician, aided by all the modern scientific apparatus, the expense of which 90 per cent of the veterans of the World War can not afford.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. ABERNETHY. I am very much pleased because the committee has brought this matter out for discussion on the floor of the House, and I think it is very fine to have it done in this way. I am sure it is going to be beneficial. I am very much interested in what the gentleman from Indiana is saying, and I think he is making a wonderfully interesting talk upon this subject, and I think he will not object to this statement going into the RECORD.

Mr. DUNBAR. I thank the gentleman for his friendly words.

Tuberculosis is a very insidious disease. It takes often from 5 to 25 years before it manifests itself. A man may not know he has it during that time unless he is examined by a competent physician, aided by scientific apparatus. Our soldiers can not afford these examinations. There are many soldiers who went to the front to fight in the war which made more than 25,000 American millionaires—and some of them are worth hundreds of millions—and should not these soldiers be given the benefit of the doubt? In fact, the probability is that chronic tuberculosis in most of the cases which appeared between 1925 and 1930 was caused by their serving in the World War and these soldiers are deprived of compensation from the Government.

I want to say, gentlemen, it is not fair and it is not just. I will vote for the Rankin amendment to extend the presumptive period of tuberculosis and mental diseases which occur up to 1930 being permitted to be connected with service origin.

Mr. CONNERY. Mr. Chairman, will the gentleman yield there?

Mr. DUNBAR. Yes.

Mr. CONNERY. Will the gentleman vote for an amendment which I will offer to bring it up to 1930, including all diseases?

Mr. DUNBAR. I will.

Mr. SCHAFER of Wisconsin. Will the gentleman vote for an amendment to bring it up to 1940 or 1945?

Mr. DUNBAR. No; but I believe that by 1933 we can devise some intelligent plan by which we can take care of all the veterans of our wars.

A man can take an ounce of whisky and not get drunk, but if he takes a pint he will probably become intoxicated. So, you can not compare a man who could drink a pint with a man who would drink an ounce.

It is said that we are not able to pay the soldiers' bonus. The Federal debt in the United States was decreased in the last 11 years more than $9,000,000,000. Last year we reduced the Federal debt $734,000,000. The gentleman may say that our surplus was not that much. Nevertheless, notwithstanding the report of the Secretary of the Treasury, which shows that our surplus was only two or three hundred million dollars, we reduced our debt last year $734,000,000. You have to take with a great deal of allowance all the public utterances respecting our settlements of debt and our own finances. It has been stated that Mr. RANKIN's bill would increase the debt $400,000,000. This is an unverified estimate coming from no one knows where and is similar to other high-brow estimators. General Lord, who was the head of the Budget system, on April 23, 1923, made a speech in Indiana which was carried in the Associated Press. He predicted in that speech that our deficit for the year 1923, which would end in three months, would be $280,000,000. Two weeks later in Salt Lake City or somewhere farther west, he predicted our deficit would be $280,000,000 and $190,000,000, and it turned out that two or three months after he made that prediction the annual statement of the Secretary of the Treasury was issued and showed that we have reduced our debt $700,000,000 that year. The ignorance that would cause a man connected with our Government to make such a statement and have it proclaimed all over the land, I can not understand, and therefore I do not accept statements which are made, giving figures, until I have an opportunity to investigate them.

Our debt reduction this year will be more than it was last year. Who says that we can not pay our soldiers $400,000,000? I know it would not be that much more, but, that objection is eliminated, because the decrease in our debt this year will be something like $800,000,000.

It may be claimed that our revenue is going to gradually grow less. I do not believe it. Our expenditures may increase, of course, but the time will come when Federal rebates to internal-revenue taxpayers will become less. If reports are true, we are going to save $1,000,000,000 in six years as a result of the London conference. That will take care of some of our increased expenditures and then the cigarette tax is increasing at the rate of $30,000,000 per year, and our interest charges are being reduced $25,000,000 annually.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RANKIN. I yield the gentleman three minutes more.

Mr. DUNBAR. From June 30 last year up until this date the surplus applicable to the reduction of our public debt, as I read it in the detailed statement of the Federal Treasurer's report, was $536,000,000. In other words, we have reduced our debt $536,000,000 already this year, and we are $40,000,000 ahead of one year ago. In other words, our receipts less our expenditures are $40,000,000 more than our receipts a year ago, over our expenditures.

The cigarette tax is increasing at the rate of $35,000,000. In 10 years from now the tax on cigarettes will take care of all the money that we have paid to the veterans.

Mr. ABERNETHY. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. ABERNETHY. I hope the gentleman will not take all the Government expense out of cigarettes alone. Let us have something else. I come from a great cigarette country, and I am trying to get some of the tax removed.

Mr. DUNBAR. I agree with the gentleman, that the tax on cigarettes is excessive, yet, people all pay it willingly.

Mr. ABERNETHY. I understand that.

Mr. CONNERY. Will the gentleman yield?

Mr. DUNBAR. Yes; I yield.

Mr. CONNERY. I think the cigarette industry should be able to carry it, judging from the cigarettes that we smoked over in France. The soldiers should get some return from the cigarette industry.

Mr. ABERNETHY. I am for the soldier, but I do not want to put all the tax on cigarettes.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. SCHAFER of Wisconsin. The gentleman might make a compromise with the gentleman from North Carolina [Mr. ABERNETHY] and modify the prohibition laws and obtain a tax revenue on light wines and beer and relieve cigarettes from a part of the tax which they are now bearing. [Laughter.]

Mr. DUNBAR. I agree with Mr. CONNERY that we are indebted to the American soldier, who started the cigarette habit over in France, the tax from which collected by our Government exceeds the "benefits" paid World War veterans and their dependents more than $120,000,000 annually. The ladies are also indebted to the soldier for the former unknown bliss and raptures afforded by smoking tobacco. We are going to continue to decrease our debt between $700,000,000 and $800,000,000 a year. I agree with the gentleman that England made an honorable settlement of her debt. I do not expect we will ever get much from any other government, but there will be a little come in in the next two years to take care of the "benefits" we additionally grant World War veterans.

Gentlemen, I am glad for the consideration that has been given to the soldier. He has not received sufficient consideration. I am glad the gentleman from South Dakota [Mr. JOHNSON] brought in this bill, because, as I said before, it is only a step forward. I am glad the gentleman from Mississippi [Mr. RANKIN] started the agitation. He did start the agitation, and a great deal of credit should be given to him. I am glad that the efforts of these gentlemen—two wonderful soldier friends—will help bring justice to the soldiers. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, and had come to no resolution thereon.

THE LONDON NAVAL CONFERENCE

Mr. BACON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein the radio speech of Senator ROBINSON, broadcasted from London, on the results of the London conference.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing the London radio address of Senator ROBINSON. Is there objection?

There was no objection.

RADIO ADDRESS OF SENATOR ROBINSON

Following is the text of Senator ROBINSON's address as heard here:

The conference having concluded its work except for the formal ceremony of signing the treaty, it seems appropriate to summarize the results. No effort is in mind to speak from a technical viewpoint. The desire is to present in condensed form the principal features of the arrangement entered into with regard to the programs of the three chief naval powers.

The prime objectives of our delegation have been:

1. To cooperate with other delegations in terminating naval competition by limiting all classes of warships.

2. To secure equality of naval strength for the United States with Great Britain.

3. To arrange a satisfactory relation between our Navy and that of the Japanese.

4. To bring about reductions in tonnage wherever practicable.

Let us consider the degree to which these objectives have been attained.

It is clear that as a 5-power enterprise there is not complete success. The importance of this is not to be minimized. Unquestionably it would have been more satisfactory to have a treaty defining the programs of France and Italy as well as those of Great Britain, the United States, and Japan. The Italians insisted on parity with the navy of the strongest continental power, even though there is little likelihood that Italy would actually build up to French tonnage during the period of the treaty. The French refused this demand. France is carrying forward a naval construction program materially increasing her tonnage in cruisers, submarine boats, and destroyers. She was not disposed to reduce these tonnages without new guaranties of security.

CONTINGENT CLAUSE USED

The various methods of creating new guaranties of security were amply discussed in the press while the negotiations were in progress. No delegation asked the United States to participate in any security pact. The American delegation made it plain that the United States would not join any consultative pact which could by implication be regarded as giving security. The French said that a mere consultative pact would not take 1 ton off their navy. The French and British tried to restate their security obligations as a basis for a reduction in French tonnage. This effort had to be linked with a settlement between France and Italy. It was the realization that this double settlement would have to be postponed that led to the conclusion of the conference

on the present basis, and the insertion of a contingent clause to which further reference will be made.

We took the position that fair limitation of armament is of itself a wholesome and effective measure of security, tending to promote international good will and pacific measures for adjustment of disputes where treaty relations are threatened or disturbed. Consultation is a logical and probably inevitable process; but agreements for consultation, unless carefully safeguarded and entered into in advance, in the opinion of many tend to the formation of alliances and to the assumption of responsibility for decisions which might result in involvements which our people desire to avoid.

Efforts to negotiate a 5-power arrangement were continued—perhaps they were unduly prolonged—finally resulting in a postponement of conclusions between the European powers and participation by France and Italy in the provisions of the treaty except those relating to the limitation of tonnages. The provisions in which all five powers join, while less comprehensive than those entered into by the United States, Great Britain, and Japan, include the battleship holiday and the restriction on the use of submarines against merchant ships in time of war, which in themselves are achievements of magnitude and value.

SUBMARINE WARFARE LIMITED

With respect to the above-mentioned restriction on the use of submarines the five powers accept as rules of international law:

1. That submarines in action with regard to merchant ships must conform to the rules applicable to surface vessels.

2. More definitely stated, save in case of persistent refusal to stop when duly summoned or of active resistance to visit or search, neither surface craft nor submarine may sink or render incapable of navigation a merchant ship without first safeguarding the passengers, crew, and ship's papers. It is further declared that placing passengers, crew, and ship's papers in the ship's boats is not a compliance with this rule unless safety is assured by sea and weather conditions, proximity to land, or the presence of another vessel to take them on board.

The acceptance of these rules as international law may not prevent all abuses of the character denounced. Undoubtedly in time of war belligerents will be tempted to violate them. However great such temptations may prove, parties to future conflicts will be slow to challenge the resentment of mankind by ruthless destruction of merchant vessels, for such a course would invite results disastrous to the offender.

The limitations agreed to by the three powers are accompanied by a contingent clause which provides that if any one of the three feels its national security jeopardized by new naval construction of any power whose auxiliary fleet has not been limited, it may notify the others what increase it requires. The others may then make proportionate increases. This is in no sense a sanction; neither does it provide for consultation.

Of course, it may be said in criticism that this clause permits a disturbance of the limitation agreed to on the sole responsibility of either the United States, Great Britain or Japan, and that if any one of the three adjudges it to be necessary to build in excess of the treaty program this will increase the building of the other two. But even if this should happen the relation of the fleets and the principles of limitation would still be maintained.

It should also be remembered that the limitation of armaments must proceed only through the voluntary action of nations and that no power can arbitrarily impose on another restrictions of the means of defense without assuming moral responsibility for its safety. It is of first importance that the limitation of armaments shall be regarded as increasing rather than diminishing the safety of peoples, and if emergencies, regarded as remote but nevertheless as possible, arise, threatening immediate danger, the peoples should be free to respond to the requirements of their situation.

Otherwise the fate of nations must forever be bound up with the maintenance of large armaments and the imminence of war. This clause is based upon the good faith of the three nations, and it is inconceivable that it will be used except upon necessity. It leaves the responsibility of determining the requirements for national security where it belongs, namely, on the respective nations.

A clause providing for consultation or mutual agreement might imply some measure of obligation of all who enter into it. Failure to bind ourselves to consult or mediate in no way impairs the right of the United States to consult and give advice and even tender good offices should the occasion justify, but we should be left free to act as the friend of both parties to a dispute or at least as impartial in all controversies which do not involve American rights or interest.

This treaty vitally affects the relations between the Navies of Great Britain, Japan, and the United States in every category of war vessels.

The treaty contemplates two important changes from the Washington treaty adjustment regarding capital ships. Under the plan now in force, prior to December 31, 1936, the United States would lay down 10, Great Britain 10, and Japan 6 new capital ships. Under the proposed London treaty no new ships of this class will be laid down.

In addition to the holiday, the three powers will commence to scrap in this class prior to December 31, 1931:

Great Britain, 5; United States, 3; Japan, 1.

SEES HUGE EXPENSE DEFERRED

Thus substantial parity between the United States and Great Britain will result following the close of 1931. Postponement of construction of the 10 ships referred to will probably contribute to a final permanent reduction in this category. It will certainly defer the expenditure by the United States of at least $300,000,000 during the life of the treaty. The early scrapping agreed upon likewise will result in avoiding expenditure which otherwise would be required for repair, maintenance, and operation.

Our experts are of the unanimous opinion that these amendments to the battleship program will bring about actual parity between the United States and Great Britain in capital ships.

In the large cruiser class, carrying 8-inch guns, the United States will have 18 ships with a tonnage of 180,000, Great Britain will have 15 ships aggregating in tonnage 148,000, and Japan 12 ships totaling 108,400 tons. The United States desired a considerable number of vessels having a long cruising radius, while Great Britain found a comparatively large number of the small type better adapted to her purpose.

The superiority afforded the United States in these large cruisers constituted recognition to some extent of the difference in type of cruisers required for her purposes as compared with the British needs. Prolonged investigation of the subject led to the conclusion that no scientific basis exists for measuring the difference in value between large 8-inch gun cruisers and vessels carrying 6-inch guns. To offset the American advantage of 33,200 tons in 8-inch gun cruisers Great Britain has the right to employ in 6-inch gun cruisers 48,700 tons more than the United States, making a net difference in the cruiser tonnage of the two powers of 15,500 in favor of Great Britain in cruisers of all classes.

It is not possible to say that this difference corresponds with mathematical accuracy to the superior value of the large cruisers which the United States has the right to possess over those allowed Great Britain.

Within certain ranges 6-inch guns are more effective than 8-inch guns. At great distances, however, the advantage clearly is in the ship carrying guns with the longest range. On the other hand, the smaller guns can be fired more rapidly and perhaps more accurately than the heavy 8-inch weapons.

There can be no important advantage to either of the two powers because of this difference in 8-inch cruiser tonnage.

Moreover, it may be emphasized that the United States has the option to build exactly Great Britain's program and thereby produce a ton-for-ton parity between the two countries.

DESTROYERS CUT SHARPLY

In the destroyer category very material reductions are made. The United States now has a tonnage considerably in excess of 200,000, but many of the ships are old, and nothing like the present number is required. Great Britain and the United States will each have 150,000 tons in destroyers. The present Japanese fleet of 6-inch gun cruisers is 98,415 tons. The treaty gives Japan 100,450 tons. The present Japanese destroyer fleet is 129,375 tons. In these two categories Japan will have 70 per cent of our fleet and 17,000 tons less than the present.

Finally, each of the three powers may have 52,700 tons in submarines. In the conference the United States and Great Britain sought to abolish warships of this class, but other powers were unwilling to do so and limitation was resorted to at a relatively low tonnage.

The United States at the opening of the conference was inferior in submarine tonnage to both Great Britain and Japan. Our inferiority in this class, as in the cruiser category, is attributable to our failure to build following the Washington conference. From the ratification of the Washington treaty until now the United States has neglected building not only in those classes in which a war surplus remained, but also in cruisers in which our Navy was deficient.

COMPARES TONNAGES LAID DOWN

The total tonnage in all classes of auxiliary craft laid down by the United States during the years 1922 to 1930, inclusive, was 138,120. During that time Great Britain laid down 203,725 tons, Japan 242,771 tons, France 249,454 tons, and Italy 163,943 tons. It is apparent that in those years the United States had a much smaller building program than any of the other four powers.

Our war tonnage is now becoming obsolescent and we are faced with the necessity of rebuilding much of the Navy. The treaty enables us to proceed with the task in an orderly manner and at a lower total tonnage than we have had in the past, in spite of the fact that we have built less than any other country represented at the conference.

This is the story of the treaty in figures as comprehensively related as found practicable within the proper limits of this address. There are other bases than that here employed for comparison, but it is believed that the one chosen for present purposes gives the clearest showing possible of what has been accomplished and some reasons for the programs incorporated in the treaty.

Mr. BACON. Mr. Speaker, I also ask unanimous consent to extend my remarks by inserting the short radio address, delivered by Secretary Stimson to the Associated Press.

The SPEAKER. Without objection, it is so ordered.
There was no objection.
The address was as follows:

RADIO ADDRESS OF SECRETARY STIMSON

Mr. Noyes and gentlemen of the Associated Press, when I had the pleasure of meeting the directors of the Associated Press last January at the dinner given by Mr. Ochs I warned you that the London conference would be a prosaic performance. I prophesied that what it lacked in drama it would make up in length. I think you will agree with me that my prophecy has been fulfilled.

Yet because it has involved tedious and necessarily private negotiation it would be a great error to jump to the conclusion that it does not contain dramatic promise for the future. As a matter of fact, the past 14 weeks have given me more confidence in my belief that the peaceful methods of diplomacy can eventually take the place of war than anything I have witnessed since the last war drew to a close. This conference is based on the fact that limitation of arms gives us an affirmative plan for promoting good relations. Merely negative opposition to war is not sufficient. Progress in civilization comes only from the affirmative cultivation of habits of good will.

Nearly two years ago the nations of the world met together at Paris and signed a document containing a good resolution of epoch-making importance. That was the so-called Kellogg-Briand pact, in which the nations renounced war as an instrument of national policy and agreed in future to solve their controversies only by pacific means. That instrument proposed a new era. It laid down a new international policy and it had behind it a general and overwhelming popular support. But such a proposal can not be made and then left alone to hatch. New eras do not come out of old conditions merely by a new edict or a good resolution.

In order to reach a condition when no nation will resort to war as an instrument of national policy there must be established a larger measure of confidence than now exists in the ability of the different nations of the world to maintain their pacific intentions under all the temptations and circumstances which are sure to confront them. History shows us only too clearly what will happen if we leave the old conditions unchanged. Affirmative constructive steps must be taken to carry out our good resolution and to begin the evolution in mutual confidence and good will, upon which the success of our resolution depends. Otherwise the failure of our good resolutions may produce a condition worse than if they had never been made.

Last spring President Hoover wisely decided that one of the most important of such constructive steps was a move toward naval limitation.

He realized that if the nations mean the Kellogg pact literally they must not allow conditions to arise that will jeopardize their promise. The first method to that end is an agreement on limitation of armaments. That is a clear and positive test of a national intention to maintain pacific relations under all circumstances. Such an agreement by its very nature precludes the idea of war as an instrument of national policy. For no nation is likely to agree that its neighbors shall have a navy large enough for such a purpose.

ARMS LIMITATION A BAROMETER

One of the surest tests, therefore, of the effectiveness of the Kellogg-Briand pact is the progress which is being made in the limitation of armament. Limitation of armament is a barometer or gauge of the development of confidence between nations which will enable them to deal with each other wholly upon an amicable basis. It is for this reason that my experience in the naval conference has given me so much encouragement. This encouragement is not based solely on an appraisal of just how much has been accomplished in the particular treaty which we are signing but also upon the demonstration which this treaty affords that the process of limitation can be carried further in the future.

The work of the London conference has really comprised two quite separate naval problems—the problem of the relations between the navies of the United States, Great Britain, and Japan on the one hand, and the problem of the relations between the navies of Great Britain, France, and Italy on the other.

These are quite distinct problems. The first of these has been solved. This is a great achievement in itself and fruitful of great benefit to the general conditions of the world for the future. But it is a far simpler problem than the other because the naval relation of three countries, separated by such great oceans and wide distances as separate Great Britain, the United States, and Japan are necessarily less complex than the naval relations of the great powers of Europe. The latter are complicated by many conditions from which the former are entirely free. Furthermore America's isolated and advantageous position and the national security which this position affords imposes upon us the duty to lead in the limitation of armaments and to refrain from criticizing others less fortunately placed.

In the second of these problems—the problem of the relations of the navies of Great Britain, France, and Italy—valuable discussions have been had and the underlying questions upon which a final solution must rest have been explored and clarified. In much of the discussion members of the American delegation have been privileged to sit as friendly observers, watching the development and clarification of these underlying questions. The discussion has not merely involved a negotiation about the size of navies or the types of ships. It has been a study and debate concerning the political questions which govern the relations of these three nations of Europe to each other.

ISSUES HAVE BEEN CLARIFIED

Into these political questions it has not been America's business to enter. But sitting on the side lines it has been quite evident that the result of the conference has been to clarify issues and make their solution in the future more possible. In this way a long step forward has been made toward ultimate limitation by those nations which have not yet agreed on a complete limitation of their navies.

This came not only by clarifying the results of their discussion but by the patience and good temper in which those discussions were carried on. This has been a good augury for the prospects of their final success. They are separating now full of determination to grapple with these problems as they now stand revealed and to finally solve them.

In summary, the message which I should like to make clear to you all to-day is that the success of the London naval conference is necessarily related to the success of the Kellogg pact. The good resolutions of that pact can not stand alone. They must be followed by national effort, prompt, constant, unremitting effort, to make them good, and no line of effort offers a better earnest of its success than the line of naval disarmament. In selecting that line, President Hoover laid his finger upon the best method of insuring that our solemn promise of two years ago should be fulfilled.

There are but two possible roads to travel. One is the road of competitive armament and this, whether accompanied or unaccompanied by good intentions, will lead to war. The other is the way of limitation with its constant effort to forestall war by creating such confidence and friendliness between nations as will prevent the seeds of war from growing.

We have now before us not only a definite objective but a concrete method of going at it. There is something to work on, to get our teeth into. The hard work and constant vigilance which will translate good intentions into practical realities can be accomplished and are being accomplished by naval limitation. This, to me, is the significance and encouragement of the conference we have just been through.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the proceedings before the Secretary of the Interior, including the addresses of the Governors of the two States of North Carolina and Tennessee, upon the acquisition by the Government of the Great Smoky Mountains National Park.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ABERNETHY. Mr. Speaker, under the permission given me, I desire to place in the permanent records of the Congress the most interesting ceremonies which were held in the office of the Secretary of the Interior on Thursday, February 6, 1930, when the Governors of the States of North Carolina and Tennessee presented to the Government 158,799.21 acres of land in the area of the proposed Great Smoky Mountains National Park, N. C. and Tenn.

It was my good fortune to have been in charge of the legislation from the Public Lands Committee of the House when the bill was passed establishing this great park. I have had a keen interest in the rapid development made in its establishment. It will, when completed, be a great national playground and spot of scenic wonder and beauty for the pleasure and profit of those who now live and for unborn generations.

The late Director Mather of the National Park Service, in his annual report of 1923, recommended that a thorough study of the Southern Appalachian Mountain Range, extending from Virginia to southern Georgia, be made with a view to selecting the most typically scenic area as a site for a national park which would measure up to the standard, dignity, and prestige of the existing members of the national park system.

Secretary Hubert Work approved of the suggestion, and on February 16, 1924, invited four public-spirited persons to undertake this investigation. He offered Hon. HENRY W. TEMPLE, Representative from Pennsylvania, the chairmanship of the proposed committee. Doctor TEMPLE's long service in Congress and his enthusiastic interest in national parks made his selection appropriate.

The Secretary invited Major Welch, general manager of the Palisades State Park, New York and New Jersey, to become a member, as he was a recognized expert in park matters and had been associated for years in development of State and National parks.

The Secretary asked the Council on National Parks, Forest, and Wild Life to cooperate with him by naming two of its members to serve on the committee. Mr. Harlan P. Kelsey, a director of the Council on National Parks, Forest, and Wild Life, was nominated as one of the members and Mr. William C.

Gregg, the director of the National Arts Club of New York, was nominated as the other member.

Mr. Kelsey, in addition to being a director of the Council on National Parks, Forest, and Wild Life, was president of the American Association of Nurserymen and ex-president of the Appalachian Mountain Club, as well as holding various offices in associations which were interested in National and State parks.

Mr. Gregg had been for years an enthusiastic national park devotee, and had on numerous occasions cooperated with the National Park Service by devoting his time and personal fortune in assisting in the development of national parks.

Col. Glenn S. Smith, who had served the Department of the Interior for more than 35 years as a topographic engineer in the Geological Survey, was designated by the Secretary to represent him on the committee.

The first year of the existence of this committee appointed by Secretary Work was spent in investigating areas in the southern Appalachian Mountains. As the committee was not authorized by Congress, and no funds were therefore made available for the expenses of these investigations, it was necessary for the individual members to pay from their personal funds the expenses in connection with these investigations. However, public-spirited citizens, including one of the members of the committee, donated sufficient funds for carrying on the work for the first year.

Congress, recognizing the important work the committee was doing, authorized the Secretary to appoint the members of the committee as members of a commission and appropriated funds for their expenses, but no salaries were authorized.

For six years the four members of this commission have devoted their time to the securing of areas for national parks in the East at a great sacrifice on their part as they were all men who had business connections which required their attention, and to make the investigations required it was necessary that these men spend considerable time away from their legitimate businesses to carry out the wishes of the Secretary. One of the commissioners took his duties so seriously and was so interested in the work he not only spent his time in making the investigations but paid all his expenses in connection with such investigations from his personal funds, refusing to accept any money from the Government for his expenses.

Ex-Secretary Hubert Work showed great interest from the very outset in securing areas in the East for national parks.

The speeches made on the occasion of the delivery of the deeds for the lands in the park are as follows:

Associate Director Cammerer introduced Gov. O. Max Gardner, of North Carolina, to Secretary Wilbur, and the governor made the following speech of presentation:

Mr. Secretary, North Carolina joins Tennessee to-day in presenting to the Federal Government under existing laws 158,799.21 acres of that unique area designated as the Great Smoky Mountains National Park. Our joint action makes the first concrete step toward the actual consummation of this project and we confidently believe we shall soon take the next step, when the minimum area, or a total of 427,000 acres will be presented. Then, Mr. Secretary, the Federal Government will be free to proceed under the law with the development of a great park in the Appalachian Mountains for the benefit of the entire Nation.

We are presenting to you "the most massive uplift" in the East, containing 18 peaks towering about 6,000 feet. This particular area, lying in almost equal portions in North Carolina and Tennessee, is unsurpassed for natural beauty and grandeur and contains 1,000,000 acres of virgin forests, some of which were full grown when Columbus discovered America.

The Great Smoky Mountains National Park, when established, will create in the heart of the Appalachian Mountains a permanent sanctuary for animal and bird life and a botanical garden and arboretum which scientists say will be unequaled in the world.

This great undertaking, when accomplished, will preserve the last remnant of the American wilderness of any considerable size east of the Mississippi River, and a great tract of virgin timber which will be allowed to stand in its natural grandeur, safe forever from the usual forces of devastation. In conserving this great forest, we shall preserve at its source the water power of two States and minimize considerably the danger of droughts and floods in the southern section of the Nation.

Moreover, through the development contemplated, this area will become a playground of majestic proportions and a recreational center in the East that will be accessible within a day's ride to one-half of the population of the United States, for it lies half way between the Mississippi and the Atlantic, and between the Great Lakes and the Gulf, not more than 500 miles distant from each of these extremes.

No other national park in America will serve with such convenience such a large population, and we confidently believe that in preserving this area and donating it to the Nation we are thereby making the Great Smoky Mountains National Park a certainty, and that through this action taken to-day we are not only preserving an area of great scenic beauty but we are providing a medium through which the people of the South and all other sections of the Nation will become better acquainted, and in this way we shall effect a finer unity of all our people.

I take very great pleasure, Mr. Secretary, in presenting the deed to the lands lying in North Carolina, and in doing so I feel it only just to our people to speak in praise of the splendid work of the North Carolina Park Commission and the National Park Commission, of the citizens of our State and particularly of Hon. Mark Squires, who have cooperated enthusiastically and contributed liberally of their private funds—$265,000—and of the General Assembly of North Carolina for its bond issue of $2,000,000. I would also like to make public acknowledgment of the splendid work of Congressman HENRY W. TEMPLE, of Pennsylvania, chairman of the Appalachian National Park Commission, who with his associates on that commission were responsible for the selection of this park area. And particularly must I record the deep gratitude of North Carolina to the Laura Spelman Rockefeller Memorial for its very generous gift of $5,000,000 to match the funds of both States. This donation came to us through the great interest and public spirit of Mr. John D. Rockefeller, jr., through the Laura Spelman Rockefeller Memorial, who assisted in the creation of this park as a memorial to his mother; and her memory will be preserved throughout the ages as long as the park shall last, and the good that she will continue to do through her son's loving remembrance will be an everlasting benefit to our people.

Governor Gardner then presented to Secretary Wilbur the deeds to those park lands lying in North Carolina and included in the 158,799.21 acres.

Mr. Cammerer next introduced Gov. Henry H. Horton, of Tennessee, who made the following speech of presentation:

Mr. Secretary, ladies, and gentlemen, I have the honor and great pleasure of presenting, through you, to the Government of the United States, for national park purposes as authorized by the Federal act of May 22, 1926, and applicable legislation passed by the legislature of the State of Tennessee, deed to 100,176.63 acres of land in that section of the Great Smoky Mountains so beautifully described just now by the Governor of North Carolina.

It is not necessary, nor perhaps appropriate at this time, for me to endeavor to enlarge on the beauties and grandeur of this area and its preeminent fitness for national park purposes—time forbids my attempting it. Suffice it to say that the Southern Appalachian Park Commission, headed by Congressman H. W. TEMPLE and composed of men nationally known for their knowledge of national parks and the policies controlling their establishment and development, after a survey of the entire southern Appalachian range selected this area, and in glowing terms proclaimed its beauty. The Secretary of the Interior later on, after investigation of the merits of the project by his experts of the National Park Service of the Interior Department, verified their recommendation as sound. From that time on the Great Smoky Mountains National Park project took its place among the greatest projects ever undertaken by any State for the benefit of mankind, and for conservation of beautiful scenic areas for the enjoyment of this and future generations.

I believe it fitting that I may here express the gratitude and appreciation of the people of Tennessee to Doctor TEMPLE and his associates on the Appalachian National Park Commission, and to your department, and to you, Mr. Secretary, and your immediate predecessor, Secretary Work, for the generous interest manifested in behalf of the park project. Particularly, do I want to emphasize, also, the deep gratitude and heartfelt appreciation of the people of Tennessee for the valuable substantial support given by the Laura Spelman Rockefeller Memorial in matching funds made available locally in the States of North Carolina and Tennessee, so that the park might become a reality, and to Mr. John D. Rockefeller, jr., whose personal interest and foresight and public-spiritedness have promised the actual realization of this great plan. I wish also at this time to take the opportunity to acknowledge the State's gratitude to Arno B. Cammerer, Associate Director of the National Park Service, who, as your representative, has been unfailing in his cooperation, official and personal, in the enterprise, and in his assistance in solving many unforeseen problems that constantly arise in a new project of this magnitude with few precedents to turn to for guidance.

And to Col. David C. Chapman, an original park advocate and a citizen of Tennessee who unstintingly, without thought of self or his private affairs, has for years given his time, both personally and as chairman of the Tennessee Great Smoky Mountains Park Commission, toward the furtherance of this project, too much praise can not be given by a grateful State. To the members of the Tennessee Great Smoky Mountains Park Commission and other agencies and individuals who have done so much to help the cause and made possible the establishment of the park I desire also to record the thanks of the State of Tennessee.

I am confident all these, and the members of the legislature of my State and of the Congress of the United States, who have supported and cooperated so faithfully, untiringly, and earnestly in the establishment of this park, will join in my satisfaction and pleasure in being

able to participate in this momentous, historic occasion, which marks definitely the beginning of the establishment of one of the most magnificent national parks of the world.

Let me add that Tennessee is interested in bringing this accomplishment to a successful close as speedily as possible. We now have contracted for 40,000 acres more than was delivered to you to-day, and suits are pending in court for condemnation proceedings to 37,000 acres more.

We are running a race with North Carolina as to which can first deliver the entire amount necessary for the park to the Government of the United States.

Governor Horton then presented to Secretary Wilbur the deeds to those park lands lying within Tennessee and included in the 158,799.21 acres.

Secretary Wilbur, having accepted the deeds, made the following talk:

The Governors of North Carolina and Tennessee, ladies, and gentlemen: This is a particularly happy occasion for me. I have written down a few things to say because this is a historical occasion, but before reading them I want to express my deep personal gratitude to all of you men who have been working so hard to bring about the consummation of this very significant project. You have builded better than you know. We were just about on the verge of losing for the eastern part of our continent all of our great natural glories. Your preservation of a portion of them, and the efforts now being made for the Shenandoah National Park, are the most encouraging thing that I know of in this great field of conservation. In fact, this is the largest real-estate operation with which I have ever been associated. You can go as far as you like in your contest between the two States, and if it is an even race you will get an even heartier welcome than to-day.

You have tendered to me, under the provisions of the act of Congress approved May 22, 1926, providing for the establishment, among other things, of the Great Smoky Mountains National Park in the States of North Carolina and Tennessee, title to some 158,799.21 acres, or nearly 240 square miles of unequaled mountain and valley land in the heart of the Great Smokies, which I hereby accept with the profound thanks of the American people, but, of course, necessarily subject to review of title rendered by the legal officers of the department.

Several years ago when a responsible commission under this department, headed by Congressman TEMPLE, of Pennsylvania, and under authority of the Congress, investigated the Southern Appalachian Mountain Range with the object of ascertaining whether there still remained an area within that range measuring up to national-park standards, they rendered an enthusiastic report on the merits of two possible park projects, one that of the proposed Great Smoky Mountains National Park and the other of the proposed Shenandoah National Park. To-day marks the first step in the final accomplishment of the first.

The committee's requirements for their guidance in such search were:

1. Mountain scenery with inspiring perspectives and delightful details.

2. Areas sufficiently extensive and adaptable so that annually millions of visitors might enjoy the benefit of outdoor life and communion with nature without the confusion of overcrowding.

3. A substantial part to contain forests, shrubs and flowers, and mountains and streams, with picturesque cascades and waterfalls overhung with foliage, all untouched by the hand of man.

4. Abundant springs and streams available for camps and fishing.

5. Opportunities for protecting and developing the wild life of the area, and the whole to be a natural museum, preserving outstanding features of the Southern Appalachians as they appeared in the early pioneer days.

6. Accessibility by rail and road.

In what is now the Great Smoky Mountains National Park area was found an area measuring up to the requirements of a national park area, because of the "height of mountains, depth of valleys, ruggedness of the area, and the unexampled variety of trees, shrubs, and plants. The region includes Mount Guyot, Mount Le Conte, Clingmans Dome, and Gregory Bald, and may be extended in several directions to include other splendid mountain regions adjacent thereto."

The department representative directed to review their findings confirmed those facts, and that the area measured up to national park standards in every particular. You therefore are tendering title to a portion of that national park for administrative and protective purposes as authorized by the Federal law, which will soon be followed by the tender of title to the remainder of not less than 277,000 acres to complete the park. At that time the National Park Service of the Interior Department may assume charge of its development as a complete national park under the jurisdiction of the Interior Department.

The States of North Carolina and Tennessee, through their citizens and legislatures, subscribed nearly $5,000,000 toward this project, which was later matched up to $5,000,000 by a pledge of the Laura Spelman Rockefeller Memorial in memory of Laura Spelman Rockefeller, completing a fund which it is estimated, based upon the best then available information, is sufficient, I am informed, to complete the purchase of the minimum park project. I particularly want to express my appreciation of the great public spirit shown by the Laura Spelman Rockefeller Memorial and Mr. John D. Rockefeller, jr., in making this great park project a possibility through their magnificent contribution as a memorial to Laura Spelman Rockefeller. I have not yet had the good fortune to make a personal inspection of this area; but from all I know from those who have been so fortunate I will find one of the most inspiring, romantic, and scenic areas in the Americas when I do visit it, which I hope to do very soon.

In the acquisition of this land for the park for national-park purposes there were no precedents to guide the several States and their representatives. All western national parks were carved from the public domain of the United States, and the acquisition of the land did not cost the Government anything, nor were serious problems of acquisition involved. A different problem had to be met in the Smokies, since the Government could not well, along established policies, spend Federal funds in the acquisition of such land, and the method followed by the two States of securing funds privately had to be followed.

The gathering of the necessary funds, the passing of the special legislation, both Federal and State, necessary to accomplish the object, the acquisition of the many individual parcels of land by purchase or condemnation, all presented titanic problems which, through the earnestness and hard work of the several State park commissions, supported by their respective governors and State legislatures, have been overcome as they arose. Especially do I want to compliment through you the splendid efforts of your respective park commissions headed by the Hon. Mark Squires, of North Carolina, and Col. David C. Chapman, of Tennessee, whose work I consider outstanding in such national effort. The States of North Carolina and Tennessee, their governors, their legislatures, and their park commissions are accomplishing what at one time was considered the impossible, and posterity will forever record the remarkable work that has been done by them and those others who are making the Great Smoky Mountains National Park a fact. This park will when finally completed, I am confident, play its important part in the future progress of the great Commonwealths of North Carolina and Tennessee.

The peoples of the United States will ever appreciate the great work you have done in saving this area, for in the long run we are the sons and daughters of nature, and nature is at her choicest in the Great Smoky Mountains National Park.

Director Horace M. Albright, of the National Park Service, introduced the following members of the North Carolina Park Commission as follows:

Hon. Mark Squires, chairman; Hon. Eugene C. Brooks, secretary; Hon. Verne Rhoades, executive secretary; Hon. D. M. Buck; Hon. John G. Dawson; Hon. Plato D. Ebbs; Hon. R. T. Fountain; Hon. J. A. Hardison; Hon. Stuart W. Cramer; Hon. J. Elmer Long; Hon. Harry L. Nettles; Hon. E. S. Parker, jr.

The Tennessee Park Commission were introduced by Mr. Albright as follows:

Col. David C. Chapman, chairman; Hon. Frederick A. Ault, secretary-treasurer; Hon. J. M. Clark; Hon. E. E. Conner; Hon. Henry E. Colton; Hon. L. B. Allen; Hon. A. E. Markham; Hon. B. A. Morton.

Mr. Albright also presented Representative H. W. TEMPLE, chairman of the Appalachian Park Commission; Col. Glenn S. Smith, secretary of the commission; Mr. Kenneth Charley, representative of the Laura Spelman Rockefeller Memorial; and the Members of Congress from North Carolina and Tennessee who were present.

The presentation ceremonies marked a great occasion.

MESSAGE FROM THE PRESIDENT—INTERNATIONAL CONFERENCE ON THE UNIFICATION OF BUOYAGE AND LIGHTING OF COASTS (S. DOC. NO. 134)

The SPEAKER laid before the House the following message from the President, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the inclosed report from the Acting Secretary of State, to the end that legislation may be enacted to authorize an appropriation in the sum of $4,500 for the expenses of participation by the United States in an International Conference on the Unification of Buoyage and Lighting of Coasts, to be held in Lisbon, October 6, 1930.

HERBERT HOOVER.

THE WHITE HOUSE, *April 22, 1930.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DAVIS on account of death in family.

ADDRESS OF SECRETARY OF WAR HURLEY

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to insert in the RECORD the radio address made to-day by the Sec-

retary of War on the occasion of the unveiling of the memorial to the pioneer woman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HASTINGS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the radio address broadcast from his study by the Hon. Patrick J. Hurley, Secretary of War, upon the occasion of the unveiling of the monument to the Pioneer Woman, at Ponca City, Okla., to-day, April 22, 1930. His address is as follows:

THE PIONEER WOMAN

We are assembled here to-day to dedicate this beautiful monument to the Pioneer Woman of America. This memorial is a rather late tribute to her sterling character. Woman has never been given her just place in history as a pioneer, an educator, a builder, or as a leader. This is probably due to the fact that most of the pages of history are written by men about men. The history of our civilization is a chronicle of cruelties. Warfare is the chief subject of history and men are the demons as well as the heroes in all wars. Women and children are the chief sufferers of war. The founders of the great religions—the giant minds in philosophy, in arts, and in sciences, have usually been men. The captains of industry and kings of commerce and the builders and leaders of government have been men.

Historians have been so busy with the lives of great sons that they have not stopped to immortalize the mothers who produced them. The characters of men are molded by women. We have reached that period in civilization where we are fair enough to accord to woman the honor of the preeminent part she has taken in shaping the destinies of mankind. As evidence of that fair-mindedness we are assembled here to-day to dedicate a monument to the memory of a woman. The woman has held the objectives gained by the man. She has been the bulwark ever standing between civilization and barbarism.

When we speak of the pioneer woman, we are very naturally inclined to limit her sphere to the last frontier in the United States—the place we know and love so well—our own Southwest. But the pioneer woman has played her part in the conquest of nature through all the ages. She has been with her man and her family in their struggles with the wilderness and the desert places of the world. She came to the Atlantic coast with the first colonists. She has fought by her man's side, borne and protected his children, clear across this continent to its last frontier. The story of her struggles, her sacrifices, her pains, and her sorrows, is lost in the passing of the years. The nameless grave of the pioneer woman is by every stream, on every plain and mountain, from north to south, from east to west, of this great land. The nameless graves of unknown pioneer women are especially numerous here on the sun-kissed plains of the Southwest. It is altogether proper that this beautiful monument to the pioneer woman should be erected here in the storied land of chivalry—the last frontier.

We are unveiling this monument to the pioneer woman on the forty-first anniversary of the opening of a portion of Oklahoma to the white settlers. What is now the State of Oklahoma was then two Territories. The eastern half was Indian Territory and was occupied by the Five Civilized Tribes of Indians—the Choctaw, Chickasaw, Cherokees, Creeks, and Seminoles. The western half was occupied by the so-called wild tribes of Indians and was called Oklahoma Territory. White people lived with the Five Tribes in Indian Territory but were not allowed to settle in Oklahoma Territory. Forty-one years ago to-day the shots fired by the United States cavalrymen sounded the call that started thousands of American pioneers and pioneer women on one of the most unusual and interesting races ever run. The prize to the winners in that race was a homestead of rich land, an opportunity to build a home for a family in a wild country.

The hardships to which the men were subjected during the first years of occupancy of Oklahoma were great. Those to which the women were subjected were pitiful. We like to picture our frontier father as a stalwart man, armed with good weapons, marching out into a country where the chances for success were not equal to the dangers that must be encountered. We admire him for his strength and his unfailing courage, but the real fortitude of that expedition was in the heart of the woman who marched with him. I fancy I see her now, her smiling face encircled by a sunbonnet. She was young, brave, and beautiful. It was she who fortified the new home. It was she who went down into the valley of the shadow of death to bring forth the sturdy sons and daughters of the pioneers. It was she who stayed when all others were anxious to leave. It was the pioneer woman, and not the pioneer, who conquered the frontier. In most instances she died before her time. She died often in childbirth; more often probably from the diseases of the frontier, such as malaria, smallpox, and typhoid, without science or medicine to assist her in her battle. The fights of the frontiersman were occasional and fitful. The fight of the pioneer woman was everlasting. But with all this she was the most buoyant, the most cheerful, the most enthusiastic character that our great country has yet produced. Her strong heart sang in the fight with the vicissitudes of an adventurous and uncertain life. The sons of pioneer women everywhere throughout this land of ours stand with uncovered head to-day to do homage to the noblest character of America.

The pioneer woman gave to America its character and soul. The men of the frontier were usually primitive and strong. The very spirit that led them to the frontier would lead them on in the struggle with the unbridled forces of nature. They were as lawless as they were strong. It was the women's influence that led them to establish government and to respect it. It was the restraining influence, the moral guidance of women, the influence of a home, the responsibility of a family that led these rugged men to submit to the orderly processes of law in the settlement of their disputes.

It was the stanchness and uprightness of her character that made community life possible. She saw to it that the actions of her menfolk and children were consistent with the principles of right living. In her own way she had aspirations for mankind at large, but her highest hopes were for the welfare of her own children. She had no use for teachings of despair and distrust. She was a believer in true aristocracy—the aristocracy of mind and character and service. She despised false pride, the presumptions of class, hypocrisy, and snobbishness. Distinction, to her mind, could not be bought or inherited. It could be won only by work, by service to others, by the personal achievement of the individual. Those were the yardsticks by which she measured greatness.

Her appreciation of the eternal worth of character was profound. From this high valuation that she placed on character springs the libel that she was narrow and intolerant in questions of morals and personal honor. If an inability to compromise in matters of conscience and private and public morality can be called narrowness and intolerance, then we must convict her of the fault; but it was a fault that laid the foundations of a high-minded citizenry and a country with a moral purpose.

Nurtured in an atmosphere of uncompromising devotion to honor, her son hesitated not a moment to fight and to kill to avenge the slightest insult to the women of his family. He was quite as hasty in revenging himself upon one who questioned his own integrity.

In molding the character of her children the pioneer woman was exacting and relentless. Intuition and experience told her that character is like a white sheet of paper that once stained can never be restored to its original condition. It is far easier to keep the character pure and clean than it is to cleanse it after it has been defiled. That character, like water, seeks its own level, is generally acknowledged to be true. Men may pay deference and do homage to some human character, but if the individual they adulate is not worthy of their worship, the disillusioned admirers will soon forsake their shattered idol.

Human greatness can only be assayed properly in the crucible of time. Each year that passes the searching test of time develops in bolder relief the beauty, the purity, and the strength of the character of the pioneer woman. In an individual sense her character is "like a candle that sets in a window at night." Her fond love cheers us and guides us to higher, nobler lives. But in a larger sense the composite character of the pioneer woman is the character of our Nation. It is the mighty beacon whose effulgent rays testify to the lofty aspirations and ideals of a hundred and twenty million Americans.

When we seek the sources of the clearness of her mind and the strength of her character, we should remember that she was the daughter of the most vigorous, alert, and aggressive peoples of the Old World. In her veins ran the blood of the fiery and fearless conquistadors; or else she came from another race of conquerors, the stanch and sturdy Anglo-Saxons; or claimed descent from the warm-hearted, liberty-loving Celts, the Irish, the Scotch, and the Welsh. Perhaps her ancestry was French, German, or Scandinavian. We may say that she was largely of Nordic and Celtic ancestry, generally held to be the best blood of Europe, and the pioneer woman of the Southwest was the product of a century and a half of breeding from the higher, stronger, more alert and aggressive individuals of a race of colonists, a breeding process that excluded from propagation the weak, the vicious, the cowardly, those of physical infirmity or imperfect organization. She came from a strain that was more truly selected in point of mental and physical vigor, intellectual inquisitiveness, enterprise, and self-reliance than any other human stock in history.

We can not evaluate her character without an appreciation of her intelligence. Hers was an intelligence that quickly and clearly recognized that the three great pillars of democratic government are religion, education, and the home. She trusted God and was a firm believer in the efficacy of prayer. But experience had taught that in certain matters it is useless to look for the interposition of Divine Providence. She felt that she had been given her faculties, her strength of mind and body, to meet the homely problems of everyday existence. She held it presumptuous for anyone to pray God to stop the weeds from growing in the cabbage patch when one could grasp a hoe and go after the weeds in person. When her family—or her flock—were endangered by a marauder she scorned to run weeping to God. She knew that a stout heart and a pair of fearless eyes behind a straight-shooting rifle could do the job, and she often did it. She did thank God devoutly for all the

blessings He had bestowed on her and her loved ones. She thanked Him most for giving her the strength to be worthy of all that she had been given to keep and to enjoy. Hers was a religion of true nobility—of a noble heart that was glad to do homage to the Creator and scorned all weakness, meanness, and dishonesty.

You may have perceived that I have omitted the harrowing details of the bloody conflict that ensued wherever the Indian and white races met. The woman whose life we have been portraying belonged to an all-conquering civilization that brooked no barrier, acknowledged no defeat in its march to empire. The Indians who attempted to stay the march of this civilization belonged to a vanishing race whose tepees slowly receded toward the setting sun as the waves of white conquest broke over its lands. But the Indian mother gave much to the spiritual civilization of the West, and those who knew her hold her memory in respect and love. This memorial is erected to the woman of a fair-skinned race but as a pioneer that woman was preceded by a red-skinned woman whose virtues have received scant recognition. The fortitude, stoicism, and loyalty of the Indian mother are unsurpassed by any womanhood in history. She knew as deep mother's love as that of her white sister.

There was often a deep bond of sympathy between these sisters of two different civilizations. The Indian mother showed the white mother how to conquer many of the terrors of a primitive land and the unfriendly forces of nature. She taught her how to weave, how to distinguish healing herbs and plants, how to apply many of the homely remedies that often saved a little life when medical assistance was far away. She instructed the white mother in the lore of the forest, the stream, and the mountain. Her courageous example in the presence of disease, danger, and death inspired the white mother to emulate her moral and physical fortitude.

Much has been said about the result of the crossing of the blood of the Indian and the white races. In the Southwest we can truly say that that mixture of blood has produced many of our most prominent leaders in thought and action. Let us mention a few of our leaders who represent both races. Sequoyah, the inventor of the Cherokee alphabet; Hon. Charles Curtis, Vice President of the United States; Senator Robert L. Owen, the author of the Federal reserve banking system; Hon. W. W. Hastings, dean of the Oklahoma delegation in Congress; and our own inimitable Will Rogers.

The pioneer woman is the author of peace between the red and white races. Amalgamation and education did for the Indian what fire and sword failed to do. The pioneer woman was the first to recognize that an educated Indian is a good citizen. The pioneer woman was passionately devoted to education. She knew that when the community creates and maintains a competent school system it has gone far toward solving the problem of the perpetuation of democracy and equality of opportunity for the individual. She wanted her children to receive an education. She also wanted them taught an appreciation of their heritage, a vision of public needs and duties, the inspiration to develop and maintain a free government. She saw that the democratic institutions of this Nation can be maintained only so long as the child adheres to the ideals that motivated the father in setting up this Government. For that reason we must name proper education as one of those spiritual agencies that guarantee the perpetuation of our individual prosperity and privileges.

Though we may disagree as to just what are our national faults and what should be our national conduct, we can all agree on our national aspirations. We aspire to establish social and economic justice and to maintain equality of opportunity. We endeavor to promote education, tolerance, and prosperity. We seek to abolish poverty and crime and to advance the cause of peace and good will. Because they are our aspirations, our Government, since its establishment, has brought more happiness to more human beings, over a greater period of time, than has any other government.

That great training agency, that maker of men, the old frontier, has gone forever. Its place as a molder of character and a maker of manhood has been taken by the new school system, but what the frontier taught our fathers and mothers can well be included in the school curriculum of to-day.

The frontier taught that clear thinking was needed in emergency; that actions should be based on facts, not on fancies. It taught that we should put our faith in work and not in words; that what is right deserves not only our respect but our support.

If our school system teaches these rules of right conduct and basic morality as faithfully and thoroughly as the pioneer mother taught them to her brood, then we need entertain no fears for the State's increasing prosperity and happiness.

In the erection of this monument we pledge a reverence to the woman who has laid the foundation of the character of our community, State, and Nation. This tribute to her memory will keep the fundamental principles of her character constantly before the people of Oklahoma. Every citizen who passes this way and looks upon this memorial will be strengthened in the conviction that this State shall be kept worthy of the woman whom this bronze statue commemorates.

Truths are told in tens of thousands of volumes—from thousands of pulpits and rostrums—but they are soon forgotten. They enter the mind and are present for a moment, but they are soon displaced. But the perpetual lesson of a great example, united to a great truth, carries the lesson from generation to generation, and makes a permanent impression on every character that comes in contact with it. The example of the pioneer woman will remain the foundation of the character of the people when all our words shall have been forgotten. She has achieved certain immortality in every American home. The American people have enshrined the character of the pioneer woman in the pantheon of their hearts.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7881. An act authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 23, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, April 23, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the interstate commerce act, as amended, to require separate valuation of terminal facilities and a reasonable return thereon (H. R. 10418).

COMMITTEE ON FLOOD CONTROL—SUBCOMMITTEE ON PRELIMINARY EXAMINATION AND SURVEY

(10.30 a. m.)

To authorize a preliminary examination of the French Broad River for the purpose of flood control (H. R. 10720).

Authorizing a preliminary examination and survey of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods (H. R. 9779).

To provide for a survey of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods (H. R. 2936).

To authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control (H. R. 11201).

To provide a preliminary survey of Waccamaw River, N. C. and S. C., with a view to the control of its floods (H. R. 10264).

To authorize and direct a preliminary examination of the Hocking River for the distance it flows through Athens County, Ohio (H. R. 8736).

To authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles (H. R. 8290).

Authorizing the Secretary of War to cause a preliminary examination and survey to be made of Pearl River from Jackson, Miss., to Rockport, Miss. (H. R. 7430).

To provide for examination and survey of Licking River, Ky. (H. R. 7608).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

EXECUTIVE COMMUNICATIONS, ETC.

417. Under clause 2 of Rule XXIV, a communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1931 amounting to $28,693,540 (H. Doc. No. 358) was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FOSS: Committee on the Post Office and Post Roads. H. R. 8568. A bill to compensate the Post Office Department for the extra work caused by the payment of money orders at offices other than those on which the orders are drawn; with amendment (Rept. No. 1257). Referred to the Committee of the Whole House on the state of the Union.

Mr. PITTENGER: Committee on the Post Office and Post Roads. H. R. 9300. A bill to authorize the Postmaster General to hire vehicles from village delivery carriers; without amendment (Rept. No. 1258). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11789. A bill to aid in the maintenance of engineering experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplemental thereto; without amendment (Rept. No. 1259). Referred to the Committee of the Whole House on the state of the Union.

Mr. BEERS: Committee on Printing. H. R. 11274. A bill to amend section 305, chapter 8, title 28 of the United States code relative to the compilation and printing of the opinions of the Court of Customs and Patent Appeals; without amendment (Rept. No. 1260). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 10387. A bill authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Denver, Colo., the ship's bell, plaque, war record, name plate, and silver service of the cruiser *Denver* that is now or may be in his custody; with amendment (Rept. No. 1256). Referred to the Committee of the Whole House.

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 247. A bill validating certain applications for, and entries of, public lands; with amendment (Rept. No. 1261). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MOUSER: A bill (H. R. 11849) to declare the 11th day of November, celebrated and known as Armistice Day, a legal holiday; to the Committee on the Judiciary.

By Mr. WHITEHEAD: A bill (H. R. 11850) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and other purposes," approved August 25, 1919, as amended by act of March 6, 1920; to the Committee on Public Buildings and Grounds.

By Mr. KIESS: A bill (H. R. 11851) to extend the duties and powers of the Bureau of Efficiency to include the government of the insular and Territorial possessions of the United States; to the Committee on the Territories.

By Mr. VESTAL: A bill (H. R. 11852) amending the statutes of the United States to provide for copyright registration of designs; to the Committee on Patents.

By Mr. FRENCH: A bill (H. R. 11853) to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark; to the Committee on Coinage, Weights, and Measures.

By Mr. WILLIAMSON: A bill (H. R. 11854) to amend section 43, title 5, United States Code; to the Committee on Expenditures in the Executive Departments.

By Mr. GRANFIELD: Joint resolution (H. J. Res. 313) directing the President to proclaim October 11 of each year General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. NIEDRINGHAUS: Joint resolution (H. J. Res. 314) declaring the transfer of the St. Charles Bridge over the Missouri River on National Highway No. 40 not a sale; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLGOOD: A bill (H. R. 11855) for the relief of Homer B. Alldrege, also known as Homer B. Collins; to the Committee on Military Affairs.

By Mr. BEERS: A bill (H. R. 11856) granting an increase of pension to Elizabeth G. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11857) granting an increase of pension to Catherine Johnson; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 11858) granting an increase of pension to Robert Henkle; to the Committee on Pensions.

Also, a bill (H. R. 11859) granting a pension to Catherine B. Kinkead; to the Committee on Pensions.

By Mr. HOWARD: A bill (H. R. 11860) for the relief of Lydia Wakanna; to the Committee on Claims.

Also, a bill (H. R. 11861) for the relief of Joseph Redwing; to the Committee on Claims.

By Mr. DALLINGER: A bill (H. R. 11862) for the relief of Ralph S. Alioti; to the Committee on Naval Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 11863) for the relief of George B. Pfeiffer; to the Committee on Claims.

By Mr. KELLY: A bill (H. R. 11864) granting an increase of pension to Agnes C. Ladley; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11865) granting a pension to Addie Mabel Brown; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 11866) granting an increase of pension to Eliza McGrew; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 11867) granting a pension to Beulah H. Baldwin; to the Committee on Pensions.

Also, a bill (H. R. 11868) granting a pension to Chester O. Jarrett; to the Committee on Pensions.

Also, a bill (H. R. 11869) to reimburse Mrs. Charles Stewart for moneys expended by her in treatment of her husband, Charles L. Stewart, who was fatally wounded while in the performance of duty as deputy United States marshal; to the Committee on Claims.

Also, a bill (H. R. 11870) extending the time for the consideration of application for retirement of Walter Hinman under the emergency officers' retirement act; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 11871) for the relief of Ida M. Everett; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 11872) granting a pension to John A. Donahue; to the Committee on Pensions.

Also, a bill (H. R. 11873) granting an increase of pension to Sarah L. Cook; to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 11874) granting a pension to Uriel Sliter; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 11875) granting an increase of pension to Ida M. Steiner; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7057. Petition of city and county of Honolulu, Board of Supervisors, Honolulu, Hawaii, petitioning Congress to create a charter for the city and county of Honolulu; to the Committee on the Territories.

7058. By Mr. CROSSER: Petition of Eugene Remy and others, favoring passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

7059. By Mr. DARROW: Resolution of the Philadelphia Board of Trade, urging reinstatement of the clause in the tariff bill (H. R. 2667) authorizing the Tariff Commission to recommend such adjustment of tariff rates as may be justified by the exigencies of trade subject to approval and promulgation by the President of the United States; to the Committee on Ways and Means.

7060. Also, resolution of the Philadelphia Board of Trade, protesting against the adoption of the export debenture provision of the tariff bill, H. R. 2667; to the Committee on Ways and Means.

7061. Also, resolution of the Philadelphia Board of Trade, in reference to section 402 (b) of the tariff bill, H. R. 2667, ap-





proving American valuation; to the Committee on Ways and Means.

7062. By Mr. GARBER of Oklahoma: Petition of Gobierno Municipal de Carolina, oficina del Alcalde, in favor of bill for economic rehabilitation of Porto Rico; to the Committee on Insular Affairs.

7063. Also, petition of St. Charles Free Bridge Committee, Clayton, Mo., declaring the transfer of the St. Charles Bridge over the Missouri River on National Highway No. 40, not a sale; to the Committee on Interstate and Foreign Commerce.

7064. Also, petition of Izaak Walton League of America, Oklahoma City, Okla., in support of House bill 6981; to the Committee on the Public Lands.

7065. Also, petition of Stanwood Lumber Co., Stanwood, Wash., in opposition to tariff on lumber; to the Committee on Ways and Means.

7066. Also, petition of Henry Mill & Timber Co., Tacoma, Wash., in opposition to duty on logs; to the Committee on Ways and Means.

7067. Also, petition of Tidewater Lumber Co., Tacoma, Wash., in opposition to tariff on lumber; to the Committee on Ways and Means.

7068. Also, petition of United States Beet Sugar Association, Washington, D. C., in support of the tariff on sugar; to the Committee on Ways and Means.

7069. By Mr. HOWARD: Petition signed by Harry Kleinberg, of Wynot, Nebr., and 61 other persons of Cedar County, Nebr., pleading for the passage of House bill 2562, providing for increased pensions to survivors of the Spanish-American War; to the Committee on Pensions.

7070. By Mr. JOHNSON of Nebraska: Resolution from Court No. 1009, Catholic Daughters of America, protesting passage of House bill 10; to the Committee on Education.

7071. By Mr. LINDSAY: Petition consisting of individual letters, registering protest against the Federal education bill, and contending that education is a local matter and not for governmental administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Harry F. Collins, John P. Cummings, Julie Cummings, Mrs. M. Garvey, Alice McCann, Rose McCann, Richard P. Murphy, and Michael J. Quinlan; to the Committee on Education.

7072. By Mr. OSIAS: Petition signed by Deogracias Mata, of Daraga, Albay, Philippine Islands, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

7073. By Mr. STONE: Resolution indorsing House bill 10574, signed by Mrs. C. R. Lawrence, president of the Cleveland County Women's Federated Farm Clubs; Mrs. Roger Lessly, secretary; and Mrs. Roy Klenlen, treasurer, all of Norman, Okla.; to the Committee on Interstate and Foreign Commerce.

7074. By Mr. SWICK: Petition of Gen. George Crook Camp, No. 3, National Indian War Veterans, 2435 North Carlisle Street, Philadelphia, Pa., and 2,275 members of affiliated camps in Pennsylvania, New Jersey, Delaware, New York, and Maryland, urging the enactment of House bill 8976 for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7075. By Mr. THATCHER: Petition signed by William H. Lawson and others, of Jefferson County, Ky., supporting Spanish War veterans' legislation; to the Committee on Pensions.

7076. By Mr. WYANT: Petition of Mount Odin Sisterhood, Dames of Malta, Greensburg, Pa., advocating passage of Robsion-Capper free public school bill (H. R. 10); to the Committee on Education.

SENATE

WEDNESDAY, *April 23, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Couzens	Hale	Keyes
Ashurst	Cutting	Harris	La Follette
Barkley	Dale	Harrison	McCulloch
Bingham	Deneen	Hatfield	McKellar
Black	Dill	Hawes	McNary
Blaine	Fess	Hayden	Norbeck
Blease	Frazier	Hebert	Norris
Borah	George	Heflin	Nye
Brock	Gillett	Howell	Oddie
Broussard	Glass	Johnson	Overman
Capper	Goldsborough	Jones	Patterson
Caraway	Gould	Kean	Phipps
Copeland	Greene	Kendrick	Pine
Pittman	Smoot	Thomas, Okla.	Walsh, Mont.
Ransdell	Steck	Townsend	Waterman
Robinson, Ind.	Steiwer	Trammell	Watson
Robsion, Ky.	Stephens	Vandenberg	Wheeler
Shipstead	Sullivan	Wagner	
Shortridge	Swanson	Walcott	
Simmons	Thomas, Idaho	Walsh, Mass.	

Mr. WALSH of Montana. I announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are absent attending the funeral services of the late Representative Lee, of Texas. They will probably be absent until Thursday.

I also wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I further desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are returning from the London Naval Conference.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

INVESTIGATION OF SALE OF GOVERNMENT SHIPS

Mr. COPELAND. Mr. President, I was astonished to find in the RECORD this morning that the resolution (S. Res. 129) seeking to investigate the sale of Government ships had been taken from the calendar yesterday in the presence of a handful of Senators and placed upon its passage. It was well known by all concerned that there was opposition in the committee to the proposal. I vigorously protest against bringing up matters in the Senate from the calendar, except as they may be purely local in character, without notice to other Senators of an intention to do so.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield.

Mr. McKELLAR. The resolution was brought up yesterday soon after the session began, when there were probably as many Senators present as are present now. The matter was discussed only casually. I remember that the Senator from Washington [Mr. JONES] stated that he would vote against it if it came to a vote, but would not object to its consideration, and I did not know there was any other objection.

Mr. COPELAND. The Senator from Tennessee knows very well that the Senator from New York opposed the matter in the committee.

Mr. McKELLAR. Yes; that is true.

Mr. COPELAND. The Senator was present at the time.

Mr. McKELLAR. Yes.

Mr. COPELAND. I think it is a very grave mistake to impose another investigation upon the country. Here is a matter relating to the Shipping Board. We have had investigations without end of that board. The matters brought up are matters which have been discussed on the floor of the Senate time and time again. In any event it was a matter in the consideration of which those of us who had other views had the right to be heard.

Mr. President, I ask unanimous consent that the vote by which the resolution was agreed to may be reconsidered and the resolution restored to the calendar.

The VICE PRESIDENT. Is there objection to the reconsideration of the vote by which the resolution was agreed to?

Mr. McKELLAR. I shall object.

Mr. COPELAND. I hereby enter a motion to reconsider the vote agreeing to the resolution.

The VICE PRESIDENT. The motion to reconsider will be entered.

PETITIONS

Mr. JONES presented petitions of sundry citizens of Seattle, Wash., praying for the passage of the so-called Smoot bill, being Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products, which were referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

Mr. CAPPER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3950) authorizing the establishment of a migratory bird refuge in the Cheyenne Bot-

toms, Barton County, Kans., reported it without amendment and submitted a report (No. 503) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 2774) for the relief of Nick Rizour Theodore, reported it without amendment and submitted a report (No. 508) thereon.

He also, from the same committee, to which was referred the bill (S. 2811) for the relief of Oscar R. Hahnel, reported it with an amendment and submitted a report (No. 509) thereon.

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (H. R. 668) for the relief of A. J. Morgan, reported it with an amendment and submitted a report (No. 505) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3868) granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River at or near Talisheek, La. (Rept. No. 504); and

A bill (H. R. 9434) to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg. (Rept. No. 506).

Mr. DALE also, from the Committee on Commerce, to which was referred the bill (S. 3873) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo., reported it with amendments and submitted a report (No. 507) thereon.

Mr. WALCOTT, from the Committee on Banking and Currency, to which was referred the bill (S. 4096) to amend section 4 of the Federal reserve act, reported it without amendment and submitted a report (No. 510) thereon.

Mr. RANSDELL, from the Committee on Commerce, to which was referred the bill (H. R. 8299) authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor, reported it with amendments and submitted a report (No. 511) thereon.

AMENDMENT OF THE AIR MAIL ACT

Mr. PHIPPS. From the Committee on Post Offices and Post Roads I report back favorably without amendment the bill (H. R. 11704) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation. This is an important piece of legislation, and I desire to serve notice that I shall call it up for consideration at the first convenient moment.

The VICE PRESIDENT. The bill will be placed on the calendar.

INVESTIGATION RELATIVE TO ADDITIONAL NATIONAL PARKS

Mr. NYE, from the Committee on Public Lands and Surveys, reported a resolution (S. Res. 252), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That Resolution No. 316, agreed to February 26, 1929, authorizing and directing the Committee on Public Lands and Surveys to investigate the advisability of establishing certain additional national parks, hereby is continued in full force and effect until the end of the Seventy-first Congress.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 23, 1930, that committee presented to the President of the United States the enrolled bill (S. 3135) granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

REPORTS OF NOMINATIONS

As in open executive session,

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported post-office nominations, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. GREENE, from the Committee on Military Affairs, reported favorably the nomination of Frederick Huff Payne, of Massachusetts, to be Assistant Secretary of War, which was placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DILL:

A bill (S. 4261) granting a pension to Mary C. Hayse;

A bill (S. 4262) granting a pension to Andrew A. Price; and

A bill (S. 4263) granting a pension to Mary M. Stevens; to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 4264) granting an increase of pension to Elizabeth J. Mills (with accompanying papers);

A bill (S. 4265) granting an increase of pension to Rachel A. Moffitt (with accompanying papers); and

A bill (S. 4266) granting a pension to Wilford Thomas (with accompanying papers); to the Committee on Pensions.

By Mr. NYE:

A bill (S. 4267) to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910; to the Committee on Public Lands and Surveys.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DICKINSON, Mr. SIMMONS, Mr. SUMMERS of Washington, Mr. BUCHANAN, and Mr. SANDLIN were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 10118) to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion, at Boston, Mass., during the month of October, 1930.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930; and

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought-stricken areas, approved March 3, 1930.

AGRICULTURAL APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McNARY, Mr. JONES, Mr. CAPPER, Mr. OVERMAN, and Mr. HARRIS conferees on the part of the Senate.

THE WORLD COURT—ADDRESS BY FORMER SENATOR REED, OF MISSOURI

Mr. COPELAND. Mr. President, I ask unanimous consent to insert in the RECORD an address made by former Senator James A. Reed on the World Court.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS DELIVERED BY FORMER SENATOR JAMES A. REED, OF MISSOURI, AS THE SIXTH OF A SERIES OF PATRIOTIC BROADCASTS, THURSDAY NIGHT, APRIL 3, 1930

War destroys the intellectual equilibrium. Out of the wrack and ruin of the world conflict there emerged a litter of fantastic and dangerous philosophies. Of these the most menacing is the doctrine of internationalism. Before America entered the conflict the pacifist made his appearance. He prated of the brotherhood of man and talked of universal love. He insidiously distilled the poisonous doctrine that America should submit to any insult or endure any danger rather than stand in defense of her rights. The American pacifist was not alone. He had the cooperation of men of like mind in European lands. The protagonists of this theory fundamentally taught and teach that men should not love their countries enough to maintain their country's honor. They carried their propaganda forward and undertook to break the morale of our Nation, even whilst the sons of America were dying upon the battle front. Some of these pacifists and nationalists were apprehended and appropriately punished, but others who proceeded more cautiously remained at large and are to-day engaged in disseminating the doctrine of internationalism. In all cases they mask the purpose of their hearts

behind fine-sounding phrases. Nevertheless, the objective is definite and the attempt persistent.

The first effort was to induce the United States to become a party to the Versailles treaty. Had we signed that document we would have been directly involved for 50 years in the imposition upon the German people of the hard conditions France extorted at the point of the bayonet. We would have become the sanctioners of the atrocities of Singalese occupation, and in substance the guarantors of a quasi-Germanic slavery.

It was further proposed that we should undertake to establish "mandates" in Asia involving the maintenance there of a large standing army, with the certainty that in case of Asiatic-European conflicts we would immediately become involved. This scheme likewise failed.

Then came the League of Nations plot. It was to be accompanied by a proposed secret tripartite agreement or treaty between France, England, and the United States, by which the two latter countries were to guarantee France against future attack by Germany. While this instrument spoke of "invasion of France by Germany," nevertheless, in practical application, it would have made us the guarantors of France in any future war with Germany.

The League of Nations undertook, in substance and effect, to set up a supergovernment of the world. It was to be formed of the representatives of some 50 or 60 nations. The authority of the league was again concentrated in the representatives of some nine nations. This body undertook to arrogate to itself the right to interfere with and control every controversy arising between nations, which in its judgment was likely to produce war. It went further and guaranteed the geographic integrity of these countries and their dominions. It bound all member nations to submit to its authority and asserted the right to dominate and control nonmember nations. It further asserted the right to punish by economic pressure nations violating its decisions, which, in plain language, meant by the process of starvation; and it further claimed the right to call upon member nations to make war upon the offending power. Disguise it as much as its adherents may attempt, this was a superworld government. The pacifists and internationalists of this country undertook to induce us to become a member. Had we done so, we would have had in the assembly 1 vote out of 50 or 60; in the council, 1 vote out of 9; whilst Great Britain, with her usual forethought, had already preempted for herself from 5 to 7 votes by obtaining the recognition as sovereign powers of her various dependencies.

Had we been entrapped into this scheme we would have become necessarily involved in every conflict, great or small, occurring in any part of the world.

The other side of the picture is more revolting. By joining this league we necessarily obliged ourselves to submit to its judgment. And accordingly every question, however grave, even though it involved the very life of the Republic, would have been submitted to the arbitrament of foreign nations, most of which had interests opposed to those of the United States. We would, in a word, have ceased to be a sovereignty and become a satrapy. We would have surrendered with the pen all that Washington gained with the sword. The destiny of America would have been in the hands of the political representatives of peoples who for the most part do not speak our tongue, whose civilization is essentially different, and whose religion is diametrically opposed to the tenets we accept. I do not charge that in their hearts those who proposed this unspeakable scheme felt they were guilty of treason, and yet I can conceive of no act so treasonable as the voluntary surrender of the sovereignty of the United States. Happily we were rescued from this great danger. Calmer thought prevailed. The people of the United States came to understand that wrapped up within the fine-sounding phrases of the league covenant was an obligation to involve the United States in all the diplomatic chicanery of the Old World and to place the sons of America on every bloody battle field of the future.

But the internationalist and the pacifist did not cease their efforts. Organizations heavily financed and employing a large force of hired men and women have been ever since endeavoring by seductive methods to involve the United States in the intrigues of the League of Nations. The favorite device is the so-called World Court. Much deception can be practiced in the mere matter of names. When we speak of a court the idea presented is of a just tribunal, acting according to just laws of our own making and deciding every question according to its merits. I shall undertake to show that in no single respect does the so-called World Court meet with these conditions. I affirm that it does not possess a single quality of a court as we understand that term.

I affirm—

First, that it is an assemblage of the political governments.

Second, that these political representatives are in the very nature of things bound to decide every question according to the political necessities or advantages of their respective countries.

Third, that being thus the representatives of political government there is no great international question where some or all of the so-called judges must not necessarily be prejudiced. And the moment the element of prejudice or interest enters the mind of a judge he ceases to exercise judicial judgment and becomes a mere instrument of oppression and wrong.

Fourth, a vital element of a court is that it shall meet not to issue arbitrary orders but to interpret laws. There is no law governing the rights of nations or the procedure of this tribunal. We talk much of international law, but there is no such thing as international law in the sense we usually employ that term. The so-called international law is a mere aggregation of precedents, sometimes observed but more frequently violated, plus the understandings which have been reached generally by treaties between individual nations, but all of these precedents and all of these treaties become obsolete the moment serious conflict begins.

Fifth, it may be argued that the league will make the laws. That involves the power of the league to make laws for the court. If the league has power to make laws governing the world, then indubitably a world government has been established, the laws of which are to be made not by the American people for their Government but by the representatives of nations whose governments are diametrically opposed in every fundamental from those in which we believe.

Let us pause a moment to consider the tremendous consequences which flow from the assertion of the power of the League of Nations to make laws which the World Court is to interpret and enforce. The voice of China would be as potent as would the voice of the United States, the voice of Liberia as potent as the voice of the United States, the voice of England seven times as potential as that of the United States. Even the ruler of Hejas, of Cuba, of each of the smallest and insignificant nations, counts as much as that of the United States.

What American is there willing to confer the power to pass laws affecting the vital interests of the United States upon the representatives of foreign nations?

If we are to be ruled by foreign powers, then the Revolutionary War was wrong, and we ought never to have severed our interests from the most enlightened country of the time. We should have remained a part of the British Empire and obsequiously submitted to the outrages and abuses which brought the Revolutionary Fathers to Bunker Hill and Concord and Yorktown.

Sixth. We are told by certain individuals that we ought to have stayed out of the League of Nations, and yet the same individuals tell us we should enter the World Court.

The World Court is the vermiform appendix of the League of Nations. It is attached to it, gains its vitality from it, and like the vermiform appendix in the human anatomy will become the chief source of irritation and inflammation.

A more ridiculous position could not be conceived than that assumed by the man who says we should not enter the League of Nations, where we would have had at least one voice out of many in writing rules and regulations and laws that are to govern, and likewise a voice in the selection of the judges of the court, but we should submit ourselves to the creature created by the court—that is to say, the creator is too dangerous for us to join, but we will join with that which the creator has brought forth. It is too dangerous to join the league, where we have a voice—however weak—but it is perfectly proper to submit the destiny of the United States to a tribunal in the selection of which we have no voice or part.

We are told in one breath that this league court has no real jurisdiction. If so, it is impotent and useless. But if it has jurisdiction, then that jurisdiction is coextensive with the world. At least it embraces all who subscribed to it. If, then, the World Court's decisions can bind other nations, they can bind, and must bind, the United States.

If the decisions of the World Court are to prevent war, then its authority must embrace all those great questions which occasion war. In a sentence, it must have the power to decide questions vital to the interests of the United States.

What are these questions? No mind can project itself far enough in the future to compass them. But certain problems we know are before us. The great Monroe doctrine is directly involved. That doctrine was announced as a doctrine of self-defense, under which we assert the authority to bar the acquisition by any foreign power of dominion upon this side of the sea. Arrayed against us upon that question because of a mistaken view of our policies, I think, but nevertheless arrayed against us, are substantially all of the South American countries. And as their interests may appear, all European countries desiring at the present hour or which may desire in the future to establish dominion, plant colonies, and set up governments on this side of the Atlantic will be arrayed against us. Nor is it necessary that these nations shall themselves have any other motive than the desire to hinder the growth and development of the United States. To cripple the development of a nation by indirection is one of the oldest tricks of international diplomacy.

We built the Panama Canal. Speedily a controversy arose. England denied the United States the right to allow her own coastwise vessels to proceed through the canal free of tolls unless the ships of all other nations of the world should go through free. To this demand we yielded. It was an act of poltroonery which, to my humble judgment, ought to be repudiated. But conceive the cool insolence of Great Britain in insisting that after we had built and paid for the canal, for-

tified it, and equipped it, we were not entitled to a single right greater than for herself, she asserted.

Lying at our door is Cuba. She exists because we gave her her freedom. She maintains her government because behind that government stands the imposing shadow of Uncle Sam.

Cuba may at any time have a controversy with the United States. Are we to submit a controversy of that kind to the arbitrament of a league court? And, incidentally, Cuba, unable to stand alone, has a judge upon this court. Let us inquire as to the personnel of this court to whom questions vital to the American Republic are to be submitted. Here is the supreme court of the world which these gentlemen seek to set up:

1. Rafael Altamira y Crevea, of Spain.
2. Dionisio Anzilotti, of Italy.
3. Antonio Sanchez de Bustamante, of Cuba.
4. Henri Fromageot, of France.
5. Max Huber, of Switzerland.
6. Cecil Hurst, of Great Britain.
7. B. C. J. Loder, of the Netherlands.
8. D. G. Nyholm, of Denmark.
9. Yorozu Oda, of Japan.
10. Epitacio Da Silva Pessoa, of Brazil.

The deputy judges:

1. F. V. N. Beichmann, of Norway.
2. Demetre Negulesco, of Rumania.
3. Wang Chung-Hui, of China.
4. Milhailo Yovanovitch, of the Kingdom of the Serbs, Croats and Slovenes.

The registrar of the court is M. Ake Hammarskjold.

I do not read these names because they are curious or because I seek to invoke your prejudice, but the very sound of the names to your ears must indicate how utterly foreign this tribunal is to America and American institutions.

If a jury consisting of these men were to be empaneled, and you learned of their foreign residence, of the failure of most of them to understand our tongue, of their different environment and teachings, their outlook on life, and learned in addition that they had a direct prejudice growing out of the direct interest of their respective countries, which one of you would be willing to submit your property rights, your life, or liberty to such a tribunal?

Are you willing to submit to this prejudiced tribunal of foreigners any question affecting the life, the honor, or the interests of the United States?

To do so is contrary to all the teachings of the fathers, Washington, Adams, Monroe, Jackson, Lincoln, Cleveland, Roosevelt; these titanic characters have thundered the doctrine of nationalism, warned us against intrigues of foreign powers, and declared that America should steer her course across the seas of time independent of the interference of all other nations.

I can not overemphasize the importance of this question. It is being by steady, persistent, and insidious processes brought to the fore. Every indication is that within a few months' time, in some form, it will be presented to the Senate of the United States.

The latest scheme is to involve us in conferences. A conference is of no value unless it reaches a decision. A decision is of little value unless it is enforced. So that whether you call these meetings by the name of leagues or the name of courts or the name of conferences in all cases when we sit down with others to decide questions we are necessarily bound by the decisions.

I am astounded to find that men declare this problem to be a subordinate one. I affirm that it is the one overmastering question of the hour. However great may be our mistakes in domestic policies they are all amenable to domestic remedies. We have the power to retreat, to change, and to alter. No matter how grave the blunder may be it can be rectified within our own borders and our own instrumentalities. Not so with matters international. An international blunder once made can only be corrected by the consent of a foreign power or powers, or by force of arms.

Politicians running for office are telling the people that this question is of but little importance, and are refusing to discuss it and sometimes even refuse to declare their attitude.

Only a coward will dodge the issue. The man who will not declare his position prefers political pelf to principle. He would gain office by fraud. Fraud by concealment is frequently as corrupt as fraud by misrepresentation.

The question is so important that tariffs and trusts and farm relief and all others by comparison disappear.

We must be either on one side or the other side of the question. We can not be half in the league or half in the court or half in the conference and half out. In such a position we will be like a man stuck in the transom over a door and open to attack from both ends.

Either we should go into the league and seek to exercise such influence as is possible, or we should remain out of all organizations and pursue our independent course.

Shall the ship of the Republic sail the seas manned by a crew and officers of Americans who acknowledge no other sovereignty, who take orders from no other master; shall her flag upon the seven oceans proclaim the majesty and independence of this Nation, or shall that flag represent a State that has surrendered the independence it once possessed? Shall we take from its scabbard the sword of Washington and place the hilt of the sword in the hands of a foreign potentate?

We will either be sovereign or we will be subordinate.

So far as I am concerned, and I believe I speak the voice of the hearts of the American people, we will never be content to submit any question involving the honor, the dignity or the prosperity of the United States to any tribunal save that composed of the sons and daughters of the men who established our liberties upon the bloody fields of the revolution, and who have with glory and honor maintained our independence to this hour.

THE TARIFF—ADDRESS BY SENATOR BORAH, OF IDAHO

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have printed in the RECORD a résumé of a speech made by the senior Senator from Idaho [Mr. BORAH] at Martinsburg, W. Va., on April 11, touching the tariff.

The VICE PRESIDENT. Without objection, it is so ordered. The résumé is as follows:

We have just closed a year's consideration of a tariff bill. We are not yet at the end. We seem to be unwilling to admit it, but it is a fact that this struggle has brought to the front this supreme and menacing question, Can the American farmer live under the protective-tariff system as it is now administered? That is an ugly question, and we dislike to consider that it is with us. But it is here and will not soon depart.

My belief is that the farmer can exist under the present tariff system, but he can not live. We must bear in mind that the unoccupied and unfertile lands in the West are gone. The farmer can not do as he has done three times before in our history—leave his exhausted fields and move on to the cheap and free lands of the West. He must now fight it out on the old farm. He must fertilize and rebuild his old acreage. He must, while doing so, compete with new lands to the south and the cheapest labor in the world in other countries. He must sell in an open and generally falling market, and he must buy in a closed and generally rising market. Economic peonage under these circumstances is as inevitable as fate, unless the economic system built up for industry can be widened and extended to cover agriculture.

TARIFF PIONEERS SAW PERIL

The men who conceived and put into effect our protective-tariff system were wise enough and broad enough and just enough to see this situation as to agriculture. They unhesitatingly recognized it and announced the plan by which equality could be assured to agriculture. They knew that the farmer must sell in an open market to a very large extent, and they knew that he must pay the constantly increasing prices of a closed market. They propose to meet it by a bounty for the benefit of those who must sell in the open market. Any other scheme means economic injustice, the most subtle and destructive form of punishment which one class of people can impose upon another.

In the tariff bill now pending agriculture sought to make some progress and to relieve the injustice which it has long endured. We sought to do precisely what the great leaders of other days justified. We placed a debenture plan in the bill. The scheme now is to take it out of the bill. There is no difficulty about securing legislation for the farmer which will not increase the price of his products. But it is exceedingly difficult to secure legislation which benefits him by giving him an increased price for his labor.

This debenture contest will determine for a time at least whether those in power are willing to adjust our tariff system so that it will apply to all. Agriculture has asked to be placed upon an equality with industry in our revenue system. This is in accordance with the pledges made by both political parties in the last campaign. To take the debenture out of the bill would be to break the solemn pledges made by both parties to the effect that they would do everything in their power to restore equality to agriculture.

ALTERNATE PLAN OF RELIEF

They not only break the solemn pledge of the party but they disregard the no less solemn pledge of every free government that it will give to all the people just and equal laws and fair and equitable treatment. The most cruel and brutal tyranny which a government can impose is the tyranny of unfair taxation, of policies which discriminate in favor of a part of the people and against others.

When the word "debenture" is mentioned an agonizing note of alarm is given. The first cry is that it is unconstitutional. I do not think so. But it is not unconstitutional to reduce unconscionable rates. If the beneficiaries of the protective system can not reconcile themselves to a debenture for agriculture, there is another way by which we can do something toward restoring equality between industry and agriculture.

We can reduce some of the unconscionable rates which now enable industry to charge exorbitant prices for what the farmer has to buy. We have rates sufficiently high now behind which monopoly prices can be charged. Reduce those and the prices will be more reasonable; and

such a course would be, in my judgment, more helpful to agriculture than the debenture itself. That would be constitutional. I maintain that it is unconstitutional and un-American to maintain a system which discriminates against one class of American citizens and in favor of another.

PROTECTIVE RATES ARE BOUNTY

Another argument of the industrialists is that a debenture is a bonus, a bounty—and a bounty, we are told, is uneconomic, unsound, unworkable. What a remarkable charge for the beneficiaries of the protective tariff to make! I maintain that a protective tariff is a bounty. When the Government puts a rate upon a commodity higher than that which will bring the greatest amount of revenue, it foregoes the collection of that amount of money and turns it over to the beneficiaries in the way of increased prices which the American consumer has to pay.

The Government gives up the revenue in order to favor the industrialists and the amount given up, and generally much more, goes into the coffers of the beneficiaries and the American citizen digs it up when he buys the goods. A tariff above the point of the highest revenue-producing rate is a bounty paid by the American citizen. Alexander Hamilton, the founder of the protective system in this country, declared that there was no difference between the two kinds of bounties and that a system should be maintained covering both.

It will be said I am assailing the protective system. As it is now operated, I am. A system of taxation, a revenue system, which operates to the great advantage of one class and to the disadvantage of another is indefensible, it is monstrous. As Hamilton outlines the system, and other great leaders of those days maintained it, I think it worthy of our support. As it is being applied by the modern manipulators of purely selfish interests, I think it worthy of all condemnation. I can not but believe it will be changed. I do not think a system so partial and so unjust can long stand debate among the American people. But we shall know more about it when the debenture proposition shall have been determined.

NOMINATION OF JUDGE JOHN J. PARKER

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Baltimore Sun, of April 23, entitled "Consent Becomes Advice," relating to the nomination of Judge Parker to be justice of the Supreme Court of the United States, and also an editorial from the New York World, of April 23, entitled "The Senate and Judge Parker."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Sun (Baltimore), Wednesday morning, April 23, 1930]

CONSENT BECOMES ADVICE

It is announced that President Hoover intends to ignore the unfavorable vote of the Senate Judiciary Committee on the confirmation of Judge John J. Parker as a justice of the United States Supreme Court and carry the fight for his nominee to a finish on the floor of the Senate. After the enormous flexibility of spine the President has shown in his dealings with Congress, it is difficult to feel very sad about this development which, among other things, has the promise of being instructive to the public by bringing the elements in the Parker case into clearer view.

There is one aspect of this situation, however, that is somewhat perplexing. This is the interpretation which President Hoover places upon that clause of the Federal Constitution which bears directly on the situation. There it is stated that the President shall appoint justices of the United States Supreme Court "by and with the advice and consent" of the Senate. It is not made clear in the document just how the Senate is to perform its rôle as adviser beyond withholding or granting its consent to presidential appointments; and, as was pointed out in these columns a few days ago, the Senate, neglecting the constitutional responsibilities, has made no particular effort to find out.

In the Parker case, however, the Senate has taken a step which would seem to be properly classified as "advice" to the President. Its Judiciary Committee, specially constituted to give detailed study to such matters, has voted 10 to 6 against a favorable report on the confirmation of Judge Parker. And the vote does not follow party lines.

The President either does not construe this as Senate "advice" that he has made a mistake in the Parker appointment, or, if he does, he does not feel constrained to accept the advice offered. As a result of this interpretation of the Constitution the only way left for the Senate to advise about Supreme Court appointees is by withholding its consent. Unless the Senate has become singularly indifferent to its constitutional prerogatives and responsibilities, this treatment of advice and consent as synonymous should have an important bearing on the Senate's attitude not only toward the Parker appointment but other presidential appointments as well.

[From the New York World, April 23, 1930]

THE SENATE AND JUDGE PARKER

In certain quarters the Senate is bitterly denounced for its boldness in daring to question the nomination of Judge John J. Parker as a member of the Supreme Court of the United States. The impression which the Senate's critics seem to hold is that a nomination to the Supreme Court is a question far too exalted to be interfered with by a captious and politically minded body like the Senate. The country is being told, as it has been told before, that never has the Senate given a more disgraceful exhibition of itself, more plainly indicative of its willingness to play politics even with the Supreme Court itself, than it is now giving in the case of its opposition to Judge Parker.

We are unable to share this point of view. It seems to us, on the contrary, that the Senate had every right to question the nomination of Judge Parker and now has good reason to reject it. Since it is the duty of the Senate to vote on the question of nominations to the Supreme Court it is preposterous to suggest that it is no business of the Senate to investigate a question on which it is asked to vote intelligently. In Judge Parker's case the facts which have been brought to light are such as to justify the Senate in voting against his nomination.

For these facts show that Judge Parker's record of public service and the visible evidence of his personal ability are both so mediocre as to warrant the Senate in saying that this nomination is not good enough for the high office which he would fill. We pass over the point, which we believe to be a valid one, that the Senate has every right, if it so chooses, to ask the President to maintain on the Supreme Court Bench a balance between liberal and conservative opinion which would fairly reflect the division of opinion in the country as a whole and every right on this premise to object that the presence of Judge Parker on the bench would increase rather than lessen the top-heavily conservative bias of the Supreme Court as now constituted. We pass over the extraordinary comments which Judge Parker is said to have made on the question of the Negro in politics, though we have nowhere seen these comments authoritatively denied, and over the question of Judge Parker's action in the Red Jacket case, though we believe the tone of his comment in this case shows him to have accepted not reluctantly but sympathetically a reactionary principle repugnant to the whole union-labor movement. It is Judge Parker's total lack of a distinguished record of public service and the total lack of proof that he has any distinction as a jurist which seem to us above all else to justify the Senate in saying that his nomination does not measure up to the standards which the American public rightly expects to see attained in the nomination of a Supreme Court justice.

So far as we have been able to discover, no one has attempted to argue that Judge Parker possesses either a distinguished record or any abilities as a jurist which are above the ordinary. The strongest argument which has yet been made in his behalf by the administration is the argument that in the Red Jacket case he was compelled by a superior court ruling to render a decision which the administration is not willing to defend. More positive arguments are lacking. It would apparently be difficult to furnish them. There is no easily available record in the law journals, in the periodical press, or in the daily newspapers of any distinctive contribution made by Judge Parker to legal thought or any record of outstanding public service. His record seems to be the record of a personally upright but mediocre man who was at one time an assistant to Mr. Harry Daugherty in the Department of Justice, an agent of Mr. Daugherty in one of the least successful and least creditable cases which the Department of Justice handled at that time (the United States Harness Co. case), and an active worker at all times in the ranks of the Republican Party in North Carolina.

Believing that a southerner and particularly a citizen of North Carolina could properly and profitably be appointed to the court, Mr. Hoover seems to have turned to that State and to have chosen a faithful and industrious Republican politician for the place.

This is where politics entered the present case. The Senate's opposition now affirms its judgment that a record of faithful service in the ranks of the Republican Party is not sufficient qualification for a justice of the Supreme Court of the United States.

THE EIGHTEENTH AMENDMENT

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which appeared in the Outlook and Independent of February 12, 1930, entitled "Repeal the Eighteenth Amendment."

The VICE PRESIDENT. Without objection, it is so ordered. The editorial is as follows:

[From the Outlook and Independent, February 12, 1930]

REPEAL THE EIGHTEENTH AMENDMENT

The Metropolitan Life Insurance Co. has published the fact that the alcoholic death rate among their 19,000,000 policyholders has increased nearly 600 per cent in the last 10 years—double what it was in 1918, and approximately the same as in the years preceding. This removes the last doubt from the mind of any reasonable person that the time has come to move for the repeal of the eighteenth amendment.

From time to time we have said that the policy of the Outlook and Independent is not to offer panaceas but to inquire as intelligently as possible into the various aspects of our civilization—referring to social and political action such evils as are evident.

Well, then, here is an evil.

Basically the amendment violates the fundamental purpose of the Constitution. The Constitution is, or was until 1919, a frame and nothing but a frame of government; a rock of principles upon which a self-governing people could erect their changing structure of legislation. It delegated powers here, restricted them there. The intent of the men who wrote it was to protect the people not only from the Government but from the majority; thus the Constitution says that the majority shall not put the minority in jail without a legal trial nor force the minority to pay a disproportionate amount of taxes.

We have to say good-by to that interpretation of the Constitution if we continue to accept the principle and the precedent of the eighteenth amendment. So long as it is in force the minority must bow to the will of the majority—even when that majority becomes a minority; as it will, if there is any hope for democracy.

We favor repeal of the eighteenth amendment because its malignant influence has been demonstrated by the excesses that have followed its adoption; the violation of the right of the people to be safe in their persons and their homes, the approval of wire tapping by the Supreme Court of the United States, the sanction of extreme punishment for offenses that are not in their essence crimes, the poisoning of alcohol, the employment of criminals for enforcement work repugnant to decent men, the demoralization of our police, the enthronement of fanatics, the hypocrisy of our politicians, crime, graft, and the lessening of respect for all law. However noble the motive that inspired the amendment, the consequences are deplorable.

This journal favors its repeal because we see that, despite the harsh measures which have followed in its wake, actual national prohibition is still a will-o'-the-wisp. There is liquor for those who want it in every State in the Union. Those who deny this refuse to face plain facts. So long as we persist in chasing this ideal of perfection, the practical need for to-day and to-morrow—a legal method of controlling the manufacture, sale, and consumption of liquor—is impossible. The whole business is outside the law and in the hands of gunmen. Until this vital mistake is rectified genuine social progress is impossible.

We are aware, of course, that our purpose entails a long, hard, and bitter fight. We have no illusions on that score. But to say that it can not be achieved is to say that this country is no longer a Republic. Until it is achieved, genuine progress in handling the liquor question is impossible; for the simple reason that until repeal is at hand, constructive suggestions will remain in the realm of theory. Not until we completely abandon the prohibitory principle which is back of the eighteenth amendment, and turn to the principle of practical regulation can an effective plan be devised that will actually eliminate the speakeasy, that will control production and sale of liquor through licensed, commercial channels for home and licensed hotel and restaurant use; that will assure a practical national enactment giving local option to the States, and enlisting the support of society to the point where severe penalties for the individual's abuse of liquor can be enforced.

At the present moment the greatest need of the country is to realize that the public supporters of prohibition will not compromise, but will defeat all efforts to modify the present situation. To them any change in prohibition must be in the direction of more enforcement, with the resultant aggravation of the evils with which we are already afflicted. People, therefore, who desire any improvement in the situation are being deluded if they look for it from the Cannons and Wilsons. There is but one final answer. Let us repeal the eighteenth amendment.

VALIDATION OF PUBLIC-LAND ENTRIES

The PRESIDING OFFICER (Mr. BLEASE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3477) validating certain applications for and entries of public lands, and for other purposes, which was, on page 6, after line 7, to insert:

SEC. 11. That notwithstanding the provisions of any other law the Secretary of the Interior be, and he is hereby, authorized and directed to allow homestead application No. 014848, filed by Patrick J. Greaney, jr., on July 23, 1929, for the south half northeast quarter section 18, township 64 north, range 21 west, fourth principal meridian, in St. Louis County, Minn., subject to compliance with the requirements of the homestead law, and payment of all moneys due thereon.

SEC. 12. That the Secretary of the Interior be, and he is hereby, authorized and directed to convey by patent to Alma Laird 127.11 acres, said land being lots 5, 6, and 8, section 32, and lot 4, section 31, all being in township 2 south, range 17 west, Tallahassee meridian, according to Government survey of 1924, upon payment by said Alma Laird to the United States of $1.25 per acre within six months after passage of this act.

Mr. NYE. Mr. President, having conferred with members of the Public Lands Committee, I am prepared to move that the Senate concur in the House amendment.

The motion was agreed to.

RESTRICTION OF IMMIGRATION

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

Mr. SHORTRIDGE. Mr. President, some days ago I caused to be printed an amendment which I intended formally to offer to the pending bill. My duties calling me elsewhere, the Senator from Washington [Mr. DILL] was thoughtful and kind enough to offer the amendment for the consideration of the Senate. For the benefit of those Senators now present, I ask that the amendment which is now before us be read by the clerk.

The VICE PRESIDENT. Let the amendment be reported.

The CHIEF CLERK. On page 2, after line 19, insert the following:

That from and after July 1, 1930, migration of citizens of the Philippine Islands to continental United States shall be limited to students, visitors for business or pleasure, merchants, government officials, their families, attendants, servants, and employees.

For the issuance of permits to travel to continental United States, an official shall be designated as provided in paragraph (c) of section 28 of the immigration act of 1924, as amended.

This section shall be in force and effect for five years from and after the date of its approval and, if within that time the independence of the Philippines shall have been granted or by act of Congress definitely provided for, then this act shall continue in force indefinitely thereafter.

Mr. DILL. Mr. President——

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from California yield to the Senator from Washington?

Mr. SHORTRIDGE. I yield.

Mr. DILL. I should like to suggest to the Senator from California an amendment to the first paragraph of his amendment?

Mr. SHORTRIDGE. I yield for that purpose.

Mr. DILL. The first paragraph of the amendment of the Senator from California provides:

That from and after July 1, 1930, migration of citizens of the Philippine Islands to continental United States shall be limited to students, visitors for business or pleasure, merchants, government officials, their families, attendants, servants, and employees.

Then I should like to add the words:

And those citizens of the Philippines whose permits to travel to the continental United States have been approved by the Department of Labor in Washington under the rules and regulations of the Secretary of Labor.

Should that modification of the amendment of the Senator from California be agreed to, it would apply only to those who have permits to travel which have been approved by the Secretary of Labor.

Mr. SHORTRIDGE. It would apply only to those who have already been granted that privilege?

Mr. DILL. It would apply only to those who have already been granted that privilege.

Mr. SHORTRIDGE. And it would not extend the privilege to others?

Mr. DILL. It would apply only to those who now have permits which have already been approved.

Mr. SHORTRIDGE. Has the Senator considered the significance of his suggested modification of my amendment?

Mr. DILL. It seems to me it would be a mistake now to adopt an amendment which would result in deporting anybody who might come under this class.

Mr. SHORTRIDGE. If that be the scope and purpose of the suggested modification of my amendment, I accept it and it may be considered as a part of the amendment now to be considered.

Mr. DILL. I thank you, Senator.

Mr. SHORTRIDGE. Mr. President, it is not my purpose to detain the Senate long in presenting my views upon this question. I appreciate that Senators have many duties, and that they may be called from the Chamber. I shall not consider it a discourtesy if they are not able to remain and hear what I have to say. However, I hope they will be able and disposed to hear me in presenting my views concerning one phase of the larger immigration problem, a phase which I consider of prime importance.

I may hereafter repeat myself, but I wish to say at the very outset that the views I shall express are not the result of hostility toward any people on the earth, assuredly not in hostility toward the Philippine people. I wish them all liberty, independence, prosperity, and happiness, but I conceive it to be our duty to consider first the liberty, the independence, the prosperity, and the happiness of our own people.

What I am about to say relates to continental United States. I make no emotional appeal to the hearts of men; I address myself to the minds of men. I urge Senators to bear in mind

our form of Government, our level of life and living, our people in the city, on the farm, in the mines and shops and forests, on the railroads—the men and women, rich and poor, high and low, the citizens and potential citizens within continental United States. They and their welfare are first to be considered and guarded.

At the threshold of my remarks I wish to assure those gentlemen who are here in Washington from the far-away Philippines that what I am suggesting is not in hostility to them; that if this amendment shall be adopted, and shall become a part of the law of this land, it will not be injurious but beneficial to the Filipino people.

Mr. McKELLAR. Mr. President, will the Senator from California yield to me?

Mr. SHORTRIDGE. I yield.

Mr. McKELLAR. Why can we not merely give the Filipinos their independence and then impose any restrictions on immigration we like?

Mr. SHORTRIDGE. I purpose commenting on that suggestion. I favor giving them independence—and the sooner the better. But that question is not before us. I submit to those who now do me the honor to listen that the gravity of this problem, the immigration problem now before the Senate, can not be overstated. My amendment relates to one phase or branch of that problem. The pending bill relates to Mexico and all Central and South American countries. My amendment relates to Asiatic or oriental immigration, specifically to Philippine immigration or migration into continental United States.

There are less than 2,000,000,000 human beings on this earth, and practically one-half of them live over yonder across the Pacific in what we may term "the Orient." Speaking generally, we belong to the Caucasian branch of the human family. They of the Orient to another and different branch of the human family; and, for reasons which I need not go into, these two branches of the human family are not assimilable. They never have lived and they never will live in harmony on the same soil. It is not wise that there should be mongrel or hybrid races in our or other countries.

We must and should ever bear in mind, Mr. President, our form of government—a constitutional republic made up of 48 quasi-independent States devoted to the welfare of their citizens and a Federal Government charged with looking after the welfare of them all in respect of their interstate and international relations. If it were necessary to do so it would be easy to demonstrate the proposition that our form of government calls for citizens familiar with it, devoted to it, and capable of wisely guiding and maintaining it.

It follows that we should consider the personnel now here and the personnel now coming and to come into the United States. There are now one hundred and twenty odd million people in the United States. They are made up of different races. In that large number probably 10 per cent are of the Negro race; a considerable number are of the Chinese race; a large number are of the Japanese race. In addition we have a large number of a hybrid or mixed race, some of whom have come to us from Mexico and possibly from other countries farther to the south. We must deal with those who are legally here. We can not deny them their rights legally acquired. I would impress upon the Senate that we now have grave social and economic problems growing out of these mixed and different races already here in the United States. I would deal with them all justly, giving to everyone, whether he be white or black, copper or other colored, native or naturalized, his and her rights under the Constitution and the law.

I wish to impress upon the Senate and the country that it is our first and paramount duty to take care of, guard, protect, the rights of all who are now lawfully in the United States.

I am not thinking of to-day only; I am trying, as we should try, to look into the future. We are not making laws or fixing policies for you, Mr. President, or for me, or for the present generation only. We should look forward and consider those who shall come after us. It is my firm conviction—the result of some observation, the result of some study of history—that to preserve our form of government we must maintain our racial type, the dominant and controlling race within the United States, to guide and direct its destiny.

Mr. President, I do not wish to-day to indulge in rhetorical flourish; but I can not help adding that if we do guard our form of government by providing for the type of men and women necessary to guide it, then posterity will rise up and call us blessed; but if we close our eyes to dangers and suffer the wreck of our Government, then a disinherited posterity may well rise up and curse us.

I am sure that learned Senators grasp exactly what I have undertaken to state. I feel deeply on this question. I have studied this immigration question for over 40 years in California, and we of California and the West appreciate the vital importance of looking to the type of men and women who shall come to and become a part of the citizenship of the United States.

Those of you who are familiar with the speeches of Henry Winter Davis, of Maryland, that splendid and eloquent champion of liberty and union, will not have forgotten his great speech, delivered in Philadelphia during the unhappy conflict between the States, in which he said that unless we preserve this Republic by the valor and the sacrifice and the blood and the tears of our men and women and children, liberty, crownless and scepterless, will cry out to the nations in the language of Isaiah:

> I have nourished and brought up children, and they have rebelled against me.

Mr. President, it is our duty to guard the citizenship of the United States of America, and to guard it by seeing to it that those races not familiar with or devoted to our form of government shall not come here to interfere with the administering of that Government, shall not be here to cause racial conflicts and hostilities imperiling that Government. We want peace, we want harmony among our people. There can be no lasting peace, no permanent harmony among peoples essentially dissimilar, essentially different, nonassimilable; if not intentionally or presently antagonistic, they ultimately become antagonistic.

This amendment goes to this point, that we can now without dishonor, without violating treaty obligations, without doing injury to anyone, check this immigration and do a common good, a good to our own people and a good to the people in the Philippine Islands.

I see by the RECORD that the commissioners sent hither to speak for Philippine independence were moved to address a letter to the Senator from Connecticut [Mr. BINGHAM] in opposition to this amendment. If they are listening, or if they read what I say, I wish them to know, and I wish them to remember, that I am a friend of the Philippine people. If I had the power I would give them independence to-morrow. I would give them independence at this very hour. I propose to stand for that proposition. If these gentlemen were wise diplomats, if they were far-seeing commissioners, they would realize that my proposed amendment is not in opposition to ultimate independence but that its adoption will hasten the coming of that wished-for day.

I know that the great rank and file of the Philippine people are hoping, are praying, for independence. I join in that hope; I reverently join in that prayer, for their sake and for our own. If I were called upon to decide between the two peoples I would in duty favor our own—not that I love Cæsar less but Rome more. But I am convinced that adoption of this amendment would be beneficial to both the United States and the Philippines.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. GOLDSBOROUGH in the chair). Does the Senator from California yield to the Senator from Tennessee?

Mr. SHORTRIDGE. I yield to the Senator.

Mr. McKELLAR. Then, as I understand, the Senator, now answering the question that I put a while ago, would be willing to vote for Philippine independence?

Mr. SHORTRIDGE. I would, Mr. President.

Mr. McKELLAR. I agree with the Senator entirely about it.

Mr. SHORTRIDGE. In a few moments I intend to state what I once thought and what I now think on that question.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Michigan?

Mr. SHORTRIDGE. I yield.

Mr. VANDENBERG. The Senator has been pleading very eloquently for the maintenance of American principles. Of course I heartily concur in his appeal. This, however, is the thing which now immediately disturbs me: Are we maintaining an American principle if, while holding another race in involuntary subjection, we decline to give them equality under the flag? Will the Senator address himself to that subject?

Mr. SHORTRIDGE. I will do so, Mr. President. I have anticipated that question, and if I may say so I have pondered over whether thus limiting Philippine migration or immigration from the islands to continental United States would be violative of any of our fundamental principles or policies concerning which we all agree. I answer now, briefly, that I do not think we shall be violating any of such principles or policies.

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Alabama?

Mr. SHORTRIDGE. I yield.

Mr. BLACK. I should like to call the Senator's attention to the fact that this country down in Haiti, at the point of the

bayonet, compelled that government to adopt a new constitution. They had for 100 years provided that no foreigner should come in there and own land, and this great Government of ours went down there to change the constitution in order that Americans might own land in Haiti, and they changed it, not by a bona fide vote of the people but at the point of the bayonet.

Mr. SHORTRIDGE. Mr. President, I am not now presently concerned with the questions or the conduct or acts of our country mentioned by the Senator from Alabama. Upon another occasion, if the matter is before me, I may express my views on regard to what this Government has done in Haiti.

I believe in the right of a separate and set-apart people to work out their own destiny. I believe that the Philippine people should remain were God placed them and where history found them; and if they now think that they can better work out their destiny by and through their own representatives, by their own independent government, I would accord to them that right.

I repeat, therefore, that the amendment relates not to Haiti, not to Mexico, not to any of the Central or South American countries, not to any European country, but exclusively to the Philippines. It does not relate or seek to stop migration from the Philippines to Hawaii. There is an economic, racial question in Hawaii growing out of the presence there of Japanese, Filipinos, Chinese, and possibly other mixed races from the islands of the Pacific, which question may have to be dealt with, but we are now dealing with the Philippine group of islands, of which there are many thousands and in which there are, roughly speaking, over 10,000,000 people, and the migration of those people—with specific exceptions—to continental United States.

It is not in unkind criticism, it is not in any sense reflecting hostility, when I say that in these 10,000,000 people of the Philippine Islands we see humanity from a low up to a high degree of civilization. I take pleasure in saying that the Philippine people have developed great artists who have painted the morning sun on canvas until it is almost warm. They have developed great poets whose poems are sublime. They have developed great lawyers, trained in the civil law, which is the fundamental system of that country. They have developed great orators, some of whom I have heard. They have developed great men and superior women in many branches of the mental and the physical world. On the other hand, if you go down to the southern islands within sight of Borneo, you will find the people there in the lower levels of civilization. The Philippine people are made up of many tribes, representing many grades in the scale of what we are pleased to call civilization. And what I say to-day is in behalf of them all. The adoption of this amendment will hasten the coming of their day of independence.

This amendment permits students to come to the United States to our schools and colleges. It permits visitors for business, however extensive, and for pleasure. It permits merchants, great and small, to come and carry on their legitimate enterprises. It permits, of course, all governmental officials with their retinues.

Its purpose—its main and vital purpose—is to prevent the coming of what may be called the laborer class. That is the purpose of this amendment, and I say right here to the Commissioners from the Philippines that it is for their interest to keep that class, skilled and unskilled laborers, in the Philippines. Economically it is so, politically it is so, as they will see that it is so if they will but pause and consider the future of their country.

While I do not fear the hostility of anyone, I covet the love and the confidence of all men, and I want these commissioners to know that I am not speaking in hostility to them. As I view it, I am their friend and the friend of those for whom they speak. I scarcely need to weary the ears of those who hear me to add that this amendment was not inspired by hate; it was not born of un-Christian hostility to any people. There is no man on earth I hate, there is no nation I hate, and I know that the United States hates no nation. I know that the United States wishes all the nations of the earth peace and prosperity, and that which comes from peace and prosperity—the happiness of their people. That is what the United States wishes for the world, and that is what we are striving to give to the world by our example, and by whatever alliances or whatever arrangements we shall enter into with the world. The hope of my country is that there shall be peace on earth, not war; smiles, not tears; happiness, not sorrow.

Mr. President, if I thought for one moment that the stopping of the coming of laborers from the Philippines would cause economic loss to them or to us; if I thought it would check our or their industrial development; if I thought it would breed dissention between us and the Philippine people and prevent friendly and beneficial commercial relations, I would not stand here and urge the adoption of this amendment.

I think to-day and always of the United States as a nation. It is not because my ancestors came from the South that I have again and again here in the Senate said, "Show me an industry in South Carolina which needs assistance and I will help it if I can"; or "Show me an industry in North Carolina, where my grandfather was born, or in old Kentucky, where my ancestry lived and wrought and died, and I will help it if I can." No; it is not for those reasons that I have said these things; it is because I am an American, a Senator of the United States.

We now have race problems. Mr. President, it had been better if that Dutch trading vessel which brought the first slaves to Jamestown had sunk in the middle of the Atlantic. Far better had it been if no slave had ever been brought into the United States. The great tragedy would have been avoided. But our forefathers did not foresee.

We now have enough—too many—race questions in the United States. We have the Negro race question and the consequent problem of the two different races living on the same soil. We have the Chinese problem, on the Pacific coast, fast solving itself by the stopping of Chinese immigration. We have the Japanese problem on the Pacific coast, solving itself by the stopping of Japanese immigration. And now we have the Philippine problem, caused by Filipino laborers coming in large numbers into continental United States. Let us now prevent that problem from becoming more serious and more difficult of solution by stopping Philippine immigration.

I need not appeal to Senators to consider the past; but how much better would it have been if we had never had any one of these race problems, which have cost so much of blood, so many tears, so much sorrow—problems which remain with us to tax our patience, to vex our social relations, to disturb the domestic peace of our people. We owe a duty to the present and to the future, and that duty is to prevent the growth of another race problem in the United States.

The great negro population of the United States is not here, in a sense, voluntarily, their ancestors were not voluntary immigrants; but they are here and increasing in numbers. We must deal with the problem patiently, justly, in the interest of both races.

The Chinese now here came voluntarily, under then existing law. The Japanese now here came voluntarily under then existing law. The Filipinos are now coming under existing law. We stopped the coming of the Chinese, we stopped the coming of the Japanese, not because we hated them, not because we wanted to injure them, but because we thought that their coming was not a benefit to our country.

Remembering Bunker Hill and Joseph Warren, remembering John Adams and Samuel Adams, many of our countrymen felt that we of California and the West were violating American principles and policies when we sought to close the door of the Pacific to the coming of Chinese into the United States. But there was one great eastern statesman, the Plumed Knight of Maine, who championed our cause, and that is why the people of California, the people of all the Pacific States, not only sought to honor but loved James G. Blaine. He had vision to look forward and to point out in far better terms than I can employ that this Nation should not open its doors to the millions of Chinese who were striving to come into the United States—a race alien to our social system and form of government. If the Chinese exclusion bill had not been passed there would now be millions upon millions of Chinese in the United States. Does anyone think that would be desirable?

Is there any thoughtful man, is there any statesman, who now thinks that it was unwise to close our doors to the coming of the Chinese people? We did not, we do not, exclude them because of hostility to them in their own land, but out of regard for the social, economic, political interests of our own people. It is your duty, Mr. President, it is mine, to guard our own people even though by so doing we offend the sensibilities of other nations.

Mr. BLEASE. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from South Carolina?

Mr. SHORTRIDGE. I gladly yield.

Mr. BLEASE. I agree very heartily with the Senator from California on the immigration proposition. Of course he knows how I will vote on it on all occasions. But there is one question bothering me which I would like to ask him, because I know he is thoroughly familiar with it. How can we justify ourselves in keeping those people under our control and then saying that we will not let them come among us? So far as I am concerned, I would vote to-day to free the Philippine Islands. I think we made a mistake in ever having anything to do with them. I

want that understood at the beginning; but I do not see how we can apply to them the same rule that we apply to the Chinese. So far as I am concerned, I believe in keeping the doors shut against all immigration, in keeping them all out, no matter whether they are good or bad.

Mr. SHORTRIDGE. I appreciate the troubled mind of the Senator who wants to achieve what I wish to achieve, namely, the independence of those people, and the question is whether, awaiting that day, which I hope will come soon, we can or should stop their coming into the United States, whether we are justified in stopping their coming now or before we shall have granted them full and complete independence, when as a matter of course they will be excluded, as the Chinese and the Japanese are excluded.

Mr. BLEASE. In other words, if I understand the Senator from California, he wants to shut the gates now so that when we do give them their independence we will not have all of them over here. I will vote with the Senator on that proposal.

Mr. SHORTRIDGE. That is exactly the proposition. Let me remind Senators that the children of those people when born here are citizens of the United States and we can not deport them. That is another reason why we should act now. I would not allow thousands and hundreds of thousands, perhaps millions, of Filipinos, male and female, to come here, and reproduce children who would be citizens whereas their parents never can or could be naturalized and become citizens of the United States. Under existing law the Filipino may come here lawfully and if he so comes we can not deport or return him to his native land. He is here for all time, and we have introduced another race problem.

I repeat that we have enough race problems now in the United States; the Negro problem; the Chinese problem; the Japanese problem. These problems may be said to be economic and racial. It is the purpose of my amendment to prevent the growth of the Philippine problem, already causing racial friction and economic injury to our people. I would then speedily, not after indefinite delay, but at an early day, grant the Philippine people their complete independence, providing, of course, for the safeguarding of the present vested rights of American citizens. I assume that the Philippine Government to be erected would guarantee and provide for the protection of legally acquired rights.

Mr. BLEASE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from South Carolina?

Mr. SHORTRIDGE. I yield.

Mr. BLEASE. Is it not a fact we would not have a bill of that kind on our calendar if it were not for the idea which some Senators have had that such a measure might interfere with the naval conference in London, which I hope has now closed as reported in the newspapers?

Mr. SHORTRIDGE. I do not know whether there is any relation between these matters or not; but in any event may I say to the Senator from South Carolina that if we have a bill to that effect properly framed, I think we should bring it up. I think we should consider it. I think we should pass it. I think the House should consider and pass it, all to the end that we may honorably retire from the Philippines and let the Filipino people work out their own destiny.

Mr. BLEASE. I think my friend will find that it will not be long until a report will come from the committee along that line. I do not see why the committee feared that "DAVE" REED and "JOE" ROBINSON would get excited or worried over it. We might have had the immigration situation in a better position to-day to act upon if the committee had let us have their report to discuss. But I presume they were afraid somebody might think we were trying to hold the Philippines to fight somebody. However, I take the position that the United States can whip the world without the Philippines.

Mr. SHORTRIDGE. The United States has never been defeated.

Mr. BLEASE. And never will be, because God is for us.

Mr. BINGHAM. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Connecticut?

Mr. SHORTRIDGE. I yield to the Senator from Connecticut.

Mr. BINGHAM. Now that the London conference has closed and we see by the papers that our delegates have sailed for home, we may expect that within a few days they will arrive, and I trust that within a few days after arrival the Secretary of State, the Secretary of the Navy, and also the Secretary of War, at the invitation of the committee, will meet with the committee and express their views in regard to the various measures relating to Philippine independence and its possible effect upon our foreign relations and upon our national affairs. As soon as the committee has an opportunity to hear them, which appears likely to be within the next ten days or two weeks, the committee has agreed to act as promptly as possible thereafter so that the hope expressed by my good friend from South Carolina will be carried out in the near future.

May I take this opportunity, while the Senator from California has so kindly yielded, to express to him the hope that he will permit his proposal to go over until action may have been had upon that matter and permit his proposal to be referred to the Committee on Immigration, so that the commissioners of the Philippine Islands, who have written requesting a hearing, will have an opportunity to be heard by the committee.

Mr. SHORTRIDGE. Touching that matter, it may be remembered that some days ago I introduced a separate bill providing for exclusion. Upon the suggestion of experienced Senators I have offered the substance of the bill in the form of an amendment to the pending measure, because the Harris bill was before us. It was thought that it might appropriately be made a part of that bill. It was feared that there would be indefinite delay on the part of the committee in considering the bill which I had introduced. In any event I see no international complications, I see no relation between this simple proposal and the treaty which is being negotiated by our commissioners in London.

I sometimes think that we ought to have a little more of the spirit of Patrick Henry. It is not in arrogance, it is not in bravado, it is not in egotism that I say this, but we are a great people. We are not a warlike people. We are smitten with a love of peace. We covet no one's possessions. We meditate no attack upon any people on earth. We are not in darkness scheming invasion into the territory of any people of earth. We wish Europe peace and happiness. We wish the Orient peace and happiness. But we must not turn pale and tremble when somebody suggests that if we do something for our own Nation's good it may irritate or offend the sensibilities of some people. Our first duty is to the United States of America.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New York?

Mr. SHORTRIDGE. I yield for a question.

Mr. COPELAND. Am I to understand the Senator to express himself as being in favor of Filipino independence?

Mr. SHORTRIDGE. I have so expressed myself.

Mr. COPELAND. How would the Senator accomplish that object?

Mr. SHORTRIDGE. By an appropriate resolution or declaration, the phraseology of which I think can be easily drawn.

Mr. COPELAND. The Senator believes that Congress has the power to alienate sovereignty over the Philippines?

Mr. SHORTRIDGE. I do. I have read the book of Mr. Williams. I read his legal argument which was published in the Virginia Law Journal. Years ago, when our then Vice President was occupying the chair, I requested that the article of Mr. Williams be published in the RECORD. Mr. Williams takes the position that we have not the constitutional power to surrender our sovereignty over the Philippine Islands, and he makes a very persuasive argument. I did not commit myself to his position when I offered his article for publication in the RECORD. My recollection is that Mr. Williams holds that Congress, with presidential approval, can not surrender sovereignty over Alaska. We purchased Alaska from Russia. We purchased some territory from Mexico, under the Gadsden purchase. But the question raised by the Senator from New York is not now before us. I repeat that I see no difficulty whatever in our surrendering sovereignty over the Philippines.

Mr. COPELAND. Did we purchase the Philippines?

Mr. SHORTRIDGE. No, we did not, though we paid Spain $20,000,000.

Mr. COPELAND. For what?

Mr. SHORTRIDGE. For certain property there. It was really a gift. It was a generous gift of Uncle Sam to Spain for certain property which that Government had in the Philippines.

Mr. COPELAND. I hope the Senator will bear with me. That $20,000,000 was to reimburse Spain for money which she had expended in the Philippines and for which she had a claim upon the customs at the port there.

Mr. SHORTRIDGE. I grant that.

Mr. COPELAND. So we did not buy the Philippines.

Mr. SHORTRIDGE. That is true.

Mr. COPELAND. We gained the Pihilippines through war.

Mr. SHORTRIDGE. And through the treaty.

Mr. COPELAND. And concession from a defeated enemy.

Mr. SHORTRIDGE. That is true.

Mr. COPELAND. So our relationship to the Philippines is entirely different from our relationship to Alaska, which we purchased.

Mr. BLACK. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Alabama?

Mr. SHORTRIDGE. I yield.

Mr. BLACK. I do not want to interrupt the Senator's line of thought, but I should not wish the statement to go unchallenged on the floor that this country has ever acquired territory by war; that it has gone to war to acquire territory and to make people perpetually slaves.

Mr. COPELAND. I did not say that we had gone to war to acquire territory. I said that we had acquired the Philippine Islands as the result of a victorious war.

Mr. SHORTRIDGE. Here is how we acquired sovereignty over the Philippine Islands, as Senators will remember. I had these dates furnished me last evening; the facts everybody knows, but I wish here to have the dates before me. We acquired the Philippine Islands as the result of these great historic events: On February 15, 1898, the *Maine* was blown up in the harbor of Habana. On April 20, 1898, our then great President, McKinley, sent an ultimatum to Spain which was practically a declaration of war.

On April 24, 1898, the Navy Department sent telegrams to the commanders of the Navy announcing that war had begun, and, thank God, Admiral Dewey was over yonder in the Orient, and he, in a California-built battleship, sailed immediately for the harbor of Manila. On May 1, 1898, the Battle of Manila Bay was fought, and the Spanish Navy became a submarine navy—without ability to rise to the surface.

On December 10, 1898, the treaty with Spain, spoken of as the treaty of Paris, was signed in Paris by our commissioners and the commissioners of the Spanish Government. So we acquired sovereignty over the Philippines by virtue of that treaty, which was signed on the date I have mentioned—December 10, 1898—and thereafter ratified by the Senate. A part of that transaction was the paying to Spain of $20,000,000 referred to by the Senator from New York.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New York?

Mr. SHORTRIDGE. I yield.

Mr. COPELAND. I should not wish the RECORD to indicate that the payment to Spain was in return for property. The payment to Spain was to reimburse Spain for an issue of bonds put out for expenditures in the Philippine Islands and which were a lien upon the customs. So it seemed fair to our commissioners that that money, the benefit of which we would derive, should be given back to Spain. The expenditure of the money, however, had absolutely nothing to do with the acquisition of our sovereignty over the Philippines. That was by reason of the cession from Spain.

Mr. SHORTRIDGE. That may be so. In any event, leaving out that small item, we acquired sovereignty over the Philippines under and by virtue of the treaty with Spain.

Mr. BLACK. Mr. President——

Mr. SHORTRIDGE. Just a moment, if the Senator will pardon me, and then I shall yield.

For, observe that for 300 years Spain had exercised sovereignty over the Philippine Islands and during that long stretch of time the Filipino people, at different periods, had undertaken to throw off the yoke, as they termed it, to break the chain, as they thought it, of Spain. The history of that long period is one which excites the sympathy of anyone who reads it. They struggled; they fought; they died; and why? Even as our forefathers fought and died that they might throw off the English sovereignty, the yoke, the chain, call it what you will. I have a profound sympathy for the Philippine people because of the long but unsuccessful struggle they made for independence, for freedom, for liberty.

Mr. HAWES. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Missouri?

Mr. SHORTRIDGE. I yield.

Mr. HAWES. Will the Senator continue his historical statement about Dewey's entrance into the Harbor of Manila by following it up with the further statement that the Filipinos, under the leadership of Aguinaldo, drove all the Spaniards into Manila and kept them there, with the Filipino army in the rear and the American Navy in front? So, I think they did their "bit."

Mr. SHORTRIDGE. That is a very interesting allusion to well-known facts. Of course, we are all familiar with the part that Aguinaldo played in the struggle immediately following the Battle of Manila Bay. He did render the service suggested by the Senator from Missouri, and he is now living in peace; he is now an old man, and he is reconciled to the present conditions in the islands.

In any event, however, I will say to the Senator from Missouri, I would not have it thought Aguinaldo's efforts took from Admiral Dewey or from our sailor lads the great credit, backed by our country, of freeing the Filipinos. Aguinaldo would have failed; he did not have the strength to fight the Spanish. We did have the strength.

Mr. HAWES. The Senator from California is entirely correct.

The VICE PRESIDENT. Does the Senator from California further yield to the Senator from Missouri?

Mr. SHORTRIDGE. I yield.

Mr. HAWES. In nine great revolutionary efforts the Filipinos failed to secure their independence. It was only with our assistance that they did secure it. However, I should like to correct one statement of the Senator. Aguinaldo is advocating the independence and freedom of the Philippines at the present time.

Mr. SHORTRIDGE. If I conveyed another view, I did not intend to do so. I know Aguinaldo is in favor of Filipino independence, as am I.

Mr. BLACK. Mr. President, will the Senator yield there?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Alabama?

Mr. SHORTRIDGE. Yes; I yield to the Senator from Alabama.

Mr. BLACK. The point I want to make is this: I do not want to have the RECORD create the impression that anyone here believes that we acquired the Philippine Islands as the result of war, and therefore that we have forged the chains of slavery about the necks of the Filipinos. We went into the war with Spain, as we thought originally, to help the Cubans obtain freedom. Then, as the Senator says, we went over to the Philippine Islands and determined to help them secure freedom. They did not obtain freedom, as the Senator inadvertently said they did; they have not secured their freedom as yet; and personally I think we would be in a much better position to boast that this Nation covets no territory if we should act, instead of burying resolutions in committees and waiting until so late as to make it impossible during the present Congress to secure the passage of legislation by the Senate and the House granting to the Filipinos the freedom which we are supposed to have fought in order that they might obtain.

Mr. SHORTRIDGE. Mr. President, it is quite true that we went to war with Spain as the result, in a sense, of the blowing up of the Maine, and the accumulating troubles in Cuba which were interfering with us; but when Uncle Sam strikes he strikes wherever it is necessary in order to win victory. We knew that Spain had a navy in the Orient; Admiral Dewey was there, and hence the Battle of Manila Bay. Then followed, of course, as we know, the naval operations in Cuba under Admiral Schley and Admiral Sampson; we know all about that.

I wish the country to remember also that the reputation of former President Theodore Roosevelt as a military man rests largely upon the Battle of San Juan Hill; and I want the Nation gratefully to remember that on that occasion the colored troops carried the Stars and Stripes to victory on San Juan Hill. I wish my country to remember that the first blood shed in the Revolution was that of a colored man. I wish it to be remembered that the colored man fought and died abroad in the late World War as in other days he fought and died for the Nation that enslaved him. But notwithstanding his loyalty and patriotic services there remains the race problem that disturbs the peace and harmony of many communities. I would not add to the number of our race problems and hence this amendment which would stop Filipino immigration.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Massachusetts?

Mr. SHORTRIDGE. I do.

Mr. WALSH of Massachusetts. I assume that the able Senator is in favor of the independence of the Filipinos because of his belief in the principle that all people capable of enjoying self-government should be given self-government?

Mr. SHORTRIDGE. That is my position.

Mr. WALSH of Massachusetts. The Senator has observed recently an increase in the sentiment in America favoring independence for the Philippine Islands on another ground, namely, that independence would be an economic benefit to the United States?

Mr. SHORTRIDGE. Yes.

Mr. WALSH of Massachusetts. That was manifested during the debate on the sugar schedule of the tariff bill and is now being manifested by the presentation of the amendment which the able Senator has offered. Does the Senator appreciate that

we may be put in a somewhat discredited position before the world if we long delay granting the Philippines independence, in that the judgment of the world will be that our action was based upon the pressure of economic benefits to ourselves rather than a belief in the fundamental principle of self-government?

Mr. SHORTRIDGE. I think there is that danger, Senator, and I would not have it so.

Mr. WALSH of Massachusetts. I am inclined to agree to that. There is, however, another thought I wish to suggest to the Senator and as to which I should like to obtain his view. Does the Senator realize that we may delay so long granting independence to the Philippine Islands that there may be a change of sentiment among the Filipinos themselves and their economic condition may lead them to want to remain with us?

Mr. SHORTRIDGE. There is that danger.

Mr. WALSH of Massachusetts. And if we then force independence upon them, we will be put in the position of pretending to help an oppressed and subject people and after having served them as our wards for years throwing them overboard at the very time when we should not do it. Does the Senator agree with me that that possibility exists?

Mr. SHORTRIDGE. Yes or no would hardly answer the question, but I agree with the thought which the Senator expresses.

Mr. WALSH of Massachusetts. Therefore, the Senator agrees with me, I am sure, that we should give immediate thought and attention to the question of granting the Filipinos their independence, in order to settle the question and remove it from the misunderstandings and misrepresentations that are likely to arise throughout the world if we delay it any longer.

Mr. SHORTRIDGE. I answer unqualifiedly and without any mental reservation, that if I had the power I would give the Philippine Islands independence to-morrow; I would give them independence to-day; I would give them independence this very hour. All I would do, and what should be done, would be to see to it that the legally acquired rights of our citizens in the Philippines should be safeguarded; and I have no doubt whatever that the Philippine people, speaking through their constituted authorities, would give proper guaranties that our rights would be properly safeguarded. Give them independence and, with our blessing and best wishes, let them work out their own destiny.

Mr. WALSH of Massachusetts. I am very glad to hear the Senator say that.

Mr. SHORTRIDGE. That is my position.

Mr. COPELAND. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from New York?

Mr. SHORTRIDGE. With pleasure.

Mr. COPELAND. Has it occurred to the Senator that it is not only those American citizens who have vested rights in the Philippines because of ownership of property there, but that every citizen of the United States, by reason of the sovereignty which exists in the citizens, has a right in the Philippines? Relinquishing the Philippines is not so simple as the Senator suggests.

Mr. SHORTRIDGE. I see no insuperable objections or difficulties, Mr. President.

Mr. COPELAND. Sovereignty in our country is not in Congress. Sovereignty is in the people.

Mr. SHORTRIDGE. That is true.

Mr. COPELAND. And the sovereignty of the Philippines became fused with our sovereignty.

Mr. SHORTRIDGE. Yes; in a qualified sense, even as in the case of Alaska.

Mr. COPELAND. And we can not alienate the sovereignty of the Philippines without the consent of the people of the United States.

Mr. SHORTRIDGE. That gets back to the argument of Mr. Williams.

Mr. WALSH of Massachusetts. Mr. President, did we not take them over without the consent of the people of the United States?

Mr. COPELAND. That question proves nothing. We took them by reason of our treaty rights; but——

Mr. WALSH of Massachusetts. We took them by a treaty which was approved by Congress and not by the people.

Mr. COPELAND. That is true of treaties, yes; and under one condition the Congress can alienate the sovereignty of Long Island, for instance, in a victorious war, where we met a disaster in war. By treaty the Congress then could alienate the sovereignty of New York State; but in time of peace, in my opinion, it can not be done without the consent of the people.

Mr. SHORTRIDGE. If the Senator will pardon me, a moment ago the Senator from New York raised that question, and I replied that that question was discussed years ago by Mr. Williams, a very able lawyer, who expressed his views in an article published in the Virginia Law Journal. He takes the position that it is not competent for Congress to surrender sovereignty over territory acquired through treaty, as in the case of the Philippines. Let me say, out of respect for Mr. Williams, whom I know, and who is a very thoughtful lawyer, it is, if you please, a debatable question; but, personally, after studying the question, I see no difficulty whatever in surrendering our sovereignty over those islands, just as Great Britain, after our successful revolution, yielded sovereignty over the then colonies, now the United States of America. I do not, however, wish to pursue that purely academic question. It is not now before us; but, if the bill to grant independence to the Philippines comes on for hearing before the Senate, then of course it will be proper to discuss from a legal standpoint the question as to whether Congress can surrender sovereignty over and retire from the Philippine Islands, acquired as we know under and by virtue of the treaty of Paris entered into with Spain.

Mr. BINGHAM. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Connecticut?

Mr. SHORTRIDGE. I yield to the Senator.

Mr. BINGHAM. My good friend from California has expressed himself, as everyone knew he would, as desiring to be friendly to all peoples outside of the Caucasian race, of which the population of continental United States is principally composed.

Mr. SHORTRIDGE. Yes; friendly to all of them.

Mr. BINGHAM. Friendly to all of them; so I understood the Senator to say, and I expected it of him. The Senator is always courteous and always friendly to all people.

The Senator from California will remember that a few days ago the Resident Commissioners from the Philippine Islands addressed to the chairman of the Committee on Territories and Insular Affairs a letter which the Senator has before him in the RECORD, in which they asked to be heard by a Senate committee on this matter.

Out of courtesy to those commissioners—who are here without a vote in the Congress, but representing the interests of 12,000,000 people who are, in a way, our wards—it does seem to me that they should be heard by a committee of the Senate on this matter before we are asked to vote upon it; and again I appeal to the Senator, from his sense of fairness and his desire to be friendly and courteous to them, to permit this matter to be sent back to the Committee on Immigration, or any committee that he desires, in order to permit the Resident Commissioners from the Philippines to be heard on this matter.

While it is true that they have an opportunity to express themselves on the floor of the House, they have no opportunity to express themselves on the floor of the Senate. No Senator, so far as I know, has heard their views in regard to this matter, nor the reasons for those views, and I ask the Senator from California if, out of kindness of his heart and his desire to be friendly to our 12,000,000 wards, he will not permit this matter to be referred to the Committee on Immigration, or any other committee that he desires, to permit the commissioners to be heard, before we are asked to vote upon it.

Mr. SHORTRIDGE. What will become of the pending bill? Will the Harris bill be postponed?

Mr. BINGHAM. The Senator himself has introduced a bill along these lines, as he has told us.

Mr. SHORTRIDGE. I grant that I have.

Mr. BINGHAM. Therefore, that bill may be reported out by the committee in lieu of this amendment. It will not be necessary for this bill to be held up pending discussion on that bill. The Senator himself, as I recollect, originally introduced a bill, and not an amendment.

Mr. SHORTRIDGE. True.

Mr. BINGHAM. Therefore, I ask the Senator if he will not permit this matter to go to the committee in order that his bill may be there considered, and particularly, I may say, in order that we may not be discourteous to the representatives in Congress of the 12,000,000 wards that we have in the Philippine Islands.

Mr. BLEASE. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from South Carolina?

Mr. SHORTRIDGE. Let me answer the Senator from Connecticut first.

It is true that I introduced the bill referred to, which was referred to an appropriate committee. It was out of a fear that there would be no hearing on that bill, or that there would be in considering it indefinite delay, that it was suggested to

me by a brother Senator upon the other side of the Chamber that this amendment be offered to the pending Harris bill.

I have a very high regard for the Senator from Connecticut [Mr. BINGHAM]. I know that he has a jealous regard for the reputation of our country. I do not see wherein there is any discourtesy involved. I do not see why we should delay. We know the attitude of these gentlemen. I suggest again that the adoption of this amendment will hasten the coming of the day for which they are praying.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. I yield.

Mr. BINGHAM. The Senator realizes that in every one of the committees of which he is a member, whenever a Member of either house asks to be heard before the committee, the committee always grants the favor of a hearing. The committee never reports a bill out on the floor of the Senate until that Member of the House or that Member of the Senate who asked to be heard has been given an opportunity to appear before the committee. That is our invariable practice.

When the Senator introduced his bill, and had it referred to the committee, there was no objection whatever made; but when, at the suggestion of some one else, he proposed as an amendment to the pending bill the language of the bill which he introduced, the Senator will remember that the commissioners from the Philippine Islands requested an opportunity to be heard on that matter. It is impossible to hear them on the floor of the Senate. Therefore I trust the Senator will yield to the usual custom of permitting them to be heard in committee.

Mr. BLEASE. Mr. President, will the Senator permit me to ask the Senator from Connecticut a question?

The VICE PRESIDENT. Does the Senator from California yield for that purpose?

Mr. SHORTRIDGE. Yes.

Mr. BLEASE. Does the Senator from Connecticut think it is necessary to have a hearing before a committee to find out whether or not the Filipinos want to be freed?

Mr. BINGHAM. Mr. President, the Committee on Territories and Insular Affairs has granted long hearings, full hearings, to all those who desired to be heard in regard to Philippine independence.

Mr. BLEASE. What was the sentiment of the people of the Philippines that you heard from? Here is their big boss, sitting over here, and he says they want freedom, and he says all his people do. He is sitting right here on the floor.

Mr. BINGHAM. Yes. What I am suggesting to my friend from California, I will say to my friend from South Carolina, is that the same courtesy be extended to them to express the views of the people they represent in regard to this measure—a privilege which has not been accorded them.

Mr. BLEASE. He is right here now.

Mr. SHORTRIDGE. Mr. President, to end the matter, they can express their sentiments here. They can write to a Senator their views as elaborately as they choose, and these views can and will be made known to the Senate.

Mr. WALSH of Massachusetts. Mr. President, I will say to the Senator that such a letter has already been put in the RECORD—a letter of protest.

Mr. BINGHAM. Also, I will say to the Senator from Massachusetts, a letter requesting an opportunity to be heard.

Mr. WALSH of Massachusetts. That is true.

Mr. SHORTRIDGE. They can be heard in writing, which can be submitted here, and which Senators will read, and to which they will give proper, due consideration. These gentlemen are here and can voice their views for or against this amendment.

When the tariff bill was before the Finance Committee, one of their representatives appeared before us, and we heard him. I never heard a more eloquent speech in my life. I said then, "The spirit of Patrick Henry lives." In that speech on the tariff question their representative made his appeal for Philippine independence. I remarked to a brother Senator, "Patrick Henry is alive"; for his plea in favor of Philippine independence recalled the immortal words of our American patriot.

Mr. President, these Philippine representatives have been heard. We know their attitude; we know their views; and it is useless to waste more time in listening.

Mr. BINGHAM and Mr. DILL addressed the Chair.

The VICE PRESIDENT. Does the Senator from California yield; and to whom?

Mr. SHORTRIDGE. If the Senator from Connecticut will finish his questions, then I will yield to the Senator from Washington.

Mr. BINGHAM. Mr. President, the Senator knows that they have not been heard on his proposition before a committee of the Senate of the United States.

Mr. SHORTRIDGE. I grant that. They know what it is, however. What is the use to bandy words, Mr. President?

Mr. BINGHAM. Yes; but it is not our custom to say to Members of the House of Representatives, "You may write a letter, and we will print it in the RECORD."

Mr. SHORTRIDGE. I grant that.

Mr. BINGHAM. It is our custom to permit them to appear before our committees; and I am only asking to have extended to the Commissioners from the Philippine Islands the same courtesy that we invariably extend to Members of the other House.

Mr. SHORTRIDGE. Mr. President, the parliamentary situation is such that I can not, of course, yield to the suggestion.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Washington?

Mr. SHORTRIDGE. I yield to the Senator.

Mr. DILL. I wanted to make this suggestion: The same kind of a plea that the Senator from Connecticut is now making about this amendment he made when we had before us the proposal to vote on the Philippine independence question in the tariff bill; and we have waited for months and months, and one excuse after another has been presented here. We do not get a chance to vote on it, and we shall not get that bill out of committee until we are ready to adjourn, and then we shall have to go home and can not vote on it.

Mr. SHORTRIDGE. Now, if Senators will do me the courtesy to listen to me, I shall not weary them much longer.

I come back, however, to the proposition that as of a certain time we acquired sovereignty over these eleven or twelve hundred islands, inhabited by some eleven to twelve millions of people, made up of ascending grades of civilization, from the bolo man up to the poets, painters, lawyers, commissioners.

To return to 1898. As of that time I thought the Filipino people would welcome us as deliverers. They had told us that they had fought for 300 years for liberty, and I thought they would welcome us as deliverers. I thought we had broken the chain of bondage and set the captive free.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. In one moment. I then so thought; whether I think so now, gentlemen have discovered.

I thought then that we would be honored, glorified, and loved. I thought the Philippine people would forever rejoice to find shelter under the Stars and Stripes, the flag which proclaims liberty throughout the world, proclaims free lips, free hands, and a free press, proclaims equality of rights and opportunities for the white man and the black man, the rich man and the poor man. I thought then that they would welcome and honor and love us, and rejoice to find shelter under the blessed banner of this Republic, that they would never seek to be other than a part of this righteous Republic.

Mr. President, I so thought; but what has happened? We have been an unmixed blessing to the Philippine people. We gave and guaranteed to them the same rights that we enjoy—free lips, free hands, a free press, equality of opportunity and protection to life and individual liberty, the right to pursue happiness. I repeat that we have been an unmixed blessing to the Filipino people, and let no commissioner from those islands deny what I say, let no present or future writer ever distort history or misrepresent our action in the Philippines.

We have sent our school-teachers to those islands; we have sent our physicians to stamp out disease; we have sent our engineers to build roads; we have sent our men to do away with brigandage and to destroy what was claimed to be a form of slavery in those islands. We have lifted up the fallen and given security to life and the possession of property to every man and woman in those islands. That is the splendid record, and I do not wish any Philippine Commissioner or any Philippine editor to misrepresent that record or slander or libel this Government. There will be no American Senator who will question the truth that I have thus poorly expressed.

Yes, Uncle Sam has been a blessing to those people—broke the chain, took off the yoke and gave them as full individual freedom, individual liberty, as my friend from South Carolina [Mr. BLEASE] enjoys or I enjoy to-day. Who shall denounce Uncle Sam here in the Senate and we remain silent? What commissioner shall come hither and denounce the United States of America, and we sit silent?

I thought the Philippine people would be happy to be a part of this Republic, but perhaps I overlooked something which flamed in the heart of Patrick Henry. There is an inherent desire or aspiration of man, of a nation, to be absolutely independent of other peoples and other nations. They want to shape their own destiny. They want to grapple with their own problems, and solve them as best they may. I overlooked that inherent, ineradicable desire or aspiration in the heart of man

to be master of his own destiny. That desire or aspiration moved Cuba; that desire or aspiration moved your forefathers and mine in our Revolutionary days. Our fathers wanted to be free, and we became free. Cuba wanted to be free, and by our aid became free. The Philippines wanted to be free, and from what they said I thought we had freed them. But I now realize that they want to guide their own destiny, and I am willing now that they shall guide their own destiny. I am very sure that we shall be able to take care of the rights of our citizens in the Philippines or other islands of the Pacific.

Mr. President, we look out on the Pacific. I want to see its waters plowed and furrowed by the keels of peaceful vessels, never reddened with the blood of man.

I see the Hawaiian Group. I see our little island of Guam. I see the Philippine Islands, and I see the mighty and progressing nation of Japan. I do not think that Japan contemplates, meditates, any attack on us or on the Philippines, whether she has a navy of one or a million ships. In discussing Philippine independence I am not disturbed by the suggestion that Japan will seize those islands.

Japan has joined in the multilateral treaty of Paris, very poperly called the Kellogg pact; and just as we, as England, as sixty-odd nations of the earth, so Japan has solemnly abandoned war as an instrument of national policy. I do not for one moment think that Japan will violate that peace-designed, righteous treaty. I am very sure the United States of America will not violate it.

It is true, sir, that on another occasion I remarked that I thought it prudent to have a navy competent to defend ourselves should other signatory powers be willing to stand before the world and history condemned as infamous, by violating the Kellogg pact. I thought so then; I think so now.

Mr. President, I have said enough, perhaps too much, as to the unwisdom of permitting another disturbing race problem to develop in the United States. Courteous interruption of Senators had unduly extended remarks I set out to make.

I wish now to direct attention to the economic situation in California and other States caused by the coming and presence of Filipino laborers. The necessity for seasonal labor in California and the Southwestern States is fully recognized. The stopping of Philippine migration will in no sense prevent a wise solution of the seasonal labor question.

If seasonal labor—and I am glad to have the attention of the Senator from Wyoming [Mr. KENDRICK]—is necessary, and if it be wise for us to provide for seasonal labor under proper protecting provisions, that seasonal labor can be found in abundance nearer home. We do not have to look 6,000 miles across the Pacific to get that seasonal labor. It is in Mexico in overabundance.

Therefor I invite the attention of those who oppose this amendment on the ground that it will interfere with seasonal labor to a source of labor immediately to the south.

Mr. KENDRICK. Mr. President, I agree with the Senator that there is an abundance of that kind of labor, and I also believe just as strongly in the simple plan of returning that labor to its own country after it has been employed here temporarily.

Mr. SHORTRIDGE. I understand the position of the Senator; and let me remark, if this so-called seasonal labor comes from the Philippines, 6,000 miles away, does anybody think it will ever return to the Philippines? No; the laborers will be here to stay.

I do not now discuss the seasonal-labor problem. I merely remark and would emphasize that, if seasonal labor is necessary, there is an abundant supply of it right at our doors; and if it comes at all, it should come under provisions and regulations preventing its permanence here and scattering all over the United States. We do not need the Philippine laborer for seasonal or for any other reason.

Mr. KENDRICK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Wyoming?

Mr. SHORTRIDGE. I yield.

Mr. KENDRICK. I believe it is just as true to say that we do not need very much of a quota, either, from those countries bordering upon us. It would be better for us to reduce the quota to the minimum and then to have the opportunity of employing seasonal labor and returning that labor to its own country than to have too large a quota in the hope of taking care of it.

Mr. SHORTRIDGE. May I say to the Senator, repeating what I said a moment ago, that the danger is, that the so-called seasonal or temporarily resident labor is made up of men and women and they reproduce their kind. Children born here are citizens of the United States and can not be made to return to the land of their parents. They are here under the Constitution citizens of our country. That is a feature of the seasonal labor or temporarily resident labor that ought not to be lost sight of.

Mr. KENDRICK. Does the Senator believe that a child born in the United States while its parents are temporarily staying here would become a citizen of this country?

Mr. SHORTRIDGE. I do.

Mr. KENDRICK. When its parents are not even naturalized and not authorized to remain here longer than a brief time?

Mr. SHORTRIDGE. I do.

Mr. KENDRICK. By that same token, do children born to our representatives in foreign countries become citizens of those foreign countries?

Mr. SHORTRIDGE. That does not follow; but our Constitution provides in express terms that children born in the United States and subject to the jurisdiction thereof are citizens. I do not know what the laws of other nations may be.

Mr. KENDRICK. In the brief time those people will be permitted to stay in this country, during the time of their service here there would not be a very great increase in our citizenship from that source.

Mr. SHORTRIDGE. That may be, although there are very alarming figures on that subject which were submitted to the House committee which had under consideration this immigration problem.

I am not overlooking the agricultural interests of my State or of any other State in the West or Southwest in urging this matter. I do not wish to be misunderstood. If it shall be that seasonal labor is necessary and Congress shall provide for the supply, it is at hand right there at our door and we need not go 6,000 miles across the Pacific to get it. Therefore, I wish to emphasize that there is no present or future necessity for laborers from the Philippine Islands.

We have our problem, which is a social, which is a political, and which is an economic problem.

The gravity of the economic problem is manifest. All the laboring people of my State, for reasons easily understood and sound, are opposed to the further coming of Philippine laborers into continental United States.

If I were a Mussolini and had the power which is imputed to him, I would close the door of the Pacific and lock it to-day against the further coming of this type of Asiatic labor. And this I should do, not in anger or with hatred, but primarily for the economic benefit of our own people. Ultimately the exclusion of this type of laborers would be of equal, if not greater, benefit to the Philippines.

Whatever the Filipino commissioners may tell us, there are thoughtful Filipino gentlemen in this city who favor the stopping of the migration of Philippine laborers to the United States. They look forward hopefully to early independence, and they wish to develop their own country, economically and in every other way; and they think it would be good policy to keep their people at home.

I said a while ago that if we had not stopped Chinese immigration there would be millions of them in the United States to-day. If we had not stopped Japanese immigration, there would be millions of them here to-day. If we do not stop Philippine migration, there will be hundreds of thousands and millions of them here, because, even as in the old days all roads led to Rome, so now all roads by land or sea lead to America and all men who toil, who suffer, who labor hard are hoping to come to America. Whether it be from Czechoslovakia, or Poland, or Greece, or Italy, or other European or Asiatic country, they yearn to come to America. The Filipinos want to come and they are coming in rapidly increasing numbers. I do not want them to arrive. I want the door closed. Why delay?

Let us be frank and straightforward.

I am not obliged to meet this or that commissioner and beg his pardon for speaking a word on behalf of continental United States. I am not obliged to inquire whether his sensibilities are slightly irritated. I mean no offense. I speak out of regard for his country and my own.

Mr. BINGHAM. I hope the Senator in his constant reference to continental United States will remember that when we entered into an agreement with the then independent and proud little kingdom or, as it was in those days, the Republic of Hawaii, we met them as an equal in the family of nations, and in the treaty which we made with them, which although not actually ratified by the Senate was confirmed by the two Houses of Congress in a joint resolution of annexation, we gave them to believe and we gave them to understand, not only through the resolution but through the words of our official representatives, that we proposed to incorporate them into the United States as a Territory on exactly the same basis as were the then Territories of continental United States, all of which are now happily States.

Therefore to limit his remarks to continental United States and to imply that we are giving a different treatment to those American citizens residing on the continent of the United States than we accord American citizens residing in the present Territory of Hawaii is neither fair to them nor to the means by which they became a part of the United States.

Mr. SHORTRIDGE. I am very glad the Senator raised that point. I would gladly expand my resolution to include the Hawaiian Islands. I would gladly do it because my own feeling is that there are enough Filipinos in the Hawaiian Islands. But it was not deemed wise at this time to include them, although I would gladly do so. Moreover, I remember full well how we acquired sovereignty over the Hawaiian Islands. I do not forget that the Senator was born there, and, of course, can not be President of the United States——

Mr. BINGHAM. For which may God be praised!

Mr. SHORTRIDGE. That is an insuperable objection to his being President. When I first went to the Hawaiian Islands I said "Aloha!" After I had lived there a few days I said "Aloha nui!" When I departed it was "Aloha nui loa!"

Seriously speaking, this amendment relates to migration from the Philippines to continental United States. My first thought was to include Hawaii, but there are interests there with which I am not so familiar as I am with ours in California and other Western States; wherefore the form in which Senators find the bill I have introduced and this amendment.

Mr. BINGHAM. Mr. President, I am very glad the Senator from California has recognized the different conditions prevailing in Hawaii and the necessity for providing for what they need in the way of laborers from the Philippine Islands. What I was referring to was not so much the language of his amendment, with which in that regard I have no quarrel, but the fact that in his speech he so frequently referred to the interests of the continental United States, which I know will lead his friends and my friends in the Territory of Hawaii to feel, as they so often do, that without due regard for their feeling in the matter, they are being placed on the outside of the American sisterhood of States.

Mr. SHORTRIDGE. I would not have that impression go forth.

Mr. BINGHAM. I am sure the Senator would not, and that is why I called his attention to the matter.

Mr. SHORTRIDGE. I am very glad to disavow any intention to differentiate between the two to the disadvantage or the advantage of either. This amendment or this proposition deals with continental United States, and there may be reasons which would call for a somewhat different or a wholly different policy with respect to the Hawaiian Islands. Hence those islands are not included in this proposed legislation.

Mr. President, the people of California and of other Pacific coast and Western States realize the danger. They stand on the front line and give the alarm. In the very short time that has elapsed since it became known that this subject was coming up to-day I have received a great number of telegrams from California; many letters are arriving by every mail. I hold in my hand several of these letters which I ask may be incorporated in the RECORD.

The VICE PRESIDENT. Without objection it is so ordered.

The letters are as follows:

PASADENA, CALIF., *April 18, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senator, Washington, D. C.

MY DEAR SENATOR: I note by the morning paper that you plan a measure to exclude Filipino immigration to this country. I want to take this time to commend your action as being timely and needful. Nine out of 10 here in California are opposed to any more immigration from the Philippine Islands.

There has arisen a social question that is very vexing in the extreme. The writer had first-hand information a few evenings ago in leaving Los Angeles a little late. When I went to get my car out of a parking yard I observed several Filipino men with an American girl. They were just leaving the parking yard to go to one of those Filipino dance halls across the street. I gathered from the remarks made by several gentlemen in the parking yard, and also the gentleman with me at the time, that if you took a poll on this social question you would get 100 per cent opposition.

Most sincerely yours, C. W. KOINER.

BAKERSFIELD, CALIF., *April 17, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Washington, D. C.

DEAR SENATOR: I am very glad, indeed, to see you take a forward step in proposing a bill in the Senate to exclude the Filipinos. There is no question in my mind, from my experiences among them, that they are of the Mongolian race, irrespective of what others have proclaimed.

California and the west coast must be protected from the Asiatics, and I am certainly pleased to see you take this forward step.

A great deal of the unemployment of the United States is probably occasioned by the large influx of aliens. This probably could be rectified by barring out Europeans and Asiatic aliens for a certain number of years and allow access under certain restrictions to aliens to the north and south of us. In any event, I want to congratulate you in your effort to protect California for the white race.

Very sincerely yours,

F. E. SMITH, *County Clerk.*

Mr. SHORTRIDGE. Mr. President, I hold in my hand other letters and many telegrams from patriotic and thoughtful organizations and individuals urging the adoption of this amendment, and the passage of the bill I have introduced. I can not trespass on the attention of the Senate to read them; hence I ask that they may be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegrams and letters are as follows:

SAN DIEGO, CALIF., *April 25, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

We, the members of the International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers, of America Local 542, San Diego, Calif., indorse your amendment to the Harris bill 100 per cent.

Respectfully,

R. E. CRAIG, *Secretary.*

LOS ANGELES, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

Los Angeles Lodge, International Association of Machinists, of 900 members in regular session, indorses your amendment to Harris bill. We also ask you to support bill restricting Mexican immigration.

F. E. DUBY, *Recording Secretary.*

LONG BEACH, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

The Long Beach Central Labor Council voted in favor of your amendment to immigration bill excluding entrance of Filipino labor.

C. E. EDMONDS, *Secretary.*

SANTA BARBARA, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

Santa Barbara Typographical Union heartily indorses your amendment to the Harris bill. The influx of Filipinos is becoming a grave problem on the Pacific coast, relief is needly badly. Your amendment seems to be just and practicable and this union hopes you are successful in getting the amendment adopted.

SANTA BARBARA TYPOGRAPHICAL UNION,
CLAUDE C. HOPKINS, *President.*
C. W. DOWLER, *Secretary.*

STOCKTON, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Washington, D. C.:

Carpenters Local No. 266, of Stockton, are heartily in favor of your amendment to the Harris bill, dealing with migration of citizens of the Philippine Islands.

C. CASSIDY, *Recording Secretary.*

LOS ANGELES, CALIF., *April 23, 1930.*

SAMUEL M. SHORTRIDGE,
United States Senate:

Central Labor Council's attention called to Shortridge amendment to Harris immigration bill. In name of 40,000 workers and their families in this part of the Pacific coast, we urge its adoption, so as to prevent further immigration of Philippine laborers to this coast.

J. W. BUZZELL,
Secretary Central Labor Council.

PETALUMA, CALIF., *April 23, 1930.*

SAMUEL M. SHORTRIDGE,
United States Senate.

DEAR SENATOR: Organized labor unanimously indorses your amendment.

W. A. YEAMAN,
Secretary Petaluma Central Labor Council.

MARYSVILLE, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE:

Council hereby indorse your amendment Harris bill, limiting immigration Philippines here.

YUBA SUTTER BUILDING TRADES COUNCIL.

LOS ANGELES, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

We are with you in your efforts in putting over your amendment to the Harris bill, which provides that Philippine laborers be barred from continental United States. Our organization numbering several thousand mechanics in Los Angeles is hopeful for the passage of Harris bill with your amendment attached thereto.

I. W. ROBINSON,
Secretary Los Angeles County District Council of Carpenters.

MARYSVILLE, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE:

Indorsing your amendment Harris bill, limiting Philippine immigration here.

BUTCHERS' LOCAL No. 505.

NAPA, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Washington, D. C.:

The women of California are very much concerned about the Philippine situation and heartily approve of your amendment to exclude them from United States.

CLARA HESTER,
President United Garment Workers.

MARYSVILLE, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE:

Local indorses your amendment Harris bill limiting Philippine immigration here.

BARBERS' LOCAL No. 720.

SAN BERNARDINO, CALIF., *April 23, 1930.*

SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

We strongly favor your amendment to Harris bill.

SAN BERNARDINO CENTRAL LABOR COUNCIL,
J. E. HOOD, *President.*

SAN DIEGO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.:

Electrical Workers' Union heartily indorses your amendment to Harris bill banning Filipino laborers from United States.

RAY MATHEWSON, *Secretary.*

LOS ANGELES, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

The State Counsel of California Junior Order United American Mechanics heartily indorse your amendment to the Harris bill now before Congress. It is a vital necessity to the welfare of California.

JAMES C. DOORLEY, *State Counselor.*

BAKERSFIELD, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

Although the California oil industry employs American citizens almost exclusively, we do not care to be confronted with the prospect of Filipino-labor encroachment as have other California industries. The California oil workers therefore heartily indorse your proposed amendment to the Harris bill barring Filipino labor from entry.

E. B. DANIEL,
Secretary Oil Workers' Union No. 19.

MARYSVILLE, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE:

Council indorses your amendment Harris bill limiting Philippine immigration here.

CENTRAL LABOR COUNCIL.

SAN DIEGO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Senate Office Building, Washington, D. C.:

San Diego Central Labor Council heartily indorses your amendment to Harris bill banning Filipino laborers from United States.

E. H. DOWELL, *Secretary.*

MARYSVILLE, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE:

We indorse your amendment Harris bill limiting Philippine immigration here.

CULINARY WORKERS' LOCAL No. 715.

NAPA, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Washington, D. C.:

The women of California are very much concerned about the Philippine situation, and heartily approve of your amendment to exclude them from United States.

ELMA F. SMITH,
Vice President of the California State Federation of Labor.

SAN BERNARDINO, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

We heartily indorse your amendment to the Harris bill.

SAN BERNARDINO BUILDING TRADES COUNCIL.

LOS ANGELES, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

Los Angeles Local 83, International Brotherhood of Electrical Workers, strongly and unanimously indorse your amendment to Harris bill.

JAMES H. ROGERS, *Recording Secretary.*

SAN FRANCISCO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

California State Federation of Labor heartily commends and indorses your efforts to bar Filipino laborers from migrating to continental United States. Organized labor of California is a unit for such legislation and we feel certain overwhelming majority of Californians in other walks of life will approve your efforts.

CALIFORNIA STATE FEDERATION OF LABOR,
W. P. STANTON, *President,*
PAUL SCHRANBERG, *Secretary.*

BAKERSFIELD, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

Although the California oil industry employs American citizens almost exclusively we do not care to be confronted with the prospect of Filipino labor encroachment as have other California industries. The California oil workers, therefore, heartily indorse your proposed amendment to the Harris bill barring Filipino labor from entry.

E. B. DANIEL,
Secretary Oil Workers Union 19.

SACRAMENTO, CALIF., *April 23, 1930.*

SAMUEL M. SHORTRIDGE:

Machinist Union 33 indorses your amendment to Harris bill. We are in favor of barring Philippine laborers.

E. SCHWEITZER, *Secretary.*

BEVERLY HILLS, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

Branch 2293, National Association of Letter Carriers, indorses your amendment to Harris bill.

C. B. ENGH,
President National Association of Letter Carriers.

SAN BERNARDINO, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

This organization indorses your amendment to Harris bill.

LATHERS' LOCAL UNION No. 25.

SAN FRANCISCO, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:

This organization tenders the indorsement of your amendment to the Harris bill.

M. E. BUTLER, LOCAL 16, I. A. T. S. E.

SAN BERNARDINO, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

This organization favors the restriction of Philippine immigration.

SHEET METAL WORKERS' LOCAL UNION 692.

MARYSVILLE, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:

Laundry workers indorse your amendment Harris bill restricting Philippine immigration.

LAUNDRY WORKERS' LOCAL No. 247.

SAN BERNARDINO, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
We are in favor of your amendment to Harris bill.
PLUMBERS' LOCAL UNION 362.

SAN BERNARDINO, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
We are in favor of restricted Philippine immigration.
PLASTERERS' LOCAL UNION 73.

SAN BERNARDINO, CALIF., *April 24, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
This organization is in favor of your amendment to Harris bill.
CARPENTERS' LOCAL UNION 944.

LOS ANGELES, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
United States Senator from California,
Senate Building, Washington, D. C.:
All the labor organizations of this State vigorously indorse your amendment to Harris bill, not only the labor organization I represent, but parent-teachers' associations are very strong in their praise of such a move. In fact, every group I am in touch with, be it church, club, or on the street, have an aroused interest in your amendment and its successful passage into a law.
LAVANT V. CAUKIN.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
A. M. LAVELLE.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
WILLIAM CAUDILL.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
LEW ROBB.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
A. L. HANSEN.

SACRAMENTO, CALIF., *April 23, 1930.*

Senator SHORTRIDGE:
I favor the law barring Filipino laborers from the United States.
GRACE C. PALMERLEE.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
M. S. BURNS.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
J. C. COOK.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
United States Senate, Washington, D. C.:
I strongly favor your amendment to Harris bill.
P. H. KING.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
H. I. BUSCH.

SIERRA QUARRY, CARMEL-BY-THE-SEA,
April 19, 1930.

Senator SHORTRIDGE,
Washington, D. C.

DEAR SIR: I noticed in our local paper that you had presented a bill against immigration of the Filipinos into California or the United States, and I feel it my duty as a citizen to congratulate you upon presentation of such a bill.

I certainly trust that it will carry, as it is my privilege to be in a position to see at first hand the necessity of such a bill.

If this condition is allowed to go on it will develop into something much more serious and it will be harder to handle.

Sincerely yours,
H. E. ROGERS.

MARYSVILLE, CALIF., *April 24, 1930.*

Hon. SAMUEL M. SHORTRIDGE:
We heartily indorse your amendment to Harris bill.
BISHOP LANGENBACH POST, No. 948, VETERANS FOREIGN WARS.

SAN PEDRO, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
Your amendment to Harris bill has my indorsement.
MARTIAL B. AREY.

SANTA BARBARA, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Washington, D. C.:
The printers in the Morning Press chapel hope you are successful in getting your amendment to the Harris bill adopted.
A. B. LEWIS, *Chairman.*

LOS ANGELES, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
Senate Building:
Los Angeles Building Claims Council, with its membership of 25,000, indorse your amendment to the Harris bill on Philippine immigration.
COLLINS HARDIN, *Secretary.*

LOS ANGELES, CALIF., *April 24, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Washington, D. C.:
At the regular meeting of the William A. Butler Council, No. 32, held this evening we unanimously voted to indorse your amendment to the Harris bill. We believe the Philippine labor should be barred from United States.
WALTER H. S. JOHNSON,
State Vice Counselor.

SAN FRANCISCO, *April 22, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Senator from California, Washington, D. C.

DEAR SENATOR: Nelson A. Miles Camp, No. 10, Department California, with an approximate membership of sixteen hundred Spanish-American War veterans, wishes you to know that we appreciate and compliment you on your stand as regards the Filipino exclusion act. You may be assured that we are 100 per cent strong with you.

Yours in freedom, patriotism, and humanity,
NELSON A. MILES CAMP No. 10,
UNITED SPANISH WAR VETERANS,
THEO. MARTIN, *Adjutant.*

LONG BEACH, CALIF., *April 23, 1930.*

Hon. SAMUEL M. SHORTRIDGE,
Senator from California, United States Senate,
Washington, D. C.

DEAR MR. SHORTRIDGE: Your telegram relative to Harris bill received this morning. Press dispatches indicate that the bill had been acted upon before receipt of telegram. However, I have been instructed to say to you that the Typographical Union and all other organized-labor bodies in California are in full sympathy with the Harris bill and the amendment proposed by you.

Should occasion again occur requiring this approval, you will find us ready to respond.

Regretting that we did not have time to be of aid in this matter, I am
Sincerely yours,
C. G. HEURING,
Secretary Typographical Union, No. 655, Long Beach, Calif.



Mr. SHORTRIDGE. Mr. President, here is the case: From an economic standpoint, from a racial standpoint, from a political standpoint, these Philippine laborers are not needed in the United States. The great problem of unemployment confronts us. We are endeavoring to solve it. Let us not make its solution more difficult. Let us close the doors to this type of oriental labor. We have the rightful power to close the doors. In closing them we shall not be violating any express or implied promise or depriving the Filipino of any granted right or privilege. We shall not close them in hostility toward those distant people, for we wish them liberty, peace, and happiness, and we seek to serve them. I beg the gentlemen who are representing them here to know that fast upon the step I hope will now be taken I shall do all I can to speed the complete independence of the Philippine people. And when they are independent, may they enjoy all the blessings of liberty, safeguarded by just and equal laws.

Mr. BINGHAM. Mr. President, the Senator from California and I have been working for a great many months on the tariff bill, and his duties are continuing as a member of the conference committee. Our views in regard to a high protective tariff are practically identical. We both believe in that principle of the party to which we belong. I regret, in view of that fact and the fact that we so often agree upon other matters, to be obliged to disagree with him very strongly with regard to the pending amendment which he has offered.

In the first place, Mr. President, I wish very much that his original idea of introducing this matter as a separate bill, to be referred to the Immigration Committee and there considered, might have been allowed to go forward as he intended. He was asked to present it as an amendment to the pending bill, and, in his absence, it was offered by the distinguished junior Senator from Washington [Mr. DILL] and is now before us.

As I pointed out a few moments ago when the Senator from California graciously permitted me to interrupt him, the Resident Commissioners from the Philippine Islands—I will say to the Senator, not those who were sent here to consider and advise us with regard to the independence measure but the Resident Commissioners who have a right to the floor of the House of Representatives and the right to speak in the House and the right to the floor of the Senate but not the right to speak in the Senate—have expressed themselves in a brief letter, which I had printed in the RECORD, requesting the privilege of being heard by the Committee on Immigration with regard to the question involved in the amendment now pending. I am very sorry that the Senator from California declined to accept my suggestion that he permit his amendment to go to that committee and there be considered with the bill which he has introduced and which has been referred to that committee.

The Senator from Washington [Mr. DILL] injected in the debate an insinuation that I was merely interested in postponing this matter and that the postponement of the consideration of Philippine independence had been the result of various machinations in which I had engaged. I merely want to remind him at this time that the first postponement—a postponement of three or four weeks—was at the request of the Philippine Commissioners themselves in order to give the visiting commissioners, who were appointed by the Philippine Legislature for that purpose, an opportunity of appearing. Otherwise we could have held the hearings early in December; but at their request we postponed them until January.

For one reason or another, Mr. President—and here I am expressing the views of a great majority of the committee, in fact a unanimous vote of the committee—the matter has been postponed until now, but it will be considered within the next two or three weeks and will be reported to the Senate certainly within two or three weeks. There was no intention on my part to delay the matter or to delay giving the Senate an opportunity to consider the question of Philippine independence. However, I do not desire to go into that question at the present time, as I shall have remarks to make upon it at the time when the various measures shall be reported either adversely or favorably.

Mr. President, the history of colonization from the earliest times shows that often there has been a conflict between the mother country and the colonies. There was such a conflict in the days of Rome as there was in the days when the States of the American Union were colonies of England. The debates in Parliament at the time when the thirteen original States were English colonies contain references to the needs of England, but there were at that time no representatives from the American Colonies who could speak on the floor of Parliament and represent the wishes of the people of the colonies. Consequently, measures were passed to our disadvantage, and we were placed on a different basis from the mother country. The same thing has been true in the dealings of nearly all the European countries with their colonies, whether in America, in the Indies, in Africa, or in Asia. Wherever they may be, the powerful mother country is always more interested in looking after the primary interest of its own citizens than in looking after the interest of its wards.

Mr. President, under the forms of government which have been the pride of our race and of our ancestors for generations we have evolved a respect for trusteeship, a respect for guardianship, which is, I believe, involved in the case now before us, and which we have repeatedly refused to permit anyone to call in question. A trustee may not do with the funds and the property which are intrusted to him that which he is permitted to do with his own property or with the property of his children. By our laws he is required to give greater care to the property which is intrusted to him for others than to the property of his own family. A guardian may do with his own affairs as he pleases; but under our system of law he may not do with the affairs of his wards as he pleases, but must give them preferential treatment.

Mr. President, for better or for worse we annexed the Philippine Islands at the close of the war with Spain, and we undertook a responsibility to what are now something like eleven or twelve millions of people. We placed them under the American flag. We have been governing them. From time to time we have given them a large measure of self-government; and it has been our pride to see that they have attended schools taught by our teachers, schools taught by teachers who in turn learned from our teachers, and have been using to a greater or less extent, and more or less successfully, our institutions.

Over the Philippine Islands to-day our flag waves. They belong to us. We have not made the Filipinos American citizens; we have not given them the right to vote for President, or even the right to secure passports as American citizens; but they are our wards.

Mr. HAWES. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield to the Senator from Missouri.

Mr. HAWES. The Senator's remarks are so interesting that I should like to direct the Chair's attention to the absence of a quorum.

Mr. BINGHAM. Mr. President, I thank the Senator for his kindness; but I am sure that at this hour there are many Senators who are busily engaged in their own affairs who would prefer not to be disturbed. Therefore I decline to yield for that purpose, although I appreciate the kind thought back of the suggestion of my friend from Missouri.

As I was saying, the people of the Philippine Islands are our wards. It is possible, as my friend from Missouri believes, that they have grown up, and that they ought to be granted the full rights of adults, and that if they desire to be independent—as unquestionably they do—they should be granted their independence. At a later date I shall have something to say about this question, as to whether it is to the best interest of our wards to grant them independence at this time, or after the prolonged time provided for in the bills introduced by the Senator from Missouri [Mr. HAWES] and the Senator from New Mexico [Mr. CUTTING]. At the present time, however, they are our wards. There is no getting away from that. And they will continue to be our wards until we either make them American citizens and give them the full rights of American citizens in an organized Territory, or permit them to enter as a State of the Union, or else grant them their independence. Until that date comes it seems to me we are under the same obligations to them that a guardian is under with regard to his ward and his ward's property and his ward's actions.

Mr. SHORTRIDGE. Mr. President——

Mr. BINGHAM. Therefore, Mr. President, I hope very much that they may be permitted to come freely to the United States as long as the American flag floats over the Philippine Islands, and that what they may learn here of our institutions may help them in the future in perfecting their form of government, if and when they secure their independence.

I now yield to my friend from California.

Mr. SHORTRIDGE. Mr. President, I understand the Senator to say that the relation of guardian and ward exists. Admitting that, has not the guardian the right to say to the ward what shall be best for him to do? I am suggesting that we, the guardian, tell the ward to stay at home and not travel afar off; to stay over yonder, for if he comes here we, the guardian, shall never have the power to send him home.

That is all I am asking now—that we, the guardian, perform the duties of a guardian with a jealous regard for the welfare of the ward, and, as we would for a little lad who is disposed

to run wild, say to the ward, "Stay home, indoors, with your mamma."

Mr. BINGHAM. Mr. President, I realize that that is the view of the Senator from California; but I do not agree with him at all. What it seems to me he does is to say to the ward, "You are out there in a shed. You can not come into the house to play with the children here. This is for your own good." Is it because we do not trust the influence of our children upon him?

No, Mr. President; when we say to the ward, "Stay over there in your shed, and do not come into the house," we are not doing it for his good. We are not doing it so that he may not be contaminated by association with the good people of California. I myself have had the pleasure of living in California for many months at a time, and I believe that it will do the Filipino wards good to associate with the good people of California.

Mr. SHORTRIDGE. It will do us no good.

Mr. BINGHAM. That is a question of what it does to the children, and not what it does to the wards; and I am quite sure, from the sample of California that we have now before us, that it can do us no harm.

Mr. SHORTRIDGE. Of course, I am immune from any danger; but, pursuing that for a moment by the indulgence of the Senator, as I said again and again, it is not in hostility, and we are not doing them any specific harm; but we are saving California, or the ward, if you please, growing danger, racial troubles, labor troubles; and as between the two, if we had the power to decide it what should we do? I have respectfully submitted that we should have first regard for the labor, social, racial questions here at home.

Mr. BINGHAM. Yes, Mr. President. Now, the Senator has got back onto bedrock again. He admits that his bill is to protect the children, and is in the interest of the children, rather than in the interest of the ward; and I do not blame him for that argument. I find no fault with his taking that position; but that is a very different position from the one which he took a few moments ago when he said that we were saying to our wards, "For your own sake please stay at home."

Mr. SHORTRIDGE. I say it now. Pardon me; I do not want to violate the rules.

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Connecticut yield to the Senator from California?

Mr. BINGHAM. I do.

Mr. SHORTRIDGE. Do not misunderstand me. I say that keeping this class of labor in the Philippines, and preventing their coming here, will ultimately be beneficial to the Philippines. That is one proposition. My next proposition is that their coming here is injurious to us.

That is my position.

Mr. BINGHAM. Yes, Mr. President; I gathered that from the Senator's speech.

Mr. President, anyone who has had the opportunity to travel in the Philippine Islands or to spend any length of time with the representatives of the Philippine Islands will realize that they are an extremely courteous people. With them courtesy and good manners count as high as with any people in the world—sometimes higher than with some other nations of the world.

Mr. SHORTRIDGE. Mr. President——

Mr. BINGHAM. Anyone who has traveled in those islands and has lived there will appreciate the fact that these gentlemen in the Philippine Islands represent a very ancient civilization, the Malay civilization, and that we have something to learn from them as well as they have from us. The point that I am desirous of making at this time, however, is that it will be greatly for the benefit of the future Philippine Islands if her people be permitted to come here in order to see how our institutions work in order that they may see the difficulties under which we labor in government under our own institutions. I believe that what they will learn by residence in California and in the other States of the Union where they may desire to come will be all to the good of the Philippine Islands in the long run. In the first place, it will enable them to improve their economic condition; and I submit that it is the primary duty of a guardian to see that his wards are in a prosperous economic condition if it be possible. In the second place, it will permit them to form pleasant relationships with our people in this country in a manner which is likely to do them no harm, but a great deal of good.

In the present status of unemployment in this country it is very difficult for our people to see those of an alien race holding positions which we desire to hold and accepting emoluments less than those which our people are accustomed to receive.

I recognize frankly the economic position. It is, in fact, one of the most depressing aspects of the entire discussion in regard to Philippine independence that its present intensity should have been caused by those who desire to prevent Philippine sugar from coming into this country without paying duty, by those who desire to prevent coconut oil from the Philippine Islands from coming into this country without paying duty and thereby competing with oils produced in this country, and by those who desire to prevent the Filipino people from coming to this country to compete with our laboring men. In other words, the three classes of persons who are most active—I do not say all of those who are active, but the three classes who are most active—in appealing for Philippine independence have based their arguments on the economic basis, the basis of competition with American labor, whether it is producing sugar in the beet fields, or whether it is producing vegetable or animal oils in competition with coconut oil, or whether it is furnishing labor in the orchards and on the farms of our Western States.

Mr. HAWES. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. BINGHAM. I should first yield to the Senator from California [Mr. SHORTRIDGE], who endeavored to secure the floor a few moments ago. Then I shall be glad to yield to my friend from Missouri.

Mr. HAWES. Very well.

Mr. SHORTRIDGE. Mr. President, the Senator very properly alludes to the higher type, the educated, the cultivated, the cultured gentlemen and ladies of the Philippines. A moment ago I said that they had produced great painters, great poets, great engineers, great legislators. There is no doubt about that, but the population of the Philippine Islands, from the Sulus up to the Manila gentlemen, represent almost the whole gamut from barbarism up to a high Christian civilization.

We are not concerned here with the gentlemen to whom the Senator refers. I am concerned with the laboring class who enter into competition here with our own labor. Travelers, scholars, students, the type the Senator has in mind in speaking of their intelligence, may come freely, attend our colleges and our schools, go back to the Philippines, and educate their people. That is the situation, and I submit that it is not injuring the Philippine people, it is rather inviting their scholars, their students to come and learn our habits, if you please, acquire a touch of our civilization, and carry it back to their native land.

So I do not want to be misunderstood as saying that this is aimed at the whole Philippine people. Pardon me for interrupting the Senator.

Mr. BINGHAM. I now yield to the Senator from Missouri.

Mr. HAWES. Mr. President, the Senator was stating a selfish motive actuating different groups in this country who favor independence—that is to say, the farming group, the group of manufacturers, and union labor. Is it not equally fair to say that the opposition to independence came from persons with selfish motives also? That is based on the testimony before the Senator's committee.

When one organization trading with the Philippines admits that it has raised $17,000 to spend in opposition to independence, I think the Senator will agree with me that there are selfish interests on both sides of this problem, and not exclusively on one side.

Mr. BINGHAM. Mr. President, that is true; and in fairness to the Senator from Missouri it ought to be stated that throughout the hearings, in which he took a most active part, he himself repeatedly stated that he was in no way concerned with the economic basis of those who are asking for Philippine independence. There are others who take the opposite view with regard to independence, based on equally disinterested motives, as I am sure the Senator from Missouri will be the first to agree. Many Americans living in the Philippines who would not be seriously affected, perhaps, one way or the other, many who have lived there and are not now living there, and have not any economic interest there, believe that it would be a serious mistake to grant immediate independence to the Philippines. But that is not the question at the present time. When we get to that, as we shall probably do within the next two or three weeks, we can discuss that question.

Mr. President, what I desired to point out was that those in favor of this amendment are basing their position chiefly on the competition of laborers from the Philippine Islands with the laborers in their own States, and I respect their views and their position in that regard. But at the same time, as long as the Philippine Islands are under the American flag, it seems to me it would be a most serious mistake; it would be a return to a colonial policy which has been abandoned by many of the nations of the earth as being contrary to the best interests and ideals of their country, if we were to place any restraint on free travel and free passage of people back and forth between the countries under the American flag.

England, so far as I can remember, governs more millions of the members of foreign races than any other country in the world. Yet, so far as I am advised, England has placed no hindrance upon any one of those races coming to England.

That kind of policy, or the restriction laid on the colonies for the benefit of the mother country, was practiced by England in past times, and led her to lose the American colonies, now the United States. She was threatened with the loss of other colonies. She granted them a great measure of independence, as we now see in the case of South Africa, Canada, Australia, and New Zealand. She grants freedom of intercourse so far as Great Britain is concerned to any of the citizens or natives of those countries.

Mr. President, it would seem to me that we were committing a very grave error and going backward in colonial policy if we were to adopt this amendment.

I hope most sincerely that, for the sake of our friends in the Philippine Islands, who have admired our institutions and who have copied them in many ways, this amendment may be decisively defeated.

Before I take my seat I desire to call attention to a communication I have just received from the Chief of the Bureau of Insular Affairs, War Department, which, under our law, has the direction of Philippine matters, in regard to certain remarks made by the junior Senator from Washington [Mr. DILL] on April 22 regarding the Filipinos as a factor in connection with the existence of spinal meningitis in the United States. In fairness to the Senator from Washington I ask that this letter be read at the desk.

The VICE PRESIDENT. Without objection, the clerk will read.

The legislative clerk read the letter, as follows:

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, April 23, 1930.

HON. HIRAM BINGHAM,
Chairman Committee on Territories and Insular Affairs,
United States Senate, Washington, D. C.

MY DEAR SENATOR BINGHAM: My attention has been drawn to certain remarks made by Senator DILL on April 22 regarding Filipinos as a factor in connection with the existence of spinal meningitis in the United States. The remarks in question will be found on page 7425 of the CONGRESSIONAL RECORD of April 22, and were made in connection with an amendment submitted by Senator DILL in behalf of Senator SHORTRIDGE in connection with immigration legislation then under consideration by the Senate.

On April 1, 1929, in connection with certain allegations made at that time relative to the meningitis situation reported on the Pacific coast of the United States this bureau addressed a communication to the Surgeon General of the Public Health Service in this city and requested, in substance, that this bureau be advised "as to whether, if an acute meningitis situation now exists on our western coast, that situation is due, either exclusively or primarily, to immigration from the Philippine Islands." In response to that inquiry the Surgeon General of the Public Health Service, under date of April 2, 1929, furnished this bureau with a memorandum, a copy of which is herewith inclosed. Attention is particularly drawn to the following statements extracted from page 2 of that memorandum:

"* * * It is not altogether clear that immigration from the Philippines is the vector of this disease, * * *."

"* * * Briefly summarized, the situation is a complex one, with no single predominating or controlling causal factor." * * *

In the above connection this bureau on April 12, in a radiogram (No. 714) to the Governor General of the Philippine Islands included the following inquiry:

"Please advise fully as to examination, tests, or other official procedure to which a Filipino leaving Philippines for the United States or Hawaii is subjected. Is it the same for all irrespective of class of accommodations occupied on ship or purpose which individual has in view?"

On April 22 there was received in this bureau the following reply to the message just quoted:

"Your 714, same procedure applies to Filipinos as to other nationalities irrespective of accommodations. At present account occurrence cerebrospinal meningitis on vessels proceeding to United States all steerage passengers, regardless of nationality or race, are required to be examined as to whether they are meningitis carriers and are held under observation for 14 days prior to sailing."

It will be noted from the telegram last quoted that the procedure applicable in Manila involves an examination of all steerage passengers prior to embarkation to the United States with a view to ascertaining whether they are meningitis carriers and that such passengers are held under observation for 14 days prior to sailing.

There is also inclosed, as pertinent in this connection, a copy of a communication from the acting director of health of the Philippine Islands addressed, under date of September 7, 1929, to the undersecretary of public instruction, Manila, on the subject of cerebrospinal meningitis.

Very sincerely yours, F. LEJ. PARKER, *Chief of Bureau.*

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Washington?

Mr. BINGHAM. In just a moment. In connection with that letter there was a memorandum from the Treasury Department, signed by General Cumming, the Surgeon General, Bureau of Public Health Service, which covers this entire matter a little more in detail. I ask to have that read.

The VICE PRESIDENT. Without objection, the clerk will read.

The legislative clerk read the letter, as follows:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
April 2, 1929.

Memorandum for the Chief, Bureau of Insular Affairs, War Department, Washington, D. C.

In response to your memorandum dated April 1, 1929, I beg leave to make the following comment:

It is important to note that the medical examinations made by officers of the Public Health Service in connection with the arrival of maritime vessels from abroad are for two distinct purposes: Firstly, all vessels from foreign ports and persons arriving thereon (regardless of citizenship) are subjected to medical examination to ascertain whether they are likely to introduce into the United States any of the quarantinable diseases (viz, plague, yellow fever, cholera, typhus, and smallpox); secondly, medical examinations of aliens only are made for the information of the Immigration Service with respect to the presence of any of the diseases or physical defects certifiable under the immigration laws.

With particular reference to meningitis, this condition is certifiable when found in aliens, but this disease is not primarily included among the quarantinable diseases. When it is found on board an arriving vessel in the person of an alien, it is detainable under the immigration laws; when it is found on board in the person of nonaliens, it is not primarily detainable as a quarantinable disease, but is reportable to the local health authorities of the port of arrival as a case of communicable disease. In those instances in which the local health authorities do not possess facilities for the proper care and detention of such arriving cases, the Public Health Service may, upon the request of the local authorities, undertake the isolation and care of such cases of communicable diseases in order to prevent their introduction and spread in the United States. This latter exactly represents the present situation on the Pacific coast.

With respect to the examinations at ports of embarkation, the medical examination for immigration purposes is not made of Filipinos, as they are nonaliens under the immigration law. However, the ports in the Philippines under the quarantine laws have a status equivalent to that of a foreign port and the quarantine laws and regulations are applicable thereto. Accordingly, the Public Health Service is empowered to make suitable examinations of those intending embarkation, and advise such other measures as may be indicated. However, in a foreign port such advice is not binding upon the steamship concerned, except that failure to comply therewith will result in the issuance of a foul bill of health (bills of health are required under the quarantine laws and can not be avoided), upon presentation of which at port of arrival in the United States the vessel is then mandatorily subject to detention and such other quarantine treatment as may be indicated.

Some time ago, following the arrival of cases of meningitis among the oriental steerage at Pacific coast ports, the service instructed its representative in Manila appropriately with respect to measures to be taken to prevent the embarkation of cases of meningitis, and subsequently also its representatives at Hong Kong and Shanghai were so instructed, and through the State Department the cooperation of the Japanese Health Service was enlisted for the ports of Kobe and Yokohama.

In reply to your direct inquiry as to whether an acute meningitis situation now exists on the west coast, and whether exclusively or primarily due to immigration from the Philippines, the present situation at the Pacific coast ports affected (Seattle and San Francisco) is dangerous. Prior to the middle of December (when the assistance of the Public Health Service was requested by the local health authorities) it has been stated that there were many instances of local cases of meningitis traceable to infection imported from the Orient, but that since that time there have been no reported instances where the disease was contracted from persons released from quarantine. While all available facilities have been taxed nearly to their limit at Seattle, the facilities at San Francisco so far have been ample.

It is not altogether clear that immigration from the Philippines is the vector of this disease, as there have been reported only two cases there within the last six months. On the other hand, the disease has been endemic in Kwangtung Province, China, and recently was reported as reaching epidemic proportions, especially in Shanghai and Yangtze River ports. At this time it is impossible to definitely state whether the

infection is introduced on board at Manila or at one of the Chinese ports of call, as the evidence now available is conflicting in this regard. From a practical standpoint it is felt that the danger is not so much due to the character of the immigration as regards its origin as it is to the conditions under which the oriental immigrants are carried. While it would appear that the requirements of the archaic navigation law of 1882 are complied with by the carriers, nevertheless this permits conditions to obtain on board which are favorable to the spread of this type of communicable disease when once introduced on board.

Briefly summarized, the situation is a complex one with no single predominating or controlling causal factor. The measures inaugurated about four weeks ago in the Orient by the Public Health Service to meet the situation should now soon begin to influence the situations as manifested upon arriving vessels at Pacific coast ports and it is hoped that such measures as have been adopted will produce satisfactory results without resorting to more radical procedures.

The Public Health Service has also directly received an inquiry from Representative JOHNSON relative to this same matter and similar information and comment is being forwarded to Mr. JOHNSON.

H. S. CUMMING, *Surgeon General.*

Mr. BINGHAM. Mr. President, I appreciate the fact that the question of communicable disease is a matter with which the Public Health Service should deal. As has been pointed out in the communication just read from General Cumming there was an epidemic in Shanghai, there were a great many cases in Hong Kong, and in southern China there was a severe epidemic last year. It is not surprising that that disease should have spread to the Pacific coast by means of ships coming from the Far East. But this is a matter that should be handled by the Public Health Service.

In fairness to the Philippine Islands I should like to have printed in the RECORD at this point a communication from Dr. E. D. Aguilar, acting director of health, addressed to the honorable the undersecretary of public instruction, Manila, which deals with the subject of cerebrospinal meningitis, and points out the fact that it has never been epidemic in the Philippine Islands during the last few years. I shall not ask to have it read but to have it printed in the RECORD in full.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

PHILIPPINE HEALTH SERVICE,
Manila.

(Second indorsement, September 7, 1929)

To: The honorable the undersecretary of public instruction, Manila.
Subject: Cerebrospinal meningitis.

1. Respectfully returned with the following information:

(a) There is no doubt that cerebrospinal meningitis (meningococcus) is a contagious and infectious disease. Our medical and scientific people do not doubt about this. It was published and read in the papers that the Philippines are to be blamed for the meningitis infection occurring in several western ports of the United States. It is to be said that there has not been reported in the Philippines any epidemic of meningitis during the last few years. The only epidemic so far recorded recently was of a local character; occurred in the Boys' Reformatory at San Juan del Monte under the public welfare commissioner in 1925. At the same time several sporadic cases (not epidemic) have occurred in the city of Manila. No official record of any epidemic has ever been reported to have occurred in the Provinces. During 1929, from January 1 to August 31, only 13 cases have been reported in the city, with 9 deaths; 7 of these cases occurred among permanent residents and 6 among transient residents in the city, including 2 foreign cases; 1 American arrived in Manila from Shanghai on board steamship *President Monroe* and another American also, a soldier of the Thirty-first Infantry. In the Provinces, from January 1 to July 31, there were 36 cases, with 17 deaths. The cases in the Provinces have had no confirmatory laboratory examinations.

In the monthly epidemiological report of the health section of the secretariat of the League of Nations corresponding to April 15, 1929, the following paragraph is transcribed: "There was a marked increase on the Pacific coast in the States of California and Washington. At San Francisco there were numerous cases among Filipinos and several ships arrived from Manila infected with cerebrospinal meningitis. Between November 28 and December 13, 1928, four ships arrived with 9 cases; in January, one ship with 3 cases, and in March, two ships with 35 cases, of which 12 died at sea." The fact, however, is that from 1925 to 1928 but very few deaths from cerebrospinal meningitis (meningococcus) were registered in the whole Philippine Islands, as follows:

Years	Manila [1]	Provinces	Total
1925	19	7	26
1926	14	9	23
1927	8	4	12
1928	7	7	14

[1] Includes cases among transient residents in the city.

This table shows that the disease has never been epidemic during the last years. On the other hand, the same reference gives the following cases of meningitis for 43 States in the United States of America: 1925, 1,519 cases; 1926, 1,921 cases; 1927, 2,816 cases; and 1928, 5,293 cases. During the first quarter of 1929 alone 3,350 cases were reported in the whole country, against 1,328 and 764 cases, respectively, during the corresponding periods of the two previous years.

Cerebrospinal meningitis was also prevalent in Chinese ports during the first and second quarters of 1929. The epidemic was most severe at Shanghai, where it appeared late in March and continued up to August. Several deaths occurred in Canton and Tientsin, and up to April 27, 13 cases were reported at Hong Kong.

(b) In connection with the control of these cases a campaign for the detection of carriers of meningococcus not only among contacts of cases but also among healthy persons asking passports for Hawaii or the United States were performed, with the result that out of 10,758 specimens examined only 0.92 per cent were found positive for meningococcus. It is to be considered that in this total of positives many were included who are merely suspect carriers, as the laboratory examinations showed some gram negative microorganisms without confirmatory tests. The number, therefore, of positive carriers could be still more reduced if the suspect ones will be excluded.

(c) As to the precautions taken by the health service and by the quarantine office with regard to Philippine immigrants before leaving Manila, it is informed that immigrants are not permitted to leave the Philippines unless they are examined for meningococcus. Those found positive or those even mere suspects by laboratory examinations are not permitted to leave the islands, and they are isolated at San Lazaro Hospital and not released until after several negative examinations for meningococcus.

2. The attached regulations affecting immigration of Filipino laborers to the United States have been published in Manila newspapers and a copy also received in this office from the quarantine service. We are therefore aware of the contents of the same. No comment on this regulation is given, as it is believed that it is just, proper, and justified for any country to issue such regulations to protect their community from any foreign infection. It is desired, however, to say that the infection did not, in our opinion, come from the Philippines. The possibility of Filipino immgrants going to the States contracting the infection in China ports or any other ports of the Orient and developing the disease on board the steamship crossing the Pacific, favored by conditions had during the trip, must be taken into consideration. It should not be lost sight of that many cases of meningitis were occurring in the States during 1927 and 1928.

E. D. AGUILAR,
Acting Director of Health.

Mr. DILL. Mr. President, I understood the Senator to say that the letter he had read at the desk is clear proof that spinal meningitis is not being brought in by Filipinos?

Mr. BINGHAM. No; I did not state that. I was about to state, when the Senator interrupted me, that I do not believe that this is a matter which concerns our immigration laws so closely as it concerns the Public Health Service. Our ships call at many ports where there are cases of yellow fever and leprosy and smallpox as well as of meningitis, and it is the duty of the Public Health Service to protect our ports against contamination. So far as the evidence goes, which I have been able to secure from the War Department, the cases which were brought in did not originate in the Philippine Islands.

However the case may be, it is the fact at present that all immigrants from the Philippine Islands desiring transportation to the United States are given a severe, searching inspection, and if it is shown that they carry germs in any way they are placed in quarantine. Therefore I believe the Public Health Service is doing just as much as could possibly be done to protect us against contagion as though the Philippine Islands were a foreign country.

Mr. DILL. The Senator will recognize that the letter of the Surgeon General, which he had read at the desk, stated that one of the reasons why they find it so difficult to handle the situation is that these people are not aliens and are not under the same restrictions that aliens are, so they have been forced to work out a system of control that will protect us. If these people were aliens they could be handled upon a different basis than that upon which they are handled now.

Mr. BINGHAM. Of course, the bill now before us does not make aliens of the Filipinos. They are still wards of the United States. The bill in which the Senator is interested is a bill which we will probably be discussing within two or three weeks, to grant the Philippines their independence and make the Filipinos aliens. Under that bill there could be no immigration from the Philippine Islands to the United States at all. There would be no quota because they are Asiatic, and to the Asiatic nations we grant no quota at all. But I hope the Senator will not inject the question of communicable disease into a discussion of whether or not we are preventing the people from one

part of the world, which is under the American flag, from traveling freely to another part of the world, which is likewise under the American flag, which is now the question before us.

Mr. DILL. I wish to say to the Senator that I think it is very important to be considered in this connection.

The VICE PRESIDENT laid before the Senate the following telegram and ordered it to be printed in the RECORD:

NEW YORK, N. Y., *April 23, 1930.*

Hon. CHARLES CURTIS,

Vice President United States, Washington, D. C.:

Before permitting national-origins provision to be recklessly repealed by Senate, suggest that a score of population experts be heard on this subject. I can assure you that great majority of population experts approve national origins.

GUY IRVING BURCH,
Executive Secretary Population Reference Bureau.

Mr. DILL. Mr. President, I shall not enter into any discussion on the subject of spinal meningitis other than to say that statements read at the desk at the request of the Senator from Connecticut [Mr. BINGHAM] clearly show that this trouble has taxed the facilities at Seattle to such an extent that officials of the department admit they are scarcely able to handle it there and refer to the fact that they are able to handle it at San Francisco.

The charge about bringing spinal meningitis to this country is a result of the steerage passengers who to a large extent constitute the Filipino laborers who come here, and it is to prevent such laborers coming here that the amendment which the Senator from California [Mr. SHORTRIDGE] has presented is intended.

It happened that this morning I received in the mail a letter from Seattle, Wash., written on April 18, which I think contains a very clear statement of the situation at that port. The letter is from L. O. Raasch, who lives in Seattle. He said:

Let me call your attention to the vital need for stopping the immigration of Filipinos to the Pacific coast.

Every "President" liner coming to Seattle now is loaded down with from 200 to 350 of these people, plus the germs of epidemic meningitis.

There is no worse problem which can confront a nation than a race problem, and there are already enough of these Filipinos here to show what is rapidly taking place. Witness the Yakima outbreak and the California riots. A race problem is no reflection upon whites or browns—it is inevitable where races are mixed. One can theorize about legal and constitutional rights and all that, but the important thing is to prevent race problems and race discriminations.

I would call your attention to the fact that the Canadian "Empress" boats are also bringing them in for transshipment to the United States. Without doubt many are filtering in on other boats as well.

There is no more vital or pressing problem upon which action should be taken. Beside it, lumber tariffs, sugar tariffs, and the rest of current legislation pales into insignificance, important as they may be.

I have here a large number of letters, but I shall not ask to have them printed in the RECORD. I have also certain resolutions adopted by the Seattle City Council. The resolutions were passed only after the most careful consideration. I submit that the City Council of Seattle is not acting under any special influence or prejudice nor is it controlled by any mere excitement of the hour. The resolutions read as follows:

Resolution 10042

Be it resolved by the City Council of the City of Seattle, That the following memorial be addressed to the President of the United States and the Congress thereof:

"*To the President and Congress of the United States:*

"The City Council of the City of Seattle, State of Washington, respectfully invites your attention to the recent arrival at this port of several vessels bringing passengers from the Philippine Islands, among whom were a considerable number who were afflicted with spinal meningitis, tuberculosis, and other communicable diseases.

"The city of Seattle expects to do its part in protecting its citizens and the country at large from this disease, but it is believed here that the situation is so serious as to deserve the attention of the National Government, and this body respectfully urges that either by statute or by administrative order such regulations be put in effect as will reduce, as far as possible, the danger from this source to this city and to the Nation.

"Your petitioners furthermore regard the present occasion as an opportune one for directing attention to the desirability of restricting immigration of Filipinos to continental United States. Such immigration is undoubtedly encouraged by those who seek to profit thereby, and is attaining such proportions as to call for restriction. The Filipinos do not perform any service in this country which can not be performed better by Americans and their effect on American life is not beneficial from a moral point of view. Their arrival in large numbers is introducing an element of population which is undesirable and which eventually is certain to create friction.

"We therefore urge that the immigration laws be so amended or that such regulations be put in effect as will limit, if not completely terminate, the immigration of natives of the Philippines to this country for purposes of permanent residence; be it further

"*Resolved,* That the city comptroller and ex officio city clerk be, and is, directed to forthwith forward a certified copy of this resolution to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the Congress, and to each Senator and Member of the House of Representatives from this State."

Passed the city council the 15th day of April, 1929, and signed by me in open session in authentication of its passage this 15th day of April, 1929.

JOHN E. CARROLL,
President of the City Council.

Filed the 15th day of April, 1929.

H. W. CARROLL,
City Comptroller and Ex Officio City Clerk.

STATE OF WASHINGTON,

County of King, the City of Seattle, ss:

I, H. W. Carroll, city comptroller and ex officio city clerk of the city of Seattle, do hereby certify that the within and foregoing is a true and correct copy of Resolution 10042 of the City Council of the City of Seattle as the same appears on file and of record in my office.

In testimony whereof I have hereunto set my hand and affixed hereto the official seal of the city of Seattle this 16th day of April, 1929.

[SEAL.] H. W. CARROLL,
City Comptroller and Ex Officio City Clerk of the City of Seattle.
By R. G. GAUANT,
Chief Deputy.

I have read the resolutions because they state in a very clear and, I think, very effective manner the problem which is confronting not only the city of Seattle but the other cities which are ports on the Pacific coast.

As I said yesterday, Filipino labor is oriental labor. We are protected in this country against other kinds of oriental labor, and simply because we are delaying the granting of freedom to the Philippine Islands which we promised to give them is no reason why in the meantime this kind of oriental labor should be permitted to pour through our gates and undermine the character of the life of many of our people.

I have a number of letters from all sections of the State where lumber is being cut in large quantities. We find that the Filipinos go into the lumber camps and work for wages upon which a white man can not live, and that because of the cheap labor the whole standard of living is being forced down, which is especially bad in this time of unemployment. It seems to me this is a practical situation which we must meet not upon the basis of some high-minded theory but as men who would protect our own people and our own country. We are asking for the adoption of this amendment which provides that the officials of the State Department shall regulate the incoming laborers from the Philippines. We do not interfere with students or travelers or those who come here on business, but it deals with the class of oriental labor concerning which Congress has always acted when it has become a menace to the labor situation of our own country.

I have here another letter which I think is rather important which I want to call to the attention of the Senate. This is from a teacher of the public schools of Seattle:

SEATTLE, WASH., *April 18, 1929.*

Senator C. C. DILL,

Washington, D. C.

DEAR SIR: As a teacher in the Seattle public schools who has contacted economics and sociology from an academic and practical standpoint I wish to appeal to you in the matter of Filipino immigration. I have watched its development with misgivings for the following reasons:

1. If continued, it will result in a race problem upon the Pacific coast no less menacing than the Negro and Mexican problems of the South. The creation of a race problem on this coast would be conducive to the happiness and social welfare of neither Asiatics nor Americans.

2. It will and already is undermining American standards of living. The past week a bright and wholesome girl of American parentage was withdrawn from the school in which I am employed and put at factory labor because the mother, a widow and scrubwoman, could no longer earn enough in the face of Filipino competition.

3. It is a menace to the life and health of a white population not only from the standpoint of imported meningitis but tuberculosis and social diseases as well. Crowded in unsanitary quarters, without women with whom to associate (they will soon begin importing them) they develop diseases growing from poor sanitation and contact the lewdest women of the white race to contract every social disease in the category.

4. There is no common-sense reason why Asiatic labor should be permitted to come in when there exists an unemployment problem in the Pacific States and in the whole Nation. Associated charity records will prove that in Seattle thousands of dollars have been expended the past year to support American families suffering from unemployment. Why—in the name of common sense and good government—should thousands of Asiatics be brought here in the face of that situation?

I trust I may be clearly understood as not writing you because of racial animosity—for an intelligent person knows no race has a monopoly of vices or virtues—but I do write you from a love of country and a desire to preserve it from suffering and social problems. The time to act is now before Filipino political organization can be perfected and before economic factors and a desire for cheap labor among certain employers and certain industries will make the problem infinitely more difficult of solution.

Sincerely yours,

L. O. RAASCH,
6709 Division Avenue NW., Seattle.

I might read a great many letters of the same tenor as this. I submit that the question is not academic; it is not theoretic; it is practical. We who live on the Pacific coast have a right to be accorded the protection of the Secretary of State, through the American consuls, in regulating the number and character of these people who shall come into our midst and live amongst us and affect the lives of the people on the Pacific slope.

I want to call attention to another fact. The Filipino is not only interfering with labor conditions on the Pacific coast but on the railroad trains even east of Chicago one will find that the Filipino is taking the place of the colored men as porters, Whatever else may be said about the colored people, they have accepted certain kinds of employment in the North to a degree that, I think, is to be commended. It is generally agreed that colored men make excellent porters on the trains. Heaven knows their wages are low enough; they do not get sufficient to live on without the tips of the passengers; and yet we find that the Filipino is fast supplanting the colored man because he works for a lower wage; the Filipinos are taking the place of the colored men who are native-born citizens of this country and who have proved themselves to be best to do that kind of work on our trains. They are satisfied to do it; they are anxious to do it; and I submit that we ought to protect them to the extent of shutting out Asiatic labor which comes here to take away their jobs as porters and other kinds of employment. What I have stated is only a suggestion of the way the Asiatic labor problem will spread if the influx of Asiatic laborers is not stopped before it reaches too great proportions.

I know we should pass the joint resolution to free the Philippines. I was so anxious to have that joint resolution passed that I insisted that a vote be taken upon the question when the tariff bill was before the Senate. Many Senators voted against the joint resolution because it was promised that we in the Senate should have a vote on it at this session of Congress; but, even if the Senate should get such a vote and pass the resolution, it would still have to be acted upon by the House of Representatives, and nobody can know when that body would take it up, much less pass it.

In the meantime, with the legislation that is pending here going into effect, as I believe it will, within a reasonable time, and shutting out all sorts of cheap labor from Mexico and South American countries, there will be created a demand for cheap labor that does not even now exist, and we shall have still more of this Asiatic labor coming into the country.

I do not want to take more time, but I did want, if I could, to impress upon Senators the fact that this is a question that goes to the daily life of the white Americans who are maintaining a white man's civilization on the Pacific coast, and who have had the assistance of Congress in the past in shutting out Chinese and Japanese labor. We believe if this problem is really understood by the Congress that it will not subject our people to the influx of Asiatic labor from the Philippine Islands.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from California [Mr. SHORTRIDGE], as modified.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Copeland	Goldsborough	Howell
Ashurst	Couzens	Gould	Johnson
Barkley	Cutting	Greene	Jones
Bingham	Dale	Hale	Kean
Black	Deneen	Harris	Kendrick
Blaine	Dill	Harrison	Keyes
Blease	Fess	Hatfield	La Follette
Brock	Frazier	Hawes	McCulloch
Broussard	George	Hayden	McKellar
Capper	Gillett	Hebert	McNary
Caraway	Glass	Heflin	Norbeck
Nye	Robsion, Ky.	Swanson	Walsh, Mass.
Oddie	Shipstead	Thomas, Idaho	Walsh, Mont.
Overman	Shortridge	Thomas, Okla.	Waterman
Patterson	Simmons	Townsend	Watson
Phipps	Smoot	Trammell	Wheeler
Pittman	Steck	Vandenberg	
Ransdell	Steiwer	Wagner	
Robinson, Ind.	Sullivan	Walcott	

Mr. FESS. I wish to announce that the Senator from Mississippi [Mr. STEPHENS] and the Senator from Nebraska [Mr. NORRIS] are detained from the Senate in attendance upon the Committee on the Judiciary.

The VICE PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present.

Mr. HAWES. Mr. President, I can not divorce from my mind the idea that, no matter what the interests of Washington and California may be, the adoption of the amendment which has been proposed and which is now pending would be an immoral thing; it would not be a kindly thing; it would be taking advantage of a helpless people. None of the great nations of the earth, England, France, Holland, or Belgium, refuses to permit their colonials to visit the home country. We have not given the people of the Philippines their independence and we have not made them American citizens; we have tied their hands. It seems to me in connection with what it is now proposed to do their situation is like that of a man who, being held by the arms, helpless, unable to defend himself, another man strikes him in the face.

Mr. President, for months there has been discussion with reference to the independence of these islands. All through the tariff debate the subject was brought to our attention. A committee of the Senate has been holding hearings. The chairman of that committee has promised the Senate, not on one occasion but on numerous occasions, that he would report a bill for the independence of the Philippines at this session of Congress. The hearings before the Committee on Territories and Insular Affairs are concluded, waiting for the return of Secretary Stimson. One-half hour of testimony from him and the hearings will be closed. I assume that it will not take two days to decide the view of the committee, and a bill will come before the Senate for its consideration, for its adoption or rejection.

More serious than that, however, on the House side a bill has been introduced by Congressman WELCH providing for the exclusion from the United States of the Philippine people. Hearings are in progress, and there the representatives of the Philippine people have an opportunity to present their cause and to be heard. Those hearings have not been completed and no report has been made. But the subject that is now brought before us in the form of an amendment has not been discussed by any committee of the Senate. No Filipino, Resident Commissioner, or other witness from those islands has had an opportunity to protest or an opportunity to testify in regard to this ungracious act proposed in the Senate.

The Senate is accustomed to hear matters that involve grain and wheat and corn and railroads and floods; and yet when it involves the dignity of 12,000,000 people, without warning, without notice, without hearing, an amendment is proposed to exclude these people from coming to what they consider their country. I state again, Mr. President, that a similar course has not been adopted by any civilized nation in the world.

This amendment proposes to place the Filipinos in exactly the same category as the Chinese and the Japanese; and yet they are our wards. We are their trustees. We refuse to give them liberty. We refuse to let them speak for themselves. We speak for them. The great Chinese Government has its corps of diplomats. It has its officials. So has Japan; but here are 12,000,000 people who have been our wards for 30 years, coming into our possession as an accident of war, and in a bill that relates to the regulation of foreign immigration it is proposed to take the Filipino and put him in the class of a foreigner by one amendment to this bill!

What must be the feelings of those people? We have a governor out there—a governor appointed by the President of the United States. We have an auditor supervising their finances. We have millions and millions of dollars invested in the Philippines. We have five or six thousand white people, citizens of the United States, residing there; and by this amendment we propose to say to the Filipinos, "You are not American citizens. We refuse to give you your freedom. Without your advice or your consent, and without consulting with you, we have decided that you can no longer visit the home of your guardians."

At the same time that we try to exclude the Filipino from the United States we let him enter freely into Hawaii, Alaska, and Porto Rico. There is no limitation, no attempt to restrain or stop his visiting those territories of ours; but in continental United States, which controls his conduct to a degree, which

has deprived him of all diplomatic representation abroad, which has made it impossible for him to state his position, we propose to take from him even the poor right of entry into our country.

By the treaty of Paris the Filipinos became citizens of the Philippine Islands, owing allegiance to the United States; but they are not citizens of the United States, neither are they aliens or subjects of a foreign power. The Filipinos are nationals of the United States who are required to swear allegiance to the American flag, and are in duty bound to defend that flag in case of war; and they raised their money and contributed it for the purposes of the war. They enlisted in our Army and in our Navy. They are in business contact day by day with the business men of this country; and now it is proposed, without hearing, without notice, without considering the opinion of American officials in those islands, to debar them from entering our shores.

Mr. President, I personally believe, for our good, that independence should be granted to the Philippine people. They would be then placed upon a parity with other foreign nations. Then I would place them in the same position as other orientals—the Chinese and the Japanese—and our national laws on that subject would apply without offense, without discrimination, and without irritation.

This debate has been illuminating and it has been helpful, because it reinforces my opinion that when the Senate of the United States has an opportunity to speak on the question of independence it will overwhelmingly approve the plan of independence.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from California?

Mr. HAWES. I yield.

Mr. SHORTRIDGE. I hope the Senator is correct in the expression just made. The point simply is this—that the time may be quite remote. When independence is granted, I suppose the Filipino labor, at any rate, will be excluded, just the same as the Japanese or the Chinese or other Asiatic races. Now, I want to put it to the careful mind of the Senator: Inasmuch as the granting of independence may be quite or very remote—1, 2, 3, 4 years, 5 years, possibly 10 years—should we not stop the coming of this type of labor in the meantime? If it be an evil—as, of course, we think it is from our American standpoint—if it be an evil, should we not check it, stop it, and not remain waiting for the granting of independence?

Mr. HAWES. Mr. President, answering the Senator's question, I do not believe that the American people should condemn unheard, without an opportunity for hearing, any single citizen of the United States, and certainly not one of our dependencies, one of our wards. There has been no hearing on this subject by any committee of the Senate. There has been no opportunity to go into the facts or let the 12,000,000 Filipino people be heard.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me further?

The VICE PRESIDENT. Does the Senator from Missouri further yield to the Senator from California?

Mr. HAWES. I yield.

Mr. SHORTRIDGE. In reply to that, the Filipino people have been heard. Their views, perhaps, are now being expressed by the Senator from Missouri. There is no question as to the facts. They are concrete, ascertained, known facts. There is no question as to the legal questions involved, unless it be the purely academic question raised by Mr. Williams touching the power of Congress to grant independence. There is no legal question requiring evidence. There are no facts that require evidence. Senators here are speaking in a sense on behalf of the Philippines. Others of us are taking another view and speaking primarily on behalf of, say, continental United States, yet not in hostility to them.

What facts are to be developed? What further information in respect of legal questions is needed? If it be wise to do this, why should we not do it now, rather than postpone it indefinitely?

If the Senator will pardon me just a moment more, I am not thinking of this as a theorist, I am not thinking of it as a pure academic question to be debated in a literary society. I am thinking of it as a practical, present problem, the incoming of this type of labor into the State of Washington, the State of Oregon, the State of California, and then, of course, into the whole country, which is interfering with the labor conditions, and we are suffering to be developed another race problem which will plague us for years to come.

Mr. HAWES. Mr. President, I sympathize with the Senator's position, but unfortunately I do not agree with him as to the moral right of the United States Government to exclude part of its own people from its own shores, a policy that has not been pursued by Great Britain or France or Holland or Belgium, or any other colonizing nation.

We have 12,000,000 people out there. We took them over. We have taught them an advanced civilization. They have 30,000 school-teachers. They are organized. They have their own newspapers. And now, without granting them independence, when they have no diplomatic service, no foreign contacts, no representation, without even being permitted to be heard before our Senate committee, we are, by an amendment on the floor of the Senate, to say to these people, who have been a part of us, in a way, for 30 years, "Stop coming to the United States. We do not want you here."

What sort of a situation will that create out in the Philippines? Gentlemen talk about trouble in the United States, with 50,000 of those people here. What will those 12,000,000 people out there think about this, when they go to their homes and their churches at night and say, "The great American people, our friends, our benefactors, men who have given us schools and civilization for 30 years, say 'Stay out of America.'" Then, at the same time, we refuse to give them a government of their own.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER (Mr. BLEASE in the chair). Does the Senator from Missouri yield to the Senator from California?

Mr. HAWES. I yield.

Mr. SHORTRIDGE. If the Filipino people in their homes and churches would feel so outraged, why is it, then, that they are clamoring for independence, when they know we would then certainly exclude them?

Mr. HAWES. At the present time no American capital will go to the Philippines because of the uncertainty of the situation relating to independence. No more dollars will go there. That means no more farms, no more cultivation, no more rubber, no more advance in agriculture; and, at the same time, foreign capital stays out. So there is a situation of uncertainty, uncertainty about independence, and while we are waiting to end that uncertainty, as I hope we will, and as I know the Senator from California hopes we will, we exclude these people in the most drastic, irritating way, a shock to their pride and to their sensibilities.

It is a matter of fact that there are but 50,000 Filipinos in the United States, and the statistics will show—though I do not want to cumber the RECORD with them unless it is necessary—that most of them are young men who are coming over here and working part of the time so that they may educate themselves in American schools the rest of the time. It is competition, it is bad and serious competition; but that is why they are here, and they go back home, they do not remain here.

I am asked why they come. They come because we pay them more money, and because we have taught them in our schools and colleges to do better things than menial labor, and, having advanced from menial labor to fitness for occupations of a higher class, they can not find employment in the Philippine Islands, so they come here, because all development in the Philippines has stopped because the Philippine people do not know when they are going to get their independence. American capital does not know whether it will be given to them, and foreign capital will not come in, so there is no place for the boys who have learned mechanics and other things to work, and they are coming to the United States.

Mr. President, I ask for fair play for the Philippines. I say that we can not hold them and strike them in the face at the same time. If we give them their independence, they can be heard through their representatives. It will be time enough to talk about exclusion when they are on a parity, in a small way, with Japan and China, but do not chain a man to a post—and these are American chains—and keep him tied, and then strike when he is helpless.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. SHORTRIDGE], as modified.

Mr. JONES. Mr. President, I want to take just a couple of minutes of the Senate's time. I appreciate the seriousness of this proposition. I sympathize very much with the argument presented by the Senator from Missouri [Mr. HAWES]. It was, very largely, presented yesterday by the Senator from Nebraska [Mr. NORRIS]. My colleague [Mr. DILL], in the brief remarks he made in offering this amendment, stated substantially my position in regard to the situation. Also, in general, the Senator from California [Mr. SHORTRIDGE] this morning did likewise.

I have great sympathy with the Filipino people, but it seems to me that the amendment as proposed meets many of the objections. It would not prevent the Filipinos from coming here for an education, for business, for travel, or for anything of that

sort. It deals, as I understand it, exclusively with the purely labor class.

I know that the situation in this regard is rather serious in our section of the country. There have been several riots growing out of the contacts of this labor class with our people. I do not justify those riots; but, nevertheless, it is a phase of the situation which we can not escape, and in my judgment the sooner it is dealt with the better.

I can not agree with the position of the Senator from Nebraska, which, as I understood it, is in effect that the Filipinos are citizens of this country, and have the right to go anywhere in the country where they see fit to go. I do not think so. I think we have full, complete, and absolute authority to say where they shall go, so far as this country is concerned, and where they shall not go.

The Senator from Connecticut puts them in the position of wards. In a sense, that is true, but it is not wholly true. I am perfectly willing to grant the proposition that this Government has promised the Filipino people their independence. They contend that, and so they are thoroughly familiar with the facts, as they see it, that we do not class them as citizens of this country, that we are simply holding them, with the intention of giving them their independence when we think they are capable of maintaining and exercising it.

The educated Filipinos, those who claim to speak for the Filipino people, know what their relation is to this country. Knowing that, and knowing the situation here, I do not believe they would be at all offended at action of this kind. If they are the educated people I think they are, if these leaders are the intelligent men I think they are, they will certainly appreciate the situation which confronts this people now, and our desire, and the necessity of our not emphasizing or increasing the difficulties which grow out of the situation.

For the reasons I have stated, I propose to vote for the amendment offered by the Senator from California. As I think he urged and argued, I believe it will hasten independence for the Filipinos rather than retard it.

I shall not go into any legal argument, but I notice the attitude of my friend, the Senator from New York [Mr. COPELAND]. He seems to think that Congress has no jurisdiction to dispose of the Philippine Islands. If the Philippine Islands were a constituent part of the United States I would grant that proposition. The United States can not dispose of any part of Michigan, the United States can not dispose of any part of New York, it can not dispose of any part of any State in the Union, I grant, but I do not think the Philippine Islands are a constituent part of the United States. They are not a part of it as a State is a part of it.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. JONES. I yield.

Mr. COPELAND. I asked a question one day in the Senate of the Senator from Montana [Mr. WALSH] who takes much the same view as that the Senator from Washington has expressed. I asked him whether our relationship with the Filipinos is such that we could admit them to statehood, and his answer was in the affirmative. I ask the Senator from Washington if our relationship with the Filipinos is so intimate that we could admit them to statehood, is it not reasonable to believe that our relationship is so intimate that we could not divest ourselves of that territory, any more than we could divest ourselves of a part of the State of New York?

Mr. JONES. Not at all. If we should admit the Philippine Islands as a State, then I grant we could not dispose of any part of that State. They would then be a part of the United States the same as any other State, but until that is done they are the property of the United States, they are territory of the United States.

It seems to me that the language of our Constitution is perfectly plain. I know that lawyers may split hairs and all that sort of thing, but I am proceeding upon the basis that the Philippine Islands are not an integral constituent part of the United States. The Senator may not grant that premise, but I think it is perfectly clear, at least it is to me, that they are not now an integral part of the United States. They belong to the United States, they are a territory, a part of the territory of the United States.

I may be wrong about that, but it seems to me to be perfectly clear. There probably would be some lawyers who might contend differently. It has been my observation generally that, if we have 8 or 10 lawyers considering a question, we have 8 or 10 different opinions with reference to the question. So I shall not be surprised if there is a difference of legal opinion and if there is legal authority supporting the position of the Senator from New York. He has called attention to the legal opinion of a very high-class lawyer. I am perfectly willing to grant that, but I am not willing to agree to the opinion of that lawyer.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Washington yield further to the Senator from New York?

Mr. JONES. I yield.

Mr. COPELAND. I should like to say in the first place that while my first illumination came from Judge Williams, of San Francisco, I have since had an endless number of communications from lawyers, some of whom I know to be eminent lawyers, taking exactly the same view. It all comes back to the question of where sovereignty resides. Sovereignty is not in the Congress. When the Czar was reigning supreme in Russia sovereignty was in him. In our country sovereignty is in the people. It may be that by consent of the people, by an amendment to the Constitution, we might alienate the sovereignty of the Philippines, but without that consent I would say that it is impossible.

Mr. JONES. Mr. President, I think the people have already given their consent to that proposition. Here is the language of the Constitution which the people of this country have adopted and which has never been changed since it was adopted. Section 3 of Article IV of the Constitution reads as follows:

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

It seems to me that language is perfectly clear. On the assumption that the Philippine Islands are not an integral or substantial part of the United States, the Congress is given authority to dispose of any property or any territory of the United States or belonging to the United States.

Mr. COPELAND. Mr. President, will the Senator yield further?

Mr. JONES. I yield.

Mr. COPELAND. Of course, the Senator would not wish to be in opposition to repeated decisions of the Supreme Court which hold that that provision of the Constitution does not apply at all to a case like the Philippines but relates only to public land or property in that sense. Besides that there would still be the problem of the human element to deal with. The human element of the Filipinos themselves must be dealt with. We might sell all the public land in the Philippine Islands, but we would still have the Filipinos. That section of the Constitution relates only to the disposition of land in the same sense that we would think about the disposition of a piece of property in one of our cities.

Mr. JONES. I do not know of any decision of the Supreme Court that has confined the application of this section of the Constitution solely to land. It says "territory or other property of the United States." Of course, if the Supreme Court passed upon this particular question I would accept their decision, especially if it were a unanimous decision of the court.

Mr. COPELAND. I shall take pleasure at some later time, in view of the fact that I can not get any constitutional lawyer to expound the question, in bringing to the attention of the Senate the decisions to which I have referred. I want the Senate to get my statement of the matter because I have the proof. The court has time and time again said that the disposing clause of the Constitution could not be applied; even Judge Malcolm, of the Supreme Court of the Philippines, who has written a book arguing in favor of the position taken by the Senator from Washington, said that the disposing clause of the Constitution which the Senator quotes has no application whatever.

Mr. JONES. I am satisfied the Senator from New York can find no decision of the Supreme Court of the United States dealing with a proposition like the one which is involved here.

Mr. HAWES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. I yield.

Mr. HAWES. This subject was referred to the legislative drafting committee of the Senate, and after very careful and exhaustive investigation they have decided that the Congress may grant independence without a constitutional amendment. A former Attorney General of the United States decided the same way. I have seen the opinion of Judge Williams. Judge Williams is intensely hostile to the Philippine people and does not want them to have independence under any circumstances. His statement is just a devious argument against Philippine independence, and that is all there is to it.

Mr. JONES. It would require a very clear-cut and practically unanimous decision of the Supreme Court of the United States to lead me to believe to the contrary, and until such a decision

is rendered my opinion will continue as I have expressed it to-day.

Mr. President, I am not going to take further time. I am going to vote for the amendment of the Senator from California. I want to have the opportunity to vote for the independence of the Philippine Islands just as soon as the question can possibly be presented to us. I believe we have full authority, and I think in the interest of the peace and prosperity and happiness of our own people we should stop the development of the situation which is arising in this country that means serious trouble for the country if it is allowed to continue.

Mr. HAYDEN. Mr. President, I have heretofore stated to the Senate at some length my reasons for believing that it is highly important that the pending bill be amended as proposed by the Senator from California [Mr. SHORTRIDGE]. I have no desire to repeat the arguments, but I invite the attention of the Senate on the question raised by the Senator from Washington [Mr. JONES] in his colloquy with the Senator from New York [Mr. COPELAND] as to just how the United States acquired the Philippine Islands. Let me quote briefly from the treaty between the United States and Spain negotiated in Paris on December 10, 1898, as follows:

Spain cedes to the United States the archipelago known as the Philippine Islands and comprehending the islands lying within the following lines—

Then follows a technical description after which occurs this provision:

The United States will pay to Spain the sum of $20,000,000 within three months after the exchange of the ratifications of the present treaty.

Note that the treaty does not say that this payment is made as the purchase price for the Philippine Islands, which, in fact, it was not. Spain ceded the islands, and then what did the Congress of the United States do? Congress passed what is known as the Jones Act, approved August 29, 1916, which began:

Whereas it was never the intention of the people of the United States in the incipiency of the war with Spain to make it a war of conquest or for territorial aggrandizement; and

Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein.

Then follows more of the preamble. Citizenship in the Philippine Islands is defined by section 2 of the Jones Act, as follows:

That all inhabitants of the Philippine Islands who were Spanish subjects on the 11th day of April, 1899, and then resided in said islands, and their children born subsequent thereto, shall be deemed and held to be citizens of the Philippine Islands—

Not American citizens. Note the difference between the status of the Philippines and the status of Hawaii. The joint resolution annexing Hawaii to the United States provides, after the preamble:

That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States—

Hawaii became an integral part of the territory of the United States, just as much as the then Territory of Arizona was an integral part of the territory of the United States—

and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

Congress subsequently defined citizenship in the Hawaiian Islands in the following words. I quote from section 494 of the United States Code:

All persons who were citizens of the Republic of Hawaii on August 12, 1898, are declared to be citizens of the United States and citizens of the Territory of Hawaii.

In other words, there is a clear distinction drawn. Hawaii was annexed and became an integral part of the United States and its people became American citizens. Dominion over the Philippine Islands was acquired by cession under treaty with Spain. Congress declared that the Filipinos are citizens of the Philippine Islands, but has not made them American citizens, and has formally announced our purpose to dispose of the islands by granting independence to the Filipino people.

There can be no doubt about the right and authority of Congress to follow a different course in each instance. Having acted affirmatively by annexing Hawaii as a part of the United States and granting American citizenship to the inhabitants thereof it is not within the power of Congress to cede the Hawaiian Islands to any other country. Having acted negatively in the case of the Philippine Islands by not declaring them to be a part of the United States and by failing to make the Filipinos American citizens, Congress is free to dispose of those islands at any time by withdrawing American dominion over them.

I shall vote for the Shortridge amendment, because I believe that its enactment will bring about early independence for the Philippine Islands which I most heartily favor.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. SHORTRIDGE], as modified.

Mr. SHORTRIDGE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. GOULD (when his name was called). I have a pair with the Senator from New Mexico [Mr. BRATTON]. If I were at liberty to vote, I should vote "yea." In the absence of the Senator from New Mexico, I withhold my vote.

Mr. BLAINE (when Mr. LA FOLLETTE'S name was called). My colleague [Mr. LA FOLLETTE] is unavoidably absent. He is paired with the junior Senator from Tennessee [Mr. BROCK]. Were he present, my colleague would vote "nay."

The roll call was concluded.

Mr. WALSH of Montana. My colleague [Mr. WHEELER] is necessarily absent on public business to-day. If present, he would vote "nay."

I wish also to announce that the Senator from Arkansas [Mr. CARAWAY] is detained from the Senate on official business.

Mr. BLEASE. I have a pair with the senior Senator from West Virginia [Mr. GOFF]. He not being present, I withhold my vote.

Mr. SIMMONS. I transfer my pair with the Senator from Massachusetts [Mr. GILLETT] to the junior Senator from Montana [Mr. WHEELER] and vote "nay."

Mr. DENEEN (after having voted in the negative). I have a pair with the junior Senator from North Carolina [Mr. OVERMAN]. I now notice that he is not in the Chamber. I therefore ask leave to withdraw my vote.

Mr. FESS. I desire to announce the following general pairs:

The Senator from Illinois [Mr. GLENN] with the Senator from Texas [Mr. CONNALLY];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from Iowa [Mr. BROOKHART] with the Senator from Texas [Mr. SHEPPARD];

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from New Jersey [Mr. BAIRD] with the Senator from Kentucky [Mr. BARKLEY].

I am not advised as to how any of the Senators mentioned, if present, would vote on this question.

Mr. TOWNSEND. I desire to announce the necessary absence from the city of the Senator from Delaware [Mr. HASTINGS].

Mr. WALSH of Montana. I desire to announce that the Senators from Texas [Mr. SHEPPARD and Mr. CONNALLY] are necessarily detained by attendance upon the funeral of the late Representative Lee, of Texas.

The result was announced—yeas 23, nays 41, as follows:

YEAS—23

Ashurst	Hayden	McNary	Steck
Black	Hebert	Oddie	Steiwer
Capper	Heflin	Pine	Sullivan
Dill	Johnson	Ransdell	Thomas, Idaho
Harris	Jones	Robsion, Ky.	Trammell
Hatfield	McCulloch	Shortridge	

NAYS—41

Allen	Glass	Norbeck	Thomas, Okla.
Bingham	Goldsborough	Norris	Townsend
Blaine	Greene	Nye	Vandenberg
Borah	Hale	Patterson	Wagner
Copeland	Harrison	Phipps	Walcott
Couzens	Hawes	Pittman	Walsh, Mass.
Cutting	Howell	Robinson, Ind.	Walsh, Mont.
Dale	Kean	Shipstead	Waterman
Fess	Kendrick	Simmons	
Frazier	Keyes	Stephens	
George	McKellar	Swanson	

NOT VOTING—32

Baird	Brock	Connally	Glenn
Barkley	Brookhart	Deneen	Goff
Blease	Broussard	Fletcher	Gould
Bratton	Caraway	Gillett	Grundy

Hastings	Metcalf	Robinson, Ark.	Smoot
King	Moses	Schall	Tydings
La Follette	Overman	Sheppard	Watson
McMaster	Reed	Smith	Wheeler

So Mr. SHORTRIDGE's amendment, as modified, was rejected.

Mr. KENDRICK. Mr. President, I offer an amendment, which I send to the desk and ask that it may be read.

The VICE PRESIDENT. The amendment proposed by the Senator from Wyoming will be stated.

The CHIEF CLERK. The Senator from Wyoming, on page 2, after line 14, proposes to insert the following as a new section:

SEC. 3. The Commissioner General of Immigration, with the approval of the Secretary of Labor, under such regulations as he, with the approval of the Secretary of Labor, may prescribe (including the requirement of bond with sufficient surety, or other guaranty, to insure that, at the expiration of the prescribed period or upon failure to maintain the status under which admitted, the alien will depart from the United States), may, during any year, admit temporarily as nonimmigrants, for periods of not more than eight months, otherwise admissible aliens from any country of the Western Hemisphere hereby made subject to the quota, who are unskilled laborers and who, if coming for permanent residence, would be chargeable to the quota of such country, to perform seasonal agricultural labor in the United States: *Provided*, That unskilled agricultural laborers unemployed are not available within a reasonable distance of the place where such labor is to be performed.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wyoming [Mr. KENDRICK].

Mr. KENDRICK. Mr. President, the amendment submitted by me and now pending has already been briefly discussed, and I shall add only a further word in explanation.

It will be noted from the language of the amendment that the Secretary of Labor is authorized to admit unskilled alien laborers for seasonal agricultural purposes and agricultural purposes only, such laborers to be admitted under bonds or other satisfactory guaranties prescribed by the Secretary of Labor to insure their return to their own country within not to exceed eight months of the date of their admission. The amendment authorizes the admission of such alien laborers only in case unskilled labor for the cultivation and harvesting of agricultural crops can not be had in our own country. This of itself removes every opportunity for competition between our own laborers and alien laborers. Under the provisions of the amendment not one single Mexican will be admitted as a citizen.

As I have stated before, I am for the restriction of Mexican immigration with or without this amendment, and I intend to vote for such a bill. Furthermore, I am perfectly agreeable to having the Mexican quota in the bill reduced to the minimum.

The object of securing these laborers in cases of emergency is not to increase the profits of sugar companies; it is to meet the economic needs in the production of our best agricultural crop, and involves, in a larger way, the building of our Western Commonwealths.

The amendment gives to the Secretary of Labor entire control over the situation. It is perfectly reasonable to assume that he will be friendly to the employment of American laborers, and that he will not allow any immigrant to come into the country whose services are not required.

Mr. President, during my term of service in the Senate, in dealing with measures affecting the problems of other States, I have invariably followed the counsel and advice of the representatives of the States interested. In this instance the States represented by the proponents of the measure are only incidentally affected by the legislation. On the other hand, the States of the West and Southwest are vitally interested. Under such conditions it would seem but consistent that those who propose this legislation should heed a reasonable request coming from those who represent these Western and Southwestern States.

Mr. SHORTRIDGE. Mr. President, I should like to ask the Senator from Wyoming a question.

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from California?

Mr. KENDRICK. I yield.

Mr. SHORTRIDGE. Under the amendment of the Senator from Wyoming, who is to determine the question of admissibility—the Secretary of Labor?

Mr. KENDRICK. The Secretary of Labor under the amendment is granted that authority.

Mr. SHORTRIDGE. What is the limit, if any is set, as to the number of immigrants who may come in under the amendment?

Mr. KENDRICK. There is no limitation except that alien laborers may be admitted only when American labor is not available for the cultivation and harvesting of agricultural crops. That in itself will definitely prohibit the admission of any unnecessary laborers.

Mr. SHORTRIDGE. And the amendment limits the type of labor that may come into the United States to agricultural labor?

Mr. KENDRICK. Yes. Labor for no other purpose could be admitted under the amendment.

Mr. SHORTRIDGE. And they must come in under bond?

Mr. KENDRICK. They would come in under bond. I may state further to the Senator, if it be contended that the amendment proposes an unworkable provision, then it will fall of its own weight and become inoperative.

Mr. President, we of the West ask for no favors; we do ask for fair play. Our efforts in building these western Commonwealths involve the conquest of the desert. If you of the East and Southeast can not help us, you should at least abstain from hindering us.

This amendment should be adopted if this bill is to become a law.

Mr. NORBECK. Mr. President, I merely wish to say that I believe in restricting immigration, and I am for the so-called Harris bill. If any criticism may be made of it, it is that its enactment might work a hardship on account of the lack of time allowed in which to adjust conditions. I think the amendment of the Senator from Wyoming might relieve the situation temporarily until proper adjustments can be made, and, for that reason, I am going to vote for the amendment.

Mr. HARRIS. Mr. President, I am not going to make a speech; but I am going to vote against this amendment because I think it is the most dangerous thing, and I do not think it is workable.

Mr. HAYDEN. Mr. President, the amendment offered by the Senator from Wyoming [Mr. KENDRICK] is very similar to a provision contained in a bill drafted by the Department of Labor and introduced in the Senate in 1928 by the Senator from Indiana [Mr. WATSON]. At that time the Secretary of Labor submitted a favorable report on the Watson bill which was in accord with the recommendations contained in his annual report relative to the temporary admission of seasonal agricultural laborers. I have appeared before committees of the House of Representatives in previous years advocating the enactment of legislation of this kind. I have no desire to detain the Senate and therefore ask leave to include as a part of my remarks a statement that I made before the House Committee on Immigration and Naturalization.

I shall vote for the Kendrick amendment.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From hearing before the Committee on Immigration and Naturalization of the House of Representatives on February 2, 1926]

STATEMENT OF HON. CARL HAYDEN, REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. HAYDEN. Mr. Chairman, I desire to say at the outset that I have consistently supported the immigration legislation which has been reported from this committee and have voted for its enactment into law. I do not appear before this committee for the purpose of making any attack upon the basis of that law. I believe in the restriction of immigration. I am convinced that restrictions are necessary and that the present law has generally demonstrated its usefulness.

I speak only for my own State. I am not qualified to talk for the entire country with respect to the need for agricultural labor, but I do know what the conditions are in A izona. Arizona borders on the Republic of Mexico, and the Mexican State to the south is Sonora. From the very beginning of American settlement Sonora Mexicans have come into Arizona to labor on our farms and in our mines, and have passed back into Mexico as they desired. I am sure that a majority of the people of Arizona will agree that if a plan can be worked out whereby seasonal agricultural labor can come from Mexico into Arizona to help harvest our cotton, cantaloupes, lettuce, and other crops which can not be handled by machinery, but require hand labor, that such a plan would be advantageous to all concerned.

In this connection I desire to read to the committee a short extract from an article printed in a journal called Farm and Ranch, published at Dallas, Tex. It was written by HATTON W. SUMNERS, now a Member of Congress from Texas, who made a trip through Europe in 1907 as a correspondent for that publication.

"A gentleman in Frankfort who is interested in farming told me that he was experiencing the greatest difficulty in getting laborers on his farm. The German Government has taken some interest in the matter and has enacted certain laws to encourage the coming, temporarily, from Poland and other countries of farm laborers. The policy of Germany in that regard is just the opposite to the policy declared by our Government. We are supposed to be opposed to bringing contract labor into the United States.

"Germany has created a system by which, when a farmer wants laborers, he applies to an agent, giving him specifically how many people he wants, sex, etc., the kind of work which they will be required to do, the length of time their services will be needed, and the amount of wages which he will pay. The agent then locates the laborers required, accompanies them to the point agreed upon, and delivers them to the applicant. The law requires the employer to give to each one so much milk and potatoes each week and to provide separate sleeping quarters for the men and women. Women here are quite as important in the field and almost as important in factory as men are.

"When the time specified in the application, which is by law not to exceed six months, has expired the employer must deliver to the agent every one of the laborers received by him, and these laborers are then returned by the agent to their own countries.

"The reasons given by the Government for compelling the return of these people within six months is rather amusing. The reason, of course, for requiring their return is that the Government does not consider them desirable as permanent residents. The reason given, however, is that should they remain longer than six months and become incapacitated for work they would, under the law, be entitled to be cared for by the community or government where they had resided for such time. In this and some other matters I have discovered that while our German cousins are not famous humorists, they play their American kinsman a close second in legislative jokes."

There is no country in the world which desires more to preserve the racial integrity of its people than Germany. It is generally understood that the Germans considered themselves to be a chosen people, of a kind that are better than others, and the German Government did nothing to bring into Germany any class of aliens that would tend to disturb the German standard of living or the German way of thinking. To build up a great industrial system it was found necessary to take the young men from the farms and put them in factories, thus creating a shortage of farm labor. We now have a shortage of farm labor in the United States due to the same cause. To meet that situation the German Government, as described by Mr. SUMNERS, permitted the admission, under regulation, of seasonal agricultural laborers where the need was shown. When the season was over these laborers were returned to their own country. They did not become permanent residents and their temporary admission had no effect upon either the Government or the people of Germany. The plan apparently worked well, and I do not see why the American Government, under similar circumstances, could not adopt the same idea for the benefit of our farmers.

I therefore appear before this committee advocating the admission of seasonal agricultural laborers to supply an absolute and demonstrated need, under suitable regulations which will provide for their employment only in agriculture and which will insure that when the season is over they will be returned to the country from which they came.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Wyoming [Mr. KENDRICK].

Mr. HARRIS. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. McNARY (when his name was called). On this question I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. BLEASE (after having voted in the affirmative). I desire to withdraw my vote, observing that the Senator from West Virginia [Mr. GOFF], with whom I am paired, has not voted.

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is unavoidably absent. He has a general pair with the junior Senator from Tennessee [Mr. BROCK].

Mr. FESS. I desire to announce the following general pairs:

The Senator from Massachusetts [Mr. GILLETT] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON];

The Senator from New Jersey [Mr. BAIRD] with the Senator from Kentucky [Mr. BARKLEY];

The Senator from Iowa [Mr. BROOKHART] with the Senator from Texas [Mr. SHEPPARD];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from Delaware [Mr. HASTINGS] with the Senator from Montana [Mr. WHEELER]; and

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN].

I am not advised how any of these Senators would vote on this question.

Mr. WALSH of Montana. I desire to announce that the Senators from Texas [Mr. SHEPPARD and Mr. CONNALLY] are necessarily detained by attendance upon the funeral of the late Representative Lee, of Texas.

The result was announced—yeas 32, nays 30, as follows:

YEAS—32

Allen	Hayden	Phipps	Sullivan
Bingham	Hebert	Pittman	Thomas, Idaho
Borah	Kean	Ransdell	Thomas, Okla.
Copeland	Kendrick	Shipstead	Townsend
Frazier	Norbeck	Shortridge	Vandenberg
Goldsborough	Norris	Steck	Walcott
Hale	Nye	Stelwer	Walsh, Mont.
Hawes	Oddie	Stephens	Waterman

NAYS—30

Ashurst	Dill	Howell	Robinson, Ind.
Black	Fess	Johnson	Robsion, Ky.
Blaine	George	Jones	Swanson
Capper	Glass	Keyes	Trammell
Caraway	Greene	McCulloch	Wagner
Couzens	Harris	McKellar	Walsh, Mass.
Cutting	Hatfield	Patterson	
Dale	Heflin	Pine	

NOT VOTING—34

Baird	Fletcher	La Follette	Sheppard
Barkley	Gillett	McMaster	Simmons
Blease	Glenn	McNary	Smith
Bratton	Goff	Metcalf	Smoot
Brock	Gould	Moses	Tydings
Brookhart	Grundy	Overman	Watson
Broussard	Harrison	Reed	Wheeler
Connally	Hastings	Robinson, Ark.	
Deneen	King	Schall	

So Mr. KENDRICK's amendment was agreed to.

Mr. HAYDEN. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, lines 6, 7, and 8, it is proposed to strike out the words "amended to read as follows: '(c) An immigrant who was born in the Dominion of Canada or Newfoundland,' and insert in lieu thereof the word "repealed."

Mr. HAYDEN. Mr. President, the effect of my amendment will be to place Canada upon an immigration quota.

Yesterday the Senate voted upon the substitution for the Harris bill of the Johnson bill, reported to the House of Representatives in the form of an amendment offered by the Senator from Maine [Mr. GOULD]. That bill was a somewhat complicated measure. It may be that Senators in voting upon the Gould amendment had in mind other reasons than the sole question of determining whether or not Canada shall receive the same treatment as other countries of the Western Hemisphere with respect to the control and restriction of immigration. The amendment I have offered is in complete accord with the bill introduced in the House of Representatives by Congressman BOX, of Texas, and as originally introduced in the Senate by the Senator from Georgia [Mr. HARRIS], which repealed all of the section granting exemption from the quota provisions of the immigration law to the countries of the Western Hemisphere.

I am offering this amendment, Mr. President, to carry out the intent of a memorial adopted on January 31, 1929, by the Arizona State Senate, which was read in its entirety into the RECORD a few days ago by the Senator from Alabama [Mr. HEFLIN]. It is therefore not necessary for me to read the preamble of the memorial, but only the concluding resolve, which is:

Resolved, That the Senate of the Ninth State Legislature of the State of Arizona favors the maintenance of the basic provisions of the immigration act of 1924, and urges upon the Congress of the United States the enactment into law of House bill 6465, first session of the Seventieth Congress, commonly known as the Box bill, making the quota provisions thereof applicable to Mexico, Cuba, Canada, and the countries of continental United States and adjacent islands.

I ask leave to have printed in the CONGRESSIONAL RECORD the original Box bill, to which the memorial of the Arizona State Senate refers.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill is as follows:

H. R. 6465

IN THE HOUSE OF REPRESENTATIVES,

December 8, 1927.

A bill to amend the immigration act of 1924 by making the quota provisions thereof applicable to Mexico, Cuba, Canada, and the countries of continental America and adjacent islands

Be it enacted, etc., That section 4 of the immigration act of 1924 be amended by the repeal of the following language constituting subdivision

(c) thereof: "An immigrant who was born in the Dominion of Canada, Newfoundland, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, and his wife, and his unmarried children under 18 years of age, if accompanying or following to join him:" and by the redesignation of subdivisions (d) and (e) thereof as (c) and (d), respectively.

That subdivision (c) of section 11 of said immigration act of 1924 be amended by the repeal of the following language therein: "(except the geographical areas specified in subdivision (c) of section 4)."

That subdivision (d) of section 11 of said immigration act of 1924 be amended by the repeal of the following language therein: "(1) immigrants from the geographical areas specified in subdivision (c) of section 4 or their descendants," and by the renumbering of clauses (2), (3), and (4) thereof as (1), (2), and (3), respectively.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Massachusetts?

Mr. HAYDEN. I yield.

Mr. WALSH of Massachusetts. How many Canadians will the Senator's amendment permit to enter the country annually?

Mr. HAYDEN. There were 980,938 persons born in Canada in the United States in 1890. A 1½ per cent quota for Canada therefore would be 14,714.

Mr. WALSH of Massachusetts. About 14,000?

Mr. HAYDEN. Yes.

Mr. WALSH of Massachusetts. The Senator is using in his amendment the same method of establishing the quota that is used with reference to Mexico?

Mr. HAYDEN. Exactly.

Mr. WALSH of Massachusetts. The Senator's amendment differs from the amendment proposed yesterday by the Senator from Maine [Mr. GOULD] in that it reduces very materially the number of Canadians that could enter the country annually?

Mr. HAYDEN. It does.

Mr. WALSH of Massachusetts. I think the amendment of the Senator from Maine provided for the entrance of approximately 67,000 annually, while the amendment of the Senator from Arizona would provide for the admission of 14,000?

Mr. HAYDEN. A little over 14,000.

I offer this amendment because very serious objection was made to the House bill yesterday by the Senator from Washington [Mr. DILL], in that it was not based upon the same rule that is now applied to European countries. If it is desired to allow a larger quota to the countries of the Western Hemisphere than is granted to Europe, that can be very readily brought about by changing the percentage.

For example, in the bill introduced by the Senator from Indiana [Mr. WATSON], prepared by the Department of Labor and recommended by the Secretary of Labor, Secretary Davis suggested for the countries of the Western Hemisphere a quota of 10 per cent, instead of 2 per cent, of the number of persons from those countries residing in the United States in 1890. A quota of that kind would give Canada 98,093, because in 1890 there were 980,938 persons of Canadian birth residing in the United States. In 1890 there were 77,853 persons born in Mexico residing in the United States. That would give Mexico a quota on a 10 per cent basis of 7,785.

It has been suggested that a 7 per cent quota would accomplish practically what was provided in the House bill with respect to the number admitted from Canada. The House bill and the Gould amendment carried a figure of about 67,000. Seven per cent of 980,938 would be 68,665 for Canada, and 7 per cent of 77,853 would be a quota of 5,449 for Mexico. There has been an average annual emigration to the United States from Mexico during the past five fiscal years of 56,000. A 7 per cent rate would reduce the quota of Mexico to less than one-tenth of the number of Mexicans who have been lawfully admitted into the United States during the last half decade. If it should be decided to double the Western Hemisphere quotas over that now fixed by the Harris bill, a 3 per cent rate would fix the Canadian quota at 29,428, and the Mexican quota would be 2,335.

I believe that the Senate should first vote upon the question of whether there should be a quota placed upon Canada. Then if that motion is agreed to the Senate can determine what percentage to use. The question that I want the Senate to now determine is, Shall Canada be placed upon a quota?

I was greatly pleased the other day to listen to the Senator from Idaho [Mr. BORAH] and the Senator from Virginia [Mr. SWANSON] in their opposition to singling out Mexico as the only country to whom an immigration quota should be applied. Those Senators are both members of the great Committee on Foreign Relations. They realize the importance of dealing fairly with other countries, and very properly they objected to designating Mexico for special discrimination.

All that I seek to accomplish is that Congress shall treat Mexico and Canada and the independent nations of Central and South America with complete uniformity. Let the same rule be adopted for all and none of those countries can have objection. They can not deny the right of the United States to impose a uniform immigration quota upon them. I do insist that they should all be treated exactly alike.

It is not what we do, but how we do it, that makes all the difference in the world. That is not only true with regard to our personal conduct but also in regard to the relationships between nations. That fact is recognized in the Declaration of Independence, which in the very beginning refers to "a decent respect to the opinions of mankind." Congress should have a decent respect for the opinions of all people in the countries of the Western Hemisphere and demonstrate that respect by showing that we do not discriminate among them.

It is the same attitude of mind which shippers have regarding freight rates. A merchant does not complain because a railroad rate is high or low. Of course, he is glad to get as low a rate as possible. But he does loudly object if some competitor obtains a lower rate than he is getting, or that some other community enjoys a preferential rate over the city where his business is located. It is discrimination to which nations likewise object rather than the act itself, of limiting the number of their citizens who may enter the United States.

One argument that has been repeated in the course of this debate is that Congress should promptly enact this legislation because of the unemployment situation in the United States. It has been urged that, by placing a quota upon Mexico, Congress will prevent Mexicans from entering this country to take the jobs of American workmen. If an immigrant comes into the United States from Canada, he may be a white man, 6 feet tall and a blue-eyed blond of the Nordic race, purebred for a thousand years, with not a drop of Mediterranean blood in his veins; he may conform to every standard of a desirable immigrant, so far as permanent residence in the United States is concerned, but when he crosses the American border and stands in line for work at an automobile factory in Detroit, if he is ahead of an American citizen in that line, and obtains the job and there are not enough jobs to go around, then the American does not get work to support himself and his family. The Canadian may be all that I have described; in addition to that, he may be a descendant of Scotch Presbyterians, than whom there are no better people in the whole wide world, but through him the American citizen loses the opportunity for employment just as effectively as though the man who stood in line were a black man from Haiti, or a mulatto from Santo Domingo, or a person of European stock from the Argentine. The final result is, that an unemployed American workman loses an opportunity to obtain a job because of competition from a foreigner.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Alabama.

Mr. BLACK. What difference does it make if we do let them come from Canada or anywhere else when the Senate has just voted, by a majority of two, to permit an unlimited number of Mexicans to come in? What difference does it make if we do let some come in from Canada?

Mr. HAYDEN. The Senator is wholly mistaken about the effect of the action taken by the Senate on the Kendrick amendment.

Mr. BLACK. I have just read it. It permits an unlimited number to come in, the number to be fixed by the Commissioner of Labor; I believe it is the Commissioner of Labor. When he says they ought to come, they can come.

Mr. HAYDEN. But they come in for a strictly limited term. They come in under bond to work at nothing but agricultural labor. They can not come in if Americans can be found to do the work.

Mr. BLACK. Who is to pass on whether or not Americans will be found? Is it not a well-known fact that millions and millions of Americans are to-day out of employment?

Mr. HAYDEN. Whenever that condition exists, of course the Secretary of Labor should not admit aliens.

Mr. BLACK. That may be true, but it is certainly an anomalous proceeding to say that if an American can not be found the others will be admitted. Does that mean an American in Wyoming or in Arizona, or do they have to go to New York, or to Alabama or to West Virginia?

Mr. HAYDEN. The Kendrick amendment is perfectly plain on that point. It refers to the admission of seasonal agricultural labor in the region where such labor is needed, and where no Americans, unemployed, can be found.

Mr. BLACK. If they try in the community and 2 miles around, then they can go to Mexico and bring in 5,000 people.

Mr. HAYDEN. The Senator can continue to spin the argument as fine as he may desire. That has nothing to do with

placing Canada under an immigration quota, and I shall not be diverted. I want the Senate to act upon this sole proposition, Shall Congress in this bill treat Canada and Newfoundland the same as we propose to treat Mexico? To me there can be no logical answer except yes; and that is why I have offered this amendment.

I ask for the yeas and nays.

Mr. HARRIS. Mr. President, the Senator referred to the first bill I introduced two or three years ago as including Canada under the quota. While I personally would like to see Canada come under the quota, and felt that way when I introduced that bill, I have investigated the matter, and I find that the people in the border States, with few exceptions, do not want Canada included, and it will interfere with the passage of this bill if Canada is included in the quota. I hope the amendment may not be agreed to.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. HAYDEN. As I understand the Senator's argument, it is one purely of expediency. There happen to be more Senators from along the Canadian border than from along the Mexican border, and he can get votes enough to pass his bill by leaving Canada out.

Mr. HARRIS. If it were necessary to do that in order to secure the passage of the bill I certainly would do so. The labor on the Canadian border goes from one side to the other. In some years more Americans have gone to Canada than the number of Canadians coming into this country. For several years that was true, and the census reports, I believe, will show that. The labor people on this side have no objection to Canadian labor. But it is a different situation in Mexico. There is not one man from the United States going to Mexico to live where there are a hundred coming from Mexico into the United States.

Mr. HAYDEN. Mr. President, I was interested in the statement the Senator made that more Americans go to Canada than Canadians come here. I have very carefully checked the annual reports, and I do not find that to be the fact.

Mr. HARRIS. If the Senator will examine the Census Bureau reports for the past 25 years, he will find the statement I have made to be correct.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the junior Senator from Arizona [Mr. HAYDEN]. The yeas and nays have been demanded.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. GOULD (when his name was called). I have a pair with the senior Senator from New Mexico [Mr. BRATTON]. I am informed that if the Senator from New Mexico were present he would vote "nay," so I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. BLEASE. I have a pair with the senior Senator from West Virginia [Mr. GOFF]. I ask that this announcement stand on all matters until his return, with the exception of confirmations.

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is unavoidably absent. He has a general pair with the junior Senator from Tennessee [Mr. BROCK].

Mr. McNARY (after having voted in the negative). Has the senior Senator from Mississippi [Mr. HARRISON] voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. McNARY. I withdraw my vote. If permitted to vote, I should vote "nay."

Mr. FESS. I desire to announce the following general pairs:

The Senator from Massachusetts [Mr. GILLETT] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from New Jersey [Mr. BAIRD] with the Senator from Kentucky [Mr. BARKLEY];

The Senator from Illinois [Mr. GLENN] with the Senator from Texas [Mr. CONNALLY];

The Senator from Iowa [Mr. BROOKHART] with the Senator from Texas [Mr. SHEPPARD];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from Delaware [Mr. HASTINGS] with the Senator from Montana [Mr. WHEELER].

I am not advised how any of these Senators would vote on this question.

Mr. WALSH of Montana. I desire to announce that the senior Senator from Texas [Mr. SHEPPARD] and the junior Senator from Texas [Mr. CONNALLY] are absent in attendance at the funeral of the late Representative Lee, of Texas.

The result was announced—yeas 13, nays 44, as follows:

YEAS—13

Ashurst	Hayden	Robinson, Ind.	Waterman
Copeland	McCulloch	Robsion, Ky.	
Couzens	Phipps	Sullivan	
Cutting	Ransdell	Trammell	

NAYS—44

Allen	Glass	Johnson	Steck
Bingham	Goldsborough	Kean	Steiwer
Black	Gould	Kendrick	Stephens
Blaine	Greene	Keyes	Swanson
Capper	Hale	McKellar	Thomas, Idaho
Caraway	Harris	Norbeck	Thomas, Okla.
Dale	Hatfield	Norris	Townsend
Dill	Hawes	Nye	Wagner
Fess	Hebert	Patterson	Walcott
Frazier	Heflin	Pine	Walsh, Mass.
George	Howell	Shipstead	Walsh, Mont.

NOT VOTING—39

Baird	Fletcher	McMaster	Sheppard
Barkley	Gillett	McNary	Shortridge
Blease	Glenn	Metcalf	Simmons
Borah	Goff	Moses	Smith
Bratton	Grundy	Oddie	Smoot
Brock	Harrison	Overman	Tydings
Brookhart	Hastings	Pittman	Vandenberg
Broussard	Jones	Reed	Watson
Connally	King	Robinson, Ark.	Wheeler
Deneen	La Follette	Schall	

So Mr. HAYDEN's amendment was rejected.

Mr. BLACK. Mr. President, I desire to make a parliamentary inquiry. Is it necessary to give notice that a separate vote will be asked in the Senate on an amendment?

The VICE PRESIDENT. The Chair was about to make an announcement as to that. If any Senator desires to reserve a vote, it can be reserved at this time.

Mr. BLACK. I desire to reserve a vote on the amendment offered by the senior Senator from Wyoming [Mr. KENDRICK].

The VICE PRESIDENT. Is a separate vote reserved on any other amendment?

Mr. McKELLAR. Has anyone yet reserved a separate vote on the national-origins amendment?

The VICE PRESIDENT. No separate vote has been asked on that amendment.

Mr. McKELLAR. I ask for a separate vote on the national-origins amendment when the bill gets into the Senate.

The VICE PRESIDENT. The bill is in Committee of the Whole and open to amendment. If there be no further amendment, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in all the amendments except those reserved. Without objection, the amendments on which separate votes have not been reserved are concurred in. The question now is on the first amendment reserved.

Mr. GLASS. Mr. President, I move to recommit the bill with all the amendments to the committee for further consideration. The hour is late, and I do not care to discuss the motion unless some one else does.

Mr. BINGHAM. Mr. President, will not the Senator withhold his motion until an opportunity has been had to vote on the various amendments for which separate votes have been reserved?

Mr. GLASS. I think they can all be disposed of at this time by voting on my motion.

Mr. HARRIS. Mr. President, I voted for the Senator's motion to recommit on day before yesterday because I thought perhaps the Senate committee would report the bill out without changing the national origins. I was particularly interested in the national-origins matter, but I have found that if the bill is recommitted—and I would like to have Senators understand this—it means the death of the bill at this session. A vote in favor of recommitting the bill means a vote to kill the bill.

Mr. GLASS. Mr. President, I send to the desk some telegrams received by me late this afternoon and ask that they be read.

The VICE PRESIDENT. Without objection, they will be read.

The legislative clerk read as follows:

WASHINGTON, D. C., *April 23, 1930.*

Senator GLASS,
Capitol, Washington, D. C.:

Although we favor restriction of Mexican immigration, urge recommitment Harris bill, which in present form would repeal national-origins clause.

Mrs. LOWELL F. HOBART,
President General Daughters American Revolution.

WASHINGTON, D. C., *April 23, 1930.*

Hon. CARTER GLASS,
Senate Office:

Believe repeal national origins makes passage Harris immigration bill in present form undesirable. Urge recommit bill to Senate committee.

FRANK B. STEELE,
Secretary General Sons American Revolution.

NEW YORK, N. Y., *April 23, 1930.*

Hon. CARTER GLASS:

Repeal of national origins discriminates offensively against majority of American people. Strongly urge reconsideration.

C. H. PAUL,
Chairman Legislative Committee,
Patriotic Order Sons of America.

WASHINGTON, D. C., *April 23, 1930.*

Senator CARTER GLASS,
United States Senate:

Harris immigration bill as amended is unworkable and we urge its recommitment.

UNITED STATES AIR FORCE ASSOCIATION,
J. EDWARD CASSIDY, *Director General.*

WASHINGTON, D. C., *April 23, 1930.*

Senator CARTER GLASS,
United States Senate, Washington, D. C.:

Urge recommittal of Harris bill. As amended unworkable and undesirable.

ROBERT LEE LONGSTREET NAVAL AND MILITARY
ORDER SPANISH WAR.

Mr. GLASS. Mr. President, aside from the merits of the various amendments adopted in the Committee of the Whole and concurred in in the Senate, I think there is a high question of senatorial ethics involved in the consideration of the motion which I have made to recommit the bill.

All Senators will recall the fact that the question of national origins introduced in the Senate one of the most prolonged and most bitterly contested problems that we have had here in a good many years. Senators will recall that the senior Senator from Pennsylvania [Mr. REED] was particularly charged with the leadership of the forces in favor of the national-origins provision of the immigration law. We remember very clearly with what earnestness and skill and effectiveness he performed his service. Now, it seems to me that in the absence of that Senator in a foreign country on vitally important business of the Nation it is not exactly the fair thing to propose here, without notice, to undo the work which that Senator and those in agreement with him did at the last session of Congress. On that ground alone I should advocate the recommitment of the bill in order that the senior Senator from Pennsylvania may be given an opportunity to return, as he soon will do, and state his views on the proposition which now is made, without notice and suddenly as if from a clear sky, to repeal the national-origins provision of the immigration law.

Mr. McKELLAR. Mr. President, is it not a fact that the Senator from Pennsylvania [Mr. REED] is paired with the Senator from Arkansas [Mr. ROBINSON], both of whom would vote the same way on this particular matter?

Mr. HARRIS. Mr. President, both those Senators were paired in favor of the national-origins provision. They were not paired with each other.

Mr. GLASS. Mr. President, the mere vote of a Senator in the circumstances is not of such great consequence. The fact is that the senior Senator from Pennsylvania [Mr. REED], as no other Senator on either side of the Chamber, assumed the leadership on this question and spent weeks and months delving into it and presenting the statistical aspects of it, and arguing the question with an earnestness and conducting his fight with a skill which have never been exceeded on any problem in the Senate since I have been a Member of it.

Now the Senate is about to take advantage of his necessary absence.

Mr. NORBECK rose.

Mr. GLASS. I do not mean that in any disagreeable sense. I know quite well that the Senator from South Dakota [Mr. NORBECK] is as absolutely incapable purposely of taking an unfair advantage of a colleague as any Member of the Senate could possibly be. I imagine that question has never occurred to him. But it does occur to me and I present that aspect of it, that it will not be fair. It may be regarded and I am sure inevitably will be regarded by the senior Senator from Pennsylvania [Mr. REED] as taking advantage of his absence.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GLASS. I yield.

Mr. McKELLAR. I have investigated the matter of the pair of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] and they are not paired on this motion, I will say to the Senator from Georgia.

Mr. GLASS. Whether they be paired or not, the mere vote of two absent Senators is not of anything like as much importance as maintaining the ethical processes of legislation in this Chamber. I appeal to the Senate to recommit the bill in order that the senior Senator from Pennsylvania may have an opportunity to return and combat the proposition to undo the work which he so laboriously and skillfully did at the last session of Congress.

Mr. NORBECK. Mr. President, I want to be sure we understand correctly the explanation made by the Senator from Tennessee [Mr. McKELLAR]. I am not certain he made it clear. I have reference to the pair made by the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED], who are in London attending the conference. It is well known that they are generally on opposite sides of questions, but on the question of national origins, as applied to the immigration quota, they are on the same side. I want to make it clear they were not paired against each other. Each was paired as he would have voted if he had been present. The Senator from Tennessee will agree with me on that.

Mr. McKELLAR. I have asked the pair clerk, and he tells me they are not paired on this motion.

Mr. NORBECK. On the national-origins question they were paired as they would have voted if they had been here.

Mr. McKELLAR. They were not paired on this motion.

Mr. GLASS. Mr. President, may I ask my friend from South Dakota if the senior Senator from Pennsylvania was put on notice that this question would be revived at this time?

Mr. NORBECK. No; but I have heard in a roundabout way that he knew this question was coming up again. I have heard of no protest on this matter from the Senator from Pennsylvania.

Mr. GLASS. I have been here on the ground, and I did not know it was coming.

Mr. NORBECK. I desire to correct a few erroneous impressions. The Senator from Pennsylvania [Mr. REED] drove hard for the national-origins provision. He was supported by many patriotic organizations, who based their argument mainly on the fact that if the national-origins theory was the basis of quota, it would result in a reduced number of immigrants. The hearings before the committee show that one petition after another was filed here favoring the national-origins provision because it would reduce immigration. In other words, we are taking exactly the same position they took at that time, and I have not any doubt that the Senator from Pennsylvania would be with me if he were here, because the bill would reduce immigration by 30,000. There is no question about the fact. I am just assuming that he would be with me. It would be absolutely in line with his logic.

But as to the question of fairness, let me answer briefly.

Mr. GLASS. If I may say right there, interrupting the Senator, after listening with the greatest earnestness to the Senator from Pennsylvania, if it be true that he would be with the Senator from South Dakota on this proposition, then I should never have any respect for his opinion hereafter.

Mr. NORBECK. I can not speak for him. I have not heard from him, but it would be absolutely consistent for him to agree with me. He desired a reduction of immigration then, and I assume he would be for it now. I do not know that he is with me, but under the logic of the situation he would be with me.

In the matter of securing changes in our immigration law, the question of fairness has been raised. The question of whether it is fair to take up this matter in the absence of the Senator from Pennsylvania. Let us not overlook the fact that Senator SHIPSTEAD had pending before the Immigration Committee, of which he was a member, a bill to effect the changes in the rule upon which to base the immigration quota from Europe. No consideration was given to the fact that the Senator became ill and was sent to the hospital. The committee took action on this bill during his absence. He was not able to take part in the hearings; he was not able to be here on the floor. He lost the fight on account of the fact that he was ill and that no consideration was given to that fact. He has never complained, but in answer to the charge that we are dealing unfairly I want to suggest to this Senate that the Senator from Minnesota was entitled to as much consideration as is now being asked for the Senator from Pennsylvania, who is now unavoidably absent attending to important matters in foreign lands, as a representative of our Government.

I am amused at the consideration now being expressed for the wishes of the Senator from Pennsylvania in this matter. I find during his absence there was no consideration given to his views on the tariff bill. Legislation had to proceed in his absence. I think this is no different than any other matter that comes up before this body.

Mr. GLASS. I think he will be quite content with the tariff bill when he gets back.

Mr. HARRIS. Mr. President, I asked Mr. Halsey, the pair clerk, to have the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] both paired against the repeal of the national-origins provision, and he told me he had done so. I would be glad if Senators would arrange to have them paired in favor of recommitting the bill. It is not too late for that to be done.

I want to remind Senators that while we lost the national-origins fight, and no one regrets it more than I do, if we recommit the bill and kill it, here is what we will do: We will allow 30,000 more Europeans to come into the country than are coming in at the present time, and we will also allow an average of 55,000, and more than that, to come from Mexico. Under the provisions of the bill in its present shape, if it is passed, we shut out from 85,000 to 100,000 Mexicans and Europeans.

Mr. McKELLAR. Mr. President, does the Senator think since the amendment of the Senator from Wyoming [Mr. KENDRICK] was adopted that we will shut out all Mexicans?

Mr. HARRIS. Of course, we will shut out Mexicans.

Mr. McKELLAR. I think the Senator is mistaken.

Mr. HARRIS. We will shut out nearly 100,000 Mexicans if we pass the bill with its present provisions. A vote to recommit the bill means a vote to let in 55,000 to 100,000 Mexicans and to let in 30,000 Europeans, who will be denied entrance to our country if the bill is passed. If this bill is passed, it will prevent many thousand Mexicans from coming to Texas and Oklahoma and producing a million or more bales of cotton which creates a surplus and depresses the price of cotton. A lower price for cotton decreases the earning capacity and affects the living conditions of every person in the cotton States and also forces the cotton farmer to sell his cotton at far less than the cost of production.

The VICE PRESIDENT. The question is on the motion of the Senator from Virginia [Mr. GLASS] to recommit the bill.

Mr. ASHURST. Let us have the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. McNARY (when Mr. WATSON'S name was called). The Senator from Indiana [Mr. WATSON] is absent on account of pressing official business. Upon this motion and generally he has a pair with the Senator from South Carolina [Mr. SMITH].

The roll call was concluded.

Mr. NORRIS. I desire to announce that the Senator from Iowa [Mr. BROOKHART], who is necessarily absent, is paired with the Senator from Maryland [Mr. TYDINGS]. If the Senator from Iowa were present, on this motion he would vote "nay."

Mr. FESS. I desire to announce that on this question the Senator from Pennsylvania [Mr. REED] is paired with the Senator from Texas [Mr. SHEPPARD]. If the Senator from Pennsylvania were present, he would vote "yea," and if the Senator from Texas were present he would vote "nay." I wish also to announce the following general pairs:

The Senator from New Jersey [Mr. BAIRD] with the Senator from Kentucky [Mr. BARKLEY];

The Senator from Illinois [Mr. DENEEN] with the Senator from North Carolina [Mr. OVERMAN];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Maine [Mr. GOULD] with the Senator from New Mexico [Mr. BRATTON]; and

The Senator from Illinois [Mr. GLENN] with the Senator from Texas [Mr. CONNALLY].

I am not advised how any of the Senators mentioned, if present, would vote on this question.

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is unavoidably absent. On this question he has a pair with the senior Senator from Rhode Island [Mr. METCALF]. I am authorized to announce that if the Senator from Rhode Island were present he would vote "yea," and my colleague, if present, would vote "nay."

Mr. SHIPSTEAD. My colleague [Mr. SCHALL] is unavoidably detained from the Senate. On this question he is paired with the senior Senator from Arkansas [Mr. ROBINSON], who I understand if present would vote "yea," and my colleague, if present, would vote "nay."

Mr. SIMMONS. I have a general pair with the senior Senator from Massachusetts [Mr. GILLETT]. In his absence, not being able to secure a transfer, I withhold my vote.

Mr. WALSH of Montana. I desire to announce that my colleague the junior Senator from Montana [Mr. WHEELER] is unavoidably absent. If present, he would vote "nay."

I also wish to announce that the Senators from Texas [Mr. SHEPPARD and Mr. CONNALLY] are necessarily detained by attendance upon the funeral of the late Representative Lee, of Texas.

Mr. HARRIS. I wish to call attention to the fact that both the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are paired in favor of this motion.

Mr. CARAWAY. Regular order!

The VICE PRESIDENT. No debate is in order.

The result was announced—yeas 23, nays 40, as follows:

YEAS—23

Allen	Glass	Kean	Swanson
Bingham	Goldsborough	Keyes	Thomas, Okla.
Brock	Greene	McKellar	Townsend
Caraway	Hale	Phipps	Walcott
Cutting	Harrison	Pittman	Waterman
Dale	Hatfield	Stephens	

NAYS—40

Ashurst	George	Norbeck	Shortridge
Black	Harris	Norris	Steck
Blaine	Hawes	Nye	Steiwer
Borah	Heflin	Oddie	Sullivan
Capper	Howell	Patterson	Thomas, Idaho
Copeland	Johnson	Pine	Trammell
Couzens	Jones	Ransdell	Vandenberg
Dill	Kendrick	Robinson, Ind.	Wagner
Fess	McCulloch	Robsion, Ky.	Walsh, Mass.
Frazier	McNary	Shipstead	Walsh, Mont.

NOT VOTING—33

Baird	Gillett	La Follette	Simmons
Barkley	Glenn	McMaster	Smith
Blease	Goff	Metcalf	Smoot
Bratton	Gould	Moses	Tydings
Brookhart	Grundy	Overman	Watson
Broussard	Hastings	Reed	Wheeler
Connally	Hayden	Robinson, Ark.	
Deneen	Hebert	Schall	
Fletcher	King	Sheppard	

So the Senate refused to recommit the bill to the Committee on Immigration.

RECESS

Mr. McNARY. On account of the lateness of the hour and the fact that several amendments have been reserved for a separate vote, I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 24, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, *April 23, 1930*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou art still gracious and merciful, blessed Lord God; we thank Thee. Bestow upon us the blessing of Thy Holy Spirit to temper our duties with patience, to enlarge our minds with long, long thoughts, to mellow our hearts with broad sympathies, and to interpret our lives by the standards of nobleness. O may we not be hardened by business, blunted by disappointments, or harmed by the conflicts of trade. Our Father, lure us to the high places of action, to sweet fellowships and splendid service. May we once more believe in the dreams of youth, feel once more the allurements of the heart, and trust once more the ideals of the hearthstone. Bless our country with all its manifold interests, and may all nations be brought into a more intimate relationship. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendment of the House to the joint resolution (S. J. Res. 152) entitled "Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought-stricken areas, approved March 3, 1930."

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 156. Joint resolution to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 549) entitled "An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HALE, Mr. ODDIE, Mr. SHORTRIDGE, Mr. SWANSON, and Mr. TRAMMELL to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9806) entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON, Mr. HOWELL, Mr. VANDENBERG, Mr. RANSDELL, and Mr. SHEPPARD to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 6130) entitled "An act to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NYE, Mr. KENDRICK, and Mr. WALSH of Montana to be the conferees on the part of the Senate.

PERMISSION TO ADDRESS THE HOUSE

Mr. BROWNE. Mr. Speaker, I ask unanimous consent, after the disposition of business on the Speaker's table, to address the House for 20 minutes on Thursday next.

The SPEAKER. The Chair understands that the gentleman from New York [Mr. SNELL] has served formal notice on the House that for the time being he intends to object to any arrangements made in advance for speeches. Under these circumstances the Chair would prefer to wait until the gentleman from New York is present.

Mr. BROWNE. I may say that there are two speeches already arranged for Thursday morning.

The SPEAKER. The Chair so understands; but in view of the very important legislation that is pressing, including the veterans' bill and others, the Chair feels that in the absence of the gentleman from New York, who has given such formal notice, he would prefer to ask the gentleman to withhold his request for the time being.

Mr. BROWNE. Very well, Mr. Speaker.

TWELFTH NATIONAL CONVENTION OF THE AMERICAN LEGION AT BOSTON

Mr. RANSLEY. Mr. Speaker, by direction of the Committee on Military Affairs, I call up the bill (H. R. 10118) authorizing the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930, with Senate amendments thereto, and ask unanimous consent that the Senate amendments be agreed to.

The SPEAKER. The gentleman from Pennsylvania calls up the bill H. R. 10118, with Senate amendments, and asks unanimous consent that the Senate amendments be concurred in. The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out "fifteen" and insert "twenty"; page 1, line 8, strike out "thirty" where it appears the first time and insert "forty"; page 1, line 8, strike out "thirty" where it appears the second time and insert "forty"; page 1, line 9, strike out "fifteen" where it appears the first time and insert "twenty"; page 1, line 9, strike out "fifteen" where it appears the second time and insert "twenty"; page 2, line 1, strike out "fifteen" and insert "twenty."

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman if the action of the committee in authorizing him to call up this matter was unanimous?

Mr. RANSLEY. It is the unanimous action of the Committee on Military Affairs. The amendments just increase the number of beds and cots and the amount of linen, and so forth, that will be used.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, reserving the right to object, and I shall not object to the gentleman's request, because two minutes will not amount to anything in time, but until the bill H. R. 10381 is finally acted upon I shall object to the fixing of any time for speeches. The gentleman from New York [Mr. SNELL] is here, and if he does not make the objection, I shall. I shall not object to this request.

The SPEAKER. Is there objection?

There was no objection.

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen of the House, the bankruptcy situation to-day is a serious one. Especially is this true in New York City, the largest commercial center in the world. Credit is the foundation upon which modern business is built. When once the element of confidence, which is the basis of credit, is destroyed, modern business is seriously handicapped. We can readily see, therefore, that if bankruptcies are permitted to increase, the usual confidence existing between debtor and creditor will be destroyed.

Bankruptcies are serious, not only to the honest merchant but to the public in general. If a man purchases merchandise with no intention to pay for it, but with the ultimate purpose of going into bankruptcy, he must dispose of that merchandise clandestinely, secretly, and quickly. In order to so dispose of this merchandise, he, of necessity, sells it much below the cost price. By doing this he not only cheats the merchant from whom he buys but he also creates unfair competition with legitimate merchants who can not afford to sell below cost. The selling by racketeers of merchandise below cost oftentimes causes legitimate business men to be forced out of business, because of their loss of trade due to their inability to compete with the racketeers' ruthless prices.

One wonders, however, how bankruptcies and the losses sustained as the result of both fraudulent and legitimate bankruptcies affect the public. The answer is simple. With millions of dollars being lost each year by reason of legitimate and illegitimate bankruptcies, the creditors of the bankrupts must of necessity, in order to make up the tremendous losses sustained in bankruptcies, add a certain percentage of this loss to the middleman, who in turn is forced to charge the public more for the merchandise it consumes. We can see, therefore, that in the final analysis it is the public that pays for the losses sustained by reason of bankruptcies.

Merchants throughout the country are deeply concerned over the appalling increase of bankruptcies during the last decade. In 1919 there were approximately 19,000 petitions filed. In 1929 there were over 57,000 filed, an alarming increase of 200 per cent. In 1919 the total liabilities of bankrupts were $241,720,000. In 1929 the total liabilities of bankrupts were $883,605,000, an increase of over 300 per cent. In 1929 creditors of bankrupts received only 5½ cents on the dollar from bankrupt merchants. We can see by these staggering figures that creditors lost in 1929 approximately 95 cents on every dollar's worth of merchandise sold to the 57,000 individuals who went into bankruptcy. These figures visibly portray the gigantic losses merchants sustain each year as the result of bankruptcies. One can also visualize the resulting loss of confidence in the prosperity of business—that confidence which is necessary to obtain credit, the stabilizing factor in modern business. Surely one does not expect the merchants who sold in 1929 $883,605,000 worth of merchandise to 57,000 middlemen to sustain the ultimate loss of 95 per cent on this merchandise. Who sustains this loss? The public, of course.

Most of these failures are not fraudulent ones. Many, however, are brought about by the inability of legitimate merchants to compete with the racketeers. Intelligent and scheming racketeers find the bankruptcy field a very fertile one in which to operate.

There has been an enormous number of lawyers practicing before the bankruptcy court since the passage of the national bankruptcy act of 1898, but the percentage of lawyers who have committed wrongs during that period has been very small indeed.

Bankruptcy is commercial. It is difficult to have any commercial enterprise completely free from wrongdoing. We see that every day in banking circles and in business circles generally.

Whatever may be said about bankruptcy, the wrongs have been quite slight compared with what has been illegally carried on in equity receiverships.

Since the passage of the national bankruptcy act of 1898 a large number of insolvencies have been conducted in the Federal courts of the United States under the guise of bills in



equity, which were in fact bankruptcy proceedings and were known to be such at their very inception, and should have been conducted under the provisions of the national bankruptcy act of 1898. This nefarious and obnoxious practice has from time to time been adversely criticized by the Supreme Court of the United States, by such eminent jurists as Judge Taft, Judge Butler, and Judge McReynolds.

Notwithstanding such criticism from our highest court, this corrupt practice still continues.

The purpose of conducting such insolvencies in the equity side of the court instead of on the bankruptcy side where it belongs, is to escape the provisions of the national bankruptcy act and the rules of the Supreme Court of the United States which limit the compensation of receivers, referees, attorneys, and others.

In equity cases, enormous fees, wholly out of proportion to the value of the net distributable estate to the creditors, have been paid to receivers, special masters, committees and their counsel, accountants, appraisers, custodians and others, which practice has been seriously criticized by the United States Supreme Court. There are specific cases where the amounts paid to receivers and others exceeded the amount paid to creditors.

It is not going too far to say that a thorough investigation of equity receiverships in the past 20 years would show that $300,000,000 has been paid to receivers, special masters, accountants, appraisers, attorneys, and so forth which, under proper regulation, should have gone to creditors.

One of the great troubles has been the shortage of judges and the fact that the judges have been without adequate help. It is ridiculous to expect a judge of the Federal court—who is obliged to handle patent matters, trade-mark matters, criminal cases, civil cases, and so forth—to supervise detailed ramifications of insolvency proceedings. Every judge should have three assistants, (1) an expert stenographer, (2) a trained lawyer to act as a law clerk, and (3) a certified public accountant. With such a staff each judge would be able to delve into the minutest details of an insolvency proceeding. He would be able to watch the proceeding from beginning to end. When an insolvency case is started it should remain with the judge before whom it was started right down to the end of the case.

The great objection to having a trust company the sole receiver is that it takes the administration of insolvency proceedings away from the court and places the administration in foreign hands. That is absolutely wrong. It is against the policy of the United States Government. There is no more propriety in such a course than in turning over the administration of insolvent banks to some individual bank or trust company. The Federal Government should administer insolvency estates just as it administers insolvent banks.

There has been too much adverse criticism of the handling of bankruptcy proceedings. There is no great essential difference between a bankruptcy proceeding as such, and the ordinary action brought by A against B to recover a debt. The only difference between such an action and a bankruptcy proceeding is this: In a bankruptcy proceeding, when A files a petition against B to collect his debt, A is presumed to act as a trustee for all of the creditors of B, so that all creditors will be treated alike.

Since A and his attorneys are vitally interested in collecting A's debt, it is only natural to assume that A and his attorneys will conduct the bankruptcy proceeding in such a way as to recover the largest sum possible for the creditors.

There has, of course, been abuse in this regard. There have been creditors and attorneys in the position of A who have filed false affidavits with the court. They have sworn that they were not interested in the bankrupt. The affidavits were false. The affiants should have been prosecuted. The attorneys should have been disbarred. If these matters had been acted upon summarily and at the time of the occurrences there never would have been any real abuses in the administration of bankruptcy estates.

But with the shortage of judges and with the inadequacy of assistants for the judges, it was impossible to check these abuses because bankruptcy cases became too numerous.

The receiver in bankruptcy should be the clerk of the court, and the fees of the receiver should go to the United States to help defray the cost of administering the bankruptcy estates.

The best proof that it is not necessary to have an outside receiver is that the court has agreed in New York upon a trust company as sole receiver.

The clerk should have standing custodians, appraisers, auctioneer, and accountants, all to be approved by the court and paid out of the estates.

The attorney who files the involuntary petition should be permitted to conduct the administration of the estate, in the name of receiver or otherwise, subject to summary removal for cause on motion of any party in interest or on the court's own motion if it appears that the petition was filed in the interest of the bankrupt, or if it appears that the attorney is not proceeding with speed or is otherwise misconducting himself.

It is against the policy of the Government to shift the responsibility for the administration of bankruptcy estates from the court to private individuals.

The attorney for the petitioning creditors should receive reasonable allowances based solely upon the results obtained for the creditors, not exceeding 5 per cent of the value of the estate. But the court may, in exceptional cases, upon notice to all creditors, award a large sum where it appears that the proceeding is a difficult and extraordinary one and where substantial recoveries have been made for the creditors.

The receiver should be clothed with the same title as is now possessed by the trustee, thus doing away with a double administration.

The referees should receive one-half the salary of the district court judges and should not receive any other compensation.

The objections to the Irving Trust Co. are:

(a) It is taking away the business of a large number of lawyers and giving it to the Irving Trust Co. and other lawyers.

(b) It is depriving creditors of the right to name their own trustee because no individual creditor can compete with the Irving Trust Co. and the referee.

(c) The Irving Trust Co. is frequently a litigant in the Federal court and a creditor in the bankruptcy proceeding.

(d) The Irving Trust Co. is frequently charged with having received a preference in the bankruptcy, and can hardly be expected to sue itself.

(e) There is such a close relationship between the larger banks that the Irving Trust Co. may be embarrassed in suing other banks for preferences, and there may be a coalition of bank creditors against the smaller creditors.

It is for that reason, Mr. Speaker, ladies and gentlemen, that I have just introduced a resolution in the House to correct these outrageous abuses of equity receiverships that rightly belong in the domain of bankruptcy and bring justice to the honest merchant, manufacturer, and business men of our Nation. [Applause.]

The resolution reads as follows:

House Resolution 211

IN THE HOUSE OF REPRESENTATIVES,
Seventy-first Congress, Second Session.

Mr. SIROVICH submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

Resolution

Whereas since the passage of the national bankruptcy act of 1898 a large number of insolvencies have been conducted in the Federal courts of the United States under the guise of bills in equity which were in fact bankruptcy proceedings and were known to be such at their very inception and should have been conducted under the provisions of the national bankruptcy act of 1898; and

Whereas that practice has from time to time been adversely criticized by the Supreme Court of the United States in such cases as United States *v.* Butterworth (269 U. S. 504), opinion by Judge Butler; Price *v.* United States (269 U. S. 492), opinion by Judge Butler; Brumwall *v.* United States Fidelity & Guaranty Co. (269 U. S. 483), opinion by Judge Butler; and Mellon *v.* Michigan (271 U. S. 236), opinion by Judge McReynolds; and

Whereas notwithstanding such criticism from our highest court the practice still continues; and

Whereas the purpose of conducting such insolvencies on the equity side of the court instead of on the bankruptcy side is to escape the provisions of the national bankruptcy act and the rules of the Supreme Court of the United States, which limit the compensation of receivers, referees, attorneys, and others; and

Whereas enormous fees, wholly out of proportion to the value of the net distributable estate to the creditors, have been paid to receivers, special masters, committees and their counsel, accountants, appraisers, custodians, and others, which has also been seriously criticized by the Supreme Court of the United States; and

Whereas there are specific cases where the amounts paid to receivers, attorneys, accountants, committees and their counsel, special masters, appraisers, custodians, and others exceeded the amount paid to creditors; and

Whereas the practice has recently grown up of appointing only a single trust company in certain judicial districts, receiver and trustee in bankruptcy and in equity, which trust company employs only such attorneys, committees, accountants, appraisers, custodians, and clerks as are friendly to such trust company; and

Whereas such trust company also insists upon the deposit with it of all funds in such insolvency proceedings, contrary to the spirit of our

laws, which require that a receiver shall not have personal control of the receivership funds; and

Whereas the deposit of bankruptcy and equity funds is thus limited by the judges to favored institutions; and

Whereas all of the above is resulting in the unemployment of a vast army of young lawyers throughout the United States because the handling and disposition of insolvency estates in the Federal court is being concentrated in the hands of a few corporations, credit associations, and individuals for their own selfish purposes and is preventing merchants from having their own attorneys collect their claims in insolvency proceedings, and is also resulting in the administration of insolvent estates by a corporation which chooses its own counsel and other help instead of by the court, all contrary to the spirit of our laws and our form of government; and

Whereas already certain judges have been compelled to resign and others have been censured for misconduct in connection with such insolvency proceedings: Now, therefore be it

Resolved, That the Judiciary Committee of this House appoint a subcommittee or committees (with power to employ counsel and other assistants) to subpœna witnesses, books, checks, accounts, and such further authority as is necessary to conduct such investigation and to investigate all proceedings brought in the various district and circuit courts of the United States, commonly referred to as equity receiverships since the passage of the national bankruptcy act of 1898, to determine to what extent these proceedings should have been carried on as bankruptcy proceedings in the first instance and to what extent fees have been paid to receivers, special masters, committees and their counsel, accountants, appraisers, custodians, and others; and to determine to what extent these fees have exceeded those allowable under the bankruptcy act; and whether such fees, amounting to many millions of dollars, can not be recovered back for the benefit of merchants in summary proceedings instituted by the judges against the persons who have improperly received such payments.

Resolved further, That the said subcommittee or committees have power to investigate all bankruptcy proceedings instituted since the passage of the national bankruptcy act of 1898, all with a view of recommending to the House what amendments, if any, should be made to the bankruptcy act and what steps should be taken to regulate the handling of insolvency estates in the Federal courts, and an appropriation of $10,000 is hereby authorized to defray the expenses of said investigation.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 7491, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DICKINSON, SIMMONS, SUMMERS of Washington, BUCHANAN, and SANDLIN.

BRIG. GEN. CASIMIR PULASKI

Mr. McCORMACK of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks on the several resolutions pending asking the President to issue each year a proclamation calling on the people to honor and commemorate the death of Brig. Gen. Casimir Pulaski.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK of Massachusetts. Mr. Speaker, ladies and gentlemen of the House, among the names, which in the eighteenth century lent luster to romance and a dignity to history, few have come down to us with greater affection and attraction than that of Casimir Pulaski. His deeds and memory are forever enshrined in the hearts of Americans. Born in Podolia, Poland (the date stated in history is March 4, 1748, but this date is probably incorrect, because accompanying him to America was his son-in-law, Baron de Lovzinski, who had married Count Pulaski's daughter some years before), with rank and fortune—his father an able jurist, his family ancient and influential—his early years were spent in careful study, in the acquisition of a thorough military education and in the cultivation of those elevated principles which so signally distinguished him in after life. The history of time presents to its readers of to-day no person who had a stronger affection for free institutions of government. His life showed a genuine devotion to the best interests of his country, and his love for the land of his birth, once powerful in wealth, rank, prestige, and power, was evidenced by his years of constant resistance to the foot of the oppressors in their effort to destroy the independence of his glorious country. His life was dedicated to freedom; first, the freedom of his own people, and when numbers and internal dissensions of those who should have been fighting shoulder to shoulder with him overcame the resistance to the partitions of Poland and the destruction of its government, his liberty-loving spirit urged him to the New World, where he enlisted and died in the cause of freedom. Well has it been said that "his life was dedicated to liberty!"

By tradition he was imbued with the love of liberty and his hatred of oppression was the equal of his love for liberty.

Scarcely had he attained the strength and proportions of manhood when we find him with his father and brothers pledging their time, fortunes, energies, and lives to the glorious mission of accomplishing the redemption of Poland. It has been well said that Pulaski repudiated "the honors and emoluments which would certainly have been his had he courted Russian influence or sympathized with the schemes of the dominant party, sacrificing all interests of a personal and selfish character, laying aside every claim to promotion by virtue of acknowledged rank and family position, and devoting his patrimony to the furtherance of the cause of liberty and freedom of his people, entered the lists of the friends of freedom without pretensions, but with a strong arm and a determination to consecrate his every ability to the liberation of a land endeared to him by holiest ties." The vigor of his intellect, the wisdom of his plans, the fearlessness of his advice, and his courage were such that within a few months he became one of the acknowledged leaders of the patriots of Polish liberty. He fought for the regeneration of his country and for the preservation of the ideals of a noble people. "Never was there a warrior," said Rulhiere, "who possessed greater dexterity in every kind of service." He was a born leader of men. Intrepid in battle, he was gentle, obliging; sociable, never distrustful where he had once placed his confidence.

Realizing that the people of Poland could not hope by petition and argument to compass a peaceful assertion of their right to retain the quiet enjoyment of their homes, their ancient freedom, and their nationality, the Poles rose in armed defense. For years Pulaski and his gallant companions in arms stemmed the tide of invasion and of domestic dissensions. In this struggle of the few against the many, gallant and courageous as it is recorded in history, the end had to come. The best hopes of the Polish patriots were doomed to disappointment. The conspiracy of the three sovereigns, Russia, Prussia, and Austria, was at length successful. Her sons overpowered, scattered, slain, Poland lay prostrated at the feet of her oppressors. In this great conflict for Polish independence Pulaski had sacrificed everything. Even members of his own family and friends died. He witnessed the death of his grandchildren and the capture of his only living grandchild, an infant of 18 months of age. He even saw his daughter die. He was condemned as an outlaw with a price on his head. His possessions were seized and he was forced to leave his country. No nobler or braver patriot for the cause of his country ever lived.

Speaking of himself Pulaski once said:

> I regarded every moment as lost which was not employed in repelling the enemies of my country. My thoughts and actions have had no other end than the good of my country.

Still hopeful for the regeneration of Poland he went to Turkey seeking to enlist the aid of that country and to have them fulfill promises of assistance that had been made. Failing to enlist the sympathies of Turkey, after five years of effort, he abandoned that country for France. It was at a time when the French nation was warming toward America in generous appreciation of the impulses which led to our desire for separation and independence. Pulaski resolved to tender his military services to the infant Republic. It is quite probable that as Pulaski heard of this conflict for liberty and independence that was raging across the seas, he saw through its success the regaining of independence for his poor, stricken country. If so, his dreams and hopes long delayed have come true. Once again that proud and noble people have regained their right of self-government, and at least partly through the instrumentality of the infant Nation that Pulaski fought and died for.

Learning of his desire to offer his services, Franklin, then in Paris, favored him with an introductory letter to General Washington—

> Count Pulaski, of Poland—
>
> Read the letter—
>
> an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers of Russia, Austria, and Prussia, will have the honor of deliver-

ing this into your hands. The court here have encouraged and promoted his voyage from an opinion that he may be highly useful in our service.

In another letter Doctor Franklin said:

Count Pulaski is esteemed one of the greatest officers in Europe.

Pulaski arrived in Philadelphia during the early part of 1777 and joined the Army as a volunteer, and we find him with Washington, Greene, Wayne, Sullivan, and LaFayette at the Battle of Brandywine, striking his first blow in behalf of American independence. His gallantry, bearing, and military skill were such that toward the end of the engagement he was intrusted with the command of Washington's bodyguard. Four days afterwards he was commissioned by Congress as a brigadier general and assigned to command the Cavalry. In recommending Count Pulaski for this position, General Washington, in his letter to Congress, said:

This gentleman has been, like us, engaged in defending the liberty and independence of his country, and has sacrificed his fortune to his zeal for these objects. He derives from hence a title to our respect that ought to operate in his favor as far as the good of the service will permit.

Prior to the arrival of Pulaski, Cavalry as an arm of service had received comparatively little attention in the Continental Army. Until his appointment there had been no officer in that branch of higher rank than that of colonel. History records that with Pulaski, Cavalry was his favorite arm. It has been stated that—

He loved the broad blade, the bugle-call, the pawing steed, and the charging squadrons.

With this activity, his past military reputation has been most closely allied. Concentrating his squadrons, as far as practicable, small in numbers as they were, he inaugurated a system of exercise and discipline which in a short time developed such precision in drill and movement that his troop became the admiration of the Army.

At Warren Tavern, Germantown, Haddonfield, and elsewhere, he displayed his accustomed zeal and intrepidity, transferring to the battlefields of America the same devotion and heroism which had made his name so illustrious in Europe. The character of mind and the unselfishness which actuated his service in our cause, his willingness to make every personal sacrifice for the cause that aroused his enthusiasm and support, is best evidenced by his voluntary resignation of the command of the Cavalry of the Continental Army in order that misunderstanding and lack of harmony among certain officers might not exist. After his resignation, and around the middle of March, 1778, he returned to the main army, which was then located at Valley Forge.

Upon his own suggestion, which was adopted by Washington and sanctioned by Congress, Pulaski organized three companies of horse and three companies of infantry, known to history as the celebrated "Pulaski's Legion." This force rendered valiant services during the later war operations, particularly in the southern campaigns. This organization was recruited mainly from Baltimore.

In February, 1779, General Pulaski was ordered to South Carolina to assist in the defense of Charleston, during which, with his specially drilled legion, he rendered valiant service in its successful defense. It was the brilliant and unexpected attack made by Pulaski's Legion upon the British forces in their march to invest Charleston that caused such delay on their part as to enable adequate defenses and other plans to be made for the defense of the city. From the moment that the British forces started their retreat from the attempt to capture Charleston until their arrival in Savannah, Pulaski, although suffering from frequent attacks of climate fever, pursued the enemy, dealing them a blow whenever possible.

We now arrive to the time just preceding his unfortunate death, which, as Washington said, "was an irreparable loss to the cause."

The closing chapter of his career is to all of us a lesson of devotion to duty. Pulaski had borne a charmed life in his efforts to assure liberty to his loved people of Poland, and during the engagements of the Revolutionary War that he participated in, he escaped without wound or injury. The record of his death is brief. Count d'Estaing, admiral of the French Navy operating in American waters, with several thousand French troops appeared off southern shores in the early part of September, 1779. He had come for the purpose of cooperating with General Lincoln, commander of the Continental Army in that section, in some decisive enterprise, and the capture of Savannah was agreed upon.

A plan of attack was drawn, as a part of which General (Count) Pulaski was placed in command of the American and French Cavalry. It was while the attack was being made that Pulaski received the wound that resulted in his death a few days later. He dedicated his life to the cause of liberty. The life of Pulaski is a lesson to all Americans. General Lincoln in a letter to Congress dated October 22, 1779, refers to him "as the late intrepid Count Pulaski." General Washington said, "the count's valor and zeal on all occasions have done him great honor." His last words expressed on the battlefield before lapsing into unconsciousness were uttered in the line of duty and in the cause of American liberty. It was a command to an officer who had accompanied him when he left his legion behind to go forward in order to secure information as to the progress of the battle, when he said, "Follow my lancers, to whom I have given my orders of attack." A soldier and a patriot to the end! Pulaski, of Polish birth, died, an American, for the land of his adoption.

He came to these shores a stranger, of foreign birth, an alien as he would be called to-day, and his unselfish love of liberty and the cause of independence, the background of which was liberty; his services, sacrifices, and death should be a lesson to all of us. It should also be a lesson to those in this country who manifest by their actions or expressions a feeling of contempt, superiority, disdain, or any other feelings which are the origin of efforts, legislative or otherwise, which, no matter how honest the motive, will result in the imposition of unfair, oppressive, or persecutory conditions upon the foreign-born noncitizen residents of our country.

Pulaska was wounded October 9, 1779, and died October 11, 1779. On October 11, 1929, the great Commonwealths of Massachusetts, New York, Indiana, Wisconsin, Michigan, Ohio, South Carolina, Pennsylvania, Minnesota, Maryland, New Jersey, Illinois, Rhode Island, New Hampshire, Nebraska, Georgia, Missouri, and possibly other States, by legislative enactment, designated that day as General Pulaski's memorial day and in a fitting way honored his memory.

There are pending in Congress several House joint resolutions, which have been referred to the House Committee on the Judiciary, the purpose of which is to have the President proclaim October 11 of each year General Pulaski's memorial day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski. Among some of the Members introducing resolutions are the gentleman from Massachusetts [Mr. GRANFIELD], the gentleman from Indiana [Mr. KUNZ], the gentleman from Indiana [Mr. HICKEY], the gentleman from Illinois [Mr. SABATH], the gentleman from New York [Mr. MEAD], the gentleman from Michigan [Mr. CLANCY], and probably other Members of Congress. The gentleman from Wisconsin [Mr. SCHAFER] has also introduced a House joint resolution relating to the two hundredth anniversary of the founding of the city of Savannah, and authorizing an appropriation for the construction of a permanent memorial to Brig. Gen. Casimir Pulaski, Revolutionary War hero. I have also received a number of resolutions passed by the city council, board of aldermen, or board of selectmen of a number of cities and towns in Massachusetts urging action on the part of Congress that will assure the honoring each year by the Federal Government of the name of Pulaski, and what it stands for, and the influence that it should exercise upon Americans of this and succeeding generations. The action taken by the legislatures of the 16 States that I have mentioned, together with the large number of resolutions introduced by so many able and distinguished Members of this body, coupled with the action taken by local bodies, indicate clearly and convincingly the great public interest that exists with reference to a proclamation each year by the President calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11 of each year and inviting the people of the United States to observe the day in schools and churches and other suitable places with appropriate ceremonies in commemoration of the death of such a noble patriot.

The people of the United States of all generations have always looked with sympathy upon the aspirations of the people of Poland to regain their liberty and right of self-government. To a great measure that feeling was due to the influences of the name of Pulaski. The people of Poland have recently regained their right to establish their own form of government. They are once again a free and independent people. The best evidence of the warm feeling that the people of America of to-day entertain for the new Government of Poland is the fact that on January 22, 1930, President Hoover signed the congressional resolution which raised the American legation at Warsaw to the rank of an embassy, and forthwith nominated as our first ambassador to Poland Alexander P. Moore, of Pittsburgh.

Concurrently with the change of status of the American legation, Poland took similar action in respect to its legation in Washington, and appointed Tytus Filipowicz to be the Polish ambassador to the United States. The honoring of the memory of our deceased heroes is a duty that we should never forget. The people of the United States are desirous of having the anniversary of the death of Casimir Pulaski, brigadier general of the Continental Army, properly and fittingly celebrated, and that the memory of his ideals, services, sacrifices, and death be honored each year. The House Committee on the Judiciary should give immediate consideration to the several resolutions pending and referred to that committee, and report favorably thereon as soon as possible. The passage of such a resolution by both branches of Congress will show that the Federal Government is not forgetful, except on rare occasions, of the services and sacrifices of Pulaski, who, denied liberty in Poland, the land of his birth, came to America, and paid the supreme sacrifice in the cause that gave birth to the institutions of government that we enjoy.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Mississippi makes the point of order that no quorum is present. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, the Sergeant at Arms was directed to notify absent Members, the Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 25]

Auf der Heide	Doutrich	Johnson, Tex.	Seiberling
Beck	Doyle	Kading	Shreve
Black	Ellis	Lambertson	Smith, Idaho
Bloom	Eslick	Leech	Smith, W. Va.
Britten	Estep	Ludlow	Spearing
Byrns	Finley	McClintic, Okla.	Steagall
Cable	Foss	McDuffie	Stedman
Carley	Free	McKeown	Sullivan, N. Y.
Carter, Wyo.	Fulmer	McMillan	Sullivan, Pa.
Celler	Garrett	Montague	Taylor, Colo.
Chase	Goldsborough	Moore, Ky.	Tucker
Chindblom	Graham	Nelson, Wis.	Turpin
Clark, N. C.	Griffin	Newhall	White
Coyle	Hammer	O'Connell, R. I.	Whitehead
Cross	Hoffman	Oliver, N. Y.	Whitley
Crowther	Hudspeth	Rainey, Henry T.	Williams
Curry	Hull, William E.	Rowbottom	Wurzbach
Davis	James	Sabath	Wyant
Dempsey	Johnson, Ill.	Sandlin	Zihlman

The SPEAKER. Three hundred and fifty-two Members have answered to their names. A quorum is present.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. MAPES in the chair.

The Clerk read the title to the bill.

Mr. RANKIN. Mr. Chairman may I ask how the time stands?

The CHAIRMAN. The gentleman from Mississippi has 2 hours and 2 minutes remaining, and the gentleman from South Dakota has 1 hour and 46 minutes remaining.

Mr. RANKIN. Mr. Chairman, I yield 25 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman and gentlemen of the committee, at the outset of my remarks I want to compliment the chairman of the Veterans' Committee for bringing into the House a bill providing for a very substantial amount of relief for the disabled veterans. There is nobody in the House of Representatives who has been a better friend of the disabled veterans, who has worked harder, or who has been more sincere in his efforts in their behalf, than the gentleman from South Dakota [Mr. JOHNSON]. [Applause.]

Any Member of the House, whether he be a veteran or a nonveteran, can vote for the Johnson bill that is pending with the knowledge that that particular bill as reported by the Veterans' Committee will render a great amount of much-needed relief to our disabled veterans.

At the same time I want to compliment the gentleman from Mississippi [Mr. RANKIN], another sincere friend of the veterans, who has made an extensive study of the problems of the disabled soldiers. He has given his time and energy in their behalf, and his name has become a household word to the disabled war veterans throughout the United States. [Applause.] He is offering for your consideration certain amendments, certain relief legislation that should be carefully considered on its merits by the Congress.

I have arisen here to-day to call the attention of the House of Representatives to the deplorable results of the emergency officers' act, for the passage of which I voted, and therefore am somewhat responsible.

It comes a little bit hard for a Member of Congress to take the floor and admit a mistake in voting for a piece of legislation that has turned out almost directly opposite from what he expected at the time.

I know that when I voted for the emergency officers' retirement bill I believed it aimed primarily to take care of the emergency officers who had received injuries in line of duty during the war and particularly those in combat units.

But if you analyze the way the Veterans' Bureau has handled this bill, and the awards that it has made under the provisions of the bill, it might be called a bill for the benefit of the Medical Corps, the Quartermaster Corps, and the United States Guards. These three branches of the service have received the highest number of awards proportionately.

For example, there are 199 majors of the Medical Corps who have been retired under the provisions of the bill and only 92 from the Infantry.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. FISH. I yield.

Mr. JOHNSON of South Dakota. What is the annual pension secured by these majors?

Mr. FISH. The retirement pay under the bill is approximately $200 a month for officers of the rank of major.

Mr. RANKIN. Will the gentleman yield?

Mr. FISH. I yield.

Mr. RANKIN. That is the number retired with pay and many more have been retired and will probably be put on the pay roll if the bill is amended to that effect.

Mr. FISH. I have not got those figures. The gentleman is probably correct. It might be interesting to the House to have some information regarding the rank and branch of service of some of the officers already awarded retirement. For example, there were 27 lieutenant colonels of the Medical Corps who have been retired and only 22 from the Infantry. As I stated, there were 199 medical majors retired, and only 92 majors from the Infantry. There were 674 medical captains retired and only 440 from the Infantry. I am quite sure that I express the opinion of the House that that was not the purpose of the emergency officers' bill when it passed the House of Representatives to retire such a large proportion of officers in the noncombatant branches of the service.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. LAGUARDIA. Can the gentleman state how many of those medical officers were injured in combat? Of course, medical officers were assigned to the front.

Mr. FISH. I can state to the gentleman the number of medical officers that were killed in action. I have not got the figures of the injured or wounded. There were no medical lieutenant colonels killed. There were 4 majors and 17 captains killed in the Medical Corps. I do not want in any way to reflect on the remarkable performance of the Medical Corps during the war. They did their full duty and they deserve a great deal of credit for their service in the war in saving the lives of thousands upon thousands of wounded veterans, and particularly through the giving of typhoid and paratyphoid inoculations, thereby saving our troops from the ravages of disease. I have a high regard for the activities of the Medical Corps during the war and know that it contributed its full share in the ultimate victory.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. FITZGERALD. I am wondering if what the gentleman from New York has just told the House in regard to the disproportionate number of medical officers retired under this bill is not an index of the methods of the Veterans' Bureau in all of our cases, and whether, if the matter were fully analyzed, it would not show the same discrimination in favor of medical officers all the way through? And does not the gentleman from New York think that because so much of the rating and consideration of the claims for compensation in the Veterans' Bureau is in the hands of medical men, and because so many of them are better skilled in presenting medical evidence they have a tremendous advantage under the present administrative system of the bureau?

Mr. FISH. Of course the gentleman is correct in that the medical officers have an advantage in presenting their cases,

but that does not refute the fact that the purpose of this bill is not being carried out and that most of us when we voted for the bill did so in an honest effort primarily to take care of the battle casualties. And before I get through I want to ask the introducer of the bill [Mr. FITZGERALD], a great friend of the veterans, if he will help me secure an amendment to the bill, first, to take care of the 5,000 provisional officers, 90 per cent of whom I should say at least served on the front lines in combat divisions, mostly in infantry regiments, and include them under this bill, where they should have been originally, whereas to-day they can not get any retirement pay under any law.

I would also like to know whether the gentleman from Ohio would agree to an amendment to take away the retirement pay from those officers who are being retired under the presumptive provisions in accordance with the ruling of the Attorney General, who changed the bill entirely from direct connection with war disabilities under his ruling into one of presumption?

Mr. FITZGERALD. Mr. Chairman, I am glad to answer the gentleman. In the first place, I shall be very happy to assist in any amendment to the disabled emergency officers' retirement act which will extend the benefits of the act to any kind of officer who has not had the advantages provided in the law. As I understand it, there were nine classes of officers in the World War. Retirement had been provided for eight of the classes when this particular law which the gentleman from New York is discussing was passed. The law was to take care of the last and only neglected class of officers—emergency Army officers of the World War.

At the request of one of the Senators, those naval officers who had not taken advantage of the opportunity theretofore given them were included in the bill. If there are any provisional officers who did not take advantage of their opportunity, I would be happy to have the bill amended so that they might have an opportunity, because they have already had one. I may say that every provisional officer living in the third congressional district of Ohio who has had a claim for retirement, to the best of my knowledge and belief, has been retired. I do not know of a single provisional officer with a claim for retirement who has not been retired.

Mr. FISH. Let me say to the gentleman that that can not be correct, because there is no law under which provisional officers can be retired. They can be retired only under the act of July 9, 1918, passed during the war, and under that they could have been retired; but they had to be in the Regular Army at the time. The minute they severed connections with the Regular Army as provisional officers after the war there was no way for them to secure retirement.

Mr. FITZGERALD. I know they were retired. They were retired up to a year before this bill was passed.

Mr. FISH. I am sorry to say that the gentleman is wrong.

Mr. FITZGERALD. I know it because of officers in my own district, and I can give the gentleman the names.

Mr. FISH. Then a mistake has been made. I believed exactly what the gentleman now believes 24 hours ago, but I have spent the last 24 hours digging up information about the matter both from the War Department and from General Hines, and two or three other sources, and I have letters from General Hines and from The Adjutant General of the Army stating that there is no way for any provisional officer to be retired.

Mr. FITZGERALD. Then the gentleman is proposing what he has objected to, and that is the presumptive feature. Every provisional officer was entitled to retirement if disabled when he was discharged from the service. If he had a disability, he had a right to retirement. Under your proposal a provisional officer in full health at the time of discharge must now rest any claim for retirement under any law we pass upon a presumption that, in spite of the records, he was, in fact, disabled instead of in complete health at the time of his discharge.

Mr. FISH. Let me tell the gentleman that the rulings under the United States Army retirement system are different from under the law he proposed. It is not a question of 30 per cent disability.

Mr. FITZGERALD. Twenty per cent has been recognized as a sufficient degree to justify retirement in the Regular Army, and this was an opportunity offered to the provisional officers.

Mr. FISH. All these provisional officers are the ones who ought to be taken care of, because they went into these Regular Army divisions in order to see fighting on the front lines, and found plenty of it.

Mr. FITZGERALD. I will challenge my friend from New York to find in my district a provisional officer disabled in service who is not retired, and I do not know any in his district.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes; I yield to the gentleman from New York.

Mr. WAINWRIGHT. I think this question would be of interest to the House: Among the emergency officers who had the benefit of this emergency officers' retirement act, how many had combat service, and how many had not combat service?

Mr. FISH. I will try to answer the gentleman. My colleague asks me how many of these emergency officers had combat service, and how many had not?

Mr. WAINWRIGHT. Yes. The law was passed primarily, as I understand, for those who had had combat service.

Mr. FISH. The branch of the service which had the highest percentage of retirement awards was the United States Guard. None of them went abroad; their duty was to guard bridges and factories in the United States. The next highest was the Medical Corps and then the Quartermaster Corps. Does that answer the gentleman's question?

Mr. WAINWRIGHT. Absolutely. So far as receiving benefit under that act was concerned, apparently it was a distinct advantage not to have gone overseas.

Mr. FISH. The explanation of the Veterans' Bureau is that men who served at 50 years of age can more easily find and prove a 30 per cent disability.

Mr. WAINWRIGHT. One further question on another subject.

Mr. FISH. Very well.

Mr. WAINWRIGHT. As I understand, the gentleman, in his colloquy with the gentleman from Ohio [Mr. FITZGERALD], raised the question whether some of these young men, the flower of the personnel, those who commanded platoons or companies, and the question was asked whether emergency officers who technically had regular commissions should be deprived of the benefit of this act, or whether it should be extended to such officers who were technically regulars, but, as a matter of fact, were the products of the training camps and who had gone into the training camps with no intention of making the Army their permanent career.

Mr. FISH. I regret I can not yield further.

Mr. WAINWRIGHT. But your answer is in the affirmative.

Mr. FISH. Absolutely; yes.

Mr. HILL of Alabama. Mr. Chairman, will the gentleman yield there?

Mr. FISH. Yes.

Mr. HILL of Alabama. There are a number of bills now pending in the Committee on Military Affairs in behalf of men seeking retirement on the same basis as the emergency officers who had opportunity to retire under the terms of the Fitzgerald bill.

Mr. FISH. Well, I do not want to argue with the gentleman from Ohio [Mr. FITZGERALD], because the facts speak for themselves.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. MOORE of Virginia. How does the gentleman explain what he seems to be asserting; that is, that the emergency officers' retirement act has been grossly maladministered?

Mr. FISH. The first difficulty is that I am afraid that act was unscientifically drawn up in the House and in the Senate of the United States; that it did not carry out exactly the purposes of the membership of the Congress; and the second difficulty, and possibly the main difficulty, is that the comptroller ruled that disability directly due to the war service should be ignored, and that the presumptive provision should be included, and that about doubles the number of officers eligible to retirement under the terms of the act, and instead of its costing $4,000,000, as predicted, it is costing approximately $9,000,000.

Furthermore, as pointed out to you, the medical officers are, as a rule, older, and they have better means of keeping their record in order to be retired. But there must have been something wrong in the Medical Corps during the war when we find that so large a proportion have broken down and have secured retirement under the provisions of the emergency officers' act. And there must be something wrong in the Veterans' Bureau if so many medical officers can qualify for that amount of physical disability. But there is one man that I want to absolve from responsibility, and that man is General Hines. The bill was thrust upon him, and he did what he could at the time the bill was vetoed by the President to point out its inconsistencies and difficulties from the point of view of an equitable administration. He has, however, been trying to follow out the requirements of the law, and nobody can hold him responsible for failure to obey the law.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. JOHNSON of South Dakota. Is it not true that the additional expense was caused very largely by the Attorney General's decision under date of January, 1929, and not by the comptroller or the Veterans' Bureau?

Mr. FISH. Yes. It was the ruling of the Attorney General that almost doubled the cost of the bill, because he held that it made no difference if the emergency officers had disabilities connected with the war service or not. It was not the intention of Congress at that time that any officer should be included that did not have a direct war injury.

Mr. FITZGERALD. Does not the gentleman remember that when this bill was debated in the House I was called upon for an explanation and interpretation of the bill? I will ask the gentleman whether I did not say positively that the bill was so framed as not to include presumptive cases?

Mr. FISH. Yes. That was stated by the author of the bill, and that is why I voted for it. The Attorney General has gone directly against the intent of the Congress of the United States in making this ruling, and now the question comes up whether the Congress should not enact an amendment to this bill to take away that interpretation and restore the original purpose of the emergency officers' retirement bill as passed by Congress.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. FISH. Yes.

Mr. JOHNSON of South Dakota. The gentleman will find that the gentleman from Mississippi [Mr. RANKIN] and the gentleman from Michigan [Mr. WOODRUFF] and the gentleman from Nebraska [Mr. SIMMONS] and the gentleman from Missouri, as well as myself and others, said that this bill would be construed as it has been construed, and that it was so written that it would be so construed.

In other words, there was ample justification in the debate for the Attorney General to hold as he did.

Mr. FISH. Now that the gentleman has developed that and it is admitted by the proponents and opponents of the bill, why is it not the duty of the Congress to offer an amendment in the proper place to take away the presumptive provision, or, rather take away the retirement granted under the ruling of the Attorney General?

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. FISH. I yield.

Mr. JOHNSON of South Dakota. Perhaps such an amendment would be out of order in the bill, but I serve notice now that if the gentleman from New York [Mr. FISH] can propose any amendment which will tend to cure the defects in this legislation I shall not make a point of order.

Mr. FISH. I assure the gentleman from South Dakota [Mr. JOHNSON] that I will offer that amendment, whether it is germane or not, and I will assure the gentleman that I will try to prove that it is germane, under the ruling of the court of appeals, which says the emergency officers' act is part and parcel of the relief under the veterans' relief legislation.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FISH. I yield.

Mr. LAGUARDIA. The gentleman weakens his argument when he goes out of his way to say that he absolves the Director of the Veterans' Bureau of all blame in the maladministration of this law. I am just as fond of General Hines as the gentleman is, but General Hines is the man whom Congress must hold responsible for the administration of the law.

Mr. FISH. Of course, General Hines can not be held responsible for a ruling of the Attorney General of the United States.

Mr. LAGUARDIA. But everything except that.

Mr. RANKIN. Will the gentleman yield?

Mr. FISH. I yield.

Mr. RANKIN. The responsibility for this entire thing rests with the Congress of the United States in passing the bill. When this bill was passed, the gentleman from Ohio [Mr. FITZGERALD] said it was a "pension based on rank." We who opposed it knew what it was. We said then you were simply getting the camel's nose under the tent to fasten upon this country a policy of pensioning officers at from six to ten times as much as you compensate the men in the rank and file suffering from the same disability. They said to us at that time that there were only 1,800 who would come in under it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RANKIN. I yield the gentleman five additional minutes.

The CHAIRMAN. The gentleman from New York is recognized for five additional minutes.

Mr. RANKIN. We pointed out then that this could be extended and construed in such manner that ultimately the majority of them would come in under it, and to-day, instead of 1,800 we have approximately 6,000 on the roll, with pay according to the report from which the gentleman has quoted.

Mr. FISH. Instead of costing $4,000,000 it already costs $9,000,000 and probably will cost $1,000,000 a month in a short time. An officer was given retirement pay who fell off of a rocking chair on his own piazza and hurt his ankle, and has been retired at the expense of the taxpayers because of that particular wound. I am not quoting any names, but I know what I am talking about.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Hawaii, because he is the gentleman who called my attention to the plight of the provisional officers.

Mr. HOUSTON of Hawaii. Will the gentleman state how many officers there were who held these provisional appointments and how many have been retired?

Mr. FISH. There were approximately 5,000 of them, and they were the flower of our Army. They were the ones who fought in the platoons and companies of combat units abroad. They are the ones to whom the American people made promises and pledges that there was nothing too good for them when they returned, and now they are the only ones left without any means of securing retirement pay because of their war injuries.

Mr. HOUSTON of Hawaii. How many have been retired?

Mr. FISH. Only 75 retired by the Regular Army. That is not the fault of the Regular Army. That is the fault of the law, because after they left the Regular Army in 1919 they ceased to be eligible for retirement no matter how aggravated their wounds became.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. FISH. I yield.

Mr. WAINWRIGHT. I simply want to say that I believe I express the opinion of this House when I say that my colleague from New York [Mr. FISH] has performed a great service in precipitating this debate on this important bill. [Applause.]

Mr. SNELL. Will the gentleman yield?

Mr. FISH. I yield.

Mr. SNELL. I had a great deal of disagreeable notoriety in connection with this bill; but, as I understand the provisions of the bill, a man could only be retired for disability incurred in service.

Mr. FISH. That was the purpose, and that is the wording of the law, and it has been changed by a ruling or opinion of the Attorney General of the United States, who has included the presumptive provision, and to-day I think about 40 per cent of the officers receiving retirement pay come under that provision or, rather, the ruling of the Attorney General.

Mr. PATMAN. Will the gentleman yield?

Mr. FISH. I yield.

Mr. PATMAN. It is also true that the provisional officers were denied adjusted compensation certificates, is it not?

Mr. FISH. They were denied that, and all the other provisions of the law that applied to emergency officers or volunteer officers. They were part and parcel of the Regular Army and were considered as such, in spite of the fact that they only entered the regular service for the war. They were superpatriots. They wanted to get to the battle front as quick as they could, and they took this means of getting there. They are the ones whom Congress has ignored and to whom the Nation owes the most.

I would like to digress from the consideration of this bill one moment. I am going to offer an amendment to include provisional officers, 5,000 of them, and to take away the presumptive provision which has already retired a considerable number of officers under the emergency officers' act.

Mr. SNELL. Will the gentleman yield?

Mr. FISH. Yes.

Mr. SNELL. How would the gentleman take care of the ones who have already been retired?

Mr. FISH. I would simply offer an amendment to this bill to clarify the meaning of the emergency officers' retirement bill when it passed Congress, and if any officer has been awarded retirement pay contrary to the original purposes of the law, he will not continue to receive such retirement.

If I may be permitted, I would like to digress for a minute and speak of a very small amendment which ought to be satisfactory to all the Members of the House, and that is to provide the sum of $8 a month to all veterans now hospitalized in Veterans' Bureau hospitals, so that those boys—most of whom are to-day without any funds at all—can buy cigarettes, telephone to their families, buy postage stamps, and other necessities.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LUCE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. FISH. In the present bill they have a very adequate provision to take care of the dependents of the uncompensated veterans. They give to the wife $30 a month, to the first child $10 a month, and to the additional children $5 a month. However, none of that money goes to the veteran in the hospital. So, if other amendments are not adopted, for instance, if the Rankin amendment is not adopted, and if the Fitzgerald amendment—which extends the presumptive provision to 1930, and practically includes all the veterans in the tuberculosis hospitals—is not passed, I hope the House will unanimously adopt an amendment giving $8 a month to the uncompensated veterans so that they may have the necessities of life. Not only is that the right, fair, and just thing to do, but beyond that it is a very unwholesome condition to have poverty-stricken veterans alongside of other veterans, and breeds a great deal of discontent. It will cost only $800,000 a year. I intend to offer that amendment if these other amendments are not adopted.

In conclusion, I want to ask the House to consider this emergency officers' bill from the point of view of the time when it originally passed the Congress, and try to restore that bill to its original purpose by amendments to the bill that is now pending. I propose to offer two amendments to carry that into effect. I hope the Members of the House will consider them fairly on their merits and restore the emergency officers' bill to its original purpose. [Applause.]

Mr. LUCE. Like every other Member of the House, I have been disturbed and at times distressed by the failure of the existing law to work even-handed justice among the veterans. For that reason, as a member of the Committee on World War Veterans' Legislation, I have felt an especial responsibility to share in trying to remedy this injustice. I have given my support to the present bill and hope it may become law. It is not a perfect bill. No great bill that passes this Congress is ever a perfect bill. Legislation must be matter of compromise. On the one hand, we find those who say we have gone too far; on the other hand, those who say we have not gone far enough. We believe we have reached a conclusion upon which all may stand, one in the support of which every Member may grant some concession, may yield somewhat in his beliefs as to what should be done.

Let me first face the most serious criticism that has been made of the bill. It is to be found in the letter from General Hines to Chairman SNELL, of the Committee on Rules, printed in the RECORD in the early part of this debate. There you may find some objections that are valid, but to which countervailing considerations may be offered. You may find other objections with which I take issue. I would dispose of one or two of them before proceeding to the main problem before us, and I do this because these considerations have not been particularly emphasized. First, is the charge that we are instituting a pension system by furnishing the means of existence to the dependents of hospitalized veterans. I deny this is a pension, and I deny it is unwise. I maintain it is a proper, an advantageous, and a humane provision. [Applause.]

There came before the committee the man who represents the medical views of the Veterans' Bureau. He told us that before he was attached to the bureau he had served with the Pennsylvania Department of Health. In Pennsylvania there were three sanitoria for the care of the victims of tuberculosis, and here are his exact words about his experience there:

> Our greatest difficulty came about in trying to take care of the dependents.

It was found that homes were broken up; that wives and children had to depend upon charity, public or private, for support. All this discouraged the unhappy victim of disease and delayed or even prevented his recovery. This was not only an injury from the humane point of view but looking at it from the purely material point of view, of dollars and cents, it was a wise thing to keep these families together and to support the dependents. No greater economic gain can come to a nation than to save the lives of its citizens; no greater gain than to prolong their lives. If it was a fact, as this physician found from experience and declared to us, that the giving of a small amount which would keep the family together, conduced to the recovery of the victim, restored him to society, and made him again the producer of this world's goods, then it was an advantage and an economic benefit to the community. If that be true, then this is no pension. [Applause.]

Let me go on to a misunderstanding on the part of some Members of the House. The gentleman from Oklahoma [Mr. JOHNSON] in the course of his remarks said that the pending bill would refuse to recognize more than 40,000 tubercular and mental cases merely because they did not file their claims before 1925. He was in error. The time for filing claims expired two weeks ago. This bill destroys all time limits. We are criticized for that in the document to which I have made reference in connection particularly with claims in insurance matters. We are told that one of the defects of the bill is that it extends the time for prosecuting suits in the matter of insurance claims. I have grave doubt whether it is fitting, just, and proper to apply to the relations between the Government and its citizens in this particular the same rules that apply to the relations between the citizens themselves. I have my doubt whether we here in Congress, in several of our committees, use the right standard when we reject what are known as stale claims. It has seemed to me that a claim against the Government ought never to lose its vitality. It has seemed to me that the Government might rightly and fairly refrain from imposing any statute of limitations or asserting unto itself any prescriptive rights. So I doubt if this impeachment of the bill is valid.

Of course, the important consideration, from the point of view of the interest of the Members, lies in what are known as the border-line cases that have so distressed us and have so disturbed the communities where they are to be found.

I grant you at the start that hard cases make bad law. I fear there will be offered to this bill amendments founded on hard cases that are very few in number and where the equity of the thing may not be fairly considered under the conditions of reading under the 5-minute rule. Yet all of us have come in contact with so many hard cases seeming to show injustice that the committee felt obliged, in response to the demand of this House, to the demand of the country, to try to remedy the situation.

To this end we have put in one provision upon which altogether too little emphasis has been placed. It is in the final sentence of the first section of the bill, which authorizes, empowers, directs the bureau to consider lay evidence—the testimony of neighbors, of friends, of comrades, the remembrances of doctors which they can not support with medical records. Of course, we all know that in the war medical records were loosely kept and sometimes disappeared. We all know the great difficulty in getting the medical evidence that the bureau requires, and just so far as human ingenuity can go and the use of words will make possible we have provided that hereafter all the proofs and evidence, medical and lay, shall be considered.

Mr. CONNERY. Will the gentleman yield there?

Mr. LUCE. May I proceed until I finish my remarks? I shall try to cover such questions and points as may be raised.

Having disposed of a great share of our difficulties by this single and simple provision, we are brought next to the problem of what to do in the matter of cases that can not be directly connected with service, the matter of presumptions, a point around which our whole difference of opinion revolves. I want to try to clarify the minds of the Members as to some of the difficult phases of this situation.

First, legislation enacted while the war was in progress, the war risk insurance act of 1917, said that disease which developed within one year after discharge or resignation should be presumed to have originated in the service. This was a logical provision. This is what the medical testimony supports. It was sound and right.

The moment we went beyond one year we began to invite trouble.

In 1921 a committee of this House recommended that in the case of tuberculosis, and what we of the committee have become accustomed to call neuropsychiatric disease, but which to the layman is still known by the term of "insanity," provision was made that if the illness developed within two years the applicant would not be denied. This is where the first mistake was made. It was not made as a result of the recommendation of the World War Veterans' Committee. That committee did not then exist. It was advised by one of the most prudent, conservative, valuable committees in this House, and theirs is the responsibility for the beginning of a growth, a development, which now so sadly perplexes us.

In 1923 this same committee recommended that the two years be changed to three years. Still the responsibility was theirs.

The present committee was created in 1924. We took what we found and we went further. Possibly we were at fault in that matter. We will take our share of the criticism, but we did not begin this progress. We did, in fact, extend the time to January 1, 1925, making for most of the men who were in the expeditionary service the period five or six years in which the development of symptoms would indicate origin of the disease as to be ascribed to the war.

Mr. JOHNSON of South Dakota. Will the gentleman yield for just one question?

Mr. LUCE. Oh, certainly.

Mr. JOHNSON of South Dakota. The gentleman will recall that in adopting that amendment we simply accepted a Senate amendment. It did not originate in the House.

Mr. LUCE. That lessens still more the responsibility of the present members of the Committee on World War Veterans' Legislation.

Mr. CONNERY. Will the gentleman yield just to clarify one matter?

Mr. LUCE. Yes.

Mr. CONNERY. I do not think the gentleman meant the A. E. F. when he referred to the American Expeditionary Forces. My understanding is that term is applied merely to the men who were in France. We did this for all the service men.

Mr. LUCE. I understand my statement covers all veterans.

Mr. CONNERY. The gentleman said the A. E. F., and that is the technical term for the men who were in France.

Mr. LUCE. I thank the gentleman for his explanation.

Mr. ALMON. What committee reported the Sweet bill and the other bills the gentleman has referred to?

Mr. LUCE. I do not want to specify the committee. If the coat fits any one committee, they can put it on.

The reason I say this was an error is that all this procedure has been directly contrary to sound medical opinion. It has resulted from a natural sympathy with the most distressing forms of human suffering. As the physician who came before us from the medical bureau said:

> One finds no scientific basis for such presumptions, and it would appear that the argument which supported the legislation was not scientific knowledge but rather the voice of the public which seemed to interpret the seriousness and utter hopelessness as to life and care of the tuberculous and neuropsychiatric; that the prognosis was hopeless and led to an early grave.

It was sympathy that led to this error. We yielded to the heart and we did not allow the mind to function. We forgot that more, in number, than those suffering from these two diseases were the helpless victims of many other diseases, equally fated to an early grave, equally to leave behind them widows and children, men who deserved our sympathy just as much, but to whom, through all these years, it has been denied.

The absolute injustice of this appealed to your committee, and we said we will treat every veteran alike, we will give fair play to every veteran who is suffering as a result of service for his country.

So we brought in this bill to you, saying that every veteran who can show that his symptoms of disease appeared before the 1st of January, 1925, shall be entitled to what we have so unfortunately called compensation.

We never can compensate a man for suffering. Pain can not be measured in dollars. We never can compensate the widow or the children brought up fatherless—their suffering can not be compensated in dollars. In a rough, crude, unsatisfactory way we attempt to give aid that is measured in some degree by the earning capacity of the victim and the loss brought to his dependents by being deprived thereof.

Mr. CONNERY. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. CONNERY. I want to say that although the gentleman and I may not agree on this legislation, no man has worked harder since he has been a member of the Committee on Veterans' Legislation than my colleague from Massachusetts [Mr. LUCE]. A little while ago the gentleman spoke about lay evidence. We were talking about that a minute ago, and some Members of the House called attention to the testimony of General Hines, who told us that he had given orders for the rating board to take lay evidence, but they had not done it. Now in the language we have in the bill, does the gentleman think it is strong enough so that they will take it, and can the gentleman suggest any remedy to make them take lay evidence?

Mr. LUCE. I will tell the gentleman that if the Veterans' Bureau does not follow the orders of Congress we will wipe the Veterans' Bureau off the face of the earth. [Applause.]

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. LUCE. I will.

Mr. OLIVER of Alabama. I think at that point of the gentleman's speech, and sustaining the statement that the gentleman makes, it might be well to read the statement of General Hines in reply to the gentleman from New York [Mr. SNELL]. It is as follows:

> No doubt the committee had in mind, by further broadening the presumptive clause of the present World War veterans' act, taking care of a number of cases which they feel are meritorious and which the law at this time does not cover. If it was only the intention of the committee to take in border-line cases, they have in some measure accomplished that by the first section of the bill by including in that amendment the provision that the bureau will give due regard to lay and other evidence not of a medical nature in connection with the adjudication of claims. The bureau would interpret that provision as sufficiently broad to permit liberal adjudication of border-line cases.

Mr. LUCE. We all hope and pray that such will be the case. Some Members may still have some apprehension. We have gone as far as words can go, and if words do not accomplish the result we will have action. [Applause.]

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. I yield.

Mr. RANKIN. The fact is that the Veterans' Bureau has ignored this lay evidence, and these men are dying as a result. The only way we can cure that now is to move the presumption period up and put these men on the roll.

Mr. LUCE. In the due course of my remarks I intend to demolish the gentleman's theory in that respect, but I have not yet arrived at the murder stage. [Laughter.]

Now a little discussion of the two presumptions with which we began. First the neuropsychiatric presumption. I trust that my friend from Massachusetts will not think me ungrateful or ungracious if I refer to a remark he made that I think must have been a slip of the tongue, but taken literally would lead to misunderstanding on the part of those outside of the House who may read the RECORD. He said on the 17th of April:

> These men are going insane daily and certainly they are not going insane from anything except from direct connection with their service.

Bearing on this there is dreadful significance in an appalling fact to which I would call your attention. I can not find words to portray to you its full menace. A recent report of the committee on the cost of medical care, relating to "the extent of illness and of physical and mental defects prevailing in the United States," contained the terrible statement that of the children now attending school and college in the United States, more than 960,000 will enter a hospital for mental diseases at some time in their lives if present rates for admissions continue. Nine hundred and sixty thousand boys and girls now attending school and college are doomed to enter the doors of an asylum for the insane!

As a matter of fact, such computation as I have been able to make by a study of the figures presented by the Veterans' Bureau indicates to me that the number of the mentally disturbed now hospitalized in our veterans' institutions corresponds in percentage almost exactly to the number of the civil population hospitalized in civil institutions. The inference is inescapable that no man who served in the Army runs a greater risk of going to one of these hospitals than does his neighbor who stayed at home. There is no presumption that any case of this sort now arising had its origin in service in the war.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Yes.

Mr. CONNERY. The gentleman is talking about possible future cases of insanity now in the schools and colleges of the United States. The gentleman knows that every man who was taken into the United States Army during the World War was supposed to be physically and mentally perfect, and that the morons were excepted. Even if we did take in men who were predisposed to insanity, when they got over to France under shell fire, airplane bombs, machine guns, and the other horrors of warfare, is it not natural to suppose that within 7 or 8 or even 10 years after the war this could have been brought on by the terrible conditions of their service in France?

Mr. LUCE. All the medical testimony is to the contrary. In the case of these figures that I have given, the report says that this includes only the more serious mental cases, and takes no account of the large number with a lesser mental disturbance. They are the more serious cases, mind you. The probabilities are that the mental breakdown of a veteran is in no way related to service in the Army. So much for that part of our error in the matter of presumptions.

Take now the other great class—tuberculosis. At this moment there are approximately 700,000 persons in the United States suffering perceptibly from tuberculosis. That constitutes 0.58 per cent of the total population. Of those who served in the war and still survive 0.58 per cent would number 24,476, which is probably not far from the total that the figures of hospitalization and those believed to be ill outside would show.

Again let me quote from our medical testimony, for we do not rely upon the Encyclopedia Britannica as we were urged to do yesterday. We rely upon the facts under our eyes, upon the testimony of our medical experts, whose daily labors, whose lives are devoted to the study of this question here, and not in England or anywhere else. So, having been told, as you were yesterday, that the seeds of tuberculosis may not ripen for many, many years, I shall read to you what our own medical expert said:

There is no scientific evidence to show that active tuberculosis that does not show within a year of discharge can, from a scientific standpoint, be said to have originated in the service.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Yes.

Mr. KVALE. The hearings also contain testimony by a medical expert of the American Legion, who was formerly an employee in the bureau, Doctor Shapiro, that is quite contrary to the testimony the gentleman quotes, and the hearings also contain other medical evidence that would at least lead us to believe that that is a debatable matter, that it has two sides.

Mr. LUCE. To satisfy myself on that point, I have, since the hearings, consulted other medical testimony, and I think I am supported in what I am about to maintain and explain. To me the most dangerous argument so far, by reason of its pertinence, its brevity, and conciseness, was made by my friend from Missouri [Mr. LOZIER], whom I see at my right, who put into language what, until these hearings were held, had been my own belief. I was astonished at this testimony, because presumably, like most other men, I had always supposed that disease might originate far back in our lives. The gentleman from Missouri told you that the philosophy or the reason for the presumptive clause is based on the well-recognized theory in medicine that disease might start as far back as the period of the war. That had been my belief. I found it very hard to abandon that belief.

That had been my own belief until these hearings forced me to conclude that the popular common understanding is wrong. The new science of medicine, the study of bacilli—germs, as we call them—the scientific application of the bacteriological and physiological discoveries that have been made in recent years have combined to prove that many of our old beliefs about health, sanitation, and medicine were wrong; and here is one that is wrong. After my friend from Missouri had delivered what I thought the most dangerous argument presented on the floor in this matter, I went to a man of high standing in the medical world and I said, "How shall I answer that? This colleague of mine points out what I had thought was true, that service in the Army weakened resistance, that any man who served there under the hardships of battle conditions, in the camps and the trenches, had become less capable of resistance, that all through his life he would be more liable to be afflicted with disease, and that his days might be shortened because for a time he lived under the conditions of war."

He said that this is the answer: If a man's power of resistance has been weakened by the conditions of his life or by stress of any sort, then he is at once exposed to greater danger from the countless germs that are always threatening him. His resistance is weakened now. It is not weakened 10 years later, but is weakened at once. If he succumbs to these germs by reason of weakened resistance, that will be shown within four or five years.

There was the justification for carrying this presumptive period up to 1925.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. LUCE. Yes.

Mr. JOHNSON of South Dakota. I would like to call the gentleman's attention to the fact that Great Britain and Canada are now making a distinction between groups of service men, holding that greater liberality should be given to the consideration of claims of those men who were in the active theater of war.

Mr. LUCE. We would have done far better if we had applied that principle at the outset. But unfortunately we allowed part of the men, whether they went overseas or not, whether they served one week or two years, to advance the proposition that their powers of resistance had been weakened by the war, and for them we gave five years in which the development of certain types of disease should insure special consideration.

See where that brings us. If a man's power of resistance has been weakened in the war, he is to-day more likely to suffer from an acute disease—not to say an organic disease, but an acute disease—like pneumonia, or perhaps 40 other diseases that I might mention. If you are to reason upon the basis of weakened powers of resistance, you can not stop without going the whole distance and saying that every man of the 4,200,000 yet living, if he is attacked by a disease, is to be assumed to have succumbed to it by reason of his weakened powers of resistance.

Statistics show that on the average a man loses from seven to eight days of working time every year by reason of illness. That is the average; a week and more of working time lost by reason of illness. And so in accordance with the average, each of the 4,200,000 men enrolled in the World War may be expected to have that amount of illness every year. If you are to apply to them your weakened-power-of-resistance theory, and ascribe to it the responsibility in every instance, you may figure for yourself what it would cost.

Mr. LOZIER. Mr. Chairman, will the gentleman yield there?

Mr. LUCE. Yes.

Mr. LOZIER. Is it not true that the weakened physical condition or reduced power of resistance may be progressive and manifest itself gradually, and may not necessarily run an acute course? The prognoses of diseases are never the same in different subjects. Experts in medicine tell us that the tubercular bacillus is omnipresent, millions entering the human body through the alimentary canal; but a person may go through life without the bacilli ever developing or becoming active or virulent; and, in fact, they will never develop until there is a lowered vitality; but there may come a time when a person's power of resistance is gradually weakened to such an extent that it will furnish a seed bed for the incubation of the bacilli; and it does not necessarily follow that because a person's vitality has been impaired that he breaks down immediately, but the climax resulting from this reduced power of resistance may not come for months or years, not, in fact, until there is an immediate exciting cause. Is not that true?

Mr. LUCE. If the gentleman's logic is correct, then this proposal to extend the presumptive clause is surely illogical, because a man will be more likely to break down in 1935 than in 1930 and more likely to break down in 1940 than in 1935. And that logic brings us to this conclusion, that every man who was in the Army shall be fed and nursed at the public expense whenever he is ill. Furthermore, that once having been ill and to a small degree disabled, he shall thereafter receive a money payment every month, and upon his death his widow and dependent children likewise. Possibly that logic may be sound, but it would be futile. No government could be expected to endure the burden.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield right there?

Mr. LUCE. Possibly further in my remarks I may contribute to the gentleman what I think the gentleman does not greatly need, namely, information on the matter as to which he would inquire.

Mr. SIROVICH. Will the gentleman yield for a question?

Mr. LUCE. Let me finish my orderly remarks first, and then I will take up what may be termed my "disorderly remarks." [Laughter.]

I want to advance another consideration, as to whether a man was more exposed to disease when he went to the front. Do you realize that between October, 1917 and 1919, the number of deaths in this country in excess of the normal was 500,000, which may for the most part, perhaps altogether, be attributed to the influenza epidemic? The physician who testified before the committee said:

> While we did have in the Army a high death rate from influenza, I do not think that it equaled the death rate in civil life.

I am not sure he was quite right in that, but whether right or wrong, his opinion may demonstrate to you that the dangers of military life were by no means so overwhelmingly greater than those in private life as to warrant their use as a basis for presumption.

We favored the tubercular and mentally afflicted groups. They constitute about 45 per cent of the total load, leaving about 55 per cent to what we speak of as general medical and surgical cases. For brevity let me call them, roughly speaking, one-half. We have given one half of those who served in the Army a special privilege, and we have denied it to the other half.

Your committee comes before you to-day and says, "Whatever you do afterwards, the first thing to be done is to deal fairly with all veterans known or by law presumed to have suffered in the war." So, we put in the bill the provision that any disease developed prior to January 1, 1925—more than that, any disability developed before January 1, 1925, shall be presumed to have been connected with the service. We say that most of the claims of disability shall be rebuttable. It is a weak answer. I am not here to defend the situation that has resulted and will continue to result. I regret that this situation has been reached. I believe it to be wrong in principle. I believe it is not founded on medical science. I believe it is wholly unjustifiable from any logical point of view, but, worse still, I hold the condition under which you give a bounty, a benefit, a compensation, I care not what you call it, to one half of the suffering veterans and deny it to the other half. Two wrongs do not make a right. I realize that; but, there comes a time, when, higher than mathematics, higher than economics, higher than taxation, is justice. [Applause.]

In this particular members of the committee have differed as to the right way in which to progress. The gentleman from Mis-

sissippi [Mr. RANKIN] has been very ardent, earnest, enthusiastic, persistent, and effective in stirring up widespread misunderstanding of this situation. I would now enlighten him and enlighten those who, without hearing both sides of the case, may have rashly committed themselves to the gentleman's support. The gentleman from Mississippi [Mr. RANKIN] says, in effect, "Instead of dealing out even-handed justice, double your injustice." The gentleman says, "Instead of giving relief to those whom we have heretofore ignored, double the relief you are giving to the class you have already recognized." The gentleman says, "Ignore all those who are suffering from the ills of humanity not included among the specially favored, and double your generosity to the groups whom you have already preferred." That is the difference between the Rankin program and the Johnson program. Take your choice, gentlemen. Which is the fairer? Which is the more reasonable? Which is the more just? Which is the more honorable? Which is the more worthy of a great nation?

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. Not now. I am hammering home my point. I am trying to make the gentleman understand that in this program of propaganda, this program of misrepresentation, this program of deluding the poor victims of disease by extending to them a false hope, he is doubling the injustice instead of doing right to all.

Mr. RANKIN. I just wanted to say that the gentleman was misrepresenting me, if he was pretending to quote what I said a moment ago, because I made no such assertion.

Mr. LUCE. I am talking about the gentleman's fight in the committee. The gentleman in the committee began our executive session by announcing that he would not follow the rules of the House, but that he would break those rules and reveal what went on in that executive session. I will ask of the gentleman if he is willing to disclose whether any man sharing his views voted to report this bill? He knows that they all voted against the reporting of the Johnson bill.

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. RANKIN. The gentleman from Massachusetts [Mr. LUCE] also misquotes me again. I said in the committee that I was not going to be bound to secrecy by any vote of the majority, after they had denied us hearings on my bill. I have not quoted a single thing on the floor of the House that was done in the committee, except what other members of the committee have quoted, but I reserve the right to say what I please about it outside of the House, and that is not a violation of the rules.

Mr. LUCE. Whether a violation of the rules or not, it is a fact, and that is what I wanted to have understood.

Mr. RANKIN. Well, it is a fact that the gentleman tried to keep us from having any hearings at all on the Rankin bill.

Mr. CONNERY. Will the gentleman yield?

Mr. LUCE. I yield.

Mr. CONNERY. I know the gentleman does not wish to misquote or do an injustice to the gentleman from Mississippi [Mr. RANKIN]. The gentleman from Massachusetts [Mr. LUCE] knows very well that we would have no Johnson bill on the floor of the House if the gentleman from Mississippi [Mr. RANKIN] had not brought in his bill long before and forced the Johnson bill on to the floor of the House. [Applause.]

Mr. LUCE. I am always sorry to differ with my colleague on a question of fact.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. JOHNSON of South Dakota. I would like to call attention to the fact that the Johnson bill was introduced in the opening days of the session last December, within two or three days after Congress convened. That was the bill which is the basis for the present bill. The gentleman from Massachusetts [Mr. CONNERY], who is one of my personal friends, as well as a great soldier, would not want to impute to the chairman of the committee a desire not to bring out his own bill?

Mr. CONNERY. Oh, no; I did not say that. But this is not the same bill, is it? It was the Rankin bill that forced out the Johnson bill, was it not?

Mr. JOHNSON of South Dakota. I do not think so.

Mr. CONNERY. All diseases were not in the original bill when Congress convened.

Mr. JOHNSON of South Dakota. They were in under a little different phraseology.

Mr. CONNERY. But not all diseases; the gentleman knows that.

Mr. JOHNSON of South Dakota. Not every disease, but the fact is that the justice of including all diseases is so apparent that we did bring out that bill.

Mr. LUCE. For a moment I decline to yield further, for the reason that I must proceed to the next step in my irrefutable course of logic.

I want to show the injustice of the so-called Rankin amendment; to compare it with the complete fairness and equity of the Johnson bill. I am going to read to you some of the diseases to which the presumption will be extended if the Rankin amendment is adopted. First, it will extend the presumption to gout.

Mr. JOHNSON of South Dakota. That is the Rankin bill?

Mr. LUCE. This is the Rankin amendment. It will extend the presumption to obesity. If any man who served in the Army has yielded to his appetite so greatly that now his waist is unduly large that it measure an extraordinary extent around, his obesity is to be presumed to have been the result of the service. He may have found the food so good in the Army that he could not resist thereafter the temptation to yield to a gluttonous appetite. [Laughter.] He is to be presumed to have contracted that mania for food in the Army.

Next is pellagra. Gentlemen from the South know something about the origin of pellagra. Suppose a case of it developed in 1929 from eating an undue amount of corn meal—I think that is how it comes about. The victim is to be presumed to have contracted the disease at Chateau-Thierry.

Mr. CONNERY. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. CONNERY. Is not pellagra malnutrition? If so, I can understand how a man in the American Army got pellagra from the food he got, but I do not think there were two men in the United States who got gout by eating the food in the American Army.

Mr. LUCE. Here is another disease in the list—scurvy. Any man who has scurvy is to be presumed to have gotten it during his service in the Army, but I ask you to remember that that disease never exists where there is such a good diet as they had in the Army; so, in fact, it could not have come from war service.

Then there is acidosis, frequently of recent origin.

Now, let me get away from what might seem to be flippancy and let me come down to seriousness, to one of the most common and dangerous diseases that afflicts mankind, arteriosclerosis, hardening of the arteries, which comes with advancing years. That is to be compensated for as having had its origin in the service.

Take the other side of the story. Here are some of the things which this unfair bill leaves out. No man is to profit by this bill who is suffering from cirrhosis of the liver; no man who is suffering from bronchitis, pleurisy, diseases of the bladder, skin diseases, malaria, peritonitis, gastritis, and many surgical conditions in addition to the total of 33 diseases which are excluded by the Rankin amendment. Is that fair?

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. JOHNSON of South Dakota. But those diseases would be included in the so-called Johnson bill?

Mr. LUCE. Every one of them would be included up to 1925. But in place of that we are offered a continuance of unfairness, a continuance of border-line cases, a continuance of the very situation that has brought us so much disturbance and is wholly responsible for the presence of this bill on the floor of the House to-day.

Mr. CONNERY. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. CONNERY. As the gentleman is speaking about the Johnson bill and the Rankin bill, why did not the gentleman, the chairman of the committee, and the rest of these gentlemen go along with us six years ago when we wanted to do just what is sought to be done now? The gentleman from Mississippi brought this bill in because he thought that is all he had a chance to get out of the committee.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. JOHNSON of South Dakota. Is that not due to the fact that at that time the gentleman from Mississippi [Mr. RANKIN] opposed such a program?

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. RANKIN. I am sure the gentleman from Massachusetts, in quoting his list of probable diseases, does not want to misquote the record. I think the leading physician they put on against the Rankin bill said that acidosis was not included.

Mr. LUCE. I took it from the printed record of the testimony.

Mr. RANKIN. The gentleman has the wrong list.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. MOORE of Virginia. The Rankin amendment enumerates certain diseases and then refers in addition to all diseases specified on page 75 of the schedule of disability ratings of the United States Veterans' Bureau, 1925. I understand that the diseases you first mentioned—obesity, and so on—are in that list, on page 75; but so far we have not had any full information as to the diseases which that list contains, and I hope the gentleman will insert that list in his remarks.

Mr. LUCE. The discussion of the diseases may be found on pages 6, 7, and 8 of the hearings. I do not think a long statement of medical terms in medical language would harmonize with the clarity of my explanation of this situation.

Mr. MOORE of Virginia. I was only suggesting to the gentleman that up to this time there are some Members of the House who do not know what diseases are embodied in that list referred to in the amendment of the gentleman from Mississippi.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. JOHNSON of South Dakota. I hold in my hand, I will say to the gentleman from Massachusetts, a list of constitutional diseases, a statement of the bureau consultants, and a list of analogous diseases, which the gentleman might want to insert in the RECORD at this point.

Mr. MOORE of Virginia. Is that the list on page 75?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. That is the list used by the Veterans' Bureau now, is it not?

Mr. JOHNSON of South Dakota. Yes; and would be included in the so-called Johnson bill.

Mr. LUCE. Mr. Chairman, this list is brief, and I am willing that it should be inserted at this point, although I feel grateful I do not have to try to spell some of those words.

The list referred to follows:

In submitting the following list of constitutional diseases, acidosis, anæmia primary (all types), arteriosclerosis, beri-beri, diabetes insipidus, diabetes mellitus, gout, hæmochromatosis, hemoglobinuria (paroxysmal), hemophilia, Hodgkins disease, leukemia (all types), obesity, ochronosis, pellagra, polycythemia (erythremia), purpura, rickets, scurvy, and endocrinopathies, the bureau consultants commented that—

"It is obvious that chlorosis does not occur in men, that rickets is never active in adolescence, that acidosis is not a chronic disease, and that most cases of obesity are due to overeating or insufficient exercise, or both, hence not of service origin."

To the original list of constitutional diseases just given, the following diseases are added, as analogous to the foregoing diseases, for purposes of determining service connection:

Arthritis, deformans; arthritis, chronic; carcinoma, sarcoma, and other tumors; cardiovascular-renal diseases, including hypertension; cholecystitis, chronic, proceeding to gall-stone formation; endocarditis, chronic; leprosy; myocarditis, chronic; nephritis, chronic forms; nephrolithiasis; and valvulitis, chronic.

Mr. LUCE. Now to proceed to the effect of the Rankin amendment, about which there is a good deal of misunderstanding. My belief is that whatever is right and within reason ought to be done. Nevertheless it is but proper that we shall know what we are doing.

So I would briefly repeat, what has previously been said, that the figures of the bureau given to us on the cost of the Rankin amendment were to the effect that it would amount to $44,253,288 a year. Figures based on the Pension Bureau experience put it at $426,062,948 a year. The difference between these figures has puzzled many Members and they are inclined to discredit all figures we present because, I fear, of their failure to understand how this comes about. The explanation is very simple. If a man was stricken with diabetes last year he knew that he could not get any compensation, that a claim was useless, and, of course, he did not take the time or trouble to file any claim. This was true of thousands and thousands of men whose diseases first revealed themselves after January 1, 1925. Nobody knows how many thousands there are. It is at the best nothing but guesswork. It is going to be somewhere, in my judgment, between $77,000,000 a year and $400,000,000 a year. We are told that no matter how far it goes, this is a rich country; we are reducing taxes; we are paying back money to people from whom it has been taken unjustly, and therefore we ought not to hesitate upon this account.

I pause simply to correct one misunderstanding and I wish the gentleman from Mississippi to be informed in this particular. I want to correct one misunderstanding as to what we have been doing in the matter of taxation. He and others dwelt upon the fact—I will not characterize the nature of the argument—but he dwelt upon the fact that we were going to pay or have paid back many millions of dollars to the men of great wealth in this country.

I want the RECORD to show that the criticism he put into the RECORD, that the argument he advanced was based upon a measure that was expected to bring relief to 2,435,000 individual taxpayers, with a total of $70,000,000, and to 3,500,000 stockholders. I venture to say there is not a man in this House who did not benefit by this reduction. Now, with all good wishes for all my fellow Members, I wish that every one of them was in that class of supermillionaires in which he has been put by the imagination of the gentleman from Mississippi, but that imagination works strangely at times, and I doubt his allegation that all those who have benefitted by the reduction of taxes were the exceedingly fortunate few who rank in the supermillionaire class.

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. Oh, surely.

Mr. RANKIN. As to the $3,000,000,000 that the gentleman from Texas [Mr. GARNER] referred to as being returned to the big taxpayers, no one in the House got any of that, did they?

Mr. LUCE. I hope they did. If they deserved it, they did.

Mr. RANKIN. They did not.

Mr. CONNERY. Will the gentleman yield?

Mr. LUCE. I yield.

Mr. CONNERY. I do not suppose the gentleman will vote for my amendment to bring the Johnson bill up to 1930?

Mr. LUCE. I will vote against every amendment, because every amendment put on this bill lessens its chance of becoming law.

Mr. CONNERY. But will the gentleman agree with me that the entire debate on the Johnson and Rankin bills comes down to the question of how much money the House of Representatives is willing to appropriate for the disabled service men. My amendment will cost $300,000,000. Knowing, as the gentleman does, that this will do justice to practically all the service men of the United States who are disabled to-day, does the gentleman think this is too much to spend on the disabled service men of the United States?

Mr. LUCE. My argument has been of little avail if it has not already shown the gentleman that at the same time we worked what he thinks justice, we should work injustice.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield the gentleman 10 more minutes.

Mr. LUCE. I hope not to use all the time. I realize I have already trespassed upon your patience, but I have this thing very close to my heart. I have served on this committee now for six years, and I have tried to be fair to the veterans, and I want this House to be fair to the veterans. I do not want the House to ruin all chance of the veteran getting fairness and justice such as the Johnson bill contemplates, by putting upon it amendments which will make the signing of the bill impossible, which will bring it back to this Congress where it can not be passed. A half loaf is better than no bread. Possibly my eloquent, delightful, and happy friend from Massachusetts, whose zeal for the soldier surpasses that of any other man I have ever met, is right, but right or wrong, it can not be done now. Let us take what we can get.

Mr. CONNERY. Does not the gentleman believe that the President of the United States would sign a bill for $300,000,000, which would take care of every disabled man in the United States? Does not the gentleman know that when we were fighting for the bonus here on the floor that Members of the House stood on their feet making statements in behalf of the disabled, and we got letters from all over the United States saying everything for the disabled; nothing for the ablebodied man, but do everything for the disabled. What is $300,000,000 for the disabled service men of the United States, I ask the gentleman. [Applause.]

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. JOHNSON of South Dakota. Does not the gentleman believe that no President of the United States can sign any pension measure that will give a pension of $225 to $250 a month, which the Rankin bill will do, although the disability is not service connected?

Mr. CONNERY. I am not talking about the Rankin bill; I am talking about the Johnson bill brought up to 1930.

Mr. JOHNSON of South Dakota. Amended to 1930 it would do the same thing as the Rankin bill, and the Government can not pay a pension amounting to $225 or $250 a month.

Mr. RANKIN. The Johnson bill will do the same thing up to 1925.

Mr. JOHNSON of South Dakota. There is some justification for putting them all on the same status, but if it is extended to 1930 I shall vote against it.

Mr. RANKIN. The Johnson bill will do the same thing up to 1925 that the Rankin bill will to 1930 in that respect.

Mr. CONNERY. Will the gentleman yield?

Mr. LUCE. I must not yield any more.

Mr. CONNERY. I just want to say to the gentleman that he has been a conferee between this House and the other body, and has not the gentleman's experience always been during the past seven years that if we put $300,000,000 on this bill, when it gets to a subcommittee of the Finance Committee of a certain other body, it will be slashed in half? Has not this been true with respect to all veterans' legislation during the past seven years?

Mr. LUCE. We have been told—I do not know but what I am just repeating idle rumor—that after it has been slashed in the committee of another body, it will come back into the hands of that other body and then be quadrupled in size. So I say, let us send over there something for which we can stand in the conference, something for which we have a logical defense.

Mr. RUTHERFORD. Will the gentleman yield?

Mr. LUCE. Yes.

Mr. RUTHERFORD. I am very much interested in a number of tuberculosis patients and I want to get some information from the gentleman because I know he is well informed. A large number of tuberculosis patients have been granted service connection and have been paid the statutory award, but, recently, they have had their service connection broken on account of a ruling of the Comptroller General. I just want to know of the gentleman what effect the Johnson bill will have on getting these men restored.

Mr. JOHNSON of South Dakota. It will restore them.

Mr. LUCE. I must hasten to a conclusion. I hope I have pointed out to you the justice of extending all presumptions to January 1, 1925, the danger of trying to extend them further on a compensation basis. So-called compensation based on disability developing after January 1, 1925, is really a pension, a disability pension, and it should so be styled. The time is not ripe for legislation to-day in this body on the subject of pensions. In the judgment of a majority of the members of the committee pensions are a matter of such stupendous importance that it ought to receive special examination by a committee or a commission which shall attempt to rectify whatever error may remain in the law after the passage of this bill and furnish us a program for the veterans that shall be fair to all concerned, fair to the veterans, fair to the country, and fair to Congress itself.

We have been receiving great criticism for our failure to solve all of these problems. Congress reacts slowly. We have not accomplished all that we would like, but to-day we of the majority of the committee offer you a remedy for many of the ills of the situation, and we hold out to you the hope that if you refrain from putting on amendments, if you will allow the bill to become a law without amendment, inside of three years we shall have a logical program presented to us which shall continue to extend the generosity, the justice, the good will, the help that Congress wants to give to all those who may suffer from the results of the Great War. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SIROVICH].

Mr. SIROVICH. Mr. Chairman, ladies and gentlemen of the committee, I understand that in the cemetery at Princeton University there is a little shaft that has been erected to commemorate the memory of the first soldier that died in the Civil War. Upon that humble and sacred monument there is an inscription which modestly states, "This soldier gave up his life to save his country. What are you going to do to preserve it?"

In the East Side of New York, the district from which I came, there was gathered together in the last war a regiment known as the Lost Battalion. It was composed of the humblest men of every line of useful endeavor. Every vocation of toil and honest labor was there represented. Many of these sons of our community were not even citizens of this their adopted country. Yet when the bugle summoned them to their country's call they gave their last full measure of devotion to the land that they had selected as their home.

Many a plain and battle field of France has its soil saturated with their hallowed blood. They were glad to give their lives that our Republic might endure. What took place in my congressional district is but a symbol of what occurred in every district throughout the Nation. [Applause.]

With aching heart I have listened to the debate that is now in progress. The air is saturated and permeated with economy. Money seems to be the shibboleth of the hour. Watchdogs of the Treasury have arisen and in clarion voices contend that it will cost our Government $100,000,000 to look after the maimed, the crippled, and the deformed soldiers who bared their breasts to shot and shell and were ready to give of their to-day that others may have their to-morrow.

Mr. Chairman, ladies, and gentlemen, when I close my eyes and try to visualize 12 years back I can see the flower of American manhood marching down the streets of our Nation, cheered to the echo, with bands of music playing, with the colors of our flag waving aloft, with the hysterical emotions of the American people cheering them on with tears in their eyes as they march by, while their loved ones, their parents, wives, and children are at home praying to Almighty God that their dear ones might return safe in limb to their homes and firesides. But, Mr. Speaker, that was 12 years ago. To-day we behold certain Representatives in Congress crying that their Nation, which is the richest in the world, has not enough money to look after these heroes and patriots whose very bodies hallow the land upon which they stand. [Applause.]

Mr. Chairman, I never intended to project myself into this debate. I never had the slightest idea that I would be given the privilege of addressing the membership of this historic forum upon the bill to amend the World War veterans' act of 1924, but I am mighty pleased that the opportunity is here. The distinguished gentleman from Massachusetts [Mr. LUCE] who preceded me stated that in the epidemic of influenza of 1918 the deaths from this tragic disease were almost as great in the ranks of the soldiers as amongst the civilians. Mark you, ladies and gentlemen, the soldiers of our Nation represented the flower of American youth and manhood, while the civilians represented every shade and type from the humblest to the greatest, and yet the virus of influenza recognized no distinction between soldier and civilian.

God alone knows how many unfortunate American soldiers are to-day the victims of pulmonary tuberculosis, whose condition insidiously started with influenza over a decade ago. How many doctors were able to recognize the disease called lethargicus encephalitis, commonly known as sleeping sickness, way back in 1918? How many eminent doctors stated at that time that there was no such disease, because they had never seen a case in their lives? Yet, many a poor soldier is carrying along with him to-day complications and sequelæ of this unfortunate malady.

Mr. LUCE. Will the gentleman yield?

Mr. SIROVICH. I can not yield at present. The gentleman did not yield to me when I asked him a question.

Where is there a doctor in our Nation who has not been called upon to treat neuropsychiatric conditions that have resulted to some of our unfortunate boys who were sent abroad to fight in the ditches and trenches, while shot and shells were roaring over their heads, whose brain and nervous systems have been wrecked and shattered—yea, shell shocked—so that they never again will be restored to their normal status of life?

How many cases of shaking palsy—nervous tremors of hand, feet, and face, medically known as paralysis agitans—have had their inception either in the camp or the trenches of distant lands wherever our Nation sends out brave boys to battle in defense of democracy? [Applause.]

The question at issue before this House is the amendment introduced by Representative RANKIN, of Misssissippi, in which he contends that these diseases or injuries which are presumed to be of service origin, shall be extended to the year January 1, 1930. I am in favor of that amendment, as I believe it would bring justice to our patriotic soldiers, our heroes and veterans of the last war, who are entitled to the benefit of every doubt that can be given in their behalf by a grateful Republic. [Applause.]

Mr. Chairman, ladies, and gentlemen, the distinguished chairman of the Veterans' Committee [Mr. JOHNSON], for whom we all entertain the highest admiration and the greatest respect in this Congress, is desirous of extending the limit of the presumptive period to January 1, 1925. In the absence of any other legislation, I am in favor of his proposal. However, I think Congress should be more generous and gracious to the soldiers of our last war and increase the period to January 1, 1930, in order to avoid all risk of error and give to our soldiers the best that we are capable of as an evidence of our appreciation of the services they rendered to our country in its hour of need.

Under the Rankin amendment 45,000 soldiers would be the beneficiaries of his amendment to the Johnson bill.

Mr. Chairman, ladies, and gentlemen, the distinguished gentleman from Massachusetts [Mr. LUCE], for whom we all entertain a very deep affection, undertook in his address to laugh away the disease of chronic obesity.

I wonder whether he realizes that the disease of the pituitary gland, which is situated in the center of the brain, working in connection with the thyroid gland in the neck, which is part of

what we call the endocrine system, if properly diseased through nervous shock, can cause chronic obesity, which he laughed at. I wonder how many thousands of soldiers have had their blood pressure increased through the tremendous strain and agitation that came to them while fighting in "no man's land," or marooned in some unknown trench with no one to communicate with? These conditions of high blood pressure bring about arteriosclerosis, or thickening of the arteries, which he laughed at as a probable result of war.

Mr. Chairman, ladies, and gentlemen, I personally, as a physician of a quarter of a century's experience, can testify to the many tragic diseases that I have seen come to soldiers long after the war was over and which I attributed to nothing else but war. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. JOHNSON of South Dakota. That has been included in the law since 1925.

Mr. SIROVICH. Then we have a disease called amoebic-dysentery. God only knows how many poor soldiers have acquired that disease wherever the duties and the necessities of war demanded that they be sent. It is a most difficult disease to cure and may manifest itself in the beginning just with a little serous diarrhea. Later on deep ulcerations develop in the intestinal tract, which is most difficult to cure. Then the condition becomes chronic.

Mr. Chairman, are we to dicker in this great Congress that it will cost $100,000,000 to look after these unfortunate men, whose diseased bodies cry to Heaven for assistance? Ladies and gentlemen, I, for one, am willing to expend $200,000,000 to restore back to health every soldier of our Nation who was willing to die to preserve it. [Applause.]

The greatest tribute that should be paid by the citizens of our Nation who stayed behind while those men fought over there is to make the remainder of their days upon this earth happy, contented, and pleasant. This would be the proper contribution of our people to the soldiers of our Republic. [Applause.]

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. RANKIN. There are 18,000 tubercular veterans who will be taken care of under the Rankin bill who would be left out of the Johnson bill. I ask the gentleman whether or not it is probable that those tubercular men who have broken down since 1925 incurred their original disability in the service.

Mr. SIROVICH. That is an interesting question.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RANKIN. I yield five minutes more to the gentleman.

Mr. SIROVICH. I remember when I was a student in the College of Physicians at Columbia University, we dissected many bodies. Every doctor will testify to the fact that in many instances the lungs of these dissected bodies were infiltrated with old tubercular lesions that nature had healed.

Many a Member of the Congress of the United States' that is sitting here before me may have had tuberculosis in his day. However, nature deposits lime salts, commonly known as calcium salts, upon these tubercular lesions and ultimately heals them. Time, however, may bring a relapse and the whole process alights anew. Some of the most eminent authorities in the world believe that you can never cure tuberculosis. It has its periods of exacerbations and intermissions, its ups and downs. You may feel well for a few years and you may relapse, so I think that Mr. RANKIN is perfectly justified in battling for these 18,000 disabled soldiers, who may have acquired tuberculosis in the war, who were treated by the doctors for bronchitis, asthma, emphysema, or pleurisy. All these cases might originally have been tuberculosis, but were never recognized. So, I think, Mr. RANKIN is perfectly justified in presuming these diseases could have been of service origin and entitled to the privilege of presumption until January 1, 1930.

Mr. LUCE. Mr. Chairman, will the gentleman yield there?

Mr. SIROVICH. Yes; I yield to the gentleman from Massachusetts.

Mr. LUCE. I think the gentleman is heaping coals of fire on my head. I would have yielded to the gentleman when I was on my feet if I had known that he had such information to impart.

Mr. SIROVICH. I will say to the gentleman that I had not intended to discuss this bill until after I came into the Chamber to-day.

Mr. LUCE. May I ask the gentleman in what respect does his argument show that the theory of the committee is invalid?

Mr. SIROVICH. I want to see to it that any soldier who has suffered from disabilities acquired in the trenches and who is pronounced by doctors to be in a treatable condition should be taken care of by his Government.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield there?

Mr. SIROVICH. Yes.

Mr. SCHAFER of Wisconsin. For every soldier that was in the trenches there are five or more who have never seen overseas service.

Mr. SIROVICH. When we extend citizenship to a man in the United States we give him the same right as we give to one who is a native-born. When we protect our citizens we should protect all citizens alike. When we take care of men disabled in the service of the Government, whether acquired on the field of battle or the cantonment, we are setting an example to the future soldiers of our Nation by showing them that we are willing and ready to do justice to all.

Mr. LUCE. Does the gentleman wish to be understood as saying that he would abolish all time limit?

Mr. SIROVICH. I would for these conditions.

Mr. SCHAFER of Wisconsin. If you abolish all time limits, you will not have any restriction, and you will include men without a time limit, soldiers, perhaps who served for five days in one of the camps.

Mr. SIROVICH. I will say to the gentleman from Wisconsin that he has always had the amiable habit of getting on this floor and uniformly speaking for the individual rights of American manhood. If he were a woman and had borne children and they had been sent out of the country under the country's flag and had been in camp and had acquired influenza, tuberculosis, neuropsychiatric diseases, or something like that, I think he would consider it his duty to stand up for them and provide for them. [Applause.]

The CHAIRMAN. The Chairman desires to inform the visitors in the gallery that the rules of the House prohibit demonstrations of applause.

Mr. SCHAFER of Wisconsin. So the gentleman would take a case such as this and pay him $100 a month for the rest of his life. Take the case of a man who went into service under the draft and went into camp for a week, and never received medical treatment during his 7-day service in the camp, and perhaps for 20 years thereafter never received medical treatment, and then put him on the compensation roll for the rest of his life at $100 a month.

Mr. SIROVICH. I would say to the gentleman from Wisconsin that once an American boy puts on the uniform of an American soldier, whether in camp here or overseas, the principle is the same, the ideal is the same. He is an American soldier, entitled to all the honors and privileges that go with American valor and courage. If he is injured in the patriotic service of his country, it is your duty always for the interests of the people and fighting for justice, each for all, to help see to it that such a man shall receive full consideration. [Applause.]

Mr. JOHNSON of South Dakota. Does the gentleman from New York advocate a policy where if any one of the 4,250,000 service men becomes afflicted with any disease for all time to come he shall be taken care of in a Government hospital at a cost of $125 a month and shall receive a pension at the compensation rate, which means a total pension for each of these men for all time of $225 or $250 a month?

Mr. SIROVICH. With all my respect for the gentleman from South Dakota—and he knows how much I admire him—I did not make that statement. The statement that I made was that any disease that has been acquired by an American soldier and, in the opinion of an honest physician, can be traced back to its original cause as coming from war, is entitled to be taken care of by our Government.

Mr. JOHNSON of South Dakota. That is the present law. Every man who meets the conditions which the gentleman lays down can be cared for by the existing law.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RANKIN. Mr. Chairman, I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman from New York is recognized for one minute more.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. RANKIN. The gentleman from South Dakota [Mr. JOHNSON] continues to make that statement, that these men will be put on the roll at $225 a month. General Hines, when he was on the stand, said that the men now receiving compensation are receiving an average of $43 a month and this would apply to these men.

Mr. SIROVICH. It was not my intention to enter into the mechanics of the bill. What I wanted to speak about were dis-

cases that might become manifest to-morrow and that did not become manifest until years after the soldier had left the Army.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. SIROVICH. Yes.

Mr. PERKINS. Has the gentleman read the Johnson bill?

Mr. SIROVICH. No, sir; but I am fully acquainted with the substance of the bill. I just arrived from New York, and had no time to study the bill in detail.

Mr. PERKINS. If you read it you will vote for it.

Mr. SIROVICH. If the amendments and provisions embodied in the Rankin amendment are inserted, nothing would give me greater pleasure than to vote for the Johnson bill, which would amend the World War veterans' act of 1924, and once and for all bring fair play and justice to the veterans of the World War. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. RANKIN. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. KVALE].

The CHAIRMAN. The gentleman from Minnesota is recognized for 10 minutes.

Mr. KVALE. Mr. Chairman, in the course of a speech by the chairman of the committee [Mr. JOHNSON of South Dakota], opening this debate on this measure, I took exception to a statement he made regarding the desirability of providing for a final decision in some of the long-delayed and the protracted cases that the bureau has considered, and in which large, thick files have been built up.

I said that before he recommended a cut-off for such cases he might well consider the fact that such files are assembled purely on account of the methods employed by the Veterans' Bureau, particularly by the advisory groups and subdivisions of the council on appeals. I stated then that the reviews and hearings were in the main perfunctory, and that they frequently failed of their purpose because they were often little more than quotations from the written decisions of the last appeal agency which appeared in the file.

The gentleman from South Dakota disagreed with me. I did not insist at the time. But I have asked for time to-day, Mr. Chairman, in order to show exactly what I meant by my remarks by quoting from the record in one claim, which will serve to show just how these appeals operate and precisely what is meant by the frequent references to "red tape" in bureau procedure. It should help each Member of Congress in impressing upon veterans and their dependents and interested friends just what difficulties are sometimes encountered in prosecuting these claims before the bureau.

Mr. Chairman, I therefore ask that I may be permitted to revise and extend my remarks in the RECORD, and to include therein at this point certain correspondence with the bureau in this claim, and certain quotations from their records.

The CHAIRMAN. Without objection, the gentleman will have permission to extend his remarks to include the matter referred to.

There was no objection.

The matter referred to is as follows:

MARCH 5, 1929.

Re: E ——— ——— C 1192126.

FRANK T. HINES,
Director United States Veterans' Bureau,
Washington, D. C.

MY DEAR GENERAL HINES: Through your courtesy, access to the files in this case was granted for the purpose of reviewing evidence and testimony that might be helpful in securing enactment of a bill which I have introduced in behalf of the veteran (H. R. 14880, 70th Cong).

Enactment of the private bill was contemplated following informal personal conferences with representatives of the bureau after the receipt of your letter dated November 12, 1928, denying the appeal of the veteran from the last decision of the advisory group on appeals, which held that the veteran was not insane at the time he committed the acts for which he was subsequently court-martialed.

I was prepared to accept your decision as final, and to regard the claim as having traversed every avenue of appeal provided by law and by the regulations of the bureau. While I felt convinced the decision was not fair to the veteran, I ascribed it to the difficulty with which we have constantly met in securing the evidence which the bureau deemed proper, and to the tangled mass of evidence, rulings, decisions, and memoranda which necessarily result from a case that has been prosecuted so long.

In the review of the case, however, I have been impressed with the volume of evidence and rulings in the veteran's favor. I confidently feel that he is entitled to the benefits under the World War veterans' act of 1924, and respectfully request your permission to review the chronological history of the claim in substantiation of that conviction, which I am unable to escape.

Proceedings and action prior to 1927, it may be supposed, may be dispensed with, except to note that the claim hinges on the question of whether the veteran was insane in June, 1918, when he committed certain acts for which he was tried by a court-martial, sentenced to be confined for two years, and then to be dishonorably discharged. The advisory group on appeals for the first time considered the case on May 22, 1926, and ruled adversely; their decision will be noted hereinunder.

Following this decision, which was approved, steps were taken by myself and others interested in the case to show that, after all, the veteran's offense did not involve moral turpitude, and for that reason did not bar him from the benefits of the act of 1924. It was attempted to show that by other decisions and precedents, but the general counsel held that the offense must be considered to involve moral turpitude.

By your order a rehearing before the advisory group was granted and held on April 29, 1927; their decision was reported on May 14, reiterating their former stand. The chief of your information and cooperation service differed with the board's findings and recommended a review of the decision. You so ordered, and the advisory group, for the third time, on June 11 rendered an adverse decision.

Thereupon you referred the case to Mr. Lynch, of your legal division, who differed with the group and asked a special opinion on the veteran's competency. That request was dated July 21, 1927, and was concurred in on August 15 by the general counsel and approved by yourself.

In response, Doctors Kinney and Stout, neuropsychiatric experts, on October 3, after a thorough review and consideration of all testimony, reported favorably, it being their belief that a strong doubt existed as to the veteran's sanity at the time in question.

There appears next in the history of the case a memorandum from Mr. Lynch, in which he differs with the general counsel's ruling of April 13, 1927, with respect to the involvement of moral turpitude. This is noted, in passing, merely to indicate one of the several doubts that exist and which might be resolved in the veteran's favor. It will be referred to later.

The general counsel, on October 28, next appeared in the chronology with an adverse ruling, which was characterized, first, by the fact that he changed the entire line of the case by referring to his earlier decision regarding the involvement of moral turpitude, then by the fact that he declared the question at issue to be essentially medical.

Following a personal interview which you granted my secretary on March 9, 1928, your promised action was undertaken looking toward a more thorough inquiry into the medical aspects of the case. In the meantime, however, a request from Mr. King, of Minnesota, resulted in your order for another—a fourth—hearing before the advisory group on appeals, held on March 10, 1928, and resulting in an adverse decision given on March 31, 1928.

On April 5 you ordered a special inquiry by a board of five neuropsychiatric experts, which reported adversely on April 9. Their report was followed on May 21 by a memorandum from the chief, information and cooperation service, wherein he differed with the advisory group, set forth his reasons, and included a special report which you had authorized and directed Mr. Barker to prepare.

My secretary was accorded another interview with you personally on May 24, 1928. He asked that the special board be reconvened to consider added testimony and to permit his personal appearance before them. You so ordered; and the board of five met again, and after careful review of the complete file presented a favorable report with the definite and specific recommendation noted hereinunder.

This report and recommendation was concurred in by the general counsel under date of July 10, 1928. It may be noted here that his adverse ruling of October 28, 1927, was distinctly modified and qualified, as will also be noted in the attached quotations. The assistant director, adjudication service, added his approval to that of the general counsel on August 2.

Exception was taken in an adverse report filed by the assistant director, coordination service, filed on August 10. Because his position was the opposite of positions taken by the other services which had reviewed the file, you requested a further statement setting forth his reasons for differing. That statement was filed on August 23, and will also be discussed below.

However, you thereupon ordered (September 10) a complete review by the medical and legal services. A week later, the medical director and general counsel unqualifiedly concurred in the recommendations of the special board of five neuropsychiatric experts, brushing aside the objections of the coordination service, and agreeing with the recommendations of the four services referred to.

You received the report of this review with its recommendations on September 17, and on October 3 addressed the Secretary of the Navy, giving a history of the activities in the case, and asking for the Secretary's reaction. He replied on October 24, very abruptly, and inclosed a copy of the report submitted to him by the Navy's Bureau of Medicine and Surgery. On the basis of that report, you ruled adversely, and so notified me on November 12, last.

To recapitulate:

The case has been through all regular channels in the regional offices and central office board of appeals up to the advisory group on appeals,

which has considered it four times, and each time has denied the appeal. It has been reviewed by groups of experts, by heads of all services within the bureau, and favorable recommendation has been made by all except one service. It is a matter of record that the final decision was prompted by the Navy reply to your query of October 3.

The evidence has been reviewed several times, and it is not necessary for me to sum it up, except to note that it is severalfold. It includes the claimant's service record and the proceedings of the court-martial; it includes his medical record, and letters written from Commanders Osborne and Wieber while he was under their care; it includes affidavits from a number of authorities and former comrades, chief among which are those from Messrs. G———, G———, T———, H———, and M———. In addition to T———'s statement (T——— was the bandmaster on the battleship *Vermont* and was E———'s immediate superior), it includes the sworn testimony offered by him on April 29, 1927, before the advisory group, and his accompanying affidavit made on the same day. It includes the special report made by Mr. Barker, assistant chief, information and cooperation service, on your authority and at your direction. It includes a mass of medical evidence concerning his condition since discharge. It includes also a record of the numerous and futile attempts to locate every imaginable person who might have had information of his condition in April, 1918, or thereabout.

I intend, respectfully, to show, by the record of the proceedings in the case and by quotations from accepted authorities, that there is clear doubt, and, more, that the veteran, E———, is entitled to have the doubt resolved in his favor, as you are permitted to, and authorized to declare under section 23 of the act, and as you have specifically ordered in your General Order No. 293.

The ground covered by the advisory group in its first decision is so fully covered in the later phases of the case that any attention to it would properly be considered needless. But it will be noted that after the decision, which was considered to have exhausted the avenues of appeal, I reviewed it, being dissatisfied with the attitude taken by the advisory group toward the affidavit of T———, and discounting his testimony. Subsequently taking the case up with the national rehabilitation office of the American Legion and with representatives of the bureau, it was thought proper to endeavor to show that the claimant had not committed acts which involved moral turpitude and for that reason should not be barred from receiving the benefits under the act. A then recent decision in another case was noted.

Exhibiting a helpful spirit, you accordingly ordered an opinion by the general counsel on the case as viewed in connection with the favorable decision given in the case of L——— H——— (C–1, 124, 627). The general counsel, in a memorandum to you dated March 29, 1927, held that E———'s offense did involve moral turpitude and did make him ineligible for consideration, for the reason that the theft of property valued at $14.20 was an offense involving moral turpitude.

I then determined to summon T——— from his then residence in Pennsylvania in person, since the advisory group had attached importance to his testimony at the same time it had criticized his action and discounted his statements. You ordered a rehearing, which was held on April 29, 1928; the testimony offered is a matter of record, and was presented to rebut the group's statement that T——— should have reported E———'s condition at the time. The advisory group, however, held that the testimony offered did not warrant any change in their attitude, since it did not introduce any "tangible evidence bearing on the claimant's mental condition" at the time of the offense, but contained "expressions of opinion and sympathy for the claimant."

This testimony clearly and consistently bears out all the other evidence and testimony in the file, showing the typical symptoms of a psychotic condition, including the delusions as to persecution, the irregularities in conduct which caused his repeated transfer, and the definite conviction that the man was insane.

The chief, information and cooperation service, on May 26, 1927, in a memorandum to you, referred to the advisory group's comment on the T——— evidence, and to its statement that any symptom of insanity would doubtless have been observed on a battleship, and said:

"I can not agree with the conclusions of the advisory group, which are rather far-fetched, in view of the fact that this veteran was court-martialed in August and showed signs of mental derangement in December. At the time of his court-martial * * * the veteran refused counsel and entered a plea of guilty to all the charges against him. It must be borne in mind that discipline on board a battleship in time of war is rather severe, and that the battleships do not carry medical officers who are particularly qualified to observe a patient's mentality and that with a war-time crew * * * the medical officers had all of the work that they could possibly do. Conditions are most peculiar under the circumstances, and it is hard for a landsman to understand the manner in which naval routine is carried out.

"After going over this case several times I believe that the facts warrant a different interpretation placed upon them by the advisory group, and in accordance with your policy to resolve the doubt in favor of the veteran the case warrants reconsideration. The sentence in the case, two years' confinement and a dishonorable discharge for the theft of property amounting to $14.20, is good evidence of the severity of the discipline on board a battleship in time of war, and the question of insanity probably never occurred to the members of the court-martial, before whom neither the bandmaster nor any of the veteran's immediate superiors appeared. * * * The veteran should not be penalized for the lack of evidence concerning his mental condition prior to the time that he entered the naval hospital at Portsmouth, N. H., where he received the first thorough physical and mental examination of record during the time of his entire enlistment."

The plea of guilty, please note, to the charges automatically set up a barrier to the introduction of any testimony, and made it impossible for any witness, for whatever reason, to testify in E———'s behalf.

The record shows that the man E——— did not open his mouth during the entire trial, waived all rights, and in every way acted like a man who was quite unmindful of his rights and of the consequences of his behavior. In addition, the three men from whom he stole the articles and who made the complaints against him, who normally would have appeared and who have since testified that they deemed him abnormal mentally, were barred from testifying. Their testimony, or that of anyone even casually familiar with the man's condition, would doubtless have resulted in revealment of his true condition.

An effort has been made, as my secretary noted in his testimony before the group, to contact the three men. Two of them were reached, and their testimony regarding E———'s condition is a matter of record. The third could not be reached. They did not testify sooner because they knew nothing of the need for their testimony or the consequences of the charge of theft lodged against E———. Two articles of the three, whose theft was the basis of the specifications, were clothing—not new—valued at $4.20. The third article was a watch, property of H——— M———, valued at $10. M——— states that E——— had taken property, and that:

"* * * I warned him about it, but he did not seem to care, and kept on doing it. Then, when I discovered that he had taken my watch, I reported him. E——— did not look at all like a normal person, nor did he act like one. I felt sorry for the man. This is all I can truthfully say about him."

The chief, information and cooperation service, also refers to the severity of the sentence when compared with the offense. One phase has not been stressed, and that is the value of these articles. Their value, for the purposes of the specifications in the trial, may well be questioned. Since they total in excess of $10, they arbitrarily call for a charge of grand larceny. Navy officials, when questioned regarding the penalty and the offense, asserted, as noted in the testimony, that while occasionally the punishment seemed severe, justice was administered "in the aggregate." I submit that this still remains one case where, quite regardless of the involvement of any insanity, the punishment still far exceeds the bounds of appropriate penalty for the magnitude of the offense.

You responded to the suggestion made by the chief of the information and cooperation service by asking the advisory group on May 28 to make a careful review of the decision they rendered, and to submit a report to you, after consideration of the attached memorandum.

The advisory group on June 11, 1927, arrived at its third decision in the case. It upheld the former decisions, and maintained that the evidence of E———'s mental state after the court-martial and before his discharge "falls far short" of showing the claimant insane, and that "it does not appear that the court-martial was conducted in an unusual manner, that the rights of the claimant were not fully protected" * * * and stated that "subsequent reports of his mental condition do not show any progressive mental disorder," and that the group's previous conclusions drawn from the conditions surrounding the claimant prior to his court-martial were fully sustained by the evidence. The group adds that "the severity of the discipline, and of the sentence, have little, if any, bearing on the question of insanity."

The reference to previous conclusions drawn from conditions surrounding E—— is to the group's statement in its decision of May 14, 1927 (rehearing), that it was hard to believe that such a condition could exist on board a battleship without having it called to the attention of some one in authority, that it should be noted that one of the members of the court-martial board was a medical officer, and that E——'s personality would account for his trouble on shipboard.

These conclusions were contradicted by the chief of the information and cooperation service as previously noted. I submit, in all sincerity, that the group's conclusions represent a wholly unauthorized misinterpretation and distortion of the sworn testimony of a proper and competent witness and of other corroborative evidence. Portions of such evidence will be quoted subsequently in rebuttal of statements made by the Chief of the Navy's Bureau of Medicine and Surgery. Other differing opinions will be quoted in orderly sequence.

It may be observed, however, that the arbitrary statement that the severity of the discipline and of the sentence have little, if any, bearing on the question of insanity does not hold, since there is valid evidence to show that the severity of the discipline was a directly contributing factor in the concealment of E——'s true condition.

There is also valid evidence to show that the men who preferred the charges and might have thrown light on E——'s condition were barred from appearing to testify; the record of the court-martial itself is evidence that the proceedings were hurried, the extract from the ship's

log showing that "the general court-martial, of which Commander S. A. H———, U. S. N., is president, convened for trial" of three cases "and adjourned at 10 o'clock." The fact that three men were tried, convicted, and sentenced within a period of one hour on charges serious enough to come before a general court-martial certainly indicates that the proceedings were hurried and that the rights of the prisoner were not protected, despite the group's statement.

It may be noted, in addition to the above, that T——— said:

"I had no opportunity to appear before the court * * * not being allowed communication with him (E———) or anything."

Reference was made, in a memorandum filed by the chief, information and cooperation service, dated June 30, 1927, to a conference with George Lynch, whereupon this specific recommendation was made:

"After mature deliberation, it is recommended that the case be referred to the diagnostic center, Washington, D. C., for study in connection with the question at issue."

The medical director addressed you on July 18, giving it as his belief that the case had been amply considered, but stating that he did not object to the further action suggested.

A similar but more vigorous opinion was filed on July 21, 1927, by George Lynch, in a memorandum to you, in which he insisted that the evidence and information warranted further consideration prior to any action by yourself on the advisory group's recommendation. He urged that the case be referred for a specially qualified opinion on the question of the claimant's competency.

This opinion was in substance confirmed by the general counsel in a memorandum to you dated August 15, 1927.

As a result, you ordered a special report to be made by Doctors Stout and Kinney, diagnostic consultants in neuropsychiatrics, in accordance with the recommendation that the question of E———'s competency be left with them for determination. They reported to you on October 3, Doctor Stout, as follows:

"* * * Previously to military service he was rather an unstable individual, certainly from the time of his finishing the eighth grade until his entry into the service. * * * From the time of his entry into the naval service he appears to have had more or less difficulty continually, since he was transferred from division to division several times * * * obviously because his adjustment was unsatisfactory. * * * Subsequent to his admission to military prison, he seems to have developed a frank psychosis. Description of this psychosis in the record leads one to believe that it was a case of dementia præcox at that time, with catatonic and paranoid tendencies. This became definitely evident by January, which would be, at the most, five months after his court-martial. * * *

"In summary, the patient manifested quite a definite constitutional psychopathic make-up, with more or less schisoid tendencies, before naval service. When he was in service he was in difficulty repeatedly and adjusted poorly, both with his associates and those in authority. After his court-martial he became definitely psychotic early in 1919. * * * Considering his continuously poor adjustment from adolescence on, it is believed that there was a strong psychotic tendency present, which was brought out in a frank reaction in at least two episodes. In my opinion, there is a very strong doubt as to whether the patient was mentally competent at the time of the commission of the offenses in June, 1918, for which he was subsequently court-martialed. The evidence available is not sufficient to definitely determine whether he was or was not competent at that time."

Doctor Kinney, the other diagnostic consultant whose opinion you sought, said, under the same date:

"* * * such evidence is too meager to definitely establish, beyond reasonable doubt either that the claimant was mentally competent or that he was incompetent on June 2, 1918. * * * The evidence does establish that during his service aboard ship he showed conduct disturbances which were no doubt due to abnormal mental condition."

I submit, sir, does not this create one more doubt which should be resolved in E———'s favor?

You had referred the claim, in response to the general counsel's suggestion, to these diagnostic consultants for "specially qualified opinions." Those opinions were that there was insufficient evidence to show incompetency "beyond reasonable doubt." But, sir, the veteran is not compelled to prove his case beyond reasonable doubt.

The opinions then stated that there is a strong doubt as to his competency. You have power, and did then have power, to act, on the advice you had sought, by ruling the doubt in the veteran's favor.

Another most interesting development came on October 8, with the memorandum of George Lynch to yourself, in which he makes reference to his decision of April 15, when he held that E———'s offense did involve moral turpitude, and that therefore he must be held ineligible to benefits under the act. That, it will be recalled, changed the direction of all activity in the case. He stated on October 8, however, that—

"I seriously doubt if the offense for which this man was tried, considering all the circumstances of this case, should be considered as an act of moral turpitude or willful and persistent misconduct within the reasonable contemplation of the statute."

In other words, there is, as indicated, one further doubt which should be resolved in the veteran's favor, but which has not been pressed except for this reference to it, in the record of the case.

The general counsel, October 28, also referred to the April decision regarding involvement of moral turpitude, and then made the significant statement that—

"* * * The question at issue is one essentially medical."

Then followed a series of personal consultations with yourself, with your legal advisors, and with others in your offices who were familiar with the details of the case in an effort to secure a favorable decision on the basis of evidence and actions then included in the file. You will recall personal interviews with my secretary, in which you promised to give the man E—— every possible consideration, and authorized Mr. Barker to make a special search of Navy records and other sources, to communicate with E——'s former officers by radiogram or letter, and to submit to you a report on his findings.

You also stated your desire to convene a special board of medical experts, since you did not feel that you were able to make use of the power placed in your hands under section 23 of the act unless you resolved the doubt in favor of the veteran as a direct result of expert medical recommendation.

On March 10, 1928, in response to a request of Stafford King, soldier welfare agent for the State of Minnesota and active in the American Legion, a fourth hearing before the advisory group was ordered by you and hastily arranged, and Mr. King and my secretary appeared and argued the case. The group offered its decision on March 31, ruling adversely. Please note that up to this time the progress of the case had been distinctly in the veteran's favor as a result of steps authorized by you and carried out as authorized, and that the rehearing was not granted as the result of any change in the status of the case; but in order to permit Mr. King to appear and make a statement, he being unable to be present regularly in Washington, and preferring to present his statement verbally rather than in written form.

This statement should be carefully noted. It refers to the additional evidence contained in the reports of Doctors Kinney and Stout, averring that Kinney "* * * merely reached the conclusion that the evidence is too meager to definitely establish * * *." The group then states that Doctor Stout concurs.

A reference to the statements of these doctors, previously herein quoted, will quickly establish whether or not this interpretation is justified. It will establish that the experts reached quite another conclusion from that represented by the group.

The decision then refers to the T——— testimony and states that it refers to E———'s condition in April, 1918, then observes that the offense was committed in June, and that it does not necessarily follow that even if the claimant were mentally incompetent in April such incompetency persisted and existed in June, 1918.

The record bears me out in flatly contradicting this statement. T———'s testimony, if examined, will be shown to cover all the period during the winter and spring of 1918 and up to the time of E———'s general court-martial. Experts whose opinions have been sought have placed quite another interpretation on the evidence. Some of it will be quoted hereinunder.

The group grants that the evidence shows incompetency in December, 1918, but says that "* * * such fact does not establish his incompetency in June, 1918." They have receded from their former position, when they held that the evidence did not show progressive mental disorder; yet they insist that mental disturbance, either before or after June, would not mean that the condition existed in June; and they discount the testimony and the opinions of experts concerning the testimony that would prove, even beyond the reasonable doubt that is required, the incompetency of the man at the time he committed the acts in question.

The group states that the general counsel on August 15, 1927, concurred in the previous recommendation of the advisory group. The accuracy of this statement is quite in line with the accuracy of the remainder of the decision.

As a matter of fact, sir, the recommendation referred to, given on August 15, 1927, was in reference to the recommendation of the information and cooperation service that the diagnostic center be given the case before the group's recommendation be acted upon by you. The general counsel in this statement did not concur, but did recommend the adoption of the course requested by the information and cooperation service. This may be verified from the record.

The group did recede from its original position in evaluating T———'s testimony, but still insists that it does not cover the necessary period. Examination of the testimony will show it to be directed exactly to the time in question, and to be pertinent, and to be in proper form, and to be substantiated by other testimony. Elsewhere will appear a memorandum from the assistant director adjudication service, dated August 2, 1928, regarding the necessity of a veteran being forced to prove his case beyond a reasonable doubt, or by a preponderance of evidence. It may be observed, however, that once affidavits and sworn testimony have been properly presented, the burden of proof is on the



bureau to show such testimony to be false, and the bureau can not arbitrarily deny or set aside or ignore such testimony. It must also be recalled that E———'s plea of guilty at the trial barred any statement by himself or any testimony in his behalf at that time.

Your memorandum on April 5 ordering an inquiry by a special board of five neuropsychiatric experts observed, in commenting on the proposed action in the case:

"* * * As it clearly must be resolved on this medical question."

The report, brief and perfunctory, was adverse, and was returned on April 9. It was followed on May 21 by a memorandum from the chief, information and cooperation service, in response to the authorization made by you before the rehearing was held by the advisory group. This memorandum voices disagreement with the findings of the group, presents Mr. Barker's report, and states, in part:

"In view of the additional information secured from the Navy's records by Mr. Barker, I believe that the bureau could safely give full weight to the statements of this veteran's comrades. It is possible that neither of the two general medical physicians on the ship suspected that E——— was insane, in view of the large crew that the *Vermont* carried, the fact that his condition appears to have come on gradually, and in view of the strict discipline that existed on this ship.

"Summing up the evidence in this case from the standpoint of the veteran's conduct prior to his court-martial, which is largely the controlling factor in the question that is involved, you will note that the statements of his comrades and the bandmaster concerning his conduct are corroborated to a large extent by E———'s records in the Navy Department as set forth in Mr. B———'s report, as you will note that this man was continually in the brig * * *."

There appears, on June 2, a statement from Doctor H———, junior medical officer on board the battleship prior to and at the time of E———'s court-martial, now engaged in active practice in Chicago, in response to a query you authorized, and stating that E——— was a "* * * peculiar individual, with a queer conduct and strange behavior. He was a misfit. It is my sincere opinion that E——— suffered from psychosis and was insane prior to June, 1918." Doctor H——— was one of the medical officers on board the ship, and his statement was based on actual observation of E——— and familiarity with his condition.

The superintendent of St. Peter State Hospital for the Insane in Minnesota, where E——— was confined at the time, said on June 5, 1928, that "* * * judging from his history, the patient probably has never been normal mentally. Basing my conclusions on the patient's story, I would consider him abnormal mentally during his service in the Navy."

In the meantime my secretary had asked, and had been granted, another personal interview with you on May 24. This was following the adverse report of the special board of five, and following the presentation of the memorandum from the information and cooperation service. He requested that you order the special board to reconvene to consider the new evidence submitted in the memorandum and to be sought from the sources noted above. You so ordered and requested the board to permit my secretary to sit with them and present his facts and arguments.

That second meeting was held, and on June 16 the report of the special board of five was submitted from the office of the medical director, stating that the additional evidence was not sufficient to show insanity at the time the crime was committed, but also stating:

"* * * However, * * * the history of such mental episodes must be considered with the possibility of the slow, insidious onset of dementia præcox and continuity of this picture throughout in mind."

They term the question "peculiarly difficult," but state that the record of conduct disorder—

"* * * makes it impossible for the board to hold that the evidence satisfyingly shows that the man was wholly clear and responsible for his actions prior to, during, and after the court-martial. Accordingly the board recommends that the benefit of a reasonable doubt be given this claimant and that it be held that he was insane at the time of the commitment of the act which led to the court-martial on June 2, 1918."

That is the unanimous and definitely favorable recommendation of the five specialists who had undertaken an exhaustive and repeated review of the case, and who had been given authority following the general counsel's recommendation to rule definitely on the medical—the "essential"—feature of the case. It placed an entirely different light on the interpretative and argumentative portions of the decisions rendered by the advisory group.

The general counsel, on July 10, added his definite favorable recommendation of and approval of the board's statement. In noting that the special board has recommended for the claimant and that the medical director had approved the recommendation he said:

"* * * and since the question of insanity is a medical question and there is evidence to sustain the recommendation this service concurs therein and recommends the approval of the special board's report dated June 16."

This statement is important also for another reason. It refers to the general counsel's memorandum dated October 28, 1927, and the adverse report then made regarding the unfavorable finding and modifies it by saying:

"At that time (October 28, 1927) the file did contain some evidence which might be made the basis of such a (favorable) finding, and since said date there have been added to the file the various statements referred to in the report of the special board dated June 16, 1928. These statements, in the opinion of this service, raise a reasonable doubt as to the insanity of the veteran at the date he committed the offense referred to."

There is indicated even another doubt which might well have been resolved in the veteran's favor. They appear all through this case.

On August 2, 1928, the assistant director, adjudication service, added his definitely favorable recommendation to that of the other services in these words:

"In view of the additional evidence, which does create a reasonable doubt as to the veteran's mental condition at the time of the commission of the offense, and the consistently applied policy of the bureau of resolving the doubt in favor of the claimant, and the further fact that the claimant is not required to establish his claim to a mathematical or moral certainty, nor by a preponderance of evidence, nor beyond a reasonable doubt, this service concurs in the conclusion of the special board of neuropsychiatric specialists."

An unfavorable recommendation, unique in that it is the only one to appear at all in the recent history of the case, was embodied in a memorandum to yourself from the assistant director, coordination service, dated August 10, in which he states that after a "thorough review" it is—

"* * * not believed that the evidence at hand is sufficient to justify the conclusion that the man was insane at the time he committed the offense."

Because his opinion was contrary to that of the four other services and of the two specialists at the diagnostic center and of the special board of five neuropsychiatric experts, and was not supported by argument or otherwise, you returned his memorandum on August 14 asking for a full statement with his reasons for so holding.

He replied on August 23, stating that the services and boards mentioned—

"* * * have recommended that you find that the veteran was insane at the time of the commission of the offense for which he was court-martialed. These recommendations are predicated on the fact that there is a reasonable doubt, which should be resolved in favor of the veteran."

He then states that there is no record of mental disability prior to December 30, 1918, observes that the H——— statement is made 10 years afterwards, and is not substantiated by physical findings, refers in deprecatory manner to the special report submitted by Mr. Barker, and reiterates his original adverse decision.

His statement that the favorable recommendations were predicated on the existence of the doubt obviously would, if taken at its face value and accepted, make a mockery of the provision in the law and of the special order of the director which does resolve the doubt for the veteran. The argument in this case has been frank and straightforward and only on the basis of the evidence in the file, and every shred that could be collected, whether favorable or otherwise, as long as it assisted in unearthing the true and pertinent facts. The opinions have been found on the basis of this evidence, and any other insinuation should be resented by every service and every group that has endeavored to study and decide the case in the interests of justice. The recommendations of the experts have indicated that they regarded the evidence as strong enough to raise a strong doubt, and sufficient to prompt their definite recommendation that the veteran be given the benefit of that doubt. They—the experts—were selected because it was recognized the first aspect of the case was medical, and that their opinions, whether favorable or no, should prevail.

The recommendation of the assistant director, coordination service, however, it happens, is best answered by the statement jointly signed by the medical director and the general counsel on September 17 following your demand for a complete review of the case and a definite recommendation from them. They say, after a thorough review and after quoting from the review and recommendation of the legal service on July 10:

"'This recommendation of the special board was approved by the medical director, and since the question of insanity is a medical question and there is evidence to sustain the recommendation, this service concurs therein and recommends the approval of the special board's report dated June 16, 1928.'

"The assistant director, coordination service, under date of August 23, 1928, in objecting to the recommendations above mentioned, stated that said recommendations were predicated on the fact that there is a reasonable doubt which should be resolved in favor of the veteran.

"In view of the well-established policy of the bureau in this respect, it is not deemed necessary to make any comment respecting this suggestion.

"You are advised, however, in response to your specific request, that the medical director and the general counsel recommend that you approve the report of the special committee dated June 16, 1928."

There the case rests, in so far as it concerns the offices of the Veterans' Bureau. Apparently it had been won, and seemingly favorable action would of necessity follow on your part.

You deemed it necessary, however, in view of the responsibility with which the act clothes and charges you, to ascertain the attitude of the Navy Department in the matter, and you accordingly wrote, in part, as follows to the Secretary of the Navy on October 3, 1928, stating that you felt you were not warranted in deciding in the veterans' favor:

"* * * contrary to the official action of another department of the Government, particularly so in view of the fact that your department has not approved special legislation in this case."

You made inquiry as to whether, in view of the facts and in view of the action of a former Secretary of the Navy in remitting the unexecuted portion of E———'s sentence relating to confinement, the present Secretary "would be disposed also to remit" the portion of the sentence relating to E———'s dishonorable discharge.

The answer, it may be stated, might have been found in the testimony given the advisory group on May 14, 1927, when my secretary declared:

"* * * As a result of his mental condition and diagnosis a medical survey was ordered, as a result of which the Secretary of the Navy, through an order, revoked that part of this sentence which referred to his confinement, but did not revoke that part of his sentence which related to his dishonorable discharge. It must be assumed that if the medical board which conducted the survey found E——— to be irresponsible—and in that they ordered a survey—they contemplated a medical discharge and a remitment of the entire sentence. However, as soon as the act of the sentence was put into force, the man was forever barred from any corrective action."

In substantiation of his statement my secretary filed with the group at the time a letter from the Navy Department, which held that a sentence, once carried into execution, even though later shown to have been undeserved and improper, could never be remitted by the authority of the Secretary or by any other authority, and cited an opinion of the Attorney General to that effect. The reply which the Secretary would return to you was therefore predetermined, and—this is vital to note—if the case were to hinge on the department's attitude in the final analysis, there would never be a chance for any favorable bureau action, and all the proceedings which had been held might as well have been dispensed with entirely. This matter is again discussed in connection with the report of the Bureau of Medicine and Surgery, Navy Department, which follows hereinunder.

Your letter to the secretary continues with a résumé of the affidavit and other evidence in the file, and says further:

"Particular stress has been laid upon the professional statement of Doctor H———, the fact that the veteran was found to be insane by the physicians at the naval prison hospital within approximately six months after he committed the offenses, and the fact that evidence has been produced which shows mental upsets, which, when taken together with the history of such mental episodes, must be considered with the possibility of the slow, insidious onset of dementia præcox, with the continuity of the picture throughout, in mind.

"Considerable weight has also been attached to the sworn testimony of the bandmaster and the veteran's comrades, which are corroborated to some extent by the quotations from the veteran's service record and the log of the battleship *Vermont*, as set forth above, and the fact that the veteran since his discharge has been confined almost continuously in tuberculosis hospitals and insane asylums."

You make note of the fact that the special board of neuropsychiatric experts recommended that you find the man insane in June, 1918, and that the general counsel and medical director had concurred in the recommendation, and conclude:

"However * * * I do not feel justified in taking any action which would in effect revoke part of a sentence of a general court-martial imposed by duly constituted naval authorities, and positive action looking toward awarding hospitalization, treatment, compensation, and insurance benefits to this veteran should, in my opinion, only be taken with the concurrence of the Navy Department either through official action by that department in revoking the court-martial proceedings or through a favorable recommendation on any legislation proposed looking toward the specific relief of the veteran himself.

With you regarding your self-imposed limitation on any justification for taking action that would in effect revoke a portion of the sentence passed upon E——— (or upon any veteran) by the Navy Department (or by any other department) I must respectfully differ.

In venturing this opinion I am departing from my studious effort to cling to facts set forth in the records contained in the veteran's file. I do so in a wholesome and respectful spirit. But, Mr. Hines, I do see in your statement that you decline to make a ruling which would be contrary to a court-martial sentence the possibility of permitting a precedent to stand unchallenged, which in my mind would defeat the purposes of the World War veterans' act in a great number of deserving cases; yes, in the very cases where action on your part alone is required to set aside a grave wrong that may have been done and that may not have become apparent until after the sentence has been carried into effect.

In this connection I am able to say that I have been unofficially advised by an official of the Judge Advocate General's office, Navy Department, that it was through oversight that this veteran was not given a medical discharge, because such has been the practice of the Navy Department. Due, however, to conditions in that department immediately following the war, errors and mistakes were frequent. Shall E——— be made to pay forever for these errors?

I am speaking, if you please, now as a legislator—as a Member of Congress—who takes pride in having been one of those who had a modest part in enacting a measure under which you now operate, and which provides specifically for clothing you with discretionary power to act in these cases. Most assuredly it was not the intent of the provision referred to, by any conceivable interpretation that your action should be taken in resolving a doubt in the veteran's favor only if such action would save another department of the Government possible embarrassment, regardless of the merits in the case.

Congress has placed no such restriction in section 23 of the law. The very intent of the law was to give you authority to correct injustices, regardless of the attitude of any department and quite aside, even, from the other provisions of the law.

The bureau in laudable manner undertook to sift every available bit of evidence, evaluate it, compare it, and have it weighed by experts and by heads of services who are placed in authority by virtue of their experience in these matters and the value of their ability to make these decisions for you. They reached a conclusion, well nigh unanimous.

Is that to be discarded in entirety in favor of the attitude of another department?

Moreover, I take responsibility for the statement that the Veterans' Bureau is almost daily overruling the War and Navy Departments in thousands of cases where direct service connection has been established and allowed, regardless of the fact that the official records of these departments have shown contradictory evidence or an absolute lack of evidence.

That is not all. This is pertinent:

On inquiry, I ascertained that there is record in the central office of actual cases in which you have held under section 23 that Army veterans were insane, without any prior consultation with the Secretary of War. And, what is more, the Secretary never questioned your action in any of these cases where you held that the veterans were insane at the time they committed certain offenses which led to their dishonorable discharge from service.

Just why, then, you should desire to restrict this discretion placed in you by Congress, to correct just such instances as this case typifies, by stating that in view of the attitude of a Secretary of the Navy you can not take favorable action, is rather difficult for me to fathom. It can not be denied that this case—E———'s case—must stand on its merit, regardless of the position of the Navy Department.

You are well aware, too, of the fact that the department only in rare cases permits a favorable report on legislation that we in Congress introduce looking toward relief of any individual formerly connected with the services. I have noted that the department, furthermore, never, under any circumstance, revokes or recalls a sentence that has been carried into execution, no matter what may later be revealed regarding the justice or propriety of such sentence. Such a course, therefore, as pursued in this case would defeat the entire purpose of the spirit and letter of the World War veterans' act, and would render any constructive action on the part of the Veterans' Bureau in the case at hand or in any other case a farce and a travesty on justice. I am steadfastly trying to avoid any extravagant terminology, and to present the case fairly.

As expected, the Secretary of the Navy (acting), under date of October 24, replies very curtly and abruptly to your elaborate query, with its summary of the case, observing:

"* * * The sentence of E——— having been approved and carried into execution, can not now be revoked by the Navy Department even though the Navy Department were so inclined (17 Op. Atty. Gen. 303). From the present facts and information available the Navy Department would be disposed to recommend against the enactment of any legislation proposed looking toward his specific relief."

Accompanying his reply, and evidently the basis for his statements, is the report of the department's Bureau of Medicine and Surgery, dated October 18, 1928, and signed by (Surgeon General) E. R. Stitt. The Surgeon General states that attention must be paid, in the evaluation of the facts in the case, to four specific points. They are: (1) The man's service record; (2) his general service reputation and the impression on his associates; (3) his medical history; and (4) the record of the general court-martial.

Taking the points in order, the report then refers to E———'s service record, and to the punishment for numerous petty offenses culminating in the general court-martial. It is stated.

"* * * The nature of these offenses was such as to indicate that he was slovenly, insolent, and willfully disobedient, and, under the

circumstances, evidenced a degree of judgment defect. As he enlisted in 1916 and his record prior to 1918 was apparently clear, it would appear that during 1918 he suffered a change of personality."

The report goes on to discuss his "conduct disturbances" which, he alleges, are usually shown by individuals who are "antagonistic because of situational influences rather than mental deficiency." It charges E——— with unfitness as evidenced by repeated transfers "to find some place where his services might be of use."

I realize that the Surgeon General's office did not have the advantage of the intricate processes through which this case had been carried in the Veterans' Bureau, or of the information and evidence that had been developed and gathered, and that had been passed upon repeatedly by expert authorities.

And yet it seems unthinkable that E———'s conduct should be so characterized and that such an opinion should serve as the basis in part for the adverse report. The record shows a series of minor offenses that indicate a condition diagnosed in quite different style by the neuropsychiatric experts and others who studied them. It shows that this veteran was always—to some degree at least is undisputed by every authority in the case—abnormal.

The record, furthermore, shows beyond dispute or doubt that this situation which E——— found himself in in 1918 was something deeper than a mere change in personality, and that the Navy report there sets itself squarely against an imposing array of expert opinion which the bureau has collected in this case. If those opinions are to be utterly without value, that fact will have fatal significance in a vast number of cases where the diagnosis and decisions of these experts must be relied upon by the director and by the bureau.

It charges E——— with unfitness because of repeated transfers "to find some place where his services might be of use." It is difficult to consider that statement as emanating from an unbiased source. There is no hint of such an interpretation anywhere else in the entire case; there is a mass of evidence showing that his transfers were occasioned only by a desire to safeguard the interests of an abnormal sailor, to spare him and his superiors open trouble, and to avoid difficulties if possible. Doctor Stout's statement may be referred to; E———'s testimony is more than ample on this point; all the testimony from all available sources corroborates it in the finest detail.

The report, in discussing the second point, that of his general reputation and the impressions on his associates, quotes from T———'s testimony only the phrases "very peculiar" and "I consider this man was mentally deficient, not being qualified to state he was insane."

These are excerpts from T———'s testimony that might also have been quoted in that connection. (When questioned at the time of his appearance before the advisory group on April 29, 1927, as to whether he had ever made mention to his superiors of E———'s peculiarities, he made the following reply:)

"I haven't any doubts that I may have at that time made such a remark. Of course, in the Navy you can not tell your superiors what you think. * * * I really believed the man was at the time insane. * * * Most likely, if I had reported myself to the surgeon and stated that I thought this man was insane, it would have stopped right there; there would have been nothing done about it, because the fact that I was bandmaster didn't permit me to make any statements as to what I thought of the mental or physical condition of the men whatever. * * * He was being transferred from one division to the other, and at last the commanding officer asked if I would receive him in the band—as he was partly a musician—is they didn't want him about on report, and thinking the musical line might have some quieting influence on him. * * * although I had been instructed by superior officers to be lenient with this man."

In the affidavit which he filed on the same day, and in which he also bound himself by oath, he originally stated, then substituted statements, as shown below:

"* * * Captain S———, who commanded the ship until * * * some time in the spring of 1918, was generally considered one of the best friends E——— had. He was more of a father to him than an officer, and tried to talk to him and help him. [Things went considerably worse for E——— right after Captain C——— took command. I do not wish to say it was because Captain C——— took command, but the facts can be verified.]"

(NOTE.—The lines appeared as indicated in the original, then were struck out as indicated (appearing in brackets) because T——— thought the statement cast undue reflection on his former commander, and the following was substituted, as may be noted by referring to the original in the file.)

"It was from this time on that E——— became worse, it appearing that Captain S——— having some influence over him."

T———'s affidavit, dated May 8, 1925, bearing out the above, should also be noted.

The above, taken in connection with certain facts regarding the ship's discipline and characteristics of certain officers, places a different light on the development of the later phase of E———'s enlistment, and of his reputation among his comrades and superiors. The statement of my secretary before the same group on the same date may also be noted, when he remarked that the bandmaster was instructed by his commanding officer to report E——— under penalty of a report himself or of demotion. The man's condition was known, and yet there is no record of any effort at medical examination at the time of the court-martial or before or after. The board which sat at the trial, he stated, might have been derelict, or the fault may have properly been placed elsewhere; but in any event the man E——— clearly was penalized and made to suffer untold agonies because somewhere there was dereliction of duty.

Note in this connection the report submitted by Mr. Barker to you on May 31, 1928, particularly that portion wherein he relates finding, from the ship's log and formal record, that E——— was confined on June 2; that the ship left port on June 3 as escort for the ship *Mayflower* bound for Chile; and that in contradiction to the accustomed practice E——— was not permitted freedom of the ship while awaiting trial. This evidence of unusual treatment—being incarcerated in solitary confinement in the brig on the ship from New England to South America and home again, never being permitted the enjoyment of fresh air—speaks eloquently of the attitude of the ship's authorities toward the claimant.

The Stitt report continues with the observation that there is no entry in E———'s medical record to the effect that insanity was suspected or that E——— was considered "queer," and notes that September 3, 1918, there is record of E——— having been examined and found physically fit. It may be observed that the examination referred to is the cursory formality, and that the entry in the record was made with a rubber stamp.

The report denies that the T——— statement is any direct evidence of insanity in E——— but rather a disregard for attention to duty, and says that because the man "acted insane" does not necessarily establish the presence of actual insanity. No effort will be made, in view of the mass of testimony and decisions already quoted, to rebut those statements here. They are opinions and must be weighed against the number of other expert opinions based on the same set of facts.

Regarding E———'s medical history, the Stitt report makes brief reference to the entry made December 30 characterizing the findings as "quite common" and noted that Doctor Jacoby, recognized as an authority, diagnosed E———'s condition as hysterical. The report failed to observe that the Jacoby diagnosis also included the statement that "in many respects the reaction of the patient is that of a prnecox." The report failed to take cognizance of the diagnosis made by the Veterans' Bureau experts on the same set of facts and their consequent recommendations to you. It failed to note a significant fact, that the record contains the entry:

"June 3. Invalided from service in accordance with approved recommendation of Board of Medical Survey."

It failed to note what has been previously mentioned here and which was learned from department officials, namely, that in all likelihood this instance was one of oversight and error on the part of Navy officials in not giving a medical discharge that should have been given.

But E——— was not invalided. It was obviously the intent of the board of medical survey, but he was dishonorably discharged, in no condition to care for himself, without funds with which to maintain himself, suffering from tuberculosis, and a consequent condition which indubitably dates from the time of his unmerciful confinement in the dark brig during an entire trip through the Tropics and back to the north. That, despite the fact that Captain W———, in command of Portsmouth Naval Hospital, wrote E———'s father on February 18, 1919, referring to his mental condition and promising:

"* * * It is not time yet to think of discharging him, but should we decide to discharge him from the service we will communicate with you so that you can come and get him, should that become advisable."

Regarding the fourth point, that of the court-martial record itself, the report states that the record shows him to have been "guilty by plea, no evidence offered by the accused, and mental competency seems not to have been questioned."

The court-martial record has been fully and repeatedly discussed, and the interpretation and comment of the Navy's report need not be elaborated upon here.

Your final decision follows. In a letter to me dated November 12, 1928, you find it necessary to reach the decision that the records which have been submitted to you "fail to show affirmatively that the veteran was in fact insane." For that reason, "and in view of the action of the Navy Department following a reconsideration of the facts, I can not find sufficient grounds for the allowance of the appeal." You state, in conclusion, that "based upon the evidence, a favorable decision was not warranted."

I have presumed, in fatiguing detail, to make this summary of the case only because I know how utterly impossible it is for you to be certain that in each case all the facts have been submitted to you. Certainly I do not propose to allocate the blame in this instance. I realize the natural tendency to be swayed by the most recent developments in the case, to depend upon the detail work that has been done by subordinates and by others.

As you stated in your letter to me, your decision was reached on the basis of the facts that had been submitted to you. Obviously no report could be as elaborate and painstaking as this has been, with the thou-

sands and thousands of cases that must be considered. That is the reason why I have undertaken to present all the facts to you, and to request very respectfully that you review them personally and see whether you do not agree with me regarding the merits of the case. I have been fair; I have noted all steps, not the favorable steps alone; I have quoted all pertinent decisions and recommendations, not only those favorable to the veteran. I believe, firmly, that in this instance the veteran needs no more than a just appraisal of all facts to determine beyond any doubt that he is entitled to benefits under the World War veterans' act of 1924.

I believe further that a vital principle is involved. That you will grasp without prompting.

This file is available to you for personal study, as I, through your courtesy, have studied it. No further reviews by services or by the advisory group on appeals would seem necessary. This is a matter solely for your own personal consideration and determination. I have, I believe, fully demonstrated the truth of that statement. It is my sincere feeling that were this brief to be referred to the assistant director, coordination service, or to the advisory group on appeals, it would be returned with the file to your desk with merely a reiteration of their previous minority views and opinions, based on a further interpretation of the facts which I have advisedly termed distortion, whether wilfull or no.

The necessary length of this letter alone is reason for adding to the deep appreciation on my part of your many courtesies in the past and of the manner in which you are endeavoring to carry out the intent of the veterans' act.

Believe me, sir, very sincerely yours,

O. J. KVALE, M. C.

Mr. KVALE. Mr. Chairman, that is the brief which I personally laid for my father in the director's hands. The story is still far from complete. Despite the request, specific and definite, contained in that letter for a personal review and for anything except another reference to the advisory group, it has been twice since that time before the appeals agencies and has been through repeated steps and channels.

It was ordered held in the central office on March 11 by the assistant director in charge of adjudication. That is the next evidence of activity, following receipt of the brief—which was, as stated, delivered personally into the director's hands. At that time he promised to take it home with him, to make a careful and thorough study of the points presented in the brief, and to take appropriate action.

Next of record is a memorandum dated March 18, 1929, in which the director refers the brief to the general counsel for a review and a recommendation, with the specific charge—

* * * your opinion on the legal phase raised regarding the finding of the Navy Department is desired.

April 3, 1929, the general counsel, in response to the director's instructions, forwarded to the director Mr. Kvale's brief, together with his careful review of the case, the points raised in the brief, and the direct statement that the findings of the Navy Department do not preclude the director from approving the report of the special board and from rendering a decision in the case favorable to the veteran. This was signed by William Wolff Smith, general counsel.

Because of its unusual nature and because of its unusually complete attention to the pertinent facts in point, the entire memorandum is quoted, as follows:

Reference is made to your memorandum of March 18, 1929, in the above-styled case, wherewith was transmitted a letter of brief from the Hon. O. J. Kvale. You request an opinion of the legal phase raised by the Congressman regarding the finding of the Navy Department.

While it is believed the facts of record in this case are so well known that restatement thereof would serve no good purpose, it is thought that a brief summary of the action taken by the bureau and the Navy Department should be made for practical purposes.

The claimant was dishonorably discharged from the Navy by sentence of court-martial for an offense involving moral turpitude. His claim for benefits under the World War veterans' act depended upon a provise to section 23 thereof to the effect that in such case, when it is established to the satisfaction of the director that at the time of the commission of the offense resulting in such court-martial trial and discharge such person was insane, such person shall be entitled to compensation, etc.

The claim was denied by the regular rating and appellate groups of the bureau. Since the question involved was one purely of a medical nature, it was referred to a special group of psychiatrists, who held, first, that the evidence did not show that the claimant was insane at the time he committed the offense, but later, upon consideration of additional evidence, held that it was "impossible for the board to hold that the evidence satisfyingly shows that the man was wholly clear and responsible for his actions prior to, during, and after the court-martial. Accordingly, the board recommends that the benefit of a reasonable doubt be given this claimant and that it be held he was insane at the time of the commission of the act which led to the court-martial * * *." This medical opinion was approved by the medical director and concurred in by the general counsel and the assistant director, adjudication service, but the assistant director, coordination service, disagreed, saying: "This service can not agree that the additional evidence is sufficient to raise a doubt in this case. It is therefore recommended that the director disapprove the recommendation of the special board that the doubt be resolved in favor of the veteran. It is recommended that the director find as a fact that the man was not insane at the time of the commission of the offense * * *."

Thereafter all of the facts in the case were presented to the Secretary of the Navy with the request for a further review by the department regarding the court-martial action. The Navy Department, as it was in law bound to do, declined to modify further the sentence of the court-martial and also indicated that it would not favor special legislation on behalf of the claimant. Upon receipt of reply from the Secretary of the Navy the director, under date of November 5, 1928, held, "In the absence of an affirmative medical finding of the veteran's mental incompetency at the time of the offenses which resulted in his dishonorable discharge, and in view of the action of the Navy Department following reconsideration, I can not find sufficient grounds for the allowance of the appeal."

The Congressman, after relating the facts in the case and showing the action thereon, further calls attention to the fact that the Navy Department did in fact abrogate a portion of the sentence of the court-martial in that it did not require two years imprisonment as imposed by the judgment of the court-martial and that at the time it gave the sailor dishonorable discharge it overlooked the record entry of June 3, 1919, "Invalided from service in accordance with approved recommendation of board of medical survey." He states further, "It failed to note what has been previously mentioned here, and which was learned from department officials, namely, that in all likelihood this instance was one of oversight and error on the part of Navy officials in not giving a medical discharge that should have been given."

If this is the point which you desire considered, it may only be said that while the facts seem to be as stated by the Congressman, it nevertheless remains true that the Navy Department did give the sailor dishonorable discharge and that the department may not now reverse that action.

The Congressman then refers to your letter of November 12, 1928, and to your statement therein that the records "fail to show affirmatively that the veteran was in fact insane," and that for that reason, "and in view of the action of the Navy Department following a reconsideration of the facts, I can not find sufficient grounds for the allowance of the appeal." He has pointed out in his brief that the Navy Department is precluded from revoking that part of the sentence which has been executed and that the only possible relief from the effects of the action of the Navy Department lies in the discretion given the Director by that proviso of section 23 above quoted in part. On this point he takes issue with your statement, "However, * * * I do not feel justified in taking any action which would in effect revoke part of a sentence of a general court-martial imposed by duly constituted naval authorities, and positive action * * * should, in my opinion, only be taken with the concurrence of the Navy Department either through official action by that department in revoking the court-martial proceedings or through a favorable recommendation on any legislation proposed looking toward the specific relief of the veteran himself." He contends that since the Navy Department can not revoke the sentence that you should exercise the discretion placed in you and upon review of all the facts in the case hold, in accordance with the recommendation of the special board of psychiatrists and of the services, except the coordination service, that there exists a reasonable doubt as to whether the claimant was sane on the date he committed the offense for which he was sentenced by court-martial to be dishonorably discharged, and that such doubt should be resolved in his favor in accordance with the policy of the bureau, and that you should find that the evidence is sufficient to satisfy you that the claimant was insane on said date.

On the question presented by you with regard to the action of the Navy Department this office concurs in the conclusion of the Congressman, that while the action may have been erroneous, it may not now be corrected by that department. On this point your attention is invited to the statement in the letter of October 24, 1928, from the Secretary of the Navy. "The sentence of E—— having been approved and carried into execution, can not now be revoked by the Navy Department even though the Navy Department were so inclined (17 Op. Atty. Gen. 303)." This office further concurs in the conclusion of the Congressman that, in the absence of special legislation, the effect of this action can be remedied, if at all, only by the director exercising the discretion placed in him by section 23 supra.

It is believed that the above disposes of the question presented in your memorandum. If, however, you refer to the findings of fact made by the Navy Department, and presumably those on which was based the letter from the Secretary of the department in response to your letter of October 3, 1928, which findings are contained in the memorandum

of October 18, 1928, from the Chief of the Bureau of Medicine and Surgery, addressed to the Chief of the Bureau of Navigation, it may be stated that in the opinion of this service these findings do not preclude the director from finding that the evidence is sufficient to satisfy him that the claimant was insane at the time he committed the offense for which he was court-martialed. In this connection, paragraph 6 of said memorandum is permanent, "From the evidence of record it is believed that there is sufficient to indicate that E—— was of psychopathic personality, showing a minor judgment defect. There is no convincing evidence that at the time of the commission of the offense for which he was given a general court-martial he showed a clouding of consciousness, was actively psychotic, or mentally incompetent to the extent that he did not know the difference between a right and a wrong act."

The records of the Navy do bear out the statement of Bandmaster T——— that the claimant was disturbed and constantly in difficulty from the early part of the year 1918; in fact, from April 15, 1918. The offense in question was committed on June 2, 1918. The sailor was confined practically from that date, court-martialed August 12, 1918, admitted to naval prison hospital August 31, September 3, November 15, 1918, to the psychiatric department December 30, 1918, found definitely psychotic January, 1919, and dishonorably discharged June 3, 1919.

While the findings of the Navy Department that there is no convincing evidence of insanity are justified, it appears that that department considered strict proof of the fact. The bureau's general policy does not require that the claimant prove his case to a mathematical certainty, or even by a preponderance of the evidence, but rather that if a reasonable doubt is shown to exist it should be resolved in favor of the claimant. It is the opinion of this service that the findings of fact made by the Navy Department do not preclude you from approving the recommendation of the special board of psychiatrists to the effect that there exists a reasonable doubt as to whether the claimant was insane on the date he committed the offense and that such reasonable doubt should be resolved in his favor.

Possibly this point should be elaborated somewhat in connection with the first point mentioned, since it would appear that on the statement of facts the Navy Department says that it is not conclusively shown that the claimant was insane at the time he committed the act, while the bureau, if it should adopt the recommendation of the special board, would say, on the contrary, that it is not conclusively shown that he was not insane on said date.

In discussing the question of the right to revoke sentence of the court-martial the Attorney General in the opinion above cited, after stating the rule "that where the sentence of a legally constituted court-martial has been approved by the reviewing authority and carried into execution it can not afterwards under the present state of law be revised and set aside," pointed out that the dismissal from the service was the executed part of the sentence and that the disability arising therefrom is a continuing punishment, in which respect the sentence is not executed but is being executed. As applied to the instant case, the executed portion of the sentence is the dishonorable discharge from the service. The continuing punishment consists in those disabilities which arise by reason of such dishonorable discharge, namely, forfeiture of rights and benefits under the World War veterans' act. These additional disabilities were not necessarily contemplated by the court-martial, but were imposed by the Congress in enacting the World War veterans' act. In enacting this beneficial legislation the Congress undoubtedly had in mind the well-known rule, above stated, as to the finality of executed sentences, but that it desired in cases where it is shown that the veteran was insane at the time he committed the offense there would be some power which could remove the continuing portion of the punishment, namely, the disabilities arising out of the dishonorable discharge. It placed this power in the hands of the director of the bureau, and it authorized him, in his discretion, to remove the disabilities if satisfied that the veteran was insane at the time he committed the offense. In exercising this authority the director is not revoking the sentence of the court-martial or any act of the Navy Department—those can not be revoked or altered—but he is removing the disabilities added by Congress under a special authority granted him by the same act of Congress.

It is the opinion of this service, therefore, after consideration of both aspects of the matter that the power lies solely with you and that if upon a review of all the evidence contained in the file you are satisfied the claimant was insane on the date he committed the offense the findings of the Navy Department do not prevent your so holding.

Under section 23 that might reasonably have seemed to be enough to assure favorable action. It was not.

The director thereupon, on April 13, referred the file, with the accompanying brief, to the assistant director, adjudication service, with instructions to confer with him personally regarding the case. No record appears of what transpired at that personal conference, if it was held.

The assistant director, then, on April 25, referred the entire matter to the general counsel with the request, on authority of the director, to prepare the case for submission to the Comptroller General on the question of the director's authority to make findings contrary to the findings of the Navy Department. That, mark you, despite the advice already of record on this point, and despite the difference in procedure in similar cases already cited.

For the purposes of completing the record in every essential, Mr. Chairman, I shall ask at this point to note three claims which are in point, and which are typical of many more that I might cite if I desired.

J—— J. H——, XC 1306495, enlisted June 16, 1916, was discharged October 24, 1918, dishonorably, because of the following offense: While in the Federal service the veteran, on March 15, 1918, was convicted by special court-martial of stealing a pair of Army shoes from the possession of another soldier at Camp Wheeler, Ga. While serving a sentence for this offense in the regimental guardhouse the veteran effected his escape, was subsequently apprehended and surrendered to military authorities, tried, convicted on May 16, 1918, by a general court-martial, and sentenced to five years' imprisonment and dishonorable discharge.

The veteran was given a mental examination at the disciplinary barracks at Fort Leavenworth on July 31, 1918, and was diagnosed dementia præcox, and recommended for discharge. He was dishonorably discharged October 24, 1918. On March 24, 1928, the medical rating section of the awards division, central office, held the claimant to have been insane at the time of the commitment of the offense for which he was tried and discharged, and thereby reversed a previous opinion of January 23, 1926, although a neuropsychiatrist, N. W. Bartram, M. D., dissented from the opinion. Following the veteran's death May 5, 1928, of pulmonary tuberculosis, the appeal group on April 4, 1929, held the veteran to have been incompetent and insane from October 24, 1918, and consequently permanently and totally disabled from the date of discharge. The council on appeals approved this finding on September 24, 1929, but Congress, in the meantime, had passed a bill lifting the dishonorable discharge feature. The director—note—had approved these decisions.

Another parallel case. P—— S——, C–532860, enlisted December 12, 1917, and discharged December 22, 1920, dishonorably, while in service was tried and convicted by general court-martial for offense of absence from station or duty after leave had expired, and was sentenced to be confined for a period of 18 months, later cut to 6 months, and to be dishonorably discharged.

Reviewing authorities on November 2, 1920, approved the proceedings, but mitigated the incarceration to a restriction to ship or station for a period not to exceed six months that portion of the sentence which involved confinement. His dishonorable discharge was remitted on the condition that the man conduct himself during this period so that his commanding officer might be convinced his retention in the service was warranted.

Thereafter, on July 18, 1919, the veteran was declared a deserter from his station and remained a deserter until delivered aboard vessel August 12, 1920. He was tried by general court-martial, found guilty of absence from station after leave had expired, was sentenced to be confined for six months and then to be dishonorably discharged. The chief legal advisor, however, on May 29, held that the veteran did not forfeit his rights under the provisions of section 23 of the World War veterans' act by reason of the character of his discharge in that his acts had not been done with the determination of having a bad intent. Benefits were subsequently paid to claimant and dependents. Again, another. And this will suffice, although more might be cited. This veteran, S——— (C–327208), enlisted October 29, 1917, was discharged January 14, 1919, dishonorably, because he refused to submit to a third operation for the relief of fistula for which he had previously and unsuccessfully undergone surgery. While in the service he was tried by general court-martial and sentenced to be confined to hard labor for five years, forfeit all pay allowances, and thereafter to be dishonorably discharged. Reviewing authorities reduced incarceration to a 2-year period, but the remainder of the sentence was executed.

This veteran was held on November 20, 1925, by the claims and rating board 2, New York regional office, in conformity with an opinion dated October 27, 1925, by the legal advisor for that office, not to have had his rights under section 23 of the veterans' act barred by virtue of his dishonorable discharge. Compensation was and is being paid accordingly.

Note that in each of these cases and in others that might be cited, no effort was made by the Director, as in the E——— case now under consideration, to be so solicitous of the Navy or War Department rulings, and the Comptroller General, of course, interposed no objection.

This is one more phase of the existing law which is sorely in need of amendment, to correct the sad situation that exists, and which officials for some reason or other seem indisposed to

correct through discretionary action. I know that examples of cruel injustices of this sort could be multiplied again and again in the cumulative experience of the membership of this House. To return now to the claim I have been discussing.

The assistant director, adjudication service, had referred the brief and all accompanying matter to the general counsel, at the director's request, so that the appeal might be prepared to be submitted to the Comptroller General for his ruling as to the propriety of the director's decision in contradiction to the findings of the Navy Department. That was, it will be remembered, on April 25.

Some time thereafter a personal conference was again had between the director, the general counsel, and J. O'C. Roberts. It appears that the director was persuaded that submission of the matter to the Comptroller General was useless and needless.

June 21, 1929, the folder was finally returned to the director's desk from the office of the assistant director, adjudication service. Because of its painstaking and thorough analysis of the situation, it is given in full. Signed by the general counsel, it states:

The attached case file of the above-captioned veteran was referred to the attention of this service by the assistant director, adjudication service, on April 25, 1929, with the statement that at the request of the director a submission should be prepared to the Comptroller General on the question of the director's authority to make a finding contrary to the findings of the Navy Department on the question of whether the veteran was insane at the time he committed the offense for which he was court-martialed. This having been made the matter of a previous memorandum of this service to the director, the assistant general counsel discussed the same with you. Thereupon you instructed that this file be carefully reviewed, and that you be advised after weighing all of the evidence as to whether this veteran was insane at the time of the commission of the offense for which he was court-martialed. In accordance with your instructions, this case has been thoroughly reviewed and report thereon follows:

The facts in so far as disclosed by the evidence in the file have heretofore been related in detail in the various opinions and recommendations of the rating agencies of the bureau and of the various services, and it is believed that they are so well known that a repetition thereof in this memorandum is not necessary. It will be recalled that this service heretofore advised the director on August 15, 1927, that there was no weighty evidence then of record justifying the conclusion that the veteran was insane at the time he committed the acts for which he was tried and convicted by a court-martial, but inasmuch as this question was considered to be primarily a medical one—

Note this—

but inasmuch as this question was considered to be primarily a medical one, this service concurred in the recommendation of the chief, information and cooperation division that the case be referred to the diagnostic center at Washington, D. C., for study in connection with the question at issue. Upon the subsequent submission of this case to a board of five neuropsychiatric specialists, that board rendered an opinion on June 16, 1928, to the effect that, while all of the evidence does not convincingly show insanity at the time of the offense which led to the court-martial, there does exist a reasonable doubt as to his sanity at the time the offense was committed and recommended that the benefit of the reasonable doubt as existed in this respect should be given the veteran. In connection with the recommendation of this special board this service, on July 10, 1928, having in mind that, as usually viewed by the rating boards, the question of insanity is essentially a medical question concurred therein after that recommendation had been approved by the medical director.

In giving the consideration to the recommendation of the various groups and services which have been made to the director regarding the one question involved in this case, it is observed that all were in agreement that the question of insanity was essentially of a medical nature.

Let it be noted right here, Mr. Chairman, that the director himself recognized this when he stated to me, in the presence of Mr. Lynch, from the office of the general counsel, and Mr. Barker, from the office of the chief, information and cooperation division, on May 11, 1928, as evidenced by the memorandum of the chief, information and cooperation division, to the director, dated May 21, 1928—that he would again call together the special board which had sat on April 9, 1928, would find out just why they had made their findings as recorded, and would let me sit with them in their deliberations and decision. If a doubt was indicated as to the claimant's sanity at the time in question, he would be able to decide in the boy's favor. The special board met, so decided—as has been recorded in the brief—but the director did not resolve the doubt in the veteran's favor.

Major Smith continues:

* * * It is to be remembered, however, that the offense for which this veteran was tried by a court-martial, being criminal in nature, likewise has its legal aspects. From this standpoint it does not appear that full consideration has been given to the legal significance of the question in issue, or to the definition of insanity as used in the law books. The question to be decided by the director—that of insanity at the time of commission of the offense—is one of the issues that the accused can raise in defense of criminal charges against him. The question as to what constitutes insanity has been variously defined by the courts, but it is stated in 32 Corpus Juris 593 that—

"Upon questions of insanity the law attempts to ascertain whether a party is or is not possessed of such soundness of mind as renders him competent to do, or relieves him of the responsibility for doing, certain acts. In a legal sense, mental soundness is sanity; mental unsoundness is insanity. In this sense insanity is defined as such unsoundness of metal condition as, with regard to any matter under action, modifies or does away with individual legal responsibility or capacity."

In law there is a presumption of sanity. In criminal cases when insanity is interposed as a defense there is a conflict of authorities with reference to the burden of proof. Some authorities hold that the presumption that every person is sane until the contrary appears relieves the prosecution of the necessity of proving the sanity of an accused person; but where during the progress of the trial evidence tending to show the insanity of the accused is adduced, the burden then rests upon the prosecution to prove beyond a reasonable doubt that the accused was sane when he committed the crime. According to another line of authorities, however, the burden is upon the defendant to establish his plea of insanity, but as to the measure of the degree of proof required the decisions are conflicting. To render insanity effective as a defense it must appear that the accused was insane at the time of the commission of the act and not merely prior or subsequent thereto; but it is, however, well settled that it is permissible to receive evidence as to the condition of the person's mind both before and for a reasonable period after that time as tending to show his mental condition at the time in question. The main test which has been practically universally adopted in modern times and which is applicable to the ordinary cases where insanity is interposed as a defense is what is known as the right and wrong test or the ability to distinguish between right and wrong. This generally accepted rule was explained in the leading English case known as McNaghten's case, where in answer to a series of questions propounded by the House of Lords to the judges, as to the effect of insanity as affecting responsibility in criminal matters, it was said that:

"The jury ought to be told in all cases that every man is to be presumed to be sane, and to possess a sufficient degree of reason to be responsible for his crimes, until the contrary be proved to their satisfaction; and that to establish a defense on the ground of insanity it must be clearly proved that at the time of the committing of the act the party accused was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act he was doing, or if he did know it, that he did not know he was doing what was wrong."

This rule is now the generally accepted doctrine of the American courts. (14 R. C. L. 600.)

Briefly this evidence shows that this man had a paranoid personality even before entrance into the service, and was thereby predisposed to insanity. He adjusted fairly well until about April, 1918, after which time he was in constant difficulty with comrades and superiors. This culminated in the offense in question—i. e., taking clothing and property of small value belonging to another—on June 2, 1918. He was incarcerated on charges, tried August 12, 1918, he interposed no defense, apparently not examined and found guilty and sentenced. Thereafter he was duly imprisoned, was found definitely psychotic in January, 1919, was judicially declared insane and a guardian appointed for him on November 29, 1924, and such guardian is still acting.

Based upon the facts set forth in the preceding paragraph, as well as the considerable amount of lay evidence in the file, including the testimony of L. V. T——, the former bandmaster under whom the veteran served at the time the charges were preferred; the statement of Dr. J—— A. H——, who was one of the naval physicians on board the battleship *Vermont*, on which the veteran served, to the effect that it is his sincere belief that E—— suffered from psychosis and was insane prior to June, 1918, the finding of Drs. J. Duerson Stout and Kenneth W. Kinney, consultants in neuropsychiatry, of October 3, 1927, and the findings of the special board of five neuropsychiatric specialists of June 16, 1928, which was approved by the medical director on the same date, it is the opinion of this service that the evidence of insanity is sufficient to justify the director in holding that the veteran was insane at the time of the offense for which he was court-martialed and given a dishonorable discharge. It is accordingly recommended that the director make such a finding.

Did he do so? He did not. Despite the request made of him in the concluding paragraphs of the brief that he review the case personally, inasmuch as it had been repeatedly before the advisory group, had been acted upon adversely in a perfunctory and prejudiced manner on each occasion, and had been favorably considered by every other bureau service save one, which had been overruled, the director again, on July 5, 1929, sent the folder to the advisory group with specific instructions to determine two questions, the first as to the sanity or insanity of

the claimant at the time of the commission of the acts in question, and the second as to whether a reasonable doubt might be found to exist.

The advisory group, true to form, following formal tabulation of all the bits of evidence in the file, stated that it had given careful consideration to the claim and had studied the entire record in detail and made only the bare observation that—

It is the opinion of this group that the evidence of record does not show the claimant to have been insane and does not establish a reasonable doubt * * *.

This decision, perfunctory and without any sort of explanation that properly should have followed the director's request and the many points raised in Mr. Kvale's brief was approved on September 7 by Mr. Lynch, Doctor Cracroft, and Mr. Jarnagin. Mr. Lynch, however, in view of his familiarity with the case and his desire to be entirely fair, entered, under date of September 9, 1929, a dissenting opinion, in which he observed that, while joining with the others in approving the decision of the advisory group for the purposes of the record, he could not follow their conclusions nor could he concur in the basis of the denial of the appeal as stated by the group. He said:

In fact, I believe that the evidence discloses that there is a reasonable doubt that the claimant was not responsible for his actions at the time he committed such offenses.

This is in line with his several former memoranda and rulings in this case. He goes on to state that this case should not be settled by the director on the basis of any doubt that may be present because of the action of the Navy Department. In this he is obviously offering legal advice that is quite out of line with all the other evidence and advice in the case and is open to serious criticism.

Despite that action, the next step of record is a letter dated September 20, 1929, shortly following the death of Mr. Kvale, and addressed to myself, signed by the chief, division of appeals, which read in part:

It is noted that a department of the Government has decided and reaffirmed such decision upon reconsideration that the claimant was not insane at the time the offenses in question were committed. In the absence of any definite finding by the medical specialists who have studied the case that the claimant was insane at the time the offenses were committed, it is not believed that a reversal of the findings of such department is justified.

That, please note, Mr. Chairman, despite the mass of rebuttal testimony on every statement and point that he covers and a wealth of authority and evidence from the many services within the bureau. He resumes:

After a sympathetic review of the complete evidence—

The sympathetic review he refers to is the review by the appeals group, without any elaboration of statement regarding the adverse decision, and in direct contradiction to the request made by Mr. KVALE, and supported by the array of facts contained in his brief—

* * * including the splendid brief submitted by your office, the conclusion has been reached that the evidence of record does not show the claimant to have been insane at the time he committed certain unlawful acts and that the evidence does not establish a reasonable doubt as to the claimant's sanity at that time. It has therefore been found necessary to sustain the previous denials of the appeal.

The records are now being returned to the regional office.

For the director:

R. L. JARNAGIN,
Chief, Division of Appeals.

The folder was then sent out to the Fort Snelling regional office. It happened that circumstances at that time prevented me from pursuing the claim actively. October 15, 1929, the folder was sent to Casper, Wyo., to the regional office there, in which area the claimant is dying from tuberculosis, hopelessly insane.

At my order, upon my return to Washington, the case was recalled to the central offices by instruction of Chief Clerk Black on December 16, 1929, when conferences were again had with the director and other offices in the bureau. A request for further consideration and personal action by the director, in accordance with his promise given in March, 1929, resulted once again in having the claim referred by the director on February 3, 1930, to the division of appeals, with a request that they familiarize themselves with the case and confer personally with him.

He asked in his memorandum to the chief, division of appeals:

I am attaching hereto request from Congressman PAUL J. KVALE for a rehearing on the above-captioned case, following a conversation I had with him the other day. This morning Mr. KVALE called me on the telephone, indicating he did not desire a personal hearing—

Of course, I did not desire a personal hearing or any further action by the advisory group or the newly formed division of appeals. That had been covered in the brief, before the brief was presented and since it had been submitted. Their action was a foregone conclusion. Such a step would have added to the farcical procedure. It would have magnified the indignity and the criminal delay and evasion—

indicating he did not desire a personal hearing; but, rather, requested a final consideration by the bureau of this case based upon the existing record.

Exactly that. Final consideration by the director personally, in accordance with the regulations and to exhaust the last avenue of appeal in conformity with his own orders. That should have been clear enough, for some time before this date. He had so acted, and had received far more than ample authority and recommendation from his several services and officials.

Will you—

He continued—

please have the council familiarize itself with this case so that they will be in a position to discuss it with me to-day or to-morrow?

That was done. Some time within the next few days that conference was had. The result of the conference, according to the record, was the following letter to myself from the director, dated February 12, 1930:

Following receipt of your letter of January 31, 1930, and subsequent to your discussion with me, the case of E—— has been given further consideration.

You will recall that this case has received attention by the bureau over a considerable length of time and that the claim has been consistently denied. The length of time this case has been before the bureau under discussion is due to the reconsiderations, which I have authorized responsive to your requests, to assure that nothing would be undone that properly could be done by the bureau in the interest of this disabled claimant.

The earnestness and sincerity which have characterized your presentation of this case before the bureau is appreciated, and I regret exceedingly that it is found necessary to deny the claim so far as the action of the bureau is concerned.

The claimant was dishonorably discharged from the service and such dishonorable discharge, under the law, bars him from the benefits of the World War veterans' act. That act also provides that if it be established to the satisfaction of the Director of the Veterans' Bureau that any person was insane at the time he committed the offense, which resulted in dishonorable discharge, then he may be entitled to the benefits of the World War veterans' act. It is contended in this case that the claimant was insane at the time of committing the offense, which resulted in his dishonorable discharge, and it is on that question this case hinges on appeal. The reconsiderations I have granted have dealt with that particular point and it has been necessary to deny the claim for the reason that it has not been affirmatively and convincingly shown that this claimant was insane at the time of committing the offense, which resulted in his court-martial and dishonorable discharge.

In the early consideration of the question on appeal the file was referred to the medical director, with instructions for study of the case by two specialists in neuropsychiatry at the diagnostic center. One of the consultants in his report concluded:

"Such evidence is too meager to definitely establish, beyond reasonable doubt, either that the claimant was mentally competent, or that he was incompetent, on June 2, 1918, the particular time he committed the offenses for which he was court-martialed."

The second consultant in his conclusion stated:

"There is very strong doubt as to whether the claimant was mentally competent at the time he committed the offenses * * *. The evidence available is not sufficient to definitely determine whether he was or was not competent at that time."

In the absence of an affirmative finding with respect to insanity at the time in question, further consideration was directed respecting the point, and on April 5, 1928, the case was referred to the medical director, with direction that the matter be considered by a board of five qualified neuropsychiatrists. This board submitted its report to me on April 9, 1928, as follows:

"* * * the members of the board, this day convened, are unanimous in the opinion that the evidence of record is not sufficient to show that this claimant was incompetent at the time he committed the offense for which he was court-martialed."

That recommendation was concurred in by the medical director.

Subsequent to the receipt of the board's report further evidence was submitted, and I directed the board to again take the case under ad-

visement, giving you an opportunity to be heard. The board further reported to me on June 16, 1928, finding in part:

"It is the opinion of the board that the additional evidence now submitted does not sufficiently show that this claimant was insane at the time he committed the offense for which he was court-martialed."

However, the board further recommended that the benefit of reasonable doubt be given the claimant and that upon such basis it be held that he was insane at the time of the commitment of the act which led to the court-martial.

Such recommendation did not receive my approval, inasmuch as it did not constitute an affirmative finding of insanity, and it was my judgment that the effect of the official action of a responsible department of the Government should not be reversed on the basis of doubt respecting the correctness of the action of that department. To the end that this claimant's interests be protected to the greatest extent, I submitted the case to the Secretary of the Navy on October 3, 1928, in the hope that upon a review of its records in the case that department might cooperate in the correction of any past error and the establishment of the true condition respecting the claimant's sanity at the time in question. The Secretary of the Navy responded under date of October 24, 1928, sustaining the action as taken by the Navy Department respecting the dishonorable discharge, and transmitting a report of the Chief of the Bureau of Medicine and Surgery in part as follows:

"It is the opinion of this bureau, therefore, that E—— was not insane on June 2, 1918, as there is no evidence to show that he was other than competent and that his actions were no more than frequently observed among young personnel as is evidenced by the statements of his comrades. The revocation of the sentence of general court-martial, in so far as the medical aspects of the case are concerned, is not justified as there is no evidence to substantiate the belief that this man may have been or was insane at the time he committed his offense, or prior to that time, nor do the affidavits submitted appear to establish any definite evidence of insanity prior to June, 1918. It is further the opinion of the bureau that E—— was given every consideration consistent with his punishment and physical condition when it became evident that he had become insane."

In the absence of any recommendation submitted to me showing affirmatively, from a medical standpoint, that this claimant was insane at the time he committed the offense for which he was court-martialed, and in view of the opinion of the Navy Department, as referred to in the foregoing, I have not felt justified in taking action contrary to the findings of the Navy Department and contrary to the legal effect of the dishonorable discharge in this case.

There has been, I believe, a full and sympathetic understanding of the contention presented in the brief which you submitted to me on March 5, 1929.

Study of the case has served to give me considerable sympathy with its merits. The fact that the claimant concededly is now insane and is also suffering from tuberculosis, together with the fact that his dishonorable discharge resulted from the theft of goods, amounting in value to an inconsequential sum, with the additional fact that he was officially adjudged insane while serving his court-martial sentence, all tend to the making of a case peculiarly fitted for individual consideration. The reports, as submitted to me, following the exhaustive study of the case by the bureau, convinces me that there is doubt respecting this claimant's responsibility for his action at the time he committed the offense which resulted in his court-martial, and considering all the factors in the case, I should be inclined to recommend favorably with respect to any contemplated relief action by the Congress.

Mr. Chairman, that, for the time being, concludes this astounding story. I earnestly hope it will be carefully noted, for it shows, far more vividly than any statement or other unsupported evidence, that claimants do not now receive the benefits of reasonable doubt in many cases, and that they have a long and discouraging trail to follow before they find the benefits under this act which Congress clearly meant them to have.

Incidentally it suggests to us that, much as we may gesticulate during consideration of this measure to broaden its scope and bring other meritorious classifications within the purview of its presumptive section, these claimants still have gaps to bridge which are almost insuperable. Have no misgivings.

And that, Mr. Chairman, is only one claim. If time permitted, and I thought I could quote them without embarrassment to them, I would like to repeat some of the comment that occasionally comes in letters from discouraged and despondent veterans. For that matter, any number of similar cases can be brought up from your own experiences. Not all of them would be as involved, perhaps, but each claim will have its peculiar points of dispute, and each will present some problem that some subordinate bureau employee has had to settle, for the moment at least. The director can not pass upon each claim—that we know—so, partly to protect him, and partly in an effort to prevent such things from happening again, I shall offer an amendment—which I hope the chairman of the committee will accept—to strike from the language of section 23 the words "to the satisfaction of the director." The intent is clear. They should not have been in the act in the first place. The claim I have reviewed is a glaring example of the injustice that can be worked as a result by the undue care and caution of the director in this particular case. Not once but dozens of times doubts have been resolved against this claimant. It is unthinkable that it has dragged so long.

First, as the general pointed out in his testimony before the committee, one of the great stumblingblocks has always been the fact that, even with presumption of disability, all veterans have had to show, as of a certain date, a disability that was in degree 10 per cent or more. And Doctor Cooley's testimony bore him out. That fine executive frankly stated that there was no definite measurement by which to gage this ephemeral 10 per cent. And if any Member has tried to insist on a definition, he knows what kind of reply he has received. Does this 10 per cent mean that the veteran must be disabled 1 hour out of 10? Must he be bedridden part of the time? Must he lose a day in 10? Must he have to lay off work 1 month in 10? What is the definition? Why not 9 per cent? Why not 11 or 13? Evidently an arbitrary limitation, with no possibility of standard determination. And it has wrecked many a deserving veteran's chances of compensation or of tracing a presumptive disease or disability, despite the director's assurance that the bureau has tried to be liberal in its administration of this provision. In my State of Minnesota it has to date barred 2,236 veterans who have proved service connection but still have to bridge the 10 per cent gap. This provision should be removed from the bill. Mr. Chairman, I hope that this Congress will soon do so. The act might amply safeguard payments of compensation by specifying that they should be in order if the claimant could show, as of a certain date set up as a dead line, an actual and a traceable degree of a disability that may have been much more pronounced later on. It would bring relief to a substantial number of manifestly deserving cases which are technically barred under the present wording of the act from receiving benefits thereunder.

Mr. PERKINS. Will the gentleman yield?

Mr. KVALE. I yield.

Mr. PERKINS. Referring to the gentleman's last remark, I would like to quote Doctor Cooley's testimony. On page 124 Doctor Cooley said:

> I believe it is more or less a matter of judgment, but if he is apparently near 10 per cent, the practice is to give the man 10 per cent.

Would the gentleman advocate taking away the 10 per cent, so that any disability would draw compensation?

Mr. KVALE. I would

Mr. PERKINS. Would it be on a ratable basis?

Mr. KVALE. I would not say that, necessarily. I would say that if any claimant can show a pathway leading from his present disability—that may far exceed 10 per cent—leading back through the years between the time of his condition as it now exists, and the service, and show that that condition was clearly traceable, directly traceable to his service, no 10 per cent limitation should arbitrarily be set up. Why not 9 per cent? Why not 11 per cent? That is the point I am making, and that is all. I think it can be sustained from the experience of any gentleman who has had any dealing with these cases, in trying to secure a satisfactory adjudication.

Second, even with presumption clauses opened wide, the rebuttal provision remains in the act, and this has operated time and time again against the claimant. Added to that, a drastic change is obviously needed in the operation of the appeals agencies all through the bureau. I say again what I stated to the chairman of the committee during the debate a week ago, during his illuminating and interesting explanation of the bill, that for all practical purposes the reviews and the appeals conducted by these boards are often no more nor less than perfunctory quotations from preceding decisions in the claim, and come far from being the careful reviews they pretend to be. I contend, Mr. Chairman, the record of this claim amply justifies the charge I make.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. KVALE. I yield.

Mr. JOHNSON of South Dakota. The rebuttal provision referred to by the gentleman is in both bills.

Mr. KVALE. It is in both bills. I am only attempting to show that it does not go as far as some of us think it will. Some extreme cases cited here to-day will never be paid, for the reason that the Veterans' Bureau will be permitted to show conclusively that that condition did not arise as a result of the service of the veteran in question.

Mr. JOHNSON of South Dakota. If it can be clearly shown that the condition was not caused by the service, there is no reason why the man should receive compensation, is there?

Mr. KVALE. I have no quarrel with the gentleman from South Dakota on that point. I only say that some of these extreme cases can not be paid, and for that reason should not be cited to the Members of the House in this connection.

What is worse—and I have seen it happen—regional rating boards more often than not "pass the buck" on doubtful or so-called border-line claims on the ground that the claimant's right to appeal his claim through the area office and, if necessary, to the central office is ample protection. Statistics presented to the committee show that about 20 per cent of them are reversed. Those same statistics, I am proud to say, show that our Fort Snelling office, in Minnesota, is somewhat above the average in this respect, and yet it is to-day paying compensation in only 6,856 out of 25,641 claims filed to date.

Practically one out of five—or surely every one that has any element of doubt connected with it—instead of being resolved in the veteran's favor, is passed along to the next higher appeals agency, and from there in similar proportion on up to the last avenue of appeal, where the customary adverse decision, with occasional exceptions, is approved by the director. Happily the situation seems recently to be undergoing some sort of change. And yet there are rumors that when one group has reached a favorable decision an outside member has stepped in and reversed it.

Even then a steadily increasing number of appeals is pouring in. This last year it was 12,500. To-day you must wait two weeks for an appointment with one of the boards if you desire to go there to plead personally for some veteran. They are overworked, swamped in work, victims of their own mistaken policies and interpretations of the director's instructions and the laws that govern their procedure. Of course, it must also be said at once that there is some ground for excusing the officials and the personnel of these boards. Certainly no one would presume blindly to condemn all members. I know personally of many conscientious, liberal, hard-working members of these boards and groups. I know they have taken to heart the spirit of the law and the regulations, and try to evaluate evidence and reach their decisions after generous and fullest consideration of doubtful points and favorable evidence. Yet even here they contend with things, such as the system of records of output, to which I referred in my testimony before the committee. This damaging and thoroughly bad practice tends to make the whole system more vicious when record is kept of the numerical output of reviewed claims for individual members of these groups. What little opportunity there is for the central agency to correct the faults of the regional offices disappears; what chance to escape the too prevalent practice of casually quoting entire phrases and paragraphs from preceding decisions—and endless instances might be cited—is practically eliminated.

This practice, it developes, was first instituted with the idea of reducing the cost per case of these appeal actions, and to speed up the overworked appeals division. And yet it is clear that it has only made confusion worse confounded; it has defeated its first and only purpose, and will work endless damage unless the director takes prompt steps to wipe it out forever. When he is able to effect a changed policy in these border-line cases, and see that occasional doubts are resolved in the claimant's favor, this congestion in the council of appeals offices will largely dissolve.

So, that touches one purpose for which this brief and review has been inserted. Members can cite this, hereafter, to show where the fault lies in incurring these costs of appealing decisions, and where lies the responsibility for waste of time, effort, energy, and public funds—not to mention the claimant's patience and confidence in the ability of his Government to see that his interests are protected. Congress must step on this effort to attain "efficiency" and "speed" in reviews, and step hard, for it removes the one faint chance that remains to the claimant of securing fair treatment and consideration of the appeal which has gone out from the regional office.

To be fair, however, I can mention right here that last week, by personal order of the director, one claim—I will give the name and C number on request—was given a rehearing after an adverse decision by the appeals group had already been approved by him. I appeared for the claimant, together with the Legion's splendid representative, Doctor Shapiro. The director, then, was responsible for permitting the group the opportunity to revise its previous ruling, and to decide for this particularly deserving claimant in a claim that hinged almost entirely on lay evidence. Benefits are now being paid. So such things actually do happen.

Mr. PERKINS. Will the gentleman yield?

Mr. KVALE. Yes.

Mr. PERKINS. These boards are largely composed of medical men, and the difficulty seems to be that medical men are not in the habit of weighing evidence and give too much attention to medical testimony and not enough attention to lay evidence.

Mr. KVALE. The gentleman and I are in agreement on that. But, after all, they should happen far oftener. Why should this veteran and his dear ones have been made to suffer all this worry, suspense, and agony? The system itself is at fault. The record in the case which has been covered in detail will speedily convince any fair-minded student that the director must change his appeals set-up, and must do so promptly, so that the veteran can be insured some measure at least of the benefit of the doubt in his claim. If he fails to do so, Congress must act. This is the great problem and can not be met merely by increasing potential benefits under the law, by broadening the scope of the legislation, or by action of such a nature. The bureau itself needs a change of heart, perhaps some more specific instructions from Congress. For as to the intent of Congress there is no question.

Mr. Chairman, I would like to see the gentleman from South Dakota [Mr. JOHNSON], who is chairman of the Veterans' Committee, propose or accept an amendment to the bill which will see that the law includes a specific charge to those who administer this act that in the adjudication of claims, under the provisions of section 200 of the act, as amended, the benefit of reasonable doubt shall be resolved in favor of the claimant. It might include—or another proviso might here provide—that the bureau be estopped from using statements as to soundness of physical condition made by veterans either at the time of enlistment or of discharge. Both were made under stress, statements in both cases were unsupported assertions with a vast number of reasons to believe that they might be only in part the truth or deliberately misleading. In any case it is little short of criminal that such unsworn and unsupported statements should be considered rebuttal of any amount of sworn testimony and evidence that the veterans submit later in connection with their claims.

That is embodied now in the preamble to the schedule of disability ratings in regulations and general orders published by the director. But they are ignored—even by the director himself, as has been shown—or scant attention is paid them. If we put it into the law, in black and white, right under their noses, they will have to act accordingly. Then, if they still persist in disobeying the liberalizing instructions, I believe—and I intend to find out definitely whether it is so—that we can prefer specific charges against some of the chronic offenders, and so improve the service.

Again, we need a section in the act which will adequately provide for a class of veterans that has been neglected up to this time—the so-called C. P. I.'s. This group, the constitutional psychopathic—inferiority state—having an inability rather than a disability, being permanently handicapped, is now out of the compensation picture entirely. It is most unfair. These men were accepted for service, presumably mentally and physically fit; they were handicapped at the outset, were accorded no special recognition nor given special preference. They were just another cog in the machine, indistinguishable in any essential from the rest of the great army of recruits. They performed the routine and standard duties and services.

Now, after their service and subsequent discharge the bureau tells us theirs was a constitutional defect. They would have been so and so had there never been a war; they have inadequate personalities; they are forever to be estopped from asking compensation for their defects. Not only that, but the bureau declines to grant any service connection for mental disorders or nervous disorders that are superimposed on this C. P. I. state; in the face of the fact, admitted by their own neuropsychiatric experts that such men put under military routine and discipline, exposure and hazards, are more susceptible to nervous diseases than any other one group.

The bureau holds—and I am convinced against the intent of Congress—that these men have no claims to consideration. I have many such claims, and so have you, which arouse the most profound sympathy. So I shall ask the chairman again to consider this amendment to create a special and separate section of the act, which would insure to every such man a measure of justice. Such a section might provide, say, for a minimum monthly compensation payment of $25. That would be relatively little, totaled annually for such a group. If the claimant under such a provision had other compensable injuries giving him a combined rating which would permit his compensation payments to equal or exceed that amount, the amendment would be inoperative. Up to and including an aggregate of $25 it would operate. Thus it would prevent him from being left out in the cold, as is now the case.

The gentleman from Ohio [Mr. FITZGERALD] has given notice of his intention to offer an amendment to provide, in part, for a flat increase of 10 per cent in the rate of compensation for any actual battle casualty. I am for it, and hope he will change it on introduction so it provides for a 20 per cent increase. It can

be stated that the director is in favor of such legislation, and that representatives of the service men's organizations likewise want it. It should have been a part of the law long ago. Its cost would not be prohibitive.

It is fairer far than the committee proposal which provides for payment, in certain and specified cases, of a separate compensation payment monthly of $25, in addition to any other compensation that may be payable, to men injured in line of duty during the actual war period. That takes care of all specified accidents, here or abroad or in combat, from the day war was declared to the day the armistice was signed.

If that amendment is to remain in the bill, it should be remembered that since the purpose of this section is admittedly to care for the actual battle casualty, the dates should be changed so that the amendment is not operative until after the date our troops actually engaged in combat with the enemy, its provisions should be restricted so that it would apply only to those who sustained wounds or gas disabilities or other casualties in actual fighting, and the final date should be set off to care for those wounded after the actual moment of the signing of the armistice, and for those who were fighting in far-off Siberia, ignorant of any negotiations or cessation of the struggle.

Since this, according to the report, is one of the two major purposes of the bill, it should have careful thought. In view of the above, and in the face of the administrative difficulties there will be in connection with adjudicating the claims arising out of gas poisoning and other disabilities more difficult to trace than bullet or shell wounds, it may be that the House will desire, as a sort of compromise, to include the amputation bill sponsored by the gentleman from Minnesota [Mr. NOLAN]. This will have the advantage of caring for a group that have not been adequately compensated thus far, and who do need help, although, as was pointed out in the hearings, such a plan, if adopted, would do violence to the method thus far used of paying on the basis of the pre-war occupational handicap.

The report goes on to state that the other purpose of the bill is to modify section 200, which deals with the presumptions of service connection for certain diseases and disabilities, so that it will take in disabilities which are now wrongfully discriminated against. In this phase of the legislation, proper credit is due the chairman and the members of his committee, is due the three representatives of the veterans' organizations who have done such valiant work, but is due, more than to any other one man, to the gentleman from Mississippi [Mr. RANKIN], who has led a tireless fight, has studied, and worked, and stimulated interest, and then sustained that interest. Mr. RANKIN, I want, for one, to voice my gratitude to you for your efforts.

The Swick bill has been mentioned and has been discussed by several Members and has had a great deal of informal debate in cloak rooms and elsewhere off the floor. I, too, Mr. Chairman, am interested in this measure, but I feel one or two points should be made very clear.

As for the position of the veterans toward this bill—if that is to be one of the considerations that is to guide this House in legislation—the testimony before the committee might be consulted. It is perfectly clear. It shows that at least one of the great organizations have sponsored this legislation, but—and note this well, for it is most important—as a part of the general legislative plan which the Johnson bill embraces.

Refer to H. R. 9801. That was the bill brought in by request of the Veterans of Foreign Wars. Section 20 of their bill for all practical purposes is identical with the provisions of the Swick bill. It was introduced, by the way, after the gentleman from Pennsylvania had introduced his own bill. But it shows that they want this only as a part of the whole scheme and had given no thought to possible adoption of the section as a substitute for other legislation or as a separate measure.

That is significant, because while it appears to have a strong appeal through its provisions that would care for a larger group of veterans and dependents, would extend benefits to veterans not now eligible and not to become eligible even under the proposed Johnson bill, as well as to certain widows and children otherwise excluded from the pension or compensation picture, it would have quite another effect. See what would happen.

True, it would not touch veterans and others now on the compensation lists and receiving benefits under service-connected disabilities. But note, please, that the Rankin bill and the Johnson bill and all these other bills were brought in specifically to care for a number not now receiving compensation and whom it is generally believed have been grossly discriminated against. These men under the Swick bill would not be brought into the picture to the extent that they feel is proper; this bill would place them in a completely different category and would forever make it impossible for them to be brought to the level of the cases now coming within the presumptive sections that we have been debating. They want the opportunity to show that their marked and serious disabilities are due to service, and then to receive compensation that their claim may warrant, and that is the whole feeling that has resulted in the consideration of the Rankin bill and other bills, in the favorable report of the Johnson bill and the action of the House upon that bill at this time. That is what the veterans want.

And I say now that even though it were said to me that they did not want the Johnson bill, but did want the Swick bill at this time, I should hold the same position I now hold, for I can not conceive of the propriety of any other position. I can not feel that we should attempt to legislate on the basis that only a relatively small amount is available for this work, and that we have to spread that amount then among a large number, rather than continue to give attention that is at least reasonably adequate to the more severely disabled and crippled veterans. The time will come, perhaps, before long, when such a position will not be sound. But to-day is not that time.

How many Members have noted that General Hines in a formal report to the committee stated that section 20 of H. R. 9801—identical with the Swick bill in every essential—would cost, the first year of its actual operation, the sum of $461,000,000. That is the figure, and for the first year alone.

Tuberculosis seems to be the major problem now in hospitalization as well as in compensation and rehabilitation of veterans. To-morrow it will be the cardiac diseases, and the next day it will be cancer—those great scourges that seem to delay their onset. And we must be ready to face them. In that the special committee will be able to make careful study and come back to us with the benefit of their research and investigation and with definite recommendations. But I feel that, pending adoption of some comprehensive policy that is to be permanent, we can not cut off the benefits proposed to be extended in the Johnson bill and turn to anything like the Swick bill at this time as a substitute measure.

Many other features of the present law and desired amendments thereto might be discussed. I hope that during debate on this measure some others will give attention, for instance, to the matter of present troubles in the section of the act dealing with apportionment of compensation. I hope some one can talk about the proposal of the veterans' organizations for a new section setting up an employment division and tell the House what were the reasons why the committee did not include this item in their bill. I hope to have some information also why there is omitted from the bill the amendment which would have added dependency allowances for veterans given a permanent rating, such as are granted those with the temporary ratings. I can say that in Minnesota we have 1,084 permanently and totally disabled veterans that are watching this item.

These and many others might be discussed. This is a most interesting and enlightening debate. But in conclusion, I repeat that the one great problem, as I see it, is the problem that legislation apparently can not correct, but that must be met through other steps. That is the problem that arises out of the attitude and the policies that seem to sway these appeals agencies. Let that be changed, let the director himself, and his entire organization, live up to the letter and spirit of the written rules and regulations that now are supposed to govern them, and we will have no more of these heart-breaking delays, of the thick files that have been mentioned and exhibited, of the adverse decisions in the doubtful cases, and of the endless series of justifiable and questionable complaints and protests that we all receive. In that, we can all help. Let each Member that meets with unusually flagrant cases such as I have described make an open protest. I intend to do so if it appears to be necessary. And, in the meantime, let us perfect this Johnson bill, and pass it speedily. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Mr. Chairman, I venture to predict that when this bill is considered under the 5-minute rule, we will have, as we should have, a full attendance of the membership of the House. The very fact that the Veterans' Committee has been unable to agree on a unanimous report suggests to every Member of the House the importance of being here when this bill is considered under the 5-minute rule. Why? This bill presents, in a peculiar way, problems that affect your constituents, problems that affect them in a way that every Member will be held responsible for an individual study of the separate provisions of the pending bill. There is no Member here who does not represent a large number of World War veterans, many of them disabled. There is not a Member here who has not had told to him over and over again the shortcomings of the existing law in providing methods for aiding these disabled veterans. There is not a Member here who should not be interested in placing on the statute books

only such laws as are fair to the veterans and to the Government.

I have not risen for the purpose of advocating at this time any particular bill, but simply for the purpose of calling attention to some provisions, which I think you may be interested in a further study of.

Before doing that, let me very briefly reply to that part of the speech made by the distinguished gentleman from Massachusetts [Mr. LUCE], in which he undertook to make a technical criticism of the use of the word "pension" as found in the reply of the Director of the Bureau, General Hines, to Mr. SNELL. It makes no difference whether allowances to the wife and children of a disabled soldier, whose disability is not connected with service, are called a pension or not, and that is not the point the director sought to emphasize. He sought only to discuss, in an informing way, that proposal of the committee, and nothing appears to show that the director disagrees with the statement of Mr. LUCE that the purpose of the provision is humane.

Here is a disabled veteran in a hospital whose disability is not service connected. He earns less than $1,000 and has a wife and minor children. In all such cases the Johnson bill proposes to pay $40 a month to the wife and minor child, and the director simply called attention to reasons why this provision of the bill, as drawn, would not place all disabled veterans entitled to hospitalization on an equal basis. In other words, he was answering the argument of humanity that Mr. LUCE made by showing that the Johnson bill, as drawn, would not extend allowances to all disabled veterans entitled to hospitalization.

I quote from General Hines's statement the following:

It would not be so bad if we were prepared to embark upon a pension program at this time, and if it were not for the fact that it creates such a marked discrimination, under the existing law, whereby all veterans are furnished hospitalization for all disabilities whether due to service or not within the limits of available facilities.

The Congress has only to date authorized construction essentially for the existing or contemplated service-connected load. It has not undertaken a program of construction to provide sufficient beds for all non-service-connected cases; therefore, those in need of hospitalization and for whom no beds are available would be at a great disadvantage over the veteran who is able to obtain a bed, and, in addition, the provisions above indicated for his dependents.

So what he said was that all disabled veterans of this class would not be on a basis of equality, and that if such provision of the Johnson bill is approved in that form, then, until the Government can provide Government hospitals for all veterans entitled to hospitalization, authority and funds must be given to furnish beds at private hospitals, otherwise you will extend the benefits of this provision only to a limited number of those you seek to aid.

Why? Because the director here serves notice on the Congress that if you pass this provision, Government hospital facilities are inadequate to meet the needs in even a measurable way, and you will have a large number of disabled veterans equally entitled to a family allowance who will not be able to claim it since you have made hospitalization a prerequisite to the payment of such compensation. You must provide hospitalization for all who are disabled and entitled to these allowances in order that they may be placed on a basis of equality.

The gentleman from Georgia [Mr. RUTHERFORD] has been greatly interested in the arrested tuberculosis cases, and I want to call the attention of the gentleman from South Dakota [Mr. JOHNSON] the chairman of the committee, to the amendment his bill proposes. In his absence, will the gentleman from New Jersey [Mr. PERKINS] please pay attention to this comment?

The gentleman from Georgia a few minutes ago asked Mr. JOHNSON if the Johnson bill was enacted into law whether it would reinstate on a rating of $50 per month all arrested tubercular cases, which at any time in the past had been given such a rating. The answer of the chairman was that it unquestionably would. I respectfully submit, that, under the language carried in the Johnson bill by way of amending existing law on this subject, the answer of the chairman of the committee will not be found correct. It must be borne in mind that the presumption relating to physical soundness at the time the veteran entered the service, where no notation of disability appears at the time of enlistment, does not apply and has no probative force except in those cases where some disability was noted while the veteran was in the service. As to a disability notation while in the service, the presumption of soundness at the time the veteran entered the service, unless such disability was then noted, precludes the bureau from holding that such disability existed prior to service. If the disability of which the veteran complains was not noted while in service, but only after his discharge from the service, then the presumption of soundness, attaching at the time of his entering the service, is not held by the bureau to preclude the inference that the disability may have existed prior to enlistment.

If there be any members of the committee who question the correctness of this assertion, then I pause for correction. Remember that the $50 per month compensation for arrested tuberculosis was granted in a number of cases where the notation of arrested tuberculosis was made after the veteran received his discharge, and the language carried in the bill by way of amendment to existing law unquestionably would not restore these cases to the pay roll of the bureau. I need only to quote the existing law and the provision carried by way of amendment thereto in order for this to be made clear to any lawyer familiar with the rules and regulations governing ratings by the bureau. The existing law reads as follows:

That any ex-service person shown to have had a tuberculous disease of a compensable degree, who, in the judgment of the director, has reached a condition of complete arrest of his disease, shall receive compensation of not less than $50 per month.

The proposed amendment would make this provision read as follows:

That any ex-service person shown to have had a tuberculous disease of service origin, whether active or otherwise, would receive compensation of not less than $50 per month.

A mere notation of arrested tuberculosis noted in the veteran's file subsequent to the date of his discharge and prior to January 1, 1925, will not, under this amended language, show a tuberculous disease of service origin, and I think the chairman of the committee will find on inquiry at the bureau that I am correct in this statement.

I am not unaware that the word "active" has been stricken out in the proposed amendment to section 200 as it relates to tuberculosis.

If it is the purpose of the committee, then, to give $50 per month compensation in all cases where, prior to January 1, 1925, there appears a finding by the bureau to the effect that the veteran had tuberculosis, apparently arrested or quiescent, then clarifying language should be inserted so as to make definite this purpose. I call this to the attention of the committee in the hope that if I have correctly stated what the purpose of the committee is and which the chairman of the committee has given assent to in reply to a question from Mr. Rutherford, then some further amendment should be offered by the chairman of the committee to effectuate this purpose.

To repeat, since the amendment requires the tuberculous disease to be "of service origin whether active or otherwise," no notation of arrested tuberculosis, unless made while in the service, standing by itself, will entitle the veteran to the $50 per month compensation.

I shall seek an opportunity to call attention to this provision further when the bill is being read under the 5-minute rule.

For the information of the House I am inserting, under leave, a letter to the director under date of September 26, 1928, relating to matters which I understand the committee by this proposed amendment seeks to correct. [Applause.]

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, September 26, 1928.

The DIRECTOR UNITED STATES VETERANS' BUREAU.

SIR: Consideration has been given to your letter of September 5, 1928, requesting decision of the following questions:

1. Whether a showing of arrested tuberculosis prior to January 1, 1925, where no notation of a tuberculous condition was made at enrollment or enlistment, is a showing of active tuberculosis prior to January 1, 1925, as provided in the second proviso of section 200, it being accepted as a medical fact that where there is a condition of arrested tuberculosis there has been precedent activity.

2. Whether the statutory award of $50 per month is payable under the provisions of the third paragraph of section 202 (7) of the act as amended, where no notation of a tuberculous condition was made at enlistment or enrollment; inactive or arrested tuberculosis was noted of record during service; no evidence of record that the condition has been active; the condition is now determined to be in a state of arrest; the disability resulting from the arrested tuberculosis has been rated as service connected and compensable.

Your letter sets forth arguments, reported as having been advanced in the Veterans' Bureau, in support of an affirmative and negative answer to both questions. Each of said arguments has received careful consideration, but it is not deemed necessary, in this decision, to state or answer each argument or contention in detail.

Section 200 of the World War veterans' act, and as amended by the act of July 2, 1926 (44 Stat. 793), created two separate conclusive presumptions. The first is as to soundness at the time of entering the

United States service, and the second is as to "active tuberculosis disease" and had reference to those cases in which the tuberculosis disease had developed a 10 per cent degree of disability or more prior to January 1, 1925. (See 4 Comp. Gen. 828, sec. 202 (7) of the statute as amended by the act of July 2, 1926, 44 Stat. 796, provides, in so far as here material, as follows:)

"That any ex-service person shown to have had a tuberculous disease of a compensable degree, who in the judgment of the director has reached a condition of complete arrest of his disease, shall receive compensation of not less than $50 per month: *Provided, however,* That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further,* That no payments under this provision shall be retroactive and the payments hereunder shall commence from the date of the passage of this act or the date the disease reaches a condition of arrest, whichever be the later date."

While it may be a medical fact that where there is a condition of arrested tuberculosis there has been precedent activity, there is no purpose or intent disclosed in any portion of the statute to give cognizance thereto by imposing such a conclusion of fact upon the statutory presumption either as to sound condition upon entering the service or as to the man's condition prior to January 1, 1925. The second conclusive presumption with respect to service origin created by section 200 refers only to "active tuberculosis disease of 10 per cent degree or more" shown to have existed prior to January 1, 1925. This provision was first enacted by the World War veterans' act of June 7, 1924 (43 Stat. 616), and the first statutory presumption with respect to soundness upon entrance into the service was first enacted in a form other than now appearing in the statute, by the act of June 25, 1918 (40 Stat. 609). Section 200 (7) above quoted, authorizing payment of not less than $50 per month disability compensation for arrested tuberculosis was not enacted until July 2, 1926 (44 Stat. 796). It is unlikely that the Congress enacted the latter provision with a view of connecting it up with the earlier provisions of section 200 in such a manner as suggested. Evidently the intent of section 202 (7) was primarily to recognize the need of aiding beneficiaries who had been suffering with active tuberculosis and have so far recovered as to have their condition rated as arrested, an amount not less than $50 per month being provided with a view to aiding the beneficiaries to so live as to prevent a recurrence of the disease. In any event, in the absence of clearly expressed legislation providing to the contrary, question 1 must be, and is, answered in the negative.

It is noted that an inactive or arrested tuberculosis condition may be rated as service connected and compensation paid therefor, although there is no record of an active condition due to service. While possibly this matter would be for medical ascertainment, it is difficult to understand how a disability rating as of service connection may be based on a completely inactive or arrested case of tuberculosis. The express provision for payment of not less than $50 per month in cases of arrested tuberculosis following active tuberculosis reasonably may be viewed as showing that the Congress thought it necessary to provide specifically for cases of arrested tuberculosis, and that the condition itself would not otherwise justify a compensable rating. But if the bureau has considered a compensable rating justified on the basis of inactive or arrested tuberculosis due to service, as a medical finding alone, this office does not deem it within its province to make further objection thereto. Certainly, however, there is nothing in the statutory presumptions alone—and in the absence of a finding based on the physical condition of the veteran—to justify such result. With respect to the award of not less than $50 per month for arrested tuberculosis, section 202 (7) of the statute, clearly contemplates that the beneficiary must first have had an active tuberculosis disease of service origin for which compensation was payable. This is reasonably clear from the evident intent of the section as stated under question 1, and by reason of the proviso which saves to the beneficiaries alternate rights after hospitalization for active tuberculosis. Question 2, also, is answered in the negative.

Respectfully,

J. R. McCARL,
Comptroller General of the United States.

Mr. RANKIN. Mr. Chairman, I yield 10 minutes to the lady from New Jersey [Mrs. NORTON], a member of the committee. [Applause.]

Mrs. NORTON. Mr. Chairman and members of the committee, as a member of this committee I have listened with much attention to the arguments that have been presented here to-day for your consideration. I have a great deal of respect for every member of the Veterans' Committee. I think we all have tried to do our duty as we have seen it. I fully realize that the majority members of the committee are handicapped to some extent, but I do not believe that any one of them would want to do a single injustice to a disabled veteran.

I was very much interested in listening to my colleague the gentleman from Massachusetts [Mr. LUCE], but one of the arguments that he brought before the committee seemed to me a rather poor one—the expense involved in this bill. It is not worthy of the gentleman.

I do not believe that any Member of this House, regardless of expense to the Government, would consider or want to feel that any disabled veteran had suffered one single mental or physical pain because of lack of appropriation by the committee.

My choice would have been the Rankin bill in its entirety, as from the communications I have received from disabled men everywhere it seems to be the bill they prefer.

Perhaps we are fast approaching the crossroads of veterans' legislation, and we may soon be called upon to decide whether or not all veterans shall be regarded as equal. If and when that day arrives, Congress shall be called upon to discuss the pension system.

In the meantime let us not only do our duty toward these disabled men who donated their youth and precious health to a great cause, but let us go a step farther and give them the benefit of every doubt when their cases come up for final adjustment.

Many mistakes seem to have been made in the Veterans' Bureau, probably due to overzealous clerks anxious to appear as economic experts, and instead of giving a man the benefit of the doubt, they have preferred to save a few Government dollars at the expense of the veteran.

The Veterans' Bureau is suffering from a disease commonly called "red tape."

For the head of the bureau, General Hines, I have the greatest admiration and respect, and feel confident that the mistakes made did not originate with him. Probably if he could at all times use his personal judgment in adjusting cases, the unhappy conditions constantly arising would be fewer in number.

I have in mind a case that has been in the files of the Veterans' Bureau for several years, wherein the medical board has defied evidence submitted from noted medical specialists—with far more experience than any man serving on that veterans' medical board—preferring to economize in favor of the bureau and their own personal ambitions.

However, I do not hesitate to say there are many exceptions in the bureau. I happen to have knowledge of one who takes a personal interest in every case that comes before him; toils faithfully and loyally for the Government. Unfortunately, he is not a high-salaried official—the deserving ones never seem to be—he is just the modest, unassuming cooperator of the Veterans' Bureau, Mr. Samuel Rose. No doubt many Members have come in contact with him and had the same personal experience that I have had. He not only cooperates but produces results by his untiring efforts.

We must never lose sight of the fact that the 86,000 disabled veterans requiring compensation, whose cases do not come within the meaning of this new law, may be more worthy of consideration than many who are already receiving benefit, and that their services were needed and accepted by a grateful people when the fate of democracy in a free country was the big issue before us.

We can not bring to life those whose lives were snuffed out, when life and love stretched before their awakening manhood.

Their sacrifice can never be repaid; but we should keep faith with the dead by assisting those who require our care and protection now.

We can not bring sight to those blinded; we can not supply an arm or leg to those who have lost theirs; nor cure the poor sick brain or wornout body racked with pain; but we can and we must aid in every way within our means, encourage and assist these beloved veterans to carry on.

Let it not be said that this rich Government demanded the services of our sons in time of stress and deserted them when they and theirs asked for simple justice.

This is our time to prove our gratitude, and a grateful Nation will not reckon the extra dollars and cents necessary to help the man, whether or not he comes within the established presumptive period or failed to establish his claim.

If he answered the call to arms and was honorably discharged from service, we should recognize his claim upon a rich government and grant him compensation and care.

This is not charity, it is simple justice. The privation and suffering our boys endured is bound to react unfavorably upon them in middle life and whether they were discharged well or otherwise no one will be so unfair as to believe that their changed manner of living and hardships necessarily suffered during the war will not militate against them as the years go by.

I sincerely hope the membership of this House will go on record as unanimously approving the Rankin amendment and thereby assist, in so far as we may, the comfort of these men who contributed so generously to a nation in need.

Mr. CONNERY. Will the lady yield?

Mrs. NORTON. I will.

Mr. CONNERY. I am going to offer an amendment bringing the Johnson bill up to 1930, and from what I know of the lady's activities in the committee I am sure she is going to vote for my amendment.

Mrs. NORTON. The gentleman may be absolutely certain that I shall do so.

Listening to the debate to-day, my mind reverted back many years ago to the days when we were doing "our bit" to help win the war. I served at Camp Merritt, the camp from which our boys went overseas, many of them to their death. I recall many incidents of that service. One stamped in my memory is of an old father from the plains of the West who came looking for his boy. He had been told that the boy had gone, but he said, "I did not believe it and I thought perhaps I would be lucky enough to find him here," and he did. The boy had his head shaved then, ready to embark the next day. It was very pitiful to see this poor father. He had brought some fried chicken and some homemade cookies, some pie and other things that he thought his boy would like. He said, "I do not know whether they are spoiled or not, but he loved his sister's cooking and I thought he would enjoy this before he went across." That boy, my dear colleagues, never returned. He was only one of a great many.

I have been thinking of this and of many other pitiful incidents witnessed back in 1917 and 1918. Had anyone suggested to me at that time that one day it would be my great privilege to serve in this distinguished body I would have thought it a dream. Since the dream has come true and the voters of my district have seen fit to send me here I want you to know that in so far as I may I shall leave nothing undone to secure justice for the men who have suffered so greatly in serving their country. If the bill costs $300,000,000 or $500,000,000, it will never compensate them for what they have endured. I do not believe our President will quibble over a question of that kind. I recollect very well that during the war Mr. Hoover came to my city, and I recall how kindly he spoke of our boys and of the terrific hardships they endured at that time. Therefore I can not believe now that as President of the United States he will hesitate to sign a bill, no matter what it may cost. This will be his opportunity to help the man who suffered so greatly and prove that he has not forgotten. I thank you. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ARNOLD].

Mr. ARNOLD. Mr. Chairman and ladies and gentlemen of the committee, this is the first time since I have been a Member of this body that legislation in the interest of the World War veterans has been presented to the House for consideration under a rule allowing reasonable debate, and under which amendments may be offered from the floor and considered by the House. I think it is very fortunate that this bill is being considered in this manner. This debate has been most interesting and instructive. During all of the time I have been a Member of this body I have supported legislation whenever presented in the interest of the veterans of the World War. I have done so believing it to be a matter of right and justice to those veterans and I expect to continue that policy.

This bill liberalizes existing law materially, but the chief difficulty is it does not go far enough. The most serious difficulty in administering the present law is the service-connection provision and the requirements of the Veterans' Bureau as to the character of proof necessary to bring the veteran within the provisions of the law.

The Veterans' Bureau by requiring medical proof of service origin has denied thousands of worthy veterans the benefits Congress intended they should have under existing law. Many of these veterans in their anxiety to get back to their homes and loved ones when they were discharged failed or neglected to have their disabilities noted, and after getting out in civilian life attempted to administer to their own needs, without consulting physicians as to their disabilities or having thorough medical examinations.

Quite often when they did consult physicians the physician consulted did not keep a clinical record of their examinations, and in their endeavor to aid and assist ex-service men often no charge was made and no dates entered when they examined the veteran from which the condition of the veteran or the date of visit can be determined.

The present law does not require medical proof, but the Veterans' Bureau in administering the law overemphasises the necessity of medical evidence, and this necessarily precludes many worthy disabled veterans from getting the benefits of the law Congress intended they should have when the law was enacted. This places thousands of cases in the twilight zone and has been a disturbing element, a bone of contention, giving rise to most serious controversy and difficulty ever since the law was first attempted to be administered by the Veterans' Bureau.

The present bill does not eliminate service connection, and while the scope is broadened so as to take in numerous cases heretofore excluded, it establishes another twilight zone a little further removed that will continue the controversies and difficulties in administering the law. It will fail to give relief to many who feel they are entitled to its benefits and who are intended to be benefited, and the confusion which has heretofore existed in administering the law will continue unabated. If I had my way about it, I would eliminate service connection in all cases where service connection can not be established prior to January 1, 1925, and provide a general disability schedule with compensation based upon the degree of disability.

One can readily see the disadvantage the veteran is placed in to go back and connect his disability with the service after so long an interval. It provides entirely too many border-line cases that will always give rise to uncertainty and speculation and disappointment.

Under existing law the Veterans' Bureau has the right to consider lay evidence and evidence not of a medical nature, but there is no requirement and we have no assurance under this bill that the Veterans' Bureau will administer the law in this regard more generously in the future than it has in the past.

The Veterans' Bureau in administering the law, consciously or unconsciously, have gotten into a rut, and, relying on the precedents established by its boards, are floundering in the maze of red tape and technicalities from which they will not emerge unless Congress in unmistakable terms pries them out and relieves the unfortunate situation. The boards, whose duties it is to pass on these claims, are waterlogged with undue stress of medical thought, and that of those in the bureau itself.

It seems at times but little consideration is given evidence from doctors not in the bureau, successful, reliable, and conscientious physicians of high standing in their local communities. Quite often the bureau sends out inspectors, who go into the local doctors' offices, call for their records, and if clinical findings and records are not found, which often do not exist, or not in approved form, the testimony of such doctors have but little, if any, weight in establishing the claim. I do not question the motives or intentions of those in authority. Men of ability and high purpose sometimes get into a rut, become enmeshed in technicalities, their thoughts run in a groove, and while they may be of the most conscientious sort, their course in following that groove works injustice and brings about results the consequences of which are not fully realized by them.

Under the existing bill the Comptroller General can not hold a club over the Veterans' Bureau as in the past, and this is a wise provision and will give the Veterans' Bureau more freedom of action than it has under existing law. At any rate, the Veterans' Bureau will have no further alibi as to this feature.

Section 200 of the act, applying to the presumptive provision, is broadened so that any veteran who has had a chronic constitutional disease of 10 per cent or more prior to January 1, 1925, is presumed to have acquired this disability in the service. This is likewise a wise provision in including all chronic constitutional diseases, where proof is shown that the disease existed prior to January 1, 1925. The law in its present form limits these presumptive cases to five. The present bill will take in all disabilities of 10 per cent or more, which are found to have existed prior to January 1, 1925, unless it is clearly shown they were not the result of service.

Also, the law in arrested tuberculosis cases is broadened, authorizing a combined rating of a minimum of $25 a month, permanent and partial, for arrested tuberculosis, while active tuberculosis veterans receive a minimum of $50 a month. The present bill likewise provides that total disability may be paid to men discharged from hospitals suffering from tuberculosis who have been patients for one year or more.

Another feature of the bill, which is meritorious, is a provision for payment of compensation to dependent families of hospitalized nonservice connected disabled veterans whose annual income is less than $1,000. This gives dependency compensation during the period of continued hospitalization and for two calendar months thereafter; $30 a month for a wife, $40 a month to a wife and child, and $6 a month for each additional child. Twenty dollars a month if there is a child and no wife, $30 a month for two motherless children, $40 a month for three motherless children, and $6 a month for each additional child.

This will be of material benefit to dependent families while the veteran is hospitalized, and for two calendar months thereafter, where the annual income is less than $1,000 per annum, and should receive the support of every friend of the veterans.

It is also a wise provision to take off the limit of time for filing claims and supporting evidence for compensation. If a veteran is suffering from a service-connected disability, whether claim for compensation and supporting evidence is filed within 1 year or 20, he is entitled to compensation, and there is no reason or justification in the present law which limits the time for filing claims and supporting evidence as to this class of veterans.

The bill likewise extends the time when suits may be brought on insurance to one year after the approval of the bill, and an extra payment of $25 a month to persons suffering from the loss of a foot or hand, and provides for a flag to drape the casket of every veteran who dies, regardless of the cause of death. These are all provisions liberalizing existing law and will go far toward relieving distress in many worthy cases. There are other provisions of merit in the bill in the interest of mental incompetents, increased recreational facilities, and liberalizing the insurance laws, and so forth.

On the whole there is so much of merit in the bill that it should be enacted into law speedily.

My chief concern at present is for these uncompensated World War veterans. Those veterans, who in camp or on the field of battle, through exposure, shell shock, or contact with deadly gases, had their power of resistance reduced to the extent that seeds of disability found lodgment and gradually, slowly but surely, developed in later years and now plague them and handicap them in earning their livelihood.

Their disability, slight and unnoticeable at first, has been progressive, some not apparent yet and many of them not yet have reached the stage of disabling the veteran from manual labor. It is practically impossible, if not entirely so, certainly not by the character of medical evidence and clinical records required by the Veterans' Bureau, to procure evidence of service connection.

The unfortunate part in this bill is the fact that these veterans who are suffering from tuberculosis and neuropsychiatric disabilities receive no benefit whatever by the terms of this bill. The only way that we can give that class of disabled any advantage other than by general disability pension is by extending the presumptive period from the 1st of January, 1925, to the 1st of January, 1930. I expect to vote for an amendment that will be offered here to extend the time for all disabilities as provided in the Johnson bill to the 1st day of January, 1930. I think that is only a matter of justice to these World War veterans.

I notice in the list of disabilities for which claims have been allowed, that the two disabilities tuberculosis and neuropsychiatric constitute about 43 per cent of the entire number of claims allowed. Those are the most numerous and difficult cases with which we have to deal. The system may have become so weakened by exposure in the camps and on the field of action that the disability may lie dormant for many years and in the end develop to such an extent that the veteran is deprived of his earning power and is unable to perform manual labor in order to support himself and those dependent upon him. By this bill in its present form nothing whatever is done for these two classes, and nothing will be done unless this presumptive period is extended beyond the 1st day of January, 1925. I am aware of the fact that when we set a dead line and permit presumptions to determine service origin of disabilities that are proven to exist prior to that time, it is unscientific and can not be justified by reason under the theory of compensation.

The proper way to handle the matter would be through a general disability pension, applied to all of those who have been unable to connect their service disability by evidence in fact. But, as I understand the parliamentary situation here, it is such that the Swick bill which is a general disability pension bill, can not be tied onto this bill, because it is not germane and would be subject to a point of order. There is a provision in this bill making these presumptive cases temporary in character, only with a view to studying the whole situation in the hope that at the end of three years some plan may be worked out whereby we can enact some legislation that will be entirely fair to veterans of all wars and place them somewhere nearly on a plane of equality. That will be a disability pension plan. Why not provide it now and relieve the disabled uncompensated without delay? However, I am fearful that if this bill is written into law in its present form, these mental, nervous, and tubercular cases which can not be service connected by existing law will receive no consideration for the next three years, and there is a vast number of this class of cases that ought to be given consideration and ought to be taken care of immediately. If we are unable to extend the presumptive period to the first day of January, 1930, under the so-called Johnson bill, then that presumptive period should be extended to the first day of January, 1930, applying to the disabilities contained in the so-called Rankin bill. An amendment to that effect will be offered and I hope to see it adopted. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD. Mr. Chairman and gentlemen of the committee, I doubt very much whether what I may say on this occasion will have much to do with the final determination of this bill. I wish to make some observations, however, defining my position with reference to it.

I am opposed to this bill as it is written for two very substantial reasons. In the first place, I am opposed to it because it is not only unfair to the memory of the dead, and the dependents of the dead, but it is unfair to the living. I am opposed to it because it will meet with the approval of no one if it becomes law. You ladies and gentlemen who have been hearing the discussion on this floor from its various angles, are convinced that there is nobody here, either the proponents of this measure or of the Rankin bill, who is satisfied with either one of them.

There is another reason why I am opposed to this bill. I can not subscribe to opening up the Treasury of the United States to whatever demands might be made, whether opportune or inopportune. To my mind from an economic standpoint, this is an unfortunate time to present this bill. I received a letter a day or two ago from the President of the United States in which he admonished the Congress with reference to the condition of the Treasury, and I shall read that letter. It is as follows:

THE WHITE HOUSE,
Washington, April 18, 1930.

The Hon. WILL R. WOOD,
House of Representatives.

MY DEAR MR. WOOD: I thought you would like to know that a reexamination of our fiscal situation for the next year by the Director of the Budget shows that upon the indicated income of the Government and the expenditures to which the Government is already committed through Budget proposals and legislation which has been completed, we are faced with a deficit of some twenty or thirty millions of dollars. This, of course, is not as yet a very material sum, but it is obvious that any further large amounts of expenditure will jeopardize the primary duty of the Government; that is, to hold expenditures within our income.

Something over 125 acts have been passed by either the Senate or the House or favorably reported by different committees, which would authorize an additional expenditure of three hundred or three hundred fifty million dollars next year. A good many of these proposals are, of course, for comparatively small sums, and some of them are necessary for the functioning of the Government, but I know you will agree with me that there is cause for real alarm in the situation as we can not contemplate any such deficit.

I am writing a similar note for the information of Senator JONES.

Yours faithfully,

HERBERT HOOVER.

Mr. CONNERY. Mr. Chairman, will the gentleman yield there?

Mr. WOOD. No; I regret I have not the time to yield. I have not time enough to say all I wish to say myself.

Now, I wish to call the attention of the committee to these further facts. The accompanying list shows the major legislation of the present session, either on the House Calendar or now in the shape of laws, calling for additional expenditures for the next fiscal year and fiscal years thereafter. The principal items are those for public buildings, for good roads, and for veterans' legislation. The public buildings bill increases the amount to be expended for public buildings annually from $35,000,000 to $50,000,000, and the amount will probably exceed this latter figure until we catch up. The Federal aid road bill calls for an increase of annual expenditure from $75,000,000 to $125,000,000, or by $50,000,000.

Now, the veterans' legislation is estimated, if the Johnson bill passes in its present form, a minimum of $100,000,000, and according to the economists in the Veterans' Bureau in all probability it will reach $200,000,000, and they wish to be conservative in making that estimate. If I had the time to go through the various items of this bill I think I could demonstrate that it would amount to more than $400,000,000.

The total projects on the accompanying list amount to approximately $820,000,000, including this bill at only $100,000,000. In addition to those listed here, there are on the calendar many other bills that are important and call for comparatively small sums which bring the total up to over $825,000,000. There is also to follow a rivers and harbors bill estimated to cost for a period of years in excess of $100,000,000. Other bills will follow these.

Once these authorization acts are placed upon the statute there is immediate and strong pressure for appropriations to carry

them into effect, often more rapidly than was contemplated when the legislation was enacted. I will file as a part of my remarks the items that make up this sum.

They are as follows:

Major new projects calling for additional appropriations for the next fiscal year and/or in ensuing fiscal years—Projects already law or reported and upon House Calendar

U. S. Supreme Court Building	$9,740,000
Public buildings bill, additional authorizations	230,000,000
Additional hospital facilities, Veterans' Bureau	16,000,000
George Washington Memorial Parkway, etc	23,000,000
Federal-aid roads, 3-year program	300,000,000
Public works, United States Navy	10,077,000
Building program, U. S. Bureau of Fisheries	1,735,000
Erection of addition, Red Cross Building	350,000
Land for Bureau of Standards	400,000
Increasing limit of cost, Coast Guard Academy	1,250,000
New Coast Guard vessel	650,000
Relief of Porto Rico	3,000,000
National Soldiers' Home Hospital, Togus, Me	750,000
Library of Congress annex	6,500,000
Eradication of pink bollworm	2,500,000
Salaries, police and fire departments, District of Columbia	900,000
Relief of farmers in certain storm and flood-stricken areas	7,000,000
Relief of State of Alabama, roads destroyed by flood	1,660,000
Naval Hospital, Washington, D. C., improvement	2,950,000
Vocational rehabilitation (3-year program)	3,591,000
Retirement of classified employees	16,000,000
Creation of organized rural communities	12,000,000
Amendment of World War veterans' act (minimum)	100,000,000
Increase in pensions, etc	11,712,440
Forest Products Laboratory, Madison, Wis	900,000
Reforestation program (2 years)	6,000,000
Extension, National Museum	6,500,000
Amendment of the air mail act	3,000,000
Panama Canal, ferry and highway	1,000,000
Public works, U. S. Navy, Philadelphia	3,200,000
Roads in national forests (three years)	30,000,000
Bitter Root irrigation project, Montana	750,000
Relief of State of Georgia, roads destroyed	506,067
Relief of State of South Carolina, roads destroyed	805,561
Addition to Washington city post office	4,000,000
Total	818,427,068

Now I want to call your attention to this fact, that we are expending through the Veterans' Bureau an amount nearly equal to the customs receipts of the United States. We are now expending through the Veterans' Bureau an amount nearly equal to one-fourth of all the income-tax receipts; and if this bill passes, I offer now the prediction that with its contents and the authorizations necessary to carry it out, we shall within two years be expending at a rate of more than $1,000,000,000 a year through the Veterans' Bureau—as much money, if you please, as it cost to run this entire Government before the World War.

I think that I do not entertain any other than the most cordial and sympathetic sentiments with reference to the survivors of the World War or the dependents of those who have gone on, but I do believe that if this bill becomes a law it will not only prove a most expensive proposition but it will be unsatisfactory to everyone either directly or indirectly concerned, and there will be more occasion for apology by those who have made it possible for this bill to pass, if unamended, than there will be for congratulation by reason of its having passed.

There is one vital defect in this bill that every Member of this Congress should consider well before subscribing to it. A few years ago we passed a budget act, and as an adjunct to it we enacted a law creating a Comptroller General. That combination has done more to save the taxpayers money than all the economic legislation that had been passed before it for a century. If this bill becomes a law unamended it will destroy some of the advantages we have derived from the General Accounting Office.

As I stated a moment ago, an amount equal to one-fourth of the money collected from income taxes is spent on the Veterans' Bureau. But in addition to that, this bill, if it becomes a law, undertakes to say that that one-fourth will have no supervision such as is made mandatory with respect to all the other expenditures of the Government. That would be a great step backward. If we should destroy and remove the supervision of the comptroller with respect to the expenditure proposed in this bill, we might as well abolish his supervision of all the rest. If we displace public confidence in the comptroller with respect to the expenditures of the Veterans' Bureau, why not displace public confidence in the Comptroller General's office as to the expenditures of all other branches of the Government? Under this bill the comptroller will have no voice in examining anything that is done by the Veterans' Bureau.

Now, if it were possible for us to retain General Hines in his position at the head of the Veterans' Bureau for all the years to come, that would be reassuring; but even with such an upright man as General Hines there is not one-tenth of the business transacted by the Veterans' Bureau that can have the direct supervision of General Hines. We had an unfortunate experience with one director of that bureau, and if I were director I would not want to have thrust upon my shoulders such a responsibility as that; and we are doing an injustice to him, we are doing an injustice to our constituents, and we are doing an injustice to ourselves when we propose to destroy, if you please, the only responsible agency that this Congress has between this appropriating body and the various expending agencies of the Government, and that should not be thought of.

This change is the first major proposal seriously made since the establishment of the General Accounting Office in 1921—an independent agency to function for the Congress in seeing that its mandates are obeyed—to break down the most effective and efficient accounting system that any Government has ever enjoyed. This is a serious proposal.

The accounting officers are law enforcers concerning public money. If the law is not sufficiently liberal to give all that individuals want, it is not for the accounting officers, or for administrative officers, to liberalize the law. That is the business and the responsibility of the Congress.

The only thing this change can mean—the only interpretation that can be given it—is that the Congress does not care to have its laws enforced, that by tying the hands of the accounting officers there can be secured from administrative officials more than the accounting officers—more than the law—allow.

The provision is a tribute to the efficiency and effectiveness of our accounting system and a compliment to the accounting officials. When an accounting officer becomes popular with claimants he needs watching. When he is abused you may rest assured he is vigilant. When he is too restricted in his decisions, the Congress can liberalize his decisions—but when he is too liberal the damage has been done and the money is gone.

Make the laws as liberal as you want—but when made insist upon their enforcement. When accounting or administrative officials liberalize the laws they are legislating—usurping the duty and the responsibility of the Congress—and when we encourage them to so usurp our functions, we are the real wrongdoers.

The World War veterans' act of 1924, with subsequent amendments, including the amendments in this bill, is a most complex piece of legislation, requiring the best of legal training to assist in its interpretation and application. Heretofore the Director of the Veterans' Bureau has been able to secure assistance in interpretation of the law from both the Attorney General and the Comptroller General. Many opinions of the Attorney General and decisions of the Comptroller General have been rendered concerning such legislation at the request of the Director of the Veterans' Bureau.

The present Director of the Veterans' Bureau is not a lawyer, and few, if any, of his predecessors have been lawyers. The director should not be required to decide cases without benefit of these legal opinions and decisions of the law officers of the Government. The law should not make the director's decisions final and conclusive on such questions.

Bear in mind that under existing law—which will be continued by the pending bill—the director's decisions of all fact questions as to the disability and degree thereof is finally determined by the director in all cases under his jurisdiction—compensation cases, adjusted compensation cases, World War emergency officers' retirement cases, and insurance cases—so far as either the Attorney General or the Comptroller General is concerned. His decision on fact questions is even conclusive on Congress, and the only place where his fact decisions can be reviewed is in the courts in insurance cases. No opinion of the Attorney General nor a decision of the Comptroller General can be cited where either of these officials attempted to decide any fact question arising under the World War veterans' legislation, provided it be shown that the man was in fact a World War veteran.

The Congress may make the law as strict or as liberal as it may see fit in favor of the World War veterans and their dependents, but when that law has been made, it should be administered exactly as it has been written and the director should continue to have the assistance of the legal officers of the Government in finding out what the written law means. He should continue to be able, after having determined what the facts are in any particular case, to ask the law officers of the Government whether that case is within the law; and if so, what did Congress provide in the law for such a case.

It is worse than useless for Congress to enact veterans' relief legislation conferring benefits without retaining control of that legislation through its established agency—the General Account-

ing Office—to see that the benefits conferred by Congress are actually given to all of the veterans coming within its terms—not only to those possessing political or other influence—and that the persons not coming within the law are not given such benefits. The duty of Congress in seeing that public money is spent in accordance with the law is not less than its duty in appropriating the money. The only means available to Congress to find out whether a public official is spending the public money as directed in the law and in the appropriation acts is through its agency, the General Accounting Office, which was established under the Budget and Accounting Act of 1921 for that particular purpose.

Now I wish to call your attention to some of the provisions of this bill which I think you should well consider. There has been submitted to the gentleman from New York [Mr. SNELL] and others, I assume, an analysis of this measure by the Veterans' Bureau. I suppose that those who conduct the business of the Veterans' Bureau are in a position to know more about what should be done than we do, with our multiplicity of duties which are constantly diverting us. The Veterans' Bureau is not an unsympathetic body, as some gentlemen would have us believe it is. The head of the Veterans' Bureau was a member of the Army. A majority of those who are in authority bore the brunt of battle. Their sympathies are with the living soldier and with the dependents of those who are dead. So I think we can rely, in some little degree, upon what we are told is the best judgment of those men concerning this measure.

I wish to call attention to section 9. Section 9 of the bill adds a new provision to the act, directing the Secretary of War to assemble in the city of Washington all medical and service records pertaining to veterans of the World War. It is understood that the committee were informed that there were approximately 15,000,000 pieces of evidence stored in various depots and on military reservations. While this amendment does not pertain directly to the administration of the Veterans' Bureau, it will facilitate the adjudication of cases by making available to the bureau all of the records pertaining to the veterans of the World War.

That, in itself, will involve an additional expenditure of more than $3,000,000 as estimated by the Veterans' Bureau, and, as I am informed, estimated at a larger amount by the War Department if that duty is placed upon them.

I wish to call attention to section 4 of this bill, which has to do with the insurance suits. I think this is a very vital proposition. Section 4 of the bill amends section 19 of the act, which relates to the filing of suits on insurance contracts, by extending the time during which suits may be instituted one year from the date of the approval of the amendatory act.

Under existing law suits may be instituted within six years after the date the right accrued for which the claim is made or prior to May 29, 1929, whichever is the later date. Certain exceptions are made in the statute to protect the interests of minor and incompetent beneficiaries, and the running of the limitation period is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director.

There are now pending in the courts approximately 5,000 suits on insurance, 90 per cent of which are based upon a claim that permanent and total disability existed at the time of the discharge of the veteran from the military service some 10 or more years ago. It would seem as if a claimant had actually been permanently and totally disabled six years or more he would have presented his claim before the bureau, and, if disallowed, would have entered suit before this.

There existed during the war approximately 4,500,000 contracts of insurance, the majority of which were permitted to lapse at date of discharge from the service. Suits on the greater number of these contracts are now barred by the statute of limitations. The number of suits now barred which might be filed if this amendment were adopted is, of course, rather difficult to estimate. However, it is known that there are some firms of attorneys which are now making a specialty of instituting these suits, and which, up to the date of the application of the statute of limitations, brought them by the hundreds. Many cases upon which suits are filed have little or no merit. While it might seem that they would be easy of defense by the Government, it must be remembered that courts and juries are naturally sympathetic to the veterans. Further, little evidence is required to sustain the burden of proof for the plaintiff, and cases are often decided in favor of the veterans where the only evidence presented is their own testimony and that of friends and relatives concerning their condition when they returned home from the military service and subsequent thereto.

If this should become a law, we are simply going to have an army of ambulance lawyers going around through the country trying to get these suits. They can get them for this reason: That every one of these suits that is brought must be defended by the Government. Under the ordinary practice a man brings a suit, and, in the event he is defeated, he has to pay the costs. Under this bill and under this section of this bill, if these suits are brought, not only does the Government have to pay the expense of defending them but they have to pay the expense of the prosecution, which amounts to more than $4,000 in each one of the suits.

It occurs to me that the 6-year limitation is ample and to extend it beyond this time is doing an injustice.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. OLIVER of Alabama. The matter to which the gentleman refers is one which I am sure will have the careful attention of the committee, with a view to remedying it by providing some inquiry by the bureau into all of these matters, and later reporting them to this committee, which can then order payment of 100 cents on the dollar for every meritorious claim, and the Government should not be subjected to suits by these lawyers running around soliciting business on a contingent fee basis.

Mr. WOOD. I think it would be splendid if that kind of machinery could be established, for it would secure to those entitled to it what is coming to them, and the Government would be protected against those who are not entitled to receive it.

The cost of this bill can not be estimated, but there is no question but that if it is adopted a large number of cases which would not otherwise be payable will be paid.

In this connection it should be understood that judgment results in a setting up of a minimum liability against the Government of $13,800 in each case, unless before all payments are made, an escheat is effected. In view of the fact that the Government liability on term insurance now exceeds the premium income on such insurance which has ceased, by approximately $1,300,000,000, it can be seen that the entry of additional judgments will materially increase the cost to the Government. Also there is now for consideration the cost of the defense of these suits. It is estimated that the cost of defending one of these suits is approximately $4,000. Therefore, even though the Government may receive judgment against the plaintiff, the cost of the defense of the suit has to be paid by the Government.

Now, I wish to call attention to this presumption clause.

Section 10 of the bill amends section 200 of the act by presuming all disabilities of a 10 per cent degree or more existing prior to January 1, 1925, to be the result of injuries or diseases incurred in or aggravated by the military service. The presumption is rebutted by clear and convincing evidence in all cases except those of tuberculosis, and a number of others.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. I yield to the gentleman five additional minutes.

The CHAIRMAN. The gentleman is recognized for an additional five minutes.

Mr. WOOD. Now, there are a lot of these presumptions. I wish to call attention to a few of them, and will ask the consent of the committee to revise and extend my remarks and place them all in the RECORD.

Section 10 of the bill amends section 200 of the act by presuming all disabilities of a 10 per cent degree or more existing prior to January 1, 1925, to be the result of injuries or diseases incurred in or aggravated by the military service. The presumption is rebutted by clear and convincing evidence in all cases except those of tuberculosis, spinal meningitis, paralysis, paresis, and blindness, and veterans permanently helpless or permanently bedridden. Payments as the result of the new presumption are not retroactive and are to continue only for a period of three years following the enactment of the amendment.

Under existing law the presumption of service origin is extended only to a limited class of cases; namely, tuberculosis, neuropsychiatric diseases, spinal meningitis, paralysis agitans, encephalitis lethargica, and amoebic dysentery, and is made conclusive only in the cases of active tuberculosis and spinal meningitis. The bill is apparently a compromise between the advocates for enlarging the class of diseases and extending the present presumption period applicable to such diseases to January 1, 1930, and the recommendation that all chronic constitu-



tional diseases be presumed to be of service origin if existing to a 10 per cent degree prior to January 1, 1925. While this amendment goes extremely far in eliminating the preference which has heretofore been given to veterans suffering with diseases now covered by the presumption provisions of existing law, it does not eliminate preference. For example, the veteran who suffers an accidental injury subsequent to military service which results in a 10 per cent disability prior to January 1, 1925, is as much entitled to have his disability presumed to be acquired in the service as is the veteran who, through obscure causes, contracts a disease subsequent to military service which results in a 10 per cent disability prior to January 1, 1925. However, under the operation of the amendment in the first case the service origin of the disability would be rebutted, whereas in the second case it would not be rebutted. No justification can be given for this distinction. The measure is essentially a pension measure for disability acquired subsequent to service. With regard to those existing presumptions, it may be stated that it is extremely difficult to justify them on any scientific basis, there being no unanimity of medical opinion as to the part which service may have played in causing the specified diseases. Certainly there is no scientific basis for the presumptions covered by the amendment. On the contrary, there is much evidence to indicate that the incidence of diseases now included in the presumption provisions of the law, as well as those which would be included under the amendment, is not at all peculiar to warfare and is very close to the normal incidence which may be traced throughout the civilian population of our country.

As to those veterans suffering with diseases now presumed to be of service origin, it would seem unwise to make any change which would adversely affect their economic affairs. They have adjusted themselves, having in mind the beneficial provisions of the statute, and it would be unfair to take any action which would disturb them. It is questionable, however, as to whether the Congress should go further at this time and place additional veterans on the rolls at rates payable for service-connected disabilities simply because past Congresses have heretofore extended to veterans suffering with certain diseases the benefit of a presumption of their disabilities having been incurred in the service.

One of the arguments advanced as a necessity for this amendment is the fact that many men are suffering with conditions which in all probability are connected with the service but concerning which they have not been able to produce any evidence which would show acquirement in service. Certainly, some way should be found to take care of these cases. The amendment in this bill to section 5 of the act requiring a more liberal evaluation of lay and other evidence will probably go far to take care of some of these cases. It might be well to create a special board or court with authority to grant relief beyond the limits of the present law in border-line cases where necessity for relief is shown, even though evidence of acquirement of disability in service may not actually exist. Beyond this it would seem unwise to go without a complete study of the needs of all disabled veterans. The Government has always recognized the distinction in its obligation as between those men who acquired disabilities in the service and those men who acquired disabilities subsequent thereto. These former certainly have a greater right to look to the Government for relief, both at an earlier date and in a greater amount. This amendment, if adopted, would commit the Government to a policy of paying an equal amount to a certain group of ex-service men suffering with disabilities not acquired in the service as is payable to veterans who did acquire their disabilities in the service, and leave to a future Congress the adoption of relief measures for those other veterans with disabilities not acquired in the service and not covered by the amendment. The time has come, it is believed, when the Congress should give consideration to treating all veterans equally, grouped into two general classes: (1) Those who acquired their disabilities in the service, and (2) those who acquired their disabilities subsequent to service. Certainly, as to the latter class, we should give some consideration to the question of need in the individual cases. Unless this is done Congress is simply creating more inequalities and the ultimate task of placing all veterans on a parity becomes more difficult, if not impossible, except by allowing the present rates of compensation to stand for non-service-connected disabilities and raising the rates for service-connected disabilities. In this connection there should be considered the question of whether this Government can afford the cost of such legislation.

So far as making the presumption of service origin conclusive for paralysis, paresis, blindness, and those cases of men permanently helpless or permanently bedridden, these conditions to a large extent are the result of misconduct diseases, and while they are probably the most pitiful of all cases because of the usually hopeless prognosis and sociological problems involved, it would seem highly inconsistent for the Government to compensate these men for these conditions, the result of diseases, the acquirement of which in the service was a court-martial offense. Further, it has always been contrary to the policy of the Government to compensate or pension men for diseases which may be said to be the result of their own vicious habits.

The cost of this amendment has been estimated by the Veterans' Bureau to be approximately $76,028,000 per annum. However, it should be understood that in this cost only the disallowed claims on record in the bureau have been considered. It is impossible to estimate the number of additional claims which would be filed. Also, there has not been included in this estimate the cost of administration of such an amendment. The adoption of the amendment would necessitate a review of approximately 600,000 disallowed claims and the adjudication of such cases incident to the reviews. It would mean the examination or reexamination of thousands of men and the work in connection therewith. There is no question but that the cost alone of administering this one provision would be approximately $5,000,000.

I wish to take up the section dealing with tuberculosis.

It amends the act by providing a $50 statutory award for all cases of arrested tuberculosis, irrespective of whether active tuberculosis can be shown between the date of entrance into the service and January 1, 1925. Heretofore the bureau has paid only cases of arrested tuberculosis where activity existed between the dates specified.

This amendment must be considered in the light of the amendment to section 200, which removes the necessity of showing active tuberculosis for the presumption of service origin, although its undesirability does not hinge on the enactment of that amendment. As a result of the adoption of this amendment every man who can show arrested tuberculosis between the date of entrance into the service and January 1, 1925, will be held to have acquired his tuberculosis in the service and will receive $50 per month for life. In considering this amendment it must be remembered that sound medical advice indicates that at least 75 per cent of the entire population is or has been infected with tuberculosis, but due to immunity and physical resistance the condition does not become active or disabling in the majority of instances. It is also agreed that unless preceded by a more or less extensive period of activity the condition diagnosed as arrested or cured tuberculosis is not in itself seriously disabling either from a medical or industrial standpoint. There are certain portions of the country to a great extent populated by persons having such diagnosed conditions, and the manner in which such localities have thrived industrially is one of the best proofs of the statement made above.

When it is considered that thousands of men entered the military service without any notation of these arrested conditions and completed their military service without any adverse effect on such conditions, it does not seem that the Government, by reason of the inclusion of several presumptions in the law, should provide compensation to these men at the rate of $50 per month for the remainder of their lives. Such a provision is essentially a pension measure based on other than actual disability, and in view of the fact that the Government to date has not recognized any obligation to pay compensation for disabilities not acquired in the service, it does not seem just to prefer these men over all others, particularly when many of the others are disabled to a far greater extent.

If a veteran had active tuberculosis in the service or prior to January 1, 1925, and that active tuberculosis has since become arrested, there may be justification for placing that veteran on the rolls at the rate of $50 per month for life, but certainly beyond this the Government should not go, until such time as it is prepared to provide for all veterans. The adoption of this amendment would in reality be the paying of a bounty of $50 per month for a diagnosed condition of which the veteran in all probability would never have been aware had it not been for the medical examination to which he was subjected by the military authorities or the bureau.

The cost of this amendment is estimated at a minimum of $1,800,000 per annum. However, this estimate is based on presently disallowed claims, and in no sense is the true probable cost as the result of additional claims which would be filed under such an amendment. Also it does not include the cost of examining and reexamining the veterans affected, and the rating and adjudication of the cases. The adoption of the amendment

would entail a tremendous administrative responsibility on the bureau, and would no doubt result in endless controversies concerning the existence or nonexistence of arrested tuberculosis in individual cases.

Section 13 of the bill also contains an amendment directing a 25 per cent minimum rating to be included in the bureau rating schedule for arrested tuberculosis. At the present time after two years of arrest the rating schedule provides no per cent for these cases. The purpose of the amendment is to insure that where a man has a compensable disability in addition to his tuberculosis, the rating of the two may be combined and compensation paid accordingly. In view of the fact that those men who have only arrested tuberculosis are paid $50 under a statutory award it would seem that this amendment is only fair. The medical council of the bureau some time ago advised that persons with arrested tuberculosis which follows a period of activity have a minimum industrial handicap of 25 per cent. The cost of the amendment is estimated at $8,000 per annum. This figure, however, is based upon the cases in which service connection has been established under the existing law. The cost of the amendment does not comprehend cases which would be brought in as a result of the amendment to section 200 previously discussed.

There is another part of this bill that is absolutely unjust to the dead and to their dependents.

Section 14 adds a new provision to the law authorizing payment of compensation to the dependents of veterans hospitalized for non-service-connected disabilities, when the veteran files an affidavit with the commanding officer that his annual income is less than $1,000, at the same rate as is payable to dependents of veterans when the veteran dies from disability incurred in or aggravated by the military service. The purpose of this amendment is to take care of the dependents of those men who by reason of the ravages of disease necessitating hospitalization are unable to provide for them. The disabilities of these men have no connection whatever with the military service.

The discrimination which would result from the adoption of this amendment is apparent. As to those men who are hospitalized, we are now spending approximately $120 per month for their hospitalization. The amendment would add to this payment the amounts which would be payable to their dependents. However, it is known that the present hospital facilities of the Government are not sufficient to hospitalize all men suffering from non-service-connected disabilities. Certainly the Government should not give to those men who are fortunate enough to procure hospitalization further relief and deny that relief to those men who, due to lack of beds, are unable to secure hospitalization.

There is also for consideration the widows and children of deceased veterans who died as a result of disease or injury not incurred in service. These widows and children, it would seem, have as much right to look to the Government for relief as have the wives and children of men hospitalized for non-service-connected disabilities. Further, there are the dependents of men incapacitated for work by reason of non-service-connected disabilities, but who need no hospital treatment. Are not the dependents of these veterans equally entitled to consideration? In other words, to provide for this class of veterans and their dependents by specific amendments without giving consideration to the entire problem would seem unjust, and yet to take care of all without a comprehensive study as to the needs of such persons and the ability of the Government to meet such needs would certainly be unwise. Therefore, before the adoption of this or any similar amendment it would seem that a joint committee of both Houses of Congress should give careful and sympathetic consideration to the entire problem and within a reasonable time report to Congress as to the best solution of the problem. There is also for consideration the question of whether the wives and children of these men hospitalized for non-service-connected disabilities are entitled to the same relief as the widows and children of men who died in the service or as the result of disease or injury acquired in the service. Certainly the latter group has a greater right to look to the Government for aid than has the former.

The estimated cost of this amendment is $9,753,400 per annum. This estimate is based only upon the number of cases hospitalized during the last year in bureau hospitals. It is impossible to estimate how many additional veterans might apply for hospital treatment by reason of the enactment of this amendment. Also, there is for consideration in connection with this amendment the fact that thousands of veterans are now in soldiers' homes under the authority of the Board of Managers of the National Home for Disabled Volunteer Soldiers. If these should apply for readmission under authority of the Veterans' Bureau it is possible that a large number would be entitled to the additional allowance for a wife or dependent children. This factor has not been considered in computing the estimate. Further, if the amendment were to be adopted it would no doubt necessitate additions to existing hospitals and additional hospitals, if we are to treat these men equally. To what extent this would increase the Government's hospital program is impossible to estimate, but certainly there would be immediate demand for additional facilities.

There is another provision which says that a man who has incurred some injury not otherwise provided for by legislation, and if it occurred prior to the close of the war in 1918, he, too, is entitled to benefits under this act, whereas we know that there were thousands of men left behind to do military duty over there, after 1918, in barbarous Russia, subject to all the torments of hell, and who received injuries ten times more serious than many of these described, yet they do not come within the purview of this amendment.

So that I say this bill is full of injustice from beginning to end. No one can be proud of it. All of you, if it becomes law, will be ashamed of it.

I thank you. [Applause.]

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. WOOD. I yield.

Mr. JOHNSON of South Dakota. The chairman of the committee has an amendment prepared which will take care of those Russian casualties, which will be offered.

Mr. WOOD. Well, that will help that much.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield one minute to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, during the course of the debate on this bill yesterday in the speech of the gentleman from Indiana [Mr. DUNBAR], the question of the foreign debts—maybe irrelevantly—was projected into the debate. I made the assertion on the floor that the effect of the settlements with England, France, and Italy was that the United States would eventually, if they were lived up to, receive the full amount of the principal of the debts with interest. I have asked for confirmation of that assertion from the Treasury Department and I have received a letter from the Undersecretary of the Treasury, Mr. Mills, under date of to-day, in which this significant statement appears:

> The debt settlements concluded by the United States with these Governments provide that the principal indebtedness as funded will be repaid in full over a period of 62 years with interest thereon at varying rates.

I ask unanimous consent to extend my remarks by printing this letter in the RECORD.

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, will the gentleman put in the RECORD the total amount this Government loses when we take the total principal and interest under the debt-funding agreements and compare it with the total principal and interest under the loans?

Mr. WAINWRIGHT. I think that entire information is set out in the letter.

Mr. SCHAFER of Wisconsin. I hope it is; otherwise your statement is simply muddying the waters and makes the thing appear more outrageous than the gentleman's statement did yesterday.

Mr. WAINWRIGHT. The matter is stated in full detail in this letter.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The letter referred to follows:

TREASURY DEPARTMENT,
Washington, April 23, 1930.

Hon. J. MATHEW WAINWRIGHT,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: In compliance with your informal request there is set out below certain information concerning the indebtedness of the Governments of France, Great Britain, and Italy to the United States.

The debt settlements concluded by the United States with these Governments provide that the principal indebtedness as funded will be repaid in full over a period of 62 years with interest thereon at varying rates. In the case of France, the agreement provides that there shall be no interest for the first 5 years; for the next 10 years, interest shall be at the rate of 1 per cent per annum; for the following 10 years at the rate of 2 per cent per annum; for the following 8 years at the rate of 2½ per annum; for the following 7 years at the rate of 3 per cent per annum; and for the following 22 years at the

rate of 3½ per cent per annum, all payable semiannually on June 15 and December 15 of each year. The agreement with Great Britain provides that that Government shall pay interest at the rate of 3 per cent per annum for the first 10 years and 3½ per cent per annum for the remaining 52 years, all payable semiannually on June 15 and December 15 of each year. The agreement with Italy provides that that Government shall pay no interest for the first 5 years; for the next 10 years, interest at the rate of one-eighth of 1 per cent per annum; for the succeeding 10 years at the rate of one-fourth of 1 per cent per annum; for the succeeding 10 years at the rate of one-half of 1 per cent per annum; for the succeeding 10 years at the rate of three-fourths of 1 per cent per annum; for the succeeding 10 years at the rate of 1 per cent per annum; and for the succeeding 7 years at the rate of 2 per cent per annum, all payable semiannually on June 15 and December 15 of each year.

The following statement shows the total amount that the United States will receive on account of principal and interest over the 62-year period under the debt settlements with these Governments:

	Principal	Interest	Total
France	$4,025,000,000	$2,822,674,104.17	$6,847,674,104.17
Great Britain	4,600,000,000	6,505,965,000.00	11,105,965,000.00
Italy	2,042,000,000	365,677,500.00	2,407,677,500.00
Total	10,667,000,000	9,694,316,604.17	20,361,316,604.17

It should be borne in mind that the principal of the funded indebtedness as given above includes the interest which accrued prior to funding. Such interest on account of the indebtedness of France was computed at the rate of 4¼ per cent per annum up to December 15, 1922, and on the total amount then due (including principal and interest), at 3 per cent per annum from December 15, 1922, to June 15, 1925, the date as of which the debt was funded. In the case of Great Britain interest was computed at the rate of 4¼ per cent per annum up to December 15, 1922, the date as of which the debt was funded. As Italy's indebtedness was funded as of June 15, 1925, the computation of the interest was made on the same basis as that of France. The following statement shows the amounts of principal and interest included in the debts as funded for each of these Governments:

	Original principal (less repayments)	Accrued interest	Funded principal
France	$3,340,516,043.72	$684,483,956.28	$4,025,000,000
Great Britain	4,074,818,358.44	525,181,641.56	4,600,000,000
Italy	1,647,859,197.96	394,130,802.04	2,042,000,000
Total	9,063,203,600.12	1,603,796,399.88	10,667,000,000

Very truly yours,

OGDEN L. MILLS,
Undersecretary of the Treasury.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield one minute to the gentleman from Illinois [Mr. WILLIAM E. HULL].

Mr. WILLIAM E. HULL. Mr. Chairman, ladies and gentlemen of the committee, I do not desire to make a long speech upon this subject, because those who are better posted than I am have made it very clear what is for the best interests of the soldier. There is no doubt in my mind but what the Government should take care of those incurring disease during the war, and those who are incapacitated to make a living should either be compensated or pensioned, and their families to a certain degree looked after by the Government.

I desire at this time to place in the RECORD a letter from Peoria, Ill., under date of April 17, 1930, signed by Louis M. Stacy, commander of the sixteenth congressional district, and my reply under date of April 19, 1930:

THE AMERICAN LEGION,
DEPARTMENT OF ILLINOIS, SIXTEENTH DISTRICT,
Peoria, Ill., April 17, 1930.

Registered special delivery via airplane.

Hon. WILLIAM E. HULL,
Congressman from Sixteenth Illinois District, Washington, D. C.

DEAR SIR: Replying to your telegram of the 16th concerning the Johnson bill, 10381, and the Rankin amendment, 7825, the American Legion looks on the Johnson bill as the most important measure for the disabled that has yet been brought before the House.

We realize that this bill will bring relief to something like 100,000 disabled veterans at an approximate annual cost of $100,000,000, and we also realize the manner in which this bill is to be brought before the House, namely, under the rule allowing 12 hours general debate and with full privilege of adding liberalizing amendments from the floor by House vote. We also further realize what may happen, under the circumstances, to a bill which proposes to spend a hundred million dollars, and we further realize what may happen to the Johnson bill if the Rankin amendment is also passed.

We fully realize the added benefits which the Rankin amendment might bring to disabled ex-service men, but at the same time we look back on previous legislation and vetoes by former President caused by an economical complex.

The using of the disabled and other ex-service men's legislation as a political football is considerable of a sore spot in the hearts of the men of the Legion, and the continued buffeting of the disabled from pillar to post causes considerable ill feeling toward Representatives in the legislative bodies.

Hoping that this explains our attitude, I am,

Very sincerely yours,

LOUIS M. STACY,
Commander Sixteenth District.

WASHINGTON, D. C., *April 19, 1930.*

Mr. LOUIS M. STACY,
Commander Sixteenth District, American Legion,
Peoria Life Building, Peoria, Ill.

DEAR MR. STACY: Your letter under date of April 17 arrived here this afternoon, special delivery air mail.

I am very grateful to you for the information contained in this letter.

I was not sure whether the Legion in my congressional district desired me to go as far as voting for the Rankin amendment or not, and I am very thankful indeed they did not make that request, although I had made up my mind to vote for it unless I was advised not to. I do believe that it would be a mistake and that it would endanger the Johnson bill, which I believe meets all of the requirements that could be expected under present conditions. However, I am in favor of amending the Johnson bill on tuberculosis cases so they can be considered up to 1930. Any man who was in the Army and now has tuberculosis may have contracted it from exposure in the service, and it is my honest belief that the Government should give him the benefit of the doubt and take care of him.

We must all remember, however, that the passing of these bills to take care of the soldiers is running into an immense amount of money, and some discretion must be made not only to protect the Treasury of the United States at the present time but for the taxpayers of the future. The soldiers themselves, within a short while, will bear the burden of the taxes, and in reality they are voting the tax upon their own children and grandchildren; and while I believe any of them would be willing to do that, at the same time it should be done with a certain amount of discretion.

As far as I am concerned, I have the greatest sympathy for the ex-service man; and all of the votes that I have cast up to this time have been in his favor; and I hope as long as I stay in Congress to be of service to him, because, as I have often said, if the Government is not willing to take care of her disabled soldiers, then it should not expect them to enlist in time of war.

I am very grateful to you for your letter, and shall be guided by it.

With the kindest regards, I am yours sincerely,

WM. E. HULL.

P. S.—I am sending you under separate cover the CONGRESSIONAL RECORD containing the debates on the Johnson bill to date. If you should have any other suggestions to offer, kindly wire me collect.

Mr. RANKIN. Mr. Chairman, I yield one minute to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, in reply to the statement made by the gentleman from New York [Mr. WAINWRIGHT] let me say that I hold in my hand a statement prepared by the Treasury Department at the suggestion of Mr. Burton, who was a member of the Debt Funding Commission, who was then a Member of the House and afterwards Senator, showing the amount the Government remitted if it received 4¼ per cent interest, the interest we paid on our Liberty bonds, to each one of these countries, and that the total loss to the United States was $10,705,618,006.90.

I ask unanimous consent to insert this table in the RECORD. It is an official table prepared by the Treasury Department showing the amount we remitted to each of those countries. It shows (1) the countries with which settlements have been made, (2) the date of agreement, (3) the amount of debt funded, (4) interest to be received, (5) total amount to be received, (6) the amount that would have been received on a British basis (3–3½ per cent interest), (7) total amount that would have been received on a 4¼ per cent interest basis, (8) total amount canceled on a 4¼ per cent interest basis, and (9) total aggregate amount, being $10,705,618,006.90, canceled, lost, or remitted in all of the settlements.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The table referred to follows:

Countries	Date of agreement	Funded principal	Interest to be received	Total	Total that would be received on British basis (3-3½ per cent interest basis)	Total that would be received on 4¼ per cent interest basis	Total canceled on a 4¼ per cent interest basis
Belgium	Aug. 18, 1925	$417,780,000.00	$310,050,500.00	$727,830,500.00	$1,041,597,000.00	$1,191,052,000.00	$463,221,500.00
Czechoslovakia	Oct. 13, 1925	115,000,000.00	[1] 197,811,433.88	312,811,433.88	252,890,000.00	327,854,000.00	15,042,566.12
Estonia	Oct. 28, 1925	13,830,000.00	19,501,140.00	33,331,140.00	[1] 33,331,000.00	39,428,000.00	6,096,860.00
Finland	May 1, 1923	9,000,000.00	12,695,055.00	21,695,055.00	[1] 21,695,000.00	25,658,000.00	3,962,945.00
France	Apr. 29, 1926	4,025,000,000.00	2,822,674,104.17	6,847,674,104.17	9,708,825,000.00	11,474,900,000.00	4,627,225,895.83
Great Britain	June 19, 1923	4,600,000,000.00	6,505,965,000.00	11,105,965,000.00	[1] 11,105,965,000.00	13,114,172,000.00	2,008,207,000.00
Hungary	Apr. 25, 1924	1,939,000.00	2,754,240.00	4,693,240.00	[1] 4,693,000.00	5,538,000.00	894,760.00
Italy	Nov. 14, 1925	2,042,000,000.00	365,677,500.00	2,407,677,500.00	4,923,820,000.00	5,821,552,000.00	3,413,874,500.00
Latvia	Sept. 24, 1925	5,775,000.00	8,183,635.00	13,958,635.00	[1] 13,959,000.00	16,464,000.00	2,505,365.00
Lithuania	Sept. 22, 1924	6,000,000.00	8,501,940.00	14,531,940.00	[1] 14,532,000.00	17,191,000.00	2,659,060.00
Poland	Nov. 14, 1924	178,560,000.00	257,127,550.00	435,687,550.00	[1] 435,688,000.00	509,058,000.00	73,370,450.00
Rumania	Dec. 4, 1925	44,890,000.00	[1] 77,916,260.00	122,806,260.00	107,488,000.00	127,122,000.00	4,615,739.95
Yugoslavia	May 3, 1926	62,850,000.00	32,327,635.00	95,177,635.00	154,651,000.00	179,179,000.00	84,001,365.00
Total		11,522,354,000.00	10,621,185,993.10	22,143,539,993.10	27,819,134,000.00	32,849,158,000.00	10,705,618,006.90

[1]Settlement made on British basis.

Mr. HASTINGS. This table is official. The figures prepared by the Treasury Department can not be disputed. We lose, cancel, forgive, or remit on the settlements with the 13 countries, based on 4¼ per cent interest, the amount we pay on our Liberty bonds, the proceeds from which we loan these Governments, $10,705,618,006.90.

On the basis of the British settlement, 3 per cent for the first 10 years and 3½ per cent interest thereafter, we cancel or lose $5,675,474,006.10.

Mr. RANKIN. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. HARE]. [Applause.]

Mr. HARE. Mr. Chairman, I do not rise for the purpose of acquainting the House with the provisions of this bill, but to secure information from the chairman of the committee, author of the bill, or from the gentleman from Mississippi [Mr. RANKIN], who is sponsoring what is generally understood as a substitute. It is my understanding that under the provisions of either bill, up to January 1, 1925, any World War veteran suffering with a disability will be entitled to a compensation.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. HARE. Yes.

Mr. JOHNSON of South Dakota. That is true with reference to the bill under consideration, H. R. 10381, but in the Rankin bill only certain diseases are included, a great mass of diseases not coming under that bill.

Mr. HARE. As I understand it, under the Johnson bill any man who served as a veteran and has a disability prior to January 1, 1925, is entitled to a compensation, regardless of how or where he sustained his disability.

Mr. JOHNSON of South Dakota. That is true under the Johnson bill, if he has a disability to the extent of 10 per cent.

Mr. HARE. Now, I would like to ask just one other question. Is there any provision in the bill anywhere whereby a World War veteran with a total permanent disability may be compensated, regardless of the time or place where the disability was sustained?

Mr. JOHNSON of South Dakota. I was interrupted and did not get that question.

Mr. HARE. The point is this: I obtained information from the Veterans' Bureau a few days ago that there will be approximately 3,000 veterans who are totally and permanently disabled, objects of charity, you might say, who will not be taken care of under either the Johnson bill or the Rankin bill, and I would like to know whether or not that is correct.

Mr. JOHNSON of South Dakota. There can be no exact figures given. There would be men whose disabilities are not service connected, who did not receive their injuries in the World War, who would not receive compensation under either one of the bills if their disabilities occurred after January 1, 1925. All would be taken care of who received their injuries prior to January 1, 1925, under the Johnson bill.

Mr. HARE. Just one more question, and I can best illustrate the inquiry. I know of a young man who has had both legs amputated. He suffered with Raynaud's disease, and they were amputated in 1926 or 1927. He is unable to prove to the satisfaction of the Veterans' Bureau that this disease was contracted while in the service. He has submitted evidence to show that it was contracted while in the service but is unable to prove it conclusively. Now, here is a man who served as faithfully and as efficiently as anyone, and under these two bills, as I understand, he would be entitled to no compensation whatever.

Mr. JOHNSON of South Dakota. No; not at all. If he can prove that he had this disease or had this trouble with his feet prior to January 1, 1925, on account of which disease his feet were afterwards amputated, under the Johnson bill he would receive compensation.

Mr. HARE. I am glad to have that information.

Mr. PERKINS. If the gentleman will permit, it is not necessary to prove it conclusively; all you have to do is to prove it by the greater weight of the evidence.

Mr. HARE. The point I am making, gentlemen, is that I think the people of this country are ready and willing to have the Government take care of the disabled veteran who is totally and permanently disabled, but I think it is unfair to take a veteran who has only a 10 per cent disability before January 1, 1925 or 1930 and say by an act of Congress that his disability is legally presumed to be of service connection and give him a compensation and at the same time say to his next-door neighbor, who is totally and permanently disabled, "The evidence shows that your disability is not of service connection and you are, therefore, not entitled to the provisions of the law." I feel that where a veteran has a total and permanent disability, unable to perform any work whatsoever, some provision should be made for him or his dependent wife and children, particularly where you are providing compensation for others who have as little as 10 per cent disability. I do not believe in this kind of discrimination.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. RANKIN. Mr. Chairman, I yield the gentleman one more minute.

Mr. HARE. As I was saying, I have no objection whatever to the veteran with the 10 per cent disability receiving the compensation, but I do not think it is exactly fair to make the presumption by law that his disability arose while in the service and then deny compensation to his comrade or next-door neighbor who may have both hands off, or both legs off, and is totally and permanently disabled for life. If there is going to be a presumption of law in one case there should be a similar presumption in the other, particularly where he is unable to perform any work whatever and is an object of charity or a burden on his family. Of course, I am going to support the Johnson bill and will vote for the Rankin amendment if an opportunity is afforded, but I hope the committee will see fit to take care of the totally and permanently disabled veteran and thereby prevent his becoming an object of charity or spending the balance of his life in the "poorhouse." [Applause.]

Mr. RANKIN. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR of Louisiana. Mr. Chairman, ladies and gentlemen of the committee, one thing is certain to my mind and that is if we do not get the Johnson bill, or the Johnson bill amplified and enlarged by the Connery amendment, we may as well say good night to any further, additional legislation that will aid and assist the soldiers of the World War.

The gentleman from Indiana [Mr. WOOD] unconsciously struck the keynote of an administration of economy which will preclude any legislation unless we get it now. Another tax reduction and good night, to use a good Americanism, to all thought of relieving the soldiers of our country who went out under our orders, and at that time were glorified almost to the point where they believed they would be deified in the event of death or if they returned living they would be taken care of for the balance of their lives if in need or if confronted by that poverty which apparently has overtaken a great many of them.

Mr. Chairman, ladies, and gentlemen, we must consider this legislation in connection with our general environment and the scheme of things as it exists to-day. All men know that we are pointing inevitably to the day when old-age pensions will have to be considered by the people of America. All people know that we must consider this legislation in connection with the unemployment situation that exists throughout the country. All sensible men must know that we should consider legislation of this character in connection with the machine age that is

dominating the civilization of to-day and necessarily making more and more for unemployment.

I voted to give—to give, because that is all it means, stripped of all sophistry and subterfuge, when I voted for the British funding bill, the Italian funding bill, and all the other funding bills—I was giving, as a representative of the American people, billions of dollars in settlement of the huge sum which we had loaned them and out of which those countries were paying the pensions and the benevolences that we are denying to the soldiers of our own country. This is the whole proposition involved here poured into a nutshell.

Mr. CONNERY. If the gentleman will permit, is it not very strange that, as the gentleman well knows, it is only when veterans' legislation is before the House that we have these letters read about there being a deficit in the Treasury?

Mr. O'CONNOR of Louisiana. That is the only time; and I want to say to the gentleman from South Dakota [Mr. JOHNSON], for whom, like all the other Members of this House, I have an affectionate regard, which goes also for the balance of the committee, in my judgment the logic of his own statement carries him to the support of the Connery amendment, because he argued that if $48,000,000 will do so much for the soldiers, $100,000,000 will do more. If the Connery amendment, according to the statement of the gentleman from South Dakota [Mr. JOHNSON], means the expenditure of $300,000,000, mathematically, the demonstration is certain that the Connery amendment will benefit the soldiers three times as much as the gentleman's own bill.

Mr. PERKINS. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. Yes.

Mr. PERKINS. I sympathize and agree with what the gentleman has said with reference to old-age pensions.

Mr. O'CONNOR of Louisiana. Good.

Mr. PERKINS. It is only a question of time. Now, does not the gentleman agree with the proposition that inasmuch as we are pensioning Civil War soldiers, Spanish-American War soldiers, and compensating World War veterans, we ought to have a commission or a special committee of Congress to investigate and report to Congress on the whole subject?

Mr. O'CONNOR of Louisiana. Unquestionably; but in the meantime let us move to the support of them and do that which the moment demands we should do for them now. Do not make this attempt to secure a study of the whole question a subterfuge to defeat your own purpose by retarding this movement to do justice to the soldiers, and, again, I say, ladies and gentlemen, do not for a moment forget that if you ever have another tax reduction you will make immeasurably more difficult the enactment of the necessary legislation. [Applause.] Independent of the enormous sums secured by taxation, which was high during the war, we expended more than $26,000,000,000 derived from various bond issues, and this does not include the $11,000,000,000 approximately that we lent our associates or allies. If the war had continued for three months longer than it did on the above basis, we would have spent more during these 90 days than we have spent upon our soldiers from the date of the armistice until now. Keep in mind that no one three months before the armistice ever dreamed that the war would terminate in a shorter period than two years from such predictions or prognostications.

Keep in mind that in that period of exaltation we figured that 2,000,000 American boys would die on the battle fields of Europe and that $250,000,000,000 would not entirely measure our expenditures in the holocaust that followed the first day's conflagration that spread and spread until the whole world was on fire. Keep in mind that it was our boys who won the war and saved the ocean of blood that they were willing to soak the fields of France and Germany with in order to protect a civilization that tied up the financial operations of our own country and that of England. Keep in mind that it was our boys, dead and living, that won the war and saved us from an expenditure so huge that our children and their children's children would have staggered under it for generations. Keep in mind that fundamentally, essentially, we fought to maintain a civilization which is controlled, directed, and operated by rich men, who govern, if they do not own, the big banking houses, industrial enterprises, and corporations, railroad and otherwise, not only of our own country but that of Great Britain as well. Keep in mind that Great Britain owes us a debt of gratitude she can never repay, because we saved her banking houses, her vast shipping interests, and tremendous railroad holdings at home and abroad. That civilization was worth the price and worth the sacrifice, provided it keeps in touch with the heartbeat of humanity and the aspirations of American men and women who love their country because of the faith that they have in it as the torchbearer of mankind.

A country is worth fighting for that promises to make the future a little better than the past or present. A country is worth fighting and dying for that will take care of men and women, whether they have served in war or not, who have fought the good fight, "gone through hell with their hats off," who are whipped by fate, and require food, raiment, and shelter. The right to live follows the destiny of birth. Every man has a right to work and live; and when that living is threatened by inventions and machines are made to take the places of a thousand times their number of men and women, government—our Government—must step in, and, by the proper legislation, ameliorate the poverty, distress, disease, and crime that would otherwise result. Legislation such as we are now considering is taking time by the forelock and making for a real economy in the administration of our country's affairs in direct contrast to the extravagance that would flow from a niggardly economy which, when fitted into the picture of unemployment, depression of a world-wide nature, neglected, indigent old age, that would bankrupt the Nation mentally, spiritually, morally, and then financially. Vote for the Johnson bill as amended by the proposed amendment of Mr. CONNERY. You will then be building more wisely than one can prophesy at this time.

It will be the first great step in securing a double purpose. We will acquit ourselves of a solemn patriotic duty to our soldiers and we will be taking a giant stride in that great day that lies ahead when our people will be given the vision and the determination to provide for old age. It is my song early and late. It is my hope and my prayer. Paraphrasing slightly a great American orator's utterance on another great occasion, "If I could be instrumental in eradicating this deepest stain—poverty—from the character of our country I would not exchange the proud satisfaction I would enjoy for all the triumphs ever decreed to the most successful Congress." Write your names in the Book of Gold by making the way for a pension system for all our soldiers that will gradually and surely extend itself so that no man or woman in America shall be in a bread line or without that shelter which the birds of the air and the beasts of the field can and do claim for themselves.

Mr. PERKINS. Mr. Chairman, I yield eight minutes to the gentleman from Wisconsin [Mr. PEAVEY].

Mr. PEAVEY. Mr. Chairman, ladies and gentlemen of the committee, I am one of the Members of the House that believe that we owe a 100 per cent obligation to the disabled soldiers of this country. Both national political parties in this country have for years adopted in their national platform the proposition that they were for the relief of all the sick and disabled if nothing for the able-bodied. There is only one way I can see as a Member of Congress that Members of this House to-day can keep that promise. If you want to make good to the veterans, you must do it by the adoption of the Johnson bill, with the Rankin amendment, and by the passage of the Swick bill, to take care of the 150,000 who will not be taken care of by either the Johnson or the Rankin bill.

This is the course which I, as a Member of Congress, would recommend. Briefly, I want to say that I am opposed to the United States Veterans' Bureau, while holding the highest regard for General Hines and some of his assistants. General Hines is an able executive. No one questions his ability, honesty, or interest, but in spite of this, his seven years' administration of the Veterans' Bureau law has simply emphasized the utter impossibility of administering an impracticable and unworkable statute in the interests of either the soldier or the Government.

I want to say that the law establishing the Veterans' Bureau is unnatural and unsound, and I will tell you my reasons for it.

I believe that one of the collaborators, if not the originator, came from my State, a former insurance commissioner in that State, and he copied the law after the workman's compensation act of the State of Wisconsin.

I want to say that I do not believe any amount of amendments as contemplated in the Johnson bill or in the Rankin amendment will ever make the Veterans' Bureau act and the payment of compensation workable or satisfactory to the soldier, to the Government, or to Members of Congress.

I will tell you why. In the first place, take any one of the thousand veterans for whom you have handled cases as Members of Congress, and what do you find? Any veteran in the front-line trenches or on his way back through the camps in this country, if he had put his own interests ahead of his Government to protect his hospital record and all other records which would help him to establish his case after he returned, he would immediately be recognized and would not find it necessary to come to you as a Member of Congress for relief.

But, on the other hand, any such veteran in the service who put aside his own interests and sacrificed himself for the benefit of his country, now finds himself penalized and not able to

receive the benefits that we would like to confer upon him. In the first instance, dereliction of duty and loyalty to self brings its own reward to the soldier who put personal interest first. While in the second instance loyalty to his country and the country's cause penalizes the hero.

I say to you, therefore, that the only possible way you can do the veterans justice is by amending the Veterans' Bureau act for the present time—the 3-year period to take care of the extra border-line cases, then pass the Swick bill to take care of the other 150,000 veterans who can not prove service connection to establish their claim, and will not be able to do so if either the Johnson or the Rankin bill is adopted.

It has proven itself impracticable and unsound from the standpoint of the Government as shown by the records of thousands of those soldiers for the following reasons:

First, it encourages sickness and disability with resultant great cost of hospitalization, because the degree of disability is the basis of compensation, therefore, the greater the degree of disability or sickness the more compensation paid.

Second, the reverse is also true—just as the soldier improves in health his compensation is reduced, therefore, the law encites and encourages sickness and disability.

I want to say a word more as to why I feel that it is impossible for the Veterans' Bureau act to apply the workman's compensation act to the service and the World War veterans.

The workman's compensation act, as satisfactory as it may be in Wisconsin and other States where it has been adopted, is predicated on an entirely different ground. It is a contract between the employer on one hand and employee on the other to protect their mutual interests. The conditions of employment are known, and more particularly than anything else, both of these parties to such a contract have an absolute right to terminate it at will.

What is the case with the World War veterans of the United States, whom you are now attempting under the Veterans' Bureau act to compensate as workingmen, reducing them to the status of factory employees? You know that they enlisted for the term of the World War. They did not enlist for any specific purpose. They enlisted to do whatever they were told to do, whether it was the common menial labor in the kitchen or in the stable in the camps of the United States, or go over the top and die in France. Ladies and gentlemen, you know that you can not employ the yardstick of a workingman's compensation act to any man who for love of his country is willing to sacrifice his health and life for the country in time of war. If that is true, why do we persist in attempting to apply a remedy that can not be applied in fact or in law.

Mr. Chairman, in my opinion neither General Hines nor any other man or group of men will ever be able to administer the Veterans' Bureau laws so as to give justice to the disabled soldiers of this country or to the satisfaction of their friends or to the Government of the United States. The fault lies not in the administration but in the law itself. It is unnatural and unsound because it seeks to apply a principle of law applicable to labor in peace-time occupation to the veteran of the World War, enlisted or drafted, living, fighting, dying under the terrific strains imposed on the soldiers, mentally, physically, and in every other manner known only to those who served, suffered, and died during that conflict.

No matter how just or generous may be the sympathy of those who propose compensation for the sick and disabled soldiers of the World War, I say to you as Members of this House you can not compensate either the sick or disabled for their World War service. You know that, so why try to do so? Why pretend to do so?

Why rob the veterans of the World War of their glory and valor by trying to compensate them for wounds and sickness? Why reduce the World War service to the same plane as that of civil employment in times of peace?

Why not place these disabled World War veterans on the same high plane as the Nation's defenders in the war with Spain? Why not put them on a par with those grand old veterans of the Civil War? Why not treat them as soldiers instead of peace-time employees and give them a pension.

Why should Congress not say to them, "We recognize, we can not compensate you for what you have done or for what you have lost, but we can and do gladly express to you the Nation's appreciation in the form of a pension for all who are disabled.

"We, the Congress of the United States, mindful of the wishes and desires of the people of the United States tender to you, our disabled heroes, this pension as a token or expression of our esteem for your services to the Government during the World War."

Give to the sick and disabled a pension, and leave it to the country's guardian angel to decide whether service connected or not.

In a measure such as the Swick bill you can do this at a minimum of expense, using all the administration machinery of the Pension Bureau. This will permit the World War veterans to be examined by doctors in their own communities with the least possible expense to the Government and the smallest loss of time to the soldier.

Mr. MOUSER. Mr. Chairman, will the gentleman yield?

Mr. PEAVEY. Yes.

Mr. MOUSER. As I understand it, if the Johnson bill is enacted into law, there will be about 200,000 border-line cases that will be brought within its provisions.

Mr. PEAVEY. I think that is true.

Mr. MOUSER. But there would still be about half a million boys who will not receive compensation.

Mr. PEAVEY. Potentially in the next five years.

Mr. MOUSER. So that really we are not solving the problem of taking care of the disabled by this bill?

Mr. PEAVEY. Only partially.

Mr. PERKINS. There is a provision in the bill that makes it effective for only three years, and within that time we hope some practical method will be worked out to take care of every disabled and needy veteran.

Mr. MOUSER. But, in this three years' time, a lot of these boys will die.

Mr. PEAVEY. Why waste three years? The need was never more pressing as to your 150,000 disabled veterans than now.

Mr. PERKINS. We do not propose to wait for three years. This bill is effective for three years, within which time it is hoped some practical method will be found to deal with all ex-service men on an equal footing.

Mr. PEAVEY. I will answer the gentleman's question by asking him one. Does the gentleman know or has he ever heard of a better system of the Government recognizing the services of war-time soldiers in this country than by giving them a pension; and if that is so, we now have the system and the Pension Bureau; why wait to establish a policy? Why not give these disabled World War veterans relief now at this session of Congress?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman half a minute, so that I may answer his question. I agree with the idea that you can not compensate a soldier for suffering, for anguish, or for loss of life, and that the only thing that you can do in the last analysis is to pension him.

Mr. PEAVEY. Let me say just one word.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I yield the remainder of my time to the gentleman, as it is only half a minute.

Mr. PEAVEY. The adoption of the Swick bill by Congress will automatically reduce the Government's burden for the support of its World War defenders to a minimum. Why? Because it reverses the Veterans' Bureau system of encouraging a man to get sick and remain sick in order to get anything and will by giving these veterans a pension encourage them to live in their homes with relatives and friends and rehabilitate themselves, knowing that they can count on the pension allowed for their present and future support.

The passage of the Swick bill will, in my opinion, relieve the Government of tens of millions of dollars now being paid for hospitals and their upkeep.

In conclusion let me say that I have conferred with every Legion and Veterans of Foreign Wars camp in my district, as well as several hundred veterans. They are almost unanimous for the passage of the Swick bill. They do not want the veterans now drawing compensation from the Veterans' Bureau cut off or disturbed, but they would like veterans drawing compensation under the Veterans' Bureau act to be given the option of remaining or applying for pension under the provisions of the Swick bill.

Mr. Chairman, the thought has been advanced here by Chairman WOOD, of the Appropriations Committee, this afternoon that if we take care of these soldiers in an adequate manner we are going to endanger the Treasury and perhaps bring about the Nation's bankruptcy. I leave this thought with you. There are two kinds of bankruptcy. One is financial and the other moral. Which would you rather have this country face, financial bankruptcy by feeding and clothing its war veterans or moral bankruptcy by letting the sick and disabled soldiers starve?

Mr. RANKIN. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Chairman and members of the committee, it was my lot to be a Member of this House when the United States entered the World War, and the frantic efforts which were made by the officials of our Government to make

the people enthusiastic for the draft, for the conscription law, are still clear in my memory.

Anyone who was here at that time can clearly recall the glowing promises that if we would only pass the draft law, oh, then, when they should come back from overseas, if they did come back, the young men of the country, who were torn from the family firesides, would find the best in the land waiting for them as their reward for the sacrifice made and the service given by them for the country. Yet the very men who talked the most, who were the most emphatic in making such promises to the youth of the country, have in recent years been the most heartless and stubborn opponents of reasonable, fair compensation to the men who suffered the heat of battle on behalf of the United States of America. There is much truth in the sentiment expressed by the gentleman from Wisconsin [Mr. PEAVEY], who spoke just before me. He referred to the possibility of the moral bankruptcy of the Nation as a consequence of the grasping policy advocated in the name of economy. In our effort to save money, let us beware lest we bring about that worst of all conditions, namely, indifference to our moral obligations to the men who risked their lives and suffered in behalf of our country.

We who were here can recall the flowery speeches which were made in urging the passage of the draft law. We can recall the wonderful promises which were made in order to make the people of the country feel satisfied, for the speech makers were fearful as to whether or not the people would approve the conscription law. All who were here during the war know that the men who were to be drafted were promised the best in the land when the war should have ended. Yes; they were told not only that they would be liberally compensated by the Government on account of wounds and ill health, but they were told that their jobs would be waiting for them. Who does not know that to-day thousands of ex-soldiers are walking the streets and highways unable to secure employment? As to the compensation of the disabled ex-soldiers, we all know that scores of thousands of ex-soldiers who are suffering from disease are refused compensation, and that many, many men suffering from tuberculosis have been refused relief because they did not satisfy officials that their illness originated in the service. We can almost say in advance what will be the reason for the bureau's rejection of a claim.

I shall vote to change the pending bill so as to provide that if an ex-soldier is shown to have tuberculosis on January 1, 1930, he will be entitled to compensation unless the Government proves that it was not the result of the service. The law now compels an ex-soldier to prove that the disease was caused by service in the Army and that is unjust. It is almost impossible in very many cases for the soldier to prove, in the way required by the Veterans' Bureau, that tuberculosis was caused by the service. Let us therefore do away with this red tape that results in so much suffering, worry, and even want to the men who risked their lives for the country. Let the Government pay its just debt to its soldiers. Every principle of justice requires that if one person has been injured as a result of another's actions, the injured person should be put as nearly as possible in as good circumstances as before his injury. Surely, when the Government of the United States requires some men to suffer and risk their lives for the Nation as a whole, the least it should offer to do is to recompense those brave soldiers as far as possible.

Away, therefore, with those who when they wanted men for the Army patted them on the back, told them what wonderful men they were, gave them wonderful promises as to what would be done for them, but now tell us that the country can not afford to pay our brave soldiers reasonable compensation. Those who, in 1917 and 1918, talked so much about patriotism and who promised the country's soldiers much when they returned from the war, should remember that patriotism consists not in shouting and boasting, but in righteousness and well-doing. Let us, by our votes on this bill, show that the Government of the United States appreciates the men who served it. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RANKIN. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. PATTERSON].

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. PATTERSON. Mr. Chairman and members of the committee, I have listened to practically all the debate that we have had since we began the consideration of this bill. I think one thing is demonstrated, and that is that we will soon come to the granting of service pensions, including widows and orphans of those who have gone on before and given their best to the country.

It is admitted that neither of these bills, neither the Johnson bill nor the Rankin bill, is what can be termed a scientific measure. There is no more reason for fixing the time limit of this bill at the year 1925 than at 1930, unless it is a financial proposition; and if so, there is nothing scientific about it.

Some gentlemen point out that there is a great probability of a presidential veto in case we undertake to do justice to the World War veterans or give them a measure which carries a very large amount of compensation to them.

I am interested in the headlines of the evening paper where it says the President has asked for $35,000,000 for the construction of buildings here in the District of Columbia. I was not here when we had up the veterans' legislation before, but it seems that the time when we hear most of the necessity of economy and distress of the Treasury is when we have veterans' legislation under consideration.

I yield to no man in my desire to take care of the Public Treasury. I am only a new Member, an humble member of the minority. But I am here to protect the Treasury, and I believe that a number of bills have been passed which we could have done without, as, for example, the bill authorizing the construction of the new annex to the House Office Building, a proposition to expend from $10,000,000 to $12,000,000. I do not think that was absolutely necessary. All those things added together make great sums of money.

Many of these soldiers gave up their homes and went out and spent two or three years of the best time in their lives, while many of their comrades, just a few months older, or who had families, spent their time here, and many of them became rich and millionaires.

I am interested in the statement that we may not have a tax reduction next year. I notice that my friend from New Jersey [Mr. PERKINS] is enthusiastic about this measure, to stop at 1925. I am reminded of an incident out in the West where there occurred a case of horse stealing. The guilty man was captured, and some one in the crowd around him advocated the idea of shooting him, and another advocated the idea of hanging him. Finally, after a long wrangle, they decided to ask the prisoner what he thought of the situation; and he said, "I am as much interested in this procedure as any one of you, but I can not get up any enthusiasm about either plan."

I challenge you to show me any one of these corporations that has gone on the plan of Santa Claus and given to their laborers any proportion of what they have gained.

I yield to no man in matters of being for economy and tax reduction, but I should like to see real tax reduction which would reach the common man who labors with his hands, whether on a farm, in a factory, or wherever; and the small business and professional man who is struggling to make ends meet. I believe that should this House adopt the policy of turning down a great many of the large appropriations which we vote here from time to time, we could have a tax reduction which would extend to the common people. Everyone knows that the kind of tax reduction which we had a few months ago, which has been heralded over the country by some propagandist as wonderful, only relieved those who were most able to pay and not the man or woman whose job or work was barely making him a living. And as I say, I have not heard of one of these who got large relief giving it to workers or others. And while I am on this point I predict that the people some day will understand this situation.

Now, the soldier, even though he gave his all to his country, is not asking for the entire income of the country. No; his demands are reasonable. He is like the poor workingman and farmers, from among whom most of them come, his demands have been very liberal and I stand unqualifiedly for taking care of him. We said when we needed him that nothing was too good or would be. When the war was over we met him as a hero and beat the drum which is all right, but we all know that a great many of them found themselves handicapped by disease and in a number of other ways when he tried again to get on his feet with the economic conditions which he faced. Thousands of them long ago have lost the fight and now sleep with their fathers, and in view of these things I shall give as near as possible justice to those left and the widows and orphans and dependents of those gone on before.

It is stated that our national income is more than $90,000,000,000, and can not we set aside a little measly 1 per cent of that for those millions who offered their all on the altar of their country? I have only one answer, and that is, we can. Yes; I stand for not only bringing the disabilities up to the present, but a service pension, and doing away with a lot of this overhead we know that should go directly to the veterans and their families.

Too, I do not believe all this sham which is being set up running up into the hundreds of millions that the extension of this

service would cost. I do not believe the President will veto any reasonable measure relieving our disabled veterans and their families and bringing it up to date. I do not believe this Congress will deny this when it can vote out millions for so many causes which never reach the great masses of our people.

We profess that we are for the veteran. Now let us call the roll. I am ready to give him justice and will show it by my vote. I consecrate myself to doing my part to see that this great rich country shall take care of the veteran and do it in the spirit which will let him know that it is a pleasure and that we mean to do it amply.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. RANKIN. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. DOUGHTON].

The CHAIRMAN. The gentleman from North Carolina is recognized for five minutes.

Mr. DOUGHTON. Mr. Chairman, ladies and gentlemen of the committee, I am a firm believer in economy. I think it should be practiced as well as preached, not only in governmental affairs but in all the walks of life. But seriously, my friends, I have no patience with the issue of economy that has been raised, when it comes to doing justice to our disabled and uncompensated World War veterans. That is carrying the economy program entirely too far.

Now, the debate on this bill has taken quite a wide range. It has been stated here to-day by members of the Committee on World War Veterans' Legislation that this bill is not what it should be, and the suggestion has been made that we should appoint a commission or a committee, so in the course of two or three years we could work out a scientific, well-balanced measure that would do justice to these disabled and uncompensated veterans. But you all know that in less time than two or three years many of these men who are now disabled and dependent and have no means of livelihood will have passed over to the Great Beyond. It is a disgrace to this great Government that we should consider the matter of economy in lieu of justice to our worthy World War veterans. I think this country owes a debt of gratitude to my good friend from Mississippi, Mr. RANKIN, and my friend from Massachusetts, Mr. CONNERY, for the tireless efforts they have employed in bringing to the attention of the Congress and the country the importance and necessity of some legislation for our worthy and needy ex-service men.

I have here a letter from the commissioner of labor and printing of North Carolina, a World War veteran and a member of the American Legion, a man who travels over North Carolina all the time, and who knows the serious condition of the soldiers.

Here is the letter, which I will read in my time:

RALEIGH, N. C., *April 15, 1930.*

Hon. R. L. DOUGHTON,
Washington, D. C.

DEAR MR. DOUGHTON: I understand that H. R. 7825, known as the Rankin bill, for the relief of the World War veterans, is coming up for consideration in the House on a minority report.

I have discussed both the Rankin bill and the Johnson bill with a great many of the ex-service men in North Carolina, and especially the disabled men, and they are preponderantly in favor of the Rankin bill. If you can see your way clear, I trust that you will join with Representative RANKIN in securing the passage of H. R. 7825.

I desire to say that I shall support the Rankin amendment. If that fails, of course I shall support the Johnson bill. In my judgment, the majority of the soldiers favor the Rankin bill, and I believe it will come nearer doing justice to this worthy class of citizens than any other legislation that is offered, and I shall therefore support the Rankin amendment.

Mr. CONNERY. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. CONNERY. Will the gentleman support my amendment to bring the Johnson bill up to 1930?

Mr. DOUGHTON. I shall gladly support it.

Mr. RANKIN. Mr. Chairman, the other gentlemen who requested an opportunity to speak do not seem to be here just now, and I am willing that we proceed with the reading of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 5 of the World War veterans' act, 1924, as amended (sec. 426, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 5. The director, subject to the general direction of the President, shall administer, execute, and enforce the provisions of this act, and for that purpose shall have full power and authority to make rules and regulations, not inconsistent with the provisions of this act, which are necessary or appropriate to carry out its purposes, and shall decide all questions arising under this act; and all decisions affecting any claimant's right to the benefits of Titles II, III, or IV of this act shall be conclusive except as otherwise provided herein. Notwithstanding the provisions of section 71, title 31, United States Code, the Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of the disbursing officers of the United States Veterans' Bureau for all payments authorized by the director heretofore or hereafter made from moneys appropriated for carrying out the provisions of the World War veterans' act, as amended. All officers and employees of the bureau shall perform such duties as may be assigned them by the director. All official acts performed by such officers or employees specially designated therefor by the director shall have the same force and effect as though performed by the director in person. Wherever under any provision or provisions of the act regulations are directed or authorized to be made, such regulations, unless the context otherwise requires, shall or may be made by the director. The director shall adopt reasonable and proper rules to govern the procedure of the divisions and to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits of compensation, insurance, vocational training, or maintenance and support allowance provided for in this act, the forms of application of those claiming to be entitled to such benefits, the methods of making investigations and medical examinations, and the manner and form of adjudications and awards: *Provided*, That regulations relating to the nature and extent of the proofs and evidence shall provide that due regard shall be given to lay and other evidence not of a medical nature."

Mr. JOHNSON of South Dakota. Mr. Chairman, it is apparent that there has been an understanding among the membership of the House that no amendments will be offered to-night, so I am about to move that the committee rise. Before making that motion I think there is no question but that we can complete the bill to-morrow.

Mr. RANKIN. I would like to have this understanding with those in charge of the bill on the majority side, that we finish this bill to-morrow if it takes until midnight.

Mr. JOHNSON of South Dakota. I think we should have that understanding. So that every Member will understand that we will remain in session until it is finished. If we do not finish it to-morrow, it will lose its place on the calendar because the Rivers and Harbors Committee would be recognized on Friday.

Mr. RANKIN. I will say to the gentleman from South Dakota that I expect to do everything I can to expedite the disposition of the bill, and I hope we will remain in session until it is finished if it takes all night.

Mr. JOHNSON of South Dakota. It will be the understanding that we finish the bill to-morrow if we stay here all night.

With that understanding, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 7491) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCNARY, Mr. JONES, Mr. CAPPER, Mr. OVERMAN, and Mr. HARRIS to be the conferees on the part of the Senate.

REREFERENCE OF A BILL

Mr. IRWIN. Mr. Speaker, I ask unanimous consent that the bill S. 2219, which has been referred to the Claims Committee, be rereferred to the Committee on War Claims.

The SPEAKER. The gentleman from Illinois [Mr. IRWIN] asks unanimous consent that the bill S. 2219, referred to the Claims Committee, be rereferred to the Committee on War Claims. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I understand that that course is agreeable to both committees?

Mr. IRWIN. Yes; it is.

The SPEAKER. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow. Is there objection?

There was no objection.

DECISION OF THE COMPTROLLER GENERAL

Mr. LANKFORD of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a decision of the Comptroller General dealing with World War veterans' disability compensation.

The SPEAKER. The gentleman from Georgia [Mr. LANKFORD] asks unanimous consent to extend his remarks by printing a report from the Comptroller General on World War veterans' compensation. Is there objection?

There was no objection.

Mr. LANKFORD of Georgia. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit the following decision of the Comptroller General of the United States:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, April 9, 1930.

The DIRECTOR UNITED STATES VETERANS' BUREAU.

SIR: Consideration has been given to your letter of March 7, 1930, as follows:

"I have the honor to request your decision in the case of Maston Emory Avera, C-275029, the facts of which are as follows:

"'Maston Emory Avera enlisted in the military service on April 2, 1917, and was honorably discharged July 29, 1919. On July 21, 1918, he was wounded in the Battle of Soissons.

"On August 11, 1919, he filed a formal claim for compensation, as result of which on September 5, 1919, he was given an award of disability compensation effective from date of discharge. On April 28, 1920, he reenlisted and served through December 23, 1920, when he was discharged on a surgeon's certificate of disability. The report from The Adjutant General with reference thereto reads as follows:

"'Discharged because of I. G. S. W. left forearm. FCC both bones and injury median nerve. July 21, 1918. Soissons. Wrist, elbow, and rotation of forearm normal. Union and position good. Healed. Hand, thumb, first and middle fingers limited to 50 per cent of motion. In line of duty. Disabled: Fifteen per cent.'

"Compensation for this period was excluded under the terms of an amended award approved May 2, 1921. He was notified by letter that he was not entitled to compensation during the period of reenlistment. On January 31, 1923, payments were discontinued because of his failure to cooperate and report for physical examination. On July 28, 1925, he reported requesting that his claim be reopened and that he be allowed retroactive compensation from January 31, 1923. Upon reexamination and the consideration of evidence submitted the award was reopened and compensation paid from the time of discontinuance February 1, 1923.

"In December, 1928, The Adjutant General's Office reported that the claimant had reenlisted on May 29, 1922; deserted on November 27, 1922, and was still carried as a deserter at large. The award was thereupon discontinued effective as of May 28, 1922, resulting in an overpayment of $3,163.41. The committee on recoveries, under the authority conferred by section 28 of the World War veterans' act, as amended, has considered this erroneous payment and held that the claimant was not without fault and therefore not entitled to relief. Recently Congressman WILLIAM C. LANKFORD has questioned the legality of the action of the bureau in denying the claimant compensation over the period during which he was in desertion from the last enlistment. In accordance with the request of the Congressman there is transmitted herewith for your consideration a letter containing the arguments advanced by him in opposition to the ruling.

"In this connection attention is invited to the decision of your office dated February 2, 1924, as follows:

"'Furthermore, section 312 of the war risk insurance act provides that compensation shall not be paid while the person is in receipt of service pay. The evident purpose and effect of this and other provisions of the war risk insurance act would seem to be that compensation is not payable to any person while still obligated under an enlistment for active service. It can not be assumed that the law was intended to permit a person obligated for active service to become entitled to compensation by voluntarily and wrongfully placing himself in a nonpay status—for instance, by absence without leave or desertion. An unapprehended deserter is not released from his obligation for active service, and a subsequent enlistment and honorable discharge can not, ipso facto, operate to remove the charge of desertion from the former enlistment nor relieve the deserter from the obligation thereunder.'

"The practice of the bureau at the present time in cases which resemble this is to hold that compensation may be paid from and after the date the man is issued a deserter's release from the Army. In this case, however, the claimant has never secured such a release, and the Congressman states that he believes such a step is not necessary and feels that the payment of compensation in a case like this should not be contingent on the question of discharge.

"The thirty-ninth article of war fixed a period of limitation of three years from time of desertion during time of peace after the expiration of which the deserter can not be made amenable to military law. Any period of absence from the jurisdiction of the United States or any period during which by reason of some manifest impediment the accused is not amenable to military justice must be excluded in computing the 3-year period. The 3-year period of limitation expired in this case on November 27, 1925, unless there was a period of time after his desertion and prior to November 27, 1925, when he was absent from the jurisdiction of the United States or otherwise manifestly not amenable to military law. Your decision is therefore requested as to whether or not in the event this man furnishes evidence showing that he was not absent from the jurisdiction of the United States or otherwise manifestly not amenable to military law he was released from all obligation to serve in the military forces on November 27, 1925, and entitled to compensation for periods subsequent to that date.

"In connection with this question you are advised that there is also pending in the bureau for decision the case of Henry C. Perrine, who during a period of service in the World War which terminated honorably on March 7, 1919, incurred disabilities of compensable degree. By reason of his status of a deserter at large from the Marine Corps under an enlistment beginning March 3, 1920, from which he deserted September 2, 1920, he is not being paid compensation. In this case the Marine Corps has advised that the claimant's status is that of a deserter at large whose trial for desertion is not practicable by reason of the statute of limitations. The Marine Headquarters recently advised over the telephone that there was no such thing as a deserter's release in the Marine Corps.

"At the request of Capt. Thomas Kirby, Disabled American Veterans, there is inclosed copy of a letter addressed to the bureau on November 1, 1929, in connection with this claim.

"Your early advices will be appreciated."

Under the provisions of section 29 of the war risk insurance act as amended March 4, 1923 (42 Stat. 1521), it was held, in decision of February 2, 1924 (3 Comp. Gen. 465), that desertion barred all right to disability compensation on account of service in the enlistment from which deserted or in any other enlistment prior or subsequent thereto. See also for comparison Fourth Comptroller General, page 171, and Fifth idem, page 857, in the latter of which, page 859, are cited the statutes from which may be traced the changes in section 29 of the war risk insurance act and section 23 of the World War veterans' act, having to do with forfeiture of compensation for certain offenses, including desertion. The latter section, as amended by the act of March 4, 1925 (43 Stat. 1303), which is the existing law, added the following proviso, which by the terms of the act was made retroactively effective from April 6, 1917:

"* * * *Provided further*, That discharge or dismissal or finding of guilt for any of the offenses specified in this section shall not affect the payment of compensation or maintenance and support allowances for disabilities incurred in or aggravated by service in any prior or subsequent enlistment. * * *."

Under the plain terms of this proviso the act of the desertion itself of Avera from the Army and Perrine from the Marine Corps, both of which were peace-time desertions (7 Comp. Gen. 108), may not be held to affect payments of disability compensation awarded for disability incurred in or aggravated by a prior World War enlistment from which honorably discharged.

The question for determination, therefore, in each case is whether it is proper and legal to resume payments of disability compensation to beneficiaries carried on the rolls of the Army and Marine Corps as unapprehended deserters from enlistments other than that to which the compensation relates and, if so, the effective date of such resumption of payments.

The only portion of the statute controlling or having a direct bearing on the matter is the following proviso in section 212 of the World War veterans' act, as amended by the act of July 2, 1926 (44 Stat. 798):

"* * * *And provided further*, That compensation under this title shall not be paid while the person is in receipt of active service or retirement pay, this proviso to be effective as of April 6, 1917. * * *"

As contended by Congressman LANKFORD, this proviso was enacted primarily to prohibit a veteran from actually receiving active service or retirement pay and disability compensation over the same period of time. It is not likely that the proviso was enacted with particular reference to the status of unapprehended deserters. But it has become necessary to apply the proviso to the status of unapprehended deserters both in the Army and the Marine Corps, and, in doing so, there must be considered the purpose and intent of the proviso, as well as the laws, decisions, and matters of public policy applicable to deserters. Of course, the unapprehended deserter is not entitled to, and does not receive, active service pay while in desertion or while absent without authority, but it is most unreasonable to conclude that that fact alone would be sufficient to entitle the deserter to disability compensation from the date he deserted. That is to say, there would appear to be no sound basis for holding that a veteran legally in a status under which he was not entitled to disability compensation could, by his

wrongful act of desertion, restore himself to a status under which he would be entitled to such compensation.

Reference is made to decision of February 2, 1924 (3 Comp. Gen. 465, 467), from which you quote. While that decision has, in part, been rendered inoperative by the amendment to section 29 of the World War veterans' act, above quoted, so far as the decision applied to section 812 of the former war risk insurance act, the reasoning therein may be applied in the instant matter. Desertion does not terminate the relationship between the enlisted man and the United States, but there remains an obligation to serve. In the case of In re Grimley (137 U. S. 147, 151) the Supreme Court stated:

"But in this transaction something more is involved than the making of a contract, whose breach exposes to an action for damages. Enlistment is a contract; but it is one of those contracts which changes the status; and, where that is changed, no breach of the contract destroys the new status or relieves from the obligations which its existence imposes. * * * In other words, it is a general rule accompanying a change of status, that when once accomplished it is not destroyed by the mere misconduct of one of the parties, and the guilty party can not plead his own wrong as working a termination and destruction thereof * * *."

In addition, it may be stated that it would be against public policy as tending to encourage, or place a premium on, desertion, if a disabled veteran were permitted, by an act of desertion to acquire a right to again receive payment of disability compensation—possibly, in some cases, in amounts larger than his active-service pay. It would be one taking advantage of his own wrong. While, as previously stated and as contended by Congressman LANKFORD, neither the act of desertion from a subsequent enlistment, nor a discharge or other punishment as a result thereof, may be considered as precluding payments of disability compensation based on prior honorable service during the World War, the considerations above stated impel the conclusion that the resumption of payments of disability compensation to unapprehended deserters from either the Army or the Navy may not be made effective from the date of desertion, but only from and after the last date the veteran could have received active-service pay under the enlistment from which he deserted.

In the Army a deserter may be brought under military control and made to serve out the time lost in desertion, even after the termination of the enlistment period. See the act of April 27, 1914 (38 Stat. 353), and the one hundred and seventh article of war, act of June 4, 1920 (41 Stat. 809). For the purpose of this decision it is unnecessary to decide whether such authority to thus apprehend a deserter and make him serve terminates or does not terminate with the expiration of the 3-year period beyond which a deserter from the Army in time of peace may not be tried and punished. (Thirty-ninth article of war, 41 Stat. 794.) (See in this connection 15 Op. Atty. Gen. 152, 162; 16 id. 171, id. 396; 20 Comp. Dec. 751, 756; 9 Comp. Gen. 223, id. 114, 117.) In any event the time required to be served in the Army, if and when apprehended, would not exceed a period equal to the remainder of the enlistment after the date of desertion, which would be the maximum period during which the deserter could have received active-service pay under the enlistment if he had not deserted or had been in due time apprehended and restored to duty.

In the Navy and Marine Corps there is no law or regulation which requires an enlisted man of the Navy or Marine Corps to make good any time lost by desertion. (See 20 Comp. Dec. 751, 756, above cited, which was cited and followed in 3 Comp. Gen. 874 and 7 id. 523.) The act of August 29, 1916 (39 Stat. 580), as amended by the act of July 1, 1918 (40 Stat. 717), authorizes and requires extensions of enlistment in the Navy and Marine Corps for absences due to misconduct, but the decisions now hold that absences in desertion and other unauthorized absences are not due to misconduct and do not automatically extend the period of enlistment (4 Comp. Gen. 1026; 5 id. 189, 192). Therefore, in the Navy and Marine Corps active-service pay could have been received by the deserter only for a period equal to the remainder of the enlistment after the desertion.

Since the only legal basis for denying disability compensation to the unapprehended deserters in either the Army or the Marine Corps is the statutory inhibition against receipt of the same while in receipt of active service pay, also, and since the deserters would not, under any circumstances, either in the Army or the Marine Corps, be entitled to active service pay under the enlistment except for a period equal to the remainder of his term of enlistment, it may be concluded that when the disability compensation has been withheld for a period equal to the remainder of the term of enlistment, after desertion, there is thereafter no legal basis for a further withholding. In other words, the right to disability compensation must be regarded as the same as though there had been no desertion and the man had served out the full period of his enlistment.

You are advised, therefore, that the rule may be applied when considering service in the Army, Navy, or Marine Corps, that payments of war-risk disability compensation awarded on the basis of prior World War service from which honorably discharged, may be resumed, to an unapprehended deserter from a subsequent peace-time enlistment, at the expiration of the full period of the enlistment from which the man deserted.

The accounts of Avera and Perrine should be adjusted accordingly.

Respectfully,

J. R. MCCARL,
Comptroller General of the United States.

IOWA TRIBE OF INDIANS, OKLAHOMA

Mr. HASTINGS. Mr. Speaker, recently there was a judgment rendered in behalf of the Iowa Tribe of Indians of Oklahoma. That judgment was certified to Congress, and the item was placed in the deficiency appropriation bill, making the appropriation, but there was no procedure outlined for the payment of the judgment. A resolution has been introduced in both Houses, and it passed the Senate yesterday and it was ordered favorably reported by the House Committee on Indian Affairs, and it is satisfactory to the Interior Department to disburse this money. It is embodied in a joint resolution, S. J. Res. 156, and I ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw from the Treasury of the United States funds on deposit arising out of a judgment rendered by the United States Court of Claims, on claim No. 34677 entitled "The Iowa Tribe of Indians against The United States," and cause the total sum, less fees and expenses as fixed by the Court of Claims, to be paid in pro rata shares to all members of the Iowa Tribe of Indians of Oklahoma who were alive and properly enrolled or legally entitled to enrollment on the date of said judgment: *Provided*, That the said Secretary shall cause to be paid, in cash, all shares due or belonging to competent Indians: *Provided further*, That the shares of all other Indians, including minors, shall be deposited to their individual credit and be subject to existing laws governing individual Indian moneys.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the joint resolution was passed was laid on the table.

A similar House bill was laid on the table.

LIMITATION OF NAVIES COMPACT

Mr. MCLEOD. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a statement relative to the signing of the limitation of navies compact.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD by printing a statement in relation to the signing of the limitation of navies compact. Is there objection?

There was no objection.

Mr. MCLEOD. Mr. Speaker, the United States has just been saved $1,000,000,000, which we expected to spend on the naval side of our defense establishment. I advocate turning back one-tenth of this amount for the development of the greatest national defense agency in the world to-day, namely, aviation, as I have provided in my bill H. R. 6609, which is now pending before the House Committee on Interstate and Foreign Commerce.

I am sure that all of the peoples of the world were gratified to receive the announcement yesterday that the five principal naval powers signed a limitation of navies compact toward which the leaders of the various countries have been laboring for the past 14 weeks.

The first important consequences of this treaty is to be greater good will between nations. An important by-product of the treaty is to be the lifting of a large part of the financial burden of enormous armaments. President Hoover and the American naval delegation deserve the applause of the entire Nation for the part they have played in this treaty making.

We are informed by the statement of President Hoover, of April 11, that the saving to the United States in the next six years is to be approximately $1,000,000,000. We are fortunate in not being required to spend this amount of money for battleships, because despite the statements of some naval experts to the contrary there is a strong and respectable school of thought holding the opinion that battleships at best are obsolete relics of a past epoch and would serve no useful purpose either in war or in peace. Money spent for battleships would be money wasted in every sense of the word. Even a large part of the strongest advocates of national defense concede that, and I am an advocate of national defense but not of obsolete national defense.

My purpose in speaking to you at this time is to call your attention to the fact that one particular instrumentality is uniquely adapted to both the pursuits of peace and of war, and at the same time is still in the embryonic stage of development. I refer to aircraft. The age of battleships is fading out in the dim past. The age of flying is expanding before us. Will we be as proud of the part we play in this new age as we are of the part we played in the past?

Since we have been so fortunate as to save $1,000,000,000 from being wasted in battleships, let us look well to our future course. One-tenth of this amount of money spent immediately in the further encouragement of commercial aviation will in the opinion of many be at least equivalent for national-defense purposes to $1,000,000,000 in battleships and at the same time will be a productive investment from an economic standpoint and, best of all, will be a further step in the building of international good will, because nothing is better adapted to bring about the mutual understanding of different nations than quick and cheap communication between them, which permits the rank and file of their respective citizenry to intermingle at will.

For a number of years past I have proposed the above-mentioned bill, which I have again introduced in the present Congress, to provide $100,000,000 loan fund for the encouragement of private enterprise in commercial aviation. I now call upon Congress in its wisdom to take advantage of this most opportune time to set aside a little of our national pocket money against future contingencies. There will never be a better opportunity for the wise expenditure of one-tenth of a billion dollars.

ELECTRIC POWER RESOURCES OF THE UNITED STATES

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter addressed to Vice President Charles Curtis relative to the electric-power resources of the United States.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD by inserting a letter addressed to the Vice President with relation to the electric-power resources of the United States. Is there objection?

There was no objection.

Mr. McLEOD. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter addressed to the Vice President with relation to the electric-power resources of the United States:

WASHINGTON, D. C., *April 21, 1930.*

Hon. CHARLES CURTIS,
Vice President of the United States,
United States Senate, Washington, D. C.

MY DEAR SIR: Under the irresistible pressure of my imperious duty, and in response to the demand of common justice, I must write this final memorandum. Our self-respect and our obligation to the tribunal of history impel me to express only a few but irrefutable facts, so as to fix the responsibility to our inculculable losses which have been caused by some obstructionists, by hindering the advent of a creative work.

Certainly, deeply deplorable as it is, the perpetration of this hindrance as the beneficial utilities of the matter are beyond human conception. The eventual possibilities of it can not enter into the powerful imagination of a most fertile brain of any exceptional prodigy.

The attainment of such a factor became the supreme aim of the man's progenitor since the first day he trod on this planet. He found himself in the wilderness, naked, defenseless, and destitute, surrounded with ravenous beasts, venomous reptiles, and subject to the agonizing and destructive evils of nature.

In the strife of existence and in the pursuit of gratifying things of nature, the hand of this primate raised against his weaker brother. Anxiety for existence and supremacy for enjoyment created the eternal struggle between brothers. Since the first fratricide this bloody conflict is continuing, although in different ways and manners.

"Never sun sets without witnessing the shedding of human blood and the sufferings of the maimed and mutilated."

Starting with the origin of man, although different in volumes, the perpetual rivers of blood and tears are flowing ceaselessly. A microscopic examination of all strife or wars will find two main causes or motives, namely, life and power or self-existence and supremacy. Perhaps human intellect may mitigate some artificial conflicts or miseries. Nevertheless, the spontaneous or forced struggle of unavoidable factors are inalterably destined to be perpetuated until the advent of industrial Messiah, the Free Energy.

The resource of this emancipative energy must be inexhaustible. It should be produced freely, without expense, and without labor. Not only manufacturers but all and every farm, hamlet, and home also should obtain freely and easily ample energy for heat, light, and motive power. Its instrumental medium, the machine or engine, must work in the cellar or garret, in the depth of valleys, or on the top of hills, as it should work in the frigid poles or Tropics, by day and by night.

Luckily, the above-mentioned work, my invention or discovery, the Garabed, is vested with these requisite qualifications and requirements.

The United States Congress accepted my offer to utilize freely my work in all United States Government's own use, and passed a resolution for it. The President vetoed the resolution to the satisfaction of some persons who publicly were accusing me of stealing their inventions.

In the reconsideration of it an amendment had been attached to it. According to its stipulation, first, I have to divulge my secret and substantially verify the entire practicality of my work by actual demonstration before eminent scientists. Then, after these disclosures, it should be decided to whom really does belong my demonstrated invention. Such a decision, of course, should be made by a series of courts.

Upon this victory my enemies became bolder and wilder in their accusations and vilifying me. It seems Prof. Elbert C. Kilpatrick had been intoxicated by the alteration of the resolution. But he had not been appeased by disgraceful disparagement and slanderous but effective accusations and insolent attacks that had already been heaped upon me. He came forth again. In part it reads, as follows:

[From the Washington Times, Thursday, June 27, 1918]

GARABED WAS STOLEN FROM HIM, INVENTOR HERE CLAIMS—ELBERT C. KILPATRICK, OF SAN FRANCISCO, IN CAPITAL WITH GENERATOR HE SAYS ARMENIAN PURLOINED

"If the story of Elbert C. Kilpatrick, of San Francisco, is to be believed, the 'Garabed' free-energy generator, which Garabed T. K. Giragossian, the Armenian inventor, announces will be given a formal test on Saturday next before five scientists in Boston, is stolen property.

"Kilpatrick has just arrived in Washington from San Francisco with a model of what he claims is the same generator Giragossian proposes to offer the Government.

"The model, which Mr. Kilpatrick says he will set up in Washington for demonstrations, has already reached here by express from San Francisco, he announces, and as soon as a suitable location can be found it will be given a test that he may make another claim for his patent.

"Millions of dollars, Mr. Kilpatrick asserts, are at his disposal to press his claims, and he declares he will remain in Washington until the rightful owners of the free-energy generator get control and protection by patent rights."

Hardly an inmate of any lunatic asylum will commit such a gross blunder by throwing his life work to the feet of his ambuscadors and thereafter to stand before a magistrate, so as to absolve himself from the crime of stealing a patent that never happened.

Therefore, for these and some other reasons, I did not display to the authorized commission my working engine on June 29, 1918. Thereupon my supposed failure, Professor Kilpatrick stood before some Members of the United States Congress, sad and despondent, because he had not what he persistently and publicly claimed to have. Another claimant, exposed imposter and swindler, H. Perrigo, had ingeniously conspired to deceive some Members of Congress and some official scientists, but they found out his trick.

However, after the exposure and disappearance of those imposters, I came again to Washington, D. C. Joint resolutions had been introduced in the United States Senate and House for the purpose of repealing the aforesaid amendment, attached to the original resolution, which is yet on the statute book.

Upon the expiration of the congressional session again and again identical resolutions had been introduced. Several times they have been favorably reported.

On April 5, 1926, the resolution was passed by the House, but because of the opposition of the Senate committee's chairman the resolution did not come before the Senate for a vote, and so died.

In the Seventieth Congress identical amendatory resolutions again have been introduced in two Chambers of the Congress. Both of them have been favorably reported. The chairman, Senator JESSE H. METCALF, of Rhode Island, opposed the resolution and he issued a hostile report, signed by him and Mr. WATERMAN, against the remaining five members of the committee. Thus this last resolution also has been killed by the opposition of the chairman.

For the elimination of the nullifying amendment, personally and several times I met the great majority of the United States Congress Members. They were in favor of repealing it. I most sincerely believed and confidently relied on their word. Just precisely for this reason I have been here in every session of the Congress during the past 11 years or so. This honest and firm belief of mine and sincere expectation have been confirmed and verified overwhelmingly when the resolution in question came before the House. It passed very quickly, although it has been killed in the Senate committee room by its chairman.

I have not been in favor of reintroducing again an identical resolution in the Seventy-first Congress. Without the support of the administration Senators it is impossible that the resolution can pass the Senate over the opposition of Senator METCALF.

Deeply appreciating the favorable attitude of our Congress and realizing the great magnitude of the first benefit, moral or material, which our country will enjoy, therefore I thought—and it has been suggested,

too—that it is my unavoidable duty to submit this matter to the consideration of our President, Herbert Hoover. I did so, inclosing three joint resolutions, the one passed once by the House and the two favorably reported by the committees. From a secretary of the White House I received a mere usual acknowledgment for it. However, I do not think that the President will personally get my letter. Therefore I am duty bound to present it for the CONGRESSIONAL RECORD.

The following is the transcript of my letter:

To His Excellency HERBERT HOOVER,
The President of the United States,
The White House, Washington, D. C.

MY DEAR SIR: Believing sincerely as I do that Your Excellency will take a profound interest in a matter which by its inborn characteristics is qualified to be a most useful instrument for the achievement of your noble object, the furthering of the public welfare, therefore, and for some other reasons, it became my unavoidable sacred duty to write this letter and inclose some papers related thereto.

This matter is to offer an inexhaustible and illimitable source of costless motive power, attainable free, everywhere, at any time, and in every season.

Certainly it is unnecessary here to describe its numerous utilities. Nevertheless, I entreat your generous permission to mention only a few of them which should be serviceable to the cause of farm relief, etc.

This work of mine can supply the farmer with abundant, costless electricity by which he is to have light and heat, and by which he will plow and electrify or fertilize the soil, or he may prefer to produce freely nitrate for the same purpose.

It can draw torrential streams from possible sources for irrigation and domestic purposes in those parched and thirsty farms. And the farmer will enjoy great facilities in transportation and invigorating pleasure in the inexpensive traveling.

It is becoming a most intricate problem, the conservation of the fuel—coal, oil, and even wood. Only the advent of costless motive power can adequately solve it without expense.

Thus my work is capable in many ways to assist and especially to convert your relief projects into permanent remedies.

It is well-nigh incredible that the safe advent of this invaluable gift of nature has been hindered for so many years. But this tedious protraction since 1921 has been engineered by the "bureaucratic interference," and provable gross misrepresentations of the Patents Commissioner, Mr. Thomas E. Robertson.

On February 3, 1928, before the full House Committee on Patents, Mr. James Austin Stone, a patent attorney, in his acrimonious statement, said, "I and the association which I represent would rather see that man [Giragossian] die with his secret than that this resolution should pass."

If I can substantially verify the entire practicability of my claim, at my own expense, am I entitled to be considered the inventor of it, provided that prior to my demonstration any invention similar to my claim will not have come into public use?

This matter in question is an accomplished contract between two parties, as it is already a law on the statute books of the United States of America. Accordingly, the United States Government has the right to use freely my work in its Navy, Army, etc., and without any charge or royalty. I can not sell any right in it to foreign countries without the consent of the United States Congress. I am obliged to sell my partial or universal right to the United States Government, if it desires. Has not the United States Government the right to enter into a contract, and to render it workable by amendment, without the consent of its subordinate? By what right and for whose benefits this commissioner and some patent attorneys are interfering in this affair?

Nearly 25 years I toiled arduously and with irretrievable, most precious sacrifices for the achievement of this work. It was always my fervid desire and highest aspiration to bring it into the light in its birthplace, the United States of America.

I have been crushed by excessive labor and exacting hardships. I was suffering as I am now under the depression of agonizing bereavements. But, for all that, I endured and endeavored by exerted efforts to render this worthy service to my adopted country, where I conceived and have been helped to a valuable success. Till now, during all my struggle, I lived in penury and tormented with rheumatism. But lately I am effectively feeling the heavy pressure of my advanced age. Therefore, I can not strive any longer for the fulfillment of my expressed wishes.

I have done more than my share. After working and meditating for 38 years here, if I should be driven out by a certain class of disguised dictators and bureaucrats who crave for my death, having no mercy, no regards to the interest of our people, and of all humanity as well, then I will be very sorry indeed. But I have no complaint. Thanks to destiny, it can not be expected that our conscientious and liberal President will tolerate such a cruel imposition, nor will His Excellency permit that such a natural gift of inconceivable magnitude be lost to our people, to humanity, and perhaps to all posterity forever, who knows?

Undoubtedly this matter will enjoy the support of our President, provided that the precise truth may be imparted to His Excellency.

My dear Mr. President, submitting this whole matter to your conscience and intellect here my duty terminates and my career ends.

Hoping confidently that you will be pleased to support this project, I have the honor to remain,

Most respectfully yours,

GARABED T. K. GIRAGOSSIAN.

MAY 27, 1929, *Washington, D. C.*

However, it seems appropriate and serviceable to express some more utilities of free energy.

We are told that Greenland is the producer or storm center of the North Atlantic, and that the ice chest of the Arctic is responsible for countless tempests, etc.

For some astronomical reasons, in the opinion of certain scientists, the Arctic glaciers are to melt away and vanish within or about the end of 10,000 years. Therefore, our succeeding generations also have to suffer through the effect of the frozen Arctic.

Now it is claimed that electricity can destroy ice far better and more successfully than dynamite. If so, some millions of horsepower of electricity should annihilate those calamitous mountains of ice that caused so many disastrous wrecks, millions of premature deaths and untold miseries, inflicting upon armies of innocent souls countless, but unsuspected illnesses and diverse tribulations. Worst of all of them, these bleak usurpers desolated once fruitful vast stretches of territories and confiscated them to the sorrow and detriment of all concerned.

While illimitable costless electricity can be generated under the Garabed system, while this generator is portable and detachable, and while this generator can be constructed at an astonishingly small expense, then the foregoing suggested project is as feasible as the construction of the Lincoln Memorial Bridge upon the Potomac.

If the will of Providence may set this miraculous gift at the disposal of public service, that will signify the doom of glaciers. Thence the creative mind and venturous spirit of revengeful man will hasten to bury those glacial devastators in the abyss of a bottomless grave.

Thus, the mighty current of costless electricity will deliver the entire arctic zone from the freezing and suffocating bondage of ice and frost, obliterating its icy blanket.

The accumulated ice of the Antarctic is to meet the identical extermination of the Arctic ice chest. In this respect, an apprehension is lurking in certain minds that the melting of such a supercolossal ice will raise the present water level of the oceans and seas and that it will incur great damages. To this gloomy prediction it is responded that in the Sahara there is a dried bed of an ancient sea, over 300,000 square miles, another one in Australia. A few powerful engines can fill and feed the latter one from the sea.

However that may be, all depends upon the practical success of clearing the North Arctic from its glaciers. Undoubtedly it is to be an accomplished fact by the advent of the Garabed.

The recovery of those vast continents can not satiate the lofty aspirations, nor will it appease the burning thirst of craving man for venturesome, and heroic exploitation.

Some daring, foresighted and dreaming student of science then may suggest that our oblique earth can be and should be straightened. All that is necessary is to surround the cleaned South Pole with a strong belt of iron and to magnetize it, then our mighty sun will accomplish the rest.

If only a few eminent scientists will approve and ascertain these speculative theories or hypotheses thence this most exciting enterprise will be started. The tireless human hand that forged and stretched on the earth millions of miles of rails can also easily belt the Antarctic with a sufficiently strong iron frame. And to magnetize it, the Garabed will supply freely abundant electricity, or as much as may be deemed necessary. If as a natural outcome of them all New England may enjoy an additional heat of 5° or 6° F., it will be as fertile as Italy's or France's soil, on the same latitude.

Thus the prospective marvelous rôles of the free energy in the near future are becoming more apparent and more numerous, as the needs of its immediate application are growing almost in the manner of geometric progression.

Since the World War there exists a restless and exerted general endeavor for the procurement of a new source of motive power. Behind this enduring and forceful strife rest precisely the same unconscious or purposeful objectives of our progenitors—i. e., the abolition of drudgery and poverty.

For the success of this age-old and intensified pursuit the whole world should be exposed and laid open to a relentless exploitation. The usefulness and productivity of every object should be augmented. White-collared employees should have inexhaustible but delightful occupation. The gain or earning of all and every worker must enhance the manyfold that the increase of the growth of the necessaries of a refined life and luxuriant society demands.

At present these evidently chimerical, visionary, and even ridiculously grotesque but in reality most rightful and eminently rational requirements of human aspiration can effectually be realized and utterly fulfilled under the Garabed system, through the utilization of free energy.

I promised to our Congress to save from exhaustion one of our best natural wealth, the coal, oil, or fuel, for the destruction of which we are annually sacrificing over $22,000,000,000. What did my opponents preserve or how many dollars did they save by preventing the advent of the costless energy?

I promised, as I am able to give, the charter of a new world abounding with incalculable riches. I promised, as I am able to offer, an incredibly beneficial factor which can immensely enhance the productivity of industry, as it will convert the deserts and wildernesses into vineyards, orchards, etc. What did the opponents of this marvelous work give or are they going to offer? I promised and endeavored to assure our Congress that our country can easily and practically possess this natural gift of innumerable blessings which will greatly accelerate the advance of art and science, banishing drudgery and poverty from this planet, thus obliterating the main causes of human sufferings and miseries, it will establish universal prosperity and eternal peace and good will among all human races.

With grateful thanks and highest esteem, I have the honor to remain

Most respectfully yours,

GARABED T. K. GIRAGOSSIAN,
From Boston, Mass.

WASHINGTON, D. C., *April 21, 1930.*

LIBERTY AND LAW

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a radio address delivered by the gentleman from Kansas [Mr. HOCH].

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by printing a radio address delivered by the gentleman from Kansas [Mr. HOCH]. Is there objection?

There was no objection.

The address is as follows:

DRIVING HOME STERN POSITIVE FACTS—A POWERFUL GRANGE RADIO BROADCAST, GIVEN MARCH 15, BY CONGRESSMAN HOMER HOCH, OF KANSAS

The invitation extended by officers of the Grange to speak during their radio hour to-day is deeply appreciated. The Grange is one of the oldest and finest of farm organizations. Its high ideals have been maintained through all its years. Not only has it served the interests of the farm and the farm home but by its fine educational, social, and civic activities it has promoted the cause of good citizenship and good government.

We have had such a deluge of talk about prohibition that reference to it almost calls for apology. And yet I agree with Grange officials who have asked me to say a few words about it that, however tiresome the subject may have become, this is no time to quit the fight. Issues larger than prohibition alone are at stake. As to prohibition itself both sides have a right to their opinion. Those who oppose the law are entitled to seek its repeal if their methods are fair and honest. That right is fundamental in the American system. But no citizen in America is entitled to violate the law, to connive with the lawbreaker, or to counsel nullification. That, also, is fundamental.

Nullification lifts its head in high places. A few days ago Congressman BECK, of Pennsylvania, a very distinguished lawyer, delivered in the House of Representatives an address against prohibition. Like all his utterances it was scholarly in character. It was embellished with allusions to history and literature. It was garnished with fine phrases. But in the midst of the alluring rhetoric a proposition was advanced which was amazing in character. He contended that the eighteenth amendment is to be regarded simply as a grant of power to Congress to act if it saw fit to do so; that it is to be classed with the power to regulate interstate commerce, to pass patent and copyright laws, and with other such grants of power in the Constitution.

While I have high regard for the ability and learning of my colleague, I submit that a more fallacious or destructive proposition has seldom fallen from the lips of any man with any reputation as a constitutional lawyer. The first section of the eighteenth amendment declares the manufacture and sale of intoxicating liquors for beverage purposes as unlawful. Its language is precisely in line with the language of the thirteenth amendment, which prohibits slavery. The second section, like the second section of the slavery amendment, provides for enforcement laws to make the first section effective. And yet my friend, Mr. BECK, contends that it was entirely discretionary with Congress whether it pass any laws at all to enforce the first section. By solemn declaration in the Constitution certain things are declared unlawful.

Those who do those things are offenders against the supreme law of the land, whether there is any enforcement statute or not. To say that a Member of Congress need recognize no responsibility to make the Constitution effective is to make the oath which he takes a lip service only, meaningless, and a farce. He may oppose specific proposals on the ground that they would be ineffective, unwise, or contrary to some provision of the Constitution; but to say that he has no obligation to be for any law at all to carry out the solemn provisions of the Constitution is to strike at the foundation of representative and constitutional responsibility. Mr. BECK may not consider his doctrine as nullification but I know no other name to give it.

As to prohibition itself, I would not minimize the violations. There are sections and communities where wet sentiment makes enforcement a tremendous problem. No sane and fair defender of the law will refuse to look the facts squarely in the face. But this much certainly is true, that in determining whether the law is a success or a failure, it is not enough to point out violations. That test would require repeal or modification of many criminal laws. Thousands of automobiles are stolen every year; violations of the narcotics law are widespread and serious; the number of murders is an indictment of our civilization. More than that, the fair comparison is not with a condition of perfect enforcement, but with conditions which would exist to-day if we had no prohibition in America. Does any sensible person think that pay-day nights would be better, that families would be happier, that the highways would be safer, that drinking among young people would be less, that public life would be cleaner if we were to restore a legalized liquor traffic with its open allurements and its unrestrained influences? Would not the evils of the old days be vastly increased in these postwar and high-tension days? I lived in Washington for three years 25 years ago, in the old saloon days. Drunkenness on the streets was a common everyday sight. To-day it is comparatively uncommon. In the old days when there was a bar in the Capitol it was not an unusual occurrence for Members to come onto the floor of Congress intoxicated. Now, it is such a rare happening that it practically never occurs. I can count on one hand the times I have seen it happen during the 11 years of my membership.

Another sophistry used against prohibition is the old platitude that "you can't make people good by law." Of course you can't. No one has advocated prohibition on that theory. It is not the purpose of prohibition to make people good by law. That is not the purpose of antinarcotics laws, of laws against theft, or of any other criminal laws. You can't make a man honest by a law against theft; you can't take hate out of his heart by a law against libel or personal violence. But you can make it unhealthy for him to commit these offenses and get caught at it. In this regard prohibition stands on precisely the same ground as other laws. The Nation has determined that traffic in beverage intoxicants was contrary to the public welfare, that as a destroyer of family life, a demoralizer of industrial life, and a corrupter of political life it was an evil which should no longer be regarded as legitimate and legal. On that ground and not on the ground of making people good by law, prohibition is founded, and on that basis success or failure must be determined.

In view of recent wild, irresponsible, and utterly exaggerated statements concerning prohibition in my own State of Kansas may I say just a word. That there are violations in Kansas, as there are in other States, is, of course, true. Conditions are far from perfect. By the same methods used by these wet writers who are sent out by wet papers to get wet facts you could make out a case for repeal of the law against larceny. But let me tell you what the people of Kansas think about the law. They have gone through the long fight, with certain wet cities at times in open violation of the law, and with law enforcement handicapped by attack from bordering States that were wet. And in spite of all the imperfections and incidental failures of the law, the sentiment is such that no man runs for public office in the State either on the Democratic or Republican ticket except upon a dry platform. That is the judgment of a progressive and intelligent people upon the economic advantages, the sociological advantages, to say nothing of the moral advantages of the law after a trial—not of 10 years but of 50 years.

Another brief word and I am through. The time has come when people have a right to demand that public officials shall square their personal practice in this matter with their public duties. Disregard of the law by the private citizen is bad enough. But law-breaking by the public man charged with the responsibility of making laws or administering them assumes an added evil. His offense is a sinister one. By the violation of his oath and the force of his example he helps to destroy that faith in government without which orderly government fails. This truth goes for all officials, local, State, and National, who have taken the solemn obligations of public service. The public official who talks dry and drinks wet is entitled to be restored to private life.

But private citizens also must meet the issue. Too many people in America who pose as good citizens, who wear the garb of civic respectability, seem to think it smart to disregard this law and other laws. To tolerate that spirit in America is to play with fire. Men of large property might well remember that when they flout one law they breed disrespect for all. Do they forget that the security of their property rights is to be found in the solemn guaranties of the Constitution? Against those guaranties is the smouldering hatred of the lawless elements in America. Tear down these guaranties and these smug disobeyers of one law will find themselves naked and defenseless.

We boast of our liberty in America, and well we may. But we need to remember that we can not long maintain liberty unless side by side with liberty we maintain respect for law, which alone makes liberty possible in the world.

EXTENSION OF REMARKS—WORLD WAR VETERANS' LEGISLATION

Mr. GLOVER. Mr. Speaker, ladies, and gentlemen, the bill now before the House for consideration, H. R. 10381, is possibly the most important legislation that has come before Congress during this session, which is a bill to amend the World War veterans' act of 1924.

This bill, when passed, ought to take care of all the veterans of the World War who made a sacrifice of their health or limbs in defense of their country. We should not forget that only a short time back when the security of our Nation was threatened and war made on our Government, that we were forced to defend ourselves. Congress at that time passed a law and put these men, the flower of our country, into the greatest world conflict that has ever been known.

Knowing that this was to be a great conflict, the law was passed so as to secure those who were most capable in point of health and age to endure the hardships of the conflict. We can look back and picture these young men pursuing every vocation and avocation of life without any thought on their part that they would be plunged into war. They were summoned before an examining board in each of their respective counties. A thorough test was made and those found to be physically fit and sound were put into service, trained for a short time, and sent into battle. Many of those who went into this conflict made the supreme sacrifice and gave up their lives in defense of their country, mother, and home, and many of them now sleep in Flanders Fields.

Many of those who returned to their own land, came back shell shocked, gassed, wounded, or broken down in health, and a Government that would not care for them after calling them into service and after they have made this great sacrifice would certainly be an ungrateful Government.

If we could picture before us to-day the great battles in which they fought and in which they were wounded and in which they endured hardships beyond expressions, we would not hesitate to do them justice now.

The World War veterans' act of 1924 did not provide for the ex-service men as it should have, or as they were entitled to. The law in the manner that it was drawn was technical in many respects and made a great hardship for many of the ex-service men who are worthy and who are in distress to get relief and many could not get relief under that act. Some criticism of the manner in which the Veterans' Bureau has been conducted has been indulged in on this floor, and much of it we are forced to believe was not justified. General Hines has, in my opinion, filled this position as well as any man in the United States could have done under the existing law.

It has been my privilege recently to appear before this board in the interest of a veteran, and I take pleasure in saying for them that I was never accorded a more careful and considerate hearing than that given the matter that I assisted in presenting.

The greatest injustice to the World War veteran in presenting his claim to the Government has been in the adoption of a policy of resolving all doubt in favor of the Government rather than in favor of the ex-service man. This bill changes that presumption and a provision is put into this law as follows:

That an ex-service man who has shown to have or, if deceased, to have had prior to January 1, 1925, a disability developing a 10 per centum degree or more in accordance with the provision subdivision (4) of section 202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting disability in such service between said dates and said presumption is made conclusive in cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless, permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence.

This will enable many veterans that are now denied relief the right to receive the compensation that they are entitled to.

I think this provision is right, but it is my opinion that it should make this presumptive period 1930 instead of 1925.

If a soldier acquired his disability in service, or if he suffered an aggravation of preexisting disability which has caused tuberculosis, paralysis, paresis, blindness, permanent helplessness, or became permanently bedridden, or spinal meningitis, he should not be limited at all but should be cared for by the Government if that condition was produced and caused by service for his country.

I had hoped that this bill would make the presumptive period 1930 instead of 1925, but I will support the bill, anyway, if we can not get the amendment, as it is a wonderful improvement over the act of 1924.

We recently passed a resolution authorizing the appointment of a joint committee from the House and Senate to prepare a constitutional amendment looking to a universal draft law of capital in case of war. While many thousands of persons were rendered cripples and helpless for life in the last war, and while many made the supreme sacrifice of their lives and left their widows and orphans, on the other hand there were many thousands of persons who made themselves multimillionaires.

If a law was passed, and it should be, that in case of war that excessive profits should not be allowed and that all property necessary to be drafted in case of war the Government would have a right to draft property just as they now draft men.

It is to be hoped that we will never again be plunged into a condition as we faced in the last World War. We have a mighty and great Nation, the wealthiest Nation in the world, and we should so conduct ourselves before the world in a national way that we would have the supreme friendship and good will of all nations, and the possibility of war should be removed as far as is humanly possible.

Four-fifths of the revenue of the United States Government is now being spent for the maintenance of the Army and Navy and for caring for those injured in our wars and the payment of interest on indebtedness caused by wars. Our old Monroe doctrine of having no entangling alliances with other nations is indeed a very fine doctrine, and should be adhered to by America.

The United States is a great export nation. We have many surplus commodities to sell abroad, and if that relationship is to be sustained in the future we must maintain a position of fair dealing with all nations of the world.

Nations in dealing with each other are very much like individuals dealing with each other. For an illustration, if you have two men engaged in the same business in your town, both selling the same commodity at the same price, and you like one and dislike the other, which would you naturally trade with? Your enemy or friend? It goes without saying that you would trade with your friend. Nations act on the same principle. Other nations have the same commodities to sell abroad that we have, and we should conduct ourselves in such way as to maintain the confidence of all the nations of the earth.

I hope the amendment will be adopted and the bill passed with this amendment, which will take care of many thousand veterans that are not now cared for, but if this amendment fails I shall heartily support the bill carrying the presumption period of 1925, which will be a great improvement of the present law.

PROPOSED AMENDMENT TO THE PENDING VETERANS' BILL

Mr. SWING. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an amendment which I intend to offer to-morrow to section 1 of the Johnson bill, granting relief to disabled veterans of the World War who are now denied home treatment under paragraph 6588, subdivisions (c), (d), and (e) of Regulations and Procedure, United States Veterans' Bureau, and in connection with the amendment I would like those sections of the regulations printed with it.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks by printing an amendment he intends to offer to-morrow to the Johnson bill, together with certain regulations pertaining thereto. Is there objection?

There was no objection.

The amendment and regulations follow:

Proposed amendment of Mr. SWING: Page 1, line 11, after the word "purposes," strike out the word "and" and insert in lieu thereof the following: "*Provided*, That in making regulations pursuant to existing law, with reference to home treatment for service-connected disabilities, the director shall not discriminate against any veteran solely on the ground that such veteran left a hospital against medical advice or without official leave."

REGULATIONS AND PROCEDURE, UNITED STATES VETERANS' BUREAU—MEDICAL, 1929

Paragraph 6588. Authority for treatment of beneficiaries at their homes.—The following principles will govern in authorization of treatment of beneficiaries at their home, under the varying circumstances cited:

* * * * * * *

(c) When a beneficiary who has been admitted to a hospital upon authority of this bureau is discharged therefrom "against medical advice" and upon return to his home has become ill and requests medical treatment at home, and it is determined that his physical condition is such that he can return to a hospital, medical care and treatment will not be furnished by the bureau to such beneficiary in his home.

(d) Where the same conditions obtain as in (c) except that the beneficiary's condition is not considered such as to permit his removal to a hospital, the bureau will nevertheless not assume the care and treatment of such claimant in his home.

(e) Where the conditions discussed in (c) and (d) obtain, except that the discharge from hospital has been for "absence without official

leave" or for "disciplinary reasons" the regional office will be similarly governed as in (c) and (d); that is, care and treatment at home will not be authorized at the bureau's expense.

* * * * * * *

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930.

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 7881. An act authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians; and

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 37 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Thursday, April 24, 1930, at 11 o'clock a. m.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, April 24, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To exclude certain citizens of the Philippine Islands from the United States (H. R. 8708).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes (H. R. 11204).

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

To establish a reservoir system of flood control on the tributaries of the Mississippi River (H. R. 9376).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LETTS: Committee on the Public Lands. H. R. 4020. A bill to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the upper Mississippi national park, in the State of Iowa, and for other purposes; with amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Rivers and Harbors. H. R. 11781. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; with amendment (Rept. No. 1265). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on the Public Lands. S. 3585. An act to eliminate certain land from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation; without amendment (Rept. No. 1266). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 10532. A bill for the relief of Frank M. Grover; without amendment (Rept. No. 1262). Referred to the Committee of the Whole House.

Mr. EVANS of Montana: Committee on Indian Affairs. H. R. 7063. A bill for the relief of H. E. Mills; without amendment (Rept. No. 1264). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SOMERS of New York: A bill (H. R. 11876) relating to educational requirements of applicants for citizenship; to the Committee on Immigration and Naturalization.

By Mr. McSWAIN: A bill (H. R. 11877) to authorize the leasing of the Muscle Shoals property upon certain terms and conditions, and to provide for the national defense and for the regulation of interstate commerce, and for other purposes; to the Committee on Military Affairs.

By Mr. McLEOD: A bill (H. R. 11878) to amend an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto; to the Committee on the District of Columbia.

By Mr. SIROVICH: A resolution (H. Res. 211) calling on the House of Representatives to investigate all proceedings in connection with equity receiverships and also all bankruptcy proceedings instituted since the passage of the national bankruptcy act of 1898; to the Committee on Rules.

By Mr. CELLER: Concurrent resolution (H. Con. Res. 30) to amend paragraph 1510 of H. R. 2667; to the Committee on Rules.

By Mr. LEA: Joint resolution (H. J. Res. 315) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, and the filling of vacancies in the office of President; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLACK: A bill (H. R. 11879) for the relief of Frederic W. Anderson; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 11880) granting an increase of pension to Eliza Clemons; to the Committee on Invalid Pensions.

By Mr. CARTWRIGHT: A bill (H. R. 11881) for the relief of Phoebe Tedder; to the Committee on Military Affairs.

By Mr. CRAIL: A bill (H. R. 11882) granting a pension to Lloyd O. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 11883) granting a pension to T. F. Glass; to the Committee on Pensions.

Also, a bill (H. R. 11884) granting a pension to Jessie Prentiss; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 11885) granting an increase of pension to Helen G. Smith; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 11886) granting a pension to Elizabeth Haskins; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 11887) to provide for appointing Roelf Noteboom, sergeant, Quartermaster Corps, the Army War College, a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. EATON of New Jersey: A bill (H. R. 11888) granting an increase of pension to Mary E. Herbert; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 11889) for the relief of William W. Troy; to the Committee on Military Affairs.

By Mr. HALSEY: A bill (H. R. 11890) granting an increase of pension to Elizabeth Clary; to the Committee on Invalid Pensions.

By Mr. HILL of Washington: A bill (H. R. 11891) granting an increase of pension to Rachel J. Hartley; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 11892) granting an increase of pension to Lorella Richey; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 11893) granting an increase of pension to Rosa Leu; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 11894) for the relief of Harold C. Marshall; to the Committee on Claims.

By Mr. NIEDRINGHAUS: A bill (H. R. 11895) granting an increase of pension to Richard Winfield Zschocke; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 11896) for the relief of Garland R. Hartman; to the Committee on Military Affairs.

By Mr. RUTHERFORD: A bill (H. R. 11897) for the relief of Jim P. Harper; to the Committee on Military Affairs.

By Mr. WOLVERTON of New Jersey: A bill (H. R. 11898) granting an increase of pension to Mary A. Elliott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11899) to make a correction in an act of Congress approved February 28, 1929; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7077. Petition of Adjutants General's Association, representing 35 States, in convention assembled at Washington, D. C., indorsing the increase in pay as recommended by the interdepartmental pay board; to the Committee on Military Affairs.

7078. By Mr. BLOOM: Petition of the American Jewish Congress and its constituent societies, opposing any form of alien registration, whether it be voluntary or compulsory, on the ground that registration is unsound in principle, contrary to the American ideals and traditions of personal liberty, and because it would invite abuses that are fundamentally more destructive than any evils registration might aim to cure; to the Committee on Immigration and Naturalization.

7079. By Mr. GARBER of Oklahoma: Petition of Defiance Lumber Co., Tacoma, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7080. Also, petition of Fidalgo Lumber & Box Co., Anacortes, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7081. Also, petition of the Atlantic Lumber Co., Boston, Mass., in opposition to tariff on birch and maple lumber; to the Committee on Ways and Means.

7082. Also, petition of Northwestern Woodenware Co., Tacoma, Wash., in opposition to duty on logs; to the Committee on Ways and Means.

7083. Also, petition of Shaffer Box Co., Tacoma, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7084. Also, petition of disabled American veterans, Sunmount, N. Y., urging amendment to Johnson bill to extend presumptive period to January 1, 1930; to the Committee on World War Veterans' Legislation.

7085. Also, petition of New York Lumber Trade Association, New York, N. Y., in opposition to tariff on lumber; to the Committee on Ways and Means.

7086. Also, petition of collector of customs, district No. 45, in support of House bill 11204; to the Committee on Interstate and Foreign Commerce.

7087. Also, petition of national tariff committee, New York, N. Y., submitting final appeal; to the Committee on Ways and Means.

7088. Also, petition of Bloedel Donovan Lumber Mills, Seattle, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7089. Also, petition of Stimson Mill Co., Seattle, Wash., in opposition to the tariff on logs; to the Committee on Ways and Means.

7090. Also, petition of Long Bell Lumber Co., Oklahoma City, Okla., in support of tariff on lumber; to the Committee on Ways and Means.

7091. Also, petition of McCloud River Lumber Co., McCloud, Calif., in opposition to tariff on softwood lumber; to the Committee on Ways and Means.

7092. By Mr. GUEVARA: Memorial of Logia Solidaridad, No. 23, of Manila, P. I., to the President and Congress of the United States, expressing the lodge's enthusiastic support of the resolution introduced by Senator KING granting independence to the Philippines; to the Committee on Insular Affairs.

7093. By Mr. LINDSAY: Petition consisting of individual letters, registering protest against the Federal education bill and contending that education is a local matter and not for governmental administration, from the following citizens of the third congressional district, Brooklyn, N. Y.: Helen Craig, Catherine F. Dailey, Rosemary Dunn, Mary Hauley, Eliz. Kohler, Daniel McAllister, Helena C. McCarthy, Anna McGarry, Frances Mueller, and May G. Mueller; to the Committee on Education.

7094. By Mr. MANLOVE: Petition of Mrs. Fred Brennan and 230 other citizens of Portland, Oreg., urging Congress to speedily pass the Manlove bill, H. R. 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7095. Also, petition of David Gunterb and 66 others of Stockton, Calif., urging Congress to speedily pass the Manlove bill, H. R. 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7096. By Mr. TILSON: Memorial of the board of aldermen of the city of Derby, Conn., memorializing the Congress of the United States to enact House Joint Resolution 167; to the Committee on the Judiciary.

SENATE

THURSDAY, *April 24, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Shipstead
Ashurst	George	Kendrick	Shortridge
Barkley	Gillett	Keyes	Simmons
Bingham	Glass	McCulloch	Smoot
Black	Glenn	McKellar	Steck
Blaine	Goldsborough	McNary	Steiwer
Blease	Gould	Norbeck	Stephens
Borah	Greene	Norris	Sullivan
Bratton	Hale	Nye	Swanson
Brock	Harris	Oddie	Thomas, Idaho
Broussard	Harrison	Overman	Thomas, Okla.
Capper	Hatfield	Patterson	Townsend
Caraway	Hawes	Phipps	Trammell
Copeland	Hayden	Pine	Vandenberg
Couzens	Hebert	Pittman	Wagner
Cutting	Heflin	Ransdell	Walsh, Mass.
Dale	Howell	Robinson, Ind.	Walsh, Mont.
Deneen	Johnson	Robsion, Ky.	Waterman
Fess	Jones	Sheppard	Watson

Mr. SHEPPARD. I announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are returning from the London Naval Conference.

I wish further to announce that my colleague [Mr. CONNALLY] is unavoidably detained from the Senate.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 156) to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

REPORT OF THE FEDERAL RESERVE BOARD

The VICE PRESIDENT laid before the Senate a communication from the governor of the Federal Reserve Board, trans-





mitting, pursuant to law, the sixteenth annual report of the board, covering operations for the year 1929, which was referred to the Committee on Banking and Currency.

PETITIONS

The VICE PRESIDENT laid before the Senate resolutions adopted by the Association of Adjutants General, representing 35 States in convention assembled at Washington, D. C., indorsing the proposed increase in the pay of the Army, Navy, Marine Corps, Coast Guard, Public Health Service, and Coast and Geodetic Survey, as recommended by the Interdepartmental Pay Board, which were referred to the Committee on Military Affairs.

He also presented a resolution adopted by members of the class of Division 201, Stockton Junior High School, in regular club session assembled, favoring the passage of the so-called Linthicum bill, designating The Star-Spangled Banner as the official national anthem, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, to which was referred the joint resolution (S. J. Res. 58) creating a commission to study proposals for a national system of express motorways, and for other purposes, reported it with amendments and submitted a report (No. 513) thereon.

He also, from the same committee, submitted a report (No. 524) to accompany the bill (H. R. 11704) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation, heretofore reported by him from that committee.

Mr. BROCK, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 969) for the relief of Edna B. Erskine (Rept. No. 514);

A bill (S. 1378) for the relief of Juan Anorbe (Rept. No. 516); and

A bill (S. 2892) for the relief of Helen F. Griffin and Ada W. Allen (Rept. No. 515).

Mr. McNARY, from the Committee on Commerce, to which was referred the bill (S. 2896) granting the consent of Congress to the State of Oregon and the Stock Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Stock Slough, Coos Bay, Coos County, Oreg., reported it with an amendment and submitted a report (No. 517) thereon.

He also, from the same committee, to which was referred the bill (S. 2897) granting the consent of Congress to the State of Oregon and the Beaver Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Beaver Slough Drainage District, Coquille River, Coos County, Oreg., reported it with amendments and submitted a report (No. 518) thereon.

He also, from the same committee, to which was referred the bill (S. 2898) granting the consent of Congress to the State of Oregon and the Larson Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Larson Slough, Coos Bay, Coos County, Oreg., reported it without amendment and submitted a report (No. 519) thereon.

Mr. VANDENBERG, from the Committee on Commerce, to which was referred the bill (H. R. 7998) to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928, reported it with amendments and submitted a report (No. 522) thereon.

Mr. PATTERSON, from the Committee on Commerce, to which was referred the bill (S. 3965) to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles Rifle Range, St. Louis County, Mo., reported it without amendment and submitted a report (No. 523) thereon.

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 8154) providing for the lease of oil and gas deposits in or under railroad and other rights of way, reported it with amendments and submitted a report (No. 520) thereon.

Mr. TOWNSEND, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3470) to define fruit jams, fruit preserves, fruit jellies, and apple butter, to provide standards therefor, and to amend the food and drugs act of June 30, 1906, as amended, reported it with an amendment and submitted a report (No. 521) thereon.

ENROLLED JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 24, 1930, that committee presented to the President of the United States the enrolled joint resolution (S. J. Res. 152) to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

EXECUTIVE REPORTS

As in open executive session,

Mr. JOHNSON, from the Committee on Commerce, reported the nominations of sundry officers in the Coast Guard, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARKLEY:

A bill (S. 4268) to confer additional jurisdiction on the United States Board of Tax Appeals, and for other purposes; to the Committee on Finance.

A bill (S. 4269) authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary-line streams of Kentucky; to the Committee on Commerce.

By Mr. HARRIS:

A bill (S. 4270) for the relief of the Southern Railway Co.; to the Committee on Claims.

A bill (S. 4271) for the relief of Thomas B. Munroe; to the Committee on Finance.

A bill (S. 4272) authorizing an appropriation for the construction of suitable shore protection works at Fort Screven, Ga.; to the Committee on Military Affairs.

By Mr. PATTERSON:

A bill (S. 4273) granting a pension to William A. Rowin (with accompanying papers); to the Committee on Pensions.

By Mr. HEFLIN:

A bill (S. 4274) granting compensation to Dr. Cooper Nicholson; to the Committee on Claims.

By Mr. STECK:

A bill (S. 4275) granting a pension to John C. Onan (with accompanying papers); to the Committee on Pensions.

By Mr. HAWES:

A bill (S. 4276) granting a pension to William R. Humphries (with accompanying papers); to the Committee on Pensions.

By Mr. HAWES and Mr. PATTERSON:

A bill (S. 4277) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928; to the Committee on Commerce.

By Mr. JONES (for Mr. DILL):

A bill (S. 4278) for the relief of H. E. Mills; to the Committee on Claims.

By Mr. NORBECK:

A bill (S. 4279) to amend the immigration act of 1924 (43 Stat. L. 153), relating to quotas; to the Committee on Immigration.

By Mr. CAPPER:

A bill (S. 4280) granting a pension to Earl Cline (with accompanying papers); to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 4281) for the relief of L. Elbert Van Buren; and

A bill (S. 4282) for the relief of Peterson-Colwell (Inc.); to the Committee on Claims.

A bill (S. 4283) ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America; to the Committee on Public Lands and Surveys.

By Mr. SHORTRIDGE:

A bill (S. 4284) for the relief of Roy Snyder; to the Committee on Military Affairs.

AMENDMENTS TO RIVER AND HARBOR BILL—FLINT AND CHATTAHOOCHEE RIVERS, GA.

Mr. GEORGE submitted amendments intended to be proposed by him to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

EXECUTIVE MESSAGES

Sundry messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

PROPOSED UNANIMOUS-CONSENT AGREEMENT

Mr. HEFLIN obtained the floor.

Mr. McNARY. Mr. President, will the Senator from Alabama yield to me to enable me to submit a unanimous-consent agreement?

Mr. HEFLIN. If it does not lead to any discussion.

Mr. McNARY. I think it will be accepted unanimously.

Mr. HEFLIN. I yield for that purpose.

Mr. McNARY. I submit the following unanimous-consent agreement.

The VICE PRESIDENT. The clerk will read the proposed unanimous-consent agreement.

The Chief Clerk read as follows:

It is agreed by unanimous consent that after the hour of 1 o'clock to-day no Senator shall speak more than once or longer than 10 minutes upon the unfinished business (S. 51), the immigration bill, or upon any amendment pending thereto.

The VICE PRESIDENT. Is there objection?

Mr. GEORGE. Mr. President, I object.

Mr. McNARY. Mr. President, may I have the attention of the Senator from Georgia?

Mr. GEORGE. Certainly.

Mr. McNARY. I understand the Senator does not object to the general proposal, but it is simply because of the limitation on time for debate?

Mr. GEORGE. Yes.

Mr. McNARY. Would 15 minutes accommodate the Senator?

Mr. GEORGE. Yes; 15 minutes would be better on an important matter of this kind.

Mr. McNARY. I want to accommodate the Senate, and will modify the request accordingly.

The VICE PRESIDENT. Is there objection to the request as modified?

Mr. BLACK. Mr. President, I shall have to object at this time because the Senator from Washington [Mr. DILL] has several times objected to such a proposal, and he is not now in the Chamber.

Mr. McNARY. The Senator from Washington told me on yesterday he would have no objection to the proposal.

Mr. BLACK. Personally, I have no objection.

Mr. McNARY. I want to meet the objection of the distinguished Senator from Georgia, and have modified the proposal to 15 minutes.

The VICE PRESIDENT. Is there objection to the modified agreement?

Mr. GEORGE. When does the limitation commence?

Mr. McNARY. It begins at 1 o'clock to-day.

Mr. GEORGE. I suggest that it begin at 2 o'clock to-day. I think we may dispose of the bill by 2 o'clock.

Mr. McNARY. Very well; I will make it 2 o'clock.

The VICE PRESIDENT. The Senator from Oregon modifies his request. Is there objection to the request as modified?

Mr. BLEASE. Mr. President, I do not exactly want to object, but I wish to make a motion later to postpone further consideration of the bill until the 1st day of May. I do not want to have any agreement made that will prevent me from making that motion.

Mr. McNARY. This agreement will not interfere with that. The Senator will have ample time and opportunity to make the motion.

Mr. BLEASE. I want to make that motion in order to give the Senator from Pennsylvania [Mr. REED] an opportunity to be present before the final passage of the bill.

Mr. McNARY. The agreement will not interfere with the Senator's motion.

The VICE PRESIDENT. Is there objection to the unanimous-consent request?

Mr. CUTTING. Mr. President, may we have the unanimous-consent request stated again?

The VICE PRESIDENT. Let it be stated as modified.

The Chief Clerk read as follows:

It is agreed by unanimous consent that after the hour of 2 o'clock to-day no Senator shall speak more than once nor longer than 15 minutes upon the pending unfinished business (S. 51), the immigration bill, or upon any pending amendment thereto.

Mr. CUTTING. I object.

Mr. McNARY. Mr. President, may I ask the Senator from New Mexico what is his objection to the proposal?

Mr. CUTTING. I think there are a great many defects in the bill which have not been sufficiently covered in the discussion.

Mr. McNARY. The limitation of debate does not apply until 2 o'clock to-day. The bill has passed through the Committee of the Whole and is now in the Senate. I assume it would not interfere with any discussion the Senator might offer, and I hope he will permit consent to be given.

Mr. CUTTING. Mr. President, I feel that I shall have to object.

The VICE PRESIDENT. The Senator from New Mexico objects.

SENATOR HEFLIN'S RECORD IN CONGRESS

Mr. HEFLIN. Mr. President, when I first came to Congress the special interests were clamoring for favors at the hands of the Government. One of the first measures I supported was to assist and encourage the farmer in the use of improved methods of farm management and farm practice.

I have no desire to take the time of the Senate to go over my record. I desire it to appear in the CONGRESSIONAL RECORD now as though I had spoken it, and to be printed in the same type in which it would appear had I actually spoken it. I ask unanimous consent that I may have it printed in the RECORD and that it may appear in the same type as if I had spoken it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama?

Mr. JONES. Mr. President, may I ask if this is a former statement made by the Senator?

Mr. HEFLIN. It is a recitation of the things I have done and tried to do since I have been in Congress, which I can recount now, but which I would like to have printed in the RECORD because I would rather not take the time of the Senate to present it.

Mr. JONES. If it is prepared as a separate memorandum and not as a speech of the Senator, I would have no objection. The Senator knows what the practice of the Senate has been uniformly. If it is prepared as a separate memorandum and submitted in that way, I would have no objection.

Mr. HEFLIN. I am going to have it printed in pamphlet form and circulated in my State. Ordinarily when these matters are printed at the Government Printing Office they are put in the small type, known as 6-point type, and when that is done and a Senator has to have it then reprinted in the larger type, known as 8-point type, it costs him a great deal of money. That ought not to be required, especially when the candidate is a poor man and is running against several millionaires.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MR. HEFLIN'S STATEMENT

Senator HEFLIN's record of achievements, his faithful service to the masses of the people, strike a terrific blow to his opponents, who show a lack of information or who are trying to deceive the people of Alabama by parrotlike repeating, "What has he done?"

1. He helped to pass a law providing for the election of United States Senators by direct vote of the people.

EMIGRATION

2. Among very first to advocate sending out of the country foreigners who advocated the overthrow of our Government.

IMMIGRATION

3. One of the very first Members of Congress to see and attack the evil and danger of unrestricted immigration. Has always advocated and voted for restricted immigration to protect America from a flood of undesirable foreigners. Helped to reduce immigration from 1,000,000 of foreigners a year to 150,000 a year.

AGAINST MILITARY DESPOTISM

4. He has opposed in every way measures that seek to foist upon America any plan or system that smacks of military despotism.

5. Has opposed universal compulsory military training, giving, among other good reasons, the negro problem in the South.

RACE QUESTION

6. Has defended at all times the South's plan and policy of race separation in schools and churches and railroad trains, contending that this was the wisest and best way to handle the race problem. The failure to have separate street cars for whites and negroes in Washington caused him to have to inflict severe punishment upon a drunken negro who had insulted a white woman on the car.

7. In replying to an article in the Washington Post written by ex-President Taft, a few years ago, Senator HEFLIN said:

Mr. Taft says that "each one of us has a responsibility to the community in dealing with colored citizens," and that is true. There is no better way of serving the community and no better way of serving the negro everywhere than being entirely frank with him and telling

him the truth and the whole truth regarding an evil and a crime that lies at the bottom of nearly every race riot that has occurred in our country, and that is the crime of rape. That crime committed by negro men on white women in Washington recently started the riot in this city. It is the duty of the white man to distinguish between the law-abiding negro and the criminal negro, and it is the duty of the law-abiding negro to aid the authorities in apprehending the lawless negro who has committed the crime that stirs up race prejudice and produces race riot. It is clear, then, I submit that the way to prevent an outbreak between the races is to remove the cause or crime that produces the outbreak.

8. Has fought for separate cars for negroes and whites in the city of Washington.

9. Advocated and helped to bring about under President Wilson the separation of the races in the Government departments at Washington.

BANKING

10. Led the fight in the Democratic caucus to require Federal reserve banks to loan money on cotton warehouse receipts. This was of distinct benefit to the cotton farmer in borrowing on his cotton and keeping it off the market when the price was low and unprofitable.

11. Helped to pass the farm loan banking system. Under this system farmers have borrowed more than $300,000,000 with which to buy new farms and lift mortgages from old ones.

BELIEVES IN SOUND BANKING

12. He voted for and helped to pass the Federal reserve banking act, which was intended to take control of the money supply and the power to produce a panic away from Wall Street.

13. He helped to create Federal farm-loan banks, through which the farmer desiring to buy a farm and own a home can borrow money at 4 or 5 per cent for a period of 35 years if he desires.

14. He was the first Member of Congress to challenge the right of Federal reserve bank managers to spend millions of dollars in constructing Federal reserve bank buildings in the big cities. More than $10,000,000 has been expended in constructing one Federal reserve bank building in the city of New York. He suggested that a limitation on such expenditures should be fixed by law, and an amendment to that effect was introduced by Senator HARRIS, of Georgia. It provided that not more than $250,000 should be expended in constructing a Federal reserve bank unless Congress authorized the expenditure of more. This put a stop to a bad practice and saved the Government and the people millions of dollars.

DEFLATION PANIC OF 1920

15. He was first to denounce as inexcusable and criminal the "deflation panic" of 1920. He charged that Governor Harding, of the Federal Reserve Board, and certain Republican leaders and Wall Street financiers had conspired together to produce that panic for the purpose of enabling them to make millions on farm products and Government bonds. Single-handed and alone he arraigned and excoriated Governor Harding and his panic conspirators. For weeks and months he led the fight against Governor Harding's reappointment as governor of the Federal Reserve Board, and succeeded in defeating him for reappointment. He declared that that panic had cost the people of Alabama many millions of dollars and that he intended to expose and punish those who brought it about. He made good his promise. He introduced and secured the passage of an amendment to the Federal reserve act which struck out or repealed the deceptive and miserable provision under which the deflation panic of 1920 was brought about. Farmers, merchants, and bankers all over the country praised him for his splendid work in this matter.

AMERICAN COTTON ASSOCIATION,
St. Matthews, S. C., July 29, 1922.

Hon. J. THOMAS HEFLIN,
Washington, D. C.

MY DEAR SENATOR HEFLIN: I have noted with very deep interest and approval your splendid and courageous fight against the drastic deflation policies of the Federal Reserve Board and the active and pernicious publicity campaigns being conducted by Governor Harding and other members of the board. I note also that you will continue to bring these vitally important matters to the attention of the Senate and the country through repeated discussions and publications of same in the CONGRESSIONAL RECORD.

You are leading a splendid fight in behalf of the people and can not be commended too highly for the strong and patriotic course you are pursuing.

Sincerely,

J. S. WANNAMAKER,
President.

INSTRUMENTAL IN BRINGING CAPITAL TO ALABAMA

16. During his service in Congress he has made speeches in northern States telling of Alabama resources and advantages, eulogizing her people and praising her climate and her beauty. He has been instrumental in causing capital to be invested in the State of Alabama.

17. During his service in Congress the wealth of Alabama has increased more than $3,000,000,000.

MONUMENT TO JACKSON AND HIS MEN

18. He introduced and passed a bill through Congress providing for the erection of a monument in commemoration of "Jackson and his men," who fought the decisive battle with the Creek Nation at the "Horse Shoe Bend" on the Tallapoosa River near Dadeville, in Alabama.

ST. ELIZABETHS HOSPITAL

19. Introduced and urged passage of a bill providing for the appointment of a board of review for St. Elizabeths Hospital, in which hundreds of ex-service men are confined. Many of these boys suffering from injuries received in the World War after treatment for a time regain their health and should be permitted to leave the hospital. It is claimed that in many instances they have money paid them by the Government and some agent or guardian who has the money is using it and that he wants to keep the patient in the hospital. Senator HEFLIN'S bill provides that every ex-service man confined in the hospital shall have the right, upon his own request, every six months to appear before the board of review and have the board determine whether he should go or remain longer.

POSTAL SERVICE

20. Was one of the first to urge just and fair pay for all postal employees of the Government and urged that as their work increased their pay should be increased, and he has helped them every time the issue has been raised to get a fair deal at the hands of Congress. He is their friend and they know it.

21. From one end of the country to the other rural carriers write him about their interests and they praise him for his friendly interest and his never-failing loyalty to them. He was one of the leaders in the successful fight for the increase in salaries that they received a few years ago. The rural carriers and other postal employees of the Government know that they have no better friend in Congress than Senator HEFLIN.

FOREIGN DEBTS

22. Voted against canceling debt owed us by European countries for money they borrowed from United States during the World War.

23. Voted against the debt settlement finally submitted, because it was unfair to the people of the United States, and stated that he would not vote to let European countries settle with us by paying 3½ per cent interest on money loaned them on which we are now paying 4¼ per cent. He said we should be just to our World War soldiers before we are generous to our foreign friends.

TAX

24. He has helped to reduce income taxes on the men and women of moderate means.

25. Favors readjustment of the income tax so that the single man shall have an exemption of $3,000 and the man with a family $6,000.

26. Has helped to reduce Federal taxes wherever he could.

27. Has urged and helped to repeal special laws growing out of the war that imposed harmful restraints upon the patriotic citizen in the free and honest management of his own private business.

28. Helped to pass law requiring same kind of publicity on big income-tax returns that are required of the man of moderate means on taxes in the counties and States. Their taxes are not only a matter of public record but if they give a mortgage that is recorded in public record.

MOTHER'S DAY

29. He is the author of the joint resolution which named and set aside a day which shall be known in all the hereafter as Mother's Day in America. The resolution was approved by Woodrow Wilson, and it requires that the flag shall be unfurled and displayed on all public buildings on the second Sunday in May of each year, in honor of the mothers of America. The resolution also requests that the people throughout the Nation display the American flag on their homes on the second Sunday in May in honor of American mothers.

FRIEND OF RAILROADS

30. In regard to the railroad question, he has always insisted that the railroads must be put upon a paying basis, a

money-making basis, and then required by law to serve the public efficiently and that those who work for the roads must be paid such wages as will permit them to share in the prosperity enjoyed by the roads to the end that they and their families may live decently and worthily. He is the friend of both labor and capital and he favors as few restraints as possible upon the proper activities of both. He stands for and has favored laws that protect and safeguard both human and property rights.

31. Has from time to time helped to obtain a reduction in freight rates on certain products of farm and factory.

WILL BE FAIR TO ALL

32. In the matter of differences or disputes arising between railroad employer and employees he favors absolute justice to both in the matter of protecting and safeguarding the rights of both, keeping in mind and safeguarding at all times the rights and interest of the public, which must be respected and safeguarded at all times.

33. Has opposed Government ownership of railroads and other enterprises and industries that properly belong to the business of the citizen in the various walks of life. He believes that individual initiative, enterprise, and industry, given a fair chance and fairly and honestly regulated in the interest of the public good, is best for all.

PUBLIC SCHOOL

34. Voted for Federal aid for State schools and colleges and for vocational education.

35. Helped to have the Government give vocational training to American boys disabled in the war with Germany.

36. Voted to increase pay of school-teachers in the District of Columbia.

37. Has supported every measure looking to the best interest and advancement of the cause of education. Has defended the public-school system as a great American blessing and an American city of refuge for the children of rich and poor alike. He says that it is the bulwark of American liberty.

WORLD WAR AND VETERANS

38. For the purpose of more effectually providing for the national security and defense and carrying on the war with Germany by gathering authoritative information concerning the food supply, by increasing production, by preventing waste of food supplies.

39. When the fathers and mothers of our American boys who gave their lives in defense of our country and the civilization of the world asked that the bodies of their brave sons be brought back and buried in American soil, he was one of the first, if not the very first, to make a speech in Congress calling upon the Government to fulfill its obligation to these patriotic fathers and mothers of America and bring the precious bodies of the boys back home.

FRIEND OF WORLD WAR VETERAN

40. He has advocated and will continue to advocate fair and just treatment of American soldiers who served our country in the great World War. He has voted for measures that promote and safeguard their interests in various ways and can be counted on to do the very best that can be done for them. He supported the ex-service men's claim for a bonus or adjusted compensation. No man in either branch of Congress has done more for our World War veterans than has Senator HEFLIN. He is their friend, and they know it.

41. Has voted for every measure which sought to give a fair deal to World War veterans and our Spanish-American soldiers.

42. Helped to pass laws requiring the building of hospitals in Washington City and in various States of the Union for the treatment and care of our World War soldiers.

43. Helped to pass a pension law providing for the widows and orphans of deceased World War veterans.

44. Helped to pass laws for the construction of hospitals in Alabama to take care of Alabama boys who were ill and disabled veterans of the World War.

45. Helped to pass measure to provide special care and treatment of World War veterans who through hardships and exposure contracted tuberculosis.

46. Has voted for and enthusiastically supported every measure that sought to give fair treatment and justice to our World War veterans.

47. He had the friendship and high regard of President Wilson. He was such an aid and comfort to the President during the World War that the President publicly singled out and praised his services.

48. His loyal and signal service to the World War soldiers brought forth the unanimous indorsement of the World War veterans of Alabama, and he received letters from ex-service men all over the country thanking and commending him for his course.

GOLD-STAR MOTHERS

49. He offered an amendment to the resolution providing for a visit of the gold-star mothers to the graves of their boys buried in France. His amendment provided that if they could not go to France they should be given a trip to Washington and be addressed by General Pershing and the President, Commander in Chief of the Army and Navy. And it is also provided that if they could not go to Washington that the amount of money which would have been spent in the making of such a trip should be sent them by the Government of the United States.

GOOD ROADS

50. Helped to pass first law ever enacted by Congress requiring Federal Government to aid the States in the construction of rural post roads.

51. Helped to secure the appropriation of every dollar of the millions of dollars that have gone into Alabama for the construction of public roads.

52. Helped to require the Government to disseminate expert advice on road building among the States.

53. Favors keeping faith with the people in the matter of good-roads construction in the United States and pledges himself to the policy of carrying on this work in each and every county in the State.

54. Helped to pass the good roads act, which appropriated millions of dollars for building roads by cooperation between county, State, and Federal Government. These roads to lead from the farm to market in the towns and cities.

55. Provided for conducting Government field experiments and various methods of road construction and maintenance.

56. First to suggest and helped to pass law turning over Army trucks and other machinery to the counties in the various States to be used in the construction and maintenance of public roads in Alabama and elsewhere. This saved thousands of dollars to Alabama and other States in the construction of public roads.

57. He helped to pass a measure at this session of Congress increasing the appropriation for Federal aid to road construction in the various States. The increase amounts to $50,000,000 annually for the next three years. That makes the amount available each year for the next three years $125,000,000.

That measure will help millions of people and will directly benefit hundreds of thousands of Alabamians. It will put more money in circulation, give labor employment, and increase the number of good roads in the State.

CANCER

58. Helped to pass a law for investigation of the cause of cancer and best methods for its cure.

MUSCLE SHOALS

59. One of the first to bring before a committee of Congress the wisdom and necessity of establishing a nitrate plant at Muscle Shoals, Ala., and advocated and helped to bring that great industry to the State.

60. For experiments in the manufacture of certain chemicals needed on the farms in the United States.

61. For exploration and investigation within the United States to determine possible sources of supply of potash, nitrates, and other natural fertilizers.

62. For the investigation and demonstration within the United States to determine the best method of obtaining potash on a commercial scale.

63. Has advocated the lease of Muscle Shoals to some person or persons who would bind themselves to produce annually 50,000 tons of fixed nitrogen there, to be used in making cheap fertilizer for our farmers. Failing to find a private bidder, who would agree to do that, he helped to pass a bill through the Senate, which also passed the House, requiring that the Government utilize some of the power in making fertilizer and ascertaining how cheaply it could be produced. That bill carried provisions for the further development of the Tennessee River for both navigation and power purposes. But President Coolidge vetoed it. Again, in March this year, he helped to pass practically the same bill after it had been shown that no private bidder would bid for Muscle Shoals, who would agree to make fertilizer there. He offered an amendment to the bill, providing for a lease to farm organizations of all the power needed, and for the first 10 years free of charge, to make 40,000 tons of fixed nitrogen annually, so as to produce cheap fertilizer for the farmer, but his amendment was defeated.

THE FRIEND OF LABOR

64. Helped to pass the law establishing a Department of Labor, which helps to settle disputes between labor and capital, and safeguards the rights of the laboring man and woman.

Helped to get Billie Wilson, the true friend of labor, appointed first Secretary of Labor. Helped to pass laws for the benefit of those who labor in the cotton factories of the South.

65. Helped to pass the child labor act, which took thousands of children out of the sweatshops and factories of the country. This law freed these children from conditions that were depriving them of an education and sapping their vitality and dwarfing their young bodies. In other words, he helped to strike the shackles from the feet of 500,000 youthful industrial slaves.

66. Helped to pass the workmen's compensation act for accidents and death in industry. Labor everywhere has commended him strongly for that.

67. Helped to pass the humane act declaring that human labor is not a "commodity," thus taking the flesh and blood of human beings out of the class of cattle. Samuel Gompers, former president of the American Federation of Labor, praised him highly for it.

MEXICAN LABOR

68. Supported measure to exclude peon laborers from Mexico, who have been coming over and helping to produce cotton in Texas, Oklahoma, and Arizona upon such a low and harmful wage scale as to seriously injure the business of American cotton producers in Alabama and other cotton-producing States east of the Mississippi River. He said that the coming over every year in violation of the law of tens of thousands of these cheap Mexican laborers made necessary immediate congressional action for the purpose of putting a stop to this terrible evil.

And he helped to pass a bill to do that at this session of Congress.

FASCISM

69. He introduced and passed through the Senate a resolution calling upon the Secretary of State to investigate the secret, dangerous, and un-American activities of Mussolini's Fascists in the United States. American Protestant Italians from New York and other States called on Senator HEFLIN and asked his aid in removing from communities where American citizens of Italian blood were being annoyed and interfered with by the Mussolini Fascists in their devotion and service to the Government of the United States. The Senate by a large vote adopted Senator HEFLIN's resolution and the Secretary of State immediately commenced the investigation demanded by the resolution. The investigation had not proceeded very far until Mussolini's agent, head of the Fascist order in the United States, announced to the Secretary of State and the country through the press that the Fascisti order in the United States had been dissolved and disbanded. Congressman JOHNSON, of the State of Washington, a Republican and stanch advocate of restricted immigration, and chairman of the Committee on Immigration in the House of Representatives, took the floor in that body and, saying that he believed in giving honor to whom honor is due, proceeded to praise Senator HEFLIN for his great work in compelling Mussolini to disband his Fascisti order in the United States and call his agents home. Mr. JOHNSON said:

We owe something to a former colleague of ours, who sat in this Chamber years ago—HEFLIN, of Alabama—who has just accomplished something that your committee had tried to do.

In extended hearings published in this volume we exposed the American Fascisti; the oath of allegiance to Mussolini; the fact the Sons of Italy in America in annual convention were only saved from giving a majority vote of allegiance to the dictator by the efforts of the order's president, Mr. Cottilli, now a New York State supreme judge. The 1,000 copies printed were snapped up by the members and the public. The testimony created little or no stir. Last November a magazine—Harpers, I believe—printed an exposure of the workings of the Fascisti in the United States of America.

It attracted a little attention. The exposure would have been dead in a month, but for this former colleague of ours, TOM HEFLIN—I do not stand for most of the speeches he has made—I am proud that he had the power in the legislative body to read that entire article. He thundered it. He made the public wake and see beyond what was simply a part of our knowledge on the subject with no action taken. But HEFLIN made the dictator in Italy call back the Fascisti. Every Fascist organization in the United States has been closed. Their flags, their oaths to be first and to be forever Italians, even though naturalized here, are suppressed for the moment, thanks to that orator who, when he means business, shoots both barrels. I do not care whether he is a Democrat or a Republican and on this bill I do not care what party you belong to, nor should any of us, for in these things we are all Americans.

Why do I say a good word for HEFLIN? Because what he has done to stop open Fascisti meetings in the United States paves the way for a bill from our committee to take away the citizenship of those who insist in dual allegiance. And because I learn that in my State right now a man from the Mediterranean is rushing around among naturalized citizens, who desire to be good citizens, condemning me for my immigration work in Congress, and calling on the voters to keep me at home. Last year an editor of a New York foreign-language paper, naturalized but for one year, felt it to be his duty to campaign against me in the third congressional district of Washington. In Chicago a few weeks ago a man of God burned me up from a lyceum forum, and his remarks are printed in an ancient language which I can not read. Is that fair?

BASIS OF REPRESENTATION (ALIENS)

70. Supported measure to eliminate aliens that are now counted in the population of the various States in the basis for representation from such States in the American Congress. He showed that there were more than 5,000,000 of them in the United States, and that two-thirds of them had been smuggled in and had no right to be here. He pointed out that in certain large cities where these aliens or foreigners are smuggled in and counted in the American population for increased membership in the House of Representatives that 35 members of the lower House are there to-day because of this unfair and unjust system.

CENSUS OF ALIENS

71. Supported a measure providing for the taking of a census of all aliens in the United States, finding out who they are, where they came from, when they came, and how they got into the United States, and then deporting all of them who came here in violation of our immigration laws. He has forced this issue to the front in such a way as to make it certain that both national parties will have to meet it in the next presidential election.

WOMAN SUFFRAGE

72. Voted against Federal woman suffrage amendment, but wrote to the women advocates of that measure in the State that while he was not willing to turn over to the Federal Government the matter of saying who shall or shall not vote in Alabama, that if a majority of the white women of the State wanted the ballot he was willing for them to have it, and that he would join in requesting Governor Kilby to ask the legislature to submit to the people of the State an amendment to the State constitution granting suffrage to the white women of Alabama. That his position was satisfactory to the advocates of woman suffrage in Alabama is shown by the fact that he was overwhelmingly nominated with four strong men opposing him and renominated in 1924 without opposition.

73. Has supported measures necessary to carry out the purpose of both of the constitutional amendments adopted—the eighteenth and nineteenth.

STANDS FOR STATE RIGHTS

74. He has fought centralization of government and never lost an opportunity to defend the doctrine of State rights. He holds that if you make political loyalty to your own home State the first and foremost thing in your political calculations State rights will be preserved.

RIFLE RANGE IN ALABAMA

75. Ardent supporter of rifle range and training camp for his State and helped to obtain both for Anniston, Ala.

MERCHANT SHIPS FOR UNITED STATES

76. Helped to pass the law which provided for a fleet of merchant ships to carry the products of our farms and factories to the markets of the world.

77. In the cotton-marketing season has secured ships for Mobile, New Orleans, and other southern ports to help move Alabama cotton to the markets of the world.

78. Helped to provide United States with the second largest merchant fleet in the world.

79. For 10 years prior to World War only 10 per cent of our foreign trade was transported in American ships, but since 1920 more than 35 per cent has been sent overseas in American vessels.

80. Through his friendship and legislative aid southern steamship exports have multiplied by leaps and bounds.

81. The Southern States, including Alabama, Georgia, Florida, Mississippi, Louisiana, Texas, and Maryland, have led all other sections of the country in the volume of exports.

82. Through his helpful service we can boast that more than 20,000,000 tons of export products passed through southern ports during the last fiscal year, and we can now boast that more than one-third of all the exports from the United States during the last fiscal year was handled through these southern ports.

83. He helped to defeat the ship trust bill. That bill provided that the American fleet of merchant ships which cost the

United States Government three billion dollars, or three thousand million dollars, should be sold to the ship trust for two hundred million dollars, a loss to the Government of twenty-eight hundred million dollars.

RIVERS AND HARBORS

84. Helped to obtain appropriations for waterways and harbor improvement at Mobile, Ala.

85. Has been the friend of the port at Mobile and assisted it at every opportunity.

86. Advocated and helped to secure appropriations for the development of Mobile Harbor.

87. Was instrumental in securing appropriations for the development of the Warrior River, the Alabama, Tombigbee, Tennessee, and Coosa Rivers. Every dollar that has gone into Alabama for river and harbor improvement in the last 20 years has gone there, in part, through his aid and influence.

88. Led the fight in securing the passage of a bill through the House to build a dam at Lock 18 on the Coosa River, which was vetoed by President Taft. This was the first dam provided for by Congress for hydroelectric development in the State of Alabama.

BARGE LINES

89. Helped to establish barge lines which resulted in cheaper freight rates and great good to people of Alabama and other Southern States.

AIR MAIL

90. Helped to obtain airplane mail service and airplane fields for Alabama.

HIS SERVICE TO THE FARMER

91. The special interests had been clamoring for favors for years, and Senator HEFLIN, then a Congressman, commenced to ask that something be done for the farmers of the South. One of the first measures he supported was to assist and encourage the farmer in the use of improved methods of farm management and farm practice

92. And the next to enable Secretary of Agriculture to gather and disseminate among farmers information concerning livestock, dairy, and other animal products.

93. Then to prepare and disseminate helpful information for farmers concerning the animal industry in the United States. Farm animals being essential to the farmer's business.

94. To provide for inspection and quarantine work to protect the farmers' cattle against the contagious diseases of animals coming in from foreign countries.

95. To investigate, control, and eradicate the disease of tuberculosis of farm animals.

96. No real farmer can read his record in the House and Senate and doubt his genuine and sincere friendship for the farmer. For gathering and disseminating important information for farmers regarding animal feeding and breeding.

97. To encourage and assist in the development of livestock production in the cotton-growing States.

98. For collecting and distributing timely information for farmers concerning supply, demand, commercial movement, disposition, quality, and market prices of dairy and poultry products.

99. For furnishing to farmers and merchants accurate information regarding supplies of fruits, vegetables, dairy and poultry products.

100. For publishing and distributing bulletins on hog and cattle raising in the cotton-growing States.

101. For investigating and eradicating the disease of hog cholera.

102. For gathering and disseminating information concerning the production of citrus fruits.

103. For the study and prevention of citrus canker and other plant diseases.

104. For investigation of insects affecting fruits, orchards, vineyards, and nuts.

105. For dissemination of information on fruit growing, harvesting, and fruit marketing.

106. Helped secure a provision in the law for the placing of a Government expert at marketing centers to inspect and report on shipments of fruits and other perishable products shipped to these places by the farmers and fruit men of the country, thus putting an end to the robbery that used to be practiced where the buyer at the other end of the line would report to the seller that the goods were in bad condition when they arrived. This provision has saved thousands of dollars to the farmers and fruit growers of the United States.

107. For studying and testing quality of commercial seeds.

108. For the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds for use in the United States.

109. To enable the Secretary of Agriculture to investigate the relative utility and economy of agricultural products for food, clothing, and other uses in the home with special suggestions, plans, and methods for the more effective utilization of such products in the homes of the people.

110. Helped to pass law taking tariff tax off bagging and ties and agricultural implements.

111. Helped to pass law for the investigation relating to the production, transportation, storage, preparation, marketing, manufacture, and distribution of agricultural food products.

112. For the development of methods for the manufacture of table sirup and of methods for the manufacture of sweet sirups by the utilization of new agricultural sources.

113. For investigating the food habits of North American birds in relation to agriculture.

ALWAYS ON THE JOB FOR THE FARMER

114. Has advocated and helped to pass laws providing for the publication and distribution of bulletins and periodicals on diversified farming and scientific agriculture. They deal with every phase of modern life upon the farm, including the health of human beings and the health and care of farm animals.

115. Helped to pass the Smith-Lever Agricultural Extension Act, which gathers, publishes, and distributes throughout America the best thought and methods touching the various phases of profitable, up-to-date farming and scientific agriculture, and it is the most valuable and comprehensive farm-demonstration plan ever devised.

116. He has given special thought and study and rendered valuable service to the great agricultural interests of his State and Nation and has brought forth words of praise from Corn Club boys and agricultural societies in several States in the Union.

PLANT DISEASES AND DEVASTATING INSECTS

117. For gathering and disseminating information for the eradication or control of the sweetpotato weevil.

118. For investigating the history and the habits of insect pests harmful to agriculture.

119. The study of insects affecting the health of men and domestic animals and ascertaining the best means of destroying those found to be injurious.

120. For investigations of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, and sugarcane.

121. For investigations of insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, and peas for the purpose of aiding the producers of the United States in eliminating these pests.

122. For the investigation and improvement of cereals and methods of cereal production and the study of cereal diseases.

123. For investigation of insects that are harmful to the forage crops of the United States.

124. To enable the Secretary of Agriculture to carry into effect the provisions of the United States grain standards act.

125. For the investigation and improvement of grasses, alfalfa, clover, and other forage crops.

126. Helped to pass law authorizing and requiring research and experimentation work to discover cheapest and most effective poison for the boll weevil.

CORN CLUBS

127. Helped to pass a law providing valuable information and also prizes for farm boys who could produce the most corn on 1 acre of land. The farm boys of four or five States, including Kentucky, were engaged in a contest to see who could produce the most white corn on 1 acre of ground. Lester Bryant, of Kentucky, a brave little 15-year old country boy, won the prize. Buoyant and happy he came to Washington to receive his prize. He engaged a room at a boarding house that used gas lights. This Kentucky farm boy, used to lamps and candles, knew nothing about gas lights. When he went to bed he blew out the lights and the gas filled his room and he was dead next morning.

The newspapers told of his sad and untimely death. Senator HEFLIN helped to pay the expense of sending his body home. The agricultural appropriation bill was then before the House, of which Senator HEFLIN was then a Member. He arose and addressed the House for about 10 minutes on the work, the achievements, and sad death of Lester Bryant, the little farm boy of Kentucky. When he finished there was not a dry eye among the Members in the House. That speech achieved things that its author never dreamed of when he arose in the House of Representatives to express his sympathy for and say something that would comfort and console the grief-stricken and heartbroken father and mother of Lester Bryant. The speech was printed in newspapers all over Kentucky and as a result of the great human sentiment created by it, it was sold, together with a picture of Lester Bryant and an ear of white corn that

he had produced, for $1, and in two months' time enough money was raised to build a splendid monument 15 feet high, at Bowling Green, to this little Kentucky farmer boy. And on that beautiful shaft the boy's father and mother had carved these lines from Senator HEFLIN'S speech in the House:

The hoe that he wielded will be covered with dust,
The plow that he guided be still,
The trace chains will be red with rust,
While he sleeps on the slope of the hill.

COTTONSEED TRUST

128. Introduced and passed through the Senate a resolution requiring the Federal Trade Commission to investigate the Cottonseed Trust which fixed the price of cottonseed at a low and unprofitable figure to the cotton farmer. As a result of that investigation a law will be passed to prevent such a practice in the future.

PEANUT TRUST

129. He introduced and passed a resolution requiring the Federal Trade Commission to investigate the Peanut Trust, which manipulated the price of peanuts to the hurt and injury of the peanut producers of Alabama and other States. The information gathered will enable him and others interested to enact a law that will prevent the control of peanut prices in the future.

FEDERAL FARM BOARD

130. Declaring that the Government had a Commerce Department, a Shipping Board, and other departments, he said Congress should provide for the business of agriculture a Federal Farm Board, and he helped to create the Federal Farm Board, which he believes will in time be of great benefit to the farmers of the United States.

131. He was one of the leaders in the fight as a member of the Committee on Agriculture and on the floor of the Senate in putting the debenture provision in the tariff bill. The debenture gives to the cotton farmers $10 a bale on every bale of cotton exported—we exported 7,000,000 bales and would receive from that source the nice sum of $70,000,000.

This would be very helpful to Southern cotton farmers and would boost the price of cotton at home.

COTTON

132. For better methods of production and improvement in character of cotton produced in the United States.

133. For investigating, demonstrating, and promoting the use of honest standards for the different grades, qualities, and conditions of cotton and for investigating the ginning, grading, stapling, baling, marketing, compressing, and tare of cotton for the purpose of obtaining a fair deal for the cotton farmer.

134. For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil.

135. To enable the Secretary of Agriculture to carry into effect the United States cotton futures act, which had for its purpose the making of actual cotton, the controlling power, the future's trade—pioneer in effort to keep pink boll worm out of Cotton Belt.

136. To enable the Secretary of Agriculture to meet the emergency caused by the existence of the pink cotton boll worm in Mexico and to prevent the establishment of such insect in the United States by the employment of all means necessary.

137. To prevent the movement of cotton and cottonseed from Mexico into the United States, to make surveys to determine the actual distribution of the pink boll worm in Mexico, and to exterminate local infestations in Mexico near the border of the United States in cooperation with the Mexican Government or local Mexican authorities.

138. To conduct surveys and inspections in Texas or in any other State to detect any infestation and to conduct such control measures, including the establishing of cotton free areas, in cooperation with the State of Texas or other States concerned, as may be necessary to stamp out such infestation.

139. On account of the menace to cotton culture in the United States arising from the existence of the pink boll worm in Mexico, the Secretary of Agriculture, in order to prevent the establishment and spread of such worm in Texas and other parts of the United States, is authorized to make surveys to determine its actual distribution in Mexico; to establish in cooperation with the States concerned a zone or zones free from cotton culture on or near the border of any State or States adjacent to Mexico; and to cooperate with the Mexican Government or local Mexican authorities in the extermination of the local infestations near the border of the United States. Senator HEFLIN was invited by Legislature of Texas to address it in favor of legislation to keep out Mexican pink boll worm. Legislature approved his plan and Congress made appropriation necessary for the work.

140. Helped to take away from cotton exchanges final decision in the matter of settling disputes arising between buyer and seller regarding cotton grades named in contract and aided in placing a provision in the law requiring the Secretary of Agriculture through expert cotton men in the department to determine the grade and classification of the cotton in dispute, thus requiring the seller to deliver spinnable cotton and the grade named in the contract. This required the seller to call upon the producer for real cotton with which to fill his contract. Senator HEFLIN proposed this valuable provision.

141. Was one of the first Members in Congress to cry out against speculation in cotton futures where no delivery of actual cotton was contemplated.

142. Started the fight on the 28 grades of inferior stuff called cotton tendered in settlement of future contracts on the exchanges and showed that the farmers of the South were robbed through this thieving system alone of millions of dollars every year. Succeeded in eliminating those grades that did not represent any part of the average crop.

143. Aided in passing a law which reduced the number of grades from 28 to 10, thus enabling the buyer of cotton on the exchange to compel the seller to deliver real cotton—cotton that represented the cotton produced and not the rat-nest stuff that used to be kept and tendered on exchanges in settlement of future contracts.

144. Led the fight to secure cotton statistics which enabled the farmers, merchants, and bankers of the cotton-growing States to handle the cotton business intelligently and in a businesslike way. The Government was then publishing only the reports of cotton ginned and the cotton spinner had all the information that he needed regarding cotton produced, but the farmer and merchant did not have any authentic information regarding the consumption and exportation of cotton.

145. Was first to advocate and insist upon the Government gathering and publishing statistics giving the amount of cotton consumed each month by the cotton mills of the United States—the amount of cotton on hand from time to time at the mills and warehouses of the country—the amount exported each month and the amount of old cotton left over at the end of the year. He aided in securing the passage of this law. Before this much-needed information was obtained the speculators would give out false and misleading reports regarding the amount of cotton being consumed and exported. When certain speculators and spinning interests in the East and in New England demanded that a price be fixed on cotton during the World War and two bills were introduced in the House—one to fix the price at 15 cents and the other at 20 cents—he found that the purpose of certain Members of the House who did not live in the cotton-growing States was to fix the price at not more than 20 cents a pound, and he fought the proposition bitterly, and by helping to defeat it prevented distress and suffering in the South and saved millions of dollars to the farmers, merchants, and bankers of the cotton-growing States.

146. In the fall of 1918 and spring of 1919, when foreign interests and bear speculators in America united their forces in one mighty effort to break down the price of cotton in the United States and succeeded in breaking the exchange price about $75 a bale, he made speeches in the House and 12 speeches in the Cotton Belt, declaring that there was no excuse for a decline in prices, that the supply was not sufficient to meet the demands, and urged cooperation between farmer, merchant, and banker, saying that they could and would win the fight, and they did. Cotton advanced more than $75 a bale. When the banks of the South had loaned large sums of money on cotton, and when these banks continued to carry the loans even after the price of cotton had been beaten down below the amount on which the banks had made the loans, certain speculative and spinning interests tried to get the Government to arbitrarily withdraw from the local banks Federal reserve bank aid, so that the farmers and merchants would be forced to sell their cotton, although to do so meant financial loss and distress throughout the cotton-growing States. Then it was that he declared that the scarcity of cotton and the large world demand made cotton the finest collateral in the world and its speedy rise in price a certainty, and that the Government should not lend itself to the mean and unholy purpose of conscienceless speculators who were seeking to rob the cotton producers of the fruits of their toil.

147. Suggested and helped to enact a law for the punishment of Government officials who would give out and publish misleading or false reports regarding cotton statistics.

148. Helped to pass law to authorize and enable Agricultural Department to assist in finding new uses for American cotton.

149. First to suggest and cause the Government to separate "linters" from "cotton" in its reports of the amount of cotton produced. He and Senator HARRIS, of Georgia, brought about that important change. This one thing has been worth millions of dollars to the cotton growers. Formerly the Government report of cotton produced had in it a million bales of linters, but the public did not know it, and it helped to depress the price of cotton. But now the report shows so many bales of cotton produced and in a separate and distinct item so many bales of linters. Taking a million bales of linters out of the report of the annual production of cotton has meant a great deal to the cotton producers.

150. Introduced and passed through Senate a bill providing a fine of $15,000 and imprisonment for five years for any Government official who makes predictions regarding the price of cotton.

151. Three years ago helped to expose and drive from Government service in Agricultural Department, Tenney, of New York, who made a prediction in a cotton report that the price of cotton would be lower. That prediction cost the cotton producers many millions of dollars. Senator HEFLIN led the fight that drove him from the service and was the author of a bill passed by the Senate to prevent such crooked and harmful practices in the future.

152. Introduced and passed through the Senate at this session of Congress a bill requiring the Government, in reporting the amount of cotton on hand from time to time, to report the amount of linters in a separate and distinct item, so that the farmer and public will know how much is cotton and how much is linters.

His bill also provides that in making a report on the amount of cotton left over at the end of the year, known as the "carry-over," the Government report shall show just how much of it is cotton and how much of it is linters. Heretofore the report would show, for instance, 3,500,000 bales of cotton in the carry-over, when more than 700,000 bales of that amount was linters and should not have been reported as cotton. Deduct 700,000 bales of linters from the carry-over and we would have a carry-over of only 2,800,000 bales.

This measure will be worth millions of dollars to cotton farmers.

153. He introduced and passed at this session of Congress a bill requiring the Government to designate in a separate item "bollies" in its report on cotton produced. Bollies is an undeveloped and immature product taken from the green cotton boll which is pulled from the stalk before the boll is developed or opened. The bolls are dried, run through some kind of a thrashing machine separating the hulls from the fiber. After ginning, the lint is baled like other cotton, and is now reported bale for bale like cotton fully developed in the field. There are about six or seven hundred thousand bales of it now produced in Oklahoma and Texas. Senator HEFLIN'S bill provides that instead of counting that stuff in with fully developed cotton it shall be reported in a separate item, saying "bollies," so many bales, just as the report will show "linters," so many bales, and cotton, so many bales.

This measure will be of great help to the cotton farmer and will result in getting for him a better price for actual cotton.

These bills have passed the Senate and are now in the House awaiting action by that body.

RECLAMATION AND IRRIGATION

154. To reclaim swamp lands in the South. For investigations of lands reclaimed under the reclamation act.

155. To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering.

156. For protecting and preserving our forest trees.

157. For eradication or control of the white-pine blister rust.

158. For the eradication of worms and insects that injure fruit trees and forest trees.

159. Helped to pass law investigating and reporting upon farm drainage and upon the drainage of swamp and other wet lands which may be made available for agricultural purposes.

EXPERIMENT STATIONS

160. To carry into effect the provisions of an act to establish agricultural "experiment stations" in connection with the colleges established in Alabama and other States. Great good has come to farmers from this act.

161. To enable the Secretary of Agriculture to enforce the provisions of the act to provide for cooperative agricultural extension work between the agricultural colleges in the several States. This act has been of great benefit to the farmers of Alabama and other States.

162. To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States in the matters of rural credits and other forms of cooperation in rural communities; to diffuse among the people of the United States useful information growing out of these studies.

BUREAU OF MARKETS

163. Rendered signal service when he helped to establish the Bureau of Markets, giving needed and valuable assistance and information to the farmer and the consumer. That one act has been worth thousands of dollars to farmers and truck gardeners in giving information regarding markets and prices and demand for their products.

MARKETING FARM PRODUCTS

164. To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products. This act has been of tremendous value to the farmers of Alabama and other States.

165. To provide bulletins and other information necessary to promote and make prosperous truck gardening in the South.

166. He introduced at this session and passed through the Senate a resolution for the investigation of those who were manipulating the cotton market in the fall of 1929 and exposed the most diabolical combination to control cotton prices in the United States. He brought out facts showing that one cotton speculator "heavily financed" had a million bales of actual cotton that he was using to depress the market and had a million bales of cotton futures sold on the cotton exchanges to help beat down the price. The information gotten in the HEFLIN investigation will no doubt result in the Department of Justice breaking up that combination to control the price of cotton.

A PART OF SENATOR HEFLIN'S RECORD IN SENATE, BY A FRIEND IN THE GOVERNMENT SERVICE WHO LIVES IN ANOTHER STATE

167. A part of the record of Senator HEFLIN'S services in the Senate:

Elected to the United States Senate November 2, 1920, to fill the vacancy caused by the death of John H. Bankhead. Mr. HEFLIN took his oath in the Senate December 6, 1920, at the beginning of the Sixty-sixth Congress, third session.

There is hereinafter set forth the numbers and titles of several bills, resolutions, and amendments introduced by Senator HEFLIN which were enacted into law or which, in the case of amendments or simple resolutions, were agreed to in the Senate, since Mr. HEFLIN'S entrance into that body.

It was the last session of the Sixty-sixth Congress, third session, which lasted but a little more than two months. It was then that Senator HEFLIN commenced his attack upon those who had produced the panic of 1920 and 1921.

[Sixty-seventh Congress, first session]

BIRMINGHAM SEMICENTENNIAL SPECIAL STAMP

168. Senate bill No. 2420: A bill authorizing and directing the Postmaster General to permit the use of a special (canceling) stamp at the post office of Birmingham, Ala., bearing the words "Birmingham semicentennial, October 24 to 29, 1921."

Passed Senate August 19, 1921 (Senate Journal, p. 240).

Also passed House and became act of August 24, 1921 (Public, No. 63).

MEMORIAL OF MAJ. GEN. WILLIAM C. GORGAS

169. Senate Resolution No. 250: A resolution to print 2,500 copies of Senate Document No. 350, Sixty-sixth Congress, third session, on the memorial services in honor of Maj. Gen. William Crawford Gorgas. This resolution was considered and agreed to in the Senate on April 14, 1922 (CONGRESSIONAL RECORD, p. 5492).

RELIEF OF MAJ. FRANCIS M. MADDOX

170. Senate bill No. 1032: A bill for the relief of Maj. Francis M. Maddox, United States Army.

This bill was introduced in the Senate by Senator HEFLIN on April 21, 1921 (CONGRESSIONAL RECORD, p. 525), and it was referred to the Senate Committee on Claims; it was reported back (S. Rept. 150) on June 23, 1921 (RECORD, p. 2930); the bill passed the Senate on June 27, 1921 (RECORD, pp. 3062-3063). The next day, June 28, 1921, it was referred to the House Committee on Claims. The same bill, in substance, was introduced in the House (H. R. 6407) by Mr. MCDUFFIE, a Representative in Congress from Alabama, representing the congressional district in which the claim originated; and under the established custom, the bill of the Congressman was reported out of the House Claims Committee and was passed and became the law; the House bill passed the House July 29, 1921 (RECORD, p. 4467); it then went to the Senate where Senator HEFLIN, on August 10, 1921 (RECORD, p. 4820), brought it up and endeavored to have it passed; it was not passed on that day, but again on August 16, 1921, Senator HEFLIN asked for the consideration of the bill; it was passed by the Senate on August 16, 1921 (RECORD, p. 5055).

While Mr. MCDUFFIE'S bill, the House bill, was the bill that became the law, the fact that Senator HEFLIN first had the bill passed by the Senate made it easier to get the measure through the House, and then

when the bill reached the Senate after having passed the House, it passed the Senate without trouble at HEFLIN's request.

This bill became law and is the act of August 24, 1921 (Private Act No. 4, 67th Cong., 42 Stat. 1566).

[Sixty-eighth Congress, first session]

PENSION DOROTHY ANNIE BRITTEN

171. Senate bill No. 1948: A bill granting a pension to Dorothy Annie Britten.

This bill was introduced by Senator HEFLIN on January 14, 1924, and referred to the Senate Committee on Pensions. The substance of this bill was included in the general pension bill (H. R. 6426, 68th Cong., 1st sess.) which became law, the act of December 8, 1924 (Private Act No. 68, 68th Cong., 43 Stat. 1381).

RELIEF OF EUGENE K. STOUDEMIRE

172. Senate bill No. 1323: A bill for the relief of Eugene K. Stoudemire, introduced by Senator HEFLIN December 17, 1923 (RECORD, p. 319), and referred to the Committee on Claims. Reported back (S. Rept. No. 56) January 14, 1924 (RECORD, p. 915); passed Senate January 16, 1924 (RECORD, p. 1037). The bill passed the House in the second session of the Sixty-eighth Congress, February 24, 1925 (RECORD, p. 4621). The bill became the act of March 3, 1925 (43 Stat. 1585, Public, 218).

TO COMPENSATE FOR DAMAGES, LIEUT. L. D. WEBB

173. Senate bill No. 1569: A bill to compensate Lieut. L. D. Webb, United States Navy, for damages to household effects while being transported by Government conveyance.

This bill was introduced by Senator HEFLIN and referred to the Senate Committee on Naval Affairs on December 20, 1923 (CONGRESSIONAL RECORD, p. 439); reported back (S. Rept. 753) June 5, 1924 (RECORD, p. 10609). Passed Senate December 30, 1924 (RECORD, p. 1011). The bill was referred to the House Committee on Claims January 3, 1925 (RECORD, p. 1143); the reference of the committee was changed and the bill was referred to the Committee on Naval Affairs January 13, 1925 (RECORD, p. 1790). The bill was then reported with amendments (H. Rept. 1358), January 31, 1925 (RECORD, p. 2825). The bill passed the House March 3, 1925 (RECORD, p. 5441). It became the act of March 4, 1925 (Private Act No. 254, 43 Stat. 1596).

[Sixty-ninth Congress, first and second sessions]

TENTS AND CAMP EQUIPMENT FOR CONFEDERATE REUNION

174. Senate Joint Resolution No. 59: A joint resolution authorizing the Secretary of War to lend (3,000 cots, 3,000 bed sacks, and 6,000 blankets) tents and camp equipment for the use of the (encampment) reunion of the United Confederate Veterans, to be held at Birmingham, Ala., in May, 1926. This resolution was introduced in the Senate by Senator HEFLIN, February 23, 1926 (RECORD, p. 4374); was referred to the Committee on Military Affairs, reported back and passed the Senate February 26, 1926 (RECORD, p. 4600); was referred to the House Committee on Military Affairs February 27, 1926 (RECORD, p. 4729); was reported from the House committee, with amendment, and the Senate bill (Senator HEFLIN's bill, Senate Joint Resolution 59) was substituted for the House resolution and passed the House March 29, 1926. It became law, the act of April 5, 1926 (Public Resolution No. 11, 44 Stat. 236).

A. MORO & ANTHONY CAMPBELL LAND CLAIMS

175. S. 4720, Sixty-ninth Congress, second session, A. Moro & Anthony Campbell: A bill to relinquish to its equitable owners the title of the United States to the land in the claims of A. Moro and of Anthony Campbell in Jackson County, Miss. This bill was introduced by Senator HEFLIN and referred to the Committee on Public Lands and Surveys, December 10, 1926 (RECORD, p. 205).

The bill was reported back (S. Rept. No. 1523), February 19, 1927 (RECORD, p. 4199).

On February 28, 1927 (RECORD, p. 5062), Senator HEFLIN asked that his bill be indefinitely postponed and that the House bill (H. R. 14881), which had already passed the House, be substituted for the Senate bill. This is in accordance with the usual custom, and so upon Senator HEFLIN'S request the House bill was substituted for his own bill and passed the Senate February 28, 1927, and became the law, the act of March 3, 1927 (Private Act No. 473), found in the 44 Stats. 1827).

RELIEF OF KATE T. RILEY

176. Senate bill No. 2674, Sixty-ninth Congress, first session, a bill for the relief of Kate T. Riley: This bill was introduced by Senator HEFLIN January 21, 1926, and referred to the Committee on Claims (RECORD, p. 2487); it was reported back with amendments (S. Rept. No. 595), April 14, 1926 (RECORD, p. 7396). The bill passed the Senate April 29, 1926 (RECORD, pp. 8422–8423). The bill was reported in the House, a House bill, which was laid on the table and Senator HEFLIN's bill passed the House in lieu of the House bill, May 25, 1926 (RECORD, pp. 10045–10046), and became the act of June 1, 1926 (Private Act No. 85, found in 44 Stats. 1485).

INCREASE THE PENSION TO ELIZABETH B. PETTUS

177. Senate bill No. 3234: A bill to increase the pension to Elizabeth B. Pettus.

This bill was introduced and referred to the Committee on Pensions February 15, 1928 (RECORD, p. 2998).

This bill was not reported from the committee, but the substance of it was embodied in the general pension bill which became law (H. R. 13563), the act of May 29, 1928 (Private Act No. 227, 45 Stat. 2008), and the increase was granted to this pensioner as provided in the bill introduced by Senator HEFLIN.

FOR THE RELIEF OF THE ESTATE OF C. C. SPILLER

178. Senate bill No. 5787: A bill for the relief of the estate of C. C. Spiller, deceased.

Mr. HEFLIN introduced this bill and it was referred to the Committee on Claims February 12, 1929 (RECORD, p. 3293).

The bill was reported back (S. Rept. No. 1725) February 13, 1929 (RECORD, p. 3357).

The bill passed the Senate February 26, 1929 (RECORD, p. 4345). No further action on the bill was necessary, however, because the substance of it was carried in the House bill (H. R. 11339), which passed the House on the same day that the Senate bill passed the Senate, February 26, 1929; the House bill then came to the Senate and passed the Senate March 1, 1929, after having been reported back (S. Rept. 2047). This bill became the act of March 2, 1929 (Private Act 532, 45 Stat. 2370).

TO PROVIDE FOR A MONUMENT TO MAJ. GEN. WILLIAM C. GORGAS

179. Senate Joint Resolution No. 92: To provide for a monument to Maj. Gen. William Crawford Gorgas, late Surgeon General of the United States Army.

This resolution was introduced by Mr. HEFLIN and it was referred to the Senate Committee on the Library February 8, 1928 (RECORD, p. 2668). It was reported with amendment (S. Rept. 906) April 27, 1928 (RECORD, p. 7335). The resolution passed the Senate May 8, 1928 (RECORD, p. 8094).

The resolution was referred to the House Committee on the Library May 10, 1928 (RECORD, p. 8360).

No action was taken on this resolution in the House.

DEATH OF FORMER SENATOR UNDERWOOD

180. Senate Resolution No. 306: A resolution relative to the death of former Senator Oscar W. Underwood, of Alabama.

This resolution was introduced in the Senate and agreed to January 25, 1929 (RECORD, p. 2223).

The resolution was introduced by Senator HEFLIN, who also announced in the Senate the death of Senator Underwood on the 25th of January, 1929. The Senate at once adopted Senator HEFLIN's resolution and adjourned out of respect to the memory of Senator Underwood.

MAJOR GENERAL GORGAS

181. Senator HEFLIN introduced a measure that passed the Senate providing for a monument to Maj. Gen. William Crawford Gorgas, late Surgeon General of the United States Army, beloved Alabamian and great American, who did so much to save human lives, one of our country's greatest men. While this measure has not become law as yet, Senator HEFLIN hopes to see a memorial erected to this great man which will be worthy of him and his country. The most that we could do to honor his memory would not be more than it deserves. It is up to the House to pass the Heflin measure.

RELIEF MEASURES AND PENSIONS FOR ALABAMIANS

182. With a warm heart and sympathy for his fellow man, Senator HEFLIN has not failed to look after the human and personal side of his office of Senator. He has wherever possible secured the passage of all relief measures and pension bills and increases for citizens of Alabama, and has secured the passage of a number of such measures, including a law for relief of officers in the United States Army. No ex-service man ever called Senator HEFLIN in vain. I believe that he has helped more World War veterans than any other Senator.

183. As regards corruption and bribery in the Government he has always been a faithful watchman. When the Harding administration was ushered into power there ensued the most appalling orgy of corruption, bribery, and graft that has ever been visited upon this country. The indictment of high Government officials became almost as common an occurrence as taking a morning walk. The Daughertys, the Forbes, the Falls, and others too numerous to mention were indicted. Some went to the penitentiary, others got sick and whined and wormed out of serving their sentences, and others were too rich and powerful even to be subject to the majesty of the law of a great nation, so they have been set free! A nice commentary on justice!

Against these miscarriages of justice and wrongs toward the Republic, Senator HEFLIN stood firm and spoke unflinchingly and convincingly. Other men have not hesitated to denounce dishonesty and corruption in government, other Senators have done so, but it remained for the courageous Senator from Alabama to "call a spade a spade"; he "spoke out in meetin'," freely and unafraid, sometimes when others were timorously lurking in the shadows of safety.

And, by the way, it is about time for public men to begin to speak plainly and in unmistakable terms. It is time for public men to be what they were intended to be, leaders of thought among their people and to attempt to mold public sentiment along right lines for the common good, instead of keeping their ears constantly to the ground

to hear the rumblings of certain influential groups who may be opposed to some of their official acts or being frightened into throttling their convictions by every passing wind of discontent and opposition. The people are getting mighty sick and tired of "pussyfooting and sidestepping politicians," and they will follow a man who has the courage of his convictions, who will take the public into his confidence as Senator HEFLIN does, even if they do not agree with him in all of his views on questions in which they are concerned.

PREVENTION OF SPREAD OF MEXICAN BEAN BEETLE

184. Amendment—Mexican bean beetle: On March 21, 1922 (CONGRESSIONAL RECORD, p. 4192), Senator HEFLIN introduced in the Senate an amendment to the agricultural appropriation bill (H. R. 10730), providing an appropriation of $50,000 to meet the emergencies caused by the recent introduction and rapid multiplication of the Mexican bean beetle in the State of Alabama and other States, etc., which amendment was intended to be proposed to the agricultural appropriation bill. The amendment was referred to the Committee on Appropriations and ordered to be printed.

Subsequently the agricultural appropriation bill carried an appropriation of $25,000 for the purpose proposed by Senator HEFLIN—that is, for the "control and prevention of the spread of the Mexican bean beetle," and the agricultural appropriation bill passed and became the act of May 11, 1922 (Public Act No. 217, 67th Cong., 42 Stat. 583). While the appropriation is not as large as he endeavored to secure, to Senator HEFLIN is due the credit for the appropriation of $25,000 to combat the destructive Mexican bean beetle. (Law. Act May 11, 1922, 42 Stat. 538.)

FARM RELIEF

185. Senate bill No. 3555, April 12, 1928 (RECORD, p. 6279): Senator HEFLIN submitted an amendment changing the phraseology of the McNary farm relief bill (Senate bill 3555), and Senator HEFLIN's amendment was agreed to.

HON. J. THOMAS HEFLIN, UNITED STATES SENATOR FROM THE STATE OF ALABAMA

186. A friend of Senator HEFLIN says the Senator from Alabama is the friend of the farmer. Since his election to the United States Senate and his entrance into that body December 6, 1920, Senator HEFLIN has been constantly on the alert to do everything within his power in his legislative capacity not only to advance the welfare of his native State and the Southland but to safeguard the interests of his common country as well. Since he has been in Congress he has befriended and served the laboring man and woman in every walk of life.

AGRICULTURE AND THE FARMERS' INTERESTS

He conceived it to be his duty to look after the people—all the people and their interests. Soon after taking up his duties as Senator he proposed an amendment to the agricultural appropriation bill providing an appropriation of $50,000 for the purpose of meeting the emergencies caused by the introduction and rapid multiplication of the Mexican bean beetle in the State of Alabama and to prevent the further spread of this destructive pest which was doing so much damage to the crops. While he did not secure as much money for this purpose as he desired and asked for, he was successful in procuring an appropriation of $25,000, which sum was carried in the agricultural appropriation act of May 11, 1922.

187. He also secured the passage by the Senate of resolutions providing for the collection and publication by the United States Census Bureau of more complete and accurate statistics of cotton; to correct erroneous reports on cotton ginned; to investigate an alleged illegal combination to fix the price of cottonseed; to provide for the investigation of cotton exchanges and others engaged in the cotton business; and a resolution requesting the Federal Reserve Board to give its reasons for increasing the rediscount rate and to furnish information relative to the harmful speculation in farm products, the purpose of this being to prevent the speculative activities of the Federal Reserve Board. Senator HEFLIN also is the author of a bill to prohibit the printing in any Government report, bulletin, or other publication of predictions with respect to prices of cotton or grain, the purpose of this proposed law being to prevent and prohibit the hurtful and speculative influences of such predictions on the price of these commodities. He deprived the enemies of the cotton producers of their power to sell their power to beat down the price of cotton.

Farm relief: When the McNary-Haugen farm relief bill was before the Senate, May 13 and 14, 1929, Senator HEFLIN offered amendments proposing to increase the appropriation from $500,000,000 to $1,000,000,000 to carry out the provisions of the farm relief measure; but the amendment was rejected. He was seeking to make that amount available to take care of the cotton crop. Through his constant attention to duty he has been able on the floor of the Senate to force action a number of times in behalf of the farmers through his ability as a speaker and his understanding of the legislation before the Senate.

MUSCLE SHOALS

Amendments and bill—Substitute bill

188. Muscle Shoals: On March 31, 1926 (RECORD, p. 6611), Senator HEFLIN submitted in the Senate two amendments to Senate Concurrent Resolution No. 4, the resolution creating the committee on Muscle Shoals, and providing for expenses of the committee, etc.

The purpose of one of the amendments was to perfect the language of the resolution, and the other was to cut down the expenses of the committee from $10,000 to $5,000. These amendments were agreed to March 31, 1926 (RECORD, p. 6611).

Again, on April 27, 1926 (RECORD, p. 8301), Senator HEFLIN submitted an amendment intended in the nature of a substitute bill to be proposed in lieu of Senate bill No. 4106, "to authorize and direct the Secretary of War to execute a lease with the Muscle Shoals Fertilizer Co. and the Muscle Shoals Power Distributing Co., and for other purposes." No action was taken on the matter at that time, however.

Again, in the second session of the Sixty-ninth Congress (RECORD, p. 4744), Senator HEFLIN submitted his bill as a substitute for Senate bill No. 4106, but no action was taken thereon at that time.

[Sixty-seventh Congress, second session]

BRIDGE ACROSS HEADWATERS OF MOBILE BAY

189. Senate bill No. 2994: A bill to revive and reenact the act entitled "An act to authorize the Gulf Ports Terminal Railroad Co., a corporation existing under the laws of Florida, to construct a bridge over and across the headwaters of Mobile Bay and such navigable channels as are between the east side of the bay and Blakely Island in Baldwin and Mobile Counties, Ala," approved October 5, 1917. This bill passed the Senate January 19, 1922 (RECORD, p. 1384), and passed the House February 6, 1922 (RECORD, p. 2191), and became the act of February 14, 1922 (Public Act No. 143, 67th Cong., 42 Stats. 365).

[Sixty-seventh Congress, fourth session]

TIME FOR CONSTRUCTION EXTENDED FOR BRIDGE ACROSS MOBILE RIVER

190. Senate bill No. 4469: A bill to extend the time for the construction of a bridge or bridges and trestles over the navigable channels of the mouth of the Mobile River in the State of Alabama. This bill passed the Senate February 8, 1923 (RECORD, p. 3237), and passed the House March 1, 1923 (RECORD, p. 5050), and became the act of March 3, 1923 (Public, No. 487, 67th Cong., 42 Stats. 1440).

[Seventieth Congress, first and second sessions]

RAILROAD BRIDGE ACROSS TOMBIGBEE RIVER

191. Senate bill No. 768: A bill (to authorize) granting the consent of Congress to the Alabama Great Southern Railroad Co. to rebuild and reconstruct and to maintain and operate the existing railroad bridge across the Tombigbee River at Epes, in the State of Alabama.

This bill was introduced in the Senate by Senator HEFLIN and referred to the Senate Committee on Commerce December 9, 1927 (Seventieth Congress, first session; it was reported from the committee (S. Rept. No. 122) January 25, 1928 (RECORD, p. 1984); it was amended and passed the Senate January 25, 1928 (RECORD, p. 1987); upon the request of Senator HEFLIN the bill passed the Senate without opposition.

Later, February 6, 1928 (RECORD, p. 2579), substantially the same bill, a bill by Mr. OLIVER (H. R. 8889), passed the House, having been reported from the House committee with amendments (H. Rept. No. 408). After the bill passed the House it went to the Senate, where it was referred to the Senate Committee on Commerce; it was reported from that committee (S. Rept. No. 458) March 2, 1928 (RECORD, pp. 3910–3911), and it passed the Senate March 6, 1928 (RECORD, p. 4174).

Later, the House bill having already passed both the House and Senate, as shown, on May 26, 1928 (RECORD, p. 10145), the Senate bill was indefinitely postponed under the established practice in such cases.

The bill passed became the act of March 12, 1928 (Public Act No. 158, 45 Stat. 308).

TAX REFUNDS

192. Senate Resolution No. 110: Requesting the names of certain persons receiving tax refunds.

"*Resolved*, That the Secretary of the Treasury be, and he is hereby, requested to furnish to the Senate a list by States of the names of people to whom taxes have been refunded and the amount so refunded in each case in the last refund of taxes made by the Secretary of the Treasury."

This resolution was introduced by Senator HEFLIN January 14, 1928, debated January 23, 1928, briefly (RECORD, p. 1847), and modified and agreed to, after debate, January 27, 1928 (RECORD, pp. 2120–2124). On February 21, 1928 (RECORD, p. 3313), the Vice President laid before the Senate a communication from the Secretary of the Treasury transmitting, in compliance with Senate Resolution No. 110 (agreed to January 27, 1928), a list, by States, of persons to whom taxes have been refunded, amounting in each case to $25,000 or more, during the fiscal year ended June 30, 1927. The communication from the Secretary was ordered to lie on the table and to be printed (S. Doc. No. 60, 70th Cong.).

COTTON STATISTICS

193. Senate bill No. 4206: A bill authorizing the Director of the Census to collect and publish certain additional cotton statistics.

Mr. HEFLIN introduced this bill and it was referred to the Committee on Agriculture and Forestry April 25, 1928 (RECORD, p. 7144). Re-

ported back with an amendment and passed the Senate on May 29, 1928 (RECORD, p. 10610).

No action was taken on this bill in the House.

Senate bill No. 5474: A bill authorizing the Director of the Census to collect and publish certain additional cotton statistics.

This bill was introduced by Senator HEFLIN January 21, 1929 (RECORD, p. 1960); the bill was reported back (S. Rept. No. 1545) without amendment January 28, 1929 (RECORD, p. 2313).

The bill passed the Senate February 9, 1929 (RECORD, pp. 3135–3136). It was referred to the House Committee on the Census February 13, 1929 (RECORD, p. 3414).

No further action on this bill.

COTTON AND GRAIN—TO PROHIBIT PREDICTIONS WITH RESPECT TO PRICES

194. Senate bill No. 3845: A bill to prohibit predictions with respect to cotton (or grain) prices in any report, bulletin, or other publication issued by any department or other establishment in the executive branch of the Government.

Mr. HEFLIN introduced this bill and it was referred to the Committee on Agriculture and Forestry March 30, 1928 (RECORD, p. 5668). It was reported with amendments April 19, 1928 (RECORD, p. 6737), and it passed the Senate May 11, 1928 (RECORD, p. 8365). The debate on the bill occurred in the Senate on April 24, 26, 28, May 7, 8, 10, and 11, 1928.

No action was taken on this bill in the House.

TAX REFUNDS

195. Ever watchful to protect the interests of the many against the usurpations of the "favored few," the Senator's eagle eye did not fail to note the activities of certain big, rich taxpayers to secure refunds from the Government of taxes paid by them, and his keen intuition suggested to him that he secure a list of names of the taxpayers to whom the Treasury Department was making these large refunds of taxes. The list of names was furnished in response to a resolution which Senator HEFLIN had passed by the Senate January 27, 1928. If that resolution did nothing else, it at least had the effect of putting Mr. Mellon on notice and calling attention of the country to the fact that his favors to his "special friends" was being checked up. HEFLIN was on the job.

IMPROVEMENTS OF FOWL RIVER AND THREE MILE CREEK

Improvement of rivers and harbors of Alabama

196. Amendments to rivers and harbors bill (H. R. 11616): December 21, 1926 (RECORD, p. 865), Senator HEFLIN submitted amendments providing for examinations and surveys of "Three Mile Creek from Mobile River to the Industrial Canal, Ala." and also for examinations and surveys of "Fowl River, Ala., with a view to securing a navigable channel at 8 feet depth and suitable width from Mobile Bay to a point about 1 mile above the highway bridge on the Cedar Point Road." These amendments were agreed to in the Senate on December 21, 1926 (RECORD, p. 865), and became a part of the law, rivers and harbors act of January 21, 1927 (Public Act No. 560, 44 Stat. 1019).

RIVERS AND HARBORS IMPROVEMENTS FOR ALABAMA—MUSCLE SHOALS

197. He has taken an active interest in all matters affecting the rivers and harbors improvements of his State, and recently secured authorizations, embodied in the rivers and harbors act of January 21, 1927, providing for examinations and surveys of Fowl River and Three Mile Creek in Alabama. He also secured the passage of bills for the construction of bridges across the headwaters of Mobile Bay and an act to extend the time for such construction, and he also secured the passage of a law providing for a railroad bridge across Tombigbee River at Eppes, Ala. His activities in behalf of the Muscle Shoals project are too well known to need comment here.

TREASURY DEPARTMENT—EMPLOYEES OF INCOME-TAX UNIT

Employees improperly separated from the classified civil service

198. On June 5, 1926 (RECORD, p. 10763), Senator HEFLIN introduced his Senate Joint Resolution No. 115, Sixty-ninth Congress, first session, to correct the injustice and wrong done certain employees of the classified civil service, who had been separated from their positions in the public debt section of the Income Tax Unit of the Treasury Department, in violation of the classified civil service law and the reclassification act of 1923. Senator HEFLIN discussed his resolution and asked that it be referred to the Committee on Civil Service, which was done June 9, 1926 (RECORD, pp. 10987–10988). The resolution was reported with amendments (S. Rept. 1074) June 15, 1926 (RECORD, p. 11261). The resolution was amended and passed the Senate July 1, 1926 (RECORD, pp. 12537–12538). It was then referred to the House Committee on the Civil Service, July 2, 1926 (RECORD, p. 12740).

In the next session of Congress, that is, the second session of the Sixty-ninth Congress, Senator HEFLIN again took this matter up and introduced his resolution (S. Res. No. 345), requesting that the Civil Service Commission be directed to furnish the Senate with full information as to the persons separated from the civil service in the public debt section of the Income Tax Unit of the Treasury as indicated in the prior resolution (S. J. Res. 115, 69th Cong., 1st sess.). Senate Resolution No. 345 was introduced by Senator HEFLIN and was passed by the Senate on February 7, 1927 (RECORD, p. 3112). On February 26, 1927 (RECORD, p. 4888), the Vice President laid before the Senate a communication from the president of the United States Civil Service Commission transmitting the data requested in Senator HEFLIN's resolution.

ILLEGAL APPOINTMENTS AND DISMISSALS IN THE CIVIL SERVICE

199. Senate Resolution No. 154: A resolution to investigate illegal appointments and dismissals in the civil service since July 1, 1919.

This resolution was introduced by Mr. HEFLIN and referred to the Committee to Audit and Control the Contingent Expenses of the Senate February 20, 1928 (RECORD, p. 3228). It was reported with amendments, considered, amended, and agreed to May 19, 1928 (RECORD, p. 9143).

No action was taken on this resolution in the House.

THE CIVIL SERVICE

200. A staunch believer in genuine civil service (not the spurious sort), Senator HEFLIN very properly resented the separation of classified civil-service employees from their positions in the public-debt section of the income-tax unit of the Treasury Department in violation of the civil service law and the reclassification act of 1923, and he introduced in the Senate and secured the passage of a resolution calling upon the Civil Service Commission to furnish information on this matter, which was done, although the explanation given for the separation of these employees was not at all satisfactory. Senator HEFLIN has lost no opportunity to call attention to violations of the civil service law, and has done all that he could to help keep it clean and honest and have it fairly administered.

ABANDONED COTTON ACREAGE

201. Senate Resolution No. 319: A resolution directing the Secretary of Agriculture to publish in the August crop report the percentage of abandoned cotton acreage. This resolution was agreed to in the Senate July 11, 1922 (RECORD, p. 10140).

Senate Resolution No. 325: A resolution directing the Secretary of Agriculture to publish in the September crop report the percentage of abandoned cotton acreage. This resolution was passed by the Senate July 24, 1922 (CONGRESSIONAL RECORD, p. 10607).

Senate Resolution No. 333: A resolution relative to the establishment of cotton acreage to be included in the report of the Secretary of Agriculture on September 1, 1922. *"Resolved,* That the Secretary of Agriculture be, and he is hereby, authorized and directed to include in his September 1 cotton report an estimate of the acreage of cotton abandoned since June 25 up to August 25, 1922, and the acreage remaining in cultivation on the last-named date."

COTTON TAX

202. Senate Resolution No. 302: A resolution requesting information from the Secretary of the Treasury concerning the collection of the cotton tax.

This resolution was introduced by Mr. HEFLIN and agreed to by the Senate January 21, 1929 (RECORD, p. 1960).

February 1, 1929, the Presiding Officer of the Senate laid before the Senate a communication from the Secretary of the Treasury in response to Senate Resolution No. 302, passed by the Senate January 21, 1929, regarding the levy and collection of a cotton tax during the period of the Civil War, which communication was referred to the Committee on Finance and ordered to be printed (S. Doc. No. 214, 70th Cong.). (See CONGRESSIONAL RECORD, p. 2614.)

[Seventy-first Congress, first session]

COTTON STALKS FOR PRINT PAPER

203. Senate Resolution No. 61: A resolution requesting information from the Department of Agriculture regarding the making of print paper from cotton stalks and cornstalks. Introduced by Mr. HEFLIN, considered and agreed to May 16, 1929 (RECORD, p. 1389).

June 17, 1929 (RECORD, p. 2937), the Vice President laid before the Senate a communication from the Secretary of Agriculture transmitting, in response to Senate Resolution No. 61 (by Mr. HEFLIN, agreed to May 16, 1929), information relative to the making of print paper from cotton stalks, cornstalks, and other material, which, with the accompanying documents, was referred to the Committee on Agriculture.

ERRONEOUS REPORT ON COTTON GINNED

204. Senate Resolution No. 123: A resolution requesting information relative to an erroneous report on the number of bales of American cotton ginned up to September 23.

This resolution was introduced by Senator HEFLIN and ordered to lie over under the rule (RECORD, p. 3969), September 26, 1929, and was agreed to September 27, 1929 (RECORD, pp. 4010, 4040, 4041).

COTTONSEED

205. Senate Resolution No. 136: To investigate an alleged illegal combination to fix the price of cottonseed. October 19, 1929 (RECORD, p. 4691), the resolution was introduced and ordered to lie on the table and to be printed.

October 21, 1929 (RECORD, p. 4698), the resolution was agreed to.

COTTON-GINNING REPORTS

206. Senate Resolution No. 137: A resolution to investigate matters connected with the issuance and publication of cotton-ginning reports by the Census Bureau.

This resolution was introduced by Mr. HEFLIN and referred to the Committee on Agriculture and Forestry October 19, 1929 (RECORD, p. 4691).

Reported back, considered, and amended November 1, 1929 (RECORD, p. 5101).

Reconsidered, further amended, and agreed to November 2, 1929 (RECORD, p. 5103).

COTTONSEED

207. Senate Resolution No. 147: A resolution to investigate charges that certain cottonseed-oil mills are attempting to destroy the competitive market for cottonseed.

Mr. HEFLIN introduced this resolution and it was ordered to lie over under the rule November 1, 1929 (RECORD, pp. 5062, 5063).

Resolution considered and agreed to November 2, 1929, page 5103.

COTTON EXCHANGES

208. Senate Resolution No. 152: A resolution "requiring the Federal Farm Board to investigate cotton exchanges and others engaged in the cotton business." The resolution, as introduced by Senator HEFLIN, was modified and ordered to lie over under the rule November 9, 1929 (RECORD, pp. 5375, 5376).

November 11, 1929 (RECORD, p. 5405), resolution was modified and referred to the Committee to Audit and Control the Contingent Expenses of the Senate (RECORD, p. 5420). Reported back with amendments, considered, amended, and agreed to November 14, 1929 (RECORD, pp. 5531, 5532).

[Seventy-first Congress, second session]

COTTON STATISTICS

209. A bill (Senate bill No. 2322) authorizing the Director of the Census to collect and publish certain additional cotton statistics.

Introduced by Mr. HEFLIN and referred to the Committee on Agriculture and Forestry December 3, 1929 (RECORD, p. 30).

Reported back December 18, 1929 (RECORD, p. 838).

Passed Senate January 11, 1930 (RECORD, p. 1420).

Referred to the House Committee on the Census January 14, 1930 (RECORD, p. 1668).

No action taken on it in the House. (See also Senate bill No. 2323.)

Senator HEFLIN has done his part. He introduced and passed these important bills and resolutions through the Senate, and the responsibility for the failure to pass any one of them through the House should be laid at the door of the Members of the House.

COTTON TAX

210. Senator HEFLIN introduced a resolution calling on the Secretary of the Treasury for information in regard to the cotton tax illegally collected from the southern people during the period of the Civil War, and this information was furnished in Senate Document No. 214, Seventieth Congress. For a number of years efforts have been made from time to time to have this cotton tax refunded to the people of the South from whom it was collected or to their descendants, and Senator HEFLIN has done, and will continue to do, everything that he can to accomplish this end. Senator HEFLIN's resolution is an important step in that direction.

Alabama is entitled to $10,000,000 of this fund.

CONGRESSIONAL RECORD

211. Senate bill No. 5022: A bill to amend sections 183 and 184 of chapter 6 of title 44 of the United States Code, approved June 30, 1926, relative to the printing and distribution of the CONGRESSIONAL RECORD.

Senator HEFLIN introduced this bill and it was referred to the Committee on Printing December 18, 1928 (RECORD, p. 790). It was reported back without amendment December 19, 1928 (RECORD, p. 851). It was debated and passed the Senate January 4, 1929 (RECORD, pp. 1119–1120). It was referred to the House Committee on Printing January 5, 1929 (RECORD, p. 1194).

No action was taken on this bill in the House.

Senator HEFLIN's bill provided for sending more CONGRESSIONAL RECORDS to the people of the various States so that they could know what was going on in the Senate.

FRAUDULENT LAND DEALS IN TEXAS

212. Senate Resolution No. 133: A resolution "directing the Committee on Post Offices and Post Roads to investigate the complaints of fraudulent dealings in lands herein referred to" in Texas.

This resolution was introduced in the Senate January 28, 1924 (CONGRESSIONAL RECORD, p. 1551). It was reported back from the Committee to Audit and Control the Contingent Expenses of the Senate February 13, 1924 (CONGRESSIONAL RECORD, p. 2347). Considered and agreed to February 13, 1924 (RECORD, p. 2348).

This investigation, instituted by Senator HEFLIN, broke up a fraudulent system of land sales in the Rio Grande Valley of Texas that was robbing people in Alabama and several other States of the Union.

RELIEF OF ARMY OFFICERS

213. Senate bill No. 1568: A bill for the relief of certain officers in the United States Army.

Introduced by Senator HEFLIN and referred to the Senate Committee on Military Affairs, December 20, 1923 (RECORD, p. 439); reference of the bill changed to Senate Committee on Claims; bill reported back (S. Rept. 237), March 10, 1924 (RECORD, p. 3872). The bill passed the Senate April 2, 1924 (RECORD, p. 5394). It was then referred to the House Committee on Claims April 4, 1924 (RECORD, p. 5595); it was reported back from the House Committee on Claims (H. Rept. No. 948) June 3, 1924 (RECORD, p. 10414). The bill passed the House January 22, 1925 (RECORD, p. 2332). This bill became the act of February 3, 1925 (Private Act No. 122, 43 Stat. 1552).

[Sixty-seventh Congress, second session]

FEDERAL RESERVE BOARD

214. Senate Resolution No. 228: A resolution directing the Federal Reserve Board to furnish the Senate copies of bids submitted and contracts made for construction of the proposed Federal reserve bank building or buildings in the city of New York. The amendment was considered and agreed to in the Senate on January 28, 1922 (RECORD, p. 1858).

215. Senate Resolution No. 302: A resolution calling upon the Federal Reserve Board to give to the Senate in writing certain information regarding its publicity fund. "What sum is expended annually for publicity and monthly bulletins of said board, including salaries and other expenses connected with the printing of said bulletins?"

This resolution was considered, modified, and agreed to in the Senate on June 7, 1922 (CONGRESSIONAL RECORD, p. 8294).

Senate Resolution No. 304: A resolution calling on the Federal Reserve Bank of Atlanta for information regarding the distribution by said bank of a speech made by Senator GLASS in the Senate of the United States. This resolution was agreed to in the Senate June 8, 1922 (CONGRESSIONAL RECORD, p. 8372).

Senate Resolution No. 308: A resolution calling on all the regional Federal reserve banks of the United States, except the Federal Reserve Bank of Atlanta, for information regarding the distribution by said banks of a speech made by Senator GLASS in the Senate of the United States. This resolution was considered and agreed to in the Senate June 30, 1922 (CONGRESSIONAL RECORD, p. 9751).

216. Senate Resolution No. 335: A resolution directing the Federal Reserve Board to require the Federal Reserve Banks of Atlanta, Dallas, St. Louis, and Kansas City to report to the Senate the rates of interest charged by them on loans and discounts in 1920 and 1921. This resolution was read and referred to committee and reported with amendment in the second session of the Sixty-seventh Congress, and was considered and agreed to by the Senate in the fourth session of the Sixty-seventh Congress, December 6, 1922 (CONGRESSIONAL RECORD, pp. 131–132).

Senate Resolution No. 351: A resolution requesting the Federal Reserve Board to furnish the Senate a list of the names and addresses to which a certain speech was mailed. This resolution was considered in the second and fourth sessions of the Sixty-seventh Congress, and was agreed to in the Senate in the fourth session, December 12, 1922 (CONGRESSIONAL RECORD, pp. 331–332).

SPECULATIVE ACTIVITIES—FEDERAL RESERVE BOARD

217. Senate Resolution No. 323: A resolution requesting the Federal Reserve Board to give its reasons for increasing the rediscount rate and to furnish information relative to harmful speculation.

This resolution was introduced by Senator HEFLIN and ordered to lie over under the rule February 8, 1929 (RECORD, p. 3053). It was debated February 9 and 11 and passed the Senate February 11, 1929 (RECORD, p. 3207).

218. February 26, 1929, the Federal Reserve Board addressed a letter to the Senate, giving the information requested in the HEFLIN resolution, and this letter was printed in the CONGRESSIONAL RECORD of February 27, 1929 (p. 4518). It was also printed as a Senate document (S. Doc. No. 260, 70th Cong.).

THE PEOPLE OF ALABAMA LOVE AND TRUST HEFLIN

219. Senator HEFLIN has taken the people into his confidence; everybody knows where he stands on all important questions of the hour. He has not minced words. It is true that his candor and intense Americanism have at times caused clashes with some of his colleagues in the Senate. That has always been true of strong and determined characters. He has refused to follow the line of least resistance—the easy path which some public men prefer to walk. To HEFLIN, a public office is a public trust. Senator HEFLIN has steadfastly declined either to be won by the cajoleries of the senatorial mutual admiration society or to be cowed by those austere members who see things in a different light. He knows his rights, he knows the rights of his sovereign State, as well as those of his common country. He has not the slightest intention of permitting those rights to be abridged or interfered with in any way, and he has the courage to assert them at all times and under all conditions. Moreover, he knows the legislative procedure from A to Z, and is one of the ablest debaters and most fascinating speakers in or out of the United States Senate.

It would be "cutting off their noses to spite their faces" if they should turn from their true and devoted son, Senator HEFLIN, in the hour of his greatest usefulness to Alabama and to the country at large. The people of Alabama who know HEFLIN and love him despite the fact that some of them differ with him about some things know he is honest, fearless, and that he is able.

Now, that is the "meat in the coconut." What will the Democratic voters of Alabama do? They will, of course, return HEFLIN to the Senate by a tremendous majority, because they know that he is clean and capable and brave, and because they know that it is to their own interest and to the interest of the American people to have him there.

This writer who lives in another State and who does not agree with Senator HEFLIN on everything, believes that if every Democrat in Alabama knew him and knew of his ability and courage and of the service that the man is rendering to protect and preserve our great American Government not very many would vote against him.

220. The following is a copy of joint resolution adopted by the Legislature of Texas inviting Mr. HEFLIN to address that body:

Be it resolved by the senate (the house of representatives concurring), That—

Whereas the interest of the cotton growers of our State has always been of paramount interest to our people; and

Whereas Congressman HEFLIN has ever been the faithful and loyal champion of the interests of the cotton growers of the South: Therefore be it

Resolved by the senate (the house of representatives concurring), That the Hon. J. THOMAS HEFLIN be invited to address a joint session of the senate and house at such time as may be convenient to him, and that the president of the senate and the speaker of the house be directed to telegraph this invitation to the said Hon. J. THOMAS HEFLIN.

(Signed) W. H. HOBBY,
President of the Senate,
F. O. FULLER,
Speaker of the House.

Cotton rise due to German needs. Market feels effect of report that 1,000,000 bales will be taken when embargo is lifted. Gain runs to $7.50 a bale.

Congressman HEFLIN'S efforts to permit Germany to purchase 1,000,000 bales of cotton to be held in the United States until a permit to ship it to Germany is granted by the United States "has been the cause of no little concern to the southern spot markets, and probably contributed as much as any other one factor to advancing prices on an average of $7.50 a bale." (From New York (N. Y.) Times.)

Hon. Fred W. Davis, Commissioner of Agriculture of Texas, had the following to say regarding Mr. HEFLIN: "Congressman HEFLIN, among the public men of the South, is one of the best posted on the cotton-market situation past and present. He is also one of the most able and eloquent defenders of the southern cotton grower in his struggle for a voice in pricing what he produces. Mr. HEFLIN is a wise counsellor and a powerful champion of the southern cotton trade as it relates to the interests of the cotton grower and his friends."

[From New York Evening Post, December 13, 1928]

OPINIONS DIFFER

A sudden bulge in activity and a rise in prices, however, developed during the noon hour when the news came over the ticker from Washington that Senator HEFLIN of Alabama had declared in the Senate that the Government's crop estimate of last Saturday of 14,373,000 bales without linters was too large by at least a half million bales.

LIVERPOOL CLOSES DULL

The advance on this movement extended to 25 and 30 points from the low of the morning and to about 20 and 25 points over yesterday's closing. This brought December back to 20½ cents, January and March to about 20.45, May above 20⅝ and July over 20 cents before the rise was checked by fresh scattered profit taking.

[From Washington Post (no date shown)]

The Senate adopts Senator HEFLIN'S resolution requiring the Department of Agriculture to find out if print paper can be made from cotton. We realize that there isn't a man in America to-day who is doing as much as he is for the encouragement of the staple crop of the South every time we see him in one of his voluminous, clean, cool, cotton suits.

[From New York Herald Tribune, February 12, 1929]

WASHINGTON, Feb. 11.—After extended debate, the Senate to-day adopted a resolution offered by Senator J. THOS. HEFLIN, of Alabama, asking the Federal Reserve Board to give to the Senate any information and suggestions which it feels would be helpful in obtaining legislation to reach the loan situation and "prevent illegitimate and harmful speculation."

"His powerful presentations of the farmer's side of the cotton question fixes HEFLIN'S place before Congress and the American Nation as the leading champion of the cotton producers." (Savoyard, in Nashville Banner.)

[From The Journal of Commerce, December 14, 1928]

SENATOR HEFLIN BULL CARD—CROP ESTIMATE TOO HIGH?—CONTRACTS SCARCE

A sudden revulsion of sentiment sent cotton up at one time yesterday 20 to 25 points net in the fear that the last crop estimate by the Government may have been too high and that the November consumption report and the week's spinner takings to be announced to-day may be bullish. Offerings suddenly dried up. Senator HEFLIN of Alabama was the evil genius of the bears. He doubts the accuracy of the bureau estimate; thinks it entirely too high. And under the spur of this and short liquidation prices rose 25 to 35 points from the low of the morning. * * *

SENSITIVENESS OF MARKET

The sensitiveness of cotton to anything immediately or remotely bullish was strikingly exemplified yesterday in the early afternoon when that quick rally was caused largely by the fact that Senator HEFLIN of Alabama expressed the opinion on the floor of the United States Senate that the last Government estimate of 14,370,000 bales was 500,000 bales too high. Certainly it was 273,000 bales above the average pre-bureau estimate. Wall Street, the West, and other elements in the trading, it appears, started at once to cover on the HEFLIN report some of the cotton supposed rightly or wrongly to have been put out on the short side earlier in the week. Some made light of the HEFLIN matter at first and then took to cover. It turned out too as we already intimated, that the supply of contracts was none too plentiful. Prices soon ran up $1.50 a bale above the early low. * * *

[From the Washington Post, September 27, 1929]

The Senate adopted the HEFLIN Resolution requesting the Census Bureau to report how an error of 300,000 bales for Georgia was made in this week's cotton ginning report and to state what could be done to prevent such errors in the future.

221. Voted for all fair and just tariff rates on the products of mine, farm, and factory in the South, but opposed high and indefensible rates provided for in the present tariff bill.

222. He was among the foremost in the fight to refuse admission to the Senate of millionaire candidates who had corrupted the ballot and purchased voters and bought seats in the Senate from Michigan, Illinois, and Pennsylvania. He terrifically arraigned them and helped to drive them from the Senate.

His support of the American soldiers and the Government's program during the World War was so pleasing to President Wilson that he said in a public statement:

"Congressman HEFLIN has earned my friendship and esteem from the outset by reason of his intense Americanism and unfaltering support of every American measure!"

Mr. HEFLIN. Mr. President, before I sit down I want to call the attention of the Senate to an article appearing in the New York Times of yesterday. I had criticized the New York Times for its efforts to misrepresent me and to injure me in my race for the Senate in Alabama. The correspondent for the Times—I do not know who he is, but I would hate to meet him in the dark somewhere if he knew who I was and he knew that I did not know who he was and where he was—this little, asininical correspondent sat in that gallery and deliberately sought to do me injury in his report of my speech the other day. He took advantage of a thing that happens every day in the Senate. At the noon hour, from 12 to 2 o'clock, Senators are going down to lunch, and now a great many tourists are here from the various States. They send in their cards to Senators to come out to the reception room, and we go out, of course, glad to see our people from home. I have repeatedly seen Senators on the other side and Senators on this side speaking when there were not half a dozen Senators in the Chamber. I ask the Senator from California if that does not frequently occur?

Mr. SHORTRIDGE. It does; and it is always very depressing to the speaker.

Mr. HEFLIN. It is.

Mr. SHORTRIDGE. But the facts are as stated by the Senator from Alabama.

Mr. HEFLIN. Mr. President, I am going to ask the distinguished junior Senator from Georgia [Mr. GEORGE], who sits in front of me, if it does not frequently occur on this side of the Chamber as well as the other side that at the time when Senators are going to lunch and a Senator is making a lengthy speech the Chamber is well-nigh empty? I ask the Senator from Georgia if that is not true, if I am not stating the fact?

Mr. GEORGE. I am sure the Senator from Alabama has correctly stated the facts.

Mr. HEFLIN. Mr. President, I am doing this for this purpose: This New York Times hireling, this shoe-shiner for the Roman-Tammany bunch, stated:

When Senator HEFLIN made his speech nearly all the Senators had gone and there were only four listening to him.

Senators do not know what my opponents intend to do with that. They intend to circulate that in my State, and they will undertake to make the people of my State believe that when I speak, and especially on this subject of protecting America against the dangers that threaten it Senators walk out and refuse to listen to me. I assert that is not true, and I want the RECORD to show that the absence of Members from this Chamber at any time between 12 and 2 o'clock occurs every day at

the lunch hour. I came in the other day when the Senator from Montana [Mr. WALSH] was speaking and there were but three Senators listening to him. I came into the Chamber yesterday and not a half dozen Senators were listening to the Senator from Connecticut [Mr. BINGHAM], who was then speaking. That frequently happens; it ought not to be so; but I want the truth to be known.

Since this correspondent has made that statement I want to ask him why he did not go and ask the doorkeepers in the galleries whether they had room enough for the tourists who sought to come in, and as many as could get in came in and sat for two hours when I made my speech. The correspondent of the New York Times does not call attention to that.

Mr. President, the absence of certain Senators when I discuss that question, if they absent themselves on purpose, would not affect me in the least. I do not permit anything to prevent me from telling the truth about the dangers that threaten my country. I have a duty to perform, and I shall continue to perform it in spite of these hired agents of the Roman Catholic political machine such as the New York Times and this little, puny pen pusher in the press gallery.

Mr. Bargeron is a new convert to the Roman cause; they have galvanized that little buck all over. If he should go to Rome now they would no doubt let him kiss the hand and toe of the Pope. He has become one of the best little shoe shiners they have ever had in the press gallery. Poor little fellow! If you were to bore into his head with a gimlet, Mr. President, do you know what you would find? You would not find any gray matter, but you would find scrambled eggs and mayonnaise dressing. [Laughter in the galleries.]

The VICE PRESIDENT rapped with his gavel.

Mr. HEFLIN. Now, listen to what Mr. Bargeron got off in his little "listening post" this morning. They ought to tie him to a post somewhere and hold him. He says that Senator TRAMMELL listened intently to my speech.

Mr. President, he did, and I feel honored. There is not a man in this Chamber that I would rather have sit and listen to me and honor me with his presence than the Senator from Florida. There is not a Senator in this Chamber who has more grit, more genuine American courage than PARK TRAMMELL, of Florida. PARK TRAMMELL does not hide his light under a bushel; he holds it up where everybody can see it; he is a 100 per cent American and stands foursquare to every wind that blows.

But look what little Bargeron was doing! He was sitting in the watch tower for the Roman hierarchy; he was observing the Senators who were present and those that he said were absent. So when Senator TRAMMELL, knowing that I had told the truth—and when I challenged Senators time and time again to refute my statement, then they could not do it; and they can not do it—when the Senator approved the effort of one of his colleagues who was telling the truth and fighting against those who are trying to destroy him because he is true to his country and not a servant of the Roman hierarchy, certainly I appreciated his presence and certainly I appreciated his words of approval.

Mr. President, it will not be always thus in this Chamber. The day will come in the United States when none of you will be afraid to stand up and show your colors. This little hireling, Bargeron, sitting high up in yonder gallery, looks down and observes, and if anybody smiles at me when I am speaking he notifies the Pope, and if anybody shakes hands with me Bargeron tells a priest; hugs him around the neck, and they double-cross him, "check and double-check." [Laughter on the floor and in the galleries.]

The VICE PRESIDENT. The galleries must be in order as well as Senators.

Mr. HEFLIN. O Mr. President, just one more thing before I pass Bargeron. Shoo fly, don't bother me! Bargeron! Why, he has already perhaps been down to where they could put a blessing on him; they ought not to charge him anything for it, either. Of course, that little article he wrote is not worth anything, but it was an honest effort on his part to be a faithful servant to those who are trying to destroy me because I dare them and defy them. I do not truckle to them; let them carry on.

I want every State in the Union to witness the battle in my State—a battle of real democracy against alien influence. A battle of old-time Protestantism against Roman political Catholicism. Watch the battle. They are going to pour dollars into my State; they are going to pour them in there in large numbers, too, behind their chosen candidate; but, Mr. President, facing a constituency that is not for sale, armed in a righteous cause, and having upon me the blessings of Almighty God, I shall take my contest to the judgment bar of the people, and I will win by 100,000 majority.

USE OF GOLETA SAND SPIT, CALIF.

Mr. SHORTRIDGE. Mr. President, a few miles north of the city of Santa Barbara, Calif., is the village of Goleta, and a few miles west of that village is the Santa Barbara Channel. There is a point of land known as the Goleta Sand Spit. For many years the people from the interior of the State and its hot summer valleys have gone there with their families in the summer and enjoyed a few weeks of rest and recreation. It is well designed for that purpose.

Some years ago an effort was made to acquire that Government property and devote it to other purposes. I was called upon in respect to the matter, and went from my home to Santa Barbara, then to Goleta, and over to the sand spit mentioned. As a result of that visit and the information I received, I persuaded the Government to issue an order reserving that sand spit from private ownership and permitting it to be devoted to the purposes named. That order was very gratifying to me and others, and very beneficial to the persons to whom I have alluded.

I am now, sir, in receipt of telegrams from representative citizens, officials of Santa Barbara County, advising me that an effort is being made to cause a rescission of the order referred to, and, if that order shall be rescinded, this property which I have called and which is known as the Goleta Sand Spit will be turned over to private ownership or destroyed as a summer resort of the character I have briefly described.

In order that this matter may be brought to the attention of the War Department and the Interior Department—for it is suggested that the one or the other, or both, may have something to do with this matter—and, if they act as they are requested to act, will rescind the order referred to—I thus publicly bring attention to the matter; and to that end I wish to read and have put into the RECORD the telegrams of alarm and request which I hold in my hand.

Addressing me, the Goleta Farm Bureau says:

SANTA BARBARA, CALIF., *April 24, 1930.*

The Hon. SAMUEL M. SHORTRIDGE,
Senator from California, Washington, D. C.:

We understand private interest attempting to have War Department cancel permit for Santa Barbara County use of Goleta Beach, claiming it is not used. We do use it except where oil permits from War Department allow nuisance. We have drilled water well, built new bathhouse and bridge, and improved road. Beach frontage for public scarce and much needed. Please make vigorous protest.

GOLETA FARM BUREAU,
ESTHER O. CAMPBELL,
Secretary.

I read the following telegram from a business association that speaks advisedly:

We are advised of action by certain interests to rescind the order that set aside the Goleta Sand Spit and public park. People of this district highly indignant.

I pause to say that they are justified in being indignant.

Urge immediate investigation and action to prevent revocation and keep the Goleta Sand Spit as permanent park.

GOLETA BUSINESS MEN'S ASSOCIATION.

I read one more:

SANTA BARBARA, CALIF., *April 23, 1930.*

Senator SAMUEL M. SHORTRIDGE,
House of the Senate, Washington, D. C.:

Local rumor that Department of Interior contemplate revoking permit No. 042377 issued to Santa Barbara County for bathing beach. Santa Barbara County Farm Bureau protest this action. Will appreciate any support you can render.

J. M. RUTHERFORD,
President Santa Barbara County Farm Bureau.

In other words, Mr. President, at the request of the Santa Barbara Board of Supervisors, the various chambers of commerce, the various farm bureaus, and women's and men's associations, the Government issued a certain permit which in a sense—not to go into the legal aspects of it—devoted this sand spit to public purposes and to the uses I have briefly indicated.

I wish, and the people of that section of the State wish, that that order be not rescinded, that it shall remain in full effect. I have thus here called attention to this matter, this requested rescission of the order dedicating this Goleta Sand Spit to public uses, in order that it may arrest the attention of the departments of our Government that have to do with this subject matter. And I wish our officials to know that I and those I represent insist that the order in question be not rescinded or revoked, that the Goleta Sand Spit be reserved as a public park, a summer resort, for recreation purposes.

FORECLOSURE OF FARM MORTGAGES HELD BY FEDERAL LAND BANKS

Mr. BLEASE. Mr. President, I ask permission to have inserted in the RECORD a letter from the South Carolina Natural Resources Commission in reference to the foreclosure of mortgages on South Carolina farms by the Federal land banks, and my reply to it.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SOUTH CAROLINA NATURAL RESOURCES COMMISSION,
Columbia, S. C., April 23, 1930.

Gov. John G. Richards, chairman; T. C. Williams, Columbia, secretary; Dr. William Weston, Columbia; George D. Sanders, Fairfax; E. P. Vandiver, Anderson; W. J. Roddey, sr., Rock Hill; W. A. Coleman, Hyman; John T. Stevens, Kershaw; R. A. Easterling, Denmark; Robert Small, Charleston; Holmes B. Springs, Myrtle Beach; T. W. Bennett, Meggets; W. W. Smoak, Walterboro. William Weston, M. D., managing director. John K. Aull, Columbia, executive secretary. Advisory Council: Bernard M. Baruch, chairman; Gordon Abbott; Edwin G. Baetjer; Z. Marshall Crane; Bayard Dominick; S. R. Guggenheim; E. F. Hutton; Charles L. Lawrence; Paul D. Mills; Ralph Pulitzer; Nicholas G. Roosevelt; Horatio S. Shonnard; George D. Widener

Hon. COLE. L. BLEASE,
United States Senate, Washington, D. C.

MY DEAR SENATOR BLEASE: At a meeting of the South Carolina Natural Resources Commission the commission directed that I write each Member of the Senate and House of Representatives from South Carolina of the Congress of the United States stating that the commission by resolution expressed itself, in view of present conditions, as favoring an extension for a period of two years of mortgages held by Federal loan banks upon South Carolina farms.

It was stressed that there were three fundamental economic phases of the present financial situation which should appeal to Congress for such suspension of foreclosures: Putting the landowner off his farm into the populous centers; putting the Government in possession of farm lands and thereby making them nonproductive; and, incidentally, decreasing the tax revenues of the State.

With kind personal regards and all good wishes.

Respectfully,

JNO. K. AULL, *Executive Secretary.*

WASHINGTON, D. C., *April 24, 1930.*

Hon. JOHN K. AULL,
Executive Secretary South Carolina Natural Resources Commission, Columbia, S. C.

MY DEAR JOHN: Your letter of April 23d, containing resolution of your commission "as favoring an extension for a period of two years of mortgages held by Federal loan banks upon South Carolina farms," received. I thank you for the same.

As no doubt you and the other members of your commission know, I have been fighting for two years trying to bring about this condition. I have a resolution now on the Senate calendar and hope to get action upon it at an early date. I also have a resolution before the committee.

I am glad that the members of your association and others in South Carolina are awakening to the situation, and that I am at last receiving help from such sources.

If you noticed, recently I placed in the CONGRESSIONAL RECORD resolutions from the farmers' and business men's associations along the same lines.

I regret to say, however, that I have not received any help in the Senate from anyone.

I hope that you are quite well and enjoying life.

With best wishes, I am, as ever,

COLE. L. BLEASE.

CENSUS OF INDIANS OF CALIFORNIA

Mr. THOMAS of Oklahoma. From the Committee on Indian Affairs I report back favorably, without amendment, House bill 10081; and I submit a report (No. 512) thereon.

This is an emergency matter, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will state the title of the bill.

The CHIEF CLERK. A bill (H. R. 10081) to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SHORTRIDGE. What is the request, Mr. President?

Mr. THOMAS of Oklahoma. I ask for the immediate consideration of this bill. It simply provides for an extension of time for taking the census of the Indians of California.

Mr. SHORTRIDGE. The Senator asks for immediate consideration, and I hope it will be granted.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That section 7 of the act of May 18, 1928 (45 Stat. L. 602), is hereby amended to read as follows:

"SEC. 7. For the purpose of determining who are entitled to be enrolled as Indians of California, as provided in section 1 hereof, the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause a roll to be made of persons entitled to enrollment. Any person claiming to be entitled to enrollment may within four years after the approval of this act make an application in writing to the Secretary of the Interior for enrollment. At any time within five years of the approval of this act the Secretary shall have the right to alter and revise the roll, at the expiration of which time said roll shall be closed for all purposes and thereafter no additional names shall be added thereto: *Provided*, That the Secretary of the Interior, under such rules and regulations as he may prescribe, shall also cause to be made, within the time specified herein, a roll of all Indians in California other than Indians that come within the provisions of section 1 of this act."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONFEREES ON AGRICULTURAL APPROPRIATIONS

Mr. McNARY. Mr. President, by inadvertence the names of the Senator from New Hampshire [Mr. KEYES] and the Senator from Wyoming [Mr. KENDRICK] were omitted from the conferees on House bill 7491, the agricultural appropriation bill. I ask unanimous consent that they may be included among the conferees.

The VICE PRESIDENT. Without objection, it is so ordered.

UNITED STATES BOARD OF TAX APPEALS

Mr. BLACK. Mr. President, I desire to insert in the RECORD a letter with reference to a subject which is of considerable interest, and which will take only about one or two minutes. I should, therefore, like to ask that it be read for the information of the Senate.

The VICE PRESIDENT. Without objection, the Secretary will read the letter.

The Chief Clerk read as follows:

BIRMINGHAM, ALA., *April 1, 1930.*

Hon. HUGO BLACK,
United States Senate, Washington, D. C.

DEAR SENATOR BLACK: It has just been brought to my attention that, according to present plans, the United States Board of Tax Appeals is to be housed in the new Internal Revenue Building.

The United States Board of Tax Appeals is an independent unit of the executive department of the Federal Government and should not be considered in any wise as a part of the Bureau of Internal Revenue. I believe that if you will carefully consider the proposal to house the United States Board of Tax Appeals in the new Internal Revenue Building that you will come to the same conclusion that I have, namely, that such an arrangement would not be satisfactory.

Numerous taxpayers in the past have felt that, due to the number of appointments made to the United States Board of Tax Appeals from the Treasury Department, the board was becoming too greatly influenced by the Treasury Department. The Board of Tax Appeals is an independent unit from whom the taxpayer should get uninfluenced consideration. I believe that the board has fulfilled this function, and it is my opinion that it would be an especially bad move for the Board of Tax Appeals to be housed in the new Internal Revenue Building. The reasons are obvious, and even though there may be no informal exchange of ideas, the average taxpayer will feel that in dealing with the United States Board of Tax Appeals he is simply dealing with another branch of the Internal Revenue Department if the board is located in the same building with the Bureau of Internal Revenue.

I believe that you will be doing all income-tax payers a favor by protesting the placing of the United States Board of Tax Appeals in the new Internal Revenue Building.

I would appreciate your advices and views in reference to this question, as I happen to be president of the Alabama Society of Certified Public Accountants, and I am contemplating at the present time placing this matter before the society for consideration. Before doing so, I would appreciate your advices on the question.

Thanking you in advance for any information or data you can give me in connection with this proposed move, and with warmest personal regards and very best wishes, I am,

Sincerely yours,

WM. J. CHRISTIAN.

Mr. BLACK. I ask that the letter be referred to the Committee on Finance.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 222) for the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 222) for the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war, was read twice by its title and referred to the Committee on Military Affairs.

RURAL POST ROADS

Mr. ODDIE. Mr. President, on April 7, 1930, both the Senate and the House passed the so-called Colton-Oddie road bill, providing for the building of roads through national forests. The Senate bill, which was introduced by myself, contained a provision making the appropriation immediately available. The House bill, introduced by Mr. COLTON, of Utah, did not contain that provision, without which the money will be available the 1st of July. The House bill came to the Senate a few days ago, and was referred to the Committee on Post Offices and Post Roads. As a member of that committee, I moved that the House bill be reported to the Senate favorably. My motion was carried, and the committee authorized me to report the bill favorably to the Senate.

I now report this bill (H. R. 10379) and ask for its immediate consideration. It contains the same provisions and the authorization for the same appropriation as contained in my bill which passed the Senate on April 7, except the provision in my bill making the appropriation immediately available. I think it will be better to pass the House bill through the Senate than to insist in the House upon my amendment to the Senate bill, because that would cause delay in the enactment of this necessary legislation.

Mr. OVERMAN. Does the bill provide for an appropriation of the money?

Mr. ODDIE. It provides for an authorization for an appropriation.

Mr. OVERMAN. I understand that it is an authorization?

Mr. ODDIE. It is; and the same bill making the appropriation immediately available has already passed the Senate.

Mr. HARRIS. Mr. President, the immigration bill has been pending before the Senate for several weeks and I must insist that the Senate proceed with its consideration. I am going to object to the consideration of other business until we have the final vote upon the immigration bill.

Mr. ODDIE. Then I will merely report from the Committee on Post Offices and Post Roads the bill (H. R. 10379) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, and ask that it be placed on the calendar.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The bill will be placed on the calendar.

RESTRICTION OF IMMIGRATION

The Senate resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

The VICE PRESIDENT. The question is on concurring in the amendment of the Senator from South Dakota [Mr. NORBECK], agreed to as in Committee of the Whole, on which a separate vote has been reserved.

Mr. BLACK. Mr. President, I desire to propound a parliamentary question. Which amendment comes up first—the amendment of the Senator from Wyoming [Mr. KENDRICK] or the amendment of the Senator from South Dakota [Mr. NORBECK]?

The VICE PRESIDENT. The Chair has just stated that the first question is on concurring in the amendment of the Senator from South Dakota [Mr. NORBECK], upon which a separate vote was reserved in the Senate. That is the pending question.

Mr. BLACK. I do not see the Senator from Wyoming [Mr. KENDRICK]. I intended to ask that the other amendment be taken up first.

The VICE PRESIDENT. The Senator from Wyoming is present. Will the Senator from Wyoming give his attention to the Senator from Alabama?

Mr. BLACK. I had intended to ask, if it met with the approval of the Senator from Wyoming, that his amendment be taken up first in the Senate unless there was some objection. I had understood that that was the first reservation.

The VICE PRESIDENT. The other amendment comes first.

Mr. BLACK. I do not care to insist upon it if there is any objection, so I withdraw the suggestion.

Mr. HARRIS. Mr. President, I move to amend the amendment of the Senator from South Dakota [Mr. NORBECK] by striking out "1½" and inserting "1" in lieu thereof.

I will state that in the Committee of the Whole there was a difference of only one vote on that question. I know that some Senators who were absent would have voted in favor of 1 per cent, because at this time there are several million unemployed.

It seems to me that if we could cut down the quota from Europe about 80,000 and keep out about 75,000 from Mexico it would be a great help to Americans who are out of jobs.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Georgia to the amendment of the Senator from South Dakota.

Mr. HEFLIN. I call for the yeas and nays.

Mr. NORBECK. Mr. President, I just want to add to the remarks of the Senator from Georgia that there were quite a number of Senators absent, and many of them felt just the opposite of the way he feels.

Mr. HARRIS. I felt it my duty to ask for a vote on the matter.

Mr. NORBECK. I do not care to make any further remarks, except to say that it is just a question of keeping faith, and not making violent changes, and unnecessarily offending people. Further, under this plan we will get more of the men who come into the country. The Senator favors the national-origins plan, under which we get more of the men who come into the cities. The cities are overcrowded now, and we are seeking to change that condition.

Mr. HARRIS. I want to reduce both.

Mr. WALSH of Massachusetts. Mr. President, as I understand this proposition, all those who are entitled to enter the country on a quota preference and a nonquota status will still be entitled to do so, regardless of whether the amendment offered by the Senator from Georgia or the provision in the amendment presented by the Senator from South Dakota is adopted.

Mr. HARRIS. I will state to the Senator that this proposal does not change that.

Mr. WALSH of Massachusetts. What we are dealing with here is the question of what shall be the number of immigrants permitted under the quota and not with those immigrants that are entitled to enter the country as nonquota immigrants. Am I correct in that statement?

Mr. NORBECK. I think that is hardly clear. Our laws are well known. A great many people have made their plans; they are just waiting their turn, and a sudden change in the law works certain hardships. I propose to cut out 30,000, and I was afraid to go any farther on the deal at this time.

Mr. WALSH of Massachusetts. I am not now taking sides upon the proposition presented by either the Senator from Georgia or the Senator from South Dakota; but the class of immigrants that we are dealing with under both these propositions are the class of immigrants who have to apply to go upon the quota lists in foreign countries because they have no legal right to immigrate to America as preference or nonquota immigrants, which right is extended under our immigration laws to certain aliens related to American citizens. Both these amendments will, however, cut materially the number of quota-preference immigrants such as the mothers and husbands of citizens and the wives and children of alien residents.

Mr. NORBECK. In other words, we are dealing with quota immigrants only.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Georgia [Mr. HARRIS] to the amendment of the Senator from South Dakota [Mr. NORBECK].

Mr. HARRIS. I call for the yeas and nays.

Mr. SHORTRIDGE. Mr. President, personally I wish the Senator from Georgia would respond a little more fully to the inquiry put by the Senator from Massachusetts and explain just what his amendment means. I put that inquiry because I have not been able to attend the sessions of the Senate and hear the discussion which has gone on here for days touching various phases of the immigration problem.

Mr. HARRIS. I will state to the Senator that my amendment does not touch the preference class. It relates only to the quota, and it reduces it from 1½ to 1 per cent. There would





be 40,000 fewer immigrants coming into this country if this amendment were agreed to than under the present law. My position is that there are several million unemployed in this country, and if we can keep out 40,000 more next year and let our own people fill the jobs as they become vacant, it will be better than bringing foreigners into the country to take the jobs.

Mr. SHORTRIDGE. From what countries may they come?

Mr. HARRIS. This would not change that at all.

Mr. WALSH of Massachusetts. Mr. President, I will say to the Senator from California that the nonquota class relates to husbands and wives and minor children of American citizens. A quota immigrant is an immigrant who is subject to the numerical restrictions applicable to the nationality to which he belongs. The law permitting those who can show nonquota status to come in would not be affected by the amendment of the Senator from Georgia or by the amendment of the Senator from South Dakota.

It should be pointed out, however, that the number of quota-preference immigrants will be materially reduced. This means additional barriers in helping to unite the families of resident aliens whose children and wives are still in Europe.

Mr. SHORTRIDGE. The Senator from South Dakota and the Senator from Georgia differ. Wherein do they differ?

Mr. WALSH of Massachusetts. Merely with respect to the numbers who can come into this country under the quota basis from the various countries of Europe.

Mr. SHORTRIDGE. Then it affects numbers rather than sources of immigration?

Mr. HARRIS. Entirely.

Mr. WALSH of Massachusetts. Exactly.

Mr. HARRIS. Under the amendment of the Senator from South Dakota, 120,000 may come in under the quota. My amendment would reduce that to 80,000.

Mr. WALSH of Massachusetts. For instance, 65,000 under existing law can enter the country from Great Britain, under the amendment of the Senator from Georgia only 32,500 could enter, and under the amendment of the Senator from South Dakota 48,250 could enter, as I understand it.

Mr. SHORTRIDGE. It would in no sense affect the question of the source from which they might come?

Mr. WALSH of Massachusetts. It would reduce the percentage and therefore the number which might come from each country.

Mr. HARRIS. It would not discriminate against any country.

Mr. ASHURST. Mr. President, I wish to ask some questions of the Senator from Georgia [Mr. HARRIS], but before doing so I avail myself of this opportunity to congratulate the Senator upon the ability and the assiduity with which he has pressed this bill. Is it not a fact that under the law as it now exists the quota is about 150,000 annually?

Mr. HARRIS. Yes; under the national origins law it is 150,000.

Mr. ASHURST. When the Senate adopted the Norbeck amendment to this bill that action proposed to reduce the quota from 150,000 to 120,000 annually?

Mr. HARRIS. To 120,000, saving 30,000 annually.

Mr. ASHURST. Is it true that the Senator now proposes to reduce the quota from 120,000 to 40,000?

Mr. HARRIS. No; to reduce it by 40,000.

Mr. ASHURST. Leaving the quota 80,000 annually?

Mr. HARRIS. Yes; as a matter of fact, 81,000, to be exact. If my amendment were agreed to 81,000 could enter. There will be 120,000 coming in if the amendment of the Senator from South Dakota is enacted into law.

Mr. ASHURST. Then it is now clear that those of us who voted to repeal the national-origins provision voted to reduce the immigration from 150,000 annually to 120,000 annually?

Mr. HARRIS. That is correct.

Mr. ASHURST. And now those of us who vote for the Senator's amendment now pending would propose to reduce the immigration to 80,000 annually?

Mr. HARRIS. To 80,000.

Mr. ASHURST. I am heartily in favor of the Senator's amendment.

Mr. HARRIS. I am glad to hear that.

Mr. GEORGE. Mr. President, I want to call attention to the fact that under the Norbeck amendment, repealing the national-origins provision of the law, there will not be a reduction in the total permissible immigration to 120,000. It will be in the neighborhood of that, but it will not be a flat 120,000.

Mr. HARRIS. It would be approximately that.

Mr. GEORGE. It will be more than 120,000, and there should not be any misapprehension about it.

On the basis of admitting immigrants under the Norbeck amendment without a change in the percentage, there would be annually admitted under the quota provisions of our law something like 161,000 or 162,000, I have forgotten the exact figures.

Mr. JOHNSON. That is substantially correct.

Mr. GEORGE. But inasmuch as the Senator from South Dakota proposes to reduce the percentage from 2 to 1½ per cent the total number of immigrants coming in under the amendment as it now stands will be something like 121,000, as I figure it.

Mr. JOHNSON. I think so.

Mr. GEORGE. Not exactly 120,000.

Mr. JOHNSON. That is correct.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Georgia yield to the Senator from Virginia?

Mr. GEORGE. I yield.

Mr. GLASS. That reduction, I take it, would be due to the fact that the amendment of the Senator from South Dakota reduces the percentage.

Mr. GEORGE. Exactly.

Mr. GLASS. And not because of that feature of the amendment which repeals the national-origins provision.

Mr. GEORGE. Oh, no; because if there had been a repeal of the national-origins provision without reduction of percentage there would be admitted some 10,000 or 11,000 more.

Mr. GLASS. The inference suggested a while ago was that it was the repeal of the national-origins provision of the law which would reduce immigration, and that is not a fact.

Mr. GEORGE. That is true, and that is why I rose. That is not a fact at all. The reduction comes in the reduction of the percentage fixed in the amendment. The amendment proposed by my colleague is to reduce the percentage of one-half per cent more, in other words, to cut it to 1 per cent flat, which would mean the admission of something like 80,000, or 80,000 plus.

Mr. JOHNSON. Mr. President, the Senator from Georgia is correct in his mathematical computation, but the amendment of the Senator from South Dakota is a single amendment, an amendment providing for repeal, and reducing the quota from 2 per cent to 1½ per cent, and the mathematical reduction in the number who would come here then is as the Senator from Georgia says, about 40,000 less, taking round numbers, than it would be under the original quota provision, without the national-origins provision; about 30,000 less than it would be under the existing provision of the law, with the national-origins provision in force.

Mr. GEORGE. The Senator from California is correct. I did not mean to infer that the amendment was not offered as one amendment, but a reduction in the quota would result from the reduction in the percentage fixed in the present law.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Georgia [Mr. HARRIS].

Mr. ASHURST. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. BLEASE (after having voted in the affirmative). I have a pair with the senior Senator from West Virginia [Mr. GOFF]. I understand that if he were present he would vote as I have voted. Therefore I will allow my vote to stand.

Mr. SHIPSTEAD. I wish to announce that my colleague [Mr. SCHALL] is unavoidably absent from the Senate.

Mr. BLAINE. I wish to announce the unavoidable absence of my colleague [Mr. LA FOLLETTE]. He has a pair on this question with the junior Senator from Texas [Mr. CONNALLY]. I am authorized to announce that if the junior Senator from Texas were present and voting, he would vote "yea." If my colleague were present and voting, he would vote "nay."

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH].

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from Iowa [Mr. BROOKHART] with the Senator from Montana [Mr. WHEELER]; and

The Senator from Oregon [Mr. STEIWER] with the Senator from Washington [Mr. DILL].

The result was announced—yeas 41, nays 30, as follows:

YEAS—41

Allen	Brock	George	Hatfield
Ashurst	Capper	Gillett	Hayden
Barkley	Caraway	Glass	Heflin
Black	Couzens	Glenn	Jones
Blease	Cutting	Harris	McCulloch
Bratton	Deneen	Harrison	McKellar

McNary	Robinson, Ind.	Steck	Trammell
Overman	Robsion, Ky.	Stephens	Vandenberg
Patterson	Sheppard	Swanson	
Pine	Shortridge	Thomas, Okla.	
Pittman	Simmons	Townsend	

NAYS—30

Bingham	Goldsborough	Norbeck	Sullivan
Blaine	Gould	Norris	Thomas, Idaho
Borah	Greene	Nye	Wagner
Broussard	Hale	Oddie	Walsh, Mass.
Copeland	Hebert	Phipps	Walsh, Mont.
Dale	Howell	Ransdell	Waterman
Fess	Johnson	Shipstead	
Frazier	Kendrick	Smoot	

NOT VOTING—25

Baird	Hastings	Metcalf	Tydings
Brookhart	Hawes	Moses	Walcott
Connally	Kean	Reed	Watson
Dill	Keyes	Robinson, Ark.	Wheeler
Fletcher	King	Schall	
Goff	La Follette	Smith	
Grundy	McMaster	Steiwer	

So Mr. HARRIS's amendment to Mr. NORBECK's amendment was agreed to.

The PRESIDING OFFICER. The question now is on the amendment as amended.

Mr. GEORGE. Mr. President, does this mean the Norbeck amendment, so called, as amended?

The PRESIDING OFFICER. It does.

Mr. GEORGE. Including the national-origins provision?

The PRESIDING OFFICER. Yes.

Mr. TRAMMELL. Mr. President, the Senator from Tennessee [Mr. MCKELLAR] gave notice yesterday that he would ask for a separate vote on the national-origins provision, with reference to which I proposed an amendment in Committee of the Whole. If he desires to ask that at this time I would be glad to have him do so; otherwise I shall do so myself.

Mr. MCKELLAR. Yes; I ask for a separate vote on that matter.

The PRESIDING OFFICER. That is the question now before the Senate.

Mr. MCKELLAR. I ask for the yeas and nays.

Mr. GLASS. Mr. President, I send to the desk a telegraphic protest and a letter of protest received this morning with reference to the national-origins amendment, which I ask to have inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegram and letter are as follows:

WASHINGTON, D. C., *April 24, 1930.*

Senator CARTER GLASS,

Senate Office Building, Washington, D. C.:

As president Allied Patriotic Societies (Inc.), with 40 affiliated organizations, familiar with their resolutions and position on immigration, protest on their behalf against passage of Harris bill, as amended, first, because it destroys the fair apportionment of European immigration, according to national origins of our population; second, because there are no figures in 1890 census to establish quotas as provided in bill; third, because restriction on South American countries too extreme and discriminatory in view of lack of any restriction on Canada; fourth, clause admitting Mexicans and other aliens as seasonable agricultural labor to return in eight months altogether impracticable and unfavorable as proved when experiment tried during the war, and nullifies quota restriction in bill on Western Hemisphere countries.

L. H. KINNICUTT,
President Allied Patriotic Societies (Inc.).

NEW YORK, N. Y., *April 22, 1930.*

Senator CARTER GLASS,

Senate Office Building, Washington, D. C.

DEAR SENATOR GLASS: Keep up the good fight for national origins. If you will look on page 160 of the Senate hearings, 1929, you will discover that the scientists of this country stand firmly behind you.

One of my grandfathers (John Merrill) fought in the Battle of Bennington with the Green Mountain boys, and another (Thomas Boggs) carried the United States mail over the Rocky Mountains on the pony express, and I think I have a right to be represented in the immigration policy of this country, or know the reason why.

I can assure you that the pioneer American stock and the scientists of this country will not stand by and see the Senate recklessly repeal national origins in favor of an immigration policy that is based exclusively on 8,000,000 foreign born in this country in 1890.

Please express my sentiments, both as a patriotic American and a research worker, to your associates in the Senate.

Respectfully yours,

GUY I. BURCH.

The PRESIDING OFFICER. The yeas and nays have been demanded. Is the demand sufficiently seconded?

The yeas and nays were ordered.

Mr. SHIPSTEAD. Mr. President, what is the amendment now before the Senate?

The PRESIDING OFFICER. The Norbeck amendment as amended.

Mr. TRAMMELL. We have not had any separate vote on the national-origins provision.

The PRESIDING OFFICER. The Chair thinks that what the Senator is desirous of having is a division of the question instead of a separate vote.

Mr. TRAMMELL. The Chair said the question was on the Norbeck amendment.

The PRESIDING OFFICER. On the Norbeck amendment as amended.

Mr. TRAMMELL. The Senator from Tennessee gave notice that he would ask for a separate vote on the question of the national origins.

The PRESIDING OFFICER. That is what we are about to vote on now.

Mr. TRAMMELL. I proposed a separate amendment in Committee of the Whole to strike that feature from the Norbeck amendment.

The PRESIDING OFFICER. The Chair will state to the Senator from Florida that what he should request is a division of the question so we can vote on the national-origins question and then on the percentage question.

Mr. MCKELLAR. It will be satisfactory to have a separate vote by a division of the question.

Mr. JOHNSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON. The amendment is of a character that can not be divided, because the percentage rests upon the remainder of the amendment, so it is an impossibility to divide the question and vote upon it in that way.

The PRESIDING OFFICER. The Chair is of the opinion that the question is divisible.

Mr. CARAWAY. Mr. President, I did not understand the Chair. Did the Chair rule that the question is divisible?

The PRESIDING OFFICER. The Chair so ruled, and the clerk will now state the first branch of the amendment.

The LEGISLATIVE CLERK. The first branch of the amendment reads as follows:

SEC. 4. That with respect to quotas after June 30, 1930, for any nationality other than those within section 4 (c) of the immigration act of 1924 (43 Stat. L. 153), such provisions of that act, or any act amendatory thereof, as relate to quotas based on national origins (as referred to in subdivision (b) of section 11 of such act) are hereby repealed.

Mr. GLASS. Mr. President, a vote "nay" means to strike from the Norbeck amendment the proposal to repeal the national-origins clause, and a vote "yea" means to retain it.

The PRESIDING OFFICER. The Senator is correct.

Mr. CARAWAY. If there is to be a division of the question—and I ask for a division of it—then a vote "yea" would be to strike out the repeal of the national-origins provision, would it not?

The PRESIDING OFFICER. The amendment is to repeal the national-origins provision, and a vote "yea" would repeal it.

Mr. CARAWAY. The Chair should state it just the other way. The vote "yea" would be to strike out that portion of the Norbeck amendment which repeals the national origins.

The PRESIDING OFFICER. A vote "yea" would be to concur in the amendment.

Mr. CARAWAY. With that understanding, I will vote "nay."

Mr. SWANSON. Mr. President, to make it clear, a motion to strike out that part of the amendment would now be in order. The Senator from Florida [Mr. TRAMMELL] made that motion in Committee of the Whole, and a vote was taken on it. I suggest that he renew the motion at this time or I will make the motion myself. I now move to strike out that provision of the amendment.

The PRESIDING OFFICER. The Chair would rule that that would accomplish what we are trying to do without dividing the question. If we divide the question, then a negative vote would accomplish what the Senator seeks. Does the Senator move to strike out that particular provision?

Mr. SWANSON. I move to strike out that portion of the amendment.

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SHORTRIDGE. The so-called Norbeck amendment has been approved by the Senate, as in Committee of the Whole, and is now before us.

The PRESIDING OFFICER. It has been agreed to in Committee of the Whole and is now before the Senate.

Mr. SHORTRIDGE. If that provision is stricken out, it has an effect upon the number that may come to the United States. As it now stands—if it shall remain in the bill—the Norbeck amendment as of the time of its adoption permitted 120,000 immigrants. Since then the Harris amendment has been adopted which reduces the number to 80,000. Now, as to the number, what will be the effect of striking out the Norbeck provision?

The PRESIDING OFFICER. That is a matter of mathematics which the Chair can not answer for the Senator.

Mr. SHORTRIDGE. I ask any Senator if he will not have the goodness to answer that question. What effect will it have upon the numbers if the Norbeck amendment is stricken out?

Mr. SWANSON. Mr. President, we could have a division of the question and if we vote "nay" it would mean that that part of the Norbeck amendment pertaining to national origins was defeated. To save confusion I have simply availed myself of the parliamentary situation to submit a motion to strike out that portion of the Norbeck amendment which abolishes or repeals the national-origins provision. The rest of it would remain.

Mr. SHORTRIDGE. Therefore it would have no effect upon numbers?

Mr. SWANSON. None whatever. I move to strike out the portion relating to the national origins.

Mr. GEORGE. Mr. President, if the Senator from Virginia will pardon me, if the provision now contained in the Norbeck amendment to strike out the national origins is agreed to, it will have the effect of still further reducing the quota, but not by more than 4,000 or 5,000.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia.

Mr. BLEASE. Mr. President, in order to clarify the situation, I move to lay the Norbeck amendment on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina.

The motion was not agreed to.

Mr. CARAWAY. Mr. President, I want to delay the vote only a moment. I feel that this is a very vital amendment. Every friend of restricted immigration, it seems to me, should vote for the Swanson motion. If the Norbeck amendment with the provision repealing the national origins shall prevail, it is a defeat for restricted immigration. It makes no difference what we may say about the number of people who are to come in under the Norbeck amendment, as amended, because everyone who does not want to have restriction is favorable to the Norbeck amendment.

Mr. NORBECK. Mr. President, it is just the other way around.

Mr. CARAWAY. Oh, no. I heard the Senator's speech. Everybody knows that if the Norbeck amendment shall prevail then the question of how many people may come into this country will soon be left merely to the varying acts of Congress, and we shall have no fixed immigration policy at all.

It means in the long run that we shall abandon our restrictive immigration, because if there be enough votes in the Senate—and there seem to be—to repeal the national origins plan, it is reasonable to assume that those who have heretofore approved that plan have gone over and joined those who were perfectly willing to have immigration unrestricted in order to get rid of the national-origins plan.

Everyone is entitled to his own interpretation—but no one, I take it, can be mistaken about what this amendment means. As, in my opinion, everybody who is in favor of relaxing our immigration restrictions is for the Norbeck amendment; it means the end of any intelligent restriction of immigration. It means to disregard the appeal of every patriotic society in America; it means to disregard the appeal of the men who offered to lay down their lives that America might remain American. We had just as well face the facts. That is all there is to this amendment. It is a perfectly transparent byplay now to say that we will restrict the percentage under the quota, because everybody knows that the quota, along with the national-origins plan, is going when the amendment shall be adopted. I do not think there can be any mistake about that.

Mr. GEORGE. Mr. President, I do not want to delay the Senate, but I wish to add a brief statement to what the Senator from Arkansas has said. Anyone can defend the national-origins basis of restricting immigration, but no one can defend an immigration law based upon a census which is 40 years old. We are now in the act of taking another census; the 1930 census will soon be completed. When it shall have been completed, if the national-origins provision shall be abandoned, we shall adopt as a basis the census of 1930, because logically, fairly, and honestly that is the census that ought to be taken if we are going to base the quotas upon foreign immigration rather than upon the percentage contributed by the various nations of the world to our entire population.

The Senator from Arkansas is right. It does not make any difference how honest Senators themselves may be, the repeal of the national-origins provision is the first step in the effort to undo the present immigration law.

If we shall retain the national-origins plan, which simply provides that each country can send such proportion of the annual permitted immigration into this country as it has contributed to our entire population, we are on safe ground. One can defend it; it is logical; it is not arbitrary; it is not discriminatory; it is fair, it matters not which nation gets the advantage or which nation fancies that it is placed at a disadvantage; but if we shall adopt as the basis the census of 1890, which is 40 years old, on the face of it our immigration law will be a discriminatory, arbitrary measure, and the influences back of this movement well understand it.

I do not assert that Senators who will vote to repeal the national-origins provision are themselves opposed to restricting immigration, but those who opposed the act of 1924 opposed the national-origins provision; they fought it; they did not let up when Congress passed it. Two years were given in which to work out the quotas under the national-origins provision. The commission asked for an additional year, and when that year was out they came back and asked for another year. Reluctantly and grudgingly, after long delay, the will of the Congress was recognized, and finally the law was put into operation; and here, within a few months thereafter, the same resolute, determined, uncompromising effort against all restrictive immigration legislation is voicing itself in the votes of Senators who, consciously or unconsciously, are laying the foundation for the repeal of the immigration law.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from California?

Mr. GEORGE. I yield to the Senator.

Mr. SHORTRIDGE. A census is now in process of being taken?

Mr. GEORGE. Yes.

Mr. SHORTRIDGE. When it shall have been completed, presumably we will know the number of people who are in the United States?

Mr. GEORGE. Yes.

Mr. SHORTRIDGE. Now, looking forward to that time, what will be the basis, then, of determining how many people may come from the different nations—say, of Europe—those that, broadly speaking, are elegibile for admission?

Mr. GEORGE. I can not answer the Senator's question and no one else can answer it now, because under the amendment as it stands each nation would have a right to send 1 per cent.

Mr. SHORTRIDGE. One per cent of what?

Mr. GEORGE. Under the Norbeck amendment or under the national-origins plan?

Mr. SHORTRIDGE. No; under the bill as it stands, with the Norbeck amendment adopted, 1 per cent of what number?

Mr. GEORGE. I can not say what the number will be, and I do not think anyone can say what the number will be.

Mr. SHORTRIDGE. I am not trying to argue, but really am making the inquiry for the purpose of securing information, for, frankly, there is some confusion in my mind.

Mr. GEORGE. Under the Norbeck amendment the 1 per cent is based upon the census of 1890.

Mr. SHORTRIDGE. That ought not to be so. Would it not be 1 per cent of those reported to be here under the census which is now being taken? I repeat, frankly, that I am asking for information.

Mr. GEORGE. No; it would not, but that would be the next step, I am saying to the Senator, because to adopt an arbitrary census 40 years old is so illogical and so indefensible that the Congress would be driven, it seems to me, ultimately by the forces in this country that do not want restricted immigration to adopt the census of 1930 as the basis of the calculation.

Mr. SHORTRIDGE. I think we all agree practically in favoring restricted immigration, but the question in my mind remains unanswered as to what does 1 per cent mean—1 per cent of what number? The number as recorded in America by the census of 1890?

Mr. GEORGE. Oh, no; the number coming from the various countries as recorded by the census of 1890. It does not take into account those who were here prior to the taking of any census.

Mr. SHORTRIDGE. Or those who have come here since 1890?

Mr. GEORGE. No; nor those who have come here since 1890—necessarily not. The national-origins plan does take

into account all those who came prior to 1890 and those who have come since 1890.

Mr. SHORTRIDGE. If it is clear to everyone else, I will sit down.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Virginia?

Mr. GEORGE. I yield.

Mr. SWANSON. It is clear what the contention of the Senator from Georgia is. The Senator from Georgia insists that, whereas the census is now being taken, the Norbeck amendment goes and places the immigration quota on the census taken in 1890. The Senator from Georgia says that the present law has been put in effect after a prolonged debate and has been operating for three months; we do not as yet know the effect of it; and yet it is now proposed to abolish the plan provided for in the present law and go back to the census of 1890. The contention of the Senator from Georgia is that if we are going to abolish the national-origins plan we ought to wait until the new census shall have been taken, and in the meantime see what develops and continue the present system, giving it a trial as it is now operating. That is what I understand from the remarks of the Senator from Georgia. In other words, while a census is being taken, we should not go back to a census 40 years old and base immigration on that census. If it is desired to make a change in the national-origins plan, which has been in operation for only three months, now is not the time to do it; but the thing to do, as the Senator from Georgia contends, is to defeat that provision of the Norbeck amendment and let us see what the national-origins plan will do.

Mr. GEORGE. Mr. President, I had concluded what I desired to say. I wish to emphasize one thought, namely, that the Norbeck amendment adopts a basis of fixing immigration which is illogical, discriminatory, and arbitrary. It can not be ultimately defended; those who oppose restricting immigration know very well that it can not be ultimately defended, and therefore they—I do not mean the Senators but those in the country who wish to break down the system of restrictive immigration—are back of the effort to repeal the national-origins clause, as they have been back of that effort from the moment that it was suggested in the Immigration Committee of this body, of which I was at that time a member. They were back of the opposition to the national-origins provision when the senior Senator from Pennsylvania [Mr. REED] offered it on the floor of the Senate in 1924; they have been back of it when the two successful efforts to postpone its operation were in progress, and now that it has been in operation but three months, they are still back of it, and this is the first step in the undoing of our efforts to restrict immigration.

Mr. STECK. Mr. President, will the Senator yield to me?

Mr. SHORTRIDGE. Mr. President, I should like to ask the Senator from Georgia a question.

Mr. GEORGE. I yield the floor.

Mr. STECK. I should like to ask the Senator a question, if he will permit me.

Mr. GEORGE. Certainly.

Mr. STECK. As I understand, the Senator from Georgia says that if we adopt the Norbeck amendment, it will put into effect again an arbitrary basis upon which to fix our immigration quotas, the census of foreign-born citizens as of the year 1890.

Mr. GEORGE. Yes; the census of 1890.

Mr. STECK. And the Senator claims the national-origins plan is a different plan and is based upon a different premise.

I have in my hand the report of the commission which investigated the national-origins plan, and from it I want to read a statement. In the first place——

Mr. GEORGE. Will the Senator tell us from which report he is about to read?

Mr. STECK. The last report.

Mr. GEORGE. Mr. President, I think it well for the Senate to know that that commission made three separate reports. The Secretary of Labor, the Secretary of Commerce, and the Secretary of State were appointed a commission to work out and ascertain the number of immigrants who would be admitted under the national-origins plan. It is well known that the same group influence back of this movement impelled them to make, without any clear explanation as to the reason, three separate reports to this body, and I want it understood from which one of those reports the Senator is about to quote.

Mr. STECK. If the Senator does not care to have me ask him the question in his time I will take the floor myself, as I desire to speak on this matter.

Mr. GEORGE. I have yielded the floor.

Mr. STECK. I asked the Senator a question and he proceeded to make a speech.

Mr. President, it has been charged by some Senators that those who favor the Norbeck amendment, those who opposed the adoption of the national-origins plan, those who voted for the resolution to postpone its operation last year are in favor of unlimited immigration. For myself I deny that allegation and, for a number of others who take the same position I have taken, and whose motives and whose feelings I happen to know in reference to this question, I likewise deny it, without giving their names.

I want to refer to some rather personal matters because of the charges. Long before I came into public life as a Member of this body I was active in the move to limit immigration. When this matter was brought up by the American Legion, whose name has been used here in behalf of the national-origins plan, I was a member of its legislative committee for three years. During the last year, when this matter was particularly pressed, I had the honor to act as its chairman—rather an honorary position, but a position in the occupation of which I at least had something to do with the policy of the Legion on the question of immigration, and had some chance to express my own feelings in that matter.

I want to say that so far as I know—and I know something, at least, about the action of the American Legion and a few of the other patriotic organizations in this country—this national-origins plan was sold to them upon two theories. One of them was that by its adoption we would obtain a material decrease in our immigration.

Answering that first: As it was presented here last year and as it now stands, the most that anyone claims for a reduction of immigration by the adoption of the national-origins plan over the plan that was then in operation is 11,000—a total of quota immigrants which is a very small number as compared with the total number of immigrants that come into this country, either quota or nonquota.

The other theory was that by the adoption of the national-origins plan we were obtaining as immigrants those peoples who in the past have made up the pioneer stock of America, and that we were obtaining a majority of peoples from northern and western Europe, to be plain, because I believe I know that the patriotic organizations of this country, I believe I know that the people of this country, desire that the majority of our immigration, whatever the number may be, shall come from those countries which are commonly known as white countries; and in making that distinction I say nothing against other peoples of the world.

But that is not true. When this matter was up last year I spent no time on it, but I put into the RECORD a chart which shows exactly what would happen if we adopted the national-origins plan—a comparison of the law as it then existed with what we would have under the national-origins plan. I did not read it then. I desire to read it now, and to call to the attention of the Members of the Senate exactly how this national-origins plan works out with reference to the people and the number of the different nationalities who are permitted to come into this country.

I want to read first the numbers who came into this country under the law before the national-origins plan was adopted, and those who would come in under the national origins act, with their nationalities—all of them Europeans.

Belgium, under the quota of 1890, were permitted 512. Under the national-origins plan they were permitted 1,304—a gain of 792.

Denmark—the Danes, as fine a people as we have in our American stock—under the 1890 quota were permitted 2,789. Under the national-origins plan they are permitted 1,181—a loss of 1,608, or over 50 per cent.

Mr. NORBECK. Mr. President, may I suggest that the amendment already adopted by the Senate will cut them down to five or six hundred.

Mr. STECK. It will cut them exactly in two—just half of the figures I am reading.

Mr. NORBECK. And if we go back to national origins, it will cut them further.

Mr. STECK. It will cut them further.

Finland, one of the Scandinavian countries, under the 1890 quota were permitted 471 a year; under the national origins act, 569. They made a gain of 98.

France, under the 1890 quota, were permitted 3,954; under the national origins act, 3,086—a loss of 868.

Germany, under the 1890 quota, were permitted 51,227; under the national origins act, 25,957—a loss of 25,270.

Great Britain, including North Ireland, England, Scotland, and Wales, under the 1890 quota, were permitted 34,077; under the national origins act they were permitted 65,721—a gain of 31,714, or almost 100 per cent.

The Irish Free State, under the 1890 quota, were permitted 28,567 per year; under the national origins act, 17,853, or a loss of 10,714.

Norway were permitted, under the 1890 quota, 6,453; under the national origins act they are now permitted 2,377—a loss of 4,076, or nearly 66 per cent.

Sweden, under the 1890 quota, were permitted 9,561; under the national origins act Sweden gets 3,314—a loss of 6,247, or nearly 70 per cent.

Switzerland, under the 1890 quota, were permitted 2,081; under the national origins act, 1,707—a loss of 374.

I have totaled these. You will note that there are only three countries that make a gain under the national origins act over and above the law as it stood prior to its adoption. Those countries are Belgium, with 792; Finland, with 98; and Great Britain, including North Ireland, England, Scotland, and Wales, with 31,714.

Under the quota of 1890, these northern and western European countries, who form the basic stock of America, had a total of 139,622. Under the national origins act they are now permitted only 123,069—a loss of 16,553 from the northern and western European countries.

Now, let us see what happens in the southern and eastern European countries, where we have had great immigration during the later years and who do not represent the basic pioneer stock of America in any appreciable degree.

Austria under the 1890 quota were permitted 785; under the national origins act they get 1,413—a gain of nearly 100 per cent.

Czechoslovakia were permitted 3,073 under the 1890 quota; under the national origins act they get 2,874, or a loss of 199; and I will say here that Czechoslovakia is the only eastern European country that has a loss when we adopt the national-origins plan as against the quota of 1890.

Greece under the 1890 quota got 100; under the national origins act they get 384, a gain of nearly 200 per cent.

Hungary under the 1890 quota got 473; under the national origins act, 869—a gain of nearly 100 per cent.

Italy under the 1890 quota were permitted 3,845; under the national origins act, 5,802—a gain for Italy of 1,957, almost 60 per cent.

Latvia under the 1890 quota were allowed 142; under the national origins act they are allowed 236.

Lithuania under the 1890 quota were allowed 344; under the national origins act they are allowed 386.

Poland under the 1890 quota were allowed 5,982; under the national origins act they are allowed 6,524.

Russia under the 1890 quota were permitted 2,248; under the national origins act they are permitted 2,784—a gain of over 20 per cent.

Yugoslavia under the 1890 quota were permitted 671; under the national-origins quota they are permitted 845.

I have taken all the northern and western European countries and put them in one group; and I say for myself, and I believe for the patriotic organizations and people of America that they prefer, if we are to have immigration, that it come from northern and western Europe and from the stock of that country in Canada, as against the immigration from southern and eastern Europe and from Asia.

Mr. NORBECK. Mr. President——

Mr. STECK. Let me just say that we will have a total reduction of around 11,000, I believe, by the adoption of the national-origins plan. Of that reduction, the northern and western Europeans lose it all and 5,000 besides, because they lose 16,553, or a total loss of the immigration from northern and western Europe of about 13 per cent, while southern and eastern Europe make a total gain of 4,454, which is an increase of over 25 per cent.

Those are the figures, those are the facts, as nearly as we can get at them from the information furnished us by the special commission and by the Bureau of Immigration.

I say, for one, for a member of some of these patriotic societies that have been talked about, for one who has been consistently in favor of restricted immigration, as has been proven by my record here, particularly within the past few days, and by one who believes that if we are to have immigration in any degree the greatest percentage of that should come and must come from the peoples whose blood makes up the racial stock or pioneer stock here in America—the British, the Germans, the Scandinavians, the Dutch, the Danes, the French, the Swiss, the Irish, and so forth—that that is my individual position, and I believe my position agrees with that of the majority of the citizens of this country. That is the reason why I was and am against the national-origins plan—the figures I have given here, and the general situation that they bring about.

We were told on the floor of the Senate that what we were getting in the national-origins plan was a limitation of immigration which would bring into this country the peoples who make up the basic stock of the American people. I think the figures I have given, which can not be denied or controverted if the tables from which they are drawn are in any degree correct, explode that theory as advanced on the floor of the Senate last spring.

For one, I do not believe that we can any too soon do away with this so-called national-origins plan. It was the name that appealed to the people. They think exactly what I have said—that it is a plan to favor those races who come from northern and western Europe, and who, as I have said, make up the basic stock, the pioneer stock, of this country. If that were true, I should be for it. It is not true, and I am not for it.

For one, I am tired of seeing the name of Capone and other such names in every crime record that we read in our papers. I do not see the names of the Germans, of the Swedes, of the English, of the Danes, the true American names, appearing in the crime records of the country, in the agitators of the country who are trying to overthrow our form of government and to do away with our laws and our institutions. I am tired of it; and, as far as I am concerned, the sooner we restrict or totally stop immigration from some of the countries of the world, the better, not because I do not like their people but because they do not assimilate with us. We are not a melting-pot. If we were, we would not have a distinct American characteristic. You can not throw into a pot which has one characteristic any other characteristic and come out with the same thing with which you started. It is always affected for the worse.

It is a question of what we can assimilate, not what we can put over the fire and melt into some amalgamation which we do not want in this country. After 150 years and more—yes, almost 300 years—we have finally developed in this country a true American nationality. I say, let us maintain that by keeping the blood as pure as we can. Why should we apologize to any country? I am sick and tired of it myself. Every plan we put forward like the national-origins plan is an apology to some country or countries in the world as to why we are saying that only this many or that many of their people may come into this country.

No people in the world have a right to come into our country unless they come by our invitation. There is no right for the peoples of any country to come into our country and seek the advantages of American citizenship. We have a right to, and we should designate, what peoples may come into our country, and under what conditions they may come.

I had an amendment printed last year; I did not offer it, because at the time it did not seem that it would do any good, but I favor selective immigration. The Congress should say, "This country, because of the racial characteristics of its people, may have so many immigrants coming into the United States, and that country may have so many, but this country can have only so many, because we do not believe that the racial characteristics and qualities of their people make them easily adaptable to American ways and to the American nationality."

I do not resent particularly anyone getting up and criticizing me for my stand; that is the privilege of any Senator on the floor. But, so far as I am concerned, I have said exactly what I stand for and why I stand for it, and I will put my stand as a patriotic American, as a believer in an American nationality, and racial blood and characteristics, up against the argument of any man who favors the national-origins plan over and above the plan based on the census of 1890, so far as its result upon the blood of America and the best interests of America and the people of America is concerned.

Mr. President, I ask that this chart from which I have read may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

	Present quota	National origins	Loss	Gain
Belgium	512	1,304		792
Denmark	2,789	1,181	1,608	
Finland	471	569		98
France	3,954	3,086	868	
Germany	51,227	25,957	25,270	
Great Britain, (North Ireland, England, Scotland, Wales)	34,007	65,721		31,714
Irish Free State	28,567	17,853	10,714	
Norway	6,453	2,377	4,076	
Sweden	9,561	3,314	6,247	
Switzerland	2,081	1,707	374	
	139,622	123,069	49,157	32,604

	Present quota	National origins	Loss	Gain
Austria	785	1,413		628
Czechoslovakia	2,073	2,874	199	
Greece	100	384		284
Hungary	473	869		396
Italy	3,845	5,802		1,957
Latvia	142	236		94
Lithuania	344	386		42
Poland	5,982	6,524		542
Russia	2,248	2,784		536
Yugoslavia	671	845		174
	17,663	22,117	199	4,653
		17,663		
		[1] 4,454		

[1] Increase about 25 per cent.

Mr. GEORGE. Mr. President, I am unwilling that the Senator from Iowa should think I am impugning his motives or questioning his personal position.

Mr. STECK. I do not think that. The only thing I resent is that the Senator and another Senator on the floor said that those opposing the national-origins plan also opposed any limitation of immigration. That is the only thing I resented in the Senator's remarks as applied to me.

Mr. GEORGE. I tried not to do that. I said that was the effect, as I concluded, of opposition to it.

Mr. President, I am led to say just a few words more. My distinguished friend from Iowa, of course, is and has been steadily opposed to unrestricted immigration. I do not question that. But in his argument to-day he has come to the weakness of the position of those who oppose the national-origins provision. He is at pains to show what nations will profit in a comparison by the adoption of the 1890 census as a basis of our immigration law.

Mr. STECK. The national-origins provision is based on the 1920 census, so it is just as arbitrary a premise as is the 1890 census.

Mr. GEORGE. Mr. President, that is the weakness to which I wish to call the Senate's attention.

If it is a question of letting in more people from Sweden, Denmark, and the other countries the Senator has mentioned, I very cheerfully recognize the superior characteristics and character of those immigrants; and I mean that. If we have to defend our immigration law by a comparison of the number of people who come to us from certain nations, then the immigration act stands upon a very weak foundation. While the Senator from Iowa is entirely correct in saying that the arguments recalled by him were urged on the floor of the Senate, they were not the arguments which appealed to all of us.

When we passed the 1924 immigration act I did not raise the question whether the national origins or 2 per cent upon the 1890 census would bring in more or less immigrants. Nor did I raise the question as to whether the immigration would come from northern Europe or from southern Europe. As long as the immigration act rests upon the question of what part of Europe gets the advantage under the act, there is an insecure foundation for the immigration law.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. GEORGE. I yield.

Mr. CARAWAY. The national origins is the American viewpoint. Those people who oppose it—and I am not questioning their good faith—speak the language of the nations which are opposing it, whether they are conscious of it or not. There are a great many nations which oppose the national origins, and their groups in this country very violently protested against it.

Mr. GEORGE. That is undoubtedly true.

Mr. CARAWAY. Therefore the question is whether America shall write its immigration law, or whether we shall let groups write it in the interest of some other nation. That is the question.

Mr. GEORGE. The Senator is undoubtedly correct. But I am perfectly willing to concede that those groups represent very much of the best in our life.

Mr. CARAWAY. There is no question about that.

Mr. GEORGE. There is not any question about it. If you are going to put it on that basis, you can go further and say that we need but 150,000 or 200,000 immigrants, and that we will take them all from the most advanced and most highly cultured nations of the world.

Mr. GLENN. Mr. President, will the Senator yield to me?

Mr. GEORGE. I yield.

Mr. GLENN. The Senator from Georgia will further concede, I take it, that there are groups on both sides of this national-origins theory, not only groups on one side, as the Senator from Arkansas suggested, but that there are groups on both sides.

Mr. GEORGE. Oh, no; that is not the fact.

Mr. GLENN. I differ from the Senator.

Mr. GEORGE. I know the Senator differs, but that is not true in point of fact. Whether the national-origins theory is practical is another question, but the national-origins theory bases the number of the permissible annual immigration to this country upon the total number contributed by every country to our population. Under it one nation might get an advantage, and under it another nation might lose what it deems an advantage; but, in theory, it does not consult group interests in the United States.

Mr. GLENN. In theory, no; but, in fact, it has a positive effect. It cuts the immigration from Germany in two——

Mr. GEORGE. No; it does not have any arbitrary effect.

Mr. GLENN. And doubles the immigration from England.

Mr. GEORGE. Oh, yes; the Senator is making the argument which my distinguished friend from Iowa made, and when he makes that argument, he has based his immigration law upon an insecure foundation.

Mr. GLENN. Yes; and when the Senator from Georgia says that propaganda has all been upon one side of this immigration problem, that is a mistake.

Mr. GEORGE. I have not used the word "propaganda."

Mr. GLENN. The propaganda comes from groups. Does the Senator mean to say that there are no groups advocating the national-origins theory?

Mr. GEORGE. I mean to say there are no foreign groups advocating it, and they never have advocated it. I am going to take a little time of the Senate now. I did not want to delay the matter, but I propose to take a few minutes.

Mr. President, when I came into the Senate I was assigned to the Committee on Immigration. A distinguished Senator from one of the New England States, Senator Dillingham, as I remember, was chairman of that committee. A distinguished Senator from Rhode Island, now deceased, Senator Colt, was an influential member of that committee, and subsequently became its chairman.

During the time that I was a member of that committee we had for consideration the question of a national immigration act. We were then under a temporary quota system, and I think I am able to appraise events and circumstances at their face value.

I sat on that committee day by day, week by week, and even month after month, in an extensive hearing, which was the foundation of our present law. I was not a member of the committee when the 1924 act was reported, but the fight in the committee—and that is the way to test this question—the fight in the committee in 1922 was over the question of which census should be selected as the basis.

The men in this country who were leading the fight against restrictive immigration knew very well that the time had come when there would be restrictive immigration of some kind or another. They came before that committee fighting then, as they are fighting now, over which census should be selected as the basis on which the quotas should be fixed.

I was a new Member of this body, with nothing else to distract my attention, and I sat there and listened to evidence and to arguments by the great industrial groups of this country, who were opposed to any restrictive immigration. They came in and said, "Oh, what you need is selective immigration."

I concede that. My good friend from Iowa is right. If we could work out a sane and sensible immigration act, one which we could defend and maintain upon the basis of selective immigration, there is hardly anybody who would not support it; and by selective immigration I do not mean selecting immigrants from one country as against another, but selecting between immigrants of the same country, out of the same family, if you please. That is what I mean when I talk about selective immigration.

The great industrialists came here and said, "Oh, you need selective immigration. You do not need an immigration law which arbitrarily fixes the limit of the number of those who shall come into this country annually. But if you do, we want to select the census, because we are interested in labor, labor of one kind and labor of another kind."

The whole fight as it converged upon a point of contact was over the question of what census we would take. We struggled through that fight. Every man who opposed restrictive immigration was insisting that we should take the 1910 or 1920 census. Every man who wanted the doors wide open was opposed to the 1890 census until he was driven away from his

position. This is history, but in the light of the history of this legislation we can interpret this present movement.

So far as the amendment of the Senator from South Dakota [Mr. NORBECK] is concerned, it would admit into the country a greater proportion of immigrants from the northern European countries than would come under the national-origins provision. I concede that; I do not dispute that. The sole point I make is that the moment we get away from the national-origins or some other defensible, logical scheme of fixing immigration, we then must choose between censuses, and the 1890 census favors the northern Europeans and the 1920 census favors the southern Europeans, and the 1930 census will favor the southern Europeans.

I want to say to my friend from Iowa, and I want to say to him frankly, that I never favored the national-origins theory because it would cut down the number of immigrants by a fraction. I did not favor it because it would give greater representation to northern or southern or middle European nations, because I know that in a nation made up of peoples from all the lands of the earth we never can maintain steadily and undisturbed an immigration policy that is not based upon the principle of equality.

The selection of the 1890 census is an arbitrary selection. It in effect discriminates against certain of the nations, and while I frankly concede that personally I would select the 1890 census as against the 1920 census or the 1930 census or any other of the intervening censuses, while I would personally prefer it, while the 1890 census gives more northern European immigrants a chance to come in than even the national origins—while I freely concede those facts I face the fact that the selection of it is arbitrary. It in fact discriminates, and in the long run we can not maintain that sort of an immigration policy. It could be done if no one in this country did not want unrestricted immigration; but there are those who wish unrestricted immigration.

I said in 1924 and I repeat now that I favored the national-origins theory, not because it was perfect, not because it was the most practical arrangement that could be made, because candidly it is not, but if it is practical at all, if it can be worked out at all, I favored it because it was the basis upon which America could regulate her immigration, not without fear of criticism of other nations, but without affront to other nations. I fear no criticism of any other nation. I do not wrap the American flag around me and say "Let them criticise." That is not my kind of patriotism. But I do fear the giving of needless affront to any nation on the face of this globe. That, in my judgment, is not the attitude which America ought to take. There is nothing wrong with the 1890 census from my personal point of view. It is in fact preferable, if I may make that admission; but it can not be defended because it is simply arbitrarily selected, and it is selected because certain results flow from that selection. We have the right to make that selection.

Mr. STECK. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. GEORGE. I yield.

Mr. STECK. I probably did not make myself clear, but the 1924 law was based on the census of 1890 while the national-origins provision was based on the census of 1920, both of them entirely arbitrarily. But the difference, and the only difference so far as being arbitrarily based on the census, is this: The law as based on the 1890 census includes only the children of foreign-born parents and foreign-born citizens, while the national-origins plan, using the 1920 census, goes farther back than the foreign-born children and includes clear back as far as they can trace the origin of the different people who have come into this country. That is the only difference. The national origins is based on the 1920 census just as arbitrarily as the other is based on the 1890 census. It is just the difference in the question of how far back we go in the parent stock to get the number upon which to base the percentage of the quota.

Mr. GEORGE. I can only say that that is not my understanding of it. When in 1924 we passed the immigration act, the 1920 census was the last census. We took it and we used it, but we temporarily put into effect the 1890 census during the two years when the national-origins scheme was being worked out. The only question about national origins is whether it is a practical scheme, whether we can with any reasonable degree of certainty ascertain who ought to come into the country. But it is not arbitrary nor discriminatory in its intent and purpose. It may be true that it would work out to the advantage of one group of nations and to the relative disadvantage of another group of nations. But the real defect in it and the real ground of objection to it is that we can not with reasonable certainty apply it.

Mr. President, I feel that I am certainly within the bounds of reasonable statement when I say that in 1924 certainly those who were fighting against the restriction of immigration were fighting against the 1890 census. They were fighting against it upon the ground that it was arbitrarily selected and that it was illogical and an actual discrimination against certain nations. In order to offset their attack, in order to devise some scheme that was fair in principle, which could be applied without the slightest charge of purpose to discriminate upon our part as between nations, we said we would adopt the national-origins provision, in the meantime allowing the 1890 census to serve as the basis of immigration for two years only. I have already said that we twice extended the period during which the 1890 census was continued, and it has already been pointed out that now, after about three months' trial under the national origins law, we are asked to repeal it, we are asked to strike it down.

I say what I intended to say in the beginning, not that some Senators upon this floor are not opposed to restricted immigration, because many of them oppose it just as strongly as I do; but I say that the influences which constantly strive to unsettle the basis of our immigration law, which constantly strive to drive us into the selection of one census as against another census, opening us to the attack of intentionally discriminating against some nation and in favor of another, are the ones who would undo our immigration policy—not those Senators who cast their honest votes here in an effort to do what they believe to be right in this matter, with just as much conviction upon the general question of exclusion of immigration as I myself ever have claimed. That is all.

But the defense of the 1890 census runs back again and again to the production of figures here showing that Denmark and Sweden, most excellent countries, and other countries get more than they do under national origins. That is the reason why I have opposed the abandonment of the national-origins theory. We can not in the long run sustain our immigration act if every time it is under attack we have to bring a chart in here to show to Senators, to those of us who sprang from this group, to those of us who had our roots back in this race or that race, that we are getting the advantage under the act as it is or as we propose to make it.

Let there be no mistake about it. If it were left personally to me, as I have already said, the 1890 census is entirely agreeable. If I had the personal privilege of selecting the immigration into this country I would not exclude those from Germany, Denmark, and Sweden, and other countries which do lose under the application of the national-origins quota. I would not do that. But above every other consideration I would maintain our restrictive immigration law, and in maintaining it I believe we can do it better and in the long run more effectively if we say to all the countries of the globe, "You shall be allowed to send your part of the annually admitted immigration into the United States according to the contribution made by you to the whole population of the United States." If that is not fair and if that is not just, if it can be reasonably administered, then I am wholly unable to know what is fair and what is just in the making of an immigration law.

Mr. GLENN. Mr. President, of course the question of the immigration which is to come into the United States from this time on is one of the major problems with which the Congress has to deal. Upon its determination depends, at least to a considerable extent, the future make-up of the population of this country.

I have listened with interest to the distinguished and able Senator from Georgia [Mr. GEORGE] who has just concluded. With his conclusions I differ. I think the difference between his last statement and the position which has been taken by the Senator from Iowa [Mr. STECK], and which I propose to take now is the real fundamental issue between the Senators in this body who hold opposite views upon this most important American problem. After the argument made by the Senator from Georgia he concludes with the proposition which he lays down as the determining factor to be considered by this body in its vote upon the question. He said that the thing which he thinks should be done is the thing which is most fair to all the countries who have contributed in the past to the American population; that he can think of nothing fairer to do than that.

He fears that we might offend some foreign country by acting in any other way. He said it would be wrong for us to offend Germany or Britain or France or any of the other countries, and that the thing for us to do is to go back to the time Columbus landed and study as best we can the figures and the statistics of our people since that time and then decide what proportion and percentage of our population came from all of those various nations and to vote accordingly for a basis of immigration, the only thought in mind being that we shall

be fair to France, Germany, Italy, Russia, Turkey, Latvia, Estonia, and all the other countries.

I take exactly an opposite position. Sitting here as Senators representing the people of the United States our first consideration should be not to be fair to Russia or to Turkey or to Afghanistan or British or French Congo Land but to be fair to America and to study this question not by the percentages which will be accorded to each and all of those countries which have contributed to our population the exact ratio which they have contributed in the past; but our duty is to be fair to the United States and to its future; to look into the problem with but one object in view and that to fix the percentages of those quotas so that the immigrants coming here in the future will contribute best to the future of the United States, disregarding how many in former days came from Germany or France or Russia or Italy or Hungary or Austria or Switzerland or Greece or any other nation.

Let us look into this question and see what the effect will be upon America and upon American citizenship in the future. While the Senator from Georgia says that, so far as he is concerned, he had rather take the 1890 census, because he would like to see a larger percentage come from northern Europe than from southern Europe, he will not favor it, because it would not be fair to Italy or Greece or Turkey or Egypt or to some other countries; that he will not favor it because he would rather be fair to them than to be fair to us and our children and our children's children. I do not believe in that doctrine.

Mr. GEORGE. I should like to ask the Senator if there is anything unfair in continuing our population in exactly the same ratio that it has had from the beginning?

Mr. GLENN. I certainly think so.

Mr. GEORGE. The Senator thinks so?

Mr. GLENN. Yes; I do. I do not think we are under any obligation to Russia or to Greece or to Turkey or to Switzerland or to Sweden, because they sent us a certain number of immigrants during the last few years, to continue to receive those immigrants. We owe them nothing because they sent their immigrants here; they came here to take advantage of the opportunity afforded; not because we sent for them but because they wanted to come.

Mr. GEORGE. Let me understand the Senator's position.

Mr. GLENN. Yes.

Mr. GEORGE. The Senator is opposed to maintaining the exact present racial composition of the United States?

Mr. GLENN. I certainly am in determining the question in the future.

Mr. GEORGE. Wait a minute—and the Senator does not want any policy continued which will continue our racial stock in its present historic proportions?

Mr. GLENN. I do not care whether immigrants came on the *Mayflower*——

Mr. GEORGE. Will the Senator answer my question?

Mr. GLENN. I am answering it. I do not care whether they came on the *Mayflower* or where they came from, whether they came from Great Britain or France or whence they came, I think the thing to decide here is what will be best for America in the future. If it is better to have more Swedes here than Turks, I would favor cutting down the immigrants from Turkey and increasing the immigrants from Sweden, if they will amalgamate with our people, if they will go upon and build up our farms and our villages and our hamlets and our cities as they have done. That is the thing to remember and to think of, not to be fair because 200 or 300 or 400 years ago a certain number came over here from some particular country.

Mr. GEORGE. How long does the Senator imagine that an immigration law would stand which arbitrarily selected the countries from which we should admit immigrants?

Mr. GLENN. I think it would stand very much longer than the national-origins plan, which already, after three months, is trembling upon the very brink of disaster and repeal.

Mr. GEORGE. The Senator should not say "after three months"; but he should say from the beginning of the time when it was absolutely clear that we were going to restrict immigration, because it was then the fight commenced.

Mr. GLENN. There is not anything in the bugaboo of a desire to throw down all bars against restriction. Only a few moments ago we voted to reduce the quota by from 1½ per cent to 1 per cent. We began in 1921——

Mr. GEORGE. How long does the Senator imagine that reduction would last after this bill should get into the House?

Mr. GLENN. I can not predict what the House will do.

Mr. GEORGE. The idea now is to get rid of the national-origins plan. Do not worry about the percentage, because that is a shifting equation.

Mr. GLENN. It is shifting lower all the time. We began in 1921 to restrict immigration by providing for a 3 per cent quota; and now, in less than 10 years, we have gotten it down to about one-third of that; if what we have done to-day goes through; and if it does not we have divided it; we have cut it in two in 10 years. Does the Senator from Georgia really think that anybody in America is going to have influence and power enough with the Congress of the United States to induce it to throw down the bars against restrictive immigration? I do not think so.

Mr. FESS. Mr. President, will the Senator from Illinois yield to me?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. GLENN. I yield.

Mr. FESS. I was interested in what the Senator from Georgia [Mr. GEORGE] said to the effect that those of us who were voting to repeal the national-origins clause were breaking down restrictive immigration legislation. If the Senator will permit me——

Mr. GLENN. Certainly.

Mr. FESS. I desire to say that is rather an astonishing bit of information to me. I came to Congress in 1913; I have been through all this period of fighting on the immigration question, even including the literacy test, as to the desirability of which there was really some doubt; I have seen some of the most terrific battles on the question; and, so far as I know, outside of voting against reducing the percentage to 1 to-day, I have never cast a vote in this or in the other body that was not for restricted, selective immigration. Because I happen to be of the opinion that the national-origins basis is not workable, it is now suggested that I am opposed to legislation restricting immigration if I vote to repeal it. That is rather an astonishing statement to me.

Mr. GLENN. And one to which the Senator from Ohio, who should know his own mind at least as well as does the Senator from Georgia, does not subscribe, I understand.

Mr. FESS. The Senator is correct.

Mr. GLENN. We talk about the national-origins plan. As the Senator from Iowa [Mr. STECK] said, it is an effective slogan, but it is a misnomer. In making up the percentages, the quotas, under the national-origins plan, we disregard a great percentage of our population. We forget all about what Canada has contributed to the United States; we overlook Mexico and the South American countries; we overlook the yellow races and all the colored population. Some twelve or thirteen or fourteen million are excluded from this basis, which the Senator from Georgia says is reasonably accurate. He fears taking the census of 1890 as a basis, because it is not now accurate, and yet he favors the national-origins plan, which leaves out Canada and Mexico, all of South America—in fact, some twenty million of our people altogether, who are ignored by the national-origins plan.

Mr. STECK. Mr. President, will the Senator yield?

Mr. GLENN. I yield.

Mr. STECK. We might just as well be frank—I have tried to be—about why the 1920 census was insisted upon and taken instead of the census of 1890. There can be no question about the facts. Prior to 1890 a great percentage of our immigration came from what we call the northern European countries. It was after 1890 that the great influx of immigration began from southern and eastern Europe. That was where the division point was made. Those who insisted upon the census of 1890 as the basis were trying to keep what they referred to as "pioneer American blood" as pure as they could. The real reason why the census of 1890 was fought and the census of 1920 was finally adopted as the basis was because it permitted the counting of people not citizens of the country for the purpose of increasing the proportion of those who had come in since 1890, and that was, as I have said, the period during which we had the great influx from southern and eastern Europe.

If the Senator will pardon me further, I should like to make one more statement. The quotas are based not upon American citizenship but upon the peoples who are residing in America at the date the census was taken. When we were discussing the question of eliminating aliens from the total count for the purpose of representation—and I believe many Senators on this side of the aisle favored that position—the facts were brought out here as to the number of aliens residing in this country and who had been residing in this country who are counted not only for the purposes of the census but for the purposes of representation.

In the 1920 census thousands upon thousands of foreigners were counted, and their nationality was noted for the purpose of arriving at what we call the national-origins basis, when prior to 1890 we had a comparative few of them. It is a well-known fact that the people from southern and eastern Europe are not as anxious to obtain and are not as prompt in obtaining citizen-

ship in the United States as are immigrants from northern and western Europe, who come here primarily for the purpose of becoming American citizens, and not primarily for the purpose of earning money in order that they may go back to their homes or bring their people here, or for the purpose of escaping persecution and one thing and another. That is the fact, and that is the reason the 1920 census was insisted upon and finally adopted instead of the census of 1890.

Mr. GLENN. Mr. President, I am one of those who think that in the process of enacting a law it is not a foolish thing to do to look into the results which the proposed law will accomplish. I may be wrong; perhaps we should look at this question from the European standpoint and in determining it should be largely influenced by the desire to not offend in any way any European country if we can prevent it. I do not subscribe to that idea.

Mr. GEORGE. Mr. President, does the Senator say that I made any such statement?

Mr. GLENN. I do not say the Senator made that exact statement, but I think he said, in effect, that the main thing to do is to be fair to foreign countries and to search back and find out the origins of the people in this country.

Mr. GEORGE. I did not. Let me say so that there may not be any misunderstanding, that I said I did not care anything about giving offense to other nations, if we should give offense to them, but I did not desire to give any cause for offense to other nations. Can not the Senator distinguish between the two? I do not want to make our immigration law on the theory of what other peoples will think about it, but I have no desire arbitrarily to offend any other peoples.

Mr. GLENN. I do not suppose anybody desires arbitrarily to offend foreign nations just for the purpose of offending them.

Mr. GEORGE. That is the statement I made, and I want to know if the Senator now understands what I said.

Mr. GLENN. Yes. I understand that the Senator does not care to offend any foreign country unnecessarily, and I am attacking none of the foreign nations or their people.

Mr. GEORGE. Yes.

Mr. GLENN. Do I understand the Senator further to say, notwithstanding that position, that if he believed it better for the future of America in the make-up of our population to have Swedes and Danes and immigrants from other Scandinavian countries come in, as they are coming in now, rather than immigrants from other nations, he would be willing to vote that way, regardless of giving offense to some other European countries?

Mr. GEORGE. No; I am in favor of the national-origins plan because it does not needlessly or arbitrarily offend any other country; that is to say, under that plan there can be no just complaint.

Mr. GLENN. I understand.

Mr. GEORGE. I expressed my personal opinion of the high character of certain nationalities; that is all.

Mr. GLENN. I understand. When it comes to a question of the welfare of America as opposed to that of some foreign country, or in which the giving of offense to some foreign country is involved, the Congress of the United States took a stand upon such a question after a very long and bitter fight when it voted upon Japanese immigration. We are committed upon that question; at least, America has taken a stand, and I approve that stand. When we consider laws which will affect the future population of America, we hope our action will not give offense to any country; of course, we do not want to give offense unnecessarily to any country; but when it comes to the question of the future of our country, then the determining factor with me is what is best for the population of America in the future. If our action gives offense to other countries, we regret it; but, after all, our first duty is to look after our own country.

Reference has been made to the census of 1890 as a basis as being arbitrary. Of course it is arbitrary in a way, but the national-origins plan is an uncertain, unstable, and indefinite thing. What did the present President of the United States say about it when he was a member of the commission which was endeavoring to work it out?

Mr. GEORGE. Is the Senator about to read from the first, second, or third statement made by the President when he was Secretary of Commerce?

Mr. GLENN. I think I shall start with the first statement.

Mr. GEORGE. Very well.

Mr. GLENN. And before I conclude, if I have time, I may read all of them, and then conclude with what Gov. Alfred Smith said when he took a position against the national-origins plan in the last Democratic campaign. Both President Hoover and Governor Smith are against it, as I understand. I know that the Senator from Georgia is more familiar with that platform and with Governor Smith's public utterances than I am. I ask him to correct me now if it is not true that Governor Smith, as a Democratic candidate for the Presidency, took a positive stand against the national-origins plan.

Mr. GEORGE. Governor Smith took the position that the selection of the census of 1890 could not be justified; that the later census should be taken. That is exactly what logic will drive the Senate ultimately to do if the law is based upon any census; and that is my whole position. When the Senator sits down and figures out his 2 per cent or 1 per cent on the basis of the 1930 census he will find out which nations have the advantage and which do not have the advantage; and it is just that that I wish to avoid.

Mr. GLENN. But the Senator has not answered my question. I asked him if it was not true that Governor Smith, as a candidate for the Presidency, opposed the national-origins plan.

Mr. GEORGE. I believe he did; but there was not anything in the platform that justified him in doing it, so it is simply his personal view; but he opposed also the 1890 census, and that is exactly the point I have made—that it can not be logically defended. Those who want to take any census, whether it is 1890 or 1900, will ultimately be forced to admit that it is an illogical thing to take anything other than the last census. I do not say it can not be done.

Mr. GLENN. I think what we will come to eventually is the selective immigration plan, that will base our immigration quotas upon the character and class of immigrants who will contribute most and best to the American population.

What is the effect of the present law? The effect is to cut the German quota in two and turn it over to Great Britain. That is the major effect; and the question which comes to my mind is, Is that a good thing to do for America? I do not care how it affects Great Britain and Germany, but I do care how it affects America.

Here we see Germany. I certainly have no feeling against Great Britain. My people on both sides came from there many, many years ago, and none from Germany. Here we see, since the Great War, a prostrate people struggling with debt, with disaster, almost with destruction, working themselves up day by day and year by year until they have made the most marvelous recovery of any of the nations of the world since that great disaster, geniuses in chemistry and in engineering and in science and in industry, indefatigable workers, bringing back their country to a country of prosperity, with the people at work there, building great wealth upon the ashes of their ruins. We see Great Britain, the quota from which we would double under your plan, a seething mass of unemployment, with hundreds of thousands of people walking the streets, living upon doles, the mines shut down, almost disaster everywhere, unemployed living upon doles from the Government—Great Britain, the powerful empire, struggling now in one of the greatest crises of her history—and you would double from that country the quota which they have had under the 1890 census, and there would come in from Great Britain, from England, and from North Ireland, whom?

In the first place, Great Britain has her colonies, her territories—Canada, Newfoundland, separate from Canada, India, Egypt, British South Africa, the British possessions in Bermuda and in the Western Hemisphere, Australia, and all the other possessions which have made Britons always boast that the sun never sets upon the British flag. They will send their choicest immigrants to their own possessions and America will get the dregs.

Mr. GEORGE. The Senator would select the 1890 census in order to give some country a larger number, would he not, as against some other countries?

Mr. GLENN. If it would be better for America, if we would get a better class of immigrants, of course, I would select them in preference to national origins. Why not?

Mr. GEORGE. The Senator will build up a very stable national policy in a country made up of people from all parts of the globe on his process of partiality in selecting the countries from which he wishes the greatest number of immigrants.

Mr. GLENN. Partiality? Why, of course, America should always be partial to America. That is all I advocate.

Mr. GEORGE. But the point is that the Senator wants the 1890 census as against the 1930 census.

Mr. GLENN. No; I did not say that. What I said was that I was in favor of selective immigration when the time comes, if we can get it, if you people will forget about national origins and look at the future of America.

Mr. GEORGE. Does the Senator want the 1890 census or the 1930 census?

Mr. GLENN. I do not see any chance to get anything now except national origins or 1890; and of the two I will take 1890, because it sends us the better class of citizens.

Mr. GEORGE. I am not controverting that fact. I am agreeing with the Senator.

Mr. GLENN. And still you vote for national origins, although you say the 1890 plan sends us better citizens? I can not understand the Senator from Georgia when he takes that position.

Mr. GEORGE. No, no; I am not controverting the fact that the 1890 census happens to send us good citizens. I am insisting on the national-origins plan because I believe it to be entirely fair, and one that can be used as a permanent basis of our immigration policy. If the Senator is going to select between censuses, I ask him which one does he want? He asked me about Governor Smith's position, and I reminded him of the fact that Governor Smith made his attack upon the immigration law because it did arbitrarily select the 1890 census.

Mr. GLENN. I have no chance to select between national origins and 1890 and 1930. I have only one choice here, and that is to select between 1890 and national origins; and I have tried to make it clear that between the two I choose 1890.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. GLENN. I yield.

Mr. BLACK. I am interested in the Senator's statement that he prefers selective immigration.

Mr. GLENN. Yes.

Mr. BLACK. Does the Senator mean selected according to races?

Mr. GLENN. No; not at all, except as their characteristics determine that.

Mr. BLACK. The Senator does not refer merely to selecting between citizens of the same country, but——

Mr. GLENN. Oh, yes; yes, I would. I think we should lay down strict rules. I would much rather have a sober, temperate, industrious, healthy man from England than a drunken, diseased, insane man from England, of course.

Mr. BLACK. What I was interested in was this, because I think I agree with the Senator in the statement he made, if I understand the intention of what he was saying: Does the Senator take the view that this country has a right to select, and he favors selecting, immigrants from other countries who would most nearly fit into our national life and our national blood?

Mr. GLENN. That is my position exactly, and I think we must come to it sooner or later; and the sooner we come to it, the better.

Mr. BLACK. I am frank to say that I think we have a perfect right to do that.

Mr. GLENN. Of course we have.

Mr. BLACK. Our country is the only one that has the right to determine that.

Mr. GLENN. That is my position.

Mr. BLACK. If some suggestion of that kind had been made at any time, I would have been glad to support it.

Mr. GLENN. A suggestion along that line was made half an hour ago by the Senator from Iowa [Mr. STECK], I think in the absence of the Senator from Alabama.

Mr. BLACK. The amendment has not been offered; has it?

Mr. GLENN. No; not at this time, as I understand. I have not been in the Chamber all of the time.

As I say, when we double Great Britain's quota naturally her bright, intelligent, intellectual, shrewd people are going to build up her colonies, those associated with them in governmental affairs. We will get the dregs. As far as their influence can go, after they have sent those that want to go, that they can get to go, to Canada and to all these other colonies of theirs, we will get what is left for America; and a lot of them will be coal miners who will want to come down into southern Illinois and into Ohio and into Indiana to work there in the mines, where there is already a great surplus of labor. I do not want to see that thing happen; and why?

Look at the results of this thing. One Senator after the other gets up in the course of this debate and praises to the skies the racial characteristics of the Danes, of the Swedes, of all the members of the Scandinavian races. They say that they are industrious, that they are cautious, that they are prudent, that they build good homes, and they live peaceably with their families there; that they are not criminally inclined; that we do not see their names in the criminal courts of the land. But by this national-origins act we cut from their quota almost two-thirds, we reduce them nearly 66⅔ per cent, and give that part of their quota to these other people whose names do fill our court records with murders and crimes and bombings and burglaries and all the other things which are bringing America into such great disrepute; yet the answer is, "Well, we must be fair to these European nations and set up a plan that will be fair to them."

I would rather see more Swedes in America and more Danes in America and more Norwegians in American when I think of what they have done—and I am not speaking for political purposes at all. We have in Illinois a great mixture of all the races of the world. In one ward there they speak 38 different languages, and I have heard it said—Hungarians and Austrians, and Russians and Poles, and Turks and Italians, and Greeks and people from every nation in the world—and I do not know what the percentages are that go to make up our voting strength.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. GLENN. I yield.

Mr. BLACK. Without expressing any hostility to any people, of course, because the question of superiority and inferiority does not arise, in view of the fact that that is true, not only in one ward of Chicago but in various other sections of the country, does not the Senator think that until those people have learned our language, and have become imbued with the principles of American citizenship, and we have absorbed them, it would be better for us to suspend immigration entirely, both for our benefit and for theirs?

Mr. GLENN. I do not subscribe to that. There are many family reasons—pressing, urgent family reasons and other reasons why immigration should not be absolutely stopped immediately. We put on our first restriction, as I understand, in 1921. At that time it was 3 per cent. Now we have gotten down, if the action we just took is ratified to-day, to 1 per cent. We have done pretty well. Since I have been here in the Senate, a little over a year, we have cut the quota from about 165,000 to about 80,000. If the action of to-day goes into effect, I think next year it will be cut again, probably, and we are reducing it rather rapidly. I believe that is better than doing it all at one time. That is my judgment.

Mr. BLACK. The Senator does think we are tending in that direction until we absorb those that are here?

Mr. GLENN. Yes; and I am very heartily in favor of it.

I think any real plan for dealing with immigration should have taken care of the Mexican problem. National origins does not, and the census of 1890 does not either; but in writing a new plan we should have taken care of it. That is the cause of all this debate. All this discussion comes from Mexico. I venture to say, and I am sure I say it correctly, that more immigrants come from Mexico each year and remain in the United States—illegally, most of them, of course—than the entire quota assigned to the immigrants from all the nations of the world, 153,000. Why, they are filling the streets of Chicago. They are on every railroad throughout the whole Middle West and the West. You see them everywhere, fighting, brawling, quarreling, not fitting into our American life at all; yet this national-origins plan, proclaimed here at the last session as such a great, magnificent plan to handle immigration, fails to care for the Mexican situation.

Mr. GEORGE. O, Mr. President, the basis of the immigration does not determine what countries are to send immigrants or not to send immigrants; neither does the 1890 census say anything about it.

Mr. GLENN. I so stated a moment ago.

Mr. GEORGE. The national-origins plan has nothing on earth to do with the countries from which they shall come——

Mr. GLENN. It should have.

Mr. GEORGE. Unless those countries have not contributed anything to our population.

Mr. GLENN. The point I make is that it should have. It was supposed to be an answer to our immigration problem. I say that it was a great mistake not to take care of the question of Mexican immigration.

Mr. GEORGE. Mr. President, when the law was framed the 1890 census was made the basis of immigration. It was on the floor of the Senate that the national-origins question came in. Neither of the proposals contained anything about Mexico, because at that time it was deemed not to be a wise policy to exclude immigrants from Canada, or from any of the countries to the south of us. I agree with what the Senator says about Mexico, but the national-origins plan had nothing to do with Mexico.

Mr. GLENN. That is one reason why I object to it; I think it should.

Mr. GEORGE. The 1890 census had nothing to do with Mexico.

Mr. GLENN. I said that a moment ago. In writing the national-origins plan, those who were responsible for it—I do not know whether the Senator from Georgia framed it or not; as I recall, he was one of the most efficient and eloquent advocates of it on the floor——

Mr. GEORGE. No; I did not frame the national-origins law. The Senator from Pennsylvania [Mr. REED] offered it in this body. I voted for it, after having first voted to take the 1890 census as the basis, the same census we have now taken, because if I had to choose between censuses, I thought the 1890

census was preferable. That was the bill which came to the floor. But the national-origins provision was put in on the floor. It was added here on the floor.

Mr. GLENN. I am not criticizing the Senator from Georgia about this national-origins provision. I thought I recalled that he advocated it and supported it upon the floor. I may be in error in that.

Mr. GEORGE. No; I did vote for it, and did advocate it on the floor, but it came as an amendment on the floor, and was not in the original bill.

Mr. GLENN. My judgment is that it should have provided for and taken care of the great, pressing Mexican problem. It did not do it. The 1890 plan does not do it, either, and in writing a new immigration law we should take care of that problem.

I started to read what the President said about this law. I think I have only two of his statements. The third one may be different. Perhaps the Senator from Georgia can supply it if it is. It does not seem to be here.

Secretary of State Kellogg, Secretary of Commerce Herbert Hoover, and Secretary of Labor James J. Davis in 1924 appointed two representatives each as a subcommittee of the committee appointed to work out this national-origins clause.

On December 16, 1926, they reported to President Coolidge that they had not been able to complete their work, and then Secretary Hoover wrote the President as follows. This is an excerpt:

> In our opinion, the statistical and historical information available raises grave doubts as to the whole value of these computations as the basis for the purpose intended. We therefore can not assume responsibility for such conclusions under these circumstances. I think it will be seen that the unsoundness of the statistical foundations is fully emphasized in this letter.

On January 3, 1927, these Secretaries again reported to President Coolidge, and the conclusion of their report was:

> Although this is the best information we have been able to secure, we wish to call attention to the reservations made by the committee and to state that, in our opinion, the statistical information available raises grave doubts as to the whole value of these computations as a basis for the purposes intended. We therefore can not assume responsibility for such conclusions under these circumstances.

The Commissioner General of Immigration, Mr. Hull, in his report in 1925, said:

> The bureau feels that the present method of ascertaining the quotas is far more satisfactory than the proposed determination by national origin and that it has the advantage of simplicity and certainty. It is the opinion that the proposed change will lead to great confusion and result in complexities, and accordingly it is recommended that the pertinent portions of section 11, providing for this revision of quotas as they now stand, be rescinded.

According to the Saturday Evening Post of October 10, 1925, the Director of the Census declared that there are no figures in existence which show the national origins of the population of the United States.

This has been a prolonged fight upon the national-origins clause and about it. It seems to me that when the proponents of the national-origins clause concede that it is better to have a larger percentage of population coming from northern Europe and western Europe than will come under the national-origins provision, they have conceded their whole case away. They praise in one breath the people of Norway, the Norwegians, the Swedes, and the Danes, and in the next breath say, "Well, we think they are a great people; they have done wonders for the United States. They have built up the great Northwest. They go out on the farms; they build their homes; they educate their children; they commit scarcely any crimes at all; they present to the United States no criminal problem," and then say, "Let us be fair to France, and to Russia, Latvia, Estonia, Turkey, to Spain, and Afghanistan, and the British Congo, and with all those other countries, most of them scarcely ever heard of, but cut down Norway and Sweden and Denmark, cut them down two-thirds." Then they say, "We think a good deal of Germany. The Germans are industrious, law-abiding, thrifty, intelligent people. They have done wonders. They make up a great body of our citizenship. But we are going to cut their quota in two." When they say that they have conceded away their whole case; it is all gone.

We must look at the results this will have for the United States. Let us bring in these thrifty, industrious, frugal, law-abiding people. We need them badly enough in the United States.

Mr. NORBECK obtained the floor.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from South Dakota yield to the Senator from Tennessee?

Mr. NORBECK. I yield.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Kean	Shortridge
Ashurst	George	Kendrick	Simmons
Baird	Gillett	Keyes	Smoot
Barkley	Glass	McCulloch	Steck
Bingham	Glenn	McKellar	Stephens
Black	Goldsborough	McNary	Sullivan
Blaine	Gould	Norbeck	Swanson
Blease	Greene	Norris	Thomas, Idaho
Borah	Hale	Nye	Thomas, Okla.
Bratton	Harris	Oddie	Townsend
Brock	Harrison	Overman	Trammell
Broussard	Hastings	Patterson	Vandenberg
Capper	Hatfield	Phipps	Wagner
Caraway	Hawes	Pine	Walcott
Copeland	Hayden	Pittman	Walsh, Mass.
Couzens	Hebert	Ransdell	Walsh, Mont.
Cutting	Heflin	Robinson, Ind.	Waterman
Dale	Howell	Robsion, Ky.	Watson
Deneen	Johnson	Sheppard	
Fess	Jones	Shipstead	

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present. The Senator from South Dakota [Mr. NORBECK] is entitled to the floor.

Mr. NORBECK. Mr. President, I listened with a great deal of interest to the speech made by the very able Senator from Georgia [Mr. GEORGE] whom I count my friend and who bears the good will and the respect of every Member of the Senate. I do not question his good motives, though he differs entirely with me on this question. I can not refrain, however, from calling attention to the fact that he admits that the northern Europeans make the better citizens; but he says in effect, "Do not let them come here." The RECORD shows that he voted last summer for the national-origins provision and thus gave the Italians 2,000 additional, while he cut the Danes down from 3,000 to 1,000.

That measure was urged upon us in the name of patriotism and the welfare of the country. If there was ever any time that immigration from southern Europe might be held back, it is now. Those immigrants go to the industrial centers. They do not go out on the land. Employment can still be found in the farming sections of the country. The north Europeans go out into the country upon the land. But there is a group in the Senate which insists that preference shall be given to the southern Europeans, the very men who go into our cities and take jobs away from our own people.

But, unfortunately, a good many of the immigrants coming from Italy have made us altogether too much trouble. Further, I do not know why we should be especially partial to that country just as this time. For a month we have had two of the leading Members of this body in Europe at the naval disarmament conference, two of the ablest Members of the Senate, pleading for world peace, for disarmament by mutual agreement, and the whole world seemed to cooperate with us except Italy. We are told the north Europeans are the best, but we should not let them come here because it conflicts with some preconceived mathematical formula that is dear to the minds of certain people.

Mr. President, I listened with eager interest to the very distinguished Senator from Iowa [Mr. STECK], a man who does not have to prove his patriotism either. His service for the country in the years past has put him in the favored class. He is not only a Legion man, but he was a soldier who bore the brunt of battle. He is a man who has taken interest in this matter. He is a man who is strong in the Legion organization. If we want a witness to determine why the Legion favors national origins as against any other plan, I can think of no one better qualified than the distinguished Senator from Iowa. He gives us plainly to understand that the Legion was not wedded to the "theory" of national origins. When they indorsed that measure as against the other one, it was because that plan would let in a few less immigrants. The Legion was for restricted immigration. The Senator's speech is illuminating and logical. His patriotism prompts him to break with his party leaders, even with some Legion leaders, that temporarily went astray because they were misinformed. I have no doubt that the great majority of the Legion members are in favor of the very plan I have suggested—a better basis for our quota and a reasonable reduction in immigrants, with the result that favored quotas will no longer be given to those countries that are so lacking in aptitude for self-government.

The second point in the argument is that a census of 1890 is too old to be reliable. Forty years is a long time, and we should not base our calculations upon such an antiquated structure. But the Senator refrained from calling our attention to the fact that the plan he favors is based upon a census 140 years old. Up to July 1, 1929, we were operating under a 40-year-old census. On July 1, 1929, we took on the national-origins theory and tried to put it into practice. In other words, we based our quota in part upon the incompleted records of a census 140 years old—the first census taken.

We are also urged we should not make changes in the law that will lead to confusion. We made that plea last spring, but it fell upon deaf ears. The very Senators who are now saying "Let us have no changes" said the opposite only a few months ago. Therefore the plea seems hollow.

We are also told to avoid confusion. I know of no better witness on the question of the practicability of the plan than our own highly respected President, Herbert Hoover, who several years ago was intrusted with the task of investigating and reporting on these very matters. His report is before us; it is part of the record. The Senator from Illinois [Mr. GLENN] quoted at length from same. What did Mr. Hoover say? He told us several years ago that the figures upon which the national-origins theory was based were unreliable. He has said it repeatedly; he still says it. They are unreliable because it is impossible at this date to trace the origin of many of the families who have been long in the land, and they are of mixed origin. Our first national census was incomplete.

In the debate last spring the distinguished and very able Senator from Pennsylvania [Mr. REED], who has fought the fight for the national-origins theory, admitted many of its weaknesses while defending same. He admitted, for instance, that a family by the name of Smith would probably be classed as of British origin. We all know they are not necessarily British. Hundreds, if not thousands of Schmidts came from the Germanic people, many of whom fought in Washington's army; their name has been Anglicized, and the name is now Smith. Many of their descendants are members of the Daughters of the American Revolution and many other patriotic organizations. The British quota is increased without good reason. The figures are unreliable, as Mr. Hoover said, but some people are wedded to theory and pay no attention to the results that follow.

Many Scandinavians were here as pioneers long before the Revolutionary War. It is nearly three centuries since the Swedish settlement located on the Delaware. Among the Revolutionary leaders was one John Mortonson. His name was Anglicized. He cast the deciding vote in favor of the Revolution. His name is attached to the Declaration of Independence. It appears as "John Morton." The Swedes do not get credit for this, for the name "Morton" is decidedly English.

We increase the British quota on the strength of the fact that the spelling of names has changed.

In the debate in the last session, the Senator from North Dakota [Mr. NYE] called attention to the fact that the name of the famous General Longstreet has a Dutch origin, and in the early records of the family appears as "Langesstraet." Is it any wonder that Herbert Hoover says the figures are unreliable and the plan is impractical? We know it is pure guesswork. Even if we admit that the theory of national origins is right, it does not follow that it can be worked out accurately, nor even fairly, in practice. It is well known that it does not.

But it is charged that those on our side of the question have bad motives. We are told that if we vote for this bill to reduce immigration we are breaking down the restriction and that means increased immigration. In other words, by mere argument and debate, subtraction becomes addition. Really, I do not care to spend any time answering such arguments. I am sponsor of this amendment that reduces the immigration by one-fourth—almost 30,000. That should be sufficient answer.

The question of patriotism has got into this debate. There are those who believe their group are more patriotic than others. The inference is plain; that the patriots died in vain, if we admit too many North Europeans into this country. Washington's greatest helper was General von Steuben, who trained the Continental Army. Are these dangerous people to admit into this country? Should they be classed as undesirables? If the reference is intended for the Scandinavians, the record again speaks for itself. They have done their part. The record is large, too large for a speech. I will close by calling attention to the record of one man. This country paid deserved tribute on many occasions to John Ericsson, the Swedish immigrant, the inventor of the *Monitor*, that turned the tide of battle in favor of the Union. At his death an American battleship took his remains back to his native land, and Congress honored his memory by appropriating funds from the Treasury with which to build a beautiful monument to him on the banks of the Potomac.

Mr. President, I ask unanimous consent that there may be published in the RECORD an editorial that recently appeared in the Skandinaven, a paper of wide circulation published in Chicago, the editorial being entitled "War Upon the German People."

There being no objection, the editorial was ordered to be printed in the RECORD, and it is as follows:

WAR UPON THE GERMAN PEOPLE

The national-origins clause of the immigration law is one of the harmful legacies bestowed upon the United States by the Great War.

The utter fallacy of the arguments advanced in support of this clause at the time of its enactment are now apparent to all unbiased people. We know that the census of 1790 is too unreliable to serve as a guide as to the ethical make-up of the Nation at that time, and we know likewise that subsequent statistics are incomplete and more or less worthless. We know that the clause is a direct challenge to the general purpose of the legislation, which was to maintain the body of the Nation as it then was in blood, ideals, and capacity for self-government. We know that it defeats instead of serving the aims of American labor, as it excludes the very people who come to till the soil and admits more of those who remain in the cities to compete with some grades of labor in our shops and factories. And we know that the reduction of immigration effected has been, and was at the time, known to be too insignificant to serve as a serious argument.

There remains but one real argument for this unwise and harmful piece of legislation; it was never spoken, only whispered, but none the less decisive. The clause would never have been adopted but for the lingering ill will toward Germany, our one powerful enemy in the war. The strongest non-English-speaking element among our people are the Germans. They suffered from unjust suspicions and untold annoyances during the war and after. Many patriotic people felt that it would be best to dam an expected great flood of German immigration. Of course, to avoid as much as possible the appearance of discrimination against a particular people, any legislative enactment in the premises had to be more or less general in its terms, and so the national-origins clause was devised by which the Scandinavians and Irish were made to keep the Germans company.

That explains the birth and real burden of the clause. But the war is over, and the sooner we rid ourselves of this unwholesome legacy of it the better. President Wilson spoke the sense of the American people when he said that the United States made war upon the German militarism not upon the German people. In the national-origins clause we are still making war, not upon German militarism but upon the German people. It is high time to make an end of this war, and Congress can do it with a stroke of the pen.

Mr. SHIPSTEAD. Mr. President, I shall not detain the Senate very long. I believe there is only one thing that is necessary to be determined with reference to the national-origins clause. There is one thing we must first determine and that is whether or not it can be applied. It must be based upon the theory that we can determine by sufficient accuracy what is the national origin of the American population to-day, and it must be accurate enough so that we feel justified in basing this very important policy of immigration upon it. I shall confine my remarks to that basis.

Whatever part I have taken in the discussion of the immigration question, I have never taken it from the point of view that this country ought to be divided up between the English and the Germans, the Italians and the Scandinavians, the French and the Czechoslovakians. We are here legislating as American citizens and as representatives of American citizens. It is from that point of view that I want to discuss the national-origins problem which confronts us to-day.

That problem was placed in the immigration act of 1924. When it was placed in that act it was thought that the national origins of the American population could be determined with sufficient accuracy to make it the foundation of our immigration policy. In that law a provision was incorporated for the determination, if possible, of the national origins of the American people. Three Cabinet officers were designated in the law as a commission to conduct the investigation, and the law provided that when they had finished their investigation they should report to the President. Very definite instructions were given in the law as to how they were to proceed and what sources of information they were permitted to investigate and explore in order to determine this very important question.

Now, what did the law of 1924 say upon that subject? It said:

Such determination shall not be made by tracing the ancestors and the descendants of particular individuals, but shall be based upon sta-

tistics of immigration and emigration, together with rates of increases of population as shown by successful decennial United States censuses, and such other data as may be found reliable.

Bound by that instruction in the law the commission started its labors. It reported to the President. Upon what was that report based? What did the commission find when they came to explore the records and statistics of immigration and emigration and the successive decennial censuses of the United States?

First it was found that no immigration statistics had been recorded until 1820. Then a law was passed which provided that when an incoming ship landed the captain of the ship should file a manifest giving the names of the individuals landing from that ship. There was no provision to show whence in Europe those people came; they were given the nationality of the flag carried on that ship. Those records were burned in the Ellis Island fire of 1890. So until 1890 there were no reliable immigration records upon which the commission of a few years ago or any other commission or body of men could determine from immigration statistics the national origins of the American population.

When the commission came to explore the census records it was found that no record was kept or taken in any census until 1890 to show whence in Europe immigrants came. So the census records and the immigration records from the beginning in this country's history until 1890 afford no statistics showing what are the national origins of the American population.

Those two sources of information having been examined and found wanting, there was left for the commission only such other data as might be found to be reliable. What other data there could be we have not learned. The commission reported to the President; the President sent the report to the Senate; and with that report came an opinion from those three Cabinet officers that the records and sources of information were of such fragmentary character that they doubted the reliability of the complete report. They said they refused to accept any responsibility for the reliability of the report made on the basis of those statistics.

My good friend, the Senator from Georgia [Mr. GEORGE], this afternoon said that those who are opposed to restrictive immigration had succeeded on two different occasions in delaying the going into effect of the national-origins plan. Mr. President, I desire to call attention to this fact: The Committee on Immigration in its report to the Senate, through its chairman, the Senator from California, after giving the information and the opinions of the commission appointed according to law, stated that the committee did not feel that the report was based upon statistics which were sufficiently reliable upon which to base an immigration policy; and therefore the committee succeeded on two different occasions to have the effectuation of the national-origins clause postponed by the Senate.

When the matter came before the committee on a third occasion last spring, upon a resolution offered by the Senator from North Dakota [Mr. NYE], no additional information had been furnished. Evidently the committee did not accept the quotas based upon the investigation as provided by law, because it decided to hold public hearings. Men and women came before the committee, and I do not hesitate to say that, in my opinion, they were undoubtedly good people, but there is not one scintilla of evidence in all of the testimony they gave that throws any light upon the national origins of the American population. They gave their opinions; they said they were in favor of the national-origins clause; but, so far as I have read the hearings, they threw not in any instance the minutest light upon the national origins of the American population. They merely gave their opinions, and they said they were in favor of the provision. However, we can not adopt such an important policy as the immigration policy upon mere opinion. It was the intention of Congress when it included the national-origins clause in the act of 1924 that, if the national origins of the American population could be determined, the quota should be based upon them, and I assume they were to be determined with such accuracy that we could, in good conscience, according to our judgment, base our immigration policy upon such a plan.

I beg to submit that so far, while a good many words have been spoken on this subject, the Senate to-day stands just where the President, when he was Secretary of Commerce, and the Secretary of Labor and the Secretary of State stood when they reported to the President, who at that time was Calvin Coolidge, that the sources of information had to a large extent been lost and destroyed and that the information they were able to gather was of such a fragmentary character that they refused to assume any responsibility for the reliability of the quotas based upon such fragmentary information. That is the reason I have, whenever the occasion presented itself, felt impelled to call this matter to the attention of the Senate time and time again; and I have at all times confined my remarks to that aspect of this seemingly troublesome problem.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Virginia [Mr. SWANSON] to the amendment of the Senator from South Dakota [Mr. NORBECK], which will be stated.

The CHIEF CLERK. In Mr. NORBECK'S amendment, line 1, after the first word "That," the Senator from Virginia moves to strike out the following:

> With respect to quotas after June 30, 1930, for any nationality other than those within section 4 (c) of the immigration act of 1924 (43 Stat. L. 153), such provisions of that act, or any act amendatory thereof, as relate to quotas based on national origins (as referred to in subdivision (b) of section 11 of such act) are hereby repealed.

The PRESIDING OFFICER. The yeas and nays having been ordered, the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state his parliamentary inquiry.

Mr. McKELLAR. Is the question on the amendment of the Senator from Virginia [Mr. SWANSON]?

The PRESIDING OFFICER. The question is on the amendment of the Senator from Virginia [Mr. SWANSON] to the amendment of the Senator from North Dakota [Mr. NORBECK] to strike out the repeal of the national-origins clause. The clerk will resume the calling of the roll.

The legislative clerk resumed the calling of the roll.

Mr. BLAINE (when Mr. LA FOLLETTE'S name was called). My colleague [Mr. LA FOLLETTE] has a pair with the junior Senator from Texas [Mr. CONNALLY]. I am authorized to announce that if the junior Senator from Texas were present he would vote "yea," and if my colleague were present he would vote "nay."

Mr. McNARY (when his name was called). On this question I have a pair with the senior Senator from Mississippi [Mr. HARRISON], who is necessarily absent. If he were present, he would vote "yea." If I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. NORRIS. I desire to announce that the Senator from Iowa [Mr. BROOKHART] is necessarily absent. He is paired with the Senator from Florida [Mr. FLETCHER]. If the Senator from Iowa were present, he would vote "nay," and the Senator from Florida, if present, would vote "yea."

Mr. NORBECK. I wish to announce the unavoidable absence of my colleague [Mr. McMASTER]. On this question he is paired with the senior Senator from Arkansas [Mr. ROBINSON]. If the Senator from Arkansas were present, he would vote "yea," and if my colleague were present he would vote "nay."

Mr. BLEASE. I have a pair with the senior Senator from West Virginia [Mr. GOFF], but I understand that if present he would vote as I intend to vote. I therefore feel at liberty to vote, and vote "yea."

Mr. SHIPSTEAD. On this question, my colleague, the junior Senator from Minnesota [Mr. SCHALL] is paired with the Senator from Pennsylvania [Mr. REED]. If the Senator from Pennsylvania were present, he would vote "yea," and if my colleague were present he would vote "nay."

Mr. McNARY. The senior Senator from Indiana [Mr. WATSON] is absent on public business. He is paired with the senior Senator from South Carolina [Mr. SMITH].

Mr. FESS. I wish to announce a special pair on this question: The Senator from West Virginia [Mr. GOFF] with the Senator from Montana [Mr. WHEELER]. I am informed that if the Senator from West Virginia were present he would vote "yea," and that if the Senator from Montana were present he would vote "nay."

I desire further to announce that the Senator from Pennsylvania [Mr. GRUNDY] is necessarily absent from the city. I am not advised how he would vote on this question.

I wish also to announce the following general pairs:

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS]; and

The Senator from New Hampshire [Mr. KEYES] with the Senator from Washington [Mr. DILL].

Mr. SHEPPARD. I wish to announce that the Senator from Missouri [Mr. HAWES] is detained from the Senate on official business.

The result was announced—yeas 37, nays 36, as follows:

YEAS—37

Barkley	Gillett	Kean	Simmons
Black	Glass	McCulloch	Stephens
Blease	Goldsborough	McKellar	Swanson
Bratton	Gould	Overman	Thomas, Okla.
Brock	Greene	Phipps	Townsend
Capper	Hale	Pine	Trammell
Caraway	Harris	Pittman	Waterman
Cutting	Hatfield	Robinson, Ind.	
Dale	Hayden	Robsion, Ky.	
George	Heflin	Sheppard	

NAYS—36

Allen	Deneen	Kendrick	Steck
Ashurst	Fess	Norbeck	Steiwer
Baird	Frazier	Norris	Sullivan
Bingham	Glenn	Nye	Thomas, Idaho
Blaine	Hastings	Oddie	Vandenberg
Borah	Hebert	Patterson	Wagner
Broussard	Howell	Ransdell	Walcott
Copeland	Johnson	Shipstead	Walsh, Mass.
Couzens	Jones	Shortridge	Walsh, Mont.

NOT VOTING—23

Brookhart	Harrison	McNary	Smith
Connally	Hawes	Metcalf	Smoot
Dill	Keyes	Moses	Tydings
Fletcher	King	Reed	Watson
Goff	La Follette	Robinson, Ark.	Wheeler
Grundy	McMaster	Schall	

So Mr. SWANSON'S amendment to Mr. NORBECK'S amendment was agreed to.

Mr. NORBECK. Mr. President, out of order, I ask unanimous consent to introduce a bill. I shall send it to the desk immediately. It is to repeal the national-origins act.

The VICE PRESIDENT. The Senator may send the bill to the desk when it is ready.

(The bill appears under the heading of "Bills Introduced.")

The VICE PRESIDENT. The question is on concurring in the amendment as amended.

The amendment as amended was concurred in.

The VICE PRESIDENT. The question now is on concurring in the amendment of the Senator from Wyoming [Mr. KENDRICK].

Mr. BLACK. Mr. President, I do not care to speak for more than two or three minutes on this amendment. I feel confident, however, that the Senate did not understand the purport of this amendment for which they voted. I feel that they would not vote for an amendment which in effect constitutes a legal state of peonage or slavery in America. In my judgment, that is what this amendment does.

I just want to call the Senate's attention to the amendment in order that they may understand what they are voting on:

The Commissioner General of Immigration, with the approval of the Secretary of Labor, under such regulations as he, with the approval of the Secretary of Labor, may prescribe—

Now note:

(including the requirement of bond with sufficient security or other guaranty to insure that, at the expiration of the prescribed period or upon failure to maintain the status under which admitted, the alien will depart from the United States), may, during any year, admit temporarily as nonimmigrants, for periods of not more than eight months, otherwise admissible aliens from any country of the Western Hemisphere.

Either that creates a state of peonage or it will be ineffective. In other words, it provides that if a thousand Mexicans come into America, some one must give bond that those Mexicans will be carried back to Mexico when they have completed their labor. Some one must give bond that they will maintain their status as laborers. Note that. They must give a bond that they will maintain their status; and their status, and the only status upon which they can be admitted into this country, is the status of bond laborers.

Note the words:

Upon failure to maintain the status upon which admitted.

For what purpose are they admitted? To perform farm or agricultural labor. Some one gives a bond. You have the Mexicans working under a bond to perform labor in this country under a state of peonage. There is no escape from that conclusion.

Mr. BLEASE. Mr. President, will the Senator yield?

Mr. BLACK. I yield to the Senator from South Carolina.

Mr. BLEASE. I think the Senator misunderstands the bond proposition. The bond will not be given to hold this man. He will not be under any bondage. The bond will be given simply to save harmless any expense that the proper authorities may incur in carrying the man back.

Mr. BLACK. Let me read it to the Senator:

Including the requirement of bond with sufficient surety or other guaranty to insure that at the expiration of the prescribed period or upon failure to maintain the status under which admitted the alien will depart from the United States,

Mr. BLEASE. That is right, Mr. President.

Mr. BLACK. Yes; that is right.

Mr. BLEASE. We will put him out.

Mr. BLACK. In other words, they give a bond that he will retire when he has performed his labor, when the time is up. What does that mean? That means that for that eight months he is under a bond. Some one has given it. Some one has given a bond that he will be removed from the country. He must be kept under surveillance; he must be kept under control, else there would be no opportunity to carry out the condition of the bond.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. BLACK. I yield to the Senator.

Mr. KENDRICK. I call the Senator's attention to the fact that the penalty of the bond is to return to his own country.

Mr. BLACK. That is correct. The penalty of the bond is to return to his own country. What does that mean?

Here is a bond that some one has made. Naturally it will be the man who is interested in his work. We all know that a Mexican peon can not make a bond. If he could make a bond he would not be a peon. What does that mean? That means that the man, his master, who is to keep him under hard labor, must make that bond to return him at the end of eight months, when the labor is performed.

There is no escape from that. One of the conditions of the bond is that he will maintain the status under which admitted. Under what status is he admitted? The status of a laborer; the status of working on a beet farm; the status of bending his back and toiling day in and day out under a bond that at the expiration of the term for which he is to perform labor for his masters he will be carried back to Mexico.

That is the bond which is to be required. There is no escape from it. There is no escape from the effect of this bond. It is legalizing peonage. It is putting the stamp of senatorial approval upon a system of slavery in the United States of America in the year 1930.

They say the condition is that he will get back. Certainly. What does that mean? Some one has to look out for him during that period. If they did not look out for him, he could not get back at the end of the labor period. If they do look after him, they must keep guard over him.

Under such regulations as he, with the approval of the Secretary of Labor, may prescribe.

A member of the Cabinet of the President of the United States, a democracy of, for, and by the people. What rules shall he prescribe?—

Under such regulations as he, with the approval of the Secretary of Labor, may prescribe.

You place your Secretary of Labor, a member of the President's Cabinet, under the responsibility of prescribing rules for peonage in America.

That is the amendment. There is no escape from the legal effect of it. Either this bond is peonage, or else it is ineffective. If the bond is valid, if it means anything, it is that they have the power of control over the laborer. If it does not mean that, it means the release of an unlimited number of aliens to go whence and where they will, all over the United States, and there is no assurance that they will return to their country.

Mr. GLASS. Mr. President, I simply desire to put into the RECORD a letter from the American Federation of Labor, which I shall read from my desk. It is addressed to me, and reads as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C. April 24, 1930.

HON. CARTER GLASS,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: The American Federation of Labor respectfully asks your interest in the amendment to the Harris bill, which would permit the importation of seasonal labor under bond.

This proposal means admission of a great number of aliens who come here under the guise of agricultural and horticultural necessity.

I would remind you that that plea has always been raised by influences that are always interested in maintaining an excessive supply of wage workers and who now plead the same cause at a time when all unemployed records seem to be broken.

Reports to American Federation of Labor headquarters from the West and Southwest indicate that the amendment in question, if approved, will perpetuate the shocking conditions in agriculture and horticulture that drives white wage workers from these occupations.

The issue is a social question, and the Congress, we submit, should not aid large landed interests to perpetuate these wrongs.

Yours very truly,

FRANK MORRISON,
Secretary American Federation of Labor.

I have but a word to say, Mr. President.

When we come to the consideration of labor questions and the standard of wages and of living in this country, we do not ever seem to account an agricultural laborer as a laborer at all. This proposition is merely a proposition, in essence, to reduce him to a condition of peonage for those months in the year when agricultural labor is in demand on the farm.

What in thunder does a farm laborer care whether a Mexican goes back to Mexico or remains here if he has taken up the eight active months in the year in competition with the farm laborer, and either kept him out of a job or reduced his scale of wages to a point where he can not live?

Mr. BLEASE. Mr. President, I am just about as clear, I think, in my views on this immigration question as Mr. Frank Morrison or any other Mr. Frank; it does not make any difference to me who he is or what organization he belongs to. Every man in the Senate knows, without my repeating, what I think about the immigration question; but this amendment is perfectly safeguarded and absolutely under the control of the Secretary of Labor, and none can enter the United States except with his approval, and then only temporarily. If in his discretion he says none shall so enter, then no Mexican can come into the United States under this amendment. Thus we are better protected than we are to-day from all Mexican immigration.

In the first place, it says "For a period of not more than eight months." If a man comes into the United States to do a job which takes 10 days, then the 8 months' provision does not apply to him, and he does not stay here 8 months. It says, "Not more than 8 months," in order to cover whatever time may be necessary.

In the next place, the bond is not to put the man in slavery. The man can leave the day after he comes in if he wants to and must leave when he finishes his job. If he comes over here to work for my friend the Senator from Wyoming to-day, and the work does not suit him, to-morrow he can go on back home. The bond is simply for the purpose of seeing that he does go back home.

If it were not for the bond, the cry would be raised that the purpose of bringing him over here was so that he would not go back. The bond is to see that he does go back. In the next place, the other provision is that he shall not be brought here if American labor can be found to do his work.

I said the other day, and I repeat, that if I had my way I would put every foreigner in this country out of it, and I would give his job to an American. But when Americans will not do certain work, as it is claimed in some instances in this country they will not, then I think the landowner, or the man who is sharing the crop, should at least have the opportunity to get labor, as much so as the skilled labor.

A bill was passed the other day, introduced by the Senator from Rhode Island, to permit certain skilled labor to come in, two of each class, because we could not find in the United States people who would or could do that kind of work. In this instance we are only asking that they be allowed to come in when Americans can not be found who will do the work.

My friend, the Senator from Wyoming, offered this amendment. I suggested it in the Committee on Immigration, and I still believe that it is fair, that it is right, and that it will not do American labor any harm. Under this amendment people from anywhere in the United States can go there and get work; yes, demand it; for no Mexican can come over if American labor can be found and no Mexican can come unless he is an "otherwise admissible alien." And if diseased, and so forth, he can not come under this amendment. It will not injure American labor but will protect it from the abuses now being used against our immigration law, and American labor should support the amendment.

Mr. CUTTING. Mr. President, I do not desire to take up the time of the Senate, although the subject of this bill is one of the utmost importance to every Southwestern State. In speaking on the amendment, however, I wish to state as briefly as possible my general position on the bill.

In every Southwestern State there are two schools of thought with regard to the restriction of southern immigration.

There is, in the first place, the point of view of the large employer of labor, who, in our States, as elsewhere, is in favor of as much cheap labor as he can import.

Secondly, there is the point of view of the actual or potential laborer.

I long ago decided that from my own point of view the right of any man to work under decent and profitable conditions was more important to the general welfare of the community than the right of the capitalist to profit by the labor which he might perform. The people of my State on the whole, I am sure, are in favor of that point of view.

Mr. President, in order not to delay the vote, I want simply to discuss this amendment, and I want to say that although I am pledged to the general principle embodied in this bill, if this amendment should continue to be part of the measure I shall feel it my duty to vote against the bill as a whole, because I think with this amendment the influx of Mexican labor will be far greater than it is under present conditions, under the arrangements being made by the State Department.

Apparently, on a superficial reading of this amendment, the Commissioner General of Immigration and the Secretary of Labor may make certain restrictions which will be sufficient to safeguard the Mexicans who are imported under this arrangement. But I agree with the junior Senator from Alabama, that if these provisions can be enforced, it amounts to placing the Mexican immigrant under a state of peonage, and that if they can not be enforced, they open the gate wider than any arrangement we have ever had.

What restrictions can be enforced after the Mexican citizen gets into this country? Are we going to be able to restrict his liberty of movement? When he gets to the place where employment has been offered him, are we going to restrict his right to contract with his possible employer? Are we going to deny him the right to leave what he considers unsatisfactory employment or unsatisfactory wages? If not, how can we be sure he is going to keep on in agricultural labor?

Even under our present system the courts in border States are filled with deportation cases. We need more judges now to deal with the deportation cases, even under our present practically unrestricted system. If we adopt any such scheme as this, it is going to be completely impossible to enforce the law under any facilities we have.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. CUTTING. I yield.

Mr. KENDRICK. I want to point out to the Senator the fact that the entire administration of the measure would be under the Secretary of Labor. There is a restriction against his allowing laborers to come in so long as our own people can and will do the work required. If the plan proves inoperative, the entire measure fails, and the Secretary of Labor will not admit any immigrants.

Mr. CUTTING. Mr. President, I quite understand the admirable purpose which the Senator from Wyoming had in mind, but it seems to me that once a laborer gets into the country we have no longer any hold on him at all.

Suppose some big rancher in the West informs the Secretary of Labor that he needs three or four hundred men, cheap laborers, to work on his ranch, and that there is no other labor available. Is the Secretary of Labor to deny that allegation? Has he enough figures to show where unemployed American laborers are available, and whether or not they are "within a reasonable distance," using the language of the Senator's amendment, of the place where such labor is to be performed? If so, and they come to that place, and they desire to withdraw from the labor which they were employed to do, is there anything to prevent them working on the railroads, or working in some other place, where they will take the places of American laborers?

Mr. KENDRICK. Mr. President, I think it is perfectly clear that the purpose of the bond is to compel compliance with two conditions, the first that these aliens may work only in the cultivation or harvesting of agricultural crops, the other that they must return to their own country within a period of not to exceed eight months, if they fail to observe the first-named condition.

In the past laborers have come in without restriction and have become engaged in industrial labor to the disadvantage of agriculture, at the same time competing unfairly with our own labor. Under the proposed plan they will be required to continue in that line of work or return to their own countries.

Mr. CUTTING. Mr. President, if the Senator will pardon me, I prefer not to discuss this matter any further at the present time, if we can get a vote on it. I understand there are certain Senators who have to leave the Chamber and who want to go immediately. If the amendment of the Senator from Wyoming remains in the bill, I should like to discuss the matter further later on.

Mr. BLAINE. Mr. President, I would like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Wisconsin?

Mr. CUTTING. I have yielded the floor.

Mr. BLAINE. I wanted to ask the Senator from New Mexico [Mr. CUTTING] whether he had discovered any restriction in the amendment with reference to the children or wives of Mexicans, who may come over, not as workers at all until they arrive in the beet fields or on the citrus ranches. Of course, I am

sure the Senator from Wyoming must concede that there is no restriction in connection with the minor children and the wives of Mexican citizens.

Mr. KENDRICK. Mr. President, if the Senator directs his inquiry to me, I will say that I have given that question a good deal of thought. It is my opinion that the liberal language of the amendment, placing the entire administration of the movement under the Secretary of Labor, will enable him to deny admission to women and children or to provide proper protection for them if they are admitted.

Mr. BLAINE. Mr. President, I presume there is great anxiety on the part of some to leave on some outgoing train, but that does not constitute any reason why this very important question should not be thoroughly discussed.

I do not know of any proposition that has been raised in the consideration of this immigration question which goes more deeply into the problem of the conditions of labor, the hours of labor, the employment of children in industry, and of women in industry. This proposed amendment has not a scintilla of protection for the family of the Mexican who is permitted to enter this country for the purposes of agricultural employment. In this amendment there is no authority lodged in the Secretary of Labor or any other public authority to prohibit the children of those Mexicans coming under the provisions of the amendment from entering this country, or to regulate the conditions of their employment when they arrive in this country.

I am going to review just briefly what happens to agriculture under circumstances which will be perpetuated by this amendment. I have in my hand a letter written by a citizen of my State who served seven years as director of markets in my State. He is one of the keenest students of the labor problem I know as that problem relates to agriculture. He is a man of profound learning and has intense interest in the welfare of agriculture. He wrote me a letter and I am going to read the letter:

I do not know that you will be interested in what I am about to write you, but I am going to tell you anyway. It is in regard to the immigration problem as affects the small landowner of the lower region of the lower Rio Grande Valley.

People have been brought down here in great numbers for the land companies. They were sold land in small tracts at from $300 to as high as $1,000 per acre, and they were told that the land was worth this much because it would grow citrus fruits and early vegetables for the northern market. But now they find the big landowners hiring the cheap Mexican labor and growing these things in such quantities that there is a surplus most of the time, with the result that on the average the occupiers of small farms can not make any more than Mexican wages. Hundreds of these are for that reason not able to make the payments on their high-priced land and they lose it in consequence.

Mr. Nordman, who wrote the letter, is writing it from the Rio Grande Valley as the owner of land in that valley.

These land companies dominate the economic affairs of this valley completely and entirely, and as you probably know they are at this time making representations to Congress that southern Texas, including the Rio Grande Valley, is in great need of the Mexican labor supply. From the standpoint of the big land companies that may be true, but it is not true of thousands of families from the North who have been induced to come here and who are now trying to establish themselves on an American scale of living.

While I have not been authorized to speak for these small farmers, I am nevertheless one of them and know what I am talking about when I say that the cheap labor policy of the dominating element here is not good for this section. I think I know what action you will take on this question when it comes before you, but I figured that it would not hurt any to give you the information. And I challenge anyone of the opposition to gainsay it.

This letter is signed by Mr. Edward Nordman, who, as I said, was for seven years director of markets for my own State and who is a keen student of these economic questions.

Now, let us turn to the beet fields. The chairman of the Mexican welfare committee of Longmont Council of the Knights of Columbus of the State of Colorado writes me a very illuminating letter upon this question. I am going to read portions of the letter because it gives the knowledge and experience of one who is interested in the social and economic and moral problems involved. It is from Mr. Thomas F. Mahony, who, as I said, is chairman of the Mexican welfare committee of Longmont Council of the Knights of Columbus of the State of Colorado. He said:

I have lived in beet districts most of the time since the first beet-sugar factory was opened, and I know conditions first-hand. I have been studying the problem of the Mexican migratory worker for the above committee of the Knights of Columbus for over seven years.

Any Senator to the contrary notwithstanding—

He goes on to say—

women do work in the sugar-beet fields in Colorado and in other States. They work all through the beet growing and harvesting season. They block, thin, hoe, weed, pull, and top beets. In doing this work they crawl on their hands and knees and they stoop and crouch, depending on the kind of work. They labor under the broiling sun and out in the mud and snow in the fall. The worker has to be on the job from April or May until the beets are all out of the ground and delivered in the fall. Little children from 6 years and up do the same kind of work under the same conditions, climatic and otherwise, as the adults. Little or no attention is paid to child labor or compulsory school laws.

And yet, Mr. President, there are those who are asking us to permit Mexicans to come into this region where no protection is given to the little children or the women. Even the compulsory school laws are not enforced, and all this in order that the labor of these women and children may result in profits to those who own the great beet plantations.

Let me read some more from this letter:

These conditions have always existed and have been upheld and defended.

There is no promise here that if we make it permissible for Mexican labor to continue to come to these same regions that there will be any attempt to protect the welfare of these women and children of the immigrant families from Mexico. Why, Mr. President, this whole proposition is but a cry back to the times when the slave trade was profitable, beginning some 300 years ago, a trade which cursed this Nation, still suffering because of the errors, the willful errors, of the forefathers 300 years ago. Identically the same claims were made, the same appeals were made—that it was essential that we have labor upon the plantations. We have all suffered, and it is indeed an encouraging situation when we find splendid men of the South, who to-day appreciate that which was brought upon their fair land, to-day challenging this generation against a repetition of a similar economic condition. It is to their honor that they challenge the adoption of the pending amendment.

I continue reading from the letter. The individual who wrote it is speaking from experience, being a great social leader in a great organization. He said further:

It has always been claimed until very recently that the industry could not exist without the labor of little children. Survey after survey has been made during the last few years that have exposed the bad labor conditions in the beet fields, but those who made them have been denounced as meddlers. Our own agricultural college published a report on child-labor conditions in the Colorado beet fields that is damning. I will be glad to send you a copy if you desire.

To give you an idea of the conditions, this report shows that in one group of 286 contract beet workers 187 lost 443 children by death.

And that is the kind of a system which it is proposed by the pending amendment to fasten upon the economic life of the United States!

Mr. Mahony closes his letter by saying:

We are interested in the social, moral, and religious welfare of these Mexican and Spanish workers.

Every social agency, public or private, denounces the conditions under which these Mexican women and children must work, and there is no promise that if we adopt this amendment there will be any change in those conditions.

Mr. President, I could multiply the evidence by reading excerpts from the reports made by public agencies that have conducted investigations respecting the employment of Mexican workers, their children, and their wives in agricultural pursuits.

Mr. SULLIVAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Wyoming?

Mr. BLAINE. I yield.

Mr. SULLIVAN. I should like to ask the Senator a question. Is he aware of the fact when a man comes into the United States from Mexico and takes a contract from the owner of land to take care of 100 acres of beets that that man hires his own family; that they all work to raise those beets? I wish to say to the Senator that if the Mexicans could make half as much money in Mexico as they make in the beet fields they would never come to the beet fields of Colorado or other Western States.

Mr. BLAINE. Mr. President, I have no doubt that the junior Senator from Wyoming states the proposition exactly; and that is the very thing about which I am complaining. I accept his statement of fact that when Mexicans come to the United States they bring their women and their children and that the individual worker is employed as the head of a family.



Mr. SULLIVAN. He enters into a contract.

Mr. BLAINE. Yes; he enters into a contract.

Mr. SULLIVAN. And he makes money out of that contract.

Mr. BLAINE. Exactly; he enters into a contract, and the social organizations which are known as States, according to official reports, have declined, refused, or neglected to enforce their laws for the protection of the children of the Mexican immigrant. The statement made by the Senator from Wyoming is a condemnation of the system, and we ought not to give it character by the adoption of this amendment.

Mr. President, the suggestion of the Senator from Wyoming prompts me to go a little further into the discussion of these conditions. I have in my hand a report submitted by the Catholic conference on industrial problems, which issued a pamphlet containing the address delivered by Mr. Mahony. It was recently issued. The conference of this social organization was held at Denver, Colo., May 27, 1929, and its president was Doctor Hagerty, a distinguished and reputable citizen of my own State. I am going to quote from an address delivered by Doctor Hagerty at Green Bay, Wis. He said:

> We lay down as the first prerequisite to normal home life an income which without the help of wife and children will make the home a self-respecting unit of society.
>
> We can safely conclude that at the present time to maintain a family of five or six at a minimum of health and decency level plus would require an annual income of from $1,800 to $2,000.

Reading from the address of Mr. Mahony I quote:

> Yet in our Colorado sugar-beet districts the average earnings of thousands of contract beet worker families—that is, for the labor of the father, mother, and children from 7 years and up—will average but $600 per year.

This is the way the beet growers have obtained their workers, and this is the way they propose to obtain them under the proposed amendment. Further quoting from the address of Mr. Mahony:

> They get the workers to sign up on labor contracts. These contracts are signed by heads of families. The families are then sent to the different beet-growing districts and distributed or assigned to the growers by families.

Not by heads of families but "by families"—the women and the children.

> The laborers go where the companies send them. The growers usually take the laborers sent them.
>
> Both sign the labor contract as the company has prepared it. The terms and contract price are practically fixed by the company.

That is exactly the system it is proposed to continue under this amendment. It is proposed to make it not only permissible but to give it the stamp of legal approval by the great Government of the United States.

Further quoting from this very illuminating address:

> The number of acres contracted by the average family will run from 20 to 40 acres, according to the number of children workers. A fair average would be 25 acres; this at $23 per acre would bring up the average family's return from beet work within $600 per year. It is doubtful if the average annual earnings for adults will average more than $250 per year.

The junior Senator from Wyoming has suggested that the pay thus received is probably double the pay the same Mexicans would receive in their own country. That may be. We have no jurisdiction over the Republic of Mexico; we have no power to enact laws for the protection of women and children or to compel decent living conditions in Mexico. Our concern is here, with conditions in America. So what Mexicans may receive in their own country is no concern of ours; but whatever they may receive, however limited may be their income in Mexico, that is no justification for exploitation of those same people under the American flag.

Further quoting from this address:

> Investigations made by the National Child Labor Committee of children working in the beet fields in certain Colorado sugar-beet districts in northern Colorado and on the western slope show that "children as young as 7 years work in the beets."
>
> That in the districts studied in the survey "the average earnings of a child under 10 are $98.90 a year * * *."
>
> Of the 1,081 children in this group, 45 per cent did their first hand work on beets before they were 10 years old, and 50 per cent between the ages of 10 to 13 years old.
>
> * * * * * * *
>
> This report shows that the average hours of work for children in contract-labor families in the groups studied was 9.4 hours per day. In the blocking and thinning process children worked from 10 to 14 hours per day, and some few 15 to 16 hours per day.

Mr. President, during the consideration of the tariff bill I discussed in some detail the conditions prevailing in the beet fields under which these Mexicans labor. I showed how families of seven and eight lived in 1-room shacks built upon old Ford chassis that could be moved about on wheels from beet field to beet field. Those are the labor conditions that will be given the stamp of approval by the adoption of the amendment proposed by the senior Senator from Wyoming [Mr. KENDRICK].

Mr. President, the farmer of America, the man who works upon the farm in America to-day, is as much entitled to protection against cheap Mexican labor as is the man who works upon a railroad or in a mine or in a factory. As was shown by the letter of Mr. Nordman, from which I quoted, the employment of Mexican labor in the Rio Grande Valley by the large landowners and planters of that valley has reduced the economic condition of the small landowner to that of the Mexican laborer. Why? He tells why. Large plantations, employing scores of Mexicans at cheap wages make for overproduction; the small landowners of that valley are thereby forced into a competitive system in marketing their produce in which the Mexican labor makes for cheap production for the larger landholders, and, of course, the small landowners are thereby reduced to the economic status of the cheap Mexican laborer. What is true in that section is true in every section wherever Mexican labor is available.

Moreover, Mr. President, I have here on my desk—I shall not take the time to read them—letters from intelligent men and women, leaders in social welfare work, farmers' wives and farmers, who have written me from these regions to the effect that if the large planters would pay American wages there would be no lack of American workers. The American farm worker is driven from these agricultural areas where Mexican cheap labor is employed, because the wage is so small that the American can not maintain a decent standard of living.

The problem to which the Senator from Wyoming refers should not be solved by the importation of contract labor from Mexico. To permit any appreciable number of these agricultural workers to come from across the southern boundary simply means that we are erecting here in this country an economic system that will result in pulling the whole structure down upon the heads of farmers and we will find in the not-far-distant future the same problem that confronted our fair South before the Civil War. We will find these same Mexican workers or their children here lawfully, here remaining, who will furnish competitive labor against American white labor and American colored labor in the South, competitive labor in the trades, carpentry, masonry, all of the building trades, all trades, taking the place of the American as the African took the place of the American in the South, creating an economic condition that means trouble for America in the future.

This amendment permanently written into our laws will be difficult to remove. I have no doubt but that in America to-day there are between one and two million Mexicans; probably more. I have no condemnation of them whatever. They are here. Their number probably exceeds the number I have mentioned. They will have their descendants. We are, by this proposed amendment, engrafting upon this economic condition that presently exists a hazard which we ought not to take—at least, we ought not to take it knowingly.

Mr. President, how are these men to come in? They are to come in under rules prescribed and approved by the Secretary of Labor and under detailed administration by the Commissioner of Immigration. A bond is to be given to insure that at the expiration of the prescribed period, or upon failure to maintain the status under which admitted, the immigrant will depart from the United States.

Mr. President, what is the practical application of this proposition? By implication are we not setting aside our law against contract labor? By implication, at least, the anti-contract-labor clause of the 1917 law may be repealed or modified. But, assuming that it is not modified, in the practical application of this law every Mexican who comes to work on the farms in America will come with his wife and his family, else there will be very few coming across the border. It will be maintained that it would be cruel and inhuman if the immigrant were not permitted to bring his wife and his family. This law is to be administered by a human being. He is going to react to human impulses; and, of course, in order to obtain this labor the Mexican will be permitted to bring his wife and children. When they once arrive in America the bond will be practically worthless. To make it effective it will be essential to have inspectors follow these families from plantation to plantation as they move about

in their 1-room shacks upon Ford chassis. This is no creation of the imagination. In the practical application of the law there is no other way by which it can operate.

But, Mr. President, assume that the provision of the bond is sufficient to guarantee the return of the Mexican and his family. Assume that it is possible to herd them back into Mexico. Assume all that to be true; yet, Mr. President, we in 1930 can not afford to create in this country a system of contract and coolie labor.

There is no cry from the farmer for this legislation. There is a demand by the large planters, by the large landholders. Their interest is a pecuniary interest. They know that the products of their ranch can be more cheaply produced by cheap Mexican labor than are the products of the individual farmer who maintains an American standard of living.

This amendment is in favor of a small percentage of those who are willing to exploit the cheap labor of Mexicans, their wives, and their children. It is against the best interests of every small landowner in the Rio Grande Valley. It is against the interests of the individual farmer growing beets. It is wholly in the interest of those who can herd these Mexicans in large numbers across the border and upon their plantations. As Mr. Nordman said in his letter, it is reducing the American individual farmer to the economic standard of the immigrant Mexican.

Mr. President, if that is to be the course of Congress, certainly Congress has the power; but I do not propose that that power shall be exercised without a protest.

Mr. McNARY. Mr. President, there are others to speak upon the bill, and I now entertain the view that we can reach a final vote to-morrow. A number of Senators are absent from the Chamber, and I ask unanimous consent that when the Senate concludes its business to-day it take a recess until to-morrow at 12 o'clock.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AIR MAIL SERVICE

Mr. PHIPPS. Mr. President, in reporting from the Committee on Post Offices and Post Roads House bill 11704, to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation, I called attention to the fact that it should have immediate consideration. Its purpose is practically to place the contract for space in air mail planes on the same basis as that on which the Post Office Department contracts for space in railway mail cars.

It is a bill which has had very long and careful consideration, and there were hearings held on it in the House; it has had careful consideration on the part of the Committee on Post Offices and Post Roads of the Senate, and at the latest session of that committee the Postmaster General and the assistant in charge of the air mail service were present. The committee is unanimously of the opinion that the bill is in proper form, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The bill was read, as follows:

Be it enacted, etc., That section 4 of the air mail act of February 2, 1925, as amended by the act of June 3, 1926 (44 Stat. 692; U. S. C., Supp. III, title 39, sec. 464), be amended to read as follows:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed $1.25 per mile: *Provided*, That where the air mail moving between the designated points does not exceed 25 cubic feet, or 225 pounds, per trip the Postmaster General may award to the lowest responsible bidder, who has owned and operated an air transportation service on a fixed daily schedule over a distance of not less than 250 miles and for a period of not less than six months prior to the advertisement for bids, a contract at a rate not to exceed 40 cents per mile for a weight space of 25 cubic feet, or 225 pounds. Whenever sufficient air mail is not available, first-class mail matter may be added to make up the maximum load specified in such contract."

SEC. 2. That section 6 of the act of May 17, 1928 (45 Stat. 594; U. S. C., Supp. III, title 39, sec. 465c), be amended to read as follows:

"SEC. 6. The Postmaster General may, if in his judgment the public interest will be promoted thereby, upon the surrender of any air mail contract, issue in substitution therefor a route certificate for a period of not exceeding 10 years from the date service started under such contract to any contractor or subcontractor who has satisfactorily operated an air mail route for a period of not less than two years, which certificate shall provide that the holder thereof shall have the right, so long as he complies with all rules, regulations, and orders that may be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting mail operations to the advances in the art of flying and passenger transportation, to carry air mail over the route set out in the certificate or any modification thereof at rates of compensation to be fixed from time to time, at least annually, by the Postmaster General, and he shall publish in his annual report his reasons for the continuance or the modification of any rates: *Provided*, That such rates shall not exceed $1.25 per mile. Such certificate may be canceled at any time for willful neglect on the part of the holder to carry out any rules, regulations, or orders made for his guidance, notice of such intended cancellation to be given in writing by the Postmaster General and 45 days allowed the holder in which to show cause why the certificate should not be canceled."

SEC. —. That after section 6 of the said act as amended, additional sections shall be added as follows:

"SEC. 7. The Postmaster General, when in his judgment the public interest will be promoted thereby, may make any extensions or consolidations of routes which are now or may hereafter be established.

"SEC. 8. That the Postmaster General in establishing routes for the transportation of mail by aircraft under this act may provide service to Canada within 150 miles of the international boundary line, over domestic routes which are now or may hereafter be established and may authorize the carrying of either foreign or domestic mail, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic air mail service: *Provided*, That this section shall not be construed as repealing the authority given by the act of March 2, 1929, to contract for foreign air mail service.

"SEC. 9. After July 1, 1931, the Postmaster General shall not enter into contracts for the transportation of air mail between points which have not theretofore had such service unless the contract air mail appropriation proposed to be obligated therewith is sufficient to care for such contracts, and all other obligations against such appropriation, without incurring a deficiency therein."

The VICE PRESIDENT. Is there objection to the consideration of the bill?

Mr. McKELLAR. Mr. President, I have no objection to its consideration; I want to have the bill passed. I merely wish to say that it was stated by the Postmaster General and his assistant in charge of the air mail service that new lines are to be constucted, among others one from Nashville, Tenn., to Memphis and Little Rock and Dallas. I hope the bill may be passed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE OREGON TRAIL

Mr. SULLIVAN. Mr. President, April 10 commemorated the departure of the first covered-wagon train from St. Louis for the Rocky Mountains 100 years ago over what became known as the Oregon Trail. The Oregon Trail Memorial Association, which was organized by Ezra Meeker and to which the Congress of the United States gave the privilege of minting 6,000,000 memorial coins known as Oregon Trail memorial coins, is giving to every State in the Union plans for a covered-wagon centenary beginning April 10 and ending December 29, the one hundredth anniversary of the birth of Ezra Meeker.

These dates include Champoeg Day, on May 2, on which day in 1843 the first civil government on the Pacific coast was organized, and October 10, the date of return of the first covered wagons to St. Louis. During the period of the centennial the gathering of old manuscripts, diaries, documents, photographs, and original stories of the pioneers is to be carried on in every State. It is a year of great historic awakening. The association recommends that these materials should be placed in State historical societies and should be permanently kept by the State.

In view of the fact that points of interest and historic importance along the trail are so little known, and schools in all the States are seeking historical material, I submit a story of Fort John and Fort Hall, which was published in the Pocatello (Idaho) Tribune of March 9, 1930, which I ask to have printed at this point in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the Pocatello (Idaho) Tribune, March 9, 1930]

OLD FORT HALL AS RELATED TO PEACE THROUGH DESTINY

(By Dr. Minnie F. Howard, Idaho director Oregon Trail Memorial Association)

"For the want of a nail the shoe was lost;
For the want of a shoe the horse was lost;
For the want of a horse the rider was lost;
For the want of a rider the battle was lost;
For the want of a battle the kingdom was lost;
And all for the want of a horseshoe nail."

Not realizing its place in consecutive events, the Wyoming Historical Commission in its last report says of Fort John, "It was of little importance." Fort John, little Fort John, bears the same relation of saving the United States to become the great Nation it is to-day as the horseshoe nail might have done in saving the kingdom; a very tiny and obscure place certainly, but perfectly essential to the saving of the country, just as the poem points out. Because of little Fort John we have had Fort Hall. Because of Fort Hall we have United States rule extended to our present northern boundary at 49°, and also to the Pacific Ocean; because our boundaries were extended to include the Oregon country and also California, the Civil War was financed by the Union with gold from California and Idaho, and this country held together. Because this country held together we are the great Nation we are to-day with a place in the sun, and from this same State where all this destiny was determined at old Fort Hall, without recourse to war, very fittingly comes one of the most powerful voices in the world to-day for the disarmament of nations in the interest of peace. In all the movement governed it seems by destiny, beginning at little Fort John on a day in 1833, passing to old Fort Hall in 1834, from which place the movement of men was changed for them, not by them, the tremendous fact stands out that nothing was done by war or money to shape these events. It lay with destiny.

Beginning with the acquisition of New York by the English, the boundaries of the growing domain of the Colonies and the United States were extended to the Louisiana Purchase line in the west by war or money. The great Civil War was coming on like fate and men were conspiring for and against this united Government. Destiny took up the cause of this united free Government and in the vast spaces of the West the errors of sinful men were overruled. The voice of Idaho's senior Senator, WILLIAM EDGAR BORAH, was heard round the world on Saturday night of March 2, demanding relief for all mankind from the insufferable burdens of armament and war, the Divine movement which rolls on like Old Man River, centering in his adopted State, our own Idaho, the State in which Fort Hall served destiny and from whose fountain heads the strivings of destiny are still tremendously at work through him.

Little Fort John was a mere temporary cabin in which Jim Bridger and his partners in the American fur trade took shelter in 1833, the year in which Nathaniel J. Wyeth returned from the fruitless expedition to the Columbia to found a fur trade there, his little ship having gone down in the perilous journey around the Horn. When Wyeth and his party approached little Fort John in eastern Wyoming that day in 1833 neither Jim Bridger nor Fitzpatrick nor Captain Sublett were at home. Of this group of traders the cabin contained but one, young Milton Sublett. Captain Wyeth inquired of Milton where he got his goods and at what price, and was told. "I am coming back next year to the Columbia past this way, and if you let me bring your goods from St. Louis I can sell them to you cheaper than you are now getting them, can make a little for myself, and it will help both of us," said Wyeth, and Milton agreed to take $1,400 worth of goods from Wyeth in the spring.

Wyeth returned to Boston from whence he started, and in the spring of 1834 returned down the Ohio to St. Louis where he outfitted with the $1,400 worth of goods for Fort John, little Fort John, which was unimportant. On arriving at Rendezvous, Fitzpatrick and Bridger refused to accept the goods contracted for by Milton. Wyeth is said to have made the air blue, but he had his goods and nothing was to be done but bring them on. Arriving on the 14th of July that year of 1834 at the Bottoms in what is now Bannock County, Idaho, he shot a buffalo near Snake River 9 miles above the mouth of the Portneuf, and said, "Here is where I build my fort," and so by the accident of what happened at little Fort John, old Fort Hall was built in what was then the best beaver country in the Northwest.

Accompanying Wyeth was Jason Lee, Methodist missionary intending to serve the Flathead Indians. At this parting of the roads he would turn north to arrive at his destination, but here Gordon MacKay, Hudson Bay head of the important Snake River expedition which came yearly for fur, induced Lee to turn to the northwest instead, where as a missionary in the Willamette Valley he became the most important single factor in colonizing the Oregon country with Americans and thus settling the possessory right in favor of the United States.

After two years of futile effort to compete with the powerful Hudson Bay Co. for the fur trade, Wyeth sold old Fort Hall to this English company and returned to Boston where he became rich in trade, delivering ice in his ships as far as India. And from that year, 1836, until the company abandoned this place in 1855 on account of the Indian wars in the Northwest, the three-cornered pennant of the Hudson Bay Co. flew from the bastions of old Fort Hall.

Nothing parallel to old Fort Hall is known in the history of any country. At this peacefully occupied post the enemies to American occupation of the Oregon country enacted with the opposing forces that drama which resulted in the success of the government they were established there to thwart. Had Americans continued to occupy this place, every venturesome pioneer could have gone his way without interference; it required the presence of the opposition to compel Americans to a change of their plans at this point, where by the natural topography roads radiated in five different directions, that finally resulted in directing just enough Americans to the Oregon country to establish American dominance. Here at Fort Hall in the effort to prevent Americans from entering the Oregon country, American travelers were diverted into the Mexican territory of California, by way of the Raft River Road in 1843, by the Bannock Creek Road in 1844, 1845, and 1846; and it was by the aid of these Americans at Sutters Fort that American influence took over California without bloodshed immediately when war was declared with Mexico in 1846.

This accounts for the importance of four of these roads centering at Fort Hall. What of the fifth, the one to the south? Its importance as a sine qua non occurs in 1842, when Marcus Whitman arrived at Fort Hall on his memorable journey to Washington from his mission near Walla Walla over 3,000 miles of trails in dead of winter. At Fort Hall he was told by the Hudson Bay factor that it would be impossible for him to make the journey over the mountains to the East—snows too deep, Indians hostile. Whitman is said to have spent a sleepless night but by morning he had made his decision. He must get his message to the President and to the Congress at Washington. To get his message there he must get himself there. He could take no chances. At Fort Hall he determined to turn south, to Taos by Indian trails and water holes, thus adding 700 or 800 miles to his journey, finding the end of the Santa Fe Trail at the southern border of the United States. And Whitman reached Washington, frozen in limb but triumphant with his message. The old mountain men averred that, not at the time the story was told, doubtless with the intent to turn him back, but afterwards, the snows were never so deep nor the weather so cold in the memory of Indian or white man; and that Whitman's life had certainly been saved by his turning south at Fort Hall.

Thus, the roads from Fort Hall and not the beaver trade fixed the destiny of our country. On Whitman's return in the following spring of 1843 came the great American migration to Oregon, 200 wagons, 875 people, 1,400 animals. Whitman was busy up Ross Fork Creek with the sick and was thus delayed. Arriving at the fort he found the people in despair and anguish. Captain Grant of the Hudson Bay Co. had told them they must abandon their wagons and proceed the 900 miles as best they could by foot or abandon their goods. All historians agree that this first great wagon train of immigrants to Oregon could not have passed Fort Hall with their wagons had not Whitman had his famous conflict of wits and wills with Grant that day. The adopted son of Whitman, who was present on this occasion, always told that his uncle was like marble as he said to the emigrants, "Load up your wagons. Have faith in me and I will take you to the Columbia." And he did. Following this, the next strategic move of the Hudson Bay was to divert emigrants to California at Fort Hall as previously described.

Enough went to the Oregon country, just enough, and enough went from Fort Hall to California, just enough. The opposition at Fort Hall was necessary to bring about these movements, resulting in American possession of both California and the Oregon country. What became of it? Gold from this newly acquired territory financed the Civil War and won it for the Union. From the time of the adoption of our Constitution in 1789 to the discovery of gold in California in 1848, only $70,000,000 of gold had been mined in this country all together. From the time gold was discovered in California to the outbreak of the Civil War, $900,000,000 of gold was taken out of California. And it went to enrich the North and not the South. Why? Coined. Historians say that without this gold from California the North would have lost. The principle of division would have been established, and by now there might have been many small divisions like the Central American States, with consequent weakening of influence.

The faint wagon tracks and trails raditing in five directions from old Fort Hall did for this country what the shell and ball of the Civil War could not undo.

Only one of these five roads was of importance to the Hudson's Bay Co., the one to the north. Remarkably trained couriers plied between Fort Hall and Montreal, the headquarters of the Hudson's Bay, and Fort Hall received instructions directly from Montreal and not Vancouver. Here at Fort Hall American wagons were halted, and this is why the Edinburgh Review as late as July, 1843, made the statement "Oregon will never be colonized overland from the United States."

When our boundary was established by treaty at 49° in 1846 and American influence had assured us of California in the same year, the importance of Fort Hall was at an end. It had done its work. Never a battle was fought because of it, nor was it ever used for military purposes. No treaty or other Government business was transacted there. It was occupied by a trusted factor of the Hudson Bay until abandoned in 1855 merely to hold possession right until paid for by the United States Government. Soon the Oregon Trail itself left the vicinity by several miles, but its influence had been so indelible that the whole region became known as Fort Hall. A Ben Holiday stage station erected in 1863 some 3 miles away used the materials of the historic old fort for the new construction, long known as the Adobes, and this place occupied by the War Bonnet Cattle Co. for the period of the sixties was known as Fort Hall. The whole rim of cattle country from the Saw Tooth Range to the Bannock Mountains became known

as Fort Hall. The cowboys of Texas had a cattle lullaby sung to the little yearlings as they encouraged them to keep up with the long-horn herd, which ran: "Get along little dogies, we're going to Fort Hall; you'll be beef by and by." By this the cowboys meant the whole range of succulent grasses from Soda Springs to Hailey was Fort Hall and not merely the little post inclosure 80 feet square on the south side of Snake River, which had played so important a part in our country's destiny.

If anyone touring Idaho has a day of leisure to spare he can scarcely spend it to better advantage than to take the mountain road which branches off from the Yellowstone Park Highway at Ross Fork Creek, near the present Fort Hall station, situated halfway between Pocatello and Blackfoot, and travel for 40 miles up the line of the old Oregon Trail toward Lincoln Valley as it crosses the divide from Soda Springs by old Mount Putnam. Here as completely as any place in the West may the traveler find the wild and romantic surroundings as experienced in the days of the Oregon Trail and view with the mind's eye the thrilling sight of old Fort Hall as it first came into view of the weary traveler, its whitewashed walls shining in the sunlight and beckoning on.

Along this trail may be seen the old road itself as traversed by some 200,000 of the ox-team brigade who sought homes in the Oregon country, sometimes narrowing into only two or three roads, which in the course of 75 years has become an arroya deeply carved by the spring freshet or again broadening out into a field of wagon roads where one may still count as many as 20 parallel tracks. Here occasionally one may find a relic of trail days, a pewter spoon, a harness buckle, an ox shoe. In the Lincoln Valley trail Kit Carson tethered his stolen horses in 1843, and in this valley nine years later cholera made it possible to count 121 new-made graves in a distance of 15 miles. Such was the suffering that has been in the vicinity of old Fort Hall. More than 200,000 emigrants were gladdened by the sight of the old fort in the days between its building in 1834 until its final end in 1863. That was the year when there came such a flood as was not in the memory of Indian or white man. It razed the walls of the then abandoned fort, and for 40 years no man save the Indians and a few pioneers knew where the fort had once reared its formidable walls.

Then came Ezra Meeker in 1906 with ox team and dog on a mission to restore to the memory of men the meaning of this greatest of all migrations in the world's history and to seek out the most important place upon the trail which is the site of old Fort Hall. Indians and squaw men and an occasional cattleman or old soldier trapper knew where the site was to be found. Hunters and fishermen along the Snake were familiar with the ruined walls and rifle pits now covered with wheat grass. The people of Blackfoot celebrated their Jason Lee Memorial Church by holding a picnic upon the spot as early as 1912. Miles Cannon, Idaho historian, was shown the site by an Indian, former scout of the United States Government, in 1915. But none of these events would ever have resulted in the preservation to the world of the knowledge of the exact site of old Fort Hall. It still remained for Ezra Meeker to identify and verify the place, which he did in 1916, having sought to find it since his first Oregon Trail trip in 1906.

Mr. Meeker always told us that the most pretentious monument on the Oregon Trail, or, indeed, any old trails road in the United States should be here at Fort Hall. And so the Wyeth Chapter of the Daughters of the American Revolution took the initiative and asked two things: First, that the Government preserve the exact site of the old fort in a cement foundation that should rise a few feet above the highest water level when the American Falls Dam was built, restoring this precious site to the people as the other property inundated by those waters was restored in value to the owners. This request to the Bureau of Reclamation was not granted, and it was then found that the waters of the American Falls Lake left the site on shore 1 mile. The second action of Wyeth Chapter was to adopt plans for a monument. Palmer Rogers, an Idaho man familiar with the history and spirit of the place, now an architect in New York City, was asked to design a creditable monument to be built upon the base which it was hoped the Government would honor, a monument that would stand the test of centuries as an object of art commemorating a place of destiny. Because of this spot we are a first-class Nation in the world to-day; and because we are a first-class Nation we have a privilege to work out the plan of the All Highest in the governments of men, even as did Israel of old.

In his enthusiasm, Mr. Meeker organized the Oregon Trail Memorial Association with headquarters in New York City to memorialize the important historical spots along the entire length of the old trail, and the Daughters of the American Revolution yielded this project to them. The Idaho unit of this association is asking for the same Rogers's monument adopted by the Daughters of the American Revolution.

Awaiting the time when the monument will answer to the surrounding hills the query of thousands—"Where is the site of the historic old fort?"—the Idaho unit of the Oregon Trail Memorial Association is asking through the Daughters of the American Revolution a contribution of iris from every State in the Union to beautify and make glad the swales and swamps of old Fort Hall.

SENATORIAL RECORD OF HON. THOMAS J. WALSH

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from Labor of April 22, 1930, dealing with the senatorial record of the senior Senator from Wontana [Mr. WALSH].

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

REELECT THOMAS J. WALSH—EVERY GRAFTER WOULD TAKE DEFEAT OF GREAT MONTANA PROGRESSIVE AS A "LICENSE TO STEAL"—ANACONDA BACKS GALEN

The Republican machine in Montana has picked Albert J. Galen, justice of the State supreme court, to run for the United States Senate against THOMAS J. WALSH, who has represented that State in the Senate since 1913.

Before the battle grown hot Labor would like to point out some things which might be forgotten later.

The American people, without regard to locality, have a vital interest in seeing Senator WALSH reelected. He has been a splendid Senator from the point of view of his home State; but this is more than a Montana matter. His labor record is first class; but this is more than a labor matter. He has been a wise and firm friend of agriculture; but this is more than a farm matter.

THOMAS J. WALSH is the most famous investigator of official corruption in the recent history of this country. He has been the means of recovering for the Government oil reserves worth not less than a billion dollars; and his mere presence in the Senate is a safeguard against the attempt to steal other billions.

He has become a symbol of righteous vigilance; loved and trusted by the honest mass of the people everywhere; hated with fanatic fervor by those whose schemes he has blocked.

Think what it would mean to have such a man beaten for reelection!

Every grafter would take WALSH'S defeat as a license to steal. Every member of the oil gang that looted the public domain during the Harding administration would consider WALSH'S defeat a personal triumph.

Every cynic would repeat the sneer about "the ingratitude of republics"; and the whole world would know that the man who stopped and exposed one of the greatest grafts of modern times had been repudiated by his State.

Labor does not believe for a moment that Montana voters have any idea of repudiating WALSH; but they had better organize and get to work in his behalf.

Justice Galen has strong backers. He has the support of the Anaconda Copper Co. and of every other "predatory interest" in and out of the State. He has earned it; the Montana Supreme Court during his term of office has been one of the most reactionary tribunals in the country.

The Anaconda always has fought WALSH. Twenty years ago, in 1910, when Senators were elected by the legislature, "the company" bought up enough legislators to block his election, but two years later the voters took advantage of the constitutional amendment providing for the popular election of Senators and he was elected by a great majority.

The standard railroad labor organizations have indorsed WALSH. The entire American labor movement is for him. For the best interests of the Nation and the good name of the State, Montana should send WALSH back to the Senate with a bigger majority than ever before.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States making sundry nominations, which were referred to the appropriate committees.

RECESS

Mr. McNARY. I move that the Senate now take a recess, the recess to be until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.), under the order previously entered, took a recess until to-morrow, Friday, April 25, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 24 (legislative day of April 21), 1930

CHIEF JUSTICE OF THE SUPREME COURT, TERRITORY OF HAWAII

Antonio M. Perry, of Hawaii, to be chief justice of the Supreme Court, Territory of Hawaii. (He is now serving in this office under an appointment which expired February 18, 1930.)

ASSOCIATE JUSTICE OF THE SUPREME COURT, TERRITORY OF HAWAII

James J. Banks, of Hawaii, to be an associate justice of the Supreme Court, Territory of Hawaii. (He is now serving in this office under an appointment which expired February 18, 1930.)

CIRCUIT JUDGE, THIRD CIRCUIT, TERRITORY OF HAWAII

James Wesley Thompson, of Hawaii, to be circuit judge, third circuit, Territory of Hawaii. (He is now serving in this office under an appointment which expired February 23, 1930.)

CIRCUIT JUDGE, FOURTH CIRCUIT, TERRITORY OF HAWAII

Homer L. Ross, of Hawaii, to be circuit judge, fourth circuit, Territory of Hawaii. (He is now serving in this office under an appointment which expired February 18, 1930.)

UNITED STATES DISTRICT JUDGE

Robert P. Patterson, of New York, to be United States district judge, southern district of New York, to succeed Thomas D. Thacher, resigned.

UNITED STATES MARSHAL

William Lee Brand, of Virginia, to be United States marshal, western district of Virginia, to succeed S. Green Proffitt, whose term expired December 18, 1929.

PROMOTION IN THE NAVY

Capt. William D. Leahy to be a rear admiral in the Navy from the 6th day of April, 1930.

HOUSE OF REPRESENTATIVES

THURSDAY, *April 24, 1930*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, not unto us, not unto us, but unto Thy name give glory and honor, for Thy mercy and for Thy truth's sake. O Lord, awaken us to a full realization of the blessedness of our inheritance, walking humbly with God and patiently among men, making known Thy power, even the power of the still, small voice. Uphold and animate Thy servants and give them strength and wisdom for this day. Deliver us from the unrest of life and from its recurring anxiety. Direct us to that which is higher than happiness, and then it will steal into our breasts and join us on the way. O let us forget it in the passion of higher things and then it comes. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House to the bill (S. 3477) entitled "An act validating certain applications for and entries of public lands, and for other purposes."

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California.

The message also announced that Mr. KEYES and Mr. KENDRICK had been appointed additional conferees on the part of the Senate on the bill (H. R. 7491) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes."

THE GREAT LAKES-ST. LAWRENCE WATERWAY PROJECT AND THE NEW YORK BARGE CANAL

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. BURTNESS. Mr. Speaker and Members of the House, in view of the fact that time had been allotted to me for to-day in the event consideration of the pending bill had been completed, and inasmuch as the matter I wanted to discuss comes up for consideration to-morrow, I now ask that I may extend my remarks and insert in the RECORD at this point the speech which I had intended to make.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURTNESS. Mr. Speaker and Members of the House, my remarks to-day are made from the standpoint of one who believes thoroughly in a sane and constructive development of water transportation and as one who places at the head of all proposed developments the early and final consummation of the Great Lakes-St. Lawrence waterway project.

It is in that light that I will later attempt to show the necessity of striking out of the pending rivers and harbors bill the paragraph which provides for the Government taking over the New York Barge Canal. By way of comment at the beginning I may say I expect to show by abundant proof that the canal is not worth taking over, that such action is purely an attempt on the part of some people in New York to unload a financial burden and pass it on to Uncle Sam, that we would not know what to do with it if we do obtain it, that it would involve us in tremendous expense without corresponding benefits, that the proposal is a departure from businesslike methods in dealing with navigation improvements and seems to be the result of political trading, and that above all other considerations it is a stab in the back and might result in a death blow to the Great Lakes-St. Lawrence project.

President Hoover received a tremendous vote in the Northwest and the Great Lakes States in the last campaign, due in large part to his many years of earnest advocacy of the Great Lakes-St. Lawrence project. We knew he was sincere in his espousal thereof. We felt he was peculiarly fitted to carry it through to a successful conclusion.

I have no right to speak for the President, but I do entertain the belief that the outstanding accomplishment which he would like to leave to generations of future Americans as a monument to his administration is the completion of this project. We in Congress should help and not hinder him in such desire.

And what an accomplishment it would be! It would probably mean more substantial farm relief than can be given in any one act, for it would mean not temporary but permanent relief. It would give 14 or 15 land-locked States free access to tidewater. It would mean from 6 to 10 cents additional for the wheat and rye we produce. It would mean substantial savings in transporting many commodities we buy. It would help to do away with the economic disadvantages from which we have suffered due to the building of the Panama Canal.

Let me first review some of the official steps taken in the project up to this time and the conclusions reached by the various official bodies.

By section 9 of the rivers and harbors act, approved March 2, 1919, Congress expressed a desire that the International Joint Commission investigate what further improvement of the St. Lawrence River between Montreal and Lake Ontario was necessary to make the river navigable for ocean-going vessels, together with the estimated costs thereof. Under date of January 21, 1920, the Governments of the United States and Canada, by agreement, referred the matter to such joint commission, which, in turn, held very extensive hearings thereon at various points on both sides of the international boundary from Boston, New York, and Montreal in the East to Boise and Calgary in the West. This commission made a very comprehensive report under date of January 2, 1922, which can be found in Senate Document No. 114, Sixty-seventh Congress, second session. I quote the following from the summary of conclusions found at page 176 of such document:

To sum up as briefly as possible its conclusions in the matter of the proposed improvement of the St. Lawrence River between Lake Ontario and Montreal, the commission finds nothing in the evidence to warrant the belief that ocean-going vessels of suitable draft could not safely navigate the waters in question as well as the entire waterway from the Gulf of St. Lawrence to the head of the Great Lakes, or that such vessels would hesitate to do so if cargoes were available.

It finds that of the various alternative roads mentioned from the interior to the seaboard none offers advantages comparable with those of the natural route by way of the St. Lawrence.

As to the economic practicability of the waterway, the commission finds that, without considering the probability of new traffic created by the opening of the water route to the seaboard, there exists to-day, between the region economically tributary to the Great Lakes and overseas points, as well as between the same region and the Atlantic and Pacific seaboards, a volume of outbound and inbound trade that might reasonably be expected to seek this route sufficient to justify the expense involved in its improvement.

It finds that, as between the American and Canadian sides of the tributary area, the former contributes very much the larger share of this foreign and coastwise trade, and in all probability will continue to do so for many years to come. The benefits to be derived from the opening of a water route to the sea will therefore accrue in much larger measure to American than to Canadian interests, though it is reasonable to assume that eventually the advantages may be more evenly distributed.

It finds that the existing means of transportation between the tributary area in the United States and the seaboard are altogether inadequate; that the railroads have not kept pace with the needs of the country; but that this does not apply to the Canadian side of the area, where railway development is still in advance of population and production.

* * * * * * *

The conclusion is obvious that if countries that had for the most part to import their raw materials from abroad were able to build up a great foreign trade because of their ready access to the sea, the region economically tributary to the Great Lakes, with its limitless resources, its raw materials within easy reach, its facilities for industrial expansion, can hardly fail to become an even greater factor in the world's markets than it is to-day if given a practicable and efficient water route to the sea.

The foregoing conclusions were reached unanimously by the six members of the joint commission, each country being represented by three members thereon. They all joined in a recommendation, as follows, found on page 180 of the report:

That the Governments of the United States and Canada enter into an arrangement by way of treaty for a scheme of improvement of the St. Lawrence River between Montreal and Lake Ontario.

These conclusions were not reached by this commission upon lay evidence alone; it had the benefit of a splendid and thorough report made by the United States and Canadian Government engineers, under date of June 24, 1921. These engineers were Col. W. P. Wooten, Corps of Engineers, United States Army, and Mr. W. A. Bowden, Chief of Engineers, department of railways and canals, both of whom were appointed for the purpose by their respective Governments. Their report, often referred to as the Wooten-Bowden report, can be found by those interested in Senate Document No. 179, Sixty-seventh Congress, second session. Lack of time forbids quoting therefrom, and it will suffice to say that the report was very favorable to the project.

President Coolidge, like his predecessor, President Harding, was a firm believer in the economic advantages that would accrue to the United States with the completion of a deep-sea waterway from the Great Lakes to tidewater through the St. Lawrence River. On March 14, 1924, he appointed an advisory committee of nine members, headed by the then Secretary of Commerce, Mr. Hoover, which commission was known as the St. Lawrence Commission of the United States. A like body known as the National Advisory Committee of Canada, was appointed by the Canadian Government on May 7, 1924. By agreement between the two Governments a joint board consisting of six eminent engineers were also appointed in accordance with the recommendation made in the international joint commission's report of January 6, 1922, and the two governmental commissions had the benefit of the exhaustive investigation made by the joint engineering board into all of the engineering features involved in the proposed lake and river development.

On December 27, 1926, Secretary Hoover, as chairman of the United States St. Lawrence Commission, transmitted his report to President Coolidge, accompanied by the report of the Joint Board of Engineers. These reports are embodied in Senate Document No. 183, Sixty-ninth Congress, second session.

No stronger presentation on behalf of the St. Lawrence waterway project has ever been presented than that contained in Mr. Hoover's letter dated December 27, 1926, addressed to the President, and I commend the entire letter to your study and consideration. Permit me now to quote a few extracts therefrom:

The construction of a shipway of sufficient depth to admit ocean shipping from the Atlantic to the Great Lakes will lessen the economic handicaps of adverse transportation costs to a vast area in the interior of the continent. Within the United States it embraces all or large portions of the States of Ohio, Indiana, Kentucky, Illinois, Iowa, Missouri, Kansas, Nebraska, North and South Dakota, Montana, Wisconsin, Minnesota, Michigan, Pennsylvania, and New York. It includes a large part of Canada. Within this area there are more than 40,000,000 inhabitants who gain their livelihood from its basic industries. It produces a vast surplus both from agriculture and manufactures, much of which demands long transportation. There is a reciprocal inflow of commodities from its neighbors.

These sections have always been under natural transportation disadvantages in the exportation and importation of commodities. But the building of the Panama Canal artificially created a still further dislocation of its competitive relations and beyond this the necessary increase in railway rates following the war have shifted greatly the economic position of the midcontinent to the great detriment of that area.

The problem has thus become one of wide importance not only because of the fundamental advantages of elimination of great wastes in transportation costs but also because of the necessity for readjustment of adverse competitive relations of all the industries and agriculture throughout the mid-continent.

* * * * * * *

There can be no disagreement in the opinion that this section of the United States is entitled to an equalization in transportation advantages as far as possible, nor as to the benefits which would inevitably flow to it if ship access to the ocean is afforded.

Mr. Hoover in this report also refers to the fact that three different routes for such a shipway have been put forward, namely: (a) Reconstruction of the present canal from Lake Ontario to the Hudson, making use of the Welland Canal; (b) an "all-American" route which will include the Lake Ontario-Hudson project plus a new ship canal on the south side of Niagara, which would duplicate the new Welland Canal; and (c) utilizing the St. Lawrence River as a joint undertaking with Canada. He goes extensively into the engineering problems involved, including the development of power that would be possible in the St. Lawrence project. He advises that the reports of the United States engineers of December 6, 1926, estimate the cost of construction of the Lake Ontario-Hudson route at $506,000,000, the "all-American" route at $631,000,000—both estimates without interest during construction—and the St. Lawrence route at between $123,000,000 and $198,000,000, depending upon details of the plans; that the first two projects would develop no hydroelectric power, but a reduction in a sum of at least $50,000,000 can be made from the last estimate on account of the development of such power. Mr. Hoover very aptly converts maintenance costs, together with interest at 4½ per cent on construction costs, on the various routes into charges that would apply to the estimated annual medial tonnages and gives them as follows:

All American	$2.06
Lake Ontario-Hudson	1.64
St. Lawrence	.43

The following are the closing paragraphs of Mr. Hoover's report as chairman of the United States St. Lawrence Commission to the President:

In the wider view, the increased prosperity of the mid-continent, the relief of many of their present economic difficulties, and development of huge water power for stimulation of industry and commerce in New York and New England shall add to the prosperity of the country as a whole, and thereby benefit every citizen and every city.

The conclusions of this commission are, therefore—

First. The construction of the shipway from the Great Lakes to the sea is imperative both for the relief and for the future development of a vast area in the interior of the continent.

Second. The shipway should be constructed on the St. Lawrence route, provided suitable agreement can be made for its joint undertaking with the Dominion of Canada.

Third. That the development of the power resources of the St. Lawrence should be undertaken by appropriate agencies.

Fourth. That negotiations should be entered into with Canada in an endeavor to arrive at agreement upon all these subjects. In such negotiations the United States should recognise the proper relations of New York to the power development in the international section.

While the people of the United States have implicit confidence in his engineering ability and his comprehension of economic questions, so that they are willing to accept the conclusions reached by him, it is not, perhaps, amiss to emphasize again that in reaching these conclusions Mr. Hoover and his associates had the benefit of the report made by the Board of Joint Engineers, which consisted of such eminent men in the engineering profession as Gen. Edgar Jadwin, Col. William Kelly, and Col. George D. Pillsbury, of the Corps of Engineers, representing the United States, and Mr. Duncan W. McLachlan, of the Department of Railways and Canals, Ottawa; Mr. Oliver O. Lefebvre, chief engineer, Quebec, Streams Commission of Montreal; and Gen. Charles Hamilton Mitchell, C. B., C. M. G., of Toronto.

Since that report was made, diplomatic negotiations have been conducted between representatives of the American and Canadian Governments, and much progress has been made. On January 31, 1928, the Canadian minister in a note to the American Secretary of State proposed a tentative plan for construction, allocation of tasks, and division of costs. I know of no better summary available to the public at this time than that included in the annual report of Mr. Craig, the executive director of the Great Lakes-St. Lawrence Tidewater Association, for the period ending December 17, 1928, from which I quote as follows:

PROGRESS OF THE YEAR

Under this heading in our last annual report we printed the full text of the recent correspondence between the United States and Canada. On the eve of entering upon a new phase, namely, definitive negotiations, an analysis or succinct statement of the distance this correspondence has carried the Government toward an accord is timely.

* * * * * * *

Canada offers to provide at her own cost for the wholly Canadian section of a through deep waterway from the head of the Lakes to the sea. Her tasks would, therefore, include—

(a) Completing the new Welland Ship Canal.

(b) Improving that section of the river from where it ceases to form the boundary line between the two countries to Montreal Harbor.

(c) From Montreal Harbor to the sea.

The note suggests that the United States provide and pay for all international stretches of the river, which involves—

(a) A new 30-foot lock at the "Soo."

(b) Deepening to 27 feet the connecting channels of the upper Great Lakes-St. Marys, St. Clair, and Detroit Rivers.

(c) The international St. Lawrence section from Lake Ontario to the boundary at Cornwall, Ontario, and St. Regis, N. Y.

The Canadian note nevertheless points out that "the question of its (the seaway's) advisability at the present time depends upon the successful solution of certain economic and financial difficulties," viz:

(a) No heavy public financial obligation can be assumed by Canada because of existing war and railway debts.

(b) No export of Canadian power can be permitted.

The Canadian advisory committee recommended to its Government certain priorities in construction as obviating these difficulties.

Secretary of State Kellogg, in his communication of March 12, 1928, replying to the foregoing Canadian note, accepted without qualification certain of the tentative proposals on the part of Canada. Others were accepted in principle and as forming a basis for negotiation.

So that the men responsible for Government in the two countries are in agreement upon the following:

(a) The technical or physical feasibility of the project.

(b) That it will be of great economic benefit to both countries.

(c) Upon the division of construction tasks.

(d) Upon the principles of the division of costs.

(e) Upon the depth of the waterway.

(f) Upon the course of procedure required to solve the details of engineering problems.

(g) Upon the principle of complete mutual respect for sovereign rights and prestige.

(h) Upon the inclusion in the discussions of the Chicago diversion and other relevant Great Lakes problems.

It is the view of the United States that certain questions should remain open for negotiations because:

First. All parts of the navigation system should be completed at substantially the same time.

Second. The United States portion of the power in the international St. Lawrence section should be available for use of the United States, irrespective of Canadian policy as to its half.

Third. To the balance sheet submitted our Government expresses "general accord with the principles," but the items subject to revision along certain lines set forth.

The foregoing correspondence is the culmination of eight years of careful international preparation under the responsibility of administrations representing the different political parties in each country and is an outstanding example of modern "open diplomacy." Over the years which it has been under discussion it is well within the truth to say that the solution of no international problem has ever in any region of the world received more careful or responsible preparation.

While some are disposed to scoff at the delay that has taken place, and to intimate that these two great neighboring nations can never reach an agreement with reference to this project, I feel entirely justified in saying to my colleagues on the floor of the House that from the information that has come to me from various sources there seem to be no insurmountable obstacles on the horizon. I believe the administration is up to the point where executive representatives of the two Governments can proceed to execute a treaty to provide for the performance which, in the words of President Hoover in a speech delivered at New Haven, Conn., on March 12, 1927, is—

Worthy of the strength and purpose of the two sister nations, who have in two centuries already overcome countless obstacles in implanting the most hopeful civilization of history.

That the President has not changed his views with reference thereto since he assumed his duties as Chief Executive of the Nation was well shown by the address which he delivered upon the celebration of the completion of the canalization of the Ohio River in Louisville, Ky., on October 23, 1929. At that time he gave this message to the country:

One of the most vital improvements to transportation on the North American Continent is the removal of the obstacles in the St. Lawrence River to ocean-going vessels inward to the Great Lakes. Our Nation should undertake to do its part whenever our Canadian friends have overcome those difficulties which lie in the path of their making similar undertakings. I may say that I have seen a statement published lately that this improvement would cost such a huge sum as to make it entirely uneconomical and prohibitive. To that I may answer that after we have disposed of the electrical power we could contract the entire construction for less than $200,000,000, divided between the two Governments and spread over a period of 10 years.

What is the provision in the pending rivers and harbors bill to which I object? It is lines 12 to 21, inclusive, on page 5 of the bill, and reads as follows:

Great Lakes-Hudson River Waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all lands, easements, and completed or uncompleted structures and appurtenances of the said waterways.

As my first witness I will call a man whom all the people of New York, including the distinguished and able chairman of the committee [Mr. DEMPSEY], ought to be willing to accept as an expert, namely, Col. Frederick Stuart Greene, superintendent of public works of the State of New York.

On February 26, 1926, Colonel Greene made a special report to Hon. Alfred E. Smith, governor, on this very same New York Barge Canal. My case against it might well rest on his report alone, for I can not conceive of any criticism more condemnatory. I quote scattered paragraphs from his report:

PRESENT TRAFFIC CONDITIONS

That the traffic carried on the barge canal has fallen short of expectations can not be denied. The canal has a theoretical annual capacity of 20,000,000 tons. In 1919, the first year after the canal was opened throughout its length, 1,238,844 tons were floated; last season 2,344,013 tons were carried. This increase has not been sufficient to prove the canal an economic success.

The cost of the canal during 1925 was:

Maintenance and operation	$2,981,841.26
Capital charge	6,137,495.08
Permanent betterments	1,092,051.52
Claims paid	722,175.89
Gross cost	10,933,563.75
Less receipts	359,936.91
Net cost to the taxpayers	10,573,626.84

The greater part of the tonnage was bulk freight—grain, sulphur, salt, etc.—which is carried at low rates both by water and rail. A fair average rail rate on the commodities carried by canal from Buffalo to New York, the longest haul, is $3.70 per ton. In 1925 it cost the State $4.51 per ton for all freight floated on the canal, regardless of the length of haul. From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

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The barge canal is maintained and operated free of tolls to all vessels, American and foreign. The State also (1) permits canal vessels to moor at piers and use all terminals free of cost; (2) rents loading and unloading equipment at less than the actual cost of operation; (3) allows canal vessels to tie up during the winter at terminals and basins free of cost; (4) maintains a traffic bureau which gives free service to both shipper and boat owner; (5) maintains, during the navigation season, a daily telegraph service by which operators are informed of the position and progress of their boats through the canal; (6) maintains special signal service on Lake Oneida to warn vessels of storms; (7) maintains three tugs to aid boats, two on Lake Oneida, one on the canalized Hudson River. In spite of all this, however, the canal is only floating about one-tenth of its tonnage capacity.

WHY THE CANAL IS NOT MORE USED

If 20 persons, knowing the canal, were asked why it is so little used, probably 20 different answers would be given, but the fundamental reason is ice—the canal is closed by ice for five months each year. Were the canal, even as now constructed, open throughout the year, it would be crowded with traffic.

And yet the Canadian-St. Lawrence canals, also ice bound, have increased their business until their theoretical capacity is almost reached. They are not ship canals in the strict sense; they have only 14 feet of water over the lock sills, as against our 12 feet; their locks are not as modern, not as long, nor any wider than ours. Nevertheless they carry not only a greater tonnage (6,206,988 as against our 2,344,013 in 1925) but they have had greater yearly increases, as is shown by the accompanying chart.

The answer is that the St. Lawrence canals are not hampered by fixed bridges. The immovable bridges over our canal permit a clearance of only 15 feet; this limits the freeboard of hulls and the superstructure of all vessels. Our fixed bridges block boats with normally high stacks and any kind of masts; they limit the height of pilot houses and the captain's bridge to such an extent as to seriously interfere with the proper handling of large crafts. Finally—and this is the vital point—they necessitate the building of a special type boat which can not be operated advantageously on any other body of water. The practical business man will not invest large sums in a boat of comparatively small tonnage which, because of its special design to fit our canal, lies idle 5 months out of the 12.

ATTEMPTED REMEDIES

In the past attempts to increase canal tonnage have been confined largely to building more or less expensive structures along the canal and at points off the canal proper. In 1911 the people approved a bond issue for this purpose amounting to $19,800,000. Immediately thereafter different communities began scrambling for wharves and terminal buildings. The record in this office of the freight predicted—all predictions solemnly affirmed by local chambers of commerce and other organizations—when compared with the actual business done at these terminals is enlightening and at the same time disheartening.

In connection with the barge canal system the State has 66 terminals (piers or bulkheads), at which there are 53 warehouses; these terminals range in cost from a few thousand to more than a million and one-half dollars. During the past two years no freight was handled at 49 of these terminals and only 5 warehouses were used for canal freight.

Examples: At Oswego Harbor the river terminal cost $157,661; no freight handled in three years. At the lake terminal the State built a warehouse costing $75,818; it has been completed for more than a year and not one pound of freight has been in or out of it. At Rochester there are two terminal buildings, one frame, $24,039, the other masonry, $224,968; one shipment of sugar passed through the brick warehouse last season, nothing during 1924; the wooden shed has handled no freight in three years.

The following terminals have received no canal freight either in the warehouses or out of them during the past two years:

Location and cost	
Rouses Point	$53,069
Plattsburg	159,320
Port Henry	90,346
Whitehall	87,646
Schuylerville	78,312
Cohoes	95,438
Flushing	407,172
Mott Haven	1,039,038
Amsterdam	94,622
Little Falls	87,095
Herkimer	75,363
Ithaca	63,201
Lockport	76,402
Fonda	70,003
Halletts Cove	606,495
Greenpoint	1,608,999

Official records show that many of our terminals have never been used for canal tonnage since the day they were built. The terminal at so important a city as Albany, costing $312,914, has received but one small canal shipment (lumber) during the past two seasons, and in that time no canal freight at all has gone in or out of the freight house.

Need I submit more to show that the State of New York has a white elephant on its hands? Have we not a right to look this gift horse in the mouth? Is there now any doubt as to why New York wants to unload it on Uncle Sam?

But let me return to Colonel Greene and see what remedy he proposes. Again I quote from his report, this time from page 8, under the title "How Can the Canal Be Made to Better Serve the People?":

The New York State Barge Canal is such an important transportation factor in this country that, whether or not it is a failure, it should be continued. All maintenance work necessary to secure and hold proper channel depth, to protect the banks, to keep up the mechanical equipment, and to improve navigation conditions generally should be vigorously carried on. And the taxpayers of New York State should continue to bear these costs until this Nation is awakened to the fact that a condition exists which threatens American commerce; that a remedy is vitally urgent, and that the remedy lies in converting the barge canal into a ship canal.

That the Great Lakes, at no distant date, must be connected with the Atlantic by a ship canal is inevitable. The bickering, which began as far back as 1812 between New York and some of the Lake States as to whether the St. Lawrence or an American canal should be built, was and is a futile waste of energy. The ever-growing lake commerce and the increasing population of northwest Canada may eventually demand both canals. But it is hard to understand why the United States should not leave the Canadian canal to be constructed by that country and devote its own resources to building the better American waterway from Lake Ontario to the Hudson River.

Is it any wonder that some of us who are interested in the Great Lakes-St. Lawrence project pricked up our ears when we learned of this provision in the pending bill? But what other evidence is there justifying us to suspect that the real motive is not alone that of unloading a useless canal onto Uncle Sam?

Under date of March 8, 1926, Gov. Alfred E. Smith, of New York, transmitted the Greene report to the legislature of that State. I quote the following from his special message:

Recently I signed a bill extending the life of the Barge Canal survey commission in order that it might continue studies begun in 1925. You are aware of the reasons for the creation of this commission. Its main purpose was to study ways and means of making the canal more useful to the people of the State of New York. In order to aid your honorable bodies in the consideration of the entire subject I submit herewith a special report of the superintendent of public works regarding the canal. I am in full accord with the main points advocated in the report, namely:

That a ship canal connecting the Great Lakes with the Atlantic is inevitable.

That the best location for such a canal is the so-called American route from Lake Ontario at Oswego to the Hudson River at Albany by way of the Mohawk Valley.

That as the major part of the business on such canal will be interstate it should be built and operated by the Federal Government.

In order to accomplish this I recommend that your honorable bodies pass appropriate resolutions instructing the special commission to negotiate with the Federal Government to the end that this may be brought about. Its consummation will not only end the long and tiresome contention as to whether the St. Lawrence or the American ship canal should be built but it will be the Empire State's contribution to the benefit of the whole Nation.

Again, on January 4, 1928, Governor Smith included the following in his message to the legislature:

Canal users have testified to the improvement in canal management, but the canal is not now and there is no indication that it ever can be a paying proposition for the State of New York while it is isolated from the national system of waterways. I am convinced that this canal should be made part of an all-American deep-sea waterway connecting the Great Lakes with the Atlantic Ocean. The improvements contemplated at the port of Albany by the Albany Port Authority in conjunction with the deepening by the Federal Government of the channel of the Hudson River add force and point to the argument. I believe that every effort should be made to demonstrate to the people of the United States the value of this program.

Only on Tuesday of this week one of the very prominent members of this committee who favors taking over the New York Canal, assured me that there is no purpose on the part of the chairman of the committee by this proposal to affect in any way the Great Lakes-St. Lawrence project. All I can say in respect thereto is that if such is the case, Mr. DEMPSEY is about the only person in New York who does not entertain such a hope. Let me establish this by one or two illustrations.

The press reports showed that this general item was voted into the bill by the Rivers and Harbors Committee on April 5. On April 8 Governor Roosevelt, of New York, sent a special message to the legislature on this very subject, reading in part as follows:

Recent events, and especially the report of Army Engineers last week, have pointed to an awakened interest on the part of the Congress of the United States in a canal wholly within American territory and available for vessels of large size from the Great Lakes to the Hudson River.

While I believe that the people of this State have full appreciation of the fact that the barge canal has served and is serving a useful purpose, transporting as it does over 3,500,000 tons each year, I am also certain that they would not wish to block the development of a larger canal by the Federal Government and intended for the use of the commerce of all the States.

Any plan for a canal from the Great Lakes to the Hudson would, therefore, without question, involve the use of a large part of the present barge canal, and the constitution of this State would have to be amended before the Federal Government could undertake any work.

If it should become clear in the Congress of the United States that the Federal Government is seriously interested in providing a deep waterway from the Great Lakes to the sea by way of the Hudson River, I believe that a legislative committee should be appointed before adjournment of the legislature to cooperate with the governor of the State in whatever negotiations with the Federal Government become advisable.

For that reason I recommend to your honorable bodies the creation of a legislative committee for the purpose of conferring with the proper Federal authorities, in the event that any definite action is taken by Congress this year.

Have you noticed any press reports indicating that Mr. DEMPSEY has written or wired Governor Roosevelt to the effect that the latter has misconstrued his moves and the purpose of his work down here? In any event, I shall await with interest a full statement on the part of Mr. DEMPSEY that will set the governor of his State right in this important matter. And, by the way, what about the legislation now pending in the New York Legislature introduced by Senator Byrne along the lines of Governor Roosevelt's recommendation?

Not only are the governor and the legislators of New York misinformed as to the motive behind this item, if my informer on the committee is correct, but also some Members of Congress

from the chairman's own State. Surely he is familiar with the House joint resolution which his colleague [Mr. BOYLAN] hurried to introduce on April 9, just four days after the committee vote and the day following Governor Roosevelt's message. This resolution is as follows:

House Joint Resolution 295, Seventy-first Congress, second session

Joint resolution to provide for negotiations looking toward the acquisition of the New York State Barge Canal by the Federal Government

Whereas a new interest has developed throughout the country in the building of a canal to accommodate vessels of large tonnage moving between the Great Lakes and the Hudson River, and to be constructed wholly within United States territory; and

Whereas the State of New York, through a message of its governor, has suggested the turning over to the Federal Government of the New York State Barge Canal, which would form a most important link in the construction of such a canal; and

Whereas the construction of such a canal would be very advantageous to the manufacturing interests in the interior of the United States; and

Whereas the said proposed action of the State of New York in turning over the New York State Barge Canal, which has already cost the State $150,000,000, to the Federal Government would facilitate the building of this canal: Therefore be it

Resolved, etc., That a joint committee of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House, to be appointed by the Speaker, be appointed to confer with a committee of the Legislature of the State of New York, and recommend to Congress such action as may be necessary to bring about the transfer of the New York State Barge Canal to the Federal Government, such committee to report to Congress not later than March 1, 1931.

The expenses of the committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers to be approved by the chairman of the committee.

Is our Democratic colleague, Mr. BOYLAN, trying to outdo our Republican colleague, Mr. DEMPSEY? Is he attempting to steal some of the latter's thunder? I can not believe that our witty, able, but modest and retiring Mr. BOYLAN would attempt to do such a thing, so I am inclined to conclude that the shrewd and able delegation from New York are almost a unit on this proposal, and have adopted this method of working both sides of the aisle in this House.

I have shown you how official New York construes the item. What about those in civil life in that State? Because of his prominence I need call but one witness, Edward C. Carrington, chairman of a voluntary association known as the Great Lakes-Hudson Waterways Association, with offices at 27 William Street, New York. Probably all of you received copies of the abusive wire sent by Mr. Carrington to Senator VANDENBERG because the latter saw fit to announce his opposition to this item in the bill. I will quote only portions of it:

According to the press you have become quite hysterical as to the Federal Government taking over and maintaining the New York State Barge Canal * * *. What your constituents out in Michigan want is an all-water bill of lading to any port of the world, and they don't care whether this bill of lading is issued by way of the St. Lawrence Valley or by way of the Mohawk and Hudson Valleys * * *. Mr. Hoover and the Republican Party have promised an outlet from the Great Lakes ports and our interior cities to the ports of the seven seas. Canada has had an opportunity to make a convention with this Government utilizing the St. Lawrence Valley. Any further fatuous attempt in this direction should be abandoned, as every well-informed person knows. The American people will never submit to the demands already submitted by Canadians. Lake port cities, as well as interior towns and cities of New York State, demand this outlet, and geographically, economically, patriotically the Mohawk and Hudson Valleys furnish Mr. Hoover's alternative route to the sea.

I do not know whether Mr. DEMPSEY and Mr. Carrington cooperate or not. In any event, they have both for years been among those most active in opposition to the Great Lakes-St. Lawrence proposal, and if the barge canal item in the pending bill is not intended to promote a ship canal across New York, then two men vitally interested in the same ultimate object should be able to do better teamwork.

Regardless of what the real motive behind this move may be, we should all be interested in ascertaining, before adopting it, whether it and a deep waterway across New York have had the careful study of our engineers and whether it has been approved by them. Kindly, therefore, bear with me while I summarize the situation with reference to that feature.

A survey by the War Department engineers for a waterway for vessels of a draft from 20 to 25 feet, was authorized by the river and harbor act of March 3, 1925. The Chief of Engineers, General Taylor, transmitted the report of the Board of Engineers, dated March 23, 1926, to the Secretary of War, who, on March 29, 1926, in turn transmitted it to the Speaker of the House and the entire report was printed as House Document No. 288, Sixty-ninth Congress, first session. On the whole, the report was so adverse as to cause consternation among proponents of such a proposal, but it did not end their efforts for lack of persistency has not been one of their failings.

Mr. DEMPSEY was not loafing on the job. On May 26, 1926, under his leadership the House Committee on Rivers and Harbors passed a resolution requesting the Board of Engineers to make a further study and to report not later than December 6, 1926. The board did report under date of October 23, 1926, and it was transmitted by Colonel Boggs to the committee on December 5, 1926.

There was, however, not much comfort in this report for it was still adverse. Let me quote the syllabus therefrom, reading as follows:

Having reviewed the report published in House Document No. 288, Sixty-ninth Congress, first session, and earlier reports on the same subject, the board is of the opinion that the construction of a deep waterway between the Great Lakes and the Hudson River should not be undertaken by the United States at the present time.

Colonel Boggs's letter of transmittal, found in Document 7 of Committee of Rivers and Harbors, Sixty-ninth Congress, second session, is full of information, and I commend its careful study in detail, but I will to-day quote only the last four paragraphs thereof:

It is therefore apparent that the cost of the navigation feature of the St. Lawrence route will be at greatest only about one-third of that of the Lake Ontario-Hudson River route, and may be considerably less, and moreover that under any plan that includes a division of costs for the northern route between the two countries concerned the amount contributed by the taxpayers of the United States will be still further reduced.

The two routes have other important differences. The number of locks proposed for the St. Lawrence River project is from 7 to 9, depending upon the plan finally adopted, and for the Great Lakes to the Hudson route 18 to 20. The former waterway is crossed by 8 bridges, while the latter is crossed by 54, probably not more than 17 of which could be fixed high level structures. About 25 miles of the St. Lawrence waterway would consist of restricted channels, as compared with approximately 128 miles of such channels on the waterway through the State of New York. The New York waterway has no appreciable advantage in the length of the navigation season. Fog and icebergs will interfere somewhat with navigation via the St. Lawrence route. In general, it may be stated that the St. Lawrence route has a distinct advantage in time for European and Mediterranean ports, while a similar advantage, though applicable to less tonnage, applies to the New York waterway to South American ports, Pacific coast ports, and the Atlantic seaboard south of Boston. The question of the value of a waterway crossing the State of New York as a measure of national defense was fully discussed in the board's report contained in House Document No. 288.

The economic benefits of the Great Lakes-Hudson River canal, as determined by the special board and concurred in by the Board of Engineers, are not commensurate with the cost of constructing this waterway. These benefits are based on a consideration of what is deemed a fair forecast of tonnage and savings which might accrue to the canal within a reasonable time after its completion if construction were to start in the near future. If no alternative route were practicable, the need for an outlet for deep-draft vessels from the Great Lakes to the sea, together with possible changes in centers of production and trade trends and such indirect benefits as development in manufacture and taxable property, might later justify the construction of this waterway across the State of New York. But this is not the only route which would give the desired outlet from the Great Lakes. While each route considered has certain local advantages, a large part of the economic benefits is common to all. On an economic basis no one route can be considered independently. The board is of the opinion that the expenditure of public funds on the St. Lawrence route would bring the greatest economic returns per dollar spent, therefore the Great Lakes to the Hudson route can not be economically justified until the question of the St. Lawrence route has been determined.

Under existing conditions the board concurs with the special board in the opinion that from an economic standpoint a waterway from the Great Lakes to the Hudson River, either for 20, 25, or 28 foot vessels, is not justified at the present time.

The foregoing would probably have been sufficient to deter the average individual from further efforts, but not so in the case of our able and resourceful colleague [Mr. DEMPSEY]. One of his next steps therefore is found in the resolution passed by his committee on July 13, 1929, requesting a further review of the adverse reports, bringing in a new proposal, namely, the cost and advisability of deepening the Erie and Oswego

Channels to 14 feet and with which a series of questions almost as long as the moral law were propounded.

Again the report was unfavorable. It was made under date of November 1, 1929, and the following is the syllabus heading the report:

Conclusions are reached that the proposed improvements of the Erie and Oswego Canals are not advisable at the present time; that traffic conditions will soon undergo a radical change by reason of the opening of the new Welland Canal and of the completion of the Hudson River 27-foot project to Albany; that the existing canal fleet can take advantage of an increased depth only to a very limited degree; and that under prospective conditions ample facilities will be available for handling a tonnage at least double that of 1928.

The conclusion and recommendation appearing at the end of the report signed by three able Army engineers, reads:

Having in view all of the circumstances and conditions set forth above, the board finds that the large expenditures required for the proposed extensive improvements of the Erie and Oswego Canals are not now advisable. It is therefore recommended that the deepening of these canals to 14 feet and the general reconstruction of the bridges crossing the navigable channels be not undertaken at the present time.

The expense estimated to be involved in the proposed improvements ranged from $50,137,180 up to many times that amount.

Again the irrepressible Mr. DEMPSEY was not satisfied, so he made another speech which appears on page 1015 of the CONGRESSIONAL RECORD for December 20, 1929. He then changed to a 13-foot depth, coupled with an increase in bridge clearance to 15½ feet. So the Army engineers went to work again.

The next report was finished on February 6, 1930. It showed an estimate of $26,906,210 for deepening the canal to 13 feet, involving increased annual charges amounting to $1,351,248, and an estimate of $281,000 for raising the height of the bridges with increased annual expenses amounting to $11,240. The inference in the whole report was very adverse also to this suggestion, taking into consideration the probable traffic that would be moved thereon. The engineers could not even recommend the deepening of the canal 1 foot.

What could now be done? General Deakyne refused to modify the adverse report when he appeared before the committee on March 24. Other arguments were needed. Recent press reports, if correct, tell us what occurred. Our colleague from Illinois [Mr. HULL] had also encountered some difficulties in securing approval of the Illinois waterway, so having the interests of their constituents in mind it was but natural for Mr. DEMPSEY and Mr. HULL to join forces. A tremendously interesting private conference was apparently arranged by these two with the Board of Engineers on Rivers and Harbors and held on March 27, just a few weeks ago.

Naturally, I do not know what transpired there. Newspaper correspondents of the Buffalo Evening News and the Detroit Daily News claimed to know, as disclosed by their reports to their respective papers. Let me read you extracts from the one which appeared in the Detroit News immediately following this meeting:

Authorization of the so-called Illinois waterway will be included in the impending rivers and harbors bill, whether the War Department likes it or not, the board was informed by representatives of the coalition backing this scheme for continuing the diversion. * * *

These manifestos were issued at a quasi-private hearing on the proposal for the Federal acquisition of the Erie Barge Canal, which forms the other leg of the congressional "deal." The Congressmen in attendance were S. WALLACE DEMPSEY, of New York, chairman of the Rivers and Harbors Committee, and WILLIAM E. HULL, of Illinois, chief promoter of the deal with the Mississippi Valley States. * * *

The observations of the two Congressmen constituted a frank warning that the coalition intends to go ahead with the deal in defiance of the custom which hitherto has limited the rivers and harbors bill to those projects which have been approved by the War Department.

Chairman DEMPSEY until now has delayed action on the present bill in committee in the apparently vain hope that the engineers might be prevailed on to approve the Erie project. The ultimate purpose of this project, which calls for deepening and widening the canal at Federal expense, is opposition to the St. Lawrence waterway.

The purpose of the Illinois waterway proposal is to overturn the recent decision of the Supreme Court requiring the Chicago Sanitary District to effect a drastic reduction in the diversion of lake water through the Chicago Drainage Canal. * * *

"We are going to have the Illinois River project in the next bill," Representative HULL told the engineer board. * * * "You ought to see the importance of this from a political standpoint," Mr. HULL added. "We don't want to force your hand, gentlemen, but you must realize the Illinois River improvement is going in the bill, regardless of what you think about it. This talk of Canada being ready to build the St. Lawrence is nothing but camouflage. * * * Now, I am coming to you boys—I mean engineers—to ask if you can't in some way or other put this barge canal improvement (the Erie project) in the bill without stultifying your positions.

"You do not have to make a favorable report on it; you do not have to recommend the immediate appropriation of any money for it. But can't you send it back to us in some shape or other so that we can include it in the bill?

"I am not talking to you as a lawyer, but by golly, I know business even if I don't know law. * * * I ask you as friends of the Committee on Rivers and Harbors, and of Mr. DEMPSEY, to frame this report so the committee can act on it. The committee wants Mr. DEMPSEY to be represented in the bill."

Equally frank in revealing the voting deal lining up behind the bill Representative DEMPSEY reminded the board that the Mississippi Valley Association, comprising the States which think to gain by diversion of lake waters into the Mississippi navigation channel, favors the Erie Barge Canal project.

"I took my political life in my hands," said Mr. DEMPSEY, "when I fought for the improvement of the Illinois River. The Great Lakes States group was against me, but because I believed in its importance I threw aside fear and went to battle for it. But what good will this connection of the Illinois and Gulf with the Lakes be if there is no way to the sea through New York State?"

I leave it to you who are well acquainted with our colleagues, HULL and DEMPSEY, whether the reporter wrote a story which bears the earmarks of truth.

That their arguments were effective is shown by the fact that on April 2, 1930, the board of engineers seemed to reverse its decision and in spite of all former adverse reports recommended—

* * * That the Secretary of War be authorized and empowered to accept from the State of New York the state-owned waterways known as the Erie Canal and the Oswego Canal, and thereafter maintain and operate them as navigable waterways of the United States at an estimated annual cost of $2,500,000, provided that such transfer shall be made without cost to the United States and shall include all lands, easements, and completed or uncompleted structures and appurtenances of the said waterways, together with any plant, machinery, or equipment necessary, convenient, or incident to the construction, maintenance, or operation of the same that may have been procured in connection therewith, and any rights to the collection of tolls or the development of water power on said waterways which the State may possess or claim.

We might well ask whether this is the type of hearing that is to be used in the future with reference to proposed improvements. If so, can the rest of us Members of Congress hope to be as successful as Messrs. DEMPSEY and HULL?

The Chief of Engineers on April 4, 1930, also concurred in this report and transmitted it to the House committee where it was immediately voted into the bill several days before the various reports were printed.

I ask in all sincerity whether the star chamber session down at the War Department is the kind of a proceeding which this House ought to approve? Should not all interested parties have the same opportunity to be heard before the War Department reverses conclusions reached after years of research and work? Is such procedure fair to the Army engineers? And what effect will it have upon their public influence and standing?

But what, in fact, was the report? It was still adverse as to deepening the canal to 13 feet at an estimated cost of $26,000,000. It did speak rather kindly of a proposal eventually to provide a 14-foot channel at a cost of about $50,000,000.

Upon this information, according to a report in the United States Daily, the committee voted favorably for an item not only authorizing the Secretary of War to accept the canals from New York State and operate them at an estimated annual cost of $2,500,000, but also for an authorization to deepen the canal to 13 feet at a cost of approximately $26,000,000, a suggestion not supported by any Army engineer, and one that a year or so ago, when first proposed by Mr. DEMPSEY, was opposed by Governor Roosevelt and by Colonel Greene, superintendent of public works of New York.

Well, the committee later reconsidered such action and left that authorization out of the bill. But is that an improvement? Far from it, as I see it. That authorization at least let Congress and the country know what was contemplated. Now we are left in the dark. That at least operated as a maximum expenditure and would limit appropriations. Now virtually the sky is the limit as to what we may expect in the future.

In other words, by the present item the Government is to obtain the canal, maintain and operate it. It is generally conceded that improvements are to be made at an early date. Will Mr. DEMPSEY then request $26,000,000 for a 13-foot channel, $50,-

000,000 for a 14-foot channel, or $506,000,000 for a 25-foot step-ladder waterway to the sea?

Let, therefore, no one be misled by assuming that what we are voting on is simply to take over the Erie and Oswego Canals at an annual cost of $2,500,000. If we accept this white elephant, regardless of whether or not it will operate as a death blow to the St. Lawrence project, let us fully understand that it will in all probability result in the expenditure of hundreds of millions hereafter. It is not simply paying for a dead horse, for one that is entirely dead need only to be buried, but these canals will need constant care and attention and will have most voracious appetites.

Surely the far-reaching possibilities involved are far too important to dispose of in a few minutes on the theory that it is an innocent and inconsequential item in a general bill. Let us strike it out of the pending bill, and if the committee desires, it can report it back in a separate measure, when we can consider it thoroughly on its merits.

If the final contest becomes, what I think it will become, an issue between a deep-sea waterway across the State of New York and the proposed Great Lakes-St. Lawrence waterway proposal, let us attempt to decide it fairly upon the relative merits of the two and free from local or provincial considerations, having in mind only the best interests of our great Nation as an economic whole.

In that event I hope Congress and the country will give due consideration to the following contentions made by those of us who favor the Great Lake-St. Lawrence project.

First. It is the natural way out to the sea.

Second. It is the way beset with the least navigation hindrances or restrictions. The St. Lawrence route will have only 33 miles of restricted channel, while the Oswego-Hudson route will have 179 miles. The former will have not more than 7 locks, the latter 29 locks. The height from Lake Ontario to the summit by the low-level Mohawk route is 133.6 feet; by Oneida is 170.6 feet. Doubling this for ups and downs requiring 29 locks justifies us in calling either of the routes across New York the step-ladder route. There are 306 railroad and highway bridges across the New York State canals. Of these 82 are on the Oswego-Oneida-Mohawk line between Lake Ontario and Waterford. Of these 14 are railroad bridges. These difficulties are insurmountable for the development of deep-water navigation.

Third. It is the way that is economically feasible. From Oswego the distance is 3,434 miles to Liverpool via the St. Lawrence ship canal but 4,045 or 611 miles farther via the barge canal and New York. To Copenhagen, a typical example of Baltic ports, the distance is 4,120 by the former and 4,766 by the latter, or an advantage of 646 miles in favor of the St. Lawrence. To Bishops Rock, typical of western and northwestern Europe, the respective distances are 3,508 and 3,833, or 325 miles in favor of the St. Lawrence. To Gibraltar, typical of southern Europe and Mediterranean ports, they are, respectively, 3,898 and 4,052, an advantage of 154 miles in favor of the St. Lawrence route.

Fourth. It is the way that is most feasible from an engineering standpoint. This is abundantly proved by the many surveys and investigations which have been conducted by American and Canadian engineers.

Fifth. It will cost the American taxpayers the least to construct. Roughly, the difference is as 1 to 5 ($100,000,000 as against $500,000,000).

Sixth. It is assured of an abundant supply of water.

Seventh. It will best serve not only the grain-producing section of the country but also our general foreign and domestic trade.

Eighth. It will not isolate New England by removing her from the sea lane of commerce.

Ninth. For foreign territory to which the distance by way of the St. Lawrence is not the least, the Mississippi River offers the shortest route.

Tenth. It will furnish 1,464,000 continuous, 24-hour horsepower of hydroelectric energy at low water at the international section which may be utilized to the great advantage of the people of both Canada and the United States.

Eleventh. It will tend to put 40,000,000 land-locked people on freight-cost equality with the balance of the people of the United States and give them the shortest and most practical route to their export market.

REIMBURSEMENT TO IMMIGRATION OFFICERS

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill (H. R. 9803) to amend the fourth proviso to section 24 of the immigration act of 1917, as amended, in order to comply with the Ramseyer rule.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, what is this bill?

Mr. JENKINS. The bill (H. R. 9803) authorizes the Secretary of Labor to reimburse immigration officers for transfer expenses of dependents and household effects.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

THE RIVER AND HARBOR BILL AND THE ALL-AMERICAN CANAL

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FREAR. Mr. Speaker, in past years I took an active part in exposing the character of several indefensible river and harbor bills, often with success. In late years I have been content to let others assume that responsibility, but because of the indefensible character of the $110,000,000 bill that comes before us to-morrow, limited to two hours' debate, controlled by the committee, I offer a few observations that seem pertinent both as to the method of passing these great omnibus-pork barrels and as to the bill about to be railroaded through the House. Its 156 projects and 345 surveys assures its passage without consideration. Its wasteful character could be easily demonstrated if we were permitted to discuss it like other legislation. I offer reasons why it should not be passed. These could be amplified by many arguments, based on official reports, but this is now presented to call attention to a remarkable situation that has occurred and to persuade others, if possible, to aid in preventing a grossly unjust project from being fastened onto the Federal Treasury.

Mr. Speaker, at a small gathering in the Capitol Building to-day I first learned that the river and harbor bill is to be brought up to-morrow, Friday, under suspension of rules with one hour's debate only on a side and would then be rushed through without any opportunity for discussion or amendment. One hour is to suffice for the Republicans on the committee and the same time for the Democrats; and the remaining 400 Members, unless recognized, will remain mute.

A meeting of several interested was held to ascertain sentiment in the House in reference to a project contained in the bill known as the Erie Canal or Barge Canal of New York State, a project which has been actively urged for years by the distinguished chairman of the Rivers and Harbors Committee as an all-American canal substitute for the St. Lawrence waterway, but in the present bill it appears as an innocent desire of New York State to have the United States Government only hold the bag for a useless $147,000,000 venture made by that State.

Without any other means of expression and irrespective of that purpose, I am taking this occasion to protest in the RECORD against such action in placing a bill on the suspension calendar with two hours' discussion not subject to amendment; that authorizes over 500 propositions in a bill carrying over $100,000,000 and contains many worthless projects foremost among which is the old Erie or Barge Canal. Its championship by the committee chairman leaves little hope of its exclusion from the bill, and it is with regret I take this means of presenting a situation that I am not permitted to discuss before the House.

The insertion of the canal item ought to defeat the bill, but that result seems hopeless, because it contains over 150 projects, for which authorizations occur running from a few hundred dollars to many millions per item, and in addition the bill includes nearly 350 surveys, all of which are expected to bring votes for the bill. Five hundred projects and surveys ought to cover every nook of the 48 States, as is usually the practice, so as to insure enough votes against its defeat, although not one-half of these separate projects would be passed by the House if subject to a separate vote. Only by an omnibus bill or pork-barrel method can they be placed on the Government pay roll.

No pork barrel in all recent history has been of equal significance to this one, and to remain silent is to countenance a gross injustice resulting from many wasteful projects and an enormous waste of Federal funds, without opportunity in the House to disclose their character.

Some years ago when the ranking Republican member of the Rivers and Harbors Committee, with assurances of its chairmanship, if desired, at the next session, I voluntarily asked for an appointment on another committee, because I could not act in harmony with some of the practices and projects connected with the bill, and so I speak with a few years' experience and after a fairly thorough study of our pork-barrel waterway methods of legislation, that is expected to secure voters with every project placed in the bill.

The greatest vice in the present bill lies in the amount as well as in the practice which permits a project involving probably hundreds of millions of dollars in future costs to be settled onto the Treasury of the United States by those who have been urging that single project for years without any right now given for its consideration in the House.

Many of the one hundred and fifty-odd projects in the bill may equally be condemned, but I call attention to the fact that the one most interested in that project is the chairman to whom the hour's control of time is given under the bill. Unless the bill is defeated, we permit ourselves to be gagged and the country subjected to an indefensible, vicious extravagant bill in the face of President Hoover's reminder yesterday that the Treasury is facing a deficit of from twenty to thirty million dollars. When this bill is passed authorizing from $100,000,000 to $1,000,000,000, or possibly more, on these 150 projects within the next two decades, Members of Congress may insist upon the right to legislate in such important measures as every other legislative body in the world transacts business. Now we legislate by committees and by a committee of which oftentimes every committee member is interested in some particular project in the bill. Never before has reason for open consideration been more necessary than with the present bill.

The Erie Canal in New York State appears on page 5 of the bill, and the paragraph on that project simply provides for the United States to take over the worse than bankrupt project with an annual maintenance charge on the Treasury hereafter of $2,500,000. That looks innocent in character, but it should be understood that practically every session of Congress has been asked to take over some worthless, abandoned canal of little or no value to commerce with an increased rapidly growing liability from an economic standpoint.

In 1903 the old Erie Canal was changed by New York State to a barge canal with a 12-foot depth, and the vote submitted to the people at that time disclosed that in the noncanal counties of New York 10 votes against taking over the canal project were recorded for every vote in its favor, but the New York State country districts were overwhelmed by votes of the two great terminal sites—the cities of New York and Buffalo—the latter city represented by the distinguished chairman of the Rivers and Harbors Committee now controlling the bill, and a city deeply interested in its ownership and support by the Federal Government.

House Document No. 29, Seventy-first Congress, dated April 4, 1930, just received, discloses that the Army engineers, after many years' protest, have finally been persuaded or dragooned into taking over this canal, and they report in partial excuse a tonnage of 2,513,000 tons for 1929, page 25. Much of this traffic is local for short distances and of little value, although great oil companies have found it advantageous to use the canal at times, because stone, sand, and gravel, with oil, furnishes nearly one-third of the canal's insignificant commerce after nearly $150,000,000 of expenditures.

Many objectionable features to the 12-foot canal have been disclosed by boats returning empty, which evidences the small value of a canal that is closed several months in the year by cold weather and by floods at other times, as shown by the Army engineers' report. New York's $150,000,000 investment does not produce as much actual commerce as in the old Erie Canal days.

This project carried some $26,000,000 and more in the present bill, but was stricken out, according to the press on demand of the President because of the condition of the Federal Treasury. That extra money was to deepen the canal to 13 feet, and as deepening proposals have ranged up to 24 feet for any kind of a ship canal instead of a barge canal, which is the proposal of the New York canal lobby, it is reasonably certain to cost the Government from $500,000,000 to a billion dollars within a score of years depending upon future depths and cost of removal of bridges and other lines of communication that cross the canal. Once adopted it will have many enthusiastic champions from the Empire State, and it will be in every bill hereafter for more depths.

Apart from the original cost of the canal to New York State, the Federal Government could well afford to carry all the oil barges now using it free not only for the great oil companies between Buffalo and New York, but also all other commerce either by rail or water, thereby saving money rather than to take over this indefensible proposal which follows the extravagant Albemarle Canal, the $13,000,000 Cape Cod Canal, the $12,500,000 Chesapeake and Delaware Canal, and a score of other canals that have found their way into the Government Treasury which now maintains them with constantly added Government charges through increased depths and claimed shipping facilities.

The Erie Canal or Barge Canal was built against the wishes of the State of New York excepting for those at the terminals who expected its adoption would increase business in Buffalo and New York City. It is now of little use excepting for an occasional canal boat and yet it has been regularly urged as a substitute for the St. Lawrence canal in diminishing waterway traffic from the Great Lakes to European ports. Once in the list of Government projects it will again be pressed as the only available "all-American" waterway.

It is a financial waste at the present time and will become a monumental disgrace if this Congress or any other Congress should adopt it, but the most serious situation at this time lies in the fact that those who have been urging the canal most strongly upon the Government now control the discussion and a large number of votes by means of the 150 projects contained in the bill together with over 300 surveys.

Standing by itself, any proposal to load the Erie Canal on to the Government would not get 50 votes, and yet by preventing discussion to show its vice and through the pork barrel policy adopted in our omnibus bills, of which the river and harbor bill is an outstanding example, little chance will be had in the House to expose the bill.

Attention is also called to the fact that it has been impossible to secure a report on the canal until the present time. That report just issued has not been available before, and it is significant that with some of the projects, no report is obtainable and Congress votes blindly without any knowledge of the character of projects which are not described in the bill but referred to by document number.

A dozen questionable items could be cited from a brief glance over the bill, but by way of illustration the adoption of the Illinois and Mississippi canal appears, although it is impossible to secure the Senate report with other reports that relate to this and other projects all of which are being pushed through in the pending omnibus bill.

I call attention for illustration to the Missouri River between Kansas City, Mo., and Sioux City, Iowa, page 24, authorizing $15,000,000 for a project that is as worthless and indefensible as anything that can be found in all the old pork barrels and they certainly were filled with many worthless and wasteful projects.

Briefly this small branch of the upper river was first improved in 1868, and there has been appropriated on it to date $5,320,482 with practically no results (p. 1166, vol. 1). It is suggested in the reports that additional appropriations of $9,910,000 be made, although on page 24 the amount appears at $15,000,000. No reason is given for not placing the amount at $50,000,000 so far as any possible commercial value appears.

What does the Government get for this enormous expenditure of money? "Commerce" has been stationary for many years, supposedly around the figure of 100,000 tons, and the report of 1928 (vol. 1, p. 1166), gives the Army Engineer's estimate at 169,654 tons of commerce. He so reports.

Unless the Army Engineers made some favorable report they would likely be removed because of the pressure from the locality, but to show how far good conscience can be stretched even by Army engineers, let me quote the character of this commerce last year on page 616, volume 2, Army Engineers' Report.

	Tons
Total "commerce" reported	169,654
Items of "commerce" in 1928 (vol. 2, p. 616):	
Piling for river work	2,916
Trees for river work	6,910
Sand barged by owners	140,786
Stone for river work	15,391
Coal for river work	2,360
Concrete for river work	160
Machinery for river work	200
	168,723
Total reported, page 616	169,002
Actual commerce	277

From the foregoing it would appear that 277 tons of actual commerce is reported on the river, of which, however, 75 tons were logs, never weighed but purely guesswork, and that needed no river work, all consisted of floating logs. Can any evidence of the general character of many of these worthless projects be more convincing than this illustration—taken at haphazard of a project in the bill after an expenditure of several millions of dollars on this section of the river?

If there is any more indefensible method of distorting figures to deceive Members of Congress as to actual facts concerning some of these waterways, I submit it has not yet been produced. Distortion of one kind or the other is had either by dividing up the river into districts or by carrying sand, gravel, and other so-called freight across the river or a distance of several miles,

but with an imposing array of figures to justify these enormous expenditures by Army engineers, often without any commercial result.

Such examples are often to be found in the Army engineer's reports. Further than that, let me say that when on the committee I disclosed engineers' reports that offered ferriage items as freight carried on the river requiring additional improvements and in order to enlarge upon values, items were made up of automobiles ferried across the river, and similar methods used to influence Congress.

We have to rely upon statements furnished by the engineers, who compose one of the most reputable branches of the Government service. Nothing but tremendous and constant political pressure on them would cause this practice of distorting commercial values.

Many items in the bill before us should be stricken from it, but that, I fear, will be impossible under the procedure of the House. If the country can only be made to understand the effect of a gag practice that permits these enormous projects, carrying over $100,000,000, to be pushed through without any possibility of discussing 156 items, many of which are of little value, there would be a calling to account to those who support the bill because of some local project that might otherwise be defeated.

It is not my province to discuss the action of other Members, and I have the highest respect for all Members of the House, individually and collectively, but when one Member most interested has the time within his power to shut off information in reference to a project so unwarranted as the New York barge canal, it is no time to remain silent.

Personally I should be glad to discuss the project even with the short time afforded by examination of a report heretofore in opposition, but the chairman of the committee, with 21 members of that committee, is entitled to the floor before other Members can be heard, so the hopelessness of a bill railroaded through in this fashion must be apparent to every Member.

It is common custom to hold up these bills until near the close of the session and then force them through without discussion. I believe the chairman of the committee, a long-time personal friend, is only following past custom in the procedure adopted, but the country that pays the taxes would be surprised to learn the little value received in actual returns for $110,000,000 that goes with this bill's authorizations. That is the camel's nose under the tent. The sky is the limit for future authorizations of increased depths and other expenditures.

The only way to protect the Treasury against these wasteful items is to defeat the bill. I am not offering these hurried observations the day before the bill's consideration with that hope. Its many projects and surveys will probably prevent such praiseworthy action, but I am seeking to present reasons why it should be done and a distant hope that at the other end of the Capitol, where debate is permitted with amendments, the project may be eliminated or the bill's passage prevented.

Mr. Speaker, after dictating the foregoing remarks I found a letter addressed to me containing the following: It is only a confirming expression by other parties of my own belief, but I am particularly interested in the Wall Street Journal note which says New York State could afford to pay $50,000,000 in gold to have the Federal Government, if foolish enough to accept.

Based on past experience, let me say the United States Government is not only foolish enough to accept the gift (?) but has placed in charge of the gift or sale a chairman of the committee that represents the district in which a canal terminal is located. No debate, no amendment, will be permitted on the entire bill of 156 projects. The House binds itself to this course by permitting the bill to be crammed through in a few minutes idle talk. Any State government and any business interest, however great, would be bankrupted in 24 hours by the unbusinesslike methods "Uncle Sam" pursues with its river and harbor bills, of which the one briefly discussed is among the most indispensible.

The news editorial follows:

[Editorial, Cleveland Plain Dealer, April 20, 1930]

WHITE ELEPHANT FOR SALE

New York's proposal, backed by the Rivers and Harbors Committee of the House, to dispose of the Erie Canal to the Federal Government will, in our opinion, bear careful scrutiny.

The Empire State has put some $200,000,000 into this waterway, and the chief return has been a series of annual deficits. Built to carry a great commerce, it has disappointed its backers and brought grief to taxpayers.

Every ton of freight on the canal is carried at a loss. It would be cheaper for New York to send by rail all the commerce now accommodated by this water route, the State paying the bill, than to continue to maintain and operate this waterway.

Not surprising, then, that New York is anxious to persuade the Federal Government to assume proprietorship of this white elephant which has such an appetite for tax money and such a disinclination to work for its living.

Ohio has three Members on the Rivers and Harbors Committee which has indorsed the proposal to take the canal. Two of them—Messrs. MOONEY and BOLTON, of Cleveland—voted for the federalization of the canal; Mr. CHALMERS, of Toledo, opposed it. The only other Member of the committee to oppose was Mr. HUDSON, of Michigan.

The bill containing the canal proposal is scheduled to come before the House this week. A fight is brewing to defeat this particular provision. Regardless of what their first impressions may have been, it behooves the Members of the Ohio delegation—all of them friends of the St. Lawrence waterway—to weigh carefully the considerations that seem to lie back of this effort of New York to unload its elephant.

It is a fact, and may be significant, that the men now most loudly boosting the federalization of the Erie Canal have long been opposed to the St. Lawrence. Conspicuous among them is Chairman DEMPSEY of the House committee, which recommends that the National Government shall relieve his State of these recurring deficits.

The Erie Canal, as every reader recalls, is the route which enemies of the St. Lawrence have for years been urging for the miscalled all-American way to the sea. Now, a barge channel with a 9-foot depth, their demand has been for the Federal Government to take it and develop it into a 25 or 30 foot waterway connecting the Great Lakes with the crowded harbor of New York.

Mr. DEMPSEY, who lives at Lockport, the lake end of the main stem of the Erie, has at the moment dropped his advocacy of the "all-American" and is boosting the provision of his committee's bill. This is, in brief, for the National Government to take the old canal, whose chief activity is making deficits, and deepen it to 12 feet. War Department engineers foresee a considerable commerce if this additional depth is provided.

Friends of the St. Lawrence who voted to recommend the canal provision see no connection between the two enterprises. We are not so sure. There are suspicious circumstances. If the Federal Government is once committed to the improvement of its own waterway from the Lakes to the Atlantic, even though the depth now contemplated is only 12 feet, it will become more difficult to procure assent to the only logical, feasible deep-water route, which is the St. Lawrence. We suggest to the Ohio delegation, including the two Clevelanders who supported the canal proper in committee, that the facts be considered with great care when the issue reaches the floor.

The rivers and harbors bill contains some excellent provisions, including that for deepening the lake channels, but the country can not afford at this late date to permit the St. Lawrence project to be stabbed in the back. This would be too high a price to pay for whatever favors this bill may contain.

The Wall Street Journal says:

It is proposed that Uncle Sam take over the New York State canals. New York could well afford to pass them over, plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

COMMISSION TO STUDY VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to call up the joint resolution (H. J. Res. 222) providing for a survey of all existing legislation with reference to veterans and providing for the appointment of a special joint committee to be appointed by the Speaker and the Vice President to make such survey.

Mr. RANKIN. Mr. Speaker, reserving the right to object, how much time will this take?

Mr. JOHNSON of South Dakota. I do not think it will take any time. I think we are all in favor of it so far as I know.

Mr. SNELL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. SNELL. So far as I know, everyone is in favor of the sentiment or the general provisions of the resolution; but, personally, I do not know whether the resolution is in the exact form we want it or not. Does the gentleman know about that?

Mr. JOHNSON of South Dakota. We thought it was.

Mr. RANKIN. Would the gentleman mind withholding his request until we finish the pending bill?

Mr. SNELL. I think we should wait until we know exactly what is in the resolution.

Mr. RANKIN. I am not opposed to the resolution, I will say to the gentleman from New York, but under the circumstances I think we should wait until we have finished the pending bill.

Mr. JOHNSON of South Dakota. Then, Mr. Speaker, I will withhold the request until we have finished the special orders for to-day.

IMMIGRATION

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from New York [Mr. DICKSTEIN] for 20 minutes.

Mr. DICKSTEIN. Mr. Speaker, ladies and gentlemen of the House, I am sorry to have to take up this time in view of the fact I know everybody wants to proceed with the pending legislation. I am not going to ask for any further time in this discussion, although I had expected to apply for more time. I will content myself with the time allowed.

I am rising at this time to resume my remarks made in this House April 14 last when I have taken the floor to ask support of this House for the bill introduced by me, H. R. 5646, which was favorably reported by the Committee on Immigration, and the purport of which is to admit into this country fathers and mothers of American citizens over 55 years of age without any quota limitation.

Nothing has been heard with respect to whether a rule will be obtained for the consideration of my bill or not. I noticed a few days ago a bill introduced by the gentleman from Ohio [Mr. CABLE] was reported and passed when we were considering the Consent Calendar. When objection was about to be made, I understand that the gentleman from Ohio [Mr. CABLE] and others in authority stated that if it was objected to a rule would be granted. It seems to me, Mr. Speaker, ladies and gentlemen of the House, that a rule is more important, more essential for the consideration of this legislation that I speak of to-day than the legislation that you passed a few days ago.

I have pointed out to the House how fair my bill is. I have shown that the number of those involved is small but that their need is great. Here are American citizens who are desirous of rejoining their parents, American citizens who perhaps for a long time have been waiting for the opportunity of having those near and dear to them with them but, unfortunately, the limitations of the quota law does not permit them to come into this country even though they are entitled to a preference in coming to the United States.

The preference given to these aged fathers and mothers in at least a good many instances means nothing, because the quotas of their nationality have been seriously curtailed. It may be all right, perhaps, for those whose parents are born in Great Britain to get them admitted into this country, because the quotas of that nationality have not been exhausted; but if their fathers and mothers happen to be born in Syria or Czechoslovakia, and many other countries of southern and eastern Europe, there will be serious difficulty in bringing them into this country.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. O'CONNELL of New York. As a matter of fact, was not the quota of Great Britain increased recently to almost double what it was before?

Mr. DICKSTEIN. Yes; under the national-origins scheme Great Britain's quota was much larger than under the 1924 act.

I desire to address myself for a moment to the remarks made by a member of my committee who expressed himself in opposition to this proposed bill, Mr. GREEN, of Florida.

Some of you may think it is not right for me to speak of something that another Member has said on this floor. Some may think it is not ethical or professional, but the particular gentleman I speak of, after I made my speech on the 14th of this month, got time from the House and told us that he is opposed to the bill, but has not given one single proposition against it.

Mr. GREEN is worried over the fact that there are 14,000,000 persons of foreign birth in the United States, and of these probably one-half are not American citizens. What has this to do with the proposal before the House? I am not seeking to admit any more aliens. What I want to do is to permit an American citizen, if his father or mother happens to be abroad, to bring in such parent. Now, Mr. GREEN himself says that he regrets to see the families separated, but he does not do a solitary thing to alleviate that condition and apparently is not offering any help to solve this human problem.

Mr. GREEN says this is no time to let down our immigration bars. But who has urged such a thing? Neither the American people nor the members of the majority party, nor the party which I represent, has expressed itself in favor of unlimited or unrestricted immigration. We all wish to see immigration continued on a basis of restriction, bearing in mind the human side of the case, but this new bill is not letting down our immigration bars.

Mr. GREEN also says that unemployment in this country makes it necessary for us to restrict immigration into the United States. That is true; but by this bill we are not letting in anyone who may compete with our labor or cause any increase in our unemployment. Quite the contrary, we are preventing American money from leaving these shores in aid of the parents of our American citizens. We are preventing American citizens from sending immense sums of money to Europe every year, and will permit this money to be employed in this country gainfully and so as to afford work to our people.

The gentleman from Florida [Mr. GREEN] says that there are 7,000,000 people unnaturalized. Let me tell you something, ladies and gentlemen of this House, only a few days ago this committee voted out the bill, H. R. 10669, which Mr. GREEN, I have no doubt, and Mr. JENKINS voted for, which provides that before a man or a woman may become a citizen of the United States they must know the history of the United States of America, must be able to read and write the English language, and must understand the history of the United States. I have here copies of the textbooks issued by the Department of Labor. I venture to say that on this floor now, if Mr. GREEN was here, and a few more, perhaps, they could not pass this test.

I have three books before me—here is No. 1, given out as a textbook on citizenship, issued by the Department of Labor in 1924. That is for children up to 14 years of age. Here is another textbook for persons between the ages of 22 and 30. That was published by the Department of Labor in 1924.

Here is one for adults, and I venture to say that if this bill was ever passed by this House the questions in it could not be answered by many Americans, and they want you before you become a citizen of the United States to know the history of the United States.

This is the class of legislation that brings about discontent in this country.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. O'CONNOR of New York. Yesterday the House voted to sustain the President's veto of the bill to issue 50-cent pieces in commemoration of the Gadsden purchase. From my own observation I venture to say that there are not a dozen Members on the floor of the House who can recall what occurred at that purchase.

Mr. DICKSTEIN. Yes; and you would have these people know that before they could pass the test for citizenship.

Mr. HOOPER. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. HOOPER. Will the gentleman insert some of these examples from these textbooks that he has referred to in his remarks?

Mr. DICKSTEIN. It would be impossible to put the books in, but I will insert some of it. I have marked off a number of questions.

Mr. HOOPER. I thought the gentleman might give us some examples.

Mr. DICKSTEIN. I will be glad to insert some of it. I do this to bring out the point that in one breath they say that we can not allow these people to come in because we have 7,000,000 aliens, and in another breath they attempt to make a man know the American history before he can take the oath of citizenship.

Under the Federal Textbook on Citizenship Training, part 3, headed "Our Nation," issued by the United States Department of Labor, by Secretary James J. Davis, Bureau of Naturalization, issued in 1926, there are a number of lessons, commencing with No. 1 and through to 68. I will incorporate lesson 34, which is one of the easy ones, which reads as follows:

LESSON 34

In establishing the new Government Washington had many difficult problems to face. There was no money in the Treasury and the country was in debt about $75,000,000. Such departments as were necessary to carry on the work of the Government at that time had to be organized. Our affairs with foreign countries had to be settled.

The work of carrying out the laws was given to four Secretaries. Washington's first Cabinet was made up of Thomas Jefferson, Secretary of State; Alexander Hamilton, Secretary of the Treasury; Gen. Henry Knox, Secretary of War; Edmund Randolph, Attorney General.

As Secretary of the Treasury Alexander Hamilton had a very difficult piece of work to do. It was necessary to get money with which to pay the expenses of the Government. Congress could have raised the money needed by levying taxes on property, but the people did not like to pay direct taxes. Besides, it was difficult for Congress to decide how much direct tax each State should pay according to population, and direct taxes could be levied only according to population. Therefore the tariff, or indirect tax on goods imported from foreign countries, was used to bring in the necessary money.

Alexander Hamilton made a complete study of the conditions in the United States and sent four reports to Congress telling what he thought should be done to build up a strong Government. To carry on the Revolutionary War it had been necessary for the United States to borrow great sums of money from individuals and from France and Hol-

land. Bonds had been sold by the States also to private individuals to pay the expenses of the war. Because we had no money with which to pay these debts, our country had very little credit. Foreign countries and even individuals in the United States did not have much confidence in the National Government. Hamilton wanted people to take a greater interest in the National Government than in the State governments. He suggested to Congress that the National Government take over the debts to foreign countries and individuals, and also the States' debts. He wanted the Government to issue new bonds which would be paid in the future. A great many people, especially the farmers in the South, were not in favor of this plan because they would have to pay taxes which would be given to speculators who had bought for only a few cents most of the States' bonds. Congress finally decided to take over all the debts only on condition that the National Capital be moved to Philadelphia for 10 years and then to Washington.

Hamilton's second plan was to increase the tariff on goods imported into this country from foreign countries and to place a tax on whisky. Farmers were very much against the tariff and the excise tax, from which they received no benefit. In the western districts they had been making corn into whisky and selling it in the East. There was no profit in carrying large loads of grain over rough mountain roads. In Pennsylvania the farmers started a revolt and Washington had to call out the troops to establish peace.

In the third report Hamilton recommended that a United States bank be started which could issue money. Up to this time each State had its own paper money and coins, and the value varied greatly in different parts of the country. Business men wanted one kind of money which would have the same value everywhere. Through a national bank also it would be easier for the Government to borrow money in time of great need. The first national bank was established in 1791.

In the last report Hamilton described several different kinds of manufactures and recommended that a tariff be placed on such products when imported, not only for the purpose of paying the expenses of the Government but also to protect the persons who manufactured the same products in this country. Wages were higher in the United States than in Europe because there were not as many laborers, and therefore it cost more to make goods here. Hamilton knew that wages could not be reduced until more workingmen came to America and yet he wanted people to buy American-made goods. The only way to protect the American manufacturer and workingman was to charge a duty on imported goods that would be large enough to make the foreign goods cost as much as the American goods. Congress approved Hamilton's plan of taxing imports. The tariff has done much to encourage manufacturing and make it profitable. There is no doubt that the tariff has helped to make the United States a prosperous country. The business men and workers in the large cities were very much in favor of Hamilton's plan, but the farmers were against it. They said they really were paying the tax when they had to pay so much more for their farming implements, cotton cloth, and other manufactured goods. If there was no tariff, they could sell their corn, wheat, cotton, and tobacco in Europe and get cheap goods in return for them. From that time on there have been two large groups of people in this country, the one strongly in favor of high tariff and the other in favor of free trade.

Just as Washington was getting affairs settled in the United States and it seemed that the new Nation would be prosperous, he found that we were being drawn into European troubles. England and France were at war. England, therefore, seized products which we were carrying to French ports. If any English-born sailors were working on our ships, they were seized also. France thought we should help her because she had helped us in the Revolutionary War. Spain owned New Orleans and was making it difficult for the settlers in the land near the Mississippi to send their goods to market through New Orleans. Washington knew that the new Government was not able to enter into a war with any of these countries. A treaty was made with Spain which satisfied the western settlers. The English refused to honor our ships and seamen and finally a war was fought in 1812 to settle the matter.

Washington's second term was coming to an end. The new Government was working well and under it the country was prosperous. Many people wanted Washington to accept a third term, but he refused, for he wished to retire from public service and lead a quiet life in his home at Mount Vernon. Before leaving office he gave a farewell address to the people in which he told them what they should do to keep the Union they had established. Regarding the duty of citizens he said:

"Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of America, which belongs to you, in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes."

TOPICS FOR DISCUSSION

1. The problems of Washington.
2. The first Cabinet.
3. Comparison of public debt in 1789 and to-day.
4. Why the Nation's Capital was moved.
5. The effect of tariff on a country.

I have no complaint—I believe that a person should be able to read and write the language before he becomes a citizen.

Mr. COLE. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. COLE. The gentleman does not think that a knowledge of the history of the United States is detrimental?

Mr. DICKSTEIN. Oh, no; perhaps he ought to know it.

Mr. COLE. An applicant for citizenship ought to know that Stalin is not President of the United States.

Mr. DICKSTEIN. I agree with the gentleman that they ought to know the history if it was possible, but the gentleman will agree with me—I hope the gentleman is not serious, if a man or a woman is law-abiding, and able to read and write the English language, if they are not criminal, but people of good moral character, they should be admitted, but because they do not know who composed the first Cabinet of the United States they should not be debarred as a citizen. I hope the gentleman is not serious in advocating that because a man or a woman does not know the particular ground where Washington crossed the Delaware he could not become a citizen of the United States.

Mr. COLE. I insist that a man ought to know something of the history of the country of which he aspires to become a citizen.

Mr. DICKSTEIN. I agree with the gentleman that he ought to know something about the civics of the country in some measure, but he should not be compelled to know fluently the history of the United States of America.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. JENKINS. The gentleman will make it clear, will he not, that this examination that he is talking about now is the examination given to an immigrant after he has been here five years, who wants to become a citizen?

Mr. DICKSTEIN. The examination now is to find out whether the man reads and writes the English language and knows something about the Government, both the State and the Federal Government, but he should not have to know the history of the United States. I hope he could know the history of the United States, but as a matter of fact some of our natives do not know it, and why should you expect others to know it who have been here over five years?

Mr. JENKINS. I understand the gentleman is trying to state that this examination is a test for citizenship and not for entry into the country.

Mr. DICKSTEIN. Certainly. I am trying to illustrate to you that on the one hand you say you do not want to let any more people into the country because they do not become naturalized and on the other hand you stick in another bill to prevent the naturalization.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. FISH. Does the gentleman state that he thinks the history test to-day is too difficult for an alien?

Mr. DICKSTEIN. No. I am using it by way of illustration. There is a bill introduced and voted by the gentlemen from the Committee on Immigration making the test for citizenship a knowledge of American history.

Mr. FISH. Let me say to the gentleman that I agree with him and to point out to the gentleman and to the House of Representatives that there are very few Americans in this country who are being taught American history, and that it is not necessary, in order to enter any college in the United States, to know anything about our own Government or about the history of the United States. If we are going to legislate, let us begin by legislating at home and make it compulsory, in order to go into an American college, that the applicant shall know something more than that George Washington cut down a cherry tree.

Mr. REED of New York. I think it is true, however, that in the State of New York the regents require a knowledge of history in order that a pupil may graduate from a high school.

Mr. DICKSTEIN. That is true; but this will apply to immigrants who have been here five years, who have had a hard time to educate themselves in our general civics, and to know the English language and to speak it; but, in addition thereto, they are going to require a knowledge of the history of the United States. I wish I had more time to read to you some of the questions and to see whether some of the Members here could answer them and meet the test, not that I make any reflection

upon the high standing of the membership of the House, but, with other business in mind, you may not be able to answer the question just as you would like to. But, coming down to the bill in question, all I ask is to exempt the father and mother of an American citizen. A son who has been in the United States for a number of years can take care of his old father and old mother. He wants to bring them here, but, under the present law, he can not do it. Let me illustrate to you the situation by calling your attention to those who happen to be British subjects: Great Britain has a quota of 65,721. After allowing all of the preferences granted the fathers and mothers of American citizens, after allowing husbands of American citizens, after allowing farmers who have applied for a preference, after allowing women and children of declarants in the United States, who are not citizens, Great Britain has a total balance to her credit of approximately 62,628. On the other hand, let us take Czechoslovakia and Syria, for an illustration, with only a handful of numbers. It would take from 5 to 100 years or more before you could bring your poor old father or mother into the United States. What harm can there come to this country; what objection can there be to a son sending for his father and mother so that they may have the protection they need? Who dares to say that a son has not the right to support his own mother or father? In addition, why should all of that money for the support of these aged parents be sent abroad? It runs into millions and millions of dollars.

What objection has the Speaker of the House or the gentleman from New York [Mr. SNELL] or anyone else, to voting out a rule for a consideration of this bill, in order that we may enact this humane piece of legislation which was guaranteed by your own party as well as by the party on this side of the aisle? Let me read to you what President Hoover said in his address of acceptance at Palo Alto, Calif., on August 11, 1928. He said:

> We shall amend the immigration law to relieve the unnecessary hardships upon families.

Has he complied with that promise made by him in that acceptance speech? Not up to the present time. Again he repeated that pledge at the convention that was held by the Republican Party, in whose very platform it was stated that you would unite the fathers and mothers of American citizens, and the same pledge was made by the Democratic Party, and neither party has lived up to that pledge up to the present time. I shall discuss the exact platforms of both parties a little later in my talk to this House.

I call attention to these things because in my opinion they are nothing less than inhuman. I have no axe to grind for anybody. I am just a member of the Committee on Immigration, I want to assimilate happiness to American citizens, and to bring happiness to the home fires in the United States of America. What harm can there be, what objection is there to anyone in the United States taking care of the father and mother who is over 55 or 60 or 70 years of age, and why should they not be entitled to come in exempt of the quota? Why should you, Mr. Citizen, have a greater right than I? If you were fortunate enough to be born in Great Britain, and if your father was born there, and you came over here and established yourself and you send for your mother or your father, you can bring them here within a very short time.

If I was born in Poland, in Rumania, in Czechoslovakia, or in some part of Turkey, it would take me from 10 to several hundred years to bring in my mother or father. I have a number of cases of men of foreign birth who served this country in the World War, and in some cases these men paid the extreme penalty.

Mr. GREEN'S argument on the floor of this House following my speech of April 14 has no logic whatever, nor is it coherent with respect to the matter in discussion. It is outside of the case. He did not touch upon the real problem which confronts our American people, and by his speech and suggestion did not aid us in any way in the solution of the problem of uniting father and mother of American citizens. The circumstances described so tragically in Mr. GREEN'S speech showing that we are face to face with unrest, social problems, race problems, crime waves, riots, anti-American propaganda, wage reductions, and other evils has absolutely nothing to do with this important legislation before the House; nor has it to do with anything with regard to our summer resorts in Florida, or skiing in the Florida waters, nor boat racing at Miami Beach.

As I stated before: Both major political parties, in their respective platforms, which were adopted in 1928, pledged themselves to effect just such relief as is provided for in this bill.

The Republican platform which was adopted at Kansas City on June 14, 1928, indorsed the principle of this bill when a portion of the platform stated:

> IMMIGRATION
>
> • • • Where, however, the law works undue hardship by depriving the immigrant of the comfort and society of those bound by close family ties, such modification should be adopted as will afford relief.

The Democratic platform, which was adopted at Houston, Tex., on June 29, 1928, likewise in a portion thereof indorsed the principle of this bill, as follows:

> IMMIGRATION
>
> • • • the provisions contained in those laws that separate husbands from wives and parents from infant children are inhuman and not essential to the purpose or the efficacy of such law.

President Herbert Hoover in his address of acceptance at Palo Alto, Calif., on August 11, 1928, stated in part:

> • • • We shall amend the immigration laws to relieve unnecessary hardships upon families.

The Democratic presidential candidate, Alfred E. Smith, said in his speech of acceptance at Albany, N. Y., on August 22, 1928, in part, as follows:

> • • • I am heartily in favor of removing from the immigration law the harsh provision which separates families.

The all-important problem of labor competition and unemployment is entirely absent, and is not at all effective since the bill applies to only parents of American citizens over the age of 55 who are not coming here to work, but coming to spend the last of the few years they may live with their children, who are able to provide for them comfortably. Both major political parties therefore are pledged by the platforms of 1928 to the abolition of immigration restrictions which cause the needless and cruel division of families, even the separation of fathers and mothers from an American citizen. Furthermore, both Mr. Hoover and Mr. Smith, in accepting nominations to the Presidency, declared themselves in favor of this reform. Mr. Hoover (now President Hoover) even promised categorically that it would be made. Although the fulfillment of campaign promises in general is notoriously neglected, such neglect in this instance would be disgraceful not only to politicians and statesmen, but to the Nation.

The gentleman [Mr. JENKINS] who wrote the minority report is going to tell us that we should put them within the quota. That is no solution or answer to this question. These people have been in the quota as preferred prospective aliens, and as a result of this preference there is an accumulation over a period of seven years or more of about 12,000. From some countries they may come in within the next few years, if they do not die in the meantime. From some other countries they may never come. To best illustrate this for the benefit of Mr. JENKINS and his coauthors, let me show you, Mr. Speaker, ladies and gentlemen of the House: Great Britain and Northern Ireland's total quota is 65,721. The total amount of preferences established up to to-day, which consists of fathers and mothers totaling 78, farmers and their wives, 190, and women and children of persons from Great Britain legally admitted to the United States, 2,725, making a total of 2,993, against Great Britain's quota of 65,721, leaving 62,628 for new blood or for anyone that wants to come in. This not only takes care of all preferences but has a surplus number of 62,628. Let us take as the next case Czechoslovakia. The total quota for Czechoslovakia is 2,874. Up to the present time there has been established preferences for mothers and fathers totaling 836; farmers, 306; women and children of persons legally admitted to the United States from Czechoslovakia totals 2,678. The classes I have enumerated are all preferences, making a total of 3,820. This is not counting the quota immigrants.

Taking Poland as the next example, with a quota of 6,524: Half of this quota will be 3,262. Taking the fathers, mothers, husbands of American citizens, at the present time there is established 2,957 preferences for these people and 25,789 preferences for farmers, making a total of 28,746. It must be borne in mind that there is no distinction between fathers and mothers, farmers, or husbands in preferences of 50 per cent. As a matter of fact, there are only a few fathers and mothers in that batch, but nevertheless the tremendous amount of preferences established in the 50 per cent that mothers and fathers get lost in the shuffle and are being held back from uniting with their children. I can give you a number of other illustrations, and in some instances fathers and mothers if they apply to-day could not come in under any circumstances.

Let us do the humane thing by the aged parents of American citizens, who in the very nature of things can not live long, and who will surely die within the next 20 years, and who will surely not in any way come into competition with our labor, and who surely can not hurt a soul in the social or economic life in the United States.



Surely it is not to be expected that these aged parents, who are over 55 years of age, will engage in any riots, crime waves, or anti-American propaganda. These individuals are harmless; and no matter what happens, nothing should be done to cause them any hurt.

I again appeal for a rule at the earliest possible moment.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATTERSON rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. PATTERSON. To ask unanimous consent that on next Tuesday, after the reading of the Journal and the disposal of business on the Speaker's table, I may address the House for one hour

The SPEAKER. The gentleman from Alabama asks unanimous consent that on next Tuesday, after the reading of the Journal and the disposition of business on the Speaker's table, he may address the House for one hour. Is there objection?

Mr. SNELL. Reserving the right to object, Mr. Speaker, and I intend to object, as I indicated the other day, to the House granting requests of this kind until we may know what is before the House at that particular time. At the present time we have two unfinished bills before the House and we have important legislation coming next week. At the present time I do not know exactly what the program will be, but until we know the program I shall object to anyone obtaining unanimous consent to address the House on any particular day.

Mr. PATTERSON. Does the gentleman know when I can get the time?

Mr. SNELL. If there is nothing special set for any particular day, you may get the time then.

Mr. PATTERSON. I may have the privilege of renewing my request to-morrow?

Mr. SNELL. Certainly; but we ought not to allow such requests without knowledge of what will be before the House on the day indicated.

Mr. GARNER. Mr. Speaker, do I understand it is going to be the policy of this session of Congress from now on that none of these requests will be granted more than one or two days in advance?

Mr. SNELL. I can not say as to one or two days in advance, but as for one week at least one Member now on the floor will object. The time has come when we must attend to the business before the House before we grant permission for somebody to make a speech for home consumption for one hour.

Mr. GARNER. I would like to know how long in advance you will permit these special orders to be made.

Mr. SNELL. I should think they could be made one day in advance at least, for we usually know what is coming up at least that far in advance.

JOINT COMMITTEE TO INVESTIGATE THE PAY, ALLOWANCES, PENSIONS, AND COMPENSATION OF PERSONS WHO SERVED IN UNITED STATES MILITARY AND NAVAL FORCES IN ANY WAR

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 222, as amended.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of House Joint Resolution 222. The Clerk will report it.

The Clerk read as follows:

House Joint Resolution 222

For the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war

Resolved, etc., That a joint committee, composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make a survey and investigation and report recommendations by bill or otherwise to their respective Houses relative to the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. SNELL. Reserving the right to object, Mr. Speaker—and I shall not object—that resolution has had some consideration by the Committee on Rules, but the committee has not given definite consideration to its actual workings or whether it is properly worded to do what they want and nothing more. So far as the intent and purpose of the resolution are concerned I think we are all in favor of it. I have already made some suggestions to the gentleman from South Dakota [Mr. JOHNSON] as to amendments to be offered at this time, and with those amendments, I am rather of the opinion that the resolution will do all that they want to have done, although we have not given to it the careful and considerate attention that we should give to as important a matter as this.

The SPEAKER. Is there objection?

Mr. JOHNSON of South Dakota. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 1, line 7, after the word "recommendations," strike out the words "by bill or otherwise"; and on line 8, after the word "Houses," insert the words "before March 1, 1931"; and on line 10, after the word "persons," insert the words "except those in the Regular Establishment," so that as amended the resolution will read:

"*Resolved, etc.*, That a joint committee, composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make a survey and investigation and report recommendations to their respective Houses before March 1, 1931, relative to the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons except those in the Regular Establishment who served in the military and naval forces of the United States in any war."

The SPEAKER. The question is on agreeing to the amendment.

Mr. SNELL. Mr. Speaker, is the gentleman from South Dakota absolutely sure that that will do what he wants done?

Mr. JOHNSON of South Dakota. I think it will do all that we want done. There are conflicting laws affecting the service men of all wars; discriminatory laws, laws referring to their allowances and pensions and emoluments and retirement pay. We ought to have legislation that will treat them all alike.

Mr. SNELL. If you think it is all right, I am for it.

Mr. FISH. Mr. Speaker, I am for the gentleman's resolution, and I think it will work out as the gentleman suggests, to cover all the veterans. But there is one class that is not included, namely, the reserve officers. Now to include those 5,000 officers that we want above all others to be included, will the gentleman accept an amendment?

Mr. JOHNSON of South Dakota. Yes. One class is the provisional officers and another is the reserve officers and still another is the class of emergency officers. Those should be included. I would accept such an mendment.

Mr. FISH. Can the gentleman suggest where it should go in? I wish to offer such an amendment.

Mr. EDWARDS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. EDWARDS. Exception is made with respect to the Regular Establishment. Will that not defeat what we are attempting to do?

Mr. JOHNSON of South Dakota. I have already stated that there is a special committee of the House which is making a survey and investigation of the pay of the Regular Establishment, the same as we did in 1922, at the time of the passage of the other pay bill.

Mr. SNELL. That is all being considered at the present time.

Mr. EDWARDS. If that is the case, very well, but we want full information as to the entire personnel.

Mr. JOHNSON of South Dakota. That is being done by another committee of the House.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. RANKIN. Of course, the gentleman from South Dakota [Mr. JOHNSON] knows that I am in favor of the resolution as written; but I want to know what amendment has been offered.

Mr. JOHNSON of South Dakota. Does the gentleman from Mississippi refer to the amendments offered by me?

Mr. RANKIN. No; I favor those amendments.

The amendments were agreed to.

Mr. FISH. Mr. Speaker, I would like to offer an amendment.

The SPEAKER. Does the gentleman from South Dakota [Mr. JOHNSON] yield to the gentleman from New York [Mr. FISH] for the purpose of offering an amendment?

Mr. JOHNSON of South Dakota. I yield to the gentleman from New York [Mr. FISH] to offer an amendment.

Mr. FISH. I offer the following amendment: In line 10, after the word "persons," include the words "provisional officers."

The SPEAKER. The gentleman from New York [Mr. FISH] offers an amendment, which the Clerk will report.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. BANKHEAD. Has the gentleman compared the proposal that is now submitted after the word "persons," in the light of the already amended section of the resolution?

Mr. FISH. As far as I could, in the limited time at my disposal.

Mr. BANKHEAD. I had some part in suggesting these amendments to the gentleman from South Dakota [Mr. JOHNSON]. There has been inserted an amendment after the word "persons," to except those in the Regular Military Establishment. Where would the gentleman's phraseology come in?

Mr. FISH. I ask unanimous consent to include the amendment I have offered, after the words "Regular Establishment."

The SPEAKER. The gentleman from South Dakota [Mr. JOHNSON] has the floor.

Mr. JOHNSON of South Dakota. Mr. Speaker, I have seen the amendment offered by the gentleman from New York [Mr. FISH]. While I do not think it is necessary, in order to make a survey of provisional officers, yet it does not in any way injure the resolution and might make it a little clearer, and I am entirely willing to accept it.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes; I yield to the gentleman.

Mr. BANKHEAD. I have just looked at the language of the amendments offered by the gentleman from South Dakota, and the parliamentary clerk advises me that the amendment offered by the gentleman from New York [Mr. FISH] will completely carry out the purpose.

Mr. FISH. Mr. Speaker, I offer that amendment and ask for its consideration.

Mr. SWING. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from California.

Mr. SWING. I would like to know whether or not the amendment offered by the gentleman from New York [Mr. FISH] will open up the investigation to include emergency officers who have been retired, and include what they have been paid or authorized to be paid?

Mr. JOHNSON of South Dakota. That amendment will not affect any disabled emergency officer.

Mr. KVALE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. KVALE. Will the gentleman from South Dakota [Mr. JOHNSON] offer an amendment, in addition to the provisions of his bill, to take care of the men from the United States who served with the Foreign Legion in France, with the Lafayette Escadrille, and with troops of that kind, that should be considered now?

Mr. JOHNSON of South Dakota. I would not accept any such amendment, because it has been the policy of this country to take care of only soldiers who served under the United States flag.

Mr. KVALE. But, Mr. Speaker, there are bills pending now before the House of Representatives proposing to take care of this class of men, and those bills can be supported by meritorious arguments and by valid facts. I would like to see that incorporated in this bill. It commits the House to nothing. It only says that they shall be considered in connection with these other studies. I doubt the advisability of considering this resolution before the supposed enactment of the Johnson bill.

Mr. JOHNSON of South Dakota. I will say to the gentleman from Minnesota [Mr. KVALE] that the men to whom the gentleman refers now are not on any roll of the United States—pension, compensation, or anything else.

Mr. KVALE. But they are, potentially.

Mr. JOHNSON of South Dakota. The purpose of this investigation is only to make a survey of those that we know served honorably in the United States forces, but not to take on any more jurisdiction.

Mr. ABERNETHY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman.

Mr. ABERNETHY. Do I understand that the gentleman from South Dakota [Mr. JOHNSON] proposes to accept this amendment in this bill? This is only for an investigation.

Mr. JOHNSON of South Dakota. It has no connection with the bill that is before the House now.

Mr. ABERNETHY. I do not understand the gentleman from South Dakota [Mr. JOHNSON] would favor putting this in his bill?

Mr. JOHNSON of South Dakota. It has no connection with the bill and would not be germane.

Mr. NELSON of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. NELSON of Wisconsin. I would like to ask the chairman of the committee whether this contemplates a survey of the military and naval forces of the United States, of any war?

Mr. JOHNSON of South Dakota. I would say to the gentleman from Wisconsin [Mr. NELSON] that perhaps he did not hear the amendments which I offered, which excepted from the survey the Regular Establishments. Those are being surveyed now by a committee, of which the gentleman from Wisconsin [Mr. NELSON] is a member. We do not desire to interfere with that jurisdiction.

Mr. NELSON of Wisconsin. May I say that we have now arranged for a very comprehensive survey. Colonel Church, the Director of the Bureau of Pensions, will lead, and then General Hines and General Wood, and following them will be experts from the different departments who are giving study to every phase of this question. Certainly, we welcome any further investigation.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 1, line 10, after the word "persons" insert the words "including provisional officers."

The amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Speaker, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of South Dakota, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10381) to amend the World War veterans' act of 1924, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. RANKIN. Mr. Chairman, I think it should be stated, for the benefit of the Members who were not present yesterday, that we have already read the first section of the bill and that it is now open for amendment.

Mr. LANHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 3, line 8, strike out the period and insert in lieu thereof a colon and the following:

"*Provided further*, That where service connection has been found by the United States Veterans' Bureau to exist (whether or not by reason of a presumption of law) in the case of any injury or disease or any aggravation or recurrence of a disability, and such finding has continued in effect for a period of five years, such finding, except in case of fraud participated in by the claimant, shall be final and conclusive for the purposes of this act, and the claimant shall be entitled to the benefits thereunder in accordance with such finding from and after the end of such 5-year period, whether or not such period ended prior to the passage of this amendatory act."

Mr. LANHAM. Mr. Chairman, it seems to me this amendment should appeal to the sound judgment of the Members of this House, irrespective of their opinions with reference to the relative merits of the so-called Johnson and Rankin bills.

This amendment simply seeks to accord to the veterans of the World War the benefit of the principle of equitable estoppel, a protection which has been accorded our citizens generally in our courts from the very beginning of our judicial system.

I want to explain this amendment briefly. I think this provision should have been incorporated in law long before this in justice to these men who went overseas to fight in our behalf.

This amendment provides this, and simply this: That when the Veterans' Bureau has established the service connection of a veteran's disability and that finding has remained unquestioned for a period of five years, the bureau shall then be estopped from denying the service connection of the disability. In our general system of jurisprudence that doctrine is founded upon the very proper theory and principle that after the lapse of several years it is impossible for a man to adduce the same proof in support

of his contention which he could have offered originally. It is a well-recognized principle throughout our whole system of jurisprudence.

Now, this proposed amendment has nothing to do with the amount of compensation which a veteran receives. It does not say he shall continue to receive a fixed amount of compensation; the amount of compensation to be paid him will depend entirely upon the degree of his disability. This amendment has to do simply with service connection, and it provides that when service connection has once been established and recognized for five years the Veterans' Bureau thereafter, whether the disability be of compensable degree or not, shall be estopped from denying the service connection of it.

Mr. CONNERY. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. CONNERY. I am in hearty sympathy with the gentleman's amendment, and it will not cost the bureau a cent, will it?

Mr. LANHAM. I do not think it will. It certainly will not cost very much.

Of course, this was brought to my attention by a particular case, but it is certainly typical of a class of cases. However, I imagine the number would be relatively slight, and it seems to me it is nothing but simple justice to the veterans to provide that after five years they should not be required to re-prove the service connection of their disability.

Mr. RANKIN. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. RANKIN. Instead of costing the Government money, would not this amendment save the Government money in that it would do away with the services of a coterie of clerks who would be engaged in going through the files of these veterans for the purpose of cutting their compensation every now and then?

Mr. LANHAM. I will say to the gentleman that I think the final result will likely be in the interest of economy and that the outlay will probably be less.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JOHNSON of South Dakota. How many cases of service connection have been broken after five years?

Mr. LANHAM. I will say very frankly that I do not know, but I imagine very few.

Mr. JOHNSON of South Dakota. Does the gentleman know of any?

Mr. LANHAM. I do; yes; and I should like to recite the details of that case, because that is what brought the matter to my attention.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. COCHRAN of Missouri. I want to say for the benefit of the gentleman from Texas and also for the benefit of the gentleman from South Dakota that the Veterans' Bureau to-day has certain committees which are doing nothing whatever but reviewing papers, and they are breaking service connection in cases of which I have personal knowledge.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. McCORMACK of Massachusetts. I may also say, for the benefit of the gentleman from South Dakota, that I have two cases pending where service connection was broken after six years, and I am doing what I can to reestablish service connection.

Mr. PALMER. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. PALMER. I wish to say that I have a case in which service connection had been established for about eight years. It has been terminated absolutely although it is evidently a meritorious case.

Mr. LANHAM. I may say that the thing which prompted me to offer this amendment was the belief that there were such cases in existence, because one came under my own personal observation.

The particular case to which I refer is one in which a veteran had been paid compensation for seven years. After this veteran had drawn compensation for seven years he was persuaded by a lawyer to institute suit for his insurance. He was poorly advised, because he was not permanently and totally disabled and was not entitled to the insurance. Shortly thereafter the Veterans' Bureau reopened his original claim and decided that seven years before they should not have determined that his disability was service connected and that he should not have been paid compensation during the seven years.

There was no doubt with reference to his disability. It was very severe. It had become aggravated through the years. He was unable to work, though he had made earnest efforts to work and employment had frequently been offered him.

Now, he went back, as he naturally would have done, to the physician who examined him and upon whose testimony the Veterans' Bureau had established the service connection. The physician said, "Yes; I remember examining you. My records show I examined you at that time, but I can not locate the findings. I do not know just what I found your condition to be, and I can not give you a detailed statement of that, as I did at the time." So the boy, through no fault of his own, supposing for seven years that the matter had been settled, was called upon to offer proof which he could not possibly offer, but which had been offered originally, and I say that this whole principle of equitable estoppel is founded upon the idea that after the course of years a man can not introduce the same proof which he could originally. For this reason we have our various statutes of limitation.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JOHNSON of South Dakota. Whatever proof was introduced at the beginning of the matter is in the folder now.

Mr. LANHAM. It may be. I do not know whether it is or not.

Mr. JOHNSON of South Dakota. It could not help but be there. In other words, whatever testimony was given originally is still in that folder.

Mr. LANHAM. That may or may not be.

Mr. JOHNSON of South Dakota. Well, it is.

Mr. LANHAM. I know one thing; I know that the Veterans' Bureau had definitely established this boy's service connection. There was no question in the world as to the very serious nature of his disability. They had paid him compensation for seven years and then cut him off, and I say that to require that boy to go back seven years and try to establish his claim as of that date imposes a burden not required in our civil jurisprudence throughout this land. It is a well-established principle; and surely the period of limitation with reference to service connection ought at some time to cease and be determined. [Applause.]

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. LANHAM. Yes.

Mr. MOORE of Virginia. I understand that the gentleman's amendment expressly excludes cases of fraud?

Mr. LANHAM. It does. I am pleased that the gentleman called attention to that. Of course, where there is fraud in the securing of the service connection originally, that vitiates it, and the amendment does not apply to such cases.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the amendment. This amendment has never been presented to the committee in any shape, form, or manner.

Mr. LANHAM. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. LANHAM. I would like to call the gentleman's attention to the fact that I appeared before the committee in person and cited this particular case and asked for a provision to cover cases of this character.

Mr. JOHNSON of South Dakota. Well, I must not have been present at that time.

Mr. RANKIN. If the gentleman will permit, I will say to the gentleman I was present and other gentlemen who are here were present when the gentleman from Texas came before the committee.

Mr. LANHAM. The gentleman simply does not recall it, because he was present and he graciously accorded me an opportunity to present the matter to the committee.

Mr. JOHNSON of South Dakota. It is the intention of the Veterans' Committee to afford every Member of the House an opportunity to present matters of this kind. They are important and we have always intended to give the Members such an opportunity. I was probably called from the room on some other matter at the time the gentleman was there, because I have been present at all the hearings.

This amendment would estop the Government in certain cases where it should not be estopped.

I grant you that once service connection is established, except in very exceptional cases, it should never be broken; but I was in Washington in 1919, 1920, and 1921 and I saw many cases given service connection under a previous administration of the Veterans' Bureau when I knew they should not be connected, and I do not think the Government should be estopped from breaking service connection when it has perfect proof.

Mr. LANHAM. Does not the gentleman think that five years is time enough to determine that?

Mr. JOHNSON of South Dakota. Not necessarily. I would like to see this matter considered by the new committee that is to be created under the provisions of the resolution (H. J. Res. 222) that has just passed. If the testimony were all taken, if we could bring the witnesses from the Veterans' Bureau, from the Pension Bureau, and from all the other Government departments before the committee and make a thorough investigation I might not oppose it, and no great damage will be done to any person by not adopting a provision of this kind at this time.

This is typical of the amendments which we are going to consider. There will be some merit in all of them, but my judgment is that you are gradually going to load this bill, by adopting amendments to this provision and by adopting amendments to other provisions, until any President would be forced, by such cumulative loading, to veto the bill. I do not believe this is the time or place for an amendment of this kind, with only the consideration that we can now give it on the floor of the House, without any opinion from the bureau, without knowing the Members' cases, and without going into the facts of the cases involved. I do not think it ought to be passed until a survey is made.

Mr. DENISON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. DENISON. Where the bureau has decided that there was no service connection, can that be opened up?

Mr. JOHNSON of South Dakota. Certainly it can be opened up the other way if the claimant has more evidence which is connected with the service. In other words, you ought not to estop the Government and not estop the man.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. GARBER of Oklahoma. Does not the gentleman think that before the bureau would be authorized in disconnecting the service there should be notice to the veteran?

Mr. JOHNSON of South Dakota. I would be glad to accept such an amendment, but it is not necessary for they are giving notice now.

Mr. GARBER of Oklahoma. I have a case in which I am interested, where they did not give notice—they disconnected the service without any notice on the veteran whatever.

Mr. JOHNSON of South Dakota. I know the gentleman is making a statement which he believes to be true, but I know from my own knowledge that they have a rule that they shall be given such notice, and if that rule was broken the case could be opened up anew.

Mr. GARBER of Oklahoma. Why put the burden on the veteran; why not put it on the department in the event of disconnection of the service? Why not require the department to do that and give the veteran his day in court?

Mr. JOHNSON of South Dakota. I will say to the gentleman that I will be glad to accept an amendment of that kind, for I do not believe that a man should be disconnected without notice.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. LANHAM) there were 91 ayes and 82 noes.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. JOHNSON of South Dakota and Mr. LANHAM.

The committee again divided; and tellers reported that there were 135 ayes and 97 noes.

So the amendment of Mr. LANHAM was agreed to.

Mr. SWING. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Proposed amendment of Mr. SWING: Page 1, line 11, after the word "purposes," strike out the word "and" and insert in lieu thereof the following: "*Provided*, That in making regulations pursuant to existing law, with reference to home treatment for service-connected disabilities, the director shall not discriminate against any veteran solely on the ground that such veteran left a Government hospital against medical advice or without official leave. The director."

Mr. SWING. Mr. Chairman, in the RECORD of yesterday, at the close of the proceedings, you will find this amendment, together with the regulation at which it is directed and which it is sought to amend.

The necessity for this amendment arises out of Regulation No. 6588, subdivisions (c), (d), and (e), which prohibit home treatment to disabled veterans with service-connected disability if he left a hospital against medical advice or without official leave.

And it makes no difference whether he is at the time so seriously ill that he can not be moved to a Veterans' Bureau hospital for treatment without endangering his life, still by subdivision (d) of paragraph 6588, the bureau will not extend him medical aid or home treatment.

I first called this situation to the attention of the House two weeks ago. I cited the case of a veteran in my district, Mr. J. H. Wilson, who had service-connected disabilities. He appealed for home treatment because he had not the means to employ a private physician and was too ill to be moved to a hospital. That relief was refused him. I called the matter to the attention of the director on the 28th of last month, stating that I was informed that this man was dying. He did die two days afterwards without any Veterans' Bureau doctor attending him. I say that is an unnecessary militaristic regulation that is not in conformity with the spirit of the Veterans' Bureau act, and that it is contrary to the intention of Congress and the desire of the American people. Merely because a man has broken a regulation of a hospital by leaving when the doctors thought he ought to stay there, under existing rules, he thereby forfeits, so long as he lives, and no matter what his physical condition may be, any right to receive medical treatment from the Veterans' Bureau outside of a hospital. That is inhuman.

I have discussed this amendment with the chairman of the committee and have discussed the amendment with Mr. Watson B. Miller, who has done more for disabled veterans of the World War than probably any other man. I think I am safe in saying that they are not opposed to the purpose of the amendment. I am advised that the amendment has been discussed with officials in the Veterans' Bureau, and that those with whom it was discussed are not opposed to the purpose of the amendment. In fact, I am told that they are considering amending this regulation, but they have been considering amending it ever since the 5th of March, a month and a half ago, when I first called this regulation to their attention, and they are still considering it and my fear is that unless we adopt this amendment they will be considering it this time next year. I trust that Comrade Wilson will not have died in vain and that this amendment will be adopted.

Mr. JOHNSON of South Dakota. Mr. Chairman, the committee will recall that this is the same question which was debated by the gentleman from California [Mr. SWING] and myself several days ago in general debate. We have conferred concerning the amendment. I shall not oppose it. I do wish, however, to extend my remarks in the RECORD by inserting a copy of a letter written to the gentleman from California [Mr. SWING] by the Director of the Veterans' Bureau on April 8, 1930, giving the viewpoint of the bureau.

The CHAIRMAN. Without objection, the gentleman from South Dakota will be permitted to extend his remarks in the manner indicated.

There was no objection.

The letter referred to is as follows:

APRIL 8, 1930.

Hon. PHIL SWING,
House of Representatives, Washington, D. C.

MY DEAR MR. SWING: I have received your letter of April 5, 1930, referring to your recent conversation with me regarding the extension of relief, particularly out-patient treatment, to veterans who have left hospital against medical advice or absent without leave. During the course of our conversation you referred to those veterans who were undergoing treatment for tuberculosis at Banning, Calif., and cited the case of James H. Wilson, C-1, 281615, who is reported to have died on March 30, 1930, without having received treatment by a bureau physician.

I am sure that you will appreciate that the World War veterans' act of 1924, as amended, clearly indicates the intention of Congress that Government facilities, such as are available or may be made available, shall be utilized in connection with the treatment of disabled veterans who are beneficiaries under that act. This is quite clearly specified in section 10 of the act, which section, it is true, further provides that other facilities may be utilized when Government facilities are determined to be unsatisfactory. The act also provides (sec. 11) that such regulations as may be deemed necessary in order to promote good conduct on the part of persons who are receiving care and treatment in hospitals, homes, or institutions, as patients of this bureau may be made.

The Government, as you know, has proceeded at great expense (approximately $106,000,000 having been authorized to date) in providing modern, up-to-date hospital facilities for the care of disabled veterans, and it is felt that the bureau is well advised by medical authorities both within and without the bureau in insisting that disabled veterans who are its beneficiaries shall, when they are in need of hospital care and adequate facilities are available, accept such care as is offered by the bureau, or, in the event that they elect to take treatment in accordance with their own desires, the bureau will not and should not be responsible for any expense thus incurred, unless such treatment is approved by the medical authorities of the bureau. However, in such instances the bureau does provide for the continued relief of service-connected disabilities through such services as may be rendered by the out-patient dispensary facilities of the bureau, and follow-up nursing service is always available. This type of service, however, may only be rendered when beneficiaries are so situated as regards location as to be reasonably accessible to contact by the bureau.

In reviewing the hospital record of Mr. Wilson, whose death is sincerely regretted, it is noted that he had been hospitalized by the bureau on four occasions, and in two instances left a Government hospital equipped in every way to render him a high type of service against medical advice. On both occasions he signed a statement as follows: "I hereby certify that I am discharged upon my own request and contrary to the advice of the medical officer in charge." By so doing he voluntarily and by his own act placed himself in a position where the bureau lost control of treatment which had been instituted, and it does not seem that the bureau can justly be charged with negligence or with responsibility for events which subsequently occurred.

On February 1, 1930, Mr. Wilson, as well as eight other veterans who were in the same status, at Banning, were offered hospitalization. Mr. Wilson refused to accept same and all of the others either failed to reply or refused outright to accept the offer of hospitalization. Following your visit to this office the regional manager at Los Angeles, Calif., was instructed to render such medical care for Mr. Wilson as was indicated, but it appears that he passed away in the interim.

With reference to your views as to blacklisting veterans whose hospitalization is prohibited by regulations, it is desired to state that the disciplinary status of bureau patients is recorded in their case folders which are held in regional offices. No list is published or circularized, but information as to beneficiary status as well as disciplinary status is obtained in individual cases through contact with the office having jurisdiction over the case folder. The procedure for handling such cases has been entirely decentralized and field officials have ample authority to take the required action.

Only such regulations are issued as are authorized by law and as are considered in the best interests of beneficiaries as a whole, and in the application of the law and the regulations sympathetic liberality is required of and exercised by all bureau employees concerned. Continued study is given regulations and instructions as issued by the bureau, and as circumstances and conditions are presented indicating necessity or desirability for changes, appropriate action in that regard is taken. Ample provision is made for home treatment and out-patient treatment for bureau beneficiaries who are entitled to such services, under certain conditions, which conditions it is believed are conducive to the interests of the patients themselves as well as the Government; but the bureau can not assume responsibility for the treatment of veterans outside of hospitals when such treatment is arranged beyond the control or without the approval of this bureau.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. JOHNSON of South Dakota. I also call attention to the fact that when this amendment is adopted there may be certain service men in the United States entitled to hospitalization who may get the idea that because of this amendment they can go in some of these hospitals at 2 o'clock in the morning and kick some nurse in the eye and not be put out. It is not so intended. In other words, it is costing the Government $120 a month to hospitalize these men, and there must be some rules and regulations as there are in private hospitals. I do not desire to penalize them, but the passage of this amendment will not permit some of the things that have happened in the past, because certain men must be kept out of the hospital if they want to behave in that manner. They ought to be in jail instead of in the hospital.

Mr. SWING. I agree with what the chairman has just said, Mr. Chairman.

Mr. RANKIN. Mr. Chairman, we are willing to accept the amendment on this side.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. WOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. WOOD: Page 2, line 1, after the word "decisions," insert the words "of questions of fact," and on page 2, line 2, strike out the words "claimant's right" and insert the word "claimant," and on page 2, line 4, commencing with the word "notwithstanding," strike out the remainder of the line, and strike out lines 5 to 10, inclusive, and all of line 11 down to and including the word "amended."

Mr. WOOD. Mr. Chairman, the only purpose of this amendment is that the enforcement of this act, if it becomes law, shall be no different from the enforcement of any other act of this Congress, in so far as the Comptroller General is concerned. I appeal now to every Member of this House upon both sides of the Chamber who was and is in favor of the continuation of the Budget system and supervision of the Comptroller General to vote for this amendment. As I said here yesterday, to my mind, the adoption of the Budget system, together with the Comptroller General, has been the greatest agency for saving that this Government has ever known. If you want to break down that system, you have presented in this bill a splendid opportunity to do it.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. WOOD. In a moment. I do not believe that it is the purpose or desire of a majority of the Members of this Congress who know what the practical effect of the Budget system has been, together with the action of the Comptroller General, to break down the Budget system. As I said yesterday, to-day we are spending, through the Veterans' Bureau, an amount equal to the customs receipts of this country. We are spending, through the Veterans' Bureau, an amount nearly equal to one-fourth of all of the money derived through the income tax. If this bill becomes a law, I expect that within a very short time we will be spending more than 40 per cent of the income tax. Is it possible, in view of our desire for better business conduct of this Government, that we want to break down this agency which has been of so much value in the years that have passed since its adoption? It can be of no particular good if that be done, but it will be of incalculable damage to the Government of the United States and to the finances of the United States. I appeal to every Member who believes in the Budget system, who believes in the Comptroller General, as an agency to save money and see to it that impartial justice is dealt out, to vote for this amendment, in order that we may preserve that agency for the future good, warranted by the good that it has done in the past. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Mr. Chairman, we are appropriating for the Veterans' Bureau in round figures about $514,000,000 annually, which is 22 per cent of all the expenditures of the Government, leaving aside the Post Office Department and our war debt. If this bill is passed in its present form, it will remove the Veterans' Bureau from out of the jurisdiction of the Comptroller of the Budget and we shall have no supervision of the expenditures in that big bureau. Is not that a fact?

Mr. WOOD. Absolutely none. That is the reason why I desire to call it to your attention.

I want to say to you, gentlemen, that even those who are to be the beneficiaries under this bill would want to have that supervision. I do not believe there is a soldier in this country or the friend of a soldier in this House who wants anything but what is fair. I can not believe that anybody in this House wants any injustice done to the Government because of the enactment of this law. I think the soldiers of this country are among the best citizens in the country, and I believe that the best citizens in this country are in favor of the Budget system, and if this bill is enacted without this amendment, it will be a death blow to the Budget system and the comptroller. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LUCE. Mr. Chairman, I rise in opposition to the amendment. The question at issue here is whether matters of law shall be decided by the legal department of the Veterans' Bureau or by the legal department of the Comptroller General's office. That is the heart of the question. It goes very much beyond this bill. It goes to the whole operation of the finances of the Government.

I was a Member of the House at the time the Budget law was passed, and I favored the enactment of that law. However, in my judgment, one grave mistake was made. The law gave the Comptroller General final authority, without appeal, to determine what is the law. It took away from the judicial department of the Government its proper function of determining what is law.

I have no criticism to make of the Comptroller General. He has done admirable work, in my opinion. I do not mean to weaken his authority, save where the principle embodied in the Constitution of the United States interferes; the Constitution of the United States places the determination of matters of law in the judicial branch of the Government. I thought then, and I have had occasion to think since, by reason of personal ex-

perience, that it was wrong to authorize the Comptroller General, a man for all practical purposes beyond the reach of both the Legislature and of the Executive, to determine what is law.

I may be wrong in the supposition that the Comptroller General is not a lawyer. The lawyers in his bureau may be young men without great training or great knowledge of the law. These young men, whose identity we do not know, before whom we do not appear, to whom we can present no oral argument, before whom we can in person lay no citation of decisions of the courts, and to whom we have no access whatever—these young men say what is the law, and thereupon the Comptroller General inevitably accepts their opinion and puts it in force.

The proviso under consideration results from a case where the Veterans' Bureau says one thing and the Comptroller General says another thing is the law. I do not know which is right, and of itself it is not a matter of supreme importance which side is right. You can decide to-day which legal department shall have the authority. But if you are going to allow the lawyers of the comptroller's office to determine what is the law, without effective opportunity to appeal to the judiciary, without effective opportunity to protest, without effective opportunity to discuss, I trust you will thoroughly understand what you are doing.

Mr. WOOD. Mr. Chairman, will the gentleman yield there?

Mr. LUCE. Certainly.

Mr. WOOD. The Comptroller General is the agent of this Congress. He is responsible to no other authority than the Congress. He is the creature of the Congress, and if there is any defect in the law, the Congress can very easily change it; so that I would suggest that we should ourselves change the law rather than destroy it altogether.

Mr. LUCE. Mr. Chairman, at this very moment we are changing the law.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Yes.

Mr. PATMAN. Is it not a fact that under the present law the decision of the Comptroller General can be appealed or reviewed by the courts?

Mr. LUCE. Not as a practical matter, in my opinion. In my experience I have found no chance to ask any judge or jury if his judgment as to the law is wrong.

Mr. PATMAN. As I understand it, you can mandamus the Comptroller General under the present law, whereas under this proposed act the opinion will be rendered by the Director of the Veterans' Bureau and that opinion will be conclusive. However, under the due process of law section of our Constitution I doubt that the courts would refuse to review his decisions.

The CHAIRMAN. The gentleman from Alabama [Mr. OLIVER] is recognized.

Mr. OLIVER of Alabama. Mr. Chairman, I rise to support the amendment offered by the gentleman from Indiana [Mr. WOOD]. It may be interesting to read what the gentleman from Massachusetts [Mr. LUCE] said when the legislation providing for the position of Comptroller General was before the House for consideration. He offered an amendment to the bill, which was later adopted, and in his speech referred to the legislation and to the office which it sought to create in a very complimentary way. It is important to remember that the Comptroller General is not an officer under the control of the President. He is a representative of Congress, and this office was established for the purpose of requiring an examination of executive departments and independent offices and the rendition of regular reports thereon to Congress.

When we adopted the Budget System and created the office of the comptroller to supervise and report on all administrative acts in the spending of public funds, under existing laws, the gentleman from Massachusetts offered an amendment, and spoke, as I have previously said, in a most flattering way of the importance of the comptroller's office. His closing remarks in support of his amendment will prove interesting to the House. At that time he said:

> The words used have the savor of the bookkeeper, of the cashier, of the treasurer, not of the investigator of the way the money is spent, not of the man who goes out and looks for trouble, not of the man who attempts of his own initiative to find places to save money. Therefore I make the suggestion that we add to the words of the cashier and the treasurer and the accountant, namely, "receipt and disbursement" the word "application." If there ever was presented on this floor a single word of amendment which might have a wider extent of usefulness to the people, it has not come to my knowledge.
>
> I hope, sir, that if this is satisfactory to the committee, the chairman may supplement what I say in order that there never may be any question that we did not mean this man to be simply a bookkeeper, simply a cashier, simply an accountant, but that we meant him to be our will, our eyes, and our ears, to study and determine and enforce economy.
>
> [Applause.]

That was the opinion of the gentleman from Massachusetts [Mr. LUCE] as to the importance of this official when he proposed an amendment seeking to lend dignity to the office. So that no one might consider the Comptroller General was merely a bookkeeper and an accountant he referred to him as the eyes and the ears of Congress.

Mr. LUCE. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. LUCE. I indorse the sentiments then uttered. I am glad that I expressed them, and I wish that they may have been fully embodied in the statute, but I never said I desired this man to be the lawyer of Congress.

Mr. OLIVER of Alabama. I have often heard the plea of confession and avoidance when one has no defense. [Applause and laughter.] This was the only defense that my good friend from Massachusetts, the distinguished student of government, could really offer when reminded of the splendid tribute he paid this official position less than 10 years ago. But I say to the gentleman that this Congress is still mindful that this particular bureau which the gentleman seeks to remove from all supervision, control, and examination by the comptroller was once presided over by one called Forbes. We have to-day, it is true, at the head of this bureau a man to whom all pay high tribute and hold in high esteem, but we can not be sure that over any department there may not sometimes be found another Forbes. What excuse could any Member of this Congress offer if in the future there should appear another Forbes in this bureau of growing importance; and it was then said, "But Congress on the 24th day of April, 1930, decided to remove all supervision, control, and check over that bureau."

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. KNUTSON. Mr. Chairman and members of the committee, I concur in everything that the gentlemen from Indiana [Mr. WOOD] and Alabama [Mr. OLIVER] have said, but I am a little at a loss to understand by what method of philosophical reasoning the distinguished gentleman from Massachusetts [Mr. LUCE] has arrived at the conclusion that the amendment offered by the gentleman from Indiana should not be adopted because it is most assuredly in harmony with the Budget plan for making appropriations.

This House must realize that we are appropriating for the Veterans' Bureau for the present fiscal year $514,000,000; next year the appropriation has been increased by something like $42,000,000. Ladies and gentlemen of the House, either the Budget system is good or it is not good. If it is good, it certainly should be made to cover a department of the Government that is spending 22 per cent of our net appropriations. If it is not good, then we should repeal it and release all bureaus from the jurisdiction of the Budget.

How can anyone consistently vote against an amendment which would place certain safeguards about expenditures involving $550,000,000 a year? It is the money of the taxpayers, and if the Veterans' Bureau is spending that enormous sum in the manner contemplated by Congress, there should not be any opposition to supervision by the Comptroller General. If it is not spent the way it was intended it should be spent, then, in God's name, let us have this supervision of the expenditure so that we may know it is not going to be frittered away and wasted.

I yield back the balance of my time, Mr. Chairman.

Mr. ADKINS. Mr. Chairman, ladies and gentlemen of the committee, if this amendment and others that were not accepted by the committee are to be accepted now, I can see the finish of this bill. Every Member present can propose some amendment for which a good argument can be presented, which would apply to an individual case in his home district, but, if all such amendments were adopted, God help the poor veteran who is looking for relief under this law. We will get this bill loaded up so that it will not become a law. I can see that.

Addressing a number of veterans in my town before I came to Washington, I apprised them of just what would happen in this Congress. I told them that the only way to get a law passed was to go along with the committee after the committee reported, because there are so many angles to it and so many individual cases that appeal to us that unless we go along with the committee we will never get any legislation. Every man in the House is a friend of the veteran. Amendments can be offered to relieve specific individual cases, but I told my constituents that if that was done we would never have any veterans' legislation. I put that matter to them plainly. The legislative organization of the American Legion in my State rep-

resents about seven of the largest cities in the State. They have studied all of this legislation, and they appreciate the fact that there is not in this bill all that they would like to have, but the legislative representative has written a letter in which he said, "Stand for the Johnson bill."

I think the resolution which was passed to-day will go a long way toward finally bringing about an adjudication of the rights of the veterans. It does seem to me that after this committee has spent all the time in hearing everybody who wanted to be heard, and has brought out what in their judgment is the best thing that can be passed, we should go along with the committee. I would take just as much pride in introducing an amendment to this bill that would relieve certain individual cases as any other gentleman present, but I know, and the veterans in my district know, that if I did that and every other man did that, it will be impossible to get a law passed. If we accept every Member's amendment, we might just as well close the book, as far as the veterans are concerned.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. ADKINS. I yield for a question.

Mr. JOHNSON of Oklahoma. In view of the remarks of the gentleman from Illinois [Mr. ADKINS], does the gentleman not think the rest of us might leave the chamber and let the committee pass whatever bill it desires?

Mr. ADKINS. No; I do not think the gentleman looks at it that way at all.

Mr. JOHNSON of Oklahoma. That is the effect of the remarks of the gentleman from Illinois.

Mr. ADKINS. No, no. In a matter in which there is such a wide difference of opinion and in which every man in this House has a right to have an individual opinion, there must be some place to draw the line.

Mr. JOHNSON of Oklahoma. The gentleman from Illinois does not think that we should be able to express our opinions by amendments?

Mr. ADKINS. The gentleman does not get that inference from my remarks at all. I realize that it is rather unusual for a Member, not a member of the committee, to get up on the floor and say something in favor of a bill, and, I will say again, I look to the committee to gather all the facts and bring in their recommendations, but when I see two or three chairmen of big committees disagreeing on the recommendations of this committee, sometimes I do not know where I am in following the regular legislative procedure. Let us pass this bill as recommended by the committee and such amendments as the committee accepts, because they are familiar with every detail through their hearings of this kind of legislation. I think it can become a law and relieve a large number of deserving fellows.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman and gentlemen, I am sure no one in this House can charge me with being unfriendly to the veterans. I am one of them. I have been sentimentally and generously in favor of every piece of legislation for the benefit of the veterans that has come before this House. In the interest of the veterans I appeal to every friend of the veterans to support the Wood amendment. [Applause.] And I will tell you why. Gentlemen, you would not think of giving to any department of the Government the right of appeal from its own decisions. That is what the bill here does. You give enormous powers to the head of the Veterans' Bureau. You give him administrative powers, judicial and executive powers, and then you say his interpretation, his construction, and his decisions of the law and all payments by his administration is final and no supervision and no check whatsoever.

Now, gentlemen, what are those who are interested in the veterans striving to get? Uniformity of treatment. We want every veteran treated alike. We want the law construed the same for every veteran who applies for compensation. If you take away the power of review on all of these cases, I will tell you what is going to happen. The veterans who have political pull, the veterans who can get a Congressman to go up and fight their case, are going to get compensation, while the veteran who can not establish contact with a Member of Congress or some influential person is going to be left out in the cold. It is bound to happen. There will be 50 different varieties of constructions of the law. Without the check and supervision of the comptroller favoritism is bound to be created in the treatment of various veterans. The veterans themselves desire square and equal treatment for all. The gentleman from Texas pointed out that without the amendment the bill not only gives the Director of the Veterans' Bureau the last say but makes his decision absolutely final. That may well result most unfavorably to the veterans.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MOORE of Virginia. The language is that all decisions shall be conclusive except as "otherwise provided herein," and there is no "otherwise provided."

Mr. LAGUARDIA. Exactly. I can not understand the attitude of the gentleman from Massachusetts, who is usually sound in his position. He is the author of a book on parliamentary law, and the announcement of the publication of his book came to us a few days ago. The publishers announce the book as written by the greatest "parliamentary authority in the world," and I fully subscribe to that description. He is. But he is willing to make the decision of an administrative officer absolutely final and conclusive, and he is opposed to giving the agent of Congress the right to pass upon the construction of law and its administration, the same right we have given to him with respect to every other department of the Government.

I will say to every Member of this House who knows his legislative business that the reason we have been relieved of a great deal of detail work is because we created that agent of Congress, responsible only to Congress, the Comptroller General. If the law we make does not carry out the intent of Congress it becomes a legislative matter for Congress. It should not be left to the head of a department.

Let me give you an instance, and the chairman of the Committee on Appropriations will bear me out. The Comptroller General rendered a very wholesome and sound opinion a few days ago on the awarding of lump-sum appropriations in connection with the merchant marine act. He was right and he was sound. Congress within 10 days overruled his decision by passing a law. This is not the time to take up the merits of that case, but that is the proper procedure to follow.

I appeal to the friends of the veterans who want a square deal—for all veterans, not only the veteran who can get ROYAL JOHNSON or CONNERY or LAGUARDIA to go to the Veterans' Bureau for him and fight for his case, but for the thousands and thousands of boys out in the backwoods, boys who have no political contact. I want to give them a fair deal. I want uniformity of construction in connection with this law, and the way to do it is to permit the Comptroller General to exercise the functions Congress gave him. [Applause.]

Mr. PATMAN. Mr. Chairman, I want to invite the attention of the members of the committee to the present law. The present law states that the director—

> Shall decide all questions arising under this act and all decisions of questions of fact affecting any claimant to the benefits of titles 2, 3, or 4 of this act, shall be conclusive except as otherwise provided herein.

Remember that the present law only refers to questions of fact. The proposed amendment provides that the director—

> Shall decide all questions arising under this act and all decisions affecting any claimant's rights to the benefits of titles 2, 3, or 4 of this act shall be conclusive except as otherwise provided herein.

In other words, it strikes out the words "of questions of fact." Under the present law it is all right for the Director of the Veterans' Bureau to pass upon questions of fact.

Mr. WOOD. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. WOOD. The gentleman is entirely mistaken. I am putting in the words "of questions of fact."

Mr. PATMAN. I am with the gentleman, and I am thoroughly in accord with what the gentleman had to say. Under the present law if the Comptroller General makes an erroneous ruling an appeal can be made to the courts, whereas under this proposed act, if it is enacted, the decision of the Veterans' Bureau shall be conclusive except as herein provided. I want to challenge the gentleman from Massachusetts to state wherein it is provided that a veteran can appeal to the courts from a decision of the Veterans' Bureau. It is not provided, and therefore there can be no appeal. However, I doubt that such a provision is constitutional. If so, there is no necessity for enacting an unconstitutional provision.

Mr. LUCE. The gentleman is in error. I was talking about the omnipotence of the Comptroller General. The gentleman referred to the Director of the Veterans' Bureau, but that may have been a slip of the tongue.

Mr. PATMAN. Possibly I misunderstood the gentleman. I refer to the conclusive authority of the Director of the Veterans' Bureau in the event this proposed act becomes a law.

Mr. RANKIN. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. RANKIN. As far as I am individually concerned—and I think I am in about the same position as other Members—I have had a great deal more criticism lately with reference to the acts of the Veterans' Bureau than I have with regard to the acts of the Comptroller General. If we give the Veterans' Bureau supreme power we may expect them to render decisions against the veterans just the same as they would for them.

Mr. PATMAN. That is true. The Veterans' Bureau will not only authorize the expenditures, but the Veterans' Bureau will, in effect, pay the money.

There will be no appeal from the decisions of the Director of the Veterans' Bureau, and I think we should be very careful about enacting legislation that will put conclusive authority, conclusive power, in the hands of the Director of the Veterans' Bureau or in any other head of a department of our Government.

The proposed act says that the director's decision shall be conclusive except as herein otherwise provided, and there is no other provision. Therefore, under this bill, the decision of the Veterans' Bureau would be conclusive, and for that reason I think we should carefully consider the matter.

Mr. JOHNSON of South Dakota. Mr. Chairman, it is very apparent from this debate that there has been a great shift of sentiment, in that on one day in the debate some Members of the House will attack the comptroller, and on another day we attack the Director of the Veterans' Bureau for the same thing. As a matter of fact, I think this is a matter of form rather than substance. The decisions may be about the same in either event and the reason the committee inserted this provision in the bill was to get a final cut-off and to get a final decision.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. Strange as it may seem, I am in entire sympathy with my colleague from Massachusetts and the chairman of the committee. Have we not found all our trouble in writing legislation for the veterans has come, not from the bureau, but from the Comptroller General on account of decisions in respect to the law, as to how we intended the law to be interpreted. It was almost always in this way turned against the veteran.

Mr. JOHNSON of South Dakota. That is the reason we inserted this provision in the proposed law. Somewhere there should be a cut-off. Somewhere there should be final authority to decide, purely to eliminate red tape. In other words, a veteran may carry his case through the Veterans' Bureau and be successful and then he must try it again before the Comptroller General. If we do not have a legal department in the Veterans' Bureau capable of interpreting the law, then we ought to get one that is capable.

For this reason I am opposed to the amendment offered by the gentleman from Indiana [Mr. WOOD].

Mr. WELSH of Pennsylvania. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WELSH of Pennsylvania. If this amendment is adopted, will it not be just one more hurdle for the veteran to get over in order to have his claim settled?

Mr. JOHNSON of South Dakota. It will be one more hurdle; yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 130, noes 27.

So the amendment was agreed to.

Mr. KVALE. Mr. Chairman, I offer an amendment, which I have at the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 8, line 8, add a new section to read as follows:

"SEC. 2. That section 6 of the World War veterans' act, 1924, as amended, is hereby amended to read as follows:

"'SEC. 6. That the bureau shall have the power, and it shall be its duty, to advise, assist, and provide for the placement of veterans in suitable or gainful occupations. A separate division of the bureau is hereby created for this purpose, to be known as the employment division. The director is hereby authorized to employ or transfer such officials and personnel as he may deem necessary for the successful operation of this division, together with such equipment and supplies as he may consider necessary. In addition, the director is authorized and directed to utilize, with the approval of the Secretary of Labor, the facilities of the Department of Labor, in so far as may be practicable, in the placement of veterans in suitable or gainful occupations.'"

Mr. KVALE. Mr. Chairman——

Mr. LUCE. Mr. Chairman, I rise to a point of order that the amendment is not germane.

Mr. KVALE. Will the gentleman withhold his point of order for a moment?

Mr. LUCE. Mr. Chairman, I should be glad to reserve it, if that is the wish of the members of the committee. If we allow reservations now, for my own part I can not see how we can possibly get through with the bill before midnight. There are 25 sections to the bill. The House yesterday determined to sit here until the bill is finished to-day.

Mr. KVALE. If my amendment is adopted, there will be 26 sections.

Mr. LUCE. I doubt if we can get the bill through if we do not consider points of order as soon as they may be made. Personally I am quite willing to stay here as long as anybody else.

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. RANKIN. I understand that debate on this section has been closed.

Mr. KVALE. No; debate was closed on the pending amendment. This is another amendment.

Mr. RANKIN. No; I have made inquiry and I have been told that debate has been closed on the section.

Mr. KVALE. It was on the amendment.

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry. Has debate on this section been closed?

The CHAIRMAN. Debate has been closed on the first section. As the Chair understands, this is an amendment proposing a new section.

Mr. McLAUGHLIN. Regular order, Mr. Chairman.

Mr. LUCE. Mr. Chairman, I will reserve the point of order, but I say to the House that with the utmost good will toward all interested in the bill, the committee will, I think, feel justified in restricting the course of proceedings so far as possible to things that can have definite and quick action.

Mr. KVALE. Mr. Chairman, I desire to take only a moment or two. First, let me explain the purpose of the amendment. The amendment has been proposed, Mr. Chairman, by the American Legion and by the Veterans of Foreign Wars in bills which the chairman of the Committee on World War Veterans' Legislation has introduced at their request, but which were not reported.

It simply asks that there be set up in the bureau a separate agency to assist the recently organized set-up in the Department of Labor for placement of veterans in employment. It authorizes the director to assist the Secretary of Labor to find positions for ex-service men. There is no appreciable cost involved; it simply gives them this added advantage. I am in full sympathy with the gentleman from Massachusetts, and I am gratified that he has taken the position of wanting to expedite this legislation. I insist again, however, that this takes no appreciable amount of money, and if we want to amend the bill in certain particulars as we go along we should be permitted to do so. It will not take much time and a distinctly good purpose will be served.

Mr. LUCE. Mr. Chairman, I renew my point of order.

Mr. KVALE. Mr. Chairman, I insist upon my amendment.

Mr. LUCE. Mr. Chairman, speaking as a member of the committee, I feel it necessary to press this point of order, particularly by reason of the fact that the matter is already covered in the law and any change at this time would be unwise. But that does not go to the point of order itself.

Mr. Chairman, the question of whether amending the bill in one particular throws it open in all particulars has been frequently discussed in this Chamber. There have been decisions in which authority can be found, if attention were drawn to isolated decisions, for the principle that inasmuch as we are amending the bill in numerous sections it may be amended in all sections.

Of late the trend of decisions have been to the contrary, and I would call your attention to some of the recent decisions.

One was by Chairman Anderson in 1921, of which the synopsis reads:

To a bill amending the Federal reserve act in a number of particulars an amendment relating to the Federal reserve act but to no portion provided for in the pending bill was held not to be germane.

Here is one by Chairman LEHLBACH, January 14, 1925:

To a bill amendatory of an act in several particulars an amendment proposing to modify the act but not related to the bill was held not to be germane.

Here is another in the previous year by Speaker GILLETT:

To a bill amendatory of one section of an existing law an amendment proposing further modification of the law was held not to be germane.

Now, one word about the purpose of this series of apparently strict rulings. The purpose is in part to protect the House against the introduction of a topic which it could not previously

study. Its committee may or may not have studied the matter. If the committee itself has not studied it, the committee will be taken by surprise. If the House has not studied it or known that it was to be thrown into the arena of discussion, the House has not had any opportunity to study it.

This World War veterans' act, a copy of which I have in my hand, covers 44 pages with many sections. Surely there can be nothing consistent with the purpose of the rule about germaneness in holding that a proposal to amend some of these sections should give opportunity to present amendments to any one of the many sections in all this long bill to which the committee has proposed no amendment.

Therefore I hope, sir, you will add the weight of your own authority to these recent decisions by Chairmen of the House, who have attempted to protect the House by their decisions, holding that amendments like this are not in order.

Mr. KVALE. Mr. Chairman, I rise in opposition to the point of order. I do not see how it can be held logically by the chairman of the committee that an amendment offered in good faith to the bill in question, which is in itself a proposal to amend certain sections of the World War veterans' act, as amended, can be held not to be germane.

This amendment is in the proper place. It follows an amendment to section 5 of the act. It proposes to amend section 6.

Furthermore, it does not take the committee by surprise, it does not take the House by surprise, I beg to say in all deference and courtesy to the gentleman from Massachusetts. This matter has been considered by the committee. The committee has had this proposal included in bills before it, has heard testimony, and has seen fit to reject it after consideration. Since no one else has done so, I desire to bring this vital question to the consideration of the House at this time. I submit the matter for the decision of the Chairman with those words.

The CHAIRMAN. The point of order raised by the gentleman from Massachusetts is not without its difficulties to the Chair. The gentleman from Massachusetts [Mr. LUCE] has called attention to the older decisions, to the effect that a bill amending a law in several particulars generally throws the law open to amendment in other respects. The gentleman has cited one or two more recent decisions which seem to modify those earlier precedents somewhat. The Chair has before him and has read the argument and the decision of Chairman Anderson in the case to which the gentleman from Massachusetts has referred. In that decision Chairman Anderson quite properly said, as the Chair thinks, that where a bill proposes to amend a law in several particulars, each amendment must be considered on its merits, and that there is no hard and fast rule which can be applied in such cases. This bill proposes to amend the World War veterans' act in 24 or more different particulars. It is very broad and very general in its scope. It seems to the Chair that it would be limiting the rule of germaneness too much and that it would be giving it a too technical construction to sustain the point of order raised by the gentleman from Massachusetts. The Chair therefore overrules the point of order.

Mr. JOHNSON of South Dakota. Mr. Chairman, do I understand that debate has been closed on this amendment?

The CHAIRMAN. It has not.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, this amendment was originally included in H. R. 10831, the bill under discussion, when I originally introduced it. It was eliminated by the committee because the Department of Labor has already opened up such an employment bureau, and an appropriation has already been made by this Congress for this specific purpose. Therefore the adoption of the amendment offered by the gentleman from Minnesota would simply provide a duplication of effort. In other words, the Department of Labor would be running one bureau for the employment of service men and the Veterans' Bureau would be running another. It seems to me that that is a system which should not be followed, and that we ought to confine the activities to one department.

Mr. KVALE. Mr. Chairman, the amendment specifically provides that the two shall work in harmony. This gives scope and authority to the work now authorized, and it permits the Director of the Veterans' Bureau to work hand in hand with the Secretary of Labor. The gentleman knows that a few months ago it was suggested to the Director of the Veterans' Bureau that he direct each regional manager and every head of every bureau office to contact for a 60-day period, every claimant coming into these bureau offices regarding the status of his employment, and that it was not done. These men want employment, and in this way we can help them materially to find employment.

Mr. JOHNSON of South Dakota. I still oppose the amendment because I do not think we ought to put another bureau in the Veterans' Bureau when we have the Department of Labor doing this work now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

Mr. GREEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GREEN: Page 3, line 8, add a new section to read as follows:

"SEC. 2. That Title II of the World War veterans' act, 1924, as amended (U. S. C., title 38, ch. 10, pt. 2), is amended by adding at the end thereof a new section, to read as follows:

"'SEC. 214. That in the case of the death, from any cause, of any person receiving compensation under section 202, compensation shall be payable, without regard to the provisions of section 206, to the dependents of such person in the same manner and to the same extent and subject to the same conditions and limitations as if the death of such person resulted from injury incurred in the military or naval service after April 6, 1917, and before July 2, 1921.'"

Mr. JOHNSON of South Dakota. Mr. Chairman, I make the point of order that this is not germane at this point.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GREEN. Mr. Chairman, this is an amendment to the 1924 act.

The CHAIRMAN. The Chair does not think it is germane to this portion of the bill at any rate. The Chair sustains the point of order.

Mr. GREEN. I shall offer it then when we have the section of the 1924 law under consideration. I would like to be heard on that for a moment.

The CHAIRMAN. The offer proposes to amend a section of the law under Title II, which comes in at a later point in the bill.

Mr. GREEN. Then I shall offer it at that time.

Mr. MOUSER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 3, line 8, insert the following:

"*Provided further*, That in connection with adjudication of the claim of Hal R. Johnson, X–C 423,904, the director shall make payment of the amount of the adjusted-service certificate in accordance with the last will and testament of the deceased."

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. The Chair calls the attention of the gentleman from Ohio to the fact that we have passed section 1.

Mr. MOUSER. I tried to get recognition to offer it before. I may say that I consulted the chairman of the committee with reference to the facts, and it was drawn at his suggestion. I ask unanimous consent that we return to section 1 in order that I may offer it.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to section 1 in order that he may offer his amendment. Is there objection?

Mr. RANKIN. Mr. Chairman, the amendment is clearly out of order. We want to make as rapid progress as is possible; therefore I object and make the point of order that it is too late.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

SEC. 2. That section 10 of the World War veterans' act, 1924, as amended (sec. 434, title 38, U. S. C.), be hereby amended by adding thereto the following paragraphs:

"The director is further authorized to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals and for employees at isolated stations as he, in his discretion, may deem necessary, and the appropriations made available for the carrying out of the provisions of this section may be expended for that purpose.

"There is hereby transferred to the jurisdiction and control of the United States Veterans' Bureau the property referred to in acts of Congress of May 29, 1902 (sec. 1346, title 10, U. S. C.), and March 22, 1906 (secs. 151–154, title 24, U. S. C.), and known as the Battle Mountain Sanitarium Reserve, and the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized and directed to execute a deed to said property running to the United States."

Mr. WILLIAMSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMSON: Page 8, strike out all of lines 19 to 25, inclusive, and all of lines 1, 2, and 3 on page 4 and insert in lieu thereof: "All property acquired by the Board of Managers of the National Home for Disabled Volunteer Soldiers under the act of May 29, 1902 (32 Stat. 282), known as the Battle Mountain Sanitarium, is hereby transferred to and the title thereof vested in the United States. The jurisdiction and control of said Battle Mountain Sanitarium and the Battle Mountain Sanitarium Reserve created under the act of March 22, 1906 (U. S. C., title 24, secs. 151–154), are hereby transferred to the United States Veterans' Bureau, and any unexpended balances of appropriations therefor are made available for expenditure by said bureau."

Mr. WILLIAMSON. Mr. Chairman, if I may have the attention of the committee for just a moment, I may state that this amendment has become necessary because whoever drafted the original provision did so without a clear idea of the condition of the title of the property sought to be transferred.

In the first place, the act of May 29, 1902, was not transferred to the United States Code, so that the citation is wrong. It should be Thirty-second Statutes, page 282, and, in the second place, the title of the Battle Mountain Sanitarium Reserve now stands in the United States, and therefore the Board of Managers could not be required to transfer it to the United States. The board has no title and can convey nothing.

The paragraph also leaves out of account the fact that the property known as the Battle Mountain Sanitarium as distinguished from the reserve and which was acquired under the act of 1902 stands in the name of the Board of Managers of the National Home for Disabled Volunteer Soldiers. The paragraph makes no provision for the transfer of that property.

In order to clarify that provision and carry out the intention of the committee, the amendment I have offered is necessary. I have submitted this amendment to the chairman of the committee and he has agreed to it. I also submitted it to the counsel of the Veterans' Bureau and he agrees that the amendment is necessary in order to carry out the intention of the committee that reported the bill.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That section 19 of the World War veterans' act, 1924, as amended (sec. 445, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 19. In the event of disagreement as to claim, including claim for refund of premiums, under a contract of insurance between the bureau and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the district court of the United States in and for the district in which such persons or any one of them resides, and jurisdiction is hereby conferred upon such courts to hear and determine all such controversies. The procedure in such suits shall be the same as that provided in sections 5 and 6 of the act entitled 'An act to provide for the bringing of suits against the Government of the United States,' approved March 3, 1887, and section 10 thereof so far as applicable. All persons having or claiming to have an interest in such insurance may be made parties to such suit, and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the bureau acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought by the bureau in the name of the United States against all persons having or claiming to have any interest in such insurance in the Supreme Court of the District of Columbia or in the district court in and for the district in which any of such claimants reside: *Provided*, That no less than 30 days prior to instituting such suit the bureau shall mail a notice of such intention to each of the persons to be made parties to the suit. The circuit courts of appeal and the Court of Appeals of the District of Columbia shall respectively exercise appellate jurisdiction and, except as provided in sections 346 and 347, title 28, United States Code, the decrees of the circuit courts of appeal and the Court of Appeals of the District of Columbia shall be final."

"No suit shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made, or within one year from the date of the approval of this amendatory act, whichever is the later date: *Provided*, That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: *Provided further*, That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitations has elapsed. Judgments hertofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section.

"In any suit, action, or proceedings brought under the provisions of this act, subpœnas for witnesses who are required to attend a court of the United States in any district may run into any other district: *Provided*, That no writ of subpœna shall issue for witnesses living out of the district in which the court is held at a greater distance than 100 miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown. The word 'district' and the words 'district court' as used herein shall be construed to include the District of Columbia and the Supreme Court of the District of Columbia.

"Attorneys of the bureau when assigned to assist in the trial of cases, and employees of the bureau when ordered in writing by the director to appear as witnesses shall be paid the regular travel and subsistence allowance paid to other employees when on official travel status.

"Part-time and fee-basis employees of the bureau, in addition to their regular travel and subsistence allowance, when ordered in writing by the director to appear as witnesses in suits under this section, may be allowed, within the discretion and under written orders of the director, a fee in an amount not to exceed $20 per day.

"Employees of the United States Veterans' Bureau who are subpœnaed to attend the trial of any suit, under the provisions of this act, as witnesses for plaintiffs shall be granted official leave for the period they are required to be away from the bureau in answer to such subpœnas.

"The term 'claim' as used in this section means any writing which alleges permanent and total disability at a time when the contract of insurance was in force, or which uses words showing an intention to claim insurance benefits, and the term 'disagreement' means a denial of the claim by the director or some one acting in his name on an apoeal to the director. This section, as amended, with the exception of this paragraph, shall apply to all suits now pending against the United States under the provisions of the war risk insurance act, as amended, or the World War veterans' act, 1924, as amended."

Mr. MOUSER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 9, line 2, insert the following: "*Provided further*, That in connection with adjudication of the claim of Hal R. Johnson X–C 423904, the director shall make payment of the amount of the adjusted-service certificate in accordance with the last will and testament of the deceased."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That a new subdivision be added to section 21 of the World War veterans' act, 1924, as amended (sec. 450, title 38, U. S. C.), to be known as subdivision (3), and to read as follows:

"(3) All or any part of the compensation or insurance the payment of which is suspended or withheld under this section may, in the discretion of the director, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate nor apportioned to his dependent or dependents under the provisions of section 202 (7) of this act may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the director for the benefit of such veteran or his dependents. Any balance remaining in such fund to the credit of any veteran may be paid to him if he recovers and is found competent, or otherwise to his guardian, curator, or conservator, or, in the event of his death, to his personal representative, except as provided in section 26 of this act: *Provided*, That payment will not be made to his personal representative if, under the law of the State of his last legal

residence, his estate would escheat to the State: *Provided further,* That any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, derived from compensation, automatic or term insurance payable under said acts, which under the law of the State wherein the veteran had his last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, less legal expenses of any administration necessary to determine that an escheat is in order, to the bureau, and shall be deposited to the credit of the current appropriations provided for payment of compensation and insurance."

Mr. KVALE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 10, line 17, after the word "insurance," insert a new section, to read as follows:

"SEC. 6. That section 23 of the World War veterans' act, 1924, as amended (sec. 45, title 38, U. S. C.), be amended as follows: In the second proviso, after the words 'and it is thereafter established,' strike out the words 'to the satisfaction of the director.'"

Mr. KVALE. Mr. Chairman, the purpose of the amendment is in line with the remarks that I made yesterday.

It is proposed to strike out the words "to the satisfaction of the director" from section 23, the provision which provides specifically that when a veteran is adjudged insane the director shall be permitted to pay benefits under the war veterans' act on the basis that the man was insane when he committed the act for which he was subsequently discharged and punished.

In the case I cited yesterday, the portion of the veteran's sentence relating to his incarceration was remitted, but the Navy Department declined to remove his dishonorable discharge, and the director declined to act in contradiction. There are many such cases, and they result in large numbers of private bills. This amendment, if adopted, will prevent the piling up of the work on the members of the Committee on Military Affairs and the work of Congress.

Mr. JOHNSON of South Dakota. Is it the purpose of this amendment to give the Director of the Veterans' Bureau the power to give an honorable discharge?

Mr. KVALE. In substance, it is to do just the converse. He now has the discretionary power to do that in substance. It is the purpose of this amendment to force the director to confirm decisions, when they are in the veterans' favor. When he has recommendations from his executives before him that would warrant him in finding for a veteran in cases of this kind, it is no longer to be left to his "satisfaction" to do these things, but he shall be charged with the duty of doing it. It may be a small point, but it is tremendously important in a case such as I cited yesterday.

Mr. JOHNSON of South Dakota. Just what is the gentleman trying to do with reference to the power of the director?

Mr. KVALE. The director now has discretionary power. The law says insanity must be shown to his satisfaction. Under the provisions of my amendment the law would simply omit those words, and the gentleman can read to the committee the law as it would read if the amendment were adopted.

Mr. JOHNSON of South Dakota. The gentleman would not want the director to remit any sentence if it was not established to his satisfaction, would he?

Mr. KVALE. In certain cases, such as I described yesterday, exactly that.

Mr. JOHNSON of South Dakota. I am not certain that the amendment would make much difference.

Mr. KVALE. I do not want to impede the progress of the legislation. Those who have read the brief that I put into the RECORD yesterday will be in favor of the amendment, and those who have not read it may have some question as to its merit, and I do not blame them for that, for there is too much to read every day in all these extensions of remarks. I do not want to take any more time now, but I plead the urgency of this particular amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section close in two minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on this section close in two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, I am forced to oppose the amendment, because it is not clear to my mind what its effect would be. I know that somewhere there must be a final decision, and I do not see how the director could decide an important matter of this kind unless it were established to his satisfaction. In other words, it would take away from the director the right to decide and put it in some other body of which we know nothing.

Mr. KVALE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. KVALE. In the case I cited yesterday the director had had authority and instruction from every one of his advisers, legal adviser, medical adviser, a special board of neuropsychiatric experts which had been set up to secure advice on it, from his coordination section, from the contact section, from every agency within the Veterans' Bureau.

Mr. JOHNSON of South Dakota. And the gentleman desires to put those lower boards above the director?

Mr. KVALE. Not necessarily. I want to make it mandatory for the director to accept the advice which he seeks.

Mr. JOHNSON of South Dakota. Which advice? The advice from the medical adviser or the legal adviser or the coordination division?

Mr. KVALE. Well, the gentleman is straining a point.

I ask for a vote, Mr. Chairman.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. That section 200 of the World War veterans' act, 1924, as amended (sec. 471, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided,* That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided,* That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, a disability developing a 10 per cent degree or more in accordance with the provisions of subdivision (4) of section 202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting disability in such service between said dates, and said presumption shall be conclusive in cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further,* That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress."

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi [Mr. RANKIN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 15, line 2, after the word "claim," insert a new proviso, as follows:

"*Provided further,* That an ex-service man who is shown to have, or, if deceased, to have had, prior to January 1, 1930, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly, all diseases enumerated on page 75 of the schedule of disability ratings of the United States Veterans' Bureau, 1925, or amoebic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly, all diseases enumerated on page 75 of the schedule or disability rating of the United States Veterans' Bureau, 1925, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1930, if the facts in the case substantiate his claim."

Mr. CONNERY. Mr. Chairman, I offer an amendment to the Rankin amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of South Dakota. It is very evident that it is upon this section the greatest argument and dispute will arise. The Chair has recognized the gentleman from Mississippi [Mr. RANKIN] to add as an amendment to the bill, the so-called Rankin bill. Is it the purpose of the Chair to recognize at this time the gentleman from Massachusetts to offer his amendment as a perfecting amendment?

The CHAIRMAN. The gentleman from Mississippi has offered his amendment as an amendment to section 10. His amendment does not include all the language of his bill but simply provides for an amendment following the word "claim" in line 2, on page 15. Any germane amendment to the gentleman's amendment will be in order.

Mr. JOHNSON of South Dakota. The lady from Massachusetts, the gentleman from Ohio [Mr. FITZGERALD], and the gentleman from Iowa [Mr. CAMPBELL] have amendments running along the same line. I would like to ask the Chair how they fit into this program.

Mr. OLIVER of Alabama. Mr. Chairman, I have a perfecting amendment.

Mrs. ROGERS. My amendment is a substitute for the section.

The CHAIRMAN. The Chair can only dispose of amendments as they arise. The gentleman from Ohio [Mr. FITZGERALD] has submitted a proposed amendment to the Chair. It proposes to strike out all of the section and insert new language. That amendment will not be in order until all perfecting amendments to the section have been acted upon.

Mr. OLIVER of Alabama. Did I understand the Chair to hold that the Rankin amendment is a perfecting amendment?

The CHAIRMAN. Yes.

Mr. CONNERY. I have offered an amendment to the Rankin amendment.

Mr. STAFFORD. Mr. Chairman, has not the gentleman from Mississippi the floor to discuss his amendment?

The CHAIRMAN. If he desires recognition.

Mr. RANKIN. I expected to ask for recognition, Mr. Chairman, but have been waiting until these amendments were offered, if Members desire to offer them.

Mrs. ROGERS. Mr. Chairman, mine is a substitute for the whole section.

Mr. CONNERY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONNERY. My purpose is to get a vote up to 1930 before we vote on the Rankin amendment, and I have offered an amendment to the Rankin amendment with that in mind. I would like to offer a perfecting amendment, if necessary, after we get a vote on that.

The CHAIRMAN. If the gentleman from Massachusetts will withhold his amendment until after the gentleman from Mississippi has had his five minutes, then the Chair will have the amendment read. The gentleman from Mississippi is recognized.

Mr. RANKIN. Mr. Chairman, this is, in effect, the Rankin bill imposed on the Johnson bill. We do not disturb the Johnson bill; we leave it intact up to 1925, but impose thereon the provisions of the Rankin bill in order to carry tubercular cases, neuropsychiatric cases, and other chronic constitutional diseases up to 1930.

This amendment covers those cases about which so many appeals have been coming to Congress for relief. It covers 18,000 tubercular patients who are now suffering and drawing no compensation. It covers 23,000 neuropsychiatric cases, which are also in distress and drawing no compensation. We put them on the roll by presumption, because it has been impossible for them to prove service connection, owing to the red tape of the Veterans' Bureau, and owing to the fact that these men—many of them the best soldiers America furnished during the World War—attempted to carry on; they attempted to make a living without asking their Government for assistance until finally, when they broke down, they found they were too late.

The men suffering from nervous troubles, these neuropsychiatric men, invariably owe their disabilities to shell shock and to the strain and stress of the war and the intensive training through which they passed during the time we were in that conflict. They are just as deserving as any, and if Congress fails to adopt this amendment, which will care for these poor, unfortunate men, and put them on the roll, those men who broke down prior to January 1, 1930, it will be a serious disappointment to them and a disappointment to the American people.

Not only this, Mr. Chairman, but this is to take care of those unfortunate tubercular men to whom I have just referred, not a one of whom is put on the pay roll by the Johnson bill, not a one of whom is given compensation under the Johnson bill. If these men were included I would not have continued this fight throughout all these months.

Mr. Chairman, tuberculosis is the great white plague of America—the dreaded enemy of mankind. He is the commander in chief of the allied forces that are fighting for the destruction of the human race.

He is more dangerous than any foreign power, and more destructive than any antagonist our country has ever encountered on the field of battle.

He is the friend of none, yet he is the confederate of every disease and the ally of every foe of mankind.

He is more devastating than the sword; more treacherous than poison gas; more sinister than the submarine; and more cruel than Caligula.

In the heat of battle, in the fullness of his pride and strength, the soldier takes little heed of the hissing bullet or the bursting shell. He is urged on by his patriotism, and the consciousness of his country's support and cheered on by his comrades to victory or to death.

But he who dies of tuberculosis must in a measure fight his battles alone. He lingers for days, and weeks, and months, and even years, while this insidious foe stealthily performs his deadly work.

He comes not up like a brave and daring enemy storming by sudden onset the fortress that resists. He besieges. He draws his line around the doomed garrison. He cuts off supplies; he undermines. He never summons to surrender. He asks no quarter and gives none. He observes no armistice; he recognizes no flag of truce. He halts at no Rubicon; he pauses at no Delaware. He is grim, stealthy, insidious, malignant, relentless, and implacable. His arena of constant warfare spreads throughout the earth. The devastating wake of his ravishing march leads through every land. Wherever he goes he conquers.

He conquers amidst the burning sands of the south where the phalanx of Alexander halted in mutiny. He conquers amidst the snowdrifts of the north where the grand army of Napoleon found its winding sheet.

Unlike a common warrior, he tortures his helpless victim and gradually puts him to a slow and painful death—he smothers him to death. When finally the spark of life has fled, instead of relenting his assault he gloats over the dead and moves on to attack and, if possible, destroys his defenseless loved ones.

Thus, while Congress quibbles over the cost, his relentless march goes on, leaving in his deadly wake a hundred thousand yearly victims in the United States alone, many thousands of whom are veterans of the World War.

For these tubercular victims whose cause I am now pleading the war has never closed. For them the battle will rage until they sink into the grave.

I appeal to you to adopt this amendment. It is not a costly affair. It will cost, at the outside, only $31,000,000 a year. I

prefer it to the Connery amendment, because I am afraid the Connery amendment is so broad and will take in so many cases aside from the ones I have referred to and will bring such a burden to the Treasury that it will invoke a veto.

For this reason I have asked you to adopt this amendment, for which the veterans have been appealing to you for months, in order that we may do full justice and take care of these men who are suffering from this horrible malady before it is everlastingly too late. [Applause.]

Mr. PATTERSON. Will the gentleman yield for a question?

Mr. RANKIN. Yes.

Mr. PATTERSON. Does the gentleman now state that not one of these tuberculosis or neuropsychiatric cases will be cared for under the Johnson bill if we do not pass an amendment of this kind?

Mr. RANKIN. I said that in my original remarks.

Mr. CONNERY. Mr. Chairman, I ask recognition to offer an amendment to the Rankin amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNERY to the amendment offered by Mr. RANKIN: Strike out all of the Rankin amendment after the figures "1930," in line 3 down to and including the word "than," in line 26, and insert in lieu thereof the following: "a disability developing."

Mr. CONNERY. Mr. Chairman, I have no desire to take the time of the committee on this amendment. I think we have discussed it thoroughly. My whole idea is to get a vote on the Johnson bill brought up to 1930. This language will give us a chance to decide whether the membership of the House wants to bring all the provisions of the Johnson bill up to January 1, 1930, or not. This is all that my amendment calls for, and I hope the committee will support the amendment.

Mr. HASTINGS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. HASTINGS. I do not understand how the gentleman's amendment accomplishes what he has in mind. Does the gentleman substitute 1930 for 1925?

Mr. CONNERY. Yes; I leave the words "January 1, 1930" in the Rankin amendment and cut out all after that down to the word "than."

Mr. HASTINGS. I thank the gentleman.

Mrs. ROGERS. Mr. Chairman, I have a substitute for the Rankin amendment, as amended.

The CHAIRMAN. The gentlewoman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment proposed by Mrs. ROGERS: Page 12, line 16, strike out the section and insert section 10, as follows:

That section 200 of the World War veterans' act, 1924, as amended, is hereby amended, to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921"——

The CHAIRMAN. If the Clerk will suspend the reading of the amendment a moment, the Chair would like to say he does not think this is a substitute for the Rankin amendment. It is a motion to strike out the section and insert an entirely new section. It is exactly similar to the motion which the gentleman from Ohio [Mr. FITZGERALD] proposes to offer, except, I presume, it contains different language. The motion is not in order until the perfecting amendments to the Rankin amendment and to the section have been acted upon.

Mrs. ROGERS. Will the amendment be in order after that?

The CHAIRMAN. After the Rankin amendment and all other amendments to the section have been acted upon.

Mrs. ROGERS. Will that strike out the Rankin amendment?

The CHAIRMAN. If adopted, it would strike out the whole section, including the Rankin amendment and any other amendment that may be adopted.

Mrs. ROGERS. And we would start just as if the bill had not been amended?

The CHAIRMAN. Unless the committee adopts some other motion similar to the one that the gentleman from Ohio proposes to offer, to strike out the section and insert other language. If that were adopted, that would preclude any other amendment to the section.

Mrs. ROGERS. If I offer an amendment to the Rankin amendment, that would be in order now?

The CHAIRMAN. There is one amendment to the Rankin amendment pending; as soon as that is voted up or down then another amendment to the Rankin amendment would be in order.

Mrs. ROGERS. Then, Mr. Chairman, I withdraw my amendment temporarily.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts to the amendment of the gentleman from Mississippi.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, ladies and gentlemen of the committee, this whole debate has been conducted in the committee and in the Congress for the last 60 days and will culminate in a vote we will take in a few moments. I would like to have the definite propositions explained so that everyone will know what they are voting on.

In the first place, the gentleman from Mississippi has offered an amendment, which is the Rankin bill, to the bill which bears my name and is now under discussion.

The amendment by the gentleman from Mississippi [Mr. RANKIN] provides that a certain selected class of diseases shall be presumed to have been received in service if contracted prior to January 1, 1930. The list of diseases he has enumerated in some respects is ridiculous. As explained by the gentleman from Massachusetts [Mr. LUCE] yesterday, he has provided that a man who contracts gout prior to January 1, 1930, will be presumed to have contracted it in the service.

A man who is found to be suffering from obesity, if he gets too fat prior to January 1, 1930, shall be deemed to have received the injury in the Argonne Forest or Belleau Wood.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. As a matter of fact, the gentleman from South Dakota and the gentleman from Massachusetts have made a good deal of talk about gout. I want to ask him if he has ever found an ex-service man afflicted with gout?

Mr. JOHNSON of South Dakota. Oh, yes; many of them.

Mr. RANKIN. With reference to obesity, the gentleman from New York the other day pointed out that this was a disease caused by certain glands in the head——

Mr. JOHNSON of South Dakota. I am only yielding for a question.

Mr. RANKIN. That is true, is it not?

Mr. JOHNSON of South Dakota. It is not true that the injury to the glands in his head came from anything happening at Chateau-Thierry.

Mr. RANKIN. The Johnson bill covers gout and obesity, does it not?

Mr. JOHNSON of South Dakota. It covers every disease prior to January 1, 1925, and I admit has little justification for some of its provisions. But it does place upon an equality every service man in the United States. It brings equality to every man upon the basis of those to whom we previously gave preference.

I am frank to say that you will have a record vote, for if the Rankin amendment goes into the bill I shall move to recommit, and if it does not go into the bill the gentleman from Mississippi [Mr. RANKIN] will move to recommit, so that there will be a record vote on this question and you must decide. If you vote for the Rankin amendment you will provide that a man who enlisted in the Regular Army on July 1, 1921, nearly three years after the World War, and served two days, and then was afflicted with gout or obesity in December, 1929, will be given if he takes hospitalization and has dependents a pension from $225 to $250 a month.

Mr. ARNOLD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. ARNOLD. If it is shown that his disability was not connected with the service he will not get it?

Mr. JOHNSON of South Dakota. The Government can not prove that except on the man's own admission, and he will not admit anything.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WAINWRIGHT. On the question of gout and obesity, as I understand it, the only difference between the gentleman's bill and the Rankin bill, if gout and obesity were contracted prior to January 1, 1925, they would be covered by the gentleman's bill, whereas by the Rankin bill that period would be extended to 1930?

Mr. JOHNSON of South Dakota. Exactly. As I have tried to explain, there are many unscientific things in the committee bill, the so-called Johnson bill, but there is this justification: That we do not give preference to men afflicted with certain diseases. That was unsound.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Chairman, will the gentleman later yield me one minute, so that I may ask unanimous consent to change my amendment?

Mr. JOHNSON of South Dakota. Certainly; I shall be glad to do that.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PERKINS. It might be of interest to the committee that claims for death and disability compensations have been filed in the total number of 1,138,015 as of September 30, 1929. Of that number, 564,240 claims have been allowed. The difference is about 550,000 claims, filed as of September 30, 1929. Is there any reason to believe that the entire 550,000 claims would not be allowed under this amendment?

Mr. JOHNSON of South Dakota. There is no reason to think that they would not, and there is no reason that they could not.

Mr. PERKINS. In addition to that, all cases that have arisen since January 1, 1925, up to January 1, 1930, would also come in.

Mr. JOHNSON of South Dakota. Yes; and not only that but there is no reason in the world to confine this to 1930, for, if you adopt the Rankin bill, and carry these provisions to 1930, you have adopted the policy of each year further extending the time, and, therefore, you will have adopted the policy of giving to every man and woman who saw service in the World War, who becomes diseased from any cause, even through his own misconduct, a pension, which, with hospitalization, will amount to $225 to $250 a month, and that will bankrupt any government, and it can not be done.

Mr. RANKIN. Mr. Chairman, if the gentleman will yield, in order that I may not be misunderstood, if any of these men who served during the war break down with tuberculosis after 1930, I am one who is willing to take care of them.

Mr. JOHNSON of South Dakota. I think I have analyzed the Rankin bill, so that members of the committee will surely understand it.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. TABER. What is the justification for providing for compensation in this bill for service after the close of the World War and prior to July 21, 1921?

Mr. JOHNSON of South Dakota. There is no justification for it. It came in because that was the date that by formal enactment of law the war was closed. It is very unscientific, and I think an amendment will be offered to-day by a Member of the House [Mr. LAGUARDIA] to confine that time to November 11, 1918.

I want now to discuss the amendment offered by my distinguished colleague from Massachusetts [Mr. CONNERY]. One thing I always give that gentleman credit for is that he believes everything that he says. He has probably as distinguished a service record as any man in the United States. There are a great many men who, if they could look back and say that they had been a color sergeant of the One hundred and first Infantry, Twenty-sixth Division, would have something to be proud of to-day.

I do not agree with the gentleman except very, very occasionally; and I know that his amendment, if adopted, which would simply carry my bill to 1930, would bankrupt the Government more than the Rankin bill, because it would include every single known disease that a man could be afflicted with.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. While the gentleman and I very seldom agree in committee, I say this, and I mean it: The ex-service men of the United States have no better friend in the world than the gentleman from South Dakota, the chairman of this committee. But I say further, that he knows from past experience that if we send the bill over to another body with $300,000,000 on it, it will come back to this House with about $150,000,000 cut out of it, and so I never worry about that on this side of the Capitol.

Mr. JOHNSON of South Dakota. I recall that in 1925 we sent a bill to the Senate, and that instead of reducing it they trebled it, and I think that is what would happen on this occasion. There is one thing which I think ought to be made clear in the minds of the membership before we vote on these matters. My honest judgment is that even if you should pass the so-called Johnson bill with that amendment, the President would veto it, although I am not authorized to speak for him. I do know that he could not do otherwise than veto it if you adopt either the Rankin amendment or the Connery amendment.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. PATMAN. I agree with the gentleman that the Director of the Veterans' Bureau will be unable to rebut any very large number of these cases with proof; but is it not a fact that the director can use the files of cases now in the various regional offices for the purpose of rebutting the applications for compensation under this new act?

Mr. JOHNSON of South Dakota. He could use whatever was in the folder, certainly.

Mr. PATMAN. And if an application is made now for disability, the director can go back to 1922 and tell the soldier that he was examined then.

Mr. JOHNSON of South Dakota. Certainly.

Mr. PATMAN. And that there was no disability like that shown at that time, and therefore it is convincing proof that he is not now suffering from what was service connected.

Mr. O'CONNELL of New York. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. O'CONNELL of New York. In regard to the statement the gentleman made about the President. Was that a threat or a promise?

Mr. JOHNSON of South Dakota. It is neither. It is purely a statement that in my judgment no President of the United States, whether he be a Democrat or a Republican, a standpatter or a progressive——

Mr. O'CONNELL of New York. Oh, there is no politics in this.

Mr. JOHNSON of South Dakota. There is no politics in it, but he could not sign a bill that will give for non-service-connected disabilities to this great body of men a pension amounting to from $225 to $250 a month.

Mr. O'CONNELL of New York. Congress has the right to decide when a service-connected disability begins and when it ends.

Mr. JOHNSON of South Dakota. The Congress will have that right, but the President must finally decide the fate of this bill. I am going to offer a motion to recommit and offer such an amendment to the bill as the President can sign and will sign. If this legislation is voted down, if it is vetoed and there is no bill, I want to make it clear that that is not my responsibility, and those who are causing that result are those who must take that responsibility. [Applause.]

Mr. O'CONNELL of New York. Oh, Mr. Chairman, there could not possibly be any politics in a measure of this kind. It will be found when the vote of the House is tabulated that men on both sides of the aisle will be for the bill with the Rankin amendment. The people of the United States will applaud the passage of this legislation. It will make glad the hearts of thousands of service men to whom adequate consideration has heretofore been denied. Their comrades in countless hospitals will be comforted and cheered when the news goes out to the country that the bill is passed.

It is inconceivable that the President would veto this humane legislation, as the gentleman from South Dakota [Mr. JOHNSON] threatens he will do. I believe my friend is under a misapprehension as to what the attitude of the Executive will be. The bill has my hearty support, and should pass unanimously.

Mr. JOHNSON of South Dakota. Mr. Chairman, I reserve the balance of my time.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent for parliamentary reasons to withdraw my amendment and offer it a little later in a modified form.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to withdraw his amendment and reoffer it later in a modified form. Is there objection?

There was no objection.

Mrs. ROGERS. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentlewoman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS as a substitute for the Rankin amendment: Page 14, line 9, after the word "record," insert a new proviso, as follows: "*Provided further*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925,

neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, diabetes insipidus, primary anemias, arterial sclerosis, diabetes mellitus, Hodgkins disease, leukeima, polycythemia (erythremia), arthritis deformans, arthritis chronic, carcinoma sarcoma, malignant tumors, cardiorascular renal diseases (including hypertension), cholecystitis chronic, endorcarditis chronic, leprosy, myocarditis chronic, nephritis chronic, nephrolithiasis, chronic nontubercular pulmonary disease, or amoebic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, diabetes, insipidus, primary anemias, arterial sclerosis, diabetes mellitus, Hodgkins disease, leukeima, polycythemia (erythemia), arthritis deformans, arthritis chronic, carcinoma sarcoma, malignant tumors, cardiorascular renal diseases (including hypertension), cholecystitis chronic, endocarditis chronic, leprosy, myocarditis chronic, nephritis chronic, nephrolithiasis, chronic nontubercular pulmonary disease, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease, paralysis, paresis, blindness, those helpless or bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim."

The CHAIRMAN. The Chair understands that the gentlewoman from Massachusetts is offering this amendment as a substitute for the Rankin amendment and proposes to strike out all the language of the Rankin amendment and insert the language of the amendment in lieu thereof?

Mrs. ROGERS. Yes.

I have been asked to introduce this amendment at the request of the American Legion. I ask that the Clerk read the telegram which I received this morning from Commander Bodenhamer, the commander of the American Legion, and a letter from Col. John Thomas Taylor, the chairman of the American Legion legislative committee here in Washington; and I ask that in the reading of this telegram and letter the time be not taken from the time I am allowed in supporting this measure. I deem it an extremely important matter, and therefore I make this request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PERKINS. Mr. Chairman, will the lady yield there?

Mrs. ROGERS. Yes.

Mr. PERKINS. I might state that to the majority that is entirely satisfactory.

Mr. SIMMONS. Mr. Chairman, will the lady yield?

Mrs. ROGERS. Yes.

Mr. SIMMONS. It is my understanding that the amendment would be a substitute for the Rankin amendment to the provisions of the bill that we are now considering, and that it is not a substitute for the bill?

Mrs. ROGERS. No.

Section 200 in the present bill is not the amendment requested by the American Legion. While they wanted the amendment, they did not request it, because they realized, knowing the history of legislation of this kind, that it could not possibly become a law. You and I know that no President has ever signed a World War veterans' bill that carried over $30,000,000. This bill, even without the Rankin amendment, provides for a much larger appropriation, namely, $100,000,000. The Rankin and other amendments which will be proposed will bring the cost to several hundred millions of dollars, on lots of them over $500,000,000, which we are already spending on World War veterans' relief. As a result there would be no legislation, and we want legislation before we adjourn.

The CHAIRMAN. The Chair understands that the amendment offered by the gentlewoman from Massachusetts does not change the language of section 10 of the Johnson bill at all, but it strikes out the language of the Rankin amendment and substitutes the language which has been read, which is not all of section 10 of the Johnson bill. This is in answer to the interrogation of the gentleman from Nebraska [Mr. SIMMONS].

Mr. GREEN. I was wondering whether that takes care of chronic sore legs.

Mrs. ROGERS. It depends on the primary cause of the sore legs.

Mr. KVALE. Mr. Chairman, will the lady yield?

Mrs. ROGERS. Yes.

Mr. KVALE. Does your amendment apply to a disability such as is caused by duodenal ulcers? It has been held that these proposed changes relating to chronic or constitutional diseases would not cover the ulcerous ailments or amebic dysentery that has been of some concern to me, for I have a mass of evidence to show how these groups have suffered from inadequate consideration even under existing law.

Men suffering, and for all practical purposes totally disabled, from amebic dysentery or from ulcerous ailments, have been held to fail to come within the provisions of existing law when they have applied for compensation or treatment. It is unfair, it is not what it should be in keeping with the spirit of the law. The director and his advisers have undertaken to say that in the case of amebic dysentery, the claimant must show an actual dysenteric condition before he is eligible to receive benefits. That is not what Congress intended.

The bureau admits—because it is a medical fact—that this disease is caused by a parasite. The disease may, and generally does, cause a series of violent attacks that are separated by intervals of varying duration during which the dysenteric symptoms and evidence of the disease may be absent. And, just because this visit to the bureau does not happen to be timed so that one of his attacks is noted, the veteran is refused compensation, despite the provision of the law.

I say that whenever a veteran has that parasite he should be compensated, because he is afflicted every little while with recurring attacks of this dysenteric condition.

Mrs. ROGERS. I am sorry, but I did not yield for the gentleman to make a speech.

Mr. KVALE. I apologize to the lady; I did speak too long.

Mr. HUDSON. Will the gentlewoman yield for a parliamentary question?

Mrs. ROGERS. I yield.

Mr. HUDSON. Will the Chair state just what the effect of the amendment is? Does it strike out section 10 of the bill?

The CHAIRMAN. The Chair does not think that is a question for the Chair to determine.

Mr. BANKHEAD. With the permission of the gentlewoman from Massachusetts [Mrs. ROGERS] there was a great deal of confusion in the Chamber when the substitute was read, Mr. Chairman, and we would like to have the amendment read again so we may understand it, or at least have an explanation of it from the gentlewoman so that we may understand it. Some of us could not hear the amendment read.

Mr. TEMPLE. Mr. Chairman, it seems that if the first two or three sentences of the amendment were read we could see how it ties on to this bill. I would like to know whether it is a substitute for the Rankin amendment or whether it proposes to strike out section 10 or is a substitute for the entire section.

The CHAIRMAN. Does the gentlewoman from Massachusetts [Mrs. ROGERS] desire to proceed?

Mr. LUCE. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. LUCE. Mr. Chairman, I ask unanimous consent that the introduction to the amendment offered by the gentlewoman from Massachusetts [Mrs. ROGERS] may be read, and the place pointed out where it is to be inserted.

Mr. TEMPLE. That is exactly what I asked for.

The CHAIRMAN. The gentleman from Massachusetts [Mr. LUCE] and the gentleman from Pennsylvania [Mr. TEMPLE] ask unanimous consent that the amendment be again read, or the first three sentences of the amendment.

The Chair will say that the Clerk has to interpret a great deal of the amendment. The Clerk will do his best to put it in proper form.

Mr. WINGO. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. WINGO. I would like to ask the gentlewoman from Massachusetts if it is not true, if the Members will look at H. R. 8133, the old bill, on page 5, they will find the language that the lady from Massachusetts is offering as an amendment? This will enable them to follow it.

Mrs. ROGERS. That gives the language exactly. It is the original American Legion request upon this section as contained in H. R. 8133, the so-called American Legion bill, which was introduced at their request by Chairman JOHNSON, and it is exactly what they think should become the law.

Mr. TEMPLE. What bothers me is not a question as to what the language is, but as to how it is to be attached to this bill; whether it is a substitute for the Rankin amendment or a substitute for the section?

Mrs. ROGERS. Mr. Chairman, may we have the Rankin amendment read, and then we can understand it exactly.

Mr. RANKIN. I will say to the membership of the House that the lady's amendment does not bring in any of the cases beyond 1925.

Mrs. ROGERS. That is true.

Mr. RANKIN. So that every case covered by the amendment offered by the lady from Massachusetts is covered by the Johnson bill, up to 1925, which we propose to leave intact.

Mrs. ROGERS. But the American Legion has requested it go into the bill in this form. In view of the fact no compensation bill involving the cost of $100,000,000 would become law, we have to take what we can get.

The CHAIRMAN. As the Chair understands, the gentlewoman from Massachusetts proposes to offer an amendment to the amendment offered by the gentleman from Mississippi [Mr. RANKIN], in the nature of a substitute, to strike out all of the language of the amendment offered by the gentleman from Mississippi [Mr. RANKIN] and substitute therefor the language which the Clerk will read.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry. The practical effect of that would be to eliminate from the law section 10 as it has been written into the bill, to eliminate the so-called Connery amendment, and eliminate the Rankin amendment and insert a new provision, taking certain specific cases and presuming them to have been contracted prior to January 1, 1925.

Mrs. ROGERS. Yes. It gives service presumption to 20 additional diseases to section 200 of the present World War veterans' act.

The CHAIRMAN. The Chair desires to say that he does not understand the amendment in the way the gentleman from South Dakota [Mr. JOHNSON] interprets it. It does not strike out the language of section 10 in any particular. The amendment offered by the gentleman from Mississippi [Mr. RANKIN] did not propose to strike out any of the language of section 10, but inserted language after the word "claim," in line 2, on page 15. The gentlewoman from Massachusetts [Mrs. ROGERS] offers an amendment which simply proposes to substitute in lieu of the Rankin amendment language which she proposes, both of which amendments leave section 10 in the bill exactly as it is now, with the additional language.

Mr. SIMMONS. A parliamentary inquiry. If the gentlewoman from Massachusetts [Mrs. ROGERS] desires to treat her amendment as a substitute for section 10 of the bill, it will first be necessary to dispose of the Rankin amendment, and then offer the gentlewoman's amendment as a substitute for section 10 either as now or as amended by the Rankin amendment.

The CHAIRMAN. The Chair said that at the beginning of the discussion.

Mr. FORT. A parliamentary inquiry. If the amendment were now adopted, a subsequent motion to strike out the balance of the section would be in order, would it not?

The CHAIRMAN. The Chair has stated that this is a perfecting amendment. Any motion to strike out the section after it is perfected will be in order.

Mr. FORT. A motion to strike out the balance of the section would cure the difficulty.

The CHAIRMAN. Any germane amendment will be considered.

Mr. TEMPLE. Mr. Chairman, has the Chair put the unanimous-consent request that I made, in which the gentleman from Massachusetts [Mr. LUCE] joined, to have the first two or three sentences read, so that we can see the ligament by which it is joined to the bill?

The CHAIRMAN. With the understanding that the language is to be inserted in the bill, as the Chair stated, the Clerk will now read the first three sentences of the proposed amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS as a substitute for the amendment offered by Mr. RANKIN: On page 14, line 9, after the word "record," insert a new proviso, as follows:

"*Provided further*, That an ex-service man who is shown to have, or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease, etc."

Mrs. ROGERS. Mr. Chairman, I wonder if the Clerk may be allowed to read the telegram and letter from the American Legion, which I think explains this amendment, before I speak?

Mr. HOCH. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. HOCH. Do we understand it is the intention of the lady to strike out section 10?

Mrs. ROGERS. Not the entire section, but beginning with "provided," on line 9, of page 14, strike out all from there on and insert my amendment in lieu thereof. It does not eliminate any disease covered by the existing law, but adds 20 additional.

Mr. HOCH. Nor does it change the Johnson bill?

Mrs. ROGERS. No. It does not change the Johnson bill except in certain particulars. It takes out certain diseases.

Mr. Chairman, I ask unanimous consent that the telegram and letter may be read.

The CHAIRMAN. Without objection, the Clerk will read the telegram and letter referred to.

There was no objection.

The Clerk read as follows:

SALT LAKE CITY, UTAH, *April 24, 1930.*

EDITH N. ROGERS,

United States Congress, Washington, D. C.:

Appreciate your deep and continued interest in disabled men's legislation. Understand you propose amendment substituting section 200 of H. R. 8133 for section 200 of Johnson bill. This would meet mandate of Louisville convention and would still leave the Johnson bill a splendid piece of legislation and ought to remove apprehension of many Congressmen as to cost as reported in the press. We are anxious for passage of this legislation.

Regards. O. L. BODENHAMER.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mrs. ROGERS. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes and that the reading of this letter be not taken out of that time.

The CHAIRMAN. The gentlewoman from Massachusetts asks unanimous consent that the Clerk may read the letter referred to and that she may have 10 minutes in addition to the time taken in the reading of the letter. Is there objection. [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMITTEE,
Washington, D. C., April 24, 1930.

Hon. EDITH NOURSE ROGERS,

House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: I am addressing this letter to you because of the deep and unselfish interest you have consistently displayed since 1917 in the welfare of the World War disabled, and because it has long been recognized that where their interests are concerned, your attitude has been of a strictly nonpartisan character—your desire has been to bring them the greatest possible measure of relief.

The House debate of the past 10 days clearly demonstrates that a crisis now confronts the pending Johnson bill, H. R. 10381, reported by the House Committee on World War Veterans' Legislation, and now being debated by the House. This committee bill contains 25 sections proposing to amend the World War veterans' act, at an annual cost estimated by the Veterans' Bureau at $89,000,000. The chief cost factor in these 25 sections is contained in section 200, which the Veterans' Bureau estimates alone will cost $76,000,000 a year for three years.

It would seem that Mr. Hoover's letter of warning that a deficit of $20,000,000 may be impending, which Mr. WOOD read to the House yesterday, has been prompted to some extent by the cost estimates advanced for the Johnson bill and other legislative proposals in connection with it.

The present acute difficulties of the veterans' legislation have to do, as you are well aware, with this and other proposed amendments to section 200 of the World War veterans' act. This is the section of the law which creates the presumption of service connection for disabilities arising to a 10 per cent degree prior to certain dates.

The Veterans' Bureau estimates that Mr. JOHNSON's bill would increase the cost of section 200 by $76,000,000 a year for three years, through a provision which would make all disabilities developing prior to January 1, 1925, considered of service origin, unless otherwise rebutted.

Mr. RANKIN'S bill would provide that tubercular, neuropsychiatric, and constitutional diseases developing prior to January 1, 1930, would be attributable to the service. The Veterans' Bureau estimates the cost of this proposal at $44,000,000 a year, and adds that should the Rankin bill be superimposed upon the Johnson bill, that an annual cost of $31,000,000 would be added to the $89,000,000 cost of the Johnson bill, or $120,000,000 annually, altogether.

For greater clarity, the cost estimates of the various amendments proposed to section 200, are herewith set forth:

Veterans' Bureau cost estimates

H. R. 10381, Johnson bill, sec. 200 (1925 presumptive date)	$76,000,000
H. R. 7825, Rankin bill, sec. 200 (1930 presumptive date)	44,000,000
H. R. 8133, Legion bill, sec. 200 (1925 presumptive date)	12,500,000
H. R. 10381, amended by H. R. 7825, would be increased by	31,000,000

You will see from the foregoing estimates that the cost of the Johnson bill, section 200, exceeds that requested by the Legion by $64,000,000, while section 200 of the Rankin bill exceeds the Legion's request by $32,000,000. Also, that the cost of the Johnson bill, section 200, exceeds that of the Rankin bill by $32,000,000. These cost estimates have been on record for many weeks, and we had assumed that they had been accepted as reasonably accurate estimates of the cost of the proposed measures. However, other estimates and figures have been used during the debate, which are entitled to consideration because of the prominent positions occupied in the House by those who have sponsored them. The inevitable result of these other estimates has been





to confuse the Congress and the country, and raise a reasonable doubt as to the accuracy of all the cost estimates submitted.

For instance, Mr. JOHNSON, during debate, submitted figures from the Pension Bureau which estimate the cost of the Johnson bill at $319,000,000 annually, and further set forth that should the presumption date of 1925 in the Johnson bill be extended to 1930, the annual cost of the measure would be $426,000,000.

It should be said in connection with the cost estimates that those submitted by the Veterans' Bureau have been based upon claims pending, although the four days' debate has suggested that these estimates are in fact of a minimum nature, and may in actual practice prove considerably greater. While some feel that the Pension Bureau's estimates on Mr. JOHNSON's bill are excessive and would not be reached, they have nevertheless been presented to the Congress and the Nation by the chairman of the House Veterans' Committee, and for this reason alone, they are entitled to serious consideration.

The estimates given you yesterday by Mr. WOOD, the Appropriations Committee chairman, in the time granted him by Mr. JOHNSON, would indicate that he places great reliance upon the Pension Bureau figures submitted by Mr. JOHNSON, for Mr. WOOD said during the debate:

"If I had the time to go through the various items of this bill, I think I could demonstrate that it would amount to more than $400,000,000."

As stated earlier in this letter, the Veterans' Bureau has estimated that the 24 sections of the Johnson bill, exclusive of section 200, will entail an annual cost of $13,000,000. There are many excellent and necessary provisions contained in these 24 sections of Mr. JOHNSON's measure. The American Legion has for years endeavored to have the Congress enact many of them into law, on the basis that they would not only bring great relief to thousands of veterans but that their enactment would right many injustices now being done our World War disabled. Thousands of the so-called border-line cases would be rectified under their provisions.

I will cite the following of the many noteworthy benefits which these other sections of the Johnson bill would, if enacted into law, bring to the disabled and their dependents:

First. The comptroller would be precluded from making medical decisions, and in this connection his influence would be removed from the Veterans' Bureau.

Second. Due regard would be given to lay evidence in support of veterans' claims for disability compensation.

Third. Those veterans who are hospitalized for nonservice-connected disabilities would, where their annual income is less than $1,000, have disability compensation paid to their dependents in the same amounts as that received by widows and orphans of soldiers killed in the war.

Fourth. The provision which would definitely recognize the disabling effect of battle amputations by awarding an additional $25 a month for the loss of a hand or a foot.

Fifth. The removal of the time limit on applications for compensation and the submission of evidence in support of these claims.

These five provisions alone would be of tremendous benefit to the disabled, and would in themselves bring more relief to the World War veterans and their dependents than the average of the omnibus bills passed by the House in former years under suspension of the rules.

The American Legion at its national convention held in Louisville last October gave serious consideration to the situation confronting our World War disabled and recommended legislative amendments, which, in their estimation would solve the most pressing needs of the disabled. These recommendations were incorporated in an omnibus bill introduced in the House by Mr. JOHNSON on January 7, 1930, under the number H. R. 8133. The most far-reaching of these legislative proposals is contained in section 200 of our Legion bill, which provides that 20 of the most devastating of the so-called constitutional diseases would be considered attributable to the service if developing prior to January 1, 1925, the same date now providing service connection through presumption for neuropsychiatric disease, tuberculosis, and a few other less prevalent diseases. The Veterans' Bureau estimated that the cost of the Legion's section 200 would be $12,500,000 annually and benefit approximately 29,000 veterans.

These 20 constitutional diseases were selected with great care by the Legion, both because of their disabling effect and the likelihood that their inception resulted from World War service. Such diseases as obesity and gout, which Mr. LUCE pointed out yesterday would be attributed to service under the Johnson and Rankin bills, have been rigidly excluded from the Legion bill.

The inclusion of the 20 diseases requested in the Legion bill was advocated by expert medical testimony on each of the diseases in question. This testimony alone extended over several days of the hearings.

So much for the presumptive sections (sec. 200) of the various amendatory measures under consideration.

Now, here is a situation which we submit for your consideration—the more important provisions of the other sections of the Legion's omnibus bill (H. R. 8133)—other than section 200—have been incorporated in the Johnson bill (H. R. 10381) now before the House.

The Legion believes that the enactment of relief legislation by the present Congress is imperative. We would view the failure to enact relief legislation as a tragedy, even though that failure were due to the endeavor of friends of the disabled to secure the adoption of amendatory provisions of great benefit and effect, although unlikely to be enacted into law at the present session.

For instance, adoption of the Rankin bill would relieve many thousands of distressing cases, but Mr. JOHNSON has said the following concerning this:

"In my judgment, he (the President) will veto it, and there will be no legislation at all."

The Legion infinitely prefers to achieve a reality for the disabled, rather than lose an impossibility. I am sure that you, of all others, realize that we have to do in this connection with the happiness of tens of thousands of disabled, and in all probability with the lives of many hundreds. Under these circumstances, the chances of failure are too great for the Legion to assume responsibility therefor, or become a party thereto.

In view of the foregoing, I feel confident that should you propose an amendment to the pending Johnson bill (H. R. 10381) from the floor of the House, and the House concur therein, for the substitution of section 200 of the Legion's bill (H. R. 8133) for section 200 of the Johnson bill, that this action on your part would meet with the approval of the national Legion, as a whole, for it would seem that the Johnson bill, thus amended, would have an excellent opportunity of final enactment into law.

I am sure that you know that the results attained in this manner would merit the gratitude of the tens of thousands of veterans and their dependents whose disabilities are now unrecognized by their Government, but to whom such a law would bring prompt relief—would, in fact, be a godsend.

The Johnson bill, thus amended, would cost, as estimated by the Veterans' Bureau, less than $30,000,000 a year. It would not endanger the national finances, and its enactment would carry out the resolutions adopted by the American Legion National Convention.

I believe that such a proposal merits frank consideration by the friends of the disabled in the House of Representatives, and I hope that if you concur you will suggest this solution of the present situation to the Congress.

Very respectfully yours,

JOHN THOMAS TAYLOR,
Vice Chairman National Legislative Committee.

Mrs. ROGERS. Mr. Chairman and members of the committee, I want to try to explain in a few minutes exactly what this amendment does. If you have copies of H. R. 8133, the original bill which the American Legion requested the chairman of the Veterans' Committee to introduce, you will see exactly what it does. It includes the 20 chronic diseases that the American Legion asked be taken care of by giving presumption to these diseases if they occurred to a 10 per cent degree before 1925. It affects 29,000 cases. The estimated cost of this section as I have amended it would then be $12,500,000 instead of $76,000,000 as provided for in section 200 of the Johnson bill. The following letter from General Hines verifies my statement:

UNITED STATES VETERANS' BUREAU,
Washington, April 24, 1930.

Hon. EDITH NOURSE ROGERS,
House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: This is in reply to your recent request for information regarding the approximate cost of section 3 of H. R. 8133, the so-called American Legion bill.

As you are aware, the section would amend the provisions of section 200, World War veterans' act, as amended, by extending presumptive service connection for certain diseases named therein if a 10 per cent degree of disability is shown by reason thereof prior to January 1, 1925. Based solely on the record of disallowed cases in the bureau, it is estimated that this amendment would affect 29,000 cases at an approximate annual cost of $12,500,000.

I trust this is the information you desire. A copy of this letter is inclosed for your use.

Very truly yours, FRANK T. HINES, *Director.*

In the opinion of the medical profession, it takes in, so far as I can ascertain, all the diseases that could possibly result from war service if not shown to exist before 1921 in some form. It weeds out cases such as typhoid fever and diphtheria incurred after 1921, which clearly do not come under any law and could not be considered by the wildest stretch of the imagination to have come from the service.

The changing of this section in the Johnson bill and inserting in lieu thereof the American Legion amendment would bring the total cost of this bill up to approximately $30,000,000. If we passed such a bill, the veterans as well as the Members of Congress would know that we would at least have a law that would

provide an additional appropriation of $30,000,000 for our disabled instead of having no added compensation for disabled veterans during this session. We passed a $16,000,000 hospital bill before Christmas for the veterans.

My own heart has been torn inside out thousands of times since 1917 over these veterans. I have worked with the men and women since the very beginning of the war. I was overseas. I have worked with them in the hospitals here, and it is because I have worked with them and because I love them and respect them that I am so anxious to have them secure added relief this year.

I do not want Congress to adjourn without passing legislation that will help them. My great fear has been that the bill would carry such a large amount that it would not be signed by the President. I have been looking over past history. While you have been talking during the past few days I have been thinking over past legislation. I have found that no bill has ever been signed by a President which authorized an appropriation of more than $30,000,000 for compensation for our disabled veterans. That is why I am pleading with you to-day to pass a bill that is going to mean something to the veterans—not a gesture. It is easy to get up and say that everyone who wore the uniform should have hundreds of dollars. We all want them taken care of, but we know as a practical matter that too big a bill will never become law. Thirty million dollars is not a small sum.

There is another provision in this bill—an amendment to section 14, which I introduced, and which takes care of dependents while the men are hospitalized. This amendment will only cost $4,000,000 and affects approximately 27,167 veterans.

It will enable many of our men to be hospitalized and it will enable them to recover their health. General Hines has stated in a letter written to me on April 15, 1930:

> The provisions of section 14 of H. R. 10381 provide for the payment of compensation to the same classes of dependents if the veteran shall be hospitalized for a period of more than 30 days and also continues the allowance for a period of two months after discharge from the hospital. It is also required that the veteran file an affidavit with the medical officer in charge of the hospital indicating his financial need.
>
> It is estimated that this amendment would affect the dependents of approximately 27,167 veterans during the fiscal year 1931, at an approximate cost of $4,000,000.

The amendment reads as follows:

> SEC. 14. That two new paragraphs be added to subdivision (10) of section 202 of the World War veterans' act, 1924, as amended (sec. 484, title 38, U. S. C.), to read as follows:
>
> "Where a World War veteran hospitalized under this section for a period of more than 30 days files an affidavit with the commanding officer of the hospital to the effect that his annual income, inclusive of compensation or pension, is less than $1,000, there shall be paid to the dependents of such veteran (commencing with the expiration of such 30-day period and to be payable) during the period of any further continuous hospitalization and for two calendar months thereafter, the following amount of compensation:
>
> "(a) If there is a wife but no child, $30 per month;
>
> "(b) If there is a wife and one child, $40 per month, with $6 for each additional child;
>
> "(c) If there is no wife but one child, $20 per month;
>
> "(d) If there is no wife but two children, $30 per month;
>
> "(e) If there is no wife but three children, $40 per month, with $6 for each additional child.
>
> "For the purposes of this section the Spanish-American War shall be construed to mean service between April 21, 1898, and July 4, 1902, and the term 'veteran' shall be deemed to include those persons retired or otherwise not dishonorably separated from the active list of the Army or Navy."

Mr. ANDRESEN. Will the gentlewoman yield?

Mrs. ROGERS. Yes.

Mr. ANDRESEN. As I understand it, the Johnson bill makes all diseases presumptive up to January 1, 1925, and by your amendment you are seeking to limit the number of diseases to about 22?

Mrs. ROGERS. The chronic diseases, yes, to 20.

Mr. ANDRESEN. It would appear to me, then, that the present provision in the Johnson bill is preferable to the amendment the gentlewoman is offering, because it takes care of more disabled veterans.

Mrs. ROGERS. It will take care of more disabled veterans, but does the gentleman believe that any President who has ever lived or who ever will live would be likely to sign a bill which authorized an initial estimated expenditure of $100,000,000 in the face of a threatened Treasury deficit? I very much doubt it.

Mr. ANDRESEN. Does the gentlewoman believe the President will veto the Johnson bill?

Mrs. ROGERS. I do not know, but I have never known of any President who signed a very big bill, I mean a bill over $30,000,000.

Mr. HALE. Will the gentlewoman yield?

Mrs. ROGERS. Yes.

Mr. HALE. Is it the gentlewoman's intention that her amendment shall be a substitute for the language of the Johnson bill on page 14, line 9, beginning with the word "*Provided*"? In the confusion I was unable to satisfy myself. I want to find out just where the gentlewoman's amendment is written into the bill.

Mrs. ROGERS. It begins in line 9.

Mr. HALE. On page 14.

Mrs. ROGERS. Yes.

Mr. HALE. That is where the gentlewoman from Massachusetts intended it?

Mrs. ROGERS. Yes.

Mr. HALE. Mr. Chairman, a parliamentary inquiry. Was not the substitute of the gentlewoman from Massachusetts offered to be written in after the word "claim," in line 2, page 15; and if that is so, then the intention of the gentlewoman from Massachusetts to offer it as a substitute for the proviso in line 9, page 14, has not been carried out.

Mrs. ROGERS. Yes; I shall move afterwards to strike that out.

Mr. STAFFORD. If the gentlewoman will yield for a suggestion, I understand after having hurriedly compared section 3 of the bill H. R. 8133, if the amendment offered by the gentlewoman from Massachusetts is adopted as a substitute to the amendment offered by the gentleman from Mississippi, then I assume she will move to strike out the proviso found in the Johnson bill which was not in the original bill, and this will make it conform in fact with what is intended.

Mrs. ROGERS. The proviso on page 14.

Mr. STAFFORD. The proviso on page 14, at line 9, which extends down to the proviso at the top of page 15.

Mrs. ROGERS. Yes; this would be inserted instead of that.

Mr. STAFFORD. And that would be the original American Legion provision.

Mrs. ROGERS. Yes. That would be the original legion proviso to section 200.

Mr. ARENTZ. Will the gentlewoman from Massachusetts yield?

Mrs. ROGERS. Yes.

Mr. ARENTZ. The only thing the committee has heard three times from the chairman of the committee is that the substitute for the Rankin amendment is inserted after the word "claim" in line 2, of page 15, and nothing else has been proposed to the committee.

Mr. STAFFORD. But nothing prevents the gentlewoman from striking that out after the adoption of her amendment.

Mr. ARENTZ. But the only thing before the House now is the substitute for the Rankin bill on page 15, line 2.

Mr. STAFFORD. And it is a proper substitute.

Mr. ARENTZ. Yes.

Mr. LAGUARDIA. Will the gentlewoman from Massachusetts yield?

Mrs. ROGERS. Yes.

Mr. LAGUARDIA. Does the amendment of the gentlewoman from Massachusetts broaden or narrow the provisions now in the Johnson bill?

Mrs. ROGERS. It narrows the provisions of the Johnson bill, but it does not detract anything from the existing law. It adds the benefit of presumption to 20 chronic diseases.

Mr. LAGUARDIA. But it is not as broad as the provisions of the Johnson bill?

Mrs. ROGERS. No; I clearly stated that, I think.

Mr. LAGUARDIA. Now, are we to understand that the American Legion, by its telegram from the national commander and by the letter which has been read to the House from the chairman of the committee on legislation, is now asking Congress to narrow the provisions of the Johnson bill because they want less than what is contained in that bill?

Mrs. ROGERS. The American Legion never went on record as asking that this provision in the Johnson bill be inserted.

Mr. LAGUARDIA. All right; is the American Legion asking now for less than Congress is offering them in the Johnson bill?

Mrs. ROGERS. Apparently they are asking that, thinking they can not get as much as is in the Johnson bill. And they want a law, not an unfulfilled promise.

Mr. REED of New York. Will the gentlewoman from Massachusetts yield?

Mrs. ROGERS. I yield.

Mr. REED of New York. No matter whether it narrows or expands the Johnson bill, what the gentlewoman is offering is exactly and precisely what the American Legion wants; is not that true?

Mrs. ROGERS. It is what they asked for in the beginning and what they ask for now under the circumstances of a threatened Treasury deficit. They have had a number of years of legislative experience and want results.

Mr. WELSH of Pennsylvania. It is not what the Pennsylvania Legion wants, though.

Mr. FISH. Will the gentlewoman yield for a question?

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. FISH. Mr. Chairman, I ask unanimous consent that the gentlewoman from Massachusetts may have one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. The gentlewoman from Massachusetts has largely based her argument on the matter of cost.

Mrs. ROGERS. Yes.

Mr. FISH. I would like to ask her to explain to the House just how much money her amendment would save in comparison with the Johnson bill?

Mrs. ROGERS. The Johnson bill authorizes an expenditure of $76,000,000 in section 200. My amendment to section 200 authorizes the expenditure of $12,500,000, which means a saving on this section of $63,500,000. Ever since 1926 I personally have been fighting to have these diseases included in the presumptive clause of the law, because I know the effect of strain and things of that sort in connection with duty overseas.

Mr. FISH. Therefore the gentlewoman from Massachusetts is advocating $58,000,000 off of the pending bill?

Mrs. ROGERS. Yes; I want $30,000,000 worth of real relief rather than to pass a gesture that can not become law and which will raise the hopes of sick and suffering veterans. [Applause.]

The CHAIRMAN. The question is on the substitute offered by the gentlewoman from Massachusetts to the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. CONNERY and Mr. KVALE) there were—ayes 99, noes 143.

Mrs. ROGERS. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mrs. ROGERS and Mr. RANKIN.

The committee again divided, and the tellers reported—ayes 118, noes 168.

So the substitute was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

Mr. COCHRAN of Missouri. Mr. Chairman, I offer the following amendment to the Rankin amendment:

The Clerk read as follows:

After the word "conclusive" strike out the following: "in cases of active tubercular disease and spinal meningitis, but in all other cases such presumption shall be rebuttable by clear and convincing evidence."

Mr. COCHRAN of Missouri. Mr. Chairman and Members of the House, the purpose of my amendment is to treat every disabled veteran of the World War alike. Under the provisions of the Rankin amendment there is a presumption that certain disabilities are of service origin, and then you bring into that class other disabilities, but you say in all other cases such presumption shall be rebuttable by clear and convincing evidence. If a veteran is on his back with heart trouble, he is 100 per cent disabled, and just as bad off as any other man with any other disability, I do not care what it is. If a veteran is in bed with arthritis, suffering 24 hours a day, he is likewise 100 per cent disabled.

Mr. JOHNSON of South Dakota. The purpose of the gentleman's amendment is to treat all veterans alike?

Mr. COCHRAN of Missouri. That is exactly what I desire to accomplish. I have cases where men have been bedridden for several years suffering from arthritis, heart trouble, nephritis, and other disabilities. What does the Rankin amendment do for them? The Rankin bill says your disability shall be presumed to be of service origin, provided the Veterans' Bureau is not able to produce evidence showing your disability was not contracted in the service. Practically all men affected have filed claims with the Veterans' Bureau. The evidence is in the file and on that evidence the Veterans' Bureau has already held their disability is not of service origin. Therefore, if you are going to give the Veterans' Bureau the opportunity to rebut it, produce the evidence already in the file and say it is sufficient to show beyond dispute that your disability was not contracted in the service and the veteran receives no recognition. My amendment will prevent that and will require the bureau to recognize the veteran. You say this is a bill to help disabled veterans. I am giving you an opportunity to help them and likewise their wives and children.

Mr. CONNERY. Will the gentleman yield?

Mr. COCHRAN of Missouri. I yield.

Mr. CONNERY. I am inclined to be in sympathy with the gentleman. As I understand, you mean to take care of all of the veterans on the rebuttable proposition?

Mr. COCHRAN of Missouri. Absolutely treat the men in bed with arthritis, heart trouble, or any other disability the same as those you place in the preferred class.

The Johnson bill extends the presumptive provisions of the present law, now confined to tuberculosis, certain mental disabilities, and a few other diseases to all disabilities that developed prior to January 1, 1925, provided, however, and there is where you are going to experience trouble, that the disability was at least 10 per cent disabling prior to that date. In other words, if a man developed a heart disability or any other disability not mentioned prior to January 1, 1925 and the bureau held it was, under the schedule of ratings, 5 per cent disabling in December, 1924, he would not be entitled to recognition, although subsequently say in the summer of 1925 the disability became more severe and at that time he was 75 per cent disabled. The Johnson bill does nothing for veterans in cases of this character.

The Rankin bill extends the time under the presumptive clause to January 1, 1930, for tuberculosis, mental disabilities, and so forth, and further it extends the presumptive clause to all other diseases, but there is a proviso attached to this that is also going to cause trouble and it reads:

But in all other cases (speaking of those not now in the persumptive class) said presumption shall be rebuttable by clear and convincing evidence.

There are a large number of cases rated constitutional psychopathic, inferior. The bureau holds that this is an inability rather than a disability, yet the history of many cases indicates the existence of an adequate industrial record prior to the war and a complete industrial maladjustment subsequent to the war. Such men, now of no value to themselves nor to their families, are not taken care of either by the Johnson or the Rankin bills.

Take a veteran having a service-connected condition, a stomach disorder, compensated by the Veterans' Bureau for a long period for such condition, dies in 1926 from a cerebral hemorrhage. This man's wife and children can not be taken care of by either the Johnson or Rankin bills.

One could recite many other cases where neither the Johnson bill nor the Rankin bill will serve to take care of veterans or their widows and children.

The acute conditions which may arise are many, and it is extremely difficult to find that a service-connected condition may have contributed to the inception of the acute condition or conditions which constitute the primary cause of death.

The legislation before the House takes care of certain classes and does nothing for thousands of other deserving cases. This applies both to the Johnson and the Rankin bills, although the Rankin bill is more liberal. However, I do not see that the Rankin bill is going to help a great many cases wherein death results from an acute condition, because by its very nature the Rankin bill applies itself to chronic constitutional diseases. It should be borne in mind that many of the potential claimants under legislation of the Rankin type are already claimants of the bureau; the evidence is in the files in possession of the bureau which will enable the bureau to take advantage of the right to rebut.

The Rankin bill can not help but be very attractive to those who have not been skilled in presenting claims. It, however, establishes preferential treatment for certain classes whose condition did not arise prior to January 1, 1925, and who would not be taken care of under the Johnson bill. But let me point out—and I do so to impress upon you the thought I will advance in a moment—that as an example a veteran with four months' service who died from, say, chronic nephritis in 1928 would be considered to have died of a service-connected disability and his dependents entitled to compensation, but a veteran who served two years who died of pneumonia in 1926 would not be considered as having died from a service-connected disability, and his widow and babies would not receive compensation. It is very easy to demonstrate how impossible it is to take care of all World War veterans and their dependents under any legislation other than a pension measure. It is true that all veterans should have been placed on a parity under the 1925 presumptive clause, and that should have been done when the amendment was added to the act. The nature of the disability should not enter into the question. A man suffering from a permanent heart disability is as bad off as the man suffering from any other permanent disability, but the man with the heart disability has never been included in the presumptive class. The same applies to a hundred other diseases. Take

the man suffering with chronic arthritis, confined to his bed for years, suffering intense pain. What have you done for him? The Johnson bill takes care of him if it developed prior to January 1, 1925, and so does the Rankin bill, provided there is not sufficient evidence in the bureau files to show beyond question it was not of service origin. My amendment takes care of him.

My viewpoint is that this question will not be settled until you pass the bill granting all disabled veterans and the widows and dependents of the veterans who have passed away compensation or pensions, whatever you desire to call it, regardless of the nature of the disability, the same benefits as are now extended to the Spanish War veterans. If you are not ready to go that far, then I say at least establish the right of dependency compensation for all widows, children, and dependent parents in those cases where the veterans have died, regardless of the cause of death. Establish the right of dependents to receive compensation while the veteran is in a hospital or disabled for the performance of manual labor.

When this Congress convened last spring I introduced a bill providing for pensions for disabled World War veterans, their widows and minor children. Following this a number of my colleagues offered bills along the same line. The committee has considered the Swick bill, the ranking Republican member of the Pensions Committee. I have no complaint to make, as it is the policy of the party in power, Democrat or Republican, to always attach to important legislation the name of a member of the majority party. That is the reason you have the Johnson bill here to-day and not the Rankin bill. If the Democrats were in power you would have the Rankin bill and not the Johnson bill. The committee has secured reports as to cost of the Swick bill. As I understand it, the first year will be around $50,000,000 and the average cost for the first five years around $100,000,000. The adoption of the Swick bill or a similar bill would do more to satisfy the veterans of the World War and their dependents than the passage of the Johnson or Rankin bill and over the first 5-year period cost less.

Congress in its wisdom adopted the veterans' act. One who does not thoroughly understand the administration of the act, after a casual reading, would immediately declare it is possibly the most liberal law ever passed by any legislative body in the world; and it is. But when one acquaints himself with the rules and regulations which must be met in order for the disabled veteran or his dependents to secure recognition you find a different situation.

The dissatisfaction among disabled veterans is general throughout the country, and members of their family who have been required to assume additional burdens due to the inability of the veterans to carry on in his pre-war work are likewise resentful at the failure of the act to cover thousands of cases.

I want to see the most liberal bill passed that the President will sign, and I hope that before this debate closes some one will be able to give us some direct information as to how far the President will go. Further, I hope the gentleman from Pennsylvania [Mr. SWICK] will rewrite his bill so it will provide for the payment of compensation and not pensions and offer it as a substitute to the pending bill.

If you will read the chairman's remarks, you will find he stated when referring to the paragraph providing for payment to dependents of uncompensated veterans a given amount while the veteran was in the hospital that it was simply a pension. Therefore I say the Swick bill is germane to the pending bill, with the wording changed as suggested.

Let us take care of the disabled veterans as the people of the country desire us to do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri to the amendment of the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. RANKIN) there were 45 ayes and 38 noes.

Mr. RANKIN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. COCHRAN of Missouri and Mr. RANKIN as tellers.

The committee again divided; and tellers reported that there were 98 yeas and 63 noes.

So the amendment of Mr. COCHRAN of Missouri was agreed to.

The CHAIRMAN. The question is on the Rankin amendment, as amended.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let us be perfectly frank. You have just voted upon an amendment which absolutely destroys the bill. Some of the majority members of the committee voted for it. In no system of law, in no kind of administration of law, has there ever been created the principle of taking away entirely the right to rebut proof. We give to the veteran the presumption of service connection and that is all he asked for. That is all that any veteran wants. When you come on the floor of this House and vote for an amendment which takes from the department of the Government the right to rebut that presumption by competent proof, you are so loading the bill as to kill it entirely.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Oh, I do not doubt the good faith of the gentleman from Missouri. I know he is in earnest and means well.

Mr. COCHRAN of Missouri. You did not give the bureau the right to rebut in the case of tuberculosis.

Mr. LAGUARDIA. Because that can be easily explained. In our experience of 10 years we have learned something about the effect of gas and other diseases with which veterans are afflicted, but when you come here in a bill which throws the door wide open and give the veterans a presumption up to 1930—an absolute and nonrebuttable presumption—I say, in the name of every veteran really injured and disabled, that in voting for that amendment you have simply double-crossed the veteran, if by so doing the bill is so loaded as to bring in fake claims at the expense of the honest claims and thereby killing the bill. I can not understand such parliamentary tactics. Certainly there is a limit to parliamentary tactics; but let us be fair about it and not vote for an amendment of this kind and jam it through in the hope that by so doing the bill will be so extreme that it will justify a veto.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. RANKIN. I know that the gentleman from New York does not want to be unfair or do anyone an injustice. There was one member of the committee on the majority side who voted with us, and that was the gentlewoman from Massachusetts [Mrs. ROGERS].

Mr. LAGUARDIA. Yes; because she has the interest of the veteran at heart.

Mr. CAMPBELL of Iowa. And I voted with you also.

Mr. RANKIN. Yes; and also the gentleman from Iowa.

Mr. LAGUARDIA. Right; I thank the gentleman.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. PATMAN. I invite the attention of the gentleman to the fact that this amendment includes tuberculosis and spinal meningitis. It does not go as far as I thought it did when I voted against it. However, possibly too far after all, but these matters can be ironed out in conference.

Mr. LAGUARDIA. The amendment just adopted?

Mr. PATMAN. Yes.

Mr. SIROVICH. Only spinal meningitis and tuberculosis.

Mr. PATMAN. It says here "in cases of active tuberculosis and spinal meningitis." If it strikes out the language instead of inserting it—as some thought—evidently it does go too far. A correction can be made, before the bill finally passes, if it is necessary.

Mr. LAGUARDIA. That is all very well, but I suggest that the amendment strikes out part of the section and the section, as amended, simply takes away the right of the Government to rebut fraudulent and dishonest and fake claims. It is necessary to read the entire section. I do not want to see this bill made ridiculous. I appeal to the membership of the House, and to the veterans in the House, and I make a special appeal to the gentleman from Massachusetts [Mr. CONNERY] not to load this bill down. Let us get together on the bill and pass something that will give the veteran something more than a gesture. The veteran needs relief. Let us give him relief. The veterans need legislation; let us give him a law, not a veto.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate upon this section do now close.

The CHAIRMAN. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi, as amended by the amendment of the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 138, noes 144.

Mr. RANKIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. RANKIN and Mr. JOHNSON of South Dakota to act as tellers.

The committee again divided; and the tellers reported—ayes 167, noes 136.

So the Rankin amendment was agreed to.

Mr. CONNERY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 14, line 11, after the words "January 1," strike out "1925" and insert "1930."

Mr. CONNERY. Mr. Chairman, this is the point at which I wanted to offer this amendment, because in the other amendment I offered to the Rankin amendment the parliamentary situation was such that it did not cover everything that we wanted. In other words, my amendment now brings the provisions of the Johnson bill up to 1930. The amendment of the gentleman from Mississippi, just passed, only brings 50 per cent of the diseases included in the Johnson bill up to 1930, from 1925. My amendment will bring all the provisions which are in the Johnson bill up to 1930. If you are going to be fair to anybody, treat them all alike. There are just as many men who are seriously disabled with cancer or diabetes or some other disease, which is not in the Rankin bill, as there are those who are afflicted with tuberculosis and other diseases.

Mr. JOHNSON of South Dakota. Under the Rankin amendment just adopted, the veteran may suffer from gout or obesity or pellagra and he will receive this high pension, will he not?

Mr. CONNERY. But the gentleman knows that Doctor SIROVICH explained yesterday that a man might get gout or obesity just as much as a result of service as anything else.

Mr. JOHNSON of South Dakota. Regardless of the explanation my statement is correct, is it not?

Mr. CONNERY. Yes. It is in the bill of the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. Then, unless the gentleman's amendment is adopted, a man might suffer from kidney trouble and other diseases and have nothing.

Mr. CONNERY. I want him to have everything in your bill brought up to 1930.

Mr. JOHNSON of South Dakota. The gentleman wants them all to be treated alike?

Mr. CONNERY. Yes. That is exactly what I ask for in my amendment, that all disabled men be treated alike fairly and squarely.

I have heard a lot of talk about the expense, and about what will happen, and that the President will veto it if we overload the bill. But I have tried to bring out the fact that every piece of veterans' legislation in the other body has invariably been cut down by 50 per cent, and when it was voted on in conference and agreed to it has been always cut to one-third of what we passed here in the House.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. CONNERY. Yes.

Mr. PERKINS. What is the excuse for treating them all alike?

Mr. CONNERY. It is hard enough to get rated even up to 10 per cent. I do not want to take up any more of the time of the House. You all know what it is about. I hope you will support my amendment and do justice to the disabled men of this country. [Applause.]

Mr. RANKIN. Mr. Chairman, I am sorry that I can not support this amendment, because, according to the argument of the majority of this committee, it makes this bill so expensive that I am afraid it will never become a law. I regret very much that I can not go along with my distinguished colleague from Massachusetts on this one amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. RANKIN. Yes.

Mr. JOHNSON of South Dakota. As a matter of fact, the amendment of the gentleman from Massachusetts is the only amendment that would treat all the men alike, is it not? Would it not treat them all alike?

Mr. RANKIN. I accept the Johnson amendment up to 1925, because the majority on that side seem to want it.

Mr. JOHNSON of South Dakota. Why do you not accept the Connery amendment?

Mr. RANKIN. Because these men who are seriously afflicted are suffering from disabilities traceable to the service; and I take that position because it would avoid overloading this bill and it would save a veto.

Mr. JOHNSON of South Dakota. Is the gentleman afraid it will cost too much money?

Mr. RANKIN. I want to say to the gentleman from South Dakota that I have the same regard for the Treasury of the United States as he has. The doctrine has been preached here that if we amend this bill we might provoke a veto and that the veto might be sustained. I fear we might not get any relief at all for the uncompensated disabled men.

Mr. JOHNSON of South Dakota. The gentleman does not seem to care how much it will cost so long as he can pick out certain specific diseases which he desires to include.

Mr. CONNERY. I know, and every man in the House knows, that every man in a hospital wants this bill brought up to 1930 for all diseases.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. RANKIN. Yes.

Mr. PERKINS. Outside of the economics, what is the reason for not treating all of the service men alike?

Mr. RANKIN. Nothing, outside of economics, except the danger of killing the bill. If you adopt this amendment, however, I shall support the bill and do all I can to secure its passage.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. CONNERY].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. RANKIN. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 144, noes 44.

So the amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Does the gentleman from Massachusetts desire to offer another amendment?

Mr. CONNERY. Yes. I offer a corresponding amendment similar to the other one.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 15, line 1, after the words "January 1," strike out "1925" and insert "1930."

Mr. CONNERY. Mr. Chairman, this is a perfecting amendment, just as that on page 14. It brings about the same result.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 15, at the end of the section, add the following: "*Provided further*, That nothing herein shall be construed to apply to an ex-service man who enlisted or entered the military or naval service subsequent to November 11, 1918."

Mr. LAGUARDIA. Mr. Chairman, by reason of the fact that you have included in the bill the period from April 6, 1917, to July 2, 1921, as the war period, and carrying the presumption of service connection up to 1930, I have introduced this amendment for the purpose of limiting the benefits of war compensation to the men who enlisted or who entered the military service during the time that we were actually in war. [Applause.] There can be no objection to that. Only one who has seen service can realize and appreciate the difference between service before November 11 and the service after November 11, 1918.

Mr. McCORMACK of Massachusetts. Does the gentleman feel that his amendment would affect any service-connected veterans' claims at the present time?

Mr. LAGUARDIA. No; I do not think so. In fact, the bill specifically takes care of such cases.

Mr. McCORMACK of Massachusetts. I know the gentleman does not want to, but I suggest that the gentleman have that definitely in mind.

Mr. LAGUARDIA. I do not see how it can affect them. This refers to men who enlisted or entered the military service subsequent to the time that hostilities ceased.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. JOHNSON of South Dakota. I am in accord with the gentleman from New York [Mr. LAGUARDIA] as he knows, because I think I know the situation, but has the gentleman thought of the two expeditionary forces in Russia that were sent over there without any authority or warrant of law, and some of them may have enlisted after November 4?

Mr. LAGUARDIA. My information is that they were taken from troops who were in the service prior to November 11, 1918.

Mr. JOHNSON of South Dakota. They were fighting over there in January, 1920.

Mr. VINCENT of Michigan. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman, certainly.

Mr. VINCENT of Michigan. The members of the expeditionary forces to North Russia were members, largely, of the Eighty-fifth Division from Michigan. They were inducted into

the service long before the armistice. The amendment offered by the gentleman from New York [Mr. LAGUARDIA] will not militate against those men at all. There is an amendment to be offered later, which is necessary to take care of them, but not at this point. The amendment offered by the gentleman from New York [Mr. LAGUARDIA] will not affect the North Russia expeditionary forces at all.

Mr. JOHNSON of South Dakota. The entire matter of the Russian expeditionary force was taken up with the chairman of the committee by the gentleman from Michigan [Mr. VINCENT].

Mr. LAGUARDIA. That being so, and as a real sincere friend of the war veterans and this bill, I submit my amendment.

The amendment was agreed to.

Mr. BUCHANAN. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Texas [Mr. BUCHANAN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUCHANAN: Page 13, line 13, strike out all of line 13 after the word "*Provided,*" and lines 14, 15, 16, 17, 18, and 19, including the word "conduct" in line 20, and insert in lieu thereof the following:

"*Provided,* That compensation shall not be denied any applicant therefor by reason of the injury, disease, aggravation, or recurrence having been caused by his own willful misconduct: *Provided further,* That such willful misconduct occurred during the period of enlistment of such applicant."

Mr. BUCHANAN. Mr. Chairman and colleagues, many of you have been speaking this afternoon for the ex-service man who is suffering from only one injury. I am speaking to you for the ex-service man who is suffering from a double injury. The principal portion of the ex-service men who are excluded from compensation by reason of misconduct are those who have an unmentionable disease which was contracted during the period of their service. Many of them are helpless. Many of them have no means, and none of them will be given employment by reason of their disease. I submit that where the Government went out into the homes and took from the firesides of the country our young men and gathered these men together and held them in cantonments, shipped them across the sea where every one of them was practically the slave of Army officers and subject alone to the commands of their master, the Government is responsible for their conduct [applause], and if these red-blooded men sinned, then the Government created the conditions and the war aroused the "don't-give-a-damn" spirit which caused them to indulge their passions, resulting in many of them contracting an incurable disease, which disease impairs and ultimately destroys their ability to earn a living. When it is known that they have this disease no one will give them employment. It ruins their reputation, blights all hope, destroys their ambition, and leaves them human wrecks upon an uncharted sea of humanity. Many of them made brave and fearless soldiers, went "over the top" on several occasions, aiding in chasing the enemy from the Argonne Forest, withstood the enemy's charge on many occasions.

These men suffered desperate privation on the battle front without complaint. They charged the enemy's front line without fear. Some of them have been decorated for heroic conduct in battle.

Our country cheerfully received their services during its crisis, and now that the crisis is over these boys are down and out, poverty stricken, suffering, unable to procure employment. I say to you that it is the highest duty of our country to go to their aid.

Over 19 centuries ago Jesus hurled the challenge to mankind, "He that is without sin among you, let him first cast a stone." That challenge has come down the ages with no man daring to controvert it. Are you ready to do so now?

These cases are as much battle injuries as if received in combat on the battle front and are more to be pitied, for they are bearers of a double burden—first, their impaired and destroyed ability to earn a livelihood; second, their hope destroyed, their ambition blighted, and social ostracism suffered—and all because they happened to be more unfortunate in their indulgences than others. Let us see to it that no worthy ex-service man ever has to beg bread to eat or clothes to wear.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. JOHNSON of South Dakota. This only refers to what happened during the period of enlistment. It does not bring the presumptive period up to 1925?

Mr. BUCHANAN. No. Just in war time.

Mr. JOHNSON of South Dakota. I agree with the gentleman.

Mr. EDWARDS. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. EDWARDS. Has any estimate been made as to the number of men to be benefited by this amendment?

Mr. BUCHANAN. I know of no estimate.

Mr. EDWARDS. I want to say that I am heartily in favor of the gentleman's amendment. Some of the most unfortunate cases that I know of will be taken care of by this amendment.

Mr. RANKIN. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. RANKIN. I desire to say that we on the minority side of the House are willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BUCHANAN].

The amendment was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Alabama [Mr. OLIVER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: Strike out the period on line 8, page 15, and insert the following:

"*Provided further,* That where an ex-service man who is shown to have had active tuberculosis prior to January 1, 1930, a presumption of service connection for such disability is hereby authorized on the filing of a statement under oath by a reputable physician based on a personal examination prior to January 1, 1925, giving it as his opinion that the ex-service man had at the time of such personal examination active tuberculosis."

Mr. OLIVER of Alabama. Mr. Chairman and ladies and gentlemen, you may say that the amendment offered at this time is meaningless, for the reason that the committee has just adopted the Rankin amendment as amended by the amendment of the gentleman from Massachusetts [Mr. CONNERY], and if that action of the committee is approved by the House, this amendment I propose would really not be required. But, in view of what has been said as to votes on the different amendments that may be adopted in the committee, I felt that those of you who heard this amendment read will recognize that it cares for many cases in every congressional district represented on this floor. I doubt whether a single Member has not had called to his attention a number of cases which have been denied service connection by reason of the bureau's Regulation 73, which requires a clinical and very technical examination to establish tuberculosis.

You have adopted by unanimous vote, on the recommendation of the committee, a provision requiring that bureau regulations in the future must give real effect to lay testimony. It was that report of the committee that led me to draft this amendment, in order that we could, at least, point out meritorious cases where effect could be given to legal testimony.

Take a case where shortly after 1925 active tuberculosis has developed. The veteran had no clinical examination prior to 1925, but submits the testimony of reputable physicians who examined him before 1925 and who state under oath that, in their opinion, the veteran had active tuberculosis prior to 1925. Their opinion is reinforced and shown to be true by the fact that shortly thereafter active tuberculosis was found from a clinical examination. I submit that there is not a Member on the floor who has not had cases of that character. The gentleman from New York on yesterday told us, as a physician, that tuberculosis is a progressive disease, and this only seeks to authorize—not to require—a presumption of service connection on the showing of facts such as I have discussed.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. O'CONNELL of New York. Would not the gentleman be willing to add the word "incipient" as well as "active"?

Mr. OLIVER of Alabama. The amendment is so drawn as to cover that.

Mr. RANKIN. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. RANKIN. The minority members of the committee who are present are willing to accept the gentleman's amendment.

Mr. OLIVER of Alabama. I want to say this: That if the gentlemen who made this report on the Johnson bill really wish to give some meaning to the language they have used in reference to lay testimony they could not object to it, because I have only suggested proof that any court, State or Federal, would admit as lawful testimony to establish tuberculosis. [Applause.]

Mr. GARBER of Oklahoma. Mr. Chairman and members of the committee, in view of the limited time at my disposal it will be impossible for me to yield in my discussion of the pending

measure, and I must request that I be allowed to proceed without interruption.

In my judgment, the people of this country desire to extend relief to every needy disabled veteran, whether his disability is service connected or not. They want that relief so apportioned as to help the veteran who served in the ranks in equal degree with the veteran who served in command. The equitable apportionment so as to include all the disabled veterans in need is their first concern, and their second is the efficient and economic administration of the law so as to give the maximum degree of relief for the moneys expended.

It is clearly evident that the pending measure and proposed amendments will not meet these requirements. They will afford additional relief, but will fall far short of including all who are justly entitled to it. If the proposed legislation is enacted, it means a continuance of the existing inequalities and discriminations, aggravated and intensified as never before. It also means that they will continue for a period of three years, and no additional relief will be afforded to the needy disabled veterans not included until the expiration of that time. It will make the problem more difficult of solution later on. This is the frank admission of the proponents of all measures in their discussion.

In his analysis of the pending bill Director General Hines said:

> If it is the desire of Congress to depart from the policy by compensating veterans for injuries or diseases regardless of whether they are due to service or not, then the provision should be made to do it. It has been my thought, however, that it was not the intention of Congress to award compensation except for service-connected disabilities. While it is true that by the adoption of the original presumptive clause certain inequalities have been brought about, and this amendment will tend to eliminate some of the inequalities, nevertheless, its further extension will create greater inequalities. It will not take care of many of those uncompensated veterans who are now sick in the Government hospitals and who have made a determined effort to obtain compensation for their disabilities. It is simply compensating by presumptive evidence for disabilities not due to service, and in the final analysis we must admit that if this provision becomes a law we have adopted a disability pension.
>
> It seems to me that we are at a critical point in the matter of legislating for veterans, and it would be my desire to suggest to the Congress that they give careful consideration to a thorough study of this entire problem in order that the veterans may not be placed upon the compensation rolls for disabilities not due to service at such high rates that they will stand out as discriminating against other veterans whom the Congress at some future time, undoubtedly, will have to consider.

The imperative need of a thorough revision of existing laws and the embodiment of a broad national policy in a comprehensive act to include all the needy disabled veterans upon an equality, one with the other, is too apparent to even suggest argument in its support. It is admitted upon all sides and by all who have made a study of the questions involved. It is to be regretted that we are not afforded an opportunity to support such a measure at this time. The Johnson bill will correct many deficiencies in the existing law. Its administrative provisions will remove many technicalities employed to defeat its administration to carry out the spirit and purposes of Congress. The distinguished chairman and the members of the committee are to be commended for doing as well as they have without a revision of existing laws.

The estimated relief of the pending bill by its distinguished author will include 177,000 disability cases at an estimated cost of $76,028,000, the total cost of the bill, including its administrative provisions, reaching $100,000,000 annually. This was as far as the committee thought it would be justified in going.

On September 30, 1929, there had been filed 1,138,015 claims for death and disability compensation. Of that total, 564,240 had been allowed, leaving as of that date 573,775 active claims. According to the estimate of its author, the present bill will afford relief to between 30 and 40 per cent of the rejected claims filed before January 1, 1925, and will not exceed a total of 177,000. This would leave 396,775 remaining possible claims for which no relief will be provided.

On April 11, 1930, there were 17,695 possible claims pending in the regional office in Oklahoma, of which 6,251 are now drawing compensation. What about the 11,444 cases remaining? Assuming that the pending bill would take care of 30 per cent, there would still remain 8,000 possible cases uncared for in my State, and this same proportion of noninclusion of such cases would exist in every State.

Surely our sense of common justice requires us to make some provision for these disabled veterans outside the provisions of the proposed bill. The Rankin amendment extending the presumption to January 1, 1930, in tubercular and neuropsychiatric cases would not do this. It would take care of 23,205 deserving neuropsychiatric cases and 18,986 tubercular cases, at an estimated cost of $31,750,000 per annum. In his letter to Mr. RANKIN of April 16, 1930, the director general said:

> There is also transmitted, in accordance with your request, draft of an amendment which would leave the Johnson amendment to section 200 as it now stands in H. R. 10381 and add thereto the amendment proposed by H. R. 7825. The effect of this would be to place all disabilities which developed prior to January 1, 1925, on a par and give to disabilities resulting from the diseases specified in H. R. 7825 the benefit of a presumption of service origin which would extend to January 1, 1930.
>
> As you have heretofore been advised, the estimated cost of the amendment to section 200 proposed by H. R. 10381—to wit, $76,033,000—would be increased approximately $31,750,000 per annum by superimposing upon it the provisions of H. R. 7825. The estimated cost of H. R. 7825 standing alone is $44,250,000.
>
> As you have heretofore been advised, all estimates heretofore prepared by the bureau bearing upon the extension of the presumption of service origin are based upon claims which have heretofore been presented to the bureau and disallowed. This being the case, the figures represent the minimum cost in all cases. However, in connection with H. R. 10381 a study has recently been made which projects the cost of the presumption therein contained year by year for a period of five years, were it to be extended beyond 1925. This study has been made on three different bases, the first basing the estimate on the number of claims filed in the bureau heretofore and disallowed, the second based on the experience of the Pension Bureau in permanent cases, and the third based upon the experience of the Pension Bureau increased to include temporary cases.

Of the $500,000,000 expended annually the veterans and their dependents are only receiving $196,000,000 in compensation, about $163,000,000 going to living ex-service men for disabilities and about $33,000,000 to dependents of deceased ex-service men. While much of the difference is expended for needed hospitals and necessary hospitalization, yet the mere statement of a $300,000,000 annual difference, in which is included an item of $40,000,000 for salaries alone, is significant to say the least.

In referring to relief for disabled veterans, President Hoover said:

> The Government must not be extravagant, but it must be just.

Who will say that we are meeting that requirement in the appropriations that we have made and in the policy that we have been pursuing and in the legislation now proposed? We have been and will continue to be if we enact the proposed legislation both extravagant and unjust beyond justification.

Under such circumstances and conditions what is the plain, unmistakable duty of this committee? With one accord it should be to recommit this bill with instructions to report a comprehensive measure revising existing law and providing for a disability pension based upon service, disability, and need, not extravagant to the Government and not unjust to the disabled veterans. Such a course would result in saving millions and millions of dollars annually to the Government and the extension of commensurate, adequate, and deserving relief to all our disabled veterans.

If the proposed bill is enacted, it means that the existing discriminations and inequalities will continue for a period of three years and no additional relief to those not included will be afforded until the expiration of that time, whereas if this bill is recommitted with the necessary instructions, the immediate utilization of the information developed by the hearings already had and the discussions of these measures would greatly facilitate the preparation of a bill that would meet the requirements of the people and afford the relief needed by the disabled veterans.

But in the event such a motion to recommit should not prevail, I shall support the Johnson bill with the Rankin amendment extending the presumption clause to January 1, 1930, for tubercular and neuropsychiatric diseases which is the extent of the relief which can be secured from the pending measures. This is in accordance with the attitude of the American Legion of Oklahoma as stated in telegram to me from B. G. Patton, the department commander, dated April 18, and which reads as follows:

> Retel April 17. American Legion of Oklahoma prefers Rankin bill if it can be passed. Do not want to endanger veterans' legislation if there is danger of deadlock lasting until Congress adjourns. Our second choice would be amendment to Johnson bill extending presumption period to January 1, 1930. I appreciate greatly your interest.

In the brief time allotted me I shall confine myself to consideration of only a few of the 25 sections of the Johnson bill.

Probably the most controversial section of the measure is that amending section 200 of the World War veterans' act, as amended, which reads, in part, as follows:

Provided, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amœbic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amœbic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of sec. 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim.

The Johnson bill would amend this "presumptive-service" clause of the existing law to bring into the presumptive period all types of diseases developed to a degree of 10 per cent disability prior to January 1, 1925. This presumption would be rebuttable by clear and convincing evidence in all cases, except those of tuberculosis, spinal meningitis, paralysis, paresis, blindness, and veterans permanently helpless or bedridden. Payments as a result of these new presumptions would not be retroactive and would continue only for a period of three years following the enactment of the bill, the purpose being to place all cases, wherein a disability of 10 per cent or more is shown prior to January 1, 1925, on a parity and to pay them for three years.

It is expected that during this period a joint committee of Congress proposed to be appointed under the provisions of H. R. 222 could make a study of all matters affecting dependents and service men and formulate a definite future policy of the Government with respect to veterans' relief. In restricting the operation of this provision to a 3-year period it is recognized that it is essentially emergency legislation. Experience has shown the injustice of limiting this section of the law. Disability from one cause is equally as real as from another, and to grant compensation to certain types of cases and deny it in others developing in the same period and possibly disabling to a greater extent is not predicated on the broad basis of sympathy and justice.

The objection still remains to the arbitrary fixing of a specific date as the limit of the presumptive service period. Is there any basis in reason for presuming that a man developing a disability in November, 1924, for instance, should have incurred it in service and for denying that same benefit of doubt to the man who developed a like disease a short time after January 1, 1925? Eventually, and the sooner the better, we must remove this arbitrary "dead line" altogether and provide pensions for our World War veterans on a strict basis of disability service and need, regardless of whether or not it is of service origin. Our primary concern should not be how or when these men incurred their disabilities. The fact that we accepted their sacrifices, that in their country's service they were liable to the exaction of the supreme sacrifice, constitutes a distinct obligation on our part for their welfare now. If one of them is ill, in need of assistance, why should we demand that he show that disability to have been a direct result of his service before we extend to him the aid of a grateful Government? He accepted his obligation to his Nation. Let us accept ours to him, to every man like him, who may now be suffering from disease or disability and in need, whether or not it is a result of his service.

I believe and earnestly hope that within a comparatively short time Congress will enact disability pension legislation, but in the meantime there are many outstanding injustices under the existing law which must be rectified and at once.

The World War veterans' act was amended in 1926 to provide $50 for service-connected arrested tubercular cases. Section 202 (7) entitles any man who has had a compensable tubercular rating to a statutory award of $50 per month. As a result of this amendment, 41,336 veterans whose tuberculous disease has reached a condition of complete arrest are drawing payments of $50 monthly. By a decision of the Comptroller General, however, "compensable" was interpreted to mean "active" and compensation was stopped in all cases unless it could be shown that there was a definite degree of activity within the presumptive service period. Clearly this is not a defect of the law but of its interpretation but as Congress finally enacted the statutory award amendment when it was already within the jurisdiction of the director to make adequate provision for tubercular cases, so it is imperative that we correct by protective legislation this administrative injustice which constitutes a travesty on the purpose and intent of the law.

The bill under consideration provides for the statutory award of $50 monthly in all cases where tubercular disease, either active or otherwise, is shown to have existed to a degree of 10 per cent or more within the presumptive service period. I introduced a bill in this Congress to correct this administrative discrimination and I am glad indeed to see it incorporated in substance in the pending measure.

Another provision of the bill of outstanding significance and importance, in my opinion, is that providing for dependency allowance for families of veterans hospitalized for more than 30 days where they make affidavit to the effect that their actual income is less than $1,000 per year. The purpose of this amendment is to take care of the dependents of the uncompensated veterans in hospitals or those veterans in receipt of a small amount of compensation who may be hospitalized for nonservice-connected disabilities.

Gentlemen, we are dealing with the finest type of American manhood when we legislate in behalf of our veterans. They are self-respecting, honorable, and proud. And in our concern over less important things, we have neglected them—many of them—who, with their families, are in actual need and in a helpless condition. I am speaking now of those men disabled but not service connected, or with small compensation allowances, whose crying need and only salvation is hospitalization! What will become of their families if they give up their jobs and enter the hospitals? There is no provision for caring for their dependents under such circumstances. No; our World War veterans must die of service-connected disabilities to warrant that consideration! And so, many of them, preferring to stand by their families and carry on in the bit of support they are able to manage, definitely set aside the hope of recovery through proper care, and elect to die rather than to desert their loved ones! That is the fine type of men with which we are dealing. They are not asking for charity. We have no need to fear that a generous Government will be imposed upon. In 1924 the Government offered every ex-service man hundreds of dollars and the record shows that on the 1st of January, 1930, a half a million men, or one out of every ten, had never asked for it. It is a stain upon our national honor that men characterized by such a fine sense of honor and patriotism should be denied the common decencies and comforts for their families when they are unable on account of physical disability to provide them!

Every Member of Congress has had personal experience with the difficulties of service connection in certain cases because of the strict requirement for medical evidence. The bill under consideration would amend the law to provide that due regard shall be given to lay and other evidence not of a medical nature. The provision of existing law has been in many cases a penalization of those veterans who, for one reason or another, have been unable to produce actual medical evidence of disability sufficient to establish service connection. Our experience has been that in many cases these service men defer to the last possible time consultation with a physician, sometimes through carelessness or ignorance—often for financial reasons and because of unwillingness to give up to the idea of illness. They may have evidenced unmistakable symptoms of disease since discharge; their records may be filled with affidavits of those closely associated with them who have had occasion to observe their condition under all circumstances and who can describe it in detail; yet, in the absence of medical evidence, their cases are not compensable under existing law. This section alone would bring relief to thousands of worthy cases.

An additional rate of $25 monthly, independent of any other compensation that may be payable, would be allowed under the pending bill to any person who suffered an amputation in active service in line of duty, and removes the necessity for showing the constant need of a nurse or attendant where claim for nurse or attendant allowance is made. It will surely not be questioned that these men who suffered a disability in line of duty during the period of actual warfare are entitled to this additional consideration. In the amendment regarding nurse or attendant allowance we would overcome the ruling of the bureau that prohibits the payment of this allowance in certain bed cases simply because there is not a "constant" need for such attendance, while there may be actual need for all practical purposes.

Then there are liberalizing provisions in regard to insurance, making insurance incontestable from the date of issuance instead of only after it has been in force for six months, as in existing law; extending the time in which to file suits on insurance claims, which expired in May, 1929, for a period of

one year after date of passage of this amendment; providing for refund of premiums in cases where they have been paid in by the veteran on account of erroneous rating; providing, in return for a slight increase in premium, an additional $5.75 per month per thousand of insurance in case of total and permanent disability, not deductible from the face of the policy, and therefore payable during the term of such disability. Under the present law a veteran totally and permanently disabled, after such disability has been in existence 12 months, draws $5.75 per month per thousand of insurance, deducted from the face of his policy. Under this system in 240 months the policy would be eaten up by monthly payments, and the veteran left without any insurance allowance whatever. The amendment in the pending bill would provide $11.50 per month instead of $5.75, and in case the permanent total disability existed more than 240 months the additional $5.75 proposed in the bill would continue to be paid during the term of such disability, since it is not deducted from the face of the policy. Where an insured whose yearly renewable term insurance has matured by reason of permanent and totaly disability is found and declared to be no longer totally disabled and is required to renew payment of premiums on said term insurance, and this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there would be given an additional period of two years in which to renew payment of premiums and to convert said term insurance. During that same two years he would also have the right to reinstate his term insurance should it lapse. The records of the bureau show that there are at present 100 cases in which insurance has been allowed to lapse after recovery from a disability rated permanent and total, 48 of which lapsed for the nonpayment of the first premium due after the rerating and 52 for the nonpayment of premiums subsequent to the first. In many cases the remittance came only a few days too late.

The sections of the law limiting the filing of claims and proof thereon would be repealed; payment of compensation to wife, child, or children of compensable incompetent veteran who disappears would be authorized, at the discretion of the director, and many other important changes made which experience has shown to be advisable and necessary in fulfilling the original intent of the law.

These administrative provisions of the bill are meritorious, but the presumptive period establishing a dead line will prevent relief being extended to thousands of disabled veterans in need, and who in equal degree are entitled to relief. The requirement of proof to establish service connection of disability has proven unworkable and unjust. Proof of service, disability, and need should meet the requirements to invoke necessary relief.

The Johnson bill is a step in the right direction, but should not preclude the prompt enactment of a comprehensive act making provision for all in equal degree—to the veteran who served in the ranks and the veteran who served in command. [Applause.]

Mr. CRISP. Mr. Chairman——

The CHAIRMAN. The gentleman from Georgia is recognized for five minutes.

Mr. JOHNSON of South Dakota. If the gentleman from Georgia will yield for a minute, unless there is some amendment pending——

Mr. CRISP. I am going to move to strike out the last word, and say a few words in support of the Oliver amendment.

Mr. OLIVER of Alabama. I do not think there is any opposition to the amendment.

Mr. JOHNSON of South Dakota. I have no desire to stop the gentleman from Georgia. Mr. Chairman, I ask unanimous consent that all debate on this section, and all amendments thereto, close in 10 minutes.

Mr. FITZGERALD. Mr. Chairman, I object.

Mr. CRISP. I understand the Chair has recognized me.

Mr. JOHNSON of South Dakota. I will withhold my request for the moment, but if we are going to have 15 or 25 minute speeches on something that is purely academic we will never pass the bill. However, I withdraw my request.

Mr. CRISP. Mr. Chairman, this is the first moment of time I have taken during the consideration of this bill, and I have risen rather unexpectedly, at Mr. OLIVER's request, to support his amendment, because I think it is in the interest of the veterans and will expedite the consideration of meritorious cases now pending in the bureau. I do not intend my remarks to be considered as criticism of the bureau, for I am sure it is deciding cases as best it can under existing law; but this amendment will clarify the situation.

All of us have had such cases, and many of them have been referred to in this debate. I desire to call your attention briefly to a case I have been handling for 5, 6, or 7 years, a case of arrested tuberculosis. The facts in the case are that in 1921 or 1922 two reputable doctors said the man had active tuberculosis. In 1922 the New York Life Insurance Co. rejected him for life insurance because he had tuberculosis. Evidence of this is in the record, furnished by the insurance company. Two or three reputable physicians certified prior to 1922 the soldier had active tuberculosis, and one physician in an affidavit stated he had examined him and the sputum was positive. An X ray was made in this case in 1924 for the Veterans' Bureau and showed scars. My secretary once argued that case several years ago before the board of appeals. I argued it myself a second time this year, over one month ago, and the case is still pending before the board awaiting decision. So far as I can find, there is nothing in the record to dispute this positive testimony of active tuberculosis in 1921 or 1922, except that along in 1924 or 1925 he went to a Veterans' Bureau hospital and upon examination they did not find active tuberculosis then and they say they can find no scars on his lungs.

I understand, just as Doctor SMOVICH has said, that 90 per cent of all persons subjected to a post-mortem examination show tubercular scars, and I am also informed by reputable physicians that frequently a man has tuberculosis and the X ray will not demonstrate any such scars on the lungs.

This man I spoke of I had at Mount Alto early this year and I think an examination there, while not as positive as to the fact he had had tuberculosis in 1921 or 1922, corroborated in many respects the testimony of those doctors who examined him in Georgia in 1921 and 1922. In those days many doctors in rural communities did not keep up-to-date records and could not make affidavits meeting the requirements exacted by the bureau to-day.

I think the amendment of the gentleman from Alabama [Mr. OLIVER] clarifies this situation and will expedite decision in many meritorious cases pending in the bureau, and I am in favor of it.

Mr. JOHNSON of South Dakota. Mr. Chairman, I really do not like to oppose the amendment of the gentleman from Alabama [Mr. OLIVER], because I know his sincerity in all of these matters, but I do not believe the amendment is sound. It provides with reference to a tuberculosis patient that if he submits an affidavit by a reputable physician, based on a personal examination prior to January 1, 1925, giving it as his opinion that the ex-service man at the time of such personal examination had active tuberculosis, that will settle the whole question. He will have tuberculosis and he and his dependents will go on the pay roll for life.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I am always pleased to yield to the gentleman from Alabama.

Mr. OLIVER of Alabama. I am sure the gentleman would not for a moment mislead the House as to what the amendment provides by taking only a part of it and not reading the whole amendment. The part the gentleman read follows a positive finding of active tuberculosis after January 1, 1925, and prior to January 1, 1930.

Mr. JOHNSON of South Dakota. Prior to 1930.

Mr. OLIVER of Alabama. Yes; prior to 1930. Now, if in that connection a reputable physician gives it as his opinion from a personal examination made of that veteran prior to 1925 that he then had active tuberculosis, then you are giving some weight to legal testimony which your bill seeks to require, and the amendment only provides that it shall authorize a finding of service connection on such facts.

Mr. JOHNSON of South Dakota. Of course, the amendment is not necessary since the Connery amendment has been adopted, but I call attention to the fact that a further reason this is not necessary is that under the provision of the bill as now written, the bureau is authorized to consider lay testimony, and when they consider lay testimony, they certainly can consider medical testimony.

Mr. ALLGOOD. Mr. Chairman and gentlemen of the committee, I rise for the purpose of speaking in favor of a liberalization of our law pertaining to disabled veterans of our country as proposed by the amendment offered by the gentleman from Alabama [Mr. OLIVER].

Capt. Watson B. Miller, chairman of the national legislative committee of the American Legion, testified before the Veterans' Committee of the House of Representatives that thousands of veterans whose disabilities are actually the result of service and thousands more who believe them to be, will never be reached by our present law.

Mr. CONNERY. Will the gentleman yield?

Mr. ALLGOOD. I yield to the gentleman.

Mr. CONNERY. I think the chairman of the committee held that under my amendment which has been adopted, this will be taken care of, and I am glad that my distinguished colleague

from Alabama [Mr. ALLGOOD], who has always fought so hard for veterans' legislation, is favoring such an important provision in this law.

Mr. ALLGOOD. I thank Mr. CONNERY, who is a valuable member of the veterans' committee, for the tribute he pays me. I want to emphasize the ineffectiveness of our present laws in the treatment of veterans. As all the Representatives in Congress know, in helping our veterans with their cases we have had many technical questions confront us. I represent some agricultural or country sections, and the affidavits that the veterans living in the rural sections furnish are obtained from rural doctors. In cases of tuberculosis the Veterans' Bureau in most instances will not accept such affidavits because they do not show that sputum tests and the other tests required have been made, and, as a consequence, under the present laws we are not able to get favorable action from the Veterans' Bureau on these cases.

Mr. GREEN. Will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. GREEN. I have noticed in many instances when we submit certificates to the Veterans' Bureau, when they find they are not based upon records of physicians, they are not inclined to give any consideration to them.

Mr. ALLGOOD. That is the fact.

Mr. GREEN. And in my own district I do not believe 1 country doctor out of 25 for the past 10 years has kept an accurate daily record of all the patients he has treated, giving his detailed diagnosis, and so forth, which was made at the time. So it is almost a physical impossibility for the average doctor residing in a rural district and doing a general practice to produce such certificates as the skilled technicians in the bureau require.

Mr. ALLGOOD. Certainly; and this is an advantage to the veterans who live in the cities, because the city doctor is able to keep such records; but we know that it is physically impossible for the doctor who lives in the country and does a general practice to keep records like a specialist in the city. Under our present laws, in many instances there is an injustice to the veterans who live in the country.

Capt. Watson Miller says furthermore:

> The proposition of effecting service connection and presenting veterans' claims to the United States Veterans' Bureau is an extremely difficult one. It has become a highly specialized effort, as you must know yourself, and one of the continuing mysteries to me is how many of them have the courage to go through to the end with it.

Gentlemen of the House, this presents a condition that is quite unfair to the ex-service man suffering with a disability.

Mr. EDWARDS. Will the gentleman yield?

Mr. ALLGOOD. I yield.

Mr. EDWARDS. The gentleman is trying to make some provision whereby we can get somewhere without being required to furnish further additional proof?

Mr. ALLGOOD. Yes; I am.

Mr. SIROVICH. Will the gentleman yield?

Mr. ALLGOOD. I yield.

Mr. SIROVICH. The contention of the gentleman is that in the small towns and small villages the local physician has no X-ray facilities, no laboratory facilities, where he can give the veterans the benefit of such examination?

Mr. ALLGOOD. That is true.

Mr. GREEN. What we want the bureau to do is to give credit to these country doctors, many of whom are the best doctors in the United States.

Mr. ALLGOOD. Mr. Chairman and gentlemen of the committee, as my time is limited I wish to speak without further interruption, and therefore must decline to yield to further questions.

I am not unmindful of what has been done for the ex-service men by Congress through the Veterans' Bureau. I realize that 128,000 men suffering from disabilities received in the service have been given vocational training at an expense of $600,000,000 to the Government. This money was a splendid investment, because it placed these men, with handicaps, on their feet, so that instead of them being a charge on the Government they can earn a livelihood. Since I have been in Congress we have liberalized the law so that there are now 356,774 veterans and dependents receiving disability compensation as against 183,000 seven years ago.

Yet there is a great deal of dissatisfaction among the ex-service men themselves with the World War legislation now on the statute books. Especially as it has been administered. The records in the Veterans' Bureau show that on September 30, 1929, claims for death and disability compensation had been filed to the number of 1,138,015. Of this number 564,240 claims had been allowed with only 356,774 active and drawing compensation at the time; 574,000 who applied and who evidently believed that they had some disability growing out of their service in the Army were denied compensation. A greater number have been denied compensation than have been awarded it. I believe that the law should be liberalized so that many of those who have tried to make proof and who in my opinion are entitled to compensation can get it.

Each year since I have been in Congress I have advertised that I would be at the courthouse towns in my district for the purpose of meeting with the soldiers and their families or dependents to help them with their claims. In this way I have made personal contact with many ex-service men and have made a record of their condition, together with a statement of their disabilities, and each year I have in person presented their claims to the regional office of the Veterans' Bureau and in many instances have been able to connect their claims with the service, but in a great number of cases I could not help them because, as I have already stated here to-day, they could not secure affidavits from their doctors which would be accepted by the rating board and the Veterans' Bureau. I have had many cases turned down on this account and I am pleading for a liberalization of the law.

It does not require a genius, a scholar, or a highly technical lawyer to find out that injustice has been done to hundreds of claimants. The record is so plain that anyone who can work fractions can understand that hundreds of mistakes have been made and are being made in the regional offices throughout the United States. In this connection I want to cite some statistics where appeals have been taken from the decisions of the regional office to the central board of appeals at Washington. The records show that five cases out of a hundred were reversed from the regional office at Hartford, Conn.; it further shows that nine cases out of a hundred were reversed from the Boston regional office by the central board of appeals; eight out of a hundred were reversed from Charleston, W. Va.; ten out of a hundred were reversed from Philadelphia; twenty-two out of a hundred were reversed from Birmingham; twenty-five out of a hundred were reversed from Jacksonville, Fla.; twenty-five out of a hundred were reversed from Cleveland, Ohio; thirty-five out of a hundred were reversed from Fargo, N. Dak.; fifty-one out of a hundred were reversed from Salt Lake City, Utah; sixty-six out of a hundred were reversed from Reno, Nev.

Thus we have a variance of from 5 per cent at Hartford, Conn., to 66 per cent from Reno, Nev. This indicates that the officers in the regional office at Hartford, Conn., more clearly understand the law and the rulings of the central office at Washington and have come nearer giving justice to the ex-service men than any other regional office in the country. It clearly shows that the officials in the regional office at Reno, Nev., either know the least or care the least about the law and its interpretations or are either hard-boiled and prejudiced against rendering justice to the ex-service men in their section. The rulings by the regional offices have been so unsatisfactory that year before last 6,000 men who were dissatisfied with the decisions on their individual claim took an appeal to the central office at Washington. Last year this number more than doubled, and 12,946 men appealed from the findings of the regional offices to the control board of appeals. If this gross and unjust inequality continues to show up in the regional offices I will vote for a measure to discontinue the regional offices and consolidate the Veteran's Bureau at Washington. I see where Mr. WOOD, chairman of the Appropriations Committee, advised the President to veto this measure because it will require a few million dollars more to carry out its provisions. I think that his feeling for the Treasury comes at an inopportune time, especially so since this Congress has already voted millions of dollars for almost every known cause and has left the wounded, diseased, sickened, helpless soldiers with their dependents in thousands of cases unprovided for.

This bill will cut the red tape and enable soldiers who are sick and suffering from more than a 10 per cent disability to be compensated, and it will also compensate the wife and children of a needy sick soldier while he is in a Government hospital. If the President wants to cut expenses and veto some extravagant measures, and measures which I voted against, I would recommend that he veto the Cramton bill which passed the House appropriating $23,000,000 for the purchase of lands along the Potomac to Mount Vernon for building a highway. These lands are rough and swampy and almost without value, and $23,000,000 would purchase more than one-half of the farms in my entire district, and I represent the best agricultural district of the State. And there are many more appropriations of this same nature which he could veto and which would not affect the lives of thousands of our people. If the President vetoes this veterans' bill, he will back his veto up with a statement from Mr. Mellon, the Secretary of the Treasury, to the effect that the

bill will be a burden upon the Treasury in its present condition, and yet Mr. Mellon has passed back into the hands and the pockets and the coffers of the millionaires of this country since he has been Secretary of the Treasury more than $3,000,000,000 of tax refunds, and if the Treasury is in a depleted condition, Mr. Mellon and the recipients of these tax refunds are responsible for it.

There is such a great need and so much merit and justice in this measure that we should assume our responsibility here in the House and pass it, and after we have done our duty if the President vetoes the measure, the responsibility will be his and not ours. [Applause.]

Mr. LOZIER. Mr. Chairman and members of the committee, much of the debate on the pending veterans' bill relates to compensation of World War veterans who are suffering from tuberculosis. This malady has scourged the human race from the beginning of time. It has ruthlessly taken toll from rich and poor, prince and peasant, humble and exalted. Every vocational group, every class, caste, and station in life has contributed to swell its spectral, phantom host.

May I mention a few illustrious men and women who suffered from this plague? John Calvin, Voltaire, Rousseau, Richelieu, Balzac, Irving, Hawthorne, and Alexander Pope; the gold-throated Cicero, the profound Milton, the artistic John Ruskin, and Sir Walter Scott; Edward Gibbon, Ralph Waldo Emerson, Francis Thompson, and Elizabeth Barrett Browning; Goethe, Schiller, Moliere, and Robert Louis Stevenson; Raphael, Mozart, Chopin, and Descartes; the French painters, Bastien Le Page and Jean Antoine Watteau; Keats, Shelley, Hood, and Thomas DeQuincey; Prosper Merimée, the French novelist and historian; Charlotte and Emily Bronte, Jane Austen, Charles Kingsley, Samuel Butler, Spinoza, John Locke, and Immanuel Kant; these and thousands of other eminent persons have been immolated on the altar of this dread, insidious, and relentless disease.

Under existing law, when a World War veteran developed active tuberculosis prior to January 1, 1925, it is presumed that the disease was contracted in the service or that the conditions out of which the malady grew were of service origin. I think it will not be denied that tuberculosis may be traced to primary or secondary causes; that is to say, there may be an immediate, direct, or quick infection, and following the onset, the disease may run a rapid course, with a normal and natural symptomatology.

In other cases, the symptoms of the disease may be exceedingly obscure, the onset gradual, and its progress halting and slow. Something occurs to lower the vitality of the system, reduce its power of resistance, and create pathological conditions favorable to future infection by the tubercular bacillus. In the first class of cases to which I have referred, the diagnostician has no difficulty in determining the disease, because the symptoms are typical. But in the latter class of cases the symptoms are often vagrant, hidden, and intermingled with conditions tending to indicate the existence of some other disorder.

Inasmuch as the World War subjected soldiers in camp and in combat to a stress, strain, and ordeal hitherto unknown in warfare, and developed new maladies, and new and exceedingly strange and unusual phases of old ailments, physicians and surgeons faced many new and hitherto unheard-of conditions, which, to a very considerable degree, overturned or modified the well-established principles of diagnostics, and in the administration of the present compensation act, all cases of tuberculosis that become active prior to January 1, 1925, are conclusively presumed to have been contracted in the service, or resulted from the soldier's physical condition having been injuriously affected by his service to such an extent as to cause the onset of tuberculosis at a later and, in many instances, at a far distant date. This was on the theory that the hardships and strain incident to service, or resulting from illness during service, had lowered the vitality and impaired the soldier's power of resistance to such an extent as to create conditions favorable for future tubercular infection.

Following the World War came a multitude of strange and vagrant maladies that amazed the most skillful semeiologists. Common diseases appeared in new forms and accompanied by manifestations hitherto unobserved by therapeutists and diagnosticians. Constitutional and functional disorders were often attended by such unusual signs as to baffle eminent diagnosticians and pathologists.

The experience of physicians and surgeons during and since the World War has in many respects revolutionized the medical science, brushed aside many hitherto universally accepted rules relating to the diagnosis, pathology, prognosis, and treatment of certain diseases. The medical profession, alert and progressive as it always is, quickly recognized that it was facing new and hitherto unheard-of conditions.

Let it be said to the everlasting praise and credit of the medical profession that under these new conditions it did not quibble or equivocate; it did not tenaciously hold to old theories and practices, the inaccuracy of which was being demonstrated by the logic of events with which they stood face to face; they did not hold fast to a theory simply because it was old and had in the past been generally accepted and unchallenged, but they were receptive to new thought, new methods, new conditions, and unhesitatingly accepted these new truths that unhappily were torn from the bloody womb of war.

Following the war it became quite evident to the medical profession that the insidious seeds of disease that found lodgment in the soldier's system during the stress of combat had in many cases lain quiescent and dormant for years before incubating and becoming active in a body in which the power of resistance was materially reduced and the susceptibility or predisposition to future infection substantially increased.

The medical science was unable to fix a date and definitely declare that tuberculosis developing after that date could not be of service origin. So the arbitrary date of January 1, 1925, was fixed and the presumption established that tuberculosis, neuropsychiatric diseases, and certain other maladies that developed prior to January 1, 1925, were of service origin. Obviously, it can not be established that January 1, 1925, marks a hard-and-fast date beyond which no tubercular or neuropsychiatric case developing thereafter can be considered as having been contracted in the service.

Now, by the amendments offered to the pending bill it is proposed to extend this presumptive period to January 1, 1930, on the theory that there are instances where tubercular or neuropsychiatric disorders developed or became active after January 1, 1925, which are obviously traceable to the soldier's service in the World War. There are cases where the infection was undeniably quiescent for years; where the soldier's vitality was so reduced by disease, shell shock, poison gas, stress, strain, mental disorders, or other causes that his power of resistance was impaired, thereby creating a soil for the subsequent infection and incubation of the tubercular bacilli, and because this lowered vitality rendered the subject more predisposed or susceptible to disease in after years.

I have taken the position that there are many cases where the soldier's vitality has been impaired and his power to resist disease so reduced that in after years when he develops tuberculosis it is not unreasonable to conclude that the disease is either the direct or the indirect result of his military service.

Experience may demonstrate that we are going too far when we extend this presumptive period to January 1, 1930. If so, the error may be corrected by subsequent legislation, but I am convinced that the 1925 deadline is unfair and denies compensation in many cases where the disease became active after that date, but the evidence showed the physical condition of the soldier was substantially impaired during his military service, his powers of resistance weakened, and his susceptibility to disease correspondingly increased. I grant you that in a majority of cases where tuberculosis resulted directly or indirectly from the military service, it would probably develop before January 1, 1925, but I am persuaded that in many instances tuberculosis becoming active after January 1, 1925, was in reality traceable to the military service.

On April 17, when the presumptive clause of the pending bill was being discussed, I made the following observation:

> The philosophy or reason for the presumptive clause is based upon the well-recognized theory in medicine, as well as in fact, that service, while it may not at the time incapacitate the soldier, and there may be no present evidence of disability resulting from service, frequently it will reduce the power of resistance in the individual and furnish soil for the incubation of the disease later on when conditions are favorable for the development of the disease; and for that reason the medical profession realizes that anything which reduces the power or resistance of the individual may be attributable to the service, although there may be no manifestations of that disease for years afterwards.

The distinguished gentleman from Massachusetts [Mr. LUCE], for whom I have a very high regard, and whose scholarly attainments, versatility, and outstanding ability are recognized and admired by his colleagues, arguing against the soundness of the presumptive clause, declared:

> There is no scientific evidence to show that active tuberculosis that does not show within a year of discharge can, from a scientific standpoint, be said to have originated in the service.

In reply I wish to assert there is no scientific evidence to show that tuberculosis will not develop more than a year after the soldier's discharge. Moreover, I contend that there is no scientific evidence to show that tuberculosis that developed after

January 1, 1925, may not be logically traced to and connected with the subject's military service in the World War. In short, medical science has as yet not been able to fix a hard and fast date and declare as a scientific proposition that tuberculosis developing thereafter was not caused, either directly or indirectly, by the subject's military service in the World War. The medical world has not yet reached a definite conclusion on this question. It is still an open question as to what length of time may elapse between the service and the onset of tuberculosis. In some cases the actual infection may be during the service, but owing to the vigor incident to a robust body, the germs may lie quiescent for a long time, and when the subject's vitality is lowered by other causes the slumbering germs awake and become virulent and active.

In other cases there is no actual infection during the service, but the soldier's vitality is substantially reduced from other causes, and as time goes on the debilitated condition becomes more and more pronounced until finally his power of resistance is broken down thereby, affording a favorable seed bed for the lodgment and incubation of the tubercular bacilli. Without this lowered vitality, the subject would no doubt have been able to resist infection or expel it from his system.

The gentleman from Massachusetts challenges the soundness of my contention that by reason of a lowered vitality and impaired power of resistance tuberculosis developing in a World War veteran years after his discharge may logically be traced to his military service. In the course of his remarks yesterday the gentleman from Massachusetts said:

> To satisfy myself on that point, I have since the hearings consulted other medical testimony, and I think I am supported in what I am about to maintain and explain. To me the most dangerous argument so far, by reason of its pertinence, its brevity, and conciseness, was made by my friend from Missouri [Mr. LOZIER], whom I see at my right, who put into language what until these hearings were held had been my own belief. I was astonished at this testimony, because presumably, like most other men, I had always supposed that disease might originate far back in our lives. The gentleman from Missouri told you that the philosophy or the reason for the presumptive clause is based on the well-recognized theory in medicine that disease might start as far back as the period of the war. That had been my belief. I found it very hard to abandon that belief.
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> That had been my own belief until these hearings forced me to conclude that the popular common understanding is wrong. The new science of medicine, the study of bacilli—germs, as we call them—the scientific application of the bacteriological and physiological discoveries that have been made in recent years have combined to prove that many of our old beliefs about health, sanitation, and medicine were wrong; and here is one that is wrong. After my friend from Missouri had delivered what I thought the most dangerous argument presented on the floor in this matter, I went to a man of high standing in the medical world and I said, "How shall I answer that? This colleague of mine points out what I had thought was true, that service in the Army weakened resistance, that any man who served there under the hardships of battle conditions in the camps and the trenches had become less capable of resistance, that all through his life he would be more liable to be afflicted with disease, and that his days might be shortened because for a time he lived under the conditions of war."
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> He said that this is the answer: If a man's power of resistance has been weakened by the conditions of his life or by stress of any sort, then he is at once exposed to greater danger from the countless germs that are always threatening him. His resistance is weakened now. It is not weakened 10 years later but is weakened at once. If he succumbs to these germs by reason of weakened resistance, that will be shown within four or five years.
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> There was the justification for carrying this presumptive period up to 1925.

Answering my friend from Massachusetts, I will say that the "man of high standing in the medical world" whom he consulted merely stated his guess or offhand opinion, which was not based on any fact or scientific truth. He gave no reasons or evidence to support his conclusions. Certainly this scientific gentleman ought to know that in different soldiers there is not always the same degree of weakened resistance or lowered vitality. The decline may be either rapid or gradual. For weeks, months, or years the vital forces in the body may combat the weakening factors and desperately resist the encroachments of disease, the progress of which may be swift or tardy, depending, of course, on the extent to which the bodily vitality is lowered and its power of resistance impaired. When the forces of decay set it, nature in self-defense strenuously endeavors to repair the decay, rebuild wasted tissues, and halt the forces undermining the power of resistance. I repeat, the decline may be gradual and exceedingly slow. It may be measured by months or years.

The high medical authority consulted by the gentleman from Massachusetts is clearly in error when he says that the subject will succumb to disease "now" or "immediately." I assert that for weeks, months, or years these destructive forces that are undermining resistance may be held in check, or partially in check, by the forces of resistance and reconstruction with which nature meets each invasion. The weakening process may be and frequently is gradual, and the high medical authority consulted by the gentleman from Massachusetts cites no scientific fact or evidence to sustain his ipse dixit.

The gentleman says that if the soldier succumbs by reason of weakened resistance it will be within four or five years. I answer, why within four or five years? Why not within three or six years? Why not within two or seven years? Why does the gentleman establish the dead line at four or five years? What scientific evidence has been submitted to justify fixing an arbitrary date, after which no World War tubercular case can be considered?

In the instant case, my friend from Massachusetts has accepted a theory advanced by the man he consulted, without having called for the evidence which supports that dictum, and without having subjected such theory to the cold intellectual acid test that the gentleman from Massachusetts usually applies in reaching his well-considered opinions.

It is not disputed in the medical world that anything that reduces the vitality of the individual inevitably reduces his power of resistance, and furnishes a seed bed for the incubation of bacilli. When the bacilli enter the human system, according to all medical authorities, they may be inactive or quiescent for weeks, months, and years. Some authorities say that this dormant and inactive period may continue for 5, 10, 15, or 20 years. It is conceded that many children are infected with the tubercular bacilli when only 5 or 6 years of age, but frequently these germs lie dormant 10, 15, or 20 years until disease, malnutrition, or some other exciting cause stirs them into activity.

The medical profession now recognizes that tuberculosis most generally results not from primary but secondary causes or infection, there being first an infection in the lymphatic glands before the lung cells are affected. When the tubercular bacilli enter the system, if conditions are favorable, they incubate rapidly and become active within a comparatively short time; but if the subject's health is good and he has strong powers of resistance the germs may be expelled or remain inactive for a long period of time. No respectable medical authority will claim that 1, 2, or 10 years is the limit beyond which the tubercular bacillus may not be developed.

It is a well-known fact that the tubercular bacilli are omnipresent. They are in the atmosphere and in almost every environment. They are taken into the body, not only by inhalation through the respiratory system but by ingestion, or through the alimentary canal. A third but extremely rare source of infection is by inoculation through the skin. Very few, if any, men and women go through life without millions of tubercular bacilli passing through their bodies, and this is true, no matter how healthy and vigorous the individuals may be. But only in a few cases does the germ find permanent lodgment, or become active or virile, because in practically every case the forces of nature are sufficiently strong to neutralize the germs or expel them from the system. It is only where the subject is debilitated, where his powers of resistance have been reduced, that soil is found for the incubation of the germs of tuberculosis; and even when the bacilli become active the forces of nature desperately resist the extension of the disease. The process of infection may be long continued, depending upon the subject's power of resistance.

The progress of tuberculosis is never the same in any two cases. For months or years the system may be able to resist invasion, and after the tubercles have found lodgment and become active the strength of the attacking and resisting forces may be substantially equal, and while this equipoise lasts the infection can make no progress; and after the defensive forces give way the fight still continues and nature stubbornly resists every inch of advance. The greater the power of resistance the slower the advance of the relentless malady.

Actuated by a sincere desire to ascertain the truth and reach a proper conclusion in reference to the extent to which the presumptive clause should be extended, I have consulted numerous medical authorities and the opinions of men whose lives have largely been given to the study and treatment of tuberculosis. I have found in medical science ample support of and justification for the presumptive clause, and in favor of not limiting its scope to a few years, or to any particular arbitrary date.

I have been amazed at the multitude of instances where eminent physicians, long experienced in the treatment of tuberculosis, have found it exceedingly difficult, and frequently impos-

sible, to definitely diagnose tuberculosis until many months or years after its onset, and even while its fires were slowly and insidiously sapping the vital forces of the patients. In many thousand cases the symptoms have been so hidden and unusual as to defy the skill of expert diagnosticians.

In thousands of cases persons suffering from concealed tuberculosis have been told by their physicians that they were suffering from other diseases, because the symptoms were typical of such other diseases, and the patients have gone along for many months or many years believing they had these other distempers and absolutely ignorant of the distressing fact that they had been suffering from tuberculosis for years. Not until the long-smoldering fires of infection broke into angry flames did they or their doctors realize that they were victims of the white plague.

The tubercular infection is harmless in a majority of persons as long as the metabolic processes are normal, and only when certain disturbances occur in this regard can tuberculosis develop. Wheat will not grow on every soil, and the tubercular bacillus will not grow in every individual.

A vast majority of persons are quite insusceptible of tubercular infection, and generally an overwhelming dose of the organisms, repeated frequently, is necessary to overcome the resistance of the ordinary individual.

In the language of one medical writer:

All conditions necessary to produce susceptibility are unknown; yet it is empirically true (and could be with reason supposed) that any circumstance which tends to lower the general vital powers decreases the resistance to tuberculosis.

It is said that a seed bed for the incubation of the tubercular bacillus may be supplied by defective or insufficient food, overwork, worry, fatigue, loss of sleep, excitement, strain, unwholesome surroundings (like a damp, dark, or overcrowded dwelling), inhalation of gases, dust, or smoke, or any disease which tends to lower the vitality of the subject. While from 70 to 95 per cent of all the people have the tubercular bacillus implanted in them, only 1 per cent of the young men examined during the World War showed a tubercular condition.

There is much yet to be learned about tuberculosis. The bacillus, the actual cause of tuberculosis, was discovered by Robert Koch, a German scientist, in 1882, since which time we have acquired much information concerning this pestiferous germ, but much yet remains to be learned. To combat the destruction of the lung cells by these germs nature builds what is known as epiphaloid cells around the infected lung area. If these defensive forces win the battle, the bacilli are walled in. If they lose, the destruction of the lung cells continues until the entire cell structure is involved. Something has been said about arrested tuberculosis. In such cases the lesions of the lung are completely walled in by scar, fibrous, or fibroid tissue, and the advance of the destructive forces arrested, and in arrested cases no bacilli are found in the sputum. An arrested case of tuberculosis may become active at any time if the general health or vitality of the subject is impaired.

I desire to call your attention to some medical evidence bearing upon the presumptive clause under discussion. Dr. Edward O. Otis, of Boston, an eminent medical authority, in his work on pulmonary tuberculosis, says:

When the tubercle has gained entrance into the lungs by one or the other route they may (a) be destroyed and leave no evidence of their visit, or (b) remain inactive indefinitely or for the lifetime of the individual, or (c) they may produce certain inflammatory changes peculiar to their specific nature, just as other irritants or specific bacteria cause inflammatory phenomena peculiar to their specific influence.

The same authority says:

In quiescent cases, however, we may have extensive disease with little or no disturbance of the general health. The individual may have the appearance of perfect health, may be able to follow his usual mode of life, and feel as well as ever.

In other words, the infection may be active or quiescent. It may slumber for months or for years until there is an exciting cause to awaken the infection to an active or acute stage. This exciting cause may be a general debility resulting from military service in former years.

As to acquired predisposition to tuberculosis, Doctor Otis says:

In general one can predicate that whatever influence, long acting, which lowers the normal resistance, produces a favorable soil for the bacillus and acquired predisposition. Such influences are legion. Unwholesome conditions of living and working, dusty occupations, lack of sunlight and fresh air, overfatigue, underfeeding, insufficient rest and sleep are some of the chief of these influences.

And certainly the lowered vitality and the impaired powers of resistance that frequently follow the strain, stress, and disease incident to camp life and warfare would furnish a soil for the incubation of this disabling and destructive germ.

Doctor Otis makes a further statement:

How long after the implantation of the tubercle bacillus the acute manifestations of the disease occur, we do not know. We know, however, that the development of the infection is generally slow; months and years may elapse before active symptoms appear, or they may never appear.

Dr. Francis M. Pottenger, an eminent writer on clinical tuberculosis, says:

The patient suffering from early clinical tuberculosis, usually shows only a few of the many symptoms which may be found accompanying this condition and these may not be consistent. They are now present for a time and then may disappear, giving the patient the idea that they are gone. Variability is necessarily characteristic of symptoms and signs of this disease because conditions are so varied.

Doctor Pottenger further says that the tubercular infection is due to lack of specific resisting power on the part of the invaded organism, and that the resisting power of the patient is an important factor because this lowering of natural resistance invites infection and furnishes a seed bed for tuberculosis. Doctor Pottenger also says:

The insidiousness of tuberculosis is also a factor which makes real diagnosis difficult. If symptoms come at once after infection took place, it would be a comparatively easy matter to make an early diagnosis, but such is not the case. Infection in tuberculosis takes place weeks, months, or years before clinical symptoms are recognized, the lesion having gone through a succession of changes from quiescence to activity and extension. * * * As clinicians we are apt to forget the possibility of such symptoms being caused by hidden foci; and, failing to find tuberculosis in the lung, declare that it does not exist. We should never lose sight of the fact that, with clinical symptoms belonging to the toxic group suspicions of tuberculosis, and inability, by most painstaking examination, to find either a tubercular or other cause for the same, we have not ruled out the possibility of a hidden tuberculous focus.

In the International Cyclopedia we are told that "a predisposition to tuberculosis is acquired under conditions that seriously lower vital resistance."

Dr. Lawrence F. Flick, of Pennsylvania, an eminent authority on tuberculosis, in a recent work, Development of our Knowledge of Tuberculosis, in discussing this interesting subject, quotes extensively from Dr. J. A. Villemin, the eminent French physician, and probably the greatest tubercular expert the world has so far produced. He says:

Pathological changes in lungs do not always manifest themselves by physical signs; granulations may exist in considerable numbers without auscultation being able to bring them to light. * * * Hence, as observation has many times proven, discreet granulations located in healthy pulmonary parenchyma can remain silent for an indeterminate period of time. Besides autopsies have well confirmed this important fact.

He calls attention to the fact that many prominent authorities support the doctrine that latent tuberculosis may exist for years, and avers that tubercles often are unexpectedly found at autopsies, especially in military practice. Continuing, he said:

It is therefore incontestable that there exists a very large number of individuals with pulmonary tubercles in whom this change remains entirely undiscovered, either because the cough does not come on until very late or because auscultation is unable to make out the condition of the lung. In many cases a longer or shorter time elapses between the eruption of the first granulations and the clear manifestations of pectoral signs.

He further states:

The cough for the patient and often for the physician is usually the first sign of tuberculosis. Its appearance is regarded as the beginning of the disease, even when tubercles may have existed for years before it has attracted attention. * * * It happens quite often that the cough is entirely missing. There are people with pneumonia who cough little or not at all. There are individuals with whom the lungs are stuffed with tubercles and in whom the cough is completely missing.

In the Encyclopedia Americana it is said:

The onset of tuberculosis is insidious and the disease frequently progresses 5 to 20 years before the patient recognizes it.

Doctor Colin, a celebrated French physician and member of the Academy of Medicine of France, in discussing Doctor Villemin's findings in relation to tuberculosis, said:

The active agent of tuberculosis might lie dormant in the lymphatic glands for a long time before finding its way into other tissues of the body. This has been confirmed by investigators.

Those who are interested in the history of tuberculosis are referred to a volume published by Doctor Waldenburg in 1869, in which he gives a very interesting review of the history of and literature on the disease of tuberculosis from the time of the Greeks down to his day and discusses the various theories held and the doctrines promulgated during that time.

Dr. Lawrence F. Flick, an eminent Pennsylvania physician and medical writer, in his volume entitled "Development of Our Knowledge of Tuberculosis," gives a very elaborate review of the disease from the beginning of history, since the time of Hammurabi, whose code written about 2,250 years before the Christian era, in discussing fees which physicians might receive for their services, used language which can reasonably be construed to indicate that tuberculosis was one of the diseases referred to and which, even in the morning twilight of the human race, was recognized as a deadly plague.

Dr. Albert Philip Francine, of Pennsylvania, in his volume entitled "Pulmonary Tuberculosis," said:

Though modern studies are tending to show that the disease is of much longer duration than is commonly supposed, the probabilities are that in many cases infection takes place in infancy or childhood, though its manifestation in the lungs is not noted until much later. Flick thinks that the average duration of the disease is at least 10 years. With increased attention to this point, we will be able to place the beginning of infection much earlier in these cases than has been usual hitherto.

In the second annual report of the Henry Phipps Institute it is said:

Real scientific research into the duration of tuberculosis is only beginning. In the past, medical men have usually measured the duration of the disease by the period of mixed infection and to a very great extent this is still done. The correct duration of the disease, however, should be measured from the implantation, and this implies a long period of dormancy in most cases. The probabilities are that tuberculosis is always primarily a lymphatic disease and that the lymphatic period is always dormant except when the disease manifests itself by enlarged superficial glands.

I quote again from Pulmonary Tuberculosis, by Doctor Francine:

The patient has had tuberculosis for 10 years or longer, but neither himself nor his doctor nor his family suspect it. He gets an acute infection, which, by the introduction of these other pathogenic bacteria, lights up the primary infection and produces definite and easily recognized symptoms.

Doctor Francine holds to the theory—

That the primary lesion is in the lymph nodes, either thoracic or abdominal, the lungs being secondarily infected.

And he and other medical authorities hold that after the bacilli enter the lymph glands they may remain dormant and inactive for a long period of time, or they may be finally expelled or completely neutralized, or, after being latent for a long time, they may become active and thereafter pass to and infect the lung cells; and after this secondary infection takes place nature marshals her forces of resistance and endeavors to heal the lesions or isolate the infection by hedging it about with scar fibrous or fibroid tissue to prevent a spread of the cell destruction to other lung areas.

It has been my privilege to examine a very interesting little volume on "concealed tuberculosis" or "the tired sickness," by Dr. George Douglas Head. It is a very illuminating volume. The writer shows how difficult it is to recognize tuberculosis during the period of infection and while it is in an incipient stage. He gives numerous instances where the symptoms have been so concealed as to defy the skill of expert diagnosticians. He says:

For a number of years the writer has recognized in his hospital and private practice a form of long-standing physical and nervous exhaustion, associated with the presence of the tubercle bacillus tucked away in some organ or tissue of the body. This slow-burning fire of a low-grade tuberculosis infection manifests itself in such an insidious manner as to escape detection by the usual clinical methods of diagnosis employed; and the stamp of neurasthenia or nervous exhaustion is usually placed upon those persons so infected. This type of tuberculosis fails of recognition unless the special tuberculin tests are used to assist in establishing the nature of the infection * * *. In this group were many persons complaining of symptoms expressing lowered vital force and lack of endurance for which no satisfactory causal factor could be detected—no syphilis, no myocarditis, no endocarditis, no septic infection, no malignant disease, no exophthalmic goiter, no nephritis, no gastric ulcer, no anemia. I found, however, that when these patients with doubtful or negative clinical signs of tuberculosis were tested with tuberculin many of them gave positive reactions. This evidence clearly proved that many persons complaining of symptoms indicative of unstable physical and nervous states and diagnosed as neurasthenia carried a tubercular infection. Inasmuch as these persons harbored no organic disease the conclusion was forced home upon one that the tuberculous infection was the cause of their symptoms.

Doctor Head states that in a great many cases where the patients complain of being tired and "played out," they are suffering from a "concealed form" of tuberculosis, and that there is an intimate relationship between neurasthenia and clinically demonstrable tuberculosis; and he states that a large number of persons harboring the unrecognized silent forms of tuberculosis go along through weeks, months, and years unconscious of the fact that they have tuberculosis, all the while ascribing to other causes their fatigue, lack of endurance, and ability to stand up under the wear and tear of life.

Continuing, Doctor Head states:

One of the peculiarities of tuberculosis is the tendency which it often manifests to invade its host without causing much constitutional or local reaction and without producing pronounced symptoms indicative of its presence. This reaction on the part of the organism is often expressed only in terms of unstable physical force and nerve exhaustion, and not the recognized clinical picture too often considered as a "sine qua non" in order that a diagnosis of tuberculosis shall be made.

In elaborating the extreme difficulty in many cases of diagnosing tuberculosis in its early, concealed, or incipient stage, Doctor Head says:

I wish to emphasize this: Many persons carry tuberculous infection, in whom there can be found no distinctive objective focal evidence of the disease in the lungs, lymph glands, peritoneum, pleura, pericardium, kidneys, bones, or elsewhere. The clinical picture which is presented by tuberculosis (concealed) in those silent areas of the body where at best only obscure and uncertain objective signs can be detected to indicate its presence, and where the individual shows only the evidence of the slow-burning fires of toxemia, without the presence of symptoms and clinical signs expressive of the localizing ravages of the bacillus itself, is a common occurrence.

Doctor Head enumerates and gives the history of a large number of cases where the symptoms were so concealed as to defy accurate diagnosis, and where the symptomatology justified the conclusion that the patients were suffering from other maladies. Time will not permit me to review these cases, but it is sufficient to say that they clearly demonstrate that a person may have tuberculosis for many months or years and not show any objective symptoms from which he or his physician or family would be justified in concluding that the tubercular fires were already burning within him.

In many of these cases Doctor Head shows that the patients were suffering from tuberculosis, although there were no focal signs of the disease and the symptoms justified the conclusion that they were suffering from some other malady. In other words, the recognized clinical symptoms and physical signs are often so completely concealed that neither the patient nor his physician can detect the tuberculous condition, although subsequent developments conclusively demonstrated that the subject had been suffering for years from an insidious or concealed case of tuberculosis.

Doctor Head further states that in a great many cases no pathological evidence of the existence of tuberculosis is obtainable until the disease passes from a concealed to an active stage, and that in many instances patients suffer with tuberculosis for years, and sometimes recover without the subject or his physician ever having suspected the existence of tuberculosis. In other words, the human body can tolerate for years tuberculosis in a slow-burning form without producing serious illness or pronounced pathological changes.

Continuing, Doctor Head says:

Many persons harbor tuberculosis in a quiescent form for years, only to have the organisms die out in later life with the restoration of a fair degree of health.

Doctor Head states that frequently so-called neurasthenia, covering years of weakness and exhaustion, is in reality tuberculosis in a concealed, slow-acting, and, for the time being, nonmalignant form, and in many latent forms of tuberculosis, persons go through life carrying tuberculous infections in the pleura, many of them never consulting a physician or conscious that they have tuberculosis.

In discussing the difficulty of diagnosing many cases of tuberculosis, Doctor Head says:

When a man, woman, or child comes complaining of a long history of symptoms indicating a tendency to give out under the wear and tear of life and a lack of physical and nervous reserve under strain, worry, etc., tuberculosis in a concealed, slow-burning form should be the first disease to think of.

Dr. Charles E. Atkinson, of California, in his volume on Tuberculosis and Consumption, says:

In recent years a vast number of painstaking investigations conducted from widely different angles have proven beyond a doubt that in many (at least a majority) of the cases of tuberculosis, apparently originating in adult life, the seeds are in fact implanted in a body during childhood. There they rest in an inactive or latent state until some future date (ordinarily between the fifteenth and thirty-fifth year) some circumstance arises that weakens the protective forces of the body and invigorates the germs, permitting them to get so firm a grasp upon the individual that noticeable symptoms occur.

The author further states that the tubercular germs may slumber in the body for long periods, and—

Although the progress of the germs has been checked, the forces of nature prove inadequate to completely rout the enemy. Thereupon a truce—as it were—is declared, during which the germs lie slumbering or dormant for a longer or shorter time (latent tuberculosis). As a matter of fact, the infection frequently remains latent or dormant permanently * * * the individual himself entirely unaware that his body harbors a colony of the germs of tuberculosis, and the condition may be wholly indetectable.

Doctor Atkinson also said:

The fact should be impressed on the mind that far from seeming seriously ill, the person afflicted with early tuberculosis usually appears entirely well. * * * Careful investigations have disclosed the fact that in civilized countries approximately 75 per cent of the children have acquired in some part of the body at least a trace of infection by the time they have reached the age of 15, and that, roughly, 90 per cent of civilized persons harbor at least a slight infection during some part of their life's span. * * * Tuberculosis has a variable and irregular course, and its first noticeable effects vary widely in different cases. There is, however, one feature that is associated with nearly all cases—the slowness of its onset. The evidences of the disease appear very, very gradually—much more gradually even than is ordinarily supposed. There are, of course, a few cases in which the disease breaks upon one rapidly indeed (referring to galloping consumption), but in the great majority of instances it creeps in so slowly and its few manifestations are added so infrequently that quite commonly the individual entirely fails to heed them. * * * It should be remembered that exposure many years previously may be the cause of the present outbreak.

From my examination of the medical authorities and from my contact with numerous tubercular cases I assert the following propositions are incontrovertible:

(a) The seeds of tuberculosis do not take root unless the soil is fertile. The hardships, strain, stress, and even seemingly trivial diseases incident to military life provide the fertile soil for the growth of these fatal germs. Conditions that prevail in camp and combat sap the vitality of the soldier, thus providing within the body conditions favorable to the sprouting of the tubercular bacillus, thereby paving the way for the development of the disease, that sooner or later produces a harvest of death. And if these conditions exist the tuberculosis may not become active for 5, 10, or more years.

(b) Fatigue, excitement, nerve tension, minor diseases, and rigors incident to military service impair the robustness of the soldier, weaken his power of resistance, undermine his stamina, reduce his constitutional vigor, and make breaches in the citadel of his health, through which disease germs may easily enter and play havoc months and years thereafter.

(c) Military life leaves the system of many soldiers in such a condition that it is unable to resist the onset of disease in after life or to throw off an infection that has found lodgement in the subject's debilitated vital organs. The lowered vitality increases the predisposition to disease in afterlife, weakens the powers of resistance, and renders the subject less able to combat infection or prevent the spreading of cell destruction over the entire lung area.

(d) The man who is strong and vigorous is generally able to successfully resist infection, while the "run-down" man is not and falls a prey to malignant disease. Military service undoubtedly produces conditions in the human body that render it more predisposed or susceptible to infection and less able to successfully resist the destructive forces of disease.

The medical authorities frankly confess the difficulty and, in many cases, the impossibility of definitely diagnosing pulmonary consumption in many cases in its early stages, where the infection and progress of the disease are slow and the symptoms unusual, concealed, or typical of other maladies.

Medical writers and practitioners realize that tuberculosis in its early stages manifests itself in so many different forms and under such variant and diverse symptomatology and may indirectly result from such a variety of causes that they have as yet established no hard and fast rules to limit the time that may elapse between the primary infection and the appearance of normal symptoms; nor have they yet been able to list all of the pathological conditions from which tuberculosis may in after years result; and while agreeing that anything that impairs the health and lowers the vital powers of resistance may in after years be the indirect cause of tuberculosis by creating pathological conditions favorable to the lodgment and growth of tubercular germs, they have not been able to fix a time limit within which it can as a scientific fact be declared that tuberculosis will result, if at all, from such debilitated conditions or impairment of the subject's power of resistance.

In other words, the medical writers realize that these are still unsettled questions, and physicians are to be commended for assuming this reasonable and consistent attitude. At the present time medical science has not definitely determined the extent to which the presumptive clause may be extended. In attempting to apply a time limit we are invading the realms of speculation. Some time experience will justify a definite pronouncement on this perplexing question. Until medical science has reached a definite conclusion we must content ourselves with the philosophy of Emerson, who said:

God screens us evermore from premature ideas. Our eyes are holden that we can not see things that stare us in the face until the hour arrives when the mind is ripened, then we behold them, and the time when we saw them not is like a dream.

Why multiply authorities? All agree that tuberculosis may be implanted in the human system and remain dormant or quiescent for many months or many years, until some exciting cause transforms it from a latent to an active form; and even then it may develop so slowly and insidiously and in such a concealed form that expert diagnosticians are unable to discover the existence of the malady. Often the symptoms are so obscure, or indicative of some other disease, that neither the subject nor his physician is aware that the patient is suffering from concealed tuberculosis. And in many, many cases tuberculosis produces symptoms so typical of other diseases that the pathologist naturally concludes that the patient is suffering from these other maladies when, in truth and fact, the fires of tuberculosis are slowly burning within him.

There is still too much to be learned about tuberculosis for any medical authority at this time to declare that tuberculosis developing in World War soldiers after January 1, 1925, is not traceable to military service in the World War. Where a World War soldier's general health and vital powers of resistance were seriously impaired during his military service, by disease, fatigue, excitement, hardships, or nerve strain, and his vitality continued to decline until 1926, 1927, or 1928, when active tuberculosis developed, no respectable medical authority will hold that such tuberculosis was not either directly or indirectly caused by such military service.

It is not necessary that the actual infection must have been incurred during such military service. It is only necessary to show that such military service, whether in camp or in combat, produced a physical condition which, after discharge gradually deteriorated, thereby producing conditions favorable for the lodgment and incubation of the tubercular bacillus. That is to say, the debilitated condition of the soldier, resulting from his war activities, predisposed him to tubercular infection, and lowered his vitality and powers of resistance to such an extent that the opposing forces of nature were unable to resist the onset and progress of the tubercular infection.

I therefore repeat that there is no scientific basis of limiting the presumptive clause to January 1, 1925. In my opinion, based on medical authority, there are numerous cases where active tuberculosis developed in World War veterans after January 1, 1925, which, without doing violence to the well-established diagnostic laws, may be directly or indirectly traced to a lowering of the soldier's general health while in the service. The lowered vitality of the soldier created pathological conditions which undeniably rendered him more susceptible to disease. Had it not been for this general debility resulting from his military service the soldier would no doubt have been able to resist invasion by tubercular germs. If his health had not been impaired by his military service, there would not have been a seed bed favorable for the lodgment or incubation of the tubercle bacillus; and even though the actual infection occurred 5 or 10 years after the soldier's discharge, the soldier's reduced vitality resulting from the military service was undoubtedly the contributing cause of such infection.

For these reasons I favor the extension of the presumptive clause to January 1, 1930. I am not willing that any World War veteran now suffering from active tuberculosis should be denied compensation on the ground that his case did not become active until after January 1, 1925. I believe in giving the

soldier the benefit of the doubt in all cases where there is substantial medical or lay evidence tending to show that the soldier's tuberculosis was either directly or indirectly the result of his military service. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. OLIVER of Alabama) there were—ayes 54, noes 82.

So the amendment was rejected.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FITZGERALD: Page 12, line 19, strike out all of section 10, after line 18, pages 12, 13, 14, and 15, and insert in lieu thereof the following:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who, on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had prior to January 1, 1930, an active tuberculous disease, or prior to January 1, 1925, a disability of any character developing a 10 per cent degree or more in accordance with the provisions of subdivision (4) of section 202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting disability in such service between said dates, and said presumption shall be conclusive in cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further*, That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress, and the rate of compensation in such cases shall be 60 per cent of the compensation hereinafter provided: *Provided further*, That from and after the date of this amendment any veteran who is entitled to receive compensation for a disability resulting from injury incurred in action involving actual conflict with the enemy shall be paid an additional allowance in an amount equal to 10 per cent of the compensation otherwise payable."

Mr. FITZGERALD. Mr. Chairman, the main purpose of this amendment is to cut the rates of payment to 60 per cent on all the new cases which we add to this bill, resting for their service connection on the arbitrary presumption alone. At least 90 days of service is required of a Civil War veteran before he can receive a pension. The same 90 days of service is required of those who served in the Spanish War, and our committees will not consider special bills for relief unless there has been a service of at least 75 or 80 days. By this bill, under the term "presumption," we are extending a relief in the form or under the name of compensation, which is, in fact, a service pension to veterans who suffer from no disability or loss by reason of any service in the war, and we are proposing to pay them such pensions at rates far in excess of anything that has ever been done for the veterans of other wars—Indian, Philippine insurrection, China campaign, Spanish, Civil War—up to this time.

We can not pass such a bill as this without realizing that we owe a further responsibility to those soldiers of the Civil War who are still with us, to those soldiers of the Spanish War who are still with us, and we must realize that we can not do this thing for these men of the World War unless we are prepared to do the same for the veterans of the Civil War and the war with Spain.

I understand that this bill, in its present condition, will add some $400,000,000 to $450,000,000 a year in a few years to the expense of this Government. We are now paying out over $500,000,000 a year, and that means that in a few years we are to have a budget which must include provision for a billion dollars a year for ex-service men. I begrudge them nothing, but I ask the House before they pass this legislation to-day to consider whether we are now prepared to treat all our veteran soldiers alike? Should the same full rate of compensation be given to those who suffered nothing by reason of their service in the war and treat without distinction those who actually suffered by reason of their service in the war?

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. CONNERY. The gentleman, under this amendment, would offset what would happen in my amendment to give them all equality, and would give only 60 per cent to men whose cases are those of presumption.

Mr. FITZGERALD. That is it.

Mr. CONNERY. In other words, if a man could connect his case with the service before this——

Mr. FITZGERALD. Then he gets the full rate.

Mr. CONNERY. But if he comes in now, you are only going to give him 60 per cent, although he may be just as much connected with the service as the other.

Mr. FITZGERALD. He may be, but the gentleman knows, and I know, that although there are a number of those cases on the border line, the great mass of them never suffered a disability in the Army or because of their service. I want them to get something, and under the form of this bill as it stands now it is obvious that they will get nothing.

Mr. CAMPBELL of Iowa. Does the gentleman allow that 60 per cent up to 1925 or 1930?

Mr. FITZGERALD. There is a provision that tuberculosis alone shall be recognized as a basis for presumptive service connection up to 1930.

Mr. CAMPBELL of Iowa. Mr. Chairman, I have an amendment that I would like to have read.

Mr. FITZGERALD. And I may say that in anticipating that amendment, in so far as it cuts the rate on presumptive cases alone, which will become first compensated by this bill to 50 per cent, I shall not oppose it.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. ARNOLD. Does this reduce any of those who are now on the rolls?

Mr. FITZGERALD. No.

Mr. ARNOLD. Does it include those who hereafter become service connected as a matter of fact, rather than by presumption?

Mr. FITZGERALD. No; they will get their full rate. Only those whose cases rest on presumption alone and who come in under this bill on that basis will be compensated by the reduced rate of 60 per cent. I may say, as my good friend from Mississippi [Mr. RANKIN] knows, he and I got together to this point before the committee.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment. In reply to the gentleman from Ohio [Mr. FITZGERALD], I desire to say that I voted with him on the 60 per cent amendment in the committee only after a majority of the committee had turned down all other amendments that would have given these men full benefits.

The gentleman from Ohio talks about treating them all with equality, cutting down these tubercular men and these neurotic, helpless men to 60 per cent of the compensation now paid to others similarly affected. He is the author of the so-called emergency officers' retirement bill, which puts those ex-officers on the roll for as much as $300 a month; men who have an alleged 30 per cent disability, while many of them are holding better positions now and drawing better salaries than they



did before the war, thousands of whom never saw Europe. Where is the consistency in that? Is that treating all the men alike?

All this talk about this bill costing $400,000,000 is bosh. Under the Connery amendment, according to the Veterans' Bureau in the report submitted here the other day, taking the records of the Veterans' Bureau as a basis, the bill will probably amount to $108,000,000 a year. If you were to take the figures of the Pension Bureau, it might be spread out, but the indications are that it will not cost more than $108,000,000; and I am not going to follow the leadership of a man who says it is unjust to pay an ex-service man who is dying from tuberculosis more than 60 per cent of the amount now paid to other disabled enlisted men who at the same time would pay ex-officers $300 a month and who announces that it is a pension based on rank and calls it doing justice.

Those men on the so-called emergency officers' retirement roll are on for life, whether they recover or not.

I sincerely hope that this amendment will be voted down, and that the bill will pass with these men properly taken care of; and then in the three years, as provided by the resolution which passed the House to-day, we can work out a policy to treat them all alike, both officers and men.

But when you undertake to pay them 60 per cent on the ground that it is a pension, I want to remind the gentleman from Ohio that the bill we are enacting here is a bill on behalf of private soldiers or enlisted men of the Army and Navy and Marine Corps, whereas the gentleman from Ohio wrote or helped to write upon the statute books the so-called emergency officers' retirement bill, which violently discriminates against enlisted men. Unless it is repealed or changed it will produce dissension and dissatisfaction among the ex-service men of the United States until the last one of them goes to his grave. [Applause.]

Mr. CAMPBELL of Iowa. Mr. Chairman, may I have my amendment read?

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Iowa to the amendment offered by Mr. FITZGERALD: After the words "January 1," where they occur the second time, strike out all the matter down to and including the words "*Provided further,*" and insert in lieu thereof the following: "1930, if the facts in the case substantiate his claim: *Provided further,* That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act nor for more than three years after such approval, pending a further study of veterans' relief by Congress, and the rate of compensation in such cases shall be 50 per cent of the compensation hereinafter provided."

Mr. CAMPBELL of Iowa. Mr. Chairman and ladies and gentlemen of the committee, if you will give me your attention for five minutes I shall endeavor to tell you what I mean by this amendment.

The question arises as to the loading down of this bill. It has been brought to my attention that if it costs too much money this bill will be vetoed.

I followed the Rankin bill all through the committee in the hope that we might extend to the World War veterans that relief that has been granted them under present amendments, so far as the present bill is concerned. But from what I can learn and from what the chairman of the committee says, it appears that if we go through with this bill in the condition it is in now, we shall have no bill at all.

As I said on the day before yesterday, it is now the middle of April, and if this bill does not go through, the chances are that the veterans will have no relief at all.

What I propose to do is just this: I propose to take it up to 1930, so far as presumption is concerned, and then I propose that those who come under this act will get 50 per cent as much as those who prove that their disabilities are connected with the service.

Day before yesterday I gave you the illustration of two men who came to your back door and asked for food. Suppose you had in your humble home just one loaf of bread. Would you give that loaf of bread to one of those men or would you give it to the two? You would cut it exactly in the middle and give each one half.

That is exactly like the situation we are up against here to-day. I say the thing we should do is to give relief to the veterans, and the way to do that is to spread it out. I do not like to go home—and I do not want to go home—and immediately find out that from 1925 to 1930 my buddies there will get nothing by this legislation. They tell us, and the record corroborates them, that in three years' time we are to remedy the present situation.

I wish we could know that the bill with the Connery amendment could pass just that way, and in the years to come it would take care of those who have served in the World War in the same manner and with the same compensation as those who are now service connected.

Mr. CONNERY. Will the gentleman yield.

Mr. CAMPBELL of Iowa. I yield.

Mr. CONNERY. Does the gentleman not think that any country than can remit $10,000,000,000 to foreign nations can spend $150,000,000 or $200,000,000 or $300,000,000 for the disabled men of the United States?

Mr. CAMPBELL of Iowa. The gentleman from Massachusetts [Mr. CONNERY] knows that I absolutely agree with him, and the gentleman knows very well why I am offering this amendment.

Mr. CONNERY. Yes; I do. But I will say that the gentleman went along with the Rankin bill and that his heart is in the right place. The only trouble is the gentleman has been conjured and kidded and has been made to believe that President Hoover is going to veto this bill when he is going to sign it.

Mr. CAMPBELL of Iowa. All that I am afraid of is that these men are telling me the truth. That is what bothers me.

Mr. KVALE. Will the gentleman yield?

Mr. CAMPBELL of Iowa. I yield.

Mr. KVALE. Does the gentleman know that under the provisions of his amendment a man who is totally disabled from arthritis, nephritis, or these other connected diseases, will only have $45 or $50, while the tubercular totally disabled man will get double that amount? That will not make for satisfaction for them.

Mr. CAMPBELL of Iowa. I know that there are all kinds of inequalities and iniquities as far as our pension legislation is concerned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. I yield the gentleman two additional minutes.

The CHAIRMAN. The gentleman is recognized for two additional minutes.

Mr. CAMPBELL of Iowa. We have one question before us, and that is the question whether we are going to pass this bill or whether we are going to try to fix it up. I think it is too late to try to do that. I think we should adopt my amendment and pass the bill, because I am confident that will not cost a penny more than the present Johnson bill. We should use common sense. I realize that there is not a man here but who desires to go home to his American Legion post and say, "I just voted for the top notch." I want to do that myself, but at the same time I do not want to jeopardize this present bill. If I was sure it would pass and be signed I would vote for it just as it is at the present time; but I am afraid it will not be finally adopted.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Dakota [Mr. JOHNSON] asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. KVALE. Reserving the right to object, I have two amendments at the desk which I would like the privilege of explaining briefly.

Mr. JOHNSON of South Dakota. How much time will the gentleman from Minnesota [Mr. KVALE] need to present his amendments?

Mr. KVALE. Not more than one minute.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from South Dakota [Mr. JOHNSON] modifies his request and asks that all debate on this section and all amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Chairman, I rise in opposition to the amendment. I am opposed to both the Fitzgerald amendment and the Campbell amendment. If we want to give real equality to all these men up to 1930, we will vote against both of these amendments, because the Fitzgerald bill confines a man to 60 per cent of his compensation and the Campbell amendment confines him to 50 per cent. There are men between 1925 and 1930 who are going insane, who have gone insane as the direct result of their service in France, who had no service connection

that they could prove, and who will be discriminated against if the House should support the Fitzgerald or Campbell amendments. There are men with tuberculosis and chronic diseases, and the Fitzgerald amendment and the Campbell amendment would cut those men from the regular compensation which they will get under the Connery amendment down to 60 per cent and 50 per cent.

I hope the House will vote down both of these amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. CAMPBELL] to the amendment offered by the gentleman from Ohio [Mr. FITZGERALD].

The question was taken; and upon a division (demanded by Mr. CAMPBELL of Iowa) there were—ayes 57, noes 86.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. FITZGERALD].

The amendment was rejected.

Mr. KVALE. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota [Mr. KVALE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 15, line 8, after the word "Congress," strike out the period and insert in lieu thereof the following:

"*Provided further*, That in the adjudication of all claims under the provisions of this act, as amended, the benefit of reasonable doubt shall be resolved in favor of the claimant."

Mr. KVALE. Mr. Chairman, I yield to the chairman of the committee and ask if he will oppose the amendment, which proposes to provide that the benefit of the doubt shall be resolved in favor of the veteran?

Mr. JOHNSON of South Dakota. I would say at the present time I would oppose it because as this bill is drawn there will not be any doubt.

Mr. KVALE. There will be very much doubt. There are several provisions of the act, among them the rebuttal reservation in certain cases, that we can not go into at this time. My amendment only proposes in lieu of what is said in the regulations, and in the preamble to the schedule of disability ratings, but which has been disregarded, to make it mandatory in the law itself.

Mr. JOHNSON of South Dakota. I would say to the gentleman from Minnesota [Mr. KVALE] that I have some sympathy with his position, but that there is already in the law a provision that it must be liberally construed in favor of the claimant, and that the amendments that have been adopted by the House will cover the situation, and I oppose the amendment offered by the gentleman because I do not think the law could be liberalized any more than it is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. KVALE].

The amendment was rejected.

Mr. KVALE. Mr. Chairman, I offer an amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota [Mr. KVALE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: On page 15, line 8, after the word "Congress," strike out the period and insert ", *Provided further*, That statements by claimants as to soundness of physical conditions or previous disabilities, made either at time of enlistment or time of discharge, shall not be considered as determinative evidence in the adjudication of claims."

Mr. KVALE. Does the chairman of the committee wish to express himself on this amendment?

Mr. JOHNSON of South Dakota. I do not think it is necessary.

Mr. KVALE. As a matter of fact, those unsworn statements are accepted and are used to rebut any number of sworn statements that appear subsequently on the part of the veteran and those who testify for him.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. KVALE) there were—ayes 55, noes 61.

So the amendment was rejected.

The Clerk read as follows:

SEC. 11. That section 201, subdivisions (f) and (l), of the World War veterans' act, 1924, as amended (secs. 472, 475, title 38, U. S. C.), be hereby amended to read as follows:

"(f) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. Such compensation shall be payable, whether the dependency of the father or mother or both arises before or after the death of the person: *Provided*, That the status of dependency shall be determined annually as of the anniversary date of the approval of the award, and the director is authorized to require a submission of such proof of dependency as he, in his discretion, may deem necessary: *Provided further*, That upon refusal or neglect of the claimant or claimants to supply such proof of dependency in a reasonable time the payment of compensation shall be suspended or discontinued.

"(l) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed $100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director, in his discretion and with due regard to the circumstances of each case, shall pay, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $107 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, or in a national military home, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, or in a national military home, the above benefits shall be payable in all cases and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *Provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed: *Provided further*, That the director may, in his discretion, make contracts for burial and funeral services within the limits of the amounts allowed herein without regard to the laws prescribing advertisements for proposals for supplies and services for the United States Veterans' Bureau: *Provided further*, That section 5, title 41, of the United States Code, shall not be applied to contracts for burial and funeral expenses heretofore entered into by the director so as to deny payment for services rendered thereunder, and all suspensions of payment heretofore made in connection with such contracts are hereby removed, and any and all payments which are now or may hereafter become due on such contracts are hereby expressly authorized: *Provided further*, That no deduction shall be made from the sum allowed because of any contribution toward the burial which shall be made by any State, county, or municipality, but the aggregate of the sum allowed plus such contribution or contributions shall not exceed the actual cost of the burial.

"Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director shall furnish a flag to drape the casket of such veteran and afterwards to be given to his next of kin, regardless of the cause of death of such veteran."

Mr. ALMON. Mr. Chairman, I offer an amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on this section and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ALMON: Page 15, line 14, strike out "$20" and insert in lieu thereof "$25," and strike out "$30" and insert in lieu thereof "$35."

Mr. ALMON. Mr. Chairman, this bill might properly be entitled a bill to repeal the strict and rigid rules of the United States Veterans' Bureau in requiring medical testimony in behalf of the ex-service men who live in the small towns and in the country. The physicians in small towns and in the country do not keep records of treatment given the veterans as required by the bureau. They are not prepared to make laboratory tests as they are in the cities. The bureau has 22,896 admitted tubercular cases which have been denied because the claimants could not show that the disability existed prior to January 1, 1925, and 18,900 mental and nervous cases produced by shell shock and nervous strain on the battle fields.

Under the provisions of this bill, as amended, it will be presumed that all of these disabilities are the result of military

service and will be allowed, if this bill becomes a law. This bill also removes the time for filing claims for compensation and application for the same may be made at any time. It also provides, since the Rankin amendment, for which I voted, was adopted, that all diseases contracted prior to January 1, 1930, are presumed to be service connected. And this presumption can only be overcome by clear and convincing evidence offered by the Government. It also provides for home treatment and the consideration of claimant's evidence.

I have heard many speeches since the debate on this bill commenced about what it would cost the Government. When we passed the draft law we did not stop to consider what it would cost. We stated that those who were drafted into the service would be taken care of by the Government and if they were injured or contracted disease while in the service that they would be taken care of by the Government, and if they were killed or died in the service their dependents also would be given proper aid by the Government; so I have but little patience with all this talk about what it will cost the Government. Some have said that it would bankrupt the Government. I deny this. We had better have financial bankruptcy than moral bankruptcy. We owe the ex-service men of the World War and their dependents a duty, and this is the time to pass a law that will provide proper compensation. It provides that it is only to continue for three years. During that time it is expected that Congress will revise all of the provisions of the United States veterans law and make just provision for all. [Applause.]

Another good feature of this bill is that when a veteran of the World War is receiving hospitalization, and who has no service-connected disability, his wife and minor children will be allowed compensation in the amount stipulated in the bill if he remains in the hospital as long as 30 days and files affidavit with the commanding officer of the hospital to the effect that his annual income, inclusive of compensation or pension, is less than $1,000 per annum. This supplies a long-felt want, as I know of a great many cases where hardships have been suffered by the wife and children while the veteran was in the hospital for treatment. It has also kept many from entering a hospital when in need of treatment.

This bill also makes provision for the payment of $8 per month to those who are in the hospital with service-connected disability in addition to the compensation granted them.

I have worked and will continue to use my best efforts to secure the passage of a law that will enable the soldiers of the World War, who offered their lives and sacrificed their health for our country, to secure the relief they are justly entitled to. This bill will come more nearly extending the proper aid to the veterans of the World War than has any bill heretofore introduced, and I am glad to give it my hearty indorsement and sincerely hope that it will be enacted into law, regardless of what it costs the Government. Our first duty is to make proper provision for the welfare and comfort of the veterans of the World War and their dependents. Congress will then make provision for the payment of whatever it may cost. This is a duty we owe the ex-service men. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Page 15, line 14, after the figures "$30," strike out "The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75."

Mr. PATMAN. Mr. Chairman, ladies and gentlemen of the committee, under the present law if a deceased veteran leaves a wife and one child his dependent father and mother may draw the full amount of $30 compensation, provided, of course, the veteran dies by reason of a service-connected disability. But, if the deceased veteran leaves a wife and two children, then the father and mother can not receive the $30. Their compensation is reduced in proportion to the number of children the deceased veteran left surviving him. That is certainly not a fair policy for the law to pursue. Why should the Congress discriminate against a father and mother as against other people in the same position because they have too many grandchildren? That is the substance of the present law. You say to the dependent father and mother, "If your son leaves 5 or 6 children you can not get anything, whereas your neighbor across the street, who died and left only 1 child, may have his father and mother draw the full amount of $15 each."

My amendment is to strike out that limitation of $75 and let it apply to everybody alike, and not discriminate against any father or mother.

I respectfully request that the chairman of the committee accept this amendment. It certainly could not cost a great deal of money. I have talked with some of the officials in the Veterans' Bureau about it and they tell me it will cost only a small amount. So I ask the members of this committee to adopt the amendment and not carry on further the policy of discriminating against a father and mother because their son left too many children.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

The Clerk read as follows:

SEC. 12. That subdivisions (3) and (5) of section 202 of the World War veterans' act, 1924, as amended (secs. 473, 478, 479, title 38, U. S. C.), is hereby amended to read as follows:

"(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month: *Provided, however,* That the permanent loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further,* That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *Provided further,* That for double total permanent disability the rate of compensation shall be $200 per month.

"That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as temporarily totally disabled, said rating to continue for the period of three years: *Provided, however,* That nothing in this subdivision shall deny the beneficiary the right, upon presentation of satisfactory evidence, to be adjudged to be permanently and totally disabled: *Provided further,* That in addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for care and treatment of the insane, and shall be furnished with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided,* That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided further,* That where any person entitled to the benefits of this paragraph has heretofore been hospitalized in a State institution, the United States Veterans' Bureau is hereby authorized to reimburse such person, or his estate, where payment has been made to the State out of the funds of such person, or to reimburse the State or any subdivision thereof where no payment has been made for the reasonable cost of such services from the date of admission.

"There shall be paid to any person who suffered the loss of the use of a creative organ or one or more feet or hands in the active service in line of duty between April 6, 1917, and November 11, 1918, compensation of $25 per month, independent of any other compensation which may be payable under this act.

"(5) If the disabled person is so helpless as to be in need of a nurse or attendant, such additional sum shall be paid, but not exceeding $50 per month, as the director may deem reasonable."

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Add an additional proviso at the end of line 23, page 20, as follows: "*Provided, however,* That if such disability was incurred while the veteran was serving with the United States military forces in Russia, the dates herein stated shall extend from April 6, 1917, to April 1, 1920."

Mr. JOHNSON of South Dakota. Mr. Chairman, the proposed amendment simply places on a parity the groups of soldiers that were fighting in Russia up until 1920. Those of you who will read this section of the bill commencing in line 18,

page 20, will see what we have been trying to do in taking care of battle casualties.

Mr. RANKIN. We will accept the gentleman's amendment.

Mr. JOHNSON of South Dakota. But I want to call attention to the amendment.

It was suggested to me by the distinguished gentleman from Michigan [Mr. VINCENT]. Most of these men came from Michigan and from California, and it is manifestly unfair that we take care of the men who were injured in France in line of duty if we do not give the same treatment to those who were forced to fight in Russia long after the war.

The amendment was agreed to.

Mr. NOLAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NOLAN: Amend by striking out everything after the word "however," in line 17, page 18, up to and including the word "month," in line 1 on page 19, and inserting in lieu thereof the following:

"That the permanent loss of the use of one foot, or one hand, or one eye, or the organic loss of speech, or the loss of hearing of both ears, shall be deemed to be total, permanent disability: *Provided further*, That the permanent loss of the use of both feet, or both hands, or both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or becoming permanently helpless, or permanently bedridden, shall be deemed to be double total, permanent disability."

Mr. NOLAN. Mr. Chairman, in offering this amendment I do so on behalf of a group of ex-service men who are not considerable in number and who may possibly be overlooked. They are not a group of men who are in a position to always speak for themselves, and these are the men who wear the badge of honorable and heroic service in the fact they are battle casualties, men who have lost their limbs or their eyesight on behalf of their country.

The amendment simply provides that the men who have lost one arm or the use of one arm or of one foot or of one leg or of one eye be compensated as permanently disabled, and those who have lost two limbs or both eyes or an eye and a limb be compensated as double-permanent disability at $200 a month.

I offer this amendment for your consideration. It has been before the committee in the form of a bill introduced by myself. I feel it is just and fair to these men who are entitled to this consideration and that the people of the Nation as a whole feel that anything that is done for the men who have made such a sacrifice upon the actual field of battle as these men have made ought to have our very generous consideration.

Mr. CONNERY. Will the gentleman yield?

Mr. NOLAN. Yes.

Mr. CONNERY. I am in sympathy with the gentleman's amendment and I would like the gentleman to allow me to ask the chairman of the committee in his time whether it would cost very much if we put through the amendment.

Mr. JOHNSON of South Dakota. In my judgment, this would put the compensation rates out of line. I have always thought that battle casualties ought to get more than some others where there is any question about it, and if the gentleman will look on page 20, line 18, he will see we give these men compensation of $25 a month added to everything they now receive, because they are battle casualties. I think the provision is fair as it is now in the proposed law.

Mr. NOLAN. Mr. Chairman, in this connection I will say that the present basis of compensation upon which these men are compensated is based upon their earning capacity before they went into the service. This has been changed considerably and this is merely an amendment to provide that every man who made this sacrifice shall be entitled to the same consideration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. NOLAN].

The question was taken; and on a division (demanded by Mr. NOLAN) there were—ayes 17, noes 38.

So the amendment was rejected.

Mr. KVALE. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 20, line 23, after the word "act," insert a new paragraph to read as follows:

"There shall be paid to any person who is determined by diagnosis to be a constitutional psychopathic, inferiority state, a minimum of" and insert in lieu thereof the following: "Compensation of $25 per month: *Provided, however*, That in the event that payments of compensation for any veteran shall equal or exceed this amount, this provision shall be imperative."

Mr. KVALE. That will take care of a small group which have been left out of consideration for 10 years. It proposes to give them minimum compensation of $25 a month, and I do not think it will involve an expenditure of but a very small amount. I discussed this rather fully during the course of my remarks yesterday, and gave notice then that I would offer it to-day. For that reason I shall take no more time now. This amendment needs to be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 13. That subdivision (7) of section 202 of the World War veterans' act, 1924, as amended (secs. 480, 481, title 38, U. S. C.), be hereby amended to read as follows:

"(7) Where any disabled person having neither wife, child, nor dependent parent shall, after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be $20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however*, That in any case where the estate of such veteran derived from funds paid under the war risk insurance act, as amended, and/or the World War veterans' act, 1924, as amended, equals or exceeds $3,000, payment of the $20 per month shall be discontinued until the estate is reduced to $3,000: *Provided further*, That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his compensation has been reduced or discontinued through the provisions of this subdivision.

"All or any part of the compensation of any mentally incompetent inmate of an institution may, in the discretion of the director, be paid to the chief officer of said institution to be properly accounted for and to be used for the benefit of such inmate, or may, in the discretion of the director, be apportioned to wife, child, or children, or dependent parents in accordance with regulations.

"That any ex-service person shown to have had a tuberculous disease of service origin, whether active or otherwise, shall receive compensation of not less than $50 per month: *Provided, however*, That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further*, That no payments under this provision shall be retroactive, and the payments hereunder shall commence from the date of the passage of this amendatory act or the date the disease reaches a condition of arrest, whichever be the later date.

"The director is hereby authorized and directed to insert in the rating schedule a minimum rating of permanent partial 25 per cent for arrested or apparently cured tuberculosis."

Mr. FISH. Mr. Chairman, I offer the following amendment: The Clerk read as follows:

Page 24, line 2, add a new paragraph to read as follows:

"That the veterans hospitalized under the provisions of the World War veterans' act as amended shall be paid a hospital allowance in addition to any other benefits to which they may be entitled at the rate of $8 per month during the period of hospitalization in the event they certify that they are financially in need, unless they are entitled to compensation or pension equal to or in excess of that amount."

Mr. FISH. Mr. Chairman and gentlemen, my proposal is not in conflict with the Rankin amendment or the Connery amendment. If these veterans are entitled to compensation under the Rankin or the Connery amendment it does not apply. But if, on the other hand, they are not entitled to compensation under those amendments then they would receive $8 a month during the period of hospitalization.

The fact is that many of these veterans are virtually paupers and have not got money enough to pay for postage stamps, cigarettes, or to telephone home. I am asking you as a wholesome thing, for the benefit of decent administration of the Government bureau of hospitals, to adopt this amendment providing for $8 a month for uncompensated veterans during hospitalization, and it will cease immediately after the hospitalization is over.

Mr. RANKIN. Does this apply to those in the soldiers' homes?

Mr. FISH. No; only to those in the Veterans' Bureau hospitals. The reason for offering the amendment is to relieve a very unhealthy situation in the hospitals where some of these boys are receiving compensation and others receive none, and as a result there is a good deal of discontent and dissatisfaction.

Mr. SCHAFER of Wisconsin. How about these boys that are suffering disabilities in the national homes?

Mr. FISH. I am willing to accept such an amendment.

Mr. RANKIN. All the gentleman needs to say is to include the soldiers' homes.

Mr. FISH. I am perfectly willing to modify my amendment, if necessary, but this includes all the gentleman wants, because it reads "during the period of hospitalization," so that that includes all Government hospitals.

Mr. LUCE. Mr. Chairman, this amendment would mean the payment of spending money of between $2,000,000 and $2,500,000.

Mr. FISH. Mr. Chairman, will the gentleman yield there before he goes further?

Mr. LUCE. Yes.

Mr. FISH. General Hines informed me in writing that my amendment would cost $800,000 a year and not $2,000,000.

Mr. LUCE. There are in hospitals at this moment about 14,000 noncompensated cases which, at $8 a month, amounts to $1,344,000. Acceptance of an amendment by the gentleman adding the soldiers' homes will put the total payment under this provision up to the same $2,000,000 and $2,500,000.

Mr. FISH. But I do not accept that amendment.

Mr. RANKIN. If this bill, the Johnson bill, passes the House with either the Rankin or the Connery amendment, there will be very few men that will come under this amendment, for the reason that they will be compensated.

Mr. FISH. If these amendments go through, my amendment will not cost more than $100,000.

Mr. LUCE. The gentleman is quite mistaken if he supposes the effect of either the Johnson bill or the Rankin bill will be to eliminate nonservice-connected cases, hospitals.

Mr. RANKIN. But these men will be compensated, and the Fish amendment applies to only those not drawing compensation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 64, noes 53.

So the amendment was agreed to.

Mr. KVALE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 24, line 2, after the word "Navy," insert a new section, to read as follows:

"SEC. 15. That the first paragraph of subdivision (3), section 202, of the World War veterans' act, 1924, as amended, is hereby amended to read as follows:

"'(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month if the disabled person has neither wife nor child living.

"'(a) If he has a wife but no child living, $110 per month.

"'(b) If he has a wife and one child living, $115 per month, and $5 for each additional child.

"'(c) If he has no wife and one child living, $110 a month, with $5 additional for each child.

"'(d) If he has a mother or father, either or both dependent on him for support, then, in addition to the above amounts, $10 for each parent so dependent: *Provided*, That the status of dependency shall be determined as of the first day of each year, and the director is authorized to require the submission of such proof of dependency as he, in his discretion, deems necessary: *Provided further*, That upon refusal or neglect of the claimant to supply such proof of dependency in a reasonable time, the payment of such additional compensation as herein provided shall be suspended or discontinued.

"'(e) If and while the disability is rated as partial and permanent, the monthly compensation shall be a percentage of the compensation that would be payable for his total and permanent disability, equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent: *Provided, however*, That the permanent loss of the use of both feet or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further*, That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *Provided further*, That for double total permanent disability the rate of compensation shall be $200 per month.'"

Mr. KVALE. Mr. Chairman, the purpose of my amendment is to extend allowances for dependents to permanently disabled as well as to those temporarily disabled. That has always been an inequality in the law and no satisfactory explanation has been given for it. I submit the amendment to cure that and ask its adoption.

Mr. JOHNSON of South Dakota. Mr. Chairman, this is merely an attempt to further increase the pensions which under the law as it is now will be in some cases $250 a month. It further gets the bill out of line.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

SEC. 18. That section 210 of the World War veterans' act, 1924, as amended (sec. 499, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 210. That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided*, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924. Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive. This section, as amended, shall be effective as of June 7, 1924."

Mr. TARVER. Mr. Chairman, I move to strike out the last word. In the course of the discussion relative to this bill I have thought it important that the legislative construction of the proviso contained in section 18 should be made clear. For that reason, heretofore, on April 8, I inserted in the RECORD certain correspondence with the Director of the Veterans' Bureau concerning his construction of the existing law and a new rule modifying his former construction, and subsequently propounded certain questions to the chairman of the committee in the course of the debate. The part of the proviso to which I refer reads as follows:

Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924.

The question at issue is whether or not that proviso should be construed to apply to the payment of compensation to men whose rights accrued under the original war risk insurance act, who filed claims under that act, but who were not able to submit their proof until after June 7. It is not the opinion of the director nor of the chairman of the committee that the proviso applies to them. In connection with the general proposition involved, I ask unanimous consent to insert in the RECORD a letter from the director of the bureau giving his construction of the effect of this proviso, which must be considered in connection with the correspondence and rule referred to, appearing on page 6719 of the RECORD.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The letter referred to is as follows:

UNITED STATES VETERAN'S BUREAU,
Washington, April 11, 1930.

Hon. M. C. TARVER,
House of Representatives, Washington, D. C.

MY DEAR MR. TARVER: Reference is made to your letter of April 8, 1930, relative to the recent modification of the bureau precedents relating to retroactive payments of compensation under the war risk insurance act, as amended, and the World War veterans' act, as amended. You inquire whether section 18 of H. R. 10381, which is now pending before the Committee of the Whole House on the state of the Union, will in any way affect the ruling referred to.

Section 18 of H. R. 10381 reads as follows, the italic showing the amendatory language:

"That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924. Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive. This section, as amended, shall be effective as of June 7, 1924.*"

In reply to your inquiry, you are advised that it is my opinion that this amendment will not, in any way, affect the ruling in cases similar to the case of Eugene T. Tracy, C-1121137. It will, however, as explained in the report of the committee (Report No. 874) place the stamp of approval on the interpretation of the World War veterans' act, 1924, by the bureau to the effect that in cases first brought within the purview of the law by the act of June 7, 1924, no compensation may be paid for any period prior to that date.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. GREEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Florida.

The Clerk read as follows:

Amendment offered by Mr. GREEN: Page 26, line 16, after the period, add: "*Provided*, That in the case of the death, from any cause, of any person receiving compensation under section 202, compensation shall be payable, without regard to the provisions of section 206, to the dependents of such person in the same manner and to the same extent and subject to the same conditions and limitations as if the death of such person resulted from injury incurred in the military or naval service after April 6, 1917, and before July 2, 1921."

Mr. GREEN. Mr. Chairman and fellow Members, I would particularly like to have the attention of the members of the committee relative to the adoption of this amendment.

Under existing law it is possible for a World War veteran who has a wife and three children dependent upon him to draw, say, $50 a month compensation. Of that amount possibly $30 is paid to him; the other $20 is paid on account of his dependents. If this veteran dies in consequence of a disability other than that for which he is compensated his dependents will not receive compensation or even the allowance previously received.

I know of a veteran who received $50 a month, who had a wife and four children. He died. After his death his widow came to me and asked what she would receive from the Government. She asked if she would still receive the $50 per month, or if she would continue to draw $20 a month as heretofore. Of course, under existing law she was not entitled to compensation. This amendment will take care of such cases and should not take additional amount from the Treasury beyond that already provided. The compensation is paid to the veteran on account of his disability. The allowance will be made if the veteran lives, but if the veteran should die there is no additional burden placed upon the Treasury, and the expenditure will not be enlarged; but this amendment will carry relief to the veteran's children and dependent wife after his death.

Funds are appropriated to provide his own compensation and for his dependents during his lifetime, therefore no additional burden would be placed upon the Treasury by adoption of the amendment, but its adoption will carry continued relief where it is sorely needed. If a soldier's dependents need allotment during his lifetime surely it is needed worse immediately after his death. I hope the amendment will be adopted.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GREEN. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 7, noes 41.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 20. That a new section be added to Title II of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 214, and to read as follows:

"SEC. 214. Where an incompetent veteran receiving disability compensation under the provisions of this act disappears, the director, in his discretion, may pay to the wife, child, or children of such veteran the amount of compensation provided in section 201 of the World War veterans' act, 1924, as amended, for dependents of veterans."

Mr. HANCOCK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Page 26, line 13, strike out the words "wife, child, or children" and insert the word "dependents."

Mr. HANCOCK. Mr. Chairman, this amendment simply extends the benefit of the law to the dependent mothers and fathers. It is consistent with the policy of the law and with the intention of the committee. It was omitted by oversight. I will ask the chairman of the committee if he will accept that amendment?

Mr. JOHNSON of South Dakota. I shall be glad to accept it. It is a matter of equity.

Mr. LAGUARDIA. It will not go to the grandaunts, will it?

Mr. HANCOCK. No.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 23. That section 307 of the World War veterans' act, 1924, as amended (sec. 518, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 307. All contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issuance, reinstatement, or conversion, except for fraud, nonpayment of premiums, or on the ground that the applicant was not a member of the military or naval forces of the United States, and subject to the provisions of section 23: *Provided*, That the insured under such contract or policy may, without prejudicing his rights, elect to make claim to the bureau or to bring suit under section 19 of this act on any prior contract or policy and, if found entitled thereto, shall, upon surrender of any subsequent contract or policy, be entitled to payments under the prior contract or policy: *Provided further*, That this section shall be deemed to be effective as of April 6, 1917, and applicable from that date to all contracts or policies of insurance."

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 29, line 9, after the word "policy," insert the following:

"Such suit may be brought either as an original action or by alternative plea in the same suit with the subsequent contract or policy, but recovery shall not be had on both such contracts or policies."

Mr. JOHNSON of South Dakota. Mr. Chairman, we accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 24. That section 311 of the World War veterans' act, 1924, as amended (sec. 512b, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 311. The director is hereby authorized and directed to include in United States Government life (converted) insurance policies provision whereby an insured, who is totally disabled as a result of disease or injury for a period of four consecutive months or more before attaining the age of 65 years and before default in payment of any premium, shall be paid disability benefits at the rate of $5.75 monthly for each $1,000 of converted insurance in force when total disability benefits become payable. The amount of such monthly payment under the provisions of this section shall not be reduced because of payment of permanent and total disability benefits under the United States Government life (converted) insurance policy. Such payments shall be effective as of the first day of the fifth consecutive month, and shall be made monthly during the continuance of such total disability. Such payments shall be concurrent with or independent of permanent total disability benefits under the United States Government life (converted) insurance policy. In addition to the monthly disability benefits the payment of premiums on the United States Government life (converted) insurance policy and for the total disability benefits authorized by this section shall be waived during the continuance of such total disability. Regulations shall provide for reexaminations of beneficiaries under this section; and, in the event that it is found that an insured is no longer totally disabled, the waiver of premiums and payment of benefits shall cease and the United States Government life (converted) insurance policy, including the total disability provision authorized by this section, may be continued by payment of premiums as provided in said policy and the total disability provision authorized by this section. Neither the dividends nor the amount payable in any settlement under any United States Government life (converted) insurance policy shall be decreased because of disability benefits granted under the provisions of this section. The payment of total disability benefits shall not prejudice the right of any insured, who is totally and permanently disabled to total permanent disability benefits under his United States Government life (converted) insurance policy: *Provided*, That the provision authorized by this section shall not be included in any United States Government life (converted) insurance policy heretofore or hereafter issued, except upon application, payment of premium by the insured, and proof of good health satisfactory to the director. The benefits granted under this section shall be on the basis of multiples of $500, and not less than $1,000 or more than the amount of United States Government life (converted) insurance in force at time of application. The director shall determine the amount of the monthly premium to cover the benefits of this section, and in order to continue such benefits in force the monthly premiums shall be payable until the insured attains the age of 65 years or until the prior maturity of the policy. In all other respects such monthly premium shall be payable under the same terms and conditions as the regular monthly premium on the United States Government life (converted) insurance policy."

Mr. DENISON. Mr. Chairman, I move to strike out the word "policy" in the last sentence.

The CHAIRMAN. The Clerk will report the pro forma amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 31, line 22, strike out the word "policy."

Mr. DENISON. Ladies and gentlemen of the committee, I have risen for the purpose of making a brief statement before the vote on the bill is taken, or, rather, as the gentleman from Missouri said, just to make a few observations.

It has been stated several times that this is the first time a bill for veterans' relief has been considered under the general rules of the House, so that it would be subject to amendment on the floor of the House. Heretofore, if I remember correctly, every bill that has been considered for the relief of World War veterans has been considered under suspension of the rules, so that the bill was not open to amendment on the floor of the House. The Veterans' Committee, the Rules Committee, and the steering committee of the House have been subjected to criticism from various sources because we have always considered this kind of legislation under suspension of the rules, not allowing amendments to be offered on the floor of the House.

I think the proceedings in the House to-day have shown the wisdom of that course, and if it has done no other good it will show the American Legion and their friends over the country that legislation of this kind can not wisely be written on the floor of the House. [Applause.] Every paragraph of legislation of this kind ought to be carefully considered by the committee, which has made a special study of the matter, before it is considered in the House. There have been very important amendments to this bill offered and defeated to-day that were meritorious, and, perhaps, after having been considered by the committee and reported to the House, would have been accepted and should have been accepted. On the other hand, there have been a number of amendments offered and accepted without careful consideration, and the Members of the House, in the confusion, could not tell what they contained.

The bill as now amended contains important provisions that many of the Members of the House do not understand, because it has been impossible to even know what they contained in the confusion of the debate.

As far as I am concerned, I am glad the bill has this time been considered in this way in order that our friends in the American Legion may know that if legislation of this kind is ever again considered on the floor of the House, subject to amendment, we will not get the kind of legislation that should be passed. We have loaded this bill down with amendments to-day, which, of course, will result in the bill not being approved by the President, if it is approved by the Senate. We have made no progress. We have done the veterans no good, and some day the ex-service men will learn that those who make the most noise here, who talk the loudest, and who load bills of this kind down with impossible amendments are not their best friends.

Mr. RANKIN. Will the gentleman yield?

Mr. DENISON. No. I intend to speak for only five minutes, and then I am through. My friend from Mississippi [Mr. RANKIN] has been talking most of the day. I simply want to make this further observation, that we are not doing the unfortunate ex-service men any real service by considering legislation for their relief under the general rules of the House and loading it down with political amendments which everyone knows will not be approved by the President, nor bring any relief to those who need relief quickly.

I hope the gentleman from South Dakota [Mr. JOHNSON] will make a motion to recommit the bill with instructions to bring back the Johnson bill and let us pass it.

Now, let us see what has been done to the bill by the adoption of the Rankin and Connery amendments. Every man who entered the Army between the declaration of war in April, 1917, and the declaration of peace in 1921, and who becomes disabled by illness of any kind before January 1, 1930, 12 years after the armistice, will be entitled to the presumption that his illness and disability were caused by his military service, and will be entitled to compensation, which, with the cost of hospitalization, will amount to from $200 to $250 per month in some cases.

I venture the estimate that this bill as it has now been amended will add additional burdens to the taxpayers of the country amounting to over $300,000,000 a year.

Now, the ex-service men do not ask for that. The American Legion has not asked for it. The Johnson bill as it was reported to the House would have dealt fairly and generously with the ex-service men by treating them all alike and giving relief where relief is most needed.

If anyone thinks the bill with these amendments will be approved by the President, he does not know the President, in my humble judgment. The President will have some regard for the Public Treasury and the taxpayers of the country if Congress will not, and he will veto this bill.

We can not pass it over his veto. Then what have we accomplished? Why, we will have given those who are disposed to play politics with the ex-service men an opportunity to do so, and we will have given the ex-service men no relief.

I want to give the deserving and suffering veterans as much relief as I can. I want to pass a bill that will be approved by the President and become a law. I had hoped we could pass the Johnson bill.

I shall vote for the motion to recommit the bill in order that we can have a bill the President would approve.

If the motion to recommit is defeated I will vote for the bill with the hope that the Senate will rewrite it and make it something near what it should be. If the Senate should pass the bill as the House has amended it, I shall urge the House leaders to hold Congress in session until we can again consider and pass some other bill that will meet the approval of the President and give substantial relief to the ex-service men who are now needing relief so seriously.

The CHAIRMAN. Does the gentleman from Illinois withdraw his amendment?

Mr. DENISON. Yes; I withdraw my pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

I would like to say to the excited gentleman from Illinois [Mr. DENISON] that he is mistaken if he thinks we have not a splendid bill for the benefit of the veterans. He appears to dread a veto a great deal more now than when he voted to pass the so-called emergency officers' retirement bill over the veto of President Coolidge, and to put men on the rolls at $200 to $350 a month for life, whether they recover from their disabilities or not, and now opposes a bill to take care of the disabled men in the rank and file. The gentleman from Illinois [Mr. DENISON] need not get excited. We will pass this bill, and if the President vetoes it, we can pass it over his veto, as the gentleman helped to do with the so-called emergency officers' retirement bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 25. This amendment shall not affect rights which have accrued under the World War veterans' act, 1924, as amended, prior to the approval of this amendatory act, but all such rights shall continue and may be enforced in the same manner as if said amendatory act had not been approved.

Mr. FISH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH: Amend by adding a new section, as follows:

"SEC. 26. Under the provisions of sections 581 and 582, Title XXXVIII, United States Code, provisional officers shall be included as persons eligible if otherwise found entitled, but no provisional officer shall be entitled to benefits by reason of this amendment except he make application and his application is received in the United States Veterans' Bureau within 12 months after the passage of this amendatory act."

Mr. RANKIN. Mr. Chairman, I make the point of order that this amendment is not germane to the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FISH. Mr. Chairman, I will not debate the point of order.

The CHAIRMAN. The gentleman concedes the point of order, as the Chair understands?

Mr. FISH. Yes. I would like to have one minute to explain the amendment.

The CHAIRMAN. The gentleman from New York moves to strike out the last word, and is recognized for one minute.

Mr. FISH. Mr. Chairman, I admit this amendment is clearly out of order. There is no question about that; but I am sorry that anyone saw fit to raise an objection against it. However, it served to call the attention of the committee to the plight of the provisional officers who are not included under any provision of the World War veterans' act or under the emergency officers' retirement act. I particularly want to call attention to the Cochran amendment, and if it is in order I propose to ask for a separate vote on that amendment. The Cochran amendment is an absolute absurdity in this bill. It does not permit the Veterans' Bureau to refute any of the evidence in cases under the presumptive provisions of the law. It should never

have been allowed to creep into the bill, and opens the road for an almost unlimited raid on the Treasury.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, ladies and gentlemen of the committee, in five minutes we are going to vote on this bill. [Applause.] I intend to offer a motion to recommit. [Applause.] If the motion to recommit is not adopted, I intend to vote against the bill.

The bill as it is amended provides a straight pension of as much, in some cases, as $265 a month for men who did not enlist until three years after the war and received their disability in 1929.

No President of the United States can sign any such bill. I shall offer a motion to recommit, which, if adopted, will take care of the service men of this country with a degree of equality. It will provide that where an ex-service man is shown to have a disability of 25 per cent or more, in accordance with the provisions of section 202 of the law, and has been denied service connection for any and all disabilities from which he is suffering and whose annual income from all sources for the year next preceding the passage of this act, or date of application, whichever is the later date, did not exceed $1,000, shall be entitled to compensation for such disability; that is, nonservice disability, in an amount equal to 50 per cent of that which would be payable if such disability had been incurred in or aggravated by the service, without any allowance for dependents. No retroactive payments shall be made, and payments shall only continue for three years following the approval of the act or until such time as we can have a survey made and decide upon a permanent policy. During any period of hospitalization by the Government—which will cost the Government $120 a month in addition to what the veteran now receives—the amount of compensation payable may be apportioned to a wife, child, or children. This provision will cost approximately $40,000,000 a year. It will provide that any service man in the United States who has a 25 per cent disability will be able to receive this pension—and that is all it is—for total disability up to the amount of $50 a month.

Now, you must meet this situation in this way or the President is going to veto the bill. If the motion to recommit is adopted, it will give them something; if not, the responsibility will be yours, because without this bill they will receive nothing. I shall make that as a motion to recommit.

Mr. RANKIN. Mr. Chairman, I move to strike out the last paragraph. In reply to the gentleman from South Dakota I desire to say that he keeps repeating that this bill will put men on the roll at $250 or $265 a month. As a matter of fact, the Director of the Veterans' Bureau said before the committee that the average compensation is about $43 a month. That is what these men will get, and those you put on the roll by this bill, as amended, would not receive any more money than they would under the original Johnson bill.

Mr. HUDSON. That is the average.

Mr. RANKIN. The average is about $43 a month, as I said.

Now, as to the gentleman's suggestion that he proposes to offer a motion to recommit. We just voted down such a proposition by an overwhelming vote. There may be some amendments in this bill which ought to be corrected, but there is another body at the other end of the Capitol also interested in these veterans. Then we will have a conference, and those distinguished-looking gentlemen over there at the table, the gentleman from New Jersey [Mr. PERKINS] and the gentleman from South Dakota [Mr. JOHNSON], will probably be two of the conferees, and they will have two-thirds of the vote of the conferees on the part of the House. I submit it is not necessary to recommit this bill to the committee. If that is done, we are likely to bring out the Rankin bill and you would have to vote on it without being bothered with the Johnson bill.

The pro forma amendments were withdrawn.

The CHAIRMAN. If there are no further amendments to be offered, under the rule the committee automatically rises and reports the bill back to the House with the amendments that have been adopted.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, pursuant to House Resolution 205, had had under consideration the bill H. R. 10381, and that he reported the same back to the House with sundry amendments.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. FISH Mr. Speaker, I ask for a separate vote on the Cochran amendment.

Mr. STAFFORD. There is no such amendment, Mr. Speaker.

The SPEAKER. The Chair understands that the so-called Cochran amendment was incorporated as a part of the so-called Rankin amendment, and therefore is not an amendment that can be voted on separately.

The question is on agreeing to the amendments.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. JOHNSON of South Dakota. Mr. Speaker, I offer a motion to recommit, which is at the Clerk's desk; and to save time I ask unanimous consent that the first two pages of the motion, which are existing law, be not read but that the new matter, commencing with the words "*Provided further*" on the last page of the amendment, be read:

Mr. RANKIN. We will agree to not read any of it.

Mr. JOHNSON of South Dakota. I would like to have the new language read.

The SPEAKER. The gentleman from South Dakota offers a motion to recommit and asks unanimous consent that the part which is existing law be omitted from the reading and only the new matter read. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk read the matter referred to.

The entire motion to recommit is as follows:

Mr. JOHNSON of South Dakota moves to recommit the bill, H. R. 10381, to the Committee on World War Veterans' Legislation with instructions to report the same to the House at once with the following amendments:

Strike out section 10 of the bill and insert in lieu thereof the following:

"SEC. 10. That section 200 of the World War veterans' act, 1924, as amended (sec. 471, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amœbic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amœbic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the

provisions of subdivision (4) of sec. 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further*, That where an ex-service man is shown to have a disability of 25 per cent or more, in accordance with the provisions of subdivision (4) of section 202 of this act, and has been denied service connection for any and all disabilities from which he is suffering, and whose annual income from all sources for the year next preceding the passage of this amendatory act, or date of application, whichever is the later date, did not exceed $1,000, shall be entitled to compensation for such disability in an amount equal to 50 per cent of that which would be payable if such disability had been incurred in or aggravated by the service, without any allowance for dependents. No retroactive payments shall be made under this proviso, and payments shall continue for not more than three years following its approval. During any period of hospitalization by the Government, the amount of compensation payable may be apportioned to a wife, child, or children."

On page 23, section 14, of the bill, strike out lines 5 to 21 inclusive.

The SPEAKER. The question is on the motion of the gentleman from South Dakota [Mr. JOHNSON] to recommit the bill with instructions.

Mr. JOHNSON of South Dakota. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 230, not voting 53, as follows:

[Roll No. 26]

YEAS—145

Ackerman	De Priest	Jenkins	Shaffer, Va.
Adkins	Eaton, Colo.	Johnson, Nebr.	Short, Mo.
Aldrich	Elliott	Johnson, S. Dak.	Simmons
Allen	Ellis	Johnson, Wash.	Simms
Andrew	Fenn	Johnston, Mo.	Sloan
Arentz	Fish	Kahn	Snell
Ayres	Fitzgerald	Kearns	Snow
Bacon	Fort	Ketcham	Sparks
Baird	Foss	Lambertson	Speaks
Barbour	Frear	Lankford, Va.	Sproul, Ill.
Beedy	Free	Letts	Sproul, Kans.
Bohn	Freeman	Luce	Stafford
Bolton	French	McCormick, Ill.	Stalker
Bowman	Garber, Okla.	McLaughlin	Stobbs
Brand, Ohio	Garber, Va.	Mapes	Strong, Kans.
Brigham	Garner	Martin	Summers, Wash.
Buckbee	Gibson	Merritt	Taber
Burdick	Gifford	Michener	Temple
Burtness	Graham	Miller	Thatcher
Butler	Guyer	Moore, Ohio	Tilson
Cable	Hadley	Nelson, Me.	Timberlake
Campbell, Iowa	Hale	Niedringhaus	Treadway
Campbell, Pa.	Hall, Ill.	O'Connor, Okla.	Underhill
Christopherson	Hall, Ind.	Palmer	Vestal
Clague	Hall, N. Dak.	Parker	Vincent, Mich.
Clarke, N. Y.	Hancock	Perkins	Wainwright
Cole	Hardy	Pratt, Harcourt J.	Wason
Colton	Hawley	Pratt, Ruth	Watres
Coyle	Hess	Purnell	Watson
Cramton	Hickey	Ramey, Frank M.	Williamson
Crowther	Hoch	Ramseyer	Wolverton, W. Va.
Culkin	Hogg	Ransley	Wood
Dallinger	Holaday	Reed, N. Y.	Woodruff
Darrow	Hooper	Rogers	Yates
Davenport	Hope	Sanders, N. Y.	
Dempsey	Hudson	Seger	
Denison	Hull, Morton D.	Seiberling	

NAYS—230

Abernethy	Connolly	Gavagan	Kincheloe
Allgood	Cooke	Glover	Kinzer
Almon	Cooper, Ohio	Golder	Knutson
Andresen	Cooper, Tenn.	Goldsborough	Kopp
Arnold	Cooper, Wis.	Goodwin	Korell
Aswell	Corning	Granfield	Kunz
Auf der Heide	Cox	Green	Kurtz
Bankhead	Craddock	Greenwood	Kvale
Beers	Crail	Gregory	LaGuardia
Bell	Crisp	Griffin	Lampert
Black	Cross	Hall, Miss.	Langley
Blackburn	Crosser	Halsey	Lanham
Bland	Cullen	Hammer	Lankford, Ga.
Bloom	DeRouen	Hartley	Larsen
Box	Dickstein	Hastings	Lea
Boylan	Dominick	Haugen	Leech
Brand, Ga.	Doughton	Hill, Ala.	Lindsay
Briggs	Douglass, Mass.	Hill, Wash.	Linthicum
Browne	Doutrich	Hoffman	Lozier
Brumm	Dowell	Howard	Ludlow
Brunner	Doxey	Huddleston	McClintock, Ohio
Buchanan	Drane	Hull, William E.	McCormack, Mass.
Busby	Drewry	Hull, Tenn.	McDuffie
Canfield	Driver	Hull, Wis.	McFadden
Cannon	Dunbar	Igoe	McLeod
Carley	Dyer	Irwin	McReynolds
Carter, Calif.	Edwards	Jeffers	McSwain
Carter, Wyo.	Englebright	Johnson, Ind.	Maas
Cartwright	Ezlick	Johnson, Okla.	Manlove
Chalmers	Estep	Jonas, N. C.	Mansfield
Chase	Esterly	Jones, Tex.	Mead
Christgau	Evans, Calif.	Kelly	Michaelson
Clancy	Evans, Mont.	Kemp	Milligan
Clark, Md.	Finley	Kendall, Ky.	Montague
Clark, N. C.	Fisher	Kendall, Pa.	Montet
Cochran, Mo.	Fitzpatrick	Kennedy	Mooney
Cochran, Pa.	Fuller	Kerr	Moore, Ky.
Collier	Gambrill	Kiefner	Moore, Va.
Connery	Gasque	Kiess	Morehead
Morgan	Pittenger	Schneider	Turpin
Mouser	Porter	Sears	Underwood
Murphy	Pou	Selvig	Vinson, Ga.
Nelson, Mo.	Prall	Shott, W. Va.	Walker
Nelson, Wis.	Pritchard	Sinclair	Warren
Nolan	Quayle	Sirovich	Welch, Calif.
Norton	Quin	Somers, N. Y.	Welsh, Pa.
O'Connell, N. Y.	Ragon	Stone	Whitley
O'Connor, La.	Ramspeck	Strong, Pa.	Whittington
O'Connor, N. Y.	Rankin	Sullivan, N. Y.	Williams
Oldfield	Rayburn	Sullivan, Pa.	Wilson
Oliver, Ala.	Reece	Sumners, Tex.	Wingo
Oliver, N. Y.	Robinson	Swanson	Wolfenden
Owen	Romjue	Swick	Wolverton, N. J.
Palmisano	Rutherford	Swing	Woodrum
Parks	Sabath	Tarver	Wright
Patman	Sanders, Tex.	Taylor, Tenn.	Yon
Patterson	Sandlin	Thompson	
Peavey	Schafer, Wis.	Thurston	

NOT VOTING—53

Bacharach	Eaton, N. J.	McKeown	Stedman
Bachmann	Fulmer	McMillan	Stevenson
Beck	Garrett	Magrady	Taylor, Colo.
Britten	Hare	Menges	Tinkham
Browning	Hopkins	Newhall	Tucker
Byrns	Houston, Del.	O'Connell, R. I.	White
Celler	Hudspeth	Rainey, Henry T.	Whitehead
Chindblom	James	Reid, Ill.	Wiggiesworth
Collins	Johnson, Ill.	Rowbottom	Wurzbach
Curry	Johnson, Tex.	Shreve	Wyant
Davis	Kading	Smith, Idaho	Zihlman
Dickinson	Leavitt	Smith, W. Va.	
Douglas, Ariz.	Lehlbach	Spearing	
Doyle	McClintic, Okla.	Steagall	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Houston of Delaware (for) with Mr. Shreve (against).
Mr. Lehlbach (for) with Mr. Wyant (against).
Mr. Hopkins (for) with Mr. Tucker (against).
Mr. Tinkham (for) with Mr. Menges (against).
Mr. Eaton of New Jersey (for) with Mr. Johnson of Texas (against).

General pairs until further notice:

Mr. James with Mr. Henry T. Rainey.
Mr. Curry with Mr. Garrett.
Mr. Bacharach with Mr. Byrns.
Mr. Kading with Mr. Hare.
Mr. Reed of Illinois with Mr. McKeown.
Mr. Wurzbach with Mr. Steagall.
Mr. Newhall with Mr. Whitehead.
Mr. Britten with Mr. McMillan.
Mr. Beck with Mr. Stevenson.
Mr. Bachmann with Mr. McClintic of Oklahoma.
Mr. Leavitt with Mr. Smith of West Virginia.
Mr. Magrady with Mr. Taylor of Colorado.
Mr. Wiggiesworth with Mr. Davis.
Mr. Smith of Idaho with Mr. Browning.
Mr. Zihlman with Mr. Douglas of Arizona.
Mr. Rowbottom with Mr. Collins.
Mr. White with Mr. Fulmer.
Mr. Dickinson with Mr. Celler.
Mr. Johnson of Illinois with Mr. Spearing.
Mr. Chindblom with Mr. Hudspeth.
Mr. O'Connell of Rhode Island with Mr. Steadman.

Mr. CULLEN. Mr. Speaker, my colleague, Mr. CELLER, was present in the House up to 3 o'clock this afternoon. He received a telegram bringing him home on account of the serious illness of his wife. If here he would have voted "no."

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

Mr. RANKIN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 324, nays 49, not voting 55, as follows:

[Roll No. 27]

YEAS—324

Abernethy	Buchanan	Copper, Ohio	Dyer
Adkins	Buckbee	Cooper, Tenn.	Eaton, N. J.
Allen	Burdick	Cooper, Wis.	Edwards
Allgood	Busby	Corning	Elliott
Almon	Butler	Cox	Ellis
Andresen	Cable	Craddock	Englebright
Arnold	Campbell, Iowa	Crail	Ezlick
Aswell	Campbell, Pa.	Cramton	Estep
Auf der Heide	Canfield	Crisp	Esterly
Ayres	Cannon	Cross	Evans, Calif.
Baird	Carley	Crosser	Evans, Mont.
Bankhead	Carter, Calif.	Culkin	Fenn
Barbour	Carter, Wyo.	Cullen	Finley
Beers	Cartwright	Dallinger	Fish
Bell	Chalmers	Darrow	Fisher
Black	Chase	Dempsey	Fitzgerald
Blackburn	Christgau	Denison	Fitzpatrick
Bland	Clague	De Priest	Foss
Bloom	Clancy	DeRouen	Frear
Bohn	Clark, Md.	Dickstein	Free
Bowman	Clark, N. C.	Dominick	Fuller
Box	Clarke, N. Y.	Douglass, Mass.	Gambrill
Boylan	Cochran, Mo.	Doutrich	Garber, Okla.
Brand, Ga.	Cochran, Pa.	Dowell	Garber, Va.
Brand, Ohio	Cole	Doxey	Gasque
Briggs	Collier	Drane	Gavagan
Browne	Connery	Drewry	Gibson
Brumm	Connolly	Driver	Gifford
Brunner	Cooke	Dunbar	Glover

Golder	Kennedy	Murphy	Simms
Goldsborough	Kerr	Nelson, Mo.	Sinclair
Goodwin	Ketcham	Nelson, Wis.	Sirovich
Graham	Kiefner	Niedringhaus	Sloan
Granfield	Kiess	Nolan	Snell
Green	Kincheloe	Norton	Somers, N. Y.
Greenwood	Kinzer	O'Connell, N. Y.	Sparks
Gregory	Kopp	O'Connor, La.	Sproul, Ill.
Griffin	Korell	O'Connor, N. Y.	Sproul, Kans.
Guyer	Kunz	O'Connor, Okla.	Stafford
Hadley	Kurtz	Oldfield	Stalker
Hall, Ill.	Kvale	Oliver, Ala.	Stone
Hall, Ind.	LaGuardia	Oliver, N. Y.	Strong, Pa.
Hall, Miss.	Lampert	Owen	Sullivan, N. Y.
Halsey	Langley	Palmer	Sullivan, Pa.
Hammer	Lanham	Palmisano	Summers, Wash.
Hardy	Lankford, Ga.	Parker	Sumners, Tex.
Hartley	Lankford, Va.	Parks	Swanson
Hastings	Larsen	Patman	Swick
Haugen	Lea	Patterson	Swing
Hawley	Leech	Peavey	Tarver
Hickey	Lindsay	Pittenger	Taylor, Tenn.
Hill, Ala.	Linthicum	Porter	Temple
Hill, Wash.	Lozier	Pou	Thatcher
Hoffman	Ludlow	Prall	Thompson
Hogg	McClintock, Ohio	Pratt, Harcourt J.	Thurston
Holaday	McCormack, Mass.	Pritchard	Timberlake
Hooper	McCormick, Ill.	Quayle	Treadway
Hope	McDuffie	Quin	Turpin
Howard	McFadden	Ragon	Underwood
Huddleston	McLaughlin	Ramey, Frank M.	Vestal
Hudson	McLeod	Ramseyer	Vincent, Mich.
Hull, William E.	McReynolds	Ramspeck	Vinson, Ga.
Hull, Tenn.	Maas	Rankin	Walker
Hull, Wis.	Magrady	Ransley	Warren
Igoe	Manlove	Rayburn	Watres
Irwin	Mansfield	Reece	Watson
Jeffers	Mapes	Reed, N. Y.	Welch, Calif.
Jenkins	Martin	Robinson	Welsh, Pa.
Johnson, Ind.	Mead	Romjue	Whitley
Johnson, Nebr.	Michaelson	Rutherford	Whittington
Johnson, Okla.	Michener	Sabath	Williams
Johnson, Wash.	Miller	Sanders, Tex.	Wilson
Johnston, Mo.	Milligan	Sandlin	Wingo
Jonas, N. C.	Montague	Schafer, Wis.	Wolfenden
Jones, Tex.	Montet	Schneider	Wolverton, N. J.
Kahn	Mooney	Sears	Wolverton, W. Va.
Kearns	Moore, Ky.	Seger	Woodruff
Kelly	Moore, Ohio	Selvig	Woodrum
Kemp	Morehead	Shaffer, Va.	Wright
Kendall, Ky.	Morgan	Short, Mo.	Yates
Kendall, Pa.	Mouser	Shott, W. Va.	Yon

NAYS—49

Ackerman	Eaton, Colo.	Letts	Speaks
Aldrich	Fort	Luce	Stobbs
Andrew	Freeman	Merritt	Strong, Kans.
Arentz	French	Moore, Va.	Taber
Beedy	Garner	Nelson, Me.	Tilson
Bolton	Hale	Perkins	Wainwright
Brigham	Hall, N. Dak.	Pratt, Ruth	Wason
Burtness	Hess	Purnell	Wigglesworth
Christopherson	Hoch	Rogers	Williamson
Colton	Hull, Morton D.	Sanders, N. Y.	Wood
Coyle	Johnson, S. Dak.	Seiberling	
Crowther	Knutson	Simmons	
Davenport	Lambertson	Snow	

NOT VOTING—55

Bacharach	Douglas, Ariz.	Lehlbach	Spearing
Bachmann	Doyle	McClintic, Okla.	Steagall
Bacon	Fulmer	McKeown	Stedman
Beck	Garrett	McMillan	Stevenson
Britten	Hancock	McSwain	Taylor, Colo.
Browning	Hare	Menges	Tinkham
Byrns	Hopkins	Newhall	Tucker
Celler	Houston, Del.	O'Connell, R. I.	Underhill
Chindblom	Hudspeth	Rainey, Henry T.	White
Collins	James	Reid, Ill.	Whitehead
Curry	Johnson, Ill.	Rowbottom	Wurzbach
Davis	Johnson, Tex.	Shreve	Wyant
Dickinson	Kading	Smith, Idaho	Zihlman
Doughton	Leavitt	Smith, W. Va.	

So the bill was passed.

The following additional pairs were announced:

Mr. Bacon (for) with Mr. Hancock (against).

General pairs until further notice:

Mr. James with Mr. Henry T. Rainey.
Mr. Curry with Mr. Garrett.
Mr. Bacharach with Mr. Byrns.
Mr. Kading with Mr. Hare.
Mr. Menges with Mr. McKeown.
Mr. Wurzbach with Mr. Steagall.
Mr. Newhall with Mr. Whitehead.
Mr. Houston with Mr. McMillan.
Mr. Bachmann with Mr. McClintic of Oklahoma.
Mr. Leavitt with Mr. Smith of West Virginia.
Mr. Smith of Idaho with Mr. Browning.
Mr. Beck with Mr. Stevenson.
Mr. Zihlman with Mr. Douglas of Arizona.
Mr. Rowbottom with Mr. Collins.
Mr. White with Mr. Fulmer.
Mr. Dickinson with Mr. Celler.
Mr. Johnson of Illinois with Mr. Spearing.
Mr. Chindblom with Mr. Hudspeth.
Mr. Shreve with Mr. O'Connell of Rhode Island.
Mr. Wyant with Mr. Stedman.
Mr. Hopkins with Mr. Tucker.
Mr. Tinkham with Mr. Johnson of Texas.
Mr. Lehlbach with Mr. Taylor of Colorado.
Mr. Reid of Illinois with Mr. Davis.

Mr. PATMAN. Mr. Speaker, my colleague, Mr. JOHNSON of Texas, who is absent attending the funeral of the late R. Q. Lee, of Texas, has authorized me to state that if he were here he would have voted against the motion to recommit this bill, and would have voted "aye" on the final passage of the bill.

The result of the vote was announced as above recorded.

On motion of Mr. RANKIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. STEVENSON, at the request of Mr. DOMINICK, for two weeks, on account of illness in his family.

ORDER OF BUSINESS—THE TARIFF

Mr. GARNER. Mr. Speaker, may I ask the gentleman from Connecticut a question in order that the RECORD may show the situation with reference to the tariff bill? Will the gentleman make a statement about what he expects to do with the conference report on the tariff bill, so that those who examine the RECORD may know what is going to happen with reference to it?

Mr. TILSON. After consultation with the chairman of the Committee on Ways and Means and also with the chairman of the Finance Committee of the Senate, I am of the opinion that it will take until about Tuesday of next week at best before the conference report on the tariff bill will be ready for printing. If this happens as expected, and the bill is ready at that time, it is my purpose to ask that it be called up for consideration on Thursday of next week.

Mr. GARNER. Does the gentleman expect to get through with the conference report on Thursday, Friday, and Saturday of next week?

Mr. TILSON. It is difficult to tell. It is not possible to forecast just how much debate there should be on each amendment.

Mr. GARNER. I say for the RECORD that I would like to see the conference report disposed of at the earliest possible moment.

Mr. TILSON. I think we agree as to that.

Mr. GARNER. With a proper debate upon the conference report in essentials—that is to say, on what we have agreed on and on amendments still to be voted on. If the gentleman would have the House meet at 11 o'clock on Thursday, Friday, and Saturday, it will be possible to get through with the consideration of the conference report on Saturday, and I think that would accommodate the membership of the House; otherwise I think we will have to take it over into the following week.

Mr. TILSON. I think that we ought not to attempt to cross that bridge until we at least approach it, but I shall be glad to consider the suggestion of the gentleman from Texas.

Mr. GARNER. And it is the intention of the gentleman from Connecticut to give us ample opportunity to discuss this matter so that the House may be thoroughly informed?

Mr. TILSON. I think there is no disposition whatever to unreasonably restrict debate. There has not been on any matter, so far as I know, during this session.

Mr. GARNER. I can not say so much.

Mr. TILSON. I doubt if the gentleman can cite a case.

Mr. GARNER. Nevertheless, as I understand it, it is the purpose of the gentleman to give us ample opportunity to discuss this conference report, to discuss each amendment, so that the House may have the viewpoint of the various Members of the House on these amendments upon which we must vote?

Mr. TILSON. In this matter, as in all matters, the House itself in the last analysis decides these things. The gentleman understands the temper of this House that when the Members wish to finish a bill, as they did the bill considered to-day, he knows that they will go on until they finish it. I have no doubt that reasonable time, of which no one can justly complain, will be allowed on the conference report.

Mr. GARNER. I am very glad to hear the gentleman say that. Under the rules of the House if a minority of as much as 80 Members should desire a roll call, we could get 100 to 150 roll calls, and I think that that would be a very silly performance.

Mr. TILSON. It would be obstruction.

Mr. GARNER. I have no desire to indulge in it, but I do insist that we should have ample opportunity to discuss not only the conference report but the various amendments the House will be called upon to vote on and that is all I ask.

Mr. TILSON. There will be no disposition to unduly limit debate.

Mr. GARNER. And the matter will be called up Thursday?

Mr. TILSON. If the report is ready and it is expected by those in charge of preparing it that it will be ready by Tuesday, we shall call the matter up on Thursday.

EXTENSION OF REMARKS—WORLD WAR VETERANS' LEGISLATION

Mr. GREENWOOD. Mr. Speaker, the World War veterans' compensation legislation should be liberalized, and I am going to support the pending bill. Believing that the so-called Rankin bill would be more liberal and just, I shall also support this measure as an amendment to the present bill. I feel there is no inconsistency in taking this position. It is my desire to obtain the best legislation possible for the benefit of the veterans of the World War.

The Rankin bill, among other provisions, would extend the date of presumption as to disabilities being of military origin from the date in the present law down to January 1, 1930. I never could see any logic or justice in fixing the date arbitrarily as in the present law, and thereby placing the burden of proof often unjustly upon the soldier. In many cases the disabilities did not develop or reach a compensable degree until after January 1, 1925, and often the medical and hospital records were short and incomplete upon the soldier's actual condition. Thus the soldier was defeated because of failure on the part of the Government. It has been my desire to see these barriers removed and the soldier treated liberally.

There are provisions in the pending bill curing those cases that have been denied by executive-made law. There are many cases for the permanent award of $50 per month which fell under the ban of the technical and arbitrary ruling of the comptroller. He thought he knew better than Congress what the law should be. The law recites that the $50 per month award should be given to "any ex-service person where he is shown to have tuberculous disease of a compensable degree." The Veterans' Bureau, claiming to follow the comptroller, decreed that even though the soldier had been paid compensation for arrested tuberculosis, nevertheless this was not considered as being of a compensable degree and the soldier would have to prove activity of the disease. This insertion of the word "activity" into the law was not only tyrannical but was equally unjust. This instance is but one among many where the department seeks to use every technicality against the soldier.

There appears to be many employees in the Veterans' Bureau whose chief ambition is to deprive the soldier of compensation, rather than to administer the law with the liberality and sympathy which the Congress intended that it should be administered. We hope that the pending bill will impress upon many of these high-salaried administrators that Congress desires above everything else, that the soldier and his dependents shall be compensated and assisted for what they contributed to our country's cause in time of war. We want an administration that does not seek to obstruct, but rather one that sympathizes and assists the soldier in getting compensation.

Like my colleagues, I have found the Pension Bureau much more satisfactory in adjusting claims. It seems that the Veterans' Bureau in shifting claims from boards to superboards, seems to think that time is not of the essence of a soldier's claim. I have had many a soldier die or give up in despair waiting for some one in the Veterans' Bureau to get ready to act. My colleague [Mr. RANKIN] has performed a service to the soldier of the World War and also the country by showing the long list of employees in the Veterans' Bureau who are drawing a fat compensation amounting to a pension under the emergency officers retirement act. A private of the World War with 30 per cent disability must accept $30 per month temporary award. An officer retires with a permanent retirement of from five to ten times that amount. In many instances the officer pulls down another handsome salary for sitting in a swivel chair and blue penciling and denying the soldier his meager compensation. These inequities are a disgrace and a travesty on justice.

Sooner or later we will have to adjust these inequities by a pension system, and I reach the conclusion that the pension will prove a more just and equal system. If the Government does not save money in pensions, there will at least be more of the funds appropriated finding their way into the hands of the men who did the fighting and are now in the greatest need. In this connection, I had hoped that the Swick bill would be given consideration at this session of Congress.

In the pending bill I am glad to note an added liberality toward the widows, children, and other dependents of the soldiers of the World War. The country will have to assume an added burden for the support of these derelicts of war.

Also, I believe the present law has been too harsh in the treatment accorded those cases arising from the soldier's misconduct. We sent these soldier boys into a foreign land where moral conditions were deplorable. Many of them fell into the whirlpool of temptation. They have suffered physically from combined causes. But back of it all, the war is responsible. It is a casualty and a tragedy of the conflict that I believe the country will have to assume. These soldiers guilty of misconduct fought as valiantly as others. In many cases our country took them from clean and pure surroundings of their homes and threw them into social cesspools of the cities of Europe. To drown out the monotony and nerve-racking experiences of the trenches, they indulged in immoral pursuits. Nevertheless, they offered their lives as a sacrifice for their country in time of peril. I am not in favor of making these finely drawn distinctions.

On the question of medical evidence I am convinced that scant consideration is given the statements of local physicians. The bureau listens with more sympathy to the medical staff of the bureau. This is part of the system to use the machinery of the bureau to deny the soldier his compensation in every instance where they can find a peg upon which to hang an excuse. If soldiers of the Civil War and the Spanish-American War can be granted pensions for life by the examination of local reputable physicians, why, then, should the soldier of the World War be made to travel miles in order to go through the stereotyped performance of an unsympathetic examination by the medical examiner of the bureau, whose chief ambition is to find a reason why the soldier should be denied compensation? The traveling expenses of the soldier and the aggregate salaries of these bureau doctors would more than pay the small fee charged by a local examining board. The soldier would feel that more uniform justice was being provided by the Government if the local physician was allowed to examine the soldier. When these soldier boys enlisted the local doctor was capable and honorable enough to pass upon his physical qualifications. When it comes to compensation shall we say that the local physician should not also be permitted to examine?

In that connection I also insist that more credibility and weight should be given to lay evidence. Such witnesses know more about the soldier's disabilities than some bureau doctor who examines hundreds and often does not stop to consider one case more than another.

The soldier of all wars must not be considered as a charge of the Government. They are the defenders of our Nation. Whatever accrues to each of us in liberty, peace, and opportunity we not only owe to these men and women who wore the uniform but we also are indebted to them as a Nation in a material way. This compensation is not charity.

General Sherman describing war said, "War is hell." There are few of us who did not engage in actual battle, unless we had sons or near relatives who sacrificed their lives, that can appreciate the terrible tragedy of the truth of that statement.

We as a Nation can not restore the life that has been taken for the service of the country but we can help to comfort the mother, the widow, and the orphan. We can not always rehabilitate the body broken for the honor of the flag but we can provide sufficient hospitalization in an effort to restore to the soldier what he lost by physical hardship, exposure, and casualty of battle. It is more than a mere privilege for us to make these provisions, it is a stern duty. Then, let the Nation respond to this duty not only liberally but cheerfully. The pending bill is in the right direction and I shall be glad to join my colleagues by enacting it into law.

Mr. LUDLOW. Mr. Speaker, war, especially such a cataclysm as the World War, is not an ephemeral affliction. The world holds no magic that on the instant can transmute war's splurge of hate into a feast of love. War is not merely a temporary burst of hell that passes away, leaving society unscathed, smiling, and serene. It does not engulf nations with its hideous woes for a while and then vanish like a ghastly nightmare. War does not operate that way. The scourging effects of war endure over a long stretch of time and those who tread the wine press of the battle field are not the only sufferers. Their widows and children and children's children, down to remote generations of posterity, are affected by war's awful blight.

When the Committee on World War Veterans' Legislation was considering these pending measures a member of the committee brought up the case of an unfortunate veteran in his district and, speaking not in derision but in kindly sympathy, he said that the poor afflicted fellow "does not yet know what the World War was all about." And then a member of the committee, himself a distinguished World War veteran, beloved by his comrades and a wide circle of acquaintances, interrupted to remark: "Some of the rest of us do not know that much, either."

Fervently I pray that wars and the desire to war may vanish forever from the earth and that the naval reduction conference now going on in London may illumine the way, but I am not prepared to agree that human beings have as yet reached such a state of Utopian perfection. I do contend that when we go to war, whether impelled by frenzied mass psychology or a genuine purpose to save civilization, or by whatsoever driving power, we should be willing to pay the price, and by that I

mean not only the expense of conducting the war, monumental as it may be, but all of the staggering costs that the future entails, including compensation and hospitalization of the survivors and loving care for the widows and orphans.

We can not draw a line after a war and say: "Thus far shall the cost go and no farther." The Nation's debt to its defenders is its greatest debt of honor.

We have a duty to pay, and keep on paying, until justice is done to the last one of these men. When we snatched them from their homes and families and threw them into the holocaust across the sea we made rosy promises of what we would do for them when they returned victorious from the fields of war. I am not going to cheat the soldiers now. They did their part grandly, and it is our turn to pay. I am for a 100 per cent fulfillment of those pledges. While I hope I may always be mindful of the burdens that war places on the backs of the taxpayers I regard our promise to the soldiers as an obligation made in simple good faith which must be redeemed to the uttermost farthing if we value truth and honor, and I know by reading history that the heart of America always responds most generously to the fulfillment of our duty to our veterans. I will economize along all other lines until it hurts. In every other field of governmental relations I will stint but not in this one. I will never skimp the soldiers and their dependents. As a Member of Congress I will vote to build hospitals for the sick and disabled veterans until every one who needs hospital treatment has a bed and the services of a competent consulting staff. I will vote to compensate veterans liberally for their service-connected disabilities, and I will vote to throw the cloak of service-connection presumption over all disabilities that have arisen prior to January 1, 1930.

That is the essence of the bill introduced by my friend, Representative RANKIN, a World War veteran, of Mississippi. I stood for the Rankin bill in our committee and I was one of the Old Guard that went down in defeat, but not in dishonor, when we were outvoted. I do not think anyone on earth would claim the Rankin bill is a scientific piece of legislation. If enacted, it would be nothing more nor less than a stop gap, but I believe a very necessary and proper one, pending the day when pensions must and will be granted. I concede that in some instances the service connection which it would establish would be a legal fiction, but the doubt has been resolved so often against the veteran in adjudicating claims that it would be nothing more than poetic justice to occasionally resolve the doubt in his favor. Besides, the power of rebuttal would always rest in the Veterans' Bureau, and by exercising that power judiciously the bureau could ward off impositions on the Government.

The committee charged with initiating World War veterans' legislation spent many days of sober, serious consideration in trying to find where the path of duty lies. All were imbued with the sacredness of the task. There was a common interest in doing the best for the veterans, consistent with our obligations to the country, but as was inevitable where so many minds met there were honest differences of opinion. The bill reported by the majority of the committee, H. R. 10381, undoubtedly is an excellent measure as far as it goes. I believe it should go further and that is why I supported the Rankin bill.

I am for the Rankin bill, frankly, because it would bring 80,000 veterans into a compensable status who are now beyond the pale of the law. It would do this clumsily and illogically, perhaps, but I believe it would do it effectively. It is better, in my opinion, that now and then a worthy disabled veteran should receive compensation by a legal fiction than that a thousand who are entitled to service connection should be shut out, and there is comfort in the reflection that under this plan no man would receive compensation who did not serve his country honorably and who does not have a disability, even though in instances the disability may not, in fact, be service connected. I am for the Rankin bill because it would drive despair and want from the homes of 80,000 disabled veterans and substitute gladness there. I am for it because it would throw the encircling arms of the Government around 80,000 sick and suffering men who served the Nation well in the darkness of the worlds most awful night, when no one knew or could tell whether the morn would bring liberty or despotism.

Mr. SLOAN. Mr. Speaker, my mingling in the debate will little prolong it. Much has been said and well said. If there has been some acrimony, it was due to a pardonable zeal of all to do well for the veterans, within our income now and with an eye to that comprehensive measure which speeding on its way will brook no long delay. Were we prepared now with a well-matured pension plan and a means to meet it were provided, I should be pressing every means within my power to effect its passage.

At this time memory and gratitude are still bright and unblunted. The almost brutal sneer written in life to be published after death by the leading character of France, the greatest beneficiary of American aid and sacrifice, should emphasize our own appraisal of the American Army and its superb leadership. We can do that now under our present lights and immediate prospective means.

I do not like the almost authoritative statement of a nation through Clemenceau who demeans our soldiers, sneers at our great commander, discredits our diplomats, and holds up to the world as the one American entitled to credit a man whom no people elected, no authority appointed, whom the public did not know, but who with the assumption of a fly on the engine masterwheel called attention loudly to its control of all the machinery, furnished all material, and production of the finished product. An individual to whom the swimming apple, and the dawn-announcing chanticleer were but humble circumstances.

This praise by Clemenceau of the mysterious colonel who never buckled sword was thinly veiled sarcasm indicative that the sacrifice of American blood and treasure could all be found in that alleged animated multum in parvo.

I feel like answering the aspersions, expressed or implied, by doing more in honor and materially for the boys whom Greek could not teach grandeur nor Roman nobility.

This bill has been said by many to be imperfect. Yes, drawn by imperfect men, with imperfect means, and in imperfect language, to be voted upon by imperfect Members. The nearest thing to perfection involved in this problem was the 4,000,000 units of young manhood constituting the American Army, examined and accepted as types of military perfection.

Paraphrasing in a way an address I made upon another occasion, permit me to say that into this struggle went the American soldier as the intelligent and vigorous composite of all that was best of the races with or against which he battled. Because for 300 years the best had been coming from Europe to America to aid in developing free institutions and representative government. Their manner of life had been of that free and independent character which developed along brook and in forest, with rod and gun, on grounds of manly sport, where individual effort and teamwork combine to develop initiative and teach discipline; and in field and shop their work has been of that varied character which combine activity of hand with freedom of brain. These, combined with that high general mental discipline possessed by the soldiers of no other country, made our soldier in the final analysis, the warrior of emergency whether in the final grapple of men or the ultimate clash of armies.

They were farther from home than were the battling legions who followed Alexander, Cæsar, or Napoleon. They mingled with and against more different peoples than did the followers of the Macedonian, the Roman, or the Corsican. They may not have had the steadiness born of long discipline, which, fixed in the famous phalanx of Macedonia, withstood the shock or broke the lines of the oriental myriads. They did not have the lust of conquest nor the appetite for adventure which carried the great Julius through the barbarous north and west. They did not have that mingling of fatalism with human idolatry which recovered at Marengo, charged Lodi, crossed the Alps, ventured Moscow, and rallied at Waterloo. But in fine physique, clean limb, and bright eye they were the cynosure of the world's soldiery. In mental grasp they surpassed those of any other battling host. In those fine qualities of chivalry, courtesy, and manliness they had no equals. Among and against those armies where rank and title stand forever at premium they were, in the eyes of all, the war's true nobility. And when the call for sacrifice and struggle came, none went more buoyantly to the task, none acquitted themselves more bravely, none accounted for more of their enemies. When the victory was won, in the book of merit and achievement they should be and are accredited first honors of the war. We can afford to be generous, we should be just.

I was pleased to support the resolution which provides for the appointment of a commission made up of Members of the House and Senate and certain executive officers to survey within the next year the whole field of our Government's relations to its soldiers of all the wars with the hope that resulting from that survey a general law may be passed recognizing substantially and equitably the obligations of this Government to the veterans of the Civil, Indian, Spanish-American, and World War.

Our legislation in behalf of these several classes has been necessarily haphazard and without that unity which can be wrought out, and I believe will be, under the legislation suggested.

The amended Johnson bill before the House and which received the support of four-fifths of our membership will, if left unamended, constitute a tremendous drain upon our Treasury.

But our Treasury has withstood many drains, and, generally speaking, those in behalf of our defenders have been commended rather than criticized.

Moreover, the diplomatic genius and courage of our great President delegated to and embodied in our national representatives at the recent London conference has caused to be taken a long step on the highway toward peace. It now appears that the United States will, through a wholesome public sentiment supporting our United States Senate, bring about ratification of that treaty. If this be accomplished, it will be relieved from the demands upon the Treasury probably half a billion of dollars, and part, at least, of that great sum may well be set aside for discharge of the obligations we owe the veterans. This is one of the reasons why so many of us, mindful of our duties to the United States Treasury, felt constrained to vote as we have more liberally for the temporary adjustment of the veterans' requirements.

Mr. BLACKBURN. Mr. Speaker, I believe I speak the sentiments of every Member of the House when I say that it is high time some really adequate provision is made for the disabled veterans of the World War. They did not stop to strike bargains with this country before they went overseas to fight the battle of democracy against the rampant forces of monarchism and despotism. They had the faith of true patriots in their country. If they had not been imbued with the highest ideals of faith and patriotism, they would not have leaped so readily to the defense of their country and the principles of freedom and justice for which it stands. If doubt ever entered their minds that this Nation for which they fought so bravely later would prove niggardly or unwilling to care for its battle-maimed and battle-scarred veterans, they did not show it. They were above such thoughts. To them there appeared only the vital need of patriots to fight, and, if need be, to lay down their lives, to uphold and maintain the glorious principles which had been bred into their very fiber through generations of freedom and justice loving people. A great social principle was at stake. They did not hesitate to offer their bodies and their brains to be used in defense of that great principle.

Are we going to prove less ready to defend and sustain another principle, equally fundamental and worthy as the principle for which they fought so honorably and so gloriously? They recognized the obligation which they owed their country. It is equally imperative that their country own and admit to the obligation which is owing to them. And we must carry out this reasoning to its logical conclusion. We must not halt at admitting our obligation. We must fulfill it. It devolves upon us, as the representatives of the people of this country, to show by deed rather than by word, that their country recognizes its enormous debt to these brave men and intends to pay that debt.

It is not something that should be exacted from us, nor is it an obligation which we should owe and pay only after being supplicated and implored. God forbid that we should continue to overlook the suffering and deprivation which prevails among the veterans of the World War as a consequence of the continued failure of Congress to provide adequately for them. It must be admitted that honest and just provision has not been made for thousands of veterans who are fully as deserving as those who are now drawing compensation. I dare say—and every Member knows it to be true—that there are thousands of sick and crippled veterans not now drawing compensation who are a thousand times more in need of compensation and a thousand times more deserving of it than are those veterans whose names were read into the RECORD just a short time ago—men who are drawing salaries of from $3,000 to $6,000 yearly, and are at the same time receiving compensation in the form of retirement pay, which in many cases ranges as high as $250 per month.

Surely it was not the intent of Congress when it enacted the World War veterans' act of 1924 to have it administered and have it construed as it has been. Surely it was not intended that the needs of thousands of veterans should be ignored and overlooked. Yet that has been done. I know that there are many Members of Congress whose files will reveal the rejected claims of scores of disabled World War veterans. I have numbers of these claims in my own files, many of them of the most pitiful description. Their pleas for assistance have been rejected on a numerous variety of grounds, often on the basis of the merest technicalities, and often because, being mere soldiers rather than doctors and physicians—and therefore unskilled in marshaling medical evidence—they have been unable to establish that their disabilities have resulted from their service in the World War.

The evidence they have produced has been rejected as incompetent; it has been rejected as inadequate; it has been rejected in short, for every imaginable reason except the reason that it is good and sufficient evidence of the truthfulness of their statements.

It has seemed to me many times, when presenting the claim of some World War veteran, that the particular claim was certainly a deserving one, and I have thought that a particular veteran would surely be compensated and assisted by the Government in whose service he was either maimed or rendered sickly and disabled. And almost as many times as I have thought this I have been brought up short by being informed that the claim was not a valid one, either for the reason that the disability could not be connected with the veteran's Army service or because it was beyond the pale of compensation on account of the lapse of time.

These disallowances are not just, even though they are prescribed by law. They are not what Congress and the American people wish to deal out to these World War veterans. Such treatment compares ill with the attitude shown by these soldiers when their country was in such desperate need. It may be said that it was their duty to act as they did when war was declared, without thought of compensation in the form which is now being considered; and that would be true. But it is equally true that they harbored no such lowly thoughts, and regardless of their attitude, our obligation to them—the obligation of their country—still exists.

I want very much to see this bill passed. There are thousands of soldiers in my own district who will benefit by it, many of them desperately in need of the benefits which this bill will confer on them. I want them to have the aid which this bill will give them and which they need, which they are entitled to, measured by any standard of justice, loyalty, duty, and decency. We are not giving or conferring any favors upon them. They will not receive any gift or emolument from us through the medium of this bill. We will be instruments through which is made available to them aid to which they have every honest right and title.

A measure such as this should be considered without thought of the political advantage which might accrue from it, and I sincerely believe that the Members who will vote on this bill are considering its various provisions in that light. I do not want to see this bill loaded down with amendments and expanded in its provisions beyond what is right and just and proper. The veterans of the World War themselves do not want to have that happen. They are alive—keenly alive—to the fact that this bill can be killed by placing in it things which will doom it to a presidential veto. I implore the Members to keep that fact always in mind; for some of us, in our zeal to heap benefits upon the veterans, may cause the destruction of the end toward which we are striving. We can not afford to do that; we owe it to our own sense of honor and justice to accomplish here and now what we have so long talked about and wished for—an even-handed distribution of aid, through the medium of such legislation as this—payment of the heavy obligation which is owing to them and which has thus far never been repaid.

Mr. IRWIN. Mr. Speaker, ladies and gentlemen of the House, I am taking this time to express my sentiments in reference to World War veterans' legislation or, rather, legislation in the interest and for the welfare of the disabled soldiers of the World War.

When Congress passed the act drafting the young men of our Nation into the military service of the United States, I was selected as medical member of the draft board in my home city of Belleville, Ill., and acted in that capacity until I was transferred to other medical activities of the war; and while acting in the capacity of chief medical examiner, I, with the assistance of several medical associates, examined and sent into the service some 8,000 young men, and I can recall, as if but yesterday, the trying ordeal and the incidents transpiring in connection with the transforming of young men from peace-time occupations to that of warfare. I will not take up the time of the House describing the events transpiring in those eventful hours. I merely wish to say that those eventful hours made a lasting impression on me, and then and there I resolved to do everything possible to aid the soldier boy and especially the disabled soldier boy.

In 1924 I was elected as a Representative to Congress from my district and this event gave me a splendid opportunity to render service to the disabled World War veterans. On entering the Sixty-ninth Congress I requested the Committee on Committees to assign me to the Committee on World War Veterans' Legislation, and in the Sixty-ninth and Seventieth Congresses I contributed my bit to the liberalization of the World War veterans' act. I continued on this committee until the beginning of the Seventy-first Congress, when I was relieved from this committee to take the chairmanship of the Committee on Claims.

Since the introduction of the Johnson bill (H. R. 10381) I have given that bill serious consideration and study and am convinced that its provisions will be extended to more disabled veterans than will the Rankin bill. If we can not amend the

Johnson bill so as to include some of the provisions of the Rankin bill that would bring the presumption clause up to 1930, and must choose between the two, as I understand it, the Johnson bill gives relief to the greater number of disabled veterans. I am ready to vote for any bill that will give relief to the greatest number of veterans. If the Johnson bill can be amended without jeopardizing the enactment of the bill into law, I will support such liberalizing amendments. I am heartily in accord with the provision of the bill recommending some agency to thoroughly go into the present compensation and pension laws, so as to not discriminate against any soldier, whether he be a veteran of the Civil War, the Spanish-American War, or the World War, because under our present pension and compensation laws there is some discrimination, and I believe there will be a discrimination until such time as the laws can be studied in relation to each other. It matters not whether a veteran defended his country in the Civil War, the Spanish-American War, or the late World War, the matter should be gone into thoroughly so as to give every disabled soldier adequate relief.

We are appropriating hundreds of millions for public buildings, for public roads, and for many other activities; and we should not economize when it comes to granting relief to our disabled veterans who gallantly and unselfishly sacrificed their health for their country.

In conclusion I wish to bring before the House a matter which I think causes the average Congressman more concern than anything connected with veterans' legislation, namely, that in many instances a different construction is placed on the provisions of veterans' legislation than was intended by Congress when such legislation was passed—such construction being placed either by the legal experts in the bureau or in the office of the Comptroller General. This fact leads to many controversies and gives the Congressman many worries and disappointment to the veterans who appeal to the Congressman for help in adjudicating their claims; and this is more reason why a joint committee of both Houses should be appointed not only to codify and recommend such laws as will remove all discrimination and inequalities in reference to pension and compensation laws but the committee should recommend the language to be inserted in the bill so as to simplify and clarify the purpose of the bills so as to not leave controversial language, the construction or intent of which may lead to different interpretations by the Comptroller General than was intended by Congress. When this whole matter of legislation, compensation, and pension can be written in a scientific manner, giving justice to veterans of all wars, just that soon will most of our troubles as Congressmen end, and we will not be placed in an embarrassing position as we are to-day.

Mr. JONAS of North Carolina. Mr. Speaker, the only fair, economical, and scientific method of dealing with the subject of World War veterans' relief is by providing reasonable disability, widows', and dependents' pensions. By this method only can equitable treatment among those entitled to relief be assured, with maximum benefits through minimum expenditure of public funds. The interests of the veterans and the Government can be protected properly by no other method.

The compensatory benefits that will accrue to those veterans not provided for under the present law by the terms of the Johnson bill, as amended, are temporary, covering only three years. House Joint Resolution No. 222, which has passed the House, and I trust will be finally adopted, provides for a joint committee of the two branches of Congress to study the whole question of veterans' relief, and to report with recommendations to Congress not later than March 1, 1931, as to the advisability of the consolidation of veterans' relief legislation and the adoption of a national policy with reference thereto. This should be done at the earliest practicable date, and the administration of all veterans' relief should be consolidated in one department or bureau. The wasteful, inefficient, cumbersome, and impractical administrative machinery of the Veterans' Bureau should be junked without unnecessary delay.

FRAUGHT WITH INEQUALITY

The present provision for compensation to disabled World War veterans and their dependents for "service-connected" disability is fraught with inequality, injustice, waste, and almost universal dissatisfaction. The administration of the law is unsatisfactory. The fault is primarily that of the system and not necessarily that of the director nor the personnel of the bureau.

Many veterans are drawing compensation to which they are not entitled, while scores of thousands are suffering and in want for lack of relief and compensation to which they are entitled, simply because they have been unable to prove to the satisfaction of technically minded members of rating boards and bureau officials that their disability is "service connected" 10 per cent in degree, whatever that may mean. Herein lies one cause of injustice of the present system. The reason we who compose the vast majority of the membership of the House favor the Johnson bill, as amended, with the extension of the period of service connection of all disability is that we know from bitter personal experience and general observation that misery, want, and dissatisfaction is general throughout the country among veterans and their dependents because they have been denied during years of suffering and fruitless effort what is rightly theirs under the law.

The enormous amount of money, time, worry, and effort that has been absolutely wasted by veterans and their friends and families and their Congressmen throughout the country and by officers and employees of the bureau in vain and hopeless endeavor to establish service connection for the disability of veterans entitled to compensation under the present law is nothing short of a national disgrace.

KNOWS OF SCORE OF CASES

I know of scores of cases in my own district that could be established readily in any court with the evidence in hand which have been pending for years without success. In many of them a degree of proof practically humanly impossible is required. The doubt seems to be resolved against the veteran instead of liberally construing evidence in his favor, as Congress intended. Lay evidence is practically ignored. Only medical theory is seriously considered. Claims of homesick, war-worn veterans who, in their anxiety to return to civilian life at the close of the war, failed to file complaint of their disability when they were mustered out of service, and whose physical impairment was not noted on their discharges, have been disallowed in first instances almost universally. Always in rejecting claims the helpless veterans are reminded that they are not in fact disabled from service-connected causes as shown by their discharges. Their own affidavits and those of their friends are apparently disregarded.

ASKS BENEFITS FOR THE MANY

If it appears that those of us who favor the Johnson bill, amended to make all claims where disability is shown to have existed prior to January 1, 1930, compensable, unless the Government can show by clear and convincing evidence that the disability is nonservice connected (thus placing the burden on the Government, where it belongs, and providing just compensation to scores of thousands of veterans, who have heretofore been denied unjustly what the Government was due them under the law), are unmindful of the condition of the Public Treasury, the answer is: We are for justice and equity among all the veterans, and it is an evil thing to so administer the law as to grant to a selected number of disabled veterans the public benefits that should in equity be distributed among them all. While I favor granting the highest amount of compensation the Government can afford, I would rather support a smaller amount fairly distributed among all the needy than a larger amount inequitably awarded to the fortunate few.

It is better to shift the burden of proof to the Government and secure for the neglected veterans what is theirs under the law than to continue a policy that requires the expenditure of enormous sums and the employment of hordes of public officers and employees in the consideration and reconsideration of their claims with no reasonable prospect of securing favorable action on any appreciable number of them.

Another source of untold economic waste and injustice in the administration of the present law is the policy of checking and rechecking allowed claims and reexamining compensated veterans to determine if their disability remains above the elusive and imaginary "10 per cent." When is a veterans' disability 10 per cent? Ten per cent of what? The present method of determining the degree of disability is to base it on the pre-war occupation of the veteran. The degree of disability should be based on the character and extent of the injury or seriousness of the disease. Like disability should insure like compensation, regardless of occupation. Under the present method two veterans of different occupations may have received similar injuries, yet one of them is granted generous compensation while the other is denied anything. Manifestly this is unjust. If two veterans each lost an arm or a leg or suffered any other identical injury, both should have the same compensation. Is it the policy of the Government to put the veteran in a groove and deny him the opportunity to rise, and after drafting him and impairing his ability to engage in gainful occupation refuse to compensate him so as to insure to him and his dependents the necessities of life? Such should not be the case. Neither did the Congress so intend.

WANTS BONUS PAID

This Congress should provide for the payment of the cash surrender value of the so-called bonus certificates at the option of the veteran. The Government acknowledged its indebtedness to the veterans in issuing to them "adjusted-compensation certificates," which are simply due bills or obligations to pay, and without the consent of the payees has borrowed their money at 4 per cent interest for a period of years, while generously

agreeing to lend them their own money back at 6 per cent interest. This is such a manifest injustice that it can not be defended. The Government can much better afford to finance this indebtedness to its war veterans than they can afford to lend it to the Government. They need it. It is worth 6 per cent or 8 per cent to them, while the Government can easily obtain the money to pay it off at 3 per cent. The payment of these certificates would put a large sum of money in circulation at a time when it would do much toward relieving financial depression. This money belongs to the veterans. Their Government should pay them. It can do so without any loss or inconvenience. I sincerely trust this Congress will not adjourn without providing for the immediate payment of the bonus certificates of all veterans who desire to surrender them. If it does not, then the joint committee provided for in House Joint Resolution No. 222 should study the subject and make recommendation for their redemption.

CONFEDERATE VETERANS

The Johnson bill contains a provision for contribution not exceeding $107 by the Government to the burial expenses of all veterans of all wars. This should be amended so as to include Confederate veterans of the Civil War. It is my purpose to offer such an amendment. There is at present provision for providing markers for unmarked graves of Confederate veterans. Its adoption was a wise, patriotic, generous, and gracious act on the part of Congress. We should without delay provide for the burial of the few heroic needy Confederate veterans who survive. The cost would be comparatively small. It would be a mere bagatelle when measured in comparison with the spirit of unity and friendship and brotherhood it would encourage among the people of our great united country.

For more than half a century the Confederate veterans and their descendants have contributed cheerfully toward pension funds rightly provided for veterans of all other American armies, while they have struggled against great odds and endured many hardships and much suffering to provide for themselves and their dependents the comforts of life. While their respective States have in most cases provided for their wants as liberally as they could under the circumstances, many of the comparatively few still remaining on this side of the great river are in want. They fought with heroism unexcelled in all history in a civil war to settle forever the question of the right of States to withdraw from the Union, a question that had been debated for more than a half century among the leading men of the Nation from all sections of our country. Those heroes of the South were not enemies of their country. They fought under the leadership of men who believed they were contending for a right under the Constitution. They lost. None believe more sincerely than they in the righteousness of the principle of the indissolubility of the Union under the Constitution, established by the Civil War. "Union and liberty, one and inseparable," is and ever will be the shibboleth of every man, woman, and child in America from the Lakes to the Gulf and from sea to sea. Not only was that issue settled forever but it is now recognized by all that Lee and Jackson and Lincoln and Grant were alike imbued with love of America, and their names are honored and their memories revered alike by those of the North and those of the South. We are one people. And in token of the fact the Government should grant pensions to the Confederate veterans of the Civil War. What a fine sentiment and what a noble spirit of union and brotherhood such an act of Congress would manifest! It is my purpose to introduce a bill for this purpose in the Seventy-first Congress.

OTHER PHASES OF THE JOHNSON BILL

The Johnson bill (H. R. 10381) as amended and passed by the House carries all the new benefits provided in the Rankin bill (H. R. 7825), and more. It extends the period of presumption of service-connected disability to January 1, 1930, with respect to all kinds of disability instead of the restricted few provided in the Rankin bill. The Johnson bill extends the time one year after the date of its passage for filing suit on war-risk insurance claims. It provides compensation for dependents of hospitalized veterans and for hospitalized veterans who have no dependents it provides a modest allowance for personal expenses. It authorizes due consideration to be given to lay evidence in adjudicating veterans' claims. It also makes compensable disabilities resulting from venereal and other non-service-connected diseases contracted during the war period. It may be contended that the bill as it passed the House is too liberal in its provisions, but it must be admitted that its benefits will be distributed fairly among the veterans, and that the new benefits provided are only temporary, pending the adoption by Congress of a national policy covering the entire subject of veteran relief. All together, in my judgment, it is a sane piece of legislation and its enactment is desirable.

Mr. THOMPSON. Mr. Speaker, I represent the rural fifth district in Ohio, which furnished a large number of young men to the American expeditionary forces during the World War. Those who did not pay the supreme sacrifice came back impaired in health, and many of them were maimed or crippled. A generous Congress early set up the Veterans' Bureau for the purpose of taking care of these disabled veterans. But it has proved a failure.

From the start difficulties were encountered in securing compensation for veterans and dependents, and these difficulties have increased since that time. I have continually experienced trouble as a Member of Congress in assisting the veterans of my district, and I know that I am not alone in that respect.

The provision of law demanding proof of service connection of the veterans' disability has been the root and center of all the dissatisfaction over these claims. Medical officers of the bureau have denied claim after claim under this provision, demanding bomb-proof evidence in each case; of course, the impossibility in so many cases of actual service-connected ailments, of proving that they were so, has caused incredible injustice all along the line.

We in Congress have been confronted with this sort of thing continually, and those of us who believe the Government should meet squarely and honestly its responsibility and duty to care for the unfortunates who are the aftermath of war, have been trying for a long time to loosen up this situation. Dependent families, who are just as dependent as though the deceased or injured veteran who should have provided for them, had been able to satisfy all technicalities, have been left to shift for themselves, or to depend on relatives, or the county charity. This burden the Nation must meet, as it is a direct result of the war. For that reason I voted for the Rankin amendment to the Johnson bill, because it will, up to 1930, provide for relief to veterans and dependents on the basis of disability, in a large measure, rather than service connection, which is presumed up to that date.

The Sixty-sixth Congress granted a charter to the American Legion. Almost immediately afterwards the American Legion asked Congress to enact a law decentralizing the Veterans' Bureau into a number of regional offices. I voted for this law, because the Legion wanted it and was sincere in its opinion that great benefits would result. But I did so under protest, as I feared dividing the responsibility among a number of officials, who would in the end pass it back to the director anyway. And so it has proved. Instead of providing more personal attention to veterans' claims, events have proved that the treatment of cases in the regional offices is just as impersonal as though no decentralization had taken place.

These regional offices should be abolished and the entire administration of the Veterans' Bureau should be centered in Washington. There is no longer any need for them, and they are costing the taxpayers $44,000,000 in overhead expense and salaries to managers and medical and rating boards, duplicated all over the country. That money might well be used for paying compensation to the veterans.

In the CONGRESSIONAL RECORD of May 24, 1928, page 9334, I set forth some of the faults of administration in these regional offices. On December 16, 1929, page 757, I again called attention to the failure of relief measures to soldiers in many cases, in a letter to the State adjutant American Legion of Ohio, and emphasized the need of relief to the veteran and family at home, rather than so much stress on hospitalization. I have called to the attention of officials of the Veterans' Bureau, and to the attention of some members of the House committee, what these conditions are, and the need for action along those lines, but to no avail.

In the House of Representatives on April 24, 1930, for the first time in the history of World War veteran legislation, the various Members of the House had a chance to express themselves, and they did not fail to rebuke those who have stood in the way of liberal legislation and administration of veterans' relief. The sentiment in favor of same bids fair to overtake those in legislative and administrative high places who have stood in the way. A thorough revision of the whole law is needed, and I submit that in the end it will be to the best interests of the taxpayers, as well as veterans and dependents, to institute just and comprehensive and uniform relief, under a fixed policy which will not be tampered with by either bureaus or legislative committees.

This is just one instance of government by bureaucracy. There is a resolution pending in Congress, fathered by Representative LUDLOW, of Indiana, to make war on bureaucracy, which has grown to alarming proportions.

Seventeen governors, 8 former governors, 17 judges of State supreme courts, and many others are backing this resolution,

as may be noted from the clipping herewith included from the Washington Star of April 27, 1930:

"BUREAUCRACY WAR" SUPPORTERS NAMED—LUDLOW CLAIMS HE HAS ENLISTED GOVERNORS AND JUDGES IN PROBE

In support of his resolution providing for creation of a commission by Congress to investigate centralization of government in Washington, Representative LUDLOW, of Indiana, claims that he has enlisted 17 governors, 8 former governors, 17 judges of State supreme courts, and other prominent persons.

In his "war against bureaucracy" Mr. LUDLOW quotes as allies Thomas A. Edison; Henry Ford; Owen D. Young; John W. Davis, candidate for President in 1924; Bernard M. Baruch; Samuel Untermyer; William Loeb; James A. Emery, general counsel of the National Association of Manufacturers; Rome C. Stephenson, president of the American Bankers' Association; Bishop James E. Freeman; ex-Senator John Sharp Williams, former Democratic leader of Congress; ex-Senator Atlee Pomerene, Government prosecutor in the Fall-Doheny case; George Barr Baker, author; Richard Washburn Child, author and diplomat; Ellery Sedgwick, editor of Atlantic Monthly; John R. Commons, economist; Nicholas Murray Butler, president of Columbia University; Dr. Robert J. Aley, president of Butler University; Dr. William Lowe Bryan, president of Indiana University; Dr. W. B. Bizzell, president of Oklahoma University; Mrs. Thomas R. Marshall, widow of Vice President Marshall; William C. Deming, president of the United States Civil Service Commission; Senator James E. Watson, Republican leader of the Senate; George B. Cortelyou, Will H. Hays, and Charles D. Hilles, former chairmen of the Republican national committee; Clem Shaver, former chairman of the Democratic national committee; William Allen White, Kansas editor; and many others.

Mr. CARTWRIGHT. Mr. Speaker, ladies and gentlemen of the House, as I listen to this debate I am reminded of that fateful period of our history 13 years ago when you voted to enter the World War and called upon the young manhood of America to mobilize its strength. From every section of America came the flower of manhood to make the necessary sacrifice for a victorious conclusion of that war. They endured the hardships of the camp and the rigors of the march and the dangers of the battle field. They were exposed to the cold and wet, they were under excessive strain, they were fatigued and worried. They were long away from home, they were homesick for the old fireside, and they were craving the embrace of the arms of their loved ones. They wanted to get back to the hearthstones from which they had been drawn by the strong arm of the Federal Government. Many of them never came back, and my heart bleeds because of the condition of some of those who did come back.

It is easy for me to conclude that of all the duties we have there is none more important, more urgent, more humane, or more patriotic than our duty to see to it that the veterans of the World War are given justice.

Mr. Speaker, ever since I came to Congress—1927—I have consistently supported all legislation which I felt would be beneficial to the veterans of the World War or their dependents. And God being my helper, so long as the good people of my district keep me here, I will so continue to vote, especially for the relief of the disabled war veteran.

I voted for the appropriation of $15,000,000 for additional hospital facilities for the Veterans' Bureau, which will mean more beds in Government hospitals, not only for World War veterans but for ex-service men of all other wars and expeditions. I have supported legislation to extend the time for filing bonus claims to January 1, 1930. Only to-day I was pleased to support the resolution (H. J. Res. 222) which provides for the appointment of a commission made up of Members of the House and Senate and certain executive officers to survey within the next year the whole field of our Government's relations to the soldiers of all wars with the hope that resulting from that survey a general law may be passed recognizing substantially and equitably the obligations of this Government to the veterans of the Civil, Indian, Spanish-American, and World Wars. A definite policy should be established recognizing all worthy cases.

To-day we have under consideration what is commonly called the Johnson bill (H. R. 10381) to amend and liberalize the World War veterans' act. It would liberalize the provisions of the presumptive clause to include all diseases other than tuberculosis up to January 1, 1925, but does not extend the presumptive period for tuberculosis. That bill is all right and I am for it so far as it goes, but it does not go far enough.

Representative RANKIN, early in this session, proposed a bill (H. R. 7825) to extend the presumptive period for tubercular veterans and those suffering from other constitutional diseases to January 1, 1930, and which I understand will be offered this afternoon in the form of an amendment to the Johnson bill.

I am glad the gentleman from South Dakota [Mr. JOHNSON] brought in this bill, because as I said before it is only a step forward. I am glad the gentleman from Mississippi [Mr. RANKIN] started his agitation, and a great deal of credit should be given to him.

I want to say that I will vote to extend the provisions of the Johnson bill five years. I will vote to add the Rankin bill, if the Johnson bill is not extended for five years, and supplement it for an additional five years. I will vote for either one of the measures which would extend it for an additional three years, pending which time there should be a scientific investigation as to the best means for this Government to treat all of its former soldiers. But frankly, I would go even stronger than Mr. RANKIN and extend the presumptive period to all disability cases to 1930. That is how I stand.

The expense is the least of my worries. Some of our guardian angels said we were not able to pay the soldiers' bonus. The Federal debt in the United States has been decreased in the last 11 years more than $9,000,000,000. Last year we reduced the Federal debt $734,000,000. We came out of the World War the richest Nation in all the world, with the other nations owing us $10,705,000,000. Do not talk to me about not being able to take care of the ex-service men who made it possible for the profiteers. I know you are more in favor of being generous to the ex-service men at home than to the foreign governments. Most of you voted to refund $190,000,000 to the large income-tax payers of this country who did not need it. Will you then be willing to vote against these disabled men by refusing to extend the presumptive clause to 1930? I do not believe you will do that. I do not believe you will harden your hearts and tie your purse strings.

The "service-connection" clause is a "snare and a delusion." Hundreds of thousands who gladly gave their services, youth, vitality, and blood when our country was in danger, are to-day denied help because of the "service connection" red tape. Many of these men might have received aid if they had sought it earlier, but they were too proud. Slowly but surely the hardships of the service began their inroads and before they hardly realized it many of these men were in bed. Now are they to be penalized because they tried to carry on too long without assistance?

Some are talking now about taxing wealth in the next war. I am for that and I am also in favor of taxing the fortunes made out of the last war now, if need be, to take care of these disabled men and their dependents. I am like Mr. RANKIN, I will read you what he said on this floor the other day:

I have long since stopped quibbling about whether or not they were really connected with the service. If a man served honorably and rendered worthy, patriotic service during the World War, and is now disabled and can not take care of himself and his family, I do not care whether his disability is service connected or not, I am willing to compensate him. I am not willing for this rich and powerful country to let him lie there and die and his wife and children beg for a livelihood.

The question of cost should not be a controlling factor in connection with veterans' relief. The soldiers of America's wars have earned the right to compensation and care for the disabilities incurred in or as a result of their service; whatever the cost may be, it is up to the American people to meet it.

These disabled boys did their duty when their country called for their service; let us in turn perform our duty toward them now. In the interest of greatest justice to the veterans, the Johnson bill, with the Rankin amendment, should pass.

Mr. HOPKINS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement by myself, a member of the Committee on Veterans' Legislation, Tuesday, February 18, 1930:

Mr. Chairman and gentlemen of the committee, before we conclude these hearings I should like to make a short statement rather in the way of summing up the facts presented by the many excellent witnesses we have had before us during the past five or six weeks.

It seems to me that we owe a sincere vote of gratitude to the able representatives of the great service organizations who have appeared before us day after day and presented the arguments for their various bills so ably. The members of the American Legion, the Disabled American Veterans of the World War, and the Veterans of Foreign Wars are to be congratulated on having secured the unselfish service of these men.

We have heard all of the evidence. We have given thorough consideration to the needed amendments to the present veterans' law. It now becomes our duty to report a bill that will bring relief and do justice to our disabled veterans.

More than 10 years have passed since the close of the World War. Four million five hundred thousand veterans of that war have again become an integral part of our civilian and industrial life.

These veterans left their homes and families, able-bodied, healthy, and happy, young in body and hopeful in spirit, with a whole world of





opportunities before them. Many returned from the war with health, hopes, and ambitions eternally blighted. Due to disabilities received in the service, opportunities once open to them were now closed forever. Many who had left jobs, bright with future prospects, returned to find the jobs gone or themselves unfitted to fill the jobs.

The American people wanted to be fair to their veterans, and in 1924 the World War veterans' act was passed by Congress, providing compensation for those veterans who were suffering from disabilities received in the service. In addition to compensation the Federal Government has provided the best hospital facilities possible. Any veteran of any war may enter one of these hospitals and receive treatment entirely at Government expense.

On January 1, 1930, approximately 1,000,000 veterans had applied for compensation, due to disabilities. Of this number 500,000 have been granted compensation due to disability or injuries received in service.

In order that the members of the committee may know some facts not generally known about the care which has been given to our disabled veterans I want to insert some interesting figures at this point:

Expenditures of Veterans' Bureau up to June 30, 1929, and appropriations for 1930

	Total to June 30, 1929	Appropriated 1930
Vocational training	$707,860,000	
Term insurance (Government's share)	682,565,000	$121,000,000
Compensation	1,440,089,000	200,000,000
Family allowance (in service)	298,615,000	
Medical and hospital services, including hospitalization, etc	525,934,000	58,025,000
Hospital facilities	74,450,000	10,000,000
Adjusted-service certificates	560,000,000	112,000,000
Adjusted service and dependent pay	35,629,000	3,000,000
Administrative costs	248,845,000	20,125,000
Miscellaneous	137,000	
Total	4,577,096,000	529,210,000

NOTE.—By the close of this session the Federal Government will have spent for relief of its disabled veterans slightly over $5,000,000,000.

When General Hines testified before this committee he outlined two fundamental principles that the Congress should follow in enacting legislation for veterans of our wars. These were:

1. The Government is under a direct obligation to care and provide for disabled service men and their dependents, whenever the veteran is disabled and in need.

2. Veterans who received their disability as the result of their service should be paid at a higher rate.

These principles are fundamental, and, if followed, would alleviate many of the difficulties that are now being encountered.

Doctor McDermott brought out very clearly that a certain amount of reorganization within the bureau, eliminating many of the present technicalities, conflicting regulations, and so forth, would be a great step forward.

It seems to me that of the many excellent recommendations made during these hearings by the service organizations, the following are the most urgent and should be taken care of immediately:

a. Compensation for dependents of uncompensated veterans who are now in our hospitals or may come there in the future.

There are many veterans who need hospitalization badly, but due to lack of funds are unwilling to leave their families without means of support. These veterans take the viewpoint that they will not accept relief unless their families are also afforded relief.

b. Elimination of many of the technicalities now required in the bureau and allowance of "equity" evidence in lieu thereof.

c. Allowance of a longer period of presumption for the slowly developing constitutional and chronic diseases, as well as for tuberculosis, neuropsychiatric diseases, and spinal meningitis.

In addition to the above outstanding needs there are a number of changes needed in the insurance provisions of the law.

I can not urge too strongly on the members of the committee that we leave no stone unturned to get speedy action on this legislation, so that it might be passed through the House and given to the Senate in order to give that body time to pass on it.

Mr. HOPKINS. Mr. Speaker, more than 10 years have passed since the close of the World War. Four million five hundred thousand veterans of that war have again become an integral part of our civilian and industrial life.

The veterans left their homes and families, able-bodied, healthy, and happy; young in body and hopeful in spirit; with a whole world of opportunities before them. Many returned from the service with health, hopes, and ambitions eternally blighted. Due to disabilities received in the service, opportunities once open to them were now closed forever. Many who had left jobs bright with future prospects returned to find the jobs gone or themselves unable to fill them.

The proper care of these disabled veterans became the primary obligation of a grateful people whose Government had called them into the service of their country.

Under the present "compensation" law, veterans receive monthly payments from the Veterans' Bureau provided they are disabled and can prove that this disability was due to service rendered between April 6, 1917, and July 1, 1921. These disabilities may be the result of wounds, gas, exposure, disease, or accidents.

The monthly compensation for a man, who, due to his service, is totally and permanently disabled is $100 per month. A man who is temporarily and totally disabled receives $80 per month plus dependency allowances for his family as follows:

	Per month
Wife but no child	$90
Wife and one child	95
For each additional child	5
For each dependent parent	10

Men who are but partially disabled receive a proportionate share of the total allowances, equal in degree to the reduction in earning power as caused by the disability.

For exceptional disabilities the following statuatory awards are paid:

	Per month
Loss of use of both feet	$100
Loss of use of both hands	100
Loss of one hand and one foot	100
Loss of use of one hand and one eye	100
Loss of use of one foot and one eye	100
Loss of hearing—both ears	100
Loss of power of speech	100
Total helplessness	100
When bedridden	100
Blindness	150
Blindness and loss of any limb	200

A veteran, whose condition is such as to require the services of an attendant receive an additional $50 per month.

The good faith of the American people and Congress was shown when the Government undertook to train these disabled men for useful and remunerative occupations. Our Government recognized the fact that because of disabilities received during service many of these men would not be able to follow gainful occupations without great handicap, therefore there was furnished for disabled veterans, courses in vocational rehabilitation so that they might thereby at least partially overcome their vocational handicaps.

On this subject, General Hines, director of the bureau, said:

This was a tremendous experiment for any government to undertake, and while it is now finished, its results were far reaching not only in bringing to many veterans the means of a successful livelihood, but also in raising the educational standard of a large part of our veteran population; 179,000 veterans actually entered training, and the training of about 128,000 veterans was successfully completed. While the expenses incident to instruction were met in all cases, for the great majority also the Government provided maintenance and support allowance to the veteran and his dependents.

BONUS AND ADJUSTED COMPENSATION

Within a year after the armistice Congress provided a cash bonus of $60 to all veterans discharged from the service. This amount was plainly inadequate so in 1924 there was passed the adjusted compensation act which provided a 20-year paid-up insurance certificate for every veteran. The value of this certificate depended on the length of service, $1 being allowed for each day of service in the United States and $1.25 for each day overseas. These certificates were equivalent to regular insurance policies, with loan values and are payable in cash to the beneficiaries at any time following the death of the veteran or are payable in cash to the veteran at the end of 20 years.

FREE MEDICAL AND HOSPITAL SERVICE

One of the most effective and far-reaching services ever rendered by the Government for the disabled man is that of free hospitalization privileges accorded sick and disabled veterans. The Veterans' Bureau operates the largest medical organization in the world, having in its employ nearly 1,000 doctors, 2,100 nurses and dietitians, and 10,800 other personnel. Forty-seven hospitals are now in operation, and Congress has just recently provided appropriations amounting to $16,000,000 for additional hospitals. At the completion of this next capital addition, Congress will have spent over $100,000,000 for construction of veterans' hospitals. An average of close to 30,000 men can be handled daily at these hospitals.

INSURANCE AT COST

Under the present law all veterans are allowed to carry old line reserve life insurance at cost. The law goes so far as to

provide that in case a veteran has allowed his insurance to expire he can still purchase this insurance upon passing a physical examination.

RECOMMENDATIONS OF AMERICAN LEGION ADOPTED BY COMMITTEE AND REPORTED TO HOUSE IN H. R. 10381

So far in this discussion I have confined myself mainly to the provisions of the present law. There have just been reported out of the World War Veterans' Committee, of which I have the honor to be a member, the most far-reaching number of amendments ever adopted by one Congress since the passage of the original act. I am pleased to inform the members of this House that all of the major recommendations made by the American Legion at its last annual convention have been written into this bill. The committee has in most every case gone even further than was recommended in order to try to eliminate many of the objections and criticisms of the present law.

SUMMARY OF NEW BILL

Now, just what does this new Johnson or American Legion bill provide?

First. The most far-reaching change is in section 200. The law as amended would presume that a veteran's disabilities were incurred in the service, provided he could prove that such disabilities existed to a 10 per cent degree prior to January 1, 1925. In other words, any man who becomes disabled by January 1, 1925, nearly six years after the armistice, is considered to have incurred this disability in service and will be paid a monthly compensation commensurate with his degree of disability.

The present law provides that the disability must have existed within one year after date of discharge from the Army, Navy, or Marine Corps, except in the case of diseases of tuberculosis and of the nervous system. For the latter diseases the present law sets a presumptive date of January 1, 1925. The new law places all diseases on an equal footing.

Furthermore, the committee recommends that a special congressional committee be appointed to make a 3-year study of this and other sections of the bill, with a view of making recommendations for a permanent policy to be followed in handling all veterans of all wars on a fair and just basis.

ONE HUNDRED THOUSAND VETERANS WILL BE GIVEN COMPENSATION

Probably 100,000 veterans and their families who have made application for compensation and been refused during the past few years will receive compensation under this section of the bill. This will mean that in every community in the United States there will be disabled veterans who are now unable to work and provide for their families who will receive monthly compensation checks in sizes commensurate with their disabilities.

LESS RED TAPE AND TECHNICAL EVIDENCE

Second. Many of the proposed amendments provide for the elimination of red tape and allow "lay evidence" to become a greater factor in proving cases than in the past. There is no doubt but that hundreds of veterans now suffering with tuberculosis and other diseases but drawing no compensation will be able to establish their cases and come under the provisions of the act.

MONTHLY COMPENSATION FOR DEPENDENTS

Third. Section 14 of the new bill provides monthly compensation to the dependents of uncompensated hospitalized veterans, as follows:

	Per month
a. Wife and no child	$30
b. Wife and 1 child	40
c. For each additional child	6

The amendment provides that these payments shall begin after the veteran has been in the hospital for 30 days and shall continue two months after he leaves. Only those dependents of veterans will receive compensation whose annual income, exclusive of earnings of veteran, does not exceed $1,000.

The amendment as offered by the committee does not provide dependency compensation for parents of uncompensated hospitalized veterans. I shall offer an amendment to the committee bill providing for dependency compensation for dependent mothers and fathers. Many of the boys now in hospitals have fathers and mothers at home badly in need of help. The weight of worry that can thus be lifted from the minds of sick veterans will hasten and abet the beneficial effects of hospital treatment.

The far-reaching effects of this amendment will be realized by the membership of this body when it is realized that this amendment will provide a monthly compensation check for the wives and children of the thousands of tubercular patients in our hospitals throughout this country. It will mean that many will receive this aid for many, many years. In all probability, within a few years, Congress will provide for disability pensions for veterans and their dependents and then all disabled men will be fully cared for.

EXTRA COMPENSATION FOR AMPUTATIONS

Fourth. Of particular interest is the provision in the new bill to give an additional $25 per month compensation, over and above all other compensation allowed to those who, between April 1, 1917, and November 11, 1918, suffered wounds or incurred diseases that resulted in (a) loss of any limb and (b) loss of the use of the reproductive organ. I propose to offer an additional amendment to include in the special extra compensation clause those who suffered the loss of the use of one eye. The law is now quite liberal in allowing $150 per month for loss of both eyes, but I do not feel that the present rating for the loss of one eye is sufficient.

VETERANS' BUREAU DECISIONS NOT SUBJECT TO REVIEW BY COMPTROLLER GENERAL

Fifth. There are many other perfecting and liberalizing amendments included in this bill, not the least of which is that making the decisions of the director of the bureau final and not subject to review on the part of the Comptroller General. No doubt nearly every Member of this House has had the experience of spending many hours helping a veteran collect and present his evidence and after having secured a favorable decision from the bureau learn much to your amazement that the Comptroller General had refused to pay the claim.

INSURANCE CASES TO BE TRIED ON MERIT

Sixth. The new bill makes all insurance policies incontestible from date of issuance. Further, the purpose of this section of the bill—section 23—is to make all contracts or policies of insurance incontestible from date of issuance, reinstatement, or conversion, for all reasons except fraud, nonpayment of premiums, or that the applicant was not a member of the military or naval forces of the United States. This incontestability would protect contracts where they were not applied for within the time limit required, where the applicant was not in the required state of health, or was permanently and totally disabled prior to the date of application, or for any other reasons except those specifically mentioned in the statute. It is appreciated that this is a broad provision, but it was felt that it was necessary in order to do justice to the veterans, to place this insurance on a parity with commercial insurance companies from a stability standpoint, and to overcome decisions of the Comptroller General which practically nullify the section as it now exists. Further provision is made permitting the insured to elect after a reinstatement or conversion to go back to some prior contract and claim rights thereunder; and if he proves himself entitled to such rights, upon surrender of the latter contract or contracts, to be paid under the prior contract. The purpose is to prohibit the raising of estoppel against the claimant either in or out of the courts because of his reinstatement or conversion of his insurance. The effect of the present practice of the bureau in raising estoppel is to penalize the man who pays his premiums or tries to continue all or a part of his insurance in force. This amendment is specifically made retroactive in order that in any case where the claim has been heretofore disallowed on the ground of estoppel, or because of the policy not being incontestable, the insured, or the beneficiary under such contract or policy may, if he/she so elects, have the benefit thereof. It is contemplated that payments in cases of contracts or policies incontestable under this section will begin from date of maturity of such contracts or policies.

FLAG FOR ALL DECEASED VETERANS

Seventh. Provision is made for the bureau to furnish a flag to drape the casket of all deceased veterans of all wars.

$50 PER MONTH FOR ARRESTED TUBERCULOSIS

Eighth. Active tuberculosis will no longer be required to have existed in order to allow the statutory award of $50 per month for arrested tuberculosis cases. Furthermore, the lowest possible rating that can be given the disease of tuberculosis under the new bill will be 25 per cent.

WHAT OTHER NATIONS HAVE DONE FOR VETERANS

I have found it most interesting and enlightening to compare the provisions of our veterans' law with those of the other great countries of the world who were engaged in the World War. While I do not in any way feel that we should be guided by what other countries have done, yet from them we can at least judge the extent of our laws. In reviewing these figures that I shall present it should be borne in mind that no other country in the world possesses the great natural resources that ours does, and therefore could not be expected to compensate as liberally or as fully as we. It should also be borne in mind that the standard of living in the United States is far above that of most of these countries, and therefore the rates of compensa-

tion paid our veterans who are disabled should be commensurately higher. Nevertheless, I am going to present these comparisons and place in review here for the membership of the House the pension and compensation laws of as many of these countries as I could secure. Any such comparison must clearly convince any fair-minded man that in every aspect of relief for the disabled veteran the legislation of the United States is uniformly more generous.

DISABILITIES CAUSED BY WAR

Statistical methods used by the Carnegie Endowment for International Peace and the Copenhagen War Study Organization indicate that France, Great Britain, and the United States had the following number of veterans either disabled by wounds or disease:

France, 1914 until close of war	2,647,992
Great Britain, 1914 until close of war	1,855,129
United States, 1917 until close of war	284,616

On April 1, 1926, compensations or pensions had been granted as follows:

France, 57 per cent of disabled; Great Britain, 79 per cent of disabled; United States, 142 per cent of disabled.

This statement is simply indicative of the desire on the part of the American people to care adequately for the disabled.

AVERAGE MONTHLY COMPENSATION OR PENSION

The average monthly payments of these three countries on April 1, 1926, were as follows:

France	$15
Great Britain	22
United States	38

The original French law provided for automatic increases to go into effect in 1930. I have not been able to learn whether or not these increases have been provided.

FURTHER COMPARISONS

The United States is the only country that provides compensation of any type for misconduct cases. Our law excludes misconduct cases from the compensable list, but provides that where the veteran is helpless, bedridden, or suffering from paresis, paralysis, or blindness, he shall not be denied compensation.

PRESUMPTIVE CLAUSES

The French law (art. 5, act of March 31, 1919) provides that all diseases found to exist during service or within six months thereafter, are presumed to be of service origin. The Belgian law is similar. The British Ministry of Pensions requires physicians to consider "whether the disability has developed or progressed in the natural course without being brought out or hastened by military life." A war pension can be granted only in respect of a disability due to or aggravated by service. It does not follow that every disability sustained during the war was due to service, and an applicant must show, not only that he is suffering from a disability which he had not, or had not in some degree, before enlistment, but also that the impairment of his condition is due to war service and not due to civil-life impairments. The British law further provides "There must be a probability and not merely a possibility that the disability was due to or aggravated by service." The development of tuberculosis, under the British practice, within six months after discharge indicates probable service origin. Canada allows a presumptive clause for tuberculosis of one year from discharge and Australia allows two years.

The practice of various countries in presuming service connection for various diseases may then be summarized as follows:

Country	Disease or disability must have appeared within the time indicated below in order to allow service connection	
	Tuberculosis	Other disabilities
France	6 months after discharge	6 months after discharge.
Great Britain	do	Not indicated.
Canada	1 year after discharge	Do.
Australia	2 years after discharge	Do.
Belgian	6 months after discharge	6 months after discharge.
United States:		
1. Present law	Before Jan. 1, 1925	1 year after discharge.
2. Proposed law	do	Before Jan. 1, 1925.

HOSPITAL TREATMENT OF VETERANS

With the exception of Great Britain, no other country offers hospital services free to any but veterans suffering from service-incurred disabilities as interpreted under the law. Great Britain allows free hospital facilities to nonservice-connected cases only when accompanied by a service-connected disease of the same patient. One of the most liberal features of the United States veterans' act is that which allows any veteran to be given free hospitalization for all diseases whether incurred in the service or not. The passage of the act that made this possible filled our hospitals to overflowing, and Congress has begun a program of building hospitals to more adequately take care of the expected load.

PERCENTAGE RATINGS FOR DISABILITIES

A comparison of the respective percentage evaluations for disabilities, as assigned by the various governments, shows that the average ratings of the United States Veterans' Bureau are practically never below, and on the contrary, particularly for maximum ratings, are well above the level of other government schedules. The advantage does not stop there, however, because it must be understood that even if the percentage evaluation is the same in a foreign government schedule as in the schedule of the United States Veterans' Bureau, the actual monetary award paid on such rating is not the same, being contingent upon the basic amount paid for total disability.

The following table shows the amount that would be received by a private who was 100 per cent disabled:

Country and approximate amount per month 100 per cent disabled	
United States	$100.00
Temporary	80.00
France	13.47
Great Britain	42.12
Canada	75.00
Belgium	32.00
Italy	20.00
Australia	40.80
Germany	12.95

NOTE.—All of the above figures are for a single man.

I again reiterate, ladies and gentlemen, that these comparisons should in no way lead us to believe that this country has been overly generous in dealing with our disabled veterans. It should simply point out to us that up to the present time we have pointed the way for all nations in the administration of veterans' relief, and should continue to do so.

The Veterans' Bureau, its board, its doctors, and its hospital personnel have been criticized by all of us at one time or another. No doubt in many cases these criticisms have been merited. In other cases, without doubt our criticisms of the bureau should have been leveled at the law. We make the law—we only can change it.

Every Member in this House has several cases of disabled veterans in his files that he feels should be receiving compensation under the present law. However, due to this or that technicality these cases are continually turned down. Amendments to the law will help in some cases, but there will yet be a great number of cases still held out on technicalities. How can this situation be remedied?

I believe that a long step toward a more satisfactory and a more expeditious settlement of claims before the bureau would follow if a complete reorganization of the "contact" service section were to be made. Doctor McDermott, of the Veterans' Bureau, in his statement before the committee stated that the provision in the law instructing the bureau to aid and advise the veteran in the proper steps to "explore and develop" the evidence and history necessary to establish his case was the least effectively administered section of the act.

Very often it would seem that minor officials of the bureau in writing letters to veterans supposedly discussing the case use a nomenclature that is entirely foreign to anyone but an employee of the bureau. Of course, there are many exceptions to this. In the Kansas City office of the Veterans' Bureau there is a regional manager in charge who makes every possible effort to make clear to the veteran the facts in his case. Yet it is humanly impossible for a regional manager to take the time to personally make the contacts in the various communities that would be necessary to properly aid the veteran to "explore and develop" his case.

I feel that the director of the bureau is justified in giving considerable attention to this section in the bureau. By rotation of personnel similar to the practice in the Army and Navy under the national defense act the best and most sympathetic men in the bureau could be assigned at times to the contact division. A great deal of useless motion and many appeals could be eliminated in this way and—what is more important—veterans who are now denied compensation would receive monthly checks rather than unreadable letters in many cases.

It seems to me that a great deal of the present criticism of the bureau and its rating boards could be eliminated—

First. By placing the best men in the service in the contact section, and aiding the veteran in gathering properly the evidence needed to establish his case; and

Second. By not allowing members of the rating boards to become calloused by continually serving in the same office and on the same board, but rather cause them to rotate throughout the different sections of the bureau and keep in close con-

tact with all of the problems. It occurs to me that the doctors who are dealing daily with the disabled veterans in our hospitals see with a much more generous eye the possibility of service connection of the disability of his patient.

In closing I want to urge this House to concur with the committee in its recommendation that a special congressional committee be appointed to make a thorough study of the whole problem of veterans' legislation and needed revision. When that committee reports back we can then amend whatever mistakes we will have made in the past in dealing with the disabled veterans of our wars.

Mr. CRADDOCK. Mr. Speaker and Members of the House, the greatest debt this Nation owes is to its disabled veterans of all wars who have from time to time defended its flag and made it possible for all to enjoy the unexcelled peace and prosperity that is now abroad in this great land of ours.

While there are some sections of this bill that I do not agree with, it seems to be the best measure that the present Congress will be able to agree upon, and as this is an emergency measure to supply an immediate need for destitute disabled World War veterans and their dependents, I expect to whole-heartedly support same with any amendments that the committee may deem wise to adopt.

Quibbling over compensation to be paid to disabled veterans has ceased to be a virtue, and the difference of opinion as to estimated cost is a minor matter. We can not escape our obligation, no matter what the cost.

It is sincerely hoped that under House Joint Resolution 222, creating a joint committee of the Senate and House to make a survey and investigation of compensation and pensions of all military and naval forces, that before another Congress convenes there may be worked out through the investigations of this joint committee a very comprehensive system for the pensioning of all disabled and needy World War veterans and their dependents. At this point allow me to say that a pension system is the only fair and honest way to deal with these veterans, and will be by far the least expensive to the Government. As soon as possible we must enact an equitable pension law which will afford relief to veterans without their having to leave their homes and families in order to obtain benefits due them. Legislation which affords relief to the veteran and his dependents provided he will leave his family and home and be hospitalized in many cases is destructive. The veteran feels that he is entitled to this relief within his home, and to force him away from those whom he loves causes a disrespect for the Government. As much as possible we must provide relief to the veteran without destroying his home.

At the outset of my remarks I said that we must meet our obligations to World War veterans regardless of the cost. We must; we can not escape the responsibility which rests upon our shoulders; we must meet this issue squarely and unflinchingly.

The veterans who answered the call in 1917 did not hesitate to do their duty. Even to death they kept faith. We can keep faith without death. We told them when they answered the call that we would not forget. We promised to care for them and their dependents if need be.

We can not blot from their memory the misery endured in the training camp or on "no man's land," but we can lend a helping hand at this time to those that are in need. We can not restore to the loved ones those that are living in spirit only, but we can provide for those that were left behind and who are in need. We can not drive pain and suffering from the wrecked bodies of those that live, but we can, by affording them adequate financial relief, make the remaining days of their lives a bit more comfortable.

The pending legislation, if enacted into a law, will in a measure compensate veterans and veterans' dependents for the losses sustained in the past and the needs that daily arise. In my judgment, the legislation pending before us, while not perfect, will go far toward providing adequate relief for its beneficiaries. There is not any question as to the extent and purpose of the legislation, but there is a tremendous question as to the construction that will be placed upon it by the agency that does the administering.

The question as to how this legislation will be construed is of vital importance, and I feel that the debate should set out, in plain and comprehensive terms, the construction. This should be done so that the construing agency will know what the House of Representatives intended by this legislation. If we do not make the construction plain, we will be faced with the same problems that we are faced with at this time. This legislation is plain enough to be construed so as to afford to the veterans much relief, as other acts of Congress relating to this same problem have been, yet the agency that has construed them has failed to place the construction intended by Congress. With this knowledge before us, we should place ourselves on record as to the construction we intend. We should leave no room for doubt as to our intentions.

A careful study of the administration of the World War veterans' act reveals the unfortunate fact that each veteran applying for compensation has upon his shoulders the burden of proof. He must prove to the agency administering the World War veterans' act beyond a reasonable doubt that he is disabled, and that such disability as disables him is of service origin. This construction of the act would not be so unjust if each veteran had been told when he entered the Army that he must protect his pension and compensation rights. The Government knew that soldiers would be disabled, and from the day the war started its agents prepared it to defend itself against each claim.

To prove that the Government prepared itself to defend and fight each pension and compensation claim we only have to study the tactics employed to keep soldiers out of the hospital and off the sick list. A well soldier was the pride of the unit, and the praise was so much voiced that sick and weary soldiers many times suffered the agonies of hell rather than report at "sick call." A better example is the method of keeping hospital records. Every statement against interest made by the soldier was recorded. The soldier did not know that he was building a defense for the Government—he did not know that these admissions against interest would be glaringly evident in the Government's evidence when he filed for a pension or compensation. Why should this practice be allowed without explaining to the soldier that any careless statements he may make will be used against him? Thousands of compensation claims of merit have been rejected by reason of careless statements made by the veteran. Congress did not intend such a construction of the act as would hold the veteran responsible for careless statements made while in the service.

It may be said that many compensation claims are connected with service by reason of the medical record, but let me assure you that most of such claims could be connected with service without ever referring to the military record.

For several years in different capacities it has been my privilege to assist veterans in the preparation of their compensation claims, and in many of these cases it appeared that we had a good case, but upon presentment of the evidence to the administering agency we found that it was worthless due to the construction of the law made by that agency. Some of these cases were lost due to careless statements made by a weary veteran who was anxious to admit anything in order to get out of the service and back home. The veteran was unaware of his errors, but the agents of the Government were always on the alert. Some of these Government agents that were on the alert have since been retired under the emergency officers' retirement act.

The Government records must be used, but this law does not warrant them being used in a cold-blooded way. The agency construing the evidence found of record must take into consideration the human element involved. The agency which applies this legislation to the needs of the veterans must be instructed to do so in the name of justice and not in a cruel and relentless manner. If Congress in its record fails to construe this legislation as it intends, you may rest assured that it will be construed in such a way as to relieve the financial burden as much as possible from the shoulders of the Government.

It is my belief that Congress intends by this act that full faith and credit be given to the evidence submitted by physicians in private life. I do not believe that Congress intends to have the unbiased evidence submitted by a private physician rebutted by a careless record made by a Government physician. Too often have I seen this happen in cases in which I have attempted to serve the veteran. In saying this I realize that there are many private physicians who are incompetent and unscrupulous. The administering agent soon learns who these are, and they should not consider any testimony they offer. But there are many able physicians who are having their evidence disregarded by the administering agency. This practice should be stopped.

Let me say that I am appreciative of the great work done by the agency which administers the act. When I refer to inconsistent acts on their part I do not mean to imply that the whole organization is bad. It is far from as bad as has been depicted many times upon this floor. In all public utterances I have refrained from attacking this agency as an organization. I have attempted to explain to veterans that the administering agency was not a monstrosity.

When this legislation is passed the RECORD should contain the intention of Congress, and this intention should be carried out. We must relieve the veteran who is suffering from a service-

connected disability whether by actual service connection or presumption. We must not forget the obligation that this Government owes to its warriors and their dependents. We must meet this issue in the same spirit that our veterans met that which faced them. Justice and not money should dictate our course of action.

BRANCH, CHAIN, AND GROUP BANKING

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the addresses of two different members of the Committee on Banking and Currency, the gentleman from Massachusetts [Mr. LUCE] and the gentleman from Kansas [Mr. STRONG] on Branch, Chain, and Group Banking over the National Broadcasting System, April 19, 1930.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADDRESS OF HON. ROBERT LUCE, OF MASSACHUSETTS

In the nine years ending with December 31, last, there were in this country 5,640 bank failures. It is estimated that 7,264,957 depositors contributed to the huge total of $1,721,000,000 of deposits in the banks that failed. More than 7,000,000 of our people had their money tied up, and in the end lost some, if not all, of the funds they were using for business or had deposited against the needs of illness or old age. Surely, something is wrong with a banking system that permits such distress.

If the great bulk of these failures had taken place in the period of deflation following the war, if since then the number had been lessening year by year, it might be argued that the trouble has not been with the system but with the times. The record shows the opposite to be the case. Last year—10 years and more after the war, 8 years after the bubble of inflated values burst—there were 640 bank failures, more than in any other year of the period except 1926—640 failures, more than 2 every business day. In the first seven weeks of this year there were 155 additional failures—between 3 and 4 every business day. Surely the blame for what is going on now can not be laid to what took place eight or nine years ago.

The most distressing thing is to be found in the nature of the places where failures took place, are taking place, and bid fair to continue to take place. In the last decade there was not a failure of a metropolitan bank with a capital of more than $2,000,000. There were but four failures in the million-dollar-capital class. The misery was dealt out chiefly to the small towns, the villages, the hamlets of the country—what are spoken of as the rural districts. More than 2,000 failures, more than two-fifths of the whole, took place in towns and villages with less than 500 population, more than nine-tenths in places with less than 10,000 population. It was to the farmers that this thing brought the most calamity.

Few disasters work more havoc in a small town than a bank failure. Stricken depositors crowd around the closed doors, hoping in vain to salvage some of their savings. Shopkeepers face bankruptcy. Men who were prosperous the day before stare poverty in the face. Small industries stop their wheels. Wage earners are dismissed. Farmers are confronted with demand for payment of mortgages. In the last nine years the failures of banks have compelled borrowers to find at once the funds with which to repay $2,000,000,000 of loans, mostly small loans. Whether borrowers or depositors, those who suffer are chiefly the most useful of the citizens, for the borrowers are those with enterprise, the depositors those with thrift. Furthermore the owners of the bank, the shareholders, are usually leaders in the community. Theirs is a double loss, for not only does the value of their shares disappear but also they are liable to the creditors for an amount equal to their investment. How often this means ruin is shown by the fact that it proves possible on the average to collect less than half the amount for which the shareholders are liable.

Imagine the harm all this has wrought in nearly 6,000 communities, mostly in the great agricultural States.

Many reasons for these disasters have been suggested. Some of the reasons advanced are local, temporary, accidental. Most of them do not go to the root of the matter. The real causes are to be found in the revolutionary change of our social and commercial structure, worked chiefly by new facilities, or improvement of facilities, for communication and transportation—the telephone, the rural delivery and collection of mails, the automobile, and good roads. In combination these have shifted business from the smaller to the larger places—from the small town to the large town, from the large town to the small city, from the small city to the metropolis. Banking has traveled with the rest. The country bank watches its opportunity steadily dwindle.

Remedy is imperative. It can not be found in attempt to stem the trend of the times. No human power can block great economic tendencies. This is an era of centralization, of combination, of amalgamation. To fight against it is as useless as was the effort of Mrs. Partington to sweep back with her broom the rising tide of the ocean. There is but one recourse, and that is to regulate and control. A river can not be made to stand still or run up hill. It can be guided into safe channels; its floods can be kept within bounds.

As far as banking is concerned, that is the task in part of the committee of the House of Representatives of which Mr. STRONG and I are Members, the Committee on Banking and Currency. We are at the moment engaged in exhaustive study of the whole banking situation in the hope of determining how it should be bettered as far as that should and can be done by legislation.

We find that the banks themselves are groping for a better system, safer and more profitable. Of course, they want to make more money, but they can do this only by giving more service. Both parties benefit by every fair business transaction. Better banking is to the interests of everybody concerned—shareholders, directors, officers, borrowers, depositors, and the community as a whole. The question is how best to get it.

Various bankers have been experimenting in two directions—one that is known as branch banking, the other as chain or group banking—these not being in essence different enough to call for separate consideration here. The branch-bank system means a central bank in some large city, with branches in smaller places or in the large city itself. These branches are operated like the branch offices of any other business. The central bank closely directs, fully supports, and completely controls the branches. The funds are available for use where needed. Those awaiting investment can be shifted according to demand. No branch can fail unless the whole fabric collapses. Borrowers throughout the system get equal treatment, paying what the broad money market at the moment requires. Depositors get the maximum of protection.

Chain and group banking seek to accomplish the same end by common ownership of numerous banks, which are operated, nominally at least, as semi-independent units. Of course, in fact, they are under single control, but they have more independence than the branches of a central bank. Each has its board of directors made up of local men, and is entrusted, at least in small matters, with the conduct of the affairs. The controlling authority, whether it be one man or a corporation in the nature of a holding company that owns all or a controlling part of the stock of all the banks in the combination, gives the guidance and oversight of a highly trained executive, thus securing wise and prudent management.

Which of these methods of organization is the better remains to be determined by those who are studying the problem, but as far as we have gone, it would seem that branch banking is the simpler form, more easily watched by State or Federal bank examiners, more flexible, more economical, and less open to abuse by manipulators of high finance. However, group and chain banking may yet be shown to be better under certain conditions.

The test of any change in social methods and relationships is whether it brings more benefits than it destroys. Of course, new banking processes mean some losses. The country banker and the independent local bank, what is known as the "unit" bank, have played a useful part in the development of rural communities. We may, for various reasons, regret the lessening of local self-reliance in point of banking and other forms of business. Yet if independence and self-reliance are replaced by broad forms of cooperation that make life easier, that save wasteful effort, that increase the sum total of prosperity, then once more we find proof that the world advances.

The chief argument against these new forms of banking is that they tend to concentrate the capital of the Nation in few hands in a few great centers. There is the fear that combination and centralization mean monopoly and that they help make powerful financiers still more powerful, with menace to the masses of the people. It was the argument used in the trust-busting era of a generation ago. Yet the great combinations of capital in industry have proved harmless. On the other hand we owe to them no small part of the great increase in comfort and the great diffusion of prosperity that have marked our time.

We are the most prosperous Nation on earth because we have gone farthest in uniting effort for common ends, in what we call cooperation, which means working together. Size of itself should no longer alarm. Regulated monopoly should inspire no dread. If the march of banking in the same direction proves inevitable, let it be accepted without useless protest, let it be guided by wise laws, let our concern be that it shall contribute all it can to the common welfare, through prudent, equitable use of the moneyed capital of the land.

ADDRESS OF HON. JAMES G. STRONG, OF KANSAS

Americans of the radio audience, in the few minutes I have to address the millions that are listening, I want to point out the efforts that are now being made to control the money and credits of the Nation through group, chain, branch, and international banking.

One of the necessary requisites to the continuance of that liberty which our forefathers established is that money and credits shall not be monopolized and controlled for selfish interests.

Money and credit is the lifeblood of a nation, and whenever it fails to flow freely and naturally in all sections of the country individual effort and all industry, agriculture, and business are stifled.

For more than a hundred years the country has grown and developed in wealth, happiness, and prosperity under unit banking, each city or

community being furnished its money and credit through banks owned and operated by those whose interests were interwoven with the people they sought to serve.

The Federal reserve system was created through an act of Congress in order to make possible a reservoir of money and credit that would flow directly and quickly to any part of the country needing the same.

But selfish ambitions in the effort to control and dominate the essential industries through mergers and controlled business are destroying the hitherto democratic independence of our people. Chain stores, mergers of great interests, controlled manufacturing, lighting, heating, power, and even entertainment are moving toward the elimination of individual ownership and control of all business.

Now chain, group, and branch banking are following on the heels of business mergers, mass production, and controlled operation of industries, which I fear through control of money and credits will be a national menace.

I am not a pessimist and certainly have never been classed as one who holds radical views. I realize that in a Nation covering a continent with 120,000,000 of people, rich in all the resources of the earth, whose educational attainments and ambitious energy cause them to strive to outdo each other in an effort to work out the great problems of our generation, that such combinations of capital and labor will be formed that will make necessary greater continued Government regulation and control for the protection of the common good. But my 12 years of service on the great Banking and Currency Committee of the House of Representatives, of which I am the ranking member, have forced me to realize the tendency toward a monopoly of our financial system as a danger to our national welfare. This view is accepted by so large a number of the members of our Banking and Currency Committee that we are now engaged in holding hearings in an extensive investigation of all forms of chain, group, and branch banking, with the view to planning legislation that will regulate and control our national financial system, as controlled business is and must continue to be regulated.

The first effort for the grouping and control of banking institutions came when bankers, through their influence, induced State legislatures to permit branch banking, which authorized State banks to establish branches, which resulted in State banks not only establishing branches in the city where the parent banks were located but throughout the smaller cities and communities of the entire State.

Under such laws State banks in large money centers, through the establishment of branches, so embarrassed national banks—which under our national banking act were not permitted to have branches—that nearly 300 national banks surrendered their charters and accepted State charters in order that they might also establish branches and meet such competition.

Chain banking, being a number of banks owned and operated by an individual or a small group of persons, was also permitted to gain a foothold throughout the country.

To meet, in part, the liberalizations that had been extended by States to their banking institutions a bill was introduced in the Sixty-ninth Congress for the purpose of protecting both our national bank and Federal reserve systems. This bill came before our Banking and Currency Committee of the House and was known as the McFadden Act. During its consideration an effort was made to establish nation-wide branch banking, which I opposed with other members of the committee. But the necessity of permitting national banks to have branches in the money centers in States where State banks had been permitted to establish them was realized and after a conference with the then Comptroller of the Currency, Henry M. Dawes, who opposed branch banking, I introduced restrictive amendments, as follows: That national banks should only be permitted to have branches in those States where branch banking was permitted to State banks, and then only in the cities where the parent bank was located. It was agreed that such amendments would meet the situation, and the bill with such amendments became a law.

However, those who desired to establish nation-wide branch banking were not satisfied. They pointed out that chain banks that had been established throughout the country were undesirable, for the reason that the failure of one man or bank might wreck all the banks of the chain, as had often resulted, and being unable to establish branch banking in the States that did not by law permit the same, planned through group banking to accomplish indirectly that which the law prohibited their doing directly.

Group banking is a system of banks operated by holding companies who control the majority of stock in a large number of banks. It is also claimed that this system of banking is undesirable and the kind of banking that "nobody wants to perpetuate indefinitely," but those who are trying to establish nation-wide branch banking have announced that within two years group banking will be extended into every State of the Union, which will make necessary the passage of laws by Congress to permit nation-wide branch banking, which, they insist, is a more desirable form of banking than either chain or group banking.

Branch banking is an association of a number of banks operated in one or more cities or towns, but all under the discretionary control of the parent bank and under the capital of such bank.

Branch banking is now permitted with various modifications in nearly 20 States. In California over 80 State banks are operating over 600 branches, the Bank of Italy having over 300. In the State of Michigan there are nearly 300 branch banks, while in the city of New York over 300 State banks are operating branches. In the United States over 600 State banking institutions have over 2,000 branches.

Chain banking has been in operation for many years but has generally been confined to rural districts, and the number of banks of the chain are principally small country banks, although generally owned and controlled by a city banker. Its development has been greatly discouraged because of the failure of several of these chain groups.

Group banking, although of only recent origin, has grown and developed rapidly and is now strongly entrenched in over 20 States, embracing over 600 banks, with a combined capital of over a billion dollars and over $7,000,000,000 in deposits.

I have introduced in Congress a bill to prohibit chain and group banking and am opposed to the further extension of branch banking. Others have introduced like bills. Bills have also been introduced to permit the extension of branch banking by national banks. In the hearings now being conducted by the Banking and Currency Committee there has appeared, first, the present Comptroller of the Currency, J. W. Pole, followed by the governor of the Federal reserve system, E. A. Young, both of whom advocate branch banking to national banks, but limited to what they term "trade areas," which they indefinitely describe as the natural trade territory of large cities or money centers. When I suggested that holding companies might acquire the stocks in the parent banks in such areas, thus constituting a monopoly of the banking system of the Nation, it was admitted that Congress would have to pass laws to prevent such result.

Governor Young, whom I believe to be both able and efficient, admitted that nation-wide branch banking would eventually result when men had sufficient training and experience to develop and manage the same, but for the present favored the restriction of branch banking to such indefinitely described "trade areas."

This week we have been engaged in hearing the "group bankers" from Minneapolis and St. Paul, who are opposed to branch banking unless restricted to their "trade areas" and prevented from interfering with their group banks. These two holding companies, although they have been in operation but little more than a year now, have about 100 banks in each group. Their plan is to absorb every bank that demonstrates its ability to make money. They insist that they have greatly improved the financial situation in their territory and are in sound financial condition, but admit that they do not intend to furnish local banking facilities for small towns in rural communities unless they are permitted to do so by small offices or "teller windows" that are branches of their large city banks.

Our committee next plans to hear the representatives of group banking in other parts of the country, and they will be followed by representatives from the California banks who are engaged in operating great banking groups, some of which embrace chain, group, and branch banking, after which the committee will hear those who are opposed to branch banking.

As between chain, group, and branch banking it is generally conceded by disinterested students of these forms of banking that branch banking under proper regulation would be preferable, that the branches being component parts of a strong financial system would be able to furnish more necessary capital than is possible with a local individual bank and to a large extent eliminate the weak banks throughout the country, and in their argument for branch banking, point to the large number of failures in agricultural communities since the World War, which, of course, was the result of the unfair treatment accorded agriculture prior, during, and after the war and the deflation which followed. I believe such conditions would have brought disaster to any system of banking. Had the people in such communities been served by branch banks the people would either have been refused loans or the results that did happen would have obtained.

Branch-banking advocates, however, claim that branch banks would not only be able to furnish more necessary capital than is possible with a local individual bank, but to absorb losses without injury to the parent institution.

The objections to branch banking are: That it places the control of the finances of the people in the hands of small groups, which when extended will become a menace should the management fall into incompetent or corrupt hands, or those whose ambitions and desires are for control and a monopoly of money and credits throughout the Nation.

It removes to a large extent the interest that a banking institution should have in the community that supports it, since the policy of the branch bank will be dictated by the parent bank whose location might be hundreds of miles distant and whose first consideration would be to serve the interest of the community where the parent bank was located and the interest of the men who control the same. I believe when once established it will crowd out the independent bank, no matter how strong and able it is to serve the needs of the community in which it is located.

When money is plentiful it will, of course, be supplied to the branch banks to meet all general banking needs, but who can doubt that in times of stress credit will be withdrawn from the branch-banking communities to meet the demand in the money centers, as was so recently demonstrated in the crash of the stock market in New York. While if the people are prosperous in the vicinity of the branch bank, it will be used as a marketing agency for stocks and bonds, underwritten at large profits by the parent bank in the large money centers.

The attempt to limit branch banking to "trade areas" as suggested by Comptroller Pole would not end the controversy, just as the granting of branch banks limited to cities in which the parent bank was located, did not do so. Those who believe in nation-wide branch banking would insist on breaking down the boundaries of the "trade areas" and would be more strongly entrenched to insist upon their demands.

Nation-wide branch banking will first mean a control of money and credits in a few large cities of the country, but eventually that control will rest in the city of New York, which is the money center of the world.

I also fear that the control of banks by holding companies or by large banks with branches will eventually dominate the Federal reserve banks and selfishly control our Federal reserve system.

The Nation should not forget the history of the second bank of the United States, which was permitted to have branches and which so extended its influence and power that it became a political factor of such strength that the renewal of its charter was one of the national campaign issues a hundred years ago. Though President Jackson was elected in opposition to the renewal of its charter its power was sufficient to force through Congress a bill favoring the same. During this contest it was developed that the bank had loaned large sums of money to Members of Congress, governors, judges, to the great newspapers, and other influential interests, and only by the courage and stamina of President Jackson was the extension of its charter killed by his veto.

I fear that another contest is on for the domination and control of the money and credit of our Nation and I warn the people that if they wish to preserve banks owned and controlled in their respective communities that will cooperate with them in the interest of developing and building up and serving those communities that they must see to it that their Representatives in Congress are opposed to all forms of chain, group, and branch banking. Or, if it shall be found that such forms of banking can not be avoided, then that laws may be enacted for the proper regulation and control of the same.

I also take this opportunity to warn the people against the buying of securities of foreign nations or corporations that may be marketed through international banks or other means. The unloading of the German war debt and the obligations of other nations upon the people of the United States ought not to be encouraged, for if such results obtain I fear the time will come when there will be a readjustment and perhaps a repudiation of such debts.

There is an abundance of financially sound American investments for all American capital at fair rates of interest, and for the next 50 years there will be an opportunity to invest in the securities of our own Government, which are the best in the world.

WORLD WAR VETERANS' LEGISLATION

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Veterans' Legislation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ALLEN. Mr. Speaker, I have listened with deep interest to the long debate upon this the Johnson veterans' measure. My favor or opposition to its various features has been measured by the extent to which aid and relief comes to the veterans of the World War. If I were consulted and given an opportunity to write the measure, I should make its terms more liberal but probably should not be bound by Treasury considerations, which, after all, can not at this time be ignored. From the time of the close of the World War to January 1, 1925, injuries and diseases resulting from war contacts were probably developed in nearly all cases, but that there are many exceptions I regret very much.

In the first place, the boys about to reach home quickly and in their eagerness to meet wife, parent, brother, sister, or sweetheart, their perhaps manifest ailments were either forgotton or suppressed, and so from their own lips came the flattering statement of health, where, perhaps, a full statement would have registered the real condition and made it easier for the Government and better for themselves in determining their disability, injury, or diseases. Then, too, that period of time was to many of them a period of growth and development, where the surge of health overcame the drawback of pain and injury or disease.

I am pleased to know that the Government instead of taking an adverse position to the claims of the veterans and requiring the veterans to grope in the darkness for evidence of their disabilities and disease that the manifestation of disability within that period is a presumption that it was of service origin. It will make it so because when every young man presented himself for enlistment or under the draft he was presumed to be physically sound and as of as nearly perfect manhood as we know the American youth to have been. So that the Government is simply taking upon itself the burden of the presumption of soundness at the time of enlistment and wherever a change from that presumed condition occurred up to January 1, 1925, it is presumed to have been of service origin. In this the Government is properly humane.

This presumption as related to six classes of disability is what we call an absolute presumption; in other words, one that is established as a stone wall against which the hand of the Government can not be raised in rebuttal. These six disabilities are tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis. Other diseases appearing before January 1, 1925, are likewise presumed in favor of the soldier to be of service origin but with this exception, that it is a presumption which, if established, the Government in its own defense may by most clear and convincing evidence rebut it. This is for the purpose of a defense against those cases where fraud might be attempted to be perpetrated against the Government. While we desire to be liberal to the soldiers we must conserve our national resources to the extent at least of not depleting our funds to comply with fraudulent demands.

As a practical matter this last presumption will amount to very nearly as much as the first because the difficulty that the Government will have in rebutting such presumption will render the Government's resistance effective in very few cases and in those which will be perhaps the most flagrant.

I have been looking forward to the Government, through its Congress and the administration, to work out a complete and scientific pension system which shall cover all the soldiers of the World War giving each a reasonable pension based upon the factors of his disability, age, and service, disregarding entirely the matter of rank. So that for all the veterans of the war there shall be a scientifically graded pension for each and every one of those young men who from the enlistment line, in the encampment, upon the seas and up to the battle front, shall receive a fair measure of bounty from this generous and wealthy Government.

When this is done as a part of the general plan and scheme there shall be provided under suitable conditions, and under just grades, relief for the widows and orphans, parents, or other dependents of him who gave his life in battle or in any department of the service or who since that time has succumbed to the demands of death from whatever cause or condition.

Whatever measure of relief we shall find in this legislation I hope its administration will be conducted along humane channels so that we here, given authority to represent the veterans at home, can have an opportunity to diligently by pen, voice, and personal contact with the administrative offices plead effectively for the rights of the veterans and their dependents who are entitled to and should receive a fair measure of reward for the sacrifices that were rendered and the glory they contributed to the American name.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes; and

S. J. Res. 156. Joint resolution to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p. m.) the House adjourned to meet to-morrow, Friday, April 25, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, April 25, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—SUBCOMMITTEE ON THE COAST GUARD

(10 a. m.)

To regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes (H. R. 11204).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON TERRITORIES

(10 a. m.)

For the relief of Casey McDannell (H. R. 644).

To provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson (S. J. Res. 155).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To establish a commercial airport for the District of Columbia (S. 3901).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

418. A communication from the President of the United States, transmitting supplemental estimate of appropriation amounting to $87,500 for the fiscal year 1931, to enable the Secretary of Agriculture to continue the operation of the Center Market, Washington, D. C., from July 1 to December 31, 1930 (H. Doc. No. 362); to the Committee on Appropriations and ordered to be printed.

419. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the General Accounting Office for the fiscal year 1930 and 1931 amounting to $25,000 (H. Doc. No. 363); to the Committee on Appropriations and ordered to be printed.

420. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of State for the fiscal year 1931, to be immediately available, amounting to $25,600; also a draft of proposed legislation affecting an existing appropriation (H. Doc. No. 364); to the Committee on Appropriations and ordered to be printed.

421. A letter from the Governor of Federal Reserve Board, transmitting sixteenth annual report, covering operations for the year 1929 (H. Doc. No. 213); to the Committee on Banking and Currency and ordered to be printed.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WASON: Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Department of Commerce (Rept. No. 1267). Ordered to be printed.

Mr. JENKINS: Committee on Immigration and Naturalization. H. R. 10881. A bill to amend section 24 of the immigration act of 1917, as amended H. Rept. 1268). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 6124. A bill to provide for the reconstruction of the Army and Navy Hospital at Hot Springs, Ark.; with amendment (Rept. No. 1269). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Indian Affairs. H. R. 8921. A bill authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians; with amendment (Rept. No. 1270). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 10044. A bill to amend section 108 of the Judicial Code, as amended, so as to change the time of holding court in each of the six divisions of the eastern district of the State of Texas; and to require the clerk to maintain an office in charge of himself or a deputy at Sherman, Beaumont, Texarkana, and Tyler; with an amendment (Rept. No. 1271). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11782. A bill to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; with an amendment (Rept. No. 1272). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 11050. A bill to transfer Willacy County in the State of Texas from the Corpus Christi division of the southern district of Texas to the Brownsville division of such district; without amendment (Rept. No. 1273). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11370. A bill to authorize the use of a right of way by the United States Indian Service through the Casa Grande Ruins National Monument in connection with the San Carlos irrigation project; without amendment (Rept. No. 1274). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11429. A bill to regulate collections from Indians in the United States; with an amendment (Rept. No. 1275). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11783. A bill to authorize the collection of penalties and fees for stock trespassing on Indian lands; without amendment (Rept. No. 1276). Referred to the House Calendar.

Mr. HOUSTON of Hawaii: Committee on the Territories. H. R. 10657. A bill to amend section 26 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; with amendment (Rept. No. 1277). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRAND of Georgia: Committee on Banking and Currency. H. R. 10560. A bill to amend section 22 of the Federal reserve act; without amendment (Rept. No. 1278). Referred to the House Calendar.

Mrs. KAHN: Committee on Military Affairs. H. R. 4290. A bill to provide for the care of private battle-field memorials in Europe; without amendment (Rept. No. 1279). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. KAHN: Committee on Military Affairs. H. R. 10983. A bill for the relief of Iria T. Peck; without amendment (Rept. No. 1280). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SCHNEIDER: A bill (H. R. 11900) to authorize the Secretary of the Interior to investigate and report to Congress on the desirability of the acquisition of a portion of the Menominee Indian Reservation in Wisconsin for the establishment of a national park to be known as Menominee national park; to the Committee on the Public Lands.

By Mr. GRANFIELD: A bill (H. R. 11901) for the purchase of a site and the erection of a public building at Chicopee, Hampton County, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. GASQUE: A bill (H. R. 11902) granting the consent of Congress to the Board of County Commissioners of Georgetown County, S. C., to construct, maintain, and operate a bridge or bridges across the Black-Peedee River and the Waccamaw River at or near Georgetown, S. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. DEMPSEY: A bill (H. R. 11903) granting the consent of Congress to the construction of a bridge across the East Branch of the Niagara River; to the Committee on Interstate and Foreign Commerce.

By Mr. MORTON D. HULL: A bill (H. R. 11904) to procure and erect in the city of Washington the group of statuary known as the Indian Buffalo Hunt; to the Committee on the Library.

By Mr. STALKER: A bill (H. R. 11905) to provide for the acquisition within the District of Columbia of a site for a combined land plane and seaplane airport and the improvement, equipment, management, operation, maintenance, and disposition thereof and any appurtenances, inclusive of repairs, lighting and communication and structural systems, and all structures of any kind deemed necessary and useful in connection therewith; to the Committee on Public Buildings and Grounds.

By Mr. STALKER: A bill (H .R. 11906) to provide for the acquisition, improvement, equipment, management, operation, maintenance, and disposition of a civil air field and any appurtenances, inclusive of repairs, lighting and communication systems, and all structures of any kind deemed necessary and useful in connection therewith; to the Committee on Public Buildings and Grounds.

By Mr. WOOD: A bill (H. R. 11907) to provide for the transportation of the remains of civilian officers and employees of the United States and of the District of Columbia who die while absent from their official stations or while abroad on official business; to the Committee on Expenditures in Executive Departments.

By Mr. UNDERHILL: Resolution (H. Res. 212) directing the Speaker to appoint a committee to make inquiry relative to communist international propaganda against the Government of the United States; to the Committee on Rules.

Also, resolution (H. Res. 213) directing the Speaker to appoint a committee to make inquiry relative to the so-called radical movement in the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 11908) granting a pension to Anna B. Jacobs; to the Committee on Invalid Pensions.

By Mr. BOHN: A bill (H. R. 11909) for the relief of Capt. Joseph H. Hickey, Quartermaster Corps, United States Army; to the Committee on Claims.

By Mr. BRUMM: A bill (H. R. 11910) granting an increase of pension to Mary McLaughlin; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 11911) for the relief of Frank J. Spencer; to the Committee on Claims.

By Mr. DOMINICK: A bill (H. R. 11912) granting a pension to John H. Hamilton; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 11913) for the relief of Allen Gregg; to the Committee on Military Affairs.

By Mr. GIFFORD: A bill (H. R. 11914) for the relief of the estate of Milton L. Baxter; to the Committee on the Judiciary.

By Mr. HALL of North Dakota: A bill (H. R. 11915) granting a pension to Harriet Taber; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 11916) granting an increase of pension to Mary P. Sanborn; to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 11917) for the relief of Edward A. Halliwill; to the Committee on Military Affairs.

By Mr. JONAS of North Carolina: A bill (H. R. 11918) for relief of Elizabeth Ramsey; to the Committee on Pensions.

By Mr. JONES of Texas: A bill (H. R. 11919) for the relief of Sandy Theodore Norris; to the Committee on Naval Affairs.

By Mr. JOHNSTON of Missouri: A bill (H. R. 11920) granting a pension to Andrew Newton; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 11921) granting an increase of pension to Nancy J. McSweeney; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 11922) granting an increase of pension to Esther V. King; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11923) granting an increase of pension to Margaret A. Parks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting a pension to Martha J. Henry; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 11925) granting an increase of pension to Mary J. Bievenour; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 11926) granting a pension to Lena Mann; to the Committee on Pensions.

By Mr. TABER: A bill (H. R. 11927) granting an increase of pension to Abigail A. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11928) granting a pension to Cornelia Lester; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 11929) granting a pension to T. A. Brown; to the Committee on Pensions.

By Mr. WOLFENDEN: A bill (H. R. 11930) for the relief of Sydney Thayer, jr.; to the Committee on Military Affairs.

By Mr. WYANT: A bill (H. R. 11931) granting an increase of pension to Salome Fyrer; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 11932) granting an increase of pension to Susannah Knapp; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7097. By Mr. FENN: Resolution of city clerk's office, Derby, Conn., memorializing the Congress of the United States to enact House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

7098. By Mr. LINDSAY: Petition of Richard Conway and 14 other individual letters from citizens of the third congressional district, Brooklyn, N. Y., registering protest against the Federal education bill (H. R. 10), and contending that education is a local matter and not for governmental administration; to the Committee on Education.

7099. Also, petition of Brooklyn Chamber of Commerce, protesting against the provision that evidence be sent through Congress before a change in rates is made, and supporting the flexibility provisions of the tariff; to the Committee on Ways and Means.

7100. By Mr. O'CONNELL of New York: Petition of J. S. Ogilvie Publishing Co., New York City, favoring the passage of House bill 10344, for the classification of extraordinary expenditures contributing to the deficiency of postal revenues; to the Committee on the Post Office and Post Roads.

7101. Also, petition of the Chamber of Commerce of the State of New York, with reference to the transfer of New York Barge Canal to the Federal Government; to the Committee on Rivers and Harbors.

7102. Also, petition of the Central Trades and Labor Council of Greater New York and Vicinity, favoring an additional appropriation of $66,000 for civilian labor at the Army base, Brooklyn, N. Y.; to the Committee on Appropriations.

SENATE

FRIDAY, *April 25, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes;

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California; and

S. J. Res. 156. Joint resolution to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Smoot
Ashurst	George	McCulloch	Steck
Baird	Gillett	McKellar	Steiwer
Barkley	Glass	McNary	Stephens
Bingham	Glenn	Norbeck	Sullivan
Black	Goldsborough	Norris	Swanson
Blaine	Gould	Nye	Thomas, Idaho
Blease	Greene	Oddie	Thomas, Okla.
Borah	Hale	Overman	Trammell
Bratton	Harris	Patterson	Tydings
Brock	Harrison	Phipps	Vandenberg
Broussard	Hastings	Pine	Wagner
Capper	Hatfield	Pittman	Walcott
Caraway	Hayden	Ransdell	Walsh, Mass.
Copeland	Hebert	Robinson, Ind.	Walsh, Mont.
Couzens	Howell	Robsion, Ky.	Waterman
Cutting	Johnson	Sheppard	Watson
Dale	Jones	Shipstead	
Deneen	Kean	Shortridge	
Fess	Kendrick	Simmons	

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are returning from the London Naval Conference.

I wish further to announce that my colleague [Mr. CONNALLY] is unavoidably detained from the Senate.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. SHIPSTEAD. I wish to announce that my colleague the junior Senator from Minnesota [Mr. SCHALL] is unavoidably absent. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Missouri [Mr. HAWES] is unavoidably detained from the Senate.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

PETITIONS

The VICE PRESIDENT laid before the Senate a telegram from Mary Shelton Duff (Mrs. Henry D. Duff), of Charlotte, N. C., favoring the prompt confirmation of John J. Parker as an Associate Justice of the Supreme Court of the United States, which was referred to the Committee on the Judiciary.

Mr. TYDINGS presented the petition of members of the Amateur Gardener's Club, of Baltimore, Md., praying for the passage of the bill (H. R. 26) for the acquisition, establishment, and development of the George Washington memorial parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital, which was ordered to lie on the table.

Mr. VANDENBERG presented a resolution adopted by the city commission of Big Rapids, Mich., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

NOMINATION OF JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I send to the desk a telegram with reference to the nomination of Judge John J. Parker. The telegram is from Silas H. Strawn, of Chicago.

The VICE PRESIDENT. Does the Senator desire to have the telegram read?

Mr. OVERMAN. I do.

The VICE PRESIDENT. The clerk will read, as requested.

The Chief Clerk read as follows:

CHICAGO, ILL., *April 24, 1930.*

Hon. LEE S. OVERMAN,
Senate Office Building:

Leaders of bar here are very deeply interested in obtaining confirmation nomination Judge Parker for Supreme Bench. They regard him as possessing all the requisite qualifications. They do not believe objections urged are in any way prejudicial to Judge Parker's eligibility. Judges should be selected because of demonstrated ability and experience and not be prejudiced by political reasons or because they have administered the law as they are required by their judicial oath.

SILAS H. STRAWN.

Mr. OVERMAN. I also present——

Mr. HEBERT. Mr. President, as I listened to the reading of the telegram presented by the Senator from North Carolina, coming from Mr. Silas H. Strawn, there was no indication as to his identity. For the RECORD, let me say that Mr. Strawn is a former president of the American Bar Association.

Mr. OVERMAN. I also send to the desk a letter from Justice Bailey, of the Supreme Court of the District of Columbia, with reference to the case of the United States against Phillips and others, with which Judge Parker was connected as Assistant Attorney General. I ask that the letter may be read.

The VICE PRESIDENT. The clerk will read, as requested.

The Chief Clerk read as follows:

SUPREME COURT OF THE DISTRICT OF COLUMBIA,
CHAMBERS OF JUSTICE BAILEY,
April 19, 1930.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: In reply to your letter of the 17th instant, asking my opinion of the qualifications of Judge Parker, I can say that he was the chief counsel for the Government in the case of United States *v.* Phillips et al., which was tried before me. My recollection is that the trial consumed about 10 weeks. Judge Parker handled the case, in my opinion, with great ability. He had to gather testimony from all parts of the country involving many different questions, and showed unusual ability in marshaling these facts so as to present the case clearly as a whole. It was one of the best-conducted cases in my experience.

He also showed great fairness in the conduct of the trial. While he fought the case earnestly and with proper spirit, he did not allow his feelings to overcome his judgment.

From all that I know of Judge Parker, he is a lawyer of unusual ability and a man of the highest integrity.

Yours sincerely,

JENNINGS BAILEY.

Mr. OVERMAN. I also send to the desk a letter from Charles A. Douglas, who appeared in the Phillips case against Judge Parker, which I ask to have read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

WASHINGTON, D. C., *April 24, 1930.*

Hon. LEE S. OVERMAN,
Chairman Subcommittee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have read the bitter attack on Judge Parker that appeared in the News of yesterday under a New York date line.

I had no connection with the "Harness" case but I was chief counsel for John L. Phillips, the chief defendant in the "Lumber War Frauds" case. This trial lasted about three months and I had opportunity of seeing, feeling, and knowing what manner of man Judge Parker is. He was fair, able, and thorough in the conduct of the prosecution—he was fair because he did nothing that merited just criticism by the defense, and he was able and thorough, for I never knew a case so thoroughly and wonderfully prepared in every part of its detail, and I have at no time ever encountered a more dangerous and formidable trial lawyer than he.

I am writing this letter simply in justice to Judge Parker and he does not know that I am writing it.

I am, yours very sincerely,

CHAS. A. DOUGLAS.

Mr. OVERMAN. I also send to the desk a letter from J. A. Taylor, of Wilmington, N. C., inclosing an editorial from the New York Times with reference to the same matter. I shall not ask that the letter or editorial be read, but I ask that they may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter and editorial are as follows:

WILMINGTON, N. C., *April 23, 1930.*

Senator LEE S. OVERMAN,
Washington, D. C.

DEAR SENATOR OVERMAN: When it comes to the judiciary my thought is essentially nonpartisan, for, apart from purely political questions, which are a small part of the whole, the bench deals with civic and social matters, and in these there is no politics.

The Supreme Court of the United States is national in its scope and purpose, and the great veneration in which this court is held is due largely to the fact that it is national in character, national in processes, and national in conclusions. Barring those periods of intense domestic disturbances, the court has maintained its character and justified its creation, and a condition precedent to its high estate is its composite character, whereby, through its membership, the great territorial areas of the country are fairly represented, and the court has always functioned best when this condition has prevailed.

Despite the remarkable union of the country, the fact remains that our territorial sections are peopled by different racial strains, resulting in different political, business, and social concepts, practices, and customs, and in order that these various elements of the population may have their causes intelligently considered and wisely determined, it is essential that our supreme judicial tribunal be intimately informed of facts and conditions, which knowledge may be only adequately possessed by representatives of these differing elements.

The backward areas of the country are fast undergoing far-reaching development, which must proceed upon lines peculiar to the composition of the several peoples, and new questions are constantly arising requiring new application of law to new conditions. Among these backward areas the South is conspicuous in its upward tendency, and, therefore, it is of special importance that the court be represented by a southern man, and preferably one grounded in southern traditions and descended from the population which was instrumental in giving birth to the Nation.

Judge Parker comes from the best North Carolina stock. All of his direct antecedents were of the Democratic faith, but as a college youth his thoughts on government inclined him toward the Hamiltonian theory of constitutional construction, and he embraced this constitutional doctrine after reasoned convictions and against his natural affiliations. In many respects, a convert, and especially an intelligent one, is in position to view more broadly controversial principles, and character conceded, the results are generally favorable to the public interest.

I am taking the liberty to inclose the editorial page of the New York Times of Monday, the 21st, which I believe can be used to excellent advantage when Judge Parker's nomination comes up for confirmation.

With best wishes, sincerely yours,

J. A. TAYLOR.

[From the New York Times, Monday, April 21, 1930]

JUDGE PARKER AND NEGROES

Let it be said at once that negro associations, anxious to show their political strength, are entitled to make use of the case of Judge Parker to further their aims. In seeking to capitalize their own voting power they are but doing what any similar group of white men would do. Those are the ways of politics in this country. If citizens can get something done which they want, or prevent something which they object to, by threatening to punish elective officers at the polls, this is a recognized way of going about it. Negro leaders who are so strongly and continuously attacking Judge Parker for what he is reported to have said 10 years ago derogatory to the political capacity of their race are making headway because they have found a lot of timid Senators at Washington whom they can frighten. It is legitimate, or at any rate customary, political tactics to proceed in that manner. If Senators show that they are, like the coneys of Scripture, "a feeble folk," negroes can not be blamed for making them skip with the menace of casting the whole colored vote against them when they come up for reelection.

Here we have the chief reason for the belief at Washington that Judge Parker may not be confirmed. His alleged antagonism to organized labor is less dwelt upon since it has been shown that in the decision which gave offense he was merely following the previous opinion of the Supreme Court of the United States. When Attorney General Mitchell brought out the fact that no less a person than Judge Brandeis had upheld the challenged labor contract, just as Judge Parker did later, that particular argument had all the stuffing knocked out of it. But the negro grievance remains and seems to be growing more bitter and effective. Names are added daily to the list of alarmed Republican Senators who are almost going on their knees to beg President Hoover to withdraw the nomination of Judge Parker.

Do these Senators really care anything about the negro except as a political danger? Are they ready to do and dare in behalf of the black man's political rights? Would they, for example, favor any measure to enforce the fourteenth and fifteenth amendments of the Constitution? Everybody knows the answers to these questions. It is not a case of conviction or sincerity on the part of these demoralized Republican Senators, but solely of political scheming. They see, or think they see, a substantial fraction of their party vote in several States slipping away and are willing to do anything to avert that peril. If any one of them had been in Judge Parker's place when running as Republican candidate for Governor of North Carolina he would have taken exactly the same position as regards officeholding by negroes as the judge himself did.

This is freely admitted on all hands. No principle is at stake. Only a political self-interest is driving on these Republican Senators. Full in the eye of the public they write themselves down as what they are—men afraid of doing anything to injure their own chances at the polls, even if they know it to be the right thing to do. Compared with them, the negro agitators, hot on their trail, are straightforward and honorable.

REPORTS OF COMMITTEES

Mr. JONES, from the Committee on Appropriations, to which was referred the bill (H. R. 7955) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes, reported it with amendments and submitted a report (No. 525) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 4094) authorizing W. L. Eichendorf, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near the town of McGregor, Iowa (Rept. No. 526);

A bill (S. 4173) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Carrollton, Ky. (Rept. No. 530); and

A bill (S. 4174) granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Dandridge-Newport Road, in Jefferson County, Tenn. (Rept. No. 531).

Mr. DALE also, from the Committee on Commerce, to which was referred the bill (S. 4157) to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn., reported it with amendments and submitted a report (No. 527) thereon.

Mr. FRAZIER, from the Committee on Indian Affairs, to which was referred the bill (S. 4203) to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes, reported it without amendment and submitted a report (No. 540) thereon.

Mr. STEIWER, from the Committee on Indian Affairs, to which was referred the bill (S. 135) to provide for the payment for benefits received by the Paiute Indian Reservation lands within the Newlands irrigation project, Nevada, and for other purposes, reported it with an amendment and submitted a report (No. 532) thereon.

He also, from the Committee on the Judiciary, to which were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 973) to remove the age limit of persons who may be confined at the United States Industrial Reformatory at Chillicothe, Ohio (Rept. No. 539);

A bill (H. R. 7832) to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes (Rept. No. 533); and

A bill (H. R. 9235) to authorize the Public Health Service to provide medical service in the Federal prisons (Rept. No. 538).

Mr. STEPHENS, from the Committee on the Judiciary, to which was referred the bill (H. R. 6807) establishing two institutions for the confinement of United States prisoners, reported it with amendments and submitted a report (No. 528) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 7410) to establish a hospital for defective delinquents (Rept. No. 535); and

A bill (H. R. 7413) to amend an act providing for the parole of United States prisoners, approved June 25, 1910, as amended (Rept. No. 537).

Mr. HEBERT, from the Committee on the Judiciary, to which was referred the bill (H. R. 3975) to amend sections 726 and 727 of title 18, United States Code, with reference to Federal probation officers, and to add a new section thereto, reported it with an amendment and submitted a report (No. 536) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7412) to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes, reported it with amendments and submitted a report (No. 529) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 4063) to authorize the merger of the Georgetown Gaslight Co. with and into the Washington Gas Light Co., and for other purposes (Rept. No. 541); and

A bill (S. 4244) authorizing the continuance of William Tindall in the service of the government of the District of Columbia (Rept. No. 543) thereon.

Mr. SHIPSTEAD, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2498) to promote the better protection and highest public use of lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, and for other purposes, reported it with amendments and submitted a report (No. 542) thereon.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on to-day, April 25, 1930, that committee presented to the President of the United States the following enrolled bill and joint resolution:

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes; and

S. J. Res. 156. Joint resolution to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEAN:

A bill (S. 4285) to amend an act entitled "Settlement of war claims act, 1928" (with accompanying papers); to the Committee on Finance.

By Mr. McNARY:

A bill (S. 4286) to authorize the erection and equipment of a United States Veterans' Bureau hospital at Klamath Falls, Oreg.; to the Committee on Finance.

By Mr. STEIWER:

A bill (S. 4287) to amend section 202, of Title II, of the Federal farm loan act, by providing for loans by Federal intermediate-credit banks to financing institutions on bills payable and by eliminating the requirement that loans, advances, or discounts shall have a minimum maturity of six months; to the Committee on Banking and Currency.

By Mr. TYDINGS:

A bill (S. 4288) relating to the residence requirements for naturalization purposes of alien wives of members of the Diplomatic and Consular Services of the United States; to the Committee on Immigration.

By Mr. COPELAND:

A bill (S. 4289) to amend the immigration act of 1924; to the Committee on Immigration.

A bill (S. 4290) granting compensation to William J. Johnson; to the Committee on Finance.

By Mr. ODDIE:

A bill (S. 4291) for the relief of John M. Vance; to the Committee on Military Affairs.

A bill (S. 4292) for the relief of Col. Frank E. Evans, United States Marine Corps; and

A bill (S. 4293) authorizing Ralph F. Wood, lieutenant commander, United States Navy, to accept the decoration of an Italian brevet of military pilot, "honoris causa," tendered to him by the Italian Government; to the Committee on Naval Affairs.

A bill (S. 4294) granting a pension to William Dunn;

A bill (S. 4295) granting a pension to George Williams;

A bill (S. 4296) granting a pension to Joseph Tunney; and

A bill (S. 4297) granting a pension to William T. McArdle; to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 4298) to provide for the sale of the Government-building site located on the State line dividing West Point, Ga., and Lanett, Ala., for the acquisition in West Point, Ga., of a new site, and for the erection thereon of a Federal building; to the Committee on Public Buildings and Grounds.

JAMES E. WELCH AND OTHERS

Mr. RANSDELL. Mr. President, I submit a resolution in regard to the alleged mistreatment of James E. Welch and other citizens in Venezuela, which I ask be referred to the Foreign Relations Committee.

The resolution (S. Res. 253) was read and referred to the Committee on Foreign Relations, as follows:

Whereas throughout the ages there has been a constant struggle between human forces—some seeking a suppression of the divine instinct of liberty and others a steadfast determination to extend its blessings to all mankind; and

Whereas there was instituted on the Western Hemisphere a government under the name United States of America, having for its declared supreme purpose the securing to its founders and their posterity the "blessings of liberty"; and

Whereas the Congress of the said United States has passed laws from time to time designed to protect the citizens of said United States at home and abroad in the enjoyment of this inestimable blessing; and

Whereas by act of Congress in the year 1868 it was provided by law that—

"Whenever it is made known to the President that a citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to the Congress"; and

Whereas a citizen of the United States resident in Venezuela represents that in February, 1929, he was unjustly and illegally imprisoned in said country, and that certain other illegal acts were committed against his rights by the authorities of the Venezuelan Government; and

Whereas the said citizen of the United States represents that he promptly complained to the proper representative of the said United States Government stationed at the place of his imprisonment and pointed out to said official the fact that said imprisonment was unjust and illegal and urged said official to communicate the facts to the proper authorities in Washington; and

Whereas it appears that no action whatsoever was taken by anyone connected with the said United States Government to give this citizen the protection that he was justly entitled to receive under the laws of the United States; and

Whereas it appears that the rights of a citizen of the United States of America resident in Venezuela were grossly violated by agents, officials, or representatives of the Venezuelan Government, and that the said act of 1868 has been ignored and violated by the officials of the Government of the United States charged with the due enforcement thereof: Now, therefore, be it

Resolved, That the Committee on Foreign Relations, acting through a subcommittee, is hereby directed to investigate and report to the Senate:

(1) Whether the rights of any citizen or citizens of the United States of America have been violated by the Government of Venezuela or any official or representatives of any State or municipality thereof;

(2) What steps, if any, should be taken by the Government of the United States to obtain prompt redress for such citizen or citizens if it be found that his or their rights have been violated by the Venezuelan Government or any agency thereof;

(3) What steps should be taken with reference to failure of the officials of the Government of the United States to observe the laws enacted for the protection of the citizens of this country in Venezuela if it be found that such laws have been violated in letter or spirit.

Resolved further, That in the course of such investigation the Committee on Foreign Relations, or any subcommittee thereof, is given full power to subpœna witnesses and compel their attendance before the committee, or any subcommittee thereof, and to require their testimony and to compel the production of books and papers, to the end that the Senate may be fully advised as to the result of such investigation, and report what further action or legislation is necessary to fully protect citizens of the United States resident in Venezuela in their persons, property, and rights, and what should be done as to the violation of the laws of the United States enacted by the Congress for protection of its citizens resident in Venezuela.

Mr. RANSDELL. I desire to make a very brief statement with reference to the subject matter of the resolution.

Mr. President, this resolution treats of a matter that is of very great importance. The facts before us indicate that the most vital rights of James E. Welch, a citizen of Louisiana, resident for more than six years in Venezuela, were grossly violated by officials of that country, and that the Department of State of the United States has failed to give this citizen the protection and support he is justly entitled to receive under international law and the laws of the United States. From what we learn as to conditions in Venezuela, both from Mr. Welch and from articles appearing in responsible publications in the United States—see North American Review, issue of December, 1929—it would seem that there is reason to believe that, while the written laws of Venezuela are very fair and liberal, resting as they do upon the spirit of the great liberator, Simon Bolivar, the present administration of the laws in Venezuela falls far short of living up to their spirit or letter. I understand that there are agencies in this country which are contributing toward this condition, and I hope that the resolution introduced to-day will not only afford prompt relief to Welch but will bring full light on conditions in Venezuela as they affect the rights of citizens of this country under international law.

In a recent speech the Senator from Idaho [Mr. BORAH] said:

It is the duty of the Government, when necessity arises, to give protection to life and property of our citizens in foreign countries. The protection to life and property of our citizens in another country does not necessarily constitute war or intervention in the internal affairs of such country.

This statement of the chairman of the Foreign Relations Committee necessarily carries with it the idea of protecting the liberty of the citizens of this country as well as their lives and their property. This resolution treats of a case in which both the liberty and the property of one of our citizens is involved, and, in my judgment, the situation demands prompt and aggressive action on the part of our Government.

I ask unanimous consent that a carefully prepared statement of this case by Mr. A. L. King, attorney for Mr. Welch, together with a letter of Mr. King to the Secretary of State, and letter from the Acting Secretary of State, Mr. J. P. Cotton, to Senator BORAH, may be printed in the RECORD as part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement and letters are as follows:

IN RE JAMES E. WELCH, CITIZEN OF THE UNITED STATES OF AMERICA, AGAINST VENEZUELA

STATEMENT

The above stated matter has been before the Department of State under an application by the claimant for diplomatic intervention by the

United States. The department considered the case for several months, but finally refused to espouse the claim.

It is the purpose of this brief and argument to show that the reasons for the department's refusal, as set forth in the several communications on the subject, are unsound and in manifest violation of established precedents; that this claimant has been denied justice, both in Venezuela and in his own country; and that, therefore, the case should be reviewed by Congress or some appropriate committee thereof, in order that right and justice in the premises might prevail.

FACTS

The claimant is a typical American citizen whose parents have resided in Shreveport, La., for many years. He is a practical oil-well driller and explorer. This work took him into Venezuela for two years in fulfillment of a contractural engagement with the Standard Oil Co. of Venezuela. During this period he had a regular force of approximately 1,000 men under his control. Upon the expiration of this engagement, he was offered promotion by that company, but decided to go into the business of drilling wells for water in Venezuela on his own account. He was practically a pioneer in that work in that country, and while his business prospered it was necessary for him, in order to obtain new business, to expend large sums in educating the people to the value of irrigation. In addition to providing him a steady income of large proportions, this work also offered tremendous possibilities for acquiring information of an inestimable value as to oil and other mineral deposits in that wonderfully rich section of the world.

A few years prior to 1929 Welch (then unmarried) met Anna Salazar, a beautiful young woman, the daughter of Pedro Salazar, a prominent Venezuelan of Spanish descent who occupied the position of judge of one of the courts of that country. The mother of this young woman, Isabel Salazar, was not living with her husband, Pedro Salazar. Welch, with the full knowledge of the mother, paid court to Anna, and there resulted a common-law marriage. Welch desired to contract marriage with Anna through religious ceremony, but she was of Catholic faith and he a Protestant; this prevented consummation of his desires in that respect.

Welch's business interests took him over widely separated sections of Venezuela, but at Ciudad Bolivar he maintained a home in which resided Anna, Anna's mother, two young children of Anna's mother, and Welch when he was in that city. On October 4, 1928, there was born to Welch and Anna a daughter, whom they named Irma Francisco Welch. All went well with Welch and his family for more than a year, but during the early part of 1929 he learned from Anna's grandmother (her father's mother) that Anna was treading the same paths that had led to the separation of her father from her mother. Welch made investigations and found these reports to be true, and that the infidelity of Anna was the result of coercion by her mother, whereby she was forced to receive attentions from high officials of Bolivar, in whose good graces Isabel was anxious to maintain herself. He, therefore, promptly took legal steps to legitimize his infant daughter. This was accomplished as of February 9, 1929. A few days thereafter, Welch, upon returning to his home, found that Anna had left; he ascertained her whereabouts and endeavored to have her return and perform her maternal duties toward the child. This she refused to do. Welch, therefore, was forced to either abandon the child to the "care" (?) of its grandmother, Isabel (whom he had found to be absolutely unfit to have the care of her own daughter, much less his), or carry the child with him to the island of Margarita (Venezuela), where his business interests called imperatively for his personal attention.

Having consulted a lawyer who now occupies the position of chief justice of the highest court of that country, he instituted proceedings in the proper court to obtain exclusive control and custody of the child. This proceeding required the filing of a petition or complaint. The petition set out that the child had been duly recognized according to law, that the mother had mistreated and abandoned it, and prayed for proper relief. Under the laws of that country the only person who could legally contest against Welch was Anna's father, Pedro Salazar. Before a final judgment could be given against Anna her father had to be duly notified of the proceedings and opportunity given to contest, if he so desired. Welch had previously ascertained from Pedro that what he, Welch, was doing was the proper thing, and he knew that there would be no contest from him.

A hearing was held, Welch's witnesses were heard, and all that prevented a final judgment in his favor was the lapse of time during which Anna's father had the right to appear. When his petition was prepared he had decided that, pending the judgment of the court, he would leave the baby with certain friends, and therefore he had incorporated in his petition the prayer that his baby, pending the outcome of the suit, should be "deposited" with the head of a family in Ciudad Bolivar.

The court, upon reading the petition, took the usual action; but as to the prayer for depositing the baby deferred action because the child was then in Welch's possession, and apparently the court desired to do only that which conformed to Welch's desires.

With the record in this status Welch secured police protection and carried his baby from his home to the home of a friend and lodged her there. The reason for calling in the police was because of the action of his mother-in-law, who had attempted to intervene in the suit and had indicated a disposition to make trouble. The judge held, in a formal order, that she was without legal capacity to appear in court, either in her own behalf or of her minor daughter Anna. At this time Welch was advised by, if not the judge himself, other officials of the court, that it would be unnecessary for him to await final judgment in the case, and that he might safely and properly take his child and proceed to his headquarters at Margarita. The judge was fully aware of this contemplated step, so, acting upon these suggestions, Welch gave a lawyer limited power of attorney to represent him in case any unusual complications arose. Welch was well known to the judge and other court officials, all of whom had indicated a perfectly friendly and proper attitude toward him and his case. On February 21, 1929, Welch left Bolivar with his baby in care of a trained nurse. He had proceeded to Barcelona, some 300 miles from Bolivar, when he was arrested upon telegraphic orders from authorities at Bolivar. He refused to return to Bolivar until formal warrant had been served upon him. Upon viewing the paper purporting to be the warrant it was found that it was issued upon complaint of Isabel Salazar, the very woman whom the judge had recently held was without legal power to appear in court for any purpose without special power of attorney from her husband.

The warrant attempted to charge Welch with violation of the criminal code of Venezuela (art. 271): "He who with the object only to exercise a pretended right makes justice by himself by making use of violence for the object when he may have applied to the authorities shall be punished" (etc.).

ARGUMENT

Now when this woman applied to the same judge who had only recently denied her the right to intervene in the civil suit, he knew she was married, and that the only possible manner in which she could acquire power to appear in court for any purpose was by special power of attorney from her husband. The judge also knew that any such power purporting to be from her husband had to name the party against whom she desired to lodge charges, name the offense alleged to have been committed, and give the date upon which the alleged offense occurred. Yet he permitted this woman to attempt to file charges against Welch under a paper dated in 1920 that did not have Welch's name in it, and that did not pretend to set out any offense. Moreover, even if the paper had carried all of these necessary prerequisites, it would have to have been signed by a judge of a proper court, would have had to have been attested by the signature of the clerk of the court, and the seal of the court would have had to have been on it. All of these necessary prerequisites were lacking in the paper presented by Isabel. These all are positive mandates of the law of that country. Furthermore, the judge knew that there was no foundation in fact for the "charges." The records of his own court showed that even if Welch had taken the baby forcibly, it would not have been in the exercise of a pretended right, but in the exercise of a right that he had as a matter of law.

Welch charges that the action of the judge was the result of orders from the President of the State of Bolivar (Silvario Gonzalez), with whom Isabel Salazar had sufficient influence to cause him to put in motion the illegal process that took away his liberty for 68 days, deprived him of the custody of his baby girl even until this day, caused him to spend large sums of money to secure his release from prison, obtain the acknowledgment of his rights to his child, and wiped out his growing business, which was at that time netting him more than $1,000 per month.

He also charges that these outrageous trespasses were committed against his rights because the agent of the American Government (Robert Henderson, vice consul for the United States at Bolivar), was serving his own private ends and aims rather than the interests of the Government of this country.

These charges have been definitely lodged against all parties to the outrage in writing by Welch under date of November 27, 1929, and have been repeated verbally by Welch to the Acting Secretary of State, Mr. Cotton, direct.

He charges that the following statute of the United States (act of July, 1868, R. S. 2001, U. S. C. (A), vol. 8, par. 14) has been grossly violated by the representative of the United States Government in Venezuela, or the State Department at Washington:

"Whenever it is made known to the President that a citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to the Congress."

We charge that the violation of this act of Congress occurs from the fact that as soon as Welch was placed in prison at Ciudad Bolivar, he sent for Henderson and informed him that his imprisonment was wholly

illegal; that he pointed out why this was so; and also had his lawyer, an eminent attorney of that place, inform Henderson to the same effect, and that the only response he got from Henderson was: "I, as American vice consul, advise you to pay the accuser to drop the charges; you will never get your child; they have too much pull." He also charges that Henderson circulated the report that he, Welch, was "crazy," because he could gain his freedom by agreeing to abandon the baby, and yet he would not do so.

It is evident, therefore, that some one connected with the Department of State (or several persons) is guilty of a gross breach of official duty in not promptly advising the President of this unlawful imprisonment of this American citizen, so that the President might have acted as required by the statute above quoted.

We contend that if the officials of the State Department will get down to the facts of the case as they actually exist, and the law applicable thereto, they will find a case calling imperatively for prompt and vigorous diplomatic action on behalf of this American citizen.

We charge that a failure to assist this claimant in the effort he is making to obtain his rights and to uphold and defend the laws of this country, and the laws of civilized nations, will be a gross betrayal of the things for the maintenance of which millions of patriots have given their lives and fortunes.

THE CASE SHOWS

First. The child was Welch's as a matter of fact and of law; the child was carried from Welch's home by him without violence, but under police protection; he was pursuing his legal and moral duty in making provision for the infant. He was not acting under a pretended but an actual right.

Second. The grandmother of the child had no right, either moral or legal, to interfere. She was under a legal disability to prefer "charges" against Welch, and the record is abundantly full of proof that the judge who gave her "complaint" countenance was fully aware of her disability.

Third. Welch was denied bail when he should have been allowed it even if the "charges" upon which he was arrested had been legally lodged. He was held to a bail after a finding that he had not been legally arrested upon the ground that the woman, though clearly incompetent to come into court for any purpose, filed an "appeal."

Fourth. He was denied a decision in the supreme court, to which he was unquestionably entitled; this was for the obvious purpose of preventing him from bringing action against the woman, the judge of the lower court who caused his arrest, and the nation for the wrongs he had suffered.

Fifth. These things were done in a country that notoriously imprisons its own citizens without due process of law, and commonly denies to such citizens protection of the law of the land.

Sixth. It is common knowledge that lawyers of that country who have expressed opinions as to the illegality of such acts are promptly thrown into prison.

Seventh. Welch made every reasonable effort to obtain the services of lawyers in Venezuela to obtain redress for his wrong, but no lawyer would even consider taking his case because of the expressed fear of the despotic government.

LAW

Article 181, Civil Code of Venezuela: "The woman (wife) can not without license of the husband appear in litigation herself or by means of attorney." (This placed Isabel Salazar—Welch's accuser—under total disability.)

Article 103, Criminal Procedure of Venezuela: "In the punishable acts of private acts" (such as was attempted to be lodged against Welch) "proceedings can be moved only at the instance; that is to say, an accusation of offended parties or their legal representatives." (The offended party, if any, was Anna, Welch's wife; her legal representative—she being a minor—was Pedro Salazar, her father.)

Article 107, Criminal Procedure, Venezuela: "The power to represent the accuser shall be special, and express the person against whom is directed the accusation and the punishable act which it treats." (The paper that Isabel Salazar presented as authorizing her to act for Anna, the daughter, did not name Welch; it did not state the punishable act; it was dated nine years prior to the alleged offense, and showed, therefore, upon its face, in most glaring form, that it could not have been issued in connection with, or give any right to be used for the purpose for which it was adapted.) The woman's act was a plain, obvious violation of law, which makes her amenable to the following article 175 of the Criminal Code of Venezuela:

"Whoever, being unauthorized, has deprived any person of their personal liberty shall be punished with 15 days to 30 months' imprisonment, and if the act has resulted in grave danger to the person, or to the health or welfare of the offended, the pain of prison shall be 30 months to 7 years." (Isabel Salazar is unquestionably liable under this provision of law.)

THE LAW (AS TO THE JUDGE)

Article 177, Criminal Code of Venezuela: "A public official who, with abuse of his office, or by breaking the conditions or formalities prescribed by law, deprives anyone of their liberty, shall be punished with 45 days to 3½ years' imprisonment, and if the crime was committed with some of the circumstances indicated in the first and second parts of the article preceding, the punishment shall be from 3 to 5 years." (The judge of the lower court who caused the arrest of Welch is unquestionably liable under these provisions of law.)

Article 61, Criminal Code of Venezuela, part 2: "He who incurs (or commits) misdeeds (or default) responds for his action or omission, although it is not true that he had desire (or intent) to commit an infraction of the law."

The liability of the judge does not rest upon "abuse of office"; the liability arises by merely breaking the conditions or formalities prescribed by law, and to prove the facts that the conditions, or formalities, were broken establishes the crime set out in article 177, supra.

LAW

(As to right of Welch to be released absolutely by the judge of the first instance after he ruled as to the illegality of the accuser)

Article 231, part 2, Criminal Procedure, Venezuela: "The declaration (decision) that the exception as to the invalidity of the accuser is sustained shall have the following effect: The suspension of the penal proceedings if the accusation was by a private citizen, and the immediate liberty of the accused granted by the same judge who hears the case." (Welch was held to bail, whereas he should have been discharged absolutely.)

LAW (SUPERIOR COURT RECORD)

"Superior court sentence:

"For the consideration expressed this superior court, administering justice by authority of the law, declare in place the exceptions of illegality of the accusers, and in consequence the suspension of the penal proceedings in this case and the immediate liberty of the accused, James E. Welch. The accusers are condemned to costs of court. May 3, 1929."

* * * * * * *

Had the record of the case been left in this situation it would have followed that Welch could have instituted criminal proceedings against both Isabel Salazar and the judge of the first instance; that conviction would have been inevitable; and that from that conviction of the judge there would have arisen civil liability of the judge and the nation. Welch's rights were, however, completely wiped out by the very simple but most effective expedient of Isabel taking an "appeal" to the supreme court, when, though Welch insisted that the judgment of the superior court be affirmed, and vigorously protested against any other action, Pedro Salazar was permitted to intervene and "withdraw the charges against Welch." Thus, instead of this American citizen getting justice in the courts of Venezuela, he got just exactly the reverse. He got a "legal lynching," if such a thing has ever occurred in any country. Yet the honorable Acting Secretary of State, Mr. Cotton, says (letter to Senator BORAH, March 24, 1930) "it seems that Welch was finally given a fair hearing," and that he can find no just ground for diplomatic intervention.

Welch is not claiming that he is entitled to reparation for imprisonment that the Venezuelan authorities might have inflicted upon him, for it is true that the imprisonment might have been for years instead of months, and that they might likewise have absolutely prevented him from procuring any food at all during his imprisonment rather than supply food that was hardly fit for a human being to eat.

It is, indeed, a strange theory of law that is presented by the State Department. They must admit that the imprisonment of Welch and the taking of his child was wholly illegal, because the courts of Venezuela have so held. They must admit that these trespasses were committed under orders of legitimate authorities laboring in their public capacities, and that there followed therefrom serious damage to Welch. They should admit that because of these things the laws of Venezuela (art. 39 of their constitution, and arts. 49, 50, 54, 56, and 62 of the law of foreigners) gives him the right to claim against Venezuela for such damage as he has suffered, and that if the situation in Venezuela (as to the record of the case and as to his inability to get a lawyer to represent him) is as he claims it to be, then justice has been denied him, and he has the unquestionable right to diplomatic intervention by the United States Government in his behalf.

He is not claiming for imprisonment and wrongs that might have been inflicted upon him, but for wrongs actually suffered as a result of a violation of their own laws by duly constituted authorities of Venezuela.

The department seems to be laboring under the delusion that if one be accused of assault and battery with intent to kill, it would be a perfectly good defense to plead on behalf of the accused "not guilty because he had the opportunity to murder the person assaulted and yet did not do it"; or that though the would-be assassin fires the shots into his victim and the surgeon saves the victim from death, the assassin, when brought before the bar of justice, has the right to plead the act of the surgeon as a good reason why he should not be published; or the thief violating the confidence of the employer, steals thousands, and as a bar to punishment cites that he could have stolen millions!

Judicial error is one thing; it is quite another to commit a rape of the law under protection (?) of judicial robes!

Acts which are trespasses ab initio and proceedings which are coram non judice can never attain the dignity of being within the law; and a ruling of a court declaring illegal that which never had any other standing only has the effect of stopping controversy, if there be any, as to the point and does not in any way ameliorate, minimize, or settle the damage that has been caused by the trespass.

It does seem that some official of the State Department would be able to see that while the decision of the superior court did have the effect of releasing Welch from custody it did not and can not have the effect of restoring the statu quo anti, and there still remains for settlement the damage caused from the illegal acts of the officials of Venezuela.

The State Department, in letters to Senators RANSDELL and BORAH, are more harsh in their treatment of the case than are the courts of Venezuela, because there it is stated: "It is important to observe that Welch has never been tried on the merits of the charges brought against him since the suit was dismissed upon a question of jurisdiction." The department seems to have completely overlooked the fact that two courts of Venezuela have decided that no "charges" have ever been brought, and therefore no suit has ever been instituted out of which any "merits" could arise.

Again, the letter says "It is not fair that on the merits he would have succeeded, since it appears that before his arrest Welch had instituted an action in the civil court of Bolivar to deprive the mother of the child of her rights with respect to its custody upon the ground of abandonment, but subsequently, while the action was still pending, he removed the child from the jurisdiction of the court." It remained for the State Department to discover in this act of Welch something upon which to justify his arrest and imprisonment; yet throughout all of the obvious groping by those who effected his imprisonment, for something upon which to legally justify their acts, it was not suggested that taking his baby out of the jurisdiction of the court was a violation of the law or even an act of impropriety.

The department seems to be impressed with the statement made by the writer of this argument that "Welch had been on most friendly terms with the former president, General Gomez," but apparently has completely overlooked the fact that I stated that the President of the State of Bolivar, Silvario Gonzales, had taken a very prominent part in the affair; so much so that Welch believes him to be largely responsible for that which has happened; and also that while Gomez may have been friendly with Welch this friendship does not extend to the point of causing him to intervene in Welch's behalf against Gonzales, an important supporter in his despotic government.

The department also says that it is not impressed with the evidence submitted by Welch as to the attitude of the lawyers of Venezuela concerning his case against the judge and the Government of that country. The evidence is in the form of an affidavit giving specific instances of refusal of the lawyers on the sole ground of fear of being imprisoned or otherwise mistreated by the civil authorities. By what other form of evidence Welch could establish his contention in this regard it is difficult to imagine.

The department states that the case, if brought in Venezuela, would be "highly unpopular and doubtful in outcome," and as to this we fully concur in the department's views. The only difference is that the department seems to think that this proves that Welch has a bad case, whereas we contend that it only establishes that Welch can not hope to get justice through the courts of Venezuela, even though he have a perfect case.

As to the department's comment: "If the facts were reversed, and the imprisonment had taken place in the United States, I should expect a similar reluctance by many of the bar to take an unpleasant case." This is the first time that the writer has ever heard of such a charge being lodged against the bar of America; and one needs only to examine records of the courts in the several jurisdictions of the country, State and Federal, to see how absurd and totally lacking in foundation the charge is. From the earliest history of the country to the present time able lawyers have been properly representing the causes of citizens whose rights have been trampled upon by either executive, judicial, or legislative authority, and without any regard whatsoever as to whether the cases were pleasant or unpleasant.

The department's letter continues, "I shall expect a diplomatic claim so based to fail in any neutral arbitral tribunal." Why the honorable Acting Secretary of State should feel as he does about this case is difficult to comprehend, since the precedents abundantly favor the successful outcome of a claim as well founded in law as is this case.

I give a few of the cases and rulings relied upon by the claimant:

In the case of Driggs *v.* Venezuela (Moore's Int. Arbt.) it was stated:

"The greatest criminal brought to the bar of justice is entitled to be tried according to the law of the land, not because he is deserving of any special consideration but because of the respect due the law itself. Driggs, therefore, was entitled to be *accused* and *tried* as the law of Venezuela provided, and, as the record seems to show, that in some particulars at least, this was *not* done, and *although we think him guilty* we can not say that he was *not the victim of a wrong* for which *reclamation should be made*. The old commission awarded Driggs $100,000, of which 15 per cent, or $15,000, has been paid by Venezuela, and with interest to date it would amount to double that sum. This, we think, *under the peculiar circumstances of this case*, is sufficient indemnity for the *wrong Venezuela committed* in *not trying a guilty man* according to *principles* and *methods of procedure* established by their own laws." (Italics added.)

Here is a judgment by a "neutral arbitral tribunal," based upon the naked legal right of a guilty person to be tried according to law. Why, therefore, does the honorable Acting Secretary of State have such fears as he expresses as to the outcome of the case we present? Has there been any change in the fundamental principles of law upon which the judgment in the Driggs case rests? Let it be remembered that two commissions said there should be a judgment against Venezuela; one said $100,000, the other said $15,000.

We come into court not with a guilty man but with an innocent man; one who suffered extreme hardship, mental, physical, financial—why?—because he was doing what the law, both moral and civil, compelled him to do, make proper provision for his offspring—thus preventing it from becoming a charge upon the public, and perhaps growing up in ignorance and vice. And yet we have a case that, according to the honorable Acting Secretary of State, must necessarily be decided against us! Because why? "The judge only committed an error of law, probably through ignorance." Fortunate it is for my client that his case does not have to be decided upon any principles of charity, because it is obvious that in an attempt to cover up the wrong committed by the judge in Venezuela, the honorable Acting Secretary has used up the entire mantle of that divine attribute; he evidently does not believe in the adage: "Charity begins at home."

The next case we cite as upholding our contention that we are entitled to diplomatic aid is:

The Davy case (1903; see Hudson's Cases on International Law, pages 1237–1239. We quote in part from opinion of Plumby, umpire, American. Davy was a citizen of Great Britain:)

"It is also urged by the honorable commissioner for Venezuela that the claimant should find adequate remedy by civil action through the courts of Venezuela, directed against the man, or men, who had done him this harm. He had this right, without question, but in the judgment of the umpire he was not compelled to resort to the courts for his remedy. He had recourse to the government of which he was a subject, there to obtain relief through diplomatic channels. * * *

"The case before the tribunal was purely a *lawless proceeding under certain color*, of law and legal authority, and under certain *forms of process, but* wholly against the *law of the land* (the exact conditions existing in the Welch case), and was a gross malversation and malfeasance by a civil officer, constituted such by the laws of Venezuela, and as much an affront to the honor of Venezuela as it is a *deliberate indignity* placed upon the claimant, and *an affront to the claimant government.*" (Italics added.) * * *

"Before the commission the honorable commissioner for Venezuela urged the irresponsibility of the respondent government for acts as are here complained of, because of the Federal character of the Venezuelan Government and the conditions which thereby attach to national action. * * * Internationally, the *National Government* is *solely* responsible *for the proper safeguarding of the rights and interests of foreigners, resident,* or commorant *within its territory.* * * * *Great Britain can not deal with the State of Bolivar,* the national integrity of the respondent government alone would prevent it."

"I have endeavored in every way to assure our sister republic in South America that the United States Government and its people have only the most friendly disposition toward them all. I have believed, however, that while holding these sentiments in greatest sincerity, that we must insist upon a just responsibility for any injuries inflicted upon our official representatives or upon our citizens. This insistence, kindly and justly made, will, I believe, promote peace and mutual respect." (President Harrison, annual message, 1892, For. Rel. 1892, XIV.)

"I say, then, that our doctrine is, that, in the first instance redress should be sought from the law courts of the country; but in cases where redress can not be had—and these cases are many—to confine a British subject to that remedy only, would be to deprive him of the protection which he is entitled to receive." (Lord Palmerston in the House of Commons, June 25, 1850, on the case of Don Pacifico; Howard Parl. Debates, CXII, 382–387.)

"A claimant in a foreign state is not required to exhaust justice in such state when there is no justice to exhaust." Secretary of State during Grant's administration, to Mr. Pile, minister to Venezuela.

"It can not be acknowledged * * * that diplomatic interference in such cases necessarily annihilates or trenches upon the peculiar functions of the judiciary of the country. In cases of denial of justice, the right of intervention through diplomatic channels is allowed, and *justice may be as much denied when, as in this case, it would be absurd to seek judicial process as if it had been demanded after having been sought.*" (Italics added.) (Mr. Fish, Secretary of State, to Mr. Foster, minister to Mexico, December 16, 1873.)

"I say in this connection that the first duty of a government is to protect its own citizens at home and abroad. No higher duty was ever imposed upon a government than this. A government that is willing to imprison one of its own citizens without law, *or to allow any other government to do it, is on the road to ruin.* It was said by the wisest

man of Greece, when the Greek Republic flourished highest and strongest, that the *greatest injury a government could receive was in the injury of one of its citizens, however humble, whether inflicted upon him by his own, or any other government.* The first duty of a government is to protect its own citizens. There lies the power of government. Protect your citizens and they will love their government; protect your citizens and you have a loyalty that is not mere lip service, but a loyalty that springs from the heart. Protect your citizens; give them the full shield of the law, and ample protection of their rights under the law, and you make good citizens. Leave them to be buffeted, imprisoned without redress, without justice, and you alienate them and create a disloyalty equal to any that ever raged through this or any other country." (Italics added.)

"No man errs on the side of a high appreciation of the constitutional rights of the citizen.

"If they had a right to take his liberty, they had a right to take his life. Life is not dearer than liberty. Liberty is the dearest, in my estimation. As to the loss of one or the other as a choice, I would say take my life, for without liberty life is of no value; none whatever; not the slightest."—Senator Voorhees, addressing the jury in Kilbourn against Thompson. (Thompson was suing the Sergeant at Arms of the House of Representatives of the United States for imprisoning him under an order from the House which the United States Supreme Court had held had no valid basis.)

Another American statesman has said:

"None but they who place a just value on the blessings of liberty are worthy to enjoy her. Your illustrious fathers were her jealous votaries. When the blasting winds of foreign tyranny drove her from public view they clasped her in their arms, they cherished her in their generous bosoms, they brought her safe over the rough ocean and fixed her seat in the dreary wilderness; they nursed her infant age with most tender care. For her sake they patiently bore the severest hardships; for her support they underwent the most rugged trials; in her defense they encountered the most alarming dangers; neither ravenous beasts that ranged the woods for prey nor the more ferocious savages of the wilderness could dampen their ardor. Whilst with one hand they broke the stubborn glebe, with the other they grasped their weapons, ever ready to protect her from danger. No sacrifice, not even their own blood, was esteemed too rich a libation for her altar. God prospered their valor; they preserved her brilliancy unsullied; they enjoyed her whilst they lived and, dying, bequeathed the dear inheritance to your care. And as they left you this glorious legacy, they have undoubtedly transmitted to you some portion of their noble spirit to inspire you with virtue to merit her and courage to preserve her. You surely can not, with such examples before your eyes as every page of history of this country affords, suffer your liberties to be ravished from you by lawless force or cajoled away by flattery and fraud.

"The voice of your fathers' blood cries to you from the ground, 'My sons scorned to be slaves. In vain we met the power of tyrants; in vain we crossed the boisterous ocean, found a new world, and prepared it for the happy residents of liberty; in vain we toiled; in vain we fought; we bled in vain, if you, our offspring want labor to repel the assaults of her invaders. Stain not the glory of your worthy ancestors, but, like them, resolve never to part with your birthright; be wise in your deliberations and determined in your exertions for the preservation of your liberties.'"

But recently Hon. Henry L. Stimson, Secretary of State of the United States, gave expression to the following sentiment at the disarmament conference:

"I deem it an auspicious event that our first meeting of the conference, in which there must be a spirit of understanding and cooperation, should take place in the Houses of Parliament, which have for Americans a deep significance as the *cradle of our jurisprudence and our fundamental ideas of human liberty.*" (Italics added.)

Another distinguished American statesman has said:

"Our written constitutions do nothing but consecrate and fortify the 'plain rules of ancient liberty' handed down with Magna Charta from the earliest history of our race. It is not a piece of paper; it is not a few abstractions engrossed on paper that make free governments. No, sir; the *law of liberty* must be inscribed *on the hearts of the citizens.* 'The Word'—if we may use the expression without irreverence—must become 'Flesh.'

"Before the Colonies existed, the Petition of Rights, the Magna Charta of a more enlightened age, had been presented in 1628 by Lord Coke and his immortal compeers. Our founders brought it with them, and we have not gone one step beyond them. They brought these maxims of civil liberty, not in their *libraries* but *in their souls; not as philosophical prattle, not as barren generalities, but as rules of conduct, as symbols of public duty and private right, to be adhered to with religious fidelity;* and the very first Pilgrim that set his feet upon the Rock of Plymouth, stepped forth *a living constitution, armed at all points to defend and perpetuate the liberty to which he had devoted his whole being.*" (Italics added.)

It would seem, therefore, that if the language of Mr. Secretary Stimson quoted herein is not to be taken as "philosophical prattle and barren generalities" but as "rules of conduct," as "symbols of public duty," then the State Department, over which he presides, must assist this typical American citizen in upholding the fundamental principles of human liberty for which he is so steadfastly contending.

Let it not be lost sight of that if James E. Welch had been venal and cowardly he could easily have compromised this case to the disgrace of every principle to which millions of patriots have given their all.

He having served throughout the World War in the not spectacular but nevertheless essential branch of the service—the merchant marine—a service which he was in at the outbreak of the war, and to which he was regularly assigned after this Nation entered the conflict—is probably not yet so far removed from the experiences of that conflict as to have forgotten the ideals for which Americans are supposed to have fought. Having lived in Venezuela for six and a half years; having seen the iron heel of despotism crushing out every semblance of liberty of the citizens of that country; not being able to comprehend the why of such things, he naturally feels that there must be some unseen, some sinister power "behind the throne" supporting, upholding, and maintaining this outrage against the American ideals of right and justice. (See North American Review for December, 1929, article by Morris Gilbert on conditions in Venezuela.) The issue that has been raised in this case will not down; it must have the serious attention of the proper officials of the United States. The facts of the case must be acknowledged and the law applicable thereto must be applied.

The fact that the child was born "out of wedlock" must not be allowed to obscure the real issue. In contracting a common-law marriage with the mother of his child, Welch was acting according to general custom. Such practice is quite generally indulged in there and has the sanction and approval of the highest representatives of that nation.

Upon recognizing the infant in the matter prescribed in the law of Venezuela, it became his child as a matter of law and of fact. It also thereby instanter became an American citizen.

"A child born out of wedlock in a foreign country of an American father and an alien mother, and subsequently legitimatized in accordance with the laws of the State of its father's domicile, by marriage of the parties or acknowledged by the father, is a citizen of the United States." (32 Opp. Atty. Gen.)

He had as much right to the custody of the child under these circumstances as any citizen could have. No one has the right to assume that its welfare is not as much a subject of anxious solicitude to him as the welfare of the child of any citizen of this country might be to its father. To say, or think, that during the period of his imprisonment, and for months after, and even to this hour, when he has been forced to leave his little baby girl in the hands of those who are not its natural guardians, he has not suffered intensely, is to further heap wrong upon him. To insinuate, as has been done in the letter of the Acting Secretary of State, that he could have had custody of his child many months ago, but he has not shown a disposition to avail himself of that privilege, is to slander him without the slightest justification. The department should be fully aware that Welch has not gone back into Venezuela for his baby for the reason: First, because he has not been able to get the State Department of the United States to offer any assurance that in case he should go to Venezuela and be set upon again he would get the slightest assistance from this Government to protect his rights; second, that because of the long and costly litigation he was put to in Venezuela, both on his personal account and on account of the child, he is without necessary funds to make the trip into Venezuela and return with the infant.

As to the $400 due for board for the infant, we feel that since the Government of Venezuela took his child illegally and placed it in the hands of other people, though he was in a position to care for it, and ready and willing to do so, they—the Venezuelan authorities—should be compelled to meet every expense in that connection in addition to paying him proper indemnities for the trespasses against him personally, which have hereinbefore been fully set forth.

A. L. KING,
Columbia, S. C., Attorney for Claimant.

The following case has bearing on what could have been done, and, we hope, would have been done by the President if he had been promptly informed by officials of the State Department of the illegal imprisonment of Welch:

Toward the end of December, 1884, the Department of State heard through unofficial channels that Julio Romono Santos, who was born in Ecuador, but who had been naturalized in the United States, had been arrested in Ecuador, and he was then confined in prison in that country on a charge of complicity in the recent revolutionary movement in said country. The department at once instructed the United States consul general at Guayaquil to investigate the facts and report upon them and at the same time to "communicate with the proper Ecuadorian authorities on the subject with a view of securing to Mr. Santos an early hearing on his own behalf, and a prompt liberation if the charges be not sustained."

Ecuador answered that it "doubted whether Santos had retained his North American citizenship, since he had been born in Ecuador and resided there for six years, more or less, after his return from the United



States; it would have been pleased to release him if he had not been submitted to judgment for his immediate and direct complicity in the hated crime for which he is to be adjudged.

"That the Government would restore him to freedom if in the course of proceedings the proof of his complicity should be disputed, but that this would not be easy since it seemed that he was taken in in flagrante on board of a boat that carried arms to rebels."

Under these conditions, what did the Government of the United States do? Why it promptly ordered the U. S. S. *Wachuette* to Guayaquil in connection with the case, and continued to demand the prompt trial or release of Santos. No action being taken by Ecuador except to continue to insist that Santos was a citizen of that country, the United States took deposition from Santos as to his citizenship.

Thereafter Ecuador named an envoy to proceed to Washington to arrange the matter.

Upon receiving notice of this action, the Secretary of State of the United States telegraphed to its representative that it held Santos's citizenship to "be fully established and not debatable," and that the warship would soon return to Guayaquil bearing full instructions.

The envoy from Ecuador reached New York about this time and, announcing his arrival by telegraph, asked that telegraphic instructions be sent to agents of the United States in Ecuador to "stop any proceedings" in the matter till he could be heard, and the following day he sought an interview with the Secretary of State (Mr. Bayard), who replied:

"I have the honor to invite you to visit the department to-morrow at such hour as may suit your convenience after 10 o'clock, here to inspect the instructions and accompanying documents which have been sent to the United States consul general at Guayaquil. Your personal inspection of these papers will give you an opportunity to telegraph your Government of your concurrence in the decision of this department and to request the trial or release of Mr. Santos. This being done might avoid the presence of a man-of-war of the United States at Guayaquil and so enable prompt disposition of the matter, as befits the good relationship of the two countries."

It is needless to add that Santos was thereupon promptly released. A claim was pressed for indemnity, which was settled "out of court" for $40,000, this amount being accepted by Santos because of the exhausted condition of the treasury of Ecuador and because of Santos's close friendship with General Alfaro, who was the head of the revolutionary group, and who in the meantime had become "Supreme Chief of the Republic."

WASHINGTON, D. C., *March 18, 1930.*

Re claim of J. E. Welch against Venezuela.

Hon. J. P. COTTON,
Acting Secretary of State,
State Department, Washington, D. C.

SIR: Replying to your suggestion that I name the amount in this case that I think would be proper reparation in the event the Government of the United States should decide that it will entertain the request that has been made by the claimant for diplomatic aid in seeking an adjustment, I beg to advise:

The claimant is a man who during the World War fully performed his duty to his country as a sailor on the high seas.

The claim is based upon three elements of damage—that is, for illegal imprisonment without the slightest color of justification or excuse, such imprisonment being carried out in a cruel and vindictive manner, as shown by refusal to grant bail, though the alleged charge fully warranted bail, and proper application was made for same; also by failure to supply any food except such as would certainly have caused, if eaten, serious illness and possibly death; also that the incarceration was for 43 days in jail in which the lowest type of humanity were kept.

The claimant's infant child was literally torn from his arms and illegally turned over to a certain woman who, of all persons in the world, he did not desire her to be with. The child, when finally deposited with the people who were of a character to give her proper care, was emaciated, covered with sores, and showed every evidence of lack of proper food and care.

The claimant's growing business, that had taken him years of the hardest kind of work to establish, and in which he had practically no competition, was wiped out. Not only is the foregoing true, but it is more than probable that his years of scientific studies of the oil and other mineral fields of Venezuela and all his other efforts from which he could reasonably expect to receive large returns is gone forever. This business was actually paying at the rate of over $1,000 per month profit.

Now, as to the first item, I do not think we need go further than the case of Kilbourn *v.* Thompson, tried here in the District of Columbia in 1881. It arose, as you no doubt know, out of the fact that a congressional committee, honestly believing that it had ample powers to do so, ordered Kilbourn to turn over to the said committee certain books and papers named. Kilbourn disputed the legal authority of the committee and refused, whereupon the Sergeant at Arms (Thompson) was ordered to arrest him and keep him confined until he should comply with the order of the committee. Kilbourn prosecuted a writ of habeas corpus to the United States Supreme Court, which held that the arrest was illegal. Kilbourn thereupon brought suit against the Sergeant at Arms—which was, for all practical purposes, a suit against the United States Government—and although it was shown during the trial that he had been accorded every possible care and courtesy during the confinement, the jury awarded him $100,000, which would be equal to $500,000 or more as money values go to-day.

This, you will observe, is a case in which there was no aggravating circumstances. The verdict was based simply upon the American jury's value of human liberty. I therefore contend that the liberty of J. E. Welch, my client, is every bit as valuable as was the liberty of Kilbourn in the case above referred to, and that since he suffered not only imprisonment but fearful punishment caused by the cruel, wanton, and altogether outrageous conduct of the agents of the Government of Venezuela, we are entitled to at least $500,000.

This, you will observe, does not take into consideration the illegal taking of the child or the practical wiping out of the claimant's business.

If it can be shown to me why the Kilbourn case does not present a proper basis upon which to assess damages in the case we are now considering, I will be most happy to have such information.

In presenting these figures I am not unmindful of the fact that in our conversation of the 17th instant you stated that you would probably refuse to aid a recovery for any amount, but that if the amount named by me should be large or, in your opinion, excessive, you would most certainly "turn down" the claim.

I, of course, did not take the above statement seriously, because it is inconceivable that any official of this Government would attempt to have a citizen who has a just and legal claim against either his own or any other government cut his proper legal demand or suffer the penalty of being thrown out of court. I stand upon this position: We are either right, and if so, entitled to a full, fair reparation, or we are wrong, and if so, are not entitled to one penny.

It must be borne in mind at all times that this matter affects a citizen's inalienable rights, to wit, his personal liberty, the possession and control of his child, and his vested interest of property and information obtained as a result of years of professional skill and hard labor.

With the facts in this case as I know them to be, I would not hesitate for a moment to enter suit in any jurisdiction of this country for at least $500,000, and would place the case in the hands of a representative jury with full confidence that a verdict in that sum would be written.

In setting forth the foregoing I have, of course, only complied with your suggestion that I name a figure that I think will be appropriate upon which to adjust this claim. I recognize only too well that this, after all, is a matter for you to decide, and that if any amount whatsoever is demanded of the Venezuelan Government by the Government of the United States of America it must be based entirely upon your conception of the value of a citizen's fundamental rights.

My client authorizes me to say that he will be content to have the damages fixed by the United States Government in such sum as its officials feel will be proper in the premises. We feel, however, that whatever adjustment is made should establish a precedent in matters of this kind. The question, therefore, resolves itself into this simple proposition: What value do the officials of this Nation, the guardians of the fundamental rights of the people, place upon these priceless treasures which have been guaranteed them (the people) under the fundamental laws of this country, the laws that these said officials have sworn to uphold and defend?

I repeat, I can only give my conception of the value of these things, which is based upon not only what I think, but upon the verdict of the jury of this country in a case not nearly so strong as the one presented here.

I submit the matter to you, sir, with the confident belief that my conception of the value of these things is not one whit higher than is yours.

With great respect, I am, sir, very truly yours,

A. L. KING,
Attorney for Claimant.

DEPARTMENT OF STATE,
Washington, D. C., March 24, 1930.

The Hon. WILLIAM E. BORAH,
United States Senate.

SIR: I have received your letter of March 13, 1930, with further reference to the request of Mr. James E. Welch that this Government espouse a claim in his behalf against the Government of Venezuela because of his arrest at Barcelona, Venezuela, February 25, 1929, upon charges of taking the law into his own hands and forcibly abducting a child from the home of its mother and grandmother in Ciudad Bolivar, and his detention in jail at the latter place until April 8, 1929, and the action of the Venezuelan authorities in taking from him the child in

question, which had been born of a Venezuelan woman, out of wedlock, and subsequently ackowledged by him.

This case has been given very careful attention in the light of the various letters and other documents submitted by Mr. Welch and oral statements made by him during his numerous visits to the department. The conclusion that there are not sufficient grounds for making a diplomatic claim against the Government of Venezuela, together with the reasons therefor, have been communicated to Mr. Welch, both in writing, through Senator RANSDELL, and orally.

The judge of the lower court, who was responsible for the arrest and detention of Welch, seems to have erred in accepting as the basis for criminal proceedings a document submitted by the child's grandmother, which did not comply with the requirements of the Venezuelan law, but because of this error after hearing by the criminal court, Welch was released under bond on April 8. The case having been appealed by the prosecution to the Superior Court of Bolivar, the decision of the criminal court was confirmed and Welch was released without bond on May 3. It appears that an appeal from this decision was taken by the prosecution to the Supreme Court of Bolivar but subsequently withdrawn. Thus it seems that Welch was finally given a fair hearing. The records indicate that his case was given very careful consideration by the criminal court and the superior court, both of which decided in his favor. If he has any complaint against the judicial authorities of Venezuela, it appears that it must be against the judge of the lower court, who was responsible for his arrest and detention. There are provisions in the laws of Venezuela under which suit for damages may be brought against a judge who has been guilty of abuse of power. It is consistent with the facts shown that the error of law of the judge of the lower court arose from error or ignorance rather than any willful abuse of power. It is important to observe that Welch has not yet been tried on the merits of the charges brought against him, since the suit was dismissed upon a question of jurisdiction.

It is not clear that on the merits he would have succeeded since it appears that, before his arrest, Welch had instituted an action in the civil court at Bolivar to deprive the mother of the child of her rights with respect to its custody upon the ground of abandonment, but, subsequently, while this action was still pending, he removed the child from the jurisdiction of the court. The child was taken from him by the authorities of Bolivar shortly after his imprisonment there. It appears further that the court in which the civil action last mentioned had been instituted rendered a decision in Welch's favor in July, 1929, while Welch was in Caracas, thus making it possible for him to assume the custody of the child. There seems to be no indication of any unfair dealing on the part of the court in this regard. However, it appears that Welch did not return to Bolivar for the child but, instead of doing so, came to the United States to press his claim.

In view of Welch's appeal, the department on November 7 last sent a telegram to the chargé d'affaires at Caracas, calling his attention to Welch's statements to the effect that he was apprehensive lest the child be abducted from the persons who are now taking care of her. The chargé was told to ascertain the child's situation and condition and, if circumstances seemed to warrant it, to ask the Government to see that police protection be given to the child. In a telegram of November 8 the chargé replied that the legation had kept in close touch with the case and that the Venezuelan authorities had cooperated. He added that Welch could have obtained custody of the child six months before if he had so desired.

On March 1, 1930, the department sent another telegram to the legation at Caracas instructing it to ascertain the child's condition and welfare. On March 6 the legation reported that the vice consul at Ciudad Bolivar had telegraphed that he had seen the child who was in the care of people of refined habits and appeared healthy, and that the custodian of the child has not heard from Mr. Welch since October and needs $400 to cover expenses of the child to date.

Mr. Welch's lawyers assert that he is on the most friendly terms with the President of Venezuela, but that he can not get a lawyer in Venezuela to take his case. But foreign interests in Venezuela have, in general, not failed of legal protection and Mr. Welch has only shown that several lawyers to whom he has applied do not desire a case which would be highly unpopular and doubtful in outcome. If the facts were reversed and the imprisonment had taken place in the United States, I should expect a similar reluctance by many members of the bar to take an unpleasant case, and I do not regard the proof in that regard as indicating a failure of justice. I should expect a diplomatic claim so based to fail in any neutral arbitral tribunal. There do not, therefore, seem to be sufficient grounds to justify a diplomatic claim against Venezuela in this case. Mr. Welch has been informed that should he decide to return to Venezuela for the child, the department will send to the legation at Caracas such instructions as may seem appropriate, with a view to facilitating his trip.

Very truly yours,

J. P. COTTON,
Acting Secretary of State.

PARAGRAPH 1510 OF THE TARIFF BILL—AGATE BUTTONS

Mr. COPELAND submitted the following concurrent resolution (S. Con. Res. 27), which was referred to the Committee on Finance:

Whereas through inadvertence paragraph 1510 of H. R. 2667 contains the words "or agate buttons" following the words "made in imitation of or similar to pearl, shell"; and

Whereas there are no buttons made in imitation of or similar to agate buttons; and

Whereas said section is intended to protect buttons of pearl or shell by imposing a higher rate of duty on buttons commonly known as agate buttons; and

Whereas said paragraph as it now reads is capable of erroneous interpretation and may result in much expensive litigation, costly to the Government as well as to the industry: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That said paragraph 1510 of H. R. 2667 be amended to read as follows: Buttons commonly known as agate buttons, and buttons made in imitation of or similar to pearl or shell (except buttons commonly known as Roman pearl and fancy buttons with a fish-scale or similar to fish-scale finish), 1½ cents per line per gross and 25 per cent ad valorem; parts of buttons and button molds or blanks, finished or unfinished, not specially provided for, and all collar and cuff buttons and studs composed wholly of bone, mother-of-pearl, ivory, vegetable ivory, or agate, and buttons not specially provided for, 45 per cent ad valorem.

PAY OF THE DISTRICT POLICE AND FIRE DEPARTMENTS

Mr. PHIPPS. I send to the desk an amendment which I propose to offer to the bill (S. 2370) to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia. I request that the amendment may be printed and lie on the table, and I shall ask to have it considered at the time the bill is taken up.

The VICE PRESIDENT. The amendment will lie on the table and be printed.

CHANGE OF REFERENCE—WILLIAM J. RYAN

On motion of Mr. ASHURST, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 4068) for the relief of William J. Ryan, chaplain, United States Army, and it was referred to the Committee on Claims.

HOUSE BILL REFERRED

The bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, was read twice by its title and referred to the Committee on Finance.

PROHIBITION ENFORCEMENT

Mr. WATERMAN. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the Rocky Mountain News, Denver, Colo., of the issue of Wednesday, April 16, 1930, bearing upon some proposals with reference to the enforcement of prohibition.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Rocky Mountain News, Denver, Colo., Wednesday, April 16, 1930]

TOWNS TOLD TO MAKE MONEY IN DRY-LAW CASES—FEDERAL AGENT TELLS COLORADO CITIES TO FINE VIOLATORS IN MINOR COURTS—PICTURES NEW REVENUES—HAZELTINE AND WOMAN'S CHRISTIAN TEMPERANCE UNION WILL SEEK MODEL ORDINANCES THROUGHOUT STATE

Colorado's cities and towns are overlooking a productive source of revenue. They can make a lot of money from prohibition violators by fining them in minor courts, F. A. Hazeltine, senior prohibition investigator from Washington, pointed out yesterday in a written statement.

Hazeltine appealed to all Colorado cities and incorporated towns to pass stringent ordinances against the sale, possession, and manufacture of liquor. Once this is done, he said, a lot of money can be made from fines, court costs, and the like, which is entirely lost when prohibition violators are tried only in the Federal court.

Hazeltine urged that dry-law violators be first tried in the minor courts, in order to get this revenue, and then said that if they did not receive an adequate fine, or if they had any money left over, they could then be tried in higher courts or in the Federal court.

WOMAN'S CHRISTIAN TEMPERANCE UNION CAMPAIGN

The statement was issued in behalf of a Woman's Christian Temperance Union campaign to see that all Colorado cities and towns pass adequate liquor laws. Hazeltine, who recently arrived in Denver from Washington, where he has his headquarters, said that the campaign is being actively supported by Prohibition Administrator John F. Vivian.

After explaining how the proposed local ordinances would work, he declared:

"Even placing the matter on the low motive of revenue for the town, there is every reason why such ordinances be passed. As it is now, the fines collected in liquor cases brought before the justices of the peace, county or district courts, go to the State school fund and a small proportion ultimately trickles back on a pro rata basis to each county and school district, and the fines collected in the Federal courts are wholly lost to the State.

CASH FOR CITY TREASURY

"But if the fines are collected in police court they go to the city treasury to help pay local city expenses.

"The amount depends on the local police officers and the police judge. If the fine levied is inadequate, there is nothing to prevent the violator being again tried for the same offense in the county and Federal courts if the judges will stand for it, and they frequently do.

"Some town officials make a practice of taking the offenders into their police court and then turning them over to the justice of the peace for further punishment. Incidentally, they get witness fees in each court.

"If they still have some property or money left, I can take them on for some penalties ranging from $2,000 to $5,000 under some old revenue acts with which they have failed to comply.

"Two towns in the State have already seen the advantages to them of having such ordinances and have ordinances before their councils for passage."

IN STRATEGIC POSITION

The practice of collecting penalties from prohibition violators under old revenue laws, intended for preprohibition conditions, was the object of Hazeltine's visit to Colorado. He is now engaged in making collections under these revenue acts from offenders who had been convicted under the prohibition law.

Hazeltine's statement said that the Woman's Christian Temperance Union has 169 local unions in Colorado and that there are 225 towns and cities to be reached.

"The organization," he said, "is therefore in a strategic position to put over such a movement, as there are in so many of the towns a group of devoted women to bring local influence to bear and bring to the attention of the councils the value and importance of such ordinances."

QUESTIONNAIRES SENT OUT

Prohibition Administrator Vivian is now sending out questionnaires to town clerks, asking for copies of any ordinances that have been adopted, the statement said. From these a "model ordinance" will be drawn and submitted for passage. Then the Anti-Saloon League will begin holding county institutes, Hazeltine said, and these will urge the passage of such ordinances.

Hazeltine said he had called the attention of Mrs. Adrianna Hungerford, State president of the Woman's Christian Temperance Union to the situation and that the campaign of her organization was the result. He said he also would travel throughout the State urging passage of the "model ordinance."

"The responsibility for the enforcement of prohibition rests just as much on the towns and cities as on the county officers and the Federal agents," said Hazeltine, "and the Federal and county courts are now being cluttered up with liquor cases which should have been handled in police courts. The Federal agents, especially, should not be called upon to look after petty bootlegging and possession cases that are plainly within the province of local authorities. This was not the design of the law at all."

TARIFF BILL—TRANSFER OF PAPERS BY CONFEREES

Mr. SWANSON. Mr. President, I see the Senator from Utah [Mr. SMOOT], the chairman of the Finance Committee, is now in the Chamber, and I wish briefly to touch upon a subject which I think is of interest.

I have read in the press a statement that the conferees on the part of the Senate on the tariff bill contemplate transferring the papers which they carried to the conference and which are in their possession to the conferees on the part of the House, so that the House may act first on the conference report. I have no objection to that procedure if the members of the conference committee think it is the wise course to pursue, but I do object to it as a precedent.

If there is any principle established in parliamentary law it is that the conferees of the Senate, as agents of the body, have no right to exercise their judgment and transfer the actual possession of papers to the House conferees without the consent of the Senate. For the Senate conferees to take such action in this instance would establish a dangerous precedent. The conferees might want to kill a bill, contrary to the wishes of the Senate, and by transferring the papers to the House, and first having action taken there, if that body should want to kill the bill, it might do so in that way. This question first arose when the Wilson-Gorman tariff bill was passed. At that time it was decided, after considerable debate, that the conferees of the body having possession of the papers could not transfer them to the other body.

I do not desire to interfere with the program, but I think the Senator from Utah should ask unanimous consent that the conferees of the Senate, the agents of the Senate, be permitted to transfer the papers to the conferees of the House, so that the House may first act on the conference report.

Mr. SMOOT. Mr. President, this whole question was submitted to the parliamentarian of the House and to the parliamentarian of the Senate before any action was taken by the conferees.

Mr. SWANSON. Such action has been taken, but not when there was objection.

Mr. SMOOT. I have no objection at all, Mr. President, to asking unanimous consent, as suggested by the Senator from Virginia. Therefore, in compliance with his request, I ask unanimous consent that the Senate conferees be authorized to deliver the papers to the House conferees, so that the House may first act upon the conference report.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. HARRISON. I hope unanimous consent, as requested by the Senator from Utah, will be granted, in order to remove any doubt that might exist about the matter, because the House certainly ought first to consider the conference report.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

RESTRICTION OF IMMIGRATION

The Senate resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the immigration laws.

Mr. CUTTING obtained the floor.

Mr. McNARY. Mr. President, will the Senator from New Mexico yield to me to submit a request for unanimous consent?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Oregon?

Mr. CUTTING. I yield.

Mr. McNARY. Mr. President, I submit a proposed unanimous-consent agreement, which I ask may be read.

The VICE PRESIDENT. Let the proposed unanimous-consent agreement be read.

The Chief Clerk read as follows:

It is agreed by unanimous consent that, after the hour of 1 o'clock p. m. to-day, no Senator shall speak more than once or longer than 10 minutes upon the bill under consideration, Senate bill 51, or upon any pending amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. CUTTING. Mr. President, on yesterday afternoon I desisted from certain remarks I was making on the pending amendment in the hope that the Senate might reach an early vote. As that proved to be impossible yesterday afternoon I should like now to take a few moments to make my position as to this entire legislation a little bit clearer.

A great deal has been said on this floor which might indicate that the proponents of the Harris bill had a lack of sympathy toward the great Republic to the south of us. For my own part I wish to disclaim any such feeling.

The Mexican people, so far as I have had the privilege of knowing them, are sturdy, virile, kindly, hospitable people of Indian stock. Before the Europeans came to this continent they had reached a very high degree of civilization. For four centuries they have been oppressed by foreign invaders and exploiters of their own race. During the last 20 years they have been engaged in throwing off their shackles, and especially during the last half of that period they have succeeded to a large degree in improving their conditions.

They have enjoyed an enlightened leadership. They have made a high degree of progress along social, political, and industrial lines. In spite of economic depression and financial handicaps, which will probably last for many years, the Republic of Mexico has adopted far-reaching programs of road building and of industrial and agricultural development. The labor legislation of Mexico is exceedingly progressive. Her penal code and her prison system are probably the most advanced and intelligent to be found at present anywhere on the globe.

I have seen, Mr. President, the leaders of the Mexican people engaged in working out their highly difficult problems, and I want to say that even this admirable and enlightened body could find much to learn from the Mexican leaders in the way of

courage and patriotism and devotion to their peculiarly difficult tasks.

In addition, Mexico is undergoing an artistic and cultural awakening without any precedent in the history of this continent. The United States can learn much from Mexico. The one sentiment which we ought not to have is the sentiment of contempt.

But, Mr. President, on the other hand, this question can not be considered from a sentimental point of view. Unrestricted immigration from Mexico to this country is not in the permanent interest of the Mexican people, nor is it in the permanent or temporary interest of the people of this country.

It is quite evident that the Mexicans who come to this country from old Mexico are apt to lose their own peculiar racial virtues by contact with our people without acquiring the virtues of the people into whose midst they come. They do not come here because they like our system of government. They come here largely because wages are better; but, to a large extent, also on account of the unfortunate conditions which have existed in their own country. In every year in which there is a cessation of revolutionary activity in Mexico the Mexican population in the United States is found going back. There was no Mexican immigration, to speak of, before 1908, and if the present program of the Mexican Government shall be carried out there will be very little immigration in the future. Any American industries which think they must depend on Mexican labor to carry on had better readjust their plans for the future.

Mr. President, the citizens of the border States are the ones that suffer primarily from the unrestricted influx of Mexican immigration. We who come from those States have got to consider first of all the interest of our own people. I can speak primarily only for the people of my State, yet I know that similar conditions prevail, to some extent, in all the other border States.

The State of New Mexico is composed in major part of the descendants of the original Spanish conquerors who came over in the sixteenth and seventeenth centuries. They have intermingled very slightly with the native Indian population. They are not composed of people of the same race as the inhabitants of old Mexico. They are an agricultural people; they are competitors with those who come in from Mexico to engage in agricultural labor in the beet fields, in the cotton fields, and in other industries in the Southwest and the Western States.

The Senate listened yesterday afternoon to the junior Senator from Wisconsin [Mr. BLAINE], who made a very convincing presentation of the conditions which prevail in the beet fields. The information which I have from many hundreds of citizens of my State coincides in every respect with what the Senator from Wisconsin said on yesterday.

In other words, people who have been American citizens for more than 80 years have got to live under conditions which the Mexican immigrant is willing to accept because he can find nothing else to do.

The people of New Mexico have always resented the fact that outsiders confuse them with the people of old Mexico. They are Mexicans only in the sense that they formerly formed part of the Mexican Republic. That is, they are Mexicans in the same sense in which the inhabitants of Massachusetts or Virginia are English, and in no other sense. There are many, many thousands of these people who wish for agricultural employment under decent conditions and with an American wage scale. They are prevented from obtaining such employment on account of the unfair competition immigration from across the border.

Mr. President, how is that situation going to be affected by the pending amendment, suggested by the senior Senator from Wyoming [Mr. KENDRICK]? I do not wish to take much of the time of the Senate in detailed discussion of this amendment, because I think it has been well handled by the junior Senator from Alabama [Mr. BLACK] and the junior Senator from Wisconsin [Mr. BLAINE]. I can not see how the provisions of this amendment can possibly be enforced. The Mexican immigration which now comes into the country has become not merely a southwestern problem. The immigrants go up to Montana; they go east to Michigan, and as far as Pennsylvania. There are large settlements of Mexican laborers in the State of Pennsylvania to-day who are employed semiprofessionally as strike breakers whenever a strike needs to be broken.

Under the pending amendment, the Commissioner General of Immigration, together with the Secretary of Labor, may prescribe regulations under which Mexicans can come into the country to take some particular employment; but after they are once here what regulations can guarantee that the Mexicans in this country shall remain in the occupation for which they were imported? I can not conceive how any regulations can affect the right of these men, once in this country, to go where they please; and if any regulations stringent enough to accomplish that end could be devised by the Secretary of Labor or anyone else, it seems to me it would be simply legalizing a system of peonage which is utterly repugnant to the views of the people of this country.

I know the difficulty under which the employers of labor in the Southwest and in the Western States are acting. I have every sympathy for them. The beet-sugar industries are insisting that their work can not be conducted without Mexican labor.

I would remind those who use that argument, first, that the beet-sugar industry of Europe is far greater than our own, and, furthermore, that sugar beets are produced in Australia and in New Zealand and in Canada by people exactly similar, from a physical and racial point of view, to our own people in this country. I call attention further to the fact that before 1908 the beet-sugar industry was able to exist without any Mexican labor to speak of; and, as I said a few moments ago, Mexican immigration will cease in any event as soon as stable conditions exist in the Mexican Republic.

The immigration which is coming into this country from Mexico is not coming chiefly from the arid or the depressed or the infertile parts of Mexico. It is not coming from the northern States, as many people imagine. It is coming principally from the three States of Guanajuato, Jalisco, and Michoacan—three States of the central Mexican plateau, the mesa country—with one of the most delightful and fertile climates in the world, with marvelously productive soil, without a large population to cultivate it. That is where the Mexican immigration is coming from; and the reason why it is coming from those States is because political conditions have been unsettled; because the religious dissensions have been more intense in those States than they have in other parts of Mexico. As soon as a general settlement of conditions in that country comes about, we shall in any case see a cessation of Mexican immigration, and the business interests of the West and the Southwest and the great railroad systems in that part of the country which to-day depend almost entirely for unskilled labor on Mexican immigration will have to make some other arrangement; and the sooner they make it the better for all concerned.

The Republic of Mexico has only 15,000,000 people to carry on its tremendous resources, to develop its great country. As soon as stable economic and political conditions are restored down there, that population is going to be needed at home.

Mr. President, for these reasons I have always been a proponent of restricting Mexican immigration. At the present time, with the unemployment in this country reaching figures which we do not know accurately, but which may reach up to something like 5,000,000, it seems as if the time has come immediately to lay down the bars. I say this with every sympathy for the Mexican people and for the Mexican Government. I say, and I think every Senator on this floor will agree with me, that we have to look out for the interests of our own people first. In the long run, I believe the restriction of immigration will be to the advantage of the Mexican people as well as our own. But, Mr. President, if the amendment suggested by the senior Senator from Wyoming [Mr. KENDRICK] is adopted, I feel that the gates are far more open than they are under the present system of informal negotiations by the State Department.

What difference does it make to any farm laborer in this country whether his Mexican competitors come in for eight months or come in permanently? At the end of the eight months they go out, it is true; but those are the only eight months in which he himself is able to obtain employment; and when the season comes around next year perhaps not the same Mexican immigrants, but an equal number of them, will come and take his job away from him, as they have done this year.

Therefore, Mr. President, if by any mishap the pending amendment to the bill should be agreed to by the Senate, I intend to vote against the bill as a whole; and I intend to vote against it, not because I have changed my mind about the necessity of restricting Mexican immigration, but because there is now before the House of Representatives a bill which I believe, under those circumstances, would be far better for the people of this country than the Harris bill. It was reported to the House with a large majority, and I think there is no doubt the House of Representatives will pass it; and I should prefer to wait until such legislation, or some other reasonable and sound legislation, can be brought before this body, than to pass the pending bill with such an amendment as the one now before us.

CHANGE OF REFERENCE OF NATIONAL ANTHEM BILL

Mr. NORRIS. Mr. President, in last April a bill was introduced regarding the national anthem. It was referred to the Committee on the Library. Recently, the House has passed the bill, H. R. 14, to make The Star-Spangled Banner the national anthem of the United States of America. When that bill came over here, it was referred to the Committee on the Judiciary.

I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of H. R. 14, and that it be referred to the Committee on the Library. That is the committee to which the Senate bill was referred.

The PRESIDING OFFICER (Mr. JONES in the chair). Is there objection to the request of the Senator from Nebraska?

Mr. BARKLEY. Mr. President, reserving the right to object, the mere fact that the original bill was referred to the Committee on the Library does not necessarily prove that that was the proper committee. If it is a matter over which the Committee on the Judiciary has proper jurisdiction, it seems that the more appropriate request would be to have the bill now before the Library Committee referred to the Judiciary Committee, so that it may consider both bills.

Mr. NORRIS. I think the bill could very well be referred to either committee. It is not, however, a question that pertains particularly to the jurisdiction of the Judiciary Committee. There is no legal proposition involved in it. It seems to me that the Library Committee is a very appropriate committee; and another reason is that the Judiciary Committee has been loaded up and overwhelmed with bills referred to it. It has been a physical impossibility for the Judiciary Committee even to take up all the bills in subcommittees. There are subcommittees working now that have 10 or 12 bills before them.

Mr. WALSH of Massachusetts. Mr. President, may I inquire which is the bet[illegible]inging committee? [Laughter.]

Mr. NORRIS. I think the Committee on the Library. There is no music, as the Senator knows, in the Judiciary Committee.

Mr. BARKLEY. I do not think the Committee on the Library wish to enter into any contest with the Committee on the Judiciary on the subject of music.

Mr. NORRIS. I assumed that the Committee on the Library would have no objection to having the House bill referred to them. They have made no objection. The Senate bill was referred to them and is there at this time. It seems to me that if there is any difference—it is not so very material—it is a little more appropriate for the Committee on the Library to handle a matter of this kind than the Judiciary Committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

ADDRESS BY OWEN D. YOUNG ON RELATIONS OF UNITED STATES TO OTHER NATIONS

Mr. GLASS. Mr. President, I ask leave to have printed in the RECORD an address delivered recently at San Francisco by Mr. Owen D. Young on the relations of this Nation to other nations of the earth.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From the New York Times of March 25, 1930]

YOUNG SAYS AMERICA CAN NOT STAND ALOOF—DECLARES EITHER ECONOMIC OR POLITICAL ISOLATION FROM OTHER NATIONS IMPOSSIBLE—"TOO RICH TO BE LOVED"—HE EMPHASIZES NEED OF KEEPING ECONOMIC MACHINERY FREE FROM POLITICAL DOMINATION

San Francisco, March 24.—Owen D. Young, speaking on international affairs in describing the reparations plan which bears his name at the celebration to-day of the sixty-second anniversary of the University of California, declared that the isolation of America from the rest of the world, either economic or political, was impossible.

From an economic point of view, he maintained, it is inevitable that the United States take an interest in and be concerned in the material problems and affairs of every country on the globe.

"Let no man think," he exclaimed, "that the living standards of America can be permanently maintained at a measurably higher level than those of the other civilized countries. Either we shall lift theirs to ours or they will drag ours down to theirs. Tariffs and other petty political barriers, temporarily justifiable, will in the long run only accentuate the trouble."

Referring to politics, Mr. Young said nothing was clearer from the experience of the last 10 years than the necessity of keeping our economic machinery, and especially our finance, free from the domination and control of politics.

Speaking of the reparations plan, he said it was the best settlement that could be made. It was neither an economic settlement nor a political settlement, but a compromise between the two.

Whether the burden placed on Germany by the plan is too great only time will tell, he stated. Personally he had great confidence in Germany's ability to pay. Germany's honor, not her freedom, was now at stake.

TEXT OF THE ADDRESS

Mr. Young's address was as follows:

"Mr. President, ladies and gentlemen of the University of California, if one were to speak on international affairs, it would be fitting to do so at one or the other of those great ports which are our most sensitive contacts with the outside world. Through New York and San Francisco, inward and outward, flow in substantial part the great movement of men and things which constitute international transportation—of voices and records which make up international communication; of finance, that essential mechanism through which all these interchanges are made possible.

"It is true that Washington, as the political focus of the Nation, makes our political contacts abroad, but they are relatively superficial and inconsequential compared with these sensitive forces of quick and constant action which represent out participation in the economic activities of the world. So after the completion of the Dawes plan I spoke of my experiences abroad, first in New York. Now, after the completion of the new plan I consider it a privilege to say my first word at the great port of entry of the West. It is perhaps not inappropriate that it be said as a part of the celebration of this significant anniversary in the life of the University of California.

"On the 11th day of November, 1918, the military forces engaged in the Great War suspended operations. For more than four years they had been our masters. They commanded our thoughts and our ambitions; they held as hostage our property and our lives; Politics had retired to second place; Economics had temporarily been forgotten.

POLITICS COMES TO THE FORE

"After the military had suspended its act in the tragic drama, Politics and Economics again came on the stage. Politics, as she advanced to the footlights, had never seemed so charming. She received the applause of all the world. How delightful it was to get rid of that old witch of war who destroyed our wealth and our peace of mind, who murdered our sons and who disarranged all the notions of our daughters! Is it any wonder that Politics commanded our admiration?

"What high hopes we had of her! True, there was on the stage also a very modest being, ragged in clothing, bewildered in her senses, known as Economics. No one paid much attention to her in comparison with their lovely idol. Truly, Politics was mistress of the world. And with that setting the play went on.

"Politics, conscious of her power and with impatient hand, wrote a treaty while all the world was lost in admiration of her daring. In those days a part of her charm lay in her many moods. One day she spoke through Woodrow Wilson, and the audience sat breathless, moved by the high idealism of a great man and the rich expression of a master. Another day, by contrast, she was hard and cynical, and what the world calls practical, as she spoke through Clemenceau. And still another time she had the delightful abandon and irresponsibility of a mischievous mistress as she was impersonated by Lloyd-George. And she had courage, too, because she swept away age-old boundaries and made new ones.

"True, occasionally was heard the weak voice of Economics modestly protesting here and there, occasionally even offering advice, only to be silenced by the imperious gesture of the leading lady. And one day she decided what Germany was to pay by way of reparations the sum of 132,000,000,000 marks, or one-quarter as many dollars. Then it was indeed time for Economics to speak, and she did, in protest. But she was quickly silenced by the great party in the palace of Versailles, the scene of so many grand affairs. Had not Politics always been mistress of Versailles? Had not Economics always been a scullery maid? Why break the precedent now? Why listen to her in these great councils—and they didn't. And then—

"'The tumult and the shouting dies,
The captains and the kings depart.'

TAKES ECONOMICS ON TOUR

"Permit me to carry the figure one step further. Politics now goes on tour, always taking her bedraggled associate with her, because even Politics knows that Economics must do the work. Politics in France says, and properly and sympathetically so:

"'Your houses and lands have been destroyed; rebuild them, and do it handsomely—others will pay the costs.'

"That was the program which Politics could start but which Politics could not stop. So the building went extravagantly on; and a few years later, when Germany failed to pay the cost and, consequently, there overhung France this addition to her vast interior debt, Politics said:

"'We will make Germany pay. We will move our armies into the Ruhr and compel by force the production of coal and manufactured goods for reparation account.'

"But it turned out that the sword was a poor instrument with which to get economic results. Politics could put a French army in the Ruhr, but Politics could not take it out.

"Politics in England said:

"'If there be people out of work, or even people who do not want to work, give them a dole from the public treasury.'

"How generous she was. But there was a program which Politics could start but which Politics could not stop.

"Politics in Germany said to Economics:

"'You seem depressed this morning with the great work you have to do. Let me give you a cocktail. I do not intend to get you intoxicated. Take a little stimulant, and after you are started we will cut it out.'

"So Politics gave to Economics inflation. That was something which Politics could start but which Politics could not stop. As a result, the currency of Germany was destroyed and her people were plunged into the depths of want and despair. Yes; it is easy for Politics, with her appeal to the emotions and her ingratiating manner to start things in the field of Economics which she can not stop.

ECONOMICS GETS A HEARING

"And so it happened in the autumn of 1923. Then, for the first time, Economics got a hearing. The world began to doubt whether Politics, with all her charm, was safe and sound. Losing the applause of her audience, and with that something of her confidence, wringing her hands in despair, Politics finally called to Economics and said:

"'If I give you the opportunity will you try to save the show?'

"The Dawes committee convened in Paris on the 14th day of January, 1924. Its task was to provide a plan for the balancing of the German budget and for the stabilization of the German currency. It was not permitted to revise the amount of 132,000,000,000 marks which Politics had fixed for Germany to pay. So the Dawes committee did the very simple thing of fixing the annual installments which Germany should pay on account of reparations. These being fixed, the budget could be balanced and the currency stabilized. The Dawes committee did not specify the number of years which the installments were to run. No one ever computed the years, because it was apparent to the world from the size of the installments that the earlier reparation figures had been in fact, if not in law, abandoned.

"The Dawes committee brought out its plan on the 9th day of April, 1924. It was made effective on August 16, 1924, at the conference of London by a treaty signed by the nations which were the beneficiaries of German reparations. By it a new central bank was established for Germany and a new currency was created with an adequate gold supply.

"And to give you an idea of the results of the inflationary intoxication, let me say that one mark of the new currency was exchangeable for one billion marks of the old currency, and I mean the continental billion, not ours; that is to say, a million million old marks for one new mark.

WORLD LEARNS FIRST BIG LESSON

"And so Economics took the stage in Germany on the 1st day of September, 1924. A few days later the French armies began to move out of the Ruhr back home. The Germans began to work their mines and factories. The world learned its first great lesson—that economics does not function under political threats or military coercion. It performs obligations which are reasonably fair. It recognizes in the long run only self-interest and honor.

"In a word, the world learned that coal and steel for reparations would come at the point of a pen on a check book, and would not come at the point of the bayonet in the hands of the soldier. Certainly it was demonstrated that in this field the pen is mightier than the sword.

"You all know the story of Germany's economic recovery under the Dawes plan. She paid to her creditors during those five years the full amount set out in the plan, namely, 7,600,000,000 marks, which is the equivalent of $1,917,000,000. Nevertheless the Dawes plan was a receivership plan for Germany. It was not a plan of permanent reorganization. Under it S. Parker Gilbert, a brilliant young American, was the receiver, and let me take this opportunity of saying that the success of the Dawes plan was largely made possible by his wise and efficient administration of the receivership. May I step aside long enough to call the attention of the students of California to the fact that Parker Gilbert was made agent general for reparations payments at the age of 32? He was graduated from Rutgers College in the class of 1912 and from the Harvard Law School in the class of 1915. I speak of it here only because I want you to know that great opportunities and great responsibilities lie before you, not somewhere in the distant future, but almost here and now.

"As I have said, the Dawes plan was an interval receivership plan—it did not even fix the total amount of the debt, although all the world knew that the original sum fixed by Politics was quite impossible. Then, too, one could not expect a great nation of 60,000,000 people to function permanently in the hands of a receiver, and so at Geneva on October 20, 1928, Economics was again called by Politics, in the form of an experts committee, to make proposals for a complete and final settlement of the reparation problem. That committee met on February 11, 1929, in Paris, and on June 7 signed and transmitted its report of final settlement. That report is popularly known as the Young plan.

SPIRIT IN WHICH PLAN WAS MADE

"May I say in passing that this habit of adopting the name of the chairman as the name of the committee began when the first experts committee was christened the Dawes committee. General Dawes was not keen about that change of name, but he said, you will remember, that somebody had to take the garbage and the garlands. It was in that same spirit that the Young committee and the Young plan were so named, and you may be sure that the chairman will receive more than his fair share of social prestige at the front door and a proportionate amount from the can at the back door, depending wholly on whether the affair is an afternoon tea or the 'morning after' clean-up.

"By the Young plan the annual installment of the Dawes plan of 2,500,000,000 reichsmarks, plus a variable resulting from an index of prosperity, was reduced to an average for the first 37 years of 2,050,000,000 gold marks; that is to say, a reduction of 20 per cent or more. The annuities begin at 1,707,900,000 marks and advance slowly toward a maximum of 2,428,800,000 marks. After the first 37 years the German installments gradually diminish from approximately 1,600,000,000 gold marks in 1966 to 897,800,000 in 1988.

"Under the plan the receivership of Germany is withdrawn. The mortgage of $2,500,000,000 on the German railway system, created by the Dawes plan, is discharged. The general mortgage on German industry of over $1,000,000,000 is also lifted. Germany is given a specific task to perform. Foreign armies provided by the political treaty are withdrawn. The Reparation Commission is wound up.

GERMAN HONOR ALONE AT STAKE

"Care was taken in the plan to avoid the term 'reparations.' And so at last, 10 years after the armistice, under the new plan as drawn in Paris, Germany is free. She has a debt to pay, but that is all. Her honor, not her freedom, is at stake.

"May I say a word about the problems and difficulties in Paris? I have told you that the Dawes payments were reduced something like 20 per cent, and the total number of years which Germany should pay was also fixed. These installments, computed at their present value, represented a charge on Germany of something like $9,000,000,000, or 36,000,000,000 marks. Politics, you will remember, fixed Germany's obligations at 132,000,000,000 marks, or $33,000,000,000. In a word, our kitchenmaid, Economics, was compelled to cut the menu of her leading lady by more than 70 per cent to make it fit the prospects of the larder.

POLITICS REAPPEARS AT HAGUE

"At The Hague Politics again appeared, and while protesting that she did not wish to put larger burdens on Germany, did increase somewhat—sufficiently for political purposes, I dare say—the burdens of the Paris plan; and most of those burdens do, in fact, ultimately fall on Germany. Then, too, at the second Hague conference, Politics again made an effort to substitute military sanctions for Germany's nonperformance, and in most attenuated form such sanctions were provided.

Economics does not like military sanctions. Doctor Schacht protested, and has recently resigned the presidency of the Reichsbank because he was unwilling to assume responsibility for the execution of a plan which carried burdens additional to those imposed at Paris, and which had any color of military sanctions. Doctor Schacht has been accused in taking this action of having domestic political ambitions. It is fair to him to say that his protest arose not because there was politics in Doctor Schacht but because politics had again crept into the plan.

"However, I have no fear of the slight political tinge which the plan took on at The Hague. Certainly this settlement was better than none. It would have been a great catastrophe for Germany and all the world had the plan agreed upon at Paris by the representatives of all the countries, including Germany, failed in the hands of Politics at The Hague. We are all to be congratulated that it did not do so, and perhaps most of all the Government of the United States.

AMERICA TO GET MORE THAN 60 PER CENT

"I speak of my own country, because more than 60 per cent of the total sum to be paid by Germany must find its way to the United States in payment to us of the so-called international debts. You see that was one of our serious problems at Paris. Roughly, one-half of the Dawes payments were needed by the creditors of Germany to pay their debts to the United States. That obligation was fixed. So the entire reduction by the creditor countries in the Dawes payments, so far as their respective budgets were concerned, had to be made out of one-half of the payments; that is, every 5 per cent reduction to Germany in the Dawes plan payments meant a 10 per cent reduction in the net budget benefits of the creditor countries.

"Now, a 20 per cent reduction in the Dawes plan payments looked small to Germany, but a resulting 40 per cent reduction in net budget benefits to the creditor countries looked very large to them. That was one serious problem at Paris.

"Another was that the Dawes plan payments were distributed under what was known as the Spa percentages. Now, as the reduction in the German payments took place, some of the countries, notably Italy, under those percentages, would not have received enough to pay their indebtedness to the United States, while others would have a considerable surplus. Therefore, in order to secure a settlement at all, it was necessary at Paris to remake these percentages.

"We not only had to set the total amount which Germany should pay, but we had to redistribute that diminished amount among the creditor countries so that all would be satisfied. The problem of fixing Germany's total amount was not as difficult as the redistribution among the creditors. The German problem was largely an economic one. The redistribution problem was largely a political one.

"So, unfortunately, from my point of view, the Young committee in Paris had to deal with these combined problems of economics and politics. If I show some dislike for Politics to-day, it results largely

from my experience with her in Paris. Charming as she may be at times on the stage, she is often petulent and petty, and always selfish, in the dressing rooms, and, habitually, she puts a low estimate on the intelligence of her audience.

BEST THAT COULD BE DONE

"However, as I say, a settlement was made in Paris. It was the best settlement that could be made. Strictly speaking, it was neither an economic settlement nor a political one. It was a compromise between the two.

"The compromise was difficult. Both Politics and Economics in all countries had been waiting for this day of final settlement to even up some of their old scores. Things which had been said and actions which had been taken, things which had been left unsaid and actions which had been withheld, were now to be brought on the stage for the last time.

"So, in a sense, our committee at Paris was compelled to review and reargue, and so far as possible adjust, all of the conflicts involving reparations and their redistribution, and everything collateral thereto which had arisen during the preceding 10-year period. Questions of parity and ratios which are so important to guns and ships, were not by any means absent in dealing with a limitation program expressed in currency.

"Perhaps you will pardon me if I stop here long enough to pay a slight tribute to my associates in Paris. They were men of competence and independence in thought and action. Economic theorists could not dominate them. They had the highest regard for the specialized expert, but they also had experience in making practical application of expert theories. Financial or business interests could not coerce them. They had the greatest respect for men of business, but they were not blind to the large social and political factors also involved. Politics could not control them because they held no public offices and were not responsible to political constituencies.

FRIENDSHIP A FACTOR OF SUCCESS

"From such a group only could a settlement come. That does not mean that it could come from these individuals only, but it does mean that individuals, to be successful, must have the qualifications which I have indicated. Then, too, the members of this committee had the good fortune of intimate personal acquaintance. Most of them had been friends for many years. This was a contributing factor to success.

"I wish I might take the time to speak of each member of the committee individually and give you some idea of the value of his contribution, particularly as to my American associates. It must suffice here for me to say that no man ever had more competent and loyal associates than I had in J. P. Morgan, Thomas W. Lamont, and Thomas Nelson Perkins. The respect in which they held each other and in which they were held by their European associates had a very great influence on our work.

"Whether the burden placed on Germany is too great only time will tell. It is true that the countries participating in the Paris plan have added all of their indebtedness to the United States together, and added approximately 50 per cent to it, in fixing the sum which Germany is to pay. Each of those countries, you will remember, had protested against the burden of their indebtedness to the United States, even under the favorable debt settlements made.

"Yet they have paid Germany the compliment of assuming that she can bear the burden of them all, together with a substantial premium.

"But I have great confidence in Germany's capacity to pay. True, she has not a large supply of what the world calls basic raw material. She has, in large measure, however, a supply of that kind of raw material too little taken into account in the world's affairs, namely, a capacity for scientific research and the ability to apply it and organize it in production. It is not unlikely that in the years to come this particular kind of raw material with which Germany is well endowed may be the reservoir out of which these vast sums will be produced and paid.

"If Germany does make the payments out of such a reservoir, the rest of the world must be careful to avoid the enervating effects resulting from the receipt of such payments. We should all remember that the discipline of hard work and of heavy responsibility is likely to do much for a people as well as for an individual. Let no man be sure, let no nation be sure, merely because he is a creditor of some one else's labor, that therefore he is strong and will always remain so.

THE INTERNATIONAL BANK

"The most striking feature of the new plan is the Bank for International Settlements. That institution is unlike anything which has existed in the world before. It was not created merely for the sport of inflaming the imagination of men, or even for the laudable purpose of providing a new subject for the debaters of the world. Like all inventions and new creations, it arose out of the mind of man to meet a new need.

"Obligations, as I have said, are to be delivered by Germany of approximately $9,000,000,000, payable over a period of nearly 60 years, in fixed annual installments. As these obligations mature, vast sums must be paid over frontiers and translated into the currencies of other countries. Who should hold these obligations and control these transfers?

"Should they be put in the hands of political treasuries of more than a dozen nations, where, in case of slight difficulties, they might become the football of domestic or international politics? Even more dangerous would it be to have them become the trading medium in all kinds of international negotiations.

"Should they be left where Germany, if she chose, might default in the payments to one power and continue those to another?

"Should they be left where these transfers in political hands might become a menace to the normal economic exchanges of the world?

"No; it was quite apparent, in the interest of all, creditor and debtor alike, that these obligations of Germany should be held and the payments managed by a single organization for the account and benefit of all. Any default by Germany must be a common default for all creditors. Any moratorium must be a common moratorium. Therefore it seemed to our committee necessary to mobilize the German obligations in single hands.

STATUS OF THE INSTITUTION

"For that purpose the Bank for International Settlements was created. Any difficulties in German payments must be between Germany and the bank. The bank should be, as far as possible, insulated from politics, both domestic and international, and be free from government domination and control. To accomplish this the charter and by-laws of the bank were established by international treaty and evidenced by a protocol signed at The Hague on January 20 of this year. Corporate entity is to come into existence by an act of the Legislature of Switzerland, where the bank is to be located, Switzerland being a party to the treaty.

"The capital of the bank is to be $100,000,000, and its stock is to be sold to private persons in the principal countries of the world. Its directorate is to consist principally of the governors of the central banks of Europe, or their nominees, America having declined to participate.

"The earning power of the bank is to come from small commissions on reparation payments, and certain deposits from governmental treasuries provided in the plan. The bank has power to accept deposits from or to make deposits in central banks of countries on a gold-exchange basis. Thus the endeavor has been made, in the interest of the world, to eliminate politics from the control of reparation payments, and from the machinery which will handle them. The bank is to be truly the insulator between the political treasuries of the creditor powers and their debtor—Germany.

THINGS THE BANK CAN NOT DO

"The bank is in no sense a superbank. It can not operate in any country in which the central bank of that country objects. It can not issue demand notes in any form, and therefore there is no danger of an international currency.

"It may be used as a clearing house by central banks to the extent which they may elect to do so. This lies in the future. But there is no question in my mind that some such development will come about if the diminishing supply of gold in the world threatens a general deflation in the price level. The proper handling of price stability is one of the most important matters facing the capitalistic system to-day. In it will be found the roots of those maladjustments which result in the unequal and unfair distribution of wealth, in unemployment, and other serious problems.

"The International Bank may turn out to be an essential and useful piece of machinery for an economic world which of necessity is becoming more and more closely integrated. Politics becomes dangerous on a stage so small unless economics functions well. Fortunately the bank has the power of growth, but it will grow only as our needs compel it. It will grow only as the central banks of the world wish to use it. In a word, it is the servant of all and the master of none.

WILL STAY INDEPENDENT OF LEAGUE

"The question has been raised whether the League of Nations and the Bank for International Settlements might not unite their forces. The league represents international political cooperation, and the bank international financial cooperation. Well, if that means that the bank will come under the domination of the league, and so there will be added to the political forces of the league the financial resources of the bank, I think we may dismiss once and for all our fears if we are opposed to the league, or our hopes if we are its proponents.

"Nothing is clearer, from the experience of the last 10 years, than the necessity of keeping our economic machinery, and especially our finance, free from the domination and control of politics. That seems to me one great lesson which we have learned. I do not mean that the struggle of politics to control economics is ended. It is going on in every country, and will continue to do so.

"But what about the relationship of economics to politics in international cooperation? Well, my answer is this: Economic integration of the world is a necessary prerequisite to effective political cooperation in the world. America, as the greatest creditor Nation, is more interested than any other in economic integration. It is inevitable that from an economic point of view she take an interest in and be concerned in the material problems and affairs of every country on the globe.

OUR ISOLATION SEEN AS IMPOSSIBLE

"Isolation to America, either economic or political, is impossible. The material development of countries will necessarily be to us a matter of great concern, both from an idealistic and practical point of view. If all peoples everywhere could be lifted in productive capacity and consuming power to a point equal to our own, envy and hatred would be alleviated; capital would be better employed; markets would be enlarged; unemployment would diminish, and a much more peaceful world would be insured.

"Let no man think that the living standards of America can be permanently maintained at a measurably higher level than those of the other civilized countries. Either we shall lift theirs to ours or they will drag ours down to theirs. Tariffs and other petty political barriers, temporarily justifiable, will, in the long run, only accentuate the trouble.

"Our experience at home during the last generation should teach us that segregation into different groups for the selfish purpose of benefiting one at the expense of the other is a failure. It was not so many years ago that our industrial leaders in the United States thought that a low wage scale was necessary to enable capital to earn a profit. Now we have learned that a high wage scale may be consistent not only with low production costs, but also with the greatest security to and return on capital investment.

"In a word, we are learning in America that the highest welfare of all rather than of any class is a wise objective, even for the group previously privileged. How long will it take us to learn that fact in a world so small that Commander Byrd talks from New Zealand on Wednesday at noon in the fall of the year with Adolph S. Ochs in Schenectady on Tuesday at 7.30 a. m. in the spring of the year; and that conversation can be heard by practically everybody in the world at varying times and seasons.

MUST PASS POLITICAL FRONTIERS

"It is too late in our own interest to think in terms of selfish isolation. To secure the advantages of economic equilibrium we must go beyond political frontiers. We may sign great declarations of peace, but we shall concurrently find, if we follow a narrow economic policy, an increasing resistance in countries less well off than ourselves to that disarmament which is the insurance of the peace we seek. Politics in America may start a program which Politics can not stop.

"After all, we must remember that Politics and Economics are not the masters of men—they are their servants. The managers of both too often think, and sometimes act, as if human beings were merely the fodder of political and economic mills. Merely because I have spoken of economics and politics, I would not wish you to think that I consider them in any sense ends in themselves. Back of them stand myriads of human faces—some young, some old, some prosperous, some needy, some charitable, some selfish, some generous, some envious, but all vitally affected not only in their material but in their cultural and spiritual development by these organizations, political and economic, which they have imposed upon themselves.

"So long as such organizations render an uplifting service just so long can we go forward in reaping the advantages which civilization has brought. But those faces in these days of a closely compact world can no longer be segregated into compartments, one of which shall be prosperous and the others not; one of which shall go forward and the others back. Those faces must all move together for good or ill. So Politics and Economics, their servants, must move together, too, not in one country alone, but everywhere. That way only can the benefits of civilization be enlarged—that way only can peace come.

AMERICA TOO RICH TO BE LOVED

"And one word more. America is too rich to be loved. She is well enough off to be envied. The attitude of the world toward her will be largely influenced by her spirit.

"If it be one of selfishness in isolation, she will have failed in her great responsibilities. If it be one of boastfulness in her success, she will have misused the things which God has given her.

"I pray for sober and sensible responsibility, a spirit of gratitude for the things we have, a spirit of friendliness and helpfulness and cooperation for all, a spirit of restraint in the use of any power which has been intrusted to us, and most of all, restraint in speech.

"'If drunk with sight of power we loose
Wild tongues that have not Thee in awe,
* * * * * * *
For frantic boast and foolish word
Thy mercy on Thy people, Lord.'"

ENFORCEMENT OF PROHIBITION

Mr. TYDINGS. Mr. President, I hold in my hand one of the most unusual statements that I have yet seen in reference to the subject of prohibition. It is the weekly clip sheet of the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church, and at the top contains the name of Dr. Clarence True Wilson, general secretary, and Mr. Deets Pickett, research secretary. In the center, and occupying approximately one-third of the entire sheet, we find this very astounding information:

High-school attitude toward prohibition.

Reading from the sheet we have the following explanatory headnote:

Dr. J. W. Claudy, general director of the department of moral welfare of the Presbyterian Board of Christian Education, reports a questionnaire by Mr. J. B. Barnett, director of research, in regard to high-school attitudes toward prohibition. The questions and their replies are given below in tabulated form, comment and interpretation being omitted.

Now, mind you, here is a statement of a poll taken by the board of prohibition, temperance, and public morals in the high schools; so I imagine that, coming from that source, at least the drys will not question its authenticity.

Let us see what some of the questions were, and what some of the answers were.

"Do you drink wine, beer, whisky, gin, or any other form of intoxicants?"

That was one of the questions addressed to the high-school children. The answers are as follows:

"Yes," 149 males and 67 females.

"No," 367 males and 420 females.

So that approximately, by the Methodist board's own figures, for which they vouch here, 25 per cent of the high-school boys and girls state that they do drink intoxicating liquor.

The second question is:

"How much instruction have you received concerning the influence of alcohol on the body and health?"

Answers: "None," from 30 males and 19 females.

"Little," from 153 males and 124 females.

"Much," from 320 males and 321 females.

In other words, since national prohibition went into effect, approximately one-third of the high-school children are receiving no instruction about the use of alcohol.

Here is a very, very striking question:

"Do most of your personal friends drink intoxicants?"

Answers: "Yes"; males, 12; females, 6.

"Moderately"; males, 133; females, 50.

"Freely"; males, 6; female, 1.

"No"; males, 364; females, 426.

In other words, they say that approximately 25 per cent of their boy and girl friends drink intoxicating liquor, and six of those friends drink it freely on the male side and one on the female side.

The next question is:

"Is it necessary to drink in order to become popular in your high school?"

Answer: "Yes"; males, 26; females, 15.

"Do your parents drink intoxicants?"

"Yes"; males, 7; females, 9.

"Moderately"; males, 131; females, 45.

"No"; males, 372; females, 430.

In other words, there is a greater percentage of drinking among the high-school students than those who themselves say their own parents use intoxicating liquor.

"In your opinion, does the man who buys or drinks intoxicating liquor violate the spirit of the laws of our country?"

Answer: "Yes"; males, 435; females, 449.

"No"; males, 76; females, 33.

In other words, about one-eighth of the children in the high schools to-day feel that it is no violation of the spirit of the law in buying intoxicating liquor.

"Do you believe the present prohibition laws have been beneficial to the Nation?"

"Yes"; males, 356; females, 344.

"No"; males, 151; females, 137.

Mr. President, this is the clip sheet of the Board of Temperance, Prohibition, and Public Morals of the Methodist Church, 100 Maryland Avenue NE., Washington, D. C., sent out to all the press of the country, in which they say themselves, as the result of a survey, that 25 per cent of the high-school children are using intoxicants to-day.

Is there one man in this body who will say that one-half of 1 per cent of the high-school children with whom he went to high school during his early days drank intoxicating liquor? It has not been so very long since I was in high school, and I never heard tell of a high-school boy getting intoxicated, and I can not recall ever having seen one drunk. But here to-day, according to the clip sheet of the so-called dry organization, on their front page, the feature article, in this survey it was shown that 25 per cent of the high-school boys and girls use liquor, and that a percentage of them use it freely.

Certainly in the future there need by no endeavor to prove that drinking has spread among high-school students, because from such an authority as this that question is now settled, that they are drinking to-day upon a scale never before witnessed in the history of this Republic.

NEWSPAPER POLLS ON EIGHTEENTH AMENDMENT

Mr. BLAINE. Mr. President, quite aside from the question of the merits or demerits of a newspaper poll which may be taken upon any question, I want to submit for the RECORD an editorial appearing in the Washington Daily News of Thursday, April 24, entitled "Check and Double Check."

The editorial speaks for itself. It points out clearly the care with which the 24 Scripps-Howard newspapers have conducted the poll on the question of the enforcement, modification, or repeal of the eighteenth amendment.

I ask that this editorial be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, April 24, 1930]

CHECK AND DOUBLE CHECK!

Elsewhere in to-day's paper appears the final tabulation of returns in the prohibition poll conducted by 24 of the Scripps-Howard newspapers. The poll was undertaken at the request of the Literary Digest.

It seems that some persons are not satisfied with the way the Digest poll is going. Notwithstanding the vast expense involved in sending out 20,000,000 ballots, the long period of preparation, the ease with which it was made possible to vote—a simple matter of marking a self-addressed post card and putting it into the mail—the care that was taken to put a fair share of the ballots into the hands of women, and all that, there are those who insist there is something funny about it.

Naturally these critics are persons who find themselves on the minority side in the returns. That is to say, those who defend prohibition. For out of the 3,176,000 votes thus far reported by the Digest, 41 per cent favor repeal of the eighteenth amendment and 30 per cent favor modification of the Volstead law, making a total of 71 per cent against the present state of affairs. Only 29 per cent have declared themselves for strict enforcement of the eighteenth amendment and the Volstead law.

If everybody had an even chance to vote the results would be different, say the critics. So, to oblige the Digest and satisfy our own curiosity, we decided to put the matter up to our readers. Only a quick dip into public sentiment was considered necessary, however, and the poll was limited to seven days. Readers responding were asked to give their names and addresses to minimize any suspicion of repeating. They were required also to indicate their sex. And it was necessary for them to mail their ballots in or to deliver them by hand.

We didn't anticipate that any vast number of readers would take all this trouble, but we thought there would be something of significance in whatever number should do so. The fact that nearly 100,000 persons have complied with the conditions named and sent in their votes is really surprising.

Among 98,012 voters we find that 67,990 are men and 30,022 are women. That is roughly about the proportion of women voters to men voters in most elections nowadays.

We find, further, that of the 30,022 women, 21,055, or two-thirds of them, have voted for repeal. Adding to these the 3,753 who voted for modification it will be seen that about five-sixths of them oppose the prohibition experiment in its present stage.

The proportion of men voting against prohibition is larger—but not as much larger as you might have thought.

Newspapers, with their general circulation, may be expected to reach about every sort and condition of voter—that was an added reason for aiding the Digest to check its poll, by the way—newspaper circulation is a real cross section of any community. But in the case of Scripps-Howard newspapers we must anticipate a very special criticism, due to the fact that we have consistently expressed our opposition to prohibition. However, it hardly needs demonstrating that our readers are not confined to persons who believe as we do on the subject; if it were true that itself would reveal that a majority of the population in some of our cities are opposed to prohibition, for in several cities more than half of all afternoon newspaper readers read Scripps-Howard newspapers.

So, to summarize this quick check and double check of prohibition, we find the following:

	Enforcement	Modification	Repeal	Total
Women	5,216	3,753	21,055	30,022
Men	4,462	8,238	55,490	67,990
Grand total	9,478	11,991	76,545	98,012

And there you are!

WORLD WAR VETERAN LEGISLATION

Mr. GEORGE. Mr. President, the House of Representatives yesterday passed important legislation affecting veterans. It was sent to the Senate and was referred to the Committee on Finance. I regret that the chairman of the Finance Committee is not present, because I want to give notice now that if that legislation is not passed upon by the Finance Committee I shall move to discharge the committee and bring the bill to the floor of the Senate.

Mr. President, I am not approving all that is in that bill, but much veterans' legislation has been held back by the Finance Committee of the Senate without action, although repeated demand has been made for action from time to time as to many important measures. I think I may make this statement, because I myself am a member of that committee. I serve notice that I shall move to discharge the committee and bring the bill to which I have referred to the floor of the Senate unless the committee takes speedy and appropriate action upon it.

Yesterday we witnessed what probably we will witness more and more in the House of Representatives, to wit, the House broke away from its masters and expressed itself in resentment against repressive measures and policies pursued by the leadership of the House. The result is that they sent here veterans' legislation which probably is extreme in many respects, but, nevertheless, it is simply the result of the repressive measures which are used in the House to prevent the consideration of legislation by that body fully and fairly as the body itself desires to consider it.

Mr. BRATTON. Mr. President, I want to add one word to what the Senator from Georgia has said with reference to the bill affecting veterans of the World War.

Without intending to be critical of the Finance Committee, I assert that there has been marked delay in the dispatch of veterans' legislation by that committee. It has been extremely difficult, if not impossible, to secure consideration of meritorious measures affecting the veterans on account of the delay of the committee.

I think it was some time last September, or perhaps October, that some discussion took place on the floor of the Senate with reference to a number of bills then pending before the committee, in the course of which I referred to a bill which I introduced some time ago to provide that any veteran who has been given the status of an arrested tubercular patient and placed upon what is called the $50 per month statutory award basis, and who has had his compensation thereafter either reduced below that figure or discontinued, should be restored to that status and his compensation resumed at $50 per month, and that it should never thereafter be reduced below that sum.

At that time the distinguished chairman of the Committee on Finance gave assurance that during the early days of the regular session, to convene in December, such measures, and particularly the one which I had in mind, would receive consideration of the committee, and that a report of some kind, either favorable or unfavorable, would be made to the Senate.

We are now in the latter days of April. Adjournment of this session is not far distant. No action has been taken by the committee on the measure to which I have referred. I hope the Senator from Georgia will make the motion to discharge the committee from consideration of the bill which passed the House yesterday, and that it may be brought to the floor of the Senate. In that connection I give notice now that when that is done I shall propose the bill which I have in mind, namely, the one affecting the so-called arrested tubercular veterans, as an amendment to that bill or to any other bill which is considered by the Senate affecting the veterans of the World War.

We have in New Mexico about a thousand veterans who are affected by the amendment passed in July, 1926, under the leadership of the able Senator from Arizona [Mr. ASHURST]. Scores of those veterans have had their compensation either decreased or taken away from them. The process is continuing. The bureau is decreasing or discontinuing compensation as to others in violation of what the Congress intended.

It should be said, in justice to the bureau, that such course is being followed pursuant to an opinion rendered by the Comptroller General. Nevertheless, it violates the spirit of the legislation enacted by Congress. I intend to propose the bill to which I have adverted as an amendment to the first measure which may be considered on the floor of the Senate affecting veterans of the World War. I am unwilling to see this session of Congress adjourn with that sort of a gross injustice not only continued but increased in its magnitude. The enactment of the bill which I have in mind would make certain what we thought we accomplished when we enacted the amendment of 1926 proposed by the able Senator from Arizona [Mr. ASHURST].

Mr. President, I am not criticizing the Finance Committee nor any member of the committee. I am dealing with the situation. I believe members of the committee are not in favor of continuing these injustices and hardships to the veterans of the World War.

The PRESIDING OFFICER. The Senator from New Mexico will suspend a moment while the Chair has the clerk read the unanimous-consent agreement which has been entered into and which takes effect at this time.

The legislative clerk read as follows:

It is agreed by unanimous consent that after the hour of 1 o'clock p. m. to-day no Senator shall speak more than once or longer than 10 minutes upon the bill under consideration, Senate bill 51, or upon any pending amendment.

Mr. CUTTING. Mr. President, will my colleague yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to his colleague?

Mr. BRATTON. I yield.

Mr. CUTTING. Does not my colleague think that the only way of handling the situation is to have a committee, as they have in the House, to deal with veterans' legislation?

Mr. BRATTON. I do.

Mr. CUTTING. So that the overworked Finance Committee may not have to deal with those things which demand immediate attention?

Mr. BRATTON. I do think so, and I shall favor the creation of such a committee. I think it is long overdue.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Georgia?

Mr. BRATTON. I yield.

Mr. GEORGE. The senior Senator from Texas [Mr. SHEPPARD], as I recollect, has introduced a resolution providing for the creation of such an additional committee. While I am a member of the Finance Committee and am assigned to the subcommittee of that committee in charge of veterans' legislation, nevertheless I shall support the resolution of the Senator from Texas, because, in my judgment, there ought to be such a separate committee.

Mr. BRATTON. The Senator from Georgia realizes perfectly that I interpose no criticism of him nor the able Senator from Massachusetts [Mr. WALSH] nor any other member of the Finance Committee who is a member of the subcommittee in charge of legislation affecting the veterans. It is a condition. The committee perhaps is overworked. Nevertheless I think a standing committee should be created to have exclusive jurisdiction of all legislation affecting the veterans of the World War. I shall support the resolution of the Senator from Texas [Mr. SHEPPARD] or any other resolution looking in that direction.

Mr. President, I rose simply to affirm my belief that the legislation to which I have adverted and discussed should be enacted before the present session of Congress adjourns, and that I intend to offer it as an amendment to the first measure coming before us affecting veterans of the World War.

BRIDGES NEAR GEORGETOWN, S. C.

Mr. DALE. From the Committee on Commerce I report back favorably with amendments the bill (S. 4182) granting the consent of Congress to the county of Georgetown, S. C., to construct, maintain, and operate a bridge across Black-Pee Dee River and Waccamaw River at or near Georgetown, S. C., and I submit a report (No. 534) thereon. I call the attention of the Senator from South Carolina [Mr. BLEASE] to the bill.

Mr. BLEASE. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 1, line 8, before the words "Pee Dee River," to strike out "Black" and insert "the"; in line 9, before the words "Waccamaw River," to insert "a bridge and approaches thereto across the"; in the same line, after the word "at," to strike out "a"; in the same line, before the word "suitable," to strike out "point" and insert "points"; on page 2, line 1, after the word "navigation," to strike out "extending from some point in" and insert "both at or near"; in line 2, after the name "South Carolina," to strike out "across said rivers to a point on the eastern shore of Waccamaw River"; in line 10, after the word "such," to strike out "bridge" and insert "bridges"; in line 11, after the word "as," to strike out "a"; in the same line, after the word "highway," to strike out "bridge" and insert "bridges"; in line 16, after the word "such," to strike out "bridge" and insert "bridges"; in line 17, after the words "rates of," to strike out "tolls" and insert "toll"; in line 21, after the word "such," to strike out "bridge" and insert "bridges"; in line 23, after the word "the," to strike out "bridge" and insert "bridges"; in line 23, before the word "approaches," to strike out "its" and insert "their"; on page 3, line 2, after the word "such," to strike out "bridge" and insert "bridges"; in the same line, after the word "and," to strike out "its" and insert "their"; in line 7, after the word "such," to strike out "bridge" and insert "bridges"; in line 9, before the word "shall," to strike out "tolls" and insert "toll"; in line 11, after the words "of the," to strike out "bridge" and insert "bridges"; in the same line, before the word "approaches," to strike out "its" and insert "their"; in line 13, after the words "of the," to strike out "bridge" and insert "bridges"; and in the same line, before the word "approaches," to strike out "its" and insert "their," so as to make the bill read:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the county of Georgetown, S. C., or its board of county commissioners, their successors or assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Pee Dee River and a bridge and approaches thereto across the Waccamaw River, at points suitable to the interests of navigation, both at or near the city of Georgetown, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in said act.

SEC. 2. The said county of Georgetown or its board of county commissioners, their successors and assigns, are authorized to construct, maintain, and operate such bridges and the necessary approaches thereto as highway bridges for the passage of pedestrians, animals, and vehicles adapted to travel on public highways.

SEC. 3. The said county of Georgetown, or its county commissioners or the successors thereof, are hereby authorized to fix and charge tolls for transit over such bridges, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridges the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridges and their approaches under economical management, to pay an adequate return on the cost thereof, and to provide a sinking fund sufficient to amortize the cost of such bridges and their approaches, including reasonable interest and financing costs, as soon as possible under reasonable charges but within a period of not to exceed 25 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridges shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridges and their approaches under economical management. An accurate record of the cost of the bridges and their approaches, expenditures for maintaining, repairing, and operating the same, and of daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the county of Georgetown, S. C., or its board of county commissioners, their successors and assigns; and any corporation to which, or any person to whom, such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage, foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the county of Georgetown, S. C., to construct, maintain, and operate a bridge across the Pee Dee River and a bridge across the Waccamaw River both at or near Georgetown, S. C."

WORLD WAR VETERAN LEGISLATION

Mr. ASHURST. Mr. President, I have listened with interest to the remarks of the Senator from Georgia [Mr. GEORGE] and of the Senator from New Mexico [Mr. BRATTON], and also the question propounded by the Senator from New Mexico [Mr. CUTTING]. The ex-service men will feel encouraged to know that if the Finance Committee of the Senate should find itself over-

taxed with work, or prostrated from its long labors and strenuous efforts on the tariff bill, it will be relieved from a portion of its heavy tasks by a motion to discharge the committee from the further consideration of the veterans' bill.

Adverting to the statement of the senior Senator from New Mexico [Mr. BRATTON] with reference to the amendment which he intends to offer to the veterans' bill, whereby the Senator proposes to amend the law of 1926 which granted compensation of not less than $50 per month to ex-service men shown to have had a tuberculous disease of a compensable degree, who have reached a condition of complete arrest of the disease, the Senator from New Mexico is correct in his conclusion that it was the intention of Congress, and I believe it was the intention likewise of the Executive, in enacting the $50 per month legislation, or the so-called Ashurst amendment, to provide that, when an ex-service man whose tuberculous disease had reached a condition of complete arrest, he would be entitled to a compensation of not less than $50 per month and that thereafter it would be beyond the power of any executive officer of the Government to redruce such compensation.

As the Senator from New Mexico said, the Comptroller General's decisions have had the effect of reducing this compensation and such decisions or opinions are practically destroying the intent and effect of that law. The fact that an ex-service man has had tuberculosis of a compensable degree reduces his efficiency and there are many tasks and many positions or jobs which a man can not efficiently perform if he has had tuberculosis of a compensable degree and although his disease may have been arrested, his efficiency is somewhat impaired.

The $50 per month to be paid to him under the Ashurst amendment was designed to piece out and to supplement his wages or earnings. If the veteran who has been granted such compensation feels secure in the regular receipt of his $50 per month for life he becomes serene of mind. Although I am not a physician, nevertheless because of the vast numbers of tubercular ex-service men coming to Arizona I have, out of pure necessity and obligations of duty, been required to study tuberculosis, and have no doubt that one of the first things which must be done, if we are to attempt even approximately to cure a tubercular patient or arrest the progress of his disease, is to give him a serene mind, because that very serenity of mind promotes alimentation, and unless we promote the patient's alimentation and digestion it is extremely difficult to arrest the progress of the disease.

The able Senator from New Mexico [Mr. BRATTON], if he shall accomplish his purpose and succeed in the task which he has set for himself, will have performed a great service to the veterans, and, of course, I shall cheerfully aid and supplement his efforts to the best of my ability.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. ASHURST. I yield.

Mr. KENDRICK. Does not the Senator from Arizona believe that the present difficulty is with the law rather than the interpretation of the law?

Mr. ASHURST. The able Senator from Wyoming voted for my amendment, which became a law, and all other Senators who voted for it fully believed at that time that under my amendment when the Veterans' Bureau adjudicated a veteran's case and fixed his compensation at $50 per month it would thereafter be beyond the power of any branch of the executive to reduce the compensation.

Mr. KENDRICK. I want to say to the Senator from Arizona that I am in the fullest sympathy and accord with the objects which we are trying to accomplish. I also want to say that it has been my privilege to bring to the bureau many different appeals made by the veterans. My experience has been that in nearly every instance they have manifested not only a willingness to go into the merits of the cases, but they have passed upon them with careful and sympathetic consideration and with a disposition to give the benefit of the doubt to the veterans, limiting their actions only to the restrictions of the law.

Mr. ASHURST. The Director of the Veterans' Bureau is not to blame. As the Senator from New Mexico [Mr. BRATTON] has said, it is the Comptroller General's office and not the Veterans' Bureau which has rendered the decisions which have paralyzed the amendment.

Mr. President, I ask unanimous consent at this juncture to print in the RECORD a letter to the Director of the Veterans' Bureau and the reply of the bureau, giving some figures upon this subject.

The PRESIDING OFFICER. Without objection, permission is granted.

The letters are as follows:

APRIL 29, 1929.

Gen. FRANK T. HINES,
Director United States Veterans' Bureau,
Washington, D. C.

DEAR GENERAL HINES: When H. R. 12175 was pending in the Senate of the Sixty-ninth Congress I offered the following amendment, which amendment was adopted by the Senate and which became a part of Public, No. 448, and for the lack of a better description has come to be known as the Ashurst amendment, to wit:

"That any ex-service person shown to have had a tuberculosis disease of a compensable degree, who, in the judgment of the director, has reached a condition of complete arrest of his disease, shall receive compensation of not less than $50 per month: *Provided, however,* That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further,* That no payments under this provision shall be retroactive and the payments hereunder shall commence from the date of the passage of this act or the date the disease reaches a condition of arrest, whichever be the later date."

Will you please inform me as to the number of ex-service men now receiving compensation under the provisions of my amendment; and also please further advise me as to the gross sum of money (compensation) which to date has been paid to ex-service men under and by virtue of this Ashurst amendment?

Sincerely yours,

HENRY F. ASHURST.

MAY 6, 1929.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR ASHURST: This will acknowledge receipt of your letter of April 29, 1929, requesting a report of the number of ex-service men receiving compensation as a result of the amendment of July 2, 1926, to the World War veterans' act, providing for the payment of a statutory $50 award in cases of arrested tuberculosis, and also requesting a report of the amount of compensation which has been paid to date under the provisions of this amendment.

The report of arrested tuberculosis cases for March 31, 1929, indicates that the statutory award of $50 is being paid to 43,257 veterans. The cumulative cost of this amendment, over and above the compensation being paid prior to the amendment, is $46,790,000.

Very truly yours,

FRANK T. HINES, *Director.*

MASSACHUSETTS BAY COLONY AND GENERAL COURT OF MASSACHUSETTS

Mr. WALSH of Massachusetts. Mr. President, the State of Massachusetts is this year celebrating the three hundredth anniversary of the establishment of the Massachusetts Bay Colony and the creation of the General Court of Massachusetts, which as a legislative body still functions. In view of the observance of this annniversary I ask unanimous consent to have printed as a Senate document a brief historic sketch of the Massachusetts Bay Colony and the General Court of Massachusetts.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RESTRICTION OF IMMIGRATION

The Senate resumed the consideration of the bill (S. 51) to subject certain immigrants born in countries of the Western Hemisphere to the quota under the the immigration laws.

Mr. STEPHENS. Mr. President, I think I have voted for every bill providing for further restriction of immigration. Only a day or two ago I voted for the amendment proposed by the junior Senator from Alabama [Mr. BLACK]. The first part of the language of his amendment as proposed is as follows:

Provided, That for the period of five years beginning January 1, 1931, the immigration of aliens into the United States is prohibited.

I was glad to support that amendment. I have referred to my attitude with regard to immigration because it is my purpose to vote for what is known as the Kendrick amendment. In my judgment, there is no inconsistency in doing this. As I understand the amendment it relates in the largest measure to a particular and rather peculiar situation.

It happens that in certain sections of the United States sugar beets are grown in considerable quantities. It has been developed in the debate here that American citizens refuse to engage in certain lines of the work involved in the production of those beets. For that reason, if provision is not made to allow certain people to come in who will work in this particular branch of the industry, it will mean that that work will have to go undone. It would decrease the production of sugar beets in our Nation and as a result it would cause many American citizens, who are engaged in handling the beets, raising

them, marketing them after they shall have been cultivated, to be thrown out of that employment. It occurs to me that there is no question of competition, no question of throwing an American citizen out of employment and giving a Mexican his job of work.

Mr. President, I have only a moment or two, but I wish to touch on two or three matters that were referred to in the debate on yesterday. It has been suggested that the employment of Mexican labor in the beet fields represents a species of peonage. If I understand the legal definition of the term, there is not the slightest tinge of peonage involved in this proposition. I know that the amendment proposes that these Mexicans must give bond; that is very true; but, Mr. President, they are not required nor could they be required to remain upon the farms, to continue in that line of work, if they should not desire to do so. They have full liberty, as I understand, to walk away whenever they get ready, but it is required that they shall then return to the country from which they came; that they shall not be allowed to remain here and go out into other fields of labor and industry and come in competition with American citizens.

Again, criticism was indulged in by the Senator from Alabama [Mr. BLACK] because, he said, it is provided that the Secretary of Labor shall make rules and regulations. I desire to call that Senator's attention to the fact that the language contained in the Kendrick amendment is identical with the language in his own amendment providing for the prohibition of immigration for a period of five years. He has used, I repeat, the identical language that is carried in the Kendrick amendment.

Again, on yesterday much was said about child labor. Mr. President, we have heard those same arguments time and time again. I recall that when the constitutional amendment with reference to child labor was before this body the same line of argument was made. It appealed to many Senators and caused them to vote for the amendment. I was not one of that number. Yet when the constitutional amendment went back to the 48 States the people of the States refused to become as wildly excited as many Senators had become. My recollection is that only one State of the 48 has thus far ratified that amendment, and at the next sitting of its legislature an effort was made to rescind its action. I, of course, believe in protecting children, but I am going to say in that connection that, in my judgment, one of the greatest curses of the age is idleness among children. So it does not excite me at all when it is said that Mexicans will be brought over; that they will be allowed to bring their wives and children for employment in this kind of work.

It is also said that their living conditions are horrible. That may be true, but it occurs to me, Mr. President, that the Mexicans would not come here, that they would not bring their families, their wives and their children, and engage in this character of work under the living conditions described if they were not improving their condition.

Mr. President, there is one matter in connection with this amendment that should not be overlooked. It absolutely gives every protection possible to American labor; it absolutely assures that no unreasonable number of immigrants will be brought in. I refer to the proviso in the amendment, which reads:

> *Provided*, That unskilled agricultural laborers unemployed are not available within a reasonable distance of the place where such labor is to be performed.

Mr. President, if there is American labor to be had, if American citizens out of employment are seeking this character of work, under the very provisions of the amendment itself Mexicans can not be brought in to compete with them. I am entirely willing to leave that matter to the discretion, to the sound judgment of the Secretary of Labor. I have had a pleasant acquaintance with several Secretaries of Labor and each one of them, according to my judgment, was American to the core, interested in the protection of American labor, and I have no doubt that the Secretaries of Labor who in the future shall succeed the one who is now occupying that position will have the same views upon the subject.

The VICE PRESIDENT. The time of the Senator from Mississippi has expired. The question is on concurring in the amendment of the Senator from Wyoming [Mr. KENDRICK] adopted as in Committee of the Whole.

Mr. STECK. I ask for the yeas and nays.

Mr. CUTTING. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Blaine	Capper	Deneen
Ashurst	Blease	Caraway	Foss
Baird	Borah	Copeland	Frazier
Barkley	Bratton	Couzens	George
Bingham	Brock	Cutting	Gillett
Black	Broussard	Dale	Glass
Glenn	Kean	Pittman	Thomas, Idaho
Goldsborough	Kendrick	Ransdell	Thomas, Okla.
Gould	Keyes	Robinson, Ind.	Trammell
Greene	McCulloch	Robsion, Ky.	Tydings
Hale	McKellar	Sheppard	Vandenberg
Harris	McNary	Shipstead	Wagner
Harrison	Norbeck	Shortridge	Walcott
Hastings	Norris	Simmons	Walsh, Mass.
Hatfield	Nye	Smoot	Walsh, Mont.
Hayden	Oddie	Steck	Waterman
Hebert	Overman	Steiwer	Watson
Howell	Patterson	Stephens	
Johnson	Phipps	Sullivan	
Jones	Pine	Swanson	

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

The question is on concurring in the amendment made as in Committee of the Whole.

Mr. BLACK. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRATTON. As I understand, those who favor the amendment proposed by the Senator from Wyoming [Mr. KENDRICK] will vote "yea," and those who oppose it will vote "nay"?

The VICE PRESIDENT. The Senator is correct.

The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BLEASE (when his name was called). I have a pair with the senior Senator from West Virginia [Mr. GOFF]. Not knowing how he would vote if present, I withhold my vote.

Mr. HALE (when his name was called). On this amendment I have a pair with the Senator from Alabama [Mr. HEFLIN]. I have not been able to arrange a transfer. If at liberty to vote, I would vote in favor of the amendment, and the Senator from Alabama would vote against it.

Mr. McNARY (when his name was called). On this amendment I have a pair with the senior Senator from Mississippi [Mr. HARRISON], who is necessarily absent. Therefore I withhold my vote.

Mr. THOMAS of Oklahoma (when his name was called). On this question I have a pair with the junior Senator from Texas [Mr. CONNALLY]. If he were present, he would vote "nay," and if I were at liberty to vote I should vote "yea."

The roll call was concluded.

Mr. TYDINGS. On this question I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. I understand that if he were present he would vote as I shall vote. I therefore vote. I vote "yea."

Mr. HALE. I transfer my pair with the Senator from Alabama [Mr. HEFLIN] to the Senator from Rhode Island [Mr. METCALF] and will vote. I vote "yea."

Mr. McNARY. I desire to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Montana [Mr. WHEELER]; and

The Senator from Kansas [Mr. ALLEN] with the Senator from Arkansas [Mr. CARAWAY].

The result was announced—yeas, 32, nays 34, as follows:

YEAS—32

Baird	Hatfield	Nye	Stephens
Bingham	Hayden	Oddie	Sullivan
Broussard	Hebert	Phipps	Thomas, Idaho
Copeland	Howell	Pittman	Tydings
Frazier	Kean	Ransdell	Vandenberg
Goldsborough	Kendrick	Shipstead	Walcott
Gould	Norbeck	Shortridge	Walsh, Mont.
Hale	Norris	Steiwer	Waterman

NAYS—34

Ashurst	Dale	Johnson	Sheppard
Barkley	Deneen	Jones	Simmons
Black	George	McCulloch	Steck
Blaine	Gillett	McKellar	Swanson
Bratton	Glass	Overman	Trammell
Brock	Glenn	Patterson	Wagner
Capper	Greene	Pine	Walsh, Mass.
Couzens	Harris	Robinson, Ind.	
Cutting	Hastings	Robsion, Ky.	

NOT VOTING—30

Allen	Fletcher	La Follette	Smith
Blease	Goff	McMaster	Smoot
Borah	Grundy	McNary	Thomas, Okla.
Brookhart	Harrison	Metcalf	Townsend
Caraway	Hawes	Moses	Watson
Connally	Heflin	Reed	Wheeler
Dill	Keyes	Robinson, Ark.	
Fess	King	Schall	

So the amendment made as in Committee of the Whole was nonconcurred in.

Mr. HARRIS. Mr. President, yesterday, when the Senate voted on the amendment I offered reducing the quota from 1½ to 1 per cent, it was before the national origins amendment had been voted on. Now, we have to change that; and I have offered an amendment by which we will allow, for the next three years, 120,000 immigrants, as provided under the amendment of the Senator from South Dakota [Mr. NORBECK], and after that, 81,000, as provided under the national origins act.

I ask to have the amendment stated by the clerk. I do not believe there will be any objection to it.

The VICE PRESIDENT. That amendment is not in order without a reconsideration of the vote whereby the latter part of the amendment was concurred in.

Mr. HARRIS. Then I move to reconsider the vote, so that I may offer that amendment.

Mr. JONES. Mr. President, what is the actual motion now?

The VICE PRESIDENT. The motion is to reconsider the vote whereby the latter part of the amendment of the Senator from South Dakota was concurred in.

Mr. HARRIS. Changing the percentage.

Mr. WALSH of Massachusetts. Mr. President, may I inquire if the necessity of that is due to the fact that the bill, as it now stands, contains the national-origins provision, providing for a definite number of immigrants, namely, 150,000 annually, and also a provision for the application of the method of computing immigration under the former law—namely, the census of 1890?

Mr. HARRIS. That is the reason for the amendment.

Mr. McNARY. Mr. President, I think, in fairness to those who desire to vote intelligently, that the Senator from Georgia should make a statement of the reasons upon which he bases his request.

Mr. BLAINE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BLAINE. I desire to inquire how the Senator, who is the mover of this motion, voted originally.

The VICE PRESIDENT. The vote was a viva voce one, so that any Senator may make a motion to reconsider.

Mr. BRATTON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRATTON. Does the request of the Senator from Georgia to reconsider the vote taken yesterday affect the action of the Senate in perpetuating the national-origins system?

The VICE PRESIDENT. It does not. It only affects the amendment of the Senator from South Dakota as amended in the Senate.

Mr. SWANSON. Mr. President, I offered the amendment eliminating from the amendment of the Senator from South Dakota [Mr. NORBECK] the provision that abolished the national-origins plan. His amendment as an entirety had been based on the idea that national origins should be eliminated and that we would base immigration on the census of 1890, providing for 1½ per cent of the foreigners as disclosed by that census. That would amount to about 120,000 people.

When the part of the amendment that abolished the national-origins plan was eliminated, all that was left of the Senator's amendment was the provision of 1½ per cent, which had been reduced by the amendment of the Senator from Georgia to 1 per cent, of the foreigners disclosed by the census of 1890. In other words, it amended that act.

To make it clear and carry out the will of the Senate as expressed in the votes which have been taken, the Senator from Georgia has offered an amendment which would simply change section 11, subdivision (b), which provides that there shall be admitted 150,000 immigrants a year based on the percentage of nationalities disclosed by the various censuses and information furnished. All this amendment does is to take subdivision (b) of section 11 of the bill, in connection with the immigration law known as the national origins law, and substitute in that law for 150,000, which is the number provided by law, 120,000 for three years; then, after the three years, 81,000, which is what the Senate has already agreed to. It would carry out the will of the Senate entirely, except after three years. It was afterwards disclosed that families abroad had made arrangements to come to the United States, they had sold their property, they had gotten tickets, and arrangements had been made in the belief that the 150,000 quota would extend for two or three years. This amendment would let the 120,000 come in under the national-origins provisions instead of 150,000 for three years, and after that time the 81,000 quota will become operative. That was agreed to by the Senate in amending the Norbeck amendment making the percentage 1 per cent instead of 1½ per cent.

It does seem to me that that is right. It seems to me that is carrying out the will of the Senate as expressed in its votes.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. SWANSON. I yield.

Mr. HARRIS. The Senator from South Dakota [Mr. NORBECK] said that if it took effect immediately it would work a hardship on a great many people who had made their arrangements to come to this country, and because of the Senator's generous way of treating things always I thought I would be just as generous as he was and make that three years, as provided in his amendment.

Mr. SWANSON. In addition to that, it is a matter of right. If 150,000 is fixed as the number of immigrants who can come into this country, and there are people in the various countries who are second, third, fourth, fifth on the preferred list and have made arrangements to come here in 6 months, 12 months, or 1 or 2 years, and have sold their property and prepared to do it, it is wrong for Congress, when it is a law of that kind and character, to modify it and change it and do an injustice to people who changed their condition on the faith of the Government. It seems to me there should be no objection to the amendment offered by the Senator from Georgia.

Mr. JOHNSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from California?

Mr. SWANSON. I yield.

Mr. JOHNSON. If the Senator will pardon me, I was absent for a moment or two. Do I understand that the suggestion is to leave the quotas of the immigration law as it is for three years because of the injustices that would be done, and then divide the quota number by two?

Mr. SWANSON. No. The Senate had voted to limit the immigration to 81,000.

Mr. JOHNSON. I realize that.

Mr. SWANSON. By amending the amendment of the Senator from South Dakota [Mr. NORBECK], which the Senate by a good majority adopted. Then when they eliminated from the Norbeck amendment the provision which repealed the national origins law, as the Senator understands, that really made the rest of the Norbeck amendment innocuous, because it was confined to 1 per cent of the numbers shown by the census of 1890.

The Senator from Georgia has offered this amendment. The Norbeck amendment provided for the admission of 120,000 immigrants. The Senate has voted for 81,000. On an examination and on representations made by the Senator from South Dakota and others we found that a great many people had made their arrangements to come to this country this year, next year, two years hence. They are put on a preferred list. I inquired into one the other day where the man was thirty-fifth on the list. Foreigners had made their arrangements to come here running over from one to two or three years. The Senator from Georgia thought it but right and proper that for three years' 120,000 should be allowed to come in under the national-origins provision, and after that we should go back to the 81,000 fixed by the will of the Senate in amending the Norbeck amendment.

Mr. JOHNSON. Mr. President, I see the justice of the ultimate result sought to be obtained by the Senator from Georgia and the Senator from Virginia, but if there be any logic in the argument at all, then the number that is now fixed as the number which it was assumed would be permitted to come in in the next year or so should be the number for that year or so, or such time as it may be deemed appropriate to prevent the injustice, because of individuals who may have prepared themselves to come to this country.

Mr. SWANSON. If the Senator will permit, that is what it does.

Mr. JOHNSON. No.

Mr. SWANSON. We thought that as 120,000 was fixed in the amendment offered by the Senator from South Dakota, if instead of one year or two years we extend it to three years, it would accomplish substantial justice and be better than 150,000 for one year.

The VICE PRESIDENT. The Senator's time has expired.

Mr. JOHNSON. Mr. President, just a word in response. I recognize, of course, the power of the Congress to limit immigration as it sees fit, and even to put an embargo upon immigration. But if we are going to fix a reduction upon the theory that there ought to be opportunity accorded those who have prepared to come across, it ought not to be in any other number, in the first instance, than the number now fixed by the law. I do not care what time you say is appropriate in order to enable them to readjust themselves—one, two, three, or four years, whatever you may see fit to say. You now say that it is absolutely essential that there should be a period of time for readjustment afforded those who have prepared to come, and in the same

breath you cut by 25 per cent the number who can come, and thus you destroy entirely the argument you make and the promise upon which that argument is based. If 150,000 is the number fixed, under which all the efforts of those who are about to come have been made, that number should be continued, if there be logic in the argument that is presented, for some appropriate period, and at the expiration of that period the cut you desire should be accomplished.

Mr. SWANSON. Mr. President, if I understand the Senator, he is for the Norbeck bill fixing the number at 120,000.

Mr. JOHNSON. That does not affect the logic of the argument.

Mr. SWANSON. I do not presume the Senator from South Dakota would have fixed a number that would have done injustice to anybody.

Mr. NORBECK. Mr. President——

Mr. SWANSON. We thought you had considered that question very thoroughly and conscientiously when you favored 120,000, and we were willing to continue it for three years.

Mr. JOHNSON. One hundred and twenty thousand?

Mr. SWANSON. Yes.

Mr. NORBECK. Mr. President——

Mr. JOHNSON. Mr. President, the excitement about 150,000 immigrants coming to this country of 120,000,000 people leaves me rather cold. I can not fathom and I can not understand how 150,000 immigrants coming from across the sea to 120,000,000 people, under existing circumstances, will affect the lifeblood of this Nation under the restrictive policy we now maintain.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. HARRIS. The truth is that one year a million people came in, just a few years ago, before the present law went into effect.

Mr. JOHNSON. I am not speaking of that.

Mr. SWANSON. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. SWANSON. As I understand, the Senator favored the Norbeck bill and voted for it?

Mr. JOHNSON. Certainly, I favored the Norbeck bill.

Mr. SWANSON. Then the Senator could not have reached the conclusion that fixing the number at 120,000 would get rid of all injustice and allow everybody who had made arrangements to come here. We simply accepted the position of those who favored the Norbeck bill, and made it operative for three years.

Mr. JOHNSON. I was arguing the logic which was presented by the Senator from Virginia.

Mr. SWANSON. I accepted that logic from the Senator from South Dakota.

Mr. NORBECK. No; you did nothing of the kind.

Mr. SWANSON. I am willing to go on and change it.

Mr. JOHNSON. It is a matter of some indifference to me whether you change it to 80,000, to 120,000, or 150,000; but if the change to 150,000 is to be predicated upon the theory of readjustment and preparing those who are abroad and who, under existing quotas, have made arrangements to come here, then I say that the 150,000 ought to be continued until that readjustment has been permitted to be effective.

Mr. SWANSON. Mr. President, if the Senator will permit——

Mr. JOHNSON. I yield.

Mr. SWANSON. Here is the number, 120,000, fixed by the Norbeck bill, to come in each year. The other bill fixed 150,000. It was represented that a great many people, not all the 150,000, but a great many of these people, had made arrangements to come here.

Mr. SHIPSTEAD. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield?

Mr. JOHNSON. Am I under a 10-minute limitation?

The VICE PRESIDENT. The Senator is.

Mr. JOHNSON. Then I would like to proceed for just a moment. I do not know whether I will have opportunity to say what I want to say in respect to this matter or not.

The VICE PRESIDENT. The Senator has five minutes left.

Mr. JOHNSON. The only thing which it seems to me is clear is this, if 150,000 are allowed to come, you ought not, upon the argument presented, to reduce the number. You may, of course, reduce it as you see fit, to whatever figure you desire, but if you are going to have another figure on the theory that there should be readjustment or that there should be opportunity to those coming from abroad to rearrange their affairs—I am reciting merely what the Senator from Virginia said—then the 150,000 should continue as the number until the time of the ultimate reduction.

On the general proposition just permit me to say one word. I can not get excited over the national-origins provision in the fashion some of my brethren have been excited during the debate of the last couple of days. I have no pride in Anglo-Saxon descent which I think makes me superior to any man who comes from abroad and who, of his own merits and by his own unaided effort, makes himself a good American citizen. So I can not understand all that has been said upon that subject.

I recognize that we have our Glasses and our Blacks, that we have our Reeds, of whom we may be justly proud, but I recognize, too, that we have our Borahs, we have our Norbecks, and we have our McNarys, of whom we are equally proud, and I recognize that the strain in those whom I have last named is just exactly as good as the strain which may be found in the others.

After all, sir, the test of American citizenship is the individual himself and whether or not he is worthy of American citizenship. To say to us in this country after we have been 150 years a nation that we shall go back a century and a half and then, upon the names there recorded, under the national-origins plan we shall limit our immigration, is not only unscientific and absurd, indeed practically impossible, but, sir, it denies during the whole period of 150 years when we have been a nation to those who carved it out from nothing in the beginning to its present eminence among the nations of the world the same opportunity and equality which may have been accorded those who in assumed superiority can trace or believe they can trace their ancestors back 150 years in the past.

Again, upon the other question involved here of immigration and the reduction of immigration which now is asked by the Senator from Georgia [Mr. HARRIS] and the Senator from Virginia [Mr. SWANSON], 150,000 have we under the national-origins provision. It is asked to reduce that one-half or three-quarters, as the case may be, and that it shall be reduced in order that this Nation shall be protected, because the only theory upon which we are keeping people from coming to our shores is the safeguarding of our own institutions and the protection of our own people. Sir, I can not by the wildest stretch of the imagination believe that 150,000 immigrants coming from abroad will so water the lifeblood of 120,000,000 people that our future will be endangered or our safety imperiled. So I can not become particularly exercised either upon national-origins chimera or in the desire to reduce the number of 150,000 who now come into this land.

Mr. GLASS. Mr. President, perhaps a parliamentary inquiry which I propose to make has already been made, but I want to be perfectly certain in my own mind as to the status of the question. Does the motion proposed by the Senator from Georgia involve a reopening of the national-origins aspect of the amendment of the Senator from South Dakota [Mr. NORBECK]?

The VICE PRESIDENT. It does not.

Mr. JOHNSON. Mr. President, in order that we may thoroughly understand it, are we to understand the ruling of the Chair to be that none of those Senators who are interested in the national-origins matter would be permitted to amend it?

The VICE PRESIDENT. The Chair did not so state.

Mr. JOHNSON. I am quite aware of it. I want to make that clear to the Senator from Virginia.

Mr. GLASS. This is a motion to reconsider a certain phase of the question. The motion is held to be in order because the proposition was adopted by viva voce vote in the Senate. There was no record vote. What I want to know is if it involves a reconsideration of the action of the Senate in striking out the national-origins part of the Norbeck amendment?

The VICE PRESIDENT. The only way the original proposition—that is, that part of the Norbeck amendment which was stricken out—could be brought back before the Senate would be by a reconsideration upon a separate motion made by some Member of the Senate who voted for the proposition.

Mr. SHIPSTEAD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SHIPSTEAD. I understood that the motion to reconsider was a motion to reconsider the motion of the Senator from Virginia [Mr. SWANSON].

Mr. GLASS. Oh, no!

The VICE PRESIDENT. The motion is to reconsider the vote whereby the Norbeck amendment as amended was concurred in.

Mr. SHORTRIDGE. Mr. President, as I understand the law as it is now, the number who may come in is 150,000. Am I right?

Mr. HARRIS. That is correct.

Mr. SHORTRIDGE. As a result of the action of the Senate yesterday the number is to be reduced to 80,000 or 81,000 in round numbers. The purpose of the pending motion is to provide that for three years from the going into effect of the now proposed amended bill there shall be admissible 120,000. That

is the purpose of the motion. Upon its parliamentary situation I do not enlarge. Now, however, the action of the Senate has limited the number to 81,000. The present law limits it to 150,000. The proposed motion in its parliamentary form seeks to permit 120,000 during a period of three years and thereafter 81,000.

Mr. GLASS. That would be the effect of the proposed motion of the Senator from Georgia. His motion is, however, to reconsider certain aspects of the Norbeck amendment, and what I desire to make plain is that it does not involve the motion made yesterday by my colleague from Virginia [Mr. SWANSON] affecting the national origins.

Mr. SHORTRIDGE. I understand the substance of the motion to be as I have indicated, and that it does not in any wise modify or reverse the action of the Senate in respect of national origins or any other feature of the bill.

Mr. HARRIS. Not at all.

Mr. WALSH of Massachusetts. Mr. President, I hope the motion of the Senator from Georgia to reconsider will be agreed to on a viva voce vote. It is quite apparent that we have now incorporated into the bill two conflicting theories upon which to determine the manner by which immigrants will be annually admitted to this country.

After the motion to reconsider is agreed to we will have ample time to have various votes and discussion upon the exact number of immigrants who may be admitted to the country. Upon that phase of the question I desire to have something to say later, but I can see no harm now, but indeed much benefit in helping to expedite the action of the Senate by agreeing to reconsideration and then taking up the matter of determining the number of immigrants who may be permitted to enter the country under the bill that we finally agree upon.

Mr. JOHNSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from California?

Mr. WALSH of Massachusetts. I yield.

Mr. JOHNSON. If we are reconsidering what we did yesterday afternoon, and I assume that is what we are doing, we are considering something that is utterly nugatory.

Mr. WALSH of Massachusetts. Practically.

Mr. JOHNSON. Entirely—not practically, but absolutely.

Mr. WALSH of Massachusetts. Yes; I suppose it is.

Mr. JOHNSON. Then what is the object in reconsidering?

Mr. WALSH of Massachusetts. We can not allow to stand in the bill two amendments which are in direct conflict with each other.

Mr. JOHNSON. There can not be any conflict, because it is not applicable.

Mr. WALSH of Massachusetts. As the bill now stands, we have adopted a national quota which permits the entry into this country of 150,000 aliens annually, and we have also adopted a provision in the bill which permits, under the law which existed before the national-origins provision was adopted, the admission of 86,000 people based upon the number of residents of European nationality under the census of 1890.

Mr. JOHNSON. We might as well have written into the bill the transit of Venus as that. It has no application and it is utterly nugatory.

Mr. WALSH of Massachusetts. That is the very point I make. Therefore let us reconsider it and get it out of the bill and not have an immigration bill that is not clear or does not express the sentiment of the Senate.

Mr. JOHNSON. The proceeding is to get it out of the bill and then we are to have another amendment presented. Is that correct?

Mr. WALSH of Massachusetts. Yes. Upon that phase I want to be heard, but I am trying now for the purpose of clarifying the situation to suggest an agreement for reconsideration.

Mr. GLASS. Right there I want to have made clear what that other amendment may contain.

Mr. WALSH of Massachusetts. It has been stated by the Senator's colleague [Mr. SWANSON].

Mr. SWANSON. The Senate has already agreed to reconsider that portion of the Norbeck amendment, which was concurred in, which eliminated the national origins.

Mr. JOHNSON. Yes; we struck that out.

Mr. SWANSON. Yes; we struck out that part of the amendment relating to national origins and concurred in that part of it providing that 81,000 people may come in, or 1 per cent under the census of 1890.

Mr. JOHNSON. Did the Senate ever concur in that?

Mr. SWANSON. It concurred in it, and it has been reconsidered.

Mr. JOHNSON. There was no action upon it.

Mr. SWANSON. Yes; it was concurred in.

Mr. JOHNSON. We have struck out the latter part of it.

Mr. SWANSON. No; the first part of it, about national origins, and then the other part was concurred in.

Mr. JOHNSON. Whether it was or was not, if we struck out the national-origins repeal, the part of the amendment which is left is absolutely nugatory and of no consequence.

Mr. SWANSON. I think it is, but other Senators differ with me. Other Senators say it would simply permit, if it stayed in the bill, only 81,000 people to come in per year under the census of 1890. But the Senate has some respect for itself in passing the bill. It does not want to have conflicting provisions in the bill and this is proposed to be done simply to clarify and make clear what is really the will of the Senate.

Mr. JOHNSON. Mr. President, if the Senator will yield——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from California?

Mr. WALSH of Massachusetts. I yield so the Senator may speak in my time.

The VICE PRESIDENT. No; that may not be done.

Mr. WALSH of Massachusetts. Then I yield so the Senator may ask a question.

Mr. JOHNSON. Is there a definite program now to reconsider the portion which relates to quotas in the Norbeck amendment and thereafter present a new amendment respecting quotas?

Mr. WALSH of Massachusetts. I understand that is the plan.

Mr. SWANSON. No; the amendment is pending to put 120,000 under the national origins. It is to strike out——

Mr. JOHNSON. I understand that, and that will be presented after reconsideration is agreed to.

Mr. SWANSON. If this is adopted, it ends the matter.

Mr. JOHNSON. That is what I want to know.

Mr. WALSH of Massachusetts. But first let us get a reconsideration.

Mr. SWANSON. It has been reconsidered.

Mr. JOHNSON. The Senator from Massachusetts is in error, according to the Senator from Virginia.

Mr. SWANSON. I will let the Presiding Officer say whether it was reconsidered or not.

The VICE PRESIDENT. The motion to reconsider has not yet been voted upon.

Mr. WALSH of Massachusetts. So I am not in error.

Mr. JOHNSON. Well, somebody is in error—and I am looking at the senior Senator from Virginia [Mr. SWANSON]! [Laughter.]

Mr. NORBECK. Mr. President, if I may have the attention of the Senate for a moment, I want to invite its attention to an apparent misunderstanding. Arguments have been made entirely on a false premise. It is asserted by the Senator from Vriginia [Mr. SWANSON] that the Senator from Georgia [Mr. HARRIS] is trying to do now only what the Senate did yesterday, and therefore it is all right. But as a matter of fact he is trying to do something now that was not done yesterday. I know it can be camouflaged by saying the totals are the same, but to go back to the law that went into effect last July certain countries were reduced 66 per cent. That created an acute condition, because there were quota immigrants waiting. For instance, Denmark's quota was reduced from about 3,000 to about 1,000 by that action, because under the national-origins theory they get only 1,100, and the Senator from Georgia now proposes to reduce that number to 550, whereas the amendment adopted yesterday would have allowed them to remain where they are now. In other words, the reduction would have affected those countries that got additional quotas under the national-origins theory that went into effect last July. A reduction in their quotas would not create any particular hardship. This is another slap at the north Europeans; the purpose is evidently to bring them down to nothing. I am willing the Senate shall indorse this plan if a majority believe in it, but I do not want any Senator to vote for such a plan through a misunderstanding. If we want to bring in the agents of Mussolini and the friends of Capone to strengthen the gang-land rule in Chicago, just give them preference on the list, but let us vote with a full knowledge of what we are doing. I object to the camouflage. The amendment proposed by the Senator from Georgia [Mr. HARRIS] is not in conformity to the one adopted by the Senate yesterday. Let no one be misled.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator a question? A few moments ago, seeking information, I made a certain inquiry as to the effect or the result of adopting the motion of the Senator from Georgia [Mr. HARRIS]. I received the assurance that it merely related to the number who could enter this country. I was also assured that whereas, according to the action of the Senate yesterday, the number from what-

ever country was limited to 81,000, if the suggestion of the Senator from Georgia should now be adopted, it would leave the number at 120,000 for the period of three years.

Mr. HARRIS. That is correct.

Mr. SHORTRIDGE. And that it did not involve any other question or element or phase of the pending immigration bill. I am now and then able to understand English, and I thought it was perfectly clear. Am I in error still or was I misled?

Mr. GLASS. Mr. President, I thought as the Senator from California thought, but now comes the Senator from South Dakota [Mr. NORBECK], and I am so confused I do not know what to think.

Mr. SHORTRIDGE. I want to say we received——

The VICE PRESIDENT. The Chair will hold that the Senator from California has made one speech, and under the unanimous-consent agreement is not in order.

Mr. SHORTRIDGE. I am not making a speech; I am making an inquiry to get at the truth and the facts.

The VICE PRESIDENT. The Senator may ask a question.

Mr. SHORTRIDGE. Then I will ask a question. I will ask my noble friend from South Dakota to be a little more explicit in explaining wherein agreeing to the pending motion of the Senator from Georgia will affect anything other than the number who may come into this country for a period of three years.

Mr. WALSH of Massachusetts. The pending motion is to reconsider the action we took yesterday; there is no motion pending as to the quota.

Mr. GLASS. Mr. President, I should like to know what is to follow under the terms of some other amendment which may be proposed.

The VICE PRESIDENT. The Chair must insist that only one Senator shall speak at a time and that a Senator shall be recognized before addressing the Senate. Does the Senator from South Dakota yield further to the Senator from California?

Mr. NORBECK. I thought the Senator from California had the floor.

Mr. SHORTRIDGE. No; the Senator from South Dakota has the floor, and I am asking the Senator if he will be good enough to explain the situation to us?

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia to reconsider the vote by which the amendment of the Senator from South Dakota [Mr. NORBECK], as amended, was concurred in. [Putting the question.] The noes seem to have it; the noes have it, and the motion to reconsider is rejected.

Mr. HARRIS. I ask for the yeas and nays.

The VICE PRESIDENT. The demand for the yeas and nays comes too late. The bill is still before the Senate and open to amendment.

Mr. SHIPSTEAD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. SHIPSTEAD. Is a motion in order to recommit the bill to the Committee on Immigration?

The VICE PRESIDENT. Such a motion is in order.

Mr. SHIPSTEAD. In view of the present situation and of the state of mind of the Senate, and in the interest of orderly procedure in legislation, I move that the bill be recommitted to the Committee on Immigration.

Mr. SWANSON. Mr. President, I inquire how often can a motion to recommit be made when there has been no change in the bill since the last motion of that character?

The VICE PRESIDENT. The Chair holds that if the motion to recommit had been made before the Senate refused to concur in the amendment made as in Committee of the Whole, it would not have been in order; but the bill has been materially changed since the former motion to recommit was made, and the Chair holds that, as a material amendment or change has been made, the motion is in order.

Mr. SWANSON. I know if the bill has been materially changed a motion to recommit is in order; but since the last motion was made to recommit has there been any amendment voted on and adopted materially changing the bill?

The VICE PRESIDENT. The Senator's own amendment was adopted after the last motion to recommit. The question is on the motion of the Senator from Minnesota to recommit the bill to the Committee on Immigration.

Mr. SHIPSTEAD and Mr. HARRIS asked for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. TYDINGS (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. METCALF]. If I were permitted to vote, I should vote "nay," and I understand if the Senator from Rhode Island were present he would vote "yea."

The roll call was concluded.

Mr. BLEASE. I have a pair with the senior Senator from West Virginia [Mr. GOFF] and therefore withhold my vote.

Mr. SHEPPARD. I desire to announce that the Senator from Montana [Mr. WALSH] is necessarily detained on official business. If present, he would vote "yea."

Mr. McNARY. I desire to announce the following general pairs:

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Washington [Mr. DILL];

The Senator from Ohio [Mr. FESS] with the Senator from Montana [Mr. WALSH];

The Senator from Iowa [Mr. BROOKHART] with the Senator from Texas [Mr. CONNALLY];

The Senator from Minnesota [Mr. SCHALL] with the Senator from Alabama [Mr. HEFLIN];

The Senator from Wisconsin [Mr. LA FOLLETTE] with the Senator from Mississippi [Mr. HARRISON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 34, nays 30, as follows:

YEAS—34

Allen	Frazier	Norbeck	Sullivan
Baird	Glass	Norris	Thomas, Idaho
Bingham	Glenn	Nye	Thomas, Okla.
Blaine	Goldsborough	Oddie	Wagner
Borah	Greene	Phipps	Walcott
Broussard	Hale	Ransdell	Walsh, Mass.
Copeland	Hebert	Shipstead	Waterman
Dale	Kean	Shortridge	
Deneen	Kendrick	Steiwer	

NAYS—30

Ashurst	George	McCulloch	Simmons
Barkley	Gillett	McKellar	Steck
Black	Harris	McNary	Stephens
Bratton	Hatfield	Overman	Swanson
Brock	Hayden	Patterson	Trammell
Capper	Howell	Robinson, Ind.	Vandenberg
Caraway	Johnson	Robsion, Ky.	
Cutting	Jones	Sheppard	

NOT VOTING—32

Blease	Gould	La Follette	Schall
Brookhart	Grundy	McMaster	Smith
Connally	Harrison	Metcalf	Smoot
Cousens	Hastings	Moses	Townsend
Dill	Hawes	Pine	Tydings
Fess	Heflin	Pittman	Walsh, Mont.
Fletcher	Keyes	Reed	Watson
Goff	King	Robinson, Ark.	Wheeler

So the bill was recommitted to the Committee on Immigration.

RELIEF OF UNEMPLOYMENT

The VICE PRESIDENT. The Chair lays before the Senate the special order, which will be stated.

The CHIEF CLERK. Order of Business No. 311, Senate bill 3059, introduced by the Senator from New York [Mr. WAGNER], to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression.

Mr. WAGNER. Mr. President, as I understand the parliamentary situation, these bills now become the unfinished business of the Senate.

The VICE PRESIDENT. Senate bill 3059 is before the Senate, and is now the unfinished business. Under the rules it is not permissible to consider both bills together. They will have to come up in the regular way. The other one will follow immediately after this measure is acted upon.

Mr. WAGNER. Then I ask that the consideration of the bill as the unfinished business shall begin with the session on Monday at 12 o'clock.

The VICE PRESIDENT. Let it be temporarily laid aside, and that will reach the same result.

Is there objection to temporarily laying aside the unfinished business? The Chair hears none, and it is so ordered.

WAR DEPARTMENT APPROPRIATIONS

Mr. JONES. Mr. President, the military appropriation bill was reported to-day. There are no controverted amendments in it, and I do not think it will take more than a few minutes to pass it. I desire to give notice that I shall try to take it up on Monday. I hope I can make arrangements with the Senator





from New York [Mr. WAGNER] so that it will be satisfactory to him to take up and pass the bill at that time.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9323) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KNUTSON, Mr. KOPP, and Mr. GASQUE were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8531) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD, Mr. THATCHER, and Mr. BYRNS were appointed managers on the part of the House at the conference.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8531) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PHIPPS. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. PHIPPS, Mr. ODDIE, Mr. PINE, Mr. OVERMAN, and Mr. HARRIS conferees on the part of the Senate.

PENSIONS AND INCREASE OF PENSIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9323) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ROBINSON of Indiana. I move that the Senate insist upon its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ROBINSON of Indiana, Mr. NORBECK, and Mr. WHEELER conferees on the part of the Senate.

THE CALENDAR

Mr. McNARY. Mr. President, in order to expedite the work of the Senate next week, I am going to ask unanimous consent that we may now turn to the consideration of the calendar under Rule VIII. Then I shall ask a recess until Monday, at which time we can take up the unfinished business.

Mr. NORBECK. Mr. President, would the Senator mind if I take up a pension bill, on which there is pending a motion to reconsider?

Mr. McNARY. I ask first that my request in regard to the calendar be acted upon.

I ask unanimous consent that the Senate proceed to the consideration of the calendar under Rule VIII.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. McNARY. Now, I ask unanimous consent that when the Senate concludes its business to-day it take a recess until 12 o'clock noon on Monday.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. McNARY. I now yield to the Senator from South Dakota.

PENSIONS AND INCREASE OF PENSIONS

Mr. NORBECK. Mr. President, some time ago the Senate passed a general Civil War pension bill. I disapproved of several features of it, but especially that advancing the marriage date so that 40 or 50 years after the close of the war a woman might marry a soldier and get a pension for life. I entered a motion to reconsider, and it is now pending. I should like to have that motion acted upon in order to take up the bill and offer the amendments I have in mind.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota to reconsider the votes whereby the Senate ordered to a third reading and passed the bill (S. 477) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases.

The motion to reconsider was agreed to.

Mr. NORBECK. Mr. President, I send to the desk the amendments that I desire to offer, and ask that they may be stated. I also ask unanimous consent at this point that my amendments may be printed in the RECORD in a group.

There being no objection, such amendments were ordered to be printed in the RECORD, as follows:

Strike out the words "war with Mexico and War of 1812" wherever they appear in the bill.

On page 2, line 2, strike out the period, insert a comma, and add the following words: "If not in a State or National home."

Strike out all of section 2.

On page 2, line 24, strike out the figures "1920" and insert in lieu thereof the figures "1905."

On page 2, line 25, strike out "$50" and insert in lieu thereof "$40."

On page 2, line 25, add the following sentence after the word "month": "All widows described in this section who have reached the age of 75 prior to July 1, 1931, shall thereafter be paid $50 per month."

On page 3, line 13, strike out "$50" and insert in lieu thereof "$40."

On page 3, line 13, add the following after the word "month": "and those who have reached the age of 75 by July 1, 1931, shall thereafter be paid $50 per month."

On page 3, line 13, strike out the words "and any widow as," and also strike out the remainder of that section.

Renumber the sections.

The VICE PRESIDENT. The amendments will be stated.

The CHIEF CLERK. Strike out the words "War with Mexico and War of 1812" wherever they appear in the bill.

The amendment was agreed to.

The CHIEF CLERK. Add the following words to section 1:

If not in a State or National home.

The amendment was agreed to.

The CHIEF CLERK. Strike out all of section 2.

Mr. SHORTRIDGE. Mr. President, as to that amendment I inquire what is its purpose?

Mr. NORBECK. Mr. President, I should have explained more fully.

One of my amendments proposes to strike out the advanced marriage date, so as to leave it as it is in the present law.

Another proposes to strike out the reference to those pensioners connected with the War with Mexico and War of 1812. The few who now remain are receiving liberal pensions.

The bill pending proposes to increase the pension of certain classes of Civil War soldiers from $65 to $72 per month. I offer an amendment that this increase shall be limited to those who are not in State or National homes. Those who are taken care of by the Government are receiving $50 per month.

I also propose to strike out section 2, which means that those who are now receiving $90 a month will continue to receive only $90 a month.

My amendment in section 3 proposes to give $40 to those widows who are now receiving $30. This is about one-third of the widows, as I recall, but they are increasing in age and are eligible to $40 when they reach the age of 75.

I further propose that all Civil War widows who are receiving pension under the general pension law and have reached the age of 75 shall receive $50 a month after July 1, 1931.

My last amendment regarding minor children will leave the present law as it is. It is almost without importance in this bill, there being very few pensioners in this class. I want to avoid establishing a precedent. If it is desirable to increase this rate, it should be done in connection with some other bill.

Mr. SHORTRIDGE. The proposed change increases the amount to what?

Mr. NORBECK. I am proposing immediate increases for Civil War veterans and certain widows who are now receiving only $30 a month. The increase for the other widows will take effect a year later.

Mr. SHORTRIDGE. Precisely.

Mr. NORBECK. The bill, as pending here, increased the amount from $30 to $50. I am cutting the increase in the middle and bringing it to $40.

Mr. WALSH of Massachusetts. Mr. President, will the Senator state the change in the date of marriage in order to give pensions to widows of the Civil War veterans?

Mr. NORBECK. The present law, which has been in force about 20 or 25 years, limits the date to June 27, 1905. That was 40 years after the war closed. I am retaining that date.

Mr. WALSH of Massachusetts. Has not strong pressure been brought to bear upon the committee to fix the year later than 1905? I have favored removing the limitation and introduced bills to bring that about.

Mr. NORBECK. Oh, yes; every woman who married since that time feels that it ought to be changed. That is true; and in exceptional cases the committee has reported favorably on special bills, placing certain widows on the pension roll. This has been for those who were married shortly after the time limit—deserving cases.

Mr. WALSH of Massachusetts. I think the organizations of Civil War veterans have favored removing the marriage limit.

Mr. NORBECK. If so, I must admit my ignorance; and I have served on the Senate Committee on Pensions for many years. They have, however, strongly urged increases for widows and veterans all the time.

Mr. WALSH of Massachusetts. I think the Senator will find, upon investigation, that they strongly favored removing the limit.

Mr. NORBECK. I have talked with some of the representatives recently, and they have stated frankly that the most urgent thing to do was to give a little increase for the widows who are getting $30 now.

Mr. WALSH of Massachusetts. I desire to inquire from the Senator how much additional expense to the Government will be involved in the increases that are provided for in his amendments.

Mr. NORBECK. For the veteran himself, about $1,500,000.

Mr. WALSH of Massachusetts. Per year, of course?

Mr. NORBECK. Yes; for the first year. Of course they have not many years to go. For the widows, as nearly as I can tell, possibly $5,000,000 the first year. Perhaps it will be $2,000,000 the second year, because they pass on to the other class where they are getting $40.

Mr. WALSH of Massachusetts. Is the number of widows who are receiving pensions increasing or decreasing?

Mr. NORBECK. My recollection is that they are decreasing now.

Mr. WALSH of Massachusetts. But rather recently?

Mr. NORBECK. Oh, yes. They did increase, as the Senator knows, as the veterans passed on.

Mr. WALSH of Massachusetts. Pensions for widows are not decreasing to anywhere near the extent to which pensions for veterans are decreasing?

Mr. NORBECK. Oh, no; the veterans are falling away very fast.

Mr. WALSH of Massachusetts. Will the Senator state once more the total additional expense his amendments will necessitate?

Mr. NORBECK. As nearly as I can tell, for the first year both of these items together will make somewhere between $5,000,000 and $7,000,000; but in the second year the amount will fall off very rapidly, not only on account of death, but on account of the fact that these widows reach the 75-year limit, when they get the $40 rate anyway.

Mr. WALSH of Massachusetts. I am astonished that the increased burden to the Government is not much more than the Senator has stated. I assume the bill with the increases recommended by the Pension Committee will be very much larger.

Mr. NORBECK. The bill as reported from the committee was very liberal and would add an additional expense of $40,000,000, as near as I can tell. I would refer the committee report to the Senator, but it does not contain much information. I have stated the probable cost for the coming year, but I must also call the Senator's attention to the fact that under my proposed amendments all widows, who draw pensions under the general law, and have reached the age of 75, will automatically receive $50 a month after July 1, 1931, which will add an additional expense next year of $12,000,000. They are old people, and the sum required would be very rapidly reduced from year to year.

Mr. WALSH of Massachusetts. I favor the bill reported by the committee, which is in keeping with the increases contained in bills introduced by me several years ago.

Mr. JONES. Mr. President, I desire to say to the Senator from South Dakota that I think it is hardly the right thing to hold the date of marriage down to 1905.

It has been charged in the past that some young women have married soldiers in the hope of getting a pension when they pass away; and yet I do not think there are very many instances of that kind. I know that many of the widows have cared for their husbands who were soldiers, and who were disabled, and who became disabled much earlier than they otherwise would by reason of their service in the war; and yet they have been cared for by some of their widows for 20 or 25 years. It seems to me that we ought to be a little bit more liberal than to put this date back to 1905. I think at least we ought to provide for those who were married prior to 1915. That would still leave 15 years during which many widows cared for their husbands, who probably were very much enfeebled by the length of their service.

I do not know where the proper place is to offer the amendment, or the proper time, because I have not been able to keep track of these matters; but at the proper place and time I want to change the date of 1905 to 1915.

Mr. NORBECK. I certainly have no objection to the Senator making a motion to that effect in order that the Senate may express itself on the question. I am not going to vote for it for the reasons stated, and the further fact that where exceptional cases arose afterwards they come before the Senate committee in the way of special pension bills, and we are able to deal with the most worthy cases in that way. If we advance the date we will pension for life women who were married to their soldier husbands for a year, six months, or 30 days.

Mr. JONES. No; 1915 is 15 years ago.

Mr. NORBECK. Yes; but assume that a man died a month after his marriage. In such cases they did not have the care of which the Senator speaks.

Mr. JONES. That may have been true in some cases, but not in most of them. I want to say this in reference to the action of the committee: I have had two or three cases—I think no more than that—where I have suggested the idea of introducing special bills, but I have been assured that the committee has not made exceptions. I will say frankly that I do not think I talked to the Senator from South Dakota about it. I usually asked the clerks or the secretaries of those who look after such matters; and I have been advised that the committee—and I have thought that was the proper course to take—does not make exceptions and pass private bills giving pensions to those who were married after 1905.

If exceptions are to be made in a proposition like that, we had better do away with the rule. At any rate, that has been my experience in connection with these matters.

The VICE PRESIDENT. The amendment will be reported.

The CHIEF CLERK. Strike out section 2, which reads:

SEC. 2. That every person who served 90 days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, War with Mexico, and War of 1812, and who has been honorably discharged therefrom, or who, having so served less than 90 days, was discharged for a disability incurred in the service and in the line of duty, or is now upon the pension roll as a Civil War veteran, and who is now, or hereafter may become by reason of age and physical or mental disabilities, helpless, or so nearly helpless as to require the aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of $125 per month.

Mr. ROBINSON of Indiana. Mr. President, I wanted to say a word about this whole question, which came up while I was out of the Chamber for a moment.

The Committee on Pensions met to consider this bill, quite some time ago, and either by proxy or by personal presence, a large majority of the committee was represented. After very careful consideration the committee unanimously agreed to extend the date limit from 1905 to 1920. Subsequently the Senator from South Dakota [Mr. NORBECK] spoke to me about the bill and said there were some objections to it he would like to register. He was not present at the meeting of the Committee on Pensions, although he had told them to go ahead, as I remember it now, the same as if he were present, that he could not be there because he would be out of the city. He mentioned that he would object to certain actions that were taken by the committee, although the committee's action had been unanimous.

Subsequently the bill came up and was passed unanimously by the Senate under a unanimous-consent agreement. For the moment I had overlooked the fact that the Senator from South Dakota had spoken to me about it seriously, or I should not have permitted action at that time. Subsequently the Senator from South Dakota moved to have the bill brought back from the House, and now it is up for reconsideration.

Mr. President, I have never altered my position on the age question, or upon the time of marriage section. It seemed to me at the time the committee met, and I have not changed my opinion, that all Civil War widows who married veterans prior to 1920 ought to be taken care of on the pension list. I think it was proper to extend the date from 1905 to 1920, because a

great number of Civil War widows would be included between those dates, whose claims are thoroughly worthy in every respect, and against whom there should be, in my judgment, no discrimination.

I go further, Mr. President, and, speaking only for myself, will say that if I could handle it alone there would be no date set at all but that all widows would be permitted to benefit under this law. However, as I stated before, 1920 seemed to be the date that was agreeable to everyone present at the committee meeting when this bill was under discussion.

I should have no objection, perhaps, to the bill's being amended on reconsideration, as it is being amended to-day, to some extent, but I cherish the hope, nevertheless, that if it is amended, when we go to conference with the conferees of the House we may prevail upon the conference to agree on a bill which will meet the requirements.

Mr. JONES. Mr. President——

The PRESIDING OFFICER (Mr. WALSH of Massachusetts in the chair). Does the Senator from Indiana yield to the Senator from Washington?

Mr. ROBINSON of Indiana. I will yield in just one moment.

If the Senator from Washington desires to insist on 1915 as a more satisfactory date, I will agree to that with the understanding that when we get into conference I shall do what I can to induce the conference committee to extend the date to 1920. Certainly, I am opposed to the amendment suggested by the Senator from South Dakota making the date 1905, for I think that ultimately would result in great injustice to many ladies who are widows of veterans of the Civil War.

Mr. JONES. Mr. President, I am delighted to hear what the Senator says, and I rose simply to say that 1920 would be very satisfactory to me.

Mr. ROBINSON of Indiana. Mr. President, I may say that I think it ought to remain at 1920, and if it is put to a vote I will vote to sustain the committee, which was unanimously in favor of keeping it at 1920.

The PRESIDING OFFICER. The pending amendment is to strike out section 2. In view of the fact that the discussion has been about another amendment which will shortly be reached, is there any objection to acting on that amendment?

Mr. ROBSION of Kentucky and Mr. STECK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. ROBSION of Kentucky. I am willing to give way to the Senator from Iowa if he desires to speak.

Mr. STECK. The Senator from Kentucky may proceed.

Mr. ODDIE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Nevada?

Mr. ROBSION of Kentucky. I yield.

RURAL POST ROADS

Mr. ODDIE. Mr. President, yesterday I tried to present to the Senate the parliamentary situation in regard to the forest roads bill. The bill passed the Senate two weeks ago, approximately, and practically the same bill has passed the House and has come over to the Senate and was reported out by the Committee on Post Offices and Post Roads. It is identical with the bill we passed in the Senate, except that my bill provided that the money should be immediately available. The House bill did not contain that provision.

I ask that the bill (H. R. 10379) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, be taken up and passed.

The PRESIDING OFFICER. Does the Senator from Kentucky yield for the purpose indicated by the Senator from Nevada?

Mr. ROBSION of Kentucky. I yield.

The PRESIDING OFFICER. Is there objection to the immediate consideration of House bill 10379?

Mr. STECK. Reserving the right to object, may I ask if this will lead to any discussion?

Mr. ODDIE. It will not lead to any discussion.

Mr. OVERMAN. I would like to hear what the measure provides.

The PRESIDING OFFICER. The clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That for the purpose of carrying out the provisions of section 23 of the Federal highway act, approved November 9, 1921, there is hereby authorized to be appropriated for forest roads and trails, out of any money in the Treasury not otherwise appropriated, the following additional sums, to be available until expended in accordance with the provisions of said section 23: The sum of $12,500,000 for the fiscal year ending June 30, 1932; the sum of $12,500,000 for the fiscal year ending June 30, 1933.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated in addition to the authorization approved in section 2 of the act of May 26, 1928, the additional sum of $5,000,000 for the fiscal year ending June 30, 1931, to be expended in accordance with the provisions of section 23 of the Federal highway act and acts amendatory thereof or supplementary thereto.

SEC. 3. In the expenditure of any amount in excess of $7,500,000 from appropriations under the authorization made for each of the fiscal years ending June 30, 1931, June 30, 1932, and June 30, 1933, for carrying out the provisions of section 23 of the Federal highway act, the Secretary of Agriculture shall give preference to those projects which he shall determine are not otherwise satisfactorily financed or provided for, which are located on the Federal-aid highway system as the same is now or hereafter may be designated: *Provided*, That the projects so preferred on the Federal-aid highway system shall be constructed of the same standard as to width and character of construction as the Federal Government requires of the States under like conditions: *And provided further*, That the Secretary of Agriculture shall prepare, publish, and distribute a map and other information, at least annually, showing the progress made in the expenditure of the funds authorized under this section.

SEC. 4. All acts or parts of acts in any way inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

Mr. STECK. I object to bringing this matter in during the consideration of the pension bill.

Mr. ODDIE. I will have to leave on an official matter in a moment or two. That is the reason why I asked the Senator to yield.

Mr. ROBSION of Kentucky. The understanding is that if it leads to any discussion, it will be withdrawn.

Mr. ROBINSON of Indiana. Mr. President, I think we ought to dispose of the pension bill.

Mr. ODDIE. I have to leave in a few minutes on an official matter.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POWER TRUST

Mr. BLAINE. Mr. President, I ask unanimous consent to have inserted in the RECORD an editorial from the New York American of April 25, 1930, entitled "Angry Woman Throws Six Eggs and Hits Power Trust."

I want to explain that under each name, such as that of F. W. Griffith, chief clerk of the Federal Power Commission, there is a parody on The House that Jack Built.

I also ask to have inserted in the RECORD the parody entitled "Moral."

I also ask to have inserted in the RECORD an editorial on the same page entitled "Power Trust Keeps Government Employees Good Boys, by Prospect of Promoting the Faithful to Good Jobs."

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the New York American, April 25, 1930]

ANGRY WOMAN THROWS SIX EGGS AND HITS POWER TRUST

F. W. GRIFFITHS, CHIEF CLERK OF THE FEDERAL POWER COMMISSION

This is the man the eggs hit.

DR. RAY LYMAN WILBUR, SECRETARY OF THE INTERIOR

This is one Wilbur, all forlorn,
Who came to his office one September morn
And appointed the man the eggs hit.

MRS. MINNIE L. WARD, FILE CLERK OF THE FEDERAL POWER COMMISSION

This is the lady who threw the eggs,
Who wouldn't be robbed by a couple of yeggs,
Who instinctively knew just what to do,
And whose aim was straight and whose eye was true
And who wouldn't be "slushed" by the Power Trust's wiles
Nor let their agents plunder her files,
But who challenged Bonner and Downing, too,
And all of the Power Trust's motley crew,
And defied Mr. Wilbur all forlorn,
Who came to his office one September morn
And appointed the man the eggs hit.

FRANK E. BONNER, SECRETARY OF THE FEDERAL POWER COMMISSION

This is Frank E. Bonner, the lady's boss,
And Frank E. Bonner is mightily cross
To think that a lady in his employ
Should have the temerity to annoy
The powerful Power Trust and disgrace
Mr. Paul M. Downing, who gave him his place;
For a Power Trust magnate might get mad
To think of his Power Trust getting in bad
With President Hoover, whose campaign
The Power Trust supported with might and main
Or with one Mr. Wilbur, all forlorn,
Who came to his office one September morn
And appointed the man the eggs hit.

PAUL M. DOWNING, VICE PRESIDENT OF THE PACIFIC GAS & ELECTRIC CORPORATION

This is Paul M. Downing, who went to school
With one Mr. Wilbur, and Downing's no fool,
For as soon as this Wilbur was set in his job,
Downing hastens to see him ahead of the mob
And gets his friend Bonner this useful position,
"Secretarial head of the Power Trust commission."
And whenever this trust deserves investigation
Mr. Bonner gets up in assumed indignation,
And asserts without quibble or circumlocution
That the trust is subjected to base persecution.
Thus Downing told Wilbur where Bonner would fit,
And Wilbur told Bonner at what desk to sit.
And Bonner told Griffiths to go do his bit,
And Griffiths told Mrs. Ward curtly to quit,
And Griffiths the man whom the ancient eggs hit.
Alas for poor Wilbur, all forlorn,
Who came to his office one September morn
And appointed the man the eggs hit.

JUDGE STEPHEN B. DAVIS, JR., HEAD OF THE FORMAL LOBBY OF THE UTILITY COMPANIES

This is Stephen B. Davis, who used to hold
A job paying $6,000 a year, all told
Under President Hoover, till one summer day
The Power Trust quintupled his annual pay
To favor the President—also to show
The place where all good little power boys go.
For that's what they get for doing their best,
Like Bonner and Griffiths and all of the rest,
Including one Wilbur, all forlorn,
Who came to his office one September morn
And appointed the man the eggs hit.

PAUL S. CLAPP, FORMER EXECUTIVE ASSISTANT TO PRESIDENT HOOVER

Paul Clapp is a man who's a pretty fast mover.
He, too, was at one time assistant to Hoover,
Until by coincidence seemingly funny
The power Trust engages him at five times that money.
So he gave up his office with Uncle Sam
To help stop the building of Boulder Dam.
So Downing and Davis and Bonner and Clapp
All think that man Griffiths a terrible sap
For arousing the wrath of a lady with grit
And Griffiths the man whom the ancient eggs hit.

MORAL

The moral of this "House that Jack built" affair
Is simply be honest and don't have to care
For Power Trust frowns or for Power Trust smiles,
And don't have to plunder the Government files.
For it's tough to encounter a lady of grit
With a couple of overripe eggs in her mitt.
And it's tough on poor Wilbur, all forlorn,
Who came to his office one September morn
And appointed the man the eggs hit.

POWER TRUST KEEPS GOVERNMENT EMPLOYEES GOOD BY PROSPECT OF PROMOTING THE FAITHFUL TO GOOD JOBS

This is the story of an angry woman who threw six eggs at her boss. So would you. Have patience and read how it happened, for, strange to say, it concerns you.

Mr. Hoover and his entourage continue their refusal to cut loose from domination by the power companies.

Perhaps it is impossible, due to obligations incurred and favors accepted by this Republican administration dur'ng the late presidential campaign.

One of the focal points of infection is the Federal Power Commission.

This Government body is entrusted with the important task of protecting the public interest in the disposal of the great public-owned power sites to private corporations.

There were two reasons why it was worth while for the power companies to control the commission that dealt out these priceless development permits.

First, the power companies wanted the permits promptly ladled out to them and not held for later development by the Federal Government or any other public body.

Secondly, the power companies did not want the commission to be too nosey about the "investment cost" claimed by the corporations in these developments, since, by the law, rates could only be high enough to pay a fair return on actual investment.

To control the commission it was only necessary to control the secretary.

The commission itself, composed of Secretaries of War, Agriculture, and Interior, met only half an hour each month—about six hours a year in all.

The secretary ran the commission.

Last year the old secretary of the commission, O. C. Merrill, resigned his $8,000 job to take $15,000 a year as chairman of the American Committee of the World Power Conference, a committee financed to the extent of $50,000 a year by the National Electric Light Association.

Incidentally, the favorite practice of the Power Trust is to promote key men in Washington to high-paid positions in the employ of the utilities.

For example, Paul S. Clapp, executive assistant to Hoover, at $6,000 a year, was made managing director of the National Electric Light Association, at $25,000 a year, now said to be $35,000. Judge Davis, $6,000 solicitor under Hoover in the Department of Commerce, now gets $30,000 a year as head of the formal lobby of the utility companies. In 1928 it spent $400,000 trying to defeat Boulder Dam and Muscle Shoals legislation.

Of course, the prospect of such preferment tends to keep all the Government employees good boys, listening intently to what is suggested to them by Judge Davis's lobby, by Paul Clapp's association, and by the individual power companies.

F. E. Bonner, who succeeded Merrill as secretary of the Power Commission, was recommended to Secretary of Interior Wilbur by Paul M. Downing, vice president of the Pacific Gas & Electric Corporation.

So Mr. Wilbur appointed him.

Everything went beautifully. Mr. Bonner refused to allow expansion of the commission's accounting force, needed to enable it to investigate the huge claims of power companies as to "investment costs" in projects on Government sites.

To-day $500,000,000 of such claims remain uninvestigated.

Then, when the Federal Trade Commission started to investigate the Power Trust and the Senate Interstate Commerce Committee started to investigate the Federal Power Commission, Mr. Bonner jumped up and publicly stated that, in his opinion, "The power companies are being persecuted."

Now come the eggs.

When Mr. Bonner was slipped into the commission there were other power company letters of recommendation besides Downing's.

Mrs. Minnie L. Ward has been for many years file clerk of the Power Commission.

She now makes the criminal charge that F. W. Griffiths, Bonner's chief clerk, set about to rifle her files of the incriminating letters.

It upset Mrs. Ward to the degree that finally she brought a dozen eggs to the office and, exercising rare restraint under the circumstances, slung six of them, with good aim, at Mr. Griffiths, who promptly suspended her.

Under direction of her husband, a lawyer, Mrs. Ward charges Griffiths with the crime of rifling the files and charges Bonner with nonfeasance.

The charges lodged with Attorney General Mitchell were by him referred to Wilbur, who reports he is letting Bonner investigate the case.

Bonner sits tight.

He has done nothing but hold up Mrs. Ward's suspension.

Meantime it is reported in Washington that power companies are booming Bonner as member of the reorganized Federal Power Commission.

Put Mrs. Ward back at her job guarding the files.

Get Bonner and Griffiths and Wilbur before Senator COUZENS'S Interstate Commerce Committee and find out what has become of these letters and what was in them to cause them to be concealed or destroyed.

PENSIONS AND INCREASE OF PENSIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 477) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases.

Mr. SWANSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SWANSON. What is the unfinished business?

The PRESIDING OFFICER. The unfinished business is the so-called unemployment bill.

Mr. SWANSON. Has that been temporarily laid aside?

The PRESIDING OFFICER. It has been laid aside until Monday at 12 o'clock.

Mr. SWANSON. Then we are now considering the calendar?

The PRESIDING OFFICER. By unanimous consent Senate bill 477 on the calendar has been taken up and is now before the Senate.

Mr. SWANSON. If objection were made and the regular order called for, what would then be before the Senate?

The PRESIDING OFFICER. The unfinished business would have to be laid before the Senate.

Mr. SWANSON. If the unfinished business were laid before the Senate and then temporarily laid aside, and the regular order was called for and that temporarily laid aside, what would be the order of business?

Mr. ROBSION of Kentucky. Mr. President, I certainly object to being taken off my feet.

Mr. SWANSON. I have no objection. I simply wanted to find out what the parliamentary situation was.

The PRESIDING OFFICER. A parliamentary inquiry has been addressed to the Chair.

Mr. McNARY. Mr. President, I can settle that in a moment. I asked unanimous consent that we proceed to the consideration of bills on the calendar, which was granted. Immediately thereafter the Senator from South Dakota [Mr. NORBECK] asked unanimous consent to take up a bill, the bill now before the Senate, which is now up for consideration and can not be displaced except by unanimous consent.

Mr. SWANSON. And when that is disposed of, we go back to the calendar?

Mr. McNARY. Absolutely.

Mr. SWANSON. That is what I want to know.

Mr. ROBSION of Kentucky. Mr. President, the amendment proposes to strike section 2 from Senate bill 477, which provides for revision and equalizing the rates of pensions to veterans and widows of the Civil War.

I wish to register my opposition to the amendment. If this amendment should prevail, then the only increase granted to Civil War veterans would be from $65 to $72 per month for a certain class of Civil War veterans. It would not grant any increase to those who are helpless or blind and need the regular aid and attendance of another person.

Mr. COPELAND. Mr. President, is there not a provision of law now for helpless pensioners?

Mr. ROBSION of Kentucky. Ninety dollars per month, if totally helpless.

Mr. COPELAND. What is the pending proposal?

Mr. ROBSION of Kentucky. The proposal is to grant such veterans $125 per month. That is section 2. The amendment proposed undertakes to strike out this section of the bill, and to that amendment I wish to register opposition.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

Mr. ROBSION of Kentucky. I yield.

Mr. ROBINSON of Indiana. In that connection I may say to the Senator from New York that the committee was unanimous that the rate should be increased from $90 to $125, with the exception that the Senator from South Dakota, former chairman of this committee, was not present, though he had explained that he could not be there, and that the committee should go ahead in his absence. Subsequently he objected to that increase, among others, and that is his amendment to-day.

Mr. NORBECK. Mr. President, will the Senator from Kentucky yield to me?

Mr. ROBSION of Kentucky. I yield.

Mr. NORBECK. That is not the proper way to state it—that I object. I reserve the right, as a Senator, to offer an amendment. That is all I do. Do not put me in the position of objecting to anything the committee has done. The committee has done its duty as it saw it. I am not objecting to anything the committee has done. I am stating that the Senate should consider the matter seriously, instead of passing a bill carrying $40,000,000 in a few seconds and sending it to the House, as we have done before. I propose to give the veterans a little something reasonable and to give it to them before they are dead.

Mr. ROBINSON of Indiana. Let me suggest in that connection that $50 to a widow is not an unreasonable amount. There is no Civil War widow in the United States who can live on $50 a month. This is only an increase from $30 in some cases to $50 and from $40 in other cases to $50. It is not a high and unreasonable rate of pension, and in that respect I differ from the Senator from South Dakota. In the next place, if he does not object, as he insists he does not, to the provision increasing the amount of pension from $90 to $125, why does he submit an amendment proposing that it remain at $90. I am assuming that the Senator's actions speak as loud as his words.

Mr. NORBECK. The Senator from Indiana [Mr. ROBINSON] is making a plea on the word "reasonable." I will not permit anyone to put me in the position of stating that a pension of $50 to a Civil War widow is unreasonable. I have always said it was reasonable. I have introduced bills to give them $50, and did this before the Senator from Indiana ever did, but it has resulted in nothing. The Civil War veterans and their widows have read a great deal about liberal pension bills pending. None have materialized in the nine years I have been here. A bill can be so liberal as to defeat itself.

I am proposing now a more moderate bill, one that will pass both Houses, a plan that should meet with the approval of the Budget and be within the means of the Treasury to finance. But, what is more important, I am proposing by amendments to change this bill to grant relief to those widows who are the most needy, so that they will get it while they are living instead of only reading about hopeful prospects impossible of accomplishment. I want to profit by my many years of experience on the Pension Committee. I want to seize this opportunity to actually do something for the veteran and his widow.

Mr. ROBSION of Kentucky. Mr. President, I can not yield further to the Senator from South Dakota or the Senator from Indiana to make speeches in my time.

The PRESIDING OFFICER. The Senator from Kentucky declines to yield further.

Mr. ROBSION of Kentucky. I am hardly able physically to make any part of a speech myself, so I must insist upon being permitted to proceed.

Mr. President, I wish to state vigorously my opposition to the amendment proposed. The average age of Civil War veterans now is something above 87 years. Recently I was in a small crowd of Civil War veterans representative of the country, and their ages ranged from 87 to 93 years. At the end of 12 months, perhaps, there will not be living half of the Civil War veterans who are living to-day. In two years from to-day the number of Civil War veterans living in this country will be almost negligible. When I contemplate the service those men rendered to the Nation and the results flowing therefrom, I feel that this Nation, rich and powerful as it is, with a national wealth of nearly $400,000,000,000 and with an annual income of $90,000,000,000, certainly should not permit one of those defenders of the Nation when its life was in peril to want for the necessaries of life. There is scarcely one of these old veterans who does not need the aid and attendance of some one all the time, both day and night. If there is any such, he is limited to $72 per month. The $125 per month applies to those only who are helpless and need the aid and attendance of another person.

The Civil War is past and gone. I would not revive the issue of that great struggle between the sections, but if the Union had not been preserved and if the question of the right to secede had prevailed, more than likely to-day this country would be divided into a number of small nations, fighting among themselves with the animosities and bitternesses which we find present among European countries. But because of the services of those who are to be benefited by section 2 of the pending bill, we have a great country, with 48 great sovereign States, with nearly 125,000,000 of people, united not merely by the bonds of the Constitution and the laws of the Nation but united in purpose and heart, with one country, one loyalty, and one flag.

Because of these outstanding services it seems to me that our country could at least afford to be fair and just to these old veterans so that they may have sufficient pensions from the Government in order that their declining years may in a measure be passed in comfort, and not in want, and have the necessary care and attention.

I wish to express, too, my approval of section 3 of the bill, which moves up the date of the marriage of the veterans and widows of veterans from 1905 to 1920 and provides a small increase from $40 to $50 per month in some cases and from $30 to $50 per month in other cases. The average age of the widows of the veterans of the Civil War is now well up toward 80 years. They are nearly all helpless. Thirty dollars a month, as provided now for some of them, will not provide medical attention, much less an attendant and provide for their clothing and their food. I agree with the Senator from Indiana [Mr. ROBINSON] that $50 per month is a modest sum for those widows. I understand from the Senator from Indiana, chairman of the Committee on Pensions, that the committee was unanimous in its report of this measure, with the exception of the Senator from South Dakota [Mr. NORBECK], who reserved the right to offer an amendment.

Mr. President, I trust that the action of the Senate Committee on Pensions will be fully sustained by the Senate, and that the measure will be passed as a matter of justice—simple justice and right—to the few survivors of that great war and to the surviving widows of those veterans who have gone to their eternal reward.

Mr. BLEASE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Norbeck	Stephens
Barkley	George	Norris	Sullivan
Black	Hale	Overman	Swanson
Blease	Harris	Phipps	Thomas, Okla.
Borah	Hastings	Pine	Trammell
Bratton	Hatfield	Pittman	Vandenberg
Brock	Hayden	Ransdell	Walcott
Capper	Johnson	Robinson, Ind.	Walsh, Mass.
Caraway	Jones	Robsion, Ky.	Watson
Copeland	Kendrick	Sheppard	
Couzens	McKellar	Shortridge	
Deneen	McNary	Steck	

The VICE PRESIDENT. Forty-five Senators have answered to their names. There is not a quorum present.

RECESS

Mr. McNARY. I move that the Senate carry out the terms of the unanimous-consent agreement.

The VICE PRESIDENT. Under the terms of the unanimous-consent agreement heretofore entered into, the Senate stands in recess.

Thereupon (at 3 o'clock and 20 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, April 28, 1930, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, *April 25, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Heavenly Father, we thank Thee that Thou hast set this day in so much brightness. Thou hast hung Thy banners upon the trees and filled the air and landscape with sunshine and beauty. May they teach us the majesty of Thy laws and the goodness of Thy providence. O bless our whole country. With darkness, let ignorance go, with superstition, cruelty, and every evil thing. Behold those who seem to be toiling in vain; those who are borne down with burdens heavier than they can bear. O Thou who art full of grace and full of endless mercies deliver us from fear, from disobedience and iniquity. Cleanse our minds from prejudice and take away that which separates us from Thee, and to Thy name shall be eternal praises. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation.

BOARD OF VISITORS TO THE NAVAL ACADEMY

The SPEAKER. The Chair lays before the House the following communication, which the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 24, 1930.

Hon. NICHOLAS LONGWORTH,
The Speaker House of Representatives.

DEAR MR. SPEAKER: I find that it is going to be impossible for me to serve on the Board of Visitors to the Naval Academy, beginning April 28 to May 1, inclusive, which I regret very much.

Therefore, I tender you my resignation from the said board that you may appoint some one to act in my stead.

Again thanking you for your kindness in appointing me in the first instance, I remain,

Sincerely yours,

W. A. AYRES.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. The Chair appoints to the vacancy the gentleman from Nebraska, Admiral HOWARD. [Applause.]

PENSIONS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9323, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9323) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. KNUTSON, Mr. KOPP, and Mr. GASQUE.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8531, the Treasury and Post Office Departments appropriation bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8531) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes.

The SPEAKER. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. WOOD, Mr. THATCHER, and Mr. BYRNS.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and the disposal of business on the Speaker's table, I may address the House for 30 minutes on the subject of the centralization of government.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. SNELL. Reserving the right to object, Mr. Speaker, we do not know for sure whether the Williamson bill will be then up or not. If it should be up, we do not want anything to get ahead of it. If this bill is not taken up there will be an appropriation bill under consideration, and the gentleman can get time on the appropriation bill. For that reason I shall have to object.

The SPEAKER. Objection is heard.

ADDRESS OF HON. WILLIAM TYLER PAGE

Mr. MANLOVE. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting an address delivered by Hon. William Tyler Page, the Clerk of the House, on April 17, before the Missouri Society at the Washington Hotel.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MANLOVE. Mr. Speaker, at a recent meeting of the Missouri Society of Washington, D. C., in the Hall of Nations of the Washington Hotel, the society was complimented to have as honor guests the delegates from Missouri who were in Washington attending the annual congress of the Daughters of the American Revolution.

On that occasion an outstanding "son of the American Revolution," Hon. William Tyler Page, Clerk of the House of Representatives, and the distinguished author of the American's Creed, delivered an exceedingly interesting address entitled "Missouri—Fifty Years in Congress."

As president of the Missouri Society, many requests have come to me for copies of the same.

It was not possible in the course of an address for Mr. Page to dwell at length upon the services rendered by all of Missouri's Representatives in Congress. I am indeed pleased to have the honor of extending in the RECORD as part of my remarks this eloquent tribute which Mr. Page has paid to many of the "sons of old Missouri," especially his eulogy of those pioneers of legislation whose services, though long since rendered, will never be forgotten.

MISSOURI—FIFTY YEARS IN CONGRESS

President MANLOVE, members of the Missouri Society, and Missouri Daughters of the American Revolution: I count it a distinct honor and privilege to be permitted to address you upon this happy occasion, when your society has as its distinguished guests the Missouri dele-

gates to the Congress of the National Society, Daughters of the American Revolution, upon one of whom, Mrs. Benjamin Leslie Hart, was conferred to-day the great honor of election as a vice president of that greatest of all patriotic organizations of American women.

One afternoon, during the World War I was sitting alone in the Speaker's lobby of the House. The House had adjourned. Suddenly, through the door at the end of the long corridor emerged the tall, gaunt figure of Speaker Champ Clark. As he approached with measured tread his classic face denoted that his thoughts were apparently far away. But as he came opposite me he wheeled around and facing me said: "Is it true that you were born in the Capitol?" This unexpected and sudden question fairly took away my breath. As soon as I could recover myself I answered: "Not exactly, Mr. Speaker; but like our old friend, John Quincy Adams, I expect to die here."

The Speaker turned on his heels and went on his way, his only notice of my reply being a number of guttural "Ha Ha's" which echoed down the empty corridor as he passed out of sight. You see, I knew that he was fond of John Quincy Adams and had, like myself, read that great man's Memoirs in 12 volumes. Little did I dream or suppose that before very long I would become the Clerk of the House and occupy the very room in which the illustrious Adams, the Old Man Eloquent, died. Rather a grewsome thought when I entered the room for the first time, remembering my reply to Speaker Clark. While it is neither true that I was born in the Capitol, nor left on its doorsteps as some have suggested, yet it is true that I am in my forty-ninth year of service as an employee and as an officer of the House.

It is this experience which suggests the possible interest you may have in the subject selected for my remarks this evening, namely, "Missouri in the Congress during nearly a half century"; although to talk of Missourians in this presence is akin to carrying coals to Newcastle.

Not only am I honored by your invitation to address this splendid society of Missourians sojourning in the Nation's Capital, but I am grateful also for the opportunity publicly to make due acknowledgment to two Missourians for the part they took in bridging me over a change in the political complexion of the House when I was a page boy in the Clerk's office. I received my original appointment as a page at the hands of my good friend and benefactor Edward McPherson, Republican Clerk of the House in the Forty-seventh Congress, December 19, 1881. This appointment grew out of a romance. After two brief years of service a Missouri Democrat, Gen. John B. Clark, jr., a former Member of the House, was elected Clerk of the House. General Clark appointed his close friend, Maj. Thomas O. Towles, of Jefferson City, as his principal or chief assistant. And thereby hangs a tale. It was customary in those days for each party in the House to retain a certain number of efficient employees, regardless of party affiliation. Major Towles had been a hold-over Democrat in the Republican House of the Forty-seventh Congress, and a mighty good clerk he was too. It so happened that when he was a youth, living in Virginia, Major Towles went to school to my father who taught Greek and Latin in the Winchester Academy. When Towles established my identity as the son of his old schoolmaster he voluntarily and successfully interceded with General Clark in behalf of my retention, and I was not only retained but several years thereafter was promoted to a clerkship by General Clark. Thus, to two sons of Missouri am I primarily indebted for the continuity of my service. Truly, there is a divinity that doth shape our ends.

Sixty years—exactly 60 years—(1821) before my advent upon the congressional scene, Missouri was admitted to the sisterhood of States, and for 30 years sent Thomas Hart Benton to the United States Senate. During my time Gen. Francis M. Cockrell rounded out 30 years' service in that body. Both these men, Benton and Cockrell, whose combined service in the Senate was three-score years, or more than one-half of Missouri's 109 years of statehood, were stormy petrels and served their State and country with great distinction. While it is my purpose, chiefly, to keep within the bounds of personal observation and contact with those Missourians in Congress I have known I shall digress long enough to mention Benton in connection with an historic effort by Henry Clay to force drastic cloture upon the Senate. This is interesting in this day and time in view of the freedom of debate in that body.

Benton said that when the Senate should be stripped of what he called its "constitutional freedom" and adopt the gag and muzzle of the previous question, it would see the end of his legislative career. And then dramatically, he exclaimed: "As the Romans held their natural lives, so do I hold my political existence. The Roman carried his life on the point of the sword; and when that life ceased to be honorable to himself, or useful to his country, he fell upon his sword and died. What they did with their natural lives I am willing to do with my legislative and political existence." Benton, however, was not required to immolate himself because Clay's cloture rule was badly defeated. But Benton said another thing on that occasion which might well be given consideration to-day, notwithstanding former Vice President Dawes is serving his country with distinction in another sphere. "Senators," Benton exclaimed with great earnestness, "have a constitutional right to speak; and while they speak to the subject before the Senate, there is no power anywhere to stop them. But when a Senator departs from the question, he is to be stopped. It is the duty of the Chair—your duty, Mr. President, to stop him—and it is the duty of the Senate to sustain you in the discharge of this duty. We have rules for conducting the debates, and these rules only require to be enforced in order to make debates decent and instructive in their import, and brief and reasonable in their duration." I might say that the rules then and the rules now, with the exception of mild cloture, were and are practically the same.

Including the present Congress, the Seventy-first, at the end of which, if I am alive, will round out for me 50 years of service, it has been my privilege to have known in more or less intimate degree, the 145 Representatives and Senators sent to Congress from the State of Missouri. Of this number, 10 only were Senators. This small number, or an average of five years' service, was due to the service longevity of Senators Cockrell, 30 years; Vest, 24 years; and Reed, 18 years. In addition to these were Warner, Stone, Spencer, Wilfley, who served a short time by appointment, Williams likewise, Hawes, and Patterson.

Cockrell and Vest loom big in my memory as men of powerful influence and ability. Cockrell was a Treasury "watch dog" and a good one. He was a man of very simple tastes and dress and the personification of "Uncle Sam." His trousers never fell below the tops of his shoes. His statesmanship was of the "Uncle Joe" Cannon sort—able, rugged, and honest. When he left Congress the Interstate Commerce Commission, which he helped to create, received the benefit of his ripe experience and knowledge. Vest was a sturdy, imperturbable character, lovable by nature, but an uncompromising fighter in debate. In repartee he was at his best. For a quarter of a century he was a Senate wheelhorse, yoked with Cockrell in as fine a team as ever represented any State. Vest was a gifted orator, and, although a statesman, was probably best known for his "oration on a dog." And it is a coincidence that one of your present able Senators, Mr. Hawes, also employed "the friend of man" as the subject of an eloquent discourse, and to him also are we indebted for those beautiful lines entitled "In the matter of friendship." Stone succeeded Vest, and Cockrell two years later gave way to William Warner. I knew Stone when he was in the House, where he gained a reputation as a perfervid orator, an unrelenting partisan, and never better than in the midst of a political fight. Stone left the House to become Governor of Missouri and then Senator. His career in politics was long and stormy from the time he was a Tilden and Hendricks elector back in 1876. During the World War, as chairman of the Senate Committee on Foreign Relations, he paid the toll of impaired health by constant and unremitting attention to exacting duties and died before the armistice was signed. Stone earned the sobriquet of "Gum-Shoe Bill" because of his finesse in executing many a coup de grâce to the discomfiture of his political enemies. William Warner, who followed Cockrell, I also knew in the House. Warner was thick set, with large features and a stentorian voice of the oratorical type. He was a great champion of the Civil War soldiers, and well he might have been, seeing he was a commander in chief of the Grand Army of the Republic. Missouri had another commander in chief in the person of Representative Charles G. Burton.

Senator Jim Reed is so well known and his voluntary retirement from the Senate so recent as to need no comment. Suffice it to say that by friend and foe alike he was regarded as a consummate, able, resourceful statesman, with whom to cross swords was inviting trouble. An implacable foe, an indomitable fighter, an unrelenting prosecutor, Reed will go down in history as a truly great Senator. Both of my friends, Senators Hawes and Patterson, served in the House and will uphold Missouri's best traditions in the Senate, where already their fine personalities and influence are in evidence.

It is interesting to note that of the 145 Missourians in Congress during my time 73 were born out of the State, indicating the attractiveness of Missouri as a place of residence and opportunity. Nineteen other States and five foreign countries furnished to Missouri those 73 adopted sons. Ohio supplied the greatest number with 10, followed closely by Virginia with 9, Kentucky 8, Pennsylvania 7, New York 6, and then comes Tennessee and Illinois with 4 each, Indiana 3, Wisconsin, Michigan, and Kansas 2 each, and Massachusetts, Vermont, Mississippi, West Virginia, North Carolina, California, Alabama, and New Jersey with 1 each. Ireland, England, and Germany sent over 2 each, and Scotland and Prussia one each. Seventy-two selected the Hawthorn State in which to first see the light, running a close race with the imported sons.

Very properly, in my judgment, but not in derogation of the other 33, Missouri sent to Congress, a law-making body, 112 lawyers. The 33 not lawyers represented a variety of professions and occupations. Four were physicians, 3 ministers, 4 business men, 3 teachers, 3 agriculturists, 2 realtors, an undertaker, a grocer, a dentist, a banker, a miner, a professional baseball player, a blacksmith, a manufacturer, a miller, a lumberman, 2 merchants, and 2 newspaper men. Some of the lawyers engaged in business, and some of those engaged in business also had other pursuits. One man was a lawyer and doctor and practiced both

professions at the same time. One man served in the House only two days, unseating another on a contest just on the eve of final adjournment.

In my early days the old Greenback Party had two Representatives from Missouri.

To my mind the most outstanding of the men from Missouri, including, of course, your present able delegation, were Richard P. (Silver Dick) Bland, William H. Hatch, Alexander M. Dockery, James N. Burnes, David A. DeArmond, Champ Clark, and Richard Bartholdt.

Bland was coauthor of the famous Bland-Allison Act of 1878, which remonetized silver and gave the silver dollar. This was known as a "Bland Dollar," and its daddy was proud of it.

An employee of the House named Wiggins, an ex-Shakesperean actor and a well-known raconteur in old-time Washington hosteiries was perpetually broke. When he wanted to make a touch he would send me to Bland with a note: "Dear Richard: Please send me one Bland dollar until pay day." Bland invariably "fell" for the compliment knowing very well that pay day for him would never come. Bland regarded Wall Street as a veritable inferno of gold bugs. No man, not even William Jennings Bryan, was a more doughty and untiring champion of the free coinage of silver at the ratio of 16 to 1 than Silver Dick Bland. It was his constant theme. And he bid fair to become the Democratic nominee for President in 1896, with 290 votes in the convention when Bryan stampeded the convention with his "cross of gold and crown of thorns" speech.

It is an interesting coincidence that two distinguished Missourians, Bland and Clark, potential presidents, when within sight of the goal of nomination fell victims to Bryan's strategy.

Hatch was a real friend of the farmer. Besides being a lawyer he was a dirt farmer. As chairman of the Agriculture Committee he put through the oleomargarine act.

Dockery, like Cockrell, was a Treasury "watch dog." His reference to everything involving an appropriation was that it would "entail" a charge on the people. This led Tom Reed once to say in his most biting sarcasm that the only word in the vocabulary of the gentleman from Missouri was "entail" "entail." Dockery was on the Rules Committee with Reed when Reed was Speaker. Reed and the other two Republicans on the committee would meet and decide on a special rule, and then Reed would call in Dockery and say, "Come in Alec, we are about to commit another outrage."

"Outrage" was Dockery's pet name for special rules. For 16 years Dockery was a useful Member of the House, serving a long time on the Appropriations Committee. After leaving Congress he became Governor of Missouri, and during the Wilson administration was Third Assistant Postmaster General. I was very fond of him, and almost to the day of his death we corresponded.

James N. Burnes was an intellectual Colossus. His very presence denoted physical, moral, and mental strength. The impression I had of him was that of a great mastiff, one who could be tender and loving and yet rend in pieces one who dared arouse his latent forces. He was a powerful figure, irresistable in debate, with a voice deep and as mellifluous as the diapason of a great organ. Early in his career in the House death found a shining mark. He was suddenly stricken and died in the same room in which recently came the tragic end of our friend Martin B. Madden. If you have never read the eulogies on James W. Burnes, of Missouri, get them and read them. They are the finest eulogies, I dare say, ever delivered in Congress by the biggest men of that day.

The last words of Burnes denote his character: "I have much to do and I hate to quit the battle now." Senator John J. Ingalls, author of Opportunity, closed his eulogy, itself a classic, with these words: "If the life of Burnes is as a taper that is burned out, then we treasure his memory and his example in vain, and the latest prayer of his departing spirit has no more sanctity to us, who soon or late must follow him, than the whisper of winds that stir the leaves of the protesting forest, or the murmur of waves that break upon the complaining shore."

Burnes was on the way to great eminence, possibly the Presidency, when death overtook him.

David A. DeArmond was a profound thinker, a scholarly and erudite gentleman, a lawyer of striking ability, whom Pennsylvania gave to Missouri, and whom Missouri gave to Congress for 18 years. Judge DeArmond's diction was perfect, his English chaste, his logic convincing. Never at a loss for a word, although a rapid speaker, it is doubtful if he ever revised his speeches. He was one of the most forceful, pungent, precise, and incisive debaters ever heard in Congress, and in running debate he had no master. His tongue cut the enemy like a rapier. DeArmond died a hero's death. If my memory serves me, he was consumed by fire in his home while trying to save the life of a grandchild.

Champ Clark! Peace to his ashes; God bless his memory. If ever there was a ruggedly honest and an honestly rugged man it was Champ Clark. How many people do you suppose know that his full given name was James Beauchamp? His friends liked to call him "Champ" for short, and he liked it, too, and so "Champ" it became. Two other reasons caused him to use the last half of Beauchamp—one was that he found there were too many "John B. Clarks" and they were getting mixed up, and the other was that "Champ" Clark contained only 10 letters, was euphonious, and the newspapers would print it in full.

The World War hastened his passing. The Sixty-fifth Congress, the last over which he presided with great ability, was the busiest Congress in history. Politics was adjourned. Champ Clark never showed to better advantage than when he was harpooning his political enemies, at which art he was a past master. But some of his best friends were Republicans, notably among them Jim Mann, and those two, in marble bust are vis-à-vis to-day in the corridor of the Capitol leading to the scene of their long and stormy struggles.

Champ Clark placed high value upon long service in Congress. He believed that when a Member of Congress served faithfully he ought to be kept there. In his eulogy of De Armond and on other occasions he used this oft-quoted language:

"Men should not be sent here (to Congress) simply to gratify their own personal ambitions but because they can be of service; and having proved that they are of service, wisdom dictates that they should be kept here as long as they continue to be of service; and it may be confidently asserted that the value of the services of a man of capacity, character, industry, and good habits increases in exact proportion to his length of service."

Speaker Clark's defeat for the Democratic nomination for President in 1912, after he had led on 29 ballots, preyed upon his mind and became an obsession. I heard him tell the inside story of that memorable fight, and it was plain to see that he was then irreconcilable toward those responsible for his defeat. But in action, except in two notable instances—repeal of the Panama Canal tolls and the selective service bill—(and with him in those respects principle actuated him) he was a consistent supporter of the Wilson administration. When the end came to Speaker Clark in the Sixty-sixth Congress, casting sadness like a pall over the Members of a dying Congress in the busy rush of the closing hours, it is safe to say that the spirit of my beloved friend took flight in peace, charity, and good will and with a conscience void of offense toward God and toward men.

My friend Dr. Richard Bartholdt, of St. Louis, served in the House 22 years with honor and distinction. He was one of your two Representatives who were born in the fatherland. Doctor Bartholdt is a scholar. He achieved renown as one "who taunts the adversary with the license of ink"; in other words, he was a newspaper reporter and editor. Doctor Bartholdt, who, I think and hope is living, has done much for the promotion of peace and good will in the world. For many years he has been a member of the Parliamentary Union, was at one time its president, and was also president of the arbitration group in Congress.

Kansas City seems to have had a penchant for sending its mayors to Congress, three having gone from the mayoralty to the House and one to the Senate.

My genial friend from Kansas City, Mr. ELLIS, who came to the House 25 years ago, has been in and out of that body four times, which, I think, is a record, which I hope will be broken in this off year by his reelection.

And mention of Kansas City reminds me of my friend, William Strother Cowherd, who served four terms in the House following his administration as mayor of Kansas City. As a lawyer he ranked high, and after his unsuccessful campaign for the governorship of Missouri moved to California, and followed his profession there until his death.

Without being invidious, I can not forbear mention briefly of a few other distinguished Missouri Representatives who wrought well in Congress and in other fields of public service—James O. Broadhead, minister to Switzerland and president of the American Bar Association; Charles F. Booher, successor to James N. Burnes for 16 years; Robert P. C. Wilson, who moved to Kansas and became a member of its legislature, but who moved back into Missouri and became a member of its legislature; Nathan Frank, founder and owner of the St. Louis Star; James T. Lloyd, who was chairman of the Democratic congressional committee and retired voluntarily after 20 years' service; Judge William W. Rucker, a gentleman of the old school, author of the first Federal corrupt practices act, with a record of 24 years' service; Dorsey W. Shackleford, of good-roads fame, who served for two decades; Judge Joshua W. Alexander, who piloted merchant-marine legislation during the World War, and was afterwards Secretary of Commerce in Wilson's Cabinet; Madison R. Smith, minister to Haiti; Clement C. Dickinson, whose 16 years in the House won him a useful place on the great Ways and Means Committee; and the present Representative from Champ Clark's district, Mr. CANNON, former parliamentarian of the House, who is building for himself a monument by prodigious labor in compiling a supplement to Hinds' Parliamentary Precedents.

Of your present delegation in the House—three of whom I have mentioned, JOE MANLOVE, CLARENCE CANNON, and EDGAR C. ELLIS—five, namely, DAVIS HOPKINS, THOMAS J. HALSEY, JOHN W. PALMER, DEWEY SHORT, and ROWLAND L. JOHNSTON, are serving their first term, and it will not be their last; CHARLES C. KIEFNER, no stranger to the House, is back again after being out a while; M. A. ROMJUE, successor to Jim Lloyd, bids fair to equal, if not exceed Lloyd's service of 20 years; Col. LEONIDAS C. DYER, who, after some vicissitudes with contested

elections in his early career, is now dean of the delegation and the ranking member on the great Judiciary Committee; RALPH F. LOZIER, never more at home than when expounding the Constitution; JACOB L. MILLIGAN, young and able, whose seat a former Member, Henry Franklin Lawrence, is contesting; WILLIAM L. NELSON, urbane and scholarly; HENRY F. NIEDRINGHAUS, the second of his name to sit in Congress from St. Louis, both delightful gentlemen and princes in industry; JOHN J. COCHRAN, whose secretarial experience with IGOE, STONE, and HAWES afforded rare insight into a Representative's duties.

It has never been my privilege to step foot upon the fertile soil of the Iron Mountain State, but I have basked in the sunny friendship of many of her statesmen whose reflection of "the land of a million smiles" has brightened my pathway. And not the least of these have been my good friend, your beloved president, JOE MANLOVE, and his charming wife, attractive hosts to their many constituent guests who feel perfectly at home under the benign influence of their smiles, the kind that will not wear off.

My friends, I am a native of Maryland, the Old Line State, and was born in that historic town of Frederick on the Old Trails Road, green walled by the hills. Missouri and Maryland, midway in the alphabetical list of States; Maryland, one of the original Colonies, an integer in the formation of our glorious Union; Missouri, wrought out of the hardships and privations of sturdy pioneers, to-day the central Commonwealth of the Nation, populous, productive, and prosperous.

You and I have wonderful heritages in the background of our respective States. Yet, after all, we have a common heritage with our fellow Americans of every other State in our inseparable Union—the heritage of freedom.

> This land of the free is for thee and for me;
> Live in it, love in it, work in it, weep in it,
> Laugh in it, sing in it, die in it, sleep in it;
> For it's for thee and for me
> The fairest and rarest that man ever trod,
> The dearest and sweetest 'twixt the sky and the sod,
> And it's thine and it's mine, thank God.

ADDRESS OF HON. CHARLES L. ABERNETHY

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting the address delivered by my colleague, Mr. ABERNETHY, on Tuesday night before the North Carolina Society on the subject of the North Carolina flag.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address of Hon. CHARLES L. ABERNETHY in presenting the North Carolina flag to the North Carolina Society of Washington on April 22, 1930:

THE NORTH CAROLINA FLAG

From the remotest period of time symbols and colors have been used to enable nations to distinguish themselves from each other, and these colors and symbols have exercised a powerful influence on mankind. Flags, standards, and ensigns have been borne by the armies of all nations from earliest antiquity. Veneration for the flag has been taught by all the peoples of the earth. The flag has also a divine origin. In the history of the early peoples there was attributed to it strange, mysterious, and supernatural powers, and we find it written in Holy Writ that it is proclaimed of the children of Israel that they should pitch their tents, every man by his own camp and every man by his own standard, and that each of the 12 tribes of Israel had its own distinctive flag. The profane as well as the sacred nations had their standards and flags. The flag has the same significance the world over. It stands as the symbol of strength and unity, and represents the national spirit and patriotism of the people over whom it floats. You have heard from a distinguished citizen of our national flag and what it means to our national life. It is a flag which has never trailed in the dust or suffered defeat. Every State in the Union has a flag symbolic of individuality and ideals.

The first flag of North Carolina of which we have any record of was flown in June, 1775, and was white and bore a hornet's nest and the date "May 20th, 1775," and soon after the people of Bladen and Brunswick Counties carried a flag having as an emblem a rattlesnake coiled at the root of a pine tree. Then about the time of the Mexican War we had a flag of blue silk, bearing upon one side the State arms.

The first legislation establishing and recognizing a State flag for North Carolina was in the year 1861. When our constitutional convention of 1861 declared for secession from the Union we adopted a State flag, which was used until 1885. On May 20, 1861, when the convention adopted the ordinance of secession, it was a distinguished citizen of my own county of Craven, Col. John D. Whitford, who introduced an ordinance which was passed and referred to a committee of seven to the effect that the flag of the State should be a blue field with a white "V" thereon and a star, encircling which shall be the words "Surgit astrum, May 20th, 1775." Colonel Whitford was made chairman of the committee, and the advice of William Jarl Brown, an artist of Raleigh, was sought. Brown submitted and prepared a model which was vastly different from the one originally proposed by Colonel Whitford, and on the 22d day of June, 1861, it was ordained by the convention that the flag of North Carolina should consist of a red field with a white star in the center, and with the inscription above the star, in a semicircular form, "May 20th, 1775," and below the star, in a semicircular form, "May 20th, 1861." That there should be two bars of equal width, and that the length of the field should be equal to the bar and the width of the field should be equal to both bars, the first bar to be blue and the second to be white, and the length of the flag to be one-third more than its width.

This flag is said to have been issued to the first 10 regiments of State troops during the summer of that year, and was carried by them throughout the war, being the only flag except the Confederate flag borne by them during the Civil War. This was our State flag until the year 1885, when the legislature adopted a new State flag. Gen. Johnstone Jones introduced the bill for the new flag, and the act was ratified March 9 of that year. There has been no change in our flag since that date.

The flag now consists of a blue union, containing in the center a white star with the letter "N" in gilt on the left and the letter "C" in gilt on the right of the star, the circle containing the same to be one-third the width of the union; the fly of the flag to consist of two equally proportioned bars, the upper to be red, the lower to be white, and the length of the bars horizontally to be equal to the perpendicular length of the union, the total length of the flag to be one-third more than its width; that above the star in the center of the union to be a gilt scroll in semicircular form, containing in black letters the inscription "May 20th, 1775," and below the star a similar scroll containing in black letters the inscription "April 12th, 1776."

The legislature of 1907 passed an act requiring the State flag to be floated from all State institutions, public buildings, and courthouses.

The great significance of our flag is the dates on it. Until 1885 the dates were "May 20th, 1775," and "May 20th, 1861." The first date being that of the Mecklenberg declaration of independence. This historical action on the part of our patriots has been recently officially recognized by our Government. The date of "May 20th, 1861," represented the date of the passage of the ordinance of secession by our State. It is rather peculiar that we waited until 1885 to find out that we were defeated in the Civil War and that there was no special significance to be attached to the date we tried to secede from the Union. It took us some time to make up our minds to secede, and we were late in admitting that we had been "licked," if we ever were. When we dropped the date of "May 20th, 1861," from our flag, we placed upon it the significant date in our State history of "April 12th, 1776."

Recently, when we secured from the Congress national recognition of the great historical pageant at New Bern, I took occasion to go fully into the historical significance of the date of "April 12, 1776," as it concerned North Carolina from a national standpoint. I was able to show by such great historians as Bancroft, Nevins, Bassett, and our own R. D. W. Connor and others that it was at Halifax on this date that the people of North Carolina were the first in America to vote an explicit sanction to independence when our Delegates to the Continental Congress at Philadelphia were instructed to concur with the Delegates of the other Colonies in declaring independence.

Our State flag means more to us than a mere emblem. It has represented upon its folds a glorious star encircled by the two sacred dates—"May 20, 1775," the first declaration of independence in America, at Mecklenberg, and "April 12, 1776," at Halifax, when the people of our colony in their representative capacity voted and sanctioned before any other colony in America independence from Great Britain.

And, ladies and gentlemen, it is most fitting and proper that our society should have this flag ceremony. The proud distinction of presenting this emblem of our grand and glorious Commonwealth on this occasion has been assigned to me.

> "Here's to the flag we follow;
> Here's to the State we love;
> And here's to the holy honor
> That doth the two preserve."

FORMER REPRESENTATIVE CALVIN D. PAIGE

Mr. FOSS. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FOSS. Mr. Speaker and Members of the House, I regret exceedingly to announce the death of my predecessor, the Hon. Calvin D. Paige, which occurred at his home in Southbridge, Mass., last night.

Congressman Paige represented the third Massachusetts district in this House from November 26, 1913, to March 4, 1925, when he voluntarily retired.

He will be missed by his associates, but will be remembered for the many splendid qualities of his character.

CALENDAR WEDNESDAY

The SPEAKER. So far as the parliamentary status is concerned, this is Calendar Wednesday. The Clerk will call the list of committees.

The Clerk called the Committee on Rivers and Harbors.

RIVERS AND HARBORS

Mr. DEMPSEY. Mr. Speaker, by direction of the Committee on Rivers and Harbors I call up the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. It is on the Union Calendar.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11781. The gentleman from Illinois, Mr. HOLADAY, will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. HOLADAY in the chair.

The Clerk read the title of the bill.

Mr. CHALMERS. Mr. Chairman, a parliamentary inquiry. I would like to ask about the division of time on this bill. I understand under the rules there will be two hours general debate. I also understand there is no one on the minority side who is opposed to the bill, and therefore I ask for control of the time against the bill, unless some one on the minority side of the committee opposed to the bill asks to control the time.

Mr. KNUTSON. A parliamentary inquiry. Do we only have two hours of general debate on an important measure like this?

The CHAIRMAN. The rules provide for two hours of general debate.

Mr. SNELL. Mr. Chairman, it is too late to raise that question. We are now in Committee of the Whole. This is Calendar Wednesday business.

Mr. CHINDBLOM. Mr. Chairman, may I suggest that recognition is in the discretion of the Chair? The Chair ordinarily recognizes the chairman of the committee for the first hour, provided the gentleman reserves control of the time, and then the Chair will recognize one who is in opposition to the bill.

The CHAIRMAN. Is there any minority member of the committee who is asking for control of the one hour in opposition?

Mr. MANSFIELD. Mr. Chairman, I ask for control of the time.

Mr. GARNER. Mr. Chairman, a parliamentary inquiry. Is it necessary in order to control the one hour that some gentleman on this side of the House announce that he is opposed to the bill?

The CHAIRMAN. That is necessary.

Mr. TILSON. Mr. Chairman, the rules prescribe that one hour shall be controlled by some one in opposition to the bill. If any gentleman on the minority side claims to be opposed to the bill, I think that gentleman should have preference; otherwise some member of the committee on this side who opposes the bill should control the time.

Mr. KNUTSON. Mr. Chairman, I am in opposition to the bill.

Mr. McDUFFIE. Is the gentleman from Ohio [Mr. CHALMERS] really opposed to the bill as a whole; not as to only one item in it, but the entire bill? I wonder if the gentleman could qualify if he is opposed to only one section of the bill over a minority member to control the one hour of debate?

Mr. DEMPSEY. Mr. Chairman, I have not understood that the gentleman from Ohio [Mr. CHALMERS] has announced himself as opposed to the bill. He has announced himself as opposed to one item of the bill. Therefore, under the rule, the ranking member of the minority, the gentleman from Texas [Mr. MANSFIELD] would be entitled to the time.

Mr. FREAR. Mr. Chairman, I am opposed to the bill entirely. I ask to be recognized.

Mr. KNUTSON. I am also opposed to the bill, lock, stock, and barrel.

The CHAIRMAN. The Chair will state that as there is no minority member of the committee who is opposed to the bill the Chair would be inclined to recognize the gentleman from Ohio [Mr. CHALMERS].

Mr. McDUFFIE. But, Mr. Chairman, the gentleman from Ohio [Mr. CHALMERS] has not stated that he is opposed to the bill as a whole, but to only one section of the bill.

Mr. CHALMERS. The gentleman from Ohio is opposed to a major problem in the bill, and I represent a section of the country that is opposed to the bill with that section in it. Therefore I am asking for control of the time.

The CHAIRMAN. Is there any minority member who is opposed to the bill in toto?

Mr. FREAR. I am opposed to it, on the majority side. I can point out many objectionable features.

Mr. RAMSEYER. Mr. Chairman, a parliamentary inquiry. Would it not be better if the gentleman from Ohio [Mr. CHALMERS] will state that if the provision to which he is strongly opposed remains in the bill he will vote against the bill, and would not a statement of that kind entitle the gentleman to control the time?

The CHAIRMAN. The Chair is inclined to think that would constitute conditional opposition. May the Chair inquire of the gentleman from Ohio [Mr. CHALMERS] if he is opposed to the bill as it is now?

Mr. CHALMERS. I am not opposed to the bill in toto but I am opposed to a major project in the bill.

The CHAIRMAN. The question is, Is the gentleman opposed to the bill as it is now?

Mr. CHALMERS. Mr. Chairman, I think under the circumstances, unless this bill is amended, I would be compelled to vote against it. Unless the bill is amended, I propose to prefer a motion to recommit the bill.

Mr. LaGUARDIA. Mr. Chairman, that does not qualify the gentleman from Ohio [Mr. CHALMERS].

Mr. MICHENER. Mr. Chairman, there is nothing before us but the bill. The gentleman is either opposed to the bill as written or not. The Chair is not interested at all in whether or not there are particular provisions in a bill. If the gentleman from Ohio [Mr. CHALMERS] says he is opposed to the bill as it is, then I think the gentleman is entitled to the time.

The CHAIRMAN. The Chair is inclined to think the gentleman from Ohio [Mr. CHALMERS] has qualified by saying that he is opposed to the bill as it is now. The Chair will therefore recognize the gentleman from Ohio [Mr. CHALMERS] in opposition to the bill.

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. DEMPSEY] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I take this occasion to inquire of the chairman of the committee whether he intends to try to secure more time for general debate on this important measure than is provided for under the rule for consideration of a bill on Calendar Wednesday, namely, two hours?

Mr. DEMPSEY. In answer to that question, the chairman would say that the committee acted unanimously on that question. We have already used one Calendar Wednesday. This is our last day. We have this day in which to finish the bill. The committee concluded it would be more to the advantage of the Members to debate by section and to give liberal opportunity to debate then rather than to enlarge the time for general debate.

Mr. STAFFORD. With the idea of concluding the bill to-day?

Mr. DEMPSEY. Yes.

Mr. STAFFORD. That is, up to the vote on final passage, which does not have to be taken to-day, as, under the rules, it would go over until the next day as unfinished business?

Mr. DEMPSEY. A great many Members have requested that we have a vote to-day, because they are going away for the week-end.

Mr. STAFFORD. Then, if we adjourn over the week-end the vote could be taken on Monday just as well.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. DEMPSEY]?

Mr. MAPES. Mr. Chairman, reserving the right to object, I would like to reserve the right to object until we ascertain a little more definitely about the plan of procedure.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. DEMPSEY] to dispense with the first reading of the bill?

Mr. FREAR. I object, because here is a bill of 156 projects, and we do not know what is in it.

Mr. STAFFORD. That is very unreasonable. Will the gentleman from Wisconsin [Mr. FREAR] withhold his objection?

Mr. FREAR. I have studied the bill, and you do not know about all the different projects.

Mr. STAFFORD. Why is the gentleman so presumptuous to say I do not know, and that he knows all?

Mr. FREAR. By general practice, I know that you do not.

Mr. STAFFORD. Oh, you have no right to be so conceited.

Mr. FREAR. I object to the request to waive the reading.

The Clerk proceeded to read the bill.

During the reading of the bill the following occurred:

Mr. SABATH. Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the further reading of the bill be dispensed with. Is there objection?

Mr. FREAR. I object. The suggestion has been made that if additional time is given for debate the further reading of the bill may be dispensed with. This would be agreeable to me, but as they will not agree to additional time, I insist on the bill being read.

Later Mr. FREAR said: Mr. Chairman, I have talked with some of the gentlemen who are very anxious to have this bill passed. I have made the point that it seemed to me a $110,000,000 bill ought to be read, with its 156 projects. I am informed that better results will be secured by withdrawing my objection, and in deference to the majority leader of the House and the gentleman from New York [Mr. DEMPSEY], the chairman of the committee, I withdraw my objection. [Applause.]

The CHAIRMAN. Is there objection to the request that the further reading of the bill be dispensed with? [After a pause.] The Chair hears none. The gentleman from New York [Mr. DEMPSEY] is recognized for one hour.

Mr. DEMPSEY. Mr. Chairman, the improvement of the rivers and harbors of the country is done by the Federal Government. The method of securing an improvement is this: United States Army engineers are stationed at all of the important waterway centers throughout the United States. They first make a survey or investigation of the improvement which is asked. This report is then sent successively to the division engineer, who has a wide area, and from him to the Board of Engineers, consisting of seven members, who meet in Washington, and from them to the Chief of Engineers. If the project meets approval as the result of all of this series of investigations, it is then sent to the Committee on Rivers and Harbors of the House of Representatives for its action.

This committee does not appropriate money, but simply adopts projects, and the appropriations come from the Appropriations Committee and through the Budget.

The present rivers and harbors bill authorizes the adoption of projects which the engineers estimate will cost to complete $110,000,000. It will take, as shown by rivers and harbors history, 10 years to complete the projects. So if all of the projects in the pending bill are appropriated for, they would share in appropriations at the rate of one-tenth of $110,000,000, or in the sum of $11,000,000 a year.

The appropriations for rivers and harbors have been at the rate, of late, of fifty to fifty-five million dollars a year, and it is expected that they will be increased to $60,000,000 a year. If the projects in the pending bill were permitted to share equally with those heretofore adopted, the improvements about to secure legislative approval would absorb about one-sixth of the annual appropriations.

Much confusion has been caused by the failure to distinguish between authorizations and appropriations in rivers and harbors legislation. The distinction, it is hoped, has been clearly pointed out, and this should, it is believed, end the misunderstandings on the subject.

The intention in each authorization bill is to cover all of the improvements which are necessary to give to the waterways which the Government has already improved, their maximum of efficiency through thorough modernization, and to adopt such new projects as will both reduce transportation costs locally and add to the usefulness of the waterway systems of the country, as a whole.

It was recently said by that great economist, Babson, that we had reached a degree of efficiency in manufacturing unequaled in the history of the world, but that we had gone back in distribution; that an article costing 20 cents reached the consumer at a cost of $1. Of course, such a distribution cost is excessive and should be reduced in the interest both of the producer and of the consumer. The means by which the greatest savings can be made in distribution is through reduced transportation costs, and waterways afford the cheapest of all means of transportation. These facts have long been recognized by the farmers, who believe that the improvement of our waterways is one of the surest ways to enable them to regain a place among the prosperous classes in our Nation. To insure cheaper transportation for grain, meat, and other farm products, and for manufactured articles is the primary purpose of rivers and harbors improvement.

Such is the purpose underlying the presentation and the effort to secure the adoption of all of the improvements in the present rivers and harbors bill.

While the projects covered by the bill embrace all of the improvements to our waterways deemed necessary by the engineers at the present moment, and while all of them are worthy, and while each of them will play an important part in our waterway transportation system, some few of them stand out as being of remarkable usefulness in uniting our waterways into a complete system, which will serve the commerce of every section of our country, as well as our commerce with foreign nations.

We have had the Panama Canal connecting the two oceans for 20 years, and it has carried a commerce of approximately 30,000,000 tons, as against the estimate of 11,000,000 tons, and has proved of enormous value to the country as a whole. The greatest commerce in the world has been carried on the Great Lakes, and at the lowest cost of any transportation in all time. We started years ago to improve an intracoastal waterway on the Atlantic from New York to Florida. The fault and the error in our improvements have been that the record-breaking tonnage of the Great Lakes has had no serviceable connection either with the Atlantic or with the Gulf. Once these two connections were made, and the Atlantic intracoastal waterway was complete, we would have, through the two oceans, the Great Lakes, and useful connections of them with the Atlantic and the Gulf, a complete and unified system of waterways through which commerce will move without unloading or reloading, at a minimum cost, for the benefit of both the producer and the consumer. This bill accomplishes such a unification of our waterways for which we have all so long planned and worked.

A project for the completion of the improvement of the Illinois River is included in the bill. It will furnish the connection between the Mississippi system, with its 9,000 miles of improved waterways, and the Great Lakes, the connection point being the metropolis of the interior of the country—Chicago.

The engineers have recommended and the committee has acted favorably upon the proposition to ask the State of New York to transfer the Erie and Oswego Canals to the Federal Government. These canals will, as will be shown later, afford the economical transportation link needed between the Great Lakes and the sea. Then the last project needed to complete the Atlantic deeper waterways between Cape Fear River, N. C., and Jacksonville, Fla., is also included in the bill. These three projects together supply the missing links and make our waterway system a connected whole. The benefits to the Great Lakes from the two connections with the Gulf, by the Illinois, and with the Atlantic, by the Erie and Oswego Canals, will be incalculable in supplying tonnage from the East and the South and in affording transportation from the Great Lakes territory eastwardly and southerly over these two connecting links to the Middle and the South Atlantic States, New England, South America, and Mexico.

We purpose to review in some detail the advantages to the country as a whole of the adoption of the Erie and Oswego Canals, but before doing that it will be interesting to mention a few of the other outstanding improvements made possible through this, which, it is honestly believed, is as good a rivers and harbors bill, if not the best, that has ever been reported.

Three other great projects stand out conspicuously in this bill: First, the Missouri River, reaching a vast territory and running through the richest farming land in the world, has an authorization for the expenditure of $15,000,000 in the next three years; next, the upper Mississippi, which does not receive the benefit of Great Lakes commerce, receives special consideration on that account by the enlargement of the Hastings Lock and Dam and the authorization of two other locks as a splendid and long start in the process of obtaining a 9-foot channel; and, thirdly, the Tennessee River, with its enormous power and splendid navigation facilities, on the survey of which we have expended a million dollars, will under this bill be improved for the long stretch of 83 miles from its mouth.

Besides all this, we undertake the humanitarian task of preventing floods in the State of Florida. The dreadful destruction of life and the large property loss accompanying the recent floods aroused the sympathy of the entire country, and the adoption of a project which will prevent the recurrence of such a catastrophe will meet the sympathy and approval of the people of every part of the United States.

Among the other great works undertaken are the further improvement of that great artery of commerce, the Delaware River, at an expense of approximately $4,000,000; the widening and deepening of the channel in Baltimore Harbor, where commerce has grown by leaps and bounds and is certain to develop even more rapidly in the future; the giving additional depth to the James River, where an industrial center of large proportions is being rapidly developed; the improvement of the Brazos Island Harbor, in Texas, the port of the Rio Grande Valley, where the production of citrus fruits and vegetables of the highest quality is going on at an astounding rate, resulting in the changing within a few years of a mesquite desert into a thickly populated district, with cities, villages, good roads, and every modern convenience; the development of the Youghiogheny and Allegheny Rivers in Pennsylvania, thus bringing to the use of our people the enormous bodies of coal located on their banks;

the improvement of the Kanawha River, which will bring into use the only smokeless coal in the world, 18,000,000,000 tons in quantity; the Green and Barren Rivers in Kentucky, thus bringing to market at low transportation cost the stores of coal and of asphalt adjacent to these streams besides a very large number of only less notable but no less worthy projects.

However, the project which is exciting the most discussion is that for the taking over by the United States of the Erie and Oswego Canals in New York. It is of first importance to see who are supporting and, if any, who are opposing the acquisition of the canals. Among the supporters we find the Mississippi Valley Association, the Missouri River Association, and the Lake Carriers' Association. These three associations cover practically the entire Middle West. These associations urge that the Federal control and the modernization of these two barge canals, giving them a channel depth of 13 or 14 feet and 20-foot bridge clearances, will afford reasonable and economical transportation for the grain and the other products of the Middle West. They say that the canals are in existence and will be operated anyway, and that it is only common sense to make them as economical and practical agencies as can be done at a reasonable cost.

The canals now have a depth of 10 feet 6 inches, on which 1,200-ton cargoes can be carried. With a 13-foot depth and adequate bridge clearances 2,000-ton cargoes can be carried. Thus the carrying capacity of a barge will be increased 70 per cent and the cost decreased 40 per cent, the benefits of which will be shared both by the producer and the consumer.

The Detroit shippers say that from actual experience they can testify that automobiles can be distributed from Michigan, Ohio, and Indiana through such a canal through New York, New England, and the South Atlantic States, and by transfer to ocean vessels to our foreign trade at a lower cost than by any other existing transportation agency.

Mr. MAPES. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MAPES. Of course, the gentleman does not mean to infer that he did not have anything to do with it or that the State of New York did not have anything to do with it?

Mr. DEMPSEY. I am stating the facts, and my answer is just this: I am telling the literal and exact truth. I am telling just exactly how this occurred without the slightest variance from the facts as they are. I am saying that the thought never entered my head until the terminals and transportation companies of America, with headquarters at Detroit, came to my office and said that the automobiles made in Michigan could be transported at a lower cost on the barge canals than in any other way if the United States would only take over the canals and give them a reasonable depth of 13 feet and make them practical and economical waterways.

Mr. MOONEY. Will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. MOONEY. Does the gentleman see the slightest conflict between the construction of this canal by the Government and the St. Lawrence waterway project?

Mr. DEMPSEY. I do not; and no one would who has examined the subject as carefully as has the gentleman from Ohio.

Mr. MICHENER. Will the gentleman yield for a short question?

Mr. DEMPSEY. Not now.

Mr. MICHENER. It is right at this point.

Mr. DEMPSEY. All right, go ahead.

Mr. MICHENER. The gentleman says that there is no connection between the St. Lawrence waterway route and the barge canal so far as the waterway to the sea is concerned. If the gentleman gets the Government to take over the barge canal, to be used as a barge canal, will not the gentleman be back here within two years asking that it be deepened and made an ocean route? Is not that his purpose?

Mr. DEMPSEY. No; it is not my purpose, and it would not be practicable to use the Erie Canal for such a purpose. The Erie Canal will remain a barge canal. It will transport a tremendous volume of freight no matter if a deeper waterway is adopted, but it is a different agency.

Mr. MICHENER. The gentleman says that this will not interfere with the St. Lawrence deep waterway; but will not the gentleman in future years come back with the proposition that we have established this barge canal, taken it over, and therefore it is the duty of the United States to make a deep waterway for ocean-going vessels from the Great Lakes to the sea through the State of New York?

Mr. DEMPSEY. I will answer the gentleman's question in this way: If this barge canal proves as successful as I believe and the shippers believe it will be, I think the gentleman from Michigan will be in here advocating the enlargement of the barge canal so as to make it increasingly useful in carrying the vast tonnage and the continually greater tonnage that will be sure to be transported.

Mr. MICHENER. In other words, make this canal the deep waterway to the sea instead of the St. Lawrence route?

Mr. DEMPSEY. I can not yield any further.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. No further yielding for the present.

Mr. BURTNESS. I am sorry.

Mr. DEMPSEY. So am I.

The oil from Texas and California, the sulphur from Texas, and the lumber from the Pacific coast can all be brought in full vessel loads and unloading only at destination to all of the Great Lakes territory and distributed at a reasonable and even low cost.

The shippers as a body unite in saying that once the improvements described are assured for the canals, a fleet of modern steel barges will be built adequate to carry tonnage on the canal to its capacity of sixteen to twenty million tons, and that the commerce will increase to capacity in the very near future.

Now, who oppose the taking over of these two canals? A very small number of extremists who indulge the wholly groundless apprehension that the federalization of the two canals means the delay, and some of them even say the death of the St. Lawrence waterway. Of course, it is a most extreme position to say that the United States should not give itself the benefit of a wholly practical, highly useful connection between the Great Lakes and the sea, which can be modernized at a very low cost, because some few people believe that it will interfere with some other waterway which would serve some of the same purposes. We do not say, when we adopt the Erie and Oswego Canals that we will not in the future, much less never, obtain any other connection between the Lakes and the sea. On the contrary, the mid-west farmer, as evidenced by the support of the Mississippi Valley and Missouri River Associations realizes that three-fourths of our wheat and other farm products are consumed in the territory tributary to the Erie Canal, which will afford transportation for 60,000,000, or one-half of our people, and that it is three times as important to have cheap distribution of grain and other farm products among our own people as it is abroad. And the farmer will say that there is no reason why we can not have the cheapest water transportation possible for distribution both among our own people, where we consume three-fourths of our farm products, and to Europe.

In conclusion, this bill has been under consideration and discussion for half a year. It is very generally understood and it has already received wide approval, and this will increase as knowledge of its wise provisions, far-reaching in reducing transportation costs, become, as they will be, generally understood by our people.

Mr. RAGON. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. RAGON. I have been very much interested in the splendid statement of the gentleman from New York, and shall ask no question at this time with reference to the bill, but desire to know something with reference to the policy of the committee as to future legislation along this line. Several years ago we passed a progressive bill providing for a survey to determine different potentialities of these rivers. The development of the surveys has taken time. The recommendations of the engineers will come in from time to time. Is it to be the future policy of the gentleman's committee to wait two or three years to bring in these bills hereafter, or do you propose in the future to have annual river and harbor bills?

Mr. DEMPSEY. The purpose of the Committee on Rivers and Harbors in that respect has been under frequent discussion, and we have unanimously agreed that it is a great mistake not to have annual bills. [Applause.]

The committee believe, moreover, that the Red and Arkansas Rivers, in which the gentleman is interested, should receive as speedy consideration as possible, and just as soon as the reports come to us the committee intend to take them up and deal with them and present them to the House at the earliest moment possible.

Mr. RAGON. I am glad to hear the gentleman's statement. I feel that it is the sentiment of this House that these river and harbor bills should come out every year, perhaps in smaller amounts, but they should take care of these current needs. For instance, we have been promised a report on the Arkansas River next December 1. It would be just as well not to have that report if you have to wait two or three years for the consideration of Congress as to whether it wants to adopt and develop that project or not.

Mr. DEMPSEY. When we get the report here we will consider it with reference to constructive action, not destructive. Let us be good natured and let us not be so anxious to destroy

some other project as to forget the 149 other projects involved in the bill. [Applause.]

The CHAIRMAN. The gentleman from Ohio [Mr. CHALMERS] is recognized for one hour.

Mr. CHALMERS. Mr. Chairman and members of the committee, I ask unanimous consent that I may include in my extended remarks some reports from the Governor of New York and other officials.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHALMERS. Mr. Chairman and members of the committee. I will say that the report of the committee on the harbor and shipping and of the committee on international trade and improvements, dated New York, April 16, 1930, to be submitted to the Chamber of Commerce of the State of New York at its annual meeting to be held May 1, 1930, came to my desk yesterday morning. The second paragraph in this report to the New York Chamber of Commerce says:

Owing to the indefatigable efforts of Representative S. WALLACE DEMPSEY, of New York, chairman of the Committee on Rivers and Harbors, a resolution has been adopted, which will permit the gift or sale of the New York Barge Canal to the Federal Government. This matter is already being given favorable consideration at Washington. Pursuant to a resolution of his committee on July 13, 1929, a special board of Army engineers undertook the study of the question. Recently the Chief of Army Engineers rendered the report of this special board which recommended to the Committee on Rivers and Harbors that the Secretary of War be empowered by Congress to accept from the State of New York the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waters of the United States.

My colleagues, if it were a question of indefatigable efforts of or the personal integrity and legislative ability of our very popular Rivers and Harbors chairman the gentleman from New York, S. WALLACE DEMPSEY, we would all be of one mind. The question, however, is not a personal matter but an economic one. Does the Federal Government want to receive, even as a gift, what the editors of the great Northwest have denominated, "A white elephant"? A leading newspaper in Cleveland had an analytical editorial headed "White Elephant for Sale." The Toledo Blade of the 19th instant, one of the leading newspapers of my home city, had an editorial entitled "White Elephant Unwanted." Let us examine a few facts and see why these editors, who have made a careful study of reports, are opposed to the Government of the United States accepting the barge canals of New York as a gift.

I quote the following from the governor's message to the legislature January 7, 1925:

The barge canal, including construction, terminals, grain elevators, repairs, maintenance, operation, and payment of claims for damages, has cost the people since 1905 up to date—January, 1925—$191,000,625.91; between 1905, when the first canal bonds were sold, up to 1925, inclusive, we have paid in interest $39,880,386.73, making the total cost of the Barge Canal up to date $230,881,013.64.

I find that the annual total gross cost was $10,933,563.75, and that the gross income or receipts from the operation of the canal amounted to something like $359,000, or a net cost to the taxpayers of New York of $10,573,626.84.

Now that is not carried in this bill and reported as the cost of operation and maintenance, as approximately two and one-half millions. Here we have over ten and one-half million dollars for annual operation and maintenance of this canal.

What does Superintendent Greene say about this canal and its operation? I will tell you what he says. I call your attention to the following extract from Special Report to Governor of New York, by Col. Frederick Stuart Greene, superintendent of public works, February 26, 1926:

The cost of the canal during 1925 was:

Maintenance and operation	$2,981,841.26
Capital charge	6,137,495.08
Permanent betterments	1,092,051.52
Claims paid	722,175.89
Gross cost	10,933,563.75
Less receipts	359,936.91
Net cost to the taxpayer	10,573,626.84

The greater part of the tonnage was bulk freight—grain, sulphur, salt, etc.—which is carried at low rates both by water and rail; a fair average rail rate on the commodities carried by canal from Buffalo to New York, the longest haul, is $3.70 per ton. In 1925 it cost the State $4.51 per ton for all freight floated on the canal, regardless of the length of haul. From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

The New York Barge Canal system is made up of four divisions. The principal one, known as the Erie division, extends from Albany westward to Tonawanda, on the Niagara River, a short distance east of Buffalo. A second link, known as the Oswego division, extends from Three Rivers, on the Erie division, northward to Lake Ontario at Oswego. These are the divisions which it is proposed shall be taken over by the Federal Government. The following figures show the movement of traffic:

	Erie division	Oswego division	Total Erie and Oswego divisions, New York Barge Canal
	Net tons	*Net tons*	*Net tons*
1922	1,485,109	9,740	1,494,849
1923	1,626,062	13,169	1,639,231
1924	1,691,766	18,254	1,710,020
1925	1,945,466	17,560	1,963,023
1926	1,965,278	32,659	1,997,937
1927	2,047,774	89,395	2,137,169
1928	2,535,685	92,045	2,627,730
1929	2,422,204	90,838	2,513,042

The above figures are taken from the annual reports of the superintendent of public works of New York State. I also quote the following from the Dominion Bureau of Statistics:

St. Lawrence canals

	Net tons
1922	4,319,919
1923	4,541,528
1924	5,536,374
1925	6,206,988
1926	6,123,701
1927	7,912,952
1928	8,411,542

1929 not available.

EXCERPTS FROM GOVERNOR SMITH'S MESSAGE TO THE LEGISLATURE, JANUARY 7, 1925

In considering transportation I deem it highly important that we give careful consideration to the barge canal and all of the known facts connected with it. No one can deny that the construction, maintenance, and operation of the old Erie Canal was a strong factor in the upbuilding of the commerce and business of the State of New York. At the time of its opening 100 years ago there was a great demand for waterway transportation. In fact, the Erie Canal was responsible for the supremacy of the port of New York.

COMPARISON WITH BARGE CANAL TONNAGE AND COSTS

Interesting also is the history of the tonnage carried on the old Erie Canal by comparison with the new barge canal. Taking the six years prior to the abolition of the tolls—from 1877 to 1882—32,593,646 tons of freight passed through the old Erie Canal, or an average yearly of 5,434,474 tons. The new barge canal was really not opened for operation until 1919. Taking the six years from 1919 to 1924 we have 9,842,884 tons of freight carried, or a yearly average of 1,640,481 tons. In making a comparison of these figures it must be borne in mind that the new canal was designed to carry about four times the amount of freight that could pass through the old Erie Canal in a given period.

COST OF BARGE CANAL, 1919–1924

I am placing before you in this report what to my mind are important facts in connection with the canal. Now, let us look a little into the future. The canal, like every other giant transportation enterprise, is deteriorating annually. All of its works and appurtenances are subject to the elements and wear and tear. As each year passes we must expect increased cost for maintenance and repairs, especially to the mechanical and electrical equipment.

In the 6 years beginning with 1919 and ending with 1924 in salaries alone to the operating forces we have paid out	$8,742,318.59
In maintenance and operation, which includes dredging, bank protection, painting of structures, etc	9,703,758.41
In that same period for new construction and permanent betterments we have expended	12,561,000.00
Making a grand total of	31,007,077.00

IMMEDIATE REQUIREMENTS OF BARGE CANAL

We come now to the requests from the department of public works for 1925:

Personal service	$1,709,095.80
Maintenance and operation	2,473,600.00
Construction and permanent betterments	1,070,000.00
Making a grand total of	5,252,695.80

A large part of the $1,070,000 item is required to take care of conditions that arise from time to time because of the incomplete condition of the canal itself. Floating apparatus for dredging purposes must be in constant use, because the unprotected banks of the canal wash into

the stream. Not only is the State compelled to spend large amounts of money to dredge it, but we are confronted from time to time with claims for private individuals whose land has been washed into the canal. * * *

NEEDS OF BARGE CANAL IN IMMEDIATE FUTURE

* * * To complete the canal to a point that would make unnecessary the enormous annual expenditures for dredging, complete the terminals, remove sharp bends that interfere with navigation, and do other essential things will cost approximately $16,606,000. I am further informed at the office of the attorney general that there are pending against the State 751 claims for damage to water rights and privileges, appropriation of lands, and so on, the face amount of which is $23,892,472.62.

I quote the following from the New York Times of July 26, 1929:

Commenting here to-day on a plan of Chairman DEMPSEY, of the House Rivers and Harbors Committee, to deepen the Erie Canal channel by 2 feet, at a cost of $60,000,000, Governor Roosevelt disagreed with the proposal in part.

On the New York State Barge Canal there are 300 fixed bridges, which have an average clearance of not more than 15 feet. The governor said that it would be impracticable to replace the bridges, and that the only solution of the problem would be the use of specially designed canal vessels of wide beam and small height.

The cost of replacing the fixed bridges with swing-type spans has been placed at $150,000,000.

Col. Frederick Stuart Greene, commissioner of public works, who is a member of Governor Roosevelt's party, took the same view as the governor. He said he could see no purpose in deepening the canal unless the bridges were removed.

Mr. KETCHAM. Mr. Chairman, will my colleague be kind enough to set out what the average cost of freight tonnage was over this canal? That figure is very significant.

Mr. CHALMERS. Yes; $4.51.

Mr. KETCHAM. Four dollars and fifty-one cents for every ton of freight?

Mr. CHALMERS. Yes.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CHALMERS. Yes.

Mr. KNUTSON. Does not the record show that the State of New York could not only have transported the freight but would have had enough money left to buy the freight outright? [Laughter.]

Mr. MOONEY. Mr. Chairman, will the gentleman yield?

Mr CHALMERS. Yes.

Mr. MOONEY. May I ask the gentleman what part of that was borne by the Government?

Mr. CHALMERS. I will put that into the RECORD.

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield?

Mr. CHALMERS. Yes.

Mr. O'CONNOR of New York. What was the total tonnage carried?

Mr. CHALMERS. I will insert that.

Mr. BOYLAN. Mr. Chairman, will the gentleman yield?

Mr. CHALMERS. Yes.

Mr. BOYLAN. The gentleman indicates, in giving these figures, does he, that two-thirds of the rate on the barge canal originated outside of the State of New York?

Mr. CHALMERS. We are not against that.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. CHALMERS. Yes.

Mr. BURTNESS. In view of the fact that Colonel Greene reported in 1925 that they could have saved the transportation charges by rail and still have been a great deal of money ahead, do you imagine that the Wall Street Journal had that in mind the other day when in its editorial it stated this—

It is proposed that Uncle Sam will take over the New York State canals. New York could well afford to pass them over, plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

Mr. DEMPSEY. It is a long time, if the gentleman please, since the Wall Street Journal was quoted by the western farmers as their Bible and authority. [Laughter.]

Mr. BURTNESS. If the gentleman will yield, I will say to my friend——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CHALMERS. I yield myself two minutes more.

Mr. BURTNESS. Is it not a fact that the people of the West are not afraid of anyone who tells the exact facts, whether they come from Wall Street or anywhere else?

Mr. CHALMERS. On January 4, 1928, in a message to the New York State Legislature, the governor said that he was convinced that the barge canal should be made part of an all-American deep-sea waterway connecting the Great Lakes with the Atlantic Ocean.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. CHALMERS. I do not have time to yield now.

Mr. WILLIAM E. HULL. I would like to ask the gentleman if he has any idea that this bill carries with it any provision that this is to be a deep-sea waterway?

Mr. CHALMERS. No.

This brings up the old controversy between the Great Lakes-St. Lawrence waterway against the so-called American route. The New York Barge Canal can never be a successful rival of the St. Lawrence project. The governor and the commissioner of public works speak of the cost of changing the 300 barge-canal bridges as amounting to $150,000,000. This item alone will be more than the Government of the United States will be called upon to pay as our part of the St. Lawrence project.

God Almighty favors the St. Lawrence over the barge canal. He furnishes no water for the barge canal, and He furnishes more than 245,000 second-feet of water at the head of the St. Lawrence. Two hundred and forty-five thousand second-feet of water means 245,000 cubic feet each second. My colleagues, do you know how much that represents? Can you visualize 245,000 second-feet of water? Two hundred and forty-five thousand second-feet of water furnishes water enough to drown every man, woman, and child living in the District of Columbia every minute. That is what the Lord is furnishing to the head of the St. Lawrence waterway every second. The Lord does not furnish any water to run the barge canal, except what the State of New York is able to catch in their reservoir, placed at the top of the mountain. A reservoir that has cost the State $60,000,000 to construct. They have spent $60,000,000 for an artificial reservoir to hold the water to fill the locks so that we, from the West, can float our ships up the mountain side 133.6 feet up a hill out of Lake Ontario and then down 367 feet into the Mohawk Valley. It is foolish for us to spend any time in discussing the claims of the barge canal as a rival of the St. Lawrence seaway.

There is furnished each second at the head of the St. Lawrence River over 245,000 second-feet of water.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CHALMERS. I yield myself three additional minutes. It is downhill all the way to the sea, or to that 35-foot project that is built from Montreal to the sea, 182 miles—downhill all the way. That 245,000 second-feet carries our commerce out to the markets of the world. Do you realize how much water 245,000 second-feet represents? It is enough to drown every man, woman, and child in the District of Columbia every minute.

The all-American route is from Lake Ontario up a mountain-side 133.6 feet, up to the top of that hill, with not a drop of water except that caught in a reservoir which the State of New York has placed up there, which has cost the State $60,000,000; not a drop of water to operate this canal up a mountain side and then down many miles into the Mohawk Valley.

So I am clearly of the opinion that the all-American or New York and Oswego Barge Canal can never be a successful rival of the St. Lawrence waterway.

In this bill we are building now the first reach, as recommended by the International Board of Engineers of Rivers and Harbors, and recommended by the Hoover commission, appointed by President Coolidge, with the completion of the first 67 miles of the St. Lawrence River down to Prescott and Ogdensburg from Lake Ontario.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. CHALMERS. I yield.

Mr. WAINWRIGHT. One would, of course, think from hearing the gentleman from Ohio [Mr. CHALMERS] that we owned Canada.

Mr. CHALMERS. I will not have time to go into that subject now.

Mr. WAINWRIGHT. The gentleman keeps harping on Canada, when the gentleman knows that the Canadians do not want this canal built, and they oppose it.

Mr. CHALMERS. I do not know anything of the kind. As a matter of fact, there is an agreement between Canada and the United States for this reach—that is, an agreement that has been entered into between the two State Departments——

Mr. CULLEN. Will the gentleman yield?

Mr. CHALMERS. I have not time to yield now.

Mr. CULLEN. There is no such agreement made between the United States and Canada.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CHALMERS. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, ladies and gentlemen of the House, I had not intended to say anything on this rivers and harbors bill until I happened to overhear a remark by a Mem-

ber from upstate New York the other day. That Member said he was going to vote to hand the American people the Oswego-Erie Canal, because it had cost the people of New York almost $200,000,000 to date, and it was high time that the Federal Government lifted the load off the shoulders of the people of New York.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. KNUTSON. No; I will not have time. There are Representatives here from the State of New York who are not advocating giving the American people this overripe lemon, because their consciences forbid their taking that position. Do not think for a minute you are getting something for nothing. If the New York Barge Canal is deepened to 13 feet or 14 feet, every brige will have to be replaced, and according to Mr. Greene, the superintendent of public works, that will cost $150,000,000.

Former Governor Smith at one time said it would be better for the people of New York to fill in the Erie Canal and use it as an arterial vehicular highway, because it was slowly draining the resources of the State.

Mr. CULLEN. Will the gentleman yield?

Mr. KNUTSON. No; I can not yield now.

Mr. CULLEN. I hold no brief for former Governor Smith, but has the gentleman from Minnesota [Mr. KNUTSON] any conclusive proof that Governor Smith made a statement of that kind? I have never heard anything like that.

Mr. KNUTSON. I have never heard it denied. It has been published in the papers and never denied.

Mr. CULLEN. I will deny it for him.

Mr. KNUTSON. I accept your denial. But the gentleman will not deny the fact that there are $23,000,000 pending claims against the canal. Will the gentleman deny that?

Mr. CULLEN. I know nothing about it.

Mr. KNUTSON. Does the gentleman deny that Mr. Greene, the superintendent of public works, has stated it will cost $150,000,000 to change the bridge system over the canal if the canal is deepened to a 13 or 14 foot channel, as proposed by the gentleman from New York? Does the gentleman deny that statement?

Mr. O'CONNOR of New York. I will deny that.

Mr. KNUTSON. I refuse to yield. The gentlemen can speak in their own time. [Laughter.]

I would like to ask the chairman of the committee [Mr. DEMPSEY] why the committee was not given an opportunity to study and look into this Erie Canal proposition? I would like to have the chairman tell the House——

Mr. DEMPSEY. Will the gentleman yield?

Mr. KNUTSON. No. I am going to propound a series of questions and let the gentleman from New York [Mr. DEMPSEY] answer them in his own time. Will the gentleman state what influence was brought to bear upon the Army engineers——

Mr. DEMPSEY. Will the gentleman yield?

Mr. KNUTSON. I can not yield.

Mr. DEMPSEY. This is absolutely unfair, unjust, improper, and unparliamentary.

Mr. KNUTSON. Yes; the gentleman is unparliamentary, I will admit.

Then, I would like to have the gentleman from New York [Mr. DEMPSEY] tell the House why, after repeated adverse reports by the engineers, he incorporates this item in the bill.

Mr. DEMPSEY. And I will do it.

Mr. KNUTSON. I want to say that if you accept this gift, you can figure it will cost $250,000,000 before you have replaced the bridges and paid the claims that are now pending against the canal, and you are going to saddle the American people with a white elephant that will cost twelve or fifteen million dollars a year to operate.

I find that the New York Barge Canal has a very interesting history. It was opened for operation in 1919, and from 1919 to 1924 I find that it carried a yearly average of 1,640,481 tons, while it is supposed to have a capacity of 20,000,000 tons.

On January 7, 1925, Governor Smith, in his message to the legislature, said in part:

I am placing before you in this report what to my mind are important facts in connection with the canal. Now, let us look a little into the future. The canal, like every other giant transportation enterprise, is deteriorating annually. All of its works and appurtenances are subject to the elements and wear and tear. As each year passes we must expect increased cost for maintenance and repairs, especially to the mechanical and electrical equipment.

Governor Smith continues:

In six years, beginning with 1919 and ending with 1924, in salaries alone to the operating forces, we have paid out $8,742,318.59; in maintenance and operation, which includes dredging, bank protection, painting of structions, etc., $9,703,758.41; in that same period for new construction and permanent betterments, we have expended $12,561,000; making A grand total of $31,007,077.

IMMEDIATE REQUIREMENTS OF BARGE CANAL

We come now to the requests from the department of public works for 1925.

Personal service	$1,709,095.80
Maintenance and operation	2,473,600.00
Construction and permanent betterments	1,070,000.00
Making a grand total of	5,252,695.80

A large part of the $1,070,000 item is required to take care of conditions that arise from time to time because of the incomplete condition of the canal itself. Floating apparatus for dredging purposes must be in constant use because the unprotected banks of the canal wash into the stream. Not only is the State compelled to spend large amounts of money to dredge it but we are confronted from time to time with claims from private individuals whose land has been washed into the canal. * * *

Governor Smith goes on and says:

NEEDS OF BARGE CANAL IN IMMEDIATE FUTURE

* * * To complete the canal to a point that would make unnecessary the enormous annual expenditures for dredging, complete the terminals, remove sharp bends that interfere with navigation, and do other essential things will cost approximately $16,606,000. I am further informed at the office of the attorney general that there are pending against the State 751 claims for damage to water rights and privileges, appropriation of lands, and so on, the face amount of which is $23,892,472.62.

While the rivers and harbors bill makes no mention of the $23,892,472.62 in claims now pending against the State of New York in connection with the construction and operation of the canal, I assume the tail would go with the hide.

I now desire to quote from the New York Times of July 26, 1929:

Commenting here to-day on a plan of Chairman DEMPSEY of the House Rivers and Harbors Committee to deepen the Erie Canal Channel by 2 feet at a cost of $60,000,000, Governor Roosevelt disagreed with the proposal in part.

On the New York State Barge Canal there are 300 fixed bridges, which have an average clearance of not more than 15 feet. The governor said that it would be impracticable to replace the bridges and that the only solution of the problem would be the use of specially designed canal vessels of wide beam and small height.

The cost of replacing the fixed bridges with swing-type spans has been placed at $150,000,000.

Col. Frederick Stuart Greene, commissioner of public works, who is a member of Governor Roosevelt's party, took the same view as the governor. He said he could see no purpose in deepening the canal unless the bridges were removed.

Truly, the New York Barge Canal system has proven a white elephant to the people of New York, and I can not find it in my heart to blame the Member from that State who said that he would vote to lift it from the shoulders of New York and place it on those of Uncle Sam.

Again I quote from Governor Smith's message of January 7, 1925:

The barge canal, including construction, terminals, grain elevators, repairs, maintenance, operation, and payment of claims for damages, has cost the people since 1905 up to date (January, 1925) $191,000,625.91; between 1905, when the first canal bonds were sold, up to 1925, inclusive, we have paid in interest $39,880,386.73, making a total cost of the barge canal up to date of $230,881,013.64.

On February 26, 1926, Col. Frederick Stuart Greene, superintendent of public works, submitted a special report to Governor Smith on the cost of operating the canal during the year 1925, which gives these very illuminating figures:

Maintenance and operation	$2,981,841.26
Capital charge	6,137,495.08
Permanent improvements	1,092,051.52
Claims paid	722,175.89
Gross cost	10,933,563.75
Less receipts	359,936.91
Net cost to taxpayers	10,573,625.84

I quote further from Colonel Greene's report. He says:

The greater part of the tonnage was bulk freight—grain, sulphur, salt, etc.—which is carried at low rates both by water and rail; a fair average rail rate on the commodities carried by canal from Buffalo to New York, the longest haul, is $3.70 per ton. In 1925 it cost the State $4.51 per ton for all freight floated on the canal, regardless of the length of haul. From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

It should be remembered, however, that it would not have cost the State one penny more for maintenance and operation during 1925 had

the canal carried its full 20,000,000 tons capacity, in which event the per-ton cost would have been only 52.8 cents and the canal thereby a benefit to the taxpayers.

It has been testified that the canal saves the people of the State $50,000,000 annually in "depressed" rail rates. This has not been proven to my satisfaction. The old Erie Canal undoubtedly served to "depress" rail rates; this, however, was before the existence of the two rate-regulating authorities, the Interstate Commerce and the Public Service Commissions. Having these regulatory bodies, the questions naturally arise:

1. Would these authorities have allowed rail rates to be increased $50,000,000 a year if the canal were not built?

2. Are States lacking canals overcharged by the railroads $50,000,000 a year, or in proportion, according to the amount of freight carried?

Is not a club costing $10,500,000 a year an expensive weapon to hold over the heads of the railroads?

I am credibly informed that the State of New York does not own any of the terminal or wharfage facilities of the canal and that it is estimated that the cost of acquiring these very necessary appurtenances will be in the neighborhood of $30,000,000. I am wondering if the Members of this House realize what the acquisition of the canal would let the Federal Government in for in the way of future expenses. It is safe to assume that it would cost the Federal Government as much, if not more, to operate the canal, and I fail to find any justification for assuming this burden. In fact, my study of the proposition leads me to believe that the canal should be abandoned.

The Wall Street Journal in March, 1927, strongly approves of Mr. DEMPSEY'S proposal to make us a present of the barge canal, and it suggests that the State of New York give a cash bonus of "$50,000,000 in gold if Uncle Sam were foolish enough to accept."

I find that between the years 1877 and 1882, a period of five years, the average tonnage through the old Erie Canal was 5,434,474 tons, whilst the yearly average for the 5-year period from 1919 to 1924 had decreased to 1,640,481 tons. These figures are not mine, but are taken from Governor Smith's message to the legislature delivered on January 7, 1925.

I have several objections to this item. First and foremost, that it is an entering wedge for the all-American canal which has been pronounced infeasible by the Army engineers, as it could not possibly bring to the Great Lakes ports ocean-going vessels, but probably would defeat the plan to develop the St. Lawrence waterway, which is a crying need in the Mississippi Valley. Indeed, Chairman DEMPSEY has intimated that the acquisition of the Erie Canal and its improvement by the Federal Government would obviate the necessity for the St. Lawrence waterway. Another objection is that the acquisition of the Great Lakes-Hudson River waterways would saddle the Federal Government with a financial load that is neither necessary nor justifiable. Mr. DEMPSEY estimates that in the event the canal is taken over by the Federal Government there will be spent upon it in improvements from fifty to one hundred million dollars of the people's money.

In voting for this legislation we must not lose sight of several very important facts, which I will summarize in closing:

First. The New York Barge Canal has cost the people of New York, since 1905, the stupendous sum of $230,881,013.64.

Second. There are now pending against the State of New York 751 claims for damage to water rights and privileges, appropriation of land, and so forth, which aggregate $23,892,472.62. New York would also pass those on to us.

Third. The operating expense of the canal, when compared to its usefulness, is disproportionately large.

Fourth. The average tonnage over the canal has shrunk from 5,434,474 tons in the 5-year period from 1877 to 1882, to an average of 1,640,481 tons during the 5-year period 1919 to 1924, which indicates that it should be abandoned. Indeed, Governor Smith, a few years ago, suggested that the canal be abandoned and converted into an arterial vehicle highway.

Fifth. In 1925 it cost the State of New York $4.51 per ton for all freight floated on the canal, regardless of length of haul, whilst the rail rate on commodities carried by canal from Buffalo to New York on the same commodity averaged $3.70 per ton.

It would have been cheaper—

According to Governor Smith—and I quote—

if all the freight carried on the canal during that year had been put on railroad cars and the State had paid the bill.

On February 6 the special board of engineers reported unfavorably on this project. On March 24 General Deakyne appeared before the Rivers and Harbors Committee of the House and under grilling questioning refused to modify the adverse report of the special board of engineers. Evidently some pressure had been brought to bear upon the engineers between March 24 and April 2, for we find that the engineers reversed themselves on the latter date, and recommended the taking over of the Erie and Oswego Canals, same to be deepened at once to 13 feet and later to 14 feet.

On April 4 the Chief of Engineers transmitted this reversal to the Rivers and Harbors Committee, and, on the following day, it was reported out with but two dissenting votes. Perhaps the chairman of the committee can explain to the House why more consideration was not given by the committee to this very important matter, which is going to let the Government in for enormously increased annual expenditures. I am sure the House would like to be informed why public hearings were not held upon this very important item; also, why all interested parties were not notified, as is the usual procedure. I believe the House would also like to know what interests presented the "additional arguments favorable to the acquisition of the canal." In fact, there are a number of things in connection with this item that I feel the House should be enlightened upon.

Mr. CHALMERS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HUDSON].

Mr. HUDSON. Mr. Chairman and gentlemen of the committee, let us for just a moment be serious about the matter before us. You have before you to-day a bill carrying in the neighborhood of $115,000,000 or $120,000,000. You are considering it under a rule which allows only two hours of general debate. I give to the chairman of the committee all credit and honor. He, perhaps, is the best-informed man on the floor of this House as to the inland-waterway situation of this Nation; but I am frank to say I would almost challenge him to get up here and tell you about the merits of the various items in this bill. You are here confronted with projects which the members of the committee have not had time to consider in any way. I am going to insert in my remarks something of the chronology of one of these items.

The one I am going to speak about particularly is the item relating to the New York Barge Canal. That came before the committee with an unfavorable report on February 6, 1930, just about two months ago. The engineers reported unfavorably on a project that is in the bill which will permit the United States to take over this canal from the State of New York, with an annual expenditure of $2,500,000 for upkeep.

Mr. CULLEN. Will the gentleman yield?

Mr. HUDSON. Yes.

Mr. CULLEN. When the unfavorable report of the engineers in regard to the canal was submitted it was submitted on the basis of 15 feet.

Mr. HUDSON. But my statement is true, and I will demonstrate what I am trying to say. I am not going to be unfair. This is something of the chronology of the case. On March 24 General Deakyne, before the Rivers and Harbors Committee of the House, under the grilling and questioning of Congressmen DEMPSEY and HULL, refused to modify the adverse report of the special board. On April 2 the Board of Engineers for Rivers and Harbors reversed the adverse reports of the special board for both a 14 and 13 foot deepening, and recommended that the Federal Government take over the Erie and Oswego Canals, and favored deepening at once to 13 feet and later to 14 feet. On April 4 the Chief of Engineers transmitted this report, with his approval, to Chairman DEMPSEY of the Rivers and Harbors Committee, and on April 5, the next day, a communication was received by Chairman DEMPSEY in the morning and voted into the rivers and harbors bill the same morning, with but two dissenting votes. That is the chronology of the matter, and I think it is correct.

Mr. KNUTSON. Will the gentleman yield?

Mr. HUDSON. Yes.

Mr. KNUTSON. Does the gentleman know what section 10 of the bill is? It provides that the present assistant to the Chief of Engineers shall be retired with the rank and pay of a major general. What place has that in a rivers and harbors bill?

Mr. HUDSON. Let us see what we have here with reference to the barge canal we are going to take over. I am now going to read from page 27 of the report on this bill. Turn to page 27 if you want to know what you are getting, and this is the report of the engineers:

The New York State Barge Canal has a project depth of 12 feet—

Listen:

The New York State Barge Canal has a project depth of 12 feet, with a width of 75 feet in earth cuts, 94 feet in rock cuts, and 200 feet in canalized rivers and lakes. There are 41 locks, each having a clear width of 45 feet, a usable length of 300 feet, and a depth over the miter sills of 12 feet. The canal is crossed by 260 bridges, there being 6





between Albany and the United States Lock at Troy, 71 between the Troy Lock and Three Rivers Point, 14 between Three Rivers and Oswego, and 169 between Three Rivers and Tonawanda. Of these, 234 are fixed bridges having vertical clearances of 15.5 to 49.9 feet. The balance are movable bridges of swing, bascule, or lift type. The 19 guard gates are also obstructions to navigation under certain conditions, the overhead clearances being 15.5 feet. In addition, the canal is crossed by 287 transmission and communication lines and 50 gas and water pipes, some of which would be obstructions to navigation if movable bridges were used throughout.

That is a part of what you are getting. Its tonnage last year, when it was operating, was about two and a half million tons, and that cost the State of New York $10,573,626. The provision in the bill provides that we accept a gift from the State of New York which will mean an expenditure of $10,500,000 a year to take care of deficits. If you will take that report you will find they say it must have another depth to make it practical, as the chairman of this committee will admit, and that depth is 13 feet, which means an expenditure immediately of $26,500,000, in round figures. So you are assuming an annual expenditure over and above the upkeep of $2,500,000, and of $10,500,000 to pay for its maintenance, and then you must immediately expend $26,500,000 to add another foot to the depth of the canal.

But, more than that, the engineers suggested in their report that if the United States accepted this canal there should be this language included:

Provided, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways, together with any plant, machinery, or equipment necessary, convenient, or incident to the construction, maintenance, or operation of the same that may have been procured in connection therewith, and any rights to the collection of tolls or the development of water power.

However, as the project appears in the bill every one of those items has been stripped from it, and all you have is the bare canal. The terminals for its operation and the machinery for maintenance and construction are stripped from it, so that before you can unload any barge you much purchase from the State of New York its terminals and its warehouses, and before you can take out a foot of silt in the canal in order that the barges may go through it you have got to buy machinery and other equipment necessary for its maintenance and construction. All of these things are stripped from the bill as it is now before you.

Mr. DEMPSEY. Will the gentleman yield?

Mr. HUDSON. I yield to the chairman of my committee with pleasure.

Mr. DEMPSEY. Is it not the fact there is not any place in the entire United States where the United States owns a single terminal? They will be in exactly the same position on these two barge canals as they are throughout the United States, and the United States would be very foolish, economically, to assume terminals anywhere, and it does not assume them.

Mr. HUDSON. Let me say in reply to my chairman that while that may be true, it is also true that the State of New York felt that if the barge canal was to be operated at all it must build these terminals, and they passed bond issue after bond issue to build the terminals as a part of the canal. If they needed them to move 2,000,000 tons of freight on the canal, how many tons can you move without them? They said they could not move any until they had these terminals and the other things necessary to make that possible.

Mr. DEMPSEY. Would the gentleman yield there?

Mr. HUDSON. I can not yield further, because I have not the time.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DEMPSEY. I yield the gentleman two minutes and will use one of it myself and let the gentleman answer me in the other minute.

The State of New York will continue to own the terminals, just as the municipalities and the public interests everywhere own such terminals. There will be no change in the State of New York from the situation everywhere else, and the reason the United States insists that the cities and States own the terminals is that the United States does not and will not assume the expense of maintenance, of operation, and of repair in connection with terminals, but leaves that to the States and municipalities.

Mr. HUDSON. Let me say in reply to my chairman that that sounds plausible——

Mr. DEMPSEY. And is the fact.

Mr. HUDSON. But you can come back here and you will be confronted with a bill for the purchase of these terminals.

Mr. DEMPSEY. Oh, no.

Mr. HUDSON. There is not any question in my mind about that, and you will find they recommended that in the report of the engineers because they thought that made the canal a workable proposition. But I will leave that proposition for the moment.

Mr. WILLIAM E. HULL. Will the gentleman yield?

Mr. HUDSON. I refuse to yield further now.

One of the thoughts I want to leave with you is the excessive cost of the proposition that you are proposing to take over that will never add a thing to the commerce of the United States.

The other thing, and the great thing, is that the inland States of this country need a ship seaway to the ocean. This will not provide it, but will have a tendency to withhold it, and you ought not to have this item in the bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HUDSON. Under leave to extend my remarks I submit the following:

A CHRONOLOGY—EVENTS LEADING UP TO INCLUSION IN RIVERS AND HARBORS BILL OF ERIE AND OSWEGO DIVISIONS OF THE NEW YORK CANAL SYSTEM

July 13, 1929: Chairman DEMPSEY requested review of adverse reports heretofore submitted by Corps of Engineers on the deeper waterway from the Great Lakes to the Hudson River and report on deepening same to 14 feet. Request referred to special board.

November 1, 1929: Special board reported; conclusion reached that deepening to 14 feet not advisable.

December 20, 1929: Congressman DEMPSEY told the Board of Engineers for Rivers and Harbors he did not mean 14 feet, but did mean 13 feet, and asked for reexamination of a 13-foot project. Referred to the same special board for report on 13-foot depth.

February 6, 1930: The special board reported unfavorably. Could not recommend deepening present canal 1 foot.

March 24, 1930: General Deakyne, before Rivers and Harbors Committee of the House, under grilling questioning by Congressmen DEMPSEY and HULL, refused to modify the adverse report of the special board.

March 27, 1930: At a private hearing before Board of Engineers for Rivers and Harbors Congressmen DEMPSEY and HULL made the most extraordinary argument of all times before any engineering board, see page 4.

April 2, 1930: Board of Engineers for Rivers and Harbors reversed adverse reports of special board for both 14 and 13 foot deepening and recommended Federal Government take over Erie and Oswego Canals, and favored deepening at once to 13 feet and later to 14 feet.

April 4, 1930: Chief of Engineers transmitted this report, with his approval, to Chairman DEMPSEY, of Rivers and Harbors Committee.

Aril 5, 1930: Communication received by Chairman DEMPSEY in the morning and voted into the rivers and harbors bill the same morning, with but two dissenting votes. Request by a member of the committee that time be given for examination of report was denied by chairman.

[Source of information, H. Doc. No. 29, 71st Cong., 2d sess., and all quoted portions are taken therefrom]

HISTORY OF THE INCLUSION IN THE RIVERS AND HARBORS BILL OF THE ERIE AND OSWEGO DIVISIONS OF THE NEW YORK BARGE CANAL SYSTEM

On July 13, 1929, the following resolution was passed by the Rivers and Harbors Committee of the House:

"That the Board of Engineers for Rivers and Harbors, created under section 3 of the river and harbor act approved June 13, 1902, be, and is hereby requested to review the reports on the deepeg waterway from the Great Lakes to the Hudson River, submitted in Rivers and Harbors Committee Document No. 7, Sixty-ninth Congress, second session, and reports previously submitted on this waterway and on the Hudson River, with a view to determining the cost and advisability of deepening the channel of the Erie and Oswego Canals from the Tonawandas to Albany, and from Oswego to Oneida Lake, to a depth of 14 feet, and facilitating navigation and avoiding the possibility of stops, delays, and slow-downs through giving the proper elevation to the bridges, or by substituting tunnels for the existing bridges. A schedule of questions deemed important is annexed."

On August 1, 1929, the Chief of Engineers appointed Col. George M. Hoffman, Lieut. Col. R. T. Ward, and Maj. Eugene Reybold as a special board to investigate and report on the above resolution.

On November 1, 1929, the report of this special board was transmitted to the Chief of Engineers. The conclusions and recommendations of the special board follow:

"Having in view all of the circumstances and conditions set forth above, the board finds that the large expenditures required for the proposed extensive improvements of the Erie and Oswego Canals are not

now advisable. It is, therefore, recommended that the deepening of these canals to 14 feet and the general reconstruction of the bridges crossing the navigable channels be not undertaken at the present time."

Following the usual procedure, it is stated on page 7:

"Interested parties were advised of the tenor of the special board's report, and a hearing was held by the Board of Engineers for Rivers and Harbors."

Query: Did the Board of Engineers for Rivers and Harbors reverse the recommendations of the special board on the 14-foot project or did it sustain the special board?

The action of the board can not be found.

At this hearing "local interests modified their request for improvement, stating that deepening the canal to 13 feet would be sufficient without working any damages in the existing locks," etc.

Query: Who or what local interests beside Congressman DEMPSEY made the request for modification?

As a result of this request for modification of the project to 13 feet, the Chief of Engineers referred the subject back to the special board, on December 26, 1929, in the following letter, page 39:

"1. Herewith is the record of a hearing before the Board of Engineers for Rivers and Harbors on your recent report on the Great Lakes to the Hudson waterway. In this connection note also Congressman DEMPSEY'S speech on page 1015 of the CONGRESSIONAL RECORD for December 20, 1929. Our understanding is that Mr. DEMPSEY desires consideration of a waterway, which can be used by the largest vessels that can pass through the existing locks; that is, one with a continuously available depth of 13 feet. To obtain this it appears that overdepth dredging will be required at some points which are subject to silting. As to bridges, he wishes the bridges in regions subject to floods raised sufficiently to give the standard 15½-foot clearance at all times when navigation is otherwise possible. At Lockport the point seems to be a desire of certain shippers to get increased speed of passage by the construction of one high-lift lock in place of the existing flight. His interest in this was perhaps increased by the last sentence of paragraph 14a of the report of the special board. His remarks about back haul are based on the fact that the special board used 25 per cent whereas the statistics for 1927 appear to show on the Erie division 106 per cent for all traffic and 46 per cent for through traffic.

"2. The Board of Engineers hopes to handle this matter without returning the report for revision. It is requested that the special board furnish the following information:

"(a) Estimate of cost of deepening the canal (except locks) to 13 feet with such overdepth as is essential for reasonable maintenance of such a depth. (No widening contemplated.)

"(b) Estimate of cost of raising bridges in sections subject to floods (or substituting movable bridges) so that a clearance of 15½ feet will exist at all times when navigation is otherwise possible.

"(c) An explanation of the discrepancies in the back haul percentage referred to above with revision of the original report if found necessary.

"(d) A brief discussion of the desirability of changes at Lockport, with rough estimate of cost.

"3. Mr. DEMPSEY considers that with the smaller amount of dredging required by this plan the spoil can be deposited on the original disposal areas still owned by the State, without cost to the United States. This should be considered, and if any expense for disposal areas is thought necessary it should be shown as a separate item in the estimate.

"4. The foregoing information is desired at the earliest practicable date. You are requested to advise this office as to when it may be expected."

Reference is made by the Board of Engineers to the speech by Congressman DEMPSEY, page 1015 of the CONGRESSIONAL RECORD for December 20, 1929. To all those States interested in placing the interior of the continent on a sea base by the only route practicable from the standpoint of navigation and cost—the St. Lawrence River—the final paragraph of that speech is most significant. It follows:

"* * * And, lastly, the cheap, practical transportation which will be afforded by the modest improvement now urged will be productive of such enormous benefits to the commerce of the country that it will be a daily lesson and incentive to a greater improvement—to a deeper and better waterway connecting the Great Lakes with the sea."

On February 6, 1930, Colonel Hoffman returned to the Chief of Engineers the special board's recommendations on the modified request (13-foot depth):

"The board is therefore of the opinion that until about double the present tonnage has been reached even the modern improvement now proposed should not be undertaken."

From the foregoing statement of facts it will be seen that the special board reported adversely on both the 14-foot and the 13-foot projects.

After receipt of the "supplemental report" of the special board, to wit, March 27, 1930, Congressmen DEMPSEY and HULL appeared before the Board of Engineers for Rivers and Harbors, "at which additional arguments favorable to the improvement were presented." Some of these extraordinary arguments, as reported in the Buffalo Evening News and Detroit Daily News, follow:

"Authorization of the so-called Illinois waterway will be included in the impending rivers and harbors bill whether the War Department likes it or not, the board was informed by representatives of the coalition backing this scheme for continuing the diversion. * * *

"These manifestos were issued at a quasi-private hearing on the proposal for the Federal acquisition of the Erie Barge Canal, which forms the other leg of the congressional 'deal.' The Congressmen in attendance were S. WALLACE DEMPSEY, of New York, chairman of the Rivers and Harbors Committee, and WILLIAM E. HULL, of Illinois, chief promoter of the deal with the Mississippi Valley States. * * *

"The observations of the two Congressmen constituted a frank warning that the coalition intends to go ahead with the deal in defiance of the custom which hitherto has limited the rivers and harbors bill to these projects which have been approved by the War Department.

"Chairman DEMPSEY until now has delayed action on the present bill in committee in the apparently vain hope that the engineers might be prevailed on to approve the Erie project. The ultimate purpose of this project, which calls for deepening and widening the canal at Federal expense, is opposition to the St. Lawrence waterway.

"The purpose of the Illinois waterway proposal is to overturn the recent decision of the Supreme Court requiring the Chicago Sanitary District to effect a drastic reduction in the diversion of lake water through the Chicago drainage canal. * * *

"'We are going to have the Illinois River project in the next bill,' Representative HULL told the engineer board. * * * 'You ought to see the importance of this from a political standpoint,' Mr. HULL added. 'We don't want to force your hand, gentlemen, but you must realize the Illinois River improvement is going in the bill, regardless of what you think about it.'

"'This talk of Canada being ready to build the St. Lawrence is nothing but camouflage. * * * Now I am coming to you boys—I mean engineers—to ask if you can't in some way or other put this barge canal improvement [the Erie project] in the bill without stultifying your positions.

"'You do not have to make a favorable report on it; you do not have to recommend the immediate appropriation of any money for it. But can't you send it back to us in some shape or other so that we can include it in the bill?

"'I am not talking to you as a lawyer, but, by golly, I know business even if I don't know law. * * * I ask you as friends of the Committee on Rivers and Harbors, and of Mr. DEMPSEY, to frame this report so the committee can act on it. The committee wants Mr. DEMPSEY to be represented in the bill.'

"Equally frank in revealing the voting deal lining up behind the bill, Representative DEMPSEY reminded the board that the Mississippi Valley Association, comprising the States which think to gain by diversion of lake water into the Mississippi navigation channel, favors the Erie Barge Canal project.

"'I took my political life in my hands,' said Mr. DEMPSEY, 'when I fought for the improvement of the Illinois River. The Great Lakes States group was against me, but because I believed in its importance, I threw aside fear and went to battle for it. But what good will this connection of the Illinois and Gulf with the Lakes be, if there is no way to the sea through New York State?'"

Improper and irrelevant as the arguments were, they proved effective, for on April 2, 1930, the Board of Engineers for Rivers and Harbors in its report to the Chief of Engineers recommended:

"* * * That the Secretary of War be authorized and empowered to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal, and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000, provided that such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways, together with any plant, machinery, or equipment necessary, convenient, or incident to the construction, maintenance, or operation of the same that may have been procured in connection therewith, and any rights to the collection of tolls or the development of water power on said waterways which the State may possess or claim."

And this action after the special board had reported adversely on both improvements.

Query: Was this hearing public?

Query: Were all interested parties notified, as is the usual procedure?

Query: Who or what interests presented the "additional arguments favorable"?

Two days later, on April 4, 1930, the Chief of Engineers, in submitting the findings of the Board of Engineers for Rivers and Harbors to the chairman of the Rivers and Harbors Committee of the House, concluded his letter as follows:

"The board, therefore, recommends that the Secretary of War be authorized and empowered to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal, and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways, together with any plant, machinery, or equipment necessary, convenient or incident to the con-

struction, maintenance, or operation of the same that may have been procured in connection therewith, and any rights to the collection of tolls or the development of water power on said waterways which the State may possess or claim.

"After due consideration of the above-mentioned reports I concur in the recommendation of the board."

Query: Upon what authority did the Board of Engineers and the Chief of Engineers recommend that the Secretary of War, acting for the Federal Government, be empowered to accept from New York the present Erie and Oswego Canals, enlarge, maintain, and operate them? The resolution of the Rivers and Harbors Committee merely requested the "cost and advisability of deepening."

MEMORANDUM—STATE OWNED AND OPERATED TERMINALS

In connection with the barge canal system the State of New York has constructed 66 terminals. Of these 66 terminals 50 are located on the Erie and Oswego divisions, and 38 of the 50 have warehouses and are equipped with machinery incident to terminal handling. Two (Oswego and Gowanus Bay) have grain elevators.

These terminals have cost the State $24,000,000, plus $16,137,954 for annual capital charge, a total of $40,137,954. This figure does not include maintenance and operation, permanent betterments, nor damage claims paid.

The Chief of Engineers in gratuitously recommending that the Federal Government accept (no one with authority to speak for New York State has yet made the offer) says nothing about these terminals.

If his recommendation be followed, the Government will have two canal links with no terminals; as useful as a railroad with no freight stations.

Query: How will the canal function?

Query: Will the State of New York ask the Government to own the terminals, reimburse the taxpayers, and equip and operate and maintain them?

If so, this would be embarking the Government permanently in the transportation business in a grandious way.

These are questions which require vastly more deliberation than has yet been given them. The terminal situation on the canal system is carefully dealt with by Colonel Greene, superintendent of public works, in his special report to Governor Smith, February 26, 1926. He said:

"* * * These terminals range in costs from a few thousands to more than a million and one-half dollars. During the past two years no freight was handled at 49 of these terminals, and only 5 warehouses were used for canal freight.

"Examples: At Oswego Harbor the "river" terminal cost $157,661; no freight handled in three years. At the "lake" terminal the State built a warehouse costing $75,818; it has been completed for more than a year and not 1 pound of freight has been in or out of it. At Rochester there are two terminal buildings—one frame, $24,939, the other masonry, $224,968; one shipment of sugar passed through the brick warehouse last season, nothing during 1924; the wooden shed has handled no freight in three years."

"The following terminals have received no canal freight, either in the warehouses or out of them, during the past two years:

Location:	Cost
Rouses Point	$55,069
Plattsburg	159,320
Port Henry	90,346
Whitehall	87,646
Schuylerville	78,312
Cohoes	95,438
Flushing	407,172
Mott Haven	1,039,038
Amsterdam	94,622
Little Falls	87,095
Herkimer	75,363
Ithaca	63,201
Lockport	76,402
Fonda	70,003
Halletts Cove	606,495
Greenpoint	1,608,999

"Official records show that many of our terminals have never been used for canal tonnage since the day they were built. The terminal at so important a city as Albany, costing $312,914, has received but one small canal shipment (lumber) during the past two seasons, and in that time no canal freight at all has gone in or out of the freight house.

"This disappointing list could be expanded, but enough has been shown to refute the contention that the canal lacks terminals. As a matter of fact, we not only have too many terminals but the canal is overequipped with freight houses, machine-shop buildings, derricks, and other terminal facilities, seldom if ever used, but for which maintenance costs must be paid each year.

"Following the failure of the terminals to increase canal tonnage, a demand arose for grain elevators. The State has built two. In spite of the rosy predictions of success made by proponents of these elevators, they have thus far been financial failures; and yet in the face of these failures there is now strong agitation for the State to build more elevators.

The 2,000,000-bushel elevator at Gowanus, completed 1922

Cost, including changes and improvements	$2,107,553.60
Land occupied, approximate cost	350,000.00
Capital cost	2,457,553.60
Annual capital charge, 4 per cent of above	98,302.14
Operating expenses, 1925	160,658.74
Total capital and operating expenses, 1925	258,960.88
State received for business done, 1925 (best in the history of this plant)	139,635.00
Loss (exclusive of depreciation)	119,325.88

"The 1,000,000-bushel elevator at Oswego has been in service too short a time to say in fairness that it is a failure, but it is entirely proper to show its cost and earnings up to January 1, 1926. During the days of agitation for the construction of this elevator it was claimed that lake steamers would be waiting at the wharf to discharge grain on or before the opening date. This elevator was ready to operate on May 16 last, but it was not until October 21, 1925, that any commercial grain was handled. This was Canadian wheat, placed in the elevator for winter storage; there are now 917,000 bushels so stored."

Oswego elevator:	
Elevator cost	$1,445,069.96
Land and part of pier occupied (cost approximately)	200,000.00
Capital cost	1,645,069.96
4 per cent of above for 7½ months	41,126.70
Operating expense for 7½ months	90,005.85
Total cost, 7½ months	131,132.55
Received for elevating, storage, etc	1,397.10
Loss (exclusive of depreciation, 7½ months)	129,735.45

"In view of the financial records of our present elevators, it is manifestly unfair to ask the taxpayers of the State to build more. This is a business principle that can not be challenged"; and then, in italics, he adds:

"'If an elevator at any point along the canal will pay, let private capital or the local community build it and enjoy the profits. If any elevator at any one place in the State will not pay, it is indefensible to burden the taxpayers of the whole State to build and maintain another failure.'

"Spending money for terminals and grain elevators in the hope that increased tonnage would follow has thus far been unsuccessful. While loading and unloading facilities along the canal are as necessary as stations to a subway, is it a sound State policy to build terminals not on the canal proper or elevators at any point?"

Colonel Greene, in his annual report for 1929, discussing State-owned terminals on the barge canal, directed attention to the almost negligible business done at most of these terminals; that at a number of them no tonnage was handled. This includes the new large elevator at Oswego, where the commissioner of public works states no grain was received during 1929. In a supplemental report to Governor Roosevelt, February 15, 1929, he states as his conclusions with respect to terminals:

"That proposals be submitted to the people to amend the constitution—

"To permit the sale of useless canal terminals and of the Ohio Basin at Buffalo.

"That legislation be enacted—

"To permit the sale of the useless canal terminals located on the Hudson River, which terminals can be sold without an amendment to the constitution."

Due to the out-of-the-way location of the State-owned elevator at Gowanus Bay, New York Harbor, it is not largely used by shippers of grain via the barge canal. This is true despite the fact that its elevation charge on canal grain is one-half cent as compared to 1 cent at the rail elevators. Notwithstanding this one-half cent differential, a leading grain exporter says that it is so costly by reason of inconvenience to handle grain through the State elevator at Gowanus Bay that his boats use the railroad elevators. This statement is sustained by the fact that the total ex-canal grain arriving in New York Harbor in 1927, only 39 per cent was handled at the State-owned elevator. The balance, 61 per cent, found it more advantageous to use the elevators furnished by the railroads at the higher charge.

CAPACITY AND TRAFFIC

Colonel Greene, superintendent of public works, State of New York, himself an engineer, has repeatedly stated that the theoretical maximum capacity of the canal is 20,000,000 tons per year. That figure is supported by the Federal Board of Engineers for Rivers and Harbors in House Document No. 7, Sixty-ninth Congress, second session, page 9, where—referring to the year 1925, when the business of the canals amounted to about 2,000,000 tons—it is stated: "In view of the present unused capacity of the New York Barge Canal, estimated at approximately 18,000,000 tons."

Maximum practical capacity is less than the theoretical maximum capacity. The special board in its recent study (House Doc. No. 29), on page 24, said:

"(j) State authorities estimate the capacity of the canal with its present depth of 12 feet to be 20,000,000 tons per year as a theoretical maximum and 12,000,000 tons per year as a practical maximum. These are apparently based on lockage capacity of 2,000 tons, 48 lockages per day, 210 days in season, and six-tenths reduction factor. On the same comparative basis the theoretical maximum capacity of the St. Lawrence canals may be calculated (lockage capacity, 2,400 tons, 40 lockages per day, 230 days in season), giving a tonnage of 22,000,000; to arrive at the demonstrated maximum practicable capacity of 10,000,000 tons the reduction is 0.45 plus. Therefore, judged by experience on the St. Lawrence canals, the maximum practical capacity of the Erie Canal, with 12-foot depth, full lockage vessels, and 5 per cent increase in back haul, can not be rated above 9,375,000 tons."

The question of present capacity is an important one. On it turns the question of whether or not additional capacity is necessary.

The special board points out that the practical capacity of the Oswego Canal is 6,800,000 tons "with the existing fleet." A modernized fleet to take full advantage of the present 12-foot depth would increase the practical capacity to 9,502,000 tons, but the special board adds:

"Since the existing canal fleet contains many boats of small tonnage, few of which can take advantage of an increased depth, and since this fleet will in any event be continued in use for many years and will absorb a large percentage of the possible lockages, it is the judgment of the board that for the purposes of this report and having in view the gradual improvement of the fleet the 12-foot canal should be rated as having a practical capacity during the next 10 years of 8,314,400 tons * * * that the local tonnage which will use the smaller boats and gain little or no benefit from an increased depth should be taken at 1,500,000 tons * * * and that the through tonnage on which savings will accrue will therefore be 6,800,000 tons * * *."

For the purpose of this study practical capacity will be considered on the basis of a full lockage fleet as 9,502,000 tons for the Oswego Canal.

On the same basis, the practical capacity of the Erie Canal is 7,800,000 tons, being about one-third less than the Oswego because of the flight locks at Lockport.

That is their practical capacity. What is their actual traffic movement?

The annual reports of the superintendent of public works, State of New York, show:

Year	Erie Canal	Oswego Canal	Erie and Oswego	Increase over preceding year
	Tons	*Tons*	*Tons*	*Tons*
1922	1,485,109	9,740	1,494,849	
1923	1,626,062	13,169	1,639,231	144,382
1924	1,691,766	18,254	1,710,020	70,789
1925	1,945,466	17,560	1,963,026	253,006
1926	1,935,278	32,659	1,967,937	4,911
1927	2,047,774	89,385	2,137,159	169,222
1928	2,535,685	92,045	2,627,730	490,571
1929	2,422,204	90,838	2,513,042	[1] 114,688

[1] Decrease.

From the above table, column 1, it will be seen that the Erie Canal in 1928, the best year of its history, passed 2,535,685 tons of traffic. That is equivalent to about one-third its practical capacity.

Column 2 shows that the Oswego Canal traffic in its best year, 1928, amounted to 92,045 tons. That is equivalent to about one one-hundredth of its practical capacity.

The combined tonnage, column 3, for 1929 amounted to 2,513,042 tons, or about one-fourth the combined practical capacity.

Column 4 shows that the total increase in traffic over the 7-year period was 1,132,881 tons minus the decrease in 1929 of 114,688 tons, making the net increase 1,018,193 tons, or an average yearly increase of only 145,456 tons.

At that average rate of increase over the past seven years, using the 1929 tonnage as a basis, it would require 48 years to reach capacity.

By doubling that average increase each year it would take 24 years.

By tripling the average increase each year it would take 16 years.

While to reach capacity by 1928, the date set by the engineers, the average increase per year for the past seven years would have to reach the unbelievable figure of almost 600 per cent.

Here is the method by which the board reaches its conclusion that traffic will reach capacity in 1938:

The St. Lawrence canals, it says, have now reached capacity, therefore the difference between the estimated total traffic interested in reaching seaboard by water in 1938 must use the Erie and Oswego Canals.

This statement is based upon the fallacious assumption that upon the opening of the new Welland Ship Canal, the Erie and Oswego Canals will fall heir to all the estimated increased tonnage over the next eight years. This assumption overlooks two very important facts.

First. The Canadian railroads are making complete preparations for excellent rail connection with the new transfer elevator being built at Prescott, Ontario.

Between Prescott and Montreal the rail distance is only 113 miles and water grade. The statement has been made that special equipment, hopper-bottomed larger capacity grain cars will be provided and that the rate on grain between Prescott and Montreal will not exceed 4 or 5 cents per bushel. No such rate could be made Oswego to Albany or New York.

Second. The opening of the New Welland, July 1, extending the radius of the upper lakers 250 miles eastward, will mean a repetition of the situation which resulted in 1887 from the enlargement of the Welland Canal from 9 feet to 14 feet.

Prior to this enlargement considerable traffic developed through the 9-foot canal to Oswego for transfer at that point to the Oswego branch of the Erie Canal. The enlargement of the Welland to 14 feet, however, permitted the vessels of the size then operating on the Great Lakes to go into Lake Ontario; but, instead of stopping at Oswego, the more economic carriers continued on down the St. Lawrence 222 miles to Ogdensburg, N. Y. The enlargement of the Welland therefore did not have the effect of increasing traffic over the Oswego Canal; on the contrary, there was a steady decline at Oswego and a steady increase in the receipts at Ogdensburg.

July 1, 1930, will herald a return of that situation. Ogdensburg, like Prescott across the river, is the logical United States transfer port, because, first, it will provide for the interchange from large lake carrier to the smaller St. Lawrence boats or rail at a point which will result in lower-cost carriage for the grain shipper; second, for storage grain to be shipped to the seaboard during the winter months Ogdensburg is better situated than is Oswego. The railroads that serve Ogdensburg own grain elevators in Boston, while the roads that serve Oswego do not own elevators at New York Harbor. They would have to depend upon the elevators owned by the roads coming in from Buffalo, which do own elevators in New York. Third, for New England markets and for export the rail distance is much shorter from Ogdensburg than from Oswego.

And so, from a study of the factors involved—all of them fundamental—it becomes apparent that the New York canals are not likely to get any increased proportion of existing or future traffic development, and, therefore, their present maximum practical capacity is not likely to be reached short of 25 years.

Mr. CHALMERS. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I did not expect to speak on the bill during this debate. My remarks placed in the RECORD yesterday cover the subject as well as I can present it. It would require an extended study to analyze a fraction of the 154 projects in a bill placed in our hands less than 48 hours ago. Some of you know that for years I opposed these river and harbor bills. At that time I was a member of the Rivers and Harbors Committee, and if I had remained on the committee would now have the place occupied by its distinguished chairman, Mr. DEMPSEY, because I was ranking member at that time. Another committee assignment was preferred on the Ways and Means Committee and I believed it was better so for all parties, because I could not approve of the policy of omnibus inclusion of good and bad items that obtains with respect to river and harbor bills.

There is not a member on the Democratic side, and I give them just as much credit as I do to those on the Republican side, who is opposed to the bill so as to claim recognition when the Chair offered to give you the control of half the time. Only a scattering number admitted they were opposed to the bill on the Republican side. This is because there are 154 projects in the bill. It is much like this in connection with tariff demands to save your own project. That is what everyone here is looking for, and it can not be secured without voting for 150 other projects, whether good or bad.

Mr. CROSSER. Will the gentleman yield?

Mr. FREAR. The gentleman knows I can not yield.

Mr. CROSSER. No; I do not know it.

Mr. FREAR. Then I must refuse to yield in the few minutes I have to devote to the bill.

There are 346 surveys in this bill in addition to the 154 projects. They are expected to bring votes to the bill. It is a pork barrel omnibus bill of good and bad that stands or falls as written, and as I said to the gentleman from Illinois a little while ago, he could not get 50 votes for the Illinois River proposition or for the average project in the bill if it stood by itself.

Mr. WILLIAM E. HULL. We have 28 votes in Illinois.

Mr. FREAR. You can get it passed when everything else in the bill depends on it, for they all hang together. All must stand like a house of cards, and if one is knocked out all go down together.

Think of this proposition of a $10,000,000 annual burden for the State of New York that we are asked to assume by taking over this Erie Canal, a canal that has only a little over 1,000,000 tons of actual commerce carried from Buffalo to New York. We

have statistics of some local freight and of nearly a million tons of sand, gravel, and oil. This is very largely a canal for the free use of great oil companies. We could better afford to pay railway freight on every ton of sand, oil, and grain than assume this project. It gave me pleasure and anticipation to hear my friend the gentleman from New York [Mr. DEMPSEY] tell the House how these oil companies are going to reduce the cost of oil after we take over this Erie Canal proposition. Does anyone here think that will occur? I am sure you can not have that impression, but it is a familiar argument. Not one cent of reduction will ever occur in any product carried over this canal. Oil prices have no relation to this canal, but will only be reflected in oil profits based on a Government expenditure of hundreds of millions of dollars.

I may say that the chairman of this committee is a man who has tried to fill his difficult position well, but I regret that he has forced his Buffalo canal proposition into the bill after it was objected to by the Army engineers year after year until last month when they surrendered to the chairman of this committee. It is one of the worst things I have ever heard of in all the history of pork barrels, and we had a great number of them when I was on the committee. It innocently pretends to cost the taxpayers of the country $2,500,000 annually, but everyone knows if its purpose is carried out it will eventually be nearer ten times that amount and an "investment," according to Army engineers, of over $500,000,000 for a deep ship canal.

The bill was much larger a few days ago and one item for this same canal meant an expenditure of nearly $27,000,000, but the President of the United States refused to indorse it, according to the press.

Mr. WILLIAM E. HULL. Oh, no.

Mr. FREAR. Yes; he did if the press statement is correct. I do not know what occurred between your Army engineers and the gentleman from Illinois who interrupts and the gentleman from New York, chairman of the committee. I do not know how you ever swung over your combination, but the President of the United States would not permit the additional amount of $27,000,000 on this canal with a twenty or thirty million dollar deficit in the Treasury staring him in the face, as he stated yesterday.

However, notwithstanding this situation, you are now asking us to take over this canal that has cost the State of New York about $147,000,000, an enormous waste of State funds. We are going to put in probably $500,000,000 more of Government money and then we will only have a miserable canal, that, according to statements made by Chairman DEMPSEY, will be a substitute for the St. Lawrence waterway.

I am not so much interested or fearful about the question of a deep barge canal, the alleged purpose, excepting its wasteful extravangance with public funds. I do expect that from now on, following the lead of Governor Roosevelt, of New York, Mr. BOYLAN, who has the virtue of frankness, Chairman DEMPSEY, and the New York delegation, that all will oppose, directly or indirectly, the St. Lawrence waterway, because there is alleged to be a combination we can not get away from. This wasteful canal project ought to defeat the bill and is a startling proposal to filch a king's ransom from the Government Treasury under a plea of "commercial needs."

Now, my friends, there are other objectionable things in this bill. I do not know about the Illinois River project. It has been diverting lake water for years without authority of law. I sent for the Illinois report not 15 minutes ago as I had done before and could not get it. Nearly every one of these projects is based upon an engineer's document that in many cases you can not secure. What do the members of the committee know about them? Do you know about all of them? Not one Member I submit can possibly understand projects where the engineers reports are not to be had.

Mr. WILLIAM E. HULL. I know about one of them.

Mr. FREAR. My friend knows about the Illinois project, and he will stick to it, and I do not blame him for his position; that is his project. Many Members know only about their own project; that is a vice of the pork-barrel system of legislation where all stand together.

I am going to put in the RECORD to-day a statement showing that on a project in this bill carrying $10,000,000, as wasteful as can be found, the Army engineers reported 169,000 tons of freight on that part of the Missouri River last year, when only 277 tons of that entire 169,000 tons could possibly be reckoned as real freight or commerce.

My time has expired, and I thank you, gentlemen, for your kindness in listening to me. [Applause.]

I call attention for illustration to the Missouri River betweeen Kansas City, Mo., and Sioux City, Iowa, page 24 of the bill, authorizing $15,000,000 for a project that is as worthless and indefensible as anything that can be found in all the old pork barrels, and they certainly were filled with many worthless and wasteful projects.

Briefly, this small branch of the upper river was first improved in 1868, and there has been appropriated on it to date by the Government $5,320,482 with practically no results (p. 1166, vol. 1). It is suggested in the reports that additional appropriations of $9,910,000 more be made, although on page 24 the amount appears at $15,000,000. No reason is given for not placing the amount at $50,000,000, so far as any possible commercial value appears. The waste in Government funds is only measured by the amount used.

What does the Government get for this enormous expenditure of money? "Commerce" has been stationary for many years, supposedly around the figure of 100,000 tons, and in the report of 1928 (vol. 1, p. 1166), gives the Army engineer's estimate at 169,654 tons of commerce. He so reports.

Unless the Army engineers made some favorable report they would likely be removed because of the pressure from the locality, but to show how far good conscience can be stretched even by Army engineers, let me quote the character of this commerce last year on page 616, volume 2, Army Engineers' Report.

	Tons
Total "commerce" reported	169,654
Items of "commerce" in 1928 (vol. 2, p. 616):	
Piling for river work	2,916
Trees for river work	6,910
Sand barged by owners	140,786
Stone for river work	15,391
Coal for river work	2,360
Concrete for river work	160
Machinery for river work	200
	168,723
Total reported, p. 616	169,000
Actual commerce	277

From the foregoing it would appear that 277 tons of actual commerce is reported on the river, of which, however, 75 tons were logs, never weighed but purely guesswork, and these logs certainly needed no river work, because all consisted of floating logs. Can any evidence of the general character of many of these worthless projects be more convincing than this illustration—taken at haphazard of a project in the bill after an expenditure of several millions of dollars on this section of the river?

If there is any more indefensible method of distorting figures to deceive Members of Congress as to actual facts concerning some of these waterways, I submit it has not yet been produced. Distortion of one kind or the other is had either by dividing up the river into districts or by carrying sand, gravel, and other so-called freight across the river or a distance of several miles, but with an imposing array of figures to justify these enormous expenditures by Army engineers, often without any commercial result.

After over a half century of Government improvement, with an expenditure of $5,000,000, can any better demonstration be offered of the character of this 1930 pork barrel that demands $10,000,000 more money from the Treasury, and granted by the committee?

Based on past experience, it is beyond question that many similar projects can be found in this bill, but no Member can be expected to have even a superficial knowledge of the bill when practically 90 per cent of the "projects" are referred to by document numbers, some of which are not to be obtained because not yet printed. We sit here regularly and contest items of clerk hire, veterans' relief, and countless bills that do not reach more than a fraction of this huge pork barrel. How can we stop its passage in the House when projects like the Illinois River with its 28 votes will be found with the 43 votes of New York State if the alleged combination discussed here to-day is carried out? I am leaving the proposition with you and have no more responsibility than any other Member, but when the President warns Congress that a deficit of $20,000,000 or $30,000,000 confronts us I submit that it is a startling commentary on legislation that this bill for $110,000,000 is brought to us with the old deserted Erie Canal, that New York intends to load on the Federal Government with future obligations as large as Sinbad's burden. Out of the 154 projects, not one-quarter could get past Congress unless coupled up with the other three-quarters that are indifferent, bad, and wasteful, only put in to meet the demands of local constitutents who insist that Congressmen "bring home the bacon." The Senate yet stands in the way and the President will cause no injury to the public interest if he vetoes this bill when it gets to him. Let him demand that the New York canal be brought in as a separate bill, and I predict no President will be called on to veto it for Congress will never pass it nor many other items if standing alone. The present omnibus river and harbor bill is indefensible

Mr. DEMPSEY. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. CULLEN] to distribute as he sees fit.

Mr. CULLEN. Mr. Chairman, I have several requests, and 20 minutes is all I have to distribute. Ten minutes is promised to the gentleman from New York [Mr. O'CONNOR], and, of course, I can not break that, and I yield him now 10 minutes.

Mr. O'CONNOR of New York. Mr. Chairman, I may not use the 10 minutes. There are many statements made here, however, that should be answered, and I wanted a little more than five minutes.

In the first place the Erie Canal is no small proposition to be given to anybody, and all this extravagant talk about its being "handed" to somebody should be discounted until the facts are known.

The first Erie Canal was started in 1825 by George Clinton of illustrious fame and name.

The canal, from 1903, has been improved by the State of New York at a cost of from $150,000,000 to $200,000,000. The canal takes shipments from the Lakes to the sea by way of Albany, a distance of some 500 miles, compared with a route which lies through the St. Lawrence of over 1,100 miles.

There have been excerpts read from a report of the superintendent of public works of New York, published in 1926, to the then governor in which it was said that the annual cost of the canal in excess of receipts was some $10,000,000. But it must be remembered that this is a free toll canal. In that way the State of New York has been in so far contributing, not alone to its own residents but it has been contributing to the entire Nation.

In the report which accompanies this measure the engineers say in effect that this is an interstate waterway, that it is not solely for the use of the State of New York; that there is no other waterway, hardly, in the United States comparable with it.

Now, when this report of 1926 was read, whereby it was stated that the cost of the freight was $4.51 a ton, I asked the gentleman from Ohio [Mr. CHALMERS], in all fairness, to read the next paragraph.

Mr. WAINWRIGHT. Will the gentleman yield for a short question?

Mr. O'CONNOR of New York. I yield.

Mr. WAINWRIGHT. How much longer would the territory represented by a great many of these people who are opposed to the barge canal still be a howling wilderness if New York had not built the original Erie Canal?

Mr. O'CONNOR of New York. Why, the original Erie Canal did more than anything else to develop the West. There should be no sympathy with anyone opposing it and talking about the selfishness of New York, when New York pays over 30 per cent of all of the costs of the Government and contributes over 30 per cent of the taxes.

Mr. HUDSON. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. HUDSON. Is it not a fact that you can do that because of the great interior——

Mr. O'CONNOR of New York. I did not hear the gentleman. What does New York get out of its huge contribution to the cost of the Federal Government? Take the Federal highway system, for instance; what does New York get out of the hundreds of millions of dollars appropriated for Federal highways? And yet she pays one-third of the cost of all those highways throughout the Nation—willingly and gladly.

Now, I asked the gentleman from Ohio to read the next paragraph in the report from which he was reading. He refused to read it, and so I shall read it.

The superintendent of public works of New York also said:

> It should be remembered, however, that it would not have cost the State one penny more for maintenance and operation during 1925 and the canal carried its full 20,000,000 tons capacity, in which event the per ton cost would have been only 52.8 cents and the canal, thereby, a benefit to the taxpayers.

I deny the statement that this project proposes the expenditure of $150,000,000 for bridges over the canal. That was a wild statement by the gentleman from Minnesota. This bill does not propose that. It does not propose to even change the bridges. They are going to be left substantially as they are.

Mr. MICHENER. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. MICHENER. If the bridges are to be left as they are to-day, is it not a fact that there must be specially constructed barges?

Mr. O'CONNOR of New York. That question is typical of the confusion in reference to this proposal. This barge canal does not conflict in any way with the proposed St. Lawrence waterway. The Erie Canal is a barge canal and intended to remain a barge canal. The other, the St. Lawrence, is a ship canal. I asked one of the gentlemen who just spoke to yield to me for a moment when he talked about "ships going down to the sea through Montreal." I wanted to ask him what flag would fly on those ships. Why, gentlemen, every ship would fly an English flag. Our goods would go down to the sea in British bottoms. The American flag would fly over all the barges in the Erie barge canal.

This is what the Army engineers said in the report recommending this proposition:

> At least half the traffic moving over the waterway consists of interstate and foreign commerce. The canal forms an important link in the widespread system of Federal waterways, and its value will be greatly increased after completion of certain improvements contemplated or now in progress on other waterways.

Also, I tried to get a chance to get in a question to the gentleman from Michigan [Mr. HUDSON] about a report on this project and how it came out of the committee. I am reliably informed that when the unfavorable report from the Army engineers upon this proposition was sent to this House committee, it was unanimously sent back to the engineers.

Mr. HUDSON. That might be the unanimous votes of those who were present, but it does not mean the unanimous vote of every member of the committee by any means.

Mr. O'CONNOR of New York. Oh, absence is always an alibi.

Mr. BURTNESS. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. BURTNESS. Does the gentleman approve of a method of that kind, that, having the engineers' report, based on scientific knowledge, if it is adverse, not satisfactory to the committee, the committee should send it back? Does the gentleman approve tactics of that sort? The gentleman is the one who has stated that. Just what happened I do not know.

Mr. O'CONNOR of New York. I am informed that it did happen. The committee determines, of course, in the final instance what projects will be recommended to the Congress, and the committee is not bound by any report of engineers. There is often a number of reports on all of these projects, but none of them definitely final until the committee acts on them.

Mr. BURTNESS. Surely the gentleman concedes that the scientific report furnished by the engineers should be furnished on their own judgment with reference to research and the work they do.

Mr. O'CONNOR of New York. I know how keenly the gentleman feels about this, and everyone reading this morning's RECORD was shocked to see the personalities indulged in by the gentleman in the 60-minute "speech" of the gentleman, which was never delivered on the floor of the House. This matter has raised a lot of heat, but there is no reason for it. New York State is behind every waterway project in the Union. New York State voted for all of the flood relief along the Mississippi and other rivers. New York has been proud of its canal system. It is, however, a national and interstate waterway. It is ridiculous to take figures and say that it is going to cost the Federal Government $10,000,000 a year for maintenance when the report of the engineers say, after investigation, it will cost $2,500,000 in maintenance.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CULLEN. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Chairman, ladies and gentlemen of the committee, one of the benefits that comes to you subconsciously if you live in a large city is to give you a broad, cosmopolitan viewpoint of things. The man or the woman resident of a large city takes a large view of things. I say right here now that there is nothing provincial about the great State of New York. Of course, we know that we are paying 30 per cent of the entire expenditures of Government, but that does not make us narrow or small. We are ready and willing to help dredge the little river in Florida or the creek in Maine or some little rivulet in the far Northwest or the great Southwest. We are willing to pay our share toward all that, but it seems to me that whenever the question of the canal from the Great Lakes to the ocean is mentioned something comes over gentlemen from the great West and the Middle West and the Northwest. It reminds me of the famous plot of history, the famous Guy Fawkes gunpowder plot, where they were going to blow up the Parliament buildings. There is something sinister when the State of New York proposes to give anything to the Government. My distinguished friend from North Dakota [Mr. BURTNESS] did me the honor of mentioning me in his speech yesterday and said there was something ulterior in my motive in introducing a resolution that a joint committee of Congress be appointed to collaborate with a like committee of the State of New York

with reference to this barge canal matter. Let me say to the gentleman, whom I esteem most highly and whose friendship I value, that the great State of New York has no desire to interfere with the project from the Lakes to the seaboard by way of the St. Lawrence River, but let me also say in passing, although my dear friends are heated over this project, Canada to-day remains cold toward it.

She has shown no evidence that she wants it. Yet you want to thrust a gift upon her which up to the present time she has shown no desire to accept.

The gentleman from Ohio [Mr. CHALMERS] spoke to you about editorials in Ohio papers opposing the barge canal. I would rather take the seasoned experience of the distinguished chairman of the committee, Mr. DEMPSEY, of New York, who has been familiar with this project for the past 16 years, and the Chief of Army Engineers, who has given careful and exhaustive study to the matter, than to one editorial writer.

For over a hundred years the State of New York has maintained these canals, originally being the only outlet for the Lake States to the Atlantic seaboard.

New York now asks that the Federal Government take over the barge canal as a link in the great inland chain of waterways which afford safe navigation for inland traffic from one end of the country to the other. Of the entire commerce borne by the New York State Barge Canal, over two-thirds of it originates from interstate ports without the State.

New York State is not a grain-producing State as such, yet it has gone to the expense of millions of dollars in constructing magnificent grain elevators at the ports of Buffalo, Oswego, and New York.

The United States Government should seize this splendid opportunity offered by the great State of New York and promptly take the necessary means of cooperating with the State in taking over the operation and maintenance of this splendid waterway.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CHALMERS. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

GREAT LAKES-NEW YORK BARGE CANAL SYSTEM

Mr. BROWNE. Mr. Speaker, bill H. R. 11781, consisting of 72 pages, introduced by the chairman of the Rivers and Harbors Committee, Mr. DEMPSEY, April 21 and not available until three days before its consideration, carries 156 projects and 345 surveys and authorizes an appropriation of $110,000,000 and is one of the most important bills which has been introduced at this session of Congress. No report was available until yesterday and no hearings on the bill have been printed.

The provisions in this bill which I am most concerned about and which I think the people of at least 15 or 16 States are the most interested in is the provision on page 5 of the bill authorizing and empowering and directing the Secretary of War to accept from the State of New York the State-owned waterways known as the Erie and Oswego Canals and thereafter maintain and operate them as navigable waterways of the United States. If this section of the rivers and harbors bill becomes a law, it will in my opinion sound the death knell to the Great Lakes-St. Lawrence waterway project.

NEW YORK BARGE CANAL SYSTEM

The New York Barge Canal system is made up of four divisions. The principal one, known as the Erie division, extends from Albany westward to Tonowanda on the Niagara River, a short distance east of Buffalo. A second link, known as the Oswego division, extends from Three Rivers, on the Erie division, northward to Lake Ontario at Oswego. These are the divisions which it is proposed shall be taken over by the Federal Government. This means beyond question the taking over by the Federal Government of the whole New York Barge Canal system.

OPPOSITION TO BARGE CANAL

The New York Barge Canal system has been a tremendous expense to the State of New York. It has cost the State from 1905 to 1925, $230,881,013.64, according to the statement made by Governor Smith to the State legislature January 7, 1925.

I am opposed to the Federal Government taking over this project for two reasons. First: The taking over of the New York Barge Canal system, in my opinion, will kill the Great Lakes-St. Lawrence waterway system, which has been favorably reported upon by every one of the many commissions which have ever been appointed to make investigations as to the comparative merits of the two systems. The most distinguished Government engineers of this country and Canada, including President Hoover as chairman of the last commission, have given their unqualified approval of the St. Lawrence system after making an exhaustive study of the subject. President Hoover, through the State Department, at this very time is endeavoring to negotiate a treaty with Canada which contemplates the full development of the Great Lakes-St. Lawrence waterway.

It is inconceivable that the United States would undertake the construction of the Great Lakes-St. Lawrence waterway project and also the Hudson barge canal project. The great expense of construction and maintenance and the competitive nature of these two waterways, extending from the Great Lakes to the Atlantic Ocean, would make it unwise and impracticable to undertake both projects.

The distinguished chairman of the Rivers and Harbors Committee [Mr. DEMPSEY] represents the prosperous and interesting city of Buffalo, N. Y., one of the largest transfer cities in the world. No city outside of the city of New York transfers as many tons of freight from railroads to boats and from boats to railroads as the city of Buffalo. Of course, everybody knows that if the Great Lakes-St. Lawrence waterway is completed that the large volume of freight which now comes down the Lakes bound for ports on the Atlantic seaboard or going to European or South American countries will not stop at Buffalo and be transferred to the railroads, but will go directly through the Great Lakes-St. Lawrence waterway without wasting any time or expending money in the city of Buffalo. I do not believe that under these conditions that Buffalo should decide for us the waterway to the sea which will be the most practical and useful.

I do not criticize my very distinguished friend who represents Buffalo [Mr. DEMPSEY], but congratulate his constituents for having such a resourceful, energetic, and persistent Representative. He has consistently opposed the Great Lakes-St. Lawrence waterway since he came to Congress, 16 years ago, and has done more to delay and prevent the construction of the Great Lakes-St. Lawrence waterway than any other living man.

NEW YORK BARGE CANAL A FAILURE

In my opinion, based upon the testimony of disinterested engineers and the statement of Governor Smith and Col. Frederick Stuart Greene, superintendent of public works of New York, the New York Barge Canal system has proven to be a great expense to the State of New York with no adequate returns for the money expended, and would continue to be a failure and an unwarranted expense if taken over by the United States.

NEW YORK BARGE CANAL A FAILURE ACCORDING TO THE GOVERNOR OF NEW YORK

Official testimony from the Governor of the State of New York and the superintendent of public works briefly is as follows:

The barge canal, including construction, terminals, grain elevators, repairs, maintenance, operation, and payment of claims for damages, has cost the people since 1905 up to date (January, 1925), $191,000,625.91; between 1905, when the first canal bonds were sold, up to 1925, inclusive, we have paid in interest, $39,880,386.73; making the total cost of the barge canal up to date, $230,881,013.64.

[Extract from special report to Governor of New York, by Col. Frederick Stuart Greene, superintendent of public works, February 26, 1926]

The cost of the canal during 1925 was:

Maintenance and operation	$2,981,841.26
Capital charge	6,137,495.08
Permanent betterments	1,092,051.52
Claims paid	722,175.89
Gross cost	10,933,563.75
Less receipts	359,936.91
Net cost to the taxpayers	10,573,626.84

The greater part of the tonnage was bulk freight—grain, sulphur, salt, etc.—which is carried at low rates both by water and by rail; a fair average rail rate on the commodities carried by canal from Buffalo to New York, the longest haul, is $3.70 per ton. In 1925 it cost the State $4.51 per ton for all freight floated on the canal, regardless of the length of haul. From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

EXCERPTS FROM GOVERNOR SMITH'S MESSAGE TO THE LEGISLATURE, JANUARY 7, 1925

In considering transportation I deem it highly important that we give careful consideration to the barge canal and all of the known facts connected with it. No one can deny that the construction, maintenance, and operation of the old Erie Canal was a strong factor in the upbuilding of the commerce and business of the State of New York. At the time of its opening, 100 years ago, there was a great demand for waterway transportation. In fact, the Erie Canal was responsible for the supremacy of the Port of New York. * * *

COMPARISON WITH BARGE-CANAL TONNAGE AND COSTS

Interesting also is the history of the tonnage carried on the old Erie Canal by comparison with the new barge canal. Taking the six years prior to the abolition of the tolls—from 1877 to 1882—32,593,646

tons of freight passed through the old Erie Canal, or an average yearly of 5,434,474 tons. The new barge canal was really not opened for operation until 1919. Taking the six years from 1919 to 1924, we have 9,842,884 tons of freight carried, or a yearly average of 1,640,481 tons. In making a comparison of these figures it must be borne in mind that the new canal was designed to carry about four times the amount of freight that could pass through the old Erie Canal in a given period. * * *

COST OF BARGE CANAL, 1919–1924

I am placing before you in this report what to my mind are important facts in connection with the canal. Now, let us look a little into the future. The canal, like every other giant transportation enterprise, is deteriorating annually. All of its works and appurtenances are subject to the elements and wear and tear. As each year passes we must expect increased cost for maintenance and repairs, especially to the mechanical and electrical equipment.

In the 6 years beginning with 1919 and ending with 1924, in salaries alone to the operating forces we have paid out	$8,742,318.59
In maintenance and operation, which includes dredging, bank protection, painting of structures, etc	9,703,758.41
In that same period, for new construction and permanent betterments we have expended	12,561,000.00
Making a grand total of	31,007,077.00

IMMEDIATE REQUIREMENTS OF BARGE CANAL

We come now to the requests from the department of public works for 1925:

Personal service	$1,709,095.80
Maintenance and operation	2,473,600.00
Construction and permanent betterments	1,070,000.00
Making a grand total	5,252,695.80

A large part of the $1,070,000 item is required to take care of conditions that arise from time to time because of the incomplete condition of the canal itself. Floating apparatus for dredging purposes must be in constant use, because the unprotected banks of the canal wash into the stream. Not only is the State compelled to spend large amounts of money to dredge it, but we are confronted from time to time with claims for private individuals whose land has been washed into the canal. * * *

NEEDS OF THE BARGE CANAL IN IMMEDIATE FUTURE

* * * to complete the canal to a point that would make unnecessary the enormous annual expenditures for dredging, complete the terminals, remove sharp bends that interfere with navigation, and do other essential things will cost approximately $16,606,000. I am further informed at the office of the attorney general that there are pending against the State 751 claims for damage, water rights and privileges, appropriation of lands, and so on, the face amount of which is $23,892,472.62.

The Wall Street Journal recently said:

It is proposed that Uncle Sam take over the New York State canals. New York could well afford to pass them over plus $50,000,000 in gold if Uncle Sam were foolish enough to accept.

Examinations and surveys ordered by Congress as follows—They speak louder than words as to failure New York Barge Canal waterways

Examinations	Year	Recommendations	Conclusions
Tonawanda-Olcott route, Oswego-Mohawk route, St. Lawrence-Richelieu-Champlain route, Erie Canal route; depth 22 feet; locks 530 by 60 feet.	1897	Unfavorable	House Document No. 86, Fifty-fifth Congress, first session. Annual report Chief of Engineers, 1897, p. 3128. Discussed various ship-canal routes but recommended that the construction of a barge canal 12 feet deep and 82 feet wide on the bottom would serve to transport the tonnage of the Great Lakes to the sea and was worthy of being undertaken by the United States.
Hudson River, with a view of securing increased depth	1912	do	House Document No. 1160, Sixty-second Congress, third session. Preliminary examination of deepening the Hudson to Troy. Contains commercial data. Concludes that a further improvement other than provided for in existing project is not warranted at present.
Great Lakes-Hudson River, consideration of commercial aspects	1918	do	Senate Document No. 301, Sixty-fifth Congress, second session. Report of the Secretary of Commerce on the commercial advantages of ship canals connecting the Great Lakes and the Hudson River.
Harbors and connecting waters of the Great Lakes	1918	do	House Document No. 755, Sixty-fifth Congress, second session. Preliminary examination to determine what additional improvement to harbors of the Great Lakes would be required to permit full advantage to be taken of the new Welland Canal. Concludes no present improvement justifiable.
St. Lawrence River above St. Regis	1918	do	House Document No. 1591, Sixty-fifth Congress, third session. Preliminary examination for channel for ocean-going vessels. Revises data of Board of Engineers on deep waterways.
Waterway between the Great Lakes and the Hudson River.	1920	do	House Document No. 890, Sixth-sixth Congress, third session. Preliminary examination for channel for ocean-going vessels. Recommends no further consideration until actual completion and use of new Welland Canal and actual demonstration of the adequacy of the New York Barge Canal.
Do	1925	do	House Document No. 288, Sixth-ninth Congress, first session. Report from the Chief of Engineers on preliminary examination and survey of deeper waterway from the Great Lakes to the Hudson river suitable for vessels of a draft of 20 or 25 feet.
Do	1926	do	House Document No. 7, Sixty-ninth Congress, second session. Letter from the Chief of Engineers, U. S. Army, transmitting report of the Board of Engineers for Rivers and Harbors and a special board of engineer officers on review of reports heretofore made on the waterway from the Great Lakes to the Hudson River.
Erie Barge Canal to be deepened to 14 feet	1929	do	Board of Engineers for Rivers and Harbors.

On July 13, 1929, a resolution was passed by the Rivers and Harbors Committee of the House.

On August 1, 1929, the Chief of Engineers appointed Col. George M. Hoffman, Lieut. Col. R. T. Ward, and Maj. Eugene Reybold as a special board to investigate the report.

On November 1, 1929, the report of this special board was transmitted to the Chief of Engineers. The conclusions and recommendations of the special board follow:

Having in view all of the circumstances and conditions set forth above the board finds that the large expenditures required for the proposed extensive improvements of the Erie and Oswego Canals are not now advisable. It is therefore recommended that the deepening of these canals to 14 feet and the general reconstruction of the bridges crossing the navigable channels be not undertaken at the present time.

GREAT LAKES-ST. LAWRENCE WATERWAY

A great landlocked territory, larger than Germany, France, Italy, Great Britain, and Spain combined, is seeking an outlet to the ocean through the Great Lakes-St. Lawrence waterway. This territory produces one-half to seven-eighths of the staple products, excluding tobacco and cotton. It provides a surplus of meat, wheat, and dairy products and leading minerals; it produces 75 per cent of the wheat, 65 per cent of the corn, 100 per cent of the flax, 85 per cent of the iron, 39 per cent of the copper, 74 per cent of the zinc, 46 per cent of the lead, and 50 per cent of the sugar beets and potatoes, and more than 50 per cent of the Nation's cattle, swine, and dairy cows, and over 60 per cent of the horses, and more than 75 per cent of the automobiles and trucks, and more than one-third of America's manufactured products.

The commerce of the Great Lakes in the last 20 years has grown by leaps and bounds. A greater tonnage passes through the Sault Canal, connecting Lake Superior and Lake Huron, than passes through the Panama and Suez Canals together.

THE ST. LAWRENCE ROUTE SHORTER BY 625 MILES

The actual distance by the St. Lawrence River from Lake ports to northern European points is less by 625 miles than it would be from Ontario via New York. From Lake Ontario to Montreal, 183 miles of river and lake, there would not be to exceed 25 miles of restricted canal navigation and not to exceed nine locks and eight bridges. Within two or three months the new Welland Canal, constructed by the Canadian Government, will connect Lake Erie with Lake Ontario and is of capacity to carry the largest vessels.

Besides benefiting the 40,000,000 people whose territory is tributary to the Great Lakes, it would also benefit New England. I hold in my hand a booklet of 151 pages entitled "New England and the St. Lawrence," written by a distinguished business man of Boston, Henry I. Harriman, president of the Boston Chamber of Commerce, who proves conclusively that the St. Lawrence waterway would be of inestimable value to all of New England. Mr. Harriman's conclusions are confirmed by Alfred H. Ritter, who has written a book on the Great Lakes-St. Lawrence Ship Canal.

Mr. Hoover, whose great engineering ability no one questions, while Secretary of Commerce, made the following statement:

I have had the honor to serve during the past three years as chairman of the President's commission upon the St. Lawrence waterway. In cooperation with the Canadian authorities we have undertaken an exhaustive investigation of the economic and engineering problems. In accord with the compelling interpretation of facts, our American commission has recommended that its construction be undertaken. It would remove a great barrier to world transportation. It is urgent to the prosperity of the vast mid-West. It will contribute to the relief of many of its postwar difficulties. It will contribute a wealth of hydroelectric power. It is a task worthy of the strength and purpose of the two sister nations who have in two centuries already overcome countless obstacles in implanting the most hopeful civilization of history.

Our engineers have determined full plans by which we can ultimately secure a 30-foot channel, admitting to the Lakes 88 per cent of all ocean-going vessels which touch North American ports; and thus great cities like Fort Williams, Duluth, Chicago, Detroit, Cleveland, Buffalo, and Toronto may take their place and part as the seaboard of the world.

While the works to convert the St. Lawrence to a shipway must be on a stupendous scale—the greatest engineering project of modern history—yet they are comparatively simple in character, as are most great things. It is proposed that we shall construct three or four big dams across the St. Lawrence River and thus transform its rapids into great pools, the passing of which by appropriate locks and canals make the shipway.

MR. HOOVER CONTRASTS THE TWO WATERWAYS

When President Hoover was Secretary of Commerce, after he had made an exhaustive examination of these waterways, pointed out in a brief statement the superiority of the St. Lawrence waterway over what has been termed the "All American," or New York Barge Canal waterway. He emphasized the fact than any all-American route would cost from $500,000,000 to $630,000,000. He also stated that the St. Lawrence route would cost less than one-third of the New York route, and would bring mid-America 600 miles nearer to Europe than by the New York route. That the development of the hydroelectric power in the construction of the St. Lawrence waterway might pay for the entire cost of the improvement. That navigation on the St. Lawrence would be more economical. That the New York waterways would require slower navigation through 128 miles of canals against 21 miles of canals along the St. Lawrence. That there would be 20 locks and 54 bridges on the New York route, whereas the St. Lawrence route would have stops for 9 locks and 8 bridges.

I will give Mr. Hoover's statement verbatim:

There are groups of our citizens who sincerely believe that we should develop this outlet to the sea solely within our own boundaries by deepening of the Erie Canal to a depth of 30 feet. * * * Our Army engineers have made exhaustive examination of the New York route. If it were constructed wholly upon American soil, it would cost over $630,000,000. If it were constructed on the shorter route from Oswego to Albany, it would not be an all-American route, for ships would then need to pass through the Canadian Welland Canal around Niagara. In this case it would cost $500,000,000. In neither case would there be any electrical power developed.

The construction of the St. Lawrence route after realization of the power may recover its entire cost, but in any event intermediate plans imply a cost of less than one-third the shortest New York route. There are also navigation questions which render the St. Lawrence a more economical transport route than the New York line. It brings all mid-America 600 miles nearer to Europe than by the New York route. The New York route would require slow navigation through 128 miles of canals against 21 miles of canals along the St. Lawrence. There would be stops for 20 locks and 54 bridges on the New York route, whereas the St. Lawrence route would have stops for 9 locks and 8 bridges.

HISTORY OF THE GREAT LAKES-ST. LAWRENCE WATERWAY PROJECT

The feasibility and desirability of the development of the St. Lawrence-Great Lakes waterway has been discussed for several decades. The Great Lakes and St. Lawrence Tidewater Association, a volunteer organization composed of the representatives of the 14 following States—Wisconsin, Minnesota, Michigan, Illinois, Indiana, Ohio, Iowa, North Dakota, South Dakota, Idaho, Montana, Wyoming, Colorado, and Nebraska—were impressed with a common national need and a mutual interest in having an outlet to the Atlantic seaboard by way of the Great Lakes, which afford cheap transportation for a vast territory of industry and production, made an earnest appeal to Congress to investigate the matter prior to the World War. Later these 14 States were joined by 4 others, to wit: Kentucky, Missouri, Kansas, and Pennsylvania. These States represent nearly two-fifths of our population. From 1914 to 1919, on account of the World War, all efforts ceased. On March 2, 1919, a provision was incorporated into the rivers and harbors act requesting the International Joint Commission to investigate what further improvement of the St. Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for ocean-going vessels and to estimate the cost thereof and report to the Government of the United States and the Dominion of Canada its recommendations.

On January 21, 1920, Secretary of State Robert Lansing transmitted a message to the International Joint Commission and the instructions to the field engineers in charge on the part of the two Governments.

PROJECT RECEIVED STRONG SUPPORT

Hon. Herbert Hoover, then United States Food Administrator, and Hon. Julius Barnes, Chairman of the United States Grain Corporation, recommended and indorsed this project as essential and necessary to our economic welfare and as a route that would put millions of dollars annually into the pockets of the producers and farmers of the great Middle Western States.

Hon. Franklin K. Lane, Secretary of the Interior; Leonard Wood, at that time major general of the United States Army; Hon. John Barton Payne, then chairman of the United States Shipping Board; Hon. Josephus Daniels, then Secretary of the Navy, all gave their enthusiastic and unqualified indorsement to the Great Lakes-St. Lawrence waterway. As part of my remarks I will give a condensed statement of what these distinguished men said concerning this project. They were of one accord that this great waterway was feasible, that it would save a tremendous amount in freight rates by furnishing most economical transportation for foodstuffs and raw materials and manufactured products, and that it would also develop hydroelectric power aggregating several million horsepower.

REPORT OF JOINT COMMISSION

On the 21st of January, 1920, the Governments of the United States and Canada referred to the International Joint Commission, created by the treaty of January 11, 1909, between the Governments of the United States and Great Britain, questions relating to the improvement of the St. Lawrence River between Lake Ontario and Montreal for the purpose of making said river navigable for deep-draft vessels and securing the greatest beneficial use of the water power.

The Government of the United States designated the distinguished Army engineer, Col. William P. Wooten, Corps of Engineers, United States Army. The Canadian Government designated Mr. W. A. Bowden, a distinguished engineer, who was then chief engineer, Department of Railways and Canals. These engineers received identical instructions from their respective Governments. Their report was submitted to the International Joint Commission, June 24, 1921. Among the salient conclusions and recommendations in the report were: (1) That the physical conditions—on the St. Lawrence—are favorable for improvements for navigation which will be permanent and will have very low upkeep costs; (2) that the improvements undertaken should afford a navigation channel 25 feet in depth, with lock sills 30 feet in depth, so built as to permit the eventful enlargement of the channel to that depth; (3) that the improvement be secured by the combined development for navigation and for power of the rapids section on the international boundary side canals around the other rapid sections, and the necessary channel excavation elsewhere; (4) the estimated cost of the entire work to provide a 25-foot channel and to develop 1,464,000 horsepower was as follows:

First division: Side canal from Montreal Harbor to deep water in Lake St. Louis	$55,783,000
Second division: Side canal from deep water in Lake St. Louis to deep water in Lake St. Francis	36,590,000
Third division: Channel dredging in Lake St. Francis	1,158,000
Fourth division: Combined navigation and power development in international section, with annual power output of 1,464,000 horsepower (total installed capacity approximately 1,850,000 horsepower)	159,097,200
Fifth division: Navigation improvement above rapid section	100,000
Total	252,728,200

Of the total estimated cost of the project, $159,097,200 was for the combined navigation and power development which would provide for a 25-foot channel.

Later, through the International Joint Commission representing the Governments of the United States and Canada, Herbert Hoover was appointed chairman of a board of engineers to make an exhaustive examination and study of the project. The engineers appointed were Edgar Jadwin, Major General, Chief of Engineers; Col. William Kelley, Corps of Engineers; Lieut. Col. G. B. Pillsbury, Corps of Engineers, from the United States section; Duncan W. McLachlin, Olivier O. Lefebre, Charles Hamilton Mitchell, Canadian section.

After a most exhaustive examination and after holding public hearings in the United States and Canada, the commission re-

ported November 16, 1926, and unanimously agreed that the construction of a shipway of sufficient depth to admit ocean ships from the Atlantic through the St. Lawrence to the Great Lakes, will lessen the economic handicaps of adverse transportation costs to a vast area in the interior of the continent. Embracing within the United States all or a large portion of the States of Ohio, Indiana, Kentucky, Illinois, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota, Montana, Wisconsin, Minnesota, Michigan, Pennsylvania, and New York, and including a large part of Canada. The commission held that within the area of this territory there are more than 40,000,000 inhabitants who gain their livelihood from its basic industries. That this territory produces a vast surplus both from agriculture and manufactures much of which demands long transportation. That the total investment by the joint Governments in the St. Lawrence would be from $123,000,000 to $198,000,000 depending upon the details of the plan. That the latter sum would be reduced to an effective net of $148,000,000 from immediate power income and still further reduced by the returns from future power development.

REPORT FAVORED BY MR. HOOVER

Herbert Hoover, who was chairman of the United States St. Lawrence Commission, transmitted this report to the President of the United States December 27, 1926, thoroughly indorsing the findings and conclusions of the engineers. Mr. Hoover in his transmittal of the report indicated how the building of the Panama Canal placed the States off the seaboards at a disadvantage in regard to railway rates. That the increased transportation costs to the world's markets from the mid-continent has been from 6 to 18 cents per bushel upon grain which has had a serious effect upon agriculture. That the completion of the St. Lawrence waterway would materially decrease freight rates on grain to world markets. That it would also have a similar effect upon commodities and industries. Mr. Hoover further stated that it was estimated that the value in a single year to the farmers alone would equal the capital cost of the waterway. This report and an elaborate statement made by Mr. Hoover, chairman of the United States St. Lawrence Commission, and the engineers can be found in Senate Document No. 183, Sixty-ninth Congress, second session.

ST. LAWRENCE PROJECT HAS POSSIBILITIES OF A DEVELOPMENT OF OVER 5,000,000 HORSEPOWER

The hydroelectic possibilities in the development of the Great Lakes-St. Lawrence waterway project are almost beyond comprehension. It is estimated as high as 6,625,000 horsepower by the engineers and the International Joint Commission. (S. Doc. No. 114, 67th Cong.)

The net income from the sale of hydroelectric power would more than pay the Government for the whole amount expended in developing the waterway and make it ready for ocean vessels. Corporations have offered to develop this waterway and pay all expenses if they were given the hydroelectric power. In the New York Barge Canal system we would get no water power.

CONCLUSION

With the indorsement of all the commissions and engineers who have been appointed to make a thorough study of the Great Lakes-St. Lawrence waterway the day has passed when this project can be defeated on its merits in open attack. No one understands this better than the chairman of the Rivers and Harbors Committee who has been defeated in all of his numerous attempts to kill the St. Lawrence project.

The plan for the Federal Government to take over the Erie and Oswego Canals and thereafter maintain and operate them as navigable waterways of the United States is simply an indirect and subtle way of defeating the St. Lawrence waterway.

Any person is very innocent and guileless who believes that the United States can take over the Erie Canal and Oswego Canal, which means simply the Hudson River barge canal, maintain and operate it, and at the same time embark in the large undertaking of the development of the Great Lakes-St. Lawrence waterway. The effect, therefore, of voting to take over the Erie and Oswego Canals from the State of New York is a vote against the development of the Great Lakes-St. Lawrence waterway.

The plan for the State of New York to turn over to the Federal Government the Erie Canal and the Oswego Canal as provided in the rivers and harbors bill, would result as I have shown in the Federal Government adopting a project which has always been a failure and a bill of expense to the State of New York and would delay and probably defeat the Great Lakes-St. Lawrence waterway.

The following comprehensive statements upon this subject by the Hon. Josephus Daniels, Secretary of the Navy; the Hon. John Barton Payne, chairman of the United States Shipping Board and now Secretary of the Interior; Maj. Gen. Leonard Wood, of the United States Army; and Hon. Franklin K. Lane, ex-Secretary of the Interior, show that this subject is of the largest national importance and has their most hearty and unqualified indorsement:

THE NEXT GREAT TASK

The supreme duty of America lies with reference to water and ocean transportation. Before the war the business of the railroads was much greater than could be handled, and it was necessary, when the stress of war came, for the Government to take them over in order to transport the soldiers, supplies, munitions, and materials to the seaboard. The business of our country will continually expand, and it is our duty to secure the lowest transportation costs possible.

The railroads will have all they can do to haul the lighter freight from and to inland towns, and we must look to water transportation for the heavy freight.

To this end our waterways should be improved and our merchant marine should be strengthened; and our rivers and harbors should be deepened.

This country has always had a vision of some great enterprise—as evidence, the Panama Canal and the Alaskan Railroad, which were in keeping with the spirit of our country when we built the great transcontinental railroad. Now, the big thing is water transportation.

A thorough study should be made of inland transportation, and I believe one of the most important improvements is to make it possible to have water transportation for large ships through the Lakes from the Atlantic and by barges down the Mississippi River.

Sincerely yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

GREAT LAKES FLEETS IN THEIR INFANCY

Referring to the deep waterway between the Lakes and the Atlantic Ocean, you are right in stressing the importance of such a waterway. The importance of Chicago alone, not only as a manufacturing and packing center but also as a clearing house for shippers generally west of Illinois, argues strongly for bringing to the highest possible state of accessibility and efficiency all means of freight transportation.

The study which you are making of inland water transportation in the United States should substantiate the contention that the Great Lakes transportation system, important as it is at present, is in its infancy, and that delay in its development will cost producers, shippers, and consumers millions of dollars yearly.

JOHN BARTON PAYNE,
Chairman United States Shipping Board.

ST. LAWRENCE ROUTE ESSENTIAL

We must amplify, and in a measure reshape, our transportation system. We must improve our waterways to the greatest possible limit. Congestion of freight during the war demonstrated the need of increased transportation facilities. The railroads did excellent work under heavy handicap, but the demand of the situation exceeded at times their capacity.

In any comprehensive scheme of development the line of water communication from the Great Lakes to the sea via the St. Lawrence is an essential element. It is but an extension of the Great Lakes highway upon which our products may move to market at the most advantageous rates. If we can complete the system, it will be the shortest and most direct route to northern Europe. It will furnish most economical transportation of foodstuffs and raw materials and will furnish a readily available line for transportation to the Atlantic seaboard in case of need.

Added transportation facilities means added trade and a better opportunity to compete with oversea markets.

LEONARD WOOD,
Major General, United States Army.

NEW SOURCE OF ENERGY

The St. Lawrence deep waterway project is of great importance to the United States for the reason that 113 miles of this waterway is international boundary, in which we have a one-half interest in any power development that may result from the work necessary to render the river navigable. Our interest in the commerce which would pass through this improved waterway would probably be much greater than one-half.

It is recognized that the only present obstacle to sea-borne commerce is the existing unnavigable condition of the river from Montreal to Lake Ontario. The Welland and Soo Canals, now in course of reconstruction, will accommodate probably 90 per cent of ocean-going vessels. It is possible that some minor improvement will be necessary between Lake Erie and Lake Huron in order to accommodate vessels of 10,000 tons. Vessels of less tonnage may be accommodated by the present depth of water at that point.

It has been truly stated that when this work is completed the Great Lakes will be an American Mediterranean Sea for at least eight months

of the year, and important lake cities would become practically seaports, relieving the railroads of a tremendous burden of traffic and enabling the wheat growers of the Middle West to have quicker dispatch to foreign markets at a saving of at least 5 cents per bushel in freight charges.

My interest has been chiefly directed, however, to the wonderful development necessarily involved in this project for the improvement of navigation. Under favorable conditions of power load factor and of river regulation by lake storage, it would appear that full utilization would give to the United States 420,000,000 kilowatt-hours a month in addition to the 30,000,000 already developed on the St. Lawrence. Translated into terms of fuel conservation, this new power would exceed by nearly 50 per cent the present output of fuel-generated electricity in the public-utility plants of New York State.

This new source of energy for the continuous use of industry appeals to the imagination, and while the development necessary to make this power available is a great work, that need not block the project. It is said that private capital is available to undertake the navigation improvement in consideration of grant of the power privileges. No doubt this is true, and no doubt no such foolish bargain will be made.

I hope, for the reasons above stated and for many others which might be specified, that this work may soon be jointly undertaken by the United States and Canada.

FRANKLIN K. LANE,
Secretary of the Interior.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CHALMERS. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. CLAGUE].

The CHAIRMAN. The gentleman from Minnesota is recognized for five minutes.

Mr. CLAGUE. Mr. Chairman and members of the committee, I do not feel, as some of the Members have expressed themselves, that because this bill has a great many items in it it is simply a pork barrel bill. I think there are a great many good items in the bill.

But there is one item that I want to speak of particularly, and that is the Erie Canal. I want to say a word regarding a statement made by some of the Members from New York to the effect that the State of New York pays 30 per cent of the taxes of the United States, or something to that effect. I admit that the people of the State of New York pay a great amount of taxes, but those taxes which they pay originate largely from elsewhere.

If the proposition respecting that canal were simply for a 13-foot canal, and if that were the sole purpose of it, I would vote for it. But in my judgment that is not the purpose of it in the end. It is "a gift horse," which the State of New York wishes to turn over to the United States, which, if accepted, will cost the United States several hundred millions of dollars, and its acceptance will tend to defeat the Great Lakes-St. Lawrence project.

I have tried to find in the report something from the engineers about this canal. I did not understand that this item was to be in the bill until about 10 days ago. It is a peculiar thing that in the report accompanying this bill there is nothing from the engineers on that subject.

I want to call attention at this time to a very peculiar thing about this bill. I understand that the engineers eventually did bring in a report. I want to call your attention to section 10 in the bill. On page 71 of the bill you will find this item:

SEC. 10. That the present incumbent of the office of assistant to the Chief of Engineers, United States Army, when retired from active service, shall be placed upon the retired list with the rank and pay of major general.

Why should that item be placed in this bill? If he is to be placed on the retired list with the rank and pay of major general, as indicated here, why did not that provision come from the Committee on Military Affairs, from which an item like that should come?

Mr. MICHENER. Does the gentleman say that is in this bill?

Mr. CLAGUE. Yes.

Mr. KNUTSON. That is on page 71.

Mr. MICHENER. Why should that be put in?

Mr. WILLIAMSON. May I ask if he is the man who made this report that they are relying upon?

Mr. WILLIAM E. HULL. I think you are making a statement here that you should not make. General Deakyne, as we all know, was expected to be appointed Chief of Engineers. If he had been made Chief of Engineers, he would have been retired without this. Every man in the committee, including the gentleman from Michigan [Mr. HUDSON], was glad to show him that courtesy when he was retired.

Mr. CLAGUE. I can not yield further to the gentleman.

Mr. WILLIAM E. HULL. I do not want you to reflect on General Deakyne.

Mr. CLAGUE. I am not reflecting on General Deakyne. He is one of the finest men in the United States, but I say that item should not go into this bill.

Mr. MICHENER. It is not within the jurisdiction of the committee.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. CLAGUE. I regret I can not yield.

Mr. HUDSON. The gentleman mentioned my name. I was not present in the committee.

Mr. CLAGUE. I can not yield further. I do not mean to reflect upon General Deakyne. He is one of the finest men in the United States, but an item of that kind should not be placed in such a bill as this.

The Erie Canal project in the bill strikes a hard blow directly at the St. Lawrence waterway in which the people of the Northwest are vitally interested. The adoption of this Erie Canal project is the first step toward scuttling the Great Lakes and St. Lawrence waterways canal between the Great Lakes and the Atlantic.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CHALMERS. Mr. Chairman, I yield three minutes to the gentleman from Wisconsin [Mr. PEAVEY].

The CHAIRMAN. The gentleman from Wisconsin is recognized for three minutes.

Mr. PEAVEY. Mr. Chairman and members of the committee, I want to call to your attention the great importance and the seriousness of the situation that has developed in the Great Lakes in the last 15 years with regard to the disappearance of general commerce from the Great Lakes. Since the opening of the Panama Canal in 1912 the trend of transportation in the whole United States has been entirely changed. In 1915 the Interstate Commerce Commission entered a decree or decision which is called the Separation Act. This act required railroads owning boat lines on the Great Lakes to sell and dispose of them. The result has been that the people and States tributary to the Great Lakes have been deprived of all general commerce.

I live in a city situated on the Great Lakes. I have five harbor cities in my district, and they have no general commerce to speak of. The people of the Northwestern States have been deprived of their natural right of shipping their products to the East by water, nor do we enjoy the benefit of competitive railroad rates, because there is no competition between the existing boat lines and railroads. We enjoy no more benefits in transportation rates and service by our favored location on the Great Lakes than you gentlemen do who live in Nebraska or Iowa or the Dakotas.

There is not a single harbor on the Great Lakes to-day where physical connections between water-borne commerce and that by railroads is encouraged, maintained, or, for the most part, permitted. Nineteen Northwest railroads centering in Chicago in no way compete for or solicit the transportation business now being carried by the Lake Carriers' Association, nor does the Steel Corporation's carriers try to obtain the freight or solicit the transportation business for Central North America which is now being carried exclusively by the railroads. Whether this condition between the railroads and these lake carriers exists by virtue of a written agreement or by a tacit, mutual understanding, I am not here concerned.

Man-made law now in operation on the Great Lakes has supplanted the natural law under which God intended that the Great Lakes should serve the people of America as a channel of commerce. I respectfully submit to my colleagues in this House and the people of the whole country that this substitution under which the United States Steel Corporation, through the agency known as the Great Lakes Carriers' Association, has subsidized and converted the Great Lakes as a channel of commerce to their own use, thereby removing all competition as between rail and water transportation as well as between the railroads themselves. This, I maintain, has brought about the economic failure of the great Northwest.

WATER TRANSPORTATION PRIME NECESSITY

Students of this problem admit one of the major difficulties confronting the northwestern farmers is better markets, at less cost of transportation. There is no good reason why the major portion of the farmers' products raised in that section can not find their way to strong eastern markets with even more reason than the raw iron, copper, and lumber that now go east for their markets. The consuming public of great cities like Chicago, Detroit, Toledo, Cleveland, Buffalo, Rochester, and Albany were paying a handsome price for potatoes, butter, eggs, livestock—in fact, nearly every product the northwestern farmer produces—these could all be transported via Duluth, Superior, Ashland, Milwaukee, and many other harbor cities on the Great Lakes to the people of the East at water transportation cost,

which on most commodities would not be more than one-fourth and as low as one-tenth the existing railroad rates on these same shipments. In order that Members may better understand the relative cost of water and rail transportation, let me give you the following illustration:

I live in Washburn, Wis., a harbor town on Lake Superior. The Du Pont Powder Co. maintains a powder plant near this city and ships sodium nitrate from Chili, South America, for use in the manufacture of high explosives. This ingredient is brought from Chili via Cape Horn and the Atlantic and up the St. Lawrence River, reloaded into lake vessels at the Welland Canal and delivered at the dock in Washburn, a distance of 6,000 miles, at the same rate per ton as that charged by the railroads for shipment by rail from Washburn to Gary, Ind., a distance of 478 miles.

Nothing could be more conclusive of existing conditions on the Great Lakes than the Government's own figures for the Duluth-Superior Harbor last year. United States Engineer's report show total tonnage for the dual port for both exports and receipts of 60,385,767 short tons. Less than 300,000 tons of this were agricultural products or goods consumed or used by the general public. Iron ore, coal, grain, stone, and gravel made up nearly the whole amount. General commerce at the Duluth-Superior port for the year 1929 constituted less than 1 per cent of the total tonnage entering or leaving the harbor.

BUSINESS MEN SUFFER

Business men in every city in the Northwest suffer directly from the lack of general commerce on the Great Lakes. First, the increased cost of transportation on everything they buy to sell makes it difficult to compete with chain stores and mail-order competition. Retail business must meet competition every day in order to exist. As long as the railroads were on the same competitive basis they lent their aid in every possible way. The hours of shipping and the arrival of goods were fixed, every possible service that would stimulate business and encourage the shipper was given. Now, when merchants generally are faced with trade conditions threatening their very existence railroad monopoly administration exacts high rates and leaves the business man to shift for himself.

RAILROAD EMPLOYEES SUFFER

No class of people living in Wisconsin or the Northwest suffer so much from the existing conditions on the Great Lakes as do the employees of the northwest railroads. Transportation of freight by the railroads is now to a large extent carried on by through trains and long hauls thus reducing the labor required to a minimum.

Were general commerce restored to the Great Lakes it would bring an automatic reduction of freight rates with an immediate increase of tonnage and the consequent employment of men.

Restore general commerce and this would restore competition between water and rail service and in order to get business and hold it the railroads would require more men in all branches of railroad operation.

Again railroad employees are consumers, and as such they with all other people living in the Northwest States are victims of the existing monopoly in transportation and are made to pay their share of the tribute exacted in high freight rates in the consequent high cost of living.

It is true that grain for export and coal for the consumption of the people living in the Northwest States is now being transported in large quantities, but the people living in those States are required to pay prices for this coal based on railroad rates from the mines to the docks, hence they receive no benefit. The grain farmers of the Northwest are paid Chicago prices for their crops based on the rail rate to Chicago, hence they receive no direct benefit from grain shipped via the Great Lakes under existing conditions.

ST. LAWRENCE WATERWAY OF LITTLE USE WITHOUT GENERAL COMMERCE AND COMMERCE FACILITIES ON THE GREAT LAKES

The St. Lawrence-to-the-sea waterway has long been used to divert the people's attention from the subject of the passing of general commerce on the Great Lakes. People in that section have been made to lose sight of their immediate and greater injury in the rainbow-hued colors of what is to happen once the Great Lakes are connected with the sea via the St. Lawrence.

But, gentlemen of the House, let me call your attention to the plain though unpleasant fact that long before the St. Lawrence Channel is opened to the sea and many years before any ship carrying foreign flags enters a Great Lakes harbor nearly every dock, wharf, warehouse, and other harbor facility in the cities on the Great Lakes, other than those five or six places necessary to the operations of the United States Steel Corporation, will from nonuse and neglect have rotted into the waters of the bays on which they stand. I am a firm supporter of the St. Lawrence waterway, but a mere cursory glimpse of commerce or harbor statistics on the Great Lakes will show the most optimistic supporter of the St. Lawrence seaway route that long before this channel can be promoted and built general commerce on the Great Lakes will have depreciated and disappeared from our several harbors. When that time comes there will be neither general commerce nor harbor facilities with which to receive or support our foreign visitors.

I propose to offer an amendment to this bill providing for a commission consisting of the Secretary of Commerce, the Chief of Engineers, and the chairman of the Interstate Commerce Commission, acting upon the counsel and advice of President Hoover, to ascertain the facts and report back to Congress, with their recommendations as to changes in the law or administration necessary to restore general commerce and transportation of goods over the Great Lakes.

Remove the clutch of reaction that now controls the commerce on the Great Lakes, require the railroads of that section in their own interest and the general public interest to establish and maintain physical connection with the boats carrying general commerce on the Great Lakes, and the people of these States and the several cities and towns bordering these waters will experience an era of business prosperity now unknown.

The people of the Great Lakes States ask no charity or favors of Congress in this matter, nor do we ask a subsidy; all we ask is justice.

Take the shackles off our ports.

Remove the padlocks from our harbors.

That is all we ask.

I thank you. [Applause.]

Mr. CHALMERS. Mr. Chairman, I yield two minutes to the gentleman from Minnesota [Mr. PITTENGER].

Mr. PITTENGER. Mr. Chairman, I rise to oppose the provisions of H. R. 11781, which provides for the Federal Government to take over the Erie Barge Canal in New York. Mr. Chairman, ladies, and gentlemen, I just want to say to you that during the time I have been a Member of this body I have always found the Members of the New York delegation in the House of Representatives to be men of great ability, to be men who know what they want, and men who know how to get what they want. The more I see of them the more I like them, and yet, with all the kind regard I have for them, I want to say that this is another case of "good men gone wrong." In their desire for an all-American route to the sea they would overlook the St. Lawrence waterway project.

I am opposed to this bill because it is an entering wedge in the shape of the barge canal line that may put off indefinitely the greatest project of all time, the completion of the St. Lawrence seaway.

As I said, I like the Representatives of the State of New York, and I admire them. They are fine men. But the trouble with the Representatives from New York is that they had a bad start in geography. Their geographies do not show that the United States consists of any other section of the world except New York, and they believe that the United States is bounded by the four lines that encompass that State. I fear the gentlemen never heard of the great West; they never heard of the land-locked empire with thirty or forty million people; they never heard of the long story of discrimination that has gone on against the great Mid West section. They got the Panama Canal, and on the floor of this House within the last year asked for another canal by way of Nicaragua and a survey has been authorized. In the meantime the land-locked empire must wait.

I am opposed to this bill because it is a "pork-barrel" proposition. They have all the rivers, dry and wet, taken care of in this bill. The votes from those sections are expected for the Erie Barge Canal. It entered the bill via the "trade" route. Everybody is "taken care of," and in that way our friends from New York have their share of "pork" in the bill.

You can not reconcile the statements here that we need an "all-American route" with the suggestion that the barge canal in New York is not an entering wedge against the St. Lawrence waterway. It is time to put the stamp of disapproval on "pork-barrel" legislation. The Erie Barge Canal can not stand on its own merits. It has no virtues to commend it. The friends of the St. Lawrence waterway must not be misled by those able gentlemen bearing this gift of a barge canal to our Federal Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CHALMERS. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, ladies and gentlemen of the committee, my main objection to the bill is the provision for the Federal Government taking over the New York Barge Canal. My opposition to this proposition, which is included in a bill carrying so many projects, is so strong that

I shall vote against the entire bill unless the New York Barge Canal is taken out, notwithstanding the fact that there are other beneficial provisions for the State which, in part, I have the honor to represent.

Where are all of these good, standpat Republicans to-day who on the floor of the House yesterday talked about Treasury balances, talked about economy, talked about reducing the expenditures of Government? You will have an opportunity to vote for an amendment which will be offered which will reduce by a considerable number of millions of dollars the expenditure of the taxpayers' money from the Federal Treasury for this New York Barge Canal.

In the last presidential campaign the present Chief Executive of the United States swept the great Northwest. One of the major propositions which resulted in those votes filling the ballot boxes in his behalf was his stand fairly and squarely in favor of the great St. Lawrence seaway and in opposition to the so-called all-American route, sponsored and advocated by his opponent, Governor Smith, of New York. The New York Barge Canal is one of the links of the all-American route, and is sponsored and advocated by Mr. DEMPSEY, the chairman of the committee reporting this bill. There is no man in America to-day who has done more to oppose the development of the St. Lawrence seaway, as advocated by President Hoover, than our genial, able, efficient friend, the gentleman from New York, Mr. DEMPSEY.

Those in favor of the all-American canal and opposed to the St. Lawrence canal from the Great Lakes to the sea can congratulate our colleague, Mr. DEMPSEY, for including this New York Barge Canal provision in a bill having sufficient ramifications and projects as to insure sufficient votes in the House to get the nose of the camel under the tent, the nose leading to the all-American route and in opposition to the St. Lawrence seaway.

I sincerely hope that the amendment to strike out the New York Barge Canal will be adopted so that the Republican administration will keep faith with the millions of voters in the Great Lakes and Northwest States who supported President Hoover because of his position in favor of the great St. Lawrence seaway and in opposition to the all-American route, sponsored and advocated by his opponent, Governor Smith, of New York, and the father of this New York Barge Canal proposition, our colleague, Mr. DEMPSEY. [Applause.]

Mr. CHALMERS. I yield to the gentleman from Minnesota [Mr. SELVIG].

Mr. SELVIG. Mr. Chairman, the rule under which we are working to-day precludes any extended discussion of the pending bill. In fact, it is almost inconceivable that a bill appropriating the vast sum of nearly $115,000,000 shall be jammed through without a full and detailed analysis being given each and every item.

I requested this very brief time allowance for the purpose of urging the Members of the House to strike out of the pending rivers and harbors bill the paragraph which provides for the Government taking over the New York Barge Canal.

Those who oppose this canal have presented ample proof that it is not worth taking over. A news editorial which appeared in the Cleveland Plain Dealer and a comment by one of the leading financial journals of New York City reflect the existing situation. I shall include this news editorial as a part of my remarks, as it fully and succinctly exposes the situation.

The news editorial follows:

[Editorial from the Cleveland Plain Dealer, April 20, 1930]

WHITE ELEPHANT FOR SALE

New York's proposal, backed by the Rivers and Harbors Committee of the House, to dispose of the Erie Canal to the Federal Government will, in our opinion, bear continued careful scrutiny.

The Empire State has put some $200,000,000 into this waterway, and the chief return has been a series of annual deficits. Built to carry a great commerce, it has disappointed its backers and brought grief to taxpayers.

Every ton of freight on the canal is carried at a loss. It would be cheaper for New York to send by rail all the commerce now accommodated by this water route, the State paying the bill, than to continue to maintain and operate this waterway.

Not surprising, then, that New York is anxious to persuade the Federal Government to assume proprietorship of this white elephant, which has such an appetite for tax money and such a disinclination to work for its living.

Ohio has three members on the Rivers and Harbors Committee, which has indorsed the proposal to take the canal. Two of them—Messrs. MOONEY and BOLTON, of Cleveland—voted for the federalization of the canal; Mr. CHALMERS, of Toledo, opposed it. The only other member of the committee to oppose was Mr. HUDSON, of Michigan.

The bill containing the canal proposal is scheduled to come before the House this week. A fight is brewing to defeat this particular provision. Regardless of what their first impressions may have been, it behooves the members of the Ohio delegation—all of them friends of the St. Lawrence waterway—to weigh carefully the considerations that seem to lie back of this effort of New York to unload its elephant.

It is a fact—and may be significant—that the men now most loudly boosting the Federalization of the Erie Canal have long been opposed to the St. Lawrence. Conspicuous among them is Chairman DEMPSEY of the House committee, which recommends that the National Government shall relieve his State of these recurring deficits.

The Erie Canal, as every reader recalls, is the route which enemies of the St. Lawrence have for years been urging for the miscalled all-American way to the sea. Now a barge channel with a 9-foot depth, their demand has been for the Federal Government to take it and develop it into a 25 or 30 foot waterway connecting the Great Lakes with the crowded harbor of New York.

Mr. DEMPSEY, who lives at Lockport, the lake end of the main stem of the Erie, has at the moment dropped his advocacy of the "all-American" and is boosting the provision of his committee's bill. This is, in brief, for the National Government to take the old canal, whose chief activity is making deficits, and deepen it to 12 feet. War Department engineers foresee a considerable commerce if this additional depth is provided.

Friends of the St. Lawrence who voted to recommend the canal provision see no connection between the two enterprises. We are not so sure. There are suspicious circumstances. If the Federal Government is once committed to the improvement of its own waterway from the Lakes to the Atlantic, even though the depth now contemplated is only 12 feet, it will become more difficult to procure assent to the only logical, feasible, deep-water route, which is the St. Lawrence. We suggest to the Ohio delegation, including the two Clevelanders who supported the canal proper in committee, that the facts be considered with great care when the issue reaches the floor.

The rivers and harbors bill contains some excellent provisions, including that for deepening the lake channels, but the country can not afford at this late date to permit the St. Lawrence project to be stabbed in the back. This would be too high a price to pay for whatever favors this bill may contain.

The Wall Street Journal says:

It is proposed that Uncle Sam take over the New York State canals. New York could well afford to pass them over, plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

We in the Middle West and in the Northwest are whole-heartedly in favor of the Great Lakes-St. Lawrence deep waterway. We have been anxiously awaiting the official authorization of this great project. There is an insistent demand that this be done. While progress is being made in many sections of this waterway it is realized that not until the plans are adopted for the entire project can there be any definite assurance that this epochal work will be undertaken.

The improvements that are now under way in both the American and the Canadian sections of this waterway give us hope and encouragement. The appropriations that are carried in the pending bill which provide for additional works and improvements in connecting channels are laudable, but this is not sufficient. The waterway to the Atlantic Ocean requires that the entire project be authorized and that the work be begun on all sections.

The present attempt to defeat the only feasible Lakes-to-ocean waterway by political vote trading and sectional manipulation in favor of the New York Barge Canal has kindled a flame in the Northwest that bids fair to spread far unless the pending bill is amended to eliminate the barge canal.

The people in the Northwest were heartened by President Hoover's sincere interest in the Great Lakes-St. Lawrence waterway. His advocacy of that route has won for him the enthusiastic support of all influential groups in the Northwest. They felt that as President he would see this project through.

Those who favor the Great Lakes-St. Lawrence seaway, as I have done ever since the international commission held hearings on the economic value of this great undertaking, know that only through the St. Lawrence River can the great Middle West and the Northwest secure access to the sea. This is an undisputed fact.

The Members of Congress from the great landlocked empire will never give up in the fight to secure its heritage of lower transportation rates that this seaway will afford. The Panama Canal isolated a great section of our country and reduced its trade area as a result of the burden placed upon the Northwest on account of increased transportation rates. The farmers of 22 States feel this burden. They seek the relief which will be afforded them when the Great Lakes-St. Lawrence waterway is in operation.

It is indeed unfortunate that this great issue of paramount importance to 22 States shall be decided with only a limited time for debate and discussion of its merits. Whatever the action to-day, the issue will be met, in spite of the political

log-rolling and vote-trading deal which succeeded in including the New York Barge Canal in the pending bill.

The Northwest is aroused over the proposal which seeks to sidetrack the Great Lakes-St. Lawrence waterway and to favor an impractical, inadequate, and impossible substitute in its place.

We who favor the Great Lakes-St. Lawrence waterway base our support on facts and sound reasoning. I want to enumerate some of these facts because they are of the greatest importance in deciding upon our course.

First. It is the natural way out to the sea.

Second. It is the way beset with the least navigation hindrances or restrictions. The St. Lawrence route will have only 33 miles of restricted channel, while the Oswego-Hudson route will have 179 miles. The former will have not more than 7 locks, the latter 29 locks. The height from Lake Ontario to the summit by the low-level Mohawk route is 133.6 feet; by Oneida is 170.6 feet. Doubling this for ups and downs requiring 29 locks justifies us in calling either of the routes across New York the stepladder route. There are 306 railroad and highway bridges across the New York State canals. Of these 82 are on the Oswego-Oneida-Mohawk line between Lake Ontario and Waterford. Of these 14 are railroad bridges. These difficulties are insurmountable for the development of deep-water navigation.

Third. It is the way that is economically feasible. From Oswego the distance is 3,434 miles to Liverpool via the St. Lawrence ship canal, but 4,045 or 611 miles farther via the barge canal and New York. To Copenhagen, a typical example of Baltic ports, the distance is 4,120 by the former and 4,766 by the latter, or an advantage of 646 miles in favor of the St. Lawrence. To Bishops Rock, typical of western and northwestern Europe, the respective distances are 3,508 and 3,833, or 325 miles in favor of the St. Lawrence. To Gibraltar, typical of southern Europe and Mediterranean ports, they are, respectively, 3,898 and 4,052, an advantage of 154 miles in favor of the St. Lawrence route.

Fourth. It is the way that is most feasible from an engineering standpoint. This is abundantly proved by the many surveys and investigations which have been conducted by American and Canadian engineers.

Fifth. It will cost the American taxpayers the least to construct. Roughly, the difference is as 1 to 5 ($100,000,000 as against $500,000,000).

Sixth. It is assured of an abundant supply of water.

Seventh. It will best serve not only the grain-producing section of the country but also our general foreign and domestic trade.

Eighth. It will not isolate New England by removing her from the sea lane of commerce.

Ninth. For foreign territory to which the distance by way of the St. Lawrence is not the least the Mississippi River offers the shortest route.

Tenth. It will furnish 1,464,000 continuous, 24-hour horsepower of hydroelectric energy at low water at the international section which may be utilized to the great advantage of the people of both Canada and the United States.

Eleventh. It will tend to put 40,000,000 land-locked people on freight-cost equality with the balance of the people of the United States and give them the shortest and most practical route to their export market. [Applause.]

Mr. CHALMERS. Mr. Chairman and members of the committee, I stood in this Chamber on December 5, 1921, for one hour advocating the construction of the Great Lakes-St. Lawrence seaway. I had five minutes yielded by my friend from New York at the end of my speech in order to ask me a question. For one hour and five minutes on December 5, 1921, I stood here advocating the adoption of the St. Lawrence project. In January, 1922, I introduced the first bill ever introduced in Congress for the construction of the Great Lakes-St. Lawrence seaway. I have been hoping, working, and praying for this project for months, and to-day we are making a beginning. Sixty-seven miles of the St. Lawrence waterway is included in the current rivers and harbors bill. The Dominion of Canada has granted licenses to two private power companies with the provision that they must provide navigable channels at the same time they are developing their power. When we finish this project and Canada, the projects for which the licenses have now been issued, there will be only a few miles left to construct, when the great Mid West can send their freight down to the open sea on the ships.

The first reach from Lake Ontario has a drop of only 1 foot in 113 miles. The second reach has a drop of 92 feet. The next reach has a drop of 3 feet and the next reach a drop of 83 feet, and the fifth reach, just above Montreal, a fall of 45 feet; 224 feet difference in elevation, between Montreal and mean low tide in Lake Ontario.

I honestly believe, my friends, that with this beginning and with the change in sentiment in opposition to the St. Lawrence waterway, in a very few years we will have our waterway open to the sea. And, as was stated in the debate to-day, it is the greatest project for human benefit that will come to our people and the Canadian people within two centuries, serving directly over 40,000,000 people in the 28 States of the Mid West that are directly interested in the waterway.

Mr. CULKIN. Will the gentleman yield?

Mr. CHALMERS. I yield.

Mr. CULKIN. The inclusion of that item covering the St. Lawrence from the foot of Lake Ontario to 3 miles below Ogdensburg was by unanimous vote of the committee, was it not?

Mr. CHALMERS. It was. The gentleman from New York [Mr. CULKIN] and the chairman of the committee, the gentleman from New York [Mr. DEMPSEY], voted for it.

Mr. CULKIN. That does not argue that the committee is opposed to the St. Lawrence project, when they have actually supported it, does it?

Mr. CHALMERS. I think the committee is unanimously in favor of the construction of the St. Lawrence waterway as soon as we can make suitable arrangements with the Dominion of Canada.

Mr. ABERNETHY. What is the argument about, then?

Mr. CHALMERS. I am not opposing this project because of the St. Lawrence waterway. I am opposing it on economic grounds.

Mr. ABERNETHY. I always like to vote with the gentleman, but I have found the only way to get a waterway project is to join with other Members of the House who are interested in projects. If you have secured an authorization for 67 miles of the St. Lawrence waterway, why do you not give these folks what they want and then next time come around and get what you want?

Mr. CHALMERS. That is good philosophy.

Mr. ABERNETHY. Let us all go together, then.

Mr. McDUFFIE. Does the gentleman expect to vote for this bill?

Mr. CHALMERS. I will meet that question when I come to it.

Mr. CULLEN. I am glad to hear my colleague make that statement, that he is opposing the transfer of the Erie Canal on economic grounds. However, some of his colleagues are opposing it on the ground that it is going to destroy the St. Lawrence project, but it appears there is no such intention.

Mr. CHALMERS. I will say to the gentleman from New York, as I said in the beginning, that I do not consider the barge canal and the New York Erie Canal rivals of the St. Lawrence.

Mr. CULLEN. I am glad to hear the gentleman make that statement.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CULLEN. Mr. Chairman, for the first time in three years a rivers and harbors bill comes before the House. An important provision in this bill would authorize the United States Government to take over the New York Barge Canal, and I recommend to any Members who are inclined to oppose this authorization to first read the favorable and constructive report sent to the chairman of the committee by Maj. Gen. Lytle Brown, Chief of Engineers, War Department, and in this connection I desire to bring to the attention of the Members of the House the proposal of the Governor of the State of New York to transfer the New York State Barge Canal to the Federal Government. I am sure we appreciate the importance of Governor Roosevelt's proposal to the welfare of the country, both in respect to the barge canal and to provision of a deep waterway between the Great Lakes and tidewater, as well as from the standpoint of national defense. I trust that the Members of the House of Representatives will see their way clear to support this proposal.

The following facts and arguments are presented in support of the proposal to transfer the New York State Barge Canal to the Federal Government under certain terms and conditions which will protect the present and future interests of the people of the State and of the country.

The Chief of Engineers, in a report just submitted to Congress, has recommended therein certain necessary improvements in the barge canal at Government expense. Recognizing the desirability as well as the ultimate probability of this transfer, the Chief of Engineers also recommended in the same report the appointment of a congressional committee for the purpose of entering into negotiations with New York State representa-

tives for the proposed canal transfer and its terms and conditions. In view of this recommendation, Representative BOYLAN, of New York, recently introduced a resolution authorizing such a transfer, and which further provided for the appointment of a congressional committee to conduct, with a similar New York State legislative committee the negotiations for the canal transfer. I hope that this proposal will be favorably acted upon by the House.

It is essential that any work of improvement be so conducted as not to interfere with the present traffic on the canal. It is therefore necessary that both the improvement and operation of the canal be under one directing head. If the United States undertakes the improvement, the State should transfer the canal and its appurtenances to the Federal Government.

The factor which will cause the greatest delay in effecting the transfer will be the canal clause—article 7, section 8—in the present New York State constitution, which prohibits the sale, lease, or other disposal of the canals of the State. In order to accomplish the transfer this clause would have to be repealed or amended, and this amendment requires a favorable popular referendum vote after the proposed amendment has been adopted at two sessions of the legislature, at which two different sets of senators participate.

The legislature, realizing the importance of the first passage of the needed amendment during the present session, passed same recently. This prompt passage obviates the need for haste in acting on a resolution urging the prompt passage of the canal amendment by the legislature, but leaves the main resolution indorsing the transfer of the canal system to the Federal Government.

I was in hope that the bill before the House would carry the needed authorization for the deepening and widening of Newtown Creek in the harbor of New York, but find that nothing has been said about it owing to the fact that the report from the United States Engineers was not received in time.

Newtown Creek is directly opposite Thirty-fourth Street, Manhattan. It has 3.1 miles of navigable length. The stretch away from the East River is called Maspeth Creek on the Army maps, but Brooklyn and Queens know it all by the one name of Newtown Creek. It is lined with big business concerns, all of which receive supplies by water. It is an exceptionally busy and an exceptionally important place, and the Government ought to do all in its power to have it working at 100 per cent capacity.

The legislation of March 2, 1919, providing for the preliminary work leading up to the dredging of a wider and deeper channel, specified that "no expense shall be incurred by the United States Government for acquiring any lands necessary for the purpose of this improvement." It was this provision which delayed the work for 10 years, for there were many claimants to lands under water, and the city had to dispose of all these claims and turn over all the rights to the National Government. This has all been cared for now, and there is nothing in the way of going ahead with the work except the needed authorization from the Federal Government.

The great concerns which line the shores of Newtown Creek realize the urgent need of a deeper and wider channel, but it took the filing of a Government report on the subject and the statement of an Army engineer to give the matter prominence. But now it is on record officially and now is the time for the Federal Government to act.

I am in hopes that my colleague Chairman DEMPSEY of the committee, upon the receipt of the report on Newtown Creek from the United States engineers, will give his aid and friendly interest in the matter of an amendment either in the Senate or in the conference that will provide for the necessary appropriation for the important development of Newtown Creek.

Mr. DEMPSEY. Mr. Chairman, I yield four minutes to the gentleman from Texas [Mr. MANSFIELD]. [Applause.]

Mr. MANSFIELD. Mr. Chairman and members of the committee, it is, of course, impossible to discuss these questions in four minutes' time.

We have heard a great deal said about the St. Lawrence ship channel to the sea. That, of course, is not in this bill. And why not? It is because we have not yet reached an agreement with Canada. It is well known we can not put it in a bill to come before this Congress until we first reach an agreement with the Dominion of Canada to that effect.

How near are we to such an agreement? We endeavored 25 years ago to reach an agreement, and no man in this body to-day can say we are any nearer to such an agreement than we were 25 years ago, when we started.

How are we going to get an agreement? Are we going to get it by pursuing the course we have heretofore pursued? The probability is we will never reach an agreement; but whenever the United States Government takes over this Erie Canal and puts it into operation then within two years you are going to get an agreement with Canada. [Applause.] There is no question about that. Any man who has studied this question, who has gone through it, and who has worked on it for years and years is bound to come to that conclusion, that we are never going to reach an agreement with Canada as long as we fail to take any steps to divide trade with them.

They have a deeper channel now than we have down the Erie Canal. They have that advantage. They want to hold it, and they are not going to enter into any agreement as long as they do hold it. But whenever they know Uncle Sam is going to get behind this project and divide trade with them, and place the Erie Canal in a position that will be more nearly competitive with the St. Lawrence, then, gentlemen, you are going to have an agreement with Canada in very quick time.

We are doing more for the St. Lawrence River in this bill than we are for the Erie Canal. We are providing in this bill for the improvement of a 27-foot channel down as far as we have jurisdiction over the St. Lawrence River. Does that show there is any prejudice against the St. Lawrence on the part of the Committee on Rivers and Harbors? That is all the greatest friend of that project has ever asked for; that is all he ever hopes to secure; and we are giving it to him in this bill absolutely, as far as we have jurisdiction over the St. Lawrence River. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DEMPSEY. Mr. Chairman, I yield to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Speaker, ladies and gentlemen of the committee, more than three years have elapsed since the consideration by the House of a rivers and harbors measure. During that period the water-borne commerce of the country has increased and multiplied despite the handicaps as to depth and width of the harbors and streams which were the media of this traffic. The great financial burden incident to the carrying out of flood-control projects in the Mississippi River Valley has absorbed all available funds of the Nation which might have been devoted to this work in the country at large. The appropriation for Mississippi flood control was $325,000,000. Flood control in the Mississippi was not only a humanitarian act but also a national duty.

NATIONAL IN SCOPE

The pending measure, which covers an accumulation of three years, adopts and authorizes works of improvement in approximately 161 streams and harbors. These projects are far flung. They reach from the Hawaiian Islands of the Pacific to the Atlantic coast. They include the improvements of channels and harbors in the Alaskan Territory, where coastal transportation is largely dependent upon the maintenance of proper depth. They include the deepening of the connecting channels of the Great Lakes, with an authorization of $29,266,400. It makes provision for the canalization of the Missouri River. It makes provision for the canalization and the preliminary carrying out of a 9-foot project for the upper Mississippi.

The Tennessee River and its tributaries are included in this measure. This was the result of a gigantic study of this river, the survey alone costing $1,000,000. The possibility of this development in power and resulting industry are far-reaching. The Great Lakes are connected with the Mississippi and the Gulf by the Illinois waterway. The historic James River in Virginia, which now has commerce amounting to upward of 1,000,000 tons per year, is enlarged and straightened. The coastal waterways reaching to the southland are provided for.

The harbors of the New England coast where necessary are deepened and enlarged. The cry of suffering humanity which went up from the Lake Okeechobee has been heeded and dikes have been provided in the lake for the protection of those who dwell on its margin. Gulf of Mexico ports, which are so prolific of tonnage and have grown so rapidly, are given full consideration in this measure. The Mississippi is connected with the Great Lakes and the Great Lakes with the Atlantic Ocean by the Great Lakes-Hudson River waterway. These are but a few of the major projects which are included in this bill. The projects adopted and authorized will require $110,365,000 to complete.

RESULT OF CAREFUL STUDY

Every item in the bill has been carefully scrutinized by the committee. The language of the bill, moreover, tells the story when it states that these projects are to be carried out in accordance with the plans recommended. Recommended by whom? Recommended by the Board of Engineers and the Chief of Engineers for rivers and harbors. Every project in this bill has run a triple gantlet. Primarily it had to pass the scrutiny of the resident and district engineer for rivers and harbors. It then went to the Board of Engineers and to the Chief of Engineers

for final action and transmission either to the Rivers and Harbors Committee or to the Secretary of War. Each project was scrutinized carefully for economic or engineering fallacies. Every dollar proposed to be expended under these recommendations had to be justified by economic returns to the people of the country. Each of them when carried to completion will result in great economies in the rate structure of the Nation and will be reflected in lowered prices to the country. Can the opposition to this bill, if it exists, point to a single economic fallacy in the findings of either the engineers or the committee?

HIGH POLITICAL AUTHORITY FOR THIS MEASURE

Nor are we lacking in political authority for this sound and nation-building disbursement. The Republican national platform of 1928 says:

Great improvements have been made during this administration in our harbors, and the party pledges itself to continue these activities for modernization of our national equipment.

The Democratic national platform of 1928 says:

We favor the fostering and building up of water transportation through improvement of inland waterways and removal of discrimination against water transportation.

President Hoover, in his speech of acceptance delivered at Stanford University August 11, 1928, was and is vigorously for a program of waterways. He stated:

Moreover, the time has arrived when we must undertake a larger visioned development of our water resources. Every drop which runs to the sea without yielding its full economic service is a waste. * * * We can not develop modernized water transportation by isolated projects. We must develop it as a definite and positive interconnected system of transportation. * * * In addition to the work in development of water resources, we have in progress large undertakings in public roads and the construction of public buildings. * * * All these projects will probably require an expenditure of upward of $1,000,000,000 within the next four years. It comprises the largest engineering construction ever undertaken by any government. It involves three times the expenditure laid out upon the Panama Canal. It is justified by the growth, need, and wealth of our country. The organization and administration of this construction is a responsibility of the first order.

MEASURE IS NONSECTIONAL

The committee in preparing this bill for your consideration have regarded it from a national standpoint. The committee's personnel in considering the measure have known no North, South, East, or West. The bill is not the voice of locality, but it is an expression of the Rivers and Harbors Committee's earnest desire for convenient and cheaper water transportation within the United States.

WILL HELP FARMER AND MANUFACTURER

Railroad rates for bulk commodities have become prohibitive as their costs of operation have increased. These increased operating costs prohibit low-cost transportation except by such measures as would result in confiscation of the railroads. The only hope for the agricultural group in America is through water-borne transportation, where the cost of carrying products of the farm are thoroughly minimized. This affects not only the farmer but also the manufacturer. The boats that carry the products of the farm to the market will bring back at equally low transportation costs the products of the manufacturer. This low-cost transportation will be reflected in savings to the farmer and will result in increased comforts and opportunities for him and his family.

PORT OF OSWEGO, N. Y.

I particularly desire to call the attention of the House to the item carried in the bill for the harbor at Oswego, N. Y. That is my home city, and has been one of the principal routes of travel to Canada and the seaboard for more than a century. At Oswego is the Lake Ontario terminus of the New York State Barge Canal. It is only 191 miles from Albany, where a navigable depth of 26 feet has been obtained.

May I say, gentlemen, that the city of Oswego is a growing city. The present population is in excess of 25,000. It has ample banking facilities with deposits running over $26,000,000. It will interest you to know that the Government has collected duties at the city of Oswego during the past years amounting to over $23,000,000. The tonnage during the year 1929 amounted to 403,434 tons, and of this the foreign commerce totaled 116,000 tons. This commerce was carried on despite the shallow condition of the harbor, most of which is of the old-time schooner depth.

Oswego is an industrial city, manufacturing boilers, matches, textiles, shade cloth, and various other products. The last census on manufactures gives Oswego's manufactured products as $15,911,172. This amount has been materially increased by the introduction of new manufacturing plants. About six years ago the F. L. Carlisle Co. began to invest money in Oswego in various water-power and industrial plants. To date they have invested over $22,000,000. They have built there, at Oswego, on the lake shore, the largest paper-bag plant in the world. This plant uses wood pulp and pulp wood in its production.

This company has built there the biggest valve plant in the world, which will employ some 400 skilled workers. It has also established a rayon factory and a board plant, at which they manufacture insulating board for building purposes. They have acquired some 600 acres lying on the lake shore and along the New York, Ontario & Western Railroad to the south. This company also operates the municipal power plant of the city of Oswego under a lease. Carlisle & Co. have located at Oswego because of its natural advantages for manufacturing purposes. The company includes in its personnel the best type of industrial bankers in America, and with their backing Oswego is sure to go to the front industrially.

Boston and New York are keenly interested in the development of a proper harbor at Oswego, and all of New England and the East are backing this harbor development at Oswego with enthusiasm. The United States district engineer in his report estimates that the tonnage at Oswego, upon the completion of this project, will amount annually to 2,321,500 tons, with savings of $465,300 per year. This will, of course, be passed on to the consuming public. The annual maintenance at Oswego is $22,000 per year, and this will be increased only $10,000 per year by the completion of these improvements. The initial improvements recommended by the engineers is $2,200,000. The whole project involves a disbursement of $3,568,000. The project is not to be completed until the local interests have given assurances satisfactory to the Secretary of War and the Chief of Engineers that suitable terminal facilities will be constructed requiring these improvements. I desire to call your attention to what the Chief of Engineers, the Board of Engineers, and the district engineer say about Oswego. On page 3 of the report the chief says:

The board finds that the location of Oswego makes it a suitable point for the development of a harbor for deep-draft lake vessels. When the Welland Canal has been completed, Oswego should hold a strategic position for the transshipment of products of the lake region to the eastern seaboard and for the movement of commodities to upper lake ports.

The Board of Engineers says on page 7 of this report:

When the Welland Canal has been completed Oswego Harbor will occupy a strategic position for the transshipment of the products of the lake region to the eastern seaboard. It will also provide for the movement of commodities to upper lake ports.

The division engineer says on page 72 of this report:

The port of Oswego is in strategic geographical location for commercial and industrial expansion, being near the eastern end of the Great Lakes system and the most logical American port of Lake Ontario for development. It has ample rail and New York Barge Canal service, both of minimum mileage to seaboard, and to eastern interior points of great industry, population, consumption, and distribution.

The foregoing extracts show ample justification for the disbursement proposed.

The development of the port of Oswego will benefit not only the consuming millions of New York and New England but also the eastern portion of the Middle Atlantic States.

It will open new trade routes and result in a more even distribution of the rapidly increasing traffic burdens on railroads in eastern territory. This development at Oswego will result in great saving to the farmer of the West and Middle West. This saving will come not only from his ability to send his product to the eastern market at a low transportation cost but will enable the industrial East to send to the West and Middle West its manufactured products at the lowest possible transportation cost. The project is, therefore, national in scope.

NEW YORK STATE BARGE CANAL

The most mooted item in this measure is that providing for the taking over of the New York State Barge Canal. Some Members of the House seem to regard New York as being what the late William Jennings Bryan used to call "enemy's country." New York State has built and completed this waterway running from Oswego, on Lake Ontario, to Albany and from Buffalo to Albany at an expense of $143,000,000. The tonnage on this waterway in 1920 was 1,424,434 tons. In 1928 this tonnage had grown to 3,089,988, an increase of 117 per cent. This has been despite the fact that the railroads of New York State are most efficient and are vigorously in competition with water transportation in every corner of the State.



AIDED IN OPENING UP THE WEST

These canals, in advance of the development of our transcontinental railroads, linked by a water route our mid-Western States with the States along the North Atlantic seaboard. They served to provide access to and were the outlet from the Mid West. It is authoritatively stated that except for the building of the New York State canals the development of the Mid West would have been greatly delayed. These canals were of great assistance in opening up for development the Midwestern States of Ohio, Indiana, Michigan, and Wisconsin. It is interesting to note that some of the Representatives from these States unmindful of the part played in the destinies of their Commonwealths by these waterways are here to-day opposing its inclusion in this measure.

But the reason is not far to seek. They fear that this project, if included in this bill, will provide an entering wedge which will result in the construction of a New York ship canal and the defeat of the St. Lawrence project. May I say that such is not the view of the engineers nor of the committee which approved this project. The distinguished ranking minority member of the committee from Texas, Judge MANSFIELD, in his very illuminating speech on water ports and water-borne commerce, made on April 9, correctly stated the effect of this inclusion when he said:

> With the taking over from the State of New York of the Erie-Oswego Canals we afford practical barge transportation from the Lakes to the Atlantic seaboard with connections with the intercoastal water from Maine to Florida.

Mr. colleague from Illinois [Mr. WILLIAM E. HULL] in his speech in the House on April 22 cleared the situation up when he said:

> If the barge canal at some future time is turned over to the United States Government it will immediately give us a waterway from the Central West to the Atlantic coast. When the Mississippi River is a completed project it will give the Central West an outlet by the Gulf of Mexico and through the Great Lakes and barge canal to the Atlantic Ocean. Consequently it will be of advantage to every State from the Middle West to the Allegheny Mountains.

I desire to stress here that this bill carries no authority for spending a single cent for the deepening of the Erie-Oswego Canals. It merely provides for taking them over and for operation and maintenance. The language of the bill is:

> Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States, and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

I repeat that not a cent is provided for deepening. That is to be determined by future acts of Congress.

THE BEGINNING OF THE ST. LAWRENCE ROUTE

The attention of the Members of the House who are concerned about the ultimate fate of the proposed St. Lawrence ship canal is respectfully called to the item in the bill providing for a navigable depth of 27 feet in the St. Lawrence between the foot of Lake Ontario and the city of Ogdensburg. This is called the Thousand Islands section of the river and is for navigation only. It is the greatest depth of channel provided in any project submitted in the present bill. The Great Lakes channels in this bill are provided with a depth suitable for vessels of 24-foot draft. This provision for a 27-foot depth between the foot of Lake Ontario and Ogdensburg is the beginning of the St. Lawrence ship canal. This project provides for the removal of a number of granite reefs which endanger navigation and the straightening of the deep narrow channel through the Thousand Islands and the Brockville group. The project provided for the removal of 12 reefs and the cutting back of projecting points to a depth of 27 feet. It is interesting to note that the report of the general board of engineers appointed by the Governments of the United States and Canada provided for a depth of 25 feet along this section of the river. The good faith of the committee in connection with the St. Lawrence project is amply evidenced by the adoption of this project.

BENEFITS OF POWER DEVELOPMENT

My district is vitally interested in the construction of the St. Lawrence waterway. It is conservatively estimated that as a result of the initial development of the St. Lawrence River that 2,500,000 horsepower of electrical energy will be generated, one-half of which will be available for use in New York State. It is also suggested by some recognized authorities that Canada, which has no use for the rest of this power at this time, will be willing to sell it to American interests at a fair figure. This undoubtedly will be arranged by the treaty which must be entered into before this construction in the international section of the river is entered upon. This vast horsepower so created will come into the north country, which includes all the counties of my congressional district, and will be available for manufacturing purposes. Incalculable benefits from this great volume of energy will be passed on to every city, village, and hamlet in northern New York. For this reason I favor this development and have worked as earnestly as possible in collaboration with the gentleman from New York [Mr. SNELL] in bringing about the deepening of the St. Lawrence in the Thousand Islands section.

But this fact does not deter me from urging the acceptance of the New York State waterways. Incidentally it will serve notice on Canada that we are not dependent entirely on her for transportation to the seaboard. But the two propositions are not inconsistent and can go hand in hand. It is my firm belief that the resulting benefits from the St. Lawrence development will confer greater material blessings upon the people of northern New York than it will upon the people of the West and Mid West, who so earnestly advocate this project.

The West, however, should bear in mind that while it exports about 200,000,000 bushels of wheat every year, that 600,000,000 bushels are consumed in the United States, the greater part of it along the eastern seaboard. They want low-cost water-borne transportation to the Atlantic seaboard as well as low-cost transportation to Liverpool. The utilization of both these projects will give them this dual service. With but minor alterations the barge canal is capable of being increased 70 per cent in efficiency. The suspicion of New York on the part of the opposition is groundless. They should understand that ours is no longer the "enemy's country," but simply the consuming East, which depends upon the great agricultural West for its sustenance.

SERVICE OF THE ENGINEERS

During my brief service on the Rivers and Harbors Committee I have been amazed at the work of the Army engineers. The efficiency and devotion of this group to the cause of America is, in large part, the basis of our national development. The future engineers were the intellectual leaders at West Point. Under the stress and discipline of that system they were the dominating mental and physical types and as such were selected for the engineering service. Originally the engineers pioneered the West, built railroads, bridges, and performed other notable service in peace time. It is, of course, a combatant branch of the United States Army in times of war. One who knows them well has written of them:

> Our Government requires the services of engineers who combine high professional qualifications in the above lines with esprit, personal probity, and complete freedom from political influence, which the officer possesses.

The Nation has expended hundreds of millions of dollars for pioneering purposes, for the improvement of rivers and harbors, and for flood control. This work has been highly technical in character, requiring the exercise of the highest engineering skill. It has all been accomplished successfully, and the Nation, which hears little of this group of technicians, has reaped incalculable economic benefits from their work. It is interesting to note that while all the millions of dollars appropriated for these purposes, running beyond the billion mark, has been expended under the direction of the engineers there has been but one case of peculation in 110 years of this service. The engineers are the real field marshals of the public domain. They combine extraordinary industry and power of research with the highest order of intellect. Through my services on the Rivers and Harbors Committee I have been brought in contact with this group of remarkable public servants and have been amazed by the breadth and clarity of their findings on all questions concerning waterways and economics.

This bill provides in section 10, page 71:

> That the present incumbent of the office of assistant to the Chief of Engineers, United States Army, when retired from active service, shall be placed upon the retired list with the rank and pay of major general.

I respectfully urge favorable action on this matter by the House. The beneficiary is Brig. Gen. Herbert Deakyne, with whom the members of the Rivers and Harbors Committee have been in close touch during the making of this bill. This action was taken without his consent or knowledge. Basing his decisions for rivers and harbors improvements on well-reasoned economic considerations, General Deakyne has stood firmly but courteously for what was right. Unmoved by clamor or other

influence, General Deakyne is the type of engineer officer to whom America is greatly in debt. There is ample precedent for inclusion of this promotion in the present bill. It is a tribute from those who have been witnesses to his great ability and constructive work in the cause of waterway improvement. For the purpose of giving a brief résumé of his remarkable activities and great service to America I include herewith a memorandum of his record in the Engineers:

United States Military Academy, West Point, N. Y., 1886–1890.

United States Engineer School of Application, Willets Point, N. Y., 1890–1893.

River and harbor improvement in California, 1893–1896.

Fortification work, San Francisco and San Diego, Calif., 1896–1900.

Member, secretary, and disbursing officer California Débris Commission to regulate hydraulic mining in California, 1897–1901.

Fortification work and river and harbor improvements in Florida, 1901–1903.

Command company and battalion of Engineers, Fort Leavenworth, Kans., 1903–1907.

Fortification work and river and harbor improvement in Philadelphia district, 1908–1912.

Improvement of Missouri River and tributaries, Kansas City district, 1912–1916.

At Army War College, Washington, D. C., 1916–17.

Organized Nineteenth Engineers (railway), 1917.

Took regiment to France, August, 1917.

Commanding Nineteenth Engineers (railway) at St. Nazaire and Eleventh Engineers (railway) on British front and in American sector, September, 1917, to May, 1918. At general headquarters American Expeditionary Forces, director of light railways and roads, May to July, 1918; chief engineer second army.

July to August, 1918, chief engineer Paris group.

August to September, 1918, chief engineer second army.

September, 1918, to April, 1919, division engineer, Gulf division, at New Orleans.

May, 1919, to September, 1920, division engineer, Pacific division, at San Francisco.

1920–1925, division engineer, northeast division, at New York.

1925–26, Assistant Chief of Engineers, to date.

Member of Board of Engineers for Rivers and Harbors, 1909–1912, and 1925 to date.

Member of Mississippi River Commission, March to September, 1920.

Member of California Débris Commission, 1897–1901 and 1920–1925.

The work of General Deakyne, like that of all engineers in the United States service, is unheralded. It is little known except by those with whom he comes in contact. Congress, in behalf of the Nation which is benefited by his great service, will honor itself in giving him this deserved promotion upon his retirement.

BUILDING FOR THE FUTURE

May I say in conclusion that the Committee on Rivers and Harbors has a just pride in this bill. Its enactment means much to the future of America and to unborn generations. The rivers and harbors improvements and canalizations provided by this measure will result in great financial saving to the consumers of America—North, South, East, and West. This saving will result in increased comforts and higher standards of living to the man on the farm and the resident of the city. If Congress is faithful to the power and authority which the Nation has given it, this measure will speedily become law.

Mr. CULLEN. I do not like to interrupt any gentleman when he is on his feet if I can possibly avoid it, but before the gentleman begins to summarize will he kindly answer a question in regard to Newtown Creek? Has there been a report from the United States Army engineers?

Mr. DEMPSEY. Not yet. It comes in to-morrow.

Gentlemen, I am going to read the testimony of Mr. Miller, the secretary of the Missouri Waterwny Association, before the Board of Engineers, on the benefits of the barge canal. I would like to have you all hear this, as it is from the secretary of the Missouri Waterway Association on the advantages of the barge canal to the grain growers of the Middle West.

Mr. MILLER. General Deakyne and members of the board, I am glad to indorse what Congressman HULL has said relating to the interest of our section of the country in this development and may I add just a word to show where we are interested? In our study of the Missouri River, in the matter of the survey for a 9-foot channel, we found that 80 per cent of all of our farm products used in domestic commerce, domestic trade, was located in the territory lying east of the Indiana-Illinois line, north of the Ohio and Potomac Rivers—a little better than you stated, Congressman DEMPSEY, just a little farther—and I state that to show the more direct connection between this canal and our trade. We found in that investigation that some 3,000,000 barrels of flour moved from our territory through the ports of Chicago and Milwaukee by way of the Great Lakes, out through the ports into the State of New York and into New England, at a saving, routed that way—at a saving of 3 and 4 cents a hundred. Now, it follows that if this canal could offer any greater saving than that, and that was out from the Great Lakes-Erie ports by rail—if this canal can show any greater saving than that there would be a larger amount of our flour that would move through this route, and I recall an incident apropos of this in a book called "Old Tow Paths," in which it cites the incident of an Ohio miller, many, many years ago, milling his flour and getting for it a very, very small price. The Ohio Canal was completed which enabled him to ship his flour through the canal to the Lakes and then through the Erie Canal into New York and New England and he got four times as much for his flour, after that canal was opened, than he got before.

Congressman DEMPSEY. Four times the profit?

Mr. MILLER. No; four times the price he got for the local trade he was serving with this connection. The influence of this has extended far over the country. There is not a grade of commodity that has not felt its influence; and, while there is not as great a difference in the price as this, the influence is still there, and very, very extensive to-day; and we, on our part, will be glad to see this improvement made for we have a real, direct interest in it.

Now, gentlemen, let me supplement that by saying that Buffalo has displaced Minneapolis as the flour-milling center of the United States. The wheat of the West goes to Buffalo to be milled, and it is distributed from there eastward through New York and New England.

Gentlemen, a substantial and real saving can be effected by taking over this canal and modernizing it for the benefit of the wheat growers of the Middle West. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired, and the Clerk will read the bill for amendment.

Mr. HUDSON. Mr. Chairman, a parliamentary inquiry. In order that there may be no confusion, is it understood that the bill will be read by paragraphs?

The CHAIRMAN. Under the rules, the bill will be read by paragraphs.

The Clerk read as follows:

New Bedford Harbor, Mass., in accordance with the report of the Chief of Engineers, as submitted in House Document No. 348, Seventy-first Congress, second session, except that the depth to be obtained in the entrance channel shall be 28 feet and the width shall be 350 feet. There is hereby authorized to be expended on this project the sum of $400,000.

Mr. BURTNESS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, I do not want to trespass long upon the time of the committee, particularly so in view of the extended remarks I made yesterday. There are, however, one or two matters I want to refer to just as we are about to reach the paragraph which deals with the Erie and the Oswego Canals.

Mr. DEMPSEY. If the gentleman will yield, we are going to have abundance of debate on that paragraph, and it seems to me we ought to reach the paragraph before we indulge in debate upon it.

Mr. BURTNESS. I am simply following the quite usual practice of the House to make some observations with reference to that important matter before it is reached. The paragraph is in the very early part of the bill and we have already let several paragraphs be read without debate or interruption.

Mr. DEMPSEY. Very well; but it does seem to me it would be better to discuss the paragraphs as they are read. Of course, I do not want to make a technical objection.

The CHAIRMAN. The gentleman will proceed.

Mr. BURTNESS. I am opposed to the provision for taking over the Erie and Oswego Canals as carried in this bill for two reasons, and I want to state them very frankly. First, for the reason stated by the gentleman from Ohio [Mr. CHALMERS] on the ground it is unwise and uneconomic from the standpoint of the Government, and, secondly, I am opposed to it because I am forced to believe, by all the circumstantial evidence that we see about us, that the real motive behind it is one of delaying, if not absolutely and eventually preventing, the construction of the Great Lakes-St. Lawrence waterway project.

This item comes in in an innocent way, of course. As previously stated it is under a provision which simply authorizes the canals being taken over by the Government without charge at an estimated annual maintenance expense of two and a half million dollars.

Now, to start with, the figures for the past few years show it can not be maintained at two and a half million dollars annually, but I do not care so much about that. Of greater importance is the fact that the reports and the arguments that

have been made here indicate and show there will soon be a demand for an improvement of the canals and they will have to be paid for, of course, if we take them over, and properly so, by the Federal Treasury.

Mr. BOYLAN. Will the gentleman yield?

Mr. BURTNESS. I will be pleased to do so a little later. We are, as far as the provision in the bill is concerned, left in the dark as to how much we are going to be asked for in the future. There are some who contend we will be asked to provide only a 13-foot channel, others a 14-foot channel, but there have been speeches made on the floor of the House to-day by members of the New York delegation plainly showing their real hopes and their aspirations. Witness, for instance, the flag-waving remarks they have made, trying to throw dust in the eyes and appealing to the prejudices rather than the judgment of the Members of this House by saying, "Oh, if the ships go down the St. Lawrence, what flag will they carry?" I say the conclusion to be reached after listening to the speeches of these gentlemen is that their hope is that by taking over this canal they will eventually be assured a deep waterway canal sufficient to float ocean-going vessels. That means by the stepladder route across the State of New York, up two or three hundred feet and then down two or three hundred feet, requiring several dozens of locks, embarrassed by almost 300 bridges, wire lines, and other obstructions of that sort.

If it is taken over by the Government, I do not know what they are going to ask for next, and so I will ask the chairman of the committee now when the time comes for his first improvement whether he expects to ask for $26,000,000 for a 13-foot channel, $50,000,000 for a 14-foot channel, or for a 20 to 25 foot channel at an estimated expense of something over $500,000,000.

Mr. DEMPSEY. I will say to the gentleman, frankly, in answer to his question, I think, according to the testimony, which was very elaborate, that to make this canal a usable, practical, economical canal for the grain raisers of his country, to make it usable for the Middle West, as Mr. Miller, secretary of the Missouri association, asserts it can be made, and to make it for the best use of the gentleman's country, we ought to have 14 feet, with 20 feet clearance for the bridges, and this would cost, the engineers say, $50,000,000. I think this is highly economical and highly advantageous to all the Middle West.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. PATTERSON. Mr. Chairman, I ask unanimous consent that the gentleman may have at least five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ELLIS. If the gentleman will permit, I would like to ask the chairman of the committee, in connection with the statement he has just made, to give us the mileage of the waterway that would be improved by the $50,000,000.

Mr. DEMPSEY. The mileage from Tonowanda to Albany is 307 miles and from Oswego, where it joins the other canal, it is about 20 miles, so that makes it approximately 330 miles.

Mr. BURTNESS. I am glad to hear there is at least more of a limit in the mind of the chairman of the committee as to further improvements desired than there seems to be in the minds of official New York over in Albany, for as everyone knows, within three days after the report went out in the press that the committee had recommended the item, Governor Roosevelt sent a message to the legislature, and what did he say?

I extended it in my remarks yesterday. Governor Roosevelt's message was plainly to the effect that with the new recommendation of the Army engineers an opportunity is now presented to their people to obtain not a 14-foot canal, recommended by Mr. DEMPSEY, but at least a 25-foot waterway across the State of New York. That would seem to be the governor's belief. If you know anything about the legislation that was introduced in the Legislature of the State of New York promptly after Governor Roosevelt submitted his special message, you ought to know that over in Albany they are not watching these proceedings to-day on the theory that the canal when taken over by the Government is to be deepened to 14 feet but on the theory that this item means a death blow to the Great Lakes-St. Lawrence waterway project and insures them the so-called "all-American waterway" to the sea.

Mr. BOYLAN. Will the gentleman yield?

Mr. BURTNESS. I yield.

Mr. BOYLAN. I want to ask the gentleman if he knows the draft of a grain-carrying vessel that would traverse the canal? What is the average draft of a grain-carrying vessel that could proceed from the Lakes to sea by any route?

Mr. BURTNESS. I know this, that out in the West we have been trying to get a 9-foot channel in the Mississippi River. That is all we hope to get, a 9-foot channel to carry grain down the river to the Gulf. You in New York have a 12-foot channel now in the barge canal—3 feet deeper than we hope to get in the Mississippi. Surely, for the purpose of carrying bulk freight, like grain, you have a canal deep enough for the purpose. With a great deal of equipment owned by the State of New York, you have the opportunities for carrying it, if the route is otherwise feasible, and yet during the last five years you have made very little progress in the amount of commodities carried. Your increase in percentage of volume has not been anywhere like the increase of percentage in the traffic on the St. Lawrence Canal in Canada, and you can not say that you are being held back on account of having reached the capacity of the canal, for you have never carried more than three and a half million tons of freight in a year, and, according to Colonel Greene, the maximum of the canal is 20,000,000 tons.

Mr. BOYLAN. But the gentleman has not answered my question.

Mr. BURTNESS. I assume that a 9-foot channel, which we hope to get in the Mississippi up to Minneapolis, ought to be sufficient to carry the same kind and amount of commodities in the New York Barge Canal as we expect to carry there. You already have a 12-foot channel.

Mr. BOYLAN. I want to ask the gentleman if the Great Lake vessels carrying grain that is to go through the State without reloading can do it with a 9-foot channel?

Mr. BURTNESS. Of course they could not, if you mean the boats plying on the Great Lakes, and they could not go through over a 14-foot channel, which is the depth which the gentleman from New York [Mr. DEMPSEY] says that they will eventually ask if this bill passes.

Mr. BOYLAN. You can not have a deep-sea waterway channel with 9 feet of water.

Mr. BURTNESS. That is conceded.

I want to urge the membership to strike the Barge Canal item from the bill by voting for the amendment that will be offered in a few minutes, probably by the gentleman from Michigan [Mr. HUDSON], a member of the committee.

If you will do so, the Federal Treasury will, in my judgment, be saved hundreds of millions of dollars in the decades to come in maintenance costs, in general upkeep, improvements, and betterments that will be voted in the future. You will also thereby prevent the ownership of the barge canal becoming at least a confusing issue in further proceedings to establish the Great Lakes-St. Lawrence project. Let us not embarrass the President and the administration in their efforts to conclude a treaty by interjecting new complications.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

The Clerk read as follows:

Thames River, Conn., in accordance with the report submitted in Rivers and Harbors Committee Document No. 14, Seventy-first Congress, second session.

Mr. O'CONNOR of New York. Mr. Chairman, I move to strike out the last word. I make this pro forma motion for this purpose: The gentleman from North Dakota has referred to a message of Governor Roosevelt of the State of New York on April 8, and he has interpreted it to mean that the governor was deluded into the belief that this project involved a deep ship canal.

Now, nothing of that kind is said in the message. The only reference in the message which would pertain to this is where the governor refers to a canal which would carry "larger vessels." That is the fact of the matter, and nothing was said in the message about deepening the canal for ships.

Mr. BURTNESS. In order to carry large vessels, how deep would the gentleman from New York say that the canal should be?

Mr. DEMPSEY. Will the gentleman yield?

Mr. O'CONNOR of New York. I yield.

Mr. DEMPSEY. Is it not a fact that Congress legislates on the rivers and harbors, and not the Governor of the State of New York?

Mr. O'CONNOR of New York. That question answers itself.

Mr. BURTNESS. But it does not answer my question.

Mr. WILLIAM E. HULL. The barges that can carry freight on a 9-foot channel will carry as much freight as the barges on the Great Lakes now carry.

If you have a 12-foot channel, you have as much as you would have if you had a deep-sea channel.

Mr. BURTNESS. The question was how deep the channel would have to be in order to carry those large ships that Governor Roosevelt referred to.

Mr. WILLIAM E. HULL. But he did not refer to large ships in the first place.

Mr. BURTNESS. The gentleman has not read his message.

Mr. WILLIAM E. HULL. Oh, yes, I have.

Mr. O'CONNOR of New York. Mr. Chairman, the exact language used by the governor was "vessels of large size." There is nothing about the draft of the vessel whatever, or about the depth of the canal.

The Clerk read as follows:

Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

Mr. HUDSON. Mr. Chairman, I move to strike out, on page 5, lines 12 to 21, inclusive.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDSON: Page 5, beginning in line 12, strike out paragraph ending in line 21.

[Cries of "Vote! Vote!"]

Mr. HUDSON. Mr. Chairman, I know the temper of the House, and I apprehend there will be considerable discussion on this motion. I think there ought to be. It is one of the vital important paragraphs of the bill. It comes early in the bill and I trust the chairman of the committee will not attempt to curtail the time. I simply repeat one thing that I said before, that it is the height of folly for the United States to take over a project which the State of New York in all these years has found to be a great economic loss. It has not been able to use it. The commerce has not been more than one-twentieth of its present capacity, which demonstrates that commerce has no particular need for the canal. On the other hand, it will become, from the moment it is taken over, a serious financial obligation to this country without any perceptible return. The great West, the States surrounding the Great Lakes, and the cities upon those Great Lakes, with the great industrial development and the great agricultural development, are not asking for a barge canal across the State of New York as a solution of their economic needs; they are asking for a great deep-sea waterway. They are entitled to it. No nation on the face of the earth to which God has given a great inland waterway such as the Great Lakes, but has had a great deep-sea outlet. That is all that they are asking for. This will not provide that and never can provide it. From a barge standpoint it will be simply an economic loss, a tremendous burden from the beginning of our taking it over. I trust that my motion may well prevail.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. O'CONNOR of Louisiana. Mr. Chairman and members of the committee, of course the Erie Canal can be made a canal by which seagoing vessels can take cargo to New York, and thence overseas without breaking bulk. All you have to do is go deep enough and wide enough in developing and expanding the canal. The Panama Canal would have been a sea-level canal had they gone deep enough at the 9-mile cut, called the Culebra Cut, running westward from Gold Hill and Balboa Heights to the Pacific Ocean. Everybody who ever went down there and saw the canal while work was going on knows very well that Count De Lesseps' idea was not merely a dream. If he had had the mechanical apparatus that Colonel Goethals had, the Panama Canal would have been a seagoing canal and a French enterprise to-day.

But the day is far distant when the Erie Canal can be made a seagoing canal. The time has not arrived, and it can not happen until the appropriate time arrives for it to happen. Nor is there any likelihood of the Mississippi, either from St. Paul or Chicago through the Illinois connection down to New Orleans, ever becoming a seagoing river from those cities overseas. Bulk will have to be broken at New Orleans. The channel of the Mississippi from the north, east, and west down far below St. Louis will still be a 9-foot channel for many years. At the lower end of the river, from Vicksburg down to the Gulf, it is deep enough. It is the upper part that is shallow, and the higher up one goes the shallower does he find the channel. So that nothing can come from the upper Mississippi or the Erie Canal, which will be used for years as domestic waterways, to impede or interfere with the realization of the magnificent dream that has been in the minds of the proponents of the Great Lakes scheme. I do not mean to apply the word "scheme" in any offensive sense. No one can share more with those people in their hopes and aspirations than the people of the Mississippi Valley, who long for the day when the planning and toiling of the people of the Great Lakes for a St. Lawrence route to the sea will be an actuality.

Let me say to you gentlemen here representing the great States bordering on the Great Lakes, that the situation would not be now as it is if there had not been a failure on the part of the Great Lakes associations to live up to an understanding, tacit or expressed, with the Mississippi Valley associations years ago. Perhaps it was due to an inability to interpret satisfactorily the agreement which both organizations had in mind. The fault is attributable to the fact that the Great Lakes people and the people of the lower Mississippi Valley after laboring for many years to bring together the political and congressional forces in order to bring about a realization of what you think would be a blessing to your splendid section and what we hoped would connect us up with you so that the lake cities and the valley cities could buy from and sell to each, making for an unimaginable prosperity, failed to construe their agreements so as to make for that great common effort that would spell success for each and both. But without unnecessary vehemence I may say that in spite of the loss of the confidence that we had placed in the Great Lakes Association we are not going to lose our interest in you now as a result of the failure to get together. We are still going to help you and promote your welfare. The country, with its varied interests, is interdependent, and what makes for our success will also make for the success of the Great Lakes and vice versa. We want to participate in the wonderful commerce that flows over the bosom of every lake that is a part of the Great Lakes system.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of Louisiana. Yes.

Mr. MICHENER. The gentleman spoke of the "breach of faith" on the part of the Great Lakes Association. Inasmuch as the gentleman has made that charge I ask unanimous consent that the gentleman may have five additional minutes so that he can tell us just what he means by that.

Mr. O'CONNOR of Louisiana. The gentleman is correct; I did use the expression he attributes to me. The Great Lakes Association has always made it apparent to the Mississippi Valley associations, in years gone by at least, that they would stand for the development of the Mississippi River and Illinois connections, which would have placed us in contact with them, but at no time have we had evidence of their sincerity, I will say to the gentleman, because though hoped and prayed for for many years the lower and the upper valleys are still without Great Lakes connections.

And everyone knows that if you strike the Erie Canal from the bill, the next step will be to strike the Illinois River from it. I can see that that is the purpose.

Mr. MICHENER. I can assure the gentleman that we have no such thought.

Mr. MOONEY. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR of Louisiana. Yes. But I want first to thank my friend Mr. MICHENER's assurance of an attitude that will be gratifying to many of his countrymen.

Mr. MOONEY. When was there such assurance given by the Great Lakes Association as the gentleman intimates?

Mr. O'CONNOR of Louisiana. There has never been any lack of evidence that we of the Mississippi Valley do want a connection with the Great Lakes, and the hopes that have been frustrated time and again through many years when we were working day and night to tie up with the Lakes is sufficient evidence to make us believe that you were not desirous of such a waterway as the Illinois River will give us.

Mr. MOONEY. I will say that we have been in favor of every improvement save those that would take water from the Great Lakes.

Mr. O'CONNOR of Louisiana. I may say to the gentleman in all admiration that his parliamentary tactics pursued adroitly and skillfully helped to develop the very situation of which I complain. He has been for the Lakes first, last, and always, so that the result of his maneuvers has been to deny what we wanted to achieve. I suggest that you get your Great Lakes associations to say that they deny that they made that agreement, and the effect of that denial may be to make for a better understanding. I am talking about the imperiums in imperios, the governments within the government, the force that determines the action of Congress, according to themselves, at least, the associations and organizations of the past if not of the present.

Mr. CHALMERS. Mr. Chairman——

Mr. O'CONNOR of Louisiana. What does the gentleman from Ohio wish to say?

Mr. CHALMERS. I want to follow you.

Mr. O'CONNOR of Louisiana. I am glad the gentleman wishes to pay me a tribute and compliment and follow me in my statement to the House. [Laughter.] But notwithstanding this breach of faith, which I express not acrimoniously, as I do not want to use too strong language, I will say to my good, tireless, and indefatigable friend [Mr. CHALMERS] we will carry on and will fight the good fight of the Great Lakes States for the development of the St. Lawrence and the realization of your hopes. I intended to say that the Lakes associations of years ago had not lived up consciously or unconsciously to the obligations they had assumed in their expressed or implied agreement with valley people. I am talking about these waterway associations, and not about Members of Congress. Notwithstanding those misunderstandings and the failure of the two great sections to get together, we, the Representatives of the people in Congress and particularly the representatives of the Mississippi Valley, are looking forward to the day when we may be able to secure such an understanding and working agreement after you have had an agreement with Canada, and when that international agreement is effected we will give you our undivided support. But you and I know that day is far distant.

Some years ago I went to Canada on a motorcade and spoke at many banquets all the way from New Orleans to Quebec. I was the only Congressman in the party made up of more than 150 automobiles, some of which started from New Orleans, but the most of which began the trip at Atlanta. As a matter of fact the trip was made under the auspices of the great southern newspaper, the Atlanta Journal; and I had the honor to be the guest of the courtly and gallant journalist and southern gentleman, Major Cohen. We rolled on our way over the Appalachian and Susquehanna Highways and were entertained daily and nightly by many of the most distinguished men and women in America and Canada. Being the only Congressman in the party and enjoying the affection of my many friends who were on that trip from many Southern States, I was made to feel that it is worth while to labor as a Congressman out of session as well as in them.

I attended a banquet at Quebec where many notables and dignitaries were assembled. By virtue of the fact that I represented the United States Government in my congressional position, I was seated next to one of the most important men of the Dominion of Canada. He spoke French. He was a French Canadian, and he assumed, notwithstanding my name was O'Connor, that as I came from New Orleans I was necessarily a New Orleans creole and of French blood. I asked him what chance there was——

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. FISH. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for two additional minutes.

The CHAIRMAN. The gentleman from New York [Mr. FISH] asks unanimous consent that the time of the gentleman from Louisiana [Mr. O'CONNOR] be extended for two additional minutes. Is there objection?

There was no objection.

Mr. O'CONNOR of Louisiana. I asked that gentleman what chance there was of consummating an agreement between the United States and Canada with respect to the St. Lawrence River, so that the dreams, the hopes, and the aspirations of the Great Lakes people might some day be gratified. He said to me in French, "Do you think we are a lot of damn fools to cut the throats of Montreal and Quebec? You will never get such an agreement."

I believe it is almost an idle dream that you are indulging in with respect to securing the agreement which you have in mind and which is a sine qua non to the development that you expect. But if the awakening should come and prove that it is a magnificent reality that was a dream only in its beginning we are with you. The valley will aid you and assist you, because your success and your prosperity means our success and our prosperity.

Let me conclude by repeating again and again that you have the sympathy and you have the support of the people of the lower valley who want to establish contact with the cities on the Lakes, and that contact ought to be as agreeable to you as the contact you will get with foreign ports you dream about as the summation of your hopes. The development of your domestic commerce—of our commerce—will be of greater concern and of greater profit to you.

The lower valley is an empire in itself and furnishes wonderful opportunities. I am amazed that cities like Duluth, Milwaukee, Toledo, Cleveland, and Detroit can not understand the value of tying themselves up with a waterway which will in no way ever become a deep waterway and can never be an impediment to the development of the St. Lawrence. [Applause.]

I hope that my vision of the future will gratify my eyes as a reality before I turn my gaze from that picture of my dreams forever. I hope that I may live to see the day when our people north, south, east, and west will work whole-heartedly for the building up of a waterway, highway, and railway system that will, through sheer force of its economic superiority, keep us in the vanguard of civilization and insure a domestic and foreign commerce that will absorb and consume the output of numberless factories and industrial plants, and carry our goods, our merchandise into millions of homes on the Lakes and the Mississippi and its tributaries and along our coasts and waterways, and through an American merchant marine bring our wares into every port and country on earth.

Mr. CHALMERS. Mr. Chairman and members of the committee, we all have the highest regard for our genial, literary colleague on the committee, the gentleman from Louisiana [Mr. O'CONNOR]; but when the gentleman says the Great Lakes States have not done their part for the lower Mississippi, the gentleman is simply mistaken.

When we pass this bill, the United States of America, since the adoption of the Constitution, will have invested in river and harbor development, including inland waterways and coastwise harbors, approximately a billion and a half dollars. The Great Lakes have had less than $170,000,000 of that, while the Mississippi system has had approximately one-half of it. You would all be in red ink to-day if it were not for the Great Lakes. The Great Lakes annually earn on all of the billion and a half expenditure for rivers and harbors, more than 6 per cent interest.

The gentleman from Alabama [Mr. HUDDLESTON] said several years ago, when we were considering the last rivers and harbors bill, that there was a project in the bill which was so small that any ordinary life-sized bullfrog could drink all the water in the creek. [Laughter.]

That may have been true in the past, but on all projects, good and bad, the Great Lakes is earning annually 6 per cent interest on all the money that the United States of America has invested in rivers and harbors. So you must not claim that we have had any more than our share when we have spent on the Great Lakes projects a little over $160,000,000.

Perhaps a little later I may go into more detail on the subject, but I wanted to answer my good friend from Louisiana [Mr. O'CONNOR], whom I regard very highly, that he must not charge the Great Lakes with bad faith in not taking care of the lower Mississippi and their interests in these and other projects. [Applause.]

Mr. ABERNETHY. Mr. Chairman, ladies and gentlemen of the committee, I want to take but a few minutes of your time. I want to lay down the proposition, that whenever the great State of New York comes along and offers to give the Government something free, I say "take it and take it quick before she gets out of the notion." [Applause.]

As I understand, New York has spent over $100,000,000 on the Erie Canal, and according to this bill, New York is offering to give it to the Government and all we are asked to pay in return is something less than $3,000,000. I can not figure how you gentlemen, who want to get a waterway through the St. Lawrence, can hope to benefit your proposition in the future by fighting this matter.

When I came to Congress I found out that the only way I could get appropriations for waterways was to cooperate with other sections of the country and to get in the swim and with the crowd that does the business. [Laughter and applause.]

What has happened? I lined up with the sainted Martin Madden. He got $3,000,000 for the Illinois River and we got $6,000,000 for the inland waterway from Beaufort, N. C., to Wilmington, N. C. I lined up with my good friend from Ohio, and I have lined up with all the good fellows in the House for a great system of waterways throughout the country. I believe that when New York seeks to give this waterway to the Government, we should accept it. I am in favor of connecting up the entire country with waterways. I saw the Missouri River group come into the House and put the Missouri River in the river and harbor bill. We voted for it. I have seen the Mississippi River group and I have seen the Pacific coast group and the Atlantic Coast and Gulf groups come in here and get appropriations for waterways. When New York comes here and wishes to give us something, I say "Let us take it and stop this row." [Applause.]

Mr. MOONEY. Mr. Chairman and gentlemen of the committee, I had no notion of consuming any time on this bill, but find that very many gentlemen who with me believe that the development of the St. Lawrence waterway is of particular importance oppose this item for the reason that they believe it is in conflict with a deepened St. Lawrence.

It so happens that my colleague, Mr. BOLTON, of Ohio, also a member of the Rivers and Harbors Committee, lives as I do in the great city of Cleveland. We have one of the Great Lake ports in our city, and there is no point in America that enjoys greater commerce, foreign or domestic. We, therefore, have unusual interest in an outlet to the ocean, and it follows that together we gave perhaps more careful study to this project than to any other; we both voted to include this item in the general bill. I am unable to see any connection whatever between the acceptance by the Government of this New York waterway and the interest so many of us have for a deep-sea channel to the Atlantic.

This bill does not even by implication promise any appropriation for the New York canal system save $2,500,000 for maintenance. Now, there may have been some doubt as to the wisdom of engaging in an enterprise to build a canal at the great cost this was constructed, but the $150,000,000 has already been paid by the State of New York and the completed waterway comes to the Government without the expenditure of a dollar.

The entire question then, it seems to me, is whether or not the present and expected commerce justifies an expenditure of $2,500,000 every year. Obviously fairness requires that if the canals are to be maintained then they should become a part of the Federal system and their maintenance charged to the Federal Government. Substantially all the commerce is interstate. There is 3,000,000 tons of commerce now, prospects for increase are good, and while maintenance charge is high, it is, in my judgment, not excessive and is entirely justified. Figures to show high Government cost of freight now are made to include interest charge on $150,000,000, none of which will be charged to the Federal Government.

It is the ardent hope of men who believe in waterways that by giving cheap water transportation from the Northwest to the greatly congested region to be reached by this waterway, there may be added income to the northwestern farmer and decreased cost of living to the city man along the river. I am convinced that cheaper transportation along this barge canal may result in lower prices on manufactured goods all through the Middle and Far West.

It is my fond hope that there may be very greatly increased commerce, and I have never for an instant thought of this waterway as anything other than a barge canal. I do not share the fear of some gentlemen that the Congress may be stampeded into further expenditures by reason of any action we now take, and personally I would earnestly oppose any change in depth that would require the construction of new locks or impede traffic, both highway and by rail, because of the construction of new bridges, but I do favor the acceptance by the Federal Government of the canal as it now exists.

Personally I look forward to that day—and may that day soon come—when some fair project is proposed to deepen the St. Lawrence and to open the benefits of ocean traffic through the Great Lakes to substantially all the Nation. I shall go as far as he who goes farthest to the consummation of that end, and I am convinced that at that time the New York canal project will be a benefit, not a disadvantage.

I have carefully listened to everyone who has had a word to say in opposition, and a very great deal of this opposition has come from gentlemen in whom I have supreme confidence, but I have not heard one word that changes my position. I would vote favorably in committee on the project again to-morrow, as I expect to vote for the entire bill to-day.

Mr. MICHENER. Mr. Chairman, I desire to ask a question of the gentleman from New York [Mr. DEMPSEY], a very important question.

Mr. DEMPSEY. I trust the gentleman's estimate of it is correct.

Mr. MICHENER. When the gentleman from Ohio [Mr. CHALMERS] was on the floor——

Mr. DEMPSEY. He has been on the floor several times.

Mr. MICHENER. Well, we will say just one time. When he was on the floor one time to-day he said that the entire Rivers and Harbors Committee favored the St. Lawrence project as soon as Canada would consent to a treaty with the United States. Is that true?

Mr. DEMPSEY. Is the St. Lawrence project before the House at this time?

Mr. MICHENER. No; but the gentleman knows it has been discussed here.

Mr. DEMPSEY. I will answer the gentleman by saying that Mr. CHALMERS has the right to speak for himself, and that I do not regard that the St. Lawrence route is in any way affected by this bill except favorably. A barge canal will not interfere with a deep waterway or be a rival.

Mr. MICHENER. I asked a question; I did not yield to the gentleman for a speech.

Mr. DEMPSEY. I am answering the gentleman's question.

Mr. MICHENER. But the gentleman has the habit of always making a speech when he is asked a question.

Mr. DEMPSEY. I have to answer in my own way and I can not answer in the gentleman's way. A barge canal is not a rival of a deep waterway. It is a different kind of a waterway. It will distribute commerce to all of our people, and 85 per cent of our commerce is domestic. It will continue to distribute that commerce throughout all time.

Mr. MICHENER. I decline to yield further. I have not received a reply to the question I asked the gentleman. I think the gentleman is a practicing attorney and has had experience, so he can answer.

Mr. DEMPSEY. The gentleman is correct that far, but I would not say he was correct in anything else.

Mr. MICHENER. Let us not be facetious. This is a bill carrying $110,000,000.

Mr. DEMPSEY. And the gentleman has a considerable part of it.

Mr. MICHENER. Yes.

Mr. DEMPSEY. And a very worthy part.

Mr. MICHENER. Let us not quarrel. What I want to know is this——

Mr. DEMPSEY. We are not going to quarrel. We are all in good humor.

Mr. MICHENER. I hope so. I would like to have the gentleman answer some of these questions so we may understand.

Mr. DEMPSEY. Is the gentleman a school-teacher or an instructor, and shall I answer him according to his wishes or shall I answer in my own way?

Mr. MICHENER. I will excuse the gentleman from talking further in my time.

Mr. DEMPSEY. That is fine.

Mr. MICHENER. I simply want to say that we have had debate here which has indicated that a part of this committee feels and believes that this barge canal will not interfere with the St. Lawrence route, and that the barge canal will always be a barge canal purely and simply. We have other members of the committee who have indicated something else. The chairman of the committee, who would attempt to lead us to believe that this is to be a barge canal and a barge canal only, refuses absolutely, by evasiveness and attempting to be facetious, to answer my question as to whether or not he, as the chairman of this committee, is imposing upon the House and leading the House to believe something which he does not himself believe. All I want to know are the facts. So far as these two projects are concerned, I have been inclined to feel that the one did not interfere with the other; that in time both would be completed; but the conduct of the chairman of the committee in answering my question indicates that he does not desire to commit himself on the matter. I have here a statement which he gave out on the 17th day of April to Mr. Mark L. Wright, who, I believe, is in the press gallery, in which the gentleman from New York is purported to have said:

The Erie Canal—

Said Mr. DEMPSEY in the concluding paragraph of his statement—

will prove so valuable when improved, as it will be, that there will be no necessity for any deep waterway connecting the Great Lakes with the sea.

If the above language means anything, it means that Mr. DEMPSEY, chairman of the Rivers and Harbors Committee, is of the opinion that the St. Lawrence waterway to the sea never will be and never should become a realization. He says there will be no necessity for any such deep waterway, clearly indicating that it will be his purpose to promote necessary legislation to make the Erie Canal do the work which we of the Great Lakes region believe can be more efficiently done by the development of the St. Lawrence project. The Erie Canal never has been a success. The State of New York constructed the canal, believing that it would be used to bring the water-borne commerce of the Great Lakes region through the State of New York and to the port of New York. Proper terminal facilities have been constructed by the State of New York. The canal is a complete 12-foot structure. All it lacks is commerce, and there is no reason to believe that it will attract more commerce because it is owned, and the deficit in operating expenses is paid by the Federal Government, than as if the State continued to operate the canal and make up the deficit.

If the Federal Government does take over the Erie Canal, the $2,500,000 item of annual maintenance will be but a drop in the bucket, because the next step will be to change the 54 bridges, the cost of which we have no idea, and the deepening of the channel at an additional cost of at least $26,000,000, and that is

not all. The Government will then be urged to operate a Government barge line, as is done on the Warrior River to-day, in the hope that a Federal subsidy may develop commerce.

Many Members to-day will vote against the motion to strike out this provision from the bill, who I know are friends of the St. Lawrence project, and who will vote for the St. Lawrence project whenever an opportunity is given on the floor of this House. My own belief is that there are enough votes in this House to pass a bill providing for the development of the St. Lawrence route in accordance with the report of the engineers, and that this project can be passed in this body just as soon as an agreement is reached with Canada settling the differences between the two countries.

There is no question but that there is always more or less "logrolling" in a rivers and harbors bill. This is deplorable, but true; and in the present bill the logs have been so rolled that there is no question about the passing of the bill. On the whole, the items carried in the bill are worthy projects and the most objectionable feature is the provision carrying the Erie Canal. I do not, however, join with those who state that they are convinced beyond all doubt that the adoption of this project means the death of the St. Lawrence project. I shall vote for the motion to strike out the Erie Canal.

In urging that the Erie Canal be stricken from this bill, I do it more in an effort to assure that no obstacles are placed in the way of the St. Lawrence project. I am practical enough to believe that the killing of this rivers and harbors bill, when so many worthy projects are included, will not bring support to the St. Lawrence project when it eventually comes before this body for sanction. The Great Lakes States have been making a losing fight against an irresistible combination. The Mississippi Valley group, in the first instance, wanted water from the Great Lakes to assist in their development. Naturally the Great Lakes region resisted to the limit this invasion of our rights, and it would seem that this group under the able leadership of the gentleman from Illinois [Mr. WILLIAM E. HULL] has combined with the New York group and, with the aid and assistance of those interested in other projects throughout the country, have accumulated sufficient votes to do about whatever is desired in the way of rivers and harbors legislation, and I feel sure, however, that this combination will not hold good when the St. Lawrence waterway is up for consideration.

We want all sections of the country to prosper, and water transportation is an indispensable adjunct to the prosperity of the Great Lakes region, and while the Erie Canal may in time be of some value, it is not at this time and never will and never can render the service and give the benefit which the St. Lawrence route to the sea will bring to the land-locked region in which we live.

On yesterday the gentleman from North Dakota [Mr. BURTNESS] made a most comprehensive speech on the matter which we are now discussing. The reasons are fully set forth why this item should be stricken from the bill.

I say that the Erie Canal project could not possibly be brought on the floor of this House for consideration at this time were it not for the influence and ability of the very able gentleman from New York [Mr. DEMPSEY]. I have no quarrel with him for advocating this project. His State has made a bad investment, his district is vitally affected, his city of Buffalo wants the products of our factories and farms to come in Great Lakes bottoms to Buffalo, there to unload and reload on the barge. He is naturally thinking more of his own district and his own State than he is of my district and my State. We are thinking of freight rates, of getting our grain and our manufactured goods to all points in the world and bringing back in the same ships those products which we must import. A barge canal has its place, but lake-going and ocean-going ships can not operate in a barge canal, and the Great Lakes region will never be satisfied and can never enjoy equal opportunity with the other sections of the country until we have a deep waterway to the sea. I hope that this amendment will be adopted.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PARKER. Mr. Chairman, I want to go somewhat into the history of what we are trying to do here with the Erie Canal. I doubt very much if the gentlemen who are opposing this proposition realize that their country would never have been settled had it not been for the Erie Canal. You may laugh, if you choose, but nevertheless that is the truth.

Mr. HUDSON. The gentleman will pardon me——

Mr. PARKER. I was not speaking of the gentleman personally.

Mr. HUDSON. The old Erie Canal is not this canal. This is the New York State Barge Canal.

Mr. PARKER. It is part of the same scheme. New York State dug this canal. We did not come to Congress and ask you to pay one single dollar for the maintenance or the construction of the canal. You have now used this canal for generations for nothing. There have been no tolls on the Erie Canal.

Mr. MANSFIELD. New York has maintained it for more than 100 years.

Mr. PARKER. Yes; New York has maintained this canal and given it to the people of the West to use free.

This bill carries with it very large appropriations for improvements of other waterways, notably the Missouri River. I have no quarrel with your improving the Missouri River, but the Missouri River is to be improved at national expense. Here is a canal running through the State of New York, with very large traffic on it, that we offer to give to you for nothing if you will accept it and maintain it; and let me say that within the last 20 years New York State itself has spent over $200,000,000 in deepening the canal and in building terminals and other facilities that go with the gift, if you please. You gentleman quibble about accepting a proposition of this kind from New York State that we have built and maintained for your benefit, as well as our own. I do not say it was altogether altruistic, because it was not, but, nevertheless, the West has got fully as much benefit out of the Erie Canal as the State of New York.

Starting with the big cities of the country, New York City, Troy, Albany, Schenectady, Syracuse, Rochester, Buffalo, Cleveland, Detroit, Chicago, and right on through, every one of these cities is connected with the building of the Erie Canal by New York State.

I care not whether this is a ship canal or a barge canal, if we are going to continue to spend the money we are now spending for water transportation it seems to me that New York State is entitled to have the Federal Government take over this proposition and run it. We do not ask you to buy it. We say we will give it to you and let the Federal Government run it as you do the Warrior, as you do the Mississippi, and as you are going to do with respect to these various other projects.

Mr. BURTNESS. Will the gentleman yield?

Mr. PARKER. Certainly.

Mr. BURTNESS. Does the gentleman think it will be good business for the State of New York to give away this canal?

Mr. PARKER. Absolutely; yes. But I want to qualify that answer——

Mr. BURTNESS. How much——

Mr. PARKER. One moment. I have answered the question and have answered it fairly, and that is all the gentleman can ask.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PARKER. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PARKER. I want to answer the gentleman further. When I say it will be good business for the State of New York, I say this for the reason that I presume it will be operated with more efficiency if it is operated by the Federal Government in connection with the Great Lakes and in connection with the other activities of the Government than it is now when it is operated solely by the State of New York.

Mr. BURTNESS. Would the gentleman also go so far as to agree with the editor of the Wall Street Journal, who has said this:

> New York could well afford to pay them over $50,000,000 in gold if Uncle Sam were foolish enough to accept it.

Do you think it would pay New York not only to give it away but to give the Government $50,000,000 in order to get rid of it?

Mr. GRIFFIN. Does not the gentleman know that the Wall Street Journal is speaking for the railroads? [Applause.]

Mr. PARKER. There is no question in my mind whatever that if this canal were under Federal control, the same as the Hudson River, the same as the Great Lakes, the canal would be of infinite benefit to the people out in the gentleman's own country.

Mr. MICHENER. Why?

Mr. PARKER. On account of the increased transportation and the lowering of freight rates.

Mr. MICHENER. If the transportation is there now and there are no tolls on the canal and if the facilities are all there, how does the gentleman explain the fact that industry does not use it now?

Mr. PARKER. Because it would only be a short time before we would have the same system there that we have on the Mississippi and on the Warrior through Government-owned

operation, and this is exactly why the Wall Street Journal opposes the proposition.

Mr. MICHENER. That is a new proposition. Then it is the gentleman's idea that we are to put on Government-owned barges and operate them?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DEMPSEY. Mr. Chairman, I want to see if we can not make some arrangement as to closing debate on this paragraph. We want a reasonable time for debate, but the temper of the committee clearly shows that this debate should close within a reasonable time, so that it will be fair to those who want to be heard and fair to the committee.

Mr. CHALMERS. What does the gentleman suggest?

Mr. DEMPSEY. Suppose we say 30 minutes, 15 minutes on a side.

Mr. HUDSON. I make the suggestion that further time allotted be kept strictly under the 5-minute rule and no extension allowed.

Mr. CHALMERS. Will the gentleman agree to 20 minutes on a side?

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 40 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate on this paragraph and all amendments thereto close in 40 minutes. Is there objection?

Mr. LINTHICUM. Does the gentleman expect to finish the bill to-day?

Mr. DEMPSEY. I do not think there will be debate of any great proportion, except on this paragraph; but I do not want Members who are opposed to this item to say that we have not been most generous in yielding time. I think we can close the bill, after debating this paragraph 40 minutes longer—we can close the bill by half past 5 without any trouble.

Mr. RAYBURN. Perhaps we can if we give everybody from New York and Michigan and those interested in the St. Lawrence waterway all the time they want. But suppose some of us are not pleased with other portions of the bill and want 40 minutes or an hour, we will be here until midnight.

Mr. MICHENER. Why not debate it thoroughly—we can finish the bill to-morrow; we have nothing else to do to-morrow?

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. DEMPSEY]?

There was no objection.

Mr. MAPES. Mr. Chairman and members of the committee, I rise to support the motion to strike out the paragraph. Of course, under these conditions, it is impossible to consider a bill judicially or for one to make any connected statement. It is embarrassing for one who believes in orderly procedure in the House even to attempt to do so. Those of us who are not on the Committee on Rivers and Harbors have had very little opportunity to learn what is in the bill. We have not had time to study it, and the members of the committee do not have time under the Calendar Wednesday rule to explain it. The bill was only reported by the committee day before yesterday, and the printed report was not available until this morning. This procedure here to-day has demonstrated anew the folly of trying to consider a big bill, such as the rivers and harbors bill is, under the Calendar Wednesday rule. It is not necessary to do so, as there would be no difficulty in getting a rule making it in order to consider the bill at any time. I submit to the members of that committee that the next time they have a big bill to consider that they ought not to call it up under the Calendar Wednesday rule, and particularly on the last day at their disposal, as in this case. To do so belittles the dignity of the committee and invites unnecessary criticism. This legislation has caused me a good deal of concern. Through my colleague from Michigan [Mr. HUDSON] and other members of the committee, I have endeavored to keep in touch with the progress of the bill in this committee for several months, but I have been otherwise engaged since it was reported and have had a chance to examine it only superficially.

Michigan is always greatly interested in river and harbor legislation. This bill carries several items of great importance to the Great Lakes States in general and to Michigan in particular. It has in it two items adapting projects relating to harbors in the district I represent in which the communities affected are greatly concerned. But this item under consideration, if it stays in the bill, condemns the entire bill, in the opinion of the great majority of the people of the State of Michigan. I am opposed to the item on its merits, because it is a bad bargain for the United States to take over the Erie and Oswego Canals, and because I am convinced that it is the hope and purpose, at least of the State of New York and other proponents of this proposition, to use it eventually in place of and to block the St. Lawrence waterway. I know that some believe that this will not be the effect of it, and there have been persistent statements on the floor this afternoon disclaiming any such purpose or ambition.

The steps recently taken by the responsible officials of the State of New York, as well as the developments of the last few years, which have led up to this item being incorporated in the bill, as detailed in the speech of the gentleman from North Dakota appearing in yesterday's RECORD, all lead one to the contrary opinion. No amount of protestation can change the facts.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. MAPES. Since I have taken the floor I have been handed a copy of the Buffalo Evening News of April 17, 1930, in which the distinguished chairman of this committee is quoted as making this statement. I read from that newspaper:

> "The Erie Canal," said Mr. DEMPSEY in the concluding paragraph of his statement, "will prove so valuable when improved, as it will be, that there will be no necessity for any deep waterway connecting the Great Lakes with the sea."

I yield.

Mr. DEMPSEY. Is not the Lake Carriers' Association a representative body representing the shipping interests of the States of Michigan and of Ohio?

Mr. MAPES. The Lake Carriers' Association is an important organization. I do not know what its attitude is toward this proposal, but let me say to the gentleman that the people of my State can not forget the fact that the gentleman from New York has been a persistent advocate of an all-American waterway for years. They can not forget the persistence of the gentleman in trying to get a favorable report from the engineers on which to tie this item. He certainly in former years has advocated it or an all-American waterway from the Lakes to the ocean in place of the St. Lawrence waterway, and he and his colleagues from New York, quite regardless of party, are arguing this afternoon that the St. Lawrence waterway is impossible because we have not yet secured the cooperation of Canada. Their whole attitude shows that they hope and expect this canal will block the St. Lawrence project. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CHINDBLOM. Mr. Chairman and members of the committee, it has been said that the States bordering on the Great Lakes are opposed to the proposal to take over the Oswego and Erie Canals. I am not speaking for the delegation from the State of Illinois, but my understanding is that most of my colleagues from that State will agree with me in opposing the motion to strike this proposal out of the bill. The federalization of waterways, of rivers and harbors, and canals in the United States is a process which has now continued for many years. I think we all must be convinced by this time that eventually all of the waterways in the country will be under Federal control and operation.

I am not surprised that the State of New York now comes and asks the Federal Government to take over two of the canals which it has built and maintained during so many years, and I am not frightened by intimations or suggestions or suppositions as to what may result hereafter because of the action which we take to-day. I have before me the pending rivers and harbors bill, and, as I read this proposal, it is as follows:

> The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways.

That is all that is in this bill, and that is all that we are doing to-day. Congress, in its wisdom in the future, will take care of the legislation relating to this subject matter when it comes before it, and I think we may take it for granted that future Congresses will have just as much wisdom, just as much patriotism, and just as much courage as we may believe we have ourselves. [Applause.]

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. No. I have only five minutes.

Whether the Erie Canal or the Oswego Canal or any other canal in the State of New York will ever be fit for a deep-sea waterway will be demonstrated to the satisfaction of the Congress hereafter. We have already heard sufficient, I think, to convince us that it is absolutely impossible under the conditions existing in the State of New York to build a seaway across that State. Furthermore, these canals, in all probabil-

ity, and, I think, beyond question, will be valuable feeders for a seaway when that is established. We in Illinois are in favor of the Great Lakes-St. Lawrence waterway.

We want a deep-sea waterway via the St. Lawrence River; we want a waterway upon which can be carried the products of the great Middle West to all corners of the earth and upon the seven seas; but if there should be, as tributaries to that waterway, some canals which are owned and operated by the Federal Government, and which will take care of traffic necessarily borne upon them, I can not see why we should vote against the adoption of this proposal at the present moment.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. CHINDBLOM. Yes.

Mr. MANSFIELD. Is it not a fact that Chicago, the gentleman's city, is as much interested in the St. Lawrence route as any other city in the country.

Mr. CHINDBLOM. There can not be a city in the United States more interested in that very matter than my city of Chicago, and I do not know of any substantial opposition there on the part of those who are familiar with the subject to the inclusion of this item in the present river and harbor bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CHINDBLOM. Under the leave granted to extend my remarks I will add that I thoroughly agree with the gentleman from Texas [Mr. MANSFIELD] that the Federalization of the Erie Canal may force the hand of the Dominion of Canada to protect itself by consenting to the St. Lawrence waterway, in which it will share in the resulting benefits. The diversion of Great Lakes traffic to the Erie or any other canal would certainly not be welcomed by our wide-awake neighbor on the north. In addition, the pending bill gives aid and impetus to the St. Lawrence waterway by the inclusion of the improvement of the St. Lawrence River between Ogdensburg, N. Y., and Lake Ontario, a distance of 27 miles, to a depth of 27 feet. This bill does all that can be done at this time in promotion of our cherished deep-waterway project from the Great Lakes to the Atlantic Ocean.

Mr. KETCHAM. Mr. Chairman and gentlemen, a few weeks ago the gentleman from Nebraska [Mr. SIMMONS] delivered a very delightful, cogent, and entertaining address in connection with some District matters in which he used a brand new term, "doo-dad." There seemed to be considerable question in the local papers as to what a "doo-dad" was, and to satisfy the curiosity of people Mr. SIMMONS secured a definition of it from a recognized authority and then gave an explanation in his own words as follows:

Sufficient now to say that I used "doo-dad" to mean an extravagant ornament, an embellishment, a useless equipment or luxury built into a school building in order to satisfy the vanities of an architect or for the comfort of a public official, without regard to the cost to the taxpayer or the rights of the children concerned.

Now, Mr. Chairman, the Erie Barge Canal item in this bill is certainly a "doo-dad" of the first magnitude. It has every appearance of having been inserted "in order to satisfy the vanities of the architect—without regard to the cost to the taxpayer."

There are many items in this bill that are of great importance to the rapidly developing commerce of the country. They have been thoroughly investigated by the Board of Engineers and favorably passed upon. Reports have been on file on most of them for a long time. They have been given the matured consideration of this committee and both reports and supporting documents warrant the favorable reports made to the House.

A reference to the chronology of this particular item as presented by my colleague, Representative HUDSON, a member of the Rivers and Harbors Committee, will readily satisfy everyone that no such careful deliberation and study occurred in connection with the Erie Barge Canal. It is quite apparent, however, that two distinguished members on the Rivers and Harbors Committee gave the Erie Barge Canal and the Illinois River projects most intensive and long continued study and effort. I refer to Chairman S. WALLACE DEMPSEY, of New York, and Representative WILLIAM E. HULL of Illinois.

For the information of the House and the country I am about to present a record which I think very accurately describes the operation performed upon those very high in authority on the Board of Engineers by these two distinguished gentlemen in behalf of the two projects of particular interest to them. I am quoting from a dispatch of the Washington Bureau of the Buffalo Evening News, March 27, 1930. The dispatch begins:

Threats have been made to the United States Army Board of Engineers that, whether or not they approve, the new rivers and harbors bill will provide for the improvement of the Illinois River. Representative WILLIAM E. HULL, Republican, of Illinois, voiced this threat Wednesday when he and Representative S. WALLACE DEMPSEY, of Lockport, chairman of the House Rivers and Harbors Committee, appeared before the board in still another of the series of appearances that have been made before that body by those interested in the improvement of the New York Barge Canal to a 12-foot navigable depth.

* * * * * * *

The board listened to nearly an hour of speech making by the two Congressmen. Then Brig. Gen. Herbert Deakyne, presiding, declared: "Mr. DEMPSEY, we're not getting anywhere. Let's close this hearing. Tell the reporter to get out. Come over here to the table and let's discuss this thing among ourselves."

Fortunately the reporters did not all get out and to one of them we are indebted for the latest exhibition of Alphonse and Gaston with Chairman DEMPSEY assuming the rôle of Alphonse and Representative HULL that of Gaston, each making a very strong presentation in behalf of the other's pet item in the bill. Concluding his remarks on behalf of the Illinois River project ALPHONSE DEMPSEY said:

I took my political life in my hands, gentlemen, a year or so ago when I fought for the improvement of the Illinois River. The Lakes States group was against me, but because I believed in its importance, I threw aside fears and went to battle for it. But what good will this connection of the Illinois and Gulf with the Lakes be if there is no way to the sea through New York?

Alphonse then graciously retired and GASTON HULL comes to bat, and in order that you may see his unprejudiced and highly scientific testimony in behalf of his own project I present the reporter's story of his remarks:

"We are going to have the Illinois River project in the next bill," he said. "I come from 'headquarters,' and it will be demonstrated to you shortly that it can not and won't be held up. You ought to see the importance of this from a political standpoint. We don't want to force your hand, gentlemen, but you must realize the Illinois River improvement is going in the bill, regardless of what you think about it. This talk of Canada being ready to build the St. Lawrence is nothing but camouflage. We heard that years ago when the Illinois River improvement first was agitated. It means nothing. Canada has no idea of building such a waterway. She even intends building warehouses and elevators at Prescott from which she can ship by rail to Montreal."

And now hear GASTON HULL as he approaches the real heart of the matter and presses upon the Board of Engineers the prime consideration that ought to weigh in making their final determination upon the Erie Barge Canal:

Now I am coming to you boys—I mean you engineers—to ask you if you can't in some way or other put this barge canal improvement in the bill without stultifying your positions. You don't have to make a favorable report on it; you don't have to recommend the immediate appropriation of any money for it. But can't you send it back to us in some shape or other so the committee can include it in the bill? I am not talking to you as a lawyer. But, by golly, I know business even if I don't know law, and I know that business demands this improvement. I also know that if this link between the Gulf and the ocean, this important part of the unified waterway system of the country is not approved, the President himself will have to stand the gaff for not carrying out campaign promises.

I ask you as friends of the Rivers and Harbors Committee and of Mr. DEMPSEY to frame this report so the committee can act on it. The committee wants Mr. DEMPSEY to be represented in the bill.

Following this weighty, scientific, and wholly unselfish (?) outburst of true Gastonian courtesy the record closes as follows:

Mr. DEMPSEY then rose to remind the board that the Mississippi Valley Association favored the improvement of the Barge Canal, whereupon General Deakyne closed the hearing and asked the Congressmen to come closer for an informal conference.

In this latter connection it will undoubtedly be of very great interest to the country to read section 10 of the bill:

SEC. 10. That the present incumbent of the office of Assistant to the Chief of Engineers, United States Army, when retired from active service, shall be placed upon the retired list with the rank and pay of major general.

Referring again to the term "doo-dad" it seems very clear to me that the Erie Barge Canal is certainly a "useless bit of equipment," built into the structure of the 1930 rivers and harbors bill principally to "satisfy the vanities of an architect," and, "without regard to the cost to the taxpayers."

In proof of its uselessness I submit a telegram sent to my colleague, Hon. LOUIS C. CRAMTON, giving first-hand information as to the actual impracticability of the barge canal:

Diesel electric motorships *Twin Cities* and *Twin Ports* operating through New York Barge Canal to Great Lake ports mortgaged to the

Shipping Board $480,000 now idle and operating company in hands of receiver after five years' operation. Do not know of any financially successful company using barge canal except Standard Oil. Commend your stand in not wasting Government money in taking over this canal.

E. W. KIEFER.

In conclusion, Mr. Chairman, it is clear to me that the eloquent argument of the gentleman from New York [Mr. DEMPSEY] in behalf of the Erie Barge Canal, in which he is actively supported by every member of the New York delegation without regard to political affiliation, does not reveal what is actually in the mind of the distinguished gentleman or his associates in the great Empire State. If the purpose of this item was merely to make the barge canal a Federalized proposition connecting up with the general scheme of inland waterways and nothing more, this item in the bill might be justified. But previous eloquent utterances by Chairman DEMPSEY and many other distinguished citizens of New York leads every friend of the St. Lawrence waterway to regard this proposal as a real menace to a final completion of the St. Lawrence seaway. For this reason I shall support a motion to recommit, striking out the Erie Barge Canal item, and if that fails I shall cast my vote against the bill, even though it contains projects of great importance to the country generally.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The gentleman from Missouri [Mr. ELLIS] is recognized.

Mr. ELLIS. Mr. Chairman and members of the committee, the remarks just concluded convince me that the cause of the opposition by the Great Lakes group to the Erie Canal item is lost. When no valid argument exists the resort is always to ridicule. I am not displeased by the efforts which have been made to accomplish what is now reflected in the motion of the gentleman from Michigan [Mr. HUDSON] to strike out the paragraph.

I have been a very intent listener here to-day—to my good friend from Ohio [Mr. CHALMERS] and to my good friend from North Dakota [Mr. BURTNESS] and all the other advocates of this proposal. They have produced this effect upon me: I am absolutely convinced that this item ought to stay in this bill. [Applause.] I am convinced that every Member of Congress from the Missouri Valley and the Mississippi Valley ought to vote—and I believe they will vote—to keep it in the bill. [Applause.]

The apprehension, the only apprehension, that has caused this fever anxiety, to the contagion of which I was myself exposed, was the fear that if we should take over this canal we could not get the St. Lawrence waterway. That was the contention of the gentleman from Ohio [Mr. CHALMERS] in his opening argument in opposition to this item this afternoon. Some one else declared that the adoption of this would "sound the death knell of the St. Lawrence project." When the gentleman from Ohio later took the floor he conceded that this is simply an economic proposition and nothing else; that to take over these canals will prejudice the St. Lawrence deep-sea way not in the least. And my good friend from Michigan [Mr. MICHENER], I think, now virtually concedes the same thing and would like to propose an unconditional surrender. These admissions eviscerate the case against this item.

We in the West are interested in this proposition. We in the West want two outlets to the Great Lakes system of waterways. The Great Lakes system is an important, integral part of the internal waterway system of this country, and we want two outlets from them to the East. We are in favor of, yes, we demand, the St. Lawrence outlet to the sea and to the markets for our food products abroad. And we desire and demand an outlet to our best domestic market. Did you catch the significance of the statement of Secretary Miller, of the Missouri River Waterway Association, read to you by Chairman DEMPSEY this morning?

Secretary Miller testified that in a recent survey conducted at Kansas City it was found that 80 per cent of our farm products which move and are used in domestic commerce and domestic trade finds a market, an ultimate market, in the area East of the Indiana-Illinois line and north of the line of the Ohio and Potomac Rivers. Nothing is more essential to the prosperity of the great Missouri Valley country than ready, direct, and cheapest possible access to every part of that area that constitutes our domestic market.

How are we to get into that to the east of Buffalo by an inland transportation system except through development and use of this canal? That canal, a deep barge canal, improved, not unlikely, by the removal of the low bridges that now exist at some points, is precisely what the West needs and the West demands as a part of our great inland waterway system. [Applause.] There is no room for question about this; there is no reason why any Representative from the Mississippi Valley should not favor this provision of the bill. There will be no excuse for his failure to vote against this motion.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SNELL. Mr. Chairman and ladies and gentlemen of the committee, I had not intended to take any part in this debate, but on account of the drift of discussion during the consideration of this item I desire to speak just a few words concerning the St. Lawrence River project. As the Members of the House well know, there is no Member here who is more interested in that project than I am. There is no Member here who more firmly believes in the possibilities of the project and its benefits to the whole country, and its ultimate adoption by Canada and the United States.

Now, what has been done by the committee so far as the St. Lawrence project is concerned? In my judgment, they have used the project with absolute fairness. [Applause.] They have done everything that I, as one of the proponents of that project, could have asked them to do, and exactly what I did ask them to do. They have done everything in their power to promote that project. They adopted the project from Lake Ontario to Ogdensburg or Chimney Point, a distance of 67 miles, with a 27-foot channel. That is everything and even more than the Joint High Commission of the United States and Canada recommended for that section in order to complete the waterway from the Great Lakes to the sea by way of the St. Lawrence route.

Now, regardless of whether we take over the barge canal or not, what more could we ask them to do than they have done, as far as the St. Lawrence is concerned? They have gone as far as they could until we have an agreement with Canada. They are beginning the St. Lawrence project and improving it down to the international boundary. As I look at the situation, there is nothing for the friends of the St. Lawrence to fear in this bill, and there is no doubt in my mind but that in the very near future there will be an agreement with Canada whereby we shall have the St. Lawrence-to-the-sea proposition approved by both Governments. Every move made by Canada so far is in this direction, and we are now showing our willingness in this bill to cooperate.

With the improvement from Ontario down below Ogdensburg, with the Beauharnois development in Canada, there only remains a very short distance in connection with the Lachine Rapids to complete the entire project from the Great Lakes to the Gulf of St. Lawrence.

As far as I can see, I am absolutely satisfied with the provision which the committee has made in this bill for the St. Lawrence project. The committee has gone as far as it could go under the law. I am not jealous of and I do not care what they do about other river and harbor projects of the country. They have been fair to the St. Lawrence project, and there is no reason to oppose the bill for that reason—that we are for the St. Lawrence-to-the-sea development. [Applause.]

Mr. HOOPER. Mr. Chairman, I move to strike out the last paragraph.

The CHAIRMAN. The gentleman from Michigan [Mr. HOOPER] is recognized.

Mr. HOOPER. Mr. Chairman, I represent the only district in the State of Michigan which has no navigable stream or which does not border upon one of the Great Lakes. I do not believe that I am speaking in any narrow sense when I to-day join with the Members from my State and with our section of the country in protesting against the section of the bill which is before the House at this time.

For many years the people of our section of the country and of the Northwest have been looking forward to the time when the Great Lakes—those magnificent inland seas—would be, to all intents and purposes, a part of the ocean, and when the traffic of that great section would go down the Lakes to the sea. They have looked forward to the time when the little cities on those lakes would grow into great ones, and the people of this section, regardless of any argument that is made here to-day or that may be made, look upon the project which is now before the House as a blow—and a deadly blow—against the proposed Great Lakes-St. Lawrence waterway.

I do not want to be forced to vote against this bill. I am not one of those who are inclined lightly to use the words "pork barrel," which, unfortunately, has come to be almost synonymous with river and harbor bills in the past, but I do say that it is a strange situation when we find the State of New York making this gift to the people of the United States. Back in Michigan, back in Illinois, out in the Dakotas, the people are going to inquire—and inquire with no uncertain voice—why this barge canal, if it is a good thing, is not retained by the great State of New York—the Empire State—with all of its vast wealth and resources. It is going to be a difficult matter

indeed to explain to those people, and they will believe and will continue to believe that under the guise of this gift there is something being done which is inimical to the St. Lawrence project.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. HOOPER. I yield.

Mr. LaGUARDIA. Does not the State of New York contribute to the Inland Waterway Corporation?

Mr. HOOPER. Yes; it does.

Mr. LaGUARDIA. And does not New York pay for the Mississippi flood relief; and does it not pay more than any other State for all of these projects?

Mr. HOOPER. New York does contribute splendidly, indeed, to the resources of the Nation, and I am the last person in the House to say anything against the State of New York itself; but, Mr. Speaker, I do record here, with the other Members of my State and my section of the country, my strong protest against this being made a part of this great rivers and harbors bill. It is inconsistent with the St. Lawrence plan, and, if adopted, will jeopardize and perhaps destroy the hope of the Nation for a great waterway from the Lakes to the ocean. [Applause.]

Mr. CLANCY. Mr. Chairman, I rise in opposition to the inclusion of this item in the rivers and harbors bill.

I represent a city which is probably more deeply interested in deep waterway transportation than any other city in the world, because it is peculiarly a world-trade city. We have found the Empire State in the past unfairly and selfishly blocking our aim to reach a cheap way to the open ocean. We have found that this is a rather cruel and selfish world, and we have to protect ourselves as best we can. We suspect this Erie Canal item, and the press of our section of the country is unanimous in opposition to it.

It has not yet been brought out in this debate that the State of New York will have to consent to turn over this canal to the Federal Government, and that will take about two years, as the people of New York have to vote on it; but yet, if this item is included, there is an authorization which will be difficult to get out of the Federal law.

These New York people are Greeks bearing gifts to the Federal Government, and we should reject this gift of the Erie Canal. It is a white elephant.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HUDSON].

The question was taken; and on a division (demanded by Mr. HUDSON) there were—ayes 59, noes 148.

So the amendment was rejected.

Mr. BURTNESS. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from North Dakota [Mr. BURTNESS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BURTNESS: Page 5, line 21, after the word "waterways," strike out the period, insert a comma, and add "together with any plant, machinery, or equipment necessary, convenient, or incident to the construction, maintenance, or operation of the same that may have been procured in connection therewith and any rights to the collection of tolls or the development of water power on said waterways which the State may possess or claim."

Mr. LaGUARDIA. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The Chair understands that there were nine minutes remaining, unused, on the other amendment. Therefore the Chair recognizes the gentleman from North Dakota for five minutes.

Mr. LaGUARDIA. I have reserved a point of order on the amendment, Mr. Chairman.

Mr. BURTNESS. Mr. Chairman, this is an important matter. If there is any merit to the proposal in the bill, as contended by those supporting it, the merit claimed is that it was recommended by the Army engineers.

So all this amendment does is to include the exact language as recommended by the Board of Engineers, which will be found on page 4 of the Committee Document No. 29; that is in paragraph 11 of General Brown's letter. This paragraph reads:

The board, therefore, recommends that the Secretary of War be authorized and empowered to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal, and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all lands, easements, and completed or uncompleted structures and appurtenances of the said waterway.

Up to this point that is the identical language used in the bill, but the bill stops with this language; and General Brown's letter continues with the recommendation, as follows:

Together with any plant, machinery, or equipment necessary, convenient, or incident to the construction, maintenance, or operation of the same that may have been procured in connection therewith, and any rights to the collection of tolls, or the development of water power on said waterways which the State may possess or claim.

Apparently the committee did not adopt General Brown's recommendation in full. So I desire to ask the chairman of the committee why the committee in writing this provision into the bill did not follow the recommendation of General Brown and the Board of Engineers? Why does not the committee want to take over the machinery and equipment which the State has on hand? Why does not the committee want to take over the right of the State to collect tolls, if such exists? Why does the committee want to retain for the State of New York the water power that might be developed there, and yet turn the canal over to the United States to operate and maintain without the right to control the water power upon it?

I do not want to use more than five minutes of my time, so I hope the chairman will answer these questions in the four minutes' debate that will remain on this section when my five minutes are up.

Surely if we are to adopt a policy of accepting the recommendations made by the engineers we ought to adopt the recommendation in full; we ought to accept it as it comes to us from the Board of Engineers. We ought not to adopt a portion of it and then say to New York, "Keep the rest of it. Even though you are willing to give it to us, just keep control over the water power that might be developed on this canal." That is not what the engineers recommended.

This is tremendously important, as I see it, and I hope the chairman instead of making an explanation will simply say he is willing to accept the amendment.

Mr. DEMPSEY. Mr. Chairman, I rise in opposition to the amendment. Two projects of a somewhat similar nature were presented to the engineers, one the Illinois River, where we expend $7,500,000, and the other the New York Barge Canal, where $146,000,000 is to be given to the Government. The engineers testified before the committee that in drawing the New York provision in the respect covered by the amendment they simply, through an error, covered the Illinois project and copied that by mistake. We have no right to tolls in the State of New York.

We have had that barge canal for the hundred years of its history as an open and free highway of commerce for all of the United States, and it would be absurd to insert such a provision. The State owns little, if any, of the water power. I live on the canal, and the water power there is owned by private interests. It was deeded to them way back in 1826. Why, then, seek to include that?

Whether the State has any equipment or not I do not know, but I know we are getting a splendid bargain as it is. I know that recommendation was made through error, and I know the engineers so testified. I know that this amendment, for these reasons, should not prevail, and I ask for a vote.

Mr. BURTNESS. What about the dredging machinery, and so forth? Would you not want to include that?

The CHAIRMAN. Does the gentleman from New York desire to make a point of order against the amendment?

Mr. LaGUARDIA. Mr. Chairman, I find that the proviso in the bill is so broad as to make the gentleman's amendment germane, and therefore I withdraw my reservation of a point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Dakota [Mr. BURTNESS].

The question was taken; and on a division (demanded by Mr. BURTNESS) there were—ayes 52, noes 162.

So the amendment was rejected.

Mr. SLOAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: On page 5, in line 21, after the word "waterways" insert "free and clear of all liens and encumbrances."

Mr. SLOAN. Mr. Chairman, while I do not desire to look a gift horse in the mouth, yet I think in this case it is, perhaps, a good precaution to make sure that there be no encumbrances whatever upon this canal. That if they give us this canal it shall come without lien, encumbrance, and without charge.

In this body dominated by lawyers there is not one who would permit his client to accept title to the poorest lot in Goldsmith's Deserted Village if improvement and expenditures were expected to be made, without making of record protecting statements against liens and encumbrances. Caveat emptor is a

doctrine to be followed in public transfers with even stricter care and fidelity than in private affairs.

The ringing vocal S O S sent across the party aisle of the House by the able gentleman from New York [Mr. O'CONNOR] to the committee chairman [Mr. DEMPSEY] that my amendment "would spoil all" was significant and should have constituted a warning.

If there are no unsettled claims against the canal, and no liens or encumbrances resting against it, which, after we had invested large sums, might prompt us to pay, then the amendment will not burden the State of New York. While, if there be such, we may reject the Dead Sea apple so temptingly offered.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska.

The amendment was agreed to.

Mr. SLOAN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 5, line 19, after the word "land," insert "terminals."

Mr. SLOAN. Mr. Chairman, just one word. They are giving us this canal and professing to give us all. Let the terminals go with the canal.

Mr. KNUTSON. They do not own the terminals.

Mr. SLOAN. The chairman of the committee [Mr. DEMPSEY] said they did own them, and he is my authority.

Mr. LAGUARDIA. The gentleman does not want us to give him all of the State of New York?

Mr. SLOAN. We want the State of New York to give what this House understands it is getting.

Mr. LAGUARDIA. Not the terminals.

Mr. SLOAN. In the classical language of the gentleman from Minnesota [Mr. KNUTSON], "let the tail go with the hide." If the terminals are to be retained by New York, we must buy them or rent them at the State's figures or we must endure our canal prison, not less irksome or arbitrary because it is 330 miles long. A string of pearls may not be so enjoyable to a fair lady if another has full control of the knots at either end.

Mr. DEMPSEY. Mr. Chairman, the United States does not own terminals anywhere and it does not want to assume the burden or expense of maintaining them, of operating them, or keeping them in repair. We should not depart from our policy in this respect in this bill anywhere, in this provision or in any other paragraph.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska.

The amendment was rejected.

Mr. BURTNESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BURTNESS: On page 5, line 21, after the word "waterways," strike out the period, insert a colon, and add: "*Provided further*, That the State of New York pay $50,000,000 to the United States, in gold, as recommended by the editor of the Wall Street Journal, for this favor."

Mr. LAGUARDIA. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Manasquan River and Inlet, N. J., in accordance with the report submitted in House Document No. 482, Seventieth Congress, second session, and subject to the conditions set forth in said document: *Provided*, That the Secretary of War is hereby authorized to allow credit to local interests for such funds as may have been contributed by them for the resumption of work on the existing project for this waterway, in so far as such funds have been expended on work which is also in accordance with the project hereby adopted.

Mr. O'CONNOR of New York. Mr. Chairman, ladies and gentlemen of the committee, I would be remiss in my duty as a Member of this Congress, coming from the State of New York, if I did not point out to the chairman now, as I tried to point out to him when the vote was being taken, that the amendment offered by the gentleman from Nebraska [Mr. SLOAN] that this canal shall be free of all liens and encumbrances, destroys the whole project.

Mr. DEMPSEY. Why?

Mr. O'CONNOR of New York. Because there may be rights of way, there may be water-power rights in that body, and the State will never, in my opinion, be able to deliver it free and clear; and it is just such haphazard handling of such measures that passes things that can never be carried into effect.

Mr. STRONG of Kansas. Where was the gentleman at the time?

Mr. O'CONNOR of New York. I was here protesting to the chairman.

Mr. STRONG of Kansas. It did not seem to do any good.

Mr. DEMPSEY. Will the gentleman yield?

Mr. O'CONNOR of New York. Yes.

Mr. DEMPSEY. I think the meaning of the section will be construed in connection with all that has been done.

Mr. O'CONNOR of New York. I recommend to the chairman of the committee that before the matter comes to a final vote that a motion be made to take such a blanket amendment as this out of the bill.

Mr. DEMPSEY. Why does not the gentleman offer the amendment? I will support it.

Mr. O'CONNOR of New York. We can not do that except by a motion to recommit or by demanding a separate vote on the amendment.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Baltimore Harbor and Channels, Md., in accordance with the reports submitted in Rivers and Harbors Committee Document No. 11, Seventieth Congress, first session, and House Document No. 29, Seventy-first Congress, first session, and subject to the conditions set forth in the aforesaid Document No. 11.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not rise to object to what any Member or any State has in this bill. I realize the onerous work of the committee in distributing these authorizations, but I do want to bring to the attention of the House, and particularly to the chairman of the committee, the fact that while Baltimore appreciates what has been given it in this bill for the deepening of its channel, we do not feel that we will have sufficient depth or sufficient width to carry on the immense commerce of our metropolis.

We asked for a channel of 40 feet from the city to the sea and we receive 37 feet, without any additional width, up to Sparrows Point. Sparrows Point is 6 miles from the center of the city, and this will preclude boats of deeper draft entering the city proper, because the depth will remain from Sparrows Point to Fort McHenry at 35 feet.

Baltimore city has grown rapidly in the last 10 or 15 years. Our water-borne commerce in 1892 was 5,224,042 tons. It has increased now to 19,220,825 tons, and is rapidly increasing year after year. I feel that the Government would make a very profitable investment by carrying out the plans which have been submitted by the association of commerce and by Members of Congress from the State of Maryland.

GOVERNMENT EXPENDITURES

I find that in the 90 years between 1836 and 1926, during which period the Federal Government has been engaged in improving Baltimore Harbor, its total expenditures for new work and maintenance have amounted to $11,476,414, or about $125,000 a year.

In one year—1926—two of Baltimore's waterside industries, established in Baltimore largely because of the navigation advantages afforded by the harbor, completely liquidated the total expenditures of the Government for the 90 years through customs payments amounting to over $13,000,000.

In that year one of these concerns, through its customs payments of over $10,000,000, nearly liquidated the entire Government expenditure. In three years—1924, 1925, and 1926—that one concern reimbursed the Government more than twice over.

During the five fiscal years ending June 30, 1928, the Federal Government expended $1,748,209 for harbor improvements and for maintenance work at Baltimore. During this period customs receipts at Baltimore amounted to $74,885,505, giving a rate of interest on the investment of over 4,283 per cent.

While we are particularly pleased with the appropriation which has been given us, amounting to approximately $2,504,640 for new work and $187,000 for maintenance, a total of $2,691,640, it is not sufficient to carry out the immense commerce that we now have, and I sincerely trust that when the next bill comes in the committee will see proper to give us the balance of what we have asked. [Applause.]

PORT OF BALTIMORE

The development of the port of Baltimore and the increase in water-borne commerce has been so gradual and yet so regular that many people do not realize to what extent our commerce has grown. Baltimore's geographical position and her favorable railroad rates are largely responsible for this great increase in commerce, both by rail and water, and its solid character. It therefore behooves us at all times to be vigilant

in the development of our port and of the channels which lead to the sea.

It is for this reason that I am calling your particular attention to the present channel situation at Baltimore; and for this reason also that I am serving notice on you, on behalf of the Congressmen from Maryland and of our Baltimore Association of Commerce, who have made the fight with us for the increased depth and width of the channels, that we will continue our efforts to obtain for this great Maryland metropolis a channel 40 feet deep and 1,000 feet wide from the city to the sea.

DISTRIBUTING TERRITORY

The progress and growth of a city depend largely upon its manufacturing and its foreign and domestic commerce. Baltimore is the distributing point for the Southeastern States and is by far the greatest manufacturing city south of the Ohio River and east of the Mississippi River. Its industrial and commercial growth depend largely upon the increased population in those States of which it is the distributing point.

This territory for Baltimore is east of the Mississippi River, not including New England. From 1870 to 1920 the population of this territory increased from 28,193,378 to 66,620,263, and in those States more closely surrounding Baltimore—that is, New Jersey, Pennsylvania, Ohio, Delaware, Maryland, West Virginia, Virginia, and North Carolina—the population increased from 10,767,754 in 1870 to 25,639,986 in 1920, while Maryland itself increased from 780,094 to about 1,449,000.

It is quite evident, therefore, that with this vast increase of population and no increase of channel depth since 1905 or width since 1882 it is almost impossible to get along without some additional relief from the Government.

DEEPER AND WIDER CHANNEL

If we would keep abreast of the times, it is absolutely essential that we should have a 40-foot channel 1,000 feet wide from Fort McHenry to the Chesapeake Bay and through the York Spit Channel to the Atlantic Ocean. We do not feel that we are asking too much when we view the revenue which the Government receives from its channel investments. I am not speaking merely of the customs collected upon goods which go to the interior of the country but am speaking largely of the customs which are collected from goods which are manufactured at Baltimore on deep water and directly attributable to the work the Government and city has done for our port.

COMMERCIAL GROWTH

As has been well expressed, we are an old city, rich in tradition and rich in history, but with a new stride. To express our growth in figures, I am setting forth a table showing the inbound and outbound tonnage to Baltimore and other large cities:

(In cargo tons of 2,240 pounds)

	Total commerce			Foreign		
	Total	Inbound	Outbound	Total	Inbound	Outbound
New York	55, 238, 677	34, 135, 415	21, 103, 262	24, 026, 411	13, 109, 572	10, 916, 839
Norfolk	17, 358, 535	1, 454, 359	15, 904, 176	7, 537, 839	494, 323	7, 043, 516
Philadelphia	15, 954, 989	10, 042, 266	5, 912, 723	6, 279, 390	2, 943, 576	3, 335, 814
Baltimore	15, 510, 451	6, 252, 541	9, 257, 910	11, 562, 456	4, 472, 784	7, 089, 674
Boston	13, 412, 720	12, 074, 438	1, 338, 282	2, 813, 002	2, 514, 897	298, 105
Newport News	8, 987, 442	224, 307	8, 663, 135	4, 549, 929	125, 383	4, 436, 546
Providence	4, 412, 498	4, 011, 533	400, 965	459, 458	458, 947	512
Portland, Me	2, 280, 921	2, 414, 071	406, 850	888, 589	644, 707	243, 882
Charleston	2, 695, 826	1, 595, 864	1, 099, 962	1, 424, 624	742, 773	681, 851
Jacksonville	2, 397, 337	1, 671, 596	725, 741	895, 508	809, 175	86, 334
Savannah	2, 109, 227	1, 326, 779	782, 448	898, 351	511, 344	387, 007

You will note from this table that in 1924 Baltimore stood fifth in inbound and outbound commerce, whereas in 1926 she took fourth place. In foreign commerce inbound she has maintained the second place, and whereas she occupied fourth place in 1924, in 1926 she reached second place; in other words, during the last three years her total foreign commerce and her import traffic have only been exceeded by New York.

LOCAL EXPENDITURES

We are not asking the Government to improve our channels and let Baltimore rest upon her oars, but we are spending large sums of money to further the progress of our metropolis. Just recently we finished and turned over to the Western Maryland Railroad Co. a pier which cost the city $8,500,000, the railroad company leasing same. This money was expended from a $50,000,000 authorization by the State of Maryland, so we have more than $40,000,000 yet to expend.

The truth is that Baltimore and the State of Maryland, in order to accommodate some 40 tributary States of the Union and Canada, has spent $22,000,000 for harbor improvements and terminal facilities, while the United States Government has expended but $11,900,000 during the whole history of our country. It might be surprising to know that Baltimore has more than 90,000,000 feet of berthage space with water depth averaging from 20 feet to 35 feet. Our three export grain elevators have a capacity of 12,000,000 bushels, giving Baltimore an advantage over any other American seaport. The large coal piers have a capacity of loading 105,000 tons in 10 hours, our average foreign movement of coal being 1,750,000 tons annually.

LOCATION

Baltimore is nearer the great producing and consuming territory of the West and the extensive agricultural region beyond than are the other North Atlantic ports. This, together with our lower freight rates and port charges, gives us an advantage of commerce to foreign ports, and especially to ports on the Pacific coast serving the territory near by, via the Panama Canal. If one would draw a line from Baltimore through the Panama Canal on to the southward, it would show that Baltimore is in direct line with the west coast of South America and in close touch with the Pacific coast of the United States. This accounts largely for the immense traffic we have in deep-draft vessels, some of them drawing as much as 34 and 35 feet, from the west coast of South America. Baltimore is likewise close to the east coast of South America and has enjoyed trade with its coast cities since the days of the old clipper ships.

WIDENING IGNORED

Baltimore has been totally ignored as to widening of its channels. The present 600 feet was adopted in 1881, 49 years ago. The tonnage movement of Baltimore in 1889 was 3,243,017 tons, in 1905 it was 7,510,713 tons, and in 1926 it had grown to 22,906,205 tons. Due to the larger-sized vessels in the last 20 years it has been more difficult to handle such traffic in this narrow channel. To-day there are 60,305 arrivals and departures annually of the various classes of vessels, causing congestion, accidents, and inefficiency. The following table shows the width of main ship channel, movement of vessels, and ratio vessel movements in various ports, including Baltimore:

Port	Project width of main ship channel (feet)	Movements of vessels, draft, 20 or more feet, 1928	Ratio, vessel movements divided by channel width
Los Angeles	1,000	11, 594	11. 59
Norfolk	750	6, 854	9. 13
Newport News	600	4, 170	6. 95
Baltimore	600	[1] 3, 676	6. 12
New York	2,000	10, 069	5. 03
Oakland	600	2, 603	4. 34
Galveston	800	2, 188	3. 73
Philadelphia	800	2, 803	3. 50
Savannah	400	1, 197	2. 99
Boston	1, 200	3, 252	2. 71
San Francisco	2, 000	3, 724	1. 86
Mobile	300	491	1. 63
Charleston	1, 000	642	.64
San Diego	570	352	.61

[1] 1925.

Looking at that table carefully you will note that Baltimore has only a 600-foot channel, while New York has 2,000 feet; Los Angeles, 1,000; Boston, 1,200; San Francisco, 2,000; and Charleston, 1,000 feet. I can not understand, under those circumstances, why Baltimore should not have obtained at least 800 feet, the width upon which she was willing to compromise.

NEW INDUSTRIES

In addition to the figures I have given I have also the following to record and the investments: Plant investment in new industries established Baltimore water front, 1928 and 1929, amounted to even $40,000,000. Plant investment involved in expansions in 1928 and 1929 of industries already established on the Baltimore water front amounted to $19,821,000. Total plant investment for the two years, $59,821,000.

The following are among the factories located on Baltimore water front, 1928, and 1929:

The Glenn L. Martin Co., Procter & Gamble Co., Continental Oil Co., Asiatic Petroleum Co., Tidewater Associated Oil Co., Benedict Stone of Maryland, Western Electric Co., Curtiss-Caproni Corporation, Richfield Oil Corporation, Gulf Refining Co.

NEW POST OFFICE

Baltimore has for years been struggling for a new post office; the present one has been outgrown for many years, but we are now assured of a fine building covering the present location, which will embrace a whole square and tower to the height of about six stories. This will give us for the present, at least, adequate postal and court conveniences. The cost is estimated at nearly $3,000,000.

NEW MARINE HOSPITAL

Then we are allocated a sufficient fund to replace the present frame building which has been used for the marine hospital. The new building will probably cost in the vicinity of one and a half to two million dollars, which will be up to date and modern in every respect and afford great relief for our needs. It is hoped also to secure more adjacent land, giving greater comfort and recreation.

NEW APPRAISER'S WAREHOUSE

Under a recent bill passed increasing the authorization for new buildings we have every assurance that we shall be given a new appraiser's warehouse, replacing the present 100-year-old building, unique in architecture but obsolete in efficiency.

With these new buildings Baltimore will be wonderfully improved. We shall have greater efficiency in doing business through those channels.

BALTIMORE'S GREATEST ASSET

To my way of looking at it the harbor of Baltimore is its greatest asset; its strategic location, inland protection, and proximity to the sea give it signal advantages. These advantages combine to make it one of the ideal harbors of the country. In order to realize the splendid location of Baltimore one has but to take a map, first, of the United States, which will show its proximity to the Central West and to the Pacific coast through the Panama Canal; second, a map of the world will demonstrate its proximity to Central America and the west coast of South America and its advantages to the east coast of South America. A close scrutiny of these maps will open the eyes of those who have never made a close study of the subject.

MY AMBITION

So I say Baltimore is strategically located, its great asset being its harbor and channels, and the development of this port has been one of my great ambitions in Congress. So long as I am here I shall advocate a wider and deeper channel for Baltimore, with an ultimate goal of 40 feet depth and 1,000 feet width from the city to the sea.

To the Association of Commerce of Baltimore we are deeply indebted for their splendid work in the preparation of data and assistance before the Rivers and Harbors Committee, and to Mr. Pouder and Mr. Fairbanks of that association I am much indebted for many expressions herein.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., in accordance with report submitted in Senate Document No. 23, Seventy-first Congress, first session, for a tidal guard lock in the Albermarle and Chesapeake Canal at or near Great Bridge, Va., at a limit of cost, however, of not to exceed $500,000, conditioned upon contributions from local interests in the amount of $100,000.

Mr. MOORE of Virginia. Mr. Chairman, I offer the following amendment, which I understand is satisfactory to the chairman.

The Clerk read as follows:

Amendment by Mr. MOORE of Virginia: On page 11, line 9, after the word "local" insert "or other."

Mr. DEMPSEY. That is acceptable to the committee.

The amendment was agreed to.

The Clerk read as follows:

Far Creek, N. C., in accordance with the report submitted in House Document No. 112, Seventy-first Congress, first session, and subject to the conditions set forth in said document.

Mr. WARREN. Mr. Chairman, coming from a State and district that knows and appreciates the value of water transportation, I am very much in favor of the passage of this bill and rejoice in the impetus it will give to a comprehensive plan of waterway development in every section of the Nation. On account of the importance of this particular measure to the State of North Carolina, and especially to the district I represent, I shall confine my remarks to those projects and surveys with which I have been closely identified, from their inception down to their present status.

The bill now under consideration contains more approved projects for the first district of North Carolina than any other district in the Nation. It should be borne in mind, however, that there has been no rivers and harbors legislation in Congress in over three years and the number of these projects has increased as they secured the approval of the engineers. The first district contains all of Albemarle Sound and practically all of Pamlico Sound, both of which bodies form important parts of the inland waterway. Into these sounds flow some of the great rivers of North Carolina, and important creeks and bays form arms of these rivers. It might be stated that some of these waterways called "creeks" in this section of the State are much larger and important and carry more commerce than many of the so-called "rivers" in the country.

In August, 1928, the inland waterway was finally completed through the district, when the Alligator-Pungo River land cut of 21 miles was opened to transportation, thereby eliminating a large section of the rough and stormy waters of Pamlico Sound. So great was the interest of the people of North Carolina in the conclusion of this work that it was made occasion for a great state-wide celebration, held at Belhaven, when thousands gathered to express their gratification and to hear anew the advantage of waterway development. This magnificent water highway, which will finally embrace the entire Atlantic coast, will be utilized to its full capacity in years to come, and will prove an untold blessing in the way of cheap freight rates to the people of the East. Several of the projects secured by me in this bill, which I will later discuss, will cause several of the rivers and harbors in my district to conform to the minimum depth of 12 feet provided for the inland waterway, and will guarantee its maximum benefits to the sections involved.

RESTORATION OF LOCK IN ALBEMARLE & CHESAPEAKE CANAL

The most outstanding and notable project in this bill for both the States of North Carolina and Virginia is the item for the restoration of a tidal guard lock in the Albemarle & Chesapeake Canal, to be erected near Great Bridge, Va. About 1854 this canal was constructed by private enterprise, connecting Norfolk, Va., with Currituck and Albemarle Sounds in North Carolina. The route followed the Elizabeth River from Norfolk, extended through a low cut between the headwaters of that river and the North Landing River; thence through the North Landing River into Currituck Sound, and across upper Currituck Sound and into the Albemarle Sound through Coinjock Bay, a total length of 68 miles. It was a sea-level canal, but it had a tidal guard lock at Great Bridge, Va., to overcome tidal differences of level, which will average from 4 to 11 feet. In the rivers and harbors act of June 13, 1902, a survey was secured with the view of the acquisition of this canal by the United States. In making their report in February, 1904, the engineers said the following:

Should the maximum difference stated above obtain it is probable the current would attain a dangerous aspect, and as even the smaller difference may be accumulated within a short distance, a tidal lock is considered as desirable between Norfolk and Albemarle Sound, and the cost of such a lock has been included in the estimates.

The rivers and harbors act of March, 1909, carried a survey for a continuous inland waterway from Boston, Mass., to Beaufort Inlet, N. C. In January, 1912, the Engineers reported to Congress the feasibility of such a waterway, and recommended that the Albemarle & Chesapeake Canal be favored as a section of same. Again calling attention to the difference in water levels, their report concluded as follows:

To provide for abnormal difference of level which may occur at times, there is included in the estimate a sum which will defray the cost of the construction of a tidal guard lock, if subsequent study makes it evident that such a lock will be needed.

As a result of these reports, the rivers and harbors act of July 25, 1912, page 7, provided for the purchase of the Albemarle & Chesapeake Canal and for its maintenance and improvement in accordance with the engineers' report, printed in House Document 391, Sixty-second Congress, second session, in language as follows:

Improving inland waterway from Norfolk, Va., to Beaufort Inlet, N. C., in accordance with the report printed in House Document No. 391, Sixty-second Congress, second session, $500,000. And the Secretary of War is hereby authorized to purchase from the Chesapeake & Albemarle Canal Co. the canal and appurtenant property belonging to said company in accordance with the agreement entered into between the Secretary of War and said company under date of February 17, 1912, printed in House Document No. 589, Sixty-second Congress, second session, and the foregoing appropriation shall be devoted to that purpose; for the improvement and maintenance of said inland waterway, $100,000; in all, $600,000.

It will be remembered that the report referred to in the above item, House Document 391, estimated for a "guard lock if necessary," and this was concurred in by every board and every engineer, including the Chief of Engineers. So provision was made for a guard lock if one was necessary. In due time the canal was purchased by the Government and the improvement of it by deepening and widening was undertaken. In the course of this work, about 1917, the lock in the old canal was left open, but not until about 1922 was the enlarged canal, without a lock, open its full width and depth. The lock was removed by the engineers without direct authority of Congress, and was

done more or less as an experiment on their part in their zeal and enthusiasm for a sea-level canal.

Currituck Sound above what is known as the Narrows and North and Back Bays in Virginia have a water area estimated at over 300 square miles, or in excess of 200,000 acres. It is shallow, having a depth of from 2 to 7 feet. Prior to 1923 these areas produced a luxuriant growth of wild celery and pond weed and other succulent and tuber-bearing grasses, which in full growth approached or reached the water's surface. These grasses afforded a great abundance of food relished by migratory wild fowl, and the region was nationally and internationally celebrated as a favorite feeding ground for these birds in their annual migrations. The Biological Survey spoke of this territory just a few years ago as being—

The last great feeding ground on the Atlantic coast for migratory wild fowl.

They came in vast numbers and remained for a long period. The waters were sweet and clear and were the most productive single area in America of black bass, over 2,000,000 pounds having been taken under strict regulation in 1918.

Due to these conditions, the region had become famous and prosperous, and a veritable paradise as a sporting, hunting, and fishing ground. Many hunting clubs and homes were established, with an estimated investment of approximately $5,000,000, which would have little value without favorable hunting and fishing conditions. The people of the islands and of the adjacent mainland, while many of them tilled their small farms, were in a great measure dependent upon the hunting and fishing opportunities and activities for their livelihood. The population thus directly engaged or interested has been estimated at 5,000, and a much larger number of people were either directly or indirectly interested in or benefited by these sporting activities.

As early as 1920, even before the lockless canal had been developed to its full width and depth, complaints began to be made of the disastrous effects of the influx of salt and polluted water and sewage through the canal from Chesapeake Bay and Norfolk Harbor into the fresh waters of Currituck Sound. The Rivers and Harbors Committee directed the Chief of Engineers to make an examination to ascertain if a lock was necessary. He reported on July 21, 1922, that the evidence then in hand did not indicate that a lock was required. Following the above report complaints continued to be made of the damaging effect on the bass and of the killing of the grasses in the sound on which the migratory birds fed. There were also complaints by navigation interests of the unfavorable and damaging effect of the currents in the canal, which seriously retarded northbound traffic and made navigation through the canal at night almost impossible on account of the great danger involved. These complaints were not only voiced locally but the Biological Survey of the Department of Agriculture called attention to the continuing injury to the plant food of the region and its highly unfavorable effect upon the coming and the stay of the migratory birds. The North Carolina Department of Conservation and Development entered their protest to a condition that had reduced the annual catch of black bass from 2,000,000 pounds in 1918 to less than 80,000 pounds in 1928. It is well known that black bass can not survive in salt, filthy, and polluted waters. Navigation interests using the canal were voluble in their complaints.

The next action came from the Senate Committee on Commerce when, by resolution of February 11, 1926, the Chief of Engineers was again requested to advise if a lock was necessary. By that time the annual loss of revenue to the people of the section by reason of these changed conditions had amounted to from $300,000 to $500,000. The matter now comes before Congress as a result of this last investigation. The Chief of Engineers in his final report admitted that the construction of a lock in the canal would restore conditions in Currituck Sound to what they formerly were, but held that its replacement was not justified solely in the interests of navigation. He estimated that the lock would cost $728,000, and stated that the conditions might right themselves. He concluded, however, as follows:

If the Congress accepts this view, it is recommended that the matter be left under observation for a time long enough to determine whether or not the present condition is temporary or permanent. If Congress does not accept this view but desires to restore without delay the conditions as to the amount of salt water entering Currituck Sound from the north to what they were prior to the removal of the old lock in the Chesapeake & Albermarle Canal, the best method would be by the construction of a lock.

The report reached the Committee on Rivers and Harbors in that shape, and they were naturally and properly desirous of hearing the story of this great disaster brought up to date, especially in view of the fact that the engineers had gradually modified their position all the way up the line, and had finally flatly stated that a lock would prevent the flow of salt and polluted water into Currituck Sound.

On January 28, 1930, a notable hearing on the subject, lasting all day, took place before the committee. The great progressive and continuous loss in property and property values through the destruction of the grasses and celeries which formerly favored the propagation of the bass and afforded succulent food for innumerable wild fowl was proven conclusively. The extent of this destruction was shown beyond a possible doubt. The fact that this destruction was caused entirely and exclusively by the unimpeded flow of salt and polluted water through the canal; that the very great damage, local and national, from the destruction of these wide and important bird-feeding grounds; that the great loss in opportunity for employment and of securing means of livelihood which has resulted from the coming of the conditions referred to; that the fact that there is still reason to hope and expect that the former conditions may be at least measurably restored within a reasonable time by the restoration of the lock; that its replacement was the only means whereby former favorable conditions could be restored; and that failure to apply this remedy would result in permanent and irreparable injury, local, State, and National, of great magnitude, was all shown by overwhelming and undisputed testimony. It was also shown that there had been just one single protest from navigation interests, and shipping interests freely stated that a lock would help the cause of navigation and that they desired it.

Leaving the question of navigation entirely out of the picture and placing the argument solely on the basis of the destruction of the grasses and fish, the proponents of this measure take the view that the Government, by its deliberate act, has caused this terrible condition to come about and that justice and equity and the rights of two great sovereign States are involved, and it is the duty and obligation of the Congress to provide a remedy.

It is only on rare occasions that the States of North Carolina and Virginia petition Congress. Although in 1929, North Carolina paid in taxes to the Federal Treasury the enormous sum of $254,494,467.51 and was surpassed only by New York, the State has never sought gratuities or doubtful legislation from Congress. And the same applies to Virginia, which ranks as the tenth largest Federal taxpayer. The damage occasioned by the removal of the lock, however, has excited the constant interest and concern of these two Commonwealths and has moved them through their governors and other high officials and boards to protest the continuance of this great tragedy and to appeal to Congress for relief.

I first read to the House the resolution of the General Assembly of the State of North Carolina:

STATE OF NORTH CAROLINA—RESOLUTION NO. 13

Resolution requesting the President of the United States, the Secretary of War, and the Congress of the United States to approve and authorize the restoration of the lock in the Virginia cut of the former Albemarle & Chesapeake Canal, now a part of the Norfolk-Beaufort waterway

Whereas the United States has heretofore purchased what was known as the Albemarle & Chesapeake Canal, connecting Elizabeth River, Va., with Albemarle Sound, N. C., and has improved the same as a section of the intercoastal waterway between the city of Norfolk, Va., and Beaufort, N. C.; and

Whereas at the time of the acquisition of said canal by the United States there existed a lock and dam in the Virginia cut of said canal near Great Bridge, Va., which lock had been in operation for many years, and probably since the construction of said canal, which lock, among other purposes, was intended to prevent the flow of salt water southwardly through said canal into the fresh waters of Back Bay, Va., and Currituck Sound, N. C., and adjacent waters; and

Whereas during the progress of the improvement of said canal the War Department removed said lock, and the same has never been restored; and

Whereas since the removal of said lock and the widening, deepening, and straightening of the canal large volumes of salt water from the Elizabeth River and Hampton Roads have flowed southwardly through said canal into the fresh waters of Back Bay, Va., and Currituck Sound, N. C., and adjacent waters, thereby creating a saline condition of such waters, and in addition sewage material has also been carried from Elizabeth River through said canal into the fresh waters of this State, thereby causing the pollution and turbidity of said waters; and

Whereas the salinity of said waters and the impregnation of sewage material have, in large degree, destroyed the black bass and other freshwater species of fish in the waters of this State; and

Whereas the pollution of the said waters in North Carolina had destroyed the vegetation which formerly constituted the feeding ground for migratory birds, with the result that such migratory birds have

almost entirely deserted these waters and contiguous sections in North Carolina; and

Whereas the Bureau of Biological Survey of the United States Department of Agriculture has made investigations of conditions in Currituck Sound and adjacent waters and has reported the destruction of the feeding ground for migratory birds and their disappearance from these waters and that damage has ensued, as herein recited, and has recommended the restoration of said lock; and

Whereas such results constitute an unjustifiable invasion of the property and jurisdictional rights of this State in its fish and wild-bird life; and

Whereas such results have also wrought irreparable damage to the property and vocational rights of many of its citizens, thereby entailing great financial losses; and

Whereas it appears to be obvious that the restoration of said lock is a natural and most practicable method of preventing a continuation of the damages hereinbefore recited; and

Whereas the question of the advisability of restoring this lock has been under consideration by the War Department for three years, under the authority of a resolution of the Committee on Commerce of the United States Senate, adopted February 11, 1926, and no report appears to have been submitted thereon, although uncontroverted evidence of the above facts has been submitted in overwhelming detail: Now, therefore, be it

Resolved by the house of representatives (the senate concurring):

SECTION 1. That the General Assembly of the State of North Carolina respectfully represents to the President of the United States, the Secretary of War, and the Congress of the United States the facts above recited which have caused unwarranted injury to the sovereign rights of the State and to the property rights of the citizens of said State.

SEC. 2. That the general assembly respectfully requests the President of the United States, the Secretary of War, and the Congress of the United States immediately to take such action as shall result in the early restoration of the lock in the canal, which was heretofore removed by the agents of the United States.

SEC. 3. That in the presentation of this memorial the general assembly respectfully submits that it is not seeking a favor or a gratuity, but a just reparation for injuries to its jurisdiction and to its citizens as the result of acts unjustifiably committed by agents of the United States.

SEC. 4. That his excellency, the Governor of North Carolina, be requested to forward a certified copy of this resolution with accompanying letter to the President of the United States and the Secretary of War, and that the secretary of state be requested to forward a copy of same to each of the Senators and each Member of the House of Representatives of the Congress for the State of North Carolina, and also a copy to the chairman and each member of the Committee on Commerce of the United States Senate.

SEC. 5. That this resolution shall be in force and effect from and after its adoption.

In the general assembly read three times and ratified this the 9th day of March, 1929.

R. T. FOUNTAIN,
President of the Senate.
A. H. GRAHAM,
Speaker of the House of Representatives.

Examined and found correct.

HOOD.
For Committee.

I now read the resolution of the General Assembly of the State of Virginia:

Resolution praying the Congress of the United States to restore a tidal guard lock in the Virginia cut of the Albemarle & Chesapeake Canal, forming a part of the Norfolk-Beaufort intracoastal waterway

Whereas the Albemarle & Chesapeake Canal, built in 1854, had a tidal guard lock at Great Bridge, Va., which, by controlling the difference in water levels, maintained a condition favorable to navigation, and also prevented the flow of salt and polluted waters from the Chesapeake Bay into the fresh and pure waters of Currituck Sound and Back Bay, Va.; and

Whereas when the Federal Government acquired the said canal in 1912 provision was made for the installation of a tidal guard lock in the enlarged canal if found necessary; and

Whereas in the deepening, straightening, and widening of the canal the old lock was left open from about 1917, and when the enlargement was completed in 1923 no lock was installed, on the theory that it was not absolutely essential for the purposes of navigation, and the dangers of the pollution of the Currituck Sound and connected waters do not appear to have been considered; and

Whereas as early as 1920 complaints began to be made by users of the canal of the highly unfavorable effect of the currents, and by residents of the region and State and Federal authorities of the salting and fouling of the waters and the killing of the water grasses in upper Currituck Sound, Back Bay, and connected waters in Virginia due to the unobstructed flow of salt and polluted waters from the north through the canal, resulting in the marked reduction of the catch of fresh-water fish and of the numbers and stay of migratory fowls; and

Whereas these complaints continued and increased and were voiced at a public hearing before the Army engineers at Munden on March 3, 1926; at a meeting held at Norfolk on May 21, 1926, at the invitation of the Army engineers; and on December 14, 1927, at a meeting before a board of engineers at Washington, attended by a representative of the governor of this Commonwealth, one of our United States Senators, the Congressmen from the districts affected, representatives of Federal bureaus and scientific associations, officials of this Commonwealth charged with the duty of caring for the interests of navigation, game, and fisheries, representatives of the local interests affected, and like representatives of the State of North Carolina; and

Whereas at all of these meetings the testimony of officials and of individuals long and intimately acquainted with the facts was without exception to the effect that the interests of navigation would be served by the installation of a lock in the Albemarle & Chesapeake Canal, and that the installation of such a lock was essential to the checking of the flow of salt and polluted waters into the Currituck Sound and through the sound into the waters of Back and North Bays in Virginia; and

Whereas the testimony thus presented, and further and later testimony by State and Federal authorities, by scientific institutes, and by the people of the region is unanimous to the effect that the succulent and nutritious water grasses, which formerly grew luxuriantly over practically the entire area of Currituck Sound, Back and North Bays, preserving the purity and clarity of these waters, favorable to the propagation of bass and perch, and affording an extensive and ideal feeding ground for multitudes of migratory birds, have been almost entirely destroyed, resulting in an extraordinary diminution and threatened annihilation of the bass and perch fisheries and an appalling reduction in numbers and in length of stay of the migratory wild fowl, all to the very great loss in property values in the region and of opportunities for employment and of means of livelihood by the people of the section; and

Whereas the evidence thus presented based on careful official examination, through scientific investigation and wide personal experience, is to the effect that these calamitous conditions can only be cured and the former favorable conditions measurably restored by the installation of a lock in the said canal, as proved in the attached documentary evidence hereby made a part hereof: Be it

Resolved, That the General Assembly of the State of Virginia respectfully and urgently represents to the Congress of the United States the facts above recited, which have caused great loss and injury to the people and the interests of this Commonwealth, and earnestly prays for the early restoration of a suitable and commodious tidal guard lock in the said Albemarle & Chesapeake Canal to remedy the conditions complained of and to restore at as early a date as possible these afflicted regions to the condition that there obtained prior to the removal of the lock by the United States.

Agreed to by house of delegates January 9, 1930.

JNO. W. WILLIAMS,
Clerk of the House of Delegates.

Agreed to by the senate January 10, 1930.

O. V. HAUGE,
Clerk of the Senate.

To show how keenly the Department of Agriculture, under which is the Biological Survey, is interested in the replacement of the lock, and how alarmed it is over the present situation, I now read, Mr. Chairman, correspondence between Senator WESLEY L. JONES, then chairman of the Senate Committee on Commerce, and the Secretary of Agriculture, Hon. Arthur M. Hyde:

OCTOBER 23, 1929.

HON. ARTHUR M. HYDE,
Secretary of Agriculture, Washington, D. C.

MY DEAR MR. SECRETARY: On February 11, 1926, this committee by resolution requested a review by the Board of Engineers for Rivers and Harbors of certain reports "in so far as concerns the construction of a lock in the inland waterway from Norfolk, Va., to Beaufort, N. C., to prevent salt water from passing through the waterway into the waters of Currituck Sound and Back Bay." I understand that following the receipt of this request the Board of Engineers proceeded to the review of the reports and the investigation of the situation as outlined by the resolution.

I am informed that in connection with this review and investigation and the hearings had in regard thereto the Bureau of Biological Survey of your department gave the Board of Engineers the benefit of its knowledge and information with regard to conditions in the region in question obtained by a study of the situation from a biological viewpoint extending over a considerable period of time.

The Chief of Engineers made a report in response to the above resolution on August 6, 1929. He found that salt water does flow through the canal in considerable quantity and that there has been damage done to the fresh-water plants and growths in the region in question, and has reported that the reestablishment of a lock in the





canal would prevent further injury so far as it has been caused by the flow of salt and contaminated water through the canal, but he suggests that unless the Congress determines otherwise, "the matter to be left under observation for a time long enough to determine whether or not the present condition is temporary or permanent."

In this situation of affairs our committee would greatly appreciate a letter from your department which would give us the benefit of the researches of the Biological Survey as to the character and extent of the changes, particularly in water-plant growth, which have occurred in that section and the effect of such changes from a biological and related viewpoint, together with an expression of opinion as to the cause of these changes, as to whether under present conditions they are likely to continue and spread, and as to whether they could be checked and cured by the construction of a lock in the said canal, and an estimate of the probable loss or damage that may occur in the future if the present situation is not remedied.

Very truly yours,

WESLEY L. JONES, *Senator.*

Hon. WESLEY L. JONES,
United States Senate.

DEAR SENATOR: Receipt is acknowledged of your letter of October 23 relating to restoration of a lock in the inland waterway north of Currituck Sound, N. C. The Bureau of Biological Survey of this department has been represented at hearings on the subject held at Munden, Va., March 3, 1926, and at Washington, D. C., December 14, 1927, and has communicated its opinions in interviews and letters to both Generals Taylor and Jadwin in their capacity as chief of the Board of Engineers. The testimony of the Biological Survey is available in transcripts of the hearings which no doubt are in possession of the Committee on Commerce.

The Biological Survey has had representatives studying the feeding conditions for wild fowl in the Currituck Sound region on numerous occasions dating back to 1909. At that time water in Currituck Sound was so clear that the grains of sand on the bottom could almost be counted and was so pure in quality that no one thought of taking a supply of drinking water with them for excursions on the sound but dipped up water for a drink wherever they happened to be. The stand of wild duck food plants was then unsurpassed in variety and quantity, and Currituck Sound fully upheld its long-standing reputation as being one of the greatest resorts for wild fowl on the continent. In recent years, and particularly since the deepening and widening of the Chesapeake & Albemarle Canal, conditions have greatly changed. Within a radius of several miles of the mouth of the canal, aquatic vegetation has been practically all killed out, and for additional distances varying according to the amount of rainfall and the direction of prevailing winds during different seasons, the food plants for wild fowl are more or less seriously damaged.

In 1909 all of the factors that the engineers point out as being possibly responsible for salt water contamination of Currituck Sound were operative and yet no damage to duck food plants was noticed except from occasional incursions of large quantities of salt water over the beach during storms, and this effect was only local. Soon after it was noted that there was a progressive deterioration of vegetation in the sound, series of analysis of the water were made which revealed that a large volume of salt water was coming into the sound from the Chesapeake & Albemarle Canal, and it was obvious that the damage to the plants was correlated with the intensity of the salt-water contamination being greatest near the mouth of the canal and gradually fading out at a distance. Besides damage from salt water there has been a great influx of fine suspended material, probably from Norfolk sewage, that has entirely changed the character of the water of Currituck Sound as to purity and has rendered it so resistant to the penetration of sunlight that in depths of 5 or 6 feet almost total darkness reigns. This is a positive barrier to plant growth and the deposition of silt on the leaves of growing plants, together with the salt-water contamination, has favored the luxuriant growth of a hydroid, which, in many cases, overwhelms the plants and causes them to sink to the bottom.

These findings are the result of investigations participated in by the Biological Survey and by the Boyce-Thompson Institute for Plant Research. It is estimated that at the present time aquatic vegetation has been largely or entirely destroyed in half of the total water area of upper Currituck Sound, N. C., and Back Bay, Va., which together comprise about 300 square miles.

Paralleling the decline in the indispensable food plants, there has been a lessening of the numbers of migratory wild fowl visiting the region. As Currituck Sound has been one of the most important winter resorts for wild ducks, geese, and swans, and as the number of such areas available to the birds is already too small, it follows that ruin of the sound for the purposes, which seems clearly in prospect as a result of the deleterious influences mentioned, would be a severe blow to the conservation of our migratory wild fowl.

Another important consideration is that the welfare of the people living in the neighborhood of these bodies of water has always been bound up with harvesting the aquatic products, including fishes and wild fowl, and the industries of the region have been largely built up about these natural resources. The population involved is now about 10,000, and if these waters are allowed to be ruined by continuation of the destructive processes above outlined a large proportion of this population must emigrate. Investments by nonresidents, chiefly by persons interested in wild fowling, have totaled millions of dollars, and will be in most part lost if Currituck Sound and Back Bay cease to be attractive to the birds. The nonresidents have made investments not only in their own interest but have contributed toward the building of roads and schools, provided bus service for school children, and, in many other ways, been very helpful to the communities. We shall see all of these fair prospects ruined if the contamination of the area is allowed to continue as a result of unobstructed flow of salt and sewage-laden water through the Chesapeake & Albemarle Canal.

In the opinion of the department, no further period of observation is needed to establish the fact of contamination and all its disastrous consequences. The Chief of Engineers states that installation of a lock would prevent the flow of water from Norfolk Harbor through the canal into Currituck Sound, and this department, therefore, considers that such action would soon be followed by an improvement of feeding conditions for wild fowl in the area, and in time by its full restoration as one of the most important winter homes of these birds.

Sincerely yours,

ARTHUR M. HYDE, *Secretary.*

Received November 14, 1929.

Mr. WARREN. Mr. Chairman, I now insert a statement which was presented to the Rivers and Harbors Committee by Mr. W. L. McAtee, senior biologist, Bureau of Biological Survey, Department of Agriculture:

QUALIFICATIONS OF W. L. M'ATEE AS AN EXPERT WITNESS IN RELATION TO THE CAUSE OF THE DECLINE IN THE FOOD SUPPLY FOR WILD FOWL IN BACK BAY, VA., AND UPPER CURRITUCK SOUND, N. C.

The witness has been studying the food and food plants of wild fowl since 1905, has personally visited most of the important wild-fowling areas of the country, and in the course of laboratory study of their food has examined either personally or with the cooperation of assistants thousands of stomachs of wild fowl. Eight trips have been made to the Back Bay-Currituck region on the following dates: August-September, November-December, 1909; December, 1917; October, 1918; January and March, 1926; November, 1927; and December, 1929.

The witness has published the following articles and bulletins on the subject:

Three Important Wild-Duck Foods. Circular No. 81, United States Biological Survey, September 9, 1911, 19 pages, 19 figures.

Five Important Wild-Duck Foods. Bulletin No. 58, United States Department of Agriculture, 19 pages, 16 figures, February 7, 1914.

Eleven Important Wild-Duck Foods. Bulletin No. 205, United States Department of Agriculture, 25 pages, 23 figures, May 20, 1915.

Wild-Duck Foods. Bulletin American Game Protective Association, 5, No. 2, June 1, 1916, pages 19–21.

How Birds' Stomachs Are Examined. Bulletin American Game Protective Association, 6, No. 1, February 1, 1917, pages 3–4.

Propagation of Wild-Duck Foods. Bulletin 465, United States Department of Agriculture, February 23, 1917, 40 pages, 35 figures.

What to Plant in Missouri Duck Grounds. Wild Life 1, No. 1, July, 1917, pages 6–7. My title was "Ducking Grounds in Missouri and Their Improvement."

A Suggestion for Wild-Duck Farmers. Bulletin American Game Protective Association. Volume 7, No. 2, July, 1918 (November, 1918), page 10, 1 figure.

Food Habits of the Mallard Ducks of the United States. Bulletin 720, United States Department of Agriculture, 35 pages, 1 plate, December 23, 1918.

Notes on the Flora of Church's Island. North Carolina, Journal of the Elisha Michell Scientific Society, October, 1919, pages 61–75.

Waterfowl and Their Food Plants in the Sand-Hill Region of Nebraska. United States Department of Agriculture, Bulletin 794, March 23, 1920. Introduction, pages 1–2, and Part II, Wild-Duck Foods of the Sand-Hill Region of Nebraska, pages 37–77.

Notes on Food Habits of the Shoveller or Spoonbill Duck (Spatula Clypeata). The Auk, 39, No. 3, July, 1922, pages 380–386.

Ducks Useful in Arkansas as Scavengers of Red Rice. The Auk, 40, No. 3, July, 1923, pages 527–528.

The Goose Pastures of Louisiana. Holland's Magazine, 44, No. 8, August, 1925, pages 14–15, 68, 1 map by author and several photos by S. C. Arthur.

Folle Avoine, the Wild Rice of Louisiana. Holland's Magazine, 48, No. 7, July, 1926, pages 13, 39, 3 photos.

STATEMENT BY W. L. M'ATEE, PRINCIPAL BIOLOGIST, IN CHARGE OF THE DIVISION OF FOOD HABITS RESEARCH, UNITED STATES BIOLOGICAL SURVEY, RELATIVE TO THE DECLINE IN THE FOOD SUPPLY FOR WILD FOWL AND IN THE NUMBERS OF THE BIRDS THEMSELVES IN BACK BAY, VA., AND UPPER CURRITUCK SOUND, N. C.

My first visit to the Currituck region was in August and September, 1909, and my latest in December, 1929. In that period of 20 years

I have visited this region eight times, in every case with the view to studying wild fowl and their food supply. At the time of the earlier visits this region fully maintained its long-standing reputation as a paradise for wild fowl. The water was clear, fresh, and sparkling, and no one hesitated to take a drink of it at any point. The food plants for wild fowl were so abundant as to appear inexhaustible in quantity and practically filled the 300 square miles of water included in Back Bay and Upper Currituck Sound. In many places they reached the top and formed what were called slicks—that is, spots where the plant growth was so dense as to exclude waves. Shore birds could walk about on these areas and they were impenetrable to motor boats of the type available at that time.

It seemed that about 90 per cent of the entire growth was sago pondweed, the best plant food for wild fowl that we know of. This is not to say that other plants were not there in quantity, and the variety included among the best of wild-duck foods, such as wild celery, musk grass, wigeon grass, bushy pondweed, redhead grass, and goose grass.

We have tabulated the food plants of some of the most important species of waterfowl and applying the findings to the conditions as they existed in Currituck Sound 20 years ago, we are able to say that the waters of that region supported the first choice of food of the following kinds of ducks: Redhead, blackheads, black duck, gadwall, wigeon, and pintail, the second choice of food of the canvasback, redhead, blackheads, and the green-winged and blue-winged teals, and the third choice of blackheads, the gadwall, and the wigeon.

It is not to be wondered at, therefore, that these areas in a line of strong migration of waterfowl and so bountifully supplied with food should be sought by great numbers of the birds. I can do no better in giving you an impression of their numbers than to present an excerpt from a paper written in 1910, when the recollection of my observations was clear. This, then, is a description written at the time and not a recollection, which might be faulty:

"There are wild fowl at Currituck, myriads of them—yes; that favorite expression of the describers of the good old days, is appropriate yet. When the birds get up in the early morning to go to sea, the rising, twisting, whirling masses of fowl look like swarms of gnats, as thick as mosquitoes, the gunners say. On the water they appear like low-lying islands and in the air like drifting clouds.

"The principal species are the redhead and blackheads or scaups. The redheads are no more numerous perhaps, but are more conspicuous because of their habit of associating in such large compact flocks, both in the water and on the wing. To say the bodies of birds consist of thousands is putting it mildly, and the flocks are numerous. I have seen no fewer than 20 to 30 vast flocks get up in eye reach many a morning and saw one mass of redheads on the water that actually covered square miles. Canvasbacks are abundant, though much less so than the redheads, and are seldom killed in numbers except in rough weather. At times the little ruddy ducks or boobies are very abundant. Not ducks, but associating with and living like ducks, are the coots or blue peters. They occur in very large numbers also; often solid rafts of them, a mile or two long paralleled the steamer channel on both sides. They seek deep water to feed on the wild celery which makes the purest stand and rankest growth there.

"Currituck Sound is also the winter home of large numbers of Canada geese, snow geese, and swans. Canada geese are very abundant, flocks of a thousand or more often being seen. Whistling swans, the most majestic birds in our fauna, live in thousands on Currituck Sound. There were three flocks of from one to several thousand each frequenting the part of the sound I visited. And the sight of them as they rise confusedly, turning with long sweeping strokes, now this way, now that, in an attempt to perfect their flying formation, and filling the air with their wild and thrilling cries, or to see them go streaming off across the sky, intoxicates one. It is glorious to know that these are really swans, not the familiar confined ones but great, wild creatures, thousands of them giving loud voice to their alarm, or perhaps to their joy in living. And it is splendid to know that they are as numerous as ever on the sound and can be preserved indefinitely."

My optimism would have been less could I have foreseen the changes in conditions that were to occur. The welfare of the waterfowl at that time depended on the abundance of food, which in turn could only be maintained by the purity and clearness of the water and the suitable bottom conditions as they then existed. As years passed by it became apparent that the Currituck-Back Bay region was failing as a wild-fowl resort and men began to ask about the cause. The Biological Survey was requested to look into the situation, and I have made four visits to the region for the purpose of studying declining conditions there, and a number of inspections have been made by other members of the Biological Survey. We have had the advantage also of the results of investigations made by the Boyce Thompson Institute for Plant Research, and were furnished some series of analyses made for private individuals and by the Army engineers. The first thing that became evident was that there was serious contamination by salt water, and all of the evidence pointed to the Albemarle & Chesapeake Canal as the source of the trouble. In later years it has been evident that pollution, including a great increase in turbidity of the water, is a more important factor even than the salt, since it excludes light, which is absolutely essential to plant growth, and has brought in and favored the abundance of a multitude of organisms, including protozoa, hydroids, bacteria, and molds, which attack what plants do start growth, usually with fatal results. The killing off of plants over large areas has made it possible for currents to pick up the most fertile portions of the bottom, thus adding to the turbidity of the water. The amount of matter in suspension in the water like the salt content decreases in proportion to distance from the mouth of the canal. Conditions affecting plant growth are most favorable in remote and shallow parts of the sound, and it is there that the plants are now making their last stand.

In the 20 years that the writer has been making observations on the Back Bay and Currituck region, the area has been transformed from one having pure, fresh, and potable water, apparently an inexhaustible food supply, in a word absolutely ideal condition for wild fowl, and an enormous abundance of the birds, to one of salt and sewage-laden, opaque, and unwholesome water; the food supply vanished over about half of the area and in poor condition elsewhere, and the number of wild fowl resorting to the area reduced to a mere remnant of what it formerly was. I am safe in saying that at the present time there are not a hundred geese or swans on these bodies of water, where there were a thousand, nor one duck where there were 10,000, in the days before the Albemarle & Chesapeake Canal was widened and deepened and the lock removed.

The ruin of this wild-fowling region affects not the birds alone, but it has very serious reactions on the human population. Although market shooting is no longer permitted, I can illustrate the decrease in wild fowl by referring to the matter. Twenty years ago when market shooting prevailed there were certainly 50 or more men who made their living from it during the open season on Upper Currituck Sound; now, even supposing that the hunter could sell his birds, one man could not make a living there if he had at his disposal all of the ducks killed on the entire sound.

Since the abolition of market shooting men of the region trained in wild fowling have taken to entertaining visiting sportsmen and assisting them in hunting as a means of livelihood. In addition, fishing has been the mainstay of many people, this activity helping to fill in the time between hunting seasons. The fishing industry also has been reduced to a small fraction of its former importance by the pollution of the water and destruction of the food plants no less important in relation to the supply of fish than to that of wild fowl. It is no exaggeration to say that the welfare of the entire population of the region is in some way dependent on the productivity of the bay and the sound. The failure in wild fowling and fishing has already forced people to leave their homes, and many life-long residents of the region are only hanging on now in the hope of conditions being restored. If this does not happen soon, many more of the citizens will be forced to leave. There is a human tragedy, then, connected with the ruin of Back Bay and Upper Currituck Sound which should result in a speedy remedy of conditions there regardless of what importance may be assigned to the damage to wild fowl.

It is the latter subject, however, to which I am expected to devote most attention, and I may conclude with a statement of truths which are manifest to all acquainted with the history of the region, namely, that Currituck Sound for generations ranked as one of the most important wintering grounds for wild fowl, and that its loss will deal an irreparable blow to our migratory game birds which already are pressed almost to the limit by adverse conditions. The Government has covenanted with Great Britain, acting for the Dominion of Canada, to take whatever steps are needful to preserve the supply of water fowl. Admittedly this is largely produced in Canada, and its fate to no less a degree depends upon treatment accorded in the United States. The Government has done a great deal toward carrying out its obligations under this treaty, the migratory bird conservation act passed by the last Congress being an outstanding example. The Government controls conditions in the inland waterways, including the Albemarle and Chesapeake Canal, the undoubted source of impending ruin of the Back Bay and Upper Currituck region, hence is in the anomalous position on the one hand of making great efforts to protect migratory wild fowl and on the other of allowing conditions to exist which are detrimental in the extreme to the supply of these valuable birds which we have by treaty agreed to preserve to the best of our ability. There would seem to be but one fair course open, not only from the standpoint of our treaty obligations and of the welfare of the wild fowl but to save from threatened ruin what has been one of the finest sections of the Atlantic seaboard, and that is to take effective steps as soon as possible to stop pollution reaching that region through the Albemarle & Chesapeake Canal.

Mr. WARREN. Mr. Chairman, I now insert a statement made to the committee by Mr. W. S. Bourn, scientist of the Boyce-Thompson Institute for Plant Research. It will be noted that Mr. Bourn states that further delay in the restoration of the lock will mean complete destruction of the territory involved, and that with the flow of salt and polluted water stopped now, the section can be saved by a process of regrassing and reseeding.

INTRODUCTION

The Back Bay, Va., and Currituck Sound, N. C., region (fig. 1), comprising an area of approximately 300 square miles of inland waters was until recently one of the most important and one of the few remaining large winter-feeding grounds on the North American Continent for migratory waterfowl. Here wild ducks and geese used to collect in countless thousands to feed upon the abundance of aquatic plants formerly found in these waters.

In 1918 directly after the permanent opening of the lock and especially since 1922 when the enlargement of the Chesapeake & Albemarle Canal took place, all species of duck-food plants began to disappear, because the widened, deepened, straightened, and lockless canal permitted the unimpeded flow of saline and polluted water into these fresh-water areas. This disappearance has now progressed to the extent that plant growth is limited to isolated areas in the fresher, shallow waters. The Boyce-Thompson Institute for Plant Research in 1925 undertook a study of the causes for the plant disappearance, and this study has extended to the present time.

For four years various factors affecting the aquatic plant growth of this region have been studied. Field observations have been made almost daily from March to October. Plant specimens have been collected for study at various stages of growth and decay. Periodic analyses have been made to determine the salinity and the turbidity of the water. Experiments have been carried on continuously in the greenhouse laboratories to determine the influence of existing conditions of soil, salinity, light, and other factors upon the growth of plants native to the region. Much time, effort, and expense have been entailed in a thus far unsuccessful attempt to find in other localities of the United States similar plants which might be resistant to the present existing conditions in Back Bay and Currituck Sound.

Every result obtained during the course of this study points conclusively to the fact that the Albemarle & Chesapeake Canal is the immediate cause for the disappearance of the duck-food plants from Back Bay and Currituck Sound. In this connection, injurious factors discovered have been the increased saltiness of the water, the increased turbidity, the continued pollution, and large growths of hybrids covering the plants. It is the purpose of this paper to describe and discuss these factors, to show that the Albemarle & Chesapeake Canal is responsible for them, and to point out the only remedy which we believe will fully restore the natural conditions to this vast region.

The plants supplying the food in these areas were mainly sago pondered fox-tail, or bay grass (Potamogeton pectinatus L.); wild celery, or tape grass (Vallisneria spiralis L.) widgeon grass (Ruppia maritima L.); red-head, perch, or tea-leaved grass (Potamogeton perfoliatus L.); and bushy pondweed (Naias flexilis (Willd.) Rostk. and Schmidt). Among these sago pondwood has been the dominant plant of the region, as it has made up more than 60 per cent of the total growth of duck-food plants, and has been about the only one inhabiting the deeper waters. In addition to the importance of its abundance, this has been the most valuable duck-food plant, for its starchy tubers, numerous seeds, and abundant foliage have furnished food alike for both diving and nondiving birds. The plant next in importance has been the wild celery, the favorite food of the canvasback duck (Nyroca vallisneria), which derives its specific name from the scientific name of the plant. The serious diminution of these two species of plants, therefore, would be in itself an irreparable loss to the region.

SALINITY OF THE WATER

Chemical analyses to determine the salt content of the waters involved have been made each month for 48 months at 26 stations (figs. 2 and 3), which begin in Back Bay and extend in order through Back Bay, Knotts Island Channel, Currituck Sound, North Landing River, and the Chesapeake and Albemarle Canal as far as Pungo Ferry. The results of these tests are presented in Figures 2, 4, and 5 in per cent sea water. Sea water contains by weight 3.4 per cent salt, or 1,950 grains of salt per gallon. The curve in Figure 2 represents the average monthly salinity for 48 months at each of the several stations, which are numbered in order in Figure 3. It will be noted that the salinities are lowest in Back Bay, increase through Knotts Island Channel and Currituck Sound, and reach the maximum in the Albemarle and Chesapeake Canal at Pungo Ferry. Slight breaks in this curve are due to the fact that some of the stations are near fresh-water streams. It is proved from the information here presented that the Albemarle and Chesapeake Canal is the source of the salt water entering Back Bay and Currituck Sound. Concerning this fact, there can be no doubt for the salinity is consistently higher in the canal, gradually decreases toward Back Bay and southward to the Narrows and Coinjock Bay. At the latter two points the water is practically fresh and uncontaminated.

The salinity of the water has been found to vary greatly from month to month and from station to station, depending upon conditions which will be discussed later. For example, the salt content of the water in the canal at the mouth of Blackwater River was in August, 1925, 56 per cent that of the Atlantic Ocean; the following month it was 14.6 per cent at the same station. For the same months the salinities in the center of Back Bay were 6.3 and 7.5 per cent, respectively. The monthly extremes of these variations range anywhere from 3.2 to 60 per cent sea water. In Figure 4 are shown the fluctuations in the average monthly salt content of the water at all of the 26 stations and the relation of the monthly amounts of precipitation to these various salinities. The solid line represents salinities in per cent sea water and the broken line indicates monthly amounts of rainfall in inches. It can be seen readily that the amount of rainfall little affects the salinity of the water. For example, in December, 1925, the average salt content was 21.15 per cent sea water, and, according to the United States Weather Bureau, 4.20 inches of rain fell in this region during that month. This was more than the normal rainfall, for the Weather Bureau gives 3.49 inches as the December normal in this locality. Furthermore, these 4.20 inches of rainfall were distributed over 10 days of the month, which is considered a normal distribution. For comparison let us consider April, 1928, with practically the same amount of rainfall (4.28 inches) as December, 1925, with a comparable distribution (10 days) over the month, but with the salinity of the water only 4.65 per cent sea water. Here everything is practically equal, except the salinities, which vary greatly. Therefore, it can be reasonably inferred that there is little correlation between the amount of rainfall and the salinity of the water. In fact, the coefficient of correlation worked out according to mathematical law is 0.2495, with a probable error of plus or minus 0.1331, and this correlation can be ignored, for to be at all significant the coefficient must be appreciably (three times) greater than its probable error.

If low salinity were always associated with high amounts of rainfall, perfect correlation would result, which would be minus 1 and the probable error zero.

Since the influence of rainfall must be disregarded, the question arises as to the cause for the monthly variations in the salt content of the water. The answer to this is found in a study of the direction, velocity, and duration of the winds which cause a flow of water through the canal. North winds, even of average velocity, sustained for relatively short periods of time cause a southward flow of salt water through the canal and thus increase the salinity of Currituck Sound and Back Bay in proportion to this flow. On the contrary, south winds cause an opposite flow through the canal and, consequently, by forcing in fresh water from the south lower the salinity of these waters. For concrete examples, let us select the same months as before. In December, 1925, the prevailing winds were west-northwest, the wind with the maximum velocity was northeast at 56 miles per hour, the total wind movement from all directions was 10,441 miles, of which 5,399 were from the north, and the salinity of the water was 21.15 per cent sea water; whereas, in April, 1928, the prevailing wind was south, the wind with the maximum velocity was southwest at 40 miles, the total wind movement was 10,210 miles, of which 5,430 were from the south, and the salinity of the water was 4.65 per cent sea water. Relationship between the winds and salinity of the water is brought out in Figure 5, in which the salinity averages for 48 months are plotted against curves representing monthly wind movements from the north and south. Direct correlation can be observed readily between these three curves.

The correlation coefficient between north winds and salinity is positive 0.3729, with a probable error of positive or negative 0.0901 which is a very significant correlation, as the odds are more than 100 to 1 according to Fisher's table of the correlation coefficient for different levels of significance. The coefficient of correlation between south winds and salinity is negative 0.3420, with a probable error of positive or negative 0.0883, which again is quite significant. This signifies that without a doubt north winds increase and south winds decrease the salinity of the water. The evidence presented in the graphs is sufficient to show that currents of water through the Albemarle and Chesapeake Canal, not the amounts of rainfall, determine the salinity of Currituck Sound and Back Bay, and that the canal is solely responsible for the great periodic variations in the salt content of those waters.

EFFECT OF SALINITY ON AQUATIC PLANTS

The plants with which we are dealing are fresh-water plants and are not adapted to growth in the polluted saline water of Hampton Roads. The amount of salt tolerated by these plants is specifically limited. For example, our experiments have revealed that the sago pondweed will live but will not thrive in a mixture of pure fresh water and 14 per cent sea water, the plant losing its color and dying in greater concentrations.

The saline limits at which this species seems to thrive is approximately 8 per cent sea water, if this amount be maintained throughout its periods of growth. Alternating higher and lower salt concentrations have been found to kill the leaf tips and growing points, which then appear colorless. These limits, as will be observed from the graphs (figs. 2, 4, and 5), are frequently surpassed in Back Bay and Currituck Sound. In addition, the plants in these waters are subjected throughout each season to other detrimental factors, to be discussed later, which undoubtedly greatly lower the limits of salt which the plants are able to tolerate. For the past four seasons the death of plants from the direct toxicity of salt has been observed in the northern part of Currituck Sound, where the water becomes salty enough to destroy cypress trees (fig. 6), with which it comes in contact. In the regions more remote

from the Albemarle & Chesapeake Canal, however, the action of the salt water is more indirect in that it lowers the resistance of the plants to hydroids, parasites, and pathogenic organisms, and in that it has driven away the predacious species of fish which naturally keep down these injurious organisms.

TURBIDITY AND POLLUTION OF THE WATER

Figure 7 shows the results of 144 comparative tests of the penetration of light into Currituck Sound, Back Bay, connecting and adjoining waters. These tests were made on clear days between the hours of 11 and 1, when the sun was practically vertical. The measurements were made with an accurate apparatus and the curves have been plotted from the averages. From the figure it will be observed that the clearest water of the region is in North Bay, the most distant portion of the region from Currituck Sound and the Albemarle & Chesapeake Canal. Even in North Bay the penetration of light through a part of the season is barely sufficient to support a meager growth of these duck-food plants. In the case of our natural fresh waters, in which these plants thrive, 71 per cent of the solar energy received is transmitted through each 3 feet. At this rate about 5.5 per cent of the sunlight will be found at a depth of 15 feet. The amount of sunlight required for the growth and reproduction of these aquatic plants has been determined experimentally. These plants have been found to require at least 15 per cent of the light at the bottom for growth and development, and 28 per cent or more for maximum growth and the production of seed. It is well known that the sago pondweed does not grow in our natural water at a depth of 15 feet, where the average penetration of sunlight is high compared with the average for 1 foot in Currituck Sound, 2 feet in Back Bay, and 3 feet in North Bay.

This plant is what is known as a "long-day" plant, as it begins to flower and seed in the early summer when the days are long and there is a maximum of sunlight. In the turbid waters of Currituck Sound and Back Bay, traces of this valuable plant still exist only because of the fact that many of its seeds do not germinate till after several years.

The curves in Figure 7 show conclusively the source of the turbidity. Currituck Sound receives the direct southward flow of the Albemarle & Chesapeake Canal, with the refuse, sewage, and industrial pollution from areas contiguous to Hampton Roads containing a population of several hundred thousand people. With a strong north wind the level of Currituck Sound is several feet lower than that of Hampton Roads, the water in which, following the line of least resistance, flows into the sound sufficiently to make the water often just as saline as that of Norfolk Harbor. Into the shallow waters of the sound there is an almost incessant flow of sewage and industrially polluted water from Norfolk Harbor. The pollution of Hampton Roads can not be denied, and it is irrefutable that Currituck Sound is but an extension of Hampton Roads when its salinity approaches 50 per cent sea water, because the salinity of even Chesapeake Bay does not approach that of standard sea water.

Evidence of the pollution of Currituck Sound and Back Bay can be found in the increased salt content, and in the presence of the dark sludge suspensions, the débris, and certain organisms, such as bacteriverous protozoa, pathogenic fungi, diatoms, the small red sludge worm, and hydroids. The turbid water furnishes the best medium for the development of disease-causing bacteria, protozoa, and fungi, which thrive best in the absence of light and do not live in full sunlight, and which attack the aquatic plants not already killed by the salt water.

HYDROID GROWTHS AND THEIR EFFECT ON PLANT LIFE

Figure 8 represents a common sight in Back Bay and Currituck Sound. This is a photograph of hydroid growths on duck-food plants, taken while the plants were in water. By comparing these growths with the natural size of the plants, it will be noticed that these greatly exceed the diameter of the plants. Some of these plants have been smothered and weighted down, as can be observed in the center of the photograph; others, as the plant lying horizontally in the lower left-hand corner, display marked injuries beneath lesser growths. In the latter case decayed, spots appear on parts of the plants in contact with the hydroids. This decay is induced by pathogenic fungi and bacteria which are found in polluted waters and attack the plant tissues after mechanical injuries by the hydroid. From the stem injuries the fungi and bacteria invade the plant roots, cause the roots to die, and thus insure total extermination of the plants.

It makes no difference, however, whether the plant is entirely suffocated or injured on a particular portion of the stem, because waves and winds break off the plant at the point of injury, and death results in either case. Figure 9 shows hydroids entwining themselves about a small plant leaf (both magnified). In addition to this mode of attachment, the hydroids secrete a gelatinous substance, also detrimental to the plant, which aids its adherence to a smooth surface, such as the bottom of a boat. This hydroid, Cordylophora lacustris, is a brackish-water animal, belonging to the marine "jellyfish" or "sea nettle" family. This is, in fact, the only representative of the family existing in brackish water.

The distribution of this animal in Back Bay and Currituck Sound is governed by the salinity of the water and the food supply. In the early spring it first makes its appearance in the northern part of Carrituck Sound after a considerable southward flow of water through the canal, which brings it along with many larger jellyfish from Hampton Roads. From this part of the sound it is spread rapidly to other areas by tide and wind, and in time the main portions of Back Bay and Currituck Sound become heavily infested with such growths as are shown in Figure 8. It thrives best in the more brackish waters where there is an abundant supply of small crustaceans, larvæ, worms, protozoa, and other organisms commonly found in sewage-contaminated water.

Hydroids are food competitors of fish and thrive best in their absence. In these waters there is now no competition, for the fish have been killed or driven away by the salty turbid water. In 1923, the Board of Engineers report the catch of black bass in Back Bay (which does not include Currituck Sound) amounted to 229,051 pounds, in 1924 to 140,111, and in 1925 it dropped to 74,861. Since 1925 the catch has been negligible, and the financial return insufficient to buy seines. The hydroids are thus left to flourish unhindered as they have no known enemies. While these animals are spread into the fresher areas by plants and débris carried with the tide, the colonies there are infrequent and never attain one-half the size of those in more brackish waters. The water best suited for its development contains a salt content of 4–20 per cent sea water. Every further increase in the salinity of the water during the course of the season is accompanied by a fresh growth of hydroids and their further spread into more distant areas.

This animal reproduces and is most abundant during April, May, and June. Reproduction occurs again in September and October, but the hydroids are far less abundant at that time. The photograph for Figure 8, however, was made in September, as will be observed from the mature scapes of the wild celery. Yet it is during the spring and early summer that the hydroid reaches its maximum development and abundance, at a time when the sago pondweed, the most valuable duck-food plant, reaches the surface of the water, and the disappearance of this species is more marked than other plants, for other plants at this stage of the season have made but little growth and are less damaged by the hydroids. In September and October, however, all species of duck-food plants contain hydroid growth, but the hydroids are less numerous at that time, and conditions are less favorable for their spread.

In the early part of the season large areas of sago pondweed appear pinkish, due to the color of the young members of the hydroid colonies (fig. 10 C) covering the plants. Later the young hydroids cease to be formed and the plants are left covered with the brown, slimy, sticky remains of old colonies, on which collect mud and débris from the polluted water. These old colonial remnants furnish a good medium for the growth of fungi, bacteria, worms, protozoa, diatoms, and other organisms usually associated with pollution (fig. 10, B and D).

Figure 10 shows the individual parts of a hydroid colony highly magnified. A is a hydranth, one of the colonial feeders. C is one of the reproductive bodies containing several pinkish embryos ready to drop out into the water, attach themselves to a plant, and begin new colonies. It requires but a few days to complete the life cycle of this animal, which partially explains the rapidity of its spread. B is a vegetative portion of the colony which is capable of almost unlimited growth on the plant by putting out new branches much the same as the plant does, and along with this portion of the colony can be seen the substance secreted by the hydroid and which has collected other organisms and foreign material. D is the tip of a sago pondweed leaf covered with diatoms which have adhered to the secretion left by the hydroids. These diatoms are siliceous (gritty) and cause the plant to become brittle and easily broken. A handful of plants containing diatoms resembles so much sandpaper. The degree of their abundance is correlated closely with the degree of pollution of the water.

The beginning of the destruction in Back Bay and Currituck Sound of the aquatic duck-food plants, which formerly grew so vigorously and so abundantly that small birds could walk on the surface, making such rank growths that one got a boat through the water only with difficulty, dates back to 1917, to the opening, then removal, of the lock in the Albemarle and Chesapeake Canal, and the subsequent enlargement of that waterway. At the same time the water of Currituck Sound and Back Bay began to change from the clear fresh water, which before 1918 Mr. W. L. McAtee, of the United States Biological Survey, tells us was so pure and fresh that he frequently used it for drinking, and so clear that he could see the pebbles on the bottom at any depth, to the salty, turbid, polluted water now existing, which is at present unfit even for bathing.

At the beginning of this investigation in 1925 large areas in Currituck Sound had been denuded already of plants. Since then the injurious conditions have grown continuously worse. Each succeeding year the barren areas have been extended progressively farther away from Currituck Sound and the mouth of the Albemarle and Chesapeake Canal till now 90 per cent of these waters are barren of plants. In the remaining portions both quality and quantity of the plants have been greatly reduced. The damage to the aquatic plants is now permanent in more than 70 per cent of these areas, and at the present rate com-

plete destruction of the entire area within two or three years is insured unless the causes are soon removed.

As a result of this destruction of the natural plant food the sole remaining winter feeding of any importance on the Atlantic seaboard is rapidly vanishing. Of the countless numbers of wild ducks, geese, and swan which formerly found here a haven and plenty of food for the winter, there are now just a few hundred at the beginning of the season, just enough to devour within a few weeks what few plants remain, and then fly on. A few less remain somewhat longer to feed upon the grain distributed to them by generous sportsmen. With this loss of their feeding ground a gigantic step has been taken toward the extinction of our wild fowl.

The loss of fish from these waters closely parallels the destruction of plants and the reduction of wild fowl. It has been estimated that the catch is now less than 10 per cent of that in 1918, at which time, under the natural conditions of these waters, fishes, especially the so-called game fishes, were so abundant that the annual commercial catch amounted to several million pounds. Currituck Sound was an important source of black bass for numerous hatcheries and for restocking lakes in other localities. Now such fish as the black bass are practically unknown in these waters. The catch at present is made up of carp and other less valuable fishes.

The damage is not necessarily confined to the direct loss of plants and the reduction of fish and wild fowl. While the productivity of the region was at its best, hundreds of sportsmen were attracted to the region. More than 40 hunting clubs were established on the shores of Back Bay and Currituck Sound. More than $5,000,000 were invested in marshlands and properties suited to the sport of gunning and suited to nothing else. Generous sportsmen contributed sums running into hundreds of thousands, toward the erection and maintenance of modern schools, for the construction of roads, and for the general welfare of the community. Fine bus lines have been established and operated at private expense for the conveyance of children to and from the schools, and appreciable sums have been expended in the welfare of these children. Furthermore, there accrues from these investments to the public an annual sum of approximately $500,000, in the way of taxes, licenses, purchases, and other items in connection with the sport of fowling. In addition it is estimated that 5,000 people depend almost wholly for their livelihood, and an equal number are partially dependent upon the sport of gunning and fishing. This means of livelihood and the returns from these investments are seriously endangered, for there is now little gunning and fishing and the property values have depreciated greatly in value, some as much as three-fourths.

THE REMEDY FOR PRESENT CONDITIONS

Various suggestions have been made for the restoration of this region, but most of these show an utter lack of knowledge of the situation. The suggestion and recommendation for delay offered by Maj. Gen. Edgar A. Jadwin, chief of the division of engineers of the United States Army, are inexplicable to anyone having even a slight acquaintance with the facts. Since the purchase of the Albemarle & Chesapeake Canal from a private corporation, the division of engineers has had jurisdiction over the inland waterway, and shortly after removed the salt-water guard lock, which had existed from the beginning of the canal in 1860 for the very purpose of preventing the injury occurring to-day to Currituck Sound. The engineers were asked on February 6, 1926, by Congress to investigate complaints of salt-water damage emanating from the Currituck region. The investigation was concluded and a report rendered on August 6, 1929. The damages complained of were found to exist. Large quantities of salt water were found to enter Currituck Sound from Hampton Roads through the canal, the salt content decreasing as distance from the canal increases southward of Currituck Sound. The damages of this salt water, which we have enumerated and described, were admitted and the conclusion drawn that the restoration of the guard lock in the canal was the only way to prevent this influx of contaminated salt water from Hampton Roads.

In the face of his findings and conclusions, and in view of the fact that the southern part of Currituck Sound is practically cut off from the northern part by the "Narrows," where the water was found to be fresh, the Chief of Engineers suggests Oregon Inlet as another possible source of salt water entering these waters, and also the possibility of ocean water entering by crossing the barrier beach in time of storm. These suggestions are inconsistent with the actual findings. Oregon Inlet and the barrier beach have existed since time immemorial, certainly while the productivity of these waters was at its best. The beginning of the destruction of the aquatic plants is correlated with the opening of the canal and not with the existence of the barrier beach and Oregon Trail, far to the southward. If during the past four years salt water has entered these waters from these two suggested sources, the results of the engineers' tests and our own tests do not so indicate. He further adds "that it is not clear that the ducking and fishing matters will not straighten themselves out if allowed time," and recommends a 5-year period of delay "to determine whether or not the present condition is temporary or permanent and to permit experimentation for the development of grasses for duck food adapted to the conditions," and, further, "if Congress does not accept this view but desires to restore without delay conditions as to the amount of salt water entering from the north to what they were prior to the removal of the old lock in the Chesapeake-Albemarle Canal, the method would be by the construction of a lock."

From the facts we present in this report it is quite evident that the conditions are not merely temporary and that another five years of delay would undoubtedly insure the total destruction of all traces of aquatic duck-food plants that yet remain in these waters.

The number of aquatic seed plants in our flora is small, and still smaller is the number fed upon by wild fowl. We have collected from the various regions in this country where duck-food plants grow about every plant upon which wild fowl have been found to feed. In no case have we succeeded in getting an imported plant to grow in these salty polluted waters. There is every reason to believe from an extended study that no plant suitable for duck food could be developed which could withstand the present detrimental and unstable conditions of Back Bay and Currituck Sound, but if this were possible it would be probably necessary to not only develop a duck that could feed upon it but also a duck that would be attracted to these salty, turbid, polluted waters.

Furthermore, in the soil and water from Back Bay, which is less saline than Currituck Sound and frequently not too salty for some species of these plants, we have been unable to grow plants unless the soil is first sterilized and the water evaporated, the residue turned to ash and made up again with distilled water to its original volume, or by running the water through a Berkfeld filter, which removes the turbidity and all organisms, including bacteria. After these treatments normal plant growth occurred. This process of sterilization and purification of the soil and water would occur in nature if the source of turbidity and pollution were removed from Back Bay and Currituck Sound through natural conditions of rainfall and drainage. This is evidenced by the fact that where plant-denuded coves, ponds, and artificial lakes in the infested areas of Back Bay and Currituck Sound have been bulkheaded by the owners the turbid, polluted water has been excluded, and a normal plant growth has returned. (Fig. 11.)

In view of our findings and in view of the fact that the opening of the Albemarle & Chesapeake Canal has been the sole disturbance in the natural conditions of this region, we are forced to the logical conclusion that the restoration of the guard lock in the canal is the only remedy for the present conditions in Back Bay and Currituck Sound and the only remedy that will restore the sole natural resource to this vast region.

When we consider the extent of the damage to the region, the economic losses involved, the loss of the sole, large winter-feeding ground on the Atlantic coast for wild fowl, the number of people and interests concerned, the reduction and threatened extinction of our wild fowl and our fresh-water fishes, and our moral obligation to posterity and our treaty obligations to Great Britain for the preservation and protection of our rapidly vanishing wild life, we are further forced to conclude that the application of this remedy should not longer be delayed.

Respectfully submitted.

WARREN S. BOURN,
Boyce Thompson Institute for Plant Research (Inc.),
Yonkers, N. Y.

Mr. Chairman, the Committee on Rivers and Harbors, after hearing the testimony of a score or more witnesses from the affected area, and the testimony of scientists and experts, came to the conclusion that the cause was just and had a rightful place in this bill. In the meantime the Chief of Engineers had revised his figures as to the cost of the lock, and informed the committee that a proper and suitable lock could be constructed for $500,000, rather than his former estimate of $728,000.

Last week, just before the committee finally voted on this project, they received the following telegrams:

RALEIGH, N. C., *April 18, 1930.*

Hon. S. WALLACE DEMPSEY,
Chairman Committee Rivers and Harbors,
Washington, D. C.:

The installation of the tidal-guard lock in the Albemarle & Chesapeake Canal is a matter of such importance that the Legislature of North Carolina has, by formal resolution, earnestly urged favorable action by Congress. Our State would feel it a great calamity if provision was not made for the lock in the pending rivers and harbors bill exclusively at the cost of the Federal Government. In view of importance of project, I confidently anticipate favorable action.

O. MAX GARDNER,
Governor of North Carolina.

RICHMOND, VA., *April 18, 1930*

Hon. S. WALLACE DEMPSEY,
Chairman Committee on Rivers and Harbors,
Washington, D. C.

May I remind you of the resolution of the Legislature of Virginia earnestly requesting the restoration of the lock in the Albemarle & Chesapeake Canal? This action was taken after careful consideration and in appreciation of the tremendous importance of the project. I am informed that the engineers have now reduced their estimate of

cost to $500,000, and therefore there should be no question about providing for the lock in the present rivers and harbors bill at the exclusive cost of the Government. I add my personal appeal to the official action of the Legislature of Virginia.

JOHN GARLAND POLLARD,
Governor of Virginia.

Imagine our surprise, Mr. Chairman, when the project was included in the bill, with the provision that the Government should pay $400,000 of the cost and that the remaining $100,000 must be secured by local contributions. It is unfair, unjust, and unwarranted. There is a solemn obligation and duty on the part of Congress to order this lock constructed and to pay the entire cost of same. It is impossible to comply with the contribution feature; and I challenge and can combat any assertion, if made, that this is not one of the most important and appealing projects in this whole measure. On account of the legislative situation in passing a bill of this nature, I shall at this stage only voice my emphatic protest and trust to the elimination of this contribution in the Senate where, I believe, it will surely be done. When the bill comes back again to the House, if there is contention about the action of the Senate I shall appeal to this body to see that justice and fair play and right prevail. I am not unmindful of the great interest that has been shown in this project by the Committee on Rivers and Harbors, and I shall always remember and appreciate it. I am believing that this contribution was attached in order to further hold down the limit of the total in the bill itself and not from any desire on the part of anyone to hamper or cripple the speedy solution of this great matter.

A battle extending now over a period of six years, Mr. Chairman, is about to come to a successful termination. It has been replete with disappointments and discouragements, but action by this Congress will save this great section from the devastation and destruction that has hung like a pall over it since 1920. It is impossible for me to give proper credit to the many Members of Congress, individuals, and organizations throughout the Nation for their sympathy, interest, and active support, without which we could not rejoice to-day.

The other projects carried in this bill for my district and which are of vital importance to the communities affected are:

MOUTH OF ROANOKE RIVER

The Roanoke, one of the great streams of North Carolina, with considerable depth has not been able to be fully utilized in the last few years on account of the formation of a bar at its mouth. This project provided for a channel 10 feet deep at its mouth and 150 feet wide, at an estimated cost of $46,500, with $1,000 annually for maintenance.

PAMLICO AND TAR RIVERS

This project provides for a channel 12 feet deep and 200 feet wide from Washington to Pamlico Sound, conforming same to the depth of the inland waterway. The estimated cost is $98,000, with $7,000 annually for maintenance, in addition to that required for the existing project.

EDENTON HARBOR

This project provides for a channel 12 feet deep and 150 feet wide from that depth in Edenton Bay to the foot of Broad Street, Edenton, at an estimated cost of $57,000, with $500 annually for maintenance.

BELHAVEN HARBOR

This project calls for a channel 12 feet deep and 100 feet wide extending from deep water in Pungo River to a point about 800 feet east of the highway bridge, with a turning basin 800 feet long and 300 feet wide at the upper end, at an estimated cost of $55,000, with $5,000 annually for maintenance, subject to the provision that local interests give assurances, satisfactory to the Secretary of War and Chief of Engineers, that they will provide a suitable public terminal under plans to be approved by the Chief of Engineers. I can state that the terminal will be promptly constructed by the city of Belhaven.

KNOBBS CREEK-ELIZABETH CITY

This project provides for a channel 10 feet deep from that depth in Pasquotank River to the Norfolk Southern Railroad bridge, generally 60 feet wide in the creek and 100 feet wide in Pasquotank River, with a turning basin opposite the plant of the Chesson Manufacturing Co., at an estimated cost of $79,000, with $500 annually for maintenance.

SILVER LAKE-OCRACOKE ISLAND

This was the first bill I introduced when I first entered Congress, and I am elated that after an effort of 70 years this beautiful and quaint little island, famed in song and poetry, will have a harbor of refuge for their small craft. The project calls for a channel 5 feet deep at mean low water and 50 feet wide, extending from that depth in Pamlico Sound to the 3-foot contour in Silver Lake Harbor, at an estimated cost of $11,000, with $900 annually for maintenance. On account of the many Federal activities going on at Ocracoke, I am delighted that the committee saw fit to insert the provision that the Government should pay the entire cost of this project, as any local contribution on the part of the inhabitants, who are poor fishermen, would have been impossible.

MACKAY CREEK

This project merely authorizes an appropriation of $1,100 to remove obstructions. It is important as a ferry landing, and there is considerable commerce.

TAR CREEK—ENGELHARD

This project calls for a channel 7 feet deep and 60 feet wide from Pamlico Sound to a point about 200 feet below the highway bridge at Engelhard, with a turning basin at the head, at an estimated cost of $30,000, with $2,000 annually for maintenance, subject to the provisions that local interests shall contribute $10,000 to the cost and furnish all necessary rights of way and areas for the disposal of dredged material. I greatly regret that the committee did not see fit to eliminate this local contribution, for it can not be complied with, especially as the furnishing of the right of way means the destruction of private oyster beds worth $7,500. The improvement of this stream is most necessary on account of the dependence of the people on water transportation, and I trust that the Senate will see fit to provide for no contribution on the part of the inhabitants.

The bill also contains, Mr. Chairman, six surveys introduced by me, and I hope that in a few years from now when we have another rivers and harbors bill that these surveys will come up for consideration by Congress on approved reports of the engineers.

These surveys are:

Waterway from Norfolk, Va., to the sounds of North Carolina, including the Dismal Swamp Canal.

Rollinson Channel leading from Pamlico Sound to Hatteras.

Shallowbag Bay at Manteo.

Channel in Pamlico Sound to Stumpy Point.

Section of any canal from Fairfield to the intersection of said canal with the inland waterway betwen Alligator and Pungo Rivers, with a view to its acquisition by the United States.

Waterway connecting Swan Quarter Bay with Deep Bay, N. C., including the Swan Quarter Canal, with a view to the acquisition of said canal by the United States, either through donation or purchase.

The Clerk read as follows:

Hollywood Harbor (Port Everglades), Fla.: The maintenance of this harbor is hereby authorized in accordance with the recommendations of the district and division engineers in the report submitted in House Document No. —, Seventy-first Congress, second session.

With the following committee amendment:

Page 16, line 21, after the word "No.," insert the figures "357."

The committee amendment was agreed to.

The Clerk read as follows:

Mississippi River, between mouth of Missouri River and Minneapolis, Minn.: The report submitted by the Chief of Engineers in House Document No. 290, Seventy-first Congress, second session, is hereby adopted. The following work, to be prosecuted in accordance with the plan for a comprehensive project to procure a channel of 9-foot depth is hereby adopted: Additional lock at Twin City Dam, additional lock at Keokuk, dredging in Twin City pool, and dredging at head of pool No. 2. For the prosecution of the work hereby adopted there is authorized to be appropriated the sum of $3,058,000.

Mr. NOLAN. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Amendment by Mr. NOLAN: Amend by striking out everything beginning with "Mississippi River" in line 18, page 23, up to and including the figures "$3,058,000" in line 3, on page 24, and insert in place thereof the following:

"Mississippi River between Illinois River and Minneapolis: The existing project is hereby modified so as to provide a minimum channel depth of 9 feet at low water with widths suitable for long-haul common-carrier service, and including the construction and maintenance of the works and structures as set forth in the recommended plans, paragraphs 601 and 602 of the report and estimates of the special board of engineers, dated December 16, 1929, submitted in House Document No. 290, Seventy-first Congress, second session. The Chief of Engineers, upon further surveys, and with the approval of the Secretary of War, is hereby authorized to make, within the estimated cost of the modified project, such changes in the type and location of the permanent structures recommended therein as in his judgment will more effectively meet the requirements of modern navigation: *Provided*, That all locks below the Twin City Dam shall be of not less than Ohio River standard dimensions."

Mr. NOLAN. Mr. Chairman, the people of the upper Mississippi River do not feel that the provision in the bill gives us anything more than we already have, and that that provision is no assurance that there will be ultimately a 9-foot channel.

This amendment is in harmony with the report of the special board of engineers contained in House Document 290. The report finds that a 9-foot channel on the upper Mississippi is feasible, is practical, and is absolutely necessary so far as the economic future of the Northwest is concerned. It will give to this section the benefit of cheap water transportation now enjoyed by other parts of the country due to the Panama Canal.

It will be of tremendous benefit to this great agricultural section in giving to the producers the advantage of cheap transportation in reaching domestic and foreign markets.

The time allowed me is not sufficient to go into a detailed discussion of the report of the engineers, except to say that the report contains sufficient data to warrant an authorization at this time, and that there is ample precedent to back up such an authorization.

The engineers find that to continue the present project on the upper Mississippi would be wasteful and of no value. It would even be a menace to navigation when the 9-foot channel project is ultimately constructed.

The adoption of my amendment will authorize a 9-foot channel in place of the present valueless project contingent upon a final favorable report by the engineers. It does not provide for any appropriation of money; and, if not adopted at this time, we are certain it will be a long time before this matter can again be considered by Congress.

If we are to get a 9-foot channel, we feel that this is the time for Congress to say so. We are asking for the amendment at this time.

First, because it will complete the Mississippi trunk system along modern lines. Second, because it is necessary to the economic life of a great landlocked section that can not find a way to the ocean. Third, because it is in keeping with the policies of the present administration as enunciated by President Hoover in his Louisville speech when he said:

> As a general and broad policy I favor modernising of every part of our waterways which will show economic justification in aid of our farmers and industries.

And in his reference to the Mississippi system when he said:

> We should establish a 9-foot depth in the trunk system.

And in his further statement he said:

> We should complete the entire Mississippi system within the next five years. We shall then have built a great north and south trunk waterway entirely across our country from the Gulf to the northern boundaries and a great east and west route, halfway across the United States.

I am offering this amendment which is backed up and supported by the Mississippi Valley Association representing the entire Mississippi section, by the agricultural Middle West, and by all of the commercial and civic organizations of the two great cities of Minneapolis and St. Paul. [Applause.]

Mr. DEMPSEY. Mr. Chairman and gentlemen, this proposed amendment brings up directly the question of whether or not we are to have a river and harbor bill, because if this amendment should prevail we will not have any river and harbor bill, and there is no question about it at all. It will add $98,000,000 to the bill and the bill as such would not become a law.

Mr. MANSFIELD. And neither would it be approved by the press of the country.

Mr. DEMPSEY. No one would approve it. The upper Mississippi was treated generously, not fairly, but generously and thoughtfully, and it gets everything that it can use within the time before it will get a 9-foot project. We adopt here a provision for three locks and dams at an expense of $3,000,000.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. I decline to yield.

Mr. NOLAN. Will the gentleman state where those locks and dams are that this bill authorizes?

Mr. DEMPSEY. We adopted a provision for three locks and dams at an expense of $3,000,000.

Mr. NOLAN. I ask the gentleman to yield.

Mr. DEMPSEY. And we do that before a report for a 9-foot project is submitted. As I said in my opening, we go further than we ought to go for the upper Mississippi, because we believe that they do not have the benefit of the Great Lakes commerce, and therefore we discard in their favor a rule that we must have a report before we can adopt a project, and we are adopting here a project for three locks and dams in advance of the report.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. No; I can not yield.

Mr. NOLAN. I merely want to know what these locks and dams are that the gentleman refers to, and I think I am entitled to have the gentleman answer that question. [Cries of "Vote."]

Mr. MAAS. Mr. Chairman, I move to strike out the last word.

Mr. DEMPSEY. There seems to be a rather unanimous desire for a vote. It is getting late. I do not want to take the gentleman off his feet, but I move that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The question is on the motion of the gentleman from New York that all debate upon this paragraph and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MAAS. Mr. Chairman and gentlemen of the House, we are offered in the Northwest two dams and sets of locks on the upper Mississippi. We are told that we can not have a 9-foot authorization on the upper Mississippi because there is not a sufficient report of the engineers to justify it. We do not want anything in the Northwest to which we are not entitled; but if there is not enough information to give us a 9-foot authorization, why are you giving us two locks and dams on that basis? If there is sufficient available information and data so that you can anticipate that next year you are going to give us an authorization for a 9-foot channel, then there is sufficient justification to authorize that channel now.

It is not a question of adding one single dollar to the appropriation this year, but the business men of the Northwest are entitled to know whether they are going to have a 9-foot channel or not. The expansion program of the Northwest is tied up in this question. For years we have been promised that we were going to have it, and we have been assured that we would have it in the first rivers and harbors bill. It is a question of letting the business men know now, now that the administration leaders have asked the business leaders to go into a $7,000,000,000 expansion and construction program, and the question is, Has the Government itself got sufficient confidence in its own request of the business men to back them up and aid in stimulating this expansion program? For every dollar the Federal Government will expend in the upper Mississippi, private business interests will spend five, if we can know that we are going to have a 9-foot channel, and when. The Northwest has been loyal in the building of the Panama Canal. We never objected to it. We did our part with the understanding that when the time came we would be taken care of on an equitable, fair basis, as far as the economics of transportation were concerned. Our only possible outlet is a waterway from the Great Lakes to the sea and down the Mississippi River to the Gulf. We are asking this at this time so that the unsettled conditions of the Northwest may be stabilized, and that we have an authorization now so that we may know whether we can go ahead and plan for river transportation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. NOLAN) there were—ayes 41, noes 146.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> The project for the permanent improvement of the main stream of the Tennessee River for a navigable depth of 9 feet in accordance with the recommendations of the Chief of Engineers in House Document No. 328 of the Seventy-first Congress, second session, is hereby authorized for the first 83 miles upstream from Paducah, together with detailed surveys and investigations for low dams for navigation only covering that portion of the Tennessee River below the Hales Bar Dam: *Provided*, That the total expenditures under this authorization shall not exceed $3,500,000: *Provided further*, That the Chief of Engineers is hereby directed to ascertain and report to Congress on the first day of the first regular session of the Seventy-second Congress, advising the prospective cooperation offered by responsible interests, under the Federal water power act, in the program of construction recommended by the Chief of Engineers, providing for the 9-foot project by means of high dams.

Mr. ALMON. Mr. Chairman, there are only two or three larger rivers in the United States than the Tennessee, and none have more available water power. There is a fall of 500 feet in this river between Knoxville and its mouth, at Paducah. The improvement of navigation on this river has been very much neglected. Ten years ago we began a survey of this river and its tributaries with a view of determining how it should best be improved for navigation and water-power development. That survey has just been completed and reported to Congress by Gen. Lytle Brown, the Chief of Engineers, and is being printed in two volumes, with maps, tables, and illustrations. It is the most elaborate one that has ever been made. It cost $910,000. The engineers agree that a 9-foot water all

the way from the Ohio River at Paducah, Ky., to Knoxville, Tenn., a distance of 652 miles, is feasible and is recommended.

I regret that this report was not received in time for it to be thoroughly considered by the Rivers and Harbors Committee of the House before they completed their hearings on a rivers and harbors bill at this session. As soon as it was received and ordered printed, I appeared before the Rivers and Harbors Committee with other Members of the Alabama delegation and the Tennessee delegation and urged its adoption. The committee decided that it could not be adopted as a whole, as the committee had not had an opportunity to examine the report of the engineers. I insisted that that part of the report from Dam No. 2 at Muscle Shoals to Hales Bar be adopted, and that a sufficient sum be appropriated to make the necessary detailed plans, drillings, and estimates for seven low-lift navigation dams on that part of the river, which it was estimated would cost about $150,000, and that an additional sum be authorized for the commencement of the work on one or more of the dams. I produced a letter which I had received from the Chief of Engineers, in which he said:

If you are familiar with the report recently submitted on the Tennessee River, you will see that seven locks and dams of low lifts for navigation are projected between the Wilson Dam and Hales Bar Dam. This is the most unfavorable reach in the river between Chattanooga and the mouth of the river at Paducah and is the first reach to be improved for navigation.

It was estimated that these seven low-lift locks and dams for navigation would cost about $19,800,000. This stretch of the river is one which, it seems, no power capital wishes to develop but it is the lowest water.

The Rivers and Harbors Committee adopted the report of the engineers providing for a navigation depth of 9 feet, in accordance with the recommendation of the Chief of Engineers in House Document 328, Seventy-first Congress, second session, for the first 83 miles upstream from Paducah, and authorized detailed surveys, drilling, and investigations for low dams for navigation on that portion of the Tennessee River below Hales Bar Dam and authorized an appropriation of $3,500,000.

That amount is included in the bill now under consideration, and which it is expected will be passed and approved at this session. The balance of the report will be adopted at the next session. This will be the real beginning of the improvement of this wonderful river, and will result in a 9-foot channel from Paducah to Knoxville, as recommended by the Chief of Engineers. I have also succeeded in having a provision included in this bill authorizing a survey by the Corps of Engineers of the War Department of Flint River in the district I represent and trust that this survey will result in having this river opened to navigation.

This report of the survey shows power resources of at least 4,000,000 horsepower, and with the installation of steam auxiliary plants, in accordance with the general practice, will warrant the installation of about 8,000,000 horsepower.

The drainage basin of the Tennessee River has an area of 40,600 square miles and a population of about 2,000,000. This basin is at present largely devoted to agriculture and in the operation of industrial plants. It contains much timber, important mineral deposits, particularly coal, lime, limestone, marble, asphalt, and phosphate rock.

Since 1914, when I entered Congress, there has been expended on the Tennessee River for navigation purposes $17,564,678. Included in this is $10,000,000, the cost of the navigation lock at Dam No. 2, which was authorized by the act of 1916, and is just as much a part of the improvement of the Tennessee River for navigation purposes as Dam No. 1 and Widows Bar Dam and other improvements made on the river since 1914. There was appropriated and expended on the Tennessee River from 1833 to 1914, a period of 81 years, the sum of only $9,971,280. So it would seem that this is a very good showing for the past 14 years as compared with former years.

However, it would have been much greater if the War Department had not decided to postpone further development on the river until the survey which I have discussed had been made and reported to Congress in order to determine how the river should best be developed and where the dams should be located in order to secure the greatest development for navigation and power development.

I aided in securing this survey and kept in touch with the work from the beginning and am familiar with the wonderful possibilities of the Tennessee River as shown by the report of Gen. Lytle Brown, Chief of Engineers. So it would seem that I have done as much as one could do in aiding in this important development. I am familiar with this development and sincerely hope that I will be permitted to continue to use whatever influence I may have in the development of this great waterway, which will mean so much to the people I represent, and all of the other people in that section of the country, in reducing freight rates many millions of dollars and in the development of the water power, which will result in the greatest industrial development that has ever taken place in any section of the country. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Allegheny River, Pa., in accordance with the report submitted in House Document No. —, Seventy-first Congress, second session, and subject to the conditions set forth in said document.

With a committee amendment as follows:

On page 25, line 20, after the word "No.," insert "356."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Illinois River, Ill., in accordance with the report of Maj. Gen. Lytle Brown, Chief of Engineers, submitted in Senate Document No. 126, Seventy-first Congress, second session, and subject to the conditions set forth in his report in said document, except that the State of Illinois' plans of improvement are not adopted as to the volume or so as to require the volume of water contemplated in said plans, but the said project shall be so constructed as to require the smallest flow of water with which said project can be practically accomplished, in the development of a commercially useful waterway: *Provided*, That nothing in this act shall be construed as authorizing any diversion of water from Lake Michigan, but the whole question of diversion from Lake Michigan shall remain and be unaffected hereby, as if this act had not passed: *Provided further*, That there is hereby authorized to be appropriated for this project a sum not to exceed $7,500,000.

Mr. MICHAELSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word. The gentleman is recognized for five minutes.

Mr MICHAELSON. Mr. Chairman and ladies and gentlemen of the House, the passage of this rivers and harbors bill containing, among many other items, a provision authorizing the expenditure by the Government of the United States of an amount not to exceed $7,500,000 for the improvement of the Illinois River, will bring about a realization of the hopes of a hundred years, cherished in the hearts of our people of the Middle West, for a great system of inland water transportation.

The Architect of the Universe created for our people all the necessary facilities for the construction of the most comprehensive inland waterway system anywhere on the earth, leaving it to mankind only to bring about its accomplishment.

Up to date the greatest inland waterway system anywhere on the earth's surface in point of natural facilities for commerce is the Great Lakes. Its annual tonnage is 125,000,000. About 10 miles west of the southern end of Lake Michigan, and only 11 feet above its surface, is the summit between the Gulf of Mexico, 1,600 miles to the south, and the Gulf of St. Lawrence, 1,700 miles to the east.

The Mississippi River and its tributaries have 13,912 miles of navigable water, draining a territory of 1,240,000 square miles, 64 per cent of the area of the United States, with a population of about 60,000,000 people—54 per cent of the entire population of our country.

The possibility and the desirability of joining these two great natural waterway transportation systems into one was recognized by our people and our governmental agencies early in our history as a nation, and as far back as 1822 the Congress of the United States passed an act authorizing the State of Illinois to construct a canal connecting the Illinois River with the southern bend of Lake Michigan through the public land, said public land being a strip of land 20 miles wide through the valleys of the Chicago, Des Plaines, and Illinois Rivers, between Lake Michigan and Ottawa, which had been ceded in 1816 for a small sum to the United States by the original owners, the Indians.

In 1827 Congress again passed an act authorizing the State of Illinois to open this canal—

Provided, That the said canal, when completed, shall be and forever remain a public highway for the use of the Government of the United States, free from any toll or other charge whatever, for any property of the United States or persons in their service passing through the same.

In 1836 the Illinois State Legislature passed "An act for the construction of the Illinois & Michigan Canal," stating—

That said canal shall not be less than 45 feet wide at the surface and 30 feet at the base, and of sufficient depth to insure navigation, to be supplied with water from Lake Michigan and such other sources as the canal commissioners may think proper.

The original design was for a deep-cut canal fed by gravity flow from Lake Michigan, but it was built on the shallow-cut plan on account of lack of funds. The canal took 12 years to build and was completed in 1848 by the State of Illinois at a cost of $6,557,681. It was 6 feet deep and 40 feet wide, and was fed partially by gravity flow from the Calumet River up into the canal at Ashland Avenue, where its locks were located. It was a great aid to commerce in the Mississippi Valley and Great Lakes region, despite the fact that frequently for months at a time the Illinois River was only 20 inches deep.

The Government closely observed the operation of the Illinois & Michigan Canal, and during the period from 1848 to 1890 caused a number of surveys to be made of it and the entire Illinois River project, and a summary of the general tenor of these reports is as follows:

The question of a through line of water communication from the Mississippi to Lake Michigan via the Illinois River has been before Congress since an early date.

The ultimate object of this improvement is to provide a channel way from the lower end of Lake Michigan to the Mississippi River of sufficient capacity to accommodate large-sized Mississippi River boats, so that the products of the country may be carried from the lake to the Gulf without breaking bulk; also to enable vessels of war of considerable capacity to pass freely from the Gulf of Mexico into the defenseless waters of our northern lakes, should the exigencies of our foreign relations ever require this to be done.

The waterway from Chicago to Grafton on the Mississippi River is a most important one, and when completed there is little doubt that it will richly pay for itself in the reduction and regulations of freights.

The record further shows that the canal was regarded by the Government not only as a military but a commercial necessity, for in 1868 the Chief of Engineers of the United States Army said in his report on this subject:

As a military measure the construction of this canal will be effective; and, fortunately for the country, this can be done at an expense which must be regarded as insignificant when compared with the objects to be obtained. But, great as are the military reasons which favor the establishment of steamboat navigation between the Lakes and the Mississippi, they are vastly transcended by those of a commercial and political character.

In the year 1889 the Illinois State Legislature passed a law creating the Sanitary District of Chicago and authorizing the building of a sanitary and ship canal connecting the Chicago River with the Des Plaines River to divert the sewage, which was polluting the waters of Lake Michigan, into the Mississippi watershed.

This action by the State legislature was taken as a result of a study and an investigation by a commission appointed for the purpose of investigating every known method of sewage disposal and to take into consideration the great demand for a deep waterway to the Gulf of Mexico.

The canal was completed in 1899, and in December of that year Congress and the War Department were notified officially of what had been accomplished in this regard.

In 1900 the water was turned on from Lake Michigan, and the northern link of the Great Lakes-to-the-Gulf waterways was complete and in operation. Since that time the Chicago and Des Plaines Rivers have been improved by the sanitary district, and other branch canals, pumping stations, intercepting sewers, and sewage-treatment plants, representing a total cost of about $90,000,000, have been constructed.

Following the completion of the drainage and ship canal from Chicago to Lockport, the agitation among the people of the Middle West for an adequate Lakes-to-the-Gulf waterway increased tremendously, and the demands for congressional action in this regard became very insistent.

Plans were proposed and a route selected for this waterway, as follows: The sanitary and ship canal from the Chicago River to Lockport, the Des Plaines River from Lockport to its confluence with the Illinois River at Utica, the Illinois River to its confluence with the Mississippi River at Grafton. The section from Lockport to Utica was not under Government control, but that from Utica to Grafton was, and the Government has already spent some money for its improvement for navigation purposes. The State legislature passed an act, and the people of Illinois approved it by referendum, to appropriate $20,000,000 to improve its section by the construction of a 9-foot channel, with locks and dams where necessary.

The State is now engaged in improving that section of the river under its control.

In 1926 Congress, on the recommendation of the Rivers and Harbors Committee, included in the regular rivers and harbors bill a provision for a project to complete the Illinois waterway by the construction of a 9-foot channel in the Illinois River from Utica to Grafton and appropriated for that purpose $1,350,000. This work is now well under way.

Recent developments, however, disclose the fact that, due to many causes, but principally to the increased cost of materials and wages, the $20,000,000 appropriated by the people of Illinois is not sufficient to complete the State's share of the project. It is estimated by the engineers that $7,500,000 additional is needed. The State, because of constitutional limitations, can not provide these funds.

In the emergency, and in order that the work on this most important inland waterway may go on, arrangements have been made by the War Department of the United States and the Governor of the State of Illinois for the State to relinquish its property and other rights in the waterway to the Federal Government without cost.

For this purpose the rivers and harbors bill now before the House for consideration contains a provision authorizing the appropriation of a sum not to exceed $7,500,000 for the improvement of the Illinois River.

By this expenditure the Congress can make it possible for all of the people of the United States, and particularly those in and tributary to the Mississippi Basin, to obtain the full benefit of the $430,000,000 invested in river development in the Mississippi Basin by the Government, the $60,000,000 invested for the same purpose by the Sanitary District of Chicago, and the $20,000,000 appropriated and now being spent by the State of Illinois.

The expenditure of this small sum of money will also make it possible for the people of the Great Lakes region and in the upper Mississippi Basin to obtain some benefit from the Panama Canal, which was paid for by taxation spread throughout the United States, and which at the present time is useful only to the Atlantic and Pacific seaboards.

During my entire service in Congress, covering a period of nine years, I have been a member of the Committee on Rivers and Harbors, working for the accomplishment of this much-needed waterway development. With the passage of this bill will come the fulfillment of all the efforts put forth in its behalf by many, who have also labored ceaselessly and constructively, and we may now look forward to a day—I hope a day during the celebration of a century of progress at the World's Fair in Chicago—when our people may wake up some morning aroused by the blowing of steam whistles aboard boats arriving from the city of New Orleans, to find that the Lakes-to-the-Gulf waterway is at last a reality.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Manistee Harbor, Mich., in accordance with the report submitted in Senate Document No. —, Seventy-first Congress, second session, and subject to the condition set forth in said document.

With a committee amendment as follows:

Page 28, line 22, after the word "No.," insert "131."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Los Angeles and Long Beach Harbors, Calif.: The modifications of the existing project recommended in the reports submitted in Senate Document No. —, Seventy-first Congress, second session, and Rivers and Harbors Committee Document No. 33, Seventy-first Congress, second session, are hereby adopted and authorized, subject to the conditions set forth in said documents.

Mr. EVANS of California. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EVANS of California: Page 32, line 15, after the word "No.," insert "130."

Mr. DEMPSEY. Mr. Chairman, is that a committee amendment?

Mr. EVANS of California. No. That is a perfecting amendment.

Mr. McDUFFIE. What is the amendment?

Mr. EVANS of California. A document number.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. EVANS of California. Mr. Chairman and members of the committee, in the bill now under consideration there is an item of $8,346,000 for the completion of certain work on the Los Angeles-Long Beach Harbor. In view of the fact that this item is more or less substantial in amount it has occurred to me that Members might be interested in the purposes for which this money is to be expended and the prospect of the community as a whole receiving from this expenditure adequate value in return.

For the purpose of answering any inquiry that might be very properly and consistently in the minds of Members, I will ask the indulgence of the House for a few moments in submitting some facts and figures touching the growth and development of the Los Angeles-Long Beach Harbor and to give some information regarding the part the local communities have contributed in the way of meeting the expenses incident to such development.

In about the year 1896 it was realized by the 100,000 people residing in the communities of Los Angeles, Long Beach, and San Pedro that systematic development should be applied to the harbor. Up to this time this now busy and noteworthy port was but a port of call of very minor importance, answering mainly as a means of outlet for a limited amount of local products and the receipt of a small amount of incoming cargo to be consumed by the immediately adjacent communities. In order to get a more comprehensive outlook in the way of development the cities of San Pedro and Wilmington were consolidated with the city of Los Angeles in 1909, and in 1914 the first municipal wharf was built in what is now known as the Los Angeles-Long Beach Harbor.

Subsequently a phenomenal growth started, and it was not long until the harbor traffic had attained a volume of more than 2,000,000 tons per month. During the year 1929, 29,000,000 tons of merchandise valued in excess of $1,250,000,000 passed over the wharves of the Los Angeles-Long Beach Harbor, in addition to more than 2,000,000 tons of oil. Exports to foreign countries reached a figure of more than $155,000,000 in value for that year. One hundred and four steamship companies handled passengers or general freight, seventy-odd oil tanker lines and more than 40 lumber-carrier lines cleared this port in 1929.

This port, in addition to being second only to New York in tonnage of foreign commerce, leads all other ports in the United States in volume of intercoastal trade according to the report of the United States Shipping Board for the year ending June 30, 1929. The shipments of eastbound commerce from the Los Angeles-Long Beach port are greater by almost 500,000 tons than the combined commerce in the entire San Francisco Bay ports, Portland, Seattle, and Tacoma.

The total intercoastal commerce of the New York port for the year 1929 was 3,792,872 long tons. The total intercoastal commerce of the Los Angeles-Long Beach port was 4,212,173 long tons—approximately 500,000 tons greater than the New York port. Thus it will be seen that the Los Angeles-Long Beach Harbor leads all harbors of the United States in intercoastal commerce.

The records of the customs department of the Bureau of Internal Revenue show customs receipts for the year 1929 to be approximately $7,000,000, or an average of $583,000 per month.

This unequaled development of water-borne commerce has required the expenditure of comparatively small sums of money by the Federal Government. All told, Congress has appropriated up to this time for this harbor the sum of $11,450,000. During the last few years, exclusive of Federal expenditures, more than $40,000,000 has been spent on harbor improvements and facilities by public and private enterprises. The cities of Los Angeles and Long Beach have expended more than $35,000,000 on harbor improvements and have provided for substantial expenditures to be made in the immediate future.

The city of Long Beach, with now a population of 160,000, has expended and authorized during the past four or five years approximately $10,000,000 for improvement of shipping facilities. Long Beach at her own expense has constructed a breakwater, dredged the entrance channel and the inside turning basin of the harbor to a depth of 35 feet. Measuring these expenditures of the local communities against the sum of $11,500,000 spent by the Government, it becomes apparent that the local communities have not shirked their part of the load and responsibility.

The Los Angeles-Long Beach Harbor improvements afford the most modern facilities for handling freight of any American port. The main entrance channel is 1,000 feet wide with 48 feet controlling depth at low tide at the entrance and 35 feet at all other parts of the harbor. This harbor has over 63 miles of water front; 95 per cent of the wharves, sheds, and other port facilities are owned by the cities of Long Beach and Los Angeles. This includes more than 38 acres of shed cover and more than 43 acres of wharf area not covered. The port operates a belt-line railroad with 125 miles of trackage, connecting the four railroads that serve the harbor and giving unified service and charges to all shippers and docks. Over 6,000 factories with an output exceeding $1,300,000,000 annually are directly tributary to the harbor.

The fish harbor costing $1,500,000 is the home of 1,250 fishing boats and last year handled more than 200,000 tons of fish, the packed value of which exceeded $19,000,000.

About 200,000 bales of cotton last year were compressed at the harbor; 2,000,000 boxes of citrus fruit were transshipped from rail to water; 537,132 tons of pipe, valued at over $70,000,000, were received; 55,000 tons of borax, 35,000 tons of crude rubber, 44,230 tons of waste paper, 1,220,000 feet of lumber, and 150,000,000 barrels of oil all added their quota to the demand for enlarged port facilities.

During the past six years foreign tonnage has increased 300 per cent, and the number of ships in foreign trade more than 93 per cent, making the port second only to New York in the volume of port trade.

This brief summary of facts and figures, taken from the records of the Shipping Board, Customs Department, and other authentic sources, we believe amply justifies the authorization that is provided in this bill for the continued development of this important port of commerce.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Umpqua River and entrance, Oregon, in accordance with the report submitted in House Document No. 317, Seventieth Congress, first session.

Mr. KORELL. Mr. Chairman and members of the committee, I want to thank the members of the Committee on Rivers and Harbors for their adoption of the report of the board of Army engineers recommending the deepening and widening of the Willamette-Columbia shipping channel from Portland to the sea.

The adoption of this report and its incorporation in the pending bill, if the bill shall become a law, which I sincerely hope will be the case, will mean that a belated recognition of the splendid cooperation and support that the people of my district have been according the Federal Government in developing the Columbia and Willamette shipping channel will have been secured. It will mean that an annual saving of over $600,000 in freight charges will have been obtained for the people of Portland and the residents of the Columbia River Basin. It will mean that another economic barrier that tends to separate the markets of the Northwest and the markets of the Gulf and coast States will have been eliminated, that much convenience will result, and time will be saved through the ability of larger and faster ships to enter and leave the port of Portland.

I do not want to take up unnecessary time in urging the importance of retaining the Willamette and Columbia Channel project as an item in the bill that we are now considering, but I would like to mention just a few facts which I believe will convince you that the project is an exceedingly meritorious one and that it deserves the full support of all the Members of the House. First, I want to say that Portland is the primary wheat exporting port of the Pacific coast. It is also a leading port in the export of lumber, apples, flour, canned goods, and paper. The total tonnage of ocean and river traffic that moved in and out of Portland in 1929 was approximately nine and one-half million tons. Second, for every dollar that the Government has spent upon the Willamette and Columbia Channel the people of Portland have invested two in their river and harbor. They have also cooperated with the Federal Government in many other ways too numerous to mention at this time. Third, the existing project provides for a channel 30 feet deep and 300 feet wide, and for a channel across the bar at the mouth of the Columbia River 40 feet deep at mean lower low water. The new project proposed to be authorized in the pending bill calls for a channel 35 feet deep and 500 feet wide between Portland and the sea. The cost of the new improvement it is estimated will be $1,366,000. The difference between the annual maintenance cost of a 35-foot channel and the existing 30-foot channel is about $275,000, therefore, the project will amortize itself at the rate of an amount in excess of $300,000 yearly. In other words, it will pay for itself within five years.

Under the existing project a vessel drawing more than 28 feet can not navigate the channel with the degree of safety that its commerce justifies. For safe navigation there should be from two to three feet of water under the keel of every ship that may desire to use the channel. As the present trend to larger and faster ships has steadily increased their depth requirements many of the vessels that are now being constructed at other

ports will not be able to carry cargoes from the Gulf and Coast States into the Columbia and Willamette Rivers unless the additional depth recommended and proposed to be authorized by this bill shall be voted by the House. Accordingly, while the project is of vital importance to the people of my district it is also of equal importance to the people of every other district in the United States.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Honolulu Harbor, Hawaii, in accordance with the report submitted in House Document No. 753, Sixty-ninth Congress, second session: *Provided*, That no limit of time shall be set within which the work hereby adopted shall be completed.

With a committee amendment as follows:

Page 37, between lines 5 and 6, insert the following:

"Connecticut River, above Hartford, Conn.: There is authorized to be expended upon the project reported by the Chief of Engineers, under date of April 24, 1930, and printed in Rivers and Harbors Committee Document No. 36, Seventy-first Congress, second session, subject to the conditions set forth in said report, the sum of $1,000,000, and subject to the further conditions that the Bulkley, or Memorial Bridge across the Connecticut River at Hartford shall not be disturbed, and that the lock and dam described in the report, as to be built near the city of Hartford, shall not be constructed so near said city as to in any way disturb city improvements, or otherwise interfere with the said city."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HASTINGS. Mr. Chairman, we of the Middle West are particularly interested in the development of our inland waterways. We appreciate that this should be done upon a comprehensive scale. We are interested in the improvement of every meritorious project. Each river is a link in an extensive chain and the more rivers that are improved, of course, the greater benefit every river is to the particular area which it serves.

I am glad to hear the chairman indicate that he favors an annual rivers and harbors bill. This would enable Congress to consider projects from year to year as they are made under previous authorizations.

Under the act of May 15, 1928, surveys of the Arkansas River and its major tributaries were authorized. Of the $5,000,000 authorized to be appropriated, $550,000 has been allocated to a survey of the Arkansas River and its tributaries.

Maj. Gen. Lytle Brown, Chief of Engineers, War Department, has assured us that he hopes to have reports upon the Arkansas River during this coming fall which will then, of course, be reviewed by the Mississippi River Commission and by the Rivers and Harbors Board and by the Chief of Engineers. We feel confident that the result of these surveys will justify a favorable report as to the feasibility of restoring navigation on the Arkansas River.

On January 24, 1930, I reviewed at some length the history of the navigation of the Arkansas River and included data showing that the navigability of the Arkansas River had been recognized for a hundred years, and also excerpts from various reports made from time to time attesting to the fact that the river had been actually navigated. I shall not take occasion now to review these citations.

The last annual report of the Chief of Engineers of the War Department, page 1076, states that:

It is navigable to Neosho (Grand River) 465 miles from the mouth.

The committee's report on the bill under consideration (H. R. 11781, 71st Cong., 2d sess., Rept. No. 1265) contains the following statement:

The Red and Arkansas Rivers. These two great rivers are not included in the bill because the survey of them, although they have progressed very far, have not as yet been completed, and so it was not possible for the engineers to report upon them. The surveys have progressed far enough, however, so that we can see with reasonable certainty that they are capable of usefulness in navigation, and probably also in the development of power and other uses for the great volumes of water carried by them. They served a large and exceedingly productive area. Certainly every effort should be made, and at as early a day as possible, to put them into condition to afford the great districts through which they run the benefits of cheap water transportation, in order that the progress which has been made on the surveys may be seen, and that the people living in their territory may be given the hoped-for early aid to develop navigation on them. The work so far done on the surveys is described below as follows, viz:

"The navigability of the Arkansas River in Arkansas and Oklahoma, to the confluence of the Grand and Verdigris Rivers, is recognized and reaffirmed, and appropriations for its improvement may be made in conformity with projects when reported and approved by the Board of Engineers in such amount as may be authorized by Congress."

This recognizes the navigability of the Arkansas River in Arkansas and in Oklahoma to a confluence of the Grand and Verdigris Rivers and indicates a willingness to make adequate appropriations when projects are reported and approved.

We are assured by Major General Brown that this report will be made in the early fall of this year—1930. The chairman of the committee has just assured us that he favors an annual rivers and harbors bill. With this assurance definitely made, we hope and have every reason to expect that if the report upon the Arkansas River is favorable and the project is approved, that the same may receive the consideration of Congress at its next session.

We regret that the surveys have not progressed sufficiently to have had earlier reports. We appreciate that we can not embody items authorizing and approving projects under the parliamentary procedure of the House until the reports of the engineers are made, examined, and reported upon by the Board of Engineers. For that reason we have not been able to present to the committee, as we had expected, an item for the Arkansas River.

We have pressed with the very greatest vigor the surveys upon the Arkansas River and its major tributaries heretofore authorized, and it is unfortunate that they have not been completed in time for consideration in the pending bill.

The restoration of navigation on the Arkansas River is of the utmost importance to the development of a great area in the Southwest.

It would mean competitive water rates and, therefore, the regulation of freight rates, which would be of incalculable benefit to the people of that section.

If the reservoir system is adopted, it would mean the impounding of water in great reservoirs, to be released to maintain a steady flow of water on the river so as to insure an average depth the year around.

The dams built for the impounding of water would enable us to generate cheap power for sale to municipalities and for factory uses, and this would induce factories from the East and Northeast to locate in our section of the country and utilize the raw materials. This would mean factories all up and down this great stream and its major tributaries. It would afford employment to a large number of people and give them a steady pay roll.

The stored-up waters when not needed for navigation would be used for irrigation and insure the production of crops annually in the semiarid regions of the upper reaches of the Arkansas River and its tributaries.

The impounding of the water would mean the reclaiming of large areas of overflowed land to productive cultivation. Some of this overflowed land is the most fertile throughout the entire country. It would also mean reducing the excessive floods, the caving of banks of the rivers, and the destruction of large areas of lands through erosion.

The question of flood control on the lower reaches of the Mississippi is a national one, as the disastrous floods come from the watersheds of a number of States. If that water, or a large part of it, is impounded in reservoirs and gradually released, unquestionably it would affect the volume of water in the lower Mississippi.

We expect to see the day when navigation will be restored on the Arkansas River not only from the mouth of the confluence of the Grand River but through canalization to Tulsa, Okla., and perhaps to Wichita, Kans.

Appropriations have been made for the improvement of this river as far up the stream as Wichita.

Here we have this great inland canal already dug. We have the water flowing down the channel. Reports show that this river has been utilized for navigation for a hundred years. It fell into disuse when the West was sparsely settled and when railroads were built which adequately served the needs of the country at that time. If this river has been navigated, surely the best engineers which our country affords can by the use of their skill and counsel point the way to Congress for the restoration of navigation.

I desire to append a letter from Maj. Gen. Lytle Brown, Chief of Engineers of the War Department, dated April 15, 1930, reporting the progress made on the survey of the Arkansas River and its major tributaries:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 15, 1930.

Hon. WILLIAM W. HASTINGS,
House of Representatives, Washington, D. C.

MY DEAR MR. HASTINGS: 1. In compliance with the request made during your recent visit to my office, the following data are furnished con-

cerning the surveys being made of the Arkansas River and its tributaries under section 10 of the flood control act of May 15, 1928. Including the month of February the total amount allocated by the Memphis district for flood control surveys was $550,000. Of this $419,112.60 has been expended, leaving an available balance of $130,187.40. Details are shown in the table herewith:

Stream	Total amount allocated to date	Sum of amounts spent and obligated to date	Balance available
Arkansas	$309,944.04	$211,634.51	$98,209.53
Fourche La Fave	7,820.77	5,617.40	2,203.37
Grand	31,060.33	31,052.42	7.91
Illinois	10,865.51	9,269.91	1,595.60
Petit Jean	6,758.51	6,073.56	684.95
Poteau	5,677.81	4,650.59	1,027.22
St. Francis	5,001.21	5,001.21	
White	172,971.82	146,513.00	26,458.82
Total	550,000.00	419,812.60	130,187.40

2. Work on the main Arkansas River and its tributaries is well under way. The following shows tentative dates when reports are expected to be submitted by the district engineer to the division engineer of the lower Mississippi Valley division:

Little River, March 31, 1930.
South Canadian River, April 15, 1930.
Deep Fork River, May 1, 1930.
Illinois River, June 1, 1930.
North Canadian River, July 1, 1930.
Poteau River, August 1, 1930.
Salt Fork River, August 1, 1930.
White River and tributaries, July 1, 1930.
Petit Jean River, October 1, 1930.
Fourche La Fave River, November 1, 1930.
Cimarron River, December 1, 1930.
Verdigris River, January 15, 1931.
Grand River, February 15, 1931.
Walnut-Ninnescah-Little Walnut, March 1, 1931.
Arkansas (Pueblo to Hutchinson), April 1, 1931.
Backwater-Arkansas River, October 1, 1931.
Arkansas-Hutchinson to Backwater, November 1, 1931.

3. The consideration of the reports of the district engineer by the division engineer will consume some time. The division engineer expects to get the report of the Arkansas River to this office early in the fall of 1930. This report will contain a summation of the combined effect of the White and Arkansas reservoir systems. After the report is received in this office it will be reviewed by the Mississippi River Commission, by the River and Harbor Board, and by the Chief of Engineers. I believe that reports should be in detail and compiete before it is possible to submit any project for improvement, and that attempts to submit such projects in advance of complete data will delay rather than accelerate proper consideration.

Very truly yours,

LYTLE BROWN,
Major General, Chief of Engineers.

The Clerk read as follows:

West Harbor, N. Y.

With the following committee amendment:

Strike out the words "West Harbor, N. Y.," and insert "Sparkill Creek, N. Y."

The committee amendment was agreed to.
The Clerk read as follows:

Kansas (Kaw) River, Kans. and Mo.
Flint River, Ala. and Tenn.
Hatchie River, Tenn.

With the following committee amendment:

Page 56, between lines 3 and 4, insert the following paragraph:
"Youghiogheny River, Pa., from West Newton to Connellsville."

The committee amendment was agreed to.
The Clerk read as follows:

Waterway connecting Lakes Erie and Michigan with the Ohio River by way of the Maumee River, from Toledo, Ohio, to Fort Wayne, Ind.; the Wabash River from the Ohio River to the vicinity of Fort Wayne; the St. Joseph River from at or near its source to Lake Michigan; waterways connecting the Maumee River with the Wabash River and St. Joseph River; and the St. Marys River, Ohio and Ind., with a view to the development of a water supply sufficient to operate the above-outlined waterway.

Mr. HOGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana [Mr. HOGG] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HOGG: Page 58, line 8, after the word "river," insert a semicolon, and after "St. Joseph River," in line 9, add "which empties into the Maumee."

The amendment was agreed to.
The Clerk read as follows:

The Kau coast of the island of Hawaii, with particular reference to Honuapo, Kailua, Kawaa, and Punaluu, with a view to the establishment of one or more safe and adequate harbors.

With the following committee amendment:

On page 63, line 11, strike out the word "Kau."

The committee amendment was agreed to.
The Clerk read as follows:

Survey for an interoceanic canal in Nicaragua.

With the following committee amendment:

On page 63, between lines 22 and 23, insert the following paragraph: "The Chief of Engineers of the United States Army, under the direction of the Secretary of War, is authorized and directed to cause investigations and studies to be made in cooperation with the appropriate agencies of various States on the Atlantic, Pacific, and Gulf coasts and on the Great Lakes, and the Territories, with a view to devising effective means of preventing erosion of the shores of coastal and lake waters by waves and currents; and any expenses incident and necessary thereto may be paid from funds appropriated for examinations, surveys, and contingencies for rivers and harbors: *Provided*, That the War Department may release to the appropriate State agencies information obtained by these investigations and studies prior to the formal transmission of reports to Congress: *Provided further*, That no money shall be expended under authority of this section in any State which does not provide for cooperation with the agents of the United States and contribute to the project such funds and/or services as the Secretary of War may deem appropriate and require; (2) that there shall be organized under the Chief of Engineers, United States Army, by detail from time to time from the Corps of Engineers and from the engineers of State agencies charged with beach erosion and shore protection, a board of 7 members, of whom 4 shall be officers of the Corps of Engineers and 3 shall be selected with regard to their special fitness by the Chief of Engineers from among the State agencies cooperating with the War Department. The board will furnish such technical assistance as may be directed by the Chief of Engineers in the conduct of such studies as may be undertaken and will review the reports of the investigations made. In the consideration of such studies as may be referred to the board by the Chief of Engineers, the board shall, when it considers it necessary and with the sanction of the Chief of Engineers, make, as a board or through its members, personal examinations of localities under investigation: *Provided*, That the salary of the civilian members shall be paid by their respective States, but the traveling and other necessary expenses connected with their duties on the board shall be paid in accordance with the law and regulation governing the payment of such expenses to civilian employees of the Engineer Department."

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to insert in the amendment the following:

On the first page, at the end of the fifth line, after the words "Great Lakes," insert "and the Territories," so it will apply to the Territories as well.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. HOGG. Mr. Chairman, I ask unanimous consent to return to page 59 and to vacate the proceedings by which the punctuation amendment was agreed to.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to return to page 59 and to vacate the proceedings by which the amendment was agreed to. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 10. That the present incumbent of the office of Assistant to the Chief of Engineers, United States Army, when retired from active service, shall be placed upon the retired list with the rank and pay of major general.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out section 10.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 71, line 14, strike out all of section 10.

Mr. LAGUARDIA. Mr. Chairman, there are some very far-fetched legislative provisions in this bill, which have just been

read, and which, had a point of order been reserved when the bill was reported to the House, would not be in order. But section 10 is the most outrageous provision that has ever been inserted in an outrageous rivers and harbors bill. [Applause.]

I am going to ask the chairman of the committee if he is going to insist upon section 10 remaining in the bill. We might as well know it now, because we are going to fight every provision in the bill from now on if it is to remain in the bill.

The idea, gentleman! Here is the Rivers and Harbors Committee, without any jurisdiction over military matters, going over the head of the Committee on Military Affairs, going over the head of the Committee on Appropriations, going over the head of the joint commission now studying the pay of the Army and Navy and providing for the retirement of an officer with the rank of major general. That is not the way to legislate. This is outrageous. And the gentleman from New York does not answer. Why does not the gentleman say something?

Suppose the Judiciary Committee, in order to curry favor, would bring in a bill to promote and retire the Judge Advocate General of the Army; or the Committee on Interstate and Foreign Commerce would come in with a bill to promote and retire the Quartermaster General; or the Merchant Marine Committee seek to promote and retire captains as admirals. Are you going to stand for anything like that?

Mr. HUDSON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. HUDSON. It was said on the floor this afternoon that this was agreed to by the unanimous vote of the committee. As one member of the committee, I want to say that I never knew that provision had been brought before the committee until I saw it in print.

Mr. WILLIAM E. HULL. I have heard the gentleman say a dozen times it ought to be in.

Mr. HUDSON. I never knew it was proposed.

Mr. WILLIAM E. HULL. The gentleman said that a dozen times in the committee and everybody on the committee knows it.

Mr. HUDSON. I never did, and nobody on the committee knows it. I said I was in favor of General Deakyne remaining at the head, but I did not know anything about this.

Mr. LAGUARDIA. Gentlemen, I just want every Member to know what is in this bill. Here is the Rivers and Harbors Committee providing for the retirement of an officer of the Army with the rank of major general and with the pay of major general. I ask all the Members of the House if in all the history of their service they ever knew of any such provision in a bill of this kind?

Mr. McDUFFIE. It has been done at least on two occasions heretofore.

Mr. LAGUARDIA. I would not brag about it.

Mr. McDUFFIE. I am not bragging about it. I am giving you an answer to your question.

Mr. LAGUARDIA. I ask the members of the Committee on Appropriations to vote against this proposition and to support my amendment. I make the same appeal to the members of the Committee on Military Affairs. I submit, gentlemen, we should strike section 10 out of the bill and we should do it now.

Mr. DEMPSEY. Mr. Chairman, on the 11th day of April, at a night session, at 7.45 p. m., Mr. FREEMAN moved, and Mr. MANSFIELD seconded the motion, that a provision be inserted in the bill providing that General Deakyne be promoted to the rank of major general when he retired. It carried unanimously. Present: The chairman, Mr. FREEMAN, Mr. STRONG, Mr. HULL, Mr. SEGER, Mr. CARTER, Mr. HUDSON, Mr. HOUSTON, Mr. NIEDRINGHAUS, Mr. CULKIN, Mr. BOLTON, Mr. MANSFIELD, Mr. McDUFFIE, Mr. O'CONNOR, and Mr. EDWARDS.

Mr. HUDSON. Just a moment. I was in the committee meeting up until about 7.30 and not later than that. I was to speak at the Calvary Baptist Church, and I left the meeting to keep that engagement. That is the fact.

Mr. LAGUARDIA. Mr. Chairman, I make the point of order the gentleman from New York is out of order in bringing here the minutes of his committee.

The CHAIRMAN. The point of order is well taken, and the Chair sustains the point of order. The gentleman will proceed in order.

Mr. DEMPSEY. Now, may I go on and state that the question of whether the Committee on Rivers and Harbors should do this was examined with reference to the precedents. We found a list of precedents which I hold in my hand where men were promoted by such bills for diligent, honest, faithful service. This was handed to the committee, and they examined them before they unanimously acted.

General Deakyne had served before our committee for many years. We all felt he had honestly earned and was entitled to a promotion. There is no such question involved as the gentleman from New York stated, and on calm reflection, acting fairly, acting within his rights, acting so that he will not seek to sully the names of other Members who are colleagues of his in the House, he will, I am sure, be sorry and regret that he ever made such improper remarks as he did here a few moments ago.

Mr. LAGUARDIA. The indecency was on the part of the gentleman's committee.

Mr. McSWAIN. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. McSWAIN. I want to ask the gentleman, the chairman of the Committee on Rivers and Harbors, what he would think if the Committee on Military Affairs should bring in a bill proposing to repeal the authorization for the acceptance of the Erie Canal by the United States.

Mr. DEMPSEY. I will say to the gentleman, frankly, that it is not within our jurisdiction, generally speaking, and I do not think we ought to exercise such jurisdiction and——

Mr. McSWAIN. And I think it is very demoralizing to any branch of the service.

Mr. DEMPSEY. Let me answer the gentleman. We all think just as the gentleman does about it. We would not bring in any regular military bill, but here was one man who had been the man to testify before us. He was not the final man. His say did not adopt or reject any project. The adoption or rejection of a project rested entirely with another man, a superior officer. He has never had the authority to reject or adopt a project. So there could not be involved what the gentleman from New York has said. It was impossible for any such thing to be involved.

We did not think, frankly, that the Military Affairs Committee under the peculiar circumstances, owing to the relations of the committee with this gentleman, owing to the fact that there were numerous precedents where it had been done, would object. The bill was introduced in the regular way, gentlemen were given notice, no question has been raised, and all I can say is that we on the committee, unanimously, Democrats and Republicans, from one State and another throughout the Union, without any personal ends to serve, having in mind simply and solely one thing—that this man had been a faithful, efficient, devoted public servant and had to the knowledge of every one of us performed exceptional service of great value to the country, believed his services should be recognized.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent that the gentleman may have one more minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McSWAIN. I want to ask the gentleman if he does not recognize the fact that the appropriate procedure would be for the gentleman to introduce a bill to this effect, let it go before the appropriate committee, and let his entire committee come before the appropriate committee and makes all these statements and have the question decided on its merits? [Applause.]

Mr. DEMPSEY. I do not say, if the gentleman please, that that might not have been the wise and prudent course to follow. I do say that in the last hours of a great bill like the rivers and harbors bill, the members of the committee and the chairman, in particular, are worked night and day. I had to work Sundays as well as nights. Every Member of this House who had a great interest in the great projects here I am sure will testify that I never stinted them or limited them in the matter of time. I saw them night or day at their convenience.

Mr. BRAND of Georgia. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. BRAND of Georgia. I simply want to know how many precedents the gentleman has for this action?

Mr. DEMPSEY. I should say seven or eight.

Mr. MANSFIELD. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. MANSFIELD. Is it not the fact that the duties of the presiding officer of the Board of Engineers are exclusively with respect to river and harbor improvement?

Mr. DEMPSEY. Exclusively, and he is the officer who appears to do all of the testifying before the committee.

The CHAIRMAN. The time of the gentleman from New York has again expired.

The question is on the adoption of the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The question was taken; and on a division (demanded by Mr. KNUTSON) there were 112 ayes and 89 noes.

So the amendment was agreed to.

Mr. PEAVEY. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

On page 72, after section 11, at line 4, insert a new section to be known as section 11a, as follows:

"That the Secretary of the Department of Commerce, the Chief of Engineers of the Department of War, and the chairman of the Interstate Commerce Commission are hereby appointed an official committee to inquire into and ascertain the facts pertaining to the full use and capacity operation of the Great Lakes as a national channel of commerce, with the particular purpose of inquiring into and ascertaining the facts as to the disappearance of and continuing reduction of general commerce on the Great Lakes. Such committee is hereby directed to inquire and gather full information as to the facts, figures, and other data relative to existing commerce on the Great Lakes, and examine into the matter of establishing physical connections between vessels operating on the Great Lakes fitted to carry and transport wheat, corn, oats, hay, seed, dairy products of all kinds, as well as lumber, pulp, wood, and manufactured products of all kinds.

"Such committee is further directed to inquire into the continuing reduction of tonnage carried by water, as shown in the report of the Department of Commerce for nearly all of the Great Lakes harbors and ports for the last 15-year period.

"Such committee is further directed to ascertain the facts with relation to competitive rates and service between Great Lakes vessels and water transportation and parallel or competing railway lines; also as to the nonexistence of competition or competitive rates between the different transportation systems mentioned and whether present noncompetitive conditions are due to the lack of existing law, the failure to administer and apply existing law, or to the enactment of necessary new laws.

"The committee is given power to subpœna witnesses in the procurement of the facts, figures, information, and data set forth above.

"To cover any new demands imposed in the procurement of this information there is hereby authorized to be expended a sum not to exceed $25,000.

"The committee is directed to report back to Congress on or before December 1, 1930, the information, facts, figures, and other data obtained and to make recommendations as to the enactment of new laws or the change in present laws or the change in the administration of existing laws which may be necessary, in their judgment and opinion, to restore to the people of the Northwestern States the full, free, and capacity use of the Great Lakes as a channel of commerce.

"The Committee is also directed to submit their findings and recommendations to the President of the United States for his information, advice, and approval before their submission to Congress."

Mr. DEMPSEY. Mr. Chairman, I make the point of order that the amendment is not germane. Apparently the House believes that we ought not to trespass on the jurisdiction of other committees, and this is within the jurisdiction of the Interstate and Foreign Commerce Commission. It is not germane to the bill or any part of it.

The CHAIRMAN. The bill provides for the general improvement of rivers and harbors throughout the United States. The amendment offered by the gentleman from Wisconsin provides for an official committee or commission, and it, in the opinion of the Chair, is not germane, and the point of order is sustained.

The Clerk completed the reading of the bill.

Mr. McDUFFIE. Mr. Chairman, I ask unanimous consent to return to page 26. The committee was under the impression that this item was included in a later report, and it was accidentally laid aside.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to return to page 26. Is there objection?

There was no objection.

Mr. McDUFFIE. I offer the following amendment.

The Clerk read as follows:

At the bottom of page 26, insert a new paragraph, as follows:

"Green and Barren Rivers, Bear Creek, Ky.; in accordance with the report submitted in House Document 685, Sixty-ninth Congress, second session, and subject to conditions set forth in said document."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. Without objection, the Clerk will be authorized to correct section numbers.

There was no objection.

Mr. DEMPSEY. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOLADAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DEMPSEY. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. O'CONNOR of New York. Mr. Speaker, I demand a separate vote on the amendment on page 5, line 21, offered by the gentleman from Nebraska [Mr. SLOAN].

The SPEAKER. Is a separate vote demanded on any other amendment? If not the Chair will put them en gros. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Page 5, line 21, after the word "waterways," insert the words "free and clear of all liens and encumbrances."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. O'CONNOR of New York) there were—ayes 92, noes 215.

Mr. SLOAN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Nebraska demands the yeas and nays. As many as favor taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Thirty-two Members have risen, not a sufficient number, and the yeas and nays are refused.

So the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. KNUTSON. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The gentleman from Minnesota demands the reading of the engrossed bill. It is plainly impossible to read the engrossed bill at this time.

Mr. SNELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SNELL. As I understand the situation, there is a decision by Speaker Gillett that, if the reading of the engrossed copy of the bill at this time is demanded, it will be in order to take this up on the next legislative day.

The SPEAKER. The Chair would consider it the unfinished business.

Mr. KNUTSON. Mr. Speaker, I withdraw my demand.

The SPEAKER. The Clerk will read the bill by title for the third time.

The bill was read the third time.

Mr. CHALMERS. Mr. Speaker, I offer the following motion to recommit, which I send to the desk.

The Clerk read as follows:

Mr. CHALMERS moves to recommit the bill H. R. 11781 to the Committee on Rivers and Harbors with instructions to report the same back to the House at once with the following amendment: Strike out on page 5, lines 12 to 21, inclusive, the following language:

"Great Lakes-Hudson River waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all land, easements, and completed or uncompleted structures and appurtenances of the said waterways."

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Chair announced that the nays had it.

Mr. CHALMERS. Mr. Speaker, on that, I demand the yeas and nays.

The SPEAKER. The gentleman from Ohio demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Fifty-three Members have arisen, not a sufficient number, and the yeas and nays are refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. DEMPSEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate insists upon its amendments to the bill (H. R. 8531) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1931, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PHIPPS, Mr. ODDIE, Mr. PINE, Mr. OVERMAN, and Mr. HARRIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9323) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROBINSON of Indiana, Mr. NORBECK, and Mr. WHEELER to be the conferees on the part of the Senate.

ADJOURNMENT OVER UNTIL MONDAY

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

ADDRESS OF HON. MELVIN J. MAAS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered by my colleague, the gentleman from Minnesota [Mr. MAAS].

The SPEAKER. Is there objection?

There was no objection.

Mr. PITTENGER. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following address of Hon. MEL MAAS before the District of Columbia Congress of Parents and Teachers, Washington, D. C., April 22, 1930:

CHARACTER EDUCATION IN CITIZENSHIP

Character education for citizenship in a republic! What a world of rich verdant thought that opens up for a thesis. The dreams, hopes, and aspiration of all history meet in that question.

I shall discuss mainly the phase of the subject dealing with the obligations of citizenship in a republic and character training for such citizenship. Equally interesting would be the rights, privileges, benefits, or the heritages of citizenship in a republic.

Our forefathers launched into an epochal experiment when they established this Nation. It was a daring, revolutionary, and visionary experiment in the relationship of men to their fellow men and men to their government.

It was not just another government, nor yet just a new type of government. Those hardy, courageous, far-sighted pioneers inaugurated an entirely new philosophy of men's political, economic, and social relationship. They actually created. The very basis of age-old political philosophy was discarded and a breath-taking dream was born into reality. In this new virgin wilderness of a new world a startlingly new and virgin political experiment was to be given a trial. The rest of the world sneered in contempt, and predicted short life and an ignominious failure.

But this new creation in government was destined to live and to revolutionize the governments of the world.

It became the leader and the pattern for all peoples of all lands.

It is still an experiment, of course, and now in a critical stage. Whether it is to be a success and the hopes of all the peoples everywhere for individual liberty and economic equality is to be realized thereby now hangs in the balance.

The theory of government given to us by the founders of our Constitution was a complete reversal of that handed down from time immemorial. It rejected the basis that rights came from above and that privileges were conferred from on high. It established the principle that the rights, privileges, and sovereignty of government came from the people themselves, and such privileges as were exercised by officials were merely a trust placed in their hands temporarily by the sovereigns themselves—the citizens—to be exercised for them. Officials became merely servants of the citizens. The officials came from and went back to the people themselves. This new principle recognized the rights of the individual to a maximum of personal liberty, the only restraint being a denial of encroaching upon the rights of others. It established a political and economic equality of opportunity. No law nor government can do more, successfully and permanently; no law can create absolute individual economic equality. The immutable laws of economics can not be superceded by legislative decrees. The function and duty of government is to provide and protect the right of equal opportunity.

This was done courageously and with an inspired vision.

Because of this magnificent concept of the privileges of free and equal men, the guaranty of religious, social, and political liberty, the assurance of economic opportunity, this new Nation flourished from its very inception; soon took its place in the family of important countries, and in incredibly short time emerged as a world power, a leader in social, political, and industrial advancement.

It became great, rich, and powerful, not from the plunders of wars, but because of the tremendouous energy of industrious and thrifty men and women who were not harrassed, but protected in their individuality by their Government. The liberty loving from everywhere poured into this great land of opportunity and freedom.

With these unparalleled privileges, however, go very definite responsibilities and duties. Our system is not self-operating nor guided by any magic. It is dependent upon the participation and the active participation of every man, woman, and child in the country.

The great privileges of citizenship in a republic can be enjoyed by the people only so long as they exercise those very privileges. The greatest privileges, and at the same time the greatest responsibility is liberty. Such a system of government as ours, while it offers great benefits, also presents tremendous dangers and therefore great obligations on its citizens.

The one great central theme of every citizen, the one great motive of every man, woman, and child should be to protect, preserve, and defend that great "exceptional liberty we enjoy within the law and for the law and by the law."

To meet the obligations of citizenship in a republic it is not enough to merely vote, to merely take up arms in time of war, nor merely to pay taxes. Those things are elemental, of course, but the duty of the citizen is a great deal more far-reaching, the obligation a much more active part than the mere routine functions of citizenship.

The citizen should as passionately exercise and thereby preserve the liberties of the Republic as the founders passionately struggled and fought to obtain them. Rights not exercised soon are lost. The encroachments of governmental control creep upon us quietly, and feed upon public indifference. The product of their unchecked progress inevitably is tyranny.

The slacker of peace times is far more of a threat and far more dangerous to the securities of a republic than are its war-time shirkers.

The coward in citizenship is far more contemptible than the malinger in battle.

By slacker and coward I mean those self-contented, selfish—perhaps more thoughtless than selfish—citizens who take the benefits of a republic as a matter of fact, and give no thought to what they are obligated to contribute.

The responsibilities of citizenship entail grave obligations.

To-day, because of widespread indifference of the general public to the trend of Federal governmental usurpation of the rights of local communities and the insidious growing control of national politics and policies by selfish, private interests, we are facing a sinister threat to our whole grand plan of social, political, and economic liberty presented to us by the fathers of our country.

Congress and our legislatures are a reflection of the general citizenship. If the general public is indifferent to these threats against our Republic, as surely as night follows day, this indifference will be reflected in the trend of our laws.

It is the solemn duty of every citizen to vote, but a far more sacred duty to vote intelligently. That means devoting time to a careful study of the workings of our Government, the public questions, the political issues, and the qualifications, platforms, and performances of public officials.

It means taking time away from the pursuit of pleasures and money making to find out what is going on and actively participating in our body politic. It may mean making financial or social sacrifices and running for public office. For the individual it may mean sacrificing purely personal advantages for the public welfare. For the community it may mean sacrificing purely sectional or local advantage for national well being.

It means not only obeying the Constitution personally but seeing that it is obeyed around you.

The responsibility of enforcing the law is not solely on the police. They are merely hired to help us carry out the job. The real responsibility is that of every citizen, for whom these laws are made.

It is necessary to see that nothing creeps into the Constitution which should not be there. It means knowing what is being taught in our schools and what kind of teachers we are letting guide and direct the education of our children, upon whom the next generation looks for leadership and its citizenship as well.

It means seeing that graft and corruption is not permitted to fasten its devastating tentacles into our public life. It means seeing that when corruption is discovered that it is vigorously exposed and fearlessly eradicated.

It means knowing what our foreign policies are and seeing that officials and legislators are selected who will jealously carry out a policy of international relationship solely in the best interest of America for Americans.

It means seeing to it that our representatives in the National Government take every possible means to insure domestic and international

peace, but at the same time provide adequate national defense and protection of domestic tranquility.

It means seeing that nothing be done to abridge nor impair the right of equality of economic opportunity.

In short, the duties of citizenship in a republic mean that each and every citizen must in his or her own way be a living, vital, active part of that republic. The worst crime of citizenship in a republic is indifference—the penalty, the loss of the benefit of that citizenship in a republic—liberty.

To insure against this loss, to guarantee the preservation of the Republic, it is absolutely essential that we have proper and adequate character education in preparation for citizenship. If there is the proper character education in the home, the school, and the church, then we need have no fear of the character for citizenship. The character of individuals is reflected in the community, the character of the community is reflected in the States, and from there reflected in the Nation. The ultimate success or failure of the republican form of government is dependent upon the type of character training therefore received in the home, school, and church.

The most important element I believe is tolerance. Not merely a willingness to permit your neighbor to go to the particular church he chooses but genuine tolerance for the other fellow's point of view, his right to an honest opinion, a respect for his tastes and choices. Intolerance is the thief of real character. It destroys the basis for all other worthwhile characteristics. Tolerant individuals, combined into tolerant communities, banded into tolerant nations, with a proper and generous respect for each other's natural differences, will do more to bring about domestic and world peace than all other methods put together. Without it all other methods will fail any way. Tolerance means mutual understanding and genuine good will.

Self-reliance is a most important character trait. It is one of the greatest essentials for proper training for citizenship.

We must stop bartering away our sovereignty in exchange for having the Government do things for us that we as individuals or communities should be doing for ourselves. It is a poor mess of pottage we are getting in the form of Federal appropriations of every sort for selling our priceless heritage of self-government and citizen sovereignty.

Oh, what a need for individual and community self-reliance there is to-day.

Teach the boy and girl to demonstrate initiative, to have self-confidence, and a determination to do things for themselves. The greatest help you can give your children is to teach them to help themselves, to depend upon their own resources.

Equal in importance is courage. As a people, how we need national courage to-day in public life. The courage of a nation is merely the sum aggregate of the courage of the individual citizens. We need courage to honestly face the facts, to meet the truths. More rapidly than we dream, the very principles of a democratic state are slipping through our fingers. For individual, or sectional advantages, we are permitting a tendency that in the sum total will mean a complete reversion from the pure individualism of our democracy to a bureaucratic system that inevitably will be more tyrannical than a monarchy.

Because this tendency seems the easiest way we go on and on relinquishing right after right for insignificant and usually temporary benefits.

We must have the courage to meet this situation and fearlessly check it. We must realize that laws and more laws are not the panacea to cure all of our ills. It has been so easy to evade a real problem by merely saying "pass a law," and then after it is passed trust to some divine providence that it will enforce itself.

Let us develop courage to do the hard jobs ourselves, as individuals, communities, and a Nation. Let us have courage to resist selfish but highly organized propaganda movements. Courage to create honest public opinion, instead of merely trying to fearsomely discover and frantically follow its shadow.

Leadership—how important leadership is to-day. Never was there greater nor more pressing need for it. Leadership to vigorously organize public opinion, to point the path to a return to the basic and fundamental principles upon which this Nation was founded, and upon which it grew to such great power, prosperity, and influence.

The place for the training of leadership is in the home, the school, and the church. Let us develop a Nation of leaders, and not mere followers, choosing the road of least resistance.

Teach the boy and girl the value and the necessity of industry, of persevering work, of persistent and steadfast devotion to the tasks at hand. Let the youth know of the joy of work well performed. If this is done, creative genius will take care of itself.

Last, and far from least of all, let us develop in the youth, so our general citizenship will have it, too, independence. There is crying need to-day in our Republic as for no other single trait that great characteristic of independence of thought. The very essence of the spirit of our infant Republic was individuality and independence of thinking by the citizen as an individual. It was the invincible combination of thoughtful, vigorously independent individuals working in intelligent harmony that produced the miracle of America's unparalleled progress.

If these characteristics are bred in our citizens, then we shall never have occasion to mistrust the stability of our homes, schools, churches, nor of our Nation.

RIVERS AND HARBORS BILL

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their remarks on this bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. KELLY. Mr. Speaker, in this rivers and harbors bill under consideration there is an item of unusual merit and historic interest. It is that which relates to the improvement of the Youghiogheny River in western Pennsylvania by the erection of locks and dams between McKeesport and West Newton.

This item puts reality into a dream of Gen. George Washington. When the Revolutionary War had ended in victory for the Colonies Washington made a journey to western Pennsylvania in order to map out a system of waterway communication between the Atlantic seaboard and the gateway to the West at Pittsburgh.

He planned such a system and drew the maps to show its features. The Youghiogheny River was to be utilized as the connecting link between the headwaters of the Potomac and the Monongahela Rivers at McKeesport.

It is interesting to read Washington's diary during this period and note that he feared that the State of Pennsylvania would offer opposition to his plan. He covered this in a long entry in his diary under date of October 4, 1784. It was as follows:

> It may be said, perhaps, that as the most direct route from the Lakes to the navigation of Potomack are through the State of Pennsylvania—and that the interests of that State are opposed to the extension of the waters of Monongahela, that a communication can not be had either by Yohiogany or Cheat River—but herein I differ—an application to this purpose would, in my opinion, place the legislature of that Commonwealth in a very delicate situation. That it would not be pleasing I can readily conceive, but that they would refuse their assent, I am by no means clear in. There is in that State at least 100,000 souls west of the Laurel Hill who are groaning under the inconvenience of a long land transportation. They are wishing, indeed looking, for the extension of inland navigation; and if this can not be made easy for them to Philadelphia—at any rate it must be lengthy—they will seek a mart elsewhere; and none is so convenient as that which offers itself through the Yohiogany or Cheat River—the certain consequences there of an attempt to restrain the extension of the navigation of these rivers (so constant with the interest of these people) or to impose any extra duties upon the exports or imports, to or from another State, would be a separation of the western settlers from the old and more interior Government, toward which there is not wanting a disposition at this moment in the former.

By this action to-day, supported by 36 Members of Congress from Pennsylvania, it is proven that the Keystone State, whatever her attitude in 1784, now urges this project to enhance transportation facilities.

The Youghiogheny River was first used for definite transportation purposes in 1848 when a private company erected two locks and dams between McKeesport and West Newton and operated them successfully until they were swept out by a flood in 1866.

For many years efforts have been made to have the United States Government improve this river, and in 1910 authorization for locks and dams was made. However before the work could be begun the World War had made necessary many changes in expenditures for internal improvements. Then, too, it was believed by many that the work on the Monongahela and Ohio Rivers should be completed before opening up this tributary.

However, in 1924, Congress ordered that a channel 9 feet deep be provided in this river from its mouth to Fifteenth Street, McKeesport, a distance of 1 mile.

The total cost of this project to the end of the fiscal year was $30,788.68. Although this stream is only improved for 15 blocks it has unusually heavy traffic. In 1928, 251,358 short tons, with a value of $738,334 were hauled on this river. The tonnage was distributed as follows: Coal, 60.6 per cent; gasoline, 1.6 per cent; and sand and gravel, 7.8 per cent. In the last five years the value of products shipped amounted to $3,896,957.

The results on this short stretch give promise of what may be expected when the river is properly improved. At hearings before the district engineer in Pittsburgh this year it was shown that the first year's operation would result in the shipment of 2,627,500 tons, at a saving of $1,392,500 over present means of transportation.



There lies adjacent to this river 50,000 acres of Freeport coal which it is estimated will produce 350,000,000 tons. Within a distance of 10 miles from the river along its entire course there are 2,500,000,000 tons of Freeport coal, enough to tax the commerce-carrying capacity of the river for many hundreds of years.

With improvement assured many manufacturing sites will be utilized which are now but vacant lands. It will help the development of the comprehensive waterway system which is embodied in the entire Mississippi system.

Mr. Speaker, a deserved word of tribute should be spoken for the splendid support given this project by Representative ADAM M. WYANT, of Pennsylvania. From boyhood he has been familiar with this river and its possibilities.

As a Member of Congress, he has worked with great energy and remarkable efficiency to secure this worthy improvement. In speeches on the floor and before the Rivers and Harbors Committee he has labored for favorable action. He was chairman of the proponents at the hearing before the district engineer and championed the project in logical, convincing manner.

To Congressman WYANT should go the gratitude of all those in the Youghiogheny Valley. He has earned it by honest and faithful efforts. The results which will follow this improvement will redound to the credit of this able and aggressive Representative of his district.

Mr. Chairman, I append herewith the list of river-and-harbor projects which have been undertaken by the United States Government since the beginning. It will be interesting to compare the estimated tonnage of more than 2,000,000 tons for the Youghiogheny River and the tonnage actually carried on the rivers already improved. The list as compiled by the United States Engineers is as follows:

Name of river	Adopted	Number of locks and dams	Cost	Commerce, tons, 1928
Hudson River, N. Y., at Troy.	June 25, 1910	1	$1,463,014	2,704,519
Cape Fear River, N. C.	do	2	1,022,862	132,750
Congaree River, S. C.	Mar. 3, 1899	1	281,000	
Oklawaha River, Fla.	June 25, 1910	1	161,000	28,177
Coosa River, Ga. and Ala.	Aug. 14, 1876[1]	7, of which 5 have been completed.	1,608,109	21,050
Black Warrior, Warrior, and Tombigbee Rivers, Ala.	Mar. 3, 1889[1]	17 dams, 18 locks	9,745,565	1,758,358
Bayou Plaquemine, La.	Aug. 11, 1888	1 lock	1,302,006	237,551
Bayou Teche, La.	Mar. 2, 1907	1	257,720	[2]
Harvey Canals, La.	Mar. 2, 1919	1 lock	[3] 515,000	139,165
Hanson Canal, La.	July 25, 1912	do	[3] 65,000	3,140
Schooner Bayou, La.	Mar. 2, 1907	1	48,518	10,365
Ouachita River, Ark. and La.	June 13, 1902	6	4,608,317	400,800
Big Sunflower River, Miss.	July 25, 1912	1	402,288	26,285
Upper White River, Ark.	Mar. 3, 1899	3	813,197	208
Mississippi River between Wisconsin and Illinois Rivers:				
Keokuk, Iowa	Feb. 9, 1905	Lock and dry dock.	[4] 1,043,335	1,034,972
Moline, Ill.	Mar. 3, 1905	1	386,000	
Le Claire Canal, Iowa.	Mar. 2, 1907	1	2,206,741	
Illinois and Mississippi Canal.	Sept. 19, 1890	32 locks, 2 dams.	7,547,278	18,611
Mississippi River, Twin City Lock and Dam.	June 25, 1910	1	1,948,773	21,632
Osage River, Mo.	Sept. 19, 1890	1	468,420	7,239
Cumberland River:				
Below Nashville	July 13, 1892 / June 25, 1910	6	4,021,883	245,683
Above Nashville	Aug. 5, 1886[1]	18, of which 9 have been completed.	3,568,408	474,713
Tennessee River:				
Chattanooga to Hales Bar.	Apr. 26, 1904	1	[5] 236,389 / [6] 6,686,700	6,075
Hales Bar to Browns Island.	July 27, 1916	2, of which 1 has been completed.	1,142,464	14,923
Muscle Shoals Canal.	Mar. 3, 1871	11, of which 7 have been submerged by backwater from Dam No. 2, Muscle Shoals.	3,191,726	1,200
Dam No. 2, Muscle Shoals.	Feb. 25, 1918	2 locks, 1 dam	[7] 46,909,733	4,504
Lock and Dam No. 1.	Mar. 3, 1925	1	989,215	6,350
Colbert Shoals Canal.	Sept. 19, 1890	Lateral canal with lift lock.	2,313,000	44,717
Ohio River	June 25, 1910[1]	50	114,955,495	20,938,207
Monongahela River	Mar. 3, 1899[1]	14	13,190,846	27,412,143

[1] And subsequent acts.
[2] Purchase price of canal and lock.
[3] By Mississippi River Power Co.
[4] United States.
[5] Power company.
[6] Of which $10,000,000 applies to navigation facilities.

Name of river	Adopted	Number of locks and dams	Cost	Commerce, tons, 1928
Allegheny River	Aug. 5, 1886[1]	8, of which 3 are completed and 3 additional practically completed.	6,787,274	3,477,927
Muskingum River, Ohio.	Aug. 5, 1886[1]	11	[7] $361,722	527,822
Little Kanawha River, W. Va.	June 14, 1880[1]	5	470,536	132,923
Kanawha River, W. Va.	June 12, 1875[1]	10	4,294,612	1,595,846
Big Sandy River, including Tug and Levisa Forks.	June 14, 1880[1]	7, of which 5 have been constructed.	1,049,594	18,464
Kentucky River, Ky.	Mar. 3, 1879	14	4,175,639	144,743
Green and Barren Rivers, Ky.	Aug. 11, 1888[1]	7	670,428	590,139
Rough River, Ky.	Sept. 19, 1890	1	72,186	11,772
Fox River, Wis.	Aug. 5, 1886[1]	27 locks, 16 dams	4,945,725	310,765
Illinois River, Ill.	June 14, 1880[1]	2	929,134	20,259
St. Marys River, Mich.	July 11, 1870[1]	4	15,937,697	86,992,997
Black Rock Channel and Tonawanda Harbor, N. Y.	Mar. 3, 1905	1 lock	1,037,213	4,037,705
Willamette River at Willamette Falls, Oreg.	June 25, 1910 / Aug. 8, 1917	4	[8] 677,122	211,532
Yamhill River, Oreg.	June 3, 1896	1	72,165	5,532
Cascades Canal, Columbia River, Oreg.	Aug. 14, 1876	1 lock and canal.	3,903,780	38,413
Dalles-Celilo Canal, Columbia River, Oreg. and Wash.	Mar. 3, 1905	5 locks and canal.	4,718,928	
Lake Washington Ship Canal, Wash.	June 25, 1910 / Mar. 4, 1913	Double lock and fixed dam.	3,875,018	3,093,098

[1] And subsequent acts.
[7] Cost to United States. Constructed originally by State of Ohio.
[8] Including $300,000 contributed funds.

Mr. HOPKINS. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following statement by me before the Rivers and Harbors Committee Thursday, April 3, 1930:

Mr. Chairman and members of the Rivers and Harbors Committee, I come to you to-day with a request that, if granted, will mean much to the great agricultural States of Missouri, Iowa, Kansas, Nebraska, North Dakota, and South Dakota. These States comprise the largest group of mainly agricultural States bordering on any navigable river. Furthermore, the industries of these States are in great degree dependent on agriculture.

The most effective relief that could be given the farmers of this great agricultural section would be to materially reduce the costs of transportation on the product marketed from this area as well as the products shipped in for the use of industry and agriculture.

Your committee, in 1927, succeeded in getting Congress to approve the project providing for a 6-foot channel from Kansas City to Sioux City. Unfortunately, the Senate amended this piece of legislation, placing a $12,000,000 limitation on this project that the engineers estimate will cost several times that much. At the end of this year nearly one-fourth of this amount will have been appropriated and work not yet one-fifth completed. The work that has been done has been done well and within a reasonable length of time. Possibly by 1932, actual navigation can be undertaken as far north as St. Joseph, Mo.

In order not to handicap the engineers in speeding up this work as rapidly as possible it is most essential that this $12,000,000 limitation, which never should have been made, be now removed and this project put on the same basis as all of the other inland-waterway projects.

This Congress has expressed its determination to "place agriculture on a parity with industry," and I know most of you agree that no more effective relief can be given the farmer than a relief from the unbalanced and high freight rates that have been his to pay since the completion of the Panama Canal. The same can be said for the industries located in the agricultural section. They can not prosper when agriculture suffers.

No greater authority on this point could be cited than our great engineer leader, President Hoover. In 1926, he said:

"Improvement of the inland waterways offers a large measure of help. A wise, comprehensive, national program, pushed rapidly to completion, is required.

"It is not always realized that the necessarily increased railway rates from the great agricultural Middle West have left the farmer—and the industries in that section, for that matter—in a prejudiced situation compared to his foreign competitors.

"Freight on the sea is but little above the pre-war level. The wheat and corn grower of the Argentine and the wheat grower of Australia are close to the seaboard instead of from 600 to 1,500 miles inland by rail as is the American farmer.

"Our farmers have the highest standard of living in the world. That standard must be maintained. In order, therefore, to compete on an equitable basis nothing must be left undone to economize in the costs of transportation. Every cent thus saved goes into the

pocket of the farmer. For when the farmer is a competitive seller in a foreign market the freight comes off his price."

Mr. GOODWIN. Mr. Speaker, ladies and gentlemen of the House of Representatives, I am entirely in favor of the amendment proposed by my colleague from my own State, Mr. NOLAN, which has for its purpose the authorization of a 9-foot channel in the upper Mississippi River to the head of navigation in Minneapolis.

For years we have had hopes that this could and would be accomplished; the Representatives from Minnesota and other adjacent States that will be immeasurably benefited by this improvement have loyally and energetically supported other projects providing inland-waterway transportation, and we feel and know that at this time we are entitled to the consideration of the House for the project that is of such vital interest to our own section of the country.

On January 21, 1927, three years ago and over, authority was provided in the river and harbor act of that date for a preliminary survey of the Mississippi River from the Missouri River to Minneapolis, with a view of securing a channel depth of 9 feet at low water. The special Board of Engineers assigned by the Department of War to make this survey has been unable in these three years to make a complete report, but on December 16, 1929, this special board did make a preliminary report which, in the opinion of those interested in the completion of a 9-foot channel, contains positive and effectual guaranty that a channel of that depth is necessary to provide dependable navigation.

However, we are met with the opposition to the project by the charge that until the final report of the engineers is submitted to the Rivers and Harbors Committee this project can not obtain full authorization and, secondly, by the claim that the state of the Federal finances is such at this time as to make an authorization of a 9-foot channel project impossible.

In answer to the first objection permit me to call to your attention that many projects have been authorized without a completed survey. The Ohio River project is a notable illustration; that project was authorized and carried to completion without any completed or detailed survey. The proposed Erie project carried in the present bill is another illustration of this fact, and more than that the Erie project has been designated by the Board of Engineers as unfeasible and improvident.

As to the claim that the Federal Treasury can not stand the expenditures of public moneys at this time for this project, permit me to say that those interested in the Mississippi project are not asking for any appropriation at this time. We are only asking that the project be adopted so that our people may have some assurance that this project will be included in the inland waterways of the country on the same basis as the Ohio, the Illinois, and other natural waterways.

We feel that we are entitled to this measure of consideration. We are willing to wait for the actual construction of the improvement until the moneys can be made available. At the present time Minneapolis, St. Paul, and other points on the upper Mississippi River labor under the severest kind of economic distress, distress that can be alleviated if our people can have the assurance of Congress that this section will be taken care of. During the past few years we have seen many industries located in other sections favored by cheaper transportation rates; some industries have removed from this section for the same reason. There is no portion of the United States laboring under as severe a handicap as we do in the matter of high and, in my opinion, exorbitant freight rail rates, and this, too, with a natural waterway at our very door.

If this project is not included in this bill another 2 or possibly 3 years may go by before another river and harbor bill will be introduced; 3 more years of waiting, and 10 years, possibly more, before the actual channel will make navigation possible on a 9-foot basis. I have in mind the statement of the chairman of the Rivers and Harbors Committee on the floor of the House to-day that if the engineers complete their surveys on several projects, which surveys are not now complete, by next December that his committee will immediately give consideration to those projects now left out of the present bill, and that another bill will then be introduced to take care of those projects. The same assurance has been given at other times in the past, and the 9-foot channel for the upper Mississippi is as far in the future as it was three years ago, when the last river and harbors bill was passed in this House.

In this bill we find several hundred projects, just how many I do not know, because there has been no time to count them, but few if any of those projects has greater demand for the consideration of this House than has the deepening of the channel from St. Louis to Minneapolis for the economic necessity of that section and the benefits that will accrue therefrom.

It may be asked why we can not wait until next December or a month or two later for the authorization of this project. The reason is that industries can not afford, nor will they locate adjacent to the river, until those with capital to invest have some reasonable assurance that the Government seriously will undertake the 9-foot project, and thereby furnish dependable and adequate barge-line service. With that assurance, industries now waiting for some definite indication will make their plans for the location and the construction of the necessary facilities to engage in business and industry in Minneapolis, St. Paul, and other river cities.

The Government of the United States now has a substantial investment in the Inland Waterways Corporation, which operates barge transportation on the upper Mississippi. This is still in its experimental stage, so far as the Government is concerned, but the experiment has now progressed so far as to establish that profitable operation is possible and certain with an adequate and a dependable channel, and those interested in this direction, men of honor, integrity, and financial responsibility stand ready to relieve the Government of its responsibility for the operation of the barge line when that dependable channel is assured and risk their capital in making of the barge line a successful venture. But before these men will entertain any such proposal there must be a 9-foot channel fully assured. The tonnage available and that will be available upon the completion of the 9-foot channel is sufficient to justify this project. The tonnage in coal, grain, iron ore, gasoline and oil, and many other miscellaneous commodities can all be profitably handled and transported on the basis of the 9-foot channel.

In the report of the Board of Engineers for Rivers and Harbors, House Document No. 290, it is estimated that 4,500,000 tons of grain may well be handled on the barge line from Minneapolis and St. Paul with an estimated annual saving of $4,000,000 in transportation costs; 4,000,000 tons of West Virginia coal, with a possible savings of 50 cents to $1 per ton; 500,000 tons of iron ore; and the amount of gasoline and oil that can be transported upriver from the Gulf of Mexico is incalculable in amount, but certain and positive in the use of the barge line.

With a 9-foot channel assured the investment of private interests in taking over the Government-operated barge line will be a most favorable one, and with that consummation a large part of the criticism now directed toward the Government owned and operated barges will entirely disappear. With a 9-foot channel the upper Mississippi River will be assured of continuous transportation without breaking cargo from the Gulf of Mexico to Minneapolis. At the present time there is operated on the lower Mississippi River towboats and barges of considerably larger dimensions and size and tonnage capacity than on the upper Mississippi. This requires the breaking of cargo and unloading and reloading at either St. Louis or Cairo, with a consequent tremendous cost.

Let me say that the benefits that will follow a 9-foot channel is not only for the benefit of Minneapolis and St. Paul, but for innumerable points along the river from Cairo to the head of navigation, and all are as vitally interested in this project as are those two great cities.

According to the engineers the entire project in the two steps suggested as necessary by the Board of Engineers is $98,423,000, but the actual construction will be considerably less.

In the pending bill the authorization of the Erie Canal and the Oswego Canal, with the improvements required in order to make those two canals capable of adequate operation, with the necessary changes in locks, in the elimination or increased height of bridges and further excavation in order to bring those two canals to the 13-foot depth, will entail upon the United States Government before fully completed possibly $600,000,000, and this, too, on systems that have never proved profitable in their operation by the State of New York, but that has cost that State some ten and one-half million dollars in excess of earnings annually.

I contend, in view of this comparison, that the Mississippi River project should be authorized at this moment. The latter project has been deemed feasible and potentially profitable by the Board of Engineers and will serve thirty or more million people, in obtaining an outlet for their commodities and the receipt of necessities, who are now landlocked and unable to obtain transportation at reasonable rates and upon profitable returns.

We are told that the administration, the Board of Engineers, and the Rivers and Harbors Committee are all in sympathy with and favorable to this project; but we are told to wait; we are told to be patient and await a more opportune time in pressing for recognition. We have been told this so many times that we are now impatient and are demanding that our section of the country be taken care of at the same time that these

other hundreds of projects are cared for in this bill. The people in my section of the country are taxpayers and citizens of the United States, and they have as much right to be considered at this time as those interested in these other projects in the East, in the South, in the extreme West, and, in fact, in every other part of the United States.

The construction of the Panama Canal has resulted in a great reduction in the cost of transportation from coast to coast. The intercoast rate, as, for instance, from New York to San Francisco or Seattle, has reduced transportation cost to the extent that that character of transportation is less than the rate by rail from the central part of the United States to the nearest seaboard, and not only industry in my section suffers from this condition but agriculture as well.

In the event that the Mississippi River is developed to the proportion of a trunk stream throughout—to wit, 9-foot channel depth—that would tend to equalize the competition between our inland States and the agricultural regions of other countries that are more advantageously located near the ocean. Therefore, the completion of this project will be, in my opinion, the source of relief to agriculture, which will equal, if not surpass, any legislative relief heretofore applied to agriculture.

In the report of the special board this significant statement is found on page 10 of House Document No. 290:

Industrial development: A great factor in national welfare is the action of transportation enterprises in bringing into close contact the various activities of a country. The Mississippi Valley westward is almost exclusively agricultural. Industries have not located in this area because transportation costs, both on raw material and finished products, have been so high as to dictate their location elsewhere. Cheap lake transportation fostered the growth of steel mills in west Pennsylvania near coal fields there at a time when the great steel market was in the eastern metropolitan area. As markets moved westward the same reasons led to establishment of steel mills at Gary and South Chicago, conveniently situated near the Illinois coal fields. Now for northwestern steel markets the corporations of the Pittsburgh district are utilizing the Ohio-Mississippi system to reduce their distribution costs on finished products. An improvement of the upper Mississippi to an extent suitable for large-scale commerce would encourage the establishment of industrial plants nearer the available markets in that valley, where heretofore little diversified industrial activity has been found.

The city of Minneapolis is the natural gateway through which the commerce and trade of the West and Northwest enters upon a large scale. By virtue of its natural location it assembles the products of the farm and industrial products and converts the raw material into the finished product. When freight rates were on a reasonable basis, both Minneapolis and St. Paul had a tremendous growth. Industries located there in great numbers, and the towering elevators in Minneapolis are evidence of this favorable situation both for assembling and distributing the tremendous quantity of grain that through that city finds its outlet into the domestic and foreign markets.

In order that these two cities and others down river may have that increase to which they are unequivocally entitled, a method of transportation must be provided that will be reasonable and not exorbitant. The 9-foot channel provides for the only means of transportation that will advance this result, and a trunk-line route to the Gulf and to the central, eastern, and southern United States will relieve not only a difficult local situation and provide benefits to the cities along the river, but will be a great national benefit. In other words, we want the same improvement and desire the same benefits of water transportation that are now available on the Ohio River, especially.

In his speech, the chairman of the Committee on Rivers and Harbors stated that Buffalo has taken the grain storage supremacy from Minneapolis, and if that be true, it is only because Buffalo has been favored by our Government in the way of adequate water transportation and an equal privilege denied to Minneapolis.

The many States in the Northwest, with a great population more dependent now than ever upon cheap transportation, are earnestly asking that the upper Mississippi River be included as one of the projects in this bill, and that a complete and full authorization be given at this time in order that our waning hopes may be revived and that this great section which contributes so greatly to the prosperity and welfare of this Nation be given due and proper recognition.

Mr. LANKFORD of Georgia. Mr. Speaker, the construction of a canal connecting the intracoastal waterway of the Atlantic Ocean with that of the Gulf of Mexico, would be very valuable to the Nation as a whole and usher in a heretofore unknown period of development and prosperity in my district and adjoining sections of southern Georgia and northern Florida. Of course, the greatest good would come to the area through which the canal would be constructed. Thus local communities and cities are vitally interested in securing the canal through their neighborhood. The Nation generally is only interested in the proper location and construction of this very necessary adjunct to inland waterway transportation. As I have heretofore said, the location of this canal is purely an engineering question to be determined by the Army engineers, and I am glad they are to solve this problem.

CUMBERLAND SOUND-MISSISSIPPI RIVER ROUTE

The river and harbor act of 1927 authorized a survey as follows:

Waterway from Cumberland Sound, Ga. and Fla., to the Mississippi River.

This has been very properly held to authorize the engineers to study and make a reconnaissance of any and all suggested routes between these points and determine what is the most practical route. After this is done a more minute and detailed survey would be made of the one most practical route. In other words, under the present law a detail survey would only be made of whatever route was determined to be the most practical between the named points.

It will be observed that the eastern terminus of this survey must be Cumberland Sound. There are many of us who have believed that the most practical route should be selected without the engineers being confined to a definite eastern terminus. In other words, we want the engineers to be free to study the whole field.

LOCAL OR SECTIONAL QUESTION

Under the act of 1926 we all wanted the whole field studied, but at the same time we each realized that there is authorization for a full study of only one route, the location of which is to be determined by the engineers.

Each Representative in Congress from the sections directly interested quite naturally are seeking as full a study as possible of the particular route most desired by their own people. Thus the authorization contained in present river and harbor bill for the survey of four specific routes is the natural outcome of the very situation I have just been discussing.

CALOOSAHATCHEE-OKEECHOBEE ROUTE

The present bill contains an authorization for surveys in connection with a route east and west across the State of Florida, utilizing Lake Okeechobee and Caloosahatchee River. This route would not solve the intracoastal problem. It is too far south, and would only save a small part of the distance around Florida. If this canal should be constructed, there would still remain an urgent demand for a canal where the Florida Peninsula makes off from the mainland.

ROUTES ACROSS CENTRAL FLORIDA

The present bill also contains an authorization for a survey as follows:

Waterway from Pensacola Bay, Fla., to the Caloosahatchee River and for a cross-Florida waterway to connect with the Florida East coast canal.

This would authorize a survey of a waterway east and west across Florida, connecting the intracoastal routes along the east coast with such route as may be constructed along the west coast, and would be located at the most practical point between Jacksonville and Lake Okeechobee. As another route is being constructed at Lake Okeechobee, this route undoubtedly would be located farther north. It is altogether probable that since this route is to connect a route along the east coast with one along the west, it will be found most practical to locate it about half way between the Okeechobee route and the route found most practical for connecting the Atlantic intracoastal waterway from the north with the intracoastal route from the Mississippi River. If this route is located too far north, there will still be good reason for another canal across Florida with its western terminus at or near Tampa. This route with an eastern terminus south of the mouth of the St. Johns River would still leave an urgent need for an Atlantic to Gulf canal farther north.

ALL-FLORIDA CANAL ROUTE

This bill not only carries the survey just mentioned, but also one sponsored by the gentleman from Florida [Mr. GREEN], as follows:

Waterway across northern Florida to connect the Atlantic intracoastal waterway with the proposed Gulf intracoastal waterway by the most practicable route.

This authorization calls for a survey of a route for a canal, all of which would be in Florida. It is possible, but not probable, that one route might be determined to be in accordance with both of the authorizations just mentioned. My colleague [Mr. GREEN] quite naturally wants to ascertain what is the

most practical route, wholly within the State of Florida, for the purpose of connecting the two proposed intracoastal waterways. I am fully convinced that the best route for this purpose is not wholly in Florida, but is in both northern Florida and southern Georgia. The Green proposal is for a canal along the most practical route across northern Florida.

SOUTHERN GEORGIA-NORTHERN FLORIDA ROUTE

A survey sponsored by my good friend and colleague from Georgia, Mr. EDWARDS, and myself and approved by my friend and colleague, Mr. GREEN, of Florida, is as follows:

Waterway for barge traffic across southern Georgia and northern Florida to connect the Atlantic intracoastal waterway with the proposed Gulf intracoastal waterway by the most practicable route.

This authorizes a study of the whole field from and including the St. Marys-St. Marks route northward to Macon, Ga.

OCMULGEE-FLINT RIVER ROUTE

All the while I have urged a survey of a waterway connecting the navigable waters entering the Atlantic through the Altamaha River and those entering the Gulf through the Apalachicola River, and now I am glad to announce, with the valuable aid of my friend from Georgia, Mr. EDWARDS, and with the help of other members of my State delegation and of the committee, there is in the present bill a survey as follows:

Waterway connecting the Ocmulgee and Flint Rivers, Ga.

Of course, the Flint flows into the Apalachicola, and the Ocmulgee flows into the Altamaha; thus, when taken in connection with other surveys, there is authorized a detail survey of the Altamaha-Apalachicola route, suggested by me 10 years ago.

SUMMARY OF SURVEYS

Thus it is seen the present rivers and harbors bill carries authorization for four surveys of different waterways connecting the intracoastal route of the Atlantic coast with the intracoastal route of the Gulf.

The gentleman from Florida [Mr. DRANE] is sponsor of a survey along the most practical route across any part of Florida, while the gentleman from Florida [Mr. GREEN] secured the insertion of such a survey across northern Florida. Of course, one route may be sufficient under both of the Florida authorizations, especially if it is located in northern Florida. There is, therefore, authorized as a part of the intracoastal route, one detail survey and possibly two wholly within the State of Florida.

There is also authorized at least one and possibly two detail surveys across southern Georgia and northern Florida, as the bill contains two surveys sponsored by both my colleague, Mr. EDWARDS, of Georgia, and myself; one authorizing a survey of the most practical route across southern Georgia and northern Florida and a survey of waterway connecting the navigable waters of the Ocmulgee and Flint Rivers. One route may answer the requirements of both authorizations. On the other hand, it may be found proper to survey two routes across southern Georgia and northern Florida. In any event, there must be a detail survey of the Ocmulgee-Flint River route. This is the shortest route of any between navigable waters flowing into both the Atlantic and the Gulf, and I insisted on this survey in all events, as Congress might determine to construct this short route in preference to some longer and more expensive routes. Then, again, a canal will probably be constructed along this route regardless of whether another canal is constructed farther south or not.

There are several other items in the rivers and harbors bill over which I am very happy, and I now wish to discuss briefly at least three of these projects.

SATILLA RIVER AND DOVER CREEK, GA.

When this project was previously under consideration it was felt that the probable limited commercial use would not justify the cost. Local interests have dredged a channel known as Noyes Cut, connecting Baileys Cut with Dover Creek, but its depth is inadequate for commercial navigation. Baileys Cut is an auxiliary channel of the Satilla River, and Dover Creek is a tidal estuary connecting with Satilla River near its confluence with St. Andrews Sound. The mean range of tide is about 7 feet. The improvement desired is a channel 4 feet deep and 50 feet wide connecting Baileys Cut and Dover Creek.

Large areas of second-growth pine forests in the Satilla River Basin produce naval stores, logs, poles, piling, and crossties. In 1928 27,707 tons of such traffic moved between the Satilla River and Brunswick by water. The total movement between those points by all means of transportation amounted to 121,000 tons. The water route is unfavorable for the movement of rafts and barges, as St. Andrews Sound, which is a part of it, is exposed to northeast storms, and is claimed to be the most dangerous body of water on the inland waterway between Beaufort, S. C., and St. Johns River, Fla. It is estimated that the improvement of Noyes Cut would result in a water movement of about 100,000 tons between the Satilla River and Brunswick. In addition, a large number of pleasure craft would be benefited, as they are now obliged to await favorable weather before passing through St. Andrews Sound. The cut would become a part of the auxiliary inland waterway route.

The district engineer recommends a channel 5 feet deep and 50 feet wide, following a line somewhat to the east of the original Noyes Cut, at an estimated cost of $10,000, provided local interests furnish necessary land for the improvement and for future maintenance. Experience with the present cut indicates that the improvement would be maintained by the tidal currents. The division engineer concurs, and the item has the approval of the Chief of Engineers.

BRUNSWICK HARBOR (BACK RIVER), GA.

The improvement of Back River was not recommended in the reports under review, as it appeared that the benefits would be largely local, that no cooperation could be expected, and that the prospective commerce was not large. Aside from some dredging in the upper end of the waterway to provide a channel 7 feet deep and 150 feet wide as an alternate route of the intracoastal waterway, Back River is not under improvement by the United States. The improvement desired is a channel 20 feet deep and 150 feet wide from St. Simon Sound to the mouth of Mill Creek. The mean range of tide is 7 feet.

Back River is a tidal estuary 6.3 miles long connecting St. Simon Sound with Mackay River. Existing depths in the section of the river under consideration are 11 feet or more, about 1,100 feet having a least depth of 20 feet over a width of 150 feet. This part of the city of Brunswick has been zoned for industrial development. A creosoting plant has been located there, and it is expected that a sawmill and possibly a paper mill will also be constructed to utilize the large amount of second-growth standing timber in the vicinity.

The commerce moving over Back River in 1928 totaled 24,257 tons, about 22,000 tons being logs, poles, and piling. It is claimed that the proposed improvement would result in a movement of creosote oil, treated wood products, timber, and paper totaling 209,000 tons. Tankers used in the movement of creosote oil from foreign ports draw from 22 to 25 feet. The creosoted products generally move in vessels drawing from 20 to 25 feet. The area in and adjacent to Brunswick Harbor where areas on deep water suitable for large industries are found is limited. For that reason the creosoting works were located on Back River.

The estimated cost of a channel 20 feet deep and 150 feet wide from St. Simon Sound to the deep-water pool above the mouth of Mill Creek is $30,000, with $4,000 annually for maintenance. The city of Brunswick offers to pay one-third of this cost, and the creosoting company will furnish spoil disposal areas on its property. Reduced freight costs on movements of creosote oil and wood products would be made possible by a 20-foot channel. The district engineer recommends a channel 20 feet deep and 150 feet wide, provided local interests pay one-third the cost and furnish necessary spoil-disposal areas for the work of improvement and future maintenance of the waterway.

The division engineer believes that present developments justify the improvement and that valuable deep-water frontage would be provided.

The board finds that in addition to the needs of the creosoting company additional industries may be established, and that the benefits are sufficient to justify contribution on the part of the United States. Certain local benefits would accrue from the improvement, and the board feels that some contribution on the part of the locality is equitable. A contribution of $10,000 to the cost is now offered by the city of Brunswick. In view of these changed conditions, the board recommends modification of the existing project so as to provide for a channel in Back River 20 feet deep and 150 feet wide from St. Simon Sound to the mouth of Mill Creek at an estimated cost of $30,000 with $4,000 annually for maintenance, subject to the provisions that local interests shall contribute $10,000 to the cost and provide, free of cost to the United States, suitable areas for the disposal of dredged material. This project has the approval of the Chief of Engineers.

BRUNSWICK HARBOR, GA.

The existing project for the improvement of Brunswick Harbor provides for a channel 27 feet deep and 500 feet wide through the bar, 24 feet deep and 400 feet wide at Brunswick Point, 24 feet deep and 350 feet wide in East and Turtle Rivers, 24 feet deep and 150 feet wide in Academy Creek and for a

cut from Academy Creek to Turtle River if later found advisable. The improvement now desired is a channel 30 feet deep over the bar and a depth of 27 feet in the interior channels. The mean range of tide on the bar is 6.3 feet and at the city of Brunswick 7 feet.

In the years 1926, 1927, and 1928 the total tonnage of Brunswick Harbor ranged from about 1,000,000 to 1,100,000 tons. Of the 1928 commerce, 265,605 tons was foreign and 651,000 coastwise. Crude petroleum and petroleum products, chemical and fertilizer materials are moved over Turtle River, and naval stores, treated and untreated wood products, raw and canned fish, sugar, and general merchandise are handled in East River and Academy Creek.

The traffic of 1928 was handled in vessels drawing up to 30 feet, there having been 25 craft drawing 28 to 30 feet, 35 drawing from 26 to 28 feet, and 31 drawing from 24 to 26 feet. It is claimed that existing depths are inadequate for the needs of navigation. Waiting for favorable tidal conditions frequently delays the larger vessels as much as 24 hours. A number of craft have been injured by grounding, one concern alone reporting damages of more than $34,000 to five ships. It is said to be necessary in some cases to load a vessel partly at Brunswick and to complete the cargo at some other port.

The estimated population of the city of Brunswick is 21,620. The Southern Railway, the Atlantic Coast Line, and the Atlantic, Birmingham & Coast Railroad all enter the city and own or supply connections to the wharves. The estimated cost of a bar channel 30 feet deep and 500 feet wide is $249,000; of a channel 27 feet deep and 400 feet wide at Brunswick Point, $145,500; of a channel 27 feet deep and 350 feet wide in East River, $274,400; and of a channel 27 feet deep and 300 feet wide in Turtle River, $541,150; a total of $1,210,050. Rock excavation would be required for greater depths, and the large expense involved would not be justified. The district engineer recommends channels of the dimensions listed, provided local interests furnish, free of cost to the United States, all lands necessary for the improvement and future maintenance of the harbor, and agree to insure the release of the Government from all claims for damages that may result from the improvement or its maintenance. The division engineer concurs.

The board points out that there has been a substantial increase in the tonnage of commerce handled through Brunswick Harbor in recent years. Shipping is now subject to delays and dangers which could be largely removed by increasing the depth of the interior channel to 27 feet and of the bar channel to 30 feet. While such depths are inadequate for larger vessels at certain stages of the tide, the tidal range is sufficient to give reasonably satisfactory conditions. It is evident to the board that a depth of 24 feet is not sufficient for vessels of the class used in the Brunswick trade. The board therefore concurs with the district and division engineers and recommends modification of the existing project for Brunswick Harbor, Ga., so as to provide for a channel 30 feet deep and 500 feet wide over the bar, a channel 27 feet deep and 400 feet wide at Brunswick Point, a channel 27 feet deep and 350 feet wide in East River, and a channel 27 feet deep and 300 feet wide in Turtle River, at a total estimated cost of $1,210,000, with a total of $150,000 annually for maintenance, subject to the provision that local interests furnish, free of cost to the United States, all lands necessary for the improvements and future maintenance of the harbor, and give assurances satisfactory to the Secretary of War and the Chief of Engineers that they will save the United States all claims for damages that may result from the proposed work and its maintenance. The Chief of Engineers approves the recommendation of the board.

Mr. YON. Mr. Speaker, I am in favor of this bill authorizing certain river and harbor work that has been delayed for several years. Of course, I am not fully satisfied at the amount carried in this bill, which pertains to one project affecting my district, but feel that since the chairman has stated on the floor that an annual rivers and harbors bill will be the order in the future, that the hundred thousand dollars authorized will be sufficient to get the work under way this coming year. I am speaking particularly of the proposed intercoastal waterway connecting Mobile and Pensacola. I have worked diligently for items in this bill affecting my district not only since I have been a Member of the House but previous to my election. I have appeared before the district engineer, the Board of Engineers, later going to the chief, in an endeavor to get a favorable report on the projects that are carried in this bill that are so greatly needed by the people of my district.

As I think back to the date since the last authorization has been made affecting my district I feel that it is high time that some consideration should be given by the Congress to the need of certain waterway developments that will add to the advantages needed commercially by that great section that I have the honor to represent. As I outlined to the Committee on Rivers and Harbors, urging that these projects be included in the bill, I stated, as it pertained to the Mobile-Pensacola Canal project, that this would connect two of the South's greatest ports, and with the trade territory affected by these two ports, has a great latitude. Pensacola being on the Gulf coast directly south of Chicago and that great central western country with its coal, iron, agriculture, and products of the factories, she has been at a great disadvantage in her struggle for country-wide transportation on account of better advantages given to other sections of the country. With the best natural harbor south of Hampton Roads on the South Atlantic or Gulf coast, deep water on the bar, there is an opportunity for an ever-increasing domestic and foreign commerce; and in addition to the particular benefit that this would give Pensacola, it would open up a great trade territory for barge-line traffic from Mobile to ports to the eastward, and therefore doubly advantageous. The East Pass, Choctawhatchee Bay, project is not large, but necessary for the territory affected, and I am glad it is included.

As to the St. Marks project, this is vital to the development of that central Florida area and Georgia, and we hope when this legislation becomes law and the work that this authorization contemplates is carried out, that St. Marks will become the great port of the capital city of my State—Tallahassee. This was at one time one of the leading ports of the South, being connected by one of the Nation's oldest railroads with Tallahassee, which was constructed by one of Florida's Territorial governors in the year 1834, and it has been in continual use ever since but during that great conflict between the States, when all the ports of the Confederacy were blockaded in common with these other ports, the military forces of the Confederacy loaded barges of native limestone and towed them down the channel to a narrow point and there scuttled them, blocking the passage of the threatening gunboats of the Federal Navy. Since that day this stream has been obstructed, thereby preventing traffic of any mensurable depth of consequence to pass through. Therefore, nothing will give me greater pleasure than to see this project go through, and with the constant development of the waterways as it is contemplated in this measure, and by that we hope will follow, the waterways of this great Nation will be enabled to bear such inland water-borne traffic as the world has never seen heretofore.

Mr. PITTENGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following discussion on St. Lawrence Waterway in the Background, by the Hon. MERLIN HULL, of Wisconsin, in connection with his newspaper work:

Among the definite assurances made to the people of the Northwest in 1928 was one that the St. Lawrence waterway would be opened from the Great Lakes to the Atlantic Ocean deep enough for ocean vessels to enter the lake ports. There was no equivocation about it. It was a program to be carried out as speedily as possible and figures galore were quoted to show how we would profit in lowered freight rates and gain in agricultural as well as industrial opportunity.

Winning the Northwest by such assurances was not debated by eastern interests. They simply consented for the time being to shut up about their old scheme for an "All-American" waterway, which always has meant, and still means, the taking over of the Erie and Oswego Canals and deepening the Hudson River so that New York may continue its toll on western products.

"Winning the Northwest" now is not so important to the New York crowd as holding fast to the neck of the traffic bottle. The Rivers and Harbors Committee is about to report a river and harbor grab measure which brings back into the light the age-old scheme to have the Government take over the Erie Canal and make it the "waterway" instead of the St. Lawrence.

The Erie Canal is over 100 years old. It was built before the days of the railways. The State of New York has expended hundreds of millions of dollars in its endeavors to make it a real highway of commerce. It continues to be what it always has been, a narrow, shallow canal for towboats. The State of New York has long wanted to get rid of its cost and expense and put it on to the National Government. It is closed by ice five months of the year, and about the only feasible plan of directing ocean vessels over the route would be to put the vessels on wheels and haul them along the towpath.

The Government engineers have long been in favor of the St. Lawrence route, and volumes have been published as to its surveys and advantages. Canada is evidencing a friendly interest by deepening the Welland Canal. There is only one reason for its not being opened and that is the selfishness of the cities of the State of New York.

A few weeks ago it is related that the engineers of the War Department commenced to feel the political pressure of the East and to change from advocacy of the St. Lawrence route to the Erie Canal. Though it was estimated that the deepening of the Erie Canal and Hudson River would cost to exceed $600,000,000, or more than the cost

of the great Panama Canal, the War Department recommended the Erie scheme and made a recommendation of $26,000,000 to start the deepening. At the same time, $7,500,000 was recommended to deepen the Illinois River to connect the city of Chicago with the Mississippi River. Illinois and New York politicians seem to be in accord in shelving consideration of the St. Lawrence.

The chairman of the Rivers and Harbors Committee is from New York and has always opposed the St. Lawrence opening. Of 20 members of that committee New York has 2, Illinois 3, Ohio 3, Pennsylvania 2, Connecticut, New Jersey, and Delaware 1 each, a clear majority of eastern members. Then California, Texas, Alabama, Louisiana, and Georgia, all States demanding a portion of the rivers and harbors "pie," have one each. Wisconsin, Iowa, Minnesota, Nebraska, and the Dakotas, all of which can look to no other real waterway for bringing the ocean traffic nearer, are wholly unrepresented.

Is it any wonder, then, that the route the Northwest wants receives no consideration while it is proposed to spend hundreds of millions of dollars on a route New York wants?

It is to be hoped that enough western Members may unite to block the scheme, but there are many items in the "pork barrel" to hamper even such an endeavor. Individual Members even from some western districts have appropriations in the bill for minor projects. They want to show their folks back home what good "getters" they are down here. The bill is made up of many items just to gain votes, as has always been the case. Nearly every harbor along both coasts is mentioned for a piece of the big appropriation. The adept politicians of the East from long experience know how to work the mutual "back-scratching" game. There will be plenty of evidence of it in the rivers and harbors bill. The St. Lawrence waterway will wait—nobody knows how long—while little projects are united with the Erie Canal scheme to help put it over.

The St. Lawrence waterway is one of the big projects of the century. It is one of the biggest possible propositions for the Northwest. It should become an accomplished fact just as early as possible. Eastern cities, eastern railways, eastern water-power interests, and the toll-gatherers to whom the people of the Northwest have long paid enormous tribute, fight our demands, and disregard even solemn campaign pledges, for their own selfish purposes.

Mr. RAMSPECK. Mr. Speaker, in the pending bill there appears the following paragraph authorizing a survey:

The Chattahoochee River, Ga., and connecting waterways, with such land cuts and locks as may be necessary to a point opposite or near Atlanta, Ga., with a view of establishing navigation for barges and small boats thereon and to connect the same with the inland waterway.

This is the beginning of an ambitious undertaking. If this measure finally becomes a law the War Department will ascertain the cost of bringing water transportation to Atlanta. That it is possible there can be no doubt; the question is, Will it justify the cost?

In this connection it seems pertinent to give the Congress some facts about this great southern city, the political capital of Georgia and the commercial capital of the new South.

For an early picture of this great city I quote the following from a book entitled "Atlanta from the Ashes," written by Col. Ivan Allen:

In 1864 the city of Atlanta lay a smoking ruin. To understand both why it was laid waste and why in the years that followed Atlanta so swiftly grew into an important and finally a dominant city, we must go back to a day in 1837 when Stephen Harriman Long, a young civil engineer, supervised the driving of a fateful stake.

Where Atlanta now stands was in 1837 a simple woodland. There were a few scattered farmhouses, but aside from these no evidence that here was the site of the South's future leading city. But to the trained eye of the engineer, Long, here was a spot designed by nature as the meeting place of railroads. And here it was, close by the spot which is now Five Points, one of the five most valuable corners in the world, that he marked the end of the rail line he was creating, to connect this plateau with the Mid West.

Around that stake sprang up a trading center, known for some years simply as Terminus, then as Marthasville, and finally Atlanta. More railroad lines came through the country, joining the East to the Southwest, the South to the Mid West, crossing precisely as Stephen Long had predicted, and creating a center of transportation that was destined to become the very heart of the South.

Atlanta had become a strategic point when war broke out between the States. It had become of utmost importance to the success of both armies. The capture and destruction of this city by Sherman was tragic but significant evidence of this fact.

The ashes left by Sherman had hardly cooled when the people, driven away by his order in November, 1864, began to come back and rebuild the city. They occupied such portions of buildings as could be temporarily made weatherproof and set about the tedious task of reconstruction with a spirit which, 20 years later, was described by Henry Grady, who spoke thus of the returning Confederate soldier:

"He finds his house in ruins, his farm devastated, his slaves free, his stock killed, his barns empty, his trade destroyed, his money worthless, his social system swept away, his very traditions gone.

"What does he do, this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter. The soldier stepped from the trenches into the furrow; horses that had charged Federal guns marched before the plow, and fields that ran red with human blood in April were green with the harvest in June. Women reared in luxury cut up their dresses to make breeches for their husbands and, with a patience and heroism that fit women always as a garment, gave their hands to the work.

"I want to say to General Sherman that from the ashes he left us in 1864 we have raised a brave and beautiful city; that somehow or other we have caught the sunshine in the bricks and mortar of our homes and have builded therein not one ignoble prejudice or memory."

The Congress is assured that to-day the sentiments of the immortal Grady still live in this great metropolitan community, this growing, progressive metropolis of the South, where many thousands of our brothers have come from the North, the East, and the West to enjoy with us the sublime climate and the wonderful possibilities that Atlanta has.

By 1870 Atlanta had become a hustling community of 21,789 inhabitants. When the present census is completed, it will show that in the 179 square miles now comprising Atlanta are approximately 350,000 of the best people ever gathered together.

Within a night's ride to-day reside 18,000,000 people, and within 24 hours' ride of Atlanta are 70,000,000 citizens of the United States.

In the summer of 1925 Atlanta decided that a city could be sold by advertising. The Forward Atlanta Commission was organized, and in 1926, 1927, 1928, and 1929 this group of forward-looking citizens have collected and spent more than a half million dollars in advertising the advantages of Atlanta in newspapers and periodicals throughout the United States.

This advertising campaign has been a great success. In the 4-year period 679 new concerns have located in Atlanta, giving employment to more than 17,000 persons. The annual pay roll of these new concerns total more than $30,000,000.

Of these 679 new concerns, 31 sell throughout the entire country, 78 in the Southern States, 401 in the Southeastern States, 82 in Georgia, and 87 in Atlanta and vicinity only.

Almost the entire United States is to-day interested in Atlanta and its progress and development. This is true because most every State in the Union has some business or manufacturing concern which has a branch in Atlanta.

The home States of the 679 new concerns located in Atlanta during the past four years are as follows: New York, 165; Illinois, 88; Ohio, 47; Michigan, 35; Pennsylvania, 35; Massachusetts, 31; Florida, 23; Tennessee, 23; Missouri, 22; Indiana, 19; Alabama, 18; District of Columbia, 15; Maryland, Texas, and Virginia, 12 each; North Carolina, 9; Connecticut, New Jersey, and Wisconsin, 8 each; Louisiana, 5; Minnesota, 4; South Carolina, 3; Delaware, Kansas, Nebraska, New Hampshire, Rhode Island, and Washington, 2 each; Arkansas, Oregon, and West Virginia, 1 each; and the remaining 35 are Georgia concerns. England has 2; Canada, Cuba, and Germany, 1 each; and many concerns are now investigating Atlanta and others have located there this year.

At the close of 1929, Atlanta had more than 1,300 branches of concerns whose home offices were elsewhere. The reasons for this are many, but transportation and communication facilities are very important.

Atlanta is the third largest telegraph center in the world. It is the center of the long-distance telephone service in the South.

Its railroad and express facilities are not surpassed anywhere. It is the air-travel center of the Southeast, having been established as the cross roads in this new method of transportation, just as the rail transportation caused the beginning of this great city.

The only method of transportation lacking is water travel. It is with a view of providing this that I have, since becoming a Member of this body, worked for the inclusion in the pending bill of the provision for this survey. I am, indeed, happy that a start toward this goal has been made.

It is my ambition as a Member of Congress to put whatever ability I may have upon the constructive side of legislation. I do not propose to engage in the sensational, not to unnecessarily antagonize any colleague, but rather to work in harmony with my fellow Members, with the end in view of seeing the South again take its place in the Nation. The time has passed for sectional feeling.

To-day Atlanta and the South are growing. They need the sympathetic understanding of other sections. We are one Nation. We should endeavor to promote the general welfare of every section of this great country of ours.

The great district I have the honor to represent, containing, as it does, the many business connections with so many other States, would desire, I am sure, that it be so represented in the Congress. It is with these thoughts in mind that I have presented the facts as to Atlanta—distribution center of the new South.

Mr. DREWRY. Mr. Speaker, this bill affords an excellent illustration of how legislation should not be conducted. The criticism of the former method of river and harbor legislation was that "trading" and "logrolling" were indulged in to such an extent that there could be no well-considered legislation on this subject for the benefit of the country as a whole. It is possible, of course, for the present method of committee consideration to eliminate this evil, but the committee should be careful not to fall into even greater errors. As long as the engineers make the surveys and examinations with the estimates of cost, the committee, which has not at its command such technical knowledge and has not, as a rule, made a personal examination of the project, should follow as closely as possible the recommendations of the engineers. If any change be made in the recommendations of the engineers, it should only be after the most thorough investigation. Sometimes in the desire to save money a committee may decrease the estimate of a project, and yet be doing a most extravagant and uneconomical thing. Such is the case in this James River item.

The Chief of Engineers recommended a channel from Hampton Roads to City Point 300 feet in width and 25 feet in depth, and estimated the cost at $4,555,000. The committee arbitrarily lopped off $1,000,000 without, so far as the hearings disclose, ascertaining what effect this decreased expenditure will have on the project. It is true that the width of the channel was reduced to 250 feet from Hampton Roads to City Point and from City Point to Richmond the width of the channel was reduced even more proportionately, but there is no evidence to show that this decrease in width will absorb the $1,000,000 which was so easily stricken off, nor is there any evidence that this decrease in width of channel will eventually cost less, or more in proportion, than the recommendations of the engineers.

This project is the improvement of James River from the head of navigation at Richmond to its mouth at Hampton Roads. It divides itself very readily into two divisions—the river from Richmond to City Point, where the banks are high and the stream narrow, and the river from City Point to Hampton Roads, where the banks are very low and the width 5 or 6 miles. I will confine my remarks to the lower division.

The existing project called for a channel of 22 feet in depth and 400 feet in width. The district engineer, after careful examination, recommended that the channel be 25 feet deep and 400 feet wide. The division engineer concurred in this recommendation. The Board of Engineers modified this recommendation to a channel 25 feet deep and 300 feet wide, in which the Chief of Engineers concurred.

This is the first attempt to save costs and the experienced engineers, we may be sure, cut the width to the margin of safety and proportionate costs. Note, too, that the existing project called for 400 feet in width and this new project modifies that.

However, this project came before the committee and two hearings were held, covering about two hours, with four witnesses. Not a single witness even remotely suggests that the decrease in width of the channel would save expense or be adequate for the traffic.

The Chief of Engineers stated that "a width of 300 feet, with greater width at the bends, is sufficient below Hopewell," and stated also that such width of channel would be sufficient for "present requirements." On the stand when the chairman asked him the question:

> General, do you think this could be cut down by reducing the widths as I have suggested, and that the percentage of reduction of cost would equal the percentage of reduction in the widths?

The Chief of Engineers replied only to the first half of the question, as follows:

> Approximately; not entirely. You can not dredge a 200-foot channel for half of what it would cost to dredge a 300-foot channel.

The chairman then says:

> The width depends on exposure. The James River is wide.

The Chief of Engineers replies:

> Where the bay is narrow and there is no current, you can get along with a very narrow channel; but where you are out in the open river that may be a mile wide and the currents do not follow the channel and you have full exposure of the boats, you can not get along with the same narrow widths that you can in confined waters.

In conclusion, General Deakyne said:

> I think the question of large prospective commerce is considered to justify the expenditure.

When you take this statement into consideration with his views that the channel width of 300 feet is sufficient for "present requirements," it will readily be seen why the Chief of Engineers in his answers to the questions propounded to him recommended a width of 300 feet and indicated that it ought not to be of less width.

Of the other witnesses, all were of the opinion that the width of the channel should not be reduced below 300 feet. Engineer Bours testifying—page 10 of the hearings:

> These steamship captains said that below Hopewell, and where the river gets very wide and there are no high banks, they would have to have a 300-foot channel in those straight, long reaches. Then, you take a tug towing barges in tandem, and they can not keep them in a narrow channel, where you have any wind at all. It can not be done.

When this engineer was directly asked if the width could be cut to a lower figure than 300 feet, he replied that he did not think it would do.

One of the members of the committee at this point said:

> I happen to know that 300 feet is about as narrow as you can safely navigate in open water, such as the James River is from Hopewell down to the mouth.

The last witness was a ship captain with a navigating experience on James River of 20 years. He thought the channel width could not be reduced with safety below 300 feet.

Yet in the face of all the testimony of Government engineers, civil engineers, ship captains, and navigators, and others, that the channel width could not be safely or economically reduced below 300 feet, the committee brought in a bill reducing the channel width to 250 feet.

A mistake has been made. A channel of such width on the wide reaches of the lower James, with its strong winds sweeping across 5 or 6 miles of water and with its strong currents, will be a menace to navigation as surely as a sunken wreck. Nor is there any economy in such reduction, for the proportionate cost of the greater width will not be much greater in the total cost of the project.

The new industrial developments at Hopewell and along the river, and the large increase in movements of commerce on James River, not only justify but demand channels of sufficient width and depth to give adequate accommodation. After the report of the engineers fixes the limit of the margin of safety and economy no committee should go below this margin without evidence, even though it be attempting to economize at the express request of the Executive himself.

Mr. MANSFIELD. Mr. Speaker, availing myself of the general privilege of extending my remarks on the river and harbor bill, I shall speak only of the provisions in regard to the Great Lakes and their proposed connection with the Atlantic. Those were the only questions of contention when the bill was being considered, and the time for debate was too limited for a thorough understanding of them.

Many Members in the Great Lakes and upper Mississippi and upper Missouri regions have the impression that the provision for taking over the Erie and Oswego Canals would be detrimental to the proposition of an ultimate ship channel to the sea. On that theory they opposed the bill, notwithstanding 51 per cent of its authorizations were for the improvement of the Lakes and the St. Lawrence waters and the upper sections of the Mississippi and Missouri Rivers.

The largest single item in the bill is that of $29,266,400 for making ship-channel connections between the several lakes. The bill also authorizes $1,600,000 for a 27-foot ship channel for a distance of 63 miles down the St. Lawrence River.

Under the provisions of this bill, this channel is to receive a 2-foot greater depth than that recommended for it by the American engineers of the Hoover Commission. Still, we hear the charge that the bill is against the St. Lawrence, and that the committee that drew it is prejudiced. According to the Shakesperian idea, prejudice should be "made of sterner stuff."

In a 4-minute speech on this subject, while the bill was under consideration, I called attention to the fact that we could not improve the Canadian section of the St. Lawrence without an agreement with that Government. That we had been endeavoring for many years to secure such agreement, with no apparent degree of success.

There is now a 14-foot channel on the St. Lawrence, down to Montreal, where cargoes are transferred to ocean ships. The

old Welland Canal, which is on the Canadian side, also affords a 14-foot passage between Lakes Erie and Ontario. Consequently, on the Canadian side, there is now a 14-foot waterway from the Lakes to the ocean.

The American channels, the Erie and Oswego Canals, connecting the Lakes with the Hudson River, have project depth of only 12 feet, and are actually maintained to a depth of only about 10½ feet. Consequently, the Canadian channels at present have an advantage over the American channels of about 3½ feet in depth.

This gives to the Canadians a great advantage in handling American exports of wheat. The American channels, with smaller unities, can not compete. In fact, the wheat traffic down the Hudson is now confined largely to that which is intended for domestic consumption on the Atlantic seaboard.

As long as the Canadians hold this advantage there is no particular inducement for them to relinquish it by international agreement. I cast no reflection upon them in this statement. It is an advantage to which they are legitimately entitled. If we held such advantage over them, we would not voluntarily surrender it, notwithstanding our proneness to give to them and to Great Britain about all they ever ask of us in the way of international agreements.

In discussing this question on the floor I predicted that the taking over by the Federal Government of the American waterway (the Erie and Oswego Canals) would have the effect of hastening an agreement for the improvement of the St. Lawrence. I am unable to see how anyone can escape that conclusion.

If Congress will provide a waterway from the Lakes to the Hudson of equal capacity of that on the St. Lawrence, then the agreement will be reached at once or else Canada and Great Britain will provide at their own expense a ship channel to Montreal. They are now providing such a channel on the new Welland Canal at a cost of more than $100,000,000.

I mean no disparagement of our British and Canadian cousins. They are excellent people. But it can not be denied that they have a perfect right to protect their legitimate business interests, and up to this time they can not be accused of having failed to do so. We have demonstrated that we are not now in a position to hasten the consummation of a treaty for the joint improvement of the St. Lawrence.

We now send large shipments of American wheat to export through Montreal. Will it be contended that any of it crosses the ocean in American bottoms? Are we not, in pursuing our present policy, helping in the destruction of our merchant marine, on which we have expended such enormous sums? How much longer do we propose to dillydally while others are profiting by our inaction?

In my judgment, the taking over and increasing the capacity of the Erie and Oswego Canals will soon cause ocean ships to sail the Great Lakes, where the Stars and Stripes will have a better chance than at Montreal to compete with the Union Jack in the handling of American commerce.

While ocean ships may then enter the Great Lakes through the St. Lawrence, it would be on terms more nearly equal for American shipping than at present. At the same time we would have the alternative route of increased capacity for barge traffic to supply domestic consumption.

Those who favor a ship channel from the Great Lakes to the sea are simply pouring water upon their powder when they seek to prevent, or even defer, the taking over by the Federal Government of the Erie and Oswego Canals. It is their only reasonable hope for success.

Mr. EDWARDS. Mr. Speaker, all worthy harbors and waterways should be improved because it means progress and cheaper transportation, which is a vital element in making for much-needed prosperity. I am as strongly opposed to the improvement of unworthy projects as I am in favor of improving the ones that have real merit. It is in the interest of genuine economy to develop the waterways upon which there is worthwhile commerce. Take Holland, that looked early to having water transportation, and you will find a happy and contented people, enjoying a uniform prosperity. The same thing will result here when our waterways are properly in shape to carry the commerce they should bear. There should be no rash, unwise, or wasteful policy of spending money on waterways no more than there should be that kind of policy with respect to any other internal improvements in this great Nation.

FAVORS INTERNAL IMPROVEMENTS

Under the Wilson administration the Democrats adopted the policy of annual rivers and harbors bills. It was wise and sound. For the last few years Congress has gotten away from that policy, and there has not been a new-projects bill passed since 1927. What is the result? The result is many projects have been favorably reported by the engineers, and necessarily the bill this year is quite large, due to the lapse of three years. I favor all worthy internal improvements that make for the prosperity, peace, happiness, and comfort of the American people, such as public buildings, highways, and rivers and harbors. Why should this Nation be a tenant and a renter? It is the richest nation on earth. Why should it continue to pay rent as it has been doing all these years for buildings that are used for post offices and other governmental agencies? At this time the Government is paying its millions for rent right here in Washington. That ought to stop and it ought to stop just as quickly as it can be arranged for the Government to house its own agencies in its own buildings.

Federal aid will finally build us a fine system of highways all over the country and will tend to lift the burden of the expense from the shoulders of the taxpayers in States like Georgia. We should not let up in Federal aid for highways.

The improvement of the meritorious harbors and waterways that have considerable commerce upon them will not only tend to increase our markets at home but abroad, and give us a greater number and better markets for our products, and will reduce the cost of living in that it will reduce the freight rates on all articles the people have to buy, such as fertilizer materials, coal, and other heavy freights. Every drop of water should be utilized for power, navigation, irrigation, or some other useful purpose. Improving the rivers, keeping them open for navigation, will tend to aid in flood-control work.

FIRST DISTRICT OF GEORGIA ITEMS

Others have discussed the items in the bill in other districts and States. I want to refer rather briefly to what this bill carries for the first district of Georgia. First, there is the item of $237,000 for Savannah Harbor, the premier port of the South Atlantic, which gives material improvement to that port, which has an enormous and growing water-borne commerce, estimated at present at around two and one-half million tons of a very high value. The particular stretch of this harbor provided for in this new-projects bill is that from the Seaboard Bridge to the foot of Kings Island, and is to accommodate many large industries that are located on that section of the harbor front and new ones that are coming there to locate, all of which are pointed out in the report of the engineers.

This is in addition to the very large modified project that is being carried to completion under authorizations that I have heretofore secured for this great harbor. The engineers and the Congress have been very generous to Savannah, but they have never spent a dollar there that was not wisely spent. Every penny spent by the Government on that harbor, in which I have taken a keen and active interest for several years, has made rich returns to the Government. One industry at Savannah pays the Government $6,000,000 per annum in customs duties. The Government has gotten many times over what it has spent on this great harbor, and her commerce keeps growing, as that section of the country grows. The development of the harbor at Savannah and its upkeep has meant much to farmers, millmen, and other lines of endeavor hundreds of miles in the interior, in that it has given advantageous freight rates and opened up to all Georgia and the Southeast the markets of the world for our cotton, lumber, and other products.

SAVANNAH RIVER TO AUGUSTA

Being on the committee, I have worked shoulder to shoulder with my distinguished and able colleague, Hon. CARL VINSON, in securing favorable action on this project we have fought for all these years, to give a 6-foot year-round navigation, by means of a lock and dam, on the Savannah River from Savannah to Augusta. It wil require a stretch of the imagination to even remotely grasp just what all this will mean to the people of our State and to those of South Carolina. In this work we have also had the cooperation of Hon. BUTLER HARE, of South Carolina, who is ever alert for all things that benefit our section. This project will cost $1,305,000. It means a new era not only for Augusta but for the counties in Georgia and South Carolina that will be touched by it. It means much to Effingham, Screven, Burke, and Chatham Counties in the district I have the honor to represent, as all four of these counties border on the Savannah River.

The people are interested in these developments and they appreciate what Congress is doing for our section, as evidenced by an editorial from the Savannah Press of April 28, 1930, as follows:

The rivers and harbors bill, which is of much interest to Savannah, has gone to the Senate. Here's hoping the Georgia Senators can do as much with it as Congressman EDWARDS did.

And an editorial from the Augusta Chronicle of the same date, as follows:

CONGRESSMAN CHARLES G. EDWARDS

With a slight interruption of one term, we believe, Hon. CHARLES G. EDWARDS has very ably represented the first Georgia district in Congress for more than two decades. Certainly an experience of so many years in Congress, with his recognized ability, enables him to be of immense value to his constituents. There are a number of counties in the first congressional district that come up fairly close to Augusta, including Burke, Screven, and Jenkins, and Congressman EDWARDS frequently comes into this section. Mr. EDWARDS has done much to secure improvements for the Savannah Harbor and he will continue to do so until Savannah is one of the greatest ports in the country. He was also of incalculable assistance to our own Congressman, Hon. CARL VINSON, in getting through our Savannah River appropriation below Augusta.

The fact that Mr. EDWARDS is a member of the all-important Rivers and Harbors Committee means that he can be of tremendous assistance to Savannah through this connection alone, for a new Congressman from that district might serve for years before getting on a committee anything like as important.

Somewhere we have heard a suggestion that there might be opposition for Mr. EDWARDS; that some one was considering making the race. We can not believe that there can be serious suggestion of opposition for a man whose record is so splendid. He not only looks after the Savannah River and Savannah Harbor but is on the alert at all times for the farming interests in his district. Despite the fact that we are not in the first district we wish to add our estimate of Mr. EDWARDS to the many splendid things the newspapers and the people of his own district say of him.

We can't see how or why the thinking people of the first district should even permit the slightest bit of encouragement of opposition to Mr. EDWARDS, who has done more for Savannah and the first Georgia district than any man who has ever represented that district in Congress. We can't vote in the first, but we are for EDWARDS if he has opposition, and all Augustans who appreciate his valuable and effective work in cooperation with our own Congressman are for him, and we will just have to go over in the old first and tell them what a splendid Congressman they have and how we think they should and will return him by the greatest vote he has ever received. He deserves it. The people in the first should promptly smother out even the slightest talk of opposition to Congressman EDWARDS. People are appreciative of good public servants like these.

THE OGEECHEE RIVER

The first step in getting a project adopted is to secure a survey, then the United States engineers make their report with estimates. If the report is favorable, the Rivers and Harbors Committee in the House considers it, makes a study of it, and if found worthy and has merit, it is adopted. Then it passes Congress, and if the bill carrying it is approved by the President, it is authorized by law as an approved project, and appropriations follow. It is by no means easy to get projects authorized, nor is it easy to get money appropriated for them. No money spent by the Government is more usefully spent and no bills for authorizations or appropriations are more carefully considered, safeguarded, and prepared than those for rivers and harbors. They have to stand the scrutiny not only of committeemen and legislators but they are first subject to critical study on the part of trained Army engineers before they even reach Congress. This bill carries a survey for the Ogeechee River.

The counties touching the Ogeechee River in the first Georgia district are: Burke, Jenkins, Bulloch, Screven, Effingham, Bryan, and Chatham. Each of the counties have evidenced great interest in the improvement of this river. In Bulloch County the grand jury passed resolutions memorializing Congress to give attention to it, and county commissioners, public officials, and citizens of each of the counties named have expressed the hope that something be done to help control the floods in the Ogeechee. It is hoped the survey to be made will recommend improvement of this river for navigation and give helpful suggestions as to treatment of it to prevent damaging overflows. Hon. W. H. Wright, an official of the Central of Georgia Railway, which has suffered very heavily by these overflows, has taken a keen interest in this matter.

THE ALTAMAHA SYSTEM

A survey of the Altamaha River system as far up as Macon and Milledgeville is provided in this bill. The counties in the first Georgia district touched by the Altamaha are McIntosh, Long, Liberty, and Tattnall. This is a great system, and if improved to the head of navigation would give water transportation right through the heart of Georgia, to Macon, Dublin, and Milledgeville, with an outlet via Darien and Brunswick. It is fraught with important possibilities, and if properly treated and developed will mean much to Georgia.

OTHER SURVEY ITEMS

This bill carries several other surveys of great interest to the first Georgia district and to the State. I am going to refer to a few of them, which are as follows:

Inland waterway from Savannah to Brunswick, Ga., by way of Harris Neck Landing.

Savannah Harbor, Ga., from and across the bar to the extreme western limits of said harbor, with a view to securing such increase in depth and width and such other improvements as may be found necessary, including an adequate turning basin in the upper stretches of said harbor.

Darien, Ga., with a view of giving a channel or route to the sea either by Doboy Sound, Sapelo Sound, or Altamaha River, and Brunswick Harbor, and with the further view to improving Darien Harbor for light-draft shipping through the Altamaha River system and by the inland waterway.

Richardson Creek, Ga., and connecting streams, to and beyond the home of the National Order of Railroad Conductors on Oatland Island, for light-draft boats, and with a view to a connection with the intracoastal waterway.

Inland waterway at Thunderbolt, Ga., with a view to establishing an anchorage basin or harbor for small boats and for improving the same to meet the demands of present and prospective commerce, and also the river and sound connecting the inland waterway at or near Thunderbolt, Ga., with the river or sound adjacent to the Oglethorpe Hotel on Wilmington Island, Ga., with the view of establishing navigation for small boats to a point opposite and at said hotel.

Sapelo River, Ga., both the south and north prongs or channels, to the head of navigation thereon, and to a point at and beyond Baisdens Bluff on the south channel of said river, with the view of connecting up with the inland waterway.

South Newport River, Ga.

GEORGIA'S POSSIBILITIES

Georgia has the mountains, beautiful and delightful in scenery, she has the rolling hills and the level plains, and her shores are bathed by the waters of the Atlantic. She is rich in climate, fertility of soil, resources, and production of nearly all the crops. She has a splendid citizenship and the spirit of its people is fine. There are many waterways in her borders that should have attention from the Federal Government, both as to navigation and flood control. It is my opinion we can get results through the surveys we have gotten in this bill. It will all help to make of Georgia what she should be, and it is the duty of every Georgian to pull for all that will help develop our wonderful resources and bring to an actual realization the wonderful possibilities of the Empire State of the South.

Mr. TREADWAY. Mr. Speaker, the Rivers and Harbors Committee amendment, found on page 7771 of the CONGRESSIONAL RECORD, reads as follows:

Connecticut River, above Hartford, Conn.: There is authorized to be expended upon the project reported by the Chief of Engineers, under date of April 24, 1930, and printed in Rivers and Harbors Committee Document No. 36, Seventy-first Congress, second session, subject to the conditions set forth in said report, the sum of $1,000,000, and subject to the further conditions that the Bulkley, or Memorial Bridge, across the Connecticut River at Hartford shall not be disturbed, and that the lock and dam described in the report, as to be built near the city of Hartford, shall not be constructed so near said city as to in any way disturb city improvements, or otherwise interfere with the said city.

Possibly a résumé of the conditions and events leading up to the adoption of this amendment may not be out of place. The Connecticut River is navigable from its mouth to the city of Hartford. The project covered by the above-quoted amendment will extend navigation to Holyoke, Mass., with a channel 100 feet wide, and 12 feet deep. The project as recommended by the Board of River and Harbor Engineers of the War Department calls for the expenditure of $3,384,000, while the authorization contained in the pending bill is only for $1,000,000. The reason the entire amount was not authorized at this time was that the total amount of authorizations contained in the bill had already reached the limit previously agreed upon before the Connecticut River item was added. Another reason is that one of the conditions imposed by the Board of Engineers is the construction of a dam at Windsor Locks by private interests under license from the Federal Power Commission. Whenever a further authorization of funds is required, it is expected that the same will be made.

The adoption of the Connecticut River project by Congress will mark the consummation of a struggle of many years to secure barge navigation for the cities of Springfield, Chicopee, and Holyoke. There have been many obstacles in the way. I inherited the problem from my predecessor, the late Hon. George P. Lawrence, to whom it had been passed on by previous Congressmen from our district. During Mr. Lawrence's efforts he was ably assisted by a former Congressman, now Senator

FREDERICK H. GILLETT, who represented the cities of Springfield and Chicopee in the lower House. Congressman Granfield now represents the second district and he, like all other Members from western Massachusetts, has been interested in the adoption of the amendment to the river and harbor bill.

The various efforts for this legislation are completely set forth in the CONGRESSIONAL RECORD from the Sixty-second Congress on. I will make reference to these only in order that if at any future time inquiry should be made, they will be readily accessible.

CONGRESSIONAL RECORD, volume 57, part 2, page 1224; CONGRESSIONAL RECORD, volume 51, part 5, page 5133; CONGRESSIONAL RECORD, volume 53, part 6, page 5340; CONGRESSIONAL RECORD, volume 54, part 2, page 1782; and CONGRESSIONAL RECORD, volume 57, Index, page 4254.

It will thus be seen that, as long ago as 1911 and 1912, this project was adopted by the Senate. In 1915 it was favorably reported upon by the Board of River and Harbor Engineers, but that recommendation was never incorporated in any bill. The chief difficulty in all these efforts has been the question of combining navigation with power development. Until the passage of the Federal power act serious opposition was raised to such a combination. Now, however, it is generally recognized that the combining of navigation projects and power development is entirely proper and necessary for efficient progress.

The amendment which has been adopted by the House results from bills introduced by the former Congressman Bowles and myself and a survey made in accordance with a resolution adopted by the Committee on Rivers and Harbors two years ago. Friends of Connecticut River navigation have always been sincere in their support of the project as one wherein the Government was fully justified in making suitable provision.

In behalf of the cities which will be benefited, particularly the city of Holyoke, which is located in the district I represent, I assure my colleagues that in voting for this project they have inaugurated a benefit to the cities I have mentioned which will amply compensate the Government for the present authorization and any supplements thereto which may be necessary.

Mr. SCHNEIDER. Mr. Speaker and Members of the House, although this bill, H. R. 11781, carries three items affecting three harbors in my district, I am bitterly opposed to it, not because the amount appropriated for Marinette Harbor is small or because I am dissatisfied because none of the "pork" has been handed to me but because I believe this bill to be one of the most vicious and subtle pieces of legislation that has come before the Congress in years. Each of the projects proposed for the survey or improvement of harbors in my district can be fully justified by the War Department's reports of commerce conducted therein.

One of the provisions of this bill—that proposing the acceptance of the New York Barge Canal system by the Federal Government as a gift from the State of New York—is nothing short of outrageous. This project never has been profitable. The State of New York has spent $230,881,013.64 on this canal from 1905 to 1925, according to the governor's message to the legislature in 1925, and it will require the expenditure of millions more to fit it for the traffic from the Great Lakes. The canal was built before the days of railroads, some 100 years or more ago. The cost of improving the canal is not merely a matter of deepening the channel but of reconstructing all the bridges over it, enlarging locks, and so forth. The present structures allow only a clearance of 15 feet, and nothing but towboats are now capable of use commercially thereon. It is estimated that it will cost more to fit this waterway for the Lakes traffic than it did to build the Panama Canal. A recent issue of the Wall Street Journal comments editorially upon the situation as follows:

> It is proposed that Uncle Sam will take over the New York State canals. New York could well afford to pass them over, plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

Until this year the Army engineers have refused to recommend the acceptance of the project by the Federal Government. This year, however, the engineers have submitted a favorable report thereon and the project has been very cleverly made a part of the rivers and harbor bill, containing many worthy projects. But the audacity of the framers of this bill is much more clearly suggested when attention is direction to section 10 of the bill, which provides—

> That the present incumbent of the office of assistant to the Chief of Engineers, United States Army, when retired from active service, shall be placed upon the retired list with the rank and pay of major general.

This gentleman was largely responsible for the said favorable report. I think it would be difficult to find a more exasperating section in any bill.

I am opposed to the acceptance of this canal and shall continue to oppose it until some positive steps are taken by the Government for the completion of the Great Lakes-St. Lawrence waterway. The efforts which have been made to influence our taking over this canal bear the color of trickery by New York politicians and special interests who selfishly want to delay or prevent the development of the St. Lawrence waterway. New York never ceases in its selfish endeavors to divert every possible avenue for commerce through its great port. The friends of the Great Lakes-St. Lawrence waterway stand firmly against the taking over of New York's "white elephant," and I sincerely hope that this section of the bill will be defeated, or that if the bill passes the House and Senate that the President will veto it. The President is definitely committed to the Great Lakes-St. Lawrence waterway, but his stalwart leaders seem to care more about their share of the pork barrel than they do about his wishes.

My district, the ninth Wisconsin, has a coast line of approximately 200 miles upon Lake Michigan and Green Bay. There are five principal harbors and a number of small harbors in this long stretch. Green Bay Harbor, at the mouth of the Fox River, is the largest of these and is one of the large harbors of the Great Lakes. During 1929 this harbor handled a volume of traffic estimated by the Army engineers at 1,786,446 tons, with a value of $38,390,900. The bill before us carries a provision for the survey of this harbor, with a view to widening the outer channel to a minimum of 500 feet and removing shoals at the entrance of the East River, widening the river channel, and providing a turning basin in this area. Green Bay is the natural outlet by water route for the farm products and manufactured articles of a large portion of the State of Wisconsin. The immediate and enormous development of this harbor with the completion of the St. Lawrence seaway is very easily foreseen. The present depth of the harbor is adequate for the accommodation of any of the boats on the Great Lakes. The proposed survey is desired chiefly to widen the channel and to provide an accessible turning basin.

Appropriations already made and available to complete the work on the present project as of April 1, 1930, amount to $183,047.82. Dredging operations now under way to increase the depth of the outer channel to 21 feet, part of which is being done under contract, are expected to be completed by October 1, 1930. An additional allotment of $35,000 for the next fiscal year is promised by the Chief of Engineers.

Green Bay adopted a harbor-commission plan a few years ago under the State laws, and a harbor commission was appointed, whose duties are to supervise and direct the development of the harbor. It is recognized that the city of Green Bay and the shipping interests there are obliged to make certain improvements on their own part for the development and improvement of the harbor. This doubtless will be done in due time. Those directly interested in the commerce handled at Green Bay seem to recognize fully the value of the harbor to the future development of Green Bay. Their continued cooperation with the Government in improving the harbor will doubtless result in the development of that harbor to the point where it will compare favorably with the first-class harbors on the Great Lakes.

Since I have been a Member of Congress, Green Bay interests have asked for no improvements to this harbor, but that they have been provided by the Government. They have asked only for what was reasonable and proper as a harbor improvement, which could be justified by the commerce handled in the port. Neither Green Bay interests nor their Representative in Congress have asked for any expenditures for harbor improvement that come within the category properly termed pork-barrel expenditures, and the present improvements sought are in no sense unjustified and can not possibly be tainted by pork-barrel insinuations. Because the interests and Representatives of other districts have by various means and deals secured outrageous legislative appropriations not in any way justified by the importance of the ports or their possible development is no reason for Green Bay interests or their Representative in Congress to join the marauders and become a part of this looting of the Public Treasury.

CONSTRUCTION OF CERTAIN NAVAL PUBLIC WORKS

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent to take from the table the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, with House amendments, insist on the House amendments, and ask for a conference.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill S. 549, with House amendments, insist on the House amendments, and ask for a conference. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, has the gentleman consulted with the conferee on this side of the House?

Mr. WOODRUFF. Mr. Speaker, I was not sure about who the conferee was going to be, although I was satisfied it would be the gentleman from Georgia [Mr. VINSON]. While I have not discussed this matter with Mr. VINSON to-day, nor since the day when the bill was passed, yet at that time he expressed a wish to see the bill go to conference.

Mr. GARNER. Mr. Speaker, that is an indefinite statement. I think when a gentleman gets up here and asks unanimous consent to insist on amendments to a Senate bill and ask for a conference he ought at least to have taken the precaution to consult with the member on this side of the House. I suppose that Mr. VINSON would not object to going to conference, but I do insist that that rule shall be followed, and in this instance I shall have to object until Mr. VINSON can be consulted.

Mr. WOODRUFF. Will the gentleman withhold his objection for a moment?

Mr. GARNER. Yes.

Mr. WOODRUFF. I have already talked about taking this bill to conference with the gentleman from Georgia [Mr. VINSON], and he had no objection to it, but I have not consulted with him since the time I have just stated.

Mr. GARNER. Then the gentleman takes the responsibility of saying for the RECORD that it is agreeable to the gentleman from Georgia that his request be granted?

Mr. WOODRUFF. I take that responsibility with this qualification, unless Mr. VINSON has changed his mind since I last talked with him. I want the gentleman to understand that I would not try to mislead the House.

Mr. GARNER. I am just talking about a rule of this House, and it is a good one. If a Member in charge asks unanimous consent to send a bill to conference he ought at least to have consulted some Member on this side who is responsible. I shall not object in this instance, but I give warning—and I have given it two or three times before—that I shall object. It is nothing but courtesy when a gentleman asks unanimous consent in such a case as this to give us an opportunity to say yes or no.

Mr. WOODRUFF. I will take this up with the gentleman from Georgia [Mr. VINSON], and if he has the least objection, I will be glad to bring the whole matter back to the House.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection; and the Speaker appointed as the conferees, on the part of the House, Mr. WOODRUFF, Mr. DARROW, and Mr. VINSON of Georgia.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California; and

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned, pursuant to the order previously made, until Monday, April 28, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, April 28, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

To regulate State quarantine against the shipment of diseased livestock and poultry (H. J. Res. 304).

COMMITTEE ON THE DISTRICT OF COLUMBIA—SUBCOMMITTEE ON THE JUDICIARY

(10.30 a. m.)

To license and regulate the business of making loans in sums of $300 or less, secured or unsecured, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating assignments of wages and salaries when given as security for any such loans, and for other purposes (H. R. 7628).

COMMITTEE ON ELECTIONS NO. 2

(10 a. m.)

To consider the election contest between H. F. Lawrence and Jacob L. Milligan.

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

To establish a reservoir system of flood control on the tributaries of the Mississippi River (H. R. 9376).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

422. A communication from the President of the United States, transmitting a draft of proposed bill affecting an existing appropriation to enable the Department of Agriculture, during the fiscal year 1931, to enlarge and strengthen the work of collecting and dissemination to American producers, importers, and exporters and other persons, information relative to the world supply of and need for American agricultural products (H. Doc. No. 365); to the Committee on Appropriations and ordered to be printed.

423. A communication from the President of the United States, transmitting supplemental estimate of appropriation amounting to $37,500 for the Department of Agriculture, fiscal year 1931, for an additional amount for farm management and practice to be used in making an agricultural survey in the Southeastern States (H. Doc. No. 366); to the Committee on Appropriations and ordered to be printed.

424. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Department of Justice for the fiscal years 1930 and 1931, amounting to $136,020; also a draft of proposed legislation affecting an existing appropriation (H. Doc. No. 367); to the Committee on Appropriations and ordered to be printed.

425. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Civil Service Commission for the fiscal years 1930 and 1931, amounting to $180,000 (H. Doc. No. 368); to the Committee on Appropriations and ordered to be printed.

426. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the War Department for the fiscal year 1930, to remain available until June 30, 1932, amounting to $225,000, for monument on Kill Devil Hill, Kitty Hawk, N. C. (H. Doc. No. 369); to the Committee on Appropriations and ordered to be printed.

427. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on Wappinger Creek, N. Y., covering navigation, flood control, power development, and irrigation; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. HALL of Indiana: Committee on the District of Columbia. S. 2400. An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital; without amendment (Rept. No. 1319). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. ALLGOOD: Committee on War Claims. S. 193. An act for the relief of the Union Shipping & Trading Co. (Ltd.); without amendment (Rept. No. 1281). Referred to the Committee of the Whole House.

Mr. ALLGOOD: Committee on War Claims. S. 1963. An act for the relief of members of the crew of the transport *Antilles*; without amendment (Rept. 1282). Referred to the Committee of the Whole House.

Mr. HOOPER: Committee on War Claims. S. 2219. An act for the relief of the city of New York; with amendment (Rept. No. 1283). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 304. An act for the relief of Cullen D. O'Bryan and Lettie A. O'Bryan; without amendment (Rept. No. 1284). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 328. An act for the relief of Edward C. Dunlap; without amendment (Rept. No. 1285). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 670. An act for the relief of Charles E. Anderson; without amendment (Rept. No. 1286). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 671. An act for the relief of E. M. Davis; without amendment (Rept. No. 1287). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 857. An act for the relief of Gilbert Peterson; without amendment (Rept. No. 1288). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 968. An act for the relief of Anna Faceina; without amendment (Rept. No. 1289). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1252. An act for the relief of Christina Arbuckle, administratrix of the estate of John Arbuckle, deceased; without amendment (Rept. No. 1290). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1254. An act for the relief of Kremer & Hog, a partnership; without amendment (Rept. No. 1291). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1255. An act for the relief of the Gulf Refining Co.; without amendment (Rept. No. 1292). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1256. An act for the relief of the Federation Bank & Trust Co., New York, N. Y.; without amendment (Rept. No. 1293). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1257. An act for the relief of the Beaver Valley Milling Co.; without amendment (Rept. No. 1294). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1702. An act for the relief of George W. Burgess; without amendment (Rept. No. 1295). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1798. An act for the relief of Alice M. A. Damm; without amendment (Rept. No. 1296). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1945. An act or the relief of Nellie Francis; with amendment (Rept. No. 1297). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1955. An act for the relief of the Maddux Air Lines (Inc.); without amendment (Rept. No. 1298). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1971. An act for the relief of Buford E. Ellis; without amendment (Rept. No. 1299). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1979. An act for the relief of Warren J. Clear; without amendment (Rept. No. 1300.) Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2166. An act for the relief of Richard Riggles; without amendment (Rept. No. 1301). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2465. An act for relief of C. A. Chitwood; without amendment (Rept. No. 1302). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2467. An act for the relief of William Hensley; without amendment (Rept. No. 1303). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2788. An act for the relief of A. R. Johnston; without amendment (Rept. No. 1304). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2864. An act for the relief of certain lessees of public lands in the State of Wyoming under the act of February 25, 1920, as amended; without amendment (Rept. No. 1305). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2873. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy; without amendment (Rept. No. 1306). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2972. An act for the relief of DeWitt & Shobe; without amendment (Rept. No. 1307). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3038. An act for the relief of the National Surety Co.; without amendment (Rept. No. 1308). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3039. An act for the relief of the estate of George B. Spearin, deceased; without amendment (Rept. No. 1309). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3284. An act for the relief of the Buck Creek Oil Co.; without amendment (Rept. No. 1310). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3577. An act for the relief of John Wilcox, jr.; without amendment (Rept. No. 1311). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3623. An act for reimbursement of James R. Sheffield, formerly American ambassador to Mexico City; without amendment (Rept. No. 1312). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3642. An act for the relief of Mary Elizabeth Council; without amendment (Rept. No. 1313). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3664. An act for the relief of T. B. Cowper; without amendment (Rept. No. 1314). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3665. An act for the relief of Vida T. Layman; without amendment (Rept. No. 1315). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3666. An act for the relief of the Oregon Short Line Railroad Co., Salt Lake City, Utah; without amendment (Rept. No. 1316). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 3726. An act for the relief of the owner of the American steam tug *Charles Runyon;* without amendment (Rept. No. 1317). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on the Public Lands. S. 1203. An act authorizing the Secretary of the Interior to convey certain lands to the county of Douglas, Oreg., for park purposes; without amendment (Rept. No. 1318). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on the Territories was discharged from the consideration of the bill (H. R. 10647) to extend the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries in the performance of their duties, and for other purposes," to Frank A. Boyle, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DEMPSEY: A bill (H. R. 11933) granting the consent of Congress to the construction of a bridge across the east branch of the Niagara River; to the Committee on Interstate and Foreign Commerce.

By Mr. BOWMAN: A bill (H. R. 11934) authorizing the Monongahela Bridge Co. to construct, maintain, and operate a bridge across the Monongahela River at or near the town of Star City, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. MICHENER: A bill (H. R. 11935) exempting building and loan associations from being adjudged involuntary bankrupts; to the Committee on the Judiciary.

By Mr. McDUFFIE: A bill (H. R. 11936) authorizing the purchase, establishment, and maintenance of an experimental farm or orchard in Mobile County, State of Alabama, and authorizing an appropriation therefor; to the Committee on Agriculture.

By Mr. CAMPBELL of Pennsylvania: Joint resolution (H. J. Res. 316) providing for participation in the dedication of a memorial park in commemoration of the ending of the western rebellion, generally known as the Whisky Insurrection of 1794, and establishing a commission to participate in said dedication; to the Committee on Rules.

By Mr. CELLER: Joint resolution (H. J. Res. 317) to authorize the issuance of a special postage stamp commemorating the two hundredth anniversary of the birth of Baron Frederick William von Steuben; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEERS: A bill (H. R. 11937) granting an increase of pension to Sarah E. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11938) granting an increase of pension to Ida A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11939) granting an increase of pension to Anna M. Mitchell; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 11940) granting a pension to E. Butler; to the Committee on Pensions.

Also, a bill (H. R. 11941) granting a pension to Mamie Partridge; to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 11942) for the relief of Eddie Ray Turner; to the Committee on Naval Affairs.

By Mr. FULLER: A bill (H. R. 11943) granting a pension to Lutecia Lewis; to the Committee on Invalid Pensions.

By Mr. GLOVER: A bill (H. R. 11944) granting a pension to Mary P. De Witt; to the Committee on Invalid Pensions.

By Mr. GUYER: A bill (H. R. 11945) granting an increase of pension to Ruth Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11946) granting an increase of pension to Annie C. Eldridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11947) granting an increase of pension to Sallie Marple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11948) granting a pension to Samuel W. Carnes; to the Committee on Pensions.

Also, a bill (H. R. 11949) for the relief of John E. Davidson; to the Committee on Naval Affairs.

By Mr. HALL of Indiana: A bill (H. R. 11950) granting a pension to Elizabeth Zeller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11951) granting a pension to George E. Stevens; to the Committee on Pensions.

By Mr. HARDY: A bill (H. R. 11952) granting an increase of pension to Elva S. Nichols; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 11953) for the relief of Dr. C. A. Falk and the St. Joseph Hospital, both of Eureka, Calif.; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 11954) granting an increase of pension to Emma Ernst; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 11955) for the relief of Marion Eugian Sams; to the Committee on Naval Affairs.

By Mr. PERKINS: A bill (H. R. 11956) granting an increase of pension to Emma Cordelia Opdyke; to the Committee on Invalid Pensions.

By Mr. PRALL: A bill (H. R. 11957) for the relief of Mary F. Tranter, administratrix of the estate of George C. Tranter, deceased; to the Committee on Claims.

Also, a bill (H. R. 11958) for the relief of Daniel T. Manning; to the Committee on Claims.

By Mr. ROBINSON: A bill (H. R. 11959) granting an increase of pension to Sarah M. Moss; to the Committee on Invalid Pensions.

By Mr. SHORT of Missouri: A bill (H. R. 11960) granting an increase of pension to Mary C. Small; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 11961) for the relief of William John Greaves; to the Committee on War Claims.

By Mr. TREADWAY: A bill (H. R. 11962) for the relief of Jean I. R. Droppers; to the Committee on Claims.

By Mr. UNDERWOOD: A bill (H. R. 11963) granting an increase of pension to Ann Maria James; to the Committee on Invalid Pensions.

By Mr. WOOD: A bill (H. R. 11964) for the relief of Edward F. Gruver Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7103. By Mr. BLOOM: Petition of citizens of Washington, D. C., opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto, definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

7104. By Mr. BRIGHAM: Resolution by the Cornwall Grange, No. 304, Cornwall, Vt., expressing disapproval of the plan for farm relief known as the debenture plan, signed by Willard C. Bruso, master, and Dorothy Angel, secretary; to the Committee on Ways and Means.

7105. By Mr. CRAMTON: Memorial of the board of directors of the National Federation of Music Clubs, favoring the bill for the commissioning of band leaders in the United States Army; to the Committee on Military Affairs.

7106. By Mr. CULLEN: Resolution of the Central Trades and Labor Council of Greater New York and Vicinity, urging that the War Department abandon the policy of using prisoners to perform work that might be performed by civilians, and that Congress before its adjournment provide the necessary funds to carry out this reform; to the Committee on Military Affairs.

7107. Also, resolution of the Memphis Cotton Exchange, requesting Congress to make a full and complete investigation of the activities of the Federal Farm Board and the several cooperative marketing associations which are receiving Government aid through this board relative to what has already been made of funds advanced to these associations; to the Committee on Agriculture.

7108. By Mr. GARBER of Oklahoma: Petition of Immigrants' Protective League of Chicago, in opposition to registration of aliens; to the Committee on Immigration and Naturalization.

7109. Also, petition of Memphis Cotton Exchange, Memphis, Tenn., relative to the activities of the Federal Farm Board; to the Committee on Agriculture.

7110. By Mr. GUYER: Petition of employees of the Railway Mail Service at the Kansas City (Mo.) terminal, urging favorable consideration of House bill 6603, to provide for a 44-hour week for postal workers; to the Committee on the Post Office and Post Roads.

7111. By Mr. KENDALL of Pennsylvania: Petition of certain citizens of Friedens, Pa., asking for increase of pensions for Spanish-American War veterans; to the Committee on Pensions.

7112. By Mr. KINZER: Petition of Christian M. Kendig and other citizens of Lancaster County, Pa., advocating passage of Robsion-Capper free public school bill, H. R. 10; to the Committee on Education.

7113. By Mr. LINDSAY: Petition of International Association of Bridge, Structural, and Ornamental Iron Workers, Local Union No. 361, Brooklyn, N. Y., urging the enactment of House bill 10343 as being vital to the welfare of thousands of American citizens; to the Committee on Immigration and Naturalization.

7114. Also, petition of International Association of Machinists, National Lodge, No. 556, Government employees, urging immediate enactment of House bill 712; to the Committee on the Civil Service.

7115. Also, petition of Thomas F. Strong and five other individual letters from citizens of the third congressional district, Brooklyn, N. Y., registering protest against the Federal education bill, H. R. 10, and contending that education is a local matter and not for governmental administration; to the Committee on Education.

7116. By Mr. LINTHICUM: Petition of the "40" Club, of Baltimore, Md., signed by John A. Kay, secretary, and others, favoring passage of Jones-Gibson bill, S. 471 and H. R. 712; to the Committee on the Civil Service.

7117. Also, petition of Carpenters' Local Union No. 101, Baltimore, Md., registering opposition to tariff on lumber; to the Committee on Ways and Means.

7118. Also, petition of Heise & Bruns Mill & Lumber Co., of Baltimore, Md., urging birch and maple be placed upon the free list; to the Committee on Ways and Means.

7119. Also, petition of George Blome & Son Co., Baltimore, Md., requesting the 18-cent duty on dried egg albumen be continued; to the Committee on Ways and Means.

7120. Also, petition of Katherine F. Steiger, of Baltimore, Md., desiring exemption on cement industry eliminated; to the Committee on Ways and Means.

7121. Also, petition of Leon Simon, Baltimore, Md., requesting protection on the cement industry from foreign importations; to the Committee on Ways and Means.

7122. Also, petition of Kelly Springfield Tire Co., Cumberland, Md., registering opposition to duty on long-staple cotton; to the Committee on Ways and Means.

7123. Also, petition of the Baltimore Federation of Labor and the Musical Union of Baltimore City, urging favorable action on immigration bill, H. R. 10343; to the Committee on Immigration and Naturalization.

7124. Also, petition of Wilbur M. Carroll and John D. Richardson, both of Baltimore, favoring passage of Kendall bill (H. R. 6603), 44-hour week schedule; to the Committee on the Post Office and Post Roads.

7125. By Mr. MANLOVE: Petition of P. A. Carroll, of 6 East Adams Street, Stockton, Calif., and 155 other citizens of Stockton, Calif., urging Congress to speedily pass the Manlove bill (H. R. 8976) for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7126. Also, petition of Charles C. Cobb and 32 other citizens of Owatonna, Minn., urging Congress to speedily pass the Manlove bill (H. R. 8976) for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7127. By Mr. O'CONNOR of Oklahoma: Petition of Roy V. Sheldon and 17 other citizens of Oklahoma, indorsing House bill 10821; to the Committee on Education.

7128. Also, petition of W. H. Stallsmuth and nine other citizens of Delaware, Okla., urging support of House bill 229; to the Committee on the Post Office and Post Roads.

SENATE

MONDAY, *April 28, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and the Chief Clerk read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., April 28, 1930.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. SIMEON D. FESS, a Senator from the State of Ohio, to perform the duties of the Chair this legislative day.

GEO. H. MOSES,
President pro tempore.

Mr. FESS thereupon took the chair as Presiding Officer and said: In view of the fact that a recess was taken on last Friday without a quorum, the first business in order is a call of the roll. The clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Dill	Jones	Shipstead
Ashurst	Fess	Kean	Shortridge
Baird	Frazier	Kendrick	Smoot
Barkley	George	Keyes	Steck
Bingham	Gillett	La Follette	Steiwer
Black	Glass	McKellar	Stephens
Blaine	Glenn	McNary	Sullivan
Blease	Goldsborough	Norris	Swanson
Borah	Gould	Nye	Thomas, Idaho
Bratton	Greene	Oddie	Thomas, Okla.
Brock	Hale	Overman	Townsend
Broussard	Harris	Patterson	Trammell
Capper	Harrison	Phipps	Vandenberg
Carraway	Hastings	Pine	Wagner
Connally	Hatfield	Pittman	Walcott
Copeland	Hawes	Ransdell	Walsh, Mass.
Couzens	Hayden	Robinson, Ind.	Walsh, Mont.
Cutting	Hebert	Robsion, Ky.	Waterman
Dale	Howell	Schall	Watson
Deneen	Johnson	Sheppard	Wheeler

Mr. SHEPPARD. I announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

I also desire to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] are returning from the London Naval Conference.

Mr. NORBECK. My colleague [Mr. MCMASTER] is unavoidably absent from the city. I ask that this announcement may stand for the day.

Mr. BLACK. I desire to announce that my colleague the senior Senator from Alabama [Mr. HEFLIN] is necessarily detained in his home State on matters of public importance.

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOODRUFF, Mr. DARROW, and Mr. VINSON of Georgia were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 11704) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation, and it was signed by the Presiding Officer [Mr. FESS] as Acting President pro tempore.

TURKEY THICKET PLAYGROUND

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3441) to effect the consolidation of the Turkey Thicket playground, recreation and athletic field, which was, on page 1, to strike out all after the word "That," in line 3, down to and including the word "purpose," in line 10.

Mr. CAPPER. Mr. President, the amendment of the House of Representatives merely improves the language of the bill, and does not in any way affect its terms. I move that the Senate concur in the House amendment.

The motion was agreed to.

PETITIONS AND MEMORIALS

The PRESIDING OFFICER laid before the Senate a resolution adopted by the Committee of Fifty, Florida Citrus Growers' Clearing House Association, at Winter Haven, Fla., relative to the inspection and eradication work and quarantine regulations in connection with the Mediterranean fruit-fly campaign, which was referred to the Committee on Appropriations.

Mr. PATTERSON presented petitions of 211 citizens of Springfield, Kansas City, and St. Louis, all in the State of Missouri, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

Mr. WALCOTT presented a resolution adopted by the Board of Aldermen of the City of Derby, Conn., favoring the passage of legislation dedicating October 11 of each year as General Pulaski's memorial day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

He also presented papers in the nature of petitions from Milardo Wilcox Unit, No. 75, the American Legion Auxiliary, Department of Connecticut, of Middletown, and Local Union No. 11, Bakery and Confectionery Workers' International Union of America, at New Haven, both in the State of Connecticut, favoring the passage of the so-called Johnson bill, for the restriction of immigration from Mexico, Latin America, and the Western Hemisphere, which were referred to the Committee on Immigration.

He also presented papers in the nature of petitions from Franz Daniel Pastorius Unit, No. 122, Steuben Society of America, of New Britain, and the unit of the Steuben Society of America, at Stamford, in the State of Connecticut, favoring the passage of the joint resolution (S. J. Res. 3) proposing an amendment to the Constitution of the United States fixing the commencement of the terms of President and Vice President and Members of Congress and fixing the time of the assembling of Congress, which were ordered to lie on the table.

He also presented telegrams and letters in the nature of petitions from Lodge No. 332, Brotherhood of Railroad Trainmen, of Norwalk; Hartford Lodge, No. 186, Brotherhood of Railway and Steamship Clerks, of Hartford; Lodge No. 2126, of Bridgeport, and Lodge No. 224, of New Haven, both of the Order of Railroad Telegraphers and the Brotherhood of Railway Clerks, of New Haven, all in the State of Connecticut, praying for the passage of Senate Joint Resolution 161, suspending the authority of the Interstate Commerce Commission to approve of any consolidation or unification of railroads until further action is taken by Congress to protect the interest of the public and the employees, which were referred to the Committee on Interstate Commerce.

He also presented papers in the nature of petitions from Franz Daniel Pastorius Unit, No. 122, the Steuben Society of America, at New Britain, and the Stamford unit of the Steuben Society of America, at Stamford, both in the State of Connecticut, favoring the passage of legislation authorizing the Postmaster General to design and issue a special postage stamp commemorating the two hundredth anniversary of the birth of Baron von Steuben, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by Court No. 799, Catholic Daughters of America, of Fairfield, Conn., protesting against the passage of legislation creating a Federal department of education, which was referred to the Committee on Education and Labor.

He also presented letters in the nature of petitions from Local Union No. 39, Sheet Metal Workers' International Association, of Fairfield County, and Local Union No. 12, United Slate, Tile, and Composition Roofers, Damp and Waterproof Workers' Association, of West Cheshire, both in the State of Connecticut, favoring the passage of House bill 9232, to regulate the rates of wages to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia, which were referred to the Committee on Education and Labor.

He also presented papers in the nature of petitions from Franz Daniel Pastorius Unit, No. 122, of New Britain, and the Stamford unit of the Steuben Society of America, both in the State of Connecticut, favoring the passage of legislation providing for the erection of a memorial to commemorate the services of Col. Conrad Weiser, which were referred to the Committee on Military Affairs.

He also presented a telegram and letters in the nature of petitions from the American Legion Auxiliary, of New Haven; the American Legion, of Hartford; and Rau-Locke Post, No. 8 and the American Legion Auxiliary, of Hartford, all in the State of Connecticut, praying for the passage of the so-called Reed-Snell universal service resolution, which were referred to the Committee on Military Affairs.

REPORT OF PUBLIC BUILDINGS COMMISSION

Mr. SMOOT presented the annual report of the Public Buildings Commission for the calendar year 1929, which was ordered to be printed as a Senate document, with illustrations.

REPORTS OF COMMITTEES

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the joint resolution (H. J. Res. 181) to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922, reported it with amendments and submitted a report (No. 544) thereon.

He also, from the same committee, to which was referred the bill (S. 196) to provide for uniform administration of the national parks by the United States Department of the Interior, and for other purposes, reported it with an amendment and submitted a report (No. 545) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 8713) granting land in Wrangell, Alaska, to the town of Wrangell, Alaska (Rept. No. 546);

A bill (H. R. 8763) to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park in the State of Wisconsin, and for other purposes (Rept. No. 547); and

A bill (H. R. 10581) to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes (Rept. No. 548).

Mr. McNARY, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 4057) authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain revested and reconveyed lands in the State of Oregon (Rept. No. 552); and

A bill (H. R. 8052) authorizing the heirs of Elijah D. Myers to purchase land in section 7, township 28 south, range 11 west, Willamette meridian, county of Coos, State of Oregon (Rept. No. 553).

Mr. McNARY also, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2043) to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes, reported it without amendment and submitted a report (No. 551) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4227) to authorize the Board of Education of the District of Columbia to make certain provisions for the relief of congestion in the public schools of the District of Columbia, reported it without amendment and submitted a report (No. 549) thereon.

Mr. WALSH of Massachusetts, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 2161) to convey to the city of Waltham, Mass., certain Government land for street purposes, reported it without amendment and submitted a report (No. 555) thereon.

Mr. GOULD, from the Committee on Immigration, to which was referred the bill (S. 2836) to admit to the United States Chinese wives of certain American citizens, reported it without amendment and submitted a report (No. 556) thereon.

Mr. STEPHENS, from the Committee on Immigration, to which was referred the bill (S. 226) authorizing the issuing of certificates of arrival to persons born in the United States who are now aliens, reported it without amendment and submitted a report (No. 557) thereon.

Mr. ALLEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3273) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter and to fix the fees chargeable therefor, reported it without amendment and submitted a report (No. 550) thereon.

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3276) to enable the postmaster to designate employees to act for him, including the signing of checks in his name, reported it without amendment and submitted a report (No. 554) thereon.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3272) to authorize the dispatch from the mailing post office of metered permit matter of the first class prepaid at least 2 cents but not fully prepaid and to authorize the acceptance of third-class matter without stamps affixed in such quantities as may be prescribed, reported it without amendment and submitted a report (No. 558) thereon.

Mr. STECK, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3277) to provide against the withholding of pay when employees are removed for breach of contract to render faithful service, reported it with amendments and submitted a report (No. 559) thereon.

Mr. BINGHAM, from the Committee on Appropriations, to which was referred the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, reported it with amendments and submitted a report (No. 560) thereon.

Mr. KEYES, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 7768) to provide for the sale of the old post office and courthouse building and site at Syracuse, N. Y., reported it with an amendment and submitted a report (No. 561) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 2902) to authorize the sale of the Government property acquired for a post-office site in Binghamton, N. Y. (Rept. No. 562);

A bill (H. R. 3246) to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio (Rept. No. 563);

A bill (H. R. 8578) to sell the present post-office site and building at Dover, Del. (Rept. No. 564);

A bill (H. R. 8918) authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city (Rept. No. 565);

A bill (H. R. 9324) to dedicate for street purposes a portion of the old post-office site at Wichita, Kans. (Rept. No. 566);

A bill (H. R. 9407) to amend the act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians (Rept. No. 567);

A bill (H. R. 9437) to authorize a necessary increase in the White House police force (Rept. No. 568); and

A bill (H. R. 9845) to authorize the transfer of Government-owned land at Dodge City, Kans., for public-building purposes (Rept. No. 569).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FESS:

A bill (S. 4299) granting a pension to Maude Thurman (with accompanying papers); to the Committee on Pensions.

By Mr. GREENE:

A bill (S. 4300) granting an increase of pension to Edna L. Jackson; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 4301) granting an increase of pension to Aileen Oakley Griffith; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 4302) for the relief of Davis, Howe & Co.; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 4303) authorizing the head of any executive department or officer to furnish copies of books, records, and papers within his custody, and permit the admission in evidence of such copies; to the Committee on Commerce.

By Mr. OVERMAN:

A bill (S. 4304) amending chapter 209, Thirty-seventh Statutes, page 189, approved July 6, 1912, being an act entitled "An act for the transfer of the so-called Olmstead lands in the State of North Carolina from the Solicitor of the Treasury to the Secretary of Agriculture"; to the Committee on Agriculture and Forestry.

By Mr. WHEELER:

A bill (S. 4305) granting compensation to Joseph C. Eastland; and

A bill (S. 4306) for the relief of Clarence G. Young; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 4307) to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; to the Committee on the District of Columbia.

By Mr. BRATTON:

A bill (S. 4308) to authorize the Secretary of the Interior to issue patents for lands held under color of title; to the Committee on Public Lands and Surveys.

By Mr. HARRIS:

A bill (S. 4309) to provide for the appointment of an additional district judge for the northern district of Georgia; to the Committee on the Judiciary.

By Mr. HAYDEN:

A bill (S. 4310) making an additional grant of lands for the benefit of schools and asylums for the deaf, dumb, and blind of the State of Arizona; to the Committee on Public Lands and Surveys.

By Mr. JONES (by request):

A bill (S. 4311) amending the interstate commerce act by adding a new section as section 28; to the Committee on Interstate Commerce.

By Mr. PATTERSON (by request):

A joint resolution (S. J. Res. 168) declaring the transfer of he St. Charles Bridge over the Missouri River on National Highway No. 40 not a sale; to the Committee on Commerce.

By Mr. BLEASE:

A joint resolution (S. J. Res. 169) authorizing an appropriation of $25,000 to assist in the construction of a highway leading to the Kings Mountain battle field, South Carolina; to the Committee on Agriculture and Forestry.

CHANGE OF REFERENCE

On motion of Mr. KEYES, the Committee on Commerce was discharged from the further consideration of the bill (H. R. 10652) to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio research investigations, and it was referred to the Committee on Public Buildings and Grounds.

HOUSE BILL REFERRED

The bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

AMENDMENTS TO THE RIVER AND HARBOR BILL

COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW PORTLAND, OREG.

Mr. MCNARY submitted an amendment intended to be proposed by him to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

BRUNSWICK HARBOR, GA., AND INTRACOASTAL WATERWAY FROM PENSACOLA BAY, FLA., TO MOBILE BAY, ALA.

Mr. HARRIS submitted amendments intended to be proposed by him to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

JAMES RIVER, VA., IMPROVEMENT

Mr. SWANSON. I submit an amendment intended to be proposed to the river and harbor bill. This amendment has reference to the James River, Va., improvement. It proposes to strike out the provision of limitation put on the bill as passed by the House in reference to this improvement and allows the improvement to be made, if the amendment is adopted, as reported by the Board of Engineers. I will not discuss this matter at this time, but when it comes before the committee and the Senate I shall furnish ample and convincing proof that the recommendation of the Board of Engineers should be followed and that it can not be altered as proposed by the House without an impairment of the good to be accomplished by the improvement. I move that the proposed amendment be printed and referred to the Committee on Commerce.

The motion was agreed to.

BRIEF RELATIVE TO TRANSPORTATION CHARGES

Mr. MCNARY submitted the following resolution (S. Res. 254), which was referred to the Committee on Interstate Commerce:

Resolved, That the Committee on Interstate Commerce is hereby authorized to have prepared for the use of the Senate, at a cost not to exceed $5,000, to be paid out of the contingent fund of the Senate, a brief in reply to the brief of the American Association of Railway Executives relating to transportation charges in the United States and Canada (S. Doc. 219, 70th Cong., 2d sess.). Upon the receipt of the manuscript of such brief it is authorized to be printed as a Senate document.

NATIONAL APPROPRIATIONS AND EXPENDITURES

Mr. MCKELLAR submitted the following resolution (S. Res. 255), which was ordered to lie on the table:

Whereas under date of April 18, 1930, the President, in a letter to the Hon. WESLEY L. JONES, chairman of the Senate Committee on Appropriations, states that "a reexamination of our fiscal situation for the next year by the Director of the Budget shows * * * we are faced with a deficit of some twenty or thirty millions of dollars"; and

Whereas the President further states in said letter: "Something over 125 acts have been passed by either the Senate or the House or favorably reported by different committees, which would authorize an additional expenditure of three hundred or three hundred fifty million dollars next year"; and

Whereas the President further states in said letter: "* * * I know you will agree with me that there is cause for real alarm in the situation * * *"; and

Whereas it is exceedingly important that Congress and especially the Appropriations Committees of the Senate and the House be advised as to just what the acts referred to in such letter are: Therefore be it

Resolved, That the President is respectfully requested, if not incompatible with the public interest, to furnish to the Senate a list of the "something over 125 acts" in order that they may be examined to the end that the facts in the possession of the President may be had by the Appropriations Committee of the Senate for use by it in the consideration of appropriation measures, and which of such appropriation measures providing for expenditures that he approves and those which he disapproves, in order that improper, wasteful, or improvident expenditures may be better prevented.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing were communicated to the Senate from the President of the United States, by Mr. LATTA, one of his secretaries, who also announced that the President had approved and signed the following joint resolution and bill:

On April 24, 1930:

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

On April 25, 1930:

S. 3135. An act granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

CLAIM BY COMMUNITY AUTHORITIES OF RZECZYCZANY, POLAND (S. DOC. NO. 137)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report from the Acting Secretary of State in regard to a claim presented by the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyczany, Poland, to which place an insane alien was erroneously deported. The conclusion reached by the Acting Secretary of State has my approval, and I recommend that the Congress authorize an appropriation of $152.35 to be paid to the Polish Government.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1930.*

(Inclosure as above.)

CRIMINAL LAW ENFORCEMENT (S. DOC. NO. 136)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on the Judiciary, and ordered to be printed:

To the Congress of the United States:

In my messages of June 6 and December 3, 1929, I placed before Congress the urgency of certain improvements necessary to effective criminal law enforcement. Substantial progress has been made upon some of the measures proposed, yet we are nearing the end of the present session, and I can not too strongly urge the necessity of action upon all these recommendations before adjournment.

The most important recommendations made by me were five in number:





1. There should be a transfer of the functions of detection and prosecution of prohibition cases from the Treasury Department to the Department of Justice, and thus an ending of divided responsibility and effort. An act providing for this transfer was passed by the House of Representatives and has now been reported to the Senate by its Judiciary Committee.

2. There must be relief afforded from congestion in the courts. While this congestion is evidenced by the dockets in many courts, its full implications are not shown by them. The so-called bargain days, when light fines are imposed as the result of pleas of guilty, clear the docket but the result distinctly undermines respect for law. No conclusion appears to have been reached as to the method of accomplishing this either by the Judiciary Committee of the Senate or by the Judiciary Committee of the House of Representatives.

3. There must be extension of Federal prisons with more adequate parole system and other modern treatment of prisoners. We have already 11,985 prisoners in Federal establishments built for 6,946. The number of Federal prisoners in Federal and State institutions increased 6,277 in the nine months from June 30, 1929, to April 1, 1930. The Attorney General has stated that we can not hope to enforce the laws unless we can have some point of reception for convicted persons. The overcrowding of the prisons themselves is inhumane and accentuates criminal tendencies. Bills providing for this relief were passed by the House and are now, I understand, in course of being reported to the Senate by the Judiciary Committee.

4. We are in need of vigorous reorganization of the border patrol in order to consolidate various agencies so as effectually to prevent illegal entry of both aliens and goods. Proposals to bring about such reorganization are before the committees of Congress.

5. The District of Columbia is without an adequate prohibition enforcement law. A bill for that purpose has been introduced and hearings have been held before the Senate District Committee. It should contain the safeguards recommended by the Attorney General.

We have within the limits of existing legislation improved the personnel and greatly increased the efficiency of the existing Federal machinery in criminal law enforcement during the past year. The above reforms are necessary, however, if I am to perform the high duty which falls upon the Executive of enforcement of the Federal laws.

While a considerable part of this condition arises from the laws relating to intoxicating liquors, yet the laws relating to narcotics, automobile thefts, and so forth, which have been enacted by the Congress during recent years, also contribute to create the present conditions. This is well indicated by the fact that less than one-third of Federal prisoners are due to prohibition.

Our obedience to law, our law enforcement and judicial organization, our judicial procedure, our care and methods of handling prisoners, in relation to not only Federal Government but also to the State and municipal governments, are far from the standards that must be secured. These proposals, while they do not comprehend the whole which remains to be done in the Nation, are a step toward lifting the Federal standards which must have a general beneficial influence.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1930.*

RELIEF OF UNEMPLOYMENT

The PRESIDING OFFICER. The Chair lays before the Senate the special order for this hour, Senate bill 3059.

The CHIEF CLERK. A bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during periods of business depression.

Mr. WAGNER obtained the floor.

Mr. OVERMAN. Mr. President, will the Senator from New York yield to me?

Mr. WAGNER. I yield to the Senator from North Carolina.

NOMINATION OF JUDGE JOHN J. PARKER

Mr. OVERMAN. Mr. President, I was chairman of the subcommittee of the Committee on the Judiciary to consider the nomination of Judge John J. Parker. We closed the hearings and they are printed and on the desks of Senators. However, on Saturday last and this morning I have received certain letters which I deem it my duty to have read to the Senate. It will take a little time to read them. I ask the Senator from New York if he will yield to me that they may be read.

Mr. WAGNER. I yield to the Senator from North Carolina for that purpose.

Mr. OVERMAN. I send forward a letter which I received on Saturday evening from Judge Parker, which I ask to have read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

UNITED STATES CIRCUIT COURT OF APPEALS,
FOURTH JUDICIAL CIRCUIT,
Richmond, Va., April 24, 1930.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: I have received the copy of the record of the hearing on the charges or grounds of opposition to my confirmation as justice of the Supreme Court which you so kindly sent me. From a reading of the record there seem to be only two protests—one by the American Federation of Labor criticizing my decision in the Red Jacket Coal case (18 Fed. (2d) 839), and the other by the National Association for the Advancement of Colored People criticizing statements made in my campaign for Governor of North Carolina 10 years ago, and expressing the fear that I might not enforce the provisions of the Constitution guaranteeing the rights of colored people.

My answer to the charge of the labor people is that I followed the law laid down by the Supreme Court. This, I think, has been demonstrated in memoranda filed with the Judiciary Committee, and I shall not elaborate upon it. It is, of course, the duty of the judges of the lower Federal courts to follow the decisions of the Supreme Court. Any other course would result in chaos.

Much has been said as to the so-called "yellow dog" contract under which an employee agrees not to join the union while remaining in the service of his employer. This form of contract was directly upheld in 1914 in the case of Coppage *v.* Kansas (236 U. S. 1), in which the Supreme Court held void a State statute making it unlawful for a corporation to require the execution of such a contract as a condition of employment. It was again directly upheld in the Hitchman case, which, like the Red Jacket case, came from West Virginia and went from the Circuit Court of Appeals of the Fourth Circuit to the Supreme Court of the United States. In view of this it must be obvious to anyone that as a member of the court in the Red Jacket case I had no latitude or discretion in expressing any opinion or views of my own, but was bound by these decisions to reach the conclusion and to render the decision that I did.

On the appeal in the Red Jacket case the validity of the contracts and the scope of the injunction, as a matter of fact, were not seriously contested, as counsel doubtless realized that we were bound by the Supreme Court's decision in the Hitchman case. The principal point pressed before us related to the jurisdiction of the court; but this was clearly controlled by the decision in the second Coronado case (268 U. S. 295).

In passing, I would call attention to the fact that the Red Jacket case seems to be much misunderstood. The injunction therein did not prevent employees from quitting work or joining a union. In fact, it was not a suit between employers and employees at all, but between mine owners, on the one hand, who had made contracts with their employees not to join the union and the union, on the other, which sought not only by inducement and persuasion, but also by violence and intimidation, to induce the employees, in violation of their contracts, to join the union and go on a strike. The Supreme Court had held in the Hitchman case that this might not lawfully be done, and reversed the circuit court of appeals of this circuit for not enjoining under similar circumstances peaceful persuasion as well as violence and intimidation.

The protest of the colored people seems to be based upon the fear that I might not enforce the provisions of the Constitution in so far as same guarantees their rights. Needless to say such fear is entirely groundless. I regard the Constitution and all of its amendments as the fundamental and supreme law of the land, and I deem it the first duty of a judge to give full scope and effect to all of their provisions. In the discharge of my duties as circuit judge I have never hesitated, I hope and believe, to meet this obligation in the fullest degree.

The effort to interpret some statements alleged to have been made 10 years ago in a speech in a political campaign as indicating a contrary disposition is wholly unjustified. My effort then was to answer those who were seeking to inject the race issue into the campaign under a charge that the Republican Party of North Carolina intended to organize the colored people and restore the conditions of the reconstruction era. I knew the baneful effect of such a campaign and sought to avoid it. For years the best men of both races in the State had been seeking to create friendly sentiments and peaceful relation between the races; and I did not want their efforts to be sacrificed or the party whose nominee I was to be embarrassed by the raising of a false issue of this character.

I understand that a number of reports, not contained in the record nor supported by the statement of any person, have been circulated against me. Those of which I have heard are so obviously absurd and untrue that it would seem that no answer to them would be necessary, and I shall not dignify them by notice here other than to say that they

are untrue and entirely misrepresent my attitude. I endeavored to conduct my campaign for governor on a high plane and with fairness to all classes of the people; and, while I made it clear that my party was not seeking to organize the colored people of the State as a class, I at no time advocated denying them the right to participate in the election in cases where they were qualified to do so, nor did I advocate denying them any other of their rights under the Constitution and laws of the United States. Any charge or intimation that I appealed to race prejudice is most unjust. I deplored the appeal to race prejudice and did my utmost to eliminate it from the campaign.

In conclusion, let me say that I have no prejudice whatever against the colored people and no disposition to deny them any of their rights or privileges under the Constitution and the laws. I think that my record as a judge of the United States circuit court of appeals, in a circuit where many of them reside, shows that I have no such prejudice or disposition.

I have written you this letter because I desire that you, as one of the Senators from my State and a member of the Judiciary Committee of the Senate, understand my position with respect to the protests filed against me. You may make such use of the letter as you deem proper.

With great respect, I am, sincerely yours,

JOHN J. PARKER.

Mr. OVERMAN. I present certain telegrams sent to me by United States judges of the fourth circuit and ask that they may be read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

RICHMOND, VA., *April 28, 1930.*

Senator LEE S. OVERMAN,
Senate Office Building:

Since some statements have been made reflecting upon the qualifications of Judge Parker, common fairness impels me to say that in an experience of 35 years, of which 15 have been spent on the State and Federal benches, I have met no man who surpassed him in natural fitness for judicial position. His knowledge of the law, his even and unprejudiced temperament, his untiring industry, and his genuine enthusiasm for the work, place him in the front rank and fit him for the Supreme Court of the United States.

MORRIS A. SOPER,
United States District Judge, Maryland.

ELKINS, W. VA., *April 28, 1930.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

It has come to my attention that a question has been raised as to the ability of Judge John J. Parker to perform the duties of Associate Justice of the Supreme Court of the United States. Judge Parker appeared before my court as special counsel for the United States in some very important litigation and as such acquitted himself in a most commendable manner. Since his elevation to the Circuit Court of Appeals of the Fourth Circuit I have had occasion to sit with him on that court. I have followed his opinions very carefully and have no hesitancy in saying, in my opinion, he is eminently fitted for the position of Associate Justice on the Supreme Court of the United States.

W. E. BAKER,
United States Judge Northern District of West Virginia.

SHELBY, N. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senator:

I regard Judge Parker as one of the ablest lawyers of my acquaintance. He is a great student of the law and a very hard worker. He brushes aside technicalities and looks to the justice and merits of a cause. I speak with intimate knowledge of his outstanding ability. He practiced before me before he was appointed a circuit judge and I have sat with him often in the circuit court. An impartial examination of his many splendid opinions will readily disclose his ability and fitness for a place on the Supreme Court bench.

E. Y. WEBB.

RICHMOND, VA., *April 27, 1930.*

Senator LEE S. OVERMAN,
Washington, D. C.:

Knowing your interest in the confirmation of Judge John J. Parker for the position of justice of the Supreme Court, I thought you might be interested to know how he is regarded by his associates on the circuit court of appeals. It gives me great pleasure to indorse him, having served with him for five years. He is an able lawyer, excellent judge, and eminently qualified to fill this high position.

EDMUND WADDILL, Jr.,
Senior Circuit Judge.

LYNCHBURG, VA., *April 27, 1930.*

Senator LEE S. OVERMAN,
Senate Office Building, Washington, D. C.:

Continually since his appointment to bench, I have had every reason to critically appraise Judge Parker's character—learning, fairness, breadth of view, and power to think clearly—with the result that I regard him as preeminently fitted for Supreme Court.

HENRY C. MCDOWELL,
United States District Judge.

Mr. OVERMAN. I also present a telegram from the president and members of the faculty of the University of North Carolina indorsing Judge Parker, which I ask may be read.

There being no objection, the telegram was read, as follows:

CHAPEL HILL, N. C., *April 27, 1930.*

Senator LEE S. OVERMAN,
Chairman Senate Sub Judiciary Committee, Washington, D. C.:

We, the undersigned members of the faculty of the University of North Carolina, heartily indorse Judge John J. Parker and urge his confirmation as justice of the Supreme Court of the United States, because we believe him to be open-minded on all questions and a jurist of distinguished ability. We are confident that in any decision that he may be called on to make he will be fair to all classes.

H. W. Chase, president; C. T. Woollen, business manager; T. J. Wilson, jr.; R. R. Potter; Addison Hibbard; A. C. McIntosh; N. W. Walker; I. H. Manning; W. Deb MacNider; D. D. Carroll; M. C. S. Noble; C. T. McCormick; M. S. Brickenridge; F. B. McCall; G. M. Braune; J. M. Bell; A. W. Hobbs; W. C. Coker; R. J. M. Hobbs; I. C. Griffin; R. D. W. Connor; Archibald Henderson; R. B. House; F. F. Bradshaw; H. H. Williams; M. T. Van Hecke; F. P. Graham; E. G. Hoeger; W. E. Caldwell; W. M. Dey; E. W. Knight; W. W. Pierson; C. T. Murchison; W. S. Bernhard; R. H. Wettach; Albert Coates; P. H. Winston; George Howe; N. W. Walker; English Bagby; Minor Gwynn; A. K. King; R. P. Bond; N. B. Adams; H. Baity; J. B. Bullitt; F. K. Cameron; F. H. Edmister; M. B. Garrett; J. W. Lasley, E. R. Rankin; Clarence Heer.

Mr. OVERMAN. I present a letter from Mr. William P. MacCracken, jr., of Washington, D. C., inclosing a statement signed by past and present officers of the American Bar Association, indorsing Judge Parker, and also inclosing a telegram from Mr. Henry Upson Sims, president of the American Bar Association, favoring the confirmation of Judge Parker. As the letter is rather long, I ask that it may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, the letter and inclosures will be printed in the RECORD.

The letter and inclosures are as follows:

WASHINGTON, *April 26, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR MR. SENATOR: Inclosed you will find a copy of a telegram which Mr. Henry Upson Sims, of Birmingham, Ala., president of the American Bar Association, has requested me to hand to you.

There is also inclosed a statement which represents the sentiments, as individuals, of the gentlemen whose names appear thereon.

You may desire in calling this joint statement to the attention of your colleagues in the Senate to have the following information with regard to these individuals:

Frank B. Kellogg, formerly Secretary of State, Member of the Senate, and president of the American Bar Association; R. E. L. Saner, past president of the American Bar Association; Chester I. Long, former Member of the United States Senate and past president of the American Bar Association; Silas Strawn, past president of the American Bar Association; Gurney E. Newlin, past president of American Bar Association and present member of executive committee of the association; John H. Voorhees, treasurer of the American Bar Association and member of the executive committee of the association; William P. MacCracken, jr., secretary of the American Bar Association and member of the executive committee of the association; Earle W. Evans, chairman general council of the American Bar Association and member of the executive committee; Edgar B. Tolman, editor of the American Bar Association Journal and member of the executive committee; Province M. Pogue, member of the executive committee American Bar Association; Thomas W. Davis, member of the executive committee American Bar Association; Bruce W. Sanborn, member of the executive committee American Bar Association; R. A. Van Orsdel, member of the executive committee American Bar Association; Guy A. Thompson, member of the executive committee American Bar Association, St. Louis, Mo.; William B. Greenough, member of the executive committee American Bar Association; Clarence E. Martin, member of the executive committee American Bar Association; Orie L. Phillips, member of the executive committee American Bar Association.

Faithfully yours,

WILLIAM P. MACCRACKEN, Jr.

Dissatisfaction of certain groups with decisions of Circuit Judge Parker, in which he followed rulings of the Supreme Court of the United States, has been brought forward as an argument against his confirmation as a justice of the Supreme Court.

The undersigned believe that to reject his nomination under these circumstances would be most regrettable, and desire to call to the attention of the United States Senate the importance of confirming Judge Parker's nomination, so as to demonstrate that a judge of an inferior court, who in the performance of his sworn duty follows the law as declared by the Supreme Court of the United States, will not thereby imperil the possibility of his being promoted to a higher judicial office.

Frank B. Kellogg, St. Paul, Minn.; R. E. L. Saner, Dallas, Tex.; Chester I. Long, Wichita, Kans.; Silas H. Strawn, Chicago, Ill.; Gurney E. Newlin, Los Angeles, Calif.; John H. Voorhees, Sioux Falls, S. Dak.; Earle W. Evans, Wichita, Kans.; R. A. Van Orsdel, Omaha, Nebr.; Edgar B. Tolman, Chicago, Ill.; Province M. Pogue, Cincinnati, Ohio; Thomas W. Davis, Wilmington, N. C.; Bruce W. Sanborn, St. Paul, Minn.; William B. Greenough, Providence, R. I.; Clarence E. Martin, Martinsburg, W. Va.; Orie L. Phillips, Albequerque, N. Mex.; Wm. P. MacCracken, jr., Washington, D. C.

BIRMINGHAM, ALA.

WILLIAM P. MACCRACKEN, JR.,

National Press Building, Washington, D. C.:

It would be most regrettable for Judge Parker to fail of confirmation because of dissatisfaction on the part of certain groups with his decisions following ruling of the Supreme Court. It would mean that an inferior judge by following his duty as he reads the law would imperil his chance of promotion to a higher position. Please present this for me personally to Senators OVERMAN, HARRISON, STEPHENS, HEBERT, BLACK, and others interested in Judge Parker's confirmation.

HENRY UPSON SIMS.

Mr. OVERMAN. Mr. President, as the Senate knows, by unanimous consent the consideration of the nomination of Judge Parker was set down for 3 o'clock this afternoon. Instead of waiting until that time, I am now going to make a request for unanimous consent that the consideration of the nomination of Judge Parker be postponed until 3 o'clock Thursday. I have a letter from my colleague [Mr. SIMMONS] stating that he will not be able to be present until that time, and that is the reason why I make the request.

Mr. NORRIS. Mr. President, I wish the Senator would wait until 3 o'clock before he makes that request, because we have agreed to take up the nomination of Judge Parker at 3 o'clock this afternoon; everyone knows that it is coming up at that time, and those interested on either side will be here.

Mr. OVERMAN. I thought it would be advisable to make the request now so that Senators would know of my desire to have the consideration of the nomination postponed for the reason stated, but if the Senator from Nebraska desires, of course, I will defer making the request.

Mr. NORRIS. There may be Senators who are not now present and who expect the nomination to come up regularly at 3 o'clock. At least the Senator suggests a change in the program, and, so far as I am concerned, I would want to consult with other Senators before agreeing to it. There may be no objection to the request when the time comes.

Mr. OVERMAN. Very well; I am glad to defer to the Senator's wishes.

PROHIBITION POLLS—"WHAT PRICE LIQUOR?"

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "What Price Liquor?" by J. W. H. de Belleville, of the Country Editor Publishing Co. (Inc.), of Port Richmond, N. Y. I wish to call attention particularly to the closing paragraph. In answer to the claim that there is such a tremendous revolt on in this country against prohibition, the statement calls attention to the fact that 20,000,000 ballots have been sent out to Americans and only 7½ per cent have taken trouble enough to vote against prohibition.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The article is as follows:

WHAT PRICE LIQUOR?

By J. W. H. de Belleville

NEW YORK, April 26.—To the long list of crimes committed in the name of liberty, a few groups, because of the inconveniences and dangers of the bootleg-liquor market, would like to add the destruction of prohibition, not only as a national but as a State policy. The principle being wrong, the dry law is equally indefensible whether applied by the National or by the State Government. The wet in a dry State is as much entitled to protection as any other. His liberty is as dear to him, his inherent rights as precious, wherever he may happen to reside and whether it is the National or the State Government that attacks them.

In a recent address, Representative JAMES M. BECK points with pride to the drinking propensities of the founders of the Republic. He tells us that Washington "not only enjoyed a glass of wine but he brewed his own beer, fermented his own wine, and distilled his own brandies and whiskies." This Congressman is not hypocritical about it. He frankly rests his case on the virtues of strong drink. And he adds that "all of the great men who founded this Government did not regard it as a crime to take a glass of wine." He forgets to remind us that they also did not regard it as a crime to possess slaves, to traffic in human beings, and in that traffic to use cruel and inhuman punishments, to separate the husband from his wife and the mother from her child. They were inured to that sort of thing. Liquor with all its demoniacal brood was no worse than slavery, slavery no worse than liquor. But we are not shackled irremediably to the past, and already we have witnessed the disappearance of one of these curses while the doom of the other is written so plainly that no intelligent person can fail to understand it.

At the same time Congressman BECK, in a spirit of derision, compares the prohibition leaders with those founders of our Government, who he says were so addicted to liquor. Instead of George Washington, he finds the name of Wayne B. Wheeler; instead of Alexander Hamilton, he finds "Pussyfoot" Johnson; and so on. But he forgets to mention the name of William Howard Taft. Notwithstanding his original prejudice against it, this distinguished jurist and statesman is forced to the conclusion, after 10 years of practical application of the law, that the result of prohibition is nothing less than "glorious." In the face of this testimony, will Mr. BECK say that George Washington himself, brewer and distiller of liquors for his own use though he may have been, would not, in the light of the same experience, have sided with William Howard Taft rather than with Al Smith, Jimmie Walker, and J. J. Raskob?

"For 10 years the American people have been in revolt against the eighteenth amendment," shouts Mr. BECK. But listen to our late beloved ex-President and Chief Justice, like a voice from the grave in answer to the voice of treason: "The reform and the adaptation of society to that at which the amendment aims must be gradual." Again the Congressman rails at his opponents: "The black night of fanaticism and hypocrisy is breaking and we can clearly see the first indications of the dawn." And once more the voice from the grave admonishes him: "I see that the wets claim that the election was not a prohibition victory. Well, one can not argue with that view and can only let those who believe it continue to believe it." "Prohibition," the late Chief Justice says in his letter to Mr. Fisher, "points the only way we have to work out the problem presented."

It is not strange that the wets are in a desperate mood, for the evidence that their cause is crumbling is everywhere to be seen. The association formed by them to destroy prohibition is able to function only because of the contributions of a small group of millionaires. Out of 35,000,000 voters they have been able to secure only a few hundred thousand members, and in order to persuade even this small number to join, it has been necessary to waive the payment of all dues. If there were any political revolution in this country and the masses of the people were in revolt, as Mr. BECK and other wet enthusiasts are claiming, would there not be at least 25 per cent of the electorate clamoring for membership in their proliquor association? Instead of this, about 1 per cent of the voters have joined. Ninety-nine out of a hundred registered voters do not think enough of the wet crusade to lend their names to it, though it costs them not even a red cent. And the enterprise would die to-morrow if it were not underwritten and completely financed by a small syndicate of millionaires. Political revolution? If this is a political revolution then the recent red demonstration in Union Square was another World War.

But the most convincing proof of the utter futility of the wet cause is furnished by the widely advertised Literary Digest straw vote. In this case more than 20,000,000 ballots are mailed to more than 20,000,000 red-blooded Americans, representing a cross section of the great mass of the people who are supposed to be in revolt—in the throes of a political revolution that has had no equal since the Civil War. And what happens? About 7½ per cent of them take the trouble to vote wet and thus indicate a desire to repeal prohibition. It doesn't cost them a cent to mail the ballot. All they have to do is to mark it with a cross and drop it in a mail box. Yet 92½ per cent of them refuse even to do this in the interest of repeal. Political revolution! Why, this isn't a revolution. It's ping-pong.

CONSIDERATION OF ARMY APPROPRIATION BILL

Mr. JONES. Mr. President, I announced the other day that I would ask for the consideration of the Army appropriation bill to-day, the Senator from New York [Mr. WAGNER] having kindly agreed that when he had made his opening address the unfinished business might be temporarily laid aside for that purpose.

The Senator from Wisconsin [Mr. BLAINE], however, is working on a proposition which he feels he should present in connection with the Army appropriation bill; he will not have it ready at to-day's session; so I will not ask for the considera-

tion of the bill to-day, but I am hoping that he will have the matter in shape so that we may consider the bill to-morrow afternoon some time.

RELIEF OF UNEMPLOYMENT

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3059) to provide for the advance planning and regulated construction of certain public works, for the stabilization of industry, and for the prevention of unemployment during the periods of business depression, which had been reported from the Committee on Commerce with amendments.

Mr. WAGNER. Mr. President, although but one of the three bills which I have introduced is now technically before the Senate, in view of the fact that the three bills upon the calendar constitute together a program which I have advocated to prevent unemployment, I will take the liberty of giving briefly an explanation of all three. Then, of course, when the time comes we will vote upon them separately.

Mr. President, I fully appreciate the value of optimism in bringing about business recovery, and I take no pleasure whatever in painting a dark picture of economic conditions. However, if we are going to contribute to the prevention of the recurrence of so vicious an attack of unemployment as the one through which we are now passing—and which, by the way, is the worst in a generation according to the testimony of all careful observers—then at least those in responsible position must be willing to face the true facts, no matter how unpleasant they may be.

We were supposed to have turned the corner away back in the early days of January, according to a statement from the White House. More recently the newspapers were again filled with cheerful reports that the peak of unemployment had been passed. I wish it were true. But as I look at the meager figures made available by the Federal Reserve Board, and also by the Bureau of Labor Statistics of the Department of Labor, I notice that January was worse than December, that February was worse than January, and that March has continued the steady and downward decline.

The full significance of these figures I do not know. No one knows. We have not sufficient current information; we have not sufficiently extensive information; we have not sufficiently detailed information to tell us precisely what it is that we are suffering from at the present time.

Is this vast unemployment the result of the accumulated displacement brought about through the advance in technology? Is this alarming lay-off of men in factories and other lines of employment brought about by the fact that we are going through the trough of a business cycle? Surely the failure of business to recover in March is a signal that the present situation is more serious than the normal seasonal slack. In previous years March has always shown an improvement over February, both in good times and in bad times. The coming of fair weather in March has always resulted in increased opportunities for employment. This year March showed a further decline. Conditions of employment in March, 1930, stand at a worse level than any previous month of March in the presently published records of the Department of Labor. Would that indicate that we have begun to suffer from chronic unemployment, a permanent, inseparable drag upon our economic machinery, a permanent and ever-present threat to the economic security of every person in the United States?

May I interpolate right here that there are, I may say, three forms of unemployment with which we are suffering. Two are characterized now as chronic unemployment. There is the technological unemployment which is of a chronic nature, the displacement of labor by machines. Then we have the seasonal unemployment, which has been regarded up to the present time as inevitable, although I think it can easily enough be solved if we address ourselves to the problem. The third is the cyclical unemployment, which is usually temporary in its nature.

The reason why we are suffering from this acute unemployment situation at the present time is that upon this chronic unemployment, technological and seasonal, is superimposed this cyclical unemployment which has brought us down so deeply. Strange, though it may seem, while we are confronted with the seriousness of technological unemployment our Government has never even begun to study the question of technological unemployment.

Where are these men who are being replaced by machines? What is happening to them? Are they being sacrificed upon the altar of progress? Are they starving? Are they hungry? Where are they now, and who are they? We do not know anything about them. We have collected statistics upon almost every other economic fact except the most important and the most fundamental, that of unemployment.

I would not express these fears if I were for one moment doubtful of the capacity of American statesmanship and business leadership to solve this problem. It is for the very reason that I have implicit confidence in our ability to do so that I do not hesitate to voice my apprehension and to appraise the present situation realistically.

In order to solve the problem, however, we must have available information. We must build the machinery of stabilization and we must create the channels for the free flow of labor from the place of surplus to the place of need. These three things we now utterly and absolutely lack.

The bills which are now before the Senate have been pending in this body for two years. Since the introduction of that legislation a very able investigation has been conducted into unemployment by the Committee on Education and Labor, under the chairmanship of Senator COUZENS. The mature and deliberate conclusions of that committee are favorable to this legislation. Since the introduction of these bills President Hoover has made his position unmistakably clear, both in his own campaign speeches and through his communication to the Conference of Governors in New Orleans, through Governor Brewster, in the fall of 1928, in favor of the principle of this legislation. Since the introduction of these bills the President has attempted to alleviate the present unemployment situation by calling a conference of business men and has found that, unfortunately, very little could be done without advance preparation, without adequate information, and without adequate machinery.

May I say that while I commend the President for having called that conference—because perhaps it did stay mass hysteria, so far as staying unemployment was concerned, preventing a further decline in employment—it was absolutely without effect; and the reason was that there was no information on the subject of unemployment. There had been no advance planning so that in a crisis the industries as well as the Government could step in and take up this slack of employment.

In the fall of 1928 the President, through Governor Brewster, stated to the conference of governors that one of the first problems that he would attack would be that of unemployment, and gave as his program the principles incorporated in the three bills which at that time were already pending in the Senate, and which are now before the Senate. To me it is inexplicable that after the President in his speech in the campaign in the city of Newark, addressing a large gathering of labor men, gave this program as his program for the solution of unemployment, and then again to the conference of governors after he was elected, we should since then not have heard a word from the White House either of approval or of recantation of the bills which are now before the Senate. I do not know what took place to change his attitude or whether his silence is to be interpreted as acquiescence.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from California?

Mr. WAGNER. I yield.

Mr. SHORTRIDGE. I do not wish to break in upon the continuity of the Senator's address.

Mr. WAGNER. I do not mind at all, sir.

Mr. SHORTRIDGE. I presume the Senator will proceed to make clear the principles involved in the pending bill?

Mr. WAGNER. I hope to; yes.

Mr. SHORTRIDGE. If it will not divert the Senator from the plan outlined for the presentation of his views to-day, if he can do so in a word, will he be good enough to state the cardinal or fundamental principle of the pending bill?

Mr. WAGNER. I can do that very briefly, though I propose to cover it in detail.

One bill, in a word, is for the collection of accurate information of our economic condition each month, of the unemployment situation, information which we now lack, and which is fundamental. It is the basis of all efforts to solve this problem. We must have this precise information; and I may say to the Senator that every conference that has been had for the past 20 years on the subject of unemployment has failed, admittedly failed, and in each case the conferees attributed their failure to the fact that they had no precise information.

That is the first thing, a very important thing; and I will give the Senator the details a little later.

The second is advance planning by the Federal Government; in other words, that the Federal Government in the construction of its public works be prepared to go in and take up the slack when an economic depression is on the way. With precise information, we can well-nigh prophesy that an economic depression is coming, and before it proceeds too far we can enter with our public construction and take up that slack in employment That is the second—advance planning.

The third is the establishment of employment exchanges throughout the country, so that there may be absolute cooperation between the States, not only in the collection of economic statistics, but in the placement of workers. There may be a surplus of labor in one State and a need for labor in another. To-day there is no way in which the labor from the place of surplus can be directed into the place of shortage.

Mr. SHORTRIDGE. I thank the Senator. If I am called from the Chamber it will not be attributed to any lack of interest in the subject he is discussing.

Mr. WAGNER. Of course not.

Since these bills were introduced the Committee on Commerce has held hearings on this legislation and it is the deliberate judgment of that committee, expressed in its reports, that these bills should be passed.

The ideas embodied in the proposed legislation have met very little articulate opposition. The obstacles in the way of its more rapid adoption has been rather the inertia of an old-time attitude now no longer justified—the attitude expressed in the beliefs that unemployment was a personal affair brought about by individual incompetence or indolence, resulting in a problem which it was for the individual working man or working woman to solve in his or her own way.

There may have been a time in the past of long ago when that represented the true conditions. To-day it must be universally realized that unemployment is a problem for the Government to solve, a condition for which no individual or group of individuals can be held directly responsible, a condition which it is away beyond the power of the individual workingman to remedy.

Unemployment to-day is a Government problem because it has economic aspects, social aspects, political aspects of such an overwhelming importance that the Government must take a hand in its eradication in order to insure its own stability and the continuity of the institutions under which it exists.

On the economic side, unemployment is a form of gross waste. Idle time means the loss of an asset which can never be recovered. The idle hands of the unemployed are ready, willing, and able to create untold wealth, to increase the well-being of the American people. Unemployment means the denial of the opportunity to do so. Idle men invariably mean idle machines, closed factories, overhead accumulating unproductively, savings used up, and capital assets consumed. The extent of the money losses of unemployment has been variously estimated. One estimate is that the usual seasonal unemployment costs the United States $2,000,000,000 per year. The depression of 1921 has been estimated to have cost the United States $9,000,000,000. During the hearings on the present bills President Green, of the American Federation of Labor, calculated that in the first three months of 1930 wage earners alone lost a billion dollars in wages.

I have myself computed on the basis of the meager figures of the Bureau of Labor Statistics, that there was a difference in wages paid to factory workers alone, who constitute only a fraction of all of the workers of our country, between September, 1929, and January, 1930, of $200,000,000. In other words, $200,000,000 in wages which were available in the markets of our country in September of last year were withdrawn because of unemployment in January, 1930, a sufficient withdrawal in itself to cause an economic depression.

On the social side—on that side of human affairs in which the Government is only just beginning to take an interest—we find that unemployment makes for child labor. When the father of the family loses his job and the principal economic pillar of the family crumbles we invariably find that, first, the wife and then the minor children go out to hunt for sustenance. It is unnecessary to elaborate on the effect of such a situation upon the future generations of Americans.

Unemployment makes for disrupted family life. The records of social agencies are replete with evidence of that disheartening fact.

On the political side we find that unemployment makes for bad citizenship because it breaks the morale of those who suffer its hardships, because it brings about the compulsory acceptance of charity with its devastating effects upon character; because if prolonged it involves the loss of the habit of work, one of the greatest assets of the American people. Finally, unemployment breeds discontent with government.

For the reasons enumerated and for many other reasons that might be cited it is no longer open to question that unemployment is a problem of the Government. Neither can there be any valid doubt that unemployment is properly a problem for the Federal Government. I do not mean thereby that it is exclusively a Federal problem. The solution of unemployment is no one's exclusive problem. Organized effort, cooperation of all possible agencies, private industry, municipalities, States, all must contribute to the final elimination of the scourge of enforced idleness. And the Federal Government must do its share. No political theory can discharge the Federal Government of its responsibility to do its part. No mere doctrinary dogmas can exonerate the Federal Government of its failure to discharge those responsibilities.

Unemployment is the product of nation-wide economic causes. Weather conditions, fiscal policies, tariff changes, inventions, all may have their effect on unemployment.

Unemployment has nation-wide effects. The shut-down of an automobile plant in Detroit directly produces unemployment in other parts of the country. It affects the farmers, the canners, the clothiers, the shoe manufacturers, the house builders. When purchasing power is curtailed at one point it is at once translated into unemployment at some other point. Unemployment is a plague which can not be quarantined.

Unemployment is primarily a problem in economics. State lines do not constitute economic barriers. As an economic problem the solution of unemployment fits into the same category of national affairs as the tariff, immigration, or Federal reserve banking.

The Federal Government is itself a large employer of labor. It is therefore concerned with unemployment at least for the some reason that every employer of labor is concerned with it. The Federal Government, however, has a peculiar opportunity to contribute to business stability, because it is not in business for profit and can, therefore, more easily time its work so as to contribute to stability.

Finally, unemployment lies within the sphere of Federal action because many of the remedies to be applied can be applied only by national agencies. This is particularly true of the collection of nation-wide statistics, the creation of channels to facilitate the flow of labor to the job, and the timing of the Federal program of public works.

It is these three specific functions which the three pending bills seek to have the Federal Government exercise.

An analysis of S. 3059, providing for advance planning of public works and the timing of the construction of public works so as to stabilize employment and prevent unemployment, is as follows:

S. 3059—ADVANCE PLANNING (ANALYSIS)

1. Object: The judicious timing of public construction so as to take up slack at the beginning of an impending recession in private employment, in order to prevent periods of depression.

2. Federal instrumentality created: (a) A board to be known as the Federal employment stabilization board is created, to be composed of the Secretaries of the Treasury, Commerce, and Labor.

(b) The chief executive officer of the board is to be a director. All other experts and assistants are to be appointed under the civil service laws.

3. Methods of operation: (a) The advance planning of public projects.

(b) Acceleration by the Government of all public works under its control when business recession is imminent.

(c) The inauguration of emergency projects.

4. Advance planning: (a) Advance planning is accepted as the policy of Congress.

(b) It is to be accomplished by preliminary reports; by excess authorization of projects beyond annual appropriations, and by the preparation of detailed construction plans in advance.

5. Acceleration: (a) The President directs the Secretaries of War, Treasury, and Agriculture, which Secretaries are in charge of the public construction of the Government, to accelerate public works when necessary to forestall business recession.

(b) This method is of special utility when Congress is not in session.

(c) This alone may be sufficient for minor depressions.

6. Emergency projects: (a) When the board finds on the basis of construction contracts the index of employment and other statistical information, that business activities are likely to decline it recommends action to the President.

(b) Upon such recommendation the President transmits to Congress supplemental estimates for additional appropriations for the construction of public works, plans for which had been made as provided under 4 above.

(c) The projects for which such appropriation may be made are:

1. Highways.
2. Rivers and harbor works.
3. Flood-control projects.
4. Public buildings.

7. Special features: In order to make the highway and public buildings program more effective to prevent unemployment, a few minor adjustments are made in the allocation of moneys under the highway act and the public buildings act.

8. Authorized appropriation: One hundred and fifty million dollars.

The second bill, to which I think primarily, because of an understanding of its provisions, there seems to be some opposition in the Senate and which makes provision for a system of employment exchanges by cooperation between the Federal Government and States, may be analyzed as follows:

S. 3060—EMPLOYMENT EXCHANGES (ANALYSIS)

1. Object: (a) The provision of a really adequate, free employment service nation-wide in scope.

(b) Retention of local responsibility and management in the conduct of same.

That seems to be a complete answer to those Senators who are now harping upon the principle of State rights as the basis of their opposition to this legislation. As a matter of fact, this bill provides for the retention of the control and management of these employment agencies by the State itself.

(c) The maximum amount of uniformity, efficiency, and cooperation between offices.

(d) Information as to unemployment.

2. Federal instrumentality created: The United States Employment Service is created as a bureau in the Department of Labor; the chief officer is to be a director general with a salary of $10,000 per year. He is to have an assistant woman director in charge of women's work, and all officers, employees, and assistants, including the woman director, shall be appointed under civil service laws and paid under the classification act.

3. Method of operation: (a) Federal aid to States. Seventy-five per cent of the amount appropriated under the bill is made available for apportionment to the various States in proportion to population. In order to secure moneys so made available a State must match the Federal contribution.

(b) Federal offices: Where States refuse to cooperate with the Federal Government the employment service may operate Federal employment exchanges without State cooperation.

(c) Central office activities: (1) Make available information gathered from the system of offices as to work opportunities and persons unemployed.

(2) Clearance of unemployed workers between offices.

(3) The establishment of uniform procedure and standards.

(4) Assistance in transportation of workers.

4. Methods of securing effective State cooperation: (a) A State must accept by an act of its legislature the provisions of this act before it can participate in the benefits under this act.

(b) The State must submit its plans for the public employment system to the director general and secure his approval.

(c) It must submit periodic reports on the basis of which the director general may determine whether the system is operating up to standard.

(d) To secure the benefits of the act it must secure a certificate from the director general which may be revoked for cause.

5. Methods of securing industrial cooperation: (a) Through advisory councils, both Federal and State, composed of equal numbers of employers and employees.

(b) By adhering to a policy of neutrality in labor disputes, impartiality, and freedom from politics.

(c) Applicants for work must be given notice of strikes or lockouts, if any, in the work places to which they are referred.

6. Benefits to a cooperating State: (a) Grants in aid apportioned on the basis of population, which grants must be matched by an equal State appropriation.

(b) Information collected from all cooperating offices.

(c) Clearance service for workers.

(d) Free mail privilege.

7. Temporary provisions: Section 10 makes possible several temporary adjustments for a period of three years until such time as this system can get under way.

8. Specialization offices: Provision is made for authority to operate offices for individual occupations and trades.

9. Appropriations authorized: $4,000,000.

I am sorry that some of the Senators who I know intend to oppose this legislation are not present in the Senate, first, because I might clear up any misunderstanding they have as to the provisions of the bill; and, secondly, I would like to call their attention to the message of the President, the last message to the present Congress, in which he asked for a further appropriation to the already established Federal employment exchange, so that it may better cooperate with the States in the development of employment exchanges. While we have not heard from the President since in his annual message he expressed approval of the principle and of the legislation now before the Senate, which, I think is more scientifically worked out than the present law.

The third of the bills, S. 3061, makes provision for the effective gathering of nation-wide statistics of employment in all lines of economic effort. This bill, to my mind, holds the key to the prevention of the unemployment of the future. It will make available information the full value of which no one can possibly foresee. It will enable the business men of the United States to conduct their affairs with a view to stability and continued prosperity.

Since these bills were first introduced in the United States Senate public opinion has gradually crystallized in favor of their enactment by the Congress during the present session. Economists have unanimously given the legislation the stamp of their approval as sound and feasible and well conceived to attain their stated objects.

I might say right here that I took the pains to send a copy of this legislation to every well-known economist in the whole country, with a request that he give to me the benefit of his views as to whether the legislation is feasible or not as a step in the prevention of a recurrence of unemployment. Without exception from all over this country have come letters of hearty approval, heralding this legislation as a very important step forward. Many of them characterize it as the most important contribution to the solution of the outstanding problem before the country to-day. There was not a dissenter among all the great professors of economics in the entire country. Employers have indorsed the bills. Labor has put behind them the full force of its organized opinion.

As I have said, large industrialists all through the country have approved it. I should like to have Mr. Emery know that. He is the one who has stirred up the opposition, single-handed and alone, against the employment exchange bill. What his real reason is I do not know. The ostensible reasons which are given in his letter can not be the actual reasons, because they are so unfounded as to be ridiculous. Organized labor has put its stamp of approval upon this legislation and has appealed to Congress to enact the bills into law. The newspapers of the country, without regard to political division, whether Republican or Democratic, whether conservative or liberal, have joined in a single expression that Congress should pass the bills.

Mr. President, in conclusion there is one final argument that I desire to offer in behalf of this legislation, an argument which makes its appeal not only to the mind but to the heart. I am thinking of American mothers going out to work at night because their husbands can not find work to do. I have in mind wan, half-starved children, pale and thin from undernourishment. I recall the 15,000 families in Detroit who in a single day stooped to receive charitable relief.

I visualize thousands of men in New York, Pittsburgh, Cleveland, and every large center of population, shuffling in line to beg for a "spot" to sleep on. These men, these women and children, humans all, with the divine spark in every one of them, constitute my clinching argument. Human life in all its courage and dignity, in all its beauty, rebels against the fate which drags it into the gutter of want and poverty with growing frequency.

American wage earners raise their eyes to the great and powerful Government they have founded and cry out in desperation, "Lift us out of this mire of unemployment."

In the course of my remarks I spoke of the waste of billions of dollars which unemployment entails. I mentioned the efficiency which the proposed legislation would make possible. These are valid considerations. But the primary considerations are the waste of human life which is the price of demoralizing unemployment, and in contrast thereto the fuller, richer, and better lives which steady employment and income make possible.

Year after year, decade after decade, we have yearned and hoped and prayed to be relieved of the recurrent onslaught of unemployment. Here is a program of action, not perfect but the best that the present state of our knowledge makes possible; not complete but having within it the seeds of further development; not a panacea for all our ailments but bound to contribute to the solution of unemployment. Here is the program: Three bills, constituting the first three steps on the road to stabilized prosperity.

The PRESIDING OFFICER (Mr. ROBSION of Kentucky in the chair). The question is on the first committee amendment, which the clerk will report.

The LEGISLATIVE CLERK. On page 2, line 20, the Committee on Commerce reports to strike out the word "secretary" and insert the word "director," so as to read:

The board is authorized to appoint, in accordance with the civil service laws, a director and such experts, and clerical and other assistants, etc.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The next amendment will be stated.

The LEGISLATIVE CLERK. The next amendment of the Committee on Commerce is, on page 3, line 3, to strike out the word "secretary" and insert the word "director."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The LEGISLATIVE CLERK. The next amendment is, on page 5, line 24, after the word "periods," to insert the words "the President is requested to direct," and on page 6, line 1, after the word "Agriculture," to strike out the words "are directed," so as to make the section read:

SEC. 9. For the purpose of preventing unemployment during periods of business depression and of permitting the Government to avail itself of opportunity for speedy, efficient, and economical construction during such periods, the President is requested to direct the Secretary of War, the Secretary of the Treasury, and the Secretary of Agriculture to accelerate during such periods, to such extent as is deemed practicable, the prosecution of all public works within their control.

The PRESIDING OFFICER. Without objection, the amendments are agreed to.

The LEGISLATIVE CLERK. The next amendments are, on page 6, line 10, to strike out the words "and detailed preparation"; in line 15, to strike out the word "and"; in line 20, after the word "made," to insert the words "and (3) of advance preparation of detailed construction plans"; and in line 25, after the word "act," to insert the words "and (2) advance preparation of detailed construction plans," so as to make the section read:

SEC. 10. It is hereby declared to be the policy of Congress to arrange the construction of public works, so far as practicable, in such manner as will assist in the stabilization of industry and employment through the proper timing of such construction, and that to further this object there shall be advance planning of public works to be accomplished (a) in the case of river and harbor and flood-control works and projects and public-building projects by means (1) of preliminary reports, made under the subsequent provisions of this act or existing law, as to the desirability of the project; (2) of annual authorizations of projects, the total estimates for which are sufficiently in excess of the annual appropriations made for the work thereon to result in uncompleted projects being available for the expenditure of public works emergency appropriations when made; and (3) of advance preparation of detailed construction plans and (b) in the case of public-roads projects by means (1) of advance approval of projects in accordance with the provisions of the Federal highway act, and amendments and supplements thereof, and of this act, and (2) advance preparation of detailed construction plans.

The PRESIDING OFFICER. Without objection, the amendments are agreed to. This concludes the committee amendments. The bill is in Committee of the Whole and open to further amendment.

Mr. VANDENBERG. Mr. President, I desire to congratulate the Senator from New York [Mr. WAGNER] for his very interesting presentation of the pending measures. I heartily sympathize not only with his objective but in the main with at least two of the measures which he has offered in connection therewith.

I want to address a very brief observation to the particular pending measure, S. 3059. This, as the Senator from New York has indicated with great force, contemplates the long-range planning of public works by way of providing unemployment in the slack periods of our economic experience. I think he is wholly justified in stating that the principle involved has the complete approval of the economists of the country. As a matter of fact, we are already proceeding in the paraphrase of long-range planning in our program for the expanded construction of our public buildings. The same principle was approved by the Committee on Commerce two years ago when the so-called Jones prosperity reserve bill was favorably reported to the Senate and, to the disappointment of many of us, not passed. The same principle has been indorsed by President Hoover. We are now brought up to date with the proposal submitted by the Senator from New York.

I intend to vote for the proposal submitted by the Senator from New York. In my judgment, it is a step in advance. I want to express the hope, however, that the plan may be still further refined in the future and may be protected in its development against what to me is its one chief weakness. I shall be very happy to have the attention of the Senator from New York to this suggestion.

Under the terms of the plan as it now impends, an authorization of $150,000,000 is made against which the ultimate appropriations shall come for the purpose of carrying on the public works which may be lifted out of the long-range plan and made immediately available for employment in slack periods. The weakness in that plan to me is in the fact that an increased tax burden necessarily occurs—and simultaneously—as the result of the operation of the system and occurs at the precise moment when an increased tax burden will be one of the factors to further discourage that economic recovery which in turn will cure permanently the unemployment cycle. In other words, we partially defeat our own purposes. Therefore, to me it is a weakness in the plan that a tax increase is the concomitant of the application of the long-range plan itself.

I have wondered for at least two years, since the study of the plan first came to the attention of the Senate, whether there is not a constructive answer to that possible weakness in the plan. This is my thought. We are reducing the public debt at the rate of from $300,000,000 to $700,000,000 or $800,000,000 a year. In periods of economic difficulty which are sufficiently disturbing to warrant the application of the long-range plan for unemployment, if the country is in that condition at any time, it seems to me that we are warranted in suspending $150,000,000 of our annual contribution to the sinking fund.

In other words, if the country reaches that economic position where emergency measures of this nature are necessary by way of recovery, it seems to me that if we continue to pay the interest on the public debt and continue to sustain more than one-half of the annual contribution to the sinking fund toward its retirement we have done all that anybody could be expected to do under such circumstances, and then it is logical to use the other one-half of the annual contribution to the sinking fund for the purpose of relieving these economic necessities.

There is an economic consistency in such a contemplation, because the use of the sinking-fund contribution, since it saves an increased tax rate, will in that degree encourage the renewal of sound economic conditions which in turn will help permanently to cure unemployment. I submitted this suggestion relative to the use of a portion of the annual contribution to the sinking fund to a number of the witnesses who appeared before the Commerce Committee two years ago when we were discussing the general long-range plan of legislation. I want to indicate for the RECORD the reaction of a few of them.

The Senator from New York will understand that I am speaking in no sense in controversy but entirely in the hope that we may ultimately go even farther than he proposes in the development of an automatic system to cure unemployment so far as it may be done by legislative contribution.

Mr. HAYDEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Arizona?

Mr. VANDENBERG. I yield.

Mr. HAYDEN. The Senator will remember that when legislation was proposed to authorize the construction of Boulder Dam on the Colorado River the bill originally contemplated a bond issue of $165,000,000, a sum comparable to the amount fixed by this bill. It developed that the Treasury Department did not favor the issuance of bonds for that specific purpose, because the Secretary of the Treasury has authority, whenever Congress makes appropriations and there is not money in the Treasury to meet the same, to issue obligations of the United States in such amounts as may be necessary.

What I wanted to develop, however, from the Senator was whether he felt that it was necessary by law to direct that payments into the sinking fund be suspended during the period of unemployment or whether existing law would care for the situation by allowing the Treasury Department to pay off such bonds as may come due with funds available and to borrow other money to carry on the work authorized by this bill. The net amount of the public debt would thereby remain the same. I should like to inquire of the Senator whether he believes it necessary to amend the pending legislation or whether there is now authority of law for the Secretary of the Treasury to proceed as I have indicated.

Mr. VANDENBERG. Mr. President, I am not familiar with any such authority, and at the moment I am not suggesting an amendment of the pending legislation. I am merely suggesting the general philosophy that if we build relief work out of extra appropriations it would increase the tax rate at a time when this of itself would be a harmful influence and tend to intensify the difficulties of the precise situations which we are undertaking to cure.

Mr. HAYDEN. My recollection, Mr. President, is that the Treasury Department has authority of law to issue at any time United States bonds or other obligations of the United States, to borrow money in any form that the Secretary of the Treasury sees fit, with which to pay the current expenses of the Government. It does not necessarily follow that were the bill sponsored by the Senator from New York enacted into law it would result in an increase in the tax rate during the time the law is in operation as a means of providing work for the unemployed.

Mr. VANDENBERG. Be that as it may, Mr. President, it seems to me that the program reaches its maximum possibilities of economic contribution if we can escape the concurrent necessity either of increasing the tax levy or the bonded debt. It

equally occurs to me that we are reducing the bonded debt at such a spectacular rate, anyway, that there could be no possible economic objection if a portion of the annual reduction were suspended for a single year, in order to accomplish the constructive end described in the measure submitted by the Senator from New York. After all, the first business of the Nation in times of economic depression is the business of restoring the economic equilibrium. Long-range planning will help restore the equilibrium, but I fear an increased tax burden, incident to the long-range planning, might disturb the equilibrium and thus rob the pending plan of a substantial measure of its utility.

Mr. WAGNER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New York?

Mr. VANDENBERG. I yield.

Mr. WAGNER. I am very happy that the Senator has made the contribution he has to this discussion; he always contributes to any discussion in which he may enter; but I do not think that any amendment of the kind indicated is necessary. I am in sympathy with the thought of the Senator, but we have two forms of relief under this bill. As the Senator knows, first is the acceleration of public works. That, of course, does not require any additional appropriation; that merely moves the time up. For instance, if an appropriation were to be expended over a period of 12 months and the construction work were to be done at the rate of so much per month, if we should have a depression, say, in January or February, under this bill the stabilization board might accelerate that work and advance it so that that which was to be done in May would be done in February, and so that a greater proportion of the work would be performed during the period of depression, thus taking up the slack; and then, of course, the amount of work to be done at times when, as experience shows, there is a betterment of economic conditions would be lessened.

The bill provides, of course, only for an authorization of $150,000,000, and therefore when the actual time comes for making the appropriation the Congress will be free to adopt either the policy which the Senator proposes or make a direct appropriation. There is sufficient elasticity in this bill so that either method may be adopted; and if there should be at a given time a very serious depression, I do not doubt that perhaps the Senator's method of securing the necessary funds would be adopted.

Mr. VANDENBERG. Mr. President, I think the Senator's description of the prospective operation of the plan is entirely correct. The only thought I have in mind is that, in the last analysis, if we can make the operation of this long-range planning as automatic and as self-contained as possible in all respects, we have, just by that degree, perfected it and served its objective.

Mr. President, in conclusion, I merely want to note for the RECORD that Prof. Gardner S. Williams, of the American Engineering Council, which is one of the units heartily in favor of the Senator's bill, wrote to me under date of April 16, 1928, as follows:

> I personally am prepared to indorse your proposition without reserve—namely, the temporary diversion of sinking funds to finance enhanced public works which are undertaken as an offset to emergency periods of unemployment and depression.

I want to say also that Mr. Henry S. Dennison, of Framingham, Mass., who is one of the most far-seeing industrialists in American life, similarly found in the suggestion a sound economic development of the ultimate idea.

Another witness who appeared before our committee two years ago on the same proposition was ex-Senator George Wharton Pepper, of Pennsylvania. I quote from Senator Pepper as follows:

> I can not think of any objection that is sound in theory to the proposal that you make respecting the suspension of payment into the sinking fund simultaneously with and to an extent equal to emergency appropriations to avert unemployment. I agree with you that it is economically sound to say that when we are making appropriations for such a purpose we are not in shape to indulge in the luxury of debt reduction. I am quite sure that all of us who have been interested in this legislation would heartily approve of a modification of the bill on the lines which you suggest—

And so forth.

Many such letters are available. But it will suffice in conclusion to make one final reference. I want to quote finally from Mr. John B. Andrews, secretary of the American Association for Labor Legislation, another unit which is heartily in favor of the bill of the Senator from New York. Responding to my inquiry relative to the temporary diversion of annual payments into the sinking fund, Mr. Andrews says:

> I do not think your suggestion is visionary. On the contrary, I believe it is economically sound and, subject to the everlasting necessity of also being "expedient" in legislation, it is worthy of the most serious consideration whenever this question of financing the long-range planning of public works is up for discussion. We want the principle adopted now without fail, and any incidental improvement is highly desirable where practicable.

It is on the basis of that final sentence that I am submitting these observations.

I join the Senator from New York in wanting the principle established now, and I do not propose to complicate those possibilities by attempting from the floor to develop an amplification of the plan; but in the ultimate, Mr. President, I feel that if this long-range planning of public works is to be brought into maximum utility for the correction of unemployment, or at least to exert a helpful influence upon economic conditions during unemployment periods, it must become automatic in its processes of self-financing; and I submit that in that development, when we shall come to it, the finest, the soundest, the safest, and the surest opportunity to finance emergency works is through a temporary partial diversion of the annual payments into the sinking fund.

With these observations I take my seat, renewing the hope that the bill of the Senator from New York will be passed as submitted.

Mr. WALSH of Massachusetts. Mr. President, I should like to inquire of the Senator from New York what assistance, if any, he has received from the administrative departments of the Government in his endeavors to work out a plan of unemployment relief?

Mr. WAGNER. None that I am conscious of, I may say to the Senator, unless this may be interpreted as assistance: Originally the Secretary of Labor disapproved, I think, of all legislation proposed by me as either unnecessary or inadvisable—I have forgotten the exact basis of his objection. However, since that time the Secretary of Labor has been converted into support and approval of this proposed legislation. Other than that I have heard of no assistance from the source indicated by the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, now that we are considering certain proposals to relieve unemployment, I do not want the occasion to pass without a word of criticism with respect to the attitude of administrative leaders toward this problem. For weeks we have been devoting our thought and attention to the question of world naval disarmament—a very commendable undertaking; we have been giving a good deal of thought and consideration to the question of our relationship to and association with the World Court; we have been conducting extensive investigations, originated by the Chief Executive, into various aspects of law enforcement and its relationship to the prohibition question. I can not help but feel that more important than the enforcement of prohibition laws or the repeal of the prohibition amendment, more important than seeking to bring about a reduction of armaments in the world, more important than the question of our foreign relationship, is the question of taking care of, assisting, and helping the tens of thousands, if not millions, of human beings in America who are on the verge of much suffering and possible starvation because of their inability to obtain employment. I do not believe it is possible to exaggerate the want, the hunger, and the distress which exist in this country to-day among our own working people as a result of the prolonged period of unemployment which has occurred in this country during recent months. I protest the disregard of and indifference toward this question, the most important of all our many serious problems, upon the part of the administration.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. WALSH of Massachusetts. I yield.

Mr. WAGNER. If the Senator does not mind the interruption, I think I have a statement to make that will be of interest to him.

Mr. WALSH of Massachusetts. I am glad to yield to the Senator for that purpose.

Mr. WAGNER. I stated in my original presentation of this subject that the unemployment statistics of even a meager character which have been collected by the Department of Labor show that during the month of March, which is usually a time when good weather comes and unemployment recedes, there was a further decline of employment for the first time in our history and that, too, in spite of statements to the effect that we had turned the corner in January and February. I received this morning the figures for Massachusetts, and they show—and this is something new in the experience of Massachusetts—

that employment further decreased 1 per cent during the month of March.

Mr. WALSH of Massachusetts. I thank the Senator. I have similar confirmatory information that unemployment during the month of March has been worse than during any other month; that instead of an improved condition, the condition in many localities is the reverse.

Mr. WAGNER. I would rather give more optimistic news; but I think we must look at this problem realistically if we are ever going to solve it.

Mr. WALSH of Massachusetts. Mr. President, it ought not to be left to an individual Senator, busy with many duties here, to try to work out a sound and sane solution of a problem of this magnitude and this importance. I can not help but feel that there has been a lack of sympathy, that there has been an absence of interest, that there has been a failure to appreciate the real condition that exists in this country to-day, upon the part of administration leaders.

The program of unemployment relief ought to originate in the heart and head of the Chief Executive of this country. It is more worthy of a special message, a special study, and a special solution than any other question before the American people to-day. It is a sad plight that the American people find themselves in, without an expression even of the realization of the existence of the present regrettable conditions, to say nothing of any attempt to provide a remedy.

A special board was created months ago, and an exceedingly large sum of money authorized, to regulate the marketing of our agricultural products. The purpose of that legislation—unusual, far-reaching, and somewhat revolutionary in character—was to bring relief to the depressed agricultural industry in this country. An army of distressed people among the toilers of the Nation, an army who want employment and can not find it exists to-day and has existed for months. Conditions have gone from bad to worse, and little indeed has been done by the administration to bring relief.

I ought to modify that to the extent of saying that when the business depression commenced last fall, the President did call together groups of the leading industrialists of the country, and pleaded with them to try to stem the threatened depression in business that was then apparent, and did urge upon them, and I think successfully, to prevent any reduction in wages, or any widespread reduction in wages, upon the part of the employers. To the extent that he succeeded in encouraging the business interests of this country to carry on, to the extent that he prevented reduction in wages, I give him full credit, and perhaps I ought to give him credit for preventing a possible increase in unemployment; but he has done nothing whatever to relieve the general unemployment conditions that have prevailed for months in this country. He may have prevented a business panic that would have swelled the tide of idle workers, but those who have been without employment have apparently been unhelped.

I inquire, Is the question of prohibition or its repeal, is the question of disarmament, is the question of our adherence to the World Court, momentous as they are, comparable with the question of preventing poverty and misery and starvation among millions of our own people? That it exists everyone admits, except administration leaders. It is the first and most general topic of discussion wherever men and women meet, except in the public life of Washington.

I say, Mr. President, with regret, that I feel it my duty to call public attention to the failure to suggest some such relief for the millions of unemployed as was attempted to be extended by the appropriation of large sums of money to those who have been depressed for a long period of time in the agricultural industry.

If it is important to give relief to the agriculturist by marketing his products so that he will get a better financial return than he would without the intervention and assistance of the Government, I submit that we might well turn our attention to devising some means of relief for those who are out of employment, those who are face to face with poverty, those who are walking the streets without proper nourishment for themselves and their children; that we could well turn our attention to finding some way of marketing these agricultural products to the consumer without the awful waste of money and unreasonable enhancement of price between the producer and the consumer.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Massachusetts yield to the Senator from Idaho?

Mr. WALSH of Massachusetts. I yield to the Senator from Idaho.

Mr. BORAH. I have here some telegrams which I understand were sent us, news items; and I should like, if it would not interrupt the Senator, to read them, in order to get his views on them.

Mr. WALSH of Massachusetts. Are they with reference to the question under discussion?

Mr. BORAH. They are.

Mr. WALSH of Massachusetts. I shall be glad to have the Senator read them.

Mr. BORAH. This is a telegram to a Chicago paper:

> In the last few years American corporations, financed by American capital, have acquired factories in Europe, and have become the strongest factors in driving American commerce from foreign markets by restricting the output of industry in the United States. It is not an ordinary fight or competition, since the controlling corporation merely withdraws its American-made product from the market and substitutes the output of its European factories.
>
> Even more widespread is the preference of many American corporations to employ citizens of foreign countries instead of citizens of the United States whenever possible in their offices, salesrooms, and factories abroad.

Again:

> This undermining of American commerce and industry by American corporations, with the attendant decrease of employment and consumption of raw materials at home, is noticeable in South America, but it is even more conspicuous in Mexico and Central America, at the very borders of the United States. Here one can see the novel spectacle of representatives of the American State and Commerce Departments using their official influence with these Governments to secure big concessions for American corporations, though the equipment they will install is manufactured in Europe, while factories in the United States manufacturing the same equipment are discharging workmen because they lack orders.

Again:

> Most of the countries require that 75 per cent of the employees of any corporation be citizens of the country where it is operating. English, French, and German corporations operating in these countries fill the remaining 25 per cent as far as possible with their own nationals. American corporations manufacturing their equipment in Europe, where wages, materials, and operation are cheaper than in the United States, bring European experts to install and maintain the equipment, while out of several hundred executives and office employees, frequently not a half dozen are citizens of the United States—

And so forth.

Mr. President, what is going on constantly is the employment of foreign labor to the exclusion of American labor, closing down the factories in this country, and carrying on the trade by foreign labor. I do not know how we can reach it; I am not clear upon that; but I do know that it is a very important element in this question of unemployment. Vast corporations and financial interests are going abroad, purchasing manufacturing plants, using European labor, declining to use American labor, and causing the shut-down of American factories where American labor would be employed.

Mr. WALSH of Massachusetts. Mr. President, I will say to the Senator that I introduced in the Senate several months ago a resolution, which was adopted by the Senate, calling upon the Department of Commerce and the Tariff Commission to investigate fully into the question of the investment of American capital abroad in industry; that that resolution was adopted months ago, and that I assume both those departments of the Federal Government are diligently trying to obtain for us all the facts and all the information available. I was moved to introduce that resolution because of similar facts being brought to my attention that the Senator has presented to the Senate at this moment. The one factor that startled me and stood boldly forth in the early days of the proceedings before the Finance Committee in relation to the revision of the tariff was the assertion, made frequently, that American capital was investing abroad and doing just what the Senator says—employing cheap labor there to produce products to compete with the well-paid labor of America—and it was the information that came to me at that time that led to the presentation of the resolution which was then adopted by the Senate.

I agree with the Senator that it may be difficult to know just how to handle this movement of American investments abroad; but at least we are on the way to get the information and learn the extent of it. The Senator and I are in accord upon the suggestion that any red-blooded American knowing conditions in America as they are now ought not to be encouraging the employment of foreigners and displacing the employment of Americans in official or semiofficial capacities abroad. It shows a lack of sympathy with an understanding of the real conditions in this country to-day.

I am surprised at some of the facts the Senator has brought to our attention in reference to the departments of our Government being indifferent—to put it mildly—to the importance of employing our own citizens to represent our own Government and represent the business agencies of our own country as far as possible abroad. Let us hope some of the statements are exaggerated as to the conditions described.

Mr. WAGNER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New York?

Mr. WALSH of Massachusetts. The Senator from Illinois [Mr. GLENN] has been on his feet for some time. I yield first to him, and then I will yield to my friend from New York.

Mr. GLENN. Mr. President, I was just going to suggest that some of the rates of the tariff bill that we are considering putting into effect probably will have an influence to keep out some of those goods.

Mr. WALSH of Massachusetts. I should hope that the effect of the revision of the tariff would be helpful in keeping out of this country all goods made abroad which are imported into this country and come in competition with American-made goods, resulting in removing the domestic market from our own producers. I have no quarrel with the Senator about the importance, in connection with unemployment and our other economic problems, of preserving the domestic market for the American producer. I want it preserved, however, for the American producer who is in competition with other American producers. I do not want it preserved for the American producer who has a monopoly and can control prices and can thereby unduly extort from our people. I am not unmindful, however, that excessive protection may be worse than too little protection. I fear we are reaching a policy of extreme protection that is going to be harmful rather than helpful to our industries.

Mr. GLENN. There is no controversy between us on that point or upon the point upon which the Senator from Massachusetts made to the Senator from Idaho, that this practice, which is growing very rapidly, to which the Senator from Idaho has called attention, is really not followed by those imbued with the highest type of American patriotism.

Mr. WALSH of Massachusetts. I think both Senators will recall one of the subjects I discussed before the Senate in connection with the tariff, when I called attention to the disadvantages suffered by one particular industry with which I was familiar, in my own State, owing to the fact that modern machinery and mass production and American capital were being employed abroad in competition with domestic industry.

Mr. BORAH. Mr. President, there is one feature which the tariff bill would not affect, it seems to me, although it would have some effect, undoubtedly, as suggested by the Senator from Illinois. American manufacturers must necessarily have a market abroad for their products or they can not do business; that is, it is not sufficient that they simply supply the home market. That will not insure them prosperity or success. If American capital goes abroad and engages in manufacture abroad, and, through foreign labor, supplies the foreign market, it has practically the same effect ultimately upon the home situation as if the goods were being shipped in.

Mr. WALSH of Massachusetts. The Senator has very properly called attention to that additional situation resulting from American capital investing abroad. It is bound to result in a curtailment of domestic production and domestic employment.

Mr. WAGNER. Mr. President, will the Senator yield to me?

Mr. WALSH of Massachusetts. I yield.

Mr. WAGNER. I am only asking the Senator to yield because it gives me an opportunity again to emphasize the importance of one of the three bills on the program, namely, that providing for the accumulation of accurate information as to unemployment conditions. The telegrams transmitted to the Senator are from private sources. Yet the Government ought to be absolutely in a position to know all about the causes. If that situation exists, and it has caused unemployment, we ought to know it, just as we ought to know how much chronic unemployment results from the substitution of machines for men. But we are without that information now, and we will have it if this legislation is enacted and properly administered.

Mr. BORAH. Mr. President, will the Senator from Massachusetts yield again?

Mr. WALSH of Massachusetts. I yield.

Mr. BORAH. Anything I say is not to be construed as in opposition to the measures which the Senator from New York has proposed. I think they all have merit. But there is one proposition which nothing he is proposing will reach, it seems to me. That is the question of giving employment. We will ascertain that so many people are out of employment. We know now that a vast number are out of employment. What are we going to do with those now out of employment and who we know are out of employment? We have sufficient information now to know what the situation is. We do not know all the causes which lead to the unemployment, but by the time we have ascertained the number of men out of employment and ascertain the causes of all the unemployment, many of those people will have starved, unless somebody feeds them. The question is, What are we going to do to take care of the situation as we know it to exist at this time? I would like for us to consider that question.

Mr. WAGNER. The difficulty is that we do not know what the exact situation is. We can not solve a problem until we know what it is.

Mr. WALSH of Massachusetts. I agree immediate relief is needed. Many remedies can not become operative till suffering and want has done its damage. I would like to have the reaction of the Senator from Idaho to the suggestion I made a moment ago. I called attention to the efforts being made by the Federal Farm Board to relieve distress in agriculture by attempting to market agricultural products in such way as ultimately to lead to a little more profit, a little more money to the farmers.

To my mind the most serious and the gravest economic question in the United States to-day, one in which the farmer and the consumer of the necessities of life are alike interested, is the awful waste and extensive spread between the producer and the consumer. I know the Senator will agree with me that that is a problem we ought to take hold of, that we ought to go to the bottom of it, that we ought to study it, and that we should try to find some way of breaking down this tremendous economic waste, which is so well exemplified in the case of potatoes from the Senator's own State, when one compares the small, miserable sum the farmers in Idaho receive with the very excessive prices the consumers in Chicago and New York must pay.

We are now dealing with an emergency. Unemployment of the general and widespread extent now with us is a grave and serious emergency. Economic waste that increases the cost of the necessities of life is much more serious in time of unemployment, it is much more serious to-day because these unemployed people, these people who are suffering by reason of their inability to receive enough money with which to find a comfortable place to sleep and sufficient food to eat, to say nothing of clothing, should not be obliged to pay the exorbitant prices, and pay tribute to an economic system which makes them pay three and four and five times more than the food, the very necessities of life, brings to the producer or the farmer. Does the Senator approve my suggestion?

Mr. BORAH. I agree with the Senator.

Mr. WALSH of Massachusetts. It seems to me that while we are talking about disarmament, while we are talking about world peace, while we are talking about modification of the Volstead law, all of them problems of magnitude and importance, we ought to be giving even more thought to relieving distress and misery and poverty and suffering right here at home, in the United States, due to something wrong in our economic system. Yet there is not a single agency of the Government studying it, there is not a single agency of the Government trying to find a solution of it, there is not a single agency of the Government, apparently, cognizant of the conditions which prevail throughout this country to the appalling extent I sincerely believe exists. I would be glad to have the Senator's reaction.

Mr. BORAH. Mr. President, I have seen the statement that the American producer gets about 30 or 33 cents on the dollar, on an average, of that which the consumer pays in this country, while abroad, in other countries, the producer gets about 80 cents on the dollar. If that is true, that is a fearful indictment of our marketing system.

Mr. WALSH of Massachusetts. I think the Senator has been very moderate in his percentages. It is my opinion that the spread with respect to food products is even greater and wider than that indicated by the Senator. I think he has been very conservative in his statement that it is claimed that the American producer receives only about 33⅓ per cent. I think in many instances he does not receive 10 per cent.

Mr. BORAH. I was speaking of the average.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. GLENN. I do not understand the situation as the Senator from Massachusetts does when he says that no one connected with the Government or any department of the Government is giving this situation any study and any thought and making any effort to solve it. I hardly think that statement is warranted. I recall distinctly the apparently intense interest taken in these great marketing problems and the great spread between the amount received by the producer and the amount paid by the ultimate consumer, by the President of the United States in his campaign, I think this matter is being studied by the

Department of Commerce and the Department of Agriculture, and that certainly the head of the Government is in sympathy with the views expressed by the Senator from Massachusetts when he says that there is too great a spread. I do not think I can be wrong about that.

Mr. WALSH of Massachusetts. We have a very active press in this country, and I am sure if a study along that line were being made by any of the departments of the Government, we would hear of it. I have heard of no such study being made. I did hear, and I recall very distinctly, a very popular phrase used by the President in his campaign, that it was an important function of government to lessen and to reduce poverty.

I would like to see as much time and as much energy and as much enthusiasm and as much labor devoted by an American commission to this problem, to find a solution for it, as has been spent during the last three months in trying, commendably, I say, to reduce armaments. In other words, I think we are spending our time upon issues and giving study and thought to issues, important in themselves, but none of them so vital to the health and the life and the welfare of America as this human issue of providing employment and providing food at reasonable prices for our people. I say again, I know of no board, no agency of this Government, that is to-day seeking to find a solution for the economic waste between the producer and the consumer or to relieve unemployment.

Mr. BORAH. Mr. President, the Farm Board made some effort along that line, did it not?

Mr. WALSH of Massachusetts. Yes; I agree with the Senator; they made some effort.

Mr. GLENN. Mr. President, I think the Senator from Massachusetts will agree that the President, when the economic smash up came some time ago, took some rather active steps.

Mr. WALSH of Massachusetts. I do not think the Senator was in the Chamber at the time, but when, at the outset of my observations, I was critical of the President's lack of sympathy with this problem, I was generous enough to point out what he did, and I say I believed that the action he took at that time did prevent a further expansion of unemployment and did, possibly, prevent a cutting of wages. The Senator was not in the Chamber at the time I referred to that. I wanted to be fair enough to give the President credit for that.

Mr. President, I did not intend to keep the floor so long, but I felt that this occasion should not pass without my calling attention to the fact that, where we ought to have leadership, where we ought to have sympathy, where we ought to have a strong-arm policy, in dealing with this problem, we have not found it. There has, apparently, been a disposition to push it aside, to minimize it, to hope and pray—and that is commendable—that it would pass away without the need of any vigorous action. I said before and I say now, that the American people are conscious of the difficulties in solving a problem like this. The American people know how difficult it is to find a sane and a sound solution of many of our great economic questions.

But the American people have a right to know that their public officials know of the existence of these difficult problems, that they sympathize with them, that they feel for them, that they are striving to find a solution, though one may not be readily realized.

My criticism is that there has been hope, only hope, that a different situation would develop in time, rather than real sympathy expressed in an endeavor to find some permanent, lasting, helpful solution. The administration policy has been one of drifting. If something more helpful is not proposed, I intend to suggest calling upon the Farm Board to make provision for marketing of the necessities of life to the poor unemployed of the country at first cost. That is something constructive we can try to do in addition to the very excellent legislative proposals which have been presented by the Senator from New York. I desire to commend him for his diligence, his perseverance, and the able manner in which he has pursued his interest in the question and which is resulting to-day in the first step toward some relief. It may not be as large or beneficial as desired, but it will be moving in the direction of relief. The big relief that this problem requires must originate with and be sponsored by the Chief Executive. He alone can direct and lead our people in emergencies in war and peace. Here is an emergency for executive leadership and statesmanship.

Mr. BORAH. Mr. President, I wish to ask the Senator from New York a question. Do any of the bills which he has been discussing create a commission?

Mr. WAGNER. No. A stabilization board is created, but the members of it are those who are already in office, namely, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Labor. There is no new commission created under the proposed legislation.

The PRESIDING OFFICER (Mr. FESS in the chair). The bill is as in Committee of the Whole and open to amendment. If there is no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Chair lays before the Senate the next special order, Calendar No. 312.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3061) to amend section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, which had been reported from the Committee on Commerce with amendments, on page 1, line 10, after the word "employment," to insert the words "in the service of the Federal Government, the States and political subdivisions thereof, and," and on page 2, line 5, to strike out the words "transportation and communication and insert in lieu thereof the words "transportation, communication, and other public utilities," so as to make the bill read:

Be it enacted, etc., That section 4 of the act entitled "An act to create a Department of Labor," approved March 4, 1913, is amended by adding at the end thereof the following new paragraph:

"The Bureau of Labor Statistics shall also collect, collate, report, and publish at least once each month full and complete statistics of the volume of and changes in employment, as indicated by the number of persons employed, the total wages paid, and the totnl hours of employment, in the service of the Federal Government, the States and political subdivisions thereof, and in the following industries and their principal branches: (1) Manufacturing; (2) mining, quarrying, and crude petroleum production; (3) building construction; (4) agriculture and lumbering; (5) transportation, communication, and other public utilities; (6) the retail and wholesale trades; and such other industries as the Secretary of Labor may deem it in the public interest to include. Such statistics shall be reported for all such industries and their principal branches throughout the United States and also by States and/or Federal reserve districts and by such smaller geographical subdivisions as the said Secretary may from time to time prescribe. The said Secretary is authorized to arrange with any Federal, State, or municipal bureau or other governmental agency for the collection of such statistics in such manner as he may deem satisfactory, and may assign special agents of the Department of Labor to any such bureau or agency to assist in such collection."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 10379) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, and it was signed by the Presiding Officer (Mr. FESS) as Acting President pro tempore.

NATIONAL EMPLOYMENT SYSTEM

Mr. McNARY obtained the floor.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from New York?

Mr. McNARY. I yield.

Mr. WAGNER. As the Senate knows, one of the bills discussed by me and which I regard as a part of the program for the stabilization of employment, is upon the calendar and would have been made a part of the special order but for the objection of the Senator from Connecticut [Mr. BINGHAM]. I refer to the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes. I propose now to move that that bill be taken up for consideration and that we have a vote upon it. We have already had a discussion of it. I do not know that there is any further discussion needed, but I want to have a vote upon whether the Senate approves the measure or not.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. Is a motion of that kind in order at this time? The Senator from New York proposes to move to proceed to the consideration of the bill to which he has referred, which is not included in the special order.

The PRESIDING OFFICER. There being no unfinished business before the Senate, the motion is in order.

Mr. McNARY. Personally, I have no objection to the present consideration of the bill. I could not give my approval to unanimous consent for its present consideration and the Senator from New York is not asking it, but inasmuch as there is opposition and the Senator objecting is not present, before the motion is made and in order that we may have a more full attendance, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Dill	Jones	Shipstead
Ashurst	Fess	Kean	Shortridge
Baird	Frazier	Kendrick	Smoot
Barkley	George	Keyes	Steck
Bingham	Gillett	La Follette	Steiwer
Black	Glass	McKellar	Stephens
Blaine	Glenn	McNary	Sullivan
Blease	Goldsborough	Norris	Swanson
Borah	Gould	Nye	Thomas, Idaho
Bratton	Greene	Oddie	Thomas, Okla.
Brock	Hale	Overman	Townsend
Broussard	Harris	Patterson	Trammell
Capper	Harrison	Phipps	Vandenberg
Caraway	Hastings	Pine	Wagner
Connally	Hatfield	Pittman	Walcott
Copeland	Hawes	Ransdell	Walsh, Mass.
Couzens	Hayden	Robinson, Ind.	Walsh, Mont.
Cutting	Hebert	Robsion, Ky.	Waterman
Dale	Howell	Schall	Watson
Deneen	Johnson	Sheppard	Wheeler

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

Mr. McNARY. Mr. President, I understand the question before the Senate is the motion made by the Senator from New York [Mr. WAGNER] to take up Senate bill 3060.

The PRESIDING OFFICER. The motion has not yet been made.

Mr. WAGNER. I now move that the Senate proceed to the consideration of Senate bill 3060.

Mr. WALSH of Massachusetts. Let the bill be stated.

The PRESIDING OFFICER. The Secretary will read the bill by its title.

The CHIEF CLERK. A bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from New York [Mr. WAGNER] to proceed to the consideration of the bill.

Mr. JONES. Mr. President, as I understand, this bill constitutes another proposal for the relief of unemployment. I did not think about the bill coming up to-day. I know there is great opposition to the proposed legislation in my State, and a hasty reading of the bill leads me to think that should it be enacted into law it would embark the National Government upon an activity into which it ought not to enter, and one which is not necessary. However, I am not myself prepared to discuss the measure at this time. I did not suppose the bill was likely to come up; after the other two bills were disposed of, I supposed there would be other legislative business which it would be desired to consider, especially in view of the agreement to take up another matter at 3 o'clock.

Mr. JOHNSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. I do.

Mr. JOHNSON. There were a series of three bills pending before the Commerce Committee presented by the Senator from New York [Mr. WAGNER]. They related to a single subject, and all should have been considered together had it been possible thus to consider them. In the Commerce Committee, when the three bills were before that committee, two of them were reported; the third was favorably acted on, but just as it was about to be reported with the other two bills some organization desired to be heard upon the third bill. In a spirit of fairness the Committee on Commerce accorded that organization the right to present its objections to the third bill, but it was subsequently reported. It is the third in a series of three. In the interim the two bills first reported were fixed as special orders; the third was not fixed as a special order at that particular time; but in the consideration of the measures—I am not speaking of their merits at all—all three should be heard practically together as part of a continuous and comprehensive program of relief for unemployment. So I hope, no matter what may be the views of individual Senators upon Senate bill 3060, that the Senate will permit it to be now made the unfinished business so that it may be considered.

Mr. WATSON. Mr. President, after I had the privilege of naming the steering committee, I met with them, and the question came up as to what legislation should be considered. At that time, as I recall, it was agreed that two of these bills should be considered at once, and, so far as those present at the meeting had anything to do with it, or were concerned, that both those bills should be passed. So far as we then could ascertain, there was no particular or serious objection to either bill. There were, however, grave objections presented to the third bill by various individuals present. Therefore we thought that more time should be given for the consideration of that bill; that before it should be considered Senators should have an opportunity to study it and learn about it; and that they should be informed as to when it would come up. The other two bills were on the program, so that as to them everybody was notified, but at that time there was at least an understanding that the third bill would not be considered until some further time had been given for its study.

This morning I spoke to the Senator from New York and suggested that he call up the two bills which were on the regular program. He said that he intended to do that. I got from him the impression—perhaps it was an erroneous one—that he did not intend to press the third bill for consideration this afternoon.

Mr. WAGNER. The Senator certainly got a wrong impression if he thought I entertained any such idea as he has stated.

Mr. WATSON. I at least got that impression. I never dreamed that the Senator intended to ask for the consideration of the third bill this afternoon.

Mr. JOHNSON. Let me recall to my friend from Indiana that——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from California?

Mr. WATSON. Certainly.

Mr. JOHNSON. The two bills that have been passed were made special orders by unanimous consent. The third bill, as I have just recounted, was reported by the Commerce Committee as a part of the comprehensive scheme for the relief of unemployment presented by the Senator from New York. When that bill was reported some weeks ago the Senator from New York on the floor stated that he desired it to be made a special order with the two bills that had already been made special orders. Then and there, because some Senators are opposed to it, objection was interposed to making the third bill a special order with the other two that thus had been made a special order; and then and there the Senator from New York stated that he would move to take it up immediately upon the other two bills being acted upon by the Senate. So everybody has been given most full and complete notice. I am making these remarks solely because I think as a matter of justice and fair play the facts should be stated. Under the circumstances the Senator from New York is entitled, I think, to have the question determined by the Senate as to whether or not his bill shall be made the unfinished business and be before the Senate.

Mr. WATSON. Mr. President, in response to my friend from California, I desire to state that I was not on the floor at the time of the remarks made by the Senator from New York to which the Senator from California refers; in fact, having been detained for something over three weeks as a member of the conference committee on the tariff bill, I have hardly been on the floor of the Senate at all during that time. However, I had a distinct impression from Senators here with whom I had talked that the two measures which have been acted upon by the Senate were to be brought up and passed this morning; that is to say, if the Senate were willing to pass them; at least, that they should be considered; but at no time have I gotten from anybody the impression that the third bill was to be brought up to-day. I had not read the third bill and have not read it as yet; I do not know what is in it and have had no opportunity to consider it; and, so far as I know, other Senators have not had an opportunity to consider it and did not know it was coming up.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from New York?

Mr. WATSON. I am glad to yield to the Senator.

Mr. WAGNER. Did the Senator read the two bills which were considered and passed this morning?

Mr. WATSON. I certainly did read them both, and I went over and spoke to the Senator about them. I sent for them this morning; I had them brought to my room by Mr. Loeffler and I read them both. I did not read the third one, because I did not apprehend it was coming up to-day. When I went over and spoke to the Senator I supposed, of course, the two bills were to come up, as I spoke to him about the two; but I did

not know that the Senator was going to press the other bill to-day, and I am very sorry if that is his purpose.

Mr. WAGNER. I think I stated to the Senator that I proposed to make a motion for the consideration of the third bill just as soon as the other two had been disposed of. That has been my intention right along, and, as the distinguished Senator from California has said, I made the statement, at the time unanimous consent was refused me because of the objection of the senior Senator from Connecticut [Mr. BINGHAM], that I would move to take up for consideration the third bill at the time when the two other bills were under consideration.

Mr. WATSON. Mr. President, I am told that a request will be made at 3 o'clock to postpone, by unanimous consent, the consideration of the Parker nomination set for that time until Thursday. As to whether or not that will be done I do not know. If it be done—and I apprehend it will be, because, I am told, it is on the personal request of the Senator from North Carolina [Mr. SIMMONS], who wants to be present when the nomination shall be taken up, and can not be here before Thursday—if the consideration of the nomination shall be postponed, I think we might go on with something else for a little while, until some of us may have an opportunity to study this bill and see what is in it. I do not know of a Senator on this side who has read it, and I do not think, under the misapprehension which prevails, that the Senator ought to seek to crowd that bill on the Senate at this time. I may favor it when I read it, but I do not know as to that.

Mr. JOHNSON. Mr. President, I am perfectly certain the Senator from Indiana will very enthusiastically favor it, because it deals with one of the most important subjects which is now before the Nation—the subject of unemployment—and the only bills which have been presented on that subject upon which the Congress may act are the bills which have been introduced and pressed by the Senator from New York.

Mr. President, if the Senator from Indiana will permit me for an instant further——

Mr. WATSON. Certainly.

Mr. JOHNSON. At 3 o'clock, it is true, under a unanimous-consent agreement, the Senate is to consider a nomination. My information may be at fault, but it is that the consideration of the confirmation of the nomination of Judge Parker will proceed at that time. I do not speak advisedly; I do not speak, of course, with the authority with which the Senator from Indiana can speak, but I believe at that time the Senate will proceed with the consideration of the nomination.

Mr. WATSON. One objection, of course, will force its consideration.

Mr. JOHNSON. All that is asked by the Senator from New York is that the bill introduced by him, Senate bill 3060, shall be made the unfinished business. It can be made the unfinished business, and then can be laid aside, if the Senator from Indiana has some legislative business which he wishes to have considered between now and 3 o'clock. Then, of course, it will be superseded temporarily under the unanimous-consent agreement by the consideration of the Parker nomination. I trust that the Senator from New York will insist upon his motion that the Senate proceed to the consideration of Senate bill 3060.

Mr. JONES. Mr. President, will the Senator from Indiana yield to me?

Mr. WATSON. I yield the floor to the Senator.

Mr. JONES. I do not care to take the floor particularly, except I wish to call the Senator's attention to the fact that I received a notice a few days ago from the steering committee setting out the order in which they would ask that bills be considered. This was not one of those bills.

Mr. President, I have had an opportunity merely to go over the bill hurriedly. I did not object to the Senator's request the other day, but I find this bill starts out by creating a new bureau with a director at its head, at $10,000 a year, to serve whether we need him or not. The bill will also provide for a large number of Federal employees. I do not think this bill is necessary by reason of the passage of the other two measures. I think the other two measures will meet the situation, and I think they are all we should pass, so far as I have made any study of this bill. I think it was very well for us to have passed the other two bills, but I do not think, from what little study I have been able to give this measure, that it is necessary at all. It seems to me that the only way it will help the unemployment situation will be to provide for additional Federal employees with good salaries.

Mr. WAGNER. Mr. President, it was the general view of those familiar with this subject and who have given it considerable study that the third proposal is more important than the other two bills which have been passed to-day by the Senate. I have been trying to find out what is the actual basis of the opposition to this bill.

The Senator says we are creating a new department. We are not doing anything of the kind.

Mr. JONES. No; I said "a new bureau."

Mr. WAGNER. We now have a Federal Employment Bureau, with a Mr. JONES at the head of it, but it does not function. It does not do anything. I am trying by this legislation, as a part of this general scheme, to do something toward preventing a recurrence of the acute unemployment situation through which we are now passing.

What is the objection? Do you not want to stop unemployment? Do you not want to solve the problem? The only objection so far——

Mr. JONES. The objection is that we are creating a new bureau.

Mr. WAGNER. I might say to the Senator that the bill does not create a new bureau. We now have an Employment Bureau.

Mr. JONES. This bill creates a new bureau.

Mr. WAGNER. This is to take the place of the one that is now in existence——

Mr. JONES. It does not say so.

Mr. WAGNER. Which does nothing except, at the behest of some governmental official, to promulgate optimistic reports based upon nothing but speculation.

Mr. WATSON. Mr. President, will my friend permit me to interrupt him?

Mr. WAGNER. Yes.

Mr. WATSON. I have just been glancing over the bill. Here is an appropriation of $4,000,000 per year to employ new men, to put them on the pay roll.

Mr. WAGNER. No; it is not for the purpose of putting them upon the pay roll. It is a function which we have not yet performed, just such as was incorporated in the other two bills. It is necessary to have employees. I am safeguarding against taking mere political hacks for these places by providing that they must be appointed under civil-service regulations; but if we are to assume a new function to do something upon this question of unemployment—upon which the Federal Government never has done anything, which it has never attempted even to solve, though I regard it as the most important subject before the American people to-day—of course we need a new bureau; of course we need employees in order to function. Is that the sole reason for opposition?

Mr. JOHNSON. Mr. President, may I soothe the perturbed spirit of my friend from Indiana by saying to him that as the watchdog of the Treasury and the exemplar of economy on this side of the Chamber, it is my intention to present an amendment reducing this appropriation; but let us not discuss the merits of the question. The question is whether the Senator from New York shall have an opportunity to be heard upon his bill; and I submit he ought to have that right.

Mr. WAGNER. May I suggest to the Senator from Indiana that I am quite willing to accept the proposal of the Senator from California that the bill be made the unfinished business, and then be laid aside until such time, within reason, as the Senator has the opportunity to examine its provisions and determine whether he intends to oppose or approve the legislation. I will predict that after the Senator has examined it, and has looked into the subject, he will approve the legislation.

Mr. JOHNSON. I have no doubt of that, too.

Mr. WATSON. The only thing I care to say on that subject at this time is this: A program has been made up by the steering committee, and printed. I hold in my hand a copy of it. It says:

I am instructed by the committee on order of business of the Republican conference to inform you that the committee, at a meeting held on Friday, April 11, 1930, made a careful examination of the bills now pending upon the Senate Calendar, or which have been ordered reported, and suggest that the following bills be made the unfinished business of the Senate, in the order listed, after disposal of the pending immigration bill:

Calendar No. 316. S. Res. 227, by Mr. SWANSON: Resolution to amend the Senate rules so as to abolish proceedings in Committee of the Whole on bills, joint resolutions, and treaties.

Calendar No. 378. S. 3619, by Mr. COUZENS: A bill to reorganize the Federal Power Commission.

Calendar No. 282. S. 3901, by Mr. BINGHAM: A bill to establish a commercial airport for the District of Columbia.

H. R. 10288, an act to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

Calendar No. 193. H. R. 6: An act to amend the definition of oleomargarine contained in the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, as amended.

That was the program outlined by the committee. A copy of that was sent to every Senator; and every Senator was put on notice as to the measures that would be taken up, and the order in which they were to be taken up. When the committee met, I did recommend to the committee that the two measures of the Senator from New York be included in the program.

Mr. WAGNER. Mr. President, may I ask the Senator whether all our rights in this body are subject to the direction of a few gentlemen who constitute the steering committee?

Mr. WATSON. Not at all.

Mr. WAGNER. May we not change the order as proposed by this committee of regulars?

Mr. WATSON. The Senator answers his own question when he asks that. He knows very well that a majority can change anything.

Mr. WAGNER. The Senator makes that statement as if it is inexorable.

Mr. WATSON. I make the statement in this way—that always the majority has the right to fix the order of business, unless otherwise ordered. The majority is responsible for the legislation that occurs here, in so far as the order in which it is taken up is concerned. To carry that out with some degree of system, some method of order, always a steering committee is appointed; always that committee makes a report; and in the absence of some special reason to the contrary, the report of that committee is adopted, and that order of procedure is carried out.

At the time it was agreed that the two bills offered by the Senator from New York might be considered. There is no objection to that. Nothing was said about the third bill, however; and at that time it did not occur to me—and I want my friend from California to know that I am very sincere about this—it did not occur to me, I will say to my friend, that this bill was to be taken up. For that reason I have not read it. I do not know what is in it.

I have asked a number of Senators on this side if they have read this bill and are prepared to discuss it, and not one of them is ready to do so. That is why I think the Senator ought to be in no hurry about discussing it.

Mr. WAGNER. That is so not only about this bill but about a great many other bills on the calendar. We are not prepared to discuss them.

Mr. WATSON. No; not that. I assume that Senators are familiar with the bills that are to come up here in their order. That is what this program is for—to put Senators on notice, so that they will read these bills and be prepared, when they come up, to give legitimate discussion to these measures in order. An outside measure, suddenly coming in to disrupt the regular program, injects into the Senate measures which should not be the subject of consideration by individual Senators.

Mr. WAGNER. Mr. President, these bills, if I may say so to the Senator, have been pending for two years. We had hearings two years ago before the Committee on Education and Labor on the subject matter involved in this legislation. All of those who appeared—public-spirited citizens interested in the solution of this problem—favored this legislation. We had hearings before the committee of which the Senator from California [Mr. JOHNSON] is the head, and all those who appeared before that committee heartily approved this legislation. Only in the closing hours—I have not the Senator's attention.

Mr. WATSON. I was just making a private speech here.

Mr. WAGNER. If it will facilitate matters, I am quite agreeable.

Mr. JOHNSON. Mr. President, it has been suggested that this bill might be made the unfinished business immediately after the disposition of the question of confirmation of Judge Parker, and were I in charge of the measure, as the Senator from New York is, I would accept that.

Mr. WAGNER. I do accept it.

Mr. WATSON. I am quite content with that.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent to make Senate bill 3060 the unfinished business——

Mr. SWANSON. Mr. President, I have not agreed yet. I want to know what it is proposed to do. Ninety-six Senators, not two, constitute this body.

Mr. WATSON. I sent for the Senator to come in in order that he might be informed.

Mr. SWANSON. Before I could get in this proposal was made, and I want to find out what is going on.

The PRESIDING OFFICER. The Chair was stating the unanimous-consent proposal so that the Senator might object if he desired.

Mr. SWANSON. What is the unanimous-consent proposal?

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that immediately upon the conclusion of the consideration of the confirmation of Judge Parker, Senate bill 3060 be made the unfinished business.

Mr. SWANSON. I thought the Senator from New York had finished his two bills.

Mr. WAGNER. This is the third.

Mr. SWANSON. This is the third one?

Mr. WAGNER. Yes.

Mr. SWANSON. Can the Senator never be satisfied with legislation? He has had two bills passed to-day. Is he not all through?

Mr. WAGNER. This bill is an integral part of the whole program.

Mr. SWANSON. What part of it is it?

Mr. WAGNER. This bill provides for Federal aid to the State employment agencies.

Mr. SWANSON. I will tell the Senator what we will do——

Mr. WAGNER. I hope the Senator will not object. He has ample time in which to read the provisions of the bill if he has not already done so. I am sure I will persuade the Senator of the meritorious quality of the legislation.

Mr. SWANSON. Has the Senator persuaded himself conclusively that the bill is all right?

Mr. WAGNER. Yes.

Mr. SWANSON. That will go a long way, then, to convince me. I will agree to that, Mr. President, provided this resolution of mine then be made the unfinished business.

Mr. WATSON. I shall not agree to that. We can not parcel out the time of the Senate for the next week or 10 days between these different bills. The thing that ought to be done, and the Senator ought to agree to that, is to make his bill the unfinished business after the regular program has gone through, which will take only a little time. That is what really ought to be done.

Mr. WAGNER. I hope the Senator from Virginia will agree. I am sure but little of the time of the Senate will be required for the consideration of this bill.

Mr. SWANSON. How much time does the Senator think it will take? This is the program that everybody has agreed to. I consented to this program. It was understood that this was to be the program of business. To come in here now and try to change it with another agreement does not seem to me to be carrying out what it was understood for the last 10 days would be the program.

Mr. WAGNER. If it were a separate proposition, I would not insist upon this at all; but this bill is really a part of the program of an effort to solve the question of unemployment, and really it is a very important part, and it ought to have been considered with the other two bills. I am going to make an appeal to the Senator that he do not object to making this bill the unfinished business, to follow immediately the consideration of the Parker nomination. It will take but little of the time of the Senate, I am sure.

Mr. SWANSON. The question now is about making a bill the unfinished business. The Parker nomination is to be considered in executive session of the Senate, and that will be the unfinished business in executive session. This is a proposal to make this bill the unfinished business in the legislative session of the Senate.

Mr. WAGNER. Yes; exactly.

Mr. SWANSON. Then it does not follow the Parker nomination. We are not discussing the Parker nomination. These are two separate matters, and neither one interferes with the other.

Mr. WAGNER. It will not delay the Senate at all. It is a matter about which I am sure there will not be any protracted discussion.

Mr. SWANSON. What is the objection, then, to making my resolution the unfinished business?

The PRESIDING OFFICER. Is there objection?

Mr. SWANSON. Wait a minute.

Mr. GLASS. Mr. President, on the question of the merits of the bill, will the Senator from New York tell me where the Federal Government is going to get the money with which to aid the States?

Mr. WAGNER. It is to be appropriated, I assume.

Mr. GLASS. But where is the Federal Government going to get it? In other words, it is another scheme to tax the people of the various States and then dole the money back to them as the Federal Government pleases to do, is it not?

Mr. WAGNER. I do not so regard it.

Mr. GLASS. Where is the Federal Treasury going to get the money with which to aid the States?

Mr. WAGNER. Out of the Federal Treasury.

Mr. GLASS. It is a misnomer to talk about the Federal Government aiding the States. In order to get any money into the Treasury, the Federal Government has to tax the taxpayers of the various States and then dole the money back to them as some officials here in Washington may be pleased to do.

Mr. WAGNER. Of course, that is a criticism that can be made against any appropriation.

Mr. GLASS. No; not against any appropriation; but these appropriations that affect to aid the States with the money that has been previously taken away from the States and doled back, instead of letting the States take care of themselves. After a while we will not have any States.

Mr. WAGNER. All I can say is that this policy has been pursued by the Federal Government for some time.

The PRESIDING OFFICER. Is there objection?

Mr. JONES. Mr. President, from what little I have seen of the bill, and the impression I have of it, I can not give my consent to take it up.

The PRESIDING OFFICER. Objection is heard.

Mr. JONES. If it is taken up by motion, that is a different proposition.

Mr. JOHNSON. Now a motion is pending.

The PRESIDING OFFICER. The question is, Shall the Senate proceed to the consideration of Senate bill 3060?

Mr. SWANSON. Mr. President, am I recognized?

The PRESIDING OFFICER. The Senator from Virginia has the floor.

Mr. SWANSON. I move that the Senate proceed to the consideration of Order of Business No. 316, S. Res. 227, as the unfinished business.

The PRESIDING OFFICER. Possibly the Senator did not understand that there was a motion before the Senate.

Mr. SWANSON. Is there a motion pending?

The PRESIDING OFFICER. There is.

Mr. SWANSON. Then my motion is not in order, because there can be pending only one motion to make a matter the unfinished business.

The PRESIDING OFFICER. The question is on the motion submitted by the Senator from New York that the Senate proceed to the consideration of Senate bill 3060.

Mr. WAGNER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BLEASE (when his name was called). I have a pair with the senior Senator from West Virginia [Mr. GOFF]. I transfer that pair to the senior Senator from Georgia [Mr. HARRIS] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH], and I do not know how he would vote. Therefore I take the liberty of transferring that pair to the junior Senator from Ohio [Mr. MCCULLOCH], and I vote "nay."

The roll call was concluded.

Mr. MCNARY. On this vote I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I am advised that he would vote as I am about to vote. I vote "yea."

Mr. GILLETT. I transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the Senator from Maine [Mr. GOULD] and vote "nay."

Mr. BLEASE (after having voted in the affirmative). The Senator from Georgia [Mr. HARRIS] having voted, I transfer my pair to the Senator from Alabama [Mr. HEFLIN] and will allow my vote to stand.

Mr. SHEPPARD. I desire to announce that the Senator from Florida [Mr. FLETCHER], the Senator from South Carolina [Mr. SMITH], and the Senator from Utah [Mr. KING] are detained from the Senate by illness.

I also desire to announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Arkansas [Mr. ROBINSON] are detained in connection with the London Naval Conference.

I also wish to announce that the junior Senator from Arkansas [Mr. CARAWAY] is detained from the Senate on official business.

Mr. MCNARY. I wish to announce the following general pairs:

The Senator from Rhode Island [Mr. METCALF] with the Senator from Maryland [Mr. TYDINGS];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING]; and

The Senator from Pennsylvania [Mr. REED] with the Senator from Arkansas [Mr. ROBINSON].

I am not advised how any of these Senators would vote on this question if present and voting.

The result was announced—yeas 37, nays 32, as follows:

YEAS—37

Ashurst	Copeland	Johnson	Steck
Barkley	Couzens	La Follette	Steiwer
Black	Cutting	McKellar	Trammell
Blaine	Dill	McNary	Wagner
Blease	George	Norris	Walsh, Mass.
Borah	Harris	Nye	Walsh, Mont.
Bratton	Hatfield	Pittman	Wheeler
Brock	Hawes	Schall	
Broussard	Hayden	Sheppard	
Connally	Howell	Shipstead	

NAYS—32

Baird	Glenn	Oddie	Sullivan
Bingham	Goldsborough	Overman	Swanson
Dale	Greene	Patterson	Thomas, Idaho
Deneen	Hale	Phipps	Townsend
Fess	Hastings	Pine	Vandenberg
Frazier	Jones	Ransdell	Walcott
Gillett	Kean	Robinson, Ind.	Waterman
Glass	Keyes	Robsion, Ky.	Watson

NOT VOTING—27

Allen	Grundy	McMaster	Simmons
Brookhart	Harrison	Metcalf	Smith
Capper	Hebert	Moses	Smoot
Caraway	Heflin	Norbeck	Stephens
Fletcher	Kendrick	Reed	Thomas, Okla.
Goff	King	Robinson, Ark.	Tydings
Gould	McCulloch	Shortridge	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3060) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. WAGNER. Mr. President, in view of the fact that the Senate will go into executive session within three minutes, may I suggest that the unfinished business be temporarily laid aside?

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. MCNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The first business in order is reports of committees. If there be no reports, the Senate will proceed with the calendar, other than the Parker nomination, up to 3 o'clock.

WAR DEPARTMENT

The Chief Clerk proceeded to read the nomination of Frederick Huff Payne to be Assistant Secretary of War.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

COAST GUARD

The Chief Clerk read sundry nominations for appointments in the Coast Guard.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read the nominations of sundry postmasters.

Mr. MCKELLAR. Mr. President, in the absence of the chairman of the Committee on Post Offices and Post Roads, I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

NOMINATION OF JUDGE JOHN J. PARKER

The PRESIDING OFFICER. The hour of 3 o'clock having arrived, the Senate, under the order previously entered, will proceed to the consideration of the nomination of John J. Parker, which will be stated.

The CHIEF CLERK. To be an Associate Justice of the Supreme Court of the United States, John J. Parker, of North Carolina, reported adversely.

Mr. OVERMAN. Mr. President, as I said this morning I would do, I now ask unanimous consent, at the request of my colleague [Mr. SIMMONS], who has been called home on account of important business, that this matter be postponed until Thursday, to be taken up at 3 o'clock p. m. on that day. Of course I know it has been set for this hour by unanimous consent, and it would take unanimous consent to postpone it. I send to the desk a letter which I have received from my colleague, which I ask to have read.

The PRESIDING OFFICER. Without objection, the clerk will read the letter, as requested.

The Chief Clerk read as follows:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
Washington, D. C., April 26, 1930.

Hon. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: As I told you in our phone conversation this morning, I have not been able to get away from Washington for quite a long while, and certain matters of vital importance make it necessary for me to go to North Carolina for a few days. I do not think I will be able to return before Thursday morning of next week. I am exceedingly anxious that final action should not be taken on the Parker nomination until I return, and I hope you will see that none is taken until then.

I am quite sure if you will suggest to the Senate, in case the matter is about to be acted upon in my absence, that I am deeply interested by reason of the fact that Judge Parker is a citizen of our State and that I had asked you to ask for postponement until my return, your request will be granted.

Senator GILLETT informed me to-day that he intended to vote for Judge Parker. In view of that fact, I would be glad if you would have me, if the Senate determines to act in my absence, paired with some one who would vote against Judge Parker's confirmation. If you will call this to the attention of Mr. Halsey, I am sure he will be able to find a pair in case it becomes necessary, or some Senator friendly to Judge Parker could transfer his pair to me and vote.

I would be glad also if you would wire me at Raleigh, care of Mrs. L. A. Mahler, on Monday what the prospects are, and also wire me at New Bern, care of Dr. J. F. Patterson, on Tuesday or Wednesday, as the case may be, what the situation is. I would like to remain in North Carolina until Friday, but, as I said before, I will return Wednesday night if necessary to do so.

Your attention to these matters will be greatly appreciated.

Very cordially yours,

F. M. SIMMONS.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. BORAH. Mr. President, I had a talk with the senior Senator from North Carolina [Mr. SIMMONS] before he left for North Carolina. I have, of course, no desire to discommode that Senator. I am perfectly sure if we proceed with the consideration of the matter as provided in the unanimous-consent agreement it will not discommode him. All that he desires is to be here when the vote is taken. I am quite sure the discussion will not be concluded prior to Wednesday evening or Thursday morning. Under those circumstances I feel that I can not consent to the matter going over.

The PRESIDING OFFICER. Objection is made.

Mr. OVERMAN. Of course, the objection of one Senator will keep my request from being granted.

Mr. President, the laboring oar in this contest is upon my able, eloquent, and distinguished friend, the Senator from Idaho [Mr. BORAH], as he made the report adversely to the confirmation. But I feel it my duty, before the debate begins, to make a statement in regard to Judge Parker the man and Judge Parker the lawyer as I consider him to be.

When a vacancy occurred by reason of the death of the late lamented Justice Sanford I called upon the President and urged him to appoint a Democrat from the South to the position. I reminded him that President Taft had appointed a Chief Justice from the South; that Justice Lurton and Justice Lamar had been appointed from the South to positions upon the court and that they had filled those positions with great ability and with entire satisfaction to everybody. I told him I thought the Supreme Court ought to be a well-balanced court, a nonpartisan court, and that the South, a great territory, should have representation on the court.

I also told him that in my opinion the fathers, in writing the Constitution, had a particular thought in mind in establishing nine circuits in that they provided that there should be nine Supreme Court judges, and that evidently the intention of the fathers was that there should be one justice of the Supreme Court from each of the nine circuits. I also told him that the fourth circuit in which I lived had not had a member of the court in 100 years, not since Iredell and Moore were on that great bench, and I thought we ought to have a man from that circuit upon the bench.

I then recommended and urged the appointment of an illustrious Democrat from my State, Chief Justice Stacy, of that State. I told the President of his great legal ability and great character and fitness for the position. But knowing that the Republicans of my State were urging Judge Parker for the position, I said, "Mr. President, if you are determined in your own mind to appoint a Republican to this position, I cheerfully say to you that I do not believe you could find a better man among the Republicans of the South than Judge Parker. If he is to be appointed, I shall give him my support." Here I am, Mr. President, giving him my support as I promised. I am not going to make an argument in the case, but simply a statement as to the character of the man and his judicial ability.

Because of the fact that the nominee is from my State, I was appointed by the honorable chairman of the Committee on the Judiciary [Mr. NORRIS], as is his universal practice, as chairman of a subcommittee to investigate and hold hearings. He always follows that practice when there is a contest in a case requiring hearings. We held extensive hearings upon the matter. The hearings are printed and are now in the hands of Senators. Each Senator has a copy of the hearings upon his desk this morning.

Since that time, it being known throughout the country that I was chairman of that subcommittee, I have been simply overwhelmed with letters, communications, and telegrams from the American Federation of Labor, and I believe from every State in the Union, from every leading city and town in the country, protesting against Judge Parker's confirmation. I have also received letters and communications from socialists, communists, and a large number from the colored population of the country. Among them were some 200 affidavits from my own State protesting against Judge Parker's confirmation.

In addition to that I have received many letters, telegrams, and communications from leading colored men, the most intelligent men in my State, to wit, Col. James E. Shepard, president of one of the leading colored institutions of the State; from Doctor Tyson, Mr. Wooten, and Mr. Epps; a letter from the president of Shaw University, a great colored institution established by northern people after the war for the education of the colored people; all strongly advocating Judge Parker's confirmation. These letters, communications, and telegrams are in the files of the Committee on the Judiciary and can be seen there by Senators.

On the other hand, I have received letters, telegrams, and communications from lawyers all over the country, distinguished lawyers, presidents of colleges, universities, and chambers of commerce, especially in the fourth circuit where Judge Parker presides and where he has presided over the court for four long years. I believe I can state without fear of successful contradiction that the lawyers and the courts and the people of the fourth circuit are almost unanimous in favor of the confirmation of Judge Parker. The people among whom he has lived and grown up know him. The lawyers and judges know him as a lawyer and as a judge, and they heartily commend him to the favorable consideration of the Senate. I have letters from every Federal judge and circuit judge and from the judges of the supreme courts of South Carolina, Virginia, Maryland, North Carolina, and West Virginia, comprising the Fourth Circuit.

Mr. President, Judge Parker was born in a little town in my State, grew up there, and got his early education at the high school. He was a member of a plain family, but of distinguished ancestry. He worked his way up and finally went to the University of North Carolina. I have a splendid indorsement from the president of that university and the whole faculty of the institution recommending him. He worked his way through the university. He was a leader among the boys of that institution. He led in all his studies and finally graduated with distinction. He is a man of courage, a man of character, a man of supreme ability.

He went back to his little home town and began the practice of law. I have a letter from the attorney with whom he went into partnership when he went back home, commending him in the highest terms. That lawyer is Judge Stack, one of the distinguished jurists of North Carolina. Judge Parker practiced law there four years. He was nominated for Congress and was defeated by an eminent Congressman whom many of our Senators know, Hon. Robert N. Page, one of the leaders in the House of Representatives when he was here. Judge Parker was then nominated by his party for attorney general of the State and again was defeated. He was then nominated for the high office of governor and in that election received 60,000 more votes than any Republican ever received in that State for that office. I have a letter from his opponent, who has been working for and advocating the confirmation of Judge Parker, to wit, Hon. Cameron Morrison. Hon. Robert N. Page, who defeated him for Congress, also has written a strong letter advocating his confirmation. Such is the character of the man. He was raised among the plain people, lived among the plain people.

Four years later Judge Parker moved to Charlotte, N. C., and entered into partnership with one of the leading firms of that city. The leading member of that firm is a man of great ability, has a great practice there, and says that Judge Parker



is worthy of the favorable consideration of the Senate and should be confirmed.

Judge Parker lived in Charlotte about 8 or 10 years. Then he was elected as national committeeman, and as such named those who should fill all the great offices in the State where his party, of course, is in the minority. He was then appointed by the Attorney General of the United States as special assistant in the war-fraud cases which he tried with great ability here in Washington, as Mr. Justice Bailey, who tried the cases, has written me. That letter I have previously placed in the RECORD.

How could the trend of this man's mind be in favor of the corporations and against humanity? The whole life and environment of the man has been among the plain people.

Judge Parker loves the plain people; he has worked for them; his practice has been among them; and he has never represented any of the great corporations. The whole trend of his mind is, therefore, bound to be in favor of humanity and against the corporations, if there be any such distinction. He is a fair man; he is a just man; he is a courageous man. He has held various positions with honor; he has commended himself to all the lawyers of the fourth circuit and to all the people of my State and that circuit. Why should it be said that he is not competent to sit on the bench of the Supreme Court of the United States when lawyers, the judges, and everyone else in the fourth circuit who knows anything about him—and there are many of them who do—say that he is fit for the position? Why would the bar associations of the States in which he is known commend him in the highest terms if he were not worthy of the office?

As to Judge Parker's standing in North Carolina, I send forward to the desk and ask to have read a letter from the governor of the State, which, I think, reflects the sentiments of the State of North Carolina without regard to party, either the Republicans or the Democrats.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

STATE OF NORTH CAROLINA,
GOVERNOR'S OFFICE,
Raleigh, April 4, 1930.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: Judge Parker and I, as you know, do not subscribe to the same political faith. He is a Republican, and I am a Democrat. Yet as Governor of North Carolina and as a citizen of the State, and also as one who has the most implicit faith in his character as a man of integrity and ability as a judge, I do have a tremendous interest in the controversy that is now being waged over his fitness to serve on the Supreme Bench of the United States. It will not, I trust, therefore, appear presumptuous if I venture, for such consideration as you and your committee may think it worth, my own opinion of the qualifications of this distinguished North Carolinian for this high place.

I have known Judge Parker since we were in college together at the University of North Carolina, and I unhesitatingly say, and you are authorized to quote me as saying, that I have never known any man who possessed a higher or a finer sense of righteousness and justice than Judge Parker. I have absolute confidence in the integrity and essential soundness of his intellectual processes, and I can not believe for an instant that he would be unfair either to the most powerful or the most humble citizen of this country. His whole outlook and philosophy as a man and as a judge could not, in my opinion, be more accurately epitomized than by the inscription over the entrance of the chapel at the University of North Carolina:

"What doth the Lord require of thee but to do justice and love mercy and walk humbly with thy God."

In my opinion Judge Parker enjoys the confidence and esteem of an overwhelming majority of the people of this State, irrespective of party affiliations. They respect him as a man, admire him as a judge, and that he would some day be elevated to the Supreme Bench had become a sort of general hope and expectancy. This was amply attested by the practically universal enthusiasm and approval with which the news of his appointment by President Hoover was received.

There is not, in my judgment, as I have already suggested, the slightest basis in reality for the fear expressed by one group of our citizens that he would not, as a judge of the Supreme Court, be absolutely fair and impartial in any case or controversy which might arise. I have never known any man whose concern for the upholding and protection of what we know in a democracy as human rights, as distinguished from property rights, excelled Judge Parker's.

Sincerely yours,

O. MAX GARDNER.

Mr. OVERMAN. Mr. President, the gentleman who signs the letter just read is the present Governor of the State of North Carolina, and he knows the sentiment of the people of the State. Could a man receive a higher indorsement than is given to Judge Parker by the letter which has just been read? The letter shows the way in which our people, without regard to party, esteem Judge Parker.

I send to the desk a clipping taken from the hearings, being a letter from a man who grew up with Judge Parker, and who is a member of the Federation of Labor in the State of North Carolina. The letter is addressed to me. I have received many resolutions and letters from members of the American Federation of Labor in my State protesting against the appointment of Judge Parker; but sentiment to that effect is not unanimous. Mr. Bundy who writes the letter which I ask to have read, Mr. Barrett, and others have sent me letters commending him. I ask the Senate to listen to the letter written by Mr. Bundy, who grew up with Judge Parker, and is a prominent member of the American Federation of Labor in my State.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

MONROE, N. C., *April 7, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I see in the press where a few leaders in organized labor are fighting John J. Parker, trying to keep him from being confirmed Associate Justice of the Supreme Court.

I have been a member of the Brotherhood of Railway Trainmen for 22 years, and if you will pardon the length of this letter I wish to tell you about John J. Parker and will appreciate it if you will read this letter before the honorable committee appointed to investigate his record.

I was raised with John J. Parker, have known him from birth, attended school with him, and will say as a labor voter there isn't a more sincere honorable Christian man in the United States. All the money in the United States Treasury couldn't buy him. He is competent, capable, and a scholar. There isn't a more fitted man in the United States for this high honor given him by President Hoover.

If the rank and file in labor fraternities in North Carolina could vote for John J. Parker to be confirmed, 90 per cent would vote in his favor.

Our little city is a railroad division point for the Seaboard Air Line Railway Co., where several different labor crafts have unions, and I don't believe I would say wrong when I say he would get a vote of 100 per cent.

I have never agreed with John Parker in politics, but the Republican Party should feel highly honored in having such a man as he is in their party. He is an able jurist and will always be a student. John Parker always remembers his friends whether in overalls or in the highest executive of the largest corporations.

I can not conceive the idea of labor leaders fighting a man as honest as John J. Parker is.

Wish I was financially able to come to Washington and look you gentlemen in the eyes, also the labor leaders fighting him, and tell you about this capable, self-made man.

I sincerely hope you and the other two honorable Senators will unanimously indorse him, and every honorable Senator in the Senate will vote for him to be confirmed.

In years to come these honorable Senators will smile with pride because of their voting for him to be confirmed and the honorable President, Mr. Herbert Hoover, will feel proud of this appointment, because he will prove to be one of the greatest associate judges of the Supreme Court that ever lived.

I am writing you this letter, Mr. Overman, without the knowledge of a living soul, but I was anxious to try and tell you the truth about one of the fairest, squarest-minded men that ever lived, and I want you and the other members of the committee to know that John J. Parker has the indorsement of the rank and file of members of labor organizations in North Carolina, where he was born and reared.

With highest personal regards, cordially yours,

JOHN DUNHAM BUNDY.

Mr. OVERMAN. Mr. President, Mr. Bundy, whose letter has just been read, is one of the leading members in my State of the Brotherhood of Railway Trainmen, which is affiliated with the American Federation of Labor.

I also have a letter from another member of the federation in Raleigh, N. C., who writes in about the same vein as has Mr. Bundy his estimate of Judge Parker, and who states that members of the union there favor his confirmation. I am bound to state, however, that nearly all the labor unions in my State have sent letters protesting against his confirmation.

Mr. President, as bearing upon the legal ability of Judge Parker, I send to the desk a letter from the gentleman with whom he entered into partnership in Charlotte after having practiced at Monroe for a number of years. The letter is from

the head of the firm and one of the leading practitioners of my State. I ask that the letter may be read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

STEWART, MCRAE & BOBBITT,
ATTORNEYS AT LAW,
Charlotte, N. C., April 4, 1930.

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: I am inclosing to you herein a clipping from one of the Charlotte papers under date of April 3, 1930. I thought that you would be interested in reading it. It appears from this article that an effort is being made by the national organization to whip into line local organizations. I unqualifiedly say to you that the laboring people of North Carolina, those who belong to unions and those who do not belong, are practically unanimous in their support of Judge Parker. They have absolute confidence in his fairness and impartiality as well as his ability. All classes and conditions of people in North Carolina, regardless of party affiliations, are most enthusiastically, and I might say passionately, anxious to see Judge Parker on the Supreme Court. Our people know him.

Personally, I feel that it is a serious matter when a judge is to be opposed on the ground that he wrote an opinion which he honestly believed to be in conformity to the decisions of the Supreme Court of the United States. I read the opinion immediately after it was rendered and I am also familiar with the Hickman opinion. I can not see how the Parker opinion could be different from what it is without overruling the opinions of the Supreme Court of the United States.

I am not impressed with this protest against his confirmation. I have, myself, been properly classed as strongly in sympathy with the laboring people and their organizations, except communism, all these years; but I must confess that I am somewhat impatient with the protests which have been made.

If the Senators could only know Judge Parker as I know him, there would not be a single opposition vote, and I make this statement knowing whereof I speak.

With my very best wishes, I beg to remain, yours very truly,
PLUMMER STEWART.

Mr. OVERMAN. Mr. President, further as to the legal ability of Judge Parker, I also send forward and ask to have read a letter from Mr. Hayden Clement, a prominent and able lawyer in my home town, who knows Judge Parker, and who has practiced law with him.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

SALISBURY, N. C., *April 14, 1930.*

Hon. GEORGE W. NORRIS,
United States Senate, Washington, D. C.

MY DEAR SENATOR NORRIS: Please pardon this unsolicited letter from a stranger who has always held you in high esteem and admired your ability and high ideals.

I desire to express my personal opinion of the qualifications of Judge John J. Parker for the Supreme Court. Differing from him politically, as I do, I know him to be a fine example of the new progressive South. A judge of incorruptible integrity and high ideals, he has always looked to the interests of the people, with the idea that the corporations can take care of themselves.

Living as I do in the heart of unionism in North Carolina, with many of the laboring people my clients and personal friends, I would argue their cause before Judge Parker in perfect confidence of a sympathetic understanding and fair determination of their rights. I have appeared in court with him and against him, and I never knew him to stoop to little things but to always conduct himself on a high plane, faithfully serving his clients, with fairness to his opponents.

I am afraid that the opposition to Judge Parker is the backwash of the righteous opposition to Justice Hughes from those who do not appreciate the real worth of the man.

Trusting you will give serious consideration to this matter, I beg to remain,

Very truly yours,
HAYDEN CLEMENT.

Mr. OVERMAN. Mr. President, some time ago there appeared in the northern papers the statement that there was an effort among the citizens of North Carolina to mob and drive out of the State those negroes favoring Judge Parker. There is not a word of truth in it—not a scintilla of truth. I have letters and telegrams from the governor of the State and the mayors of towns and judges—Judge Hayes of the Federal court—and others.

I ask to have read Governor Gardner's telegram.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Chief Clerk read as follows:

RALEIGH, N. C., *April 25, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

Referring telegram received by me yesterday from National Association for Advancement Colored People, I wish to state I have investigated situation and find charges intimidation North Carolina negroes totally unfounded. Relations between races continues peaceful, harmonious, and most cordial.

O. MAX GARDNER.

Mr. OVERMAN. I also ask to have read Judge Hayes's telegram.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Chief Clerk read as follows:

SALISBURY, N. C., *April 26, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

The press throughout this State asserts there is no evidence of threats or violence in any locality against negroes here over opposition to Judge Parker. The charge is groundless, so far as I hear. The association's last accusation, apparently primed for the occasion, evinces its lack of good faith in the first, and acknowledges the necessity to strengthen it. Surely Senators will see the animosity and motives behind these attacks and observe the manifest distinction between alleged political pronouncements and judicial acts under oath. Judge Parker is free from bias and will be impartial toward all races and classes. The bench and bar universally recognize his ability, willingness, and capacity for work, courage, judicial mind, and poise which preeminently fit him for membership of Supreme Court. If he is defeated now, the victory will be credited to the Association for the Advancement of Colored People on extraneous issues despite all the solemn declarations of Senators to the contrary. Is it wise to require the advice and consent of any class. Our people are deeply concerned and anxious for confirmation. Men of all classes inquire if there is anything they can do. Prompt confirmation will promote the general welfare of the State, the Union, and the Supreme Court. He will maintain the Constitution with its guaranties for our lives, liberties, and possessions.

JOHNSON J. HAYES,
United States Judge.

Mr. OVERMAN. Mr. President, there are several letters from mayors of towns in North Carolina who say there is no such thing as intimidation in our whole State.

I want to say that I asked the secretary of the Association for the Advancement of Colored People what was the condition in North Carolina in regard to the colored people. He replied that North Carolina was ahead of every other State in the Union in their advancement and progress, and the peace and quiet prevailing there among the people. There is no better feeling in any State. There is no trouble, no intimidation, no strained feeling between the white people and the colored people of our State.

I want to say that it has been whispered around here, as I understand, that Judge Parker took part in framing the "grandfather clause" in 1900. He was only 14 years old then. The "grandfather clause" expired in 1908 by limitation. There is no "grandfather clause" there now. The only test for voting is an intellectual test. A man who can read and write the constitution, be he black or white, can vote without any trouble; and they do vote, the most intelligent of them.

I believe, notwithstanding these protests that six or eight hundred men have sent up here, through affidavits, that a large majority of the colored people are heartily in favor of Judge Parker. He could not have gotton 60,000 more votes than any other Republican received in a gubernatorial contest unless the colored people had voted for him. Many of them voted for him. They must have voted for him; and there is nothing whatever in that plea.

I think the association in Philadelphia of Quakers who protest against Judge Parker are mistaken, and do not know the man, do not know his record. He has never shown any feeling against the colored men that anybody can cite except in one speech—a political speech that he made 10 years ago. He ought not to be held accountable for that. He expressed the sentiment that every other man in the State really entertains, and he was trying to carry his party to success. A man ought not be held responsible for what he said in a political speech.

I remember, Mr. President, that at one time I made a political speech in which I made severe castigation of the President then running; and a Republican came to Washington and told the President what I had said. He said, "Why, I don't care a damn what OVERMAN said in a political speech"; and I never had a better friend than that President. So men frequently say

things in their political speeches that they would not say if they sat down to write them and think about them.

Judge Parker was running for the head of his ticket. He was trying to carry the State, and doing the best he could to lead his party to victory. He ought not to be held accountable for it; and, judging from the indorsements I have received from the most intelligent colored men in the State, most of them have indorsed him heartily notwithstanding that speech.

Mr. WALSH of Massachusetts. Mr. President, will the Senator permit an inqury?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. OVERMAN. Yes, sir.

Mr. WALSH of Massachusetts. How many public offices has Judge Parker occupied?

Mr. OVERMAN. He has never occupied any office except the position he holds at present.

Mr. WALSH of Massachusetts. How many times has he been a candidate for public office?

Mr. OVERMAN. He was a candidate for Congress, and, being a Republican, of course, was defeated. He was a candidate for Attorney General, and, of course, he was defeated. He was a candidate for governor, and, of course, he was defeated. He was then elected by his party national committeeman.

Mr. WALSH of Massachusetts. In what year?

Mr. OVERMAN. I have forgotten the year.

Mr. WALSH of Massachusetts. When was he appointed Federal judge?

Mr. OVERMAN. About five years ago.

Mr. WALSH of Massachusetts. What is his age?

Mr. OVERMAN. His age is 44 years. He was selected by the Attorney General after he had tried this war-fraud case here in Washington for 10 weeks, and so ably conducted the case that the Attorney General recommended him for a position on the circuit court of appeals.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. OVERMAN. Yes, sir.

Mr. WHEELER. What was the result of the war-fraud case? Did he win the case?

Mr. OVERMAN. No, sir; he did not. Judge Bailey has written a letter, which the Senator probably has seen, saying that Judge Parker conducted the trial with great ability; that he massed his facts well; it took 10 weeks to try the case, but the jury found in favor of the defendants.

Mr. WHEELER. By whom was he appointed to the bench originally? What Attorney General selected him for appointment on the bench?

Mr. OVERMAN. I do not know who was Attorney General then. It is said that Daugherty was, but I do not think he was. I think that is a mistake.

Mr. NORRIS. Mr. President, if the Senator will permit a correction, he was appointed as one of the Assistant Attorneys General by Daugherty; but he was appointed to the bench by President Coolidge when Sargent was Attorney General.

Mr. OVERMAN. Yes; Sargent was Attorney General.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. OVERMAN. Yes, sir.

Mr. BLACK. I am interested in the statement that Judge Parker conducted a case in Washington by reason of an editorial which has appeared throughout the country in the Scripps-Howard papers, as I understand, in which certain statements are made which I think should be answered in some way before the vote is taken in this matter. May I read part of the editorial to the Senator, in order that I may understand whether or not that is the case?

Mr. OVERMAN. Yes; I shall be glad to have the Senator do so.

Mr. BLACK. The editorial reads, in part, as follows:

> Daugherty's assistants took two cases into the courts. In both cases all the accused men were acquitted, most of them on instructions of the trial judges. In both cases the judges criticized severely the methods of the prosecution. In one the judge charged that Parker and his fellow counsel had in their possession—and were suppressing—documents tending to prove the innocence of the defendants. He expressed his "decided amazement" at such conduct. In his instructions to the jury he declared there was not a "jot or tittle" of evidence of fraud, that the notion of a conviction on such evidence was "monstrous," and that it would be "craven and cowardly" not to order the men acquitted.
>
> Parker's part in these proceedings does not appear to have been a minor one. One of the documents referred to by the "amazed" judge was found in Parker's possession.
>
> That has appeared in the public prints.

Mr. OVERMAN. Mr. President, of course I do not know about that except from what Judge Bailey tells me. Judge Bailey tried the case. He said he never saw a case more ably argued and the facts better arrayed than Judge Parker arrayed them before him. Judge Parker, he said, did nothing but what lawyers customarily do in their cases. Two or three lawyers, including Mr. Douglas here in Washington, appeared for the defense, and he has written a letter which I put in the RECORD; and another lawyer who appeared in the case also states that Judge Parker conducted the case with great ability, and there never was a case where the facts were so well arrayed before the judge as he arrayed them; so that editorial can not be true.

Mr. BLACK. May I state that so far as I am concerned with reference to this matter—and I feel sure that I voice the sentiments of many others—it is immaterial with what ability Judge Parker handled the case; if it be true that as a prosecutor he had in his possession evidence which tended to show the innocence of a defendant, and at the same time prosecuted him, I feel sure that he would get no votes for confirmation. Therefore, I think it is exceedingly important that from some source, some one who knows, this statement be disproved if it can be disproved.

Mr. OVERMAN. Does the Senator think that a man such as I have proved Judge Parker to be—of irreproachable character, an honest man, a courageous man, a Christian gentleman—would suppress any testimony of that sort?

Mr. BLACK. It is difficult to believe that it would be done, but the charge has been publicly made; and, so far as I am concerned, while I do not know how I shall vote with this matter eliminated, if this charge is not satisfactorily disproven I shall be compelled to vote against him.

Mr. OVERMAN. I may be able to disprove it—I do not know—before this debate is over.

So far as I know I have never seen that article, and I knew nothing about it until just now. I do not believe it is true. I do not believe a word of it is true—that Judge Parker, a man of great ability, of great courage, a Christian gentleman, would have suppressed any testimony at all. Judge Bailey told me that while the jury rendered a verdict of "not guilty," the testimony that Judge Parker had arrayed in an equity case came before him, and he gave judgment for $1,500,000, which the Government collected, all through the work and the array of facts brought to the attention of the court by Judge Parker in the criminal case.

I hold in my hand two letters, which I will not read, from leading colored men in my State, in regard to Judge Parker, indorsing him heartily. I ask to have them inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters are as follows:

MONROE, N. C., *April 15, 1930.*

Hon. LEE OVERMAN,
United States Senate, Washington, D. C.

DEAR SIR: In behalf of the colored men and women of the city of Monroe, and county of Union, I do hereby express to the Judiciary Committee, now investigating the accusations against Judge J. J. Parker, who was recently appointed to the United States Supreme Court Bench, our highest regards for his ability and fitness for the position. We testify to his spirit of fair play in all his dealings with our race, both in and out of courts. To my personal knowledge, he has repeatedly befriended individuals of my race, and we feel that in his exalted position he will not hesitate to give justice where the interests of our group may be involved.

We regard his unpleasant utterances with reference to the colored franchise as simply a political gesture, and by no means represent the true spirit of the gentleman and jurist. We are praying for his confirmation by the Senate.

Yours very respectfully,

HUBERT H. CREPT, M. D.

J. C. PRICE HIGH SCHOOL,
SALISBURY PUBLIC SCHOOLS,
Salisbury, N. C., April 26, 1930.

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.:

The colored people of Salisbury have not felt the slightest act of intimidation from the while people on the account of the confirmation of Judge Parker. The white and colored people are too busy completing plans to build a high school for the colored children.

LOUICO H. HALL,
Supervising Principal Division Negro Education.

Mr. OVERMAN. I also have one from Mr. M. K. Tyson, a prominent colored man in my State, indorsing Judge Parker. I will not read it but ask to have it printed in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made.

Mr. OVERMAN. I have another from Mr. Copeland indorsing him; another from Mr. Eppes, a colored man, indorsing him; another from a prominent colored doctor in North Carolina.

The PRESIDING OFFICER. Without objection, the communications will be inserted in the RECORD.

The communications referred to are as follows:

WINSTON-SALEM, N. C., *April 10, 1930.*

Senator LEE S. OVERMAN,
Chairman Judiciary Committee, Washington, D. C.

DEAR SIR: I take great pleasure in writing this letter to you in support of the nomination of the Hon. Judge John J. Parker, for Associate Justice of the Supreme Court of the United States, and I trust you will give your hearty support to Judge Parker and to fight for his confirmation. Judge Parker is one of the finest Christian gentleman in this country to-day, one who is well qualified to serve not only as Associate Justice but as Chief Justice as well. Judge Parker is not against the colored race at all, and I don't believe that there is a single instance in the life of Judge Parker, before or since he has been judge, where he has shown in the trial of any case against a member of the colored race a bit of discrimination against the same, and as president of the North Carolina State Association of Elks, I take great pleasure in indorsing the Hon. Judge John J. Parker, for the Associate Justice of the Supreme Court of the United States, and I stand ready to give any assistance I can in his behalf.

Yours very truly,

E. H. COPELAND.

GREENVILLE, N. C., *April 7, 1930.*

Hon. LEE S. OVERMAN,
United States Senator:

North Carolina negroes are proud of the State's recognition and are militant in their support of Judge Parker, who is a reminder of men like Augustus S. Merrimon. The negro did not suffer with L. Q. C. Lamar on the Supreme Bench. Unshackle the liberal-minded South and confirm him.

C. M. EPPES.

NORTH CAROLINA COLLEGE FOR NEGROES,
Durham, March 29, 1930.

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: I desire to add my personal word of indorsement of Judge J. J. Parker. I think that no fairer or impartial lawyer could have been selected than Judge Parker to fill the exalted position as Justice of the Supreme Court. In his attitude on all racial questions and all questions affecting the rights of humanity, he has tried to be fair.

As a colored man and recognizing the fact that the Supreme Court of the United States should always be composed of men who represent the highest and best in thinking and in action, and that great questions affecting human relations and interracial relations, will often come before them, if I did not believe Judge Parker was absolutely fair and impartial, I would not write this letter in his behalf.

Judge Parker's selection honors the State and is a tribute to the worth and ability of a man who has worked himself up by his own efforts to be considered worthy to sit on the highest tribunal in American life. I hope that you are quite well.

With sentiments of warm personal esteem and respect, I am,

Very truly yours,

J. E. SHEPARD, *President.*

WINSTON-SALEM TEACHERS' COLLEGE,
Winston-Salem, N. C., April 9, 1930.

Senator LEE S. OVERMAN,
Senate Chamber, Washington, D. C.

HONORED SENATOR: I am venturing to address you this line to express the hope that Judge Parker may be confirmed as Associate Justice of the United States Supreme Court. I believe you will join me in the feeling that it may be the opportunity for our good old State to have well-merited recognition.

As a colored man, I am free to say that, in my judgment, there is nothing in Judge Parker's judicial record which would warrant opposition from my race, and I do not feel that justice for the colored race as citizens would in any way be threatened in the hands of Judge Parker. I hope, therefore, that your committee will decide to recommend his confirmation, and to follow the recommendation through the Senate in order that it may have the Senate's favorable action.

May I add, Senator, that probably you used to know me years ago when I was associated with J. C. Price, as a member of the faculty of Livingstone College. I remember how finely you and members of your family encouraged the work of the college in those days.

I beg to remain, your obedient servant,

S. G. ATKINS, *President.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

Some agent of the Association for the Advancement of the Colored Race entered the office of the Daily News and without consent of the management, mutilated its files and removed from the bound volume the article which was furnished to the New York headquarters. Photostatic copy of the article was compared to-day and is the missing part of the page. Not only have those interested in defeating Judge Parker resorted to theft of matter from Daily News but statements have been garbled and misquoted, and the master stroke played was in wiring Governor Gardner that the negroes in Greensboro were intimidated. I have checked on this report of intimidation and find it absolutely untrue.

Below is certificate of W. P. Whitley, superintendent of bureau of identification of Greensboro Police Department, who checked and compared the photostatic copy with the remaining part of the page, and he says:

"Mr. E. B. JEFFRESS,
"Publisher of the Greensboro Daily News, Greensboro, N. C.

"DEAR SIR: I have this day examined the files of the Greensboro Daily News dated Monday morning, April 19, 1920, and I find that the outside three columns of the front page of this date have been clipped out. I have examined a photostatic copy of an article printed in the Greensboro Daily News April 19, 1920, which photostat was furnished by the Association of the Advancement of Colored People to members of the United States Senate, and I hereby certify that the photostatic copy is a reproduction of that part of the paper which was removed from the files of the Greensboro Daily News of April 19. The photostatic copy fits perfectly into the balance of the page remaining in the file.

"Yours very truly,

"W. P. WHITLEY,
"Superintendent Bureau of Identification."

Am sending you this for whatever use you desire to make of it.

E. B. JEFFRESS,
Publisher.

SALISBURY, N. C., *April 25, 1930.*

Hon. LEE S. OVERMAN,
Senate Chamber, Washington, D. C.:

I have inquired at Livingstone College and other leading negroes here, and find no intimation of threats against negroes. They don't believe it and certainly no such condition exists here or elsewhere in this State, to my knowledge.

JAMES H. RAMSAY.

CHARLOTTE, N. C., *April 23, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

Mecklenburg County Bar Association just passed following resolution respecting Judge Parker's appointment:

"The Mecklenburg County Bar Association most heartily indorses the appointment of Judge John J. Parker, formerly a member of this bar, to the Supreme Court of the United States and earnestly recommends the confirmation of his appointment by the Senate. Having known Judge Parker personally for a long number of years, we know him to possess to a very marked degree the qualifications necessary to fit him for the high office. He is a man of unblemished character and of the highest integrity. In ability and learning he ranks among the foremost lawyers and jurists of America. He is uninfluenced by class or race prejudice and is a friend to all mankind."

P. C. WHITLOCK,
President Mecklenburg County Bar Association.

CARTER MILLS,
Gastonia, N. C., April 24, 1930.

Hon. LEE S. OVERMAN,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: When I wrote you personally some 10 or 15 days ago with reference to Judge Parker's nomination it was simply a matter of State pride.

I note from several papers that I have been severely criticized in regard to my reference to Mr. Green and the communists. It is probably unfortunate that I wrote at all. It was merely for the interest of our own State, and my reference to the labor situation and Mr. Green and the communists was for the simple reason, as referred to in my letter to you, that I had been brought up in and around cotton mills, occupying almost every position in a mill—not for instruction—but by necessity. I have been a little fortunate in the world; have made a little headway and now own a 12,000-spindle mill.

For your information, knowing the conditions of mill surroundings—the comfort of mill people—I am voluntarily spending between $11,000

and $15,000 on the improvement of the village for the comfort of the people who are associated with me.

There seems to be a great "bullabaloo" over my reference to Green and the communists. As far as labor is concerned, my reference to you was if there is anybody in North Carolina who understands labor conditions I believe that it is the writer. You know the Bible refers just as much to the servant being loyal and worthy of his master as it does to the master being worthy of the servant.

I had no idea when writing you that my note would be known to anyone other than yourself, and my friendship and loyal support to you for these many years has been a pleasure. You have reflected great honor upon our State, and the letter was not written you for any purpose other than outlined, in the spirit in which it was written.

I have had clippings from the New York Times, and some unknown person has sent me a clipping of an editorial from the Baltimore Sun. The latter clipping only quotes such words as I believe would militate against me personally and Gastonia.

After receiving your letter I had dictated a letter to Senator BORAH, as I understand he objected to Judge Parker on account of some reference to the negro question while he was conducting his campaign for election in North Carolina. I called Senator BORAH'S attention in the letter not mailed to the fact with which you are familiar, that we are spending more money in North Carolina for the welfare and education of the colored people than our entire educational system cost in 1900. In connection with this, which is personal, there is a negro boy in Chatham County who slept at the foot of my bed for many years, whom I love and respect, and whom since I have been able I have assisted every year during lean crops, and it is my purpose to continue to do this.

The reason that prompted my writing you is that I understand we have not been represented on the Supreme Court bench for probably 100 years, and inasmuch as the Republican Party is in power and seems to have a majority of administrators I was hoping Judge Parker, irrespective of political faith, would be confirmed, which would reflect honor and respect to our State for many years to come, especially since his age is among the youngest presented for the consideration of your most honorable body.

Assuring you of my profoundest respect, I am, yours very truly,

A. M. CARTER.

BOLIVIA, N. C., *April 24, 1930.*

Hon. LEE S. OVERMAN,

The United States Senate, Washington, D. C.

MY DEAR SENATOR: In behalf of right and justice beg to inform you that we listened to Judge John J. Parker's political speech in the courthouse at Lumberton, N. C., during the 1924 campaign. Although Lumberton, the county seat of Robeson County and a very stronghold of the opposing party, Judge Parker's address was of a very high-tone character, there being not an iota of race or class prejudice exhibited. It is a fact that the negro race is being taken care of and educated for better conditions and citizenry by the taxpayers of the State and advocated by the leaders of both political parties.

It is to be hoped that your honorable body will confirm the nomination of so eminently fitted and qualified personage as is Judge Parker, who was chosen by President Hoover after careful investigation and consideration.

Very gratefully yours,

C. C. BURNS.

P. S.—We have negro men in our employ who have lived in Ohio and other Northern States, and who state to us that the southern "white folks" know them and are their friends.

Mr. OVERMAN. I believe Doctor Peacock's letter has already been read. He is a northern man, president of an institution—Shaw University—established by northern people for the benefit of colored people. It is one of the oldest institutions in the State and has educated many a prominent colored man.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. OVERMAN. I yield.

Mr. WHEELER. I wonder if the Senator would have any objection to having this letter by M. K. Tyson read. He is national executive secretary of the National Association of Negro Tailors, Designers, and Dressmakers. Would the Senator have any objection to having that letter read?

Mr. OVERMAN. No; I will have it read.

Mr. WHEELER. I think it would be very valuable if that should be read.

Mr. OVERMAN. I shall be glad to have the clerk read that letter. I ask to have the letter from Doctor Peacock read also.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read as follows:

SHAW UNIVERSITY,
Raleigh, N. C., April 29, 1930.

Col. DAVID H. BLAIR,
Winston-Salem, N. C.

MY DEAR COLONEL BLAIR: I am intensely interested in the confirmation of Judge John J. Parker, of North Carolina, as an Associate Justice of the United States Supreme Court.

Ever since coming to North Carolina 10 years ago I have heard only good things of Judge Parker. His excellent record as a jurist is recognized and praised by prominent men of both political parties in the State, and because of the high esteem in which he is held, both as a man and as a jurist, I am anxious that Judge Parker will receive a most hearty indorsement by the Senate.

With warm personal esteem, I am, cordially yours,

JOSEPH L. PEACOCK.

[This man is a Baptist minister, a graduate of Brown University, and took his Ph. D. at Harvard.]

Mr. OVERMAN. Now, let the Tyson letter referred to by the Senator from Montana [Mr. WHEELER] be read.

The legislative clerk read as follows:

BURLINGTON, N. C., *April 15, 1930.*

Senator LEE S. OVERMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I take this occasion to again urge prompt confirmation of Judge John J. Parker for the United States Supreme Court. Judge Parker has no ill feeling toward the Negro race. The National Association for the Advancement of Colored People, through its secretary, I think is making a very great mistake in protesting the confirmation of Judge Parker.

White, secretary of the National Association for the Advancement of Colored People, I note in to-day's paper, states that the Republican Party in North Carolina does not invite, permit, or receive negro delegates, representatives, or visitors, and that no negro delegate has attended a Republican Party convention in the State in 10 years. To this I would say that Mr. White does not know much about the history of the Negro in politics in North Carolina.

Mr. White further states that it is asserted that Judge Parker and his political associates in the State have flouted the fourteenth and fifteenth amendments. To this I would say that Mr. White is right when he says "asserted," as there is no evidence in writing that Judge Parker ever flouted the above amendments.

The reason that the negro is out of politics in North Carolina is because he brought it upon himself. If the negro had acted right, he would have been in politics in North Carolina this very day. In some respects this condition has benefited the negro.

The Richmond ordinance case should be enough to satisfy the National Association for the Advancement of Colored People. I would urge this association to at once withdraw its protest to the confirmation of Judge Parker for the Supreme Court. I again urge the confirmation of Judge Parker.

Very truly yours,

M. K. TYSON,
National Executive Secretary of the National Association of Negro Tailors, Designers, and Dressmakers.

Mr. OVERMAN. Mr. President, the writer of that letter is one of the most prominent colored men in the State. I have many letters like that, but I did not want to cumber the RECORD.

I will ask that the clerk read a letter from a very prominent Republican in North Carolina in regard to the voting of the negroes for Judge Parker when he ran for governor.

The PRESIDING OFFICER. Is there objection?

There being no objection, the legislative clerk read as follows:

RALEIGH, N. C., *April 12, 1930.*

Senator LEE S. OVERMAN,

United States Senate, Washington, D. C.

MY DEAR SENATOR OVERMAN: Perhaps you know that for nearly 30 years I have had a close acquaintance with Republican politics in eastern North Carolina, having been postmaster (1907–1915), prosecuting attorney of the city of Raleigh (1917–1921), member of the exemption board throughout the World War, and Republican nominee for Congress and superior court judge, twice a delegate to our national conventions, and served on the county committee 25 years. I only state this in explanation of the facts I desire to mention.

In Wake County there are at least 1,000 colored registered voters, many of whom participate in the Democratic primaries. In the general election, when anything like a full vote is polled, the colored vote is believed to be about equally divided between the parties. I know that in the 1920 election Judge Parker, nominee for governor, polled a larger proportion of the colored vote here than the Republican candidate for this office in either 1924 or 1928 did. Data in the inclosed affidavit

demonstrates this fact. Judge Parker was universally recognized as an able, clean, high-typed man, devoid of any pettiness or unworthy prejudices. The best element of our colored people appreciated his worth and the Shaw University (colored) precinct in Raleigh gave him a majority of 16, while the same precinct in 1928 gave Gardner, Democrat, a majority of 59 over Seawell, Republican.

I have always sympathized with and appreciated the efforts for advancement our colored people are making. The odds to overcome are heavy. The discriminating use they are making of the ballot is to be commended. Hence it is nothing short of deplorable that efforts should be made now by those who do not know Judge Parker to characterize him as a bigot harboring unworthy prejudices. He is respected and honored by the best people of both races in this his native State.

Yours very sincerely,

WILLIS G. BRIGGS.

AFFIDAVIT THAT COLORED VOTERS OF WAKE COUNTY SUPPORTED JOHN J. PARKER FOR GOVERNOR IN 1920

NORTH CAROLINA,
Wake County:

Willis G. Briggs being duly sworn, deposes and says: That he is now and has been a resident of the city of Raleigh, Wake County, N. C., all his life and an active Republican since he cast his first vote for William McKinley, and has been a member of the Wake County Republican executive committee for 24 years, and has actively participated in each and every campaign; that in the 1920 election there were 38 voting precincts in Wake County, and in only 2 of these precincts, namely, O'Kelley's store, in House Creek Township, and the second division of the third ward in the city of Raleigh, a majority of the registered voters were colored. In the latter precinct Shaw University, the largest negro college in the State, is located, and on the unrevised registration book for this precinct there are now 463 colored names and 285 white. Hon. Cameron Morrison was the Democratic candidate for governor and Hon. John J. Parker was the Republican nominee in 1920. Parker carried eight precincts in Wake County, and this number included the two colored precincts above mentioned. The 1920 gubernatorial vote in the only precincts in Wake County with the colored vote then in the majority was as follows:

Morrison (Democrat):	
O'Kelley's store	41
Raleigh, third ward, second division	145
Parker (Republican):	
O'Kelley's store	47
Raleigh, third ward, second division	161

The same precinct in the 1928 election, when the State gave Hoover a majority of over 63,000, voted as follows on governor:

Gardner (Democrat):	
O'Kelley's store	130
Raleigh, third ward, second division (now precinct No. 16)	154
Seawell (Republican):	
O'Kelley's store	64
Raleigh, third ward, second division (now precinct No. 16)	95

Hence it is manifest that Judge John J. Parker as the Republican nominee for governor received a majority of the votes in both the precincts where the colored voters then predominated, although Cox (Democrat) carried the State over Harding by 72,599 majority, while in 1928, when Hoover (Republican) defeated Smith (Democrat) in North Carolina by 63,000 majority and large Republican gains were made in other Raleigh precincts the above two precincts gave the Democratic candidate for governor substantial majorities over his Republican opponent, Hon. H. F. Seawell, although Hoover carried the precincts by majorities of 4 and 17, respectively.

WILLIS G. BRIGGS.

Sworn to and subscribed before me this 12th day of April, 1930.

[SEAL.] SARA WEINSTEIN, *Notary Public.*

My commission expires the 14th day of July, 1930.

Mr. OVERMAN. Mr. President, that bears me out in what I said, that I believe the negroes voted for Judge Parker in that great contest, when he uttered the words objected to by the Association for the Advancement of the Negroes.

Judge Cothran sent a telegram, all the judges on the circuit court wrote letters, recommending Judge Parker most highly. I will not ask to have them read, but will insert them in the RECORD. Judge Waddill, Judge Soper, and Judge Baker, who sit on the bench with Judge Parker, recognize him as a man of great ability, as a great lawyer.

How can we judge of him except by what the lawyers say of him? All the lawyers in four States, the bar associations, the bankers, the university presidents, the college presidents, all speak of him most highly, but especially the lawyers say he is a man of great ability, a great lawyer, and worthy of the position to which the President has appointed him. Therefore I hope he will be confirmed.

Mr. President, I was appointed chairman of the subcommittee in charge of this nomination by the Senator from Nebraska [Mr. NORRIS], the chairman of the Committee on the Judiciary, as is usually the case when a nominee comes from the State of a member of the committee. That is the way I came into the case as somewhat of a leader. I do not claim to be a leader in the matter, but people have telegraphed me thinking that I had charge of it. When the subcommittee reported favorably to the full committee the vote was 2 to 1. In the full committee the vote against confirmation was 10 to 6. That action having been taken, I think I ought to turn over to the administration leaders the matter of managing the confirmation on the floor. They are more competent to look after the administration than I am. Therefore, with the putting into the RECORD of some papers which I indorse analyzing the Hitchman case, and analyzing the case of the dissenting opinion of Justices Holmes, Clarke, and Brandeis, I will close, with the hope that Judge Parker will be confirmed.

Because I retire from what may be called "leadership" in the matter, I do not want it to be understood that I give up one jot or tittle of my loyalty and my support of this good man. He is a Christian man; he is an able lawyer; he is a prominent citizen, indorsed by everybody in his State. What more could be said for him?

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina for the insertion in the RECORD of the papers submitted by him?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATEMENT OF FACTS IN RED JACKET CASE

The district judge found, among other things, that defendants had conspired to restrain interstate trade and commerce in coal, and that at the time these suits were instituted the United Mine Workers of America, its officers, agents, representatives, and members were attempting "(a) unlawfully, maliciously, and unreasonably to induce, incite, and cause the employees of the plaintiffs in said suits, respectively, to violate their said contracts of employment with said plaintiffs; (b) to compel said employees of said plaintiffs by use of force, intimidation, threats, violence, vile epithets, abusive language, and false and fraudulent statements to cease working for said plaintiffs and to become members of said union; (c) to compel the plaintiffs to recognize said international organization, United Mine Workers of America, and to deal with it and operate their mines under closed-shop contracts with it, including the 'check-off' provisions, or to close down their mines." He further found that it was a part of the policy and plan of the union to have members thereof obtain, keep, and hold possession of dwelling houses belonging to complainants, which were constructed and maintained by them for the use of their employees as incidental to such employment, and were absolutely necessary to the operation of their mines, and that the union was maintaining persons in the wrongful occupation of such houses for the purpose of preventing the houses being used by persons who were willing to work, and for the purpose of harassing complainants' nonunion employees.

COPY OF YELLOW-DOG CONTRACT AS PRINTED IN FOOTNOTE OF BRANDEIS DISSENTING OPINION IN HITCHMAN COAL CASE

I am employed by and work for the Hitchman Coal & Coke Co. with the express understanding that I am not a member of the United Mine Workers of America and will not become so while an employee of the Hitchman Coal & Coke Co.; that the Hitchman Coal & Coke Co. is run nonunion and agrees with me that it will run nonunion while I am in its employ. If at any time I am employed by the Hitchman Coal & Coke Co. I want to become connected with the United Mine Workers of America or any affiliated organization, I agree to withdraw from the employment of said company, and agree that while I am in the employ of that company I will not make any efforts amongst its employees to bring about the unionizing of that mine against the company's wish. I have either read the above or heard the same read.

EMPLOYMENT CONTRACT OF SUMMIT COAL CO., ONE OF THE PLAINTIFFS IN THE RED JACKET INJUNCTION CASE

I am not now a member of the United Mine Workers of America, the Industrial Workers of the World, or any other organization of mine workers and will not during this employment join or affiliate with any such mine labor organization because I believe the preservation of the right of individual contract free from interference or regulation by others and payment in proportion to services rendered to be to my interest, to the best interest of the public and of all industry; and I enter this employment with the understanding that the policy of the company is to operate a nonunion mine and that it will not knowingly employ anyone belonging to such union or organization and would not give me employment under any other conditions.

I hereby acknowledge receipt of a copy of the mining laws of West Virginia and the rules and regulations of this company. I have also been instructed in the hazards of this occupation.

MEMORANDUM ON THE OPINION OF CIRCUIT JUDGE JOHN J. PARKER IN INTERNATIONAL ORGANIZATION, UNITED MINE WORKERS OF AMERICA, v. RED JACKET CONSOLIDATED COAL & COKE CO. (18 F. (2D) 839)

This and companion cases were suits brought by coal mining companies in West Virginia to enjoin the United Mine Workers, who had declared a strike in an attempt to unionize the field, from interfering with the companies' employees by violence, threats, intimidation, picketing, and the like, or by procuring them to breach their contracts with the plaintiffs. The trial court found that the defendants were maliciously endeavoring to cause the employees of the plaintiffs to violate their contracts of employment with the plaintiffs, and were, by force, intimidation, and violence, endeavoring to compel the plaintiffs' employees to cease work, and enjoined these acts.

On appeal to the circuit court of appeals one question earnestly pressed was that the defendants were not interfering with interstate commerce and therefore the Federal courts had no jurisdiction. The circuit court of appeals held that interstate commerce was involved, and based its decision on the Coronado case (268 U. S. 295).

Another point urged by the mine workers in the circuit court of appeals was that the injunction was too broad and went beyond injunction against force, violence, and intimidation, and, in effect, enjoined interference with the plaintiffs' employees by means of peaceful persuasion. The opinion discloses that plaintiffs' employees had entered into contracts that they would not join the union while remaining in the plaintiffs' service. In his opinion, Judge Parker says:

"What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

The case to which Judge Parker referred was the decision of the Supreme Court of the United States in Hitchman Coal & Coke Co. v. Mitchell. (245 U. S. 229.) In that case the defendants had peaceably persuaded plaintiff's employees to break contracts similar to those involved in the case dealt with by Judge Parker. The court in its decision said:

"Another fundamental error in defendants' position consists in the assumption that all measures that may be resorted to are lawful if they are 'peaceable'—that is, if they stop short of physical violence or coercion through fear of it. In our opinion, any violation of plaintiff's legal rights contrived by defendants for the purpose of inflicting damage, or having that as its necessary effect, is as plainly inhibited by the law as if it involved a breach of the peace. A combination to procure concerted breaches of contract by plaintiff's employees constitutes such a violation; that is, a violation of the plaintiff's legal right."

It does not appear from Judge Parker's opinion that any question was raised by counsel in the Red Jacket case as to the validity of the contracts between the plaintiffs and their employees, by which the latter agreed not to join the union. An examination of the briefs of counsel filed in this case discloses no suggestion or contention that the contract between the mining companies and their nonunion employees prohibiting the latter from joining the union was illegal or void as against public policy or for any other reason. Counsel, as well as the circuit judges, quite correctly considered the Hitchman case conclusive on that point, for in its opinion (245 U. S. p. 250) the Supreme Court had declared:

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. * * * The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership in a union a condition of employment as the workingman is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation, unless through some proper exercise of the paramount police power." (Adair v. United States, 208 U. S. 161; Coppage v. Kansas, 236 U. S. 1.)

"Plaintiff having in the exercise of its undoubted rights established a working agreement between it and its employees, with the free assent of the latter, is entitled to be protected in the enjoyment of the resulting status, as in any other legal right. That the employment was 'at will,' and terminable by either party at any time, is of no consequence."

Mr. Justice Brandeis wrote a dissenting opinion in the Hitchman case, but his dissent was not based on a suggestion that the contract between the employer and its employees not to join the union was unenforceable or void. On the contrary, he said (p. 271):

"In other words, an employer, in order to effectuate the closing of his shop to union labor, may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

His dissent was based on the proposition, not that the contracts were unlawful, but that the union men did not induce the plaintiff's employees to violate their terms (p. 272). This contention was expressly rejected in the ruling opinion of the court (p. 255).

Whatever reasons might have been advanced for assailing such contracts on grounds of public policy, Judge Parker and his associate judges were constrained by the decision of the Supreme Court in the Hitchman case to disregard them. No such point was made by counsel in the Red Jacket case, who must have regarded the right to make such contracts as settled in the Supreme Court of the United States.

On the other question, as to whether any actionable wrong justifying an injunction was committed by the union men in attempting by peaceable means to induce nonunion employees to violate their contracts of employment by joining the union, Judge Parker again bases his decision on the Hitchman case, where substantially similar contracts were involved and the Supreme Court held that peaceful efforts by the strikers to induce the company employees to agree to join the union while remaining in plaintiffs' employ were properly enjoined.

There does not appear to be a point decided in the Red Jacket case on which Judge Parker assumed to exercise any independent judgment or opinion. He and his associates felt bound by the Supreme Court decisions. In holding the contracts valid and that peaceable efforts to induce the nonunion men to break them were properly enjoined, he merely quoted rulings to that effect in the Hitchman case. Nowhere are pressed or indicated any personal views about any of these questions. He had no freedom of judgment on any of them; he was bound by the decisions of the Supreme Court, which he could not refuse to follow. The Hitchman case itself had originated in the Circuit Court of Appeals of the Fourth Circuit before Judge Parker became a member of that court, the circuit court of appeals had denied an injunction, and its decision was reversed by the Supreme Court in the Hitchman case. What would have been the fate of a decision by Judge Parker in the Red Jacket case contrary to that which he rendered is indicated by the fact that the United Mine Workers filed a petition for a writ of certiorari with the Supreme Court of the United States asking that court to review Judge Parker's decision, and the petition for certiorari was denied (275 U. S. 538).

To refuse to confirm the nomination of Judge Parker for his decision in the Red Jacket Coal Co. case will amount to refusing to confirm him because he followed and gave binding effect to the decisions of the Supreme Court of the United States. At least he considered the cited decisions of the Supreme Court to be controlling in the Red Jacket case, and no one has yet pointed out any ground on which the Hitchman case and the Red Jacket case may properly be distinguished.

The question is not whether the Supreme Court was right or wrong in its conclusion. The question is whether Judge Parker was dealing with points which had been settled by the Supreme Court which he was bound, under his oath of office, to follow. He and his two associates put their decision upon the controlling authority of the Hitchman case, as they were constrained to do, but even in this they were careful not to go beyond the dictates of that decision. It was argued that the decree in effect forbade any lawful or proper argument addressed to plaintiffs' employees in favor of union membership. Answering this contention, Judge Parker said:

"If we so understood the decree, we would not hesitate to modify it. As we said in the Bittner case, there can be no doubt of the right of the defendants to use all lawful propaganda to increase their membership. * * * What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

The contract which has been criticized was distinctly involved in the case of Hitchman Coal & Coke Co. v. Mitchell. (See 245 U. S. 239, 240.) The form of the contract is set forth in a note to the dissenting opinion of Mr. Justice Brandeis at page 263. The court said (at p. 245): "The evidence shows that he (the union organizer) had distinct and timely notice that membership in the union was inconsistent with the terms of employment at all three mines, and a violation of the express provisions of the agreement at the Hitchman and Glendale."

With respect to the contract, the court said (at pp. 250, 251):

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. Plaintiff's repeated costly experiences of strikes and other interferences while attempting to 'run union' were a sufficient explanation of its resolve to run 'nonunion,' if any were needed. But neither explanation nor justification is needed. Whatever may be the advantages of 'collective bargaining,' it is not bargaining at all, in any just sense, unless it is voluntary on both sides. The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership

in a union a condition of employment, as the workingman is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation, unless through some proper exercise of the paramount police power. Adair v. United States (208 U. S. 161, 174); Coppage v. Kansas (236 U. S. 1, 14). In the present case, needless to say, there is no act of legislation to which defendants may resort for justification."

In view of the fact that the circuit courts of appeals are bound by the decisions of the Supreme Court, it would seem that no further authority is needed with respect to the contract criticized.

The Supreme Court in the Hitchman case held that the right of the employer under such a contract should be protected by the court, saying (at p. 251):

"Plaintiff, having in the exercise of its undoubted rights established a working agreement between it and its employees, with the free assent of the latter, is entitled to be protected in the enjoyment of the resulting status, as in any other legal right. That the employment was 'at will,' and terminable by either party at any time, is of no consequence. In Truax v. Raich (239 U. S. 33, 38), this court ruled upon the precise question as follows: 'It is said that the bill does not show an employment for a term, and that under an employment at will the complainant could be discharged at any time for any reason or for no reason, the motive of the employer being immaterial. The conclusion, however, that is sought to be drawn is too broad. The fact that the employment is at the will of the parties, respectively, does not make it one at the will of others. The employee has manifest interest in the freedom of the employer to exercise his judgment without illegal interference or compulsion, and, by the weight of authority, the unjustified interference of third persons is actionable although the employment is at will.' (Citing many cases.)"

The Supreme Court said also (at p. 259):

"Upon all the facts we are constrained to hold that the purpose entertained by defendants to bring about a strike at plaintiff's mine in order to compel plaintiff, through fear of financial loss, to consent to the unionization of the mine as the lesser evil was an unlawful purpose, and that the methods resorted to by Hughes—the inducing of employees to unite with the union in an effort to subvert the system of employment at the mine by concerted breaches of the contracts of employment known to be in force there, not to mention misrepresentation, deceptive statements, and threats of pecuniary loss communicated by Hughes to the men—were unlawful and malicious methods and not to be justified as a fair exercise of the right to increase the membership of the union."

It is worthy of note that when the Hitchman case was before the Circuit Court of Appeals for the Fourth Circuit that court refused to enjoin "peaceful persuasion" of the employees to violate the contract criticized. (214 Fed. 685.) This, however, was reversed by the Supreme Court in Hitchman Coal Co. v. Mitchell (245 U. S. 229), which upheld the right of the employer under the contract not only against violence and intimidation but also against peaceful persuasion.

The doctrine of the Hitchman case has been approved by the Supreme Court in the later case of American Steel Foundries v. Tri-City Central Trades Council (257 U. S. 184, at 211), and applied by the Circuit Court of Appeals for the Eighth Circuit in Kinloch Telephone Co. v. Local Union (275 Fed. 241), and by the Circuit Court of Appeals for the Ninth Circuit in Montgomery v. Pacific Electric Railway Co. (293 F. 680).

The scope of the injunction has been criticized in that it restrained the union from aiding and abetting any person to occupy or hold without right any house or other property. The answer to this is that the language of the decree was prescribed by the court in a former appeal in one of the same cases (288 Fed. 1020), at which time Judge Parker had not been appointed to the court. The judges approving the decree being Woods, Waddill, and Rose.

MEMORANDUM ON THE OPINION OF CIRCUIT JUDGE JOHN J. PARKER IN INTERNATIONAL ORGANIZATION, UNITED MINE WORKERS OF AMERICA v. RED JACKET CONSOLIDATED COAL & COKE CO. (18 F. (2D) 839)

This and companion cases were suits brought by coal-mining companies in West Virginia to enjoin the United Mine Workers, who had declared a strike in an attempt to unionize the field, from interfering with the companies' employees by violence, threats, intimidation, picketing, and the like, or by procuring them to breach their contracts with the plaintiffs. The trial court found that the defendants were maliciously endeavoring to cause the employees of the plaintiffs to violate their contracts of employment with the plaintiffs, and were by force, intimidation, and violence endeavoring to compel the plaintiffs' employees to cease work, and enjoined these acts.

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Another point urged by the mine workers in the circuit court of appeals was that the injunction was too broad and went beyond injunction against force, violence, and intimidation, and, in effect, enjoined interference with the plaintiffs' employees by means of peaceful persuasion. The opinion discloses that plaintiffs' employees had entered into contracts that they would not join the union while remaining in the plaintiffs' service. In his opinion Judge Parker says:

"What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

The case to which Judge Parker referred was the decision of the Supreme Court of the United States in Hitchman Coal & Coke Co. v. Mitchell (245 U. S. 229). In that case the defendants had peaceably persuaded plaintiff's employees to break contracts similar to those involved in the case dealt with by Judge Parker. The court in its decision said:

"Another fundamental error in defendants' position consists in the assumption that all measures that may be resorted to are lawful if they are 'peaceable'—that is, if they stop short of physical violence, or coercion through fear of it. In our opinion, any violation of plaintiff's legal rights contrived by defendants, for the purpose of inflicting damage, or having that as its necessary effect, is as plainly inhibited by the law as if it involved a breach of the peace. A combination to procure concerted breaches of contract by plaintiff's employees constitutes such a violation," that is, a violation of the plaintiff's legal right.

It does not appear from Judge Parker's opinion that any question was raised by counsel in the Red Jacket case as to the validity of the contracts between the plaintiffs and their employees, by which the latter agreed not to join the union. An examination of the briefs of counsel filed in this case, discloses no suggestion or contention that the contract between the mining companies and their nonunion employees, prohibiting the latter from joining the union, was illegal or void as against public policy or for any other reason. Counsel, as well as the circuit judges, quite correctly considered the Hitchman case conclusive on that point, for in its opinion (245 U. S. 250) the Supreme Court had declared:

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. * * * The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership in a union a condition of employment, as the working man is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation, unless through some proper exercise of the paramount police power. Adair v. United States (208 U. S. 161); Coppage v. Kansas (236 U. S. 1). * * *

"Plaintiff, having in the exercise of its undoubted rights established a working agreement between it and its employees, with the free assent of the latter, is entitled to be protected in the enjoyment of the resulting status, as in any other legal right. That the employment was 'at will,' and terminable by either party at any time, is of no consequence."

Mr. Justice Brandeis wrote a dissenting opinion in the Hitchman case, but his dissent was not based on a suggestion that the contract between the employer and its employees not to join the union was unenforceable or void. On the contrary, he said (p. 271):

"In other words, an employer, in order to effectuate the closing of his shop to union labor, may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

His dissent was based on the proposition, not that the contracts were unlawful but that the union men did not induce the plaintiff's employees to violate their terms (p. 272). This contention was expressly rejected in the ruling opinion of the court (p. 255).

Whatever reasons might have been advanced for assailing such contracts on grounds of public policy, Judge Parker and his associate judges were constrained by the decision of the Supreme Court in the Hitchman case to disregard them. No such point was made by counsel in the Red Jacket case who must have regarded the right to make such contracts as settled in the Supreme Court of the United States.

On the other question, as to whether any actionable wrong justifying an injunction was committed by the union men in attempting by peaceable means to induce nonunion employees to violate their contracts of employment by joining the union, Judge Parker again bases his decision on the Hitchman case where substantially similar contracts were involved, and the Supreme Court held that peaceful efforts by the strikers

to induce the company employees to agree to join the union while remaining in plaintiff's employ were properly enjoined.

There does not appear to be a point decided in the Red Jacket case on which Judge Parker assumed to exercise any independent judgment or opinion. He and his associates felt bound by the Supreme Court decisions. In holding the contracts valid and that peaceable efforts to induce the nonunion men to break them were properly enjoined, he merely quoted rulings to that effect in the Hitchman case. Nowhere are pressed or indicated any personal views about any of these questions. He had no freedom of judgment on any of them; he was bound by the decisions of the Supreme Court, which he could not refuse to follow. The Hitchman case itself had originated in the Circuit Court of Appeals of the Fourth Circuit before Judge Parker became a member of that court, the circuit court of appeals had denied an injunction, and its decision was reversed by the Supreme Court in the Hitchman case. What would have been the fate of a decision by Judge Parker in the Red Jacket case contrary to that which he rendered is indicated by the fact that the United Mine Workers filed a petition for a writ of certiorari with the Supreme Court of the United States asking that court to review Judge Parker's decision, and the petition for certiorari was denied. (275 U. S. 536.)

To refuse to confirm the nomination of Judge Parker for his decision in the Red Jacket Coal Co. case will amount to refusing to confirm him because he followed and gave binding effect to the decisions of the Supreme Court of the United States. At least he considered the cited decisions of the Supreme Court to be controlling in the Red Jacket case, and no one has yet pointed out any ground on which the Hitchman case and the Red Jacket case may properly be distinguished.

The question is not whether the Supreme Court was right or wrong in its conclusion. The question is whether Judge Parker was dealing with points which had been settled by the Supreme Court which he was bound, under his oath of office, to follow. He and his two associates put their decision upon the controlling authority of the Hitchman case, as they were constrained to do; but even in this they were careful not to go beyond the dictates of that decision. It was argued that the decree in effect forbade any lawful or proper argument addressed to plaintiff's employees in favor of union membership. Answering this contention, Judge Parker said:

"If we so understood the decree, we would not hesitate to modify it. As we said in the Bittner case, there can be no doubt of the right of the defendants to use all lawful propaganda to increase their membership. * * * What the decree forbids is this 'inciting, inducing, or persuading the employees of plaintiff to break their contracts of employment'; and what was said in the Hitchman case with respect to this matter is conclusive of the point involved here."

GREENVILLE, S. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

Regard Judge Parker one of ablest lawyers appeared before court.

T. P. COTHRAN,
Associate Justice.

RICHMOND, VA., *April 28, 1930.*

Senator LEE S. OVERMAN,
United States Senate:

May I respectfully urge that you will say to the Senate when Judge Parker's nomination is being considered that it is the opinion of all the Federal judges in circuit that Judge Parker is admirably equipped in every respect for distinguished service on Supreme Court? After intimate service on court with him, I personally regard him as possessing every qualification for service on Supreme Court.

ELLIOTT NORTHCOTT.

FLORENCE, S. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

I have been associated with Judge John J. Parker in quite a number of cases in the court of appeals at the hearing and conferences thereon and observed his attitude relative to the decisions to be rendered. He has in a marked degree the qualities essential for a judge. I consider him eminently qualified in every respect to fulfill the duties of Associate Justice of the Supreme Court.

ERNEST F. COCHRAN,
United States District Judge.

ANDERSON, S. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

After an intimate acquaintance with Judge Parker, ever since his appointment to the circuit bench, and having frequently served with him on the circuit court of appeals, I earnestly hope for confirmation of his appointment to the Supreme Court. There is and can be no question of his fitness for the position by reason of his great ability, exalted character, and his fair and judicial temperament.

H. H. WATKINS.

BALTIMORE, MD., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senator, United States Senate Office Building:

I feel that the appointment of Judge John J. Parker to the Supreme Court should be confirmed. His high character and legal attainments are proven throughout the fourth circuit.

WILLIAM C. COLEMAN,
United States District Judge, Baltimore.

WILMINGTON, N. C., *April 28, 1930.*

Hon. LEE S. OVERMAN,
United States Senate:

Judge John J. Parker's age, health, industry, natural ability, and legal learning qualify him for the high office for which he has been nominated. I have sat with Judge Parker on the circuit court of appeals and therefore can speak of and vouch for his fitness through my personal observation of and contact with him and his work. Judge Parker is as free from bias as any man living and he would not know how to prejudge any man or cause. If given the opportunity, Judge Parker will demonstrate his worthiness for the high office of Supreme Court Justice to the satisfaction and admiration of his severest critic.

I. M. MEEKINS.

CHESTER, S. C., *April 27, 1930.*

Senator LEE S. OVERMAN,
United States Senate, Washington, D. C.:

Have known Judge Parker as attorney and judge. Events have caused me to know able men in many circles in Europe and America. Judged by highest standards Parker measures up well by reason of native ability and diligent study of law.

J. LYLES GLENN,
United States District Judge.

CHARLESTON, W. VA., *April 27, 1930.*

Senator LEE OVERMAN,
United States, Washington, D. C.:

Have known Judge Parker rather intimately since his appointment as circuit judge. Have had him as circuit judge in several 3-judge courts in my district, and have sat with him on court of appeals several times. From this contact I have formed the highest opinion of his ability as a lawyer and judge. His industry as a student of the law and facts of all cases before him is very great and continuous until he has reached an honest conclusion, both intellectual and personal, thereon. His mind and manner of thought is logical and he is always conscientious in his study of the rights of all parties in each case submitted to him. When not considering actual cases submitted his active mind is continuously devoted to the study of law as a preparation for future work expected to come before him.

GEO. W. MCCLINTIC,
District Judge.

[From the Charlotte (N. C.) Observer, April 19, 1930]

PARKER MISJUDGED

Judge John J. Parker's record in North Carolina certainly has not indicated any prejudice against labor, organized or unorganized. Nothing he has ever said in any of his public utterances has indicated other than a friendly and sympathetic attitude toward labor. He has never been what is commonly called a corporation lawyer, neither has he been anticorporation in his attitude. His fairness and impartiality toward both labor and capital has been one of his outstanding characteristics. To-day he has the heartiest indorsement of many men who are recognized as the friends of capital and at the same time he is just as heartily indorsed by numbers of those who are the advocates and champions of organized labor. He is neither radical nor reactionary, but sanely liberal.

It so happens that Judge Parker, just 10 years ago this week, made an address at Chapel Hill, speaking to students, faculty, and community residents. Part of what he said is of record, for his address was reported at unusual length in the Observer. In that speech he expressed his attitude toward labor and unions, and there is no evidence that he has changed his position since. Certainly no union man or laboring man objected to what he said in that speech. Among other things, he advocated a workingmen's compensation act for the benefit of the laboring man, elimination of child labor in industry and of night work for women, and to quote his words, he declared:

"Laboring men have a right to organize. Laboring men have a right to quit work—to strike. Laboring men have a right, collectively, to enter into agreements with employers. The State should not deny or abridge any of these rights when lawfully exercised, but the State owes it to labor and to capital, as well as to the public, to provide means for the adjustment of industrial disputes."

What more could labor ask in a Justice of the Supreme Court? It is not to be expected that any man should be placed on the Supreme Bench who is a rank partisan of any one class, and, of course, organized labor does not expect that. It is doubtful that any man will be nominated and confirmed whose attitude toward labor is any more friendly and sympa-

thetic than Judge Parker's, as indicated in his declarations quoted above. If those who in behalf of organized labor are fighting Judge Parker's confirmation knew him as his fellow citizens in North Carolina know him and have known him through the years, it is believed here the opposition to him from this source would be withdrawn.

Apparently the chief obstacle to the prompt confirmation of the nomination of Judge Parker is the opposition of organized labor, and that opposition seems to be based solely upon his decision in the so-called "yellow-dog" case from the coal fields of West Virginia, affecting union coal miners. In answer to the opposition on this ground, it has been pointed out repeatedly that in his decision in this case, Judge Parker was only following decisions of the United States Supreme Court.

When once the law has been interpreted by the highest court, as applicable to a certain set of facts, the ruling of the Supreme Court becomes the law to be followed by all inferior courts and judges, and no judge is going to deliberately take a course contrary to the decision of the highest tribunal, regardless of what his personal feeling or attitude toward the parties involved may be. To decide a case contrary to the plain rule laid down by the Supreme Court would place an inferior court judge in a ridiculous light. The decision of the judge in such cases is not necessarily an indication of his personal feeling, but merely the application of the existing law to the case in question. A judge might be entirely out of sympathy with the prohibition law and his sympathies might be strongly in favor of a man who had been convicted of its violation, but the jurist in such a case would have no alternative but to follow the law as already interpreted by the higher court.

It is perfectly clear to numbers of lawyers, including those whose sympathies are with organized labor in practically all its conflicts with the employing class, that President William Green and other officials of the American Federation of Labor are under a misapprehension of Judge Parker's attitude toward the working men as a class. Those who are leading the opposition to his confirmation do not know him personally and have not been close enough to him to appraise him accurately.

That doubtless explains in part at least the fact that officially the North Carolina Federation of Labor gave Judge Parker's nomination its approval at first, but joined the national organization in opposition after the latter had taken a stand against him. Evidently it was not so much a matter of opposition on the part of the North Carolina organization as it was a matter of loyalty to the national organization and to President Green.

[From the Nashville Tennessean, April 21, 1930]

JUDGE PARKER'S CASE

Confirmation of Judge John J. Parker, of North Carolina, for appointment to the vacancy on the Supreme Court caused by the death of Justice Sanford, is being opposed on the ground that his decision in the Red Jacket coal case shows his animosity to the aspirations of labor. He has been denounced by William Green as another "injunction judge." His opinion in a case appealed from the district court which involved the right of employers to contract with their employees that the latter would not during their term of service become members of a union-labor organization, it is alleged, demonstrates his hostility to organized labor.

The opponents of Judge Parker have not been fair enough, however, to say that in the Red Jacket case he did nothing more than apply the law as it had been determined by the Supreme Court of the United States. As long ago as 1917 in the celebrated Hitchman case, the Supreme Court of the United States held "that the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question." This opinion was concurred in by Justice Holmes, who is universally regarded as one of the outstanding "liberal" members of the Supreme Court. Even Justice Brandeis, who is usually associated with Justice Holmes in the so-called "liberal" decisions of the court, used this language: "An employer in order to effectuate the closing of his shop to union labor, may exact an argument to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to it."

As a judge of the United States Court of Appeals it was the duty of Judge Parker to follow the law as declared by the Supreme Court of the United States. It is not, under such circumstances the province of the inferior judge to discuss the wisdom of the law as interpreted by his superiors. It may be argued that the decision of the highest court in the land in the Hitchman case is contrary to sound public policy. But until that decision has been vacated or set aside by a subsequent decision of the court of last resort it is binding upon all. It is most assuredly binding upon the judges of the inferior courts of our Federal system.

The validity of the contracts to which objection is now strenuously urged has been settled by the highest court in the land. Judge Parker's offense appears to have consisted merely in applying the law, hence there is little merit in the war that is being waged upon his confirmation. His capacity is not denied. His integrity is unquestioned. It is something new to endeavor to determine political and economic and even social questions through appointments to the supreme judiciary. There is no reason to believe and past experience does not justify, the assumption that members of the Supreme Court of the United States will be governed in their decisions by past political affiliations or by views that they have announced as counsel in cases. Judge Parker comes from a judicial circuit that has not had a member of the court of last resort for more than 60 years. He hails from a State that has not furnished a member of the Supreme Court since the very early days of the Republic. So far, no valid reason has been advanced that would deny his appointment the consent of the Senate.

[From the Philadelphia Public Ledger, April 8, 1930]

THE RED JACKET CASE AND JUDGE PARKER

About two years ago John Johnston Parker, of North Carolina, a United States circuit judge, upheld an injunction granted in a labor case by a Federal district court. This enjoined union-labor representatives from persuading certain workers to join a union. These certain workers had signed a contract in which they agreed not to become union members during the term of their employment with the company for which they were then working. Union labor calls such agreements "yellow-dog contracts," and vigorously opposes them.

Recently President Hoover nominated Judge Parker for the United States Supreme Court. Because Judge Parker sustained the injunction in the Red Jacket case from West Virginia, union labor now opposes his confirmation. William Green, president of the American Federation of Labor, has appeared as labor's spokesman. He insists that Judge Parker's opinion "* * * has shown a judicial state of mind which betrays a judicial and mental bias in favor of powerful corporations and against the interests of the people."

The public had long since forgotten the Red Jacket case, but union labor remembered it.

Like the more celebrated Hitchman case, this Red Jacket case grew out of a West Virginia mine-labor disturbance. The Hitchman case was in the courts for years and finally was decided by the United States Supreme Court in 1917.

What Judge Parker did, apparently, was to follow the decisions made by other Federal courts in similar cases, as well as the principles established and affirmed in the Hitchman case. It does not appear that he "made" any "new law" in his opinion. As a matter of fact, the injunction sustained by him in the Red Jacket case was not so broadly inclusive as some others have been.

Judge Parker, when the matter came before him, was forced to choose between sustaining certain established legal principles or setting them aside. On every judge, in every case that reaches him, there rests an admitted obligation to apply recognized rules of law to that controversy. Judge Parker chose to follow that obligation. It is for this that he is now criticized.

In the hearings held to determine Judge Parker's fitness there was a good deal of legal hair splitting about the legality of the "yellow-dog contracts." Some of the committee members seemed anxious, then and there, to retry the Red Jacket case.

The protests against the North Carolina jurist were not unexpected. The attacks made a little while ago upon the naming of Charles Evans Hughes as Chief Justice foreshadowed other and similar assaults. There is a rather powerful political group which proposes, as it says, to "liberalize" the Supreme Court. In other words, its members are determined to interpret and reinterpret the Constitution to fit their own notions of law and justice. To do this they propose to put like-minded judges on the Supreme Bench.

This conflict flared up suddenly, but it has been smoldering for years. It was the fashion not long ago to attack the court's "5 to 4" decisions. The La Folletteism of 1924 assailed the Supreme Court and demanded that its decisions be subject to the approval of Congress. The hostility to the court still lives but has taken a new course. As conservative judges pass from the bench they are to be replaced if possible by "liberals."

Judge Parker's confirmation is expected, after a struggle. It is assumed that he will be approved by a majority of the Senate Judiciary Committee. He will be fought, in all probability, on the Senate floor. Whether he wins or loses there, the irrepressible conflict that began with the fight upon Mr. Hughes will continue with every nomination made to the Supreme Court. It is a clash of governmental theory and political principles that may outlast this generation and have far-reaching effects upon the future of the Nation.

[From the Philadelphia Public Ledger, April 16, 1930]

MR. BORAH KNOWS BETTER

The voice of Mr. BORAH joins the chorus of senatorial opposition to the confirming of Judge Parker as a Justice of the Supreme Court. He bases his objection solely on the jurist's decision in the West Virginia labor-injunction case. As a lawyer, he ought to realize the force of the Attorney General's statement that Judge Parker's ruling, in which his two associates concurred, necessarily followed the precedent laid down by the United States Supreme Court. In other words, Judge Parker was bound by the law. Whatever the validity of other objections that

have been urged against Judge Parker—and they are rather vaguely concerned with his supposed "conservative" opinions and temperament—it is difficult to see why his interpretation of the law in strict accordance with the highest authority should be considered a cause for disqualification.

It is well known that the framers of the Constitution, when they prescribed that the consent of the Senate should be essential for presidential appointments, interposed this safeguard merely as a bar to obviously unfit persons who might have committed offenses comparable to those calling for impeachment by the Senate were they actually in office. Certainly the makers of this provision had no idea that it would ever be evoked to afford Senators of any particular school of political thought the power to reshape the personnel of the Supreme Court in harmony with their theories.

[From the Boston Transcript, Monday, April 14, 1930]

TESTS FOR THE JUDICIARY

President Hoover's defense of Judge John J. Parker, of North Carolina, whom he has nominated for a seat on the Supreme Bench, seems to us to be based on solid ground. The Department of Justice has investigated the decision of Judge Parker in the celebrated "yellow-dog" labor case and finds that it was based on decisions of the Supreme Court of the United States, which no justice of any inferior court could ignore. This is the case on which the American Federation of Labor relies to secure enough votes in the Senate to prevent confirmation of Judge Parker, and it brings to the fore the question whether a court is to decide an issue in accordance with the law or with the desires of special groups of our citizenry. With respect to the supposed attitude of Judge Parker toward the negro, the reliance of his critics is upon alleged statements of Judge Parker while he was a candidate for public office, of which proof is lacking, while the only official decision of the judge which touches upon the Negro race is one in which he found unconstitutional an ordinance of the city of Richmond which would bar them from residence in certain parts of that city.

The point which interests the American people in the Parker case is, we believe, whether the United States Senate is to set a standard for confirmation never established before in the history of the American judiciary and unworthy of any Senate except that which is functioning in Washington to-day. Shall petty political considerations govern or shall appointments be considered with respect to the ability of the nominee? The issue is whether the Senate shall be permitted to cheapen the Supreme Court by laying down the rule that no man shall be allowed a place on it unless he conforms to the political prejudices of the confirming body. No honest lawyer would want to accept a nomination to the Supreme Court if he were to be tried by any such criterion as some Senators are seeking to establish in the Parker case, for he would then confess himself to be a political tool of whom only decisions pleasing to his masters might be expected. The Supreme Court of the United States decides only questions of law, and if the law is at fault the remedy must be found in changing it, not in the selection of nominees who will construe it to please a certain school. The Senate can much less afford to reject Judge Parker than he can afford to be rejected.

[From the Boston Transcript, Monday, March 24, 1930]

TO THE SUPREME COURT

President Hoover's nomination of Circuit Judge John J. Parker, of Charlotte, N. C., to succeed the late Edward T. Sanford on the Supreme Bench, accomplishes, first, a diplomatic gesture which will minimize if not eliminate any possibility of opposition to confirmation from regular Republicans or Democrats. Judge Parker is a southern Republican of fine reputation at home as jurist and politician—if one may be said to be a politician who ran for governor and polled 60,000 votes more than any Republican candidate for that office ever had commanded before. Senators OVERMAN and SIMMONS, who indorsed him, naturally would have preferred Chief Justice Stacy, of the North Carolina Supreme Court, a Democrat, but they recognize the propriety of the President's replacing a Republican with one of the same faith; and the selection of a North Carolina man encourages the growing Republican Party in that State, while it also is a compliment to the South from the nonpartisan point of view. More broadly yet, the geographical balance of the court is preserved by this selection.

On the professional side, the testimonials to the ability of Judge Parker are unanimous among the people he has served, and it is stated also that he is not a "reactionary"—if that cryptic word means anything. Several of his decisions are cited as proof of his progressive spirit, as, for example, his rebuke to overzealous prosecutors whose disregard for individual rights under the fourth amendment he condemned in a case involving search and seizure. Another case was that of the Atlantic & Yadkin Railroad, a valuable State-owned property, which had been leased jointly by the Southern Railway and the Atlantic Coast Line. Judge Parker was campaigning for the attorney generalship in 1916, and he took a pronounced stand for canceling the lease, on the ground that it had been secured by unfair means. Others of his official acts are referred to as exhibiting the "humane" spirit of the man.

Senators BORAH and NORRIS, who led the fight against Charles E. Hughes, are reported as knowing nothing objectionable, from their point of view, in the career of Judge Parker; notwithstanding these two worthies felt the same about Mr. Hughes before they began their hunt for disqualifications, present indications are that the support the North Carolina jurist bids fair to receive in the Senate will far outweigh any opposition that may develop. The President is to be congratulated upon making a selection which apparently is satisfactory to all officially concerned with it, with no sacrifice of prerogative or principle.

[From the Boston Transcript, Wednesday, April 16, 1930]

WHY BRANDEIS DISSENTED

The American Federation of Labor, whose president is out in vigorous opposition to the confirmation of Judge John J. Parker, of North Carolina, to be an Associate Justice of the Supreme Court of the United States, is citing the fact that the "liberal" Mr. Justice Brandeis dissented from the ruling opinion in the "yellow-dog contract" case. As an offhand proposition, it might weigh heavily with some Senators that a man of the advanced views of Justice Brandeis should differ from the majority and thus inferentially condemn the contracts whereby nonunion employers sought to protect their business. Mr. Green does not, however, we notice, tell why Justice Brandeis dissented. It was not because he held that the contracts were improper or illegal. On the contrary, he said: "In other words, an employer, in order to effectuate the closing of his shop to union labor, may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

What Justice Brandeis held, in contradistinction to the majority, was that the union men did not induce the plaintiff's employees to violate the terms of their contracts, while the evidence had established to the satisfaction of others of the court that they did. The points at issue, however, were not the merits of the case of union or nonunion labor, but whether Judge Parker should render his decision in accordance with the highest law in the land. In both the Red Jacket and the Hitchman cases the appeal was to incontrovertible law. Counsel for the defendant had argued that the decree of the Supreme Court forbade any lawful and proper means on the part of the union men in increasing their membership, and Judge Parker said that if that were the case, he would not hesitate to modify his position. His decision was that the union leaders had no right to "incite, induce, or persuade" the nonunion workers to break their legal contracts with the company.

It may be that American jurisprudence is passing through a period of transition from which will emerge different conclusions as to the right of contract, but at present it is much easier for politicians to raise the cry that human rights are being sacrificed for property rights than it is for them to prove their point.

[From the Wilmington Star, April 18, 1930]

AN ATTACK UPON THE FUNDAMENTALS OF GOVERNMENT

In the growing unrest in Republican ranks over labor and negro opposition to Judge John J. Parker there is revealed a spineless yielding to partisan prejudices that writes one of the sorriest chapters in the history of American statecraft. So frantic has become the fear of alienated negro votes in the North and East that pressure is being exerted to have President Hoover withdraw the nomination of the North Carolinian, a step the President has signified he will not take. The fight has now reached a stage where there is far more involved than whether a southerner shall sit on the Supreme Bench in succession to a southerner. It is now a question of whether the Supreme Court of the United States, the greatest safeguard to liberty ever created by man, is to become the football of political expediency. The attack on Judge Parker is tantamount to an attack on the integrity of that august tribunal, and when the court comes into dispute the line of demarcation between democracy and anarchy is all but erased.

Were the points raised against Judge Parker sound, the situation would be different. They are not. They are merely camouflages behind which shrewd politicians are working to thwart the will of the President and set upon the highest court in America a man more inclined to be swayed by other interests than those of the law and the Constitution. When the personnel of the court is selected in that manner the Nation will have passed its zenith. No point yet raised against confirmation of Judge Parker will stand the light of analysis or reason. His personal character is above reproach. His ability is unquestioned. He is young enough to be safely liberal, yet old enough to be conservatively safe. He has reached his present position of eminence enjoying the sincere admiration and respect not only of his own party but of the opposing major party as well. He is championed by the Democratic Senators of his own State, and by his successful rival in the gubernatorial campaign of 10 years ago. He has the indorsements of bar associations made up exclusively of Democrats as well as those where Republicans are dominant. Above all, he enjoys the confidence of the President—a President who was elected by the largest vote ever cast for an American candidate.

Assuming for the moment that utterances against the Negro race charged to him are correct, they constitute an indorsement and not an objection. When he said them, he spoke as a private citizen seeking public office in a Southern State where the negro is a problem in politics. He voiced the sentiments of all well-bred and intelligent southerners. But how different was the reaction of Parker, the Federal judge of appeals, to the same question, as compared with that of Parker, the candidate for governor. The city of Richmond, Va., passed an ordinance that was typically southern but at the same time clearly of doubtful constitutionality. It barred negroes from residential blocks dominated by members of the Caucasian race. Judge Parker was one of those who sat in judgment on the validity of the law, and Parker, the southerner who believed the negro should be eliminated from State politics in the South, laid aside his personal views and unhesitatingly ruled against the ordinance, bearing in mind only the Constitution of the United States he had sworn to uphold. What greater proof could the negroes of the North desire to prove to them that here is a man of broad vision, of surpassing loyalty, and an unswerving sense of justice.

The same holds true in the labor opposition. There has never been a court case decided against a labor union that won the approval of the loser. In his own heart, we imagine John Parker was personally in sympathy with the miners. It would be typical of the man. But it is clear that the law was contradictory, and again there is the spectacle of the jurist rising above his personal views to administer the law of the land.

The Star is a newspaper the political affiliations of which are diametrically opposed to those of Judge Parker. At the same time it is an admirer of the Charlotte jurist, as it is the admirer of other great men of unquestioned integrity and ability. If politicians are allowed to block the nomination of this man it will be a national disgrace. It will be more. It will be a blow at the fundamentals of American Government. Upon the Members of the Senate, both Republican and Democratic, there rests a grave responsibility. They owe it to the Nation to shoulder it manfully.

[From the New York World, April 13, 1930]

JUDGE PARKER AND "YELLOW-DOG" CONTRACTS

In his recent argument before the Judiciary Committee of the Senate against the confirmation of Judge John J. Parker for the Supreme Bench, Mr. William Green asserted in behalf of the American Federation of Labor that his appointment would give us another "injunction judge." On the basis of the opinion that Judge Parker handed down two years ago in the Red Jacket Coal & Coke Co. case, Mr. Green is doubtless justified if by "injunction judge" he means one whose mind would in labor cases run along with, say, Justice Van Devanter or Justice McReynolds rather than with Justice Brandeis or Justice Holmes.

Yet it is only fair to say that Judge Parker in the Red Jacket case did nothing more than apply the law as it has been fixed and determined to date by the majority of the Supreme Court. True, a lot of public opinion has flowed over some of our constitutional dams since our highest court last discussed the subject of so-called "yellow-dog contracts" in the Hitchman case, decided in 1917. But a lower United States judge can not on that account ignore the rules that are set from above. He probably does not feel even as free to criticize as does a dissenting judge in the higher court, who is, after all, leveling his barbs at his equals, not his superiors. But there are ways and ways of expressing views, and certainly the tone of Judge Parker in the Red Jacket case is one not merely of acquiescence in but of sympathetic attitude toward the law as it stands.

Something should be said, however, in defense of Judge Parker on one point. Senator BORAH doubted whether the Supreme Court has ever passed upon the validity of "yellow-dog contracts" and questioned the propriety of Judge Parker's having heard arguments in a case which involved contracts that were probably void. In this the Senator was certainly in error. The legality of such contracts was apparently not even questioned in the Red Jacket case; and for good and sufficient reasons. On the validity of such contracts the Supreme Court has spoken in no equivocal terms. Apart from the Adair and Coppage cases, in which it was held that neither Congress nor the States could outlaw such contracts by making them criminal offenses the court said in the Hitchman case:

"That the plaintiff was acting within its lawful rights in employing its men only upon terms of continuing nonmembership in the United Mine Workers of America is not open to question. * * * The same liberty which enables men to form unions, and through the union to enter into agreements with employers willing to agree, entitles other men to remain independent of the union and other employers to agree with them to employ no man who owes any allegiance or obligation to the union. In the latter case, as in the former, the parties are entitled to be protected by the law in the enjoyment of the benefits of any lawful agreement they may make. This court repeatedly has held that the employer is as free to make nonmembership in a union a condition of employment as the workingman is free to join the union, and that this is a part of the constitutional rights of personal liberty and private property, not to be taken away even by legislation unless through some proper exercise of the paramount police power."

Although he dissented in this case (Justices Holmes and Clarke concurring), even Justice Brandeis put the stamp of legality on the "yellow-dog contract." "An employer," he said, "in order to effectuate the closing of his shop to union labor may exact an agreement to that effect from his employees. The agreement itself being a lawful one, the employer may withhold from the men an economic need—employment—until they assent to make it."

Clearly these expressions of opinion settle for the present the legality of these much assailed contracts, though they do not settle the wisdom of permitting them as a matter of public policy. Judge Parker should not be called an "injunction judge" because he failed to question the validity of contracts which apparently all the judges of the Supreme Court regard as valid, at least in the absence of prohibiting statutes. Which does not mean, however, that the general bent of his legal mind should not be explored to the utmost possible limit.

[From the New York Sun, April 16, 1930]

THE CASE OF JUDGE PARKER

Cheering on the opposition to the confirmation of Judge John J. Parker, the World says that "fair-minded critics * * * have insisted that in his selection of Judge Parker Mr. Hoover either missed or chose deliberately to ignore the chief point in the Senate's recent attack on the nomination of Chief Justice Hughes; namely, a belief in the Senate that the Supreme Court is unhealthily conservative and that the times call for the nomination of a liberal." A "fair-minded critic," we suppose, is one who agrees with you.

We do not believe that President Hoover missed any points in the Hughes case. He had named a man so well fitted than even "liberal" Senators like WAGNER, COPELAND, and DAVID I. WALSH voted to confirm him. The President knew that the country wanted a conservative Chief Justice, for it is a conservative country—every presidential election indicates that. And when Mr. Hoover named Judge Parker he knew that he was naming another conservative and he named him because the Supreme Court ought to be highly conservative.

With a Senate and a House well stocked with radicals, why should the conservative President of a conservative people do anything to turn the judicial department of the Government in the direction of radicalism?

[From the Washington Post, April 18, 1930]

ATTACK UPON THE SUPREME COURT

Opposition to the confirmation of Judge Parker as an Associate Justice of the Supreme Court has reached the idiotic stage, to which all radical agitation always travels. Senators, who under ordinary circumstances would pass upon the nominee's qualification, his character, and his ability as a jurist, are listening to flimsy objections from agitators and radical organizations, backed by threats of defeat. It has become, not a question as to whether Judge Parker meets with the approval of a majority in the Senate, but what effect a vote for him will have on the campaigns in doubtful States.

A certain amount of opposition would be raised against any candidate President Hoover might name. The President would not choose a person who, in his opinion, would not uphold the Constitution and the laws of the United States. Some members of the insurgent bloc in the Senate are opposed to anyone who could meet those qualifications. They want Justices on the Supreme Bench who will interpret the Constitution in accordance with the wishes of Congress. They deny the right of the court to set aside acts of the legislature which are repugnant to the Constitution. In short, their purpose is to nullify the Constitution and set up Congress, which they hope to control, as the court of last resort.

Opposition from this source does not reflect upon Judge Parker. This is the same cry that was raised with such futility against Chief Justice Hughes. It is really an attack upon the court itself and upon the judicial power. This clique should be frank and come out in the open and fight for the overthrow of the court. That is what it is trying to do.

There is no foundation for opposing Judge Parker as an enemy of labor. He complied with the law in the decision he rendered in the Red Jacket case. Yet it is being dissected years after it was rendered to find traces of a mental bias. This opinion was rendered under the threat of a serious emergency. A strike was in progress; human lives were in danger. The injunction granted by the lower court was sustained, not as a permanent policy defining the rights of labor, but to deal with a crisis. Only the most prejudiced mind could use such a document on which to judge the qualifications of a jurist. Let the whole of Judge Parker's decisions be subject to scrutiny and, if they betray a mental bias either for or against labor, the public will admit that he is not a fit candidate for the Supreme Court.

The charge that Judge Parker is biased on the race question to such an extent that he can not administer justice is palpably absurd. Yet

it appears that some Senators have worked themselves into a state of frenzy for fear that they would lose their places if they should vote to confirm Judge Parker. If Senators are afraid to stand by their own convictions in voting for a nominee to the highest tribunal in the land, then the court is on the road to becoming what the radicals want it to be—a mere rubber stamp, to obey the dictates of Congress, even in violation of the Constitution.

It can not be that the Senate is afraid to place a judge on the Supreme Bench who would obey the Constitution.

[From the Atlanta Constitution, April 13, 1930]

THE JUDGE PARKER CASE

The confirmation by the Senate of the nomination of Judge Parker, of North Carolina, to be a Justice of the Supreme Court of the United States is opposed from two sources. The American Federation of Labor object to Judge Parker because of an opinion by him as a Federal circuit judge upholding the legality of so-called yellow-dog contracts, which means contracts by employees who agree with employers not to join labor unions. The other objectors are the Association for the Advancement of Colored People, because Judge Parker, when the Republican candidate for Governor of North Carolina, deprecated the participation of negroes in the politics of that State.

These protests raise two interesting issues for the Senate to decide. One is the legal correctness of the decision of Judge Parker in the labor contract case and the other is the political right of a citizen to believe it unwise for the interests of both races for negroes to seek political power in a Southern State notoriously committed to white supremacy.

In the first case it appears to be generally conceded that the decision written by Judge Parker for the circuit court in the "yellow-dog contracts" case tracked the precedent decisions of the Supreme Court of the United States and is, therefore, not assailable with reason upon legal grounds. It is only attackable by the labor leaders from the angle of a labor-rights policy which the federation desires to see established and affirmed by the courts of the nations. It is therefore put up to the Senate whether it will make the precedent that no man, however honest and qualified, shall sit upon the Supreme Bench because his views of the law do not accord with those of the leaders of a class of the population.

One may thoroughly sympathize with the contention of the "yellow-dog contracts" are unfair requisitions made of workingmen, but the greater constitutional right of contract is superior to sentiment and sympathy. Until such contracts are specifically made illegal it will be the duty of all courts to protect the right of persons to make them.

As for the opposition by the negro association it is based on a campaign speech by Judge Parker, in which he said:

"The negro, as a class, does not desire to enter politics. The Republican Party of North Carolina does not desire him to do so. We recognize the fact that he has not yet reached the stage in his development where he can share the burdens and responsibilities of government. This being true, and every intelligent man in North Carolina knows that it is true, * * * the participation of the negro in politics is a source of evil and danger to both races."

The qualified negro voters of North Carolina do not appear to have resented the views of Judge Parker, but are reported to have voted strongly for him as the Republican candidate for governor. It is the hell-raising negro political vampires of New York and Boston who are fighting the Parker nomination, purely on color-line contentions. But the Supreme Court, in its most Republican complexion, has uniformly decided that it will pass upon no such contentions of political character except in cases where a State abridges the right of a person of proper qualifications to vote on account of his "race, color, or previous condition of servitude."

The Senate, therefore, knowing the "yellow-dog contracts" decision to be in harmony with the precedents and that Judge Parker's views as to the qualifications generally of the negroes to "share the burdens and responsibilities of government" are only personal and political, will have to travel far away from both justice and precedents to refuse confirmation of his nomination to the Supreme Bench. Its decision on the show-down will be watched for with curious interest in both legal and political circles.

[From the Richmond Times-Dispatch, April 4, 1930]

THE FIGHT ON PARKER

Unless the southern Democrats in the Senate rally to his support it is altogether likely that Judge John J. Parker, nominated for the United States Supreme Court by President Hoover, will be rejected next week when the Judicial Committee's report is submitted to that body. This is the view of Washington, notwithstanding the President's vigorous intervention in behalf of his appointee. The memorandum prepared by the Department of Justice, explaining and defending Judge Parker's decision in the famous "yellow-dog" contract case, should quiet the fears of fair-minded liberals who were inclined to side with President Green, of the American Federation of Labor, when this chapter in Judge Parker's record on the circuit court of appeals was first made public. As the memorandum points out, to refuse confirmation of the nomination would be to reject him because he "followed and gave binding effect to the decisions of the Supreme Court of the United States."

This is admittedly true. The decision of the Supreme Court in the Hitchman case, involving the legality of the so-called "yellow-dog" contracts, furnished the precedent which Judge Parker was bound to follow in the West Virginia case. Whether or not such contracts, in which the employee agrees not to affiliate with a labor union during the life of the agreement, are defensible from the standpoint of ethics or public policy, they are legal as long as the Supreme Court does not reverse itself on the question. Even those organs of liberal thought which were disposed to criticize Judge Parker when the matter first came up are admitting that he can not fairly be penalized for the only thing that labor has been able to dig up against him.

But opposition of a new sort is now threatening the southerner. During his campaign for Governor of North Carolina in 1920 he made clear his position with respect to the Negro in politics. He did not think that the Negro had advanced enough to be admitted to equal participation with the white man in the affairs of government. For this expression he is being violently opposed by the Association for the Advancement of the Colored Race. This might not be important, but a number of Senators who come from States which have large negro votes are showing signs of panic. When the pinch comes it is almost certain that these Senators, Democrats and Republicans alike, will yield to the demand of the dark brother and keep him in line for the next election.

For Judge Parker to be defeated because of his common-sense view on the subject of complete social and political equality between the races would be in the nature of a disgrace, for the votes against him would not be cast by men who disagree with him on that point. Few men in the Senate, even those who number hundreds of thousands of negroes among their constituents, would publicly debate this matter with the jurist. But they would vote against him, ostensibly because of his judicial decision in the "yellow-dog" case, now explained to the satisfaction of all but the most radical, but really because they had been cowed by the militant negroes who are leading the assault on the jurist.

[From the Charlotte (N. C.) Observer, April 3, 1930]

STANDING BY PARKER

Assurance given by President Hoover that he will stand by his nomination of Judge John J. Parker for the associate justiceship of the United States Supreme Court is decidedly encouraging, in that it evidences the determined position the Chief Executive takes on the matter. Ignoring attacks from organized labor and racial associations, Mr. Hoover declares that he will support Judge Parker, because the latter has shown his fitness for office by his conduct in office, his official decisions, and his character as a man. To refuse to confirm his nomination, according to the statement sent out from the White House, would be to refuse to uphold his action in abiding by the decisions of the Supreme Court in deciding upon the labor suit which is now a point in question. Judge Parker's duty, as contained in his sacred oath of office, was to abide by the higher court in his decisions. That he did this is questioned by no one. For this reason the President's respect for his nominee has increased, until he is ready to wage an intensive fight to support him.

Mr. Hoover's unequivocal stand on this question commands the attention of all those who may have viewed the President as a man of wishy-washy decisions. Labor seems to have taken a decided stand against Parker, but the President does not let fear of possible loss of popularity from certain classes deter him from what he considers his duty in support of the right man for the right office.

Judge Parker has been attacked by three different factions—the American Federation of Labor and the Association for the Advancement of Colored People, and by the communists. The first-named body belabors Parker's record for his decision in the Red Jacket mine case. The negro organization says that Parker's speech, made while a candidate for Governor of North Carolina, was hostile to negro citizens of the State. Labor's attack upon Judge Parker is unfounded, as we see it, except to say that the jurist is being taken to task for upholding his oath of office. He had rules to go by in his official duties, and he abided by them.

That all negroes in the State are not against Judge Parker, and that the best element of the race is for him, is evidenced by the announcement that Dr. S. G. Atkins, president of Winston-Salem Teachers' College, and Dr. James E. Shepard, president of North Carolina College for Negroes, at Durham, are in favor of the President's nominee. These negro educators are in a position to know what is best for their people and are not reluctant in stating their views.

The report of the Senate subcommittee has been delayed another week. That Senator OVERMAN will report favorably upon the nominee goes without saying. Public interest centers in the decision of Senator BORAH for or against Parker. The statesman from Idaho has been carefully poring over the records of the Charlotte man. From what we know of Mr. BORAH'S sense of discerning fairness and justice, we believe that he will support the man named by Hoover.

[From the Washington Post, April 23, 1930]

TO SOUTHERN SENATORS

Southern Senators who are disposed to vote against Judge John J. Parker because he is a Republican seem to be taking a very short-sighted view of the situation. He was nominated, not because he is a Republican but because he is from the South. A Republican could have been selected from any section of the country, but obviously President Hoover sought a justice from that section of the South which has not been represented on the Supreme Court for more than half a century. His choice was made largely upon the recommendation of Senators, both Democrats and Republicans, who know Judge Parker and can vouch for his fine qualifications.

If Judge Parker should be rejected, it will be by a combination, without regard to party, which will include Senators who are candidates for reelection this year and who have been frightened by the bogy of the "colored vote." Among other false accusations against Judge Parker is the charge that he is prejudiced against colored voters. This charge has been refuted, but timorous Senators having large colored constituencies are afraid that colored voters will not learn that the charge against him is false and will take revenge against any Senator who votes for him.

The anti-Parker combination could not win, however, without the help of southern Democrats. Their opposition to him fails entirely to take into account the fact that in voting against him they would be laying the foundation for the denial of southern representation upon the Nation's highest court. If Judge Parker is unacceptable because of colored opposition, what other southerner could hope to be appointed? The opposition to such a man would be greatly intensified, and no President could be blamed if he should turn his back upon the South for the sake of avoiding a race controversy.

Justice McReynolds is entitled to retirement within a few months, and normally his successor would be a Democrat chosen from the South. But if Judge Parker should be rejected on account of the race question, with the help of southern votes, it is very improbable that the President would precipitate a still greater race controversy by selecting a southerner. At any rate, he would not be criticized by the country if he should look elsewhere for a successor to Justice McReynolds.

There is nothing to indicate that President Hoover would discriminate politically against any section. The great parties should be recognized in nominations to the Supreme Court. A Democrat should succeed Justice McReynolds, and this Democrat should come from the South. President Taft nominated a southern Democrat for Chief Justice. Southern Democrats in the Senate did not unite against Chief Justice Hughes but recognized the fitness of the appointment. Northern Republicans in the Senate would not have any valid reason for opposing a southern Democrat on the ground of section or politics.

The country always remembers what some Senators seem to forget—that a President, in making nominations for the Supreme Court, is bound by all the rules of honor to distribute the places fairly so that there shall be no discrimination against any section or any political party. No President has attempted to debase the court. The Senate is in honor bound to cooperate in keeping the court above politics and sectionalism. Judge Parker was selected to succeed a southerner and a Republican, the lamented Justice Sanford. How any southern Senator can oppose him and thus help racial and radical prejudice to defeat him is beyond understanding.

[From the Washington Post, April 20, 1930]

JUDGE PARKER'S CASE

The more the qualifications of Judge John J. Parker are studied the more shallow and artificial appear the objections to him. There is no objection to him, in fact, on any valid ground. His honesty, judicial temperament, legal ability, moral courage, good habits, and industry are undeniable. The qualities of a great judge are shown in his judicial opinions and decisions.

It happens that many Senators are beginning primary campaigns for reelection, and the radical agitators who are engineering the opposition to Judge Parker are doing their best to frighten these Senators into voting against Judge Parker. Mythical "labor votes" and "colored votes" are pictured as lining up against any Senator who dares to vote for Parker.

The attack upon Judge Parker is in reality an attack upon the Supreme Court of the United States. The purpose of the radicals who call themselves "liberals" is to terrorize all Federal judges so that they will not dare to perform their duty in issuing injunctions in labor disputes. Mixed with this main purpose is the usual hodgepodge of radicalism, which demands that the courts shall constitutionalize any legislative act, no matter how crazy; that constitutional property rights shall be disregarded; that the courts shall adopt new concepts of radicalism in place of constitutional rules; and that, in general, the Supreme Court and all inferior courts shall shape their decisions to suit the political aims of demagogues in the Senate.

Chief Justice Hughes was assailed because it was known that he was a man of courage who would apply the Constitution without first obtaining the advice and consent of Senate bosses. Now Judge Parker is attacked because he is a strong and upright judge.

Senators who may be inclined to sacrifice an honest and acceptable judge in order to win votes for themselves should think twice before they make that blunder. The great majority of voters are not won by such cowardice and demagoguery. The people are keeping the Supreme Court in high respect, and are deeply resentful of the mud-slinging tactics employed by Senators who seek selfish advantage at the expense of the judiciary. It is quite possible that this resentment would manifest itself in the defeat of Senators who lacked the courage to resist the malign attempts to prostitute the courts. Certainly any Senator who would deliberately vote to fill the Supreme Court bench with charlatans and sycophants deserves defeat.

No more indecent or vicious attack upon the integrity of American institutions could be conceived than the attempt to destroy the judicial power by killing off all nominations of able and honest jurists. No Senator who is convinced of the fitness of Judge Parker can vote against him without a loss of self-respect. A seat in the Senate is a place of dishonor and shame when it is bought by an act that aims at the degredation of the tribunal that applies the Constitution and the law. The preservation of the integrity of the Supreme Court is a matter of the highest duty, which no Senator with a sense of honor can think of shirking.

Mr. CARAWAY. Mr. President, I just want to say that it is strange that this extraordinary lawyer, who possesses all the virtue and all the character attributed to him, was so unknown. How he ever concealed all these virtues I have never been able to find out.

(Mr. BORAH addressed the senate in opposition to the nomination. After having spoken for more than an hour he yielded the floor for the day. His speech will be published entire after it shall have been concluded.)

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States making sundry nominations, which were referred to the appropriate committees.

REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

RECESS

Mr. WATSON. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Tuesday, April 29, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 28 (legislative day of April 21), 1930

CONSUL GENERAL

Leslie E. Reed, of Minnesota, now a Foreign Service officer of class 5 and a consul, to be a consul general of the United States of America.

PATENT OFFICE

ASSISTANT COMMISSIONER OF PATENTS

Fred Merriam Hopkins, of Michigan.

EXAMINERS IN CHIEF

Paul Preston Pierce, of Maryland.
Frank Petrus Edinburg, of Kansas.
Elonzo Tell Morgan, of West Virginia.

APPOINTMENTS IN THE ARMY

MEDICAL CORPS

To be first lieutenants

First Lieut. Charles Edward Nagel, Medical Corps Reserve, with rank from April 21, 1930.

First Lieut. Roland Keith Charles, jr., Medical Corps Reserve, with rank from date of appointment.

CHAPLAIN

To be chaplain with the rank of first lieutenant Rev. Herbert Frederick Moehlmann, of Iowa, with rank from April 16, 1930.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

TO CAVALRY

Capt. Maurice Rose, Infantry, with rank from March 18, 1926, effective August 1, 1930.

TO FIELD ARTILLERY

Second Lieut. Richard Edward O'Connor, Coast Artillery Corps, with rank from June 12, 1926.

TO INFANTRY

Capt. William Henry Halstead, Cavalry, with rank from July 1, 1920.

PROMOTIONS IN THE ARMY

To be major

Capt. Otto Blaine Trigg, Cavalry, from April 16, 1930.

To be captain

First Lieut. Auby Casey Strickland, Air Corps, from April 16, 1930.

To be first lieutenants

Second Lieut. Robert Reinhold Martin, Infantry, from April 13, 1930.

Second Lieut. John Perry Willey, Cavalry, from April 16, 1930.

Second Lieut. John Vogler Tower, Signal Corps, from April 16, 1930.

Second Lieut. Harry Donald Eckert, Cavalry, from April 20, 1930.

MEDICAL CORPS

To be lieutenant colonels

Maj. Roy Cleveland Heflebower, Medical Corps, from April 17, 1930.

Maj. George Martin Edwards, Medical Corps, from April 18, 1930.

Maj. George Burgess Foster, jr., Medical Corps, from April 19, 1930.

Maj. Joseph Casper, Medical Corps, from April 20, 1930.

Maj. Condon Carlton McCornack, Medical Corps, from April 23, 1930.

To be major

Capt. Jaime Julian Figueras, Medical Corps, subject to examination required by law, from April 20, 1930.

To be captain

First Lieut. Furman Hillman Tyner, Medical Corps, from April 22, 1930.

DENTAL CORPS

To be major

Capt. William Elder Sankey, Dental Corps, from April 17, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be first lieutenant

Second Lieut. Seth Overbaugh Craft, Medical Administrative Corps, from April 20, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 28 (legislative day of April 21), 1930

ASSISTANT SECRETARY OF WAR

Frederick Huff Payne.

COAST GUARD

To be captain (engineering)

Michael N. Usina.

To be ensigns

Herman Thomas Diehl.
Harold Albert Theodore Bernson.
George William Dick.
Arthur Joseph Hesford.
William Lee Clemmer.
John Stites Cole.
Ralph Roy Curry.
Harold Joseph Doebler.
Edmund Eugene Fahey.
John Francis Harding.
Joseph Dennis Harrington.
George Andrew Knudsen.
George Carroll Lindauer.
Clifford Rolston MacLean.
William Louis Maloney.
True Gilbert Miller.
Carl Uno Peterson.
Kenneth Coy Phillips.
Sidney Frete Porter.
Russell Jay Roberts.
William Schissler.
Henry St. Clair Sharp.
William Ernest Sinton.
John Rupert Stewart.
Henry Florian Stolfi.
Charles Ernest Toft.
Spencer Foster Hewins.

POSTMASTERS

ALABAMA

Amos N. Fain, Ariton.
John S. Amos, Enterprise.
John T. Williams, Evergreen.
John E. Hurst, Leeds.
William F. Crownover, jr., Oakman.

ARKANSAS

Homer H. Goodman, Cotter.
Rosse G. Roberts, Fulton.
Fred H. Price, Gurdon.
Bevie I. Abbott, Hampton.
Patrick F. Maskell, Hartman.
James H. Bass, Marvell.
Carl J. Lauderdale, Stamps.
Juanita Barton, Turrell.
Van Beavers, Williford.

ARIZONA

Laura E. Smith, Casa Grande.
Edward L. Gay, Clemenceau.
Harriette A. Hiener, Superior.

COLORADO

Byron T. Shelton, Hayden.
Hugh L. Large, Longmont.
Daniel Vigil, Saguache.

CONNECTICUT

Edwin H. Powell, Burnside.
Mary H. Newton, Uncasville.
William M. Logan, West Cheshire.

DELAWARE

W. Bateman Cullen, Clayton.

GEORGIA

Daniel F. Davenport, Americus.
Lila H. Rambo, Blakely.
Henry L. Murphey, Hephzibah.
Leila B. Tart, Oliver.
Jessie Gunter, Social Circle.
William O. Wolfe, Uvalda.
Ila M. Simpson, Warwick.
George W. Jordan, Whigham.
Eben B. Smith, Wrens.

HAWAII

Hung Luke, Kohala.
Frank Cox, Waimea.

IDAHO

Charles C. Henderson, Kemiah.

ILLINOIS

Howard K. Johnson, Blue Mound.
Charles Koenig, Brookfield.
Harry S. Pensinger, Cerro Gordo.
Orville B. Lane, Fillmore.
Frances Baker, Golconda.
Pauline E. Carnahan, Hindsboro.
Robert A. Blackmon, Lacon.
Clare E. Godfrey, Morris.
Rola Eubanks, Omaha.
Lewis S. Shrum, Orient.
Homer F. Kelly, Roseville.
Walter L. Eaton, Sidney.
Walter A. Foster, Steward.
John J. Barton, Sublette.
Iley Smith, Willow Hill.
Alfred J. Meyer, Worden.
William E. West, Yates City.

IOWA

William E. Anderson, Arlington.
Frank Popper, jr., Clutier.
Adna Miller, Danville.
Weber B. Kuenzel, Garnavillo.
Ralph A. Dunkle, Gilman.
Glen M. Reynolds, Irwin.
Wayne M. Osborn, Jefferson.
John A. Ruesink, Lime Spring.
Dewey E. Warthman, Oxford.
Glenn A. Tibbitts, Waterloo.
Edith H. Ashby, Wellsburg.

KANSAS

John L. Lee, Atlanta.
Charles Friskel, Frontenac.
Guy H. Byarlay, Green.
Henry Uhlenhop, Leonardville.
Amos J. Laird, Mayetta.
Robert C. Caldwell, Topeka.

MAINE

Ralph R. Mathews, Berwick.
Earle H. Roberts, Fort Kent.
Eugene H. Lowe, Gray.
Edward Johnson, Monson.
Thomas H. Phelan, Sabattus.
Ralph B. Parker, Wells.

MASSACHUSETTS

Roy S. Bailey, Agawam.
Frederick A. Shepard, Amherst.

Helen C. Williams, Beverly Farms.
W. Lincoln Burt, Canton.
Edward E. H. Souther, Cohasset.
Frank D. Babcock, Haverhill.

MICHIGAN

Clifford L. Slocum, Addison.
Grace A. Grinnell, Centerville.
Ruth F. Hastings, Engadine.
Charles E. Bassett, Fennville.
Eldon E. Baker, Flint.
William Trebilcock, Ishpeming.
Elmer L. Dalton, Leland.
Floyd B. Gates, Mesick.
William M. Snell, Sault Ste. Marie.
Florence C. Curtis, Whittemore.

MINNESOTA

Gladys H. Payne, Bertha.

MISSISSIPPI

Beall A. Brock, West.

NEBRASKA

Henry J. Steinhausen, Creighton.
Walter Nowka, Glenvil.
Joseph S. Jackson, Inman.
James E. Scott, Osmond.
James D. Finley, Sargent.
Edward A. Walker, Stuart.
Vaclav Randa, Verdigre.
Herbert C. Robbins, Wallace.

NEW JERSEY

Eva H. Ketcham, Belvidere.
Charles Morgenweck, sr., Egg Harbor City.
Emma A. Clawson, Scotch Plains.

NEW MEXICO

Guy Miner, Des Moines.
William S. Medcalf, Hope.
Fern I. Brooks, Maxwell.

NEW YORK

Joseph F. Krampf, Allegany.
William E. Cartwright, Amagansett.
William M. Pinney, Arcade.
Harry H. Kasch, Buchanan.
C. Ransom Phelps, Camden.
Stella Hackett, Central Park.
Hubert F. Strickland, Chenango Forks.
Ghale D. Thomas, Cranberry Lake.
May M. Ferry, Edwards.
Annabel Wood, Hilton.
Winfield S. Carpenter, Horicon.
Horace B. Fromer, Hunter.
Thomas W. Crane, Locust Valley.
Albertine R. Betts, Lyons.
Charles D. Overacre, Manchester.
Alfred B. Kent, Nunda.
H. Courtland King, Orient.
Annie S. Prince, Peconic.
Earl V. Jenks, Perry.
Elmer G. Miller, Phelps.
John B. Read, Poland.
Richard I. Gates, Redwood.
Anna M. Auch Moody, Rosendale.
Albert D. Ritchie, Saratoga Springs.
Raymond C. Green, Sauquoit.
William J. Herbage, Slingerlands.
Theodore C. Upton, Spencerport.
Manley S. Mack, Springwater.
Harry C. McNamara, Valatie.
Ruth E. Barlow, Wassaic.
S. Mildred Taylor, Westbury.
Mortimer F. Mekeel, Yorktown Heights

NORTH CAROLINA

Loyd V. Sorrell, Cary.
Dorsie C. Upton, Cherryville.
Mary W. Turner, Gatesville.
Lula G. Harris, Macon.
Charles R. Grant, Mebane.
James L. Sheek, Mocksville.
Maud A. Murray, Moyock.
Wade E. Vick, Robersonville.
Gideon T. Matthews, Rocky Mount.
Albert P. Clayton, Roxboro.
William E. Linney, Wilkesboro.

NORTH DAKOTA

Theodore H. Scholz, Beulah.
Edward F. Hamilton, Cavalier.
Edna S. Johnson, Crystal.
Bessie G. George, Van Hook.
Grace G. Berkness, Wolford.
Andrew D. Cochrane, York.

OHIO

Laird I. Kerr, Bigprairie.
Herbert S. Cannon, Canal Winchester.
Arthur L. Behymer, Cincinnati.
John J. Haines, East Liberty.
George P. Phillips, Fayette.
Ruth G. McWilliams, Grand Rapids.
George W. Burner, Johnstown.
Addie F. Hosler, Kingston.
Arthur R. Hurd, Lawndale.
Lewis E. Clawson, Middle Point.
Charles L. Oberlin, Mineral City.
Lester L. Leech, New London.
Hilton C. Hart, New Waterford.
William M. Freeman, Otway.
Mathias Tolson, Salineville.
James W. Rush, Sardis.
John H. Siegle, Urbana.
Harry W. Randels, West Unity.

OKLAHOMA

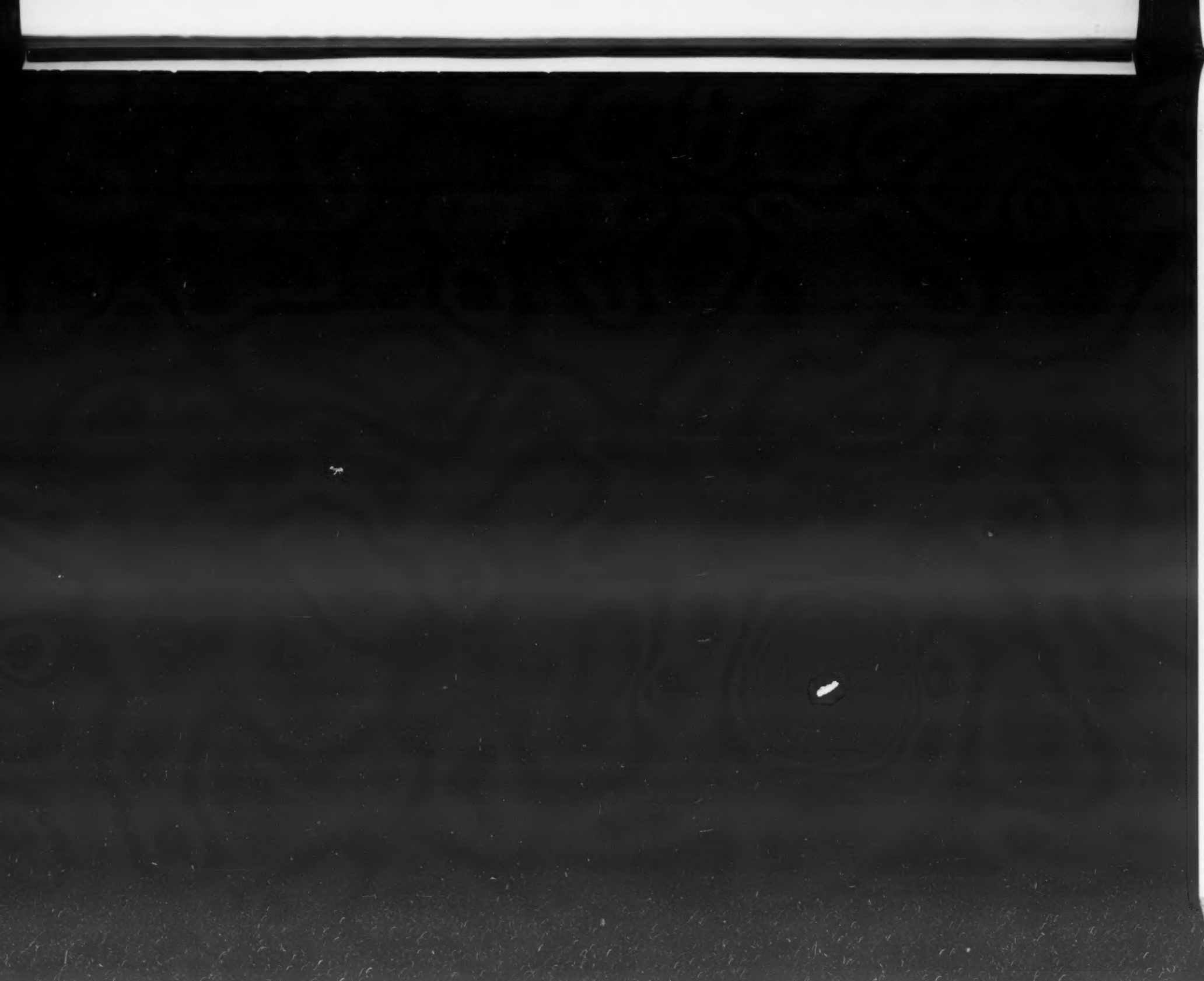
Ceaf W. Ramsey, Beggs.
George A. Strouse, Billings.
Gavin D. Duncan, Boswell.
Russell E. Dickerson, Braman.
Lillie M. Sheel, Burbank.
Robert R. Sutton, Claremore.
Zee Schlein, Clemscot.
Edward Kohler, Copan.
George Rainey, Enid.
Thomas E. Miller, Francis.
Agnes L. Stahlheber, Geary.
Robert C. Mayfield, Glencoe.
John M. Tyler, Idabel.
Bert A. Hawley, Leedey.
Cora B. Scott, Milburn.
Ida A. McAdams, Minco.
Marshal H. Whaley, Morrison.
Grace M. Johnson, Mulhall.
Anna Lynde, Okarche.
Frank R. Holt, Osage.
Joe E. Ventress, Pauls Valley.
John L. Coyle, Rush Springs.
Hiram H. Snow, Sand Springs.
Rita Lewis, Snomac.
Lester A. Presson, Sulphur.
James S. Goodwin, Stratford.
Harrison Brown, Watonga.
Harvey G. Brandenburg, Yale.

PENNSYLVANIA

Althea D. A. Busch, Fairview.
Permelia H. Young, Jefferson.
Elwood M. Stover, Kulpsville.
David H. Cummings, Mercer.
Joseph B. Hackman, Norristown.
Grant Piper, Petersburg.
Herman Raithel, Smithton.
John A. Stevens, Three Springs.
William E. Vance, Unity.
Ruth Roberts, Vintondale.

SOUTH DAKOTA

Mabel M. Linker, Ardmore.
Jessie Norton, Armour.
Charles H. McCrossen, Ashton.
Lester W. Button, Bradley.
Arthur H. Siem, Clark.
William A. Hodson, Cresbard.
Emma Peterson, Draper.
Jennie Dodge, Egan.
Lulu Turner, Ethan.
Paul W. Lambert, Fairfax.
Otto W. Muchow, Hartford.
Gottlieb J. Walth, Hosmer.
Richard A. Hummel, Hot Springs.
Harold French, Letcher.
Alice S. Esget, Lily.
William H. James, Martin.



Emanuel W. Alsenbrey, Menno.
Frank W. Farrington, New Effington.
Gertrude Snell, Tulare.
Amandus A. Breihan, Tyndall.

TENNESSEE

Woodford C. Monroe, Celina.
Fannie J. Latta, Somerville.

TEXAS

Scott F. Benson, Alvin.
Bessie F. Hefley, Cameron.
Jasper N. Coffman, Daingerfield.
Clarence R. Redden, De Leon.
Mary V. Rollings, Dodsonville.
Arthur H. Johnson, Eastland.
George P. Harden, Groom.
Maggie Beck, Hillsboro.
Maye B. Fitzgerald, Marfa.
Comodore V. Varner, Milford.
William H. Everitt, North Pleasanton.
Rufus L. Hybarger, Pineland.
Howard F. McWilliams, Queen City.
Herman C. Feist, Rowena.
Floyd S. Worth, San Benito.
Lucy A. Carhart, South San Antonio.
Don A. Parkhurst, Tahoka.
John W. White, Uvalde.
John W. Osborne, West Columbia.

UTAH

John A. Israelsen, Hyrum.

VERMONT

Charles H. Austin, Richford.

VIRGINIA

James W. Foster, Arrington.
Claibourne W. Beattie, Chilhowie.
Otis R. Thornhill, Culpeper.
Philip B. Nourse, East Falls Church.
James F. Walker, Fort Defiance.
Francis P. Landon, Hopewell.
Charles E. Neal, Stuart.
Eva C. Hudson, Tye River.
Jessie H. Cox, Washington.
Harry C. Stouffer, Winchester.
George W. Hammontree, Yorktown.

WEST VIRGINIA

Jesse H. Petty, Gary.
Wendell Evans, Winona.

WISCONSIN

Carl C. Corbett, Plymouth.
Nellie M. Clark, Suring.

WYOMING

Chester A. Lindsley, Yellowstone Park.

HOUSE OF REPRESENTATIVES

MONDAY, *April 28, 1930*

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Blessed, Blessed Father in Heaven, we approach Thee with grateful and thankful hearts. Do Thou enable us to understand that the best life is not all a battle or a race. It is a growth and a walk with God. With this truth in our thoughts may we turn cheerfully to our appointed tasks. Dismiss from us the jarring or discordant note and allow nothing to mar the melody of life's sweet song. Let us have done with the drudgery of fear and friction that often make duty an unendurable burden. Help us to ascend into the spiritual heights for inspiration and outlook, feel the immensities of God's great world house, wander along its shore lines, drink in the breath of heaven as it blows over them, and thus get hope and faith and courage for the labors and conflicts of life. Through Christ our Saviour. Amen.

The Journal of the proceedings of Friday, April 25, 1930, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 10379. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested.

S. 4182. An act granting the consent of Congress to the county of Georgetown, S. C., to construct, maintain, and operate a bridge across the Pee Dee River and a bridge across the Waccamaw River at or near Georgetown, S. C.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

April 23, 1930:

H. R. 3141. An act to amend paragraph 11 of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 7414. An act to provide for a uniform retirement date for authorized retirements of Federal personnel;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929; and

H. R. 8637. An act to fix the rank and pay of the commandant of the Coast Guard.

April 24, 1930:

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at Stillwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

April 25, 1930:

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930.

ADDRESS OF HON. EDWARD E. ESLICK, OF TENNESSEE

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to extend my remarks by including a very able speech delivered by my colleague, Hon. EDWARD E. ESLICK, of Tennessee, on the evening of April 23.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] asks unanimous consent to extend his remarks by incorporating an address of his colleague, Mr. ESLICK. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following very able speech by my colleague, Hon. EDWARD E. ESLICK, on the evening of April 23 at the Jefferson Day banquet at Concord, N. H.:

THOMAS JEFFERSON

Mr. Toastmaster, ladies, and gentlemen, I am deeply appreciative of the invitation to join you in the celebration of and to commemorate the memory of Thomas Jefferson, the third President of the United States and the founder of American Democracy. He was a strong man in his day and generation; but as the years have gone by the historian has justly appraised him. Measured by his work and accomplishments, he stands the foremost statesman of this Republic.

His philosophy of government in the beginning is embraced in the Declaration of Independence—the child of his brain and pen. That all men are created equal; that they are endowed with certain inalienable rights; that life, liberty, and the pursuit of happiness belong to all peoples; and that governments derive their just powers from the consent of the governed—a fundamental philosophy later expressed by

Mr. Lincoln in the sentence "A government of the people, for the people, and by the people."

In the formation of the Constitution and in the early life of the Union there were two schools of thought. One of these was headed by Mr. Jefferson. The other by his brilliant rival, Alexander Hamilton. Jefferson believed in the inherent right of man, while Hamilton believed in a strong government for the benefit of the few and the powerful—the classes. Hamilton believed in the property qualification of suffrage. Jefferson advocated manhood suffrage. He was a liberal, while Hamilton was a conservative. Jefferson thought of the individual. Hamilton saw only the state. Jefferson believed that governments should serve the masses, with equal justice and without favor or special privilege. Hamilton taught the doctrine of special favors to the rich and the powerful, for the exclusive classes. Concretely put, Jefferson pitted democracy against aristocracy, and he won.

The days of Jefferson and Hamilton saw the same philosophy of government, with the same issues dividing the people that we have to-day—materialism against humanity; money against man; property rights against human rights. Jefferson stood for mankind. Hamilton for materialism and property rights. Through the long years these issues have lived, and they are with us to-day more clearly and concisely drawn than at any time in the life of this Republic. The undying Democracy founded by Jefferson has suffered defeat after defeat, bending at times, but never broken; and to-day it is as solid as the Rock of Ages. In the great epochs of our national life it rises with supreme leadership, sustained by the great common people of the land. The organization founded by Jefferson came to serve mankind. While Jefferson was its founder, Andrew Jackson was its crusader, the man who supremely executed its mandate.

On July 4, 1826, two ex-Presidents died. One a New England Puritan, John Adams. His last words were, "Jefferson survives." Jefferson was then dead. As the shadows gathered about him, as he stood face to face with his Pilot, the Father of Democracy thought in the hour of death as he had lived in life: "I commend my daughter to my country and my soul to the God who gave it."

They wrapped him in the mantle of his many glories and laid the sage of Monticello to rest near his home. Mr. Jefferson had held many places of trust from the smallest to the highest. He had been a Member of the Continental Congress, Governor of Virginia, Secretary of State, Minister to France, Vice President, and twice President. He wrote the inscription to be carved in the rock above him in the long night of sleep. He placed there the things he thought his best; he did not believe his best work was in official positions, but in the service he had rendered mankind. They were author of the Declaration of Independence, the Virginia statute of religious freedom, and the founder of the University of Virginia.

Concord was the home of two great Democrats. The ashes of Franklin Pierce and Isaac Hill are with you. They were great Democrats, and closely allied with the democracy of my home State of Tennessee. President Polk offered Mr. Pierce the Attorney Generalship in his cabinet. He refused it.

Andrew Jackson loved Isaac Hill as he loved and trusted but few men. The tongue and pen of Senator Hill were a bulwark in defense of the old hero. As long as the name of Andrew Jackson finds a place in American history with it will be found the name of his champion and defender, Isaac Hill. He helped to make the history of the Jackson period.

THE LAST NINE YEARS

I will not talk ancient political history to you to-night. I shall talk of the last nine years—years so close to us that the statute of limitations can not be relied on by our Republican friends; no turning of the yellow pages from the old records. I shall talk of to-day and yesterday. My guns shall be trained on the President, upon the nine years he has served as a Federal official, and especially upon the record he has made in whole or in part. This record is within the memory of the men and women of to-day.

I do not intend to be unkind to the President. He is my President. He holds the greatest office on earth. Rightly administered, he can do more for mankind than any person in the world; but when he makes a mistake the injury is correspondingly great, and sometimes it is irreparable.

I shall not be content to confine myself to one year of Mr. Hoover, but I want to discuss the time between March 4, 1921, to March 4, 1930. The President in the campaign of 1928 pointed with pride to the preceding seven and a half years and pledged his administration to the same policies. If President Harding is to be remembered, it will be for two expressions: He would "consult the best minds," and "a return to normalcy." With the Harding advent we returned to Republican normalcy. The slogan then was "Harding, Hell, and Hard Times." Mr. Hoover has written a stronger chapter on normalcy in his one year and its trade-mark is "Hoover, Havoc, and Harder Times." Harding made these "best minds" members of his Cabinet, and, of course, he consulted with them. One of them was Mr. Hoover. We find as his associates Daugherty, Fall, and Denby. Mr. Mellon was there. Why, even ex-President Coolidge sat in at the Cabinet meetings when he was Vice President. The two and a half years, known as the Harding régime, made a great change in G. O. P. From the days of Lincoln for many years G. O. P. stood for something. It stood for Grand Old Party; but from the Harding administration, of which Mr. Hoover was a part, it earned a new meaning. It became practical. G. O. P. stands for "Greasy Oil Party." I shall tell you, and not in confidence, it was not anointed "with pure oil" from the Holy Hand. Its baptism was complete in crude petroleum. And then it laid down in green pastures with three of its best beloved disciples and leaders—Doheny, Sinclair, and Claudius Huston.

The President says the party deserves the continued confidence of the people. I do not believe that any administration the President has been connected with within the last nine years deserves the confidence of the American people.

The President first was associated with an administration of extremely high standing. This was before Mr. Hoover became a Republican. He stood so high in that administration it was known that Mr. Wilson was not adverse to his mantle falling on him, taking with it the League of Nations with its covenant. The present President was in hearty accord and in open defense of President Wilson's policies. He was unwilling to deny that he was a Democrat. He actually flirted with the Democratic nomination for President in 1920. Really, he received votes for the Democratic nomination. He made no denial of his democracy. The only plea was by his friends that he was without political alignment.

A Republican chided me the other day about the panic. He was naughty enough to say that the present panic was the result of Mr. Hoover's Democratic association. And he may be right about this. We all know that if the present administration was Democratic this crisis would be headlined as a panic; but, as this is a Republican administration, it bears the more moderate name of depression. We must admit that the depression is very deep. Panics belong only to Democratic administrations. At the present time it would take a very great financial doctor to diagnose the difference between Democratic panics and the present Republican prosperity. If Mr. Hoover had stayed put with the Democratic administration, and had followed its teachings, he would not now be floundering in such deep despondency. But he soon forgot Mr. Wilson and his principles. He entered the Harding Cabinet, followed by the years of Coolidge. Pardon me if I say that the eight years of Wilson were without scandal. In fact, no Democratic administration has had a graft scandal. Many investigations were had by unfriendly committees. Wilson had war years when graft might have been expected. These were looked into, and yet the only crime chargeable was that too many horseshoes were shipped to France at one time. The horseshoe is the emblem of good luck. It was well that luck should be plentiful. The dewdrop in the May morning when the first sun rays fall upon it never shone with greater purity. To the credit of Wilson's administrations are many, many achievements in legislation, the greatest of which is the banking system—an achievement within itself that has challenged the admiration of the financial world.

I must trace just a little of the record from March 4, 1921, and see whether the confidence asked by the President has a sound basis for the continuance of Republican rule.

When Mr. Hoover entered the Harding Cabinet in March, 1921, he found new associates. Secretaries Daugherty, Fall, and Denby were there. You know the sordid story, the story of loot, graft, bribery, and stealing. Poor Denby! The people excused him of everything but intelligence. They accused Daugherty and Fall of everything but honesty. Fall welcomed the contents of the Doheny little black bag. With outstretched hands he awaited Sinclair's donation! The open jail is waiting for poor old Fall. I speak of him with a feeling of pity and humiliation. But it is history. He is the only Cabinet member of our country to receive a jail sentence. They did not convict Doheny. It is hard to convict a million dollars before a Washington jury. Fall was the "goat" of a crooked crowd. Why, the ex-Attorney General of the United States, the man who made Warren Harding President, missed a penitentiary sentence by only one vote of a jury when they convicted Miller, the Alien Property Custodian! Miller was sent to the penitentiary; Daugherty missed it. The Department of Justice under Daugherty was the most corrupt department of the Government in American history.

Forbes, of the Veterans' Bureau, in his drunken saturnalia and revelry, squandered and grafted large sums of money and property from the unfortunate soldier boys, money and property provided by the Government for our heroes. He was sent to the penitentiary.

Will Hays, a member of the Harding Cabinet and chairman of the National Republican Committee, was paying the deficit of the Republican treasury by the sale of grafted Continental Trading Corporation bonds.

BANK FAILURES

May we get away from the sordid side of the Harding administration, with its humiliation and shame. I want to talk dollars and cents for a minute. Our Republican friends tell us that comparisons are odious. I do not blame them. If I were a Republican, I would not want any comparisons made. I have no prejudice against the Republicans. I am

willing to concede that there are more good Republicans than bad Democrats, but to correctly measure the confidence asked by Mr. Hoover we must investigate and compare records.

In the eight years of the Wilson administration we had 746 bank failures, with $226,484,447 liabilities. In the nine years of Harding, Coolidge, and Hoover—1921 to 1929, both inclusive—we had 4,147 bank failures, with liabilities of $1,526,094,000. During the year 1929—2 months of Coolidge and 10 months of Hoover—we had 437 bank failures, with liabilities of $218,796,582, the greatest amount of liabilities in any single year in our history, at least of any record I am able to find. This one year of Mr. Hoover lacks only $8,000,000 of having as much liabilities as the full 8-year administration of Woodrow Wilson. There were 124 bank failures, with liabilities of $51,578,980, the first quarter of 1930, against 84 bank failures, with liabilities of $37,508,530, the same months of last year. And in the face of this record the President bespeaks confidence for his party with the Nation's bank depositors.

BUSINESS FAILURES

The same record is sustained in general business failures. The two Wilson administrations had 112,635 business failures, with $1,883,000,000 liabilities. Under the eight years of Republican administration, including 1929, there were 195,545, with liabilities of $4,679,800,000. Dun's report for March, 1930, gives 2,347 business failures, with liabilities of $56,846,000, as compared to 1,987 failures in March of last year, with $36,356,000 liabilities.

In the first three months of 1930 there were 7,368 bankruptcies and business failures, with liabilities of $169,357,000, as against 6,487 failures, with $124,268,000 liabilities, in the same months of 1929, showing $45,000,000 more business failures, or $15,000,000 per month for each of the first three months of the present year.

PLAIN FACTS ON BUSINESS CONDITIONS

Our exports decreased during the first three months of 1930, $285,000,000. Our imports decreased during the same months $229,481,000.

In 1928 the stock market was the high standard by which Republican prosperity was measured. In the first year of Mr. Hoover's administration, in the twinkling of an eye, the stock market had the greatest collapse in its history—$18,000,000,000 were taken out of it in one week. It caused more failures, more wrecks, more bankruptcies, more assignments, and more suicides than probably any one business failure in the 150 years of our national life.

As I said to you before, in 1929 under Mr. Hoover we had 437 bank failures with $218,000,000 liabilities, the highest of any year in our history, and only $8,000,000 less than the failures in the entire eight years of the two Wilson administrations.

For income purposes, in 1924, this country had 400,718 corporations with returns of $5,000 and under. It had 16,703 corporations with incomes above $50,000. In 1927 there were only 339,601 corporations with incomes of $5,000. One thousand one hundred of these corporations paid 78 per cent of the corporation income tax of the years 1927–28.

In 1924 there were 21,531 men having incomes of $50,000. In 1928 this number had grown 100 per cent to 42,618.

In 1924 there were 6,672,650 individuals making income-tax returns within the $5,000 or under class. In 1928 this number fell to 3,114,489, due to two causes—raising the exemptions and less incomes.

Last year (1929) had 24 individuals who had net incomes of $242,000,000.

From 1924 to 1930 the big corporations of the country piled up $52,000,000,000 in surplus and undivided profits. Meanwhile 12 banking chains or holding companies owned and controlled 80 per cent of the banking capital of America.

Rubber products declined from $1,195,000,000 in 1928 to $1,149,000,000 in 1929. In the first two months of this year there was an 18 per cent decline in the amount of crude rubber used.

There was a decline of 36 per cent in domestic use and 41 per cent in export of coffee for the month of February of this year, compared with the same month last year.

Exactly 100,000 bales less raw cotton were used in February, 1930, than in February, 1929. In 1929, 595,000 bales were used; in February, 1930, 495,000 bales were used—a decline of 16.07 per cent.

For March, 1930, the shipment of Oldsmobiles, Buicks, and Hupmobiles, combined, were 16,618 as against 32,522 cars for March of last year.

The wholesale trade, except groceries, shows a marked decline in February of this year. Dry goods, 18 per cent; hardware, 4 per cent; drugs, 3 per cent; meats, 2 per cent; silks, 2 per cent. In the Richmond Federal reserve district shoes gained 3 per cent; everywhere else this trade declined from 23 per cent, in the Chicago district, to 6 per cent, in the Philadelphia district.

The retail trade of 654 department stores in 274 cities in February, 1930, was 3 per cent lower than January of this year.

During the first two months of the year 1930 there were 5,021 business failures with $112,500,000 liabilities, as against 4,500 failures and liabilities of $88,000,000 for the same months one year ago.

In the leading cities of the country building permits in February, 1930, were $83,000,000, as against $169,000,000 in February last year.

The third week of March, 1930, freight-car loading fell short 73,991, as against the same week one year ago.

The revenues of class 1 railroads in January, 1930, were $64,000,000 and in February, 1930, only $49,000,000.

The President says we have turned the corner. His hobby is building. January, 1930, showed building expenditures of $153,000,000 and in February only $83,000,000—a decline of nearly 50 per cent.

Building permits for the month preceding April 5, 1930, were $82,567,700. For the same month, 1929, $149,790,000.

Bank clearing during the third week of March this year declined $2,600,000,000, as against the same week one year ago. The first three months of this year the banks of New York City lost $1,354,500,000 in deposits. Four banks alone in the same city had deposits decline $784,000,000.

On March 1, 1930, 3 per cent of the banks held 64 per cent of the bank deposits in the United States.

On February 27, 1930, according to the Federal Reserve Board, the 12 leading financial cities of the country had $12,748,000,000 individual deposits as against $16,185,000,000 one year ago, a decline in Hoover prosperity of $3,500,000,000 in individual deposits.

While Secretary of Commerce, it was claimed that Mr. Hoover built up a billion dollar export trade, that is, we had a billion dollars a year in our favor. It took eight years for Secretary Hoover to build this up.

The textile business is in bankruptcy. I shall not quote figures. The hundreds of idle mills and factories not only in New England but the country over tell the story much better than columns of figures can express it. This condition exists from the great manufacturing centers down to the country town with its small factory.

The brick and cement plants are closed.

The lumber mills are shut down.

Why, if Mr. Mellon, when he went to Pittsburgh a few days ago to celebrate his seventy-fifth birthday (and incidently to name the Mellon-Grundy slate in Pennsylvania) had gone to the back door of his residence and looked out over his great coal fields, would he have seen a contented and happy and prosperous people among the miners? If the picture that met Mr. Mellon was the same as the other coal fields of the land it would have been one of idleness and lingering hunger. He would have recalled from the Book of Laws, "The poor ye have with you always." He would have seen trembling hands begging for hungry stomachs. He would have heard the cry go up, "Not only are we hungry, but our families are starving. All we ask is work, that we may earn an honest living, that in the sweat of our brows we may earn the means to clothe our bodies and the food to sustain life." And that is the right of every man. It has not passed to us under the pledges of Mr. Hoover with his administration.

THE MIRACLE MAN

If you were unkind enough to chide me with the fact that Tennessee went for Hoover in 1928, I would answer you: Yes; so did Kentucky, North Carolina, Virginia, Florida, and Texas, too. Strange tracks were made across the States of Virginia and Tennessee, in whose bosoms sleep the ashes of Jefferson and Jackson. Virginia has already covered up those alien tracks. Tennessee will wipe them out this fall. If you ask me why the solid South was broken, I answer: Our people were sold on Hoover through his association with Woodrow Wilson. They believed he was the "miracle man." He became a national hero by food distribution in Europe and in his visits to the flood-stricken area in the Mississippi Valley. They therefore helped to put him in the White House. They found out national heroes are but the day dreams of the human race.

If you ask me what our people think of the President after a year's trial, I answer you: They do not believe in miracles any longer. They know that age is past. You ask me how they know this? I tell you they have tested his brand of prohibition enforcement and it is sour. They sat at his prosperity festal board and the food was scarce and bitter. Our farmers prayed for agricultural relief. He assured them that their prayers would be answered. When they went upon the ground, instead of farm relief they found an altar of the highest protection, upon which was erected the golden calf of monopoly. They had the promise of a tariff for agriculture. They received an industrial tariff, the highest in our history.

Our people know that when a Democrat he fed the hungry people of Europe out of the Public Treasury. That situation was made possible by war. Now that he is the President of the richest nation in the world, in the days of a profound peace, they can not understand that he looks out upon so large a number of American citizens and wage earners out of employment. My people are hearing in a lesser way the things the President hears so much of—they hear in the great restless army say, We are out of work, our families are hungry; and then they hear the appeal for the staff of life in that phrase from the Master's prayer, "Give us this day our daily bread."

By the vote of four Southern States in the Electoral College, our people helped to make a contract with Mr. Hoover and his party. The consideration was that they were to have prosperity. During the first year the President has broken this contract. The consideration has failed, and our people of the South and the border States, will help you cancel that contract in 1932.

My people now know that it pays to advertise. Mr. Hoover was overcapitalized—his performances will not earn the dividend required to meet the confidence imposed in his capacity and ability. "Distance lends enchantment to the view." And his official achievement has not clothed the presidential "mountain in its azure hue." In plain English, he is now where the everyday man can measure him, and that measurement does not correspond with the White House. He is a disappointment to the country—to both parties alike!

THE RESTLESS ARMY OF THE UNEMPLOYED

You are familiar with the labor question and its relation to prosperity. The President talked as if he knew something about it in September, 1928. I shall not worry you by reading but I want to quote two short excerpts from his speeches on labor at Palo Alto, Calif., and Newark, N. J., while a candidate for President: "The poorhouse is vanishing from among us. We have not yet reached the goal, but, given a chance to go forward with the policies of the last eight years, we shall soon, with the help of God, be in sight of the day when poverty will be banished from this Nation. There is no guaranty against poverty equal to a job for every man. That is the primary purpose of the economic policies we advocate." Evidently the Master has refused help to the President, and the President has not visioned the banishment of poverty in the day he prophesied.

At Newark, N. J., with reference to the unemployment when Harding became President, he said, "Within a year we restored these 5,000,000 workers to employment. But we did more; we produced a fundamental program which made this restored employment secure on foundations of prosperity. * * * This recovery and this stability are no accident. It has not been achieved by luck. Were it not for sound governmental policies and wise leadership, employment conditions in America would be similar to those existing in many parts of the world."

How will the President explain labor conditions of to-day in the face of this statement? The foundation must have been of sand; there was no stability; evidently an accident has happened; the President's prosperity has been out of luck; there has been no leadership; and employment conditions in America are not only similar to those existing in many parts of the world, but really they have fallen below the average of world labor conditions. If the President's leadership in the carrying out of his labor policies has brought us to a standard of less employment than that of other countries, it is not only a weak leadership, but an unsafe one. It is failure in its worst form.

The London Daily Herald gives the unemployment of Germany at 4,500,000; Russia, 2,000,000; Great Britain, 1,500,000; Japan, 800,000; Italy, 500,000. France has no question of unemployment. These European countries and Japan have 9,300,000 with a total population of nearly 330,000,000. The Herald estimates the unemployment in the United States as 6,000,000 people. We have an estimated population of 120,000,000, a little more than one-third of the population of the European nations and Japan. We furnish 40 per cent of the world's unemployment, and too, in the era of Hoover prosperity, when we are not only the richest Nation in the world, but the creditor Nation of the whole world.

In the olden days—in the days of Mark Hanna the issue was the full dinner pail. Mr. Hoover has created a new issue; it is fill the empty stomach. The eighteenth amendment does not interest labor now. The issue now is not what shall labor drink, but can he get something to eat. The cry of labor is get me work that I may earn an honest living in the sweat of my face; but the work is not here. They chide us with, "Elect the Democrats and it is over the hills to the poorhouse." That issue is settled. We have had nine consecutive years with a Republican President, a Republican Senate, and a Republican House. In the Hoover time—just one year—labor, industry, agriculture, and a good part of the New York Stock Exchange have already crossed the hill. They are safely housed on the "poor farm."

Labor is the biggest thing we have. Forty-six million of our people are engaged in gainful occupations of one kind or another. They are classed as wage earners. In 1928 labor earned about $90,000,000,000. You know that the President said that if it had not been for wise leadership, labor would be in trouble. Of course, if labor is in trouble, it has not had wise leadership. The President has been the leader the last fateful year. President Green says 20 per cent of organized labor was idle in January, 1930, and it rose to 22 per cent in February. He says that 3,700,000 men were idle in February. That one worker out of four was out of employment. Forty-three per cent of the buildings trade labor was idle. He further said it was a situation that must be met by Government, or the Government would have a revolution on its hands. World history teaches us that uncontrolled business evolution ripens into flaming, mad revolution. The President and Secretary Davis have been saying the situation is getting better, and that we have turned the corner. Secretary Davis admits that we had 3,000,000 idle workers in February. I rather risk President Green than Secretary Davis. If you can get any concrete or reliable information on unemployment from the labor department, you can do a better job than we can in Washington. The Government makes large appropriations to that department for this purpose, but it does not bring results. This tells the story. In Illinois in January, 1930, for every 100 positions there were 257 applicants; in 1921, 218 applicants; and in 1927, 174 applicants for each 100 positions.

If 22 per cent of organized labor was idle, you know the per cent is much higher among everyday unorganized labor. Thomas Carlyle said, "The history of mankind is written in the red blood of the unorganized." Putting unorganized labor on the same basis as organized labor, 22 per cent of 46,000,000 would make 10,120,000 idle people; and a loss of earnings at the rate of 20 per cent of $90,000,000,000 for one year would be $18,000,000,000. Not only a money loss, and not only the idleness of this great army of 10,000,000 people, but with an average of three people to a family, vision if you will, 30,000,000 people. If you take President Green's estimate, concededly conservative, labor by unemployment has lost $1,000,000,000 in the last three months.

We had a great Army in the field in the World War and in camp ready to go to the western front, an Army of 4,000,000 men, the flower of our young manhood. We have to-day another army; it is the army of the unemployed; the army of the hungry, the army of the soup houses and the bread line. It is equally as great as our Army of the World War. If the London Daily Times is right, it is one and a half times greater than our Army of 1917 and 1918. If unorganized labor and organized labor put their forces together, and they were to stretch a line of the unemployed, putting one person to each 3 feet, it would cover a distance of 5,750 miles. You could stand one line from the Canadian border to the Gulf of Mexico, and then you could stretch another line east and west from Baltimore on the Atlantic coast to the Pacific. Taking President Green's last figures, the line would be nearly 1,900 miles long. The first figures are appalling, the last deeply distressing. And this is Hoover prosperity! He was the leader of the greatest political army that ever followed a man. Twenty-one million of voters! And anywhere from three to ten million of them idle in one year after he assumed the reins of power. In Congress the Republican leadership will tell you the picture is overdrawn. The best evidence we can give is through organized labor and its bureaus. Every sensible man knows that the unorganized labor in any department or line of business, trade, or employment, is in worse shape than those who are well organized. I frankly say I do not know how to estimate those out of employment. I have my authority on estimates and I take organized labor as the basis of unorganized. I do know that any morning when I get up and look from my window down on Pennsylvania Avenue at the United States employment agency I see on the street from 25 to 200 men and women waiting their turn at this agency. Take the papers from day to day, and they bring the news of the bread lines, soup houses, and labor disturbances from every section of the country. Every industrial city of any size in the land is having its labor troubles and appeals for help. I heard the distinguished Member from New York, Doctor SIROVICH, say the other day that near Cooper Union, in New York City, he saw 20,000 men in the bread line at one time. They were being fed by a private mission. From the northern coast of Maine to Houston, Tex., comes the same news—unemployment. The South has heretofore known little of labor troubles and unemployment, but industry has drifted South and in many sections the hungry and restless are with us. The President minimizes by saying this condition exists in only 12 manufacturing States. Doubtless he is right. He means the labor troubles are worse in 12 States than in the others; but there is scarcely a section of the whole country that these troubles do not exist. They are bad enough in the agricultural section.

And again they tell you that labor troubles are really "red" meetings. Labor is not one-half of 1 per cent "red." The reds are as adverse to organized labor as they are to wealth. It is only under a Republican administration that they class labor with the reds. Back in the days of Cleveland, in the panic of 1893, inherited from the Harrison administration, the same press of to-day that classes labor "red" spoke of the idle men as honest and worthy laboring men out of employment. I love that expression. It describes labor of to-day as correctly as it did in 1893. Ninety-nine per cent of the men out of employment are honest and worthy laboring men, and are not tainted in any way by the reds. The President's only remedy is to maintain prosperity by spending the public money gathered by taxation. Pay day must come with accrued interest; the burden will be all the heavier. The Government can never make the people prosperous from its Treasury. The people are the prosperity makers under wise leadership, and that they have not had it under Mr. Hoover. A presidential proclamation never created prosperity.

AGRICULTURE HARD HIT

I probably know more about agricultural conditions than any other subject. I have given more thought to it. Personally I am interested in it. I live among an agricultural people. On the 1st of January, 1920, the farmers were in the best condition of their history. There were fewer farms mortgaged then. The farmer had more money, liquid assets, and personal property. In fact, the farmers were practically out of debt and on easy street, for they had received a good price for their produce. But beginning with 1921 the farm industry declined rapidly. I shall not weary you in reading long extracts, but I do want to quote some short passages from the speech of Candidate Hoover at Palo Alto, Calif., on August 11, 1928:

"The most urgent economic problem in our Nation to-day is in agriculture. It must be solved if we are to bring prosperity and contentment to one-third of our people directly and to all of our people indirectly. We have pledged ourselves to find a solution." Further along in the same speech he said: "The working out of agricultural relief constitutes the most important obligation of the next administration. * * * So far as my own abilities may be of service, I dedicate them to help secure prosperity and contentment in that industry where I and my forefathers were born and nearly all my family still obtain their livelihood."

Has he kept the faith? Has he administered? No; he has only followed in the beaten path of his Republican predecessors.

During the year 1929 there were 111,530 involuntary sales of land in the United States—for taxes, in bankruptcy, and mortgage foreclosures. In the last nine years—the years of Harding, Coolidge, and Hoover—an average of 125,000 farms annually have passed from the owners at forced sale. In the last nine years 1,125,000 farms have been taken away from the owners; and at $5,000 a farm, you have $5,625,000,000 as the price of Republican farm prosperity. That is not all! With 4 persons to a farm, you have 4,500,000 people sold out of house and home, turned into the highways and byways; crippled soldiers in the battle of life, hopeless and helpless. In 1925 we had 6,371,640 farms, and in 4 years of Republican rule—so-called prosperity—1 farm out of every 5½ farms has been sold. In plain language, 1 farm out of every 5, or 20 per cent, has been taken away from the owners, if you add the private conveyances in satisfaction of mortgages.

In the last nine years the invested capital in farm lands has depreciated from $66,316,000,000 to $45,467,000,000, a net loss of $21,000,000,000. The farmers' livestock has depreciated during the same years from $8,012,000,000 to $5,864,000,000. These are the figures of the United States Department of Agriculture.

Mr. President, you ask the farmer to have confidence in you and your party. May I not reply, you and your party have made the record; you must stand by it. That record is that farm products are to-day 14 per cent cheaper than the day you took the oath of office.

The clamor of the administration is the President created the Federal Farm Board, with a revolving fund of $500,000,000. That is true; but, Mr. President, you had the opportunity some years ago to help the farmer through the McNary-Haugen bill. You opposed that measure. You had the credit of helping write the vicious veto message of Mr. Coolidge. All the while the farmer was slipping—then as now. You proclaimed tariff as the salvation of the farmer. You caused the debenture feature of the Federal Farm Board act to be stricken out. To-day the papers say you will veto the tariff bill because it carries the debenture plan. This was the only, or at least the greatest, benefit of that law to the dirt farmers and producers. It would have given real relief to agriculture. The present bill is of your making; it is your legislative child. We were told it would be a success; that the great President would make it go through his Farm Board. Everyone appreciated that its success or failure depended on its administration.

What are the results? The President went to the International Harvester Co. for its president. There never was much love between that great corporation and the dirt farmers of the country. I may be old-fashioned, but somehow I have always wanted a doctor when I was sick—a good one, too. If I am to have my will written, I will try a lawyer on that. And when they get ready for my funeral my wife will not send for the doctor and the lawyer but for the undertaker and the minister. But Mr. Hoover wanted to operate a real Farm board with a manufacturer at its head; so he got a big business man, and that big business man, so far, has made a complete failure in the administration of the Farm Board; however, he has told Congress to strike the debenture from the tariff bill, and has recommended that the decree in the packers' case be opened and modified, so that the big packers can enter the retail trade and put the little butcher, grocer, and packer out of business.

This great business man has made the greatest failure of the farm bill relief plan that we have seen. No one-horse farmer could have done worse. He should first succeed in his present job in the administration of his trust; and then probably Congress would listen to him; the courts would take under consideration his suggestion to modify the packers' decree. But he is digging up more snakes now than he will be able to handle without danger.

May I talk of the real status of the farmer? Let me tell you the facts as every real farmer and business man knows them: Since Mr. Hoover went into office hogs and cattle alone of livestock have maintained the price; and hogs are now slipping. Lambs have fallen from 16 to 13 cents a pound. Wheat has twice gone below the dollar mark in one year of Hoover prosperity. This is the first time in 17 years for wheat to be this low in price. Oats are down. Rye is at the lowest figure seen in many years. Corn is below the cost of production. While we have a tariff of $85 a ton on peanuts, the farmers in Tennessee are selling their peanuts at $45 and $50 a ton. It spells bankruptcy for them. Just one year to the day that Mr. Hoover took up the reins of government cotton, the staple crop of the South, was $17 a bale cheaper. It is to-day below the actual cost of production.

Why, the constant cry of the President and his party is to sustain the dignity of American labor! Is the President including the tenant farmer who produces cotton in the South as a laborer? He should do so, because he helps to clothe millions of humanity. May I not ask the President, as he sits in his ease and luxury, to vision these men, women, and children as they plow and chop the cotton in its production, working 14 to 15 hours a day in the broiling summer sun? They do not work eight hours a day on Government schedule. They work from early morn till darkness falls from the wings of night. Then will he look again at the harvesting season? They work the long hours of the day under the September sun—the hottest of the year—and when the crop is late they pick the cotton in the chilly blasts of late November and early December. What is the compensation or reward for this? It is from 21 to 36 cents a day, depending upon the price of the staple.

Mr. Toastmaster, I do not see how the President could look a farmer in the face and ask him to have confidence in the present administration, when farm products have declined 14 per cent during the last year. Three per cent of this was from the 15th day of January to the 15th day of February of this year; and in the next month, from February 15 to March 15, farm products declined 5 per cent. Two months of this year has seen a decline of 8 per cent. Two months of this year has seen a decline of 8 per cent in the 30 leading products of the farm—not only livestock, grain, hay, and provender of all kinds, but the articles that the poorer classes rely upon to buy the necessary groceries and everyday articles of consumption, they have gone down. Butter and milk are far down the line. Poultry is 30 per cent off and eggs 40 per cent. Last year's farm income was about ten billion dollars. If all our farm products had gone on the market in the period from January 15 to March 15, this 60-day period, there would have been a loss to the farmer of $800,000,000. If the farmers' productions of the last year were sold to-day at current prices they would bring $1,400,000,000 less money than the day Herbert Hoover stood in front of the Capitol and delivered his inaugural address. It takes a lot of credulity or good humor—and maybe both—to have confidence after we follow the record of this administration.

You may say you are not interested in the farmer and his problems. You are mistaken. Of course, your city is industrially great. There is a reason you should feel a deep interest in the prosperity of the farmer. His prosperity is a part of your prosperity. Nearly one-third of the Nation's population is agricultural. As a class they are the largest consumers of your goods. Bankrupt the farmer and the merchant and the manufacturer go broke. We need each other; but you need us more than we need you. Why? You need us not only to buy your goods but we feed and clothe you. The clothes you wear to-night came in a raw state from the farms of the country. Your food—yes, the very food of this splendid banquet—did not come from the city but from the farms. When the farmer fails to produce you will fail to be clothed, and hunger and famine will destroy you. Money is not the staff of life. You can not live on it. Bread is. Money will not sustain life. On bread you can live. We sow the wheat and rye and plant the corn that makes the bread and you have the money to buy it. Ours is a mutual interest, dependent each upon the other. When you destroy the producer, the man who feeds and clothes you, you destroy not only civilization but you destroy mankind.

THE TARIFF

I am not going to worry you with a tariff speech. It would take too much time. Tariff was the campaign hobby of Mr. Hoover to save the country. In his message to the special session of Congress he asked for a tariff to take care of the farmer and a limited revision only for industry that was in trouble. The tariff bill, as it goes to conference, is without benefit to agriculture and largely increases industrial tariffs and profits. They even take from the free list and assess a tariff on lumber, cement, brick, shingles, that go into the house to be built. It increases the tariff rate on sugar in everyday consumption of every home in the land.

When the junior Senator from Pennsylvania came down to Washington things began to hum. Senator SMOOT and Representative HAWLEY think they are the authors of the present tariff bill. In this they are mistaken. JOE GRUNDY, the lobbyist, conceived it. The baby knew its dad. If I were to name this tariff bill, I would call it "JOE GRUNDY, Jr." And then when the lobbyist became Senator he at once moved his private organization into the Senate Office Building. Well, there is nothing like being at home. He knew the ropes; he had been there before. And this was just as fair as Senator BINGHAM, of Connecticut, putting a private tariff lobbyist in the committee to hear the confidential hearings and to act as an expert in writing tariff rates for New England.

The tariff bill now in conference is the greatest monstrosity ever to emerge from Congress. It is not the product of orderly, well-conducted legislation. It is the product of selfish barter, trade, lobbying, and jockeying. The Progressives and the Democrats condemn it. The standpatters apologize for it. The leader in the White House is painfully silent. His voice is stilled. His writing hand is numb. Only Senator GRUNDY can smile, but when they are through with it Uncle Andy will be there with his aluminum. He will still demand his re-

ward for the Aluminum Trust. His tribute will come from every housewife under the American flag.

The tariff battle has brought very great discomfort to the President. He has not been a leader in this legislation. He was the leader of a great political army in November, 1928. His leadership then was unchallenged. He was able to have a splendid organization, but in the tariff battle he has seen his officers fighting among themselves and divided into three parts—the old standpatters, the young Turks, and the Progressives—the latter, the sons of wild asses, as your Senator MOSES calls them. "Animals" as TREADWAY, of the House, denominates them, and yet the Commander in Chief sits by without issuing a single peremptory order. He does not lead or attempt to lead. Be it remembered that no great battle was ever won by an army of generals; likewise, it is equally true that however large the army, no important victory was ever won unless led by a commander who with courage in his heart was unafraid of battle and was willing to meet its dangers with the flag in his hand and the battle cry upon his lips; but not so with Commander in Chief Hoover this time. He took his out in consultation and advice.

I appreciate that the Republican claim is New England can not live without the tariff. You did prosper under a tariff, but will the housewife say tariff on sugar and aluminum helps her? Will the head of the family praise a tariff on the increased cost of shoes? Will the millions of unemployed men who were thrown out of work when we have the highest tariff in our history say it has helped them feed and clothe their families?

And the tariff now in conference is still higher. Thirty-one nations of the earth are protesting against it. It is easy to kill the goose that lays the golden egg.

The other nations of the world in self-defense are levying high tariffs against us—reprisals, if you please. Some of them are embargoes. To have good wages at home, we must sell our surplus products abroad. We must both sell and buy abroad. When you destroy our foreign trade you will destroy the American workingman. Your factories in New England can not manufacture as cheaply as we do in the South. We have cheaper labor, cheaper raw material produced at home, and a warmer, better climate. We produce our own food and we have the cheapest fuels and more water power than any section of the country. When foreign retaliation comes, as it must do, you will feel its bad effects first—it will administer you in bankruptcy long before it will get us. It will finally destroy us all, because our commerce will gradually fade from the marts of trade away from home. We can not complain of the nation that legislates against us. It is the justifiable, inexorable law of self-defense. It can be invoked by the nation as well as by the individual. President Hoover, despite his pledges, since his message to the extra session of Congress, has never lifted his voice to prevent this tragedy.

SECRETARY MELLON AND TAX REFUNDS

Hoover prosperity has hit the Federal Treasury. The President warns Congress that there will be a deficit at the end of the year. There is a way to prevent this. He should have taken the Secretary of the Treasury into his confidence and told him to quit refunding taxes to the great corporations of the country made out of war-time profits when our boys were fighting in the trenches on the western front. It was only a few days after President Hoover warned Congress about appropriations that Mr. Mellon handed the United States Steel Corporation a check for refunds of $33,000,000. This is a very large sum of money, but it is neither the beginning nor the ending of the refunds made and to be made from the United States Treasury by Mr. Hoover's Secretary. Not only in money actually refunded, but the United States Steel Corporation will get credits and abatements, so that this corporation will not pay one dollar taxes for 1930 and 1931. The United States Steel Corporation did not pay a dollar Federal taxes for the year 1929. These refunds, credits, and abatements take care of its taxes. This giant corporation has already been refunded $97,000,000. The little fellow pays and he gets no refunds. Of course, the little man can make no mistake. The United States Steel Corporation charged off $155,846,000 at the end of the year 1929; after all charges and dividends were paid it had a surplus for the year 1929 of $108,500,000. It needs refunds! It is unable, like the ordinary taxpayer, to come across to the Government. If I remember correctly, it made 19 per cent on its common stock last year. At its formation its organizers tried to get Andrew Carnegie to take some of this common stock in part payment on his properties taken over by the Steel Corporation. The newspapers reported Mr. Carnegie as answering, "Never. This stock does not approach water. It is thin air."

Here are a few of the refunds of this year: Middle States Oil Co., New York, $4,300,000; Eastman Kodak Co., $2,500,000; Philadelphia Rapid Transit Co., $1,700,000; Baldwin Locomotive Works, Philadelphia, $3,700,000; American Window Glass Co., Pittsburgh, $2,100,000.

At page 271 of the hearings on the Treasury Department appropriation bill for the year 1929 it is shown that Mr. Mellon paid in refunds on taxes during the year $190,164,000; that he abated or credited on taxes due that year the sum of $228,775,000; a total of $418,939,000. He took from the Public Treasury to make these payments, credits and abatements nearly $1,100,000 every day in the year. Listen how appalling this thing is—from 1922 to 1929, both inclusive, Mr. Mellon in tax refunds paid out of the Public Treasury $762,422,000. He credited and abated taxpayers in these years with $2,090,000,000, making a total of $2,852,422,000.

I am not through yet. The Treasury Department estimates refunds for 1930 at $152,000,000, refunds for 1931 at $142,000,000. There are 12,000 claims pending involving more than a billion dollars. Some of these refunds go back to 1912. We have statutes of limitation against many of these payments, but the Treasury Department does not seem to invoke these statutes to protect the Treasury. They have gone back as far as 1912 in making some of these settlements. The big corporation gets its refunds, but the little fellow can not prosecute his claim, and therefore he is excluded.

In all the refunds coming to my knowledge only one individual had a return in 1929. As it were, I see the venerable Secretary of the Treasury looking out upon the throng asking refunds. I think I see a thousand open hands outstretched to receive the comeback. Mr. Mellon does not see very well, but toward the outskirts of the crowd a hand palsied and shaking with age beckons to him. Evidently this must be a poor man. His hand is a little tinged with oil. Uncle Andy puts on his glasses and he grows sympathetic.

Uncle Andy, the third richest man in the world, or at least he is reputed to be, becomes sentimental. He looks as if in a dream and suddenly he drops a comeback into only one hand. It is this hand I have described. It receives $356,000 from the Public Treasury. And whose hand do you reckon that is? It is John D. Rockefeller's, the richest man in the world.

Eighty-three per cent of these refunds were made and paid in war time, excess profits out of that tragic era. This money that should go in part to build hospitals for and to take care of the soldier boys who went over there, and many of whom are now neglected by the Government.

You ask me how this can be and who is responsible. I will tell you. A Republican Congress passed the law and a Republican President approved it, giving the Secretary of the Treasury the right to make these settlements, and, in the absence of fraud, his action is final. No court in the land may review his actions. You know this is not right, and I know it. Passing on refunds of payments in so large amounts, where, even if not interested himself, probably his family have interests, his close friends and his former associates. It is not right. But the Secretary was personally interested in at least one tax refund. Will anyone deny that Mr. A. W. Mellon, personally, is not interested in the Aluminum Co. of America? Most people think he is that company. In July, 1928, A. W. Mellon, Secretary of the Treasury, with the people's money, paid out of the Public Treasury to the Aluminum Co. of America $1,287,424 as a tax refund. A. W. Mellon, the public official, on the inside of the window passing the public money out to A. W. Mellon, as the representative of the Aluminum Trust standing on the outside—and no court can review this settlement. Mr. Mellon's only explanation of the payment was "inventory adjustment." I offer a better explanation: A settlement by Treasurer Mellon with Mr. Mellon, to Mr. Mellon, and for Mr. Mellon. No judge and no juror may sit when he or his family are interested in the subject matter of the litigation. This is a 1-man power. It is a power that no just man would want and a power no unfair man should have. Tax refunds have become a scandal. The rank and file of the people will resent it. The newspapers hold us up as a nation of law breakers. If Mr. Mellon keeps making tax refunds, the world will know us as the land of bad bookkeepers. You know both in bookkeeping and in amortization no such mistakes as these could be made. These great corporations have the biggest men of the best ability in every line that money can procure. They do not do business along slack lines, as indicated by these returns.

PROHIBITION

I have never yet seen an utterance of the President pledging himself against a repeal or a change in the Volstead law. At Elizabethton, Tenn., he said it was "a noble experiment." He is still experimenting. I am not going to talk prohibition. I am a dry from the South. May we feel the administration's pulse on prohibition? I know that Representative FORT stood awfully close to the President. In a speech in the House he advocated the making of beer and fruit juices in the home and drinking them. Some wag has classed this "the Hoover, hooch, and happy home doctrine." Congressman BECK, of Pennsylvania, declared for another doctrine in the experiment—the nullification of the eighteenth amendment by disregarding it. We all know what President Jackson said to John C. Calhoun when he talked nullification—"The Constitution must be preserved." We have not heard a word from the President affirming the "happy hooch" doctrine or denying "the nullification doctrine."

"Old Overholt" still retains its odor and its flavor, and Mr. Mellon still has jurisdiction over permits. I do know that Representative GIBSON on March 26 made the statement that Doctor Doran, the chief enforcement prohibition officer, said there were 3,000 bootleggers in Washington. If we had a hard-hitting administrator like Pennsylvania's Albert Gallatan the second whisky rebellion would be put down and the issue between the law and the outlaw would be quickly settled. For one I believe that we need the execution of the law through friendly hands by those who really want to see the country dry. Before we talk of modification or repeal, administration must catch up with legislation.

NAVAL CONFERENCE

All I have to say on the Naval Conference is to quote Will Rogers: "We never lost a war, nor won a conference." Harding and Hoover have kept the record straight—they lost both the Washington and the London conferences. And in the foreign debt settlements a Republican President and Congress gave Italy and France $5,500,000,000 to build their new navies.

A GOVERNMENT OF COMMISSIONS

The executive branch of our Government is in a state of collapse. Ours is now a commission form of government. Confucius was the greatest of all Chinese philosophers, and the greatest bit of philosophy he left to the world is, "Never do directly and specifically that which can be done indirectly." I have wondered if in the many years the President spent over there when he was amassing his fortune with cheap Chinese coolie labor he acquired the slant of the oriental mind. Did he become an oriental philosopher as well as a world citizen? "Never do directly that which you can do indirectly." Never do as President that which you can do through a commission. That is the President's policy—a government of commissioners, for the commissioners, and by the commissioners.

LOBBYIST OR CHAMPION MAP SELLER?

We all have our troubles. The troubles of a great man are big troubles. The President has on his hands now his biggest liability. For a number of years the friendship of Claudius H. Huston to the President was a great asset. They were as Jonathan and David. Warren G. Harding had his Will Hayes as national chairman, and Hayes had his grafted oil bonds to his account. They had their scandal. President Hoover has his personally selected chairman, Claudius H. Huston, and Mr. Huston as a lobbyist had his large donations to help the Power Trust take over Muscle Shoals, built with the money of the United States Government for the purpose of manufacturing munitions in war and fertilizer in peace. I do not know Mr. Huston personally. I am told he is a pleasant, suave man. Those who know him best say he can talk the sweetness out of a pound cake and that he can raise more Republican campaign boodle than any living man.

I do not know about these things, but I do know that he admits he talked the Carbide Co. out of $36,100 to meet an urgent request of the Tennessee River Improvement Association, and the first check of $19,000 was deposited with his brokers to pay an overcheck where he was dealing in stocks on margins, and it did not go to the trust account. You know the country people call dealing on margins "gambling in stocks." Huston says this money was for maps sold the Carbide Co. The officials of that company do not make it that strong. Well, it was some map sale. We shall claim for Mr. Huston the championship of the world as a map salesman. I do not know Mr. Huston personally—only politically. He is not a native Tennesseean—only by adoption—but one Tennessee Republican knows another one, and if I were to tell you what one of the great leaders in the Republican Party in Tennessee said of the national chairman—if I were to tell you the comparison he made of him—well, you Democrats would not want him to be the chairman of your State committee.

The President selected Mr. Huston as the chairman of the Republican National Committee. He knew Mr. Huston just as well then as he knows him now. They were in the Commerce Department together. They were on the most intimate terms, personally and officially. Mr. Hoover enjoyed the support of Mr. Huston in his campaign for the Presidency, and he rewarded him with the national chairmanship. Now that the lobby probe of the Caraway committee has come, it has completely destroyed Mr. Huston's "collection agency." Just here I want to turn prophet—as soon as the present notoriety and publicity pass, Mr. Huston will likewise pass. He will have a business call. He will resign as chairman of the Republican committee. Of course, the President will regret his going, just as Mr. Harding regretted giving up Fall, and just as Mr. Coolidge regretted to give up Daugherty. Public opinion drove both Fall and Daugherty from the Cabinet—they were not voluntary resignations. It will drive Huston from the national committee chairmanship. Nevertheless, it will be good-by Claudius, raiser of large campaign funds and chairman of the Republican National Committee. "You have done well according to the morals and ideals of the Republican national organization, except you sinned in one respect—you violated the eleventh, a Republican commandment—you got caught; and the President whom you supported so faithfully, and whose national chairman you became, will thereafter be afraid to be seen in your political company and society."

POST-OFFICE LEASE SCANDAL

There is in the offing another big scandal of graft. The payments in rental contracts for post-office buildings throughout the country. This has not developed fully. It will come to light in part. Enough to know that it involves millions of dollars, in which high-up Government officials participated. It has been going on for several years. Everything touched by the Ohio gang coming with the Harding administration has been contaminated. The Post Office Department is simply the last to be discovered.

Why, even the President can not name a member of the Supreme Court without a fight. Chief Justice Hughes met with the strongest opposition to confront an appointee in recent years. And it seems that Judge Parker, whose appointment is pending, will fail. Even the old stand-patters are failing him.

SUMMARY OF HOOVER FAILURES

I shall summarize my indictment of the Hoover administration:

His farm legislation is a failure.

He promised an agricultural tariff, and the bill in conference is the highest of all industrial tariffs.

His first year brought greater bank failures and liabilities than any year of our history.

Bankruptcies have developed in every line of our business.

One hundred and twelve thousand foreclosure sales of our farm lands.

Farm products are cheaper than since 1914.

Seventy per cent of the richest farm lands are under mortgage. There are no purchasers for farm lands.

The textile industry is harder hit than any time since 1893.

Individual bank deposits are reduced 25 per cent the first year of Hoover.

The sawmill business is paralyzed.

The coal miners are naked and hungry.

Railroad shipments have declined heavily.

Railway freights are 30 per cent off.

Railway passenger income cut nearly half.

Exports are declining at an alarming rate.

Our export balance is declining seven times faster than it was built up.

The stock-exchange panic swept $40,000,000,000 away.

Practically every line of industry is at a standstill except a few mammoth corporations.

Wealth is centered in a very few hands at the expense of the masses.

Labor is asking work; and the answer, there is no work.

Labor was promised the full dinner pail. It has received an empty stomach.

From four to ten million men are idle. They are not reds, either.

The temperence people believed the President would enforce the prohibition law. The answer is, Mr. Mellon is still at his post of duty over permits.

The London peace conference is not only a failure but a tragedy. Great navies will now be built. A competitive building campaign endangers the peace of the world.

The executive branch of the Government has been converted into a commission form of government.

The President refuses to lead his own party. He looks upon a party of factions, of differences, without being able to either lead or reconcile them. Instead of an aggressive battle, the Republican army is in full retreat.

The President can boast of three things: The extremely large corporations have amassed immense undivided profits.

These big corporations with their bad bookkeepers and many mistakes are prosperous in the refunds through the hands of Mr. Mellon with the taxpayers' money from the Public Treasury.

The bootleggers of the Nation are happy and prosperous, including the 3,000 bootleggers of Washington—the President only smiles on the "noble experiment." He does not administer.

Coming events cast their shadows before. In special congressional elections the third district of Kentucky swung back into the Democratic columns. In President Coolidge's district in Massachusetts the Democratic donkey appeared in his front yard the next morning after the election, converting an 8,500 Republican majority into a Democratic majority of 7,500. Kansas City and Tulsa, Okla., having Republican Congressmen, overwhelmingly elected Democratic mayors. Vacancies exist in the seventh district of West Virginia and the fifth district of Connecticut. The Republican powers that be refused to call elections because it meant Democratic Congressmen. In the tenth district of Pennsylvania, the Republican majority of 7 to 1 was reduced to 2 to 1. This is a Democratic year. Victory is in the air for us. We expect to control the next House, and at least have an even chance to control the Senate.

Other coming events cast their shadows before the President. ex-President Coolidge has made his swing around the circle. I wonder if the President sees shadows of his former chief falling across his pathway in the early summer of 1932.

Mr. Coolidge says he will never be a candidate again. Teddy said the same thing. Mr. Coolidge says he is happy. He does not envy the President. Does anyone wonder! He thinks he will never seek office again. The present distressed condition of his country forces this statement from him. He will get over this in time, just as Teddy got over it. It is not an incurable malady.

President Taft had his ex-President Roosevelt. The battle of 1912, a second Armageddon was fought—and won by the Democrats. Will the third battle of Armageddon be fought in 1932 under like conditions and with similar results?

In his new home the ex-President sits in comfort, a much happier man, politically speaking, than the present President. He refused a third nomination, thus evading the troubles that the superman assumed in taking his place. The storm will be partially past; the bankruptcies and failures will in a measure lighten by 1932; then we will see Calvin smiling as he holds his hands to his ear at long range, his lips moving, "I hear your gentle voices calling me." And like Old Black Joe, Calvin will answer, "I'm coming, I'm coming."

Is there wonder that the President, politically and officially speaking, is an unhappy man? He looks into the future, and there is no star of hope. When he looks behind him there is havoc, bankruptcy, and ruin all over his first year's business battle field. Like Napoleon when he saw the old guard go down at Waterloo, the world-wide empire faded away, and instead there arose before him the bleak and barren cliffs of St. Helena, he is waiting for the voyage up Salt River. The President stands to-day as the Emperor stood then, "the somnambulist of a shattered dream."

The Democracy of New Hampshire is an inspiration to the Democracy of the Nation. You Democrats know how to offer battle to much greater numbers. You have enjoyed your victories, but you complain not in defeat. After apparent disaster you arise with the battle cry upon your lips and the courage of heroes in your hearts.

Cæsar's legions were never more loyal. The call to you is for the coming fall elections. The cause of the great common people and the fateful hour in our history are here. The time of Democratic victory, bringing with it the great opportunity for honest and patriotic service, is here. The Seventy-second Congress will be Democratic, and in 1932 the miracle man will pass from the scene of political activity. Let every Democrat become a soldier—a soldier who will help win the battle of 1930. The Democracy of the Nation believes you can and will elect a Democratic governor, Senator, and Congressmen in New Hampshire this year.

Mr. Toastmaster, ladies, and gentlemen, it has been a very great pleasure to be with you. I am going back to Tennessee in a short while, and I shall carry with me pleasant memories. With your permission I shall take back to my home folks a message from the New England Democracy. That message will be that you have girded on the armor and you are ready for the battle. Yours is a militant Democracy. May victory come to you.

Tennessee will join hands with you. We will renew the faith of our fathers and sing the songs of Democracy and proclaim the old-time Democratic religion. It was good enough for Jefferson and Jackson. It should be good enough for us now. As the chart of our later-day faith we will point to the record of Cleveland and the achievement of Wilson. We will renew the creed of Jefferson, "Man over money—human rights rather than property rights—equal and exact justice to the rich and the poor, with special privilege to none." This is the creed of American Democracy. It is our faith. It is the hope of the world. Upon it depends the destiny of mankind. In the hour of peace let us assume its responsibilities, as we assumed the burden in the horrors of war. As Democrats, as American citizens, let us in party loyalty, as in patriotism, show that ours is a great brotherhood. One flag, one people, and one country.

"A union of lakes, a union of lands,
A union that none can sever;
A union of hearts, a union of hands,
Thank God, the flag of our Union forever."

VETERANS' RELIEF

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a speech made by me over the radio on last Saturday afternoon April 26, 1930, on the subject of veterans' relief.

The SPEAKER. The gentleman from Mississippi [Mr. RANKIN] asks unanimous consent to extend his remarks by inserting a speech delivered by himself on the subject of the veterans' relief. Is there objection?

There was no objection.

The speech was as follows:

Ladies and gentlemen of the radio audience, I first wish to express my thanks to the National Broadcasting Co. and associated radio stations for giving me this opportunity of speaking to you at this time on the subject of veterans' relief, and of bringing a message of cheer to our uncompensated disabled veterans of the World War, to whom I am particularly addressing these remarks.

We have fought a great fight, and we won a great victory on last Thursday when the House passed by a vote of more than 6 to 1 the once-called Johnson bill with the Rankin and Connery amendments to extend the presumptive period to January 1, 1930. You will note from the press reports that Mr. JOHNSON of South Dakota repudiated his own bill after these amendments were adopted and asked unanimous consent that its name be changed to that of the "Rankin bill." I accept the amendment. I only regret that he didn't reach that conclusion months ago and permit us to report the original Rankin bill to the House and pass it without delay.

The truth of the business is I don't think Mr. JOHNSON, and those who have been fighting with him, wanted any legislation at all at this session of Congress. They have dillydallied since the 22d day of January while we have been battling for this relief. During that time on an average of about 72 of our uncompensated disabled veterans of the World War have died each day. Many of them died in want, and invariably as a result of their inability to secure the necessary comforts of life.

I have no apology to anyone for my fight in this righteous cause. I expect to continue the battle until we secure the necessary relief for these unfortunate men who offered their lives and sacrificed their health in defense of their country during the dark days of the World War.

These men were among the best soldiers we had. The fact that they tried to carry on and sustain themselves and support their families without asking relief from the Government until after January 1, 1925, many thousands of whom knew that they were suffering as a result of their war services, instead of militating against them indicates a high order of patriotism on their part.

The original Rankin bill provided for moving the presumptive period to January 1, 1930, for all tubercular men, neuropsychiatric cases, and those suffering from other chronic constitutional diseases. In spite of the misleading propaganda to the contrary, this bill would have cost, according to the statement of General Hines, the Director of the Veterans' Bureau, approximately $44,000,000 a year. It is estimated that the original Johnson bill would have cost $76,000,000 a year. The Johnson bill, which brought all cases up to 1925, with the provisions of the Rankin bill superimposed thereon and extended to January 1, 1930, would have cost $108,000,000 a year—the addition of the provisions of the Rankin bill increasing the annual cost $31,000,000. That is about what the bill that passed the House will cost, and those who are giving out wild and irresponsible statements to the effect that this bill will cost several hundreds of millions of dollars a year are opposed to any relief for these veterans at all at the hands of Congress and are trying to kill off this legislation entirely.

There are 18,000 of these men suffering from tuberculosis and 23,000 suffering from neuropsychiatric troubles who are all uncompensated, to say nothing of those suffering from heart trouble, cancer, and other chronic constitutional diseases. Invariably these disabilities are traceable to the World War. The stress and strain of the service, the hard grind in the training camps, the nerve-racking experiences at the front under shell fire, inhaling poison gas and going over the top in the face of withering gunfire all left their effects on the nerves of these men, many thousands of whom are helpless as a result and not drawing one penny of compensation from their Government.

The tubercular men who went through these same experiences who had influenza and suffered all the hardships of modern warfare who are now helpless, penniless, and whose children are hungry and in distress, are appealing to us with outstretched hands over which the chill of death is slowly creeping and pleading to us to manifest some of that spirit toward them which they manifested toward their country in 1917 and 1918. I am glad to say that Congress did not fail them on last Thursday when, by a vote of 324 to 49, it went on record as reflecting the wishes of the American people to take care of these uncompensated heroes.

As I said in my speech on Thursday, the soldier in the heat of battle, in the fullness of his pride and strength, takes little heed of the hissing bullet or the bursting shell. He is urged on by his patriotism and the consciousness of his country's support and cheered on by his comrades to victory or to death.

But he who dies of tuberculosis must, in a measure, fight his battle alone. He lingers for days and weeks and months and even years while this insidious foe stealthily performs his deadly work. For these tubercular victims, whose cause I am now pleading, the war has never closed. For them the battle will rage until they sink into the grave.

It is amazing to me to see the propaganda going out to the effect that this legislation will wreck the Public Treasury. As I said in the beginning, it will not cost more than a hundred and eight millions of dollars a year, and if the Rankin bill as written had been passed it would have cost less than $50,000,000 a year.

On yesterday the House passed a rivers and harbors bill appropriating approximately $120,000,000, and the indications are that it will be repeated each year. You hear no criticism of that vote from those opposing veterans' relief. Congress has appropriated something like $300,000,000 to erect palatial buildings here in the city of Washington within the last two years. You hear no criticism of that measure from the critics of veterans' relief. There is a movement before Congress now to increase the salaries of the high ranking officers in the Army and Navy to the extent of $90,000,000 a year. Watch those who opposed this veterans' bill support that one. Since this Congress convened a measure has been passed which returned to the large income-tax payers of this country $160,000,000 on the income taxes of 1929, and the President has expressed the hope that it may be repeated for the coming years. This alone amounts to $50,000,000 more than this legislation will cost. Every Member of the House who voted against this veterans' bill voted for that tax reduction.

Mr. GARNER, of Texas, calls attention to the fact that within the last few years the administration has returned more than $3,000,000,000 to the largest income-tax payers in America. This amount would have paid the cost of this bill for almost 30 years. Congress has "funded" the foreign debts, and in doing so gave to certain European countries between eight and ten billions of dollars, enough to have paid the cost of this bill for almost a hundred years. But by "funding" those foreign debts it strengthened the securities of the money power in this country on their foreign loans. The papers that now criticise us for passing this bill for the relief of these disabled veterans lauded the passage of those debt-funding measures.

While they cost the American people many billions of dollars, they possibly made a few hundred millions, or even more, for the great financial interests of America, while the bill we have just passed helps the poor disabled veterans who fought the war out of which many of these fortunes were made, and might prevent a further reduction of the income taxes to the owners of those large fortunes. Congress has also reduced income taxes in the last few years to the amount of about $750,000,000 a year, more than seven times the amount this bill will cost. The largest portion of that reduction has gone to people of great wealth, many of whom made their fortunes out of the war, coining their millions out of the blood and tears of the suffering men, women, and children of the world.

In 1914 there were only 60 people in the United States with an income of a million dollars a year. In 1929 there were 496 with an income of over a million dollars a year—206 more than there were the year before.

Thus wealth accumulates and men decay.

Some are talking now about taxing wealth in the next war. I am in favor of taxing the fortunes made out of the last war now, if necessary, in order to secure ample funds to take care of these disabled men.

I can not close without paying my tribute to the Veterans of Foreign Wars as well as to the Disabled American Veterans and their distinguished representative, Hon. Thomas Kirby, who has labored so diligently for the passage of this legislation.

I must also express my gratitude to the individual members of the American Legion throughout the country and the many hundreds of individual American Legion posts for their enthusiastic support. I want to especially commend the legionnaires of Pennsylvania for their loyal assistance.

The bill now goes to the Senate. My advice to you boys is to get in touch with your Senators and urge them to pass it without delay. Those who are opposed to this legislation tell us that the President will veto it. This I can not believe, but even if he should we would then pass it over his veto.

Let us take renewed hope from the victory we have won and carry on the fight until our efforts are crowned with ultimate success.

Good night.

THE TARIFF

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 2667, relating to the tariff, may have until midnight to-night within which to file their report.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] asks unanimous consent that the conferees on the tariff bill have until midnight to-night to file their report. Is there objection?

There was no objection.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 11, 22, 24, 34, 44, 45, 53, 83, 84, 85, 86, 87, 104, 108, 109, 118, 141, 159, 160, 168, 169, 170, 171, 172, 190, 191, 192, 193, 209, 212, 215, 227, 234, 246, 247, 248, 253, 261, 263, 265, 266, 298, 299, 330, 331, 335, 336, 340, 343, 382, 384, 429, 432, 440, 447, 485, 513, 521, 529, 557, 565, 572, 573, 586, 588, 589, 590, 591, 592, 594, 603, 607, 609, 616, 621, 622, 623, 647, 651, 655, 667, 669, 671, 673, 675, 677, 679, 681, 682, 684, 690, 693, 700, 701, 714, 718, 733, 741, 742, 746, 757, 759, 760, 769, 770, 773, 774, 788, 789, 790, 792, 796, 801, 810, 811, 815, 826, 831, 832, 833, 835, 841, 847, 852, 853, 854, 856, 858, 859, 860, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 886, 894, 944, 949, 967, 968, 998, 1007, 1030, 1043, 1097, 1117, 1142, 1143, 1144, 1146, 1147, 1153, 1159, 1160, 1162, 1163, 1165, 1166, 1174, 1176, 1177, 1198, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1225, 1226, 1228, 1240, 1248, and 1253.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 10, 12, 13, 15, 16, 18, 19, 20, 21, 23, 25, 28, 30, 31, 33, 35, 36, 37, 38, 39, 46, 47, 50, 51, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 68, 69, 70, 71, 72, 74, 75, 76, 77, 78, 79, 81, 82, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 103, 105, 107, 110, 111, 112, 113, 114, 116, 117, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 145, 146, 147, 148, 150, 152, 153, 154, 155, 156, 157, 158, 161, 162, 164, 165, 166, 173, 174, 175, 176, 177, 178, 179, 180, 182, 183, 184, 185, 186, 187, 188, 189, 194, 196, 197, 198, 199, 200, 201, 202, 203, 210, 211, 216, 217, 218, 219, 222, 225, 229, 231, 232, 233, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 249, 250, 251, 252, 255, 256, 257, 258, 259, 260, 262, 264, 267, 268, 269, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 286, 287, 288, 290, 291, 295, 296, 297, 300, 301, 302, 303, 304, 305, 308, 309, 310, 313, 314, 316, 318, 320, 321, 322, 323, 324, 325, 326, 333, 334, 338, 339, 345, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 365, 366, 378, 388, 389, 390, 391, 393, 397, 398, 399, 400, 402, 403, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 426, 427, 428, 430, 431, 433, 434, 435, 436, 437, 438, 439, 441, 442, 443, 444, 445, 446, 449, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 486, 487, 488, 489, 490, 491, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 528, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 558, 559, 560, 561, 562, 563, 564, 566, 567, 568, 569, 570, 571, 574, 575, 577, 578, 580, 581, 582, 583, 584, 585, 587, 593, 595, 596, 597, 598, 599, 600, 601, 602, 604, 605, 606, 608, 610, 611, 612, 613, 614, 617, 618, 619, 620, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 648, 650, 653, 654, 656, 658, 659, 660, 661, 662, 663, 664, 665, 666, 668, 670, 672, 674, 676, 678, 680, 683, 685, 686, 687, 688, 689, 691, 692, 694, 695, 696, 697, 698, 699, 702, 703, 704, 705, 706, 710, 711, 712, 713, 715, 716, 717, 720, 721, 722, 723, 725, 726, 727, 728, 730, 731, 734, 735, 736, 737, 738, 739, 740, 743, 744, 749, 750, 751, 752, 753, 754, 755, 756, 758, 762, 763, 766, 767, 768, 772, 775, 776, 777, 778, 779, 780, 781, 782, 783, 786, 793, 794, 802, 803, 804, 805, 806, 807, 808, 809, 812, 813, 814, 816, 818, 819, 820, 821, 822, 823, 828, 829, 834, 836, 837, 838, 839, 840, 842, 843, 844, 845, 846, 850, 855, 857, 861, 889, 890, 900, 912, 918, 924, 939, 941, 943, 986, 988, 990, 991, 994, 996, 1000, 1001, 1005, 1011, 1042, 1044, 1045, 1054, 1056, 1065, 1069, 1073, 1088, 1100, 1101, 1106, 1107, 1108, 1110, 1113, 1115, 1116, 1118, 1119, 1121, 1122, 1123, 1124, 1125, 1127, 1136, 1137, 1145, 1148, 1149, 1150, 1154, 1155, 1164, 1167, 1169, 1170, 1172, 1173, 1175, 1178, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1199, 1200, 1201, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1227, 1229, 1230, 1231, 1232, 1233, 1234, 1236, 1237, 1238, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1249, 1250, 1251, and 1252, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1⅜ cents"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "3½ cents"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "formic acid, 3 cents per pound" and a semicolon; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "5 cents"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "11 cents"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "oleic acid or red oil, 20 per cent ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and

agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "12 cents" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$1.25"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "75 cents"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "calcium acetate, crude, 1 cent per pound" and a semicolon; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "30 per centum"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"pound.

"(b) Synthetic indigo, 'Colour Index No. 1177,' and sulphur black, 'Colour Index No. 978,' 3 cents per pound and 20 per centum ad valorem.

"(c) The ad valorem rates provided in this paragraph shall be based upon the American selling price (as defined in subdivision (g) of section 402, Title IV), of any similar competitive article manufactured or produced in the United States. If."

And the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "; digitalis, 20 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1¾ cents"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "10 per centum ad valorem; drawing ink, 15 per centum"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "three-fourths of"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 51. Menthol, 50 cents per pound; natural crude camphor, 1 cent per pound; natural refined camphor, 5 cents per pound; synthetic camphor, 5 cents per pound. If at the end of three years after the enactment of this act, the President finds that during the preceding six months the domestic production by quantity of synthetic camphor did not exceed 25 per centum of the domestic consumption thereof by quantity, or, at the end of four years after the enactment of this act, that during the preceding six months such domestic production did not exceed 30 per centum of such consumption, or, at the end of five years after the enactment of this act, that during the preceding six months such domestic production did not exceed 50 per centum of such consumption, he shall by proclamation so declare and, after six months thereafter, the rate on synthetic camphor shall be 1 cent per pound. To assist the President in making the investigation required by this provision, the Tariff Commission is empowered to investigate, to such extent as may be necessary, in the manner provided in the case of investigations under section 336 of this act, and shall report to the President the result of its investigation."

And the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "3½ cents per pound, but not less than 45 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: On page 24 of the House bill, line 13, after "valorem;" insert "eucalyptus, 15 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 65. (a) Paints, colors, and pigments, commonly known as artists', school, students', or children's paints or colors:

"(1) In tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, and valued at less than 20 cents per dozen pieces, and not assembled in paint sets, kits, or color outfits, three-fourths of 1 cent per tube, jar, cake, pan, or other form;

"(2) in tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, and valued at 20 cents or more per dozen pieces, and not assembled in paint sets, kits, or color outfits: In tubes or jars, 2 cents per tube or jar and 40 per centum ad valorem; in cakes, pans, or other forms, 1¼ cents per cake, pan, or other form and 40 per centum ad valorem;

"(3) in tubes, jars, cakes, pans, or other forms, not exceeding one and one-half pounds net weight each, when assembled in paint sets, kits, or color outfits, with or without brushes, water pans, outline drawings, stencils, or other articles, 70 per centum ad valorem on the value as assembled;

"(4) in bulk, or in any form exceeding one and one-half pounds net weight each, 8¼ cents per ounce.

"(b) For the purposes of this paragraph, tubes, jars, cakes, pans, or other forms, shall not be considered as assembled in a paint set, kit, or color outfit, unless assembled in such form and container, and with such assortment of merchandise, as to be suitable for sale at retail to artists, students, or children, as a paint set, kit, or color outfit."

And the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "containing by weight less than 30 per centum of zinc sulphide, 1¾ cents per pound; containing by weight 30 per centum or more of zinc sulphide, 1¾ cents per pound and 15 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "14 cents"; and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "2½ cents per pound"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$3 per ton"; and the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 90. Turpentine, gum and spirits of, and rosin, 5 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "silica, crude, not specially provided for, $3.50 per ton" and a semicolon; and the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205,

and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "containing more than 97 per centum of calcium fluoride, $5.60 per ton; containing not more than 97 per centum of calcium fluoride, $8.40 per ton"; and the Senate agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "; sand containing 95 per centum or more of silica and not more than six-tenths of 1 per centum of oxide of iron and suitable for use in the manufacture of glass, $2 per ton"; and the Senate agree to the same.

Amendment numbered 207: That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 208. (a) Mica, unmanufactured: Valued at not above 15 cents per pound, 4 cents per pound; valued at above 15 cents per pound, 4 cents per pound and 25 per centum ad valorem.

"(b) Mica, cut or stamped to dimensions, shape, or form, 40 per centum ad valorem.

"(c) Mica films and splittings, not cut or stamped to dimensions: Not above twelve ten-thousandths of one inch in thickness, 25 per centum ad valorem; over twelve ten-thousandths of one inch in thickness, 40 per centum ad valorem.

"(d) Mica films and splittings cut or stamped to dimensions, 45 per centum ad valorem.

"(e) Mica plates and built-up mica, and all manufactures of mica, or of which mica is the component material of chief value, by whatever name known, and to whatever use applied, and whether or not named, described, or provided for in any other paragraph of this act, 40 per centum ad valorem.

"(f) Untrimmed phlogopite mica from which no rectangular piece exceeding two inches in length or one inch in width may be cut, 15 per centum ad valorem.

"(g) Mica waste and scrap valued at not more than 5 cents per pound, 25 per centum ad valorem; mica waste and scrap valued at more than 5 cents per pound shall be classified as mica, unmanufactured.

"(h) Mica, ground or pulverized, 20 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "In addition to the foregoing there shall be paid a duty of 10 cents per dozen separate pieces on all tableware, kitchenware, and table and kitchen utensils" and a period; and the Senate agree to the same.

Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "crystalline lump, chip, or dust, 30 per centum ad valorem; crystalline flakes, 1 6/100 cents per pound"; and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valorem; gauge glass tubes, wholly or in chief value of glass, 60 per centum"; and the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Illuminating articles of every description, finished or unfinished, wholly or in chief value of glass, for use in connection with artificial illumination: Prisms, glass chandeliers, and articles in chief value of prisms, 60 per centum ad valorem; chimneys, 55 per centum ad valorem; globes and shades, 70 per centum ad valorem; all others, 60 per centum ad valorem: *Provided*, That parts not specially provided for, wholly or in chief value of glass, of any of the foregoing shall be subject to the same rate of duty as the articles of which they are parts."

And the Senate agree to the same.

Amendment numbered 223: That the House recede from its disagreement to the amendment of the Senate numbered 223, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "That none of the foregoing weighing less than 16 ounces but not less than 12 ounces per square foot shall be subject to a less rate of duty than 50 per centum ad valorem: *Provided further*" and a comma; and the Senate agree to the same.

Amendment numbered 224: That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "That cylinder, crown, and sheet glass, imported in boxes, shall be denied entry unless packed in units containing fifty square feet or multiples thereof, as nearly as sizes will permit, and the duty shall be computed thereon according to actual weight of glass"; and the Senate agree to the same.

Amendment numbered 226: That the House recede from its disagreement to the amendment of the Senate numbered 226, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "seven hundred and twenty square inches, 17 cents per square foot; above that, and not exceeding one thousand and eight square inches, 17½ cents per square foot; all above that, 19¾ cents per square foot"; and the Senate agree to the same.

Amendment numbered 228: That the House recede from its disagreement to the amendment of the Senate numbered 228, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "15 cents"; and the Senate agree to the same.

Amendment numbered 230: That the House recede from its disagreement to the amendment of the Senate numbered 230, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "15 cents"; and the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "granular or sponge iron, $2.25 per ton" and a semicolon; and the Senate agree to the same.

Amendment numbered 272: That the House recede from its disagreement to the amendment of the Senate numbered 272, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert " : *Provided further*, That on hollow bars and hollow drill steel valued at more than 4 cents per pound there shall be levied, collected, and paid an additional duty of three-fourths of 1 cent per pound"; and the Senate agree to the same.

Amendment numbered 284: That the House recede from its disagreement to the amendment of the Senate numbered 284, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) Ingots, shot, bars, sheets, wire, or other forms, not specially provided for, or scrap, containing more than 50 per centum of tungsten, tungsten carbide, molybdenum, or molybdenum carbide, or combinations thereof: Ingots, shot, bars, or scrap, 50 per centum ad valorem; sheets, wire, or other forms, 60 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "50"; and the Senate agree to the same.

Amendment numbered 289: That the House recede from its disagreement to the amendment of the Senate numbered 289, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum"; and the Senate agree to the same.

Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "staples, in strip form, for use in paper fasteners or stapling machines, 2 cents per pound" and a semicolon; and the Senate agree to the same.

Amendment numbered 293: That the House recede from its disagreement to the amendment of the Senate numbered 293, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "8½ cents per pound and 40"; and the Senate agree to the same.

Amendment numbered 294: That the House recede from its disagreement to the amendment of the Senate numbered 294, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "; the foregoing rates shall apply to the foregoing articles whether or not containing electrical heating elements as constituent parts thereof"; and the Senate agree to the same.

Amendment numbered 306: That the House recede from its disagreement to the amendment of the Senate numbered 306, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum"; and the Senate agree to the same.

Amendment numbered 307: That the House recede from its disagreement to the amendment of the Senate numbered 307, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1¼ cents"; and the Senate agree to the same.

Amendment numbered 311: That the House recede from its disagreement to the amendment of the Senate numbered 311, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "55 per centum ad valorem, unless in chief value of glass, in which case the rate shall be 70 per centum"; and the Senate agree to the same.

Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum ad valorem, unless in chief value of glass, in which case the rate shall be 60 per centum"; and the Senate agree to the same.

Amendment numbered 315: That the House recede from its disagreement to the amendment of the Senate numbered 315, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valorem; drawing instruments, and parts thereof, wholly or in chief value of metal, 45 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 317: That the House recede from its disagreement to the amendment of the Senate numbered 317, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valued at not more than $2 per dozen, 5 cents each and 60 per centum ad valorem; valued at more than $2 per dozen, 10 cents each and 60 per centum"; and the Senate agree to the same.

Amendment numbered 319: That the House recede from its disagreement to the amendment of the Senate numbered 319, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 364. Bells (except church and similar bells and carillons), finished or unfinished, and parts thereof, 50 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 327: That the House recede from its disagreement to the amendment of the Senate numbered 327, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 367. (a) Watch movements, and other time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, all the foregoing designed to be, or such as ordinarily are, worn or carried on or about the person, if less than one and seventy-seven one-hundredths inches wide, whether or not in cases, containers, or housings:

"(1) If more than one and one-half inches wide, $1.25 each; if more than one and two-tenths inches but not more than one and one-half inches wide, $1.40 each; if more than one inch but not more than one and two-tenths inches wide, $1.55 each; if more than nine-tenths of one inch but not more than one inch wide, $1.75 each; if more than eight-tenths of one inch but not more than nine-tenths of one inch wide, $2 each; if more than six-tenths of one inch but not more than eight-tenths of one inch wide, $2.25 each; if six-tenths of one inch or less wide, $2.50 each;

"(2) in the case of any of the foregoing having no jewels or only one jewel, the above rates shall be reduced by 40 per centum;

"(3) any of the foregoing having more than seven jewels shall be subject to an additional duty of 20 cents for each jewel in excess of seven;

"(4) any of the foregoing shall be subject to an additional duty of $1 for each adjustment of whatever kind (treating adjustment to temperature as two adjustments) in accordance with the marking as hereinafter provided;

"(5) any of the foregoing shall be subject to an additional duty of $1 each, if constructed or designed to operate for a period in excess of forty-seven hours without rewinding, or if self-winding, or if a self-winding device may be incorporated therein;

"(6) any of the foregoing having more than seventeen jewels, whether adjusted or unadjusted, and whether with or without dials, shall, in lieu of the duties provided in clauses (1), (2), (3), (4), and (5), be subject to a duty of $10.75 each.

"(b) All the foregoing shall have cut, engraved, or die sunk, conspicuously and indelibly on one or more of the top plates or bridges: The name of the country of manufacture; the name of the manufacturer or purchaser; in words and in Arabic numerals the number of jewels, if any, serving a mechanical purpose as frictional bearings; and, in words and in Arabic numerals, the number and classes of adjustments, or, if unadjusted, the word 'unadjusted.'

"(c) Parts for any of the foregoing shall be dutiable as follows:

"(1) Parts (except pillar or bottom plates, or their equivalent, bridges or their equivalent, and jewels) imported in the same shipment with complete movements, mechanisms, devices, or instruments, provided for in subparagraph (a) of this paragraph (whether or not suitable for use in such movements, mechanisms, devices, or instruments), 45 per centum ad valorem; but this clause of this subparagraph shall not be applicable to that portion of all the parts in the shipment which exceeds in value 4 per centum of the value of such complete movements, mechanisms, devices, or instruments;

"(2) pillar or bottom plates, or their equivalent, shall be subject to one-half the amount of duty which would be borne by the complete movement, mechanism, device, or instrument for which suitable;

"(3) each assembly or subassembly (unless dutiable under clause (1) of this subparagraph) consisting of two or more parts or pieces of metal or other material joined or fastened together shall be subject to a duty of 3 cents for each such part or piece of material, except that in the case of jewels the duty shall be 20 cents instead of 3 cents, and except that in the case of pillar or bottom plates or their equivalent the duty shall be the rate provided in clause (2) of this subparagraph instead of 3 cents, and except that in the case of a balance assembly the duty shall be 50 cents for the assembly instead of 3 cents for each part or piece thereof. No assembly or subassembly shall be subject to a greater amount of duty than would be borne by the complete movement, mechanism, device, or instrument for which suitable, nor to a less rate of duty than 45 per centum ad valorem. For the purpose of this clause a balance assembly shall be an assembly consisting of a balance wheel, balance staff, and hairspring, with or without the other parts commercially known as parts of a balance assembly. For the purpose of this clause bimetallic balance wheels (not part of a balance assembly), and mainsprings with riveted ends, shall each be considered as one part or piece;

"(4) all other parts (except jewels), 65 per centum ad valorem.

"(d) Jewels, unset, suitable for use in any movement, mechanism, device, or instrument, dutiable under this paragraph or paragraph 368, or in any meter or compass, 10 per centum ad valorem.

"(e) Dials for any of the foregoing movements, mechanisms, devices, or instruments, if such dials are less than one and seventy-seven one-hundredths inches wide and are imported separately or attached to any of the foregoing movements, mechanisms, devices, or instruments having not more than seventeen jewels, 5 cents each and 45 per centum ad valorem. Dials for any of the movements, mechanisms, devices, or instruments provided for in this paragraph shall have stamped, cut, engraved, or die sunk, conspicuously and indelibly thereon the name of the country of manufacture; which marking, if the dial is imported attached to any of the foregoing movements, mechanisms, devices, or instruments, shall be placed on the face of the dial in such manner as not to be obscured by any part of the case, container, or housing.

"(f) All cases, containers, or housings, designed or suitable for the enclosure of any of the foregoing movements, mechanisms, devices, or instruments, whether or not containing such movements, mechanisms, devices, or instruments, and whether finished or unfinished, complete or incomplete, except such containers as are used for shipping purposes only:

"(1) If made of gold or platinum, 75 cents each and 45 per centum ad valorem;

"(2) if in part of gold, silver, or platinum, or wholly of silver, 40 cents each and 45 per centum ad valorem;

"(3) if set with precious, semiprecious, or imitation precious, or imitation semiprecious stones, or if prepared for the setting of such stones, 40 cents each and 45 per centum ad valorem;

"(4) if of base metal (and not containing gold, silver, or platinum), 20 cents each and 45 per centum ad valorem;

"(5) any of the foregoing cases, containers, or housings, if enameled, shall be subject to an additional duty of 15 per centum ad valorem.

"(g) Any of the foregoing cases, containers, or housings, shall have cut, engraved, or die sunk, conspicuously and indelibly on the inside of the back cover, the name in full of the manufacturer or purchaser and the name of the country of manufacture.

"(h) For the purposes of this paragraph the width of any movement, mechanism, device, or instrument, shall be the shortest surface dimension through the center of the pillar or bottom plate, or its equivalent, not including in the measurement any portion not essential to the functioning of the movement, mechanism, device, or instrument.

"(i) For the purposes of this paragraph and paragraph 368 the term 'jewel' includes substitutes for jewels.

"(j) An article required by this paragraph to be marked shall be denied entry unless marked in exact conformity with the requirements of this paragraph."

And the Senate agree to the same.

Amendment numbered 328: That the House recede from its disagreement to the amendment of the Senate numbered 328, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 368. (a) Clocks, clock movements, including lever movements, clockwork mechanisms, time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, synchronous and subsynchronous motors of less than one-fortieth of one horsepower valued at not more than $3 each, not including the value of gears or other attachments, and any mechanism, device, or instrument intended or suitable for measuring time, distance, speed, or fares, or the flowage of water, gas, or electricity, or similar uses, or for regulating, indicating, or controlling the speed of arbors, drums, disks, or similar uses, or for recording or indicating time, or for recording, indicating, or performing any operation or function at a predetermined time or times, all the above (except the articles enumerated or described in paragraph 367), whether or not in cases, containers, or housings:

"(1) If valued at not more than $1.10 each, 55 cents each; valued at more than $1.10 but not more than $2.25 each, $1 each; valued at more than $2.25 but not more than $5 each, $1.50 each; valued at more than $5 but not more than $10 each, $3 each; valued at more than $10 each, $4.50 each;

"(2) any of the foregoing shall be subject to an additional duty of 65 per centum ad valorem;

"(3) any of the foregoing containing jewels shall be subject to an additional cumulative duty of 25 cents for each such jewel.

"(b) All the foregoing shall have cut, engraved, or die sunk, conspicuously and indelibly on the most visible part of the front or back plate: The name of the country of manufacture; the name of the manufacturer or purchaser; and the number of jewels, if any. If such markings are in whole or in part sufficiently similar to the trade name or trade-mark of an established American manufacturer as to be liable to deceive the user in the United States, entry thereof shall be denied, if such trade name or trade-mark has been placed on file with the collector of customs.

"(c) Parts for any of the foregoing shall be dutiable as follows:

"(1) Parts (except plates provided for in clause (2) of this subparagraph, and jewels) imported in the same shipment with complete movements, mechanisms, devices, or instruments, provided for in subparagraph (a) of this paragraph (whether or not suitable for use in such movements, mechanisms, devices, or instruments), 45 per centum ad valorem; but this clause of this subparagraph shall not be applicable to that portion of all the parts in the shipment which exceeds in value 1½ per centum of the value of such complete movements, mechanisms, devices, or instruments;

"(2) a plate suitable for assembling thereon the clockwork mechanism constituting or contained in any of the foregoing movements, mechanisms, devices, or instruments, shall be subject to one-half the amount of duty which would be borne by the complete movement, mechanism, device, or instrument for which suitable. If two or more such plates are imported together they shall be dutiable as one plate if they are necessary, as a set, for such assembling;

"(3) each assembly or subassembly (unless dutiable under clause (1) or (4) of this subparagraph) consisting of two or more parts or pieces of metal or other material joined or fastened together shall be subject to a duty of 65 per centum ad valorem and, in addition, to a duty of 3 cents for each such part or piece of material, except that in the case of jewels the specific duty shall be 25 cents instead of 3 cents. For the purpose of this clause and clause (4), bimetallic balance wheels, and mainsprings with riveted ends, shall each be considered as one part or piece;

"(4) each assembly or subassembly consisting in part of a plate or plates provided for in clause (2) of this subparagraph shall be subject to the rate of duty provided for such plate or plates, and, in addition, to a duty of 5 cents for each part or piece of material (except such plate or plates) in such assembly or subassembly, except that in the case of jewels the specific duty shall be 25 cents instead of 5 cents;

"(5) no assembly or subassembly shall be subject to a greater amount of duty than would be borne by the complete movement, mechanism, device, or instrument for which suitable;

"(6) all other parts (except jewels), 65 per centum ad valorem.

"(d) Dials for any movements, mechanisms, devices, or instruments enumerated or described in this paragraph or in paragraph 367 (except dials specifically provided for in paragraph 367), when imported separately, 50 per centum ad valorem. All such dials (whether imported separately or attached to any of the foregoing) shall have stamped, cut, engraved, or die sunk, conspicuously and indelibly thereon the name of the country of manufacture; which marking, if the dial is imported attached to any of the foregoing movements, mechanisms, devices, or instruments, shall be placed on the face of the dial in such manner as not to be obscured by any part of the case, container, or housing.

"(e) Cases, containers, or housings suitable for any of the movements, mechanisms, devices, or instruments enumerated or described in this paragraph, not specially provided for, when imported separately, 45 per centum ad valorem. Any such case, container, or housing, whether imported separately or attached to any of the foregoing movements, mechanisms, devices, or instruments, shall have stamped, cut, engraved, or die sunk, conspicuously and indelibly on the back thereof, the name of the country of manufacture.

"(f) An article required by this paragraph to be marked shall be denied entry unless marked in exact conformity with the requirements of this paragraph.

"(g) Taximeters and parts thereof, finished or unfinished, 85 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 329: That the House recede from its disagreement to the amendment of the Senate numbered 329, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 369. (a) Automobile trucks valued at $1,000 or more each, automobile truck and motor bus chassis valued at $750 or more each, automobile truck bodies valued at $250 or more each, motor busses designed for the carriage of more than ten persons, and bodies for such busses, all the foregoing, whether finished or unfinished, 25 per centum ad valorem.

"(b) All other automobiles, automobile chassis, and automobile bodies, and motor cycles, all the foregoing, whether finished or unfinished, 10 per centum ad valorem.

"(c) Parts (except tires and except parts wholly or in chief value of glass) for any of the articles enumerated in subparagraph (a) or (b), finished or unfinished, not specially provided for, 25 per centum ad valorem.

"(d) If any country, dependency, province, or other subdivision of government imposes a duty on any article specified in this paragraph, when imported from the United States, in excess of the duty herein provided, there shall be imposed upon such article, when imported either directly or indirectly from such country, dependency, province, or other subdivision of government, a duty equal to that imposed by such country, dependency, province, or other subdivision of government on such article imported from the United States, but in no case shall such duty exceed 50 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 332: That the House recede from its disagreement to the amendment of the Senate numbered 332, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "steam turbines, 20 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 337: That the House recede from its disagreement to the amendment of the Senate numbered 337, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "27½ per centum"; and the Senate agree to the same.

Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "4"; and the Senate agree to the same.

Amendment No. 342: That the House recede from its disagreement to the amendment of the Senate No. 342, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "7"; and the Senate agree to the same.

Amendment No. 344: That the House recede from its disagreement to the amendment of the Senate No. 344, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and 10 per centum ad valorem"; and the Senate agree to the same.

Amendment No. 346: That the House recede from its disagreement to the amendment of the Senate No. 346, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and 10 per centum ad valorem"; and the Senate agree to the same.

Amendment No. 347: That the House recede from its disagreement to the amendment of the Senate No. 347, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and 20 per centum ad valorem"; and the Senate agree to the same.

Amendment No. 348: That the House recede from its disagreement to the amendment of the Senate No. 348, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "35 per centum"; and the Senate agree to the same.

Amendment No. 349: That the House recede from its disagreement to the amendment of the Senate No. 349, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "45 per centum"; and the Senate agree to the same.

Amendment No. 350: That the House recede from its disagreement to the amendment of the Senate No. 350, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "55 per centum"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "45 per centum"; and the Senate agree to the same.

Amendment numbered 368: That the House recede from its disagreement to the amendment of the Senate numbered 368, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "45 per centum"; and the Senate agree to the same.

Amendment numbered 392: That the House recede from its disagreement to the amendment of the Senate numbered 392, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "47½ per centum"; and the Senate agree to the same.

Amendment numbered 401: That the House recede from its disagreement to the amendment of the Senate numbered 401, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$2.50 per ton"; and the Senate agree to the same.

Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$2.27½"; and the Senate agree to the same.

Amendment numbered 405: That the House recede from its disagreement to the amendment of the Senate numbered 405, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$2.92½"; and the Senate agree to the same.

Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "40 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 448: That the House recede from its disagreement to the amendment of the Senate numbered 448, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment; and the Senate agree to the same.

Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "or frozen" and a comma; and the Senate agree to the same.

Amendment numbered 483: That the House recede from its disagreement to the amendment of the Senate numbered 483, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1½ cents"; and the Senate agree to the same.

Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "4½ cents"; and the Senate agree to the same.

Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "not specially provided for, not shelled, 2½ cents per pound; shelled, 5 cents per pound; cashew nuts, shelled or unshelled, 2 cents per pound; any of the foregoing, if blanched, shall be subject to the same rate of duty as if not blanched"; and the Senate agree to the same.

Amendment numbered 514: That the House recede from its disagreement to the amendment of the Senate numbered 514, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "3 cents per pound in the case of peas, and, in the case of chickpeas or garbanzos, 2"; and the Senate agree to the same.

Amendment numbered 576: That the House recede from its disagreement to the amendment of the Senate numbered 576, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "40 per centum"; and the Senate agree to the same.

Amendment numbered 579: That the House recede from its disagreement to the amendment of the Senate numbered 579, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 924. All the articles enumerated or described in this schedule (except in paragraph 922) shall be subject to an additional duty of 10 cents per pound on the cotton contained therein having a staple of one and one-eighth inches or more in length."

And the Senate agree to the same.

Amendment numbered 615: That the House recede from its disagreement to the amendment of the Senate numbered 615, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"PAR. 1102 (a) Wools, not specially provided for, not finer than 44s, in the grease or washed, 29 cents per pound of clean content; scoured, 32 cents per pound of clean content; on the skin, 27 cents per pound of clean content; sorted, or matchings, if not scoured, 30 cents per pound of clean content: *Provided*, That a tolerance of not more than 10 per centum of wools not finer than 46s may be allowed in each bale or package of wools imported as not finer than 44s."

And the Senate agree to the same.

Amendment numbered 649: That the House recede from its disagreement to the amendment of the Senate numbered 649, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1122. Fabrics (except printing-machine cylinder lapping in chief value of flax), in the piece or otherwise, containing 17 per centum or more in weight of wool, but not in chief value thereof, and whether or not more specifically provided for, shall be dutiable as follows:

"That proportion of the amount of the duty on the fabric, computed under this schedule, which the amount of wool bears to the entire weight, plus that proportion of the amount of the duty on the fabric, computed as if this paragraph had not been enacted, which the weight of the component materials other than wool bears to the entire weight."

And the Senate agree to the same.

Amendment numbered 652: That the House recede from its disagreement to the amendment of the Senate numbered 652, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "woven fabrics in the piece, not exceeding thirty inches in width, whether woven with fast or split edges, wholly or in chief value of silk, including umbrella silk or Gloria cloth, 60 per centum ad valorem; any of the foregoing, if Jacquard-fig-

ured, 65 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 657: That the House recede from its disagreement to the amendment of the Senate numbered 657, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Filaments of rayon or other synthetic textile, single or grouped, and yarns of rayon or other synthetic textile, singles, all the foregoing not specially provided for, weighing one hundred and fifty deniers or more per length of four hundred and fifty meters, 45 per centum ad valorem; weighing less than one hundred and fifty deniers per length of four hundred and fifty meters, 50 per centum ad valorem; and, in addition, yarns of rayon or other synthetic textile, plied, shall be subject to an additional duty of 5 per centum ad valorem: *Provided*, That none of the foregoing shall be subject to a less duty than 45 cents per pound. Any of the foregoing yarns if having more than twenty turns twist per inch shall be subject to an additional cumulative duty of 45 cents per pound"; and the Senate agree to the same.

Amendment numbered 707: That the House recede from its disagreement to the amendment of the Senate numbered 707, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "three-fourths of"; and the Senate agree to the same.

Amendment numbered 708: That the House recede from its disagreement to the amendment of the Senate numbered 708, and agree to the same with an amendment as follows. In lieu of the matter proposed to be inserted by the Senate amendment insert "1½ cents"; and the Senate agree to the same.

Amendment numbered 709: That the House recede from its disagreement to the amendment of the Senate numbered 709, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "8¾ cents"; and the Senate agree to the same.

Amendment numbered 719: That the House recede from its disagreement to the amendment of the Senate numbered 719, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "; tubes wholly or in chief value of paper, commonly used for holding yarn or thread, if parallel, 1 cent per pound and 25 per centum ad valorem; if tapered, 3 cents per pound and 35 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 724: That the House recede from its disagreement to the amendment of the Senate numbered 724, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "one-fourth of 1 cent per inch, 60 per centum ad valorem; valued at more than one-fourth of 1 cent and not more than 1 cent per inch, one-half of 1 cent per inch and 60 per centum ad valorem; valued at more than 1 cent and not more than 5 cents per inch, 1 cent per inch and 40"; and the Senate agree to the same.

Amendment numbered 729: That the House recede from its disagreement to the amendment of the Senate numbered 729, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment and on page 177 of the House bill, line 19, after "hemp," insert "and braids and plaits, wholly or in chief value of ramie, all the foregoing"; and the Senate agree to the same.

Amendment numbered 732: That the House recede from its disagreement to the amendment of the Senate numbered 732, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$3.50 per dozen and 50"; and the Senate agree to the same.

Amendment numbered 745: That the House recede from its disagreement to the amendment of the Senate numbered 745, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "2½ cents"; and the Senate agree to the same.

Amendment numbered 747: That the House recede from its disagreement to the amendment of the Senate numbered 747, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Dolls and doll clothing, composed in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529 (a), 90 per centum ad valorem; dolls and toys, composed wholly or in chief value of any product provided for in paragraph 31, having any movable member or part, 1 cent each and 60 per centum ad valorem; not having any movable member or part, 1 cent each and 50 per centum ad valorem; parts of dolls or toys, composed wholly or in chief value of any product provided for in paragraph 31, 1 cent each and 50 per centum ad valorem; all other dolls, parts of dolls (including clothing), doll heads, toy marbles, toy games, toy containers, toy favors, toy souvenirs" and a comma; and the Senate agree to the same.

Amendment numbered 748: That the House recede from its disagreement to the amendment of the Senate numbered 748, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "As used in this paragraph the term 'toy' means an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development" and a period; and the Senate agree to the same.

Amendment numbered 761: That the House recede from its disagreement to the amendment of the Senate numbered 761, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "and plates, mats, linings, strips, and crosses of dressed dog, goat, or kid skins, 25 per centum ad valorem; all the foregoing, if dyed, 30 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 764: That the House recede from its disagreement to the amendment of the Senate numbered 764, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment and on page 189 of the House bill, line 4, after "valorem" insert "; composed wholly or in chief value of dog, goat, or kid skins, and not specially provided for, 35 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 765: That the House recede from its disagreement to the amendment of the Senate numbered 765, and agree to the same with an amendment as follows: On page 190 of the House bill, line 1, after "valorem," insert "but not less than 25 cents per pound"; and the Senate agree to the same.

Amendment numbered 771: That the House recede from its disagreement to the amendment of the Senate numbered 771, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) Men's silk or opera hats, in chief value of silk, $2 each and 75 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 784: That the House recede from its disagreement to the amendment of the Senate numbered 784, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "or 1530 (e), or in Title II (free list)"; and the Senate agree to the same.

Amendment numbered 785: That the House recede from its disagreement to the amendment of the Senate numbered 785, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by the Senate amendment and on page 195 of the House bill, line 1, strike out "or (c)"; and the Senate agree to the same.

Amendment numbered 787: That the House recede from its disagreement to the amendment of the Senate numbered 787, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Hose and half-hose wholly or in chief value of cotton or of wool shall not be dutiable at the above rate by reason of being embroidered, if the embroidery is such as is commonly known as clocking and does not exceed one inch in width or six inches in length, exclusive of the fork, but shall be subject to a duty of 75 per centum ad valorem" and a period; and the Senate agree to the same.

Amendment numbered 791: That the House recede from its disagreement to the amendment of the Senate numbered 791, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "valued at not more than 70 cents per dozen, 3 cents each and 40 per centum ad valorem; valued at more than 70 cents per dozen, 4 cents each and 40 per centum ad valorem: *Provided*, That any of the foregoing valued at not more than 70 cents per dozen, if made with hand rolled or hand made hems, shall be subject to an additional duty of 1 cent each"; and the Senate agree to the same.

Amendment numbered 795: That the House recede from its disagreement to the amendment of the Senate numbered 795, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1530. (a) Hides and skins of cattle of the bovine species (except hides and skins of the India water buffalo imported to be used in the manufacture of rawhide articles), raw or uncured, or dried, salted, or pickled, 10 per centum ad valorem.

"(b) Leather (except leather provided for in subparagraph (d) of this paragraph), made from hides or skins of cattle of the bovine species:

"(1) Sole or belting leather (including offal), rough, partly finished, finished, curried, or cut or wholly or partly manufactured into outer or inner soles, blocks, strips, counters, taps, box toes, or any forms or shapes suitable for conversion into boots, shoes, footwear, or belting, 12½ per centum ad valorem;

"(2) leather welting, 12½ per centum ad valorem;

"(3) leather to be used in the manufacture of harness or saddlery, 12½ per centum ad valorem;

"(4) side upper leather (including grains and splits), patent leather, and leather made from calf or kip skins, rough, partly finished, or finished, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, 15 per centum ad valorem;

"(5) upholstery, collar, bag, case, glove, garment, or strap leather, in the rough, in the white, crust, or russet, partly finished, or finished, 20 per centum ad valorem;

"(6) leather to be used in the manufacture of footballs, basket balls, soccer balls, or medicine balls, 20 per centum ad valorem;

"(7) all other, rough, partly finished, finished, or curried, not specially provided for, 15 per centum ad valorem.

"(c) Leather (except leather provided for in subparagraph (d) of this paragraph), made from hides or skins of animals (including fish, reptiles, and birds, but not including cattle of the bovine species), in the rough, in the white, crust, or russet, partly finished, or finished, 25 per centum ad valorem; vegetable-tanned rough leather made from goat or sheep skins (including those commercially known as India-tanned goat or sheep skins), 10 per centum ad valorem; any of the foregoing if imported to be used in the manufacture of boots, shoes, or footwear, or cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, 10 per centum ad valorem.

"(d) Leather of all kinds, grained, printed, embossed, ornamented, or decorated, in any manner or to any extent (including leather finished in gold, silver, aluminum, or like effects), or by any other process (in addition to tanning) made into fancy leather, and any of the foregoing cut or wholly or partly manufactured into uppers, vamps, or any forms or shapes suitable for conversion into boots, shoes, or footwear, all the foregoing by whatever name known, and to whatever use applied, 30 per centum ad valorem.

"(e) Boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for, 20 per centum ad valorem; boots, shoes, or other footwear (including athletic or sporting boots and shoes), the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, rayon or other synthetic textile, silk, or substitutes for any of the foregoing, whether or not the soles are composed of leather, wood, or other materials, 35 per centum ad valorem.

"(f) Harness valued at more than $70 per set, single harness valued at more than $40, saddles valued at more than $40 each, saddlery, and parts (except metal parts) for any of the foregoing, 35 per centum ad valorem; saddles made wholly or in part of pigskin or imitation pigskin, 35 per centum ad valorem; saddles and harness, not specially provided for, parts thereof, except metal parts, and leather shoe laces, finished or unfinished, 15 per centum ad valorem.

"(g) The Secretary of the Treasury shall prescribe methods and regulations for carrying out the provisions of this paragraph."

And the Senate agree to the same.

Amendment numbered 797: That the House recede from its disagreement to the amendment of the Senate numbered 797, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1532. (a) Gloves made wholly or in chief value of leather, whether wholly or partly manufactured, shall be dutiable at the following rates, the lengths stated in each case being the extreme length (including the unfolded length of cuffs or other appendages) when stretched to their fullest extent, namely: Men's gloves not over twelve inches in length, $6 per dozen pairs; women's and children's gloves not over twelve inches in length, $5.50 per dozen pairs; for each inch or fraction thereof in excess of twelve inches, 50 cents per dozen pairs: *Provided*, That, in addition thereto, on all the foregoing there shall be paid each of the following cumulative duties: When machine seamed, otherwise than overseamed, $1 per dozen pairs; when seamed by hand, $5 per dozen pairs; when lined with cotton, wool, silk, or other fabrics, $3.50 per dozen pairs; when trimmed with fur, $4 per dozen pairs; when lined with leather or fur, $5 per dozen pairs: *Provided further*, That all the foregoing shall be dutiable at not less than 50 per centum ad valorem: *Provided further*, That glove tranks, with or without the usual accompanying pieces, shall be subject to 75 per centum of the duty provided for the gloves in the fabrication of which they are suitable.

"(b) Gloves wholly or in chief value of leather made from horsehides or cowhides (except calfskins), whether wholly or partly manufactured, 25 per centum ad valorem."

And the Senate agree to the same.

Amendment numbered 798: That the House recede from its disagreement to the amendment of the Senate numbered 798, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Artificial flies, snelled hooks, leaders or casts, finished or unfinished, 55 per centum ad valorem; fishing rods and reels, and parts thereof, finished or unfinished, not specially provided for, 55 per centum ad valorem; fish hooks, artificial baits, and all other fishing tackle and parts thereof, fly books, fly boxes, fishing baskets or creels, finished or unfinished, not specially provided for, except fishing lines, fishing nets, and seines, 45 per centum ad valorem: *Provided*, That any prohibition of the importation of feathers in this act shall not be construed as applying to artificial flies used for fishing, or to feathers used for the manufacture of such flies"; and the Senate agree to the same.

Amendment numbered 799: That the House recede from its disagreement to the amendment of the Senate numbered 799, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Candles, 27½ per centum ad valorem; manufactures"; and the Senate agree to the same.

Amendment numbered 800: That the House recede from its disagreement to the amendment of the Senate numbered 800, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "; manufactures of chip roping, 25 per centum ad valorem"; and the Senate agree to the same.

Amendment numbered 817: That the House recede from its disagreement to the amendment of the Senate numbered 817, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Sponges, commercially known as sheepswool, 30 per centum ad valorem; sponges, commercially known as"; and the Senate agree to the same.

Amendment numbered 824: That the House recede from its disagreement to the amendment of the Senate numbered 824, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "50 cents"; and the Senate agree to the same.

Amendment numbered 825: That the House recede from its disagreement to the amendment of the Senate numbered 825, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "30 per centum"; and the Senate agree to the same.

Amendment numbered 827: That the House recede from its disagreement to the amendment of the Senate numbered 827, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Black leads for pencils, not in wood or other material, and black leads exceeding six one-hundredths of one inch in diameter, 6 cents"; and the Senate agree to the same.

Amendment numbered 830: That the House recede from its disagreement to the amendment of the Senate numbered 830, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "photographic dry plates, not specially provided for, 20 per centum ad valorem" and a semicolon; and the Senate agree to the same.

Amendment numbered 848: That the House recede from its disagreement to the amendment of the Senate numbered 848, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "or driven across the northern boundary line by the owner for temporary pasturage purposes only" and a comma; and the Senate agree to the same.

Amendment numbered 849: That the House recede from its disagreement to the amendment of the Senate numbered 849, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "eight months in the case of the northern boundary line, and, in the case of the southern boundary line, within three"; and the Senate agree to the same.



Amendment numbered 851: That the House recede from its disagreement to the amendment of the Senate numbered 851, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "Arrowroot, crude or manufactured, and arrowroot starch and flour"; and the Senate agree to the same.

Amendment numbered 887: That the House recede from its disagreement to the amendment of the Senate numbered 887, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1640. Burrstones, manufactured or bound up into millstones."

And the Senate agree to the same.

Amendment numbered 888: That the House recede from its disagreement to the amendment of the Senate numbered 888, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1641"; and the Senate agree to the same.

Amendment numbered 891: That the House recede from its disagreement to the amendment of the Senate numbered 891, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1642"; and the Senate agree to the same.

Amendment numbered 892: That the House recede from its disagreement to the amendment of the Senate numbered 892, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1643"; and the Senate agree to the same.

Amendment numbered 938: That the House recede from its disagreement to the amendment of the Senate numbered 938, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "(notwithstanding any other provision of this act) those grades of"; and the Senate agree to the same.

Amendment numbered 1083: That the House recede from its disagreement to the amendment of the Senate numbered 1083, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: "and in the case of individuals returning from abroad, all professional books, implements, instruments, and tools of trade, occupation, or employment" and a comma; and the Senate agree to the same.

Amendment numbered 1084: That the House recede from its disagreement to the amendment of the Senate numbered 1084, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a colon and the following: "*Provided further*, That a resident of the United States shall not take advantage of the exemption herein granted within a period of thirty days from the last exemption claimed"; and the Senate agree to the same.

Amendment numbered 1114: That the House recede from its disagreement to the amendment of the Senate numbered 1114, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "prescribe. Such marking, stamping, branding, or labeling shall be as nearly indelible and permanent as the nature of the article will permit. The Secretary of the Treasury may, by regulations prescribed hereunder, except any article from the requirement of marking, stamping, branding, or labeling if he is satisfied that such article is incapable of being marked, stamped, branded, or labeled or can not be marked, stamped, branded, or labeled without injury, or except at an expense economically prohibitive of the importation, or that the marking, stamping, branding, or labeling of the immediate container of such article will reasonably indicate the country of origin of such article" and a period; and the Senate agree to the same.

Amendment numbered 1120: That the House recede from its disagreement to the amendment of the Senate numbered 1120, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "The provisions of this section relating to goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or/and indentured labor, shall take effect on January 1, 1932; but in no case shall such provisions be applicable to goods, wares, articles, or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States" and a period; and the Senate agree to the same.

Amendment numbered 1126: That the House recede from its disagreement to the amendment of the Senate numbered 1126, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 319. DUTY ON COFFEE IMPORTED INTO PORTO RICO:

"The Legislature of Porto Rico is hereby empowered to impose tariff duties upon coffee imported into Porto Rico, including coffee grown in a foreign country coming into Porto Rico from the United States. Such duties shall be collected and accounted for as now provided by law in the case of duties collected in Porto Rico."

And the Senate agree to the same.

Amendment numbered 1152: That the House recede from its disagreement to the amendment of the Senate numbered 1152, and agree to the same with an amendment as follows: On page 157 of the Senate engrossed amendments, line 23, strike out "January" and insert "July"; and the Senate agree to the same.

Amendment numbered 1158: That the House recede from its disagreement to the amendment of the Senate numbered 1158, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"(b) Review of appraiser's decision.—A decision of the appraiser that foreign value, export value, or United States value can not be satisfactorily ascertained shall be subject to review in reappraisement proceedings under section 501; but in any such proceedings, an affidavit executed outside of the United States shall not be admitted in evidence if executed by any person who fails to permit a Treasury attaché to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise."

And the Senate agree to the same.

Amendment numbered 1161: That the House recede from its disagreement to the amendment of the Senate numbered 1161, and agree to the same with an amendment as follows: On page 162 of the Senate engrossed amendments, line 18, strike out "(d)" and insert "(e)"; and the Senate agree to the same.

Amendment numbered 1168: That the House recede from its disagreement to the amendment of the Senate numbered 1168, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"(d) Exceptions by regulations.—The Secretary of the Treasury may by regulations provide for such exceptions from the requirements of this section as he deems advisable."

And the Senate agree to the same.

Amendment numbered 1235: That the House recede from its disagreement to the amendment of the Senate numbered 1235, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "case, which shall be paid out of any appropriations available for the collection of the revenue from customs" and a period; and the Senate agree to the same.

Amendment numbered 1239: That the House recede from its disagreement to the amendment of the Senate numbered 1239, and agree to the same with an amendment as follows: On page 181 of the Senate engrossed amendments, lines 17 and 18, strike out "United States Court of Customs and Patent Appeals" and insert "United States Customs Court," and on page 182 of the Senate engrossed amendments, lines 5 and 6, strike out "United States Court of Customs and Patent Appeals" and insert "United States Customs Court"; and the Senate agree to the same.

The committee of conference have not agreed on the following amendments:

DISAGREEMENT AS TO SUBSTANCE

Amendments numbered 195, 364, 369, 370, 371, 372, 373, 376, 394, 395, 396, 885, 893, 903, 904, 1004, 1006, 1035, 1091, 1092, 1093, 1095, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1138, 1139, 1140, 1141, and 1151.

DISAGREEMENT AS TO CLERICAL AMENDMENTS DEPENDING ON AMENDMENT NUMBERED 1140

Amendments numbered 1156, 1157, and 1171.

AGREEMENT AS TO SUBSTANCE BUT DISAGREEMENT AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

Amendments numbered 901, 914, 919, 934, 950, 953, 962, 964, 983, 902, 1031, 1032, 1047, 1064, 1071, 1109, and 1179.

DISAGREEMENT SOLELY AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

Amendments numbered 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 902, 905, 906, 907, 908, 909, 910, 911, 913, 915, 916, 917, 920, 921, 922,

923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 940, 942, 945, 946, 947, 948, 951, 952, 954, 955, 956, 957, 958, 959, 960, 961, 963, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 984, 985, 987, 989, 993, 995, 997, 999, 1002, 1003, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1066, 1067, 1068, 1070, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089, 1090, 1094, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1111, and 1112.

W. C. HAWLEY,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

REED SMOOT,
JAMES E. WATSON,
SAMUEL M. SHORTRIDGE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

TITLE I—DUTIABLE LIST

On amendment No. 1: The House bill, in referring to our possessions in Samoa, used the descriptive phrase "the island of Tutuila." The Senate amendment uses the phrase "American Samoa"; and the House recedes.

SCHEDULE 1. CHEMICALS, OILS, AND PAINTS

The following amendments make clerical changes and the House recedes: 35, 46, 54, 56, 59, 60, 61, 62, 63, 64, 70, and 183.

The following amendments make changes in subdivision references; and the House recedes: 44, 45, and 53.

The following amendments make changes in paragraph numbers and in references to paragraph numbers; and the House recedes: 75, 77, 78, 79, 82, 90, 91, 93, 95, 96, 97, 99, 100, 105, 107, 110, 114, 116, 117, 119, 120, 122, 123, 125, 126, 128, 130, 131, 133, 134, 135, 137, 139, 140, 142, 143, 144, 145, 146, 148, 150, 154, 156, 157, 173, 174, 175, 176, 177, 178, 179, 180, 182, 184, 185, 186, 187, 188, and 189.

On amendments Nos. 2 and 3: The House bill imposed a duty of three-fourths of 1 cent per pound on acetic acid containing by weight not more than 65 per cent of acetic acid, and of 2 cents per pound on that containing by weight more than 65 per cent. The Senate amendments increase these rates to 2 and 3 cents, respectively. The House recedes on amendment No. 2 with an amendment making the rate 1⅜ cents per pound in the first bracket and the Senate recedes on amendment No. 3.

On amendment No. 4: This amendment reduces from 5 cents to 2½ cents per pound the rate of duty imposed by the House bill on acetic anhydride; and the House recedes with an amendment making the rate 3½ cents per pound.

On amendment No. 5: This amendment reduced from 1½ cents to 1 cent per pound the rate of duty imposed by the House bill on boric acid; and the House recedes.

On amendment No. 6: This amendment reduces from 18 to 17 cents per pound the rate of duty imposed by the House bill on citric acid; and the House recedes.

On amendment No. 7: The House bill imposed a duty of 4 cents per pound on formic acid. The Senate amendment strikes out the reference to formic acid, the effect of which is to make formic acid dutiable at 25 per cent under the basket clause of paragraph 1; and the House recedes with an amendment making the rate 3 cents per pound.

On amendments Nos. 8, 9, and 10: The House bill imposed a duty of 6 cents per pound on tannic acid, tannin, and extracts of nutgalls, containing by weight of tannic acid less than 50 per cent; 12 cents per pound on that containing 50 per cent or more and not medicinal; and 22 cents per pound on that containing 50 per cent or more and medicinal. The Senate amendments reduce these rates to 4 cents, 10 cents, and 18 cents per pound, respectively; and the House recedes with amendments on amendments Nos. 8 and 9, making those rates 5 and 11 cents, respectively, and recedes on amendment No. 10.

On amendments Nos. 11 and 852: These amendments remove sulphide of arsenic and arsenious acid (white arsenic) from the free list and impose the following duties thereon: Arsenious acid or white arsenic, crude or refined, 2 cents per pound; sulphide and other arsenic salts and compounds, not specially provided for, containing 10 per cent or more of arsenic determined as arsenious acid or white arsenic, 2 cents per pound of arsenious acid or white arsenic contained therein; and the Senate recedes on both amendments.

On amendment No. 12: This amendment reduces from 10 cents to 6 cents per pound the rate of duty imposed by the House bill on gallic acid; and the House recedes.

On amendments Nos. 13 and 846: The House bill imposed a duty of one-half of 1 cent per pound on nitric acid. The Senate amendments place this article on the free list; and the House recedes on both amendments.

On amendment No. 14: The House bill does not specifically mention oleic acid or red oil, which fell under the basket clause of paragraph 1 at 25 per cent ad valorem. The Senate amendment specifically enumerates this article and imposes a specific duty thereon of 1½ cents per pound; and the House recedes with an amendment making the rate 20 per cent ad valorem.

On amendments Nos. 15 and 16: The House bill imposed a duty of 2 cents per pound on phosphoric acid containing by weight less than 80 per cent of phosphoric acid and 3½ cents per pound on that containing 80 per cent or more. The Senate amendments make all phosphoric acid dutiable at 2 cents per pound; and the House recedes on both amendments.

On amendment No. 17: The Senate amendment reduces from 15 cents to 10 cents per pound the rate imposed by the House bill on pyrogallic acid; and the House recedes with an amendment making the rate 12 cents per pound.

On amendment No. 18: This amendment imposes on carbon dioxide, weighing with immediate containers and carton 1 pound or less per carton, a duty of 1 cent per pound on contents, immediate containers and carton. Under the House bill the rate was 25 per cent, under the basket clause of paragraph 1. The House recedes.

On amendment No. 19: The Senate amendment reduces from 25 to 20 per cent the duty imposed by the House bill on acetone and ethyl methyl ketone, and their homologues, and acetone oil; and the House recedes.

On amendment No. 20: The Senate amendment reduces from three-tenths of 1 cent to one-fifth of 1 cent per pound the rate of duty imposed by the House bill on aluminum sulphate, alum cake or aluminous cake, containing not more than 15 per cent of alumina and more iron than the equivalent of one-tenth of 1 per cent of ferric oxide; and the House recedes.

On amendment No. 21: The House bill imposed a duty of one-fourth of 1 cent per pound on ammonium sulphate. Senate amendment No. 21 strikes out this provision, with the effect of transferring ammonium sulphate to the free list; and the House recedes.

On amendment No. 22: The House bill imposed a duty of 2 cents per pound on antimony oxide. The Senate amendment makes this article dutiable at the same rate as antimony regulus or metal, viz, 2 cents per pound under paragraph 376; and the Senate recedes.

On amendment No. 23: The Senate amendment reduces from $1 to 50 cents per pound the rate of duty imposed by the House bill on amber and amberoid unmanufactured, not specially provided for; and the House recedes.

On amendment No. 24: The House bill imposed a duty of 4 cents per pound and 30 per cent ad valorem on synthetic gums and resins not specially provided for. The Senate amendment strikes out this provision, the effect of which was to make the classification doubtful; and the Senate recedes.

On amendment No. 25: The House bill imposed a duty of 20 per cent ad valorem on bleached shellac. The Senate amendment strikes out the reference to bleached shellac in this paragraph, the effect of which is to make it free of duty under the free list provision for "lac" (par. 1707 of the Senate bill); and the House recedes.

On amendment No. 26: The Senate amendment reduces from $1.50 to $1 per pound the rate of duty imposed by the House bill on caffeine; and the House recedes with an amendment making the rate $1.25 per pound.

On amendment No. 27: The Senate amendment reduces from 90 cents to 60 cents per pound the rate of duty imposed by the House bill on caffeine citrate; and the House recedes with an amendment making this rate 75 cents per pound.

On amendment No. 28: Amendment 28 strikes out the duty imposed by the House bill of 1 cent per pound on impure tea, tea waste, tea siftings and sweepings, for manufacturing purposes, in bond. Amendment 1064 transfers these items to the free list. The House recedes on amendment No. 28.

On amendments Nos. 29, 889, and 890: Under the House bill crude calcium acetate was on the free list, with a proviso that if any country, dependency, province, or other subdivision of government should impose a duty on calcium acetate when imported from the Untied States, an equal duty should be imposed upon such article coming into the United States from such country, dependency, province, or other subdivision of government. Senate amendment No. 29 makes crude calcium acetate dutiable at 1½ cents per pound, while amendment No. 889 strikes out the reference to calcium acetate on the free list, and amendment No. 890 eliminates the countervailing duty in view of the action on amendment No. 29. The House recedes on amendment No. 29 with an amendment making the rate of duty 1 cent per pound, and recedes on amendments Nos. 889 and 890.

On amendment No. 30: This amendment reduces from 2½ cents to 1 cent per pound the rate of duty imposed by the House bill on carbon tetrachloride; and the House recedes.

On amendment No. 31: This amendment reduces from 6 cents to 4 cents per pound the rate of duty imposed by the House bill on chloroform; and the House recedes.

On amendment No. 32: The Senate amendment reduces from 35 to 25 per cent the rate of duty imposed by the House bill on tetrachloroethane and trichloroethylene; and the House recedes with an amendment making this rate 30 per cent ad valorem.

On amendment No. 33: The Senate amendment increases from 2½ cents to 5½ cents per pound the rate of duty imposed by the House bill on casein or lactarene and mixtures of which this article is the component material of chief value, not specially provided for; and the House recedes.

On amendment No. 34: The House bill imposed a duty of four-tenths of 1 cent per pound on chalk or whiting or Paris white, dry, ground, or bolted. The Senate amendment changes this rate to 25 per cent ad valorem; and the Senate recedes.

On amendments Nos. 36 and 941: The House bill imposed a duty of 10 cents per pound on crude chicle. The Senate amendments transfer this article to the free list; and the House recedes on both amendments.

On amendment No. 37: The Senate amendment reduces from 15 cents to 5 cents per pound the rate of duty imposed by the House bill on chicle refined or advanced in value by drying, straining, or any other process or treatment whatever beyond that essential to the proper packing; and the House recedes.

On amendment No. 38: This amendment imposed a duty of 20 cents per ounce on ethyl-hydrocupreine and salts and compounds thereof, which under the House bill were of doubtful classification; and the House recedes.

On amendment No. 39: This is a clarifying amendment; and the House recedes.

On amendments Nos. 47, 51, and 52: The House bill imposed a duty of 45 per cent ad valorem and 7 cents per pound on synthetic indigo and sulphur black, based on American selling price, or if there is no similar competitive domestic article, then on the United States value. The Senate amendments transfer synthetic indigo, "Colour Index No. 1177," and sulphur black, "Colour Index No. 978," to a separate subparagraph at the rate of 20 per cent ad valorem and 3 cents per pound on the same basis as the values under the House bill; and the House recedes on amendments 47 and 51, and recedes on amendment 52 with an amendment making a change in a section reference.

On amendments Nos. 50 and 124: The House bill retained the provision of the 1922 act specifying vanillin in paragraph 61 at 45 per cent ad valorem. The effect of language of existing law retained in the House bill in paragraph 28 was to make this article dutiable under paragraph 28 at 45 per cent ad valorem and 7 cents per pound, based on American selling price, or if there is no similar competitive domestic article, then on the United States value. The Senate amendments make a clarifying amendment by striking out the reference to vanillin in paragraph 61 and specifying it by name in paragraph 28; and the House recedes on both amendments.

On amendments Nos. 51 and 52: See amendment No. 47.

On amendments Nos. 55, 57, and 58: These amendments are made necessary by the action of the Senate in providing more than one specific duty in this paragraph; and the House recedes on all these amendments.

On amendment No. 68: The Senate amendment reduces from 35 cents to 30 cents per pound the rate of duty imposed by the House bill on collodion and other liquid solutions of pyroxylin, of other cellulose esters or ethers, or of cellulose; and the House recedes.

On amendment No. 69: This amendment is a clarifying amendment to make certain that the rate provided will apply to all waste wholly or in chief value of cellulose acetate; and the House recedes.

On amendment No. 71: The House bill imposed a duty of 45 per cent ad valorem on transparent sheets of cellulose, not exceeding three one-thousandths of 1 inch in thickness, chiefly used for wrapping, by whatever name known. The Senate amendment substitutes for this a duty of 45 per cent ad valorem on sheets, bands, and strips (whether known as cellophane or by any other name whatsoever), exceeding 1 inch in width but not exceeding three one-thousandths of 1 inch in thickness, made by any artificial process from cellulose, a cellulose hydrate, a compound of cellulose (other than cellulose acetate), or a mixture containing any of the foregoing, by solidification into sheets, bands, or strips; and the House recedes.

On amendment No. 72: The Senate amendment reduces from 35 to 30 per cent the rate of duty imposed by the House bill on compounds of cellulose, known as vulcanized or hard fiber, made wholly or in chief value of cellulose; and the House recedes.

On amendments Nos. 73 and 74: The House bill imposed a duty of one-fourth of 1 cent per pound on gentian, of 1 cent per pound on sarsaparilla root, of 25 per cent ad valorem on belladonna, digitalis, henbane, and stramonium, and of 10 cents per pound on ergot. Amendments Nos. 73 and 74 strike these articles off the dutiable list and amendment No. 992 places them on the free list. The House recedes on amendment No. 74 (striking out the duty on ergot) and recedes on amendment No. 73 with an amendment placing a duty of 20 per cent ad valorem on digitalis.

On amendment No. 76: Under the House bill amyl acetate is dutiable under the basket clause of this paragraph at 25 per cent ad valorem. The Senate amendment imposes a specific duty on this article of 7 cents per pound; and the House recedes.

On amendment No. 80: This amendment reduces from 2 cents to 1½ cents per pound the duty imposed by the House bill on formaldehyde solution or formalin; and the House recedes with an amendment making the rate 1¾ cents per pound.

On amendment No. 81: The House bill imposed a duty of 25 per cent ad valorem on hexamethylenetetramine. The Senate amendment changes this rate to 11 cents per pound; and the House recedes.

On amendment No. 83: The House bill imposed a duty of 20 per cent ad valorem and 5 cents per pound on edible gelatin valued at less than 40 cents per pound. The Senate amendment retains the ad valorem rate at 20 per cent, but reduces the specific rate to 3½ cents per pound; and the Senate recedes.

On amendments Nos. 84, 85, 86, and 87: The House bill imposed a duty of 25 per cent ad valorem and 2 cents per pound on gelatin, glue, glue size, and fish glue, not specially provided for, valued at less than 40 cents per pound, and of 25 per cent ad valorem and 8 cents per pound on that valued at 40 cents or more per pound. Senate amendments Nos. 84 and 86 reduce the ad valorem rates in both cases to 20 per cent, and amendments Nos. 85 and 87 reduce the specific rates to 1½ cents per pound and 7 cents per pound, respectively; and the Senate recedes on all these amendments.

On amendments Nos. 88 and 89: These amendments increase from 25 per cent to 30 per cent ad valorem the rate of duty imposed by the House bill on casein glue; and the House recedes on both amendments.

On amendment No. 92: The Senate amendment reduces from 20 to 10 per cent ad valorem the rate of duty imposed by the House bill on ink and ink powders not specially provided for; and the House recedes with an amendment making the rate 15 per cent on drawing inks and 10 per cent on ink and ink powders not specially provided for.

On amendment No. 94: This amendment reduces from 20 cents to 10 cents per pound the rate of duty imposed by the House bill on iodine, resublimed; and the House recedes.

On amendment No. 98: This amendment reduces from 25 per cent to 20 per cent ad valorem the rate of duty imposed by the House bill on extracts of licorice in pastes, rolls, or other forms; and the House recedes.

On amendment No. 101: The House bill did not specifically mention manufactures of carbonate of magnesia, which would probably be dutiable under paragraph 214 at 30 per cent ad valorem. The Senate amendment specifically mentions such articles and imposes a duty of 2 cents per pound thereon; and the House recedes.

On amendment No. 102: The Senate amendment reduces from 1 cent to one-half of 1 cent per pound the duty imposed by the House bill on magnesium sulphate or Epsom salts; and the House recedes with an amendment making the rate three-fourths of 1 cent per pound.

On amendment No. 103: The House bill imposed a duty of one-fourth of 1 cent per pound on kieserite. Amendment 103 strikes out this provision and amendment 964 transfers this article to the free list; and the House recedes on amendment 103.

On amendment No. 104: The Senate amendment reduces from 7 cents to 5 cents per pound the rate of duty imposed by the House bill on magnesium oxide or calcined magnesia; and the Senate recedes.

On amendment No. 106: The following table shows the duties upon menthol, natural crude camphor, natural refined camphor, and synthetic camphor, as proposed by the House bill, the Senate amendment, and as agreed to in conference:

Commodity	House bill	Senate amendments	Conference agreement
Menthol	75 cents per pound	30 cents per pound	50 cents per pound.
Natural crude camphor	1 cent per pound	1 cent per pound	1 cent per pound.
Natural refined camphor	6 cents per pound	5 cents per pound	5 cents per pound.
Synthetic camphor	1 cent per pound	do	Do.

The Senate amendment also contains a provision (retained under the conference agreement) the effect of which is to reduce the duty on synthetic camphor to 1 cent per pound if the President finds (1) at the end of three years after the enactment of the act, that the domestic production of synthetic camphor by quantity did not exceed 25 per cent of domestic consumption during the preceding six months, or (2) at the end of four years, that during the preceding six months the domestic production did not exceed 30 per cent of domestic consumption, or (3) at the end of five years, that during the preceding six months the domestic production did not exceed 50 per cent of such consumption.

On amendments Nos. 108 and 109: The House bill imposed a duty of 10 cents per gallon on crude sperm oil and 14 cents per gallon on sperm oil refined or otherwise processed. The Senate amendment reduces these rates to 6 cents and 12 cents per gallon, respectively; and the Senate recedes on both amendments.

On amendment No. 111: The Senate amendment increases from 4 15/100 cents to 4½ cents per pound the rate of duty imposed by the House bill on linseed or flaxseed oil, and combinations and mixtures in chief value of such oil; and the House recedes.

On amendments Nos. 112 and 113: The House bill imposed a duty of 8½ cents per pound on olive oil weighing with immediate container less than 40 pounds, the duty being based upon contents and "containers." The Senate amendments increase this rate to 9½ cents per pound on contents and "container"; and the House recedes on both amendments.

On amendment No. 115: The House bill imposed a duty of 5 cents per pound on soybean oil. The Senate amendment changes this rate to 2 7/8 cents per pound but not less than 45 per cent ad valorem; and the House recedes with an amendment making the rate 3½ cents per pound but not less than 45 per cent ad valorem.

On amendment No. 118: The Senate amendment reduces from 4 cents to 3 cents per pound the rate of duty imposed by the House bill on hydrogenated or hardened oils and fats; and the Senate recedes.

On amendments Nos. 121 and 998: The House bill imposed a duty of 25 per cent ad valorem on eucalyptus oil. Senate amendment No. 121 strikes out the reference to eucalyptus oil in paragraph 58 and amendment No. 998 places it on the free list. The House recedes on amendment No. 121 with an amendment making the rate 15 per cent ad valorem, and the Senate recedes on amendment No. 998.

On amendment No. 124: See amendment No. 50.

On amendment No. 127: The House bill imposed a duty of 25 per cent ad valorem on bath salts, whether or not having medicinal properties. The Senate amendment retains the 25 per cent rate on bath salts not perfumed, but increases the rate on perfumed bath salts (whether or not having medicinal properties) to 75 per cent ad valorem; and the House recedes.

On amendments Nos. 129 and 1011: The House bill imposed a duty of 15 per cent ad valorem on London purple. The Senate amendments transfer this article to the free list; and the House recedes on both amendments.

On amendment No. 132: The following table shows the duties upon paints, colors, and pigments, commonly known as artists', school, students', or children's paints or colors, as proposed by the House bill, the Senate amendments, and as agreed to in conference:

Commodity	House bill	Senate amendments	Conference agreement
Paints, colors, and pigments, commonly known as artists' colors, etc.:			
When in tubes, jars, cakes, pans, etc., not over 1½ pounds net weight—			
Valued at less than 20 cents per dozen pieces—			
Not assembled	40 per cent	1 cent each	⅝ of 1 cent each.
Assembled	70 per cent	70 per cent	70 per cent.
Valued at 20 cents or more per dozen pieces—			
Not assembled—			
In tubes or jars	2 cents each plus 40 per cent	40 per cent	2 cents each plus 40 per cent.
In cakes, pans, etc	1¼ cents each plus 40 per cent	do	1¼ cents each plus 40 per cent.
Assembled	70 per cent	70 per cent	70 per cent.
In bulk or in any form over 1½ pounds net weight	40 per cent	8¼ cents per ounce	8¼ cents per ounce.

The Senate amendment also contained a provision that no paints, etc., should take the above rates on assemblies unless imported in the identical form, container, and assortment of merchandise customarily and generally sold to the ultimate consumer or user. This provision as modified in conference provides that the paints shall not be considered as assembled unless assembled in such form and container and with such assortment of merchandise, as to be suitable for sale at retail to artists, students, or children as a paint set, kit, or color outfit.

On amendment No. 136: The House bill imposed a duty of 3 cents per pound on all ultramarine blue, dry, in pulp, or ground in or mixed with oil or water, and on all wash and other blues containing ultramarine. The Senate amendment increases the rate to 4 cents per pound in the case of any of the foregoing valued at more than 10 cents per pound, but retains the House rate on those valued at 10 cents per pound or less; and the House recedes:

On amendment No. 138: The Senate amendment reduces from 25 to 20 per cent the rate of duty imposed by the House bill on bone black or bone char and on blood char; and the House recedes.

On amendment No. 141: Under the House bill carbon black was not specifically enumerated, and was dutiable under paragraph 73 of the House bill at 20 per cent ad valorem. The Senate amendment specifically provides for this article at the lower rate of 15 per cent ad valorem; and the Senate recedes.

On amendment No. 147: The House bill imposed a duty of 22 cents per pound and 20 per cent ad valorem on vermilion reds containing quicksilver, dry or ground in or mixed with oil or water. The Senate amendment eliminates the ad valorem rate and increases the specific rate to 35 cents per pound; and the House recedes.

On amendment No. 149: The House bill imposed a duty of 1¾ cents per pound and 20 per cent ad valorem on lithopone and other combinations or mixtures of zinc sulphide and barium sulphate containing by weight 30 per cent or more of zinc sulphide. The Senate reduces this rate to 1¾ cents per pound; and the House recedes with an amendment making the rate 1¾ cents per pound and 15 per cent ad valorem.

On amendment No. 151: The Senate amendment reduces from 18 cents to 13 cents per pound the rate of duty imposed by the House bill on potassium citrate; and the House recedes with an amendment making the rate 14 cents per pound.

On amendment No. 152: The Senate amendment reduces from 2¼ cents to 1½ cents per pound the rate of duty imposed by the

House bill on potassium chlorate and potassium perchlorate; and the House recedes.

On amendment No. 153: The Senate amendment reduces from 5½ cents to 1 cent per pound the rate of duty imposed by the House bill on refined potassium nitrate or saltpeter; and the House recedes.

On amendment No. 155: This amendment makes dutiable at 25 per cent ad valorem lithium, beryllium, and caesium, which under the House bill were probably free of duty as metals unwrought. The House recedes.

On amendments Nos. 158 and 1045: The House bill imposed a duty of one-fourth of 1 cent per pound on sodium bicarbonate or baking soda. The Senate amendments transfer this article to the free list; and the House recedes on both amendments.

On amendments Nos. 159 and 879: The House bill imposed a duty of one-eighth of 1 cent per pound on refined sodium borate or borax. The Senate amendments transfer this article to the free list; and the Senate recedes on both amendments.

On amendments Nos. 160 and 1043: The House bill imposed a duty of 1½ cents per pound on sodium chlorate. The Senate amendments transfer this article to the free list; and the Senate recedes on both amendments.

On amendment No. 161: The Senate amendment reduces from 15 cents to 12 cents per pound the rate of duty imposed by the House bill on sodium citrate; and the House recedes.

On amendment No. 162: The Senate amendment reduces from 2¾ cents to 2 cents per pound the rate of duty imposed by the House bill on sodium formate; and the House recedes.

On amendment No. 163: The House bill imposed a duty of 3½ cents per pound on sodium oxalate. The Senate amendment changes this rate to 25 per cent ad valorem; and the House recedes with an amendment making the rate 2½ cents per pound.

On amendments Nos. 164 and 165: The House bill imposed a duty of 1 cent per pound on sodium phosphate (except pyro phosphate) containing by weight less than 45 per cent of water, and 2 cents per pound on sodium phosphate (except pyro phosphate) not specially provided for. Senate amendment No. 164 increases the rate on that containing by weight less than 45 per cent of water to 1½ cents per pound, and amendment No. 165 reduces the rate on that not specially provided for to three-fourths of 1 cent per pound; and the House recedes on both amendments.

On amendment No. 166: The Senate amendment reduces from 1¾ cents to 1½ cents per pound the rate of duty imposed by the House bill on sodium silicofluoride; and the House recedes.

On amendment No. 167: The Senate amendment reduces from $4 to $2 per ton the rate of duty imposed by the House bill on anhydrous sodium sulphate; and the House recedes with an amendment making the rate $3 per ton.

On amendments Nos. 168 and 169: The House bill imposed a duty of three-eighths of 1 cent per pound on sodium sulphide containing not more than 35 per cent of sodium sulphide, and three-fourths of 1 cent per pound on that containing more than 35 per cent. The Senate amendments increase these rates, respectively, to one-half of 1 cent per pound and 1 cent per pound; and the Senate recedes on both amendments.

On amendments Nos. 170, 171, and 172: The House bill imposed a duty of three-eighths of 1 cent per pound on sodium silicate, sulphite, bisulphite, metabisulphite, and thiosulphate. Senate amendments Nos. 170 and 172 increase the rate on sodium sulphite, bisulphite, and metabisulphite to one-half of 1 cent per pound, and amendment No. 171 reduces the rate on sodium silicate and thiosulphate to one-fourth of 1 cent per pound. The Senate recedes on all these amendments.

On amendments Nos. 181 and 1073: Under paragraph 1784 of the House bill, turpentine, gum and spirits of, and rosin were free of duty. Senate amendment No. 1073 strikes out the reference to these articles on the free list, and amendment No. 181 imposes a duty thereon of 10 per cent ad valorem. The House recedes on amendment No. 1073, and recedes on amendment No. 181 with an amendment making the rate 5 per cent ad valorem.

SCHEDULE 2—EARTHS, EARTHENWARE, AND GLASSWARE

The following amendment makes a clerical change, and the House recedes: 196.

The following amendment makes a change in paragraph number, and the Senate recedes: 192.

The following amendments make changes in paragraph and subparagraph references, and the House recedes: 197, 245, 250, and 252.

On amendment No. 190: This is a clerical amendment made necessary by amendments Nos. 191 and 193. The Senate recedes.

On amendment No. 191: The House bill did not specifically enumerate glazed earthen tiles commercially or commonly known as strips, or glazed earthern tiles commercially or commonly known as trimmers or trim, both such articles being dutiable at 10 cents per square foot (but not less than 50 nor more than 70 per cent ad valorem) if valued at not more than 40 cents per square foot; or 60 per cent ad valorem if valued at more than 40 cents per square foot. The Senate amendment specifically enumerates such strips and trimmers or trim and imposes the following duties: On strips of one color not exceeding 1 inch in width, 1¼ cents each; stenciled, regardless of color, not exceeding 1 inch in width, 1½ cents each; all the foregoing, if embossed or decorated except by stenciling, and all other strips, 60 per cent ad valorem; on trimmers or trim, one-fourth of 1 cent per square inch, but not less than 60 per cent. The Senate recedes.

On amendment No. 193: The House bill did not specifically enumerate so-called quarries or quarry tiles measuring seven-eighths of an inch or over in thickness, such articles being dutiable at the rates in paragraph 202 (a) of the House bill. The Senate amendment specifically enumerates these tiles and reduces the rate to 30 per cent ad valorem; and the Senate recedes.

On amendment No. 194: This amendment increases from five-sixteenths of 1 cent per pound to fifteen thirty-seconds of 1 cent per pound the House rate on crude magnesite; and the House recedes.

On amendment No. 198: The House bill imposed a duty of 50 per cent ad valorem on statues, statuettes, and bas-reliefs, wholly or in chief value of plaster of Paris, not specially provided for. The Senate amendment increases this rate to 60 per cent ad valorem; and the House recedes.

On amendment No. 199: The House bill imposed a duty of fifty-five one-hundredths of 1 cent per pound on wholly or partly manufactured pumice stone. The Senate amendment increases this rate to three-fourths of 1 cent per pound; and the House recedes.

On amendment No. 200: This amendment is a clarifying amendment changing the word "or" to "and"; and the House recedes.

On amendment No. 201: The House bill did not enumerate bentonite, which was dutiable as a clay or earth, not specially provided for, at $1 per ton if unwrought and unmanufactured or $2 per ton if wrought or manufactured. The Senate amendment specifically enumerates this article and makes the rates $1.50 and $3.25 per ton, respectively; and the House recedes.

On amendment No. 202: The Senate amendment reduces from $1.50 to $1 per ton the rate of duty imposed by the House bill on crude feldspar; and the House recedes.

On amendment No. 203: Under the House bill clays or earths artificially activated with acid or other material were not specifically provided for and were of doubtful classification. The Senate amendment specifically enumerates such clays or earths and imposes thereon a duty of one-fourth of 1 cent per pound and 30 per cent ad valorem; and the House recedes.

On amendments Nos. 204, 206, and 1056: The House bill imposed a duty of $4 per ton on silica crude, and of $7.50 per ton on silica suitable for use as a pigment, both when not specially provided for. Senate amendment No. 204 strikes out this language and amendment No. 206 restores crude silica, not specially provided for, at the reduced rate of $3.50 per ton, while amendment No. 1056 places silica, not specially provided for, on the free list. Amendment No. 206 also imposes a duty of $3.50 per ton on sand containing 95 per cent or more of silica and suitable for use in the manufacture of glass, not specially provided for, which was on the free list under paragraph 1770 of the House bill. The House recedes on amendment No. 204 with an amendment restoring silica, crude, not specially provided for, at $3.50 per ton, and recedes on amendment No. 1056. The House recedes on amendment No. 206 with an amendment making dutiable at $2 per ton sand containing 95 per cent or more of silica and not more than six-tenths of 1 per cent of oxide of iron and suitable for use in the manufacture of glass.

On amendment No. 205: The House bill imposed a duty of $8.40 per ton on fluorspar. The Senate amendment makes this rate applicable to fluorspar containing not more than 93 per cent of calcium fluoride, but reduces to $5.60 per ton the rate on fluorspar containing above 93 per cent of calcium fluoride; and the House recedes with an amendment making the content dividing line 97 per cent instead of 93 per cent.

On amendment No. 206: See amendment No. 204.

On amendment No. 207: This amendment rewrites and amplifies the House provisions in respect to mica. The House recedes

with an amendment making clarifying changes in respect of phlogopite. The following table shows the duties as proposed by the House bill, the Senate amendment, and the conference agreement:

Mica	House bill	Senate amendments	Conference agreement
Unmanufactured:			
Valued not above 15 cents per pound	4 cents per pound	4 cents per pound	4 cents per pound.
Valued above 15 cents per pound	2 cents per pound plus 25 per cent.	4 cents per pound plus 25 per cent.	4 cents per pound plus 25 per cent.
Cut or stamped to dimensions, shape, or form	30 per cent	40 per cent	40 per cent.
Films or splittings (not to dimensions):			
Not above 0.0012 inch thick	do	Films and splittings, 25 per cent	Films and splittings, 25 per cent.
Above 0.0012 inch thick	do	Films and splittings, 40 per cent	Films and splittings, 40 per cent.
Films or splittings (dimensioned)	40 per cent as manufactured	Films and splittings, 45 per cent	Films and splittings, 45 per cent.
Plates, built-up, and manufactures of	40 per cent	40 per cent	40 per cent.
Waste and scrap:			
Valued not above 5 cents per pound	20 per cent	25 per cent	25 per cent.
Valued above 5 cents and not above 15 cents per pound	do	4 cents per pound	4 cents per pound.
Valued above 15 cents per pound	do	4 cents per pound plus 25 per cent.	4 cents per pound plus 25 per cent.
Ground	do	20 per cent	20 per cent.
Phlogopite, untrimmed, of size stipulated:			
Valued not above 15 cents per pound	do	15 per cent	15 per cent.
Valued above 15 cents per pound	do	do	Do.

On amendment No. 208: The House bill imposed a duty of three-eights of 1 cent per pound on talc, steatite, or soapstone, and French chalk when ground, washed, powdered, or pulverized (except toilet preparations). The Senate amendment makes this duty 25 per cent ad valorem; and the House recedes with an amendment making this rate 35 per cent ad valorem.

On amendment No. 209: The House bill imposed upon decorated earthenware a duty of 10 cents per dozen pieces and 50 per cent ad valorem. The Senate amendment strikes out the specific rate and increases the ad valorem to 55 per cent; and the Senate recedes.

On amendments Nos. 210, 211, and 213: The House bill imposed upon china and porcelain, not decorated, etc., a duty of 10 cents per dozen pieces and 60 per cent ad valorem, and upon the decorated, etc., a duty of 10 cents per dozen pieces and 70 per cent ad valorem. Senate amendments 210 and 211 strike out the specific duties of 10 cents per dozen pieces and amendment No. 213 imposes an additional duty of 10 cents per dozen separate pieces on all "tableware, kitchenware, and utensils." The House recedes on amendments Nos. 210 and 211 and recedes on amendment No. 213 with an amendment making it more clear that the utensils specified are only table and kitchen utensils.

On amendment No. 212: Under the House bill any china or porcelain containing 25 per cent or more of calcined bone was dutiable at the rates applicable under that paragraph to articles not containing that percentage of calcined bone. The Senate amendment reduces the rate on such articles to 50 per cent ad valorem if not decorated, etc., and to 55 per cent if decorated, etc.; and the Senate recedes.

On amendment No. 214: The House bill imposed upon graphite or plumbago, crude or refined, if crystalline lump, chip, or dust, a duty of 25 per cent ad valorem and of 1¼ cents per pound if crystalline flake. The Senate amendment eliminates the House classification and makes all crystalline graphite dutiable at 2 cents per pound; and the House recedes with an amendment restoring the House classification and making the rates, respectively, 30 per cent ad valorem and 1.65 cents per pound.

On amendment No. 215: The House bill contained a definition of the term "crystalline flake." The Senate amendment eliminates this definition but inserts definitions of the terms "amorphous" and "crystalline"; and the Senate recedes.

On amendment No. 216: The House bill imposed a duty of 45 per cent ad valorem on carbons and electrodes, of whatever material composed, and wholly or partly manufactured, for producing electric arc light. The Senate amendment increases to 60 per cent the rate of duty on such articles if less than one-half inch in diameter or of equivalent cross-sectional area; and the House recedes.

On amendments Nos. 217, 219, 220, and 242: Amendment 219 (together with amendments Nos. 217 and 242) imposes a rate of 65 per cent on glass rods, which under the House bill were dutiable either at 85 per cent under subparagraph (a) of paragraph 218, or at 50 per cent under paragraph 230, or at 40 per cent under paragraph 231, and a rate of 40 per cent ad valorem on rods of fused quartz or silica, which under the House bill were dutiable at 50 per cent under subparagraph (a) of paragraph 218, or at 30 per cent under paragraph 214, and a rate of 65 per cent on glass canes, which under the House bill were dutiable at 50 per cent under paragraph 230. Amendments Nos. 219 and 220 reduce from 65 per cent to 55 per cent the rate of duty imposed by the House bill on gauge glass tubes. The House recedes on amendments Nos. 217, 219, and 242, and recedes on amendment No. 220 with an amendment making the rate on gauge glass tubes 60 per cent.

On amendment No. 218: This is a clarifying amendment; and the House recedes.

On amendment No. 221: The House bill imposed a duty of 65 per cent ad valorem upon illuminating articles of every description, including chimneys, globes, shades, and prisms, for use in connection with artificial illumination, finished or unfinished, composed wholly or in chief value of glass. The Senate amendment increases the duty on globes and shades to 70 per cent ad valorem; and reduces the other duties as follows: Prisms, glass chandeliers, and articles in chief value of prisms, to 30 per cent; chimneys, to 55 per cent; all other, to 60 per cent ad valorem. The amendment also adds a proviso that parts, not specially provided for, wholly or in chief value of glass (including cased glass), shall be subject to the same rate of duty as the articles of which they are parts. The House recedes with an amendment eliminating as surplusage the words "including cased glass" wherever they appear in the Senate text, and making the rate on prisms, glass chandeliers, and articles in chief value of prisms, 60 per cent.

On amendment No. 222: The House bill imposed a duty of 70 per cent ad valorem on bottles and jars, wholly or in chief value of glass, of the character used or designed to be used as containers of perfume, talcum powder, toilet water, or other toilet preparations, and on bottles, vials and jars, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers. The Senate amendment limits the application of the subparagraph in the case of bottles, vials, and jars, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers, to such articles when suitable for use and of the character ordinarily employed for the holding or transportation of merchandise. It reduces to 25 per cent the duty on all articles in the subparagraph made by automatic machine and increases to 75 per cent the duty on such articles when otherwise produced. The amendment further provides that for the purposes of the subparagraph no regard shall be had to the method of manufacture of the stoppers or covers. The House recedes.

On amendment No. 223: The House bill provided that the specific rates of duty on cylinder, crown, and sheet glass should not be less than 50 per cent ad valorem. The Senate amendment strikes out this minimum duty; and the House recedes with an amendment retaining the House provision but limiting the application of the minimum duty to glass weighing less than 16 but not less than 12 ounces per square foot.

On amendment No. 224: The House bill provides that cylinder, crown, and sheet glass, imported in boxes, shall contain 50 square feet, as nearly as sizes will permit, and the duty shall be computed thereon according to the actual weight of the glass. The Senate amendment denies entry to such glass unless packed in units containing 50 square feet or 100 square feet, or multiples of either; and the House recedes with an amendment striking out certain surplus language.

On amendment No. 225: The House bill imposes upon rolled glass, not sheet glass, whether or not fluted, figured, ribbed, or rough, or the same containing a wire netting within itself, various specific duties per square foot according to size and weight, with the proviso that such glass when ground wholly or in part, and rolled or sheet glass not less than one-fourth of 1 inch in thickness when obscured in any manner, should be subject to the same rate of duty as plate glass. The Senate amendment eliminates the specific duties per square foot, im-

poses a duty of 1½ cents per pound, and strikes out the proviso (which is reinserted with changes by amendment No. 229 as a separate subparagraph); and the House recedes.

On amendment No. 226: The House bill imposed on plate glass, by whatever process made, exceeding 384 but not exceeding 720 square inches, a duty of 19 cents per square foot and on all above that, 22 cents per square foot. The Senate amendment makes the rate 17 cents if such glass exceeds 384, but does not exceed 1,008 square inches, and 19¾ cents per square foot above that; and the House recedes with an amendment inserting an additional bracket at the rate of 17½ cents per square foot on plate glass exceeding 720, but not exceeding 1,008 square inches.

On amendment No. 227: The House bill provided that the duty in the case of plate glass measuring one-half of 1 inch or over should not be less than 50 per cent ad valorem. The Senate amendment makes the dividing line three-eighths of 1 inch; and the Senate recedes.

On amendment No. 228: The House bill imposed on plate glass containing a wire netting within itself, not exceeding 384 square inches, a duty of 17 cents per square foot. The Senate amendment reduces this duty to 13½ cents per square foot; and the House recedes with an amendment making the rate 15 cents per square foot.

On amendment No. 229: The House bill by a proviso in paragraph 221, stricken out by amendment No. 225, provided that rolled, cylinder, crown, and sheet glass, when ground in whole or in part, and rolled or sheet glass not less than one-fourth of 1 inch in thickness when obscured in any manner, should be subject to the same rate of duty as plate glass. Amendment 229 inserts a new subparagraph at the end of paragraph 222 and provides that rolled, cylinder, crown, and sheet glass, not plate glass, if ground wholly or in part (whether or not polished) otherwise than for the purpose of ornamentation, or if one-fourth of 1 inch or more in thickness and obscured by coloring prior to solidification, shall be subject to the duties provided for plate glass in subparagraph (a) or (b) of this paragraph; if any of the foregoing is subjected to any of the processes specified in paragraph 224, the additional duty provided therein shall apply. The House recedes.

On amendment No. 230: The House bill imposed a duty of 17 cents per square foot on plate, cylinder, crown, and sheet glass, by whatever process made, when made into mirrors, finished or partly finished, exceeding in size 144 square inches and not exceeding 384 square inches. The Senate amendment reduces this duty to 13½ cents per square foot; and the House recedes with an amendment making the rate 15 cents per square foot.

On amendment No. 231: This amendment makes applicable to rolled glass the additional duty of 5 per cent ad valorem provided by the House bill on plate, cylinder, crown, or sheet glass subjected to certain processes, such as obscuration, coloring, etc.; and the House recedes.

On amendment No 232: This amendment strikes out certain language as surplusage; and the House recedes.

On amendment No. 233: The House bill imposed upon cylinder, crown, and sheet glass, and amendment 231, agreed to by the conference, imposes upon rolled glass an additional duty of 5 per cent ad valorem if colored. Amendment No. 233 excepts from this additional duty by reason of coloring, glass not less than one-fourth of 1 inch in thickness when obscured by coloring prior to solidification, which glass under the action of the conference heretofore referred to in connection with amendment No. 229, has already been made dutiable at the plate-glass rates. The House recedes.

On amendment No. 234: The House bill imposed a duty of 50 per cent ad valorem on optical glass or glass used in the manufacture of lenses or prisms for spectacles, or for optical instruments or equipment, or for optical parts, scientific or commercial, in any and all forms. The Senate amendment reduces this duty to 45 per cent; and the Senate recedes.

On amendment No. 235: This amendment makes a change in the House text for purposes of clarity; and the House recedes.

On amendment No. 236: This amendment makes it clear that prism binoculars are not to be classified as opera or field glasses, being provided for in subparagraph (a); and the House recedes.

On amendment No. 237: This amendment makes a change in the House text for purposes of clarity; and the House recedes.

On amendment No. 238: The House bill imposed a duty of 30 per cent ad valorem on incandescent electric-light bulbs and lamps, with filaments. The Senate amendment makes this rate applicable to such bulbs with filaments of carbon or other nonmetallic material, but reduces the rate to 20 per cent in respect of such bulbs containing metal filaments; and the House recedes.

On amendment No. 239: The House bill imposed a duty of 50 per cent ad valorem on glass mirrors, not specially provided for, not exceeding in size 144 square inches, with or without frames or cases. The Senate amendment excepts framed or cased mirrors in chief value of gold, platinum, or silver; and the House recedes.

On amendment No. 240: This amendment strikes out as surplusage the proviso in the House bill which provides that no mirror in a frame or case (unless such mirror, exclusive of the frame or case, is the component of chief value) shall be classified under paragraph 230, if it has a substantial use other than as a mirror; and the House recedes.

On amendment No. 241: This amendment rewrites the provision of the House bill for glass ruled or etched in any manner, and manufactures of such glass, without change in rate; and the House recedes.

On amendment No. 242: The House bill imposed a duty of 40 per cent ad valorem on opal, enamel, or cylinder glass rods. The Senate amendment eliminates rods (see amendment 217); and the House recedes.

On amendment No. 243: The House bill imposed an additional duty of 3 cents per superficial foot on slabs and paving tiles of marble, breccia, or onyx, if rubbed or polished. The Senate amendment makes this rate applicable to such articles if rubbed in whole or in part, but increases the additional duty to 6 cents per superficial foot if polished in whole or in part, whether or not rubbed; and the House recedes.

On amendments Nos. 244 and 887: The House bill imposed a duty of 15 per cent ad valorem on burrstones, manufactured or bound up into millstones. Senate amendment No. 244 strikes out this duty and amendment No. 887 places such articles on the free list. The House recedes on amendment No. 244 and recedes on amendment No. 887 with an amendment making a change in paragraph number.

On amendments Nos. 246 and 247: The House bill imposed a duty of 60 per cent ad valorem upon granite suitable for use as monumental, paving, or building stone, if pitched or lined, and excepted such granite from the 25 cents per cubic foot duty on unmanufactured granite. The Senate amendments strike out the words "pitched, lined"; and the Senate recedes on both amendments.

On amendment No. 248: The House bill imposed a duty of 25 cents per cubic foot on travertine stone, unmanufactured, or not dressed, hewn, or polished. The Senate amendment reduces the duty to 20 cents per cubic foot; and the Senate recedes.

On amendment No. 249: The House bill imposed a duty of $1.75 per ton on grindstones, finished or unfinished. Senate amendment No. 249 strikes out this provision and amendment No. 950 places these articles upon the free list. The House recedes on amendment No. 249.

On amendment No. 251: The House bill imposed a duty of 15 per cent ad valorem on slate, slates, slate chimney pieces, mantels, slabs for tables, roofing slates, and all other manufactures of slate, not specially provided for. The Senate amendment increases this duty to 25 per cent ad valorem; and the House recedes.

SCHEDULE 3.—METALS AND MANUFACTURES OF

The following amendments make changes in paragraph, subparagraph, and clause references, and the House recedes: 280, 352, 353, 354, 356, 357, 361, and 362.

On amendment No. 253: The House bill imposed a duty of $1.12½ per ton on iron in pigs and iron kentledge. The Senate amendment reduces this rate to 75 cents per ton; and the Senate recedes.

On amendments Nos. 254 and 269: Under the House bill granular or sponge iron was dutiable in paragraph 303 at various rates, depending on the value of the article, the lowest rate being $4.48 per ton and the average rate being $6.72 per ton. Amendment No. 269 strikes out the reference to this article in paragraph 303 and amendment No. 254 inserts it in paragraph 301 at the rate of 75 cents per ton. The House recedes on amendment No. 269 and recedes on amendment No. 254, with an amendment making the rate $2.25 per ton.

On amendments Nos. 255 and 256: These amendments specifically mention hammer scale, roll scale, and mill scale. Under the House bill these articles are dutiable as scrap steel or iron at the same rate (75 cents per ton), and the House recedes on both amendments.

On amendment No. 257: The House bill imposed an additional duty of 4 cents per pound on the chromium content in excess of two-tenths of 1 per cent in the products provided for in paragraph 301. The Senate amendment reduces this additional duty to 3 cents per pound; and the House recedes.

On amendment No. 258: The House bill imposed a duty of 1 cent per pound on the metallic manganese content of manganese ore or concentrates containing in excess of 30 per cent of metallic manganese. The Senate amendment makes the duty applicable whenever the content is in excess of 10 per cent manganese, and includes within the provision ferruginous manganese ore (which was free of duty under the House bill, prob-

ably as a crude mineral) and manganiferous iron ore (which was free of duty under paragraph 1698 of the House bill); and the House recedes.

On amendments Nos. 259 and 260: The House bill imposed a duty of 60 cents per pound on the tungsten content and 25 per cent ad valorem on ferrotungsten, metallic tungsten, tungsten powder, tungstic acid, and all other compounds of tungsten. The Senate amendments rewrite the House text transferring ferrotungsten to subparagraph (h) of paragraph 302 without change of rate; increasing the rate on lumps, grains, or powders of tungsten metal, tungsten carbide, or of mixtures or combinations containing tungsten metal or tungsten carbide, to 60 cents per pound on the tungsten content and 50 per cent ad valorem; and increasing the rate on tungstic acid and all other compounds of tungsten n. s. p. f. to 60 cents per pound on the tungsten content and 40 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 261: The House bill imposed a duty of 5 cents per pound on silicon aluminum, aluminum silicon, alsimin, ferrosilicon aluminum, and ferroaluminum silicon. The Senate amendment reduces the rate on silicon aluminum and aluminum silicon to 3½ cents per pound, changes the rate on ferrosilicon aluminum and ferroaluminum silicon to 25 per cent ad valorem, strikes out the trade name "alsimin" (which remains dutiable as ferrosilicon aluminum or ferroaluminum silicon), and makes the foregoing rates applicable only when aluminum is not the component material of chief value; and the Senate recedes.

On amendments Nos. 262 and 263: The House bill imposed a duty of 3½ cents per pound on the chromium content of ferrochrome or ferrochromium containing 3 per cent or more of carbon, and 30 per cent ad valorem on that containing less than 3 per cent, and the same rate on chrome metal or chromium metal. The Senate amendments reduce these rates, respectively, to 2½ cents per pound and 25 per cent ad valorem; and the House recedes on amendment No. 262 and the Senate recedes on amendment No. 263.

On amendment No. 264: Under the House bill tantalum and tantalum alloys n. s. p. f. are not specifically mentioned and are probably free of duty as metals unwrought, not specially provided for. The Senate amendment imposes a duty of 25 per cent ad valorem on tantalum and on specified tantalum alloys; and the House recedes.

On amendment No. 265: The House bill imposed a duty of $2 per pound on cerium metal. The Senate amendment reduces this rate to $1 per pound; and the Senate recedes.

On amendment No. 266: The House bill imposed a duty of $2 per pound and 25 per cent ad valorem on ferrocerium and all other cerium alloys. The Senate amendment retains the ad valorem rate but reduces the specific rate to $1 per pound; and the Senate recedes.

On amendments Nos. 267 and 268: Under the House bill ductile columbium or niobium metal was dutiable under subparagraph (n) of paragraph 302 at 25 per cent ad valorem and ductile nonferrous alloys of columbium or niobium metal were dutiable at 40 per cent ad valorem as ductile nonferrous alloys of tantalum under subparagraph (r). The Senate amendments make these products dutiable under subparagraph (r) at 40 per cent ad valorem; and the House recedes.

On amendment No. 269: See amendment No. 254. The House recedes.

On amendment No. 270: The House bill imposed a duty of two-tenths of 1 cent per pound on muck bars, pieces thereof except crop ends, bar iron, and round iron in coils or rods, iron in slabs, blooms, loops, or other forms less finished than iron in bars and more advanced than pig iron, except castings, when valued at not more than 1 cent per pound. The Senate amendment eliminates this bracket, the effect of which is to increase the rate on such articles to three-tenths of 1 cent per pound; and the House recedes.

On amendment No. 271: The House bill imposed a duty of two-tenths of 1 cent per pound on steel ingots, cogged ingots, blooms and slabs, by whatever process made; die blocks or blanks; billets and bars, whether solid or hollow; shafting; pressed, sheared, or stamped shapes, not advanced in value or condition by any process or operation subsequent to the process of stamping; hammer molds or swaged steel; gun-barrel molds not in bars; concrete reinforcement bars; all descriptions and shapes of dry sand, loam, or iron molded steel castings; sheets and plates and steel not specially provided for; all the foregoing valued at not over 1 cent per pound; the Senate amendment eliminates this bracket, the effect of which is to increase the rate on such articles to three-tenths of 1 cent per pound; and the House recedes.

On amendment No. 272: The House bill imposed an additional duty of 1.3 cents per pound on hollow bars and hollow drill steel valued at more than 4 cents per pound. The Senate amendment eliminates this additional duty; and the House recedes with an amendment making the additional duty three-fourths of 1 cent per pound.

On amendment No. 273: In addition to the duties provided for in paragraphs 303, 304, 307, 308, 312, 313, 315, 316, 317, 318, 319, 322, 323, 324, 327, and 328, the House bill imposed an additional ad valorem duty on all steel or iron, in all forms and shapes, by whatever process made, and by whatever name designated, whether cast, hot or cold rolled, forged, stamped, or drawn, when such steel or iron contains any alloying element in excess of certain designated percentages; and additional cumulative specific duties on the vanadium tungsten, molybdenum, or chromium contained in such steel or iron in excess of certain designated percentages. The Senate amendment rewrites the House text so as to subject to the additional duties the iron and steel in all the articles enumerated or described in such paragraphs as well as in the materials; and the House recedes.

On amendment No. 274: Under the House bill one of the cumulative duties referred to in the explanation of amendment No. 273 was a duty of 4 cents per pound on the chromium content in excess of two-tenths of 1 per cent. The Senate amendment reduces the rate to 3 cents per pound (applicable as explained in connection with amendment No. 273); and the House recedes.

On amendment No. 275: The House bill imposed a duty of seven-twentieths of 1 cent per pound on boiler or other plate iron or steel, except crucible plate steel and saw plate steel, not thinner than one hundred and nine one-thousandths of 1 inch, cut or sheared to shape or otherwise, or unsheared, and skelp iron or steel sheared or rolled in grooves, all the foregoing valued at 1 cent per pound or less. The Senate amendment eliminates this bracket, the effect of which is to increase the rate on such articles to five-tenths of 1 cent per pound; and the House recedes.

On amendments Nos. 276, 277, and 278: The Senate amendments eliminate the term "building forms" since it has no meaning in the trade; and the House recedes.

On amendment No. 279: The House bill imposed a duty of 20 per cent ad valorem on rivet, screw, fence, and other iron or steel wire rods, whether round, oval, or square, or in any other shape, nail rods and flat rods up to 6 inches in width ready to be drawn or rolled into wire or strips, all the foregoing in coils or otherwise valued at over 4 cents per pound. The Senate amendment changes this rate to six-tenths of 1 cent per pound; and the House recedes.

On amendments Nos. 281 and 282: See amendment No. 284.

On amendment No. 283: The House bill imposed a duty of 40 per cent ad valorem on wire rope. The Senate amendment reduces this rate to 35 per cent; and the House recedes.

On amendments Nos. 284, 281, and 282: Under the House bill, wire composed of tungsten or molybdenum was dutiable under subparagraph (a) of paragraph 316 at 25 per cent ad valorem if uncovered, and at 35 per cent ad valorem if covered. Senate amendments Nos. 281 and 282 except tungsten and molybdenum wire from the provisions of subparagraph (a) and amendment No. 284 specifically provides for such wire at 60 per cent ad valorem. The House recedes on amendments Nos. 281 and 282. Ingots and shot containing tungsten or molybdenum are dutiable in the House bill under paragraph 302 at 60 cents per pound on the tungsten content and 25 per cent ad valorem if of tungsten, and if of molybdenum at 50 cents on the molybdenum content and 15 per cent ad valorem. Bars, sheets, or other forms (except wire) not specially provided for, containing more than 50 per cent of tungsten or molybdenum or their carbides, are dutiable under the House bill at 50 per cent in paragraph 398, and scrap of the same materials, probably is dutiable under the provision for waste, not specially provided for, in paragraph 1555. Senate amendment No. 284 makes all the foregoing dutiable at 60 per cent ad valorem; and the House recedes on this amendment with an amendment making the rate 50 per cent ad valorem in the case of ingots, shot, bars, and scrap, but retaining the 60 per cent rate in the case of sheets, wire, or other forms.

On amendment No. 285: The House bill imposed a duty of 55 per cent ad valorem on Fourdrinier wires and cylinder wires, suitable for use in paper-making machines (whether or not parts of or fitted or attached to such machines), and on woven-wire cloth suitable for use in the manufacture of Fourdrinier wires or cylinder wires. The Senate amendment reduces this rate to 40 per cent ad valorem; and the House recedes with an amendment making the rate 50 per cent ad valorem.

On amendments Nos. 286 and 287: The House bill excepted from the provisions of this paragraph autoclaves, catalyst chambers or tubes, converters, reaction chambers, scrubbers, separators, shells, stills, ovens, soakers, penstock pipes, cylinders,

containers, drums, and vessels, any of the foregoing provided for in paragraph 327 (relating to castings of iron). The Senate amendments except from the paragraph any of the foregoing made of cast steel, and any of the foregoing made of cast iron whether or not provided for in paragraph 327; and the House recedes on both amendments.

On amendment No. 288: The House bill refers to articles of a certain diameter, and the Senate amendment specifies that the diameter of the articles provided for in this paragraph shall be determined as the largest inside diameter, exclusive of nonmetallic lining; and the House recedes.

On amendment No. 289: The House bill imposed a duty of 40 per cent ad valorem on autoclaves, catalyst chambers or tubes, converters, reaction chambers, scrubbers, separators, shells, stills, ovens, soakers, penstock pipes, cylinders, containers, drums, and vessels, any of the foregoing composed wholly or in chief value of iron or steel, by whatever process made (see amendments Nos. 286 and 287), wholly or partly manufactured, if over 20 inches in diameter (see amendment No. 288) and having metal walls 1¼ inches or more in thickness, and parts for any of the foregoing. The Senate amendment reduces this rate to 25 per cent; and the House recedes with an amendment making the rate 35 per cent ad valorem.

On amendment No. 290: The House bill imposed a duty of 30 per cent ad valorem on cast-iron pipe of every description, and cast-iron fittings for cast-iron pipe. The Senate amendment reduces this rate to 25 per cent; and the House recedes.

On amendments Nos. 291 and 389: Under the House bill, molders' patterns wholly or in chief value of metal were dutiable under the basket clause of the metal schedule (par. 398) at 50 per cent ad valorem, and those wholly or in chief value of wood were provided for in paragraph 413 of the House bill at 40 per cent ad valorem. Senate amendment No. 389 strikes out the reference to molders' patterns in paragraph 413 of the House bill and amendment No. 291 specifically provides for all molders' patterns, of whatever material composed, for the manufacture of castings, at 50 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 292: Under the House bill, staples, in strip form, for use in paper fasteners or stapling machines were dutiable in this paragraph as staples not specially provided for at six-tenths of 1 cent per pound. The Senate amendment specifically provides for this article and increases the rate to 10 cents per pound; and the House recedes with an amendment making the rate 2 cents per pound.

On amendment No. 293: The House bill imposed a duty of 11 cents per pound and 55 per cent ad valorem on table, household, kitchen, and hospital utensils, and hollow or flat ware, not specially provided for, composed wholly or in chief value of aluminum. The Senate amendment eliminates the specific duty and reduces the ad valorem duty to 25 per cent; and the House recedes with an amendment making the rate 8⅓ cents per pound and 40 per cent ad valorem.

On amendment No. 294: The House bill imposed an additional duty of 10 per cent ad valorem on table, household, kitchen, and hospital utensils, provided for in this paragraph when containing electrical heating elements as constituent parts thereof. The Senate amendment strikes out this additional duty; and the House recedes with an amendment making it clear that the rates specified in paragraph 339 apply to the articles named therein whether or not the articles contain such electrical heating elements.

On amendments Nos. 295 and 296: The House bill imposed a duty of $1.50 per thousand and 50 per cent ad valorem on crochet needles or hooks. The Senate amendments reduce this rate to $1.15 per thousand and 40 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 297: The House bill imposed a duty of 50 per cent ad valorem on tape, knitting, and all other needles, not specially provided for, on bodkins of metal, and on needlecases or needlebooks furnished with assortments of needles or combinations of needles and other articles. The Senate amendment reduces this rate to 45 per cent ad valorem; and the House recedes.

On amendment No. 298: Under the House bill belt buckles, trouser buckles, waistcoat buckles, shoe or slipper buckles, and parts thereof, made wholly or partly of iron, steel, or other base metal, valued at more than $1.66⅔ per hundred, were dutiable under paragraph 1527 (c) (2) at the following cumulative rates: 1 cent each and in addition thereto three-fifths of 1 cent per dozen for each 1 cent the value exceeds 20 cents per dozen, and 50 per cent ad valorem. The Senate amendment removes this class of buckles from paragraph 1527 by specifically providing for them at a rate of 20 cents per hundred, plus an additional duty of 20 per cent ad valorem; and the Senate recedes.

On amendment No. 299: The House bill imposed a duty of 15 cents per gross on pens, not specially provided for, of plain or carbon steel and 18 cents per gross on those of other metal. The Senate amendment makes all metallic pens, not specially provided for, dutiable at 12 cents per gross; and the Senate recedes.

On amendment No. 300: The Senate amendment eliminates the term "drill bits," as it is not an accurate trade designation, and inserts in lieu thereof the more accurate designation "drills"; and the House recedes.

On amendment No. 301: This amendment makes clear that the 50 per cent rate provided in paragraph 352 will be confined to metal-cutting tools; and the House recedes.

On amendment No. 302: The House bill imposed a rate of 60 per cent ad valorem on certain tools containing more than certain percentages of vanadium, tungsten, molybdenum, or chromium. The Senate amendment makes this rate also applicable to cutting tools not for metal cutting; and the House recedes.

On amendment No. 303: This amendment makes it clear that the provisions of paragraph 352, imposing duties on certain metal-cutting and other cutting tools, shall not apply to holding or operating devices; and the House recedes.

On amendment No. 304: This amendment makes it clear that the rates imposed by paragraph 353 on electrical telegraph apparatus, wholly or in chief value of metal, shall apply to electrical telegraph printing and typewriting apparatus; and the House recedes.

On amendment No. 305: The Senate amendment excepts laboratory instruments from paragraph 353 (electrical instruments), the effect of which is to transfer them to paragraph 360, which provides for laboratory instruments; and the House recedes.

On amendment No. 306: The House bill imposed a duty of 40 per cent ad valorem on all articles suitable for producing, rectifying, modifying, controlling, or distributing electrical energy; electrical telegraph, telephone, signaling, radio, welding, ignition, wiring, therapeutic, and X-ray apparatus, instruments, and devices; and articles having as an essential feature an electrical element or device, such as electric motors, fans, locomotives, portable tools, furnaces, heaters, ovens, ranges, washing machines, refrigerators, and signs; all the foregoing, and parts thereof, finished or unfinished, wholly or in chief value of metal, and not specially provided for. The Senate amendment reduces this rate to 30 per cent; and the House recedes with an amendment making the rate 35 per cent ad valorem.

On amendment No. 307: The House bill imposed a duty of 2 cents each and 50 per cent ad valorem on penknives, pocketknives, clasp knives, pruning knives, budding knives, erasers, manicure knives, and all knives by whatever name known, including such as are denominatively mentioned in this act, which have folding or other than fixed blades or attachments, valued at not more than 40 cents per dozen. The Senate amendment reduces the specific rate to 1 cent each but retains the ad valorem rate at 50 per cent; and the House recedes with an amendment making the specific rate 1¼ cents each.

On amendment No. 308: Under the House bill hand forceps were dutiable under this paragraph at 60 per cent ad valorem, and manicure or pedicure nippers were dutiable under paragraph 361 at 10 cents each and 60 per cent ad valorem if valued at not more than $2 per dozen, or 20 cents each and 60 per cent ad valorem if valued at more than $2 per dozen. Senate amendment No. 308 strikes out the reference to hand forceps, which in effect makes this article dutiable under paragraph 359, if surgical or dental forceps, or under paragraph 360, if scientific or laboratory forceps. The amendment also specifically provides for manicure and pedicure nippers at 60 per cent ad valorem without the additional specific duty. The House recedes.

On amendment No. 309: In addition to the specific duties provided on straight razors and parts thereof, finished or unfinished, the House bill imposed an ad valorem duty of 45 per cent. The Senate amendment reduces this ad valorem rate to 30 per cent; and the House recedes.

On amendment No. 310: This is a clarifying amendment; and the House recedes.

On amendment No. 311: The House bill imposed a duty of 70 per cent ad valorem on surgical instruments and parts thereof, including hypodermic needles, hypodermic syringes, and forceps, composed wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished. The Senate amendment reduces this rate to 45 per cent; and the House recedes with an amendment making the rate 55 per cent ad valorem, except that the rate on any of the foregoing in part

of the metals enumerated, but in chief value of glass, is retained at 70 per cent.

On amendment No. 312: The House bill imposed a duty of 60 per cent ad valorem on dental instruments and parts thereof, including hypodermic needles, hypodermic syringes, and forceps, wholly or in part of iron, steel, copper, brass, nickel, aluminum, or other metal, finished or unfinished. The Senate amendment reduces this rate to 35 per cent; and the House recedes with an amendment agreeing to the 35 per cent rate, except that the rate on any of the foregoing in part of the metals enumerated, but in chief value of glass, is retained at 60 per cent.

On amendment No. 313: The Senate amendment eliminates the term "philosophical" as applied to instruments, apparatus, etc., as being no longer in commercial use, the intent being sufficiently covered by the words "scientific and laboratory" and "surveying and mathematical"; and the House recedes.

On amendments Nos. 314 and 315: The House bill imposed a duty of 40 per cent ad valorem on drawing instruments and parts thereof, wholly or in chief value of metal, and not plated with gold, silver, or platinum, finished or unfinished, not specially provided for. The Senate amendments increase the rate to 60 per cent, the designation being changed to "drawing instruments, and parts thereof, wholly or in chief value of metal"; and the House recedes on both amendments with an amendment making the rate 45 per cent ad valorem.

On amendment No. 316: This amendment is made necessary by the conference agreement on amendment No. 308; and the House recedes.

On amendment No. 317: The House bill imposed a duty of 10 cents each and 60 per cent ad valorem on pliers other than slip joint, pincers, nippers, of all kinds (see amendment No. 316), and hinged hand tools for holding and splicing wire, finished or unfinished, valued at not more than $2 per dozen, and a duty of 20 cents each and 60 per cent ad valorem on all the foregoing valued at more than $2 per dozen. The Senate amendment eliminates both brackets and the specific rates, making all the foregoing dutiable at 60 per cent regardless of value; and the House recedes with an amendment restoring the House classification retaining the ad valorem rate, but changing the specific rates, respectively, to 5 cents each and 10 cents each.

On amendment No. 318: The House bill imposed a duty of 25 per cent ad valorem on muzzle-loading muskets, shotguns, rifles, and parts thereof. Amendment No. 318 strikes out the House provisions and amendment No. 983 transfers these articles to the free list. The House recedes on amendment No. 318.

On amendment No. 319: Under the House bill bells (except carillons) were dutiable under paragraph 398 as manufactures of metal not specially provided for. The Senate amendment specifically provides for bells (except church and similar bells and carillons), finished or unfinished, and parts thereof, at 70 per cent ad valorem; and the House recedes with an amendment making the rate 50 per cent ad valorem.

On amendments Nos. 320, 322, 323, and 324: The Senate amendments strike out the designations "double or single barreled breech-loading and repeating" and "breech-loading and repeating" and "breech-loading" when applied to shotguns or rifles as being surplusage, all muzzle-loading arms being specifically provided for; and the House recedes on all these amendments.

On amendment No. 321: The House bill imposed a duty of $10 each plus an additional duty of 45 per cent ad valorem on double or single barreled breech-loading and repeating shotguns, rifles, and combination shotguns and rifles, valued at more than $25 each. The Senate amendment (see also amendment No. 320) retains this rate in the case of any of the foregoing valued at more than $25 each and not more than $50 each, and changes the basic rate on those valued at more than $50 each from $10 each to 20 per cent ad valorem, retaining the additional duty of 45 per cent ad valorem; and the House recedes.

On amendments Nos. 322, 323, and 324: See amendment No. 320.

On amendments Nos. 325 and 326: Under the House bill, parts and fittings for pistols and revolvers, automatic, single-shot, magazine, or revolving, were dutiable at the same rates as pistols and revolvers, viz: $2 each if valued at not more than $4 each; $2.50 each when valued at more than $4 and not more than $8 each; and $3.50 each when valued at more than $8 each; and in addition thereto, on all the foregoing, 55 per cent ad valorem. The Senate amendments remove parts and fittings from the classification with pistols and revolvers and provide for them at 50 per cent ad valorem in lieu of the specific duties, at the same time retaining the additional duty of 55 per cent ad valorem; and the House recedes on both amendments.

On amendment No. 327: Under the existing law a duty is imposed upon watch movements at specific rates, based upon the number of jewels contained therein, the rates running from 75 cents each on watch movements having less than 7 jewels to $10.75 each on those having more than 17 jewels, while watchcases and parts of watches were dutiable at 45 per cent ad valorem. Jewels for watches, clocks, meters, or compasses were dutiable at 10 per cent ad valorem, and enameled dials for watches or other instruments at 3 cents each and 45 per cent ad valorem. The House bill completely rewrites the language of the existing law, and provides a new basis of classification, depending upon the physical characteristics of the mechanism. The provisions of the paragraph are made to apply to time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, whether or not designed to be worn or carried on or about the person, if less than 1.77 inches wide and if having any type of stem, rim, or self-winding mechanism, and watch movements designed or intended to be worn or carried on or about the person, any of the above if completely assembled, whether or not in cases, containers, or housings. The basic rates are adjusted according to the size of the movements and run from $1.25 each on those more than 1½ inches wide to $2.50 each on those six-tenths of 1 inch or less in width, with a reduction in these rates of 40 per cent if such movements have only 1 jewel or no jewels, and an additional duty of 20 cents for each jewel in excess of 7. The House bill also imposes an additional duty of $1 for each adjustment with a minimum adjustment rate of $3 in the case of all watches containing 15 or more jewels and 1 inch or more in diameter, and a further duty of $1 each if constructed or designed to operate for a period in excess of 47 hours without rewinding, or if self-winding, or if a self-winding device may be incorporated therein. Parts (except pillar or bottom plates) not constituting a subassembly, and mainsprings, are made dutiable at 65 per cent ad valorem; pillar or bottom plates were subjected to one-half the amount of duty borne by the complete movement; and each subassembly was subjected to the same rate of duty as the complete movement. On jewels, a duty of 10 per cent ad valorem was imposed, and on dials whether or not attached to movements, a duty of 5 cents each and 45 per cent ad valorem. Cases were made dutiable at various rates, depending upon the component material, and whether or not set with precious, semiprecious, or imitation precious or semiprecious stones. The Senate amendment strikes out the House text and restores the language and rates of existing law. The House recedes with an amendment, using the House bill as a basis, making certain changes in language and certain changes in substance. The principal changes in substance are as follows:

(1) The amendment takes out of the operation of the paragraph all time-keeping and time-measuring mechanisms not designed to be, or such as are not ordinarily, worn on or carried about the person.

(2) The minimum $3 adjustment rate of the House bill has been removed.

(3) Movements, etc., having more than 17 jewels, whether adjusted or unadjusted, and whether with or without dials, are given a flat rate of $10.75 each in lieu of the rates fixed in the House bill.

(4) Parts for repair purposes to the extent of 4 per cent of the value of any shipment of complete movements, etc. (except plates, bridges, and jewels), whether or not constituting subassemblies, are made dutiable at 45 per cent ad valorem, the same rate as in the present act. Assemblies and subassemblies (other than those to which the 45 per cent rate applies) are made dutiable as follows: 3 cents for each piece of material except jewels (20 cents each), and except pillar or bottom plates (half the duty on the complete movement, etc.), and except balance assemblies (50 cents for the entire assembly). No assembly or subassembly is to be subject to more duty than the duty on the complete movements, etc., nor to a less duty than 45 per cent.

(5) The dial duty of the House bill is not imposed on dials attached to movements having more than 17 jewels.

On amendment No. 328: Under the existing law a duty is imposed on clocks and clock movements, including lever clock movements, and clockwork mechanisms, cased or uncased, whether imported complete or in parts, and any device or mechanism having an essential operating feature intended for measuring time, distance, or fares, or the flowage of water, gas, electricity, or similar uses, or for regulating or controlling the speed of arbors, drums, disks, or similar uses, or for recording, indicating, or performing any operation or function at a predetermined time or times, any of the foregoing whether wholly or partly complete or knocked down, based on the number of jewels in the escapement and on the value, at rates running from 35 cents each and 45 per cent ad valorem on those having no jewels, to $4 each and 45 per cent ad valorem on those with over four jewels, while cases and casings for clockwork mechanisms imported separately were dutiable at 45 per cent ad

valorem; and parts not specially provided for at 50 per cent ad valorem (jewels for clocks dutiable under paragraph 367 at 10 per cent ad valorem under both House bill and Senate amendment).

The House bill entirely rewrites the language, providing classification primarily on the basis of whether completely assembled or in subassemblies or parts. The paragraph of the House bill applies to the following: Clocks, clock movements, including lever movements, clockwork mechanisms, time-keeping, time-measuring, or time-indicating mechanisms, devices, and instruments, synchronous and subsynchronous motors of less than one-fortieth of 1 horsepower, and any mechanism, device, or instrument intended or suitable for measuring time, distance, speed, or fares, or the flowage of water, gas, or electricity, or similar uses, or for regulating, indicating, or controlling the speed of arbors, drums, disks, or similar uses, or for recording or indicating time, or for recording, indicating, or performing any operation or function at a predetermined time or times, all the above (except the articles enumerated or described in par. 367), if completely assembled, whether or not in cases, containers, or housings. The House bill also provides rates for complete movements, etc., and for subassemblies of two or more pieces (except plates) of from 55 cents each and 65 per cent ad valorem to $4.50 each and 65 per cent ad valorem, with an additional cumulative duty of 25 cents for each jewel or substitute for jewel. The House bill also provides rates on plates of one-half the duty on the complete movement, on cases of 45 per cent ad valorem, on dials 50 per cent ad valorem, and on other parts 65 per cent. The House bill also separately mentions taximeters and provides a rate of 85 per cent ad valorem.

The House recedes with amendments making a few changes in language and some changes in substance. The important changes in substance are as follows:

(1) Synchronous and subsynchronous motors of less than one-fortieth of 1 horsepower, valued at more than $3 each, not including the value of gears or other attachments, are removed from the operation of the paragraph.

(2) Parts (except plates and jewels), to the extent of 1½ per cent of the value of complete movements, etc., in any shipment are made dutiable at 45 per cent, the same rate as in the present act. Assemblies and subassemblies, not containing plates and not bearing the 45 per cent rate for repair parts, are made dutiable at 65 per cent plus 3 cents for each part or piece of material except jewels, which carry a specific rate of 25 cents instead of 3 cents. Subassemblies containing plates are dutiable at the rate provided on the plate plus 5 cents for each other piece of material except in the case of jewels, which are dutiable at 25 cents instead of 5 cents. No assemblies or subassemblies shall be subject to a greater amount of duty than would be borne by the complete movement, etc., for which suitable.

On amendment No. 329: The House bill imposed a duty of 25 per cent ad valorem on automobiles, automobile bodies, automobile chassis, motor cycles, and parts of the foregoing, not including tires, all the foregoing whether finished or unfinished, and provided for a countervailing duty of not more than 50 per cent. The Senate amendment rewrites the House text and retains the 25 per cent rate on automobile trucks valued at $1,000 or more each, automobile truck and motor bus chassis valued at $750 or more each, automobile truck bodies valued at $250 or more each, motor busses designed for the carriage of more than 10 persons, and bodies for such busses, all the foregoing whether finished or unfinished. On all other automobiles, automobile chassis, and automobile bodies, and motor cycles, all the foregoing, finished or unfinished, the Senate amendment reduces the rate to 10 per cent ad valorem, and on parts (except tires and parts wholly or in chief value of glass, finished or unfinished, not specially provided for) the amendment retains the House rate of 25 per cent ad valorem. The amendment also strikes out the countervailing duty. The House recedes with an amendment retaining the Senate text, but restoring the countervailing duty.

On amendment No. 330: The House bill imposed on bicycles, and parts thereof, a duty of 30 per cent ad valorem, and provided for a countervailing duty of not more than 50 per cent. The Senate amendment strikes out the countervailing-duty provision; and the Senate recedes.

On amendments Nos. 331 and 332: The House bill limited the provision for steam engines by adding the word "reciprocating," and made special provision for turbines at the rate of 30 per cent ad valorem. The Senate amendments have the effect of restoring turbines to the classification of "steam engines" at 15 per cent ad valorem; and the Senate recedes on amendment No. 331 and the House recedes on amendment No. 332 with an amendment restoring the House provision but fixing the rate on steam turbines at 20 per cent ad valorem.

On amendment No. 333: The House bill imposes a duty of 30 per cent ad valorem on printing presses, not specially provided for. Bookbinding and paper-box machinery were classifiable under the House provision in this paragraph for machines, n. s. p. f., at 30 per cent ad valorem. The Senate amendment reduces the rate to 25 per cent ad valorem; rewrites the House language so as to read "printing machinery (except for textiles)"; and specifically enumerates in this classification "bookbinding machinery, and paper-box machinery"; and the House recedes.

On amendment No. 334: The House bill imposes a duty of 45 per cent ad valorem on machines for knitting full-fashioned hosiery. The Senate amendment strikes out this House language, the effect of which is to classify the item as knitting machines in this paragraph, dutiable at 40 per cent ad valorem; and the House recedes.

On amendment No. 335: This amendment reduces from 40 to 35 per cent ad valorem the House rate on textile machinery, finished or unfinished, not specially provided for; and the Senate recedes.

On amendment No. 336: The House bill imposes a duty of 40 per cent ad valorem on punches, shears, and bar cutters, intended for use in fabricating structural or other rolled iron or steel shapes. The Senate amendment strikes out this House provision, the effect of which is to make these items dutiable at 30 per cent ad valorem as "machine tools"; and the Senate recedes.

On amendment No. 337: This amendment reduces from 30 to 25 per cent the House rate on machines, finished or unfinished, no specially provided for; and the House recedes with an amendment making the rate 27½ per cent ad valorem.

On amendments Nos. 338 and 339: The House bill provides that parts, wholly or in chief value of metal, of any of the machinery dutiable under this paragraph, shall be dutiable at the same rate of duty as the articles of which they are parts. Senate amendment 338 adds, after the word "parts," where it first appears, the words "not specially provided for"; and the House recedes. Amendment No. 339 adds after the words, "in chief value of metal," the words "or porcelain," thus transferring porcelain parts from paragraph 212 where they would be dutiable at the House rates at 10 cents per dozen pieces and 60 per cent ad valorem; and the House recedes.

On amendment No. 340: The House bill imposed a duty of 30 per cent ad valorem on forks, hoes, and rakes. The Senate amendment strikes out this provision, the effect of which would be to make the items except hay forks automatically fall in the classification "agricultural implements" on the free list; and the Senate recedes.

On amendments Nos. 341 and 342: The House bill imposes the following duties: Aluminum, aluminum scrap, and alloys (except those provided for in paragraph 302) in which aluminum is the component material of chief value, in crude form, 5 cents per pound; in coils, plates, sheets, bars, rods, circles, disks, blanks, strips, rectangles, and squares, 9 cents per pound. The Senate amendments reduce these rates to 2 and 3½ cents per pound, respectively; and the House recedes with amendments making these rates, respectively, 4 cents per pound and 7 cents per pound.

On amendment No. 343: The Senate amendment reduces from 40 to 35 per cent ad valorem the rate of duty imposed by the House bill on aluminum foil less than six one-thousandths of 1 inch in thickness; and the Senate recedes.

On amendment No. 344: The House bill imposed on bronze powder, or Dutch metal powder, or aluminum powder, in leaf, a duty of 6 cents per 100 leaves and 25 per cent ad valorem. The Senate amendment strikes out the ad valorem rate, but leaves unchanged the specific rate; and the House recedes with an amendment making the rate 6 cents per 100 leaves and 10 per cent ad valorem.

On amendment No. 345: This amendment reduces from one-half of 1 cent to three-eighths of 1 cent per 100 square inches, the House rate on stamping and embossing materials of bronze powder, or Dutch metal powder, or aluminum powder, mounted on paper or equivalent backing, and releasable from the backing by means of heat and pressure; and the House recedes.

On amendment No. 346: The House bill imposed a duty of 6 cents per pound and 20 per cent ad valorem on tinsel wire, made wholly or in chief value of gold, silver, or other metal. The Senate amendment strikes out the ad valorem duty but leaves the specific duty unchanged; and the House recedes with an amendment making the ad valorem rate 10 per cent.

On amendment No. 347: The House bill imposed a duty of 6 cents per pound and 30 per cent ad valorem on lame or lahn, made wholly or in chief value of gold, silver, or other metal. The Senate amendment strikes out the ad valorem rate but leaves the specific rate unchanged; and the House recedes with an amendment making the ad valorem rate 20 per cent.

On amendment No. 348: The House bill imposed a duty of 6 cents per pound and 45 per cent ad valorem on bullions and metal threads made wholly or in chief value of tinsel wire, or lame or lahn. The Senate amendment reduces the ad valorem rate to 20 per cent but leaves the specific rate unchanged; and the House recedes with an amendment making the ad valorem rate 35 per cent.

On amendment No. 349: This amendment reduces from 55 to 30 per cent ad valorem, the House rate on beltings and other articles made wholly or in chief value of tinsel wire, metal thread, lame or lahn, or of tinsel wire, lame or lahn and india rubber, bullions, or metal threads, not specially provided for; and the House recedes with an amendment making the rate 45 per cent ad valorem.

On amendment No. 350: This amendment reduces from 65 to 40 per cent ad valorem the House rate on woven fabrics, ribbons, fringes, and tassels, made wholly or in chief value of any of the materials or articles referred to above under amendments Nos. 346-349; and the House recedes with an amendment making the rate 55 per cent ad valorem.

On amendment No. 351: The House bill imposed a duty on illuminating or lighting fixtures, lamps, lamp bases, candelabra, and candlesticks, any of the foregoing and parts thereof, finished or unfinished, not specially provided for, if wholly or in chief value of base metal or alloy, 50 per cent ad valorem; if wholly or in chief value of, or plated with platinum, gold, or silver, 65 per cent ad valorem. The Senate amendment strikes out the House language, the effect of which is to throw the items into the basket clause of the metal schedule. The House recedes.

On amendments Nos. 355 and 1005: The House bill imposed a duty of 1 cent per pound on nickel oxide. Amendment No. 355 strikes out the House language, and amendment No. 1005 transfers this item to the free list; and the House recedes on both amendments.

On amendments Nos. 358, 359, and 360: These are perfecting amendments to extend the sampling in bond privilege to lead-bearing flue dust; and the House recedes.

On amendment No. 363: The House bill imposed the following duties on zinc in zinc-bearing ore: Containing less than 10 per cent zinc, free; containing 10 per cent and less than 20 per cent zinc, one-half cent per pound; containing 20 per cent and less than 25 per cent zinc, 1 cent per pound; containing 25 per cent or more, 1½ cents per pound. The Senate amendment imposes a duty of 1½ cents per pound on all zinc in ore, except pyrites containing not more than 3 per cent zinc; and the House recedes.

On amendment No. 365: The House bill imposed a duty of 72 per cent ad valorem on print rollers. The Senate amendment retains the ad valorem rate and imposes an additional specific rate of $5 each; and the House recedes.

On amendment No. 366: The House bill imposed a duty of 60 per cent ad valorem on embossing rollers. The Senate amendment reduces the rate to 30 per cent ad valorem and adds the perfecting clause "of steel or other metal"; and the House recedes.

On amendment No. 367: The House bill imposed a duty of 50 per cent ad valorem on certain hand tools specifically enumerated. The Senate amendment reduces this rate to 40 per cent and valorem. The House recedes with an amendment making the rate 45 per cent.

On amendment No. 368: The House bill imposed a duty of 50 per cent ad valorem on articles or wares not specially provided for, of base metal and not plated with platinum, gold, or silver, and not colored with gold lacquer. The Senate amendment changed the rate to 40 per cent; and the House recedes with an amendment making the rate 45 per cent ad valorem.

SCHEDULE 4.—WOOD AND MANUFACTURES OF

On amendment No. 378: The House bill imposes a duty of 40 per cent ad valorem on plywood. The Senate amendment provides that birch and alder plywood shall be subject to an additional duty of 10 per cent ad valorem; and the House recedes.

On amendment No. 382: The House bill imposes a duty of 25 per cent ad valorem on boxes, barrels, and other articles containing certain fruit, but provides that the thin wood, so called, comprising the sides, tops, and bottoms of fruit boxes of the growth or manufacture of the United States, exported as fruit-box shooks, may be reimported in completed form, filled with fruit, by the payment of duty at one-half the rate imposed on similar boxes of entirely foreign growth and manufacture; but proof of the identity of such shooks shall be made under regulations to be prescribed by the Secretary of the Treasury. The Senate amendment rewrites this provision and includes fruit-barrel staves; and the Senate recedes.

On amendment No. 384: Bamboo stems were free of duty under the House bill. The Senate amendment specifically provides for bamboo stems suitable for rug poles and imposes a duty thereon of 45 per cent ad valorem; and the Senate recedes.

On amendment No. 388: This amendment increases from 15 to 20 cents per gross the House duty on spring clothespins; and the House recedes.

On amendment No. 389: This amendment strikes out "molders' patterns," made necessary by the Senate action in connection with amendment No. 291, and makes parts of furniture, not specially provided for, dutiable at the same rate as the finished article; and the House recedes.

On amendment No. 390: In the House bill, wood moldings and carvings to be used in architectural and furniture decoration, are not specifically mentioned, but are classified as manufactures of wood or bark, not specially provided for, dutiable at 33⅓ per cent ad valorem. The Senate amendment specifically names these items and imposes a duty thereon of 40 per cent ad valorem; and the House recedes.

On amendments Nos. 391 and 392: The House bill imposes a duty of 55 per cent on bentwood furniture, wholly or partly finished. Senate amendment No. 391 makes parts of bentwood furniture dutiable at the same rate as the furniture; and amendment No. 392 reduces the House rate to 40 per cent ad valorem; and the House recedes on amendment No. 391 and recedes on amendment No. 392 with an amendment making the rate 47½ per cent ad valorem.

On amendment No. 393: In the House bill, paintbrush handles, wholly or in chief value of wood, are not specifically mentioned, but are classified as "manufactures of wood or bark, not specially provided for," and dutiable at 33⅓ per cent ad valorem. The Senate amendment specifically names this item, but makes no change in the duty; and the House recedes.

SCHEDULE 5.—SUGAR, MOLASSES, AND MANUFACTURES OF

On amendments Nos. 397 and 398: The House bill imposed a duty of 3.3 cents per gallon on molasses and sugar sirups, not specially provided for, testing not above 48 per cent total sugars; and, if testing above 48 per cent total sugars, of 0.6 of 1 cent additional for each per cent of total sugars and fractions of a per cent in proportion. The Senate amendments reduce these rates, respectively, to one-fourth of 1 cent and 0.275 of 1 cent; and the House recedes.

On amendments Nos. 399 and 400: The House bill imposed a duty of 7½ cents per pound on maple sugar, and 5 cents per pound on maple sirup. The Senate amendments increase these rates to 8 cents per pound and 5½ cents per pound, respectively; and the House recedes.

On amendment No. 401: The House bill imposed a duty of $3 per ton on sugarcane in its natural state. The Senate amendment reduces this rate to $2 per ton; and the House recedes with an amendment making the rate $2.50 per ton.

On amendment No. 402: This amendment makes no change in the rate on sugar candy and confectionery not specially provided for, but is made necessary by the action of the Senate in connection with amendment No. 403; and the House recedes.

On amendment No. 403: The House bill imposes a duty of 40 per cent ad valorem on sugar after being refined, when tinctured, colored, or in any way adulterated. The Senate amendment provides that the ad valorem rate on such sugar shall not be less than the rate of duty provided in paragraph 501 for sugar of the same polariscopic test; and the House recedes.

SCHEDULE 6.—TOBACCO AND MANUFACTURES OF

On amendments Nos. 404 and 405: The House bill imposed the following duties on wrapper tobacco, and filler tobacco when mixed or packed with more than 35 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together; if unstemmed, $2.50 per pound; if stemmed, $3.15 per pound. The Senate amendments reduce these rates, respectively, to $2.10 and $2.75; and the House recedes with amendments making the rates $2.27½ and $2.92½, respectively.

SCHEDULE 7.—AGRICULTURAL PRODUCTS AND PROVISIONS

The following amendments make changes in paragraph and subparagraph numbers and the House recedes: 450, 453, 464, 466, 469, 471, 472, 476, 477, 478, 479, 482, 487, 488, 489, 491, 493, 495, 503, 504, 507, 508, 509, 512, 515, 517, 518, 520, 522, 526, 530, 533, 535, 536, 540, 542, and 555.

On amendments Nos. 406, 407, 408, and 409: The House bill imposed a duty of 2 cents per pound on cattle weighing less than 800 pounds each, and 2½ cents per pound on cattle weighing 800 pounds or more each. The Senate amendments impose a duty of 2½ cents per pound on cattle weighing less than 700 pounds each, and 3 cents per pound on cattle weighing 700 pounds or more each; and the House recedes on all these amendments.

On amendment No. 410: Under the House bill, dried blood albumen was free of duty. The Senate amendment makes dried

blood albumen dutiable at 12 cents per pound, if light, and 6 cents per pound, if dark; and the House recedes.

On amendments Nos. 411 and 414: The House bill imposed a duty of 5 cents per gallon on whole milk, fresh or sour, and provides that when this class of milk contains more than 7 per cent of butterfat it shall be dutiable as cream. The Senate amendment No. 411 increases from 5 to 6½ cents the rate of duty, and amendment No. 414 lowers from 7 to 5½ the percentage of butterfat content making fresh or sour milk dutiable as cream; and the House recedes on both amendments.

On amendment No. 412: This amendment increases from 48 cents per gallon to 56.6 cents per gallon the House duty on cream, fresh or sour; and the House recedes.

On amendment No. 413: This amendment increases from 1¾ to 2⅓ cents per gallon the House duty on skimmed milk, fresh or sour, and buttermilk; and the House recedes.

On amendment No. 414: See amendment No. 411. The House recedes.

On amendments Nos. 415, 416, 417, and 418: The House bill imposed the following rates of duty on condensed or evaporated milk: In air-tight containers, unsweetened, 1.4 cents per pound; sweetened, 2¼ cents per pound; all other, 2 cents per pound. Senate amendments Nos. 415, 417, and 418 increase these rates, respectively, to 1.8, 2¾, and 2.53 cents per pound; and amendment No. 416 confines the 2¾ cents rate on the sweetened to such as is contained in air-tight containers. The House recedes on all these amendments.

On amendments Nos. 419, 420, 421, and 422: The House imposed a duty of 4¾ cents per pound on dried whole milk, 10½ cents per pound on dried cream, and 2½ cents per pound on dried skimmed milk and dried buttermilk. The Senate amendments Nos. 419, 420, and 421 increase these rates, respectively, to 6½, 12½, and 3 cents per pound; and amendment No. 422 provides that dried skimmed milk containing more than 3 per cent of butterfat, and dried buttermilk containing more than 6 per cent of butterfat, shall be dutiable as dried whole milk; and dried whole milk containing more than 35 per cent of butterfat shall be dutiable as dried cream; and the House recedes on all these amendments.

On amendment No. 423: This amendment increases from 30 per cent to 35 per cent the House duty on malted milk, and compounds or mixtures of or substitutes for milk or cream; and the House recedes.

On amendments Nos. 424 and 425: The House bill imposed a duty of 7 cents per pound, but not less than 35 per cent ad valorem on cheese and substitutes therefor. The Senate amendments increase this duty to 8 cents per pound, but not less than 42 per cent ad valorem, and provide further that cheese made of sheep's milk and commonly known as "Romano" or "Pecorino," "Romanello or Kefalotyri or Vize, and Casseri," shall be dutiable at 8 cents per pound, and Feta White cheese at 5 cents per pound. The House recedes on amendment No. 424 and recedes on amendment No. 425 with an amendment making the ad valorem rate 40 per cent, but striking out the references to cheese made of sheep's milk and commonly known as "Romano" or "Pecorino," "Romanello or Kefalotyri or Vize, and Casseri," and "Feta White."

On amendment No. 426: This amendment increases from 6 to 8 cents per pound the House duty on live chickens, ducks, geese, turkeys, and guineas (except baby chicks); and the House recedes.

On amendment No. 427: This amendment increases from 8 cents to 10 cents per pound the House duty on dead chickens, ducks, geese, and guineas, dressed or undressed, fresh, chilled, or frozen; and the House recedes.

On amendment No. 428: The Senate amendment increases from 8 to 11 cents per pound the rate of duty imposed by the House bill on whole eggs, egg yolk, and egg albumen, frozen or otherwise prepared or preserved, and not specially provided for, whether or not sugar or other material is added; and the House recedes.

On amendment No. 429: The House bill imposed a duty of 18 cents per pound on dried whole eggs, dried egg yolk, and dried egg albumen, whether or not sugar or other material is added. The Senate amendment increases the rate on whole eggs to 36 cents per pound, increases the rate on egg albumen to 60 cents per pound, and that on egg yolk to 30 cents per pound, and specifically enumerates spraying as one of the drying processes included in the House bill in general terms. The Senate recedes.

On amendment No. 430: The House bill imposed a duty of $30 per head on horses and mules valued at not more than $150 per head, and a duty of 20 per cent ad valorem when valued at more than $150 per head. Amendment No. 430 excepts from these duties horses imported for immediate slaughter, and amendment No. 953 places such animals on the free list. The House recedes on amendment No. 430.

On amendment No. 431: The House bill imposed a duty of 2 cents per pound on halibut, salmon, mackerel, and swordfish, and 1 cent per pound on other fish, not specially provided for, when fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced. The Senate amendment permits the removal also of the fins; and the House recedes.

On amendment No. 432: The House bill imposed a duty of 2 cents a pound on frozen halibut, if whole, or beheaded, or eviscerated, or both, but not further advanced. The Senate amendment increases the rate to 5 cents per pound; and the Senate recedes.

On amendments Nos. 433, 434, and 435: The House bill imposed on cod, haddock, hake, pollock, and cusk, when pickled or salted (except when packed in oil or in oil and other substance, and except when packed in air-tight containers weighing with their contents not more than 15 pounds each), the following duties: When neither skinned nor boned, 1¾ cents per pound when containing not more than 43 per cent of moisture by weight, and 1¼ cents per pound when containing more than 43 per cent of moisture by weight; when skinned or boned, whether or not dried, 2½ cents per pound. The Senate amendments reduce these rates, respectively, to 1¼ cents, three-fourths of 1 cent, and 2 cents per pound; and the House recedes on all these amendments.

On amendments Nos. 436, 437, and 438: The Senate amendments strike out the word "sea" as applied to herring. The House recedes on all these amendments.

On amendment No. 439: The House bill imposed a duty of 15 per cent ad valorem on crab meat, crab paste, and crab sauce. The Senate amendment rewrites the House language to read "crab meat, fresh or frozen (whether or not packed in ice), or prepared or preserved in any manner, including crab paste and crab sauce," but makes no change in the rate of duty; and the House recedes.

On amendment No. 440: This amendment reduces from 35 to 30 per cent ad valorem the House duty on clams, clam juice, or either in combination with other substances, packed in air-tight containers; and the Senate recedes.

On amendment No. 441: The House bill imposed a duty on caviar and other fish roe for food purposes: Sturgeon, 30 per cent ad valorem; other, 20 cents per pound. The Senate amendment provides that if any of the foregoing roe is boiled and packed in air-tight containers, whether or not in bouillon or sauce, it shall be dutiable at 30 per cent ad valorem; and the House recedes.

On amendment No. 442: Under the House bill oysters were not specifically mentioned but were classified as shellfish, not specially provided for, in the free list. The Senate amendment imposes a duty of 8 cents per pound, including weight of immediate container, on oysters, oyster juice, or either in combination with other substances, packed in air-tight containers; and the House recedes.

On amendment No. 443: This amendment increases from 15 to 16 cents per bushel of 32 pounds, the House duty on oats, hulled or unhulled; and the House recedes.

On amendment No. 444: The House bill imposed a duty of 42 cents per bushel on wheat. The Senate amendment provides that wheat which is unfit for human consumption shall be dutiable at 10 per cent ad valorem; and the House recedes.

On amendments Nos. 445, 446, and 994: Under paragraph 1726 of the House bill, oil cake and oil-cake meal are free of duty. Senate amendment 445 provides that soybean oil cake and soybean oil-cake meal shall be dutiable at three-tenths of 1 cent per pound; amendment No. 446 provides that all other vegetable oil cake and oil-cake meal shall also be dutiable at three-tenths of 1 cent per pound; and amendment No. 994 strikes out the reference to oil cake and oil-cake meal in the free list; and the House recedes on all three amendments.

On amendment No. 447: This amendment strikes out the House duty of 10 per cent ad valorem and substitutes the rate of one-half of 1 cent per pound on unground or ground screenings, scalpings, chaff, or scourings of wheat, flaxseed, or other grains or seeds; and the Senate recedes.

On amendments Nos. 448 and 449: The House bill imposed a duty of 2 cents per pound on cherries in their natural state or dried. Senate amendment 448 strikes out the words "or dried" and substitutes the words "or frozen if not sweetened," and amendment 449 provides that cherries "dried, desiccated, or evaporated" shall be dutiable at 6 cents per pound. The House recedes on amendment 449 and recedes on amendment 448 with an amendment omitting the words inserted by the Senate amendment.

On amendments Nos. 451 and 452: The House bill imposed a duty of 5½ cents per pound on cherries sulphured, or in brine, with stems and pits, and 9½ cents per pound with stems or pits removed. The Senate amendments strike out the words "stems and" in the first bracket and "stems or" in the second; and the House recedes.

On amendments Nos. 454 and 455: The House bill imposed a duty of 5½ cents per pound and 40 per cent ad valorem on cherries, candied, crystallized, glacé, maraschino, or prepared or preserved in any manner. Amendment No. 454 specifically enumerates cherries "frozen if sweetened," and amendment No. 455 increases the duty to 9½ cents per pound and 40 per cent ad valorem. The House recedes on amendment No. 455 and recedes on amendment No. 454 with an amendment striking out the words "if sweetened" in the matter proposed to be inserted by the Senate amendment.

On amendment No. 456: This amendment increases from 6 to 8 cents per proof gallon the House duty on vinegar; and the House recedes.

On amendments Nos. 457 and 458: The House bill imposed on orange, grapefruit, and lemon peel the following duties: Crude, dried, or in brine, 2 cents per pound; candied or otherwise prepared or preserved, 8 cents per pound. Senate amendment No. 457 provides that "other fruit" peel shall be included in these provisions, and amendment No. 458 adds "crystallized, or glacé" to the forms of peel dutiable at 8 cents; and the House recedes on both amendments.

On amendment No. 459: This amendment adds "crystallized, or glacé" to the forms of citrons or citron peel made dutiable at 6 cents per pound by the House bill; and the House recedes.

On amendment No. 460: Under the House bill, fig paste was dutiable at 35 per cent ad valorem as fruit paste in paragraph 750. The Senate amendment specifically includes fig paste in the bracket with fresh or dried figs at 5 cents per pound; and the House recedes.

On amendment No. 461: The House bill imposed a duty on dates as follows: Fresh or dried, unpitted, 1 cent per pound; pitted or prepared or preserved, not specially provided for, 35 per cent ad valorem. The Senate amendment provides, in lieu of the House rates, the following duties: Dates, fresh or dried, with pits, 1 cent per pound; with pits removed, 2 cents per pound; any of the foregoing in packages weighing with the immediate container not more than 10 pounds each, 7½ cents per pound; prepared or preserved, not specially provided for, 35 per cent ad valorem; and the House recedes.

On amendment No. 462: This amendment increases from 2 to 2½ cents per pound the House duty on lemons; and the House recedes.

On amendment No. 463: Under the House bill mangoes are not specifically mentioned, but are classified as fruits in their natural state, not specially provided for, dutiable at 35 per cent ad valorem. The Senate amendment puts mangoes in a separate paragraph and makes the duty 15 cents per pound; and the House recedes.

On amendment No. 465: This amendment increases from 35 to 50 cents per crate the House duty on pineapples; and the House recedes.

On amendments Nos. 467 and 468: The House bill imposed a duty of one-half of 1 cent per pound on dried plums, prunes, and prunelles. Senate amendment No. 468 increases this duty to 2 cents per pound; and amendment No. 467 adds the designation "desiccated, or evaporated." The House recedes on both amendments.

On amendments Nos. 470 and 1117: The House bill did not specifically mention avocados or avocado pears, also known as alligator pears. Senate amendment No. 470 makes this fruit dutiable at 15 cents per pound, and amendment No. 1117 prohibits the importation of avocados unless they have a fat content of not less than 8 per cent by weight by chemical analysis, and are accompanied by a sworn certificate made by a competent chemist that each shipment has been tested and contains not less than 8 per cent fat content by weight by chemical analysis. The House recedes on amendment No. 470 and the Senate recedes on amendment No. 1117.

On amendments Nos. 473, 474, and 475: The House bill imposed a duty of 35 per cent ad valorem on candied, crystallized, or glacé apricots, figs, dates, peaches, pears, plums, prunes, prunelles, berries, and other fruits, not specially provided for. Senate amendment No. 474 increases the rate to 40 per cent ad valorem, and amendments Nos. 473 and 475 eliminate the provisions for "fruit peels," made necessary by Senate amendment No. 457; and the House recedes on all three amendments.

On amendment No. 480: The House bill imposed a duty on imitation almonds. The Senate amendment changes this wording to "almond substitute"; and the House recedes.

On amendment No. 481: In the House bill chestnuts (including marrons), candied, crystallized, or glacé, or prepared or preserved in any manner, are not specifically mentioned, but are classified in paragraph 759 of the House bill at 35 per cent ad valorem, or under paragraph 506 at 40 per cent. The Senate amendment specifically enumerates these items and makes them dutiable at 25 cents per pound; and the House recedes.

On amendments Nos. 483 and 484: The House bill imposed a duty of 2 cents per pound on cream or Brazil nuts, not shelled, and 6 cents per pound if shelled. The Senate amendments reduce these rates, respectively, to 1 cent per pound and 3 cents per pound; and the House recedes with amendments making the rates, respectively, 1½ cents per pound and 4½ cents per pound.

On amendment No. 485: Pignolia nuts and pistache nuts are not specifically mentioned in the House bill, but are classified for duty in paragraph 759 of the House bill as edible nuts not specially provided for at 5 cents per pound if not shelled and 10 cents per pound if shelled. The Senate amendment specifically provides for these nuts at the lower rate of 1 cent per pound, no distinction being made between those which are shelled and those which are not shelled; and the Senate recedes, the effect of which is to place these nuts in the basket clause. (See amendment No. 492.)

On amendment No. 486: The Senate amendment provides that nuts included in the paragraph which are blanched shall be subject to the same rate of duty as if not blanched; and the House recedes.

On amendment No. 490: In the House bill, pecans are not specifically mentioned, but are classified in paragraph 759 as "edible nuts, not specially provided for," bearing a rate of duty, if not shelled, of 5 cents per pound, and if shelled, 10 cents per pound. The Senate amendment makes specific mention of pecans, but makes no change in the duties; and the House recedes.

On amendment No. 492: The Senate amendment reduces the rate of duty imposed by the House bill on edible nuts, not specially provided for, from 5 cents per pound if not shelled, and from 10 cents per pound if shelled, to 1 cent per pound in both cases, and makes this rate applicable whether or not such nuts are blanched. The House recedes with an amendment making the rates 2½ cents and 5 cents per pound, respectively, except that cashew nuts are dutiable at 2 cents per pound.

On amendment No. 494: This amendment increases from 63 to 65 cents per bushel the House duty on flaxseed; and the House recedes.

On amendment No. 496: The Senate amendment increases from 5 cents to 8 cents per pound the House rate on alfalfa seed; and the House recedes.

On amendment No. 497: The Senate amendment increases from 5 cents to 8 cents per pound the rate of duty imposed by the House bill on alsike clover seed; and the House recedes.

On amendment No. 498: The Senate amendment increases from 6 cents to 8 cents per pound the House rate on red clover seed; and the House recedes.

On amendment No. 499: The Senate amendment increases from 3 cents to 4 cents per pound the House rate on sweet clover seed; and the House recedes.

On amendment No. 500: In the House bill rye grass seed is not specifically mentioned, but it is classified in paragraph 761 in the provision for "all other grass and forage crop seeds not specially provided for," bearing a duty of 2 cents per pound. The Senate amendment specifically mentions this item and makes the rate of duty thereon 3 cents per pound; and the House recedes.

On amendment No. 501: This amendment makes a clerical change; and the House recedes.

On amendment No. 502: The House bill imposed a duty of 10 cents per pound on bent-grass seed. The Senate amendment adds, in parentheses, the botanical name, "genus agrostis," and increases the rate of duty to 40 cents per pound; and the House recedes.

On amendment No. 505: The House bill made all cowpeas dutiable under this paragraph. The Senate amendment limits the duties provided for to "black-eye cowpeas," and amendment No. 1032 transfers all other cowpeas to the free list. The House recedes on amendment No. 505.

On amendment No. 506: The Senate amendment increases from 2½ to 3 cents per pound the House rate on dried beans not specially provided for and on dried black-eye cowpeas (see amendment No. 505); and the House recedes.

On amendment No. 510: The House bill imposed a duty of 60 per cent ad valorem on mushrooms, fresh, or dried or otherwise prepared or preserved. The Senate amendment changes this rate to 10 cents per pound and 45 per cent ad valorem if fresh or dried, and 10 cents per pound on drained weight and 45 per cent

ad valorem if otherwise prepared or preserved; and the House recedes.

On amendment No. 511: The House bill imposed a duty of 30 per cent on truffles, fresh, or dried or otherwise prepared or preserved. Amendment No. 511 strikes out this duty and amendment No. 1071 transfers truffles to the free list. The House recedes on amendment No. 511.

On amendments Nos. 513 and 514: The House bill imposed certain duties on peas and chickpeas or garbanzos. Amendment No. 513 strikes out chickpeas or garbanzos and amendment No. 1032 places them on the free list. The House bill made the duty on green or unripe peas and chickpeas or garbanzos 2 cents per pound. Amendment No. 514 makes the rate 3 cents per pound on green peas. The Senate recedes on amendment No. 513 and the House recedes on amendment No. 514 with an amendment making the rate on peas, green or unripe, 3 cents per pound, and the rate on chickpeas or garbanzos, green or unripe, 2 cents per pound.

On amendment No. 516: This amendment increases from 2 to 2½ cents per pound the House duty on onions; and the House recedes.

On amendment No. 519: This amendment increases from 40 to 50 per cent ad valorem the House rate on tomatoes prepared or preserved in any manner; and the House recedes.

On amendment No. 521: This amendment reduces from 25 to 20 cents per 100 pounds the House duty on turnips and rutabagas; and the Senate recedes.

On amendment No. 523: In the House bill celery, lettuce, and cabbage are not specifically mentioned, but are classified as vegetables in their natural state, not specially provided for, bearing a duty of 50 per cent ad valorem. The Senate amendment specifically names these items and makes the duty 2 cents per pound; and the House recedes.

On amendments Nos. 524, 525, and 527: The House bill imposed a duty of 50 per cent ad valorem on crude horse-radish, while prepared horse-radish was not specially mentioned. Senate amendments Nos. 524 and 525 make the rate of duty on crude horse-radish 3 cents per pound, while amendment No. 527 makes prepared horse-radish dutiable with prepared vegetables not specially provided for at 35 per cent ad valorem; and the House recedes on all these amendments.

On amendment No. 528: Under the House bill, sauerkraut was not specifically mentioned, but was dutiable at 35 per cent ad valorem as a prepared vegetable not specially provided for. The Senate amendment specifically provides for sauerkraut at 50 per cent ad valorem; and the House recedes.

On amendment No. 529: The House bill imposed a duty of 6 cents per pound on pimientos, packed in brine or in oil, or prepared or preserved in any manner. Under the House bill this duty is applicable whether the pimientos thus packed, prepared, or preserved, are whole or are cut, sliced, or otherwise reduced in size. The Senate amendment inserts the words "whole, cut, sliced, or otherwise reduced in size" with intent to clarify the provision; and the Senate recedes on this amendment as surplusage.

On amendments Nos. 531 and 532: These amendments increase from 1½ to 2 cents per pound the House duty on crude chicory; and the House recedes.

On amendment No. 534: The House bill imposed a duty of 40 per cent ad valorem on cocoa and chocolate, sweetened, prepared in any manner. The Senate amendment rewrites the House language so as to make the duty 4 cents per pound on sweetened cocoa and chocolate in bars or blocks weighing 10 pounds or more each, the 40 per cent ad valorem rate being retained on sweetened cocoa and chocolate in any other form, whether or not prepared; and the House recedes.

On amendment No. 537: The Senate amendment increases from $4 to $5 per ton the House rate on hay; and the House recedes.

On amendment No. 538: The Senate amendment increases from $1 to $1.50 per ton the House rate on straw; and the House recedes.

On amendment No. 539: The Senate amendment increases from $10 to $20 per ton the House rate on broomcorn; and the House recedes.

On amendment No. 541: This amendment increases from 75 cents to $1.50 per pound the House duty on lupulin; and the House recedes.

On amendments Nos. 543, 544, 545, 546, 547, 548, 549, 550, 552, 553, and 554: The House bill imposed the following duties: Anise seeds, 2 cents per pound; caraway seeds, 1 cent per pound; cardamom seeds, 10 cents per pound; cassia, cassia buds, and cassia vera, unground, 2 cents per pound; cloves, unground, 3 cents per pound; clove stems, unground, 2 cents per pound; cinnamon and cinnamon chips, unground, 2 cents per pound; coriander seeds, one-half of 1 cent per pound; cummin seeds, and fennel seeds, 1 cent per pound; ginger root, not preserved or candied, unground, 2 cents per pound; mace, unground, 4 cents per pound; nutmegs, unground, 2 cents per pound; black or white pepper, unground, 2 cents per pound; and pimento (allspice), unground, 1 cent per pound. The first 11 amendments above enumerated strike out these provisions, and amendment No. 1047 transfers these items to the free list. The House recedes on the first 11 of these amendments.

On amendment No. 551: This amendment increases from 8 to 10 cents per pound the House duty on mustard, ground, or prepared in bottles or otherwise; and the House recedes.

On amendment No. 556: In the House bill all cotton is on the free list. This amendment imposes a duty of 7 cents per pound on cotton having a staple of 1⅛ inches or more in length; and the House recedes.

SCHEDULE 8.—SPIRITS, WINES, AND OTHER BEVERAGES

On amendment No. 557: The House bill imposes a duty of $5 per proof gallon on brandy and other spirits manufactured or distilled from grain or other materials, cordials, liqueurs, arrack, absinthe, kirschwasser, ratfia, and bitters of all kinds containing spirits, and compounds and preparations of which distilled spirits are the component material of chief value and not specially provided for. The Senate amendment reduces to $2.60 per proof gallon any such articles, compounds, and preparations, if unfit for beverage use; and the Senate recedes.

On amendment No. 558: This amendment inserts a subparagraph letter; and the House recedes.

On amendment No. 559: The House bill imposed certain specific duties on fruit juices according to alcoholic content. The Senate amendment provides, in the case of concentrated juice of lemons, oranges, or other citrus fruits, fit for beverage purposes, and of sirups containing such juice, that the specific rate per gallon be applied to the quantity of unconcentrated natural juice employed to make the concentrated product, as shown by chemical analysis; and the House recedes.

On amendment No. 560: This amendment permits high-proof fruit spirits made in distilleries connected with wineries for use in the fortification of wines to be withdrawn and used, under the same laws and regulations applicable to the withdrawal and use of alcohol for all nonbeverage purposes; and the House recedes.

SCHEDULE 9.—COTTON MANUFACTURES

On amendment No. 561: The House bill imposed a duty of 25 per cent ad valorem on cotton sewing thread, and on crochet, darning, embroidery, and knitting cottons, put up for handwork, in lengths not exceeding 840 yards. The Senate amendment changes the House rate to one-half of 1 cent per 100 yards, but not less than 20 nor more than 35 per cent ad valorem and provides that in no case shall the duty be assessed on a less number of yards than is marked on the goods as imported; and the House recedes.

On amendment No. 562: The House bill imposed certain ad valorem duties on cotton cloth, not bleached, printed, dyed, or colored, according to the yarn cotton. The Senate amendment provides that no such cloth shall be subject to a less duty than fifty-five one-hundredths of 1 cent per average number per pound; and the House recedes.

On amendment No. 563: Under the House bill tire fabric or fabric for use in pneumatic tires, including cord fabric, was dutiable as cotton cloth at various rates, depending on yarn count, etc. The Senate amendment imposes a rate of 25 per cent ad valorem on such fabric; and the House recedes.

On amendment No. 564: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 602; and the House recedes.

On amendment No. 565: This amendment reduces from 55 to 45 per cent ad valorem the House rate on tapestries and other Jacquard-figured upholstery cloths (not including pile fabrics or bedticking) in the piece or otherwise, wholly or in chief value of cotton or other vegetable fiber; and the Senate recedes.

On amendments Nos. 566 and 567: The House bill imposed a duty of .35 per cent ad valorem on cotton blankets. Senate amendment No. 566 includes blanket cloth, napped or unnapped, and reduces the ad valorem rate to 30 per cent, and Senate amendment No. 567 provides a minimum specific rate of 14¼ cents per pound; and the House recedes on both amendments.

On amendments Nos. 568 and 569: The House bill imposes a duty of 30 per cent ad valorem on candle wicking. The Senate amendments change the duty to 10 cents per pound and 12½ per cent ad valorem; and the House recedes on both amendments.

On amendment No. 570: The House bill imposed a duty of 40 per cent on belts, belting, and ropes, for the transmission of power, of cotton or other vegetable fiber or of cotton or other vegetable fiber and india rubber. The Senate amendment strikes

out this provision and substitutes a duty of 30 per cent on belts and belting, for machinery, of cotton or other vegetable fiber or of cotton or other vegetable fiber and india rubber; and a duty of 40 per cent on rope used as belting for textile machinery, of cotton. The House recedes.

On amendments Nos. 571, 572, and 573: The House bill imposed the following duties on gloves and mittens, wholly or in chief value of cotton or other vegetable fiber: Made of fabric knit on a warp-knitting machine, 60 per cent ad valorem; made of fabric knit on other than a warp-knitting machine, 50 per cent ad valorem. Senate amendment 571 makes the rates applicable to such gloves and mittens whether finished or unfinished; and amendments 572 and 573 reduce the rates to 30 and 25 per cent, respectively. The House recedes on amendment No. 571 and the Senate recedes on amendments Nos. 572 and 573.

On amendment No. 574: Under the House bill shirts of cotton, not knit or crocheted, were not specifically mentioned and were dutiable as cotton clothing not specially provided for at the rate of 37½ per cent ad valorem. The Senate amendment specifically mentions such shirts and increases the duty to 45 per cent ad valorem; and the House recedes.

On amendment No. 575: This amendment increases from 55 to 75 per cent ad valorem the rate of duty imposed by the House bill on rag rugs, wholly or in chief value of cotton, of the type commonly known as "hit-and-miss"; and the House recedes.

On amendment No. 576: This amendment reduces from 45 to 35 per cent ad valorem the rate of duty imposed by the House bill on chenille rugs, wholly or in chief value of cotton; and the House recedes with an amendment making the rate 40 per cent.

On amendments Nos. 577 and 840: Under paragraph 1555 of the House bill a duty of 2 cents per pound was imposed on cotton wiping rags. Senate amendment No. 840 strikes the House provision from the bill and amendment No. 577 imposes a duty of 3 cents per pound on rags, including wiping rags, wholly or in chief value of cotton, except rags chiefly used in paper making; and the House recedes on both amendments.

On amendment No. 578: This amendment makes a change in paragraph number; and the House recedes.

On amendment No. 579: This amendment imposes an additional duty of 10 cents per pound on the cotton, having a staple of 1⅛ inches or more in length, contained in articles enumerated or described in Schedule 9; and the House recedes with an amendment excepting the articles in paragraph 922 of the Senate bill from the additional duty.

SCHEDULE 10.—FLAX, HEMP, JUTE, AND MANUFACTURES OF

On amendment No. 580: This amendment increases from 1½ to 2 cents per pound the rate of duty imposed by the House bill on hemp and hemp tow; and the House recedes.

On amendment No. 581: This amendment increases from 3 to 3½ cents per pound the rate of duty imposed by the House bill on hackled hemp; and the House recedes.

On amendment No. 582: This amendment reduces from 11 to 9 cents per pound the rate of duty imposed by the House bill on twist, twine, and cordage, composed of two or more jute yarns or rovings twisted together, the size of the single yarn or roving of which is 5-pound or finer; and the House recedes.

On amendment No. 583: The House bill imposed on single yarns in the gray, of flax, hemp, or ramie, or a mixture of any of them, not finer than 60 lea, specific rates of duty per pound, with a minimum of 27½ and a maximum of 37½ per cent ad valorem; and on those finer than 60 lea an ad valorem rate of 25 per cent; and additional specific rates per pound on any of the foregoing when boiled, bleached, dyed, or otherwise treated. The Senate amendment eliminates these rates and imposes a duty of 35 per cent ad valorem on yarns not finer than 60 lea, and of 25 per cent ad valorem on those finer than 60 lea; and the House recedes.

On amendment No. 584: The House bill imposed on threads, twines, and cords, composed of two or more yarns of flax, hemp, or ramie, or a mixture of any of them, twisted together, specific rates of duty per pound and additional specific rates per pound if boiled, bleached, dyed, or otherwise treated, with a proviso for a minimum ad valorem duty of 32½ per cent. The Senate amendment eliminates these rates on such articles and makes the rate 40 per cent ad valorem; and the House recedes.

On amendments Nos. 585 and 586: The House bill imposed on cordage, including cables, tarred or untarred, composed of three or more strands, each strand composed of two or more yarns, wholly or in chief value of manila (abaca), sisal, henequen, or other hard fiber, a duty of 2½ cents per pound, and, in addition thereto, on any of the foregoing smaller than three-fourths of 1 inch in diameter, 15 per cent ad valorem. Senate amendment No. 585 reduces the specific rate to 2 cents per pound; and amendment No. 586 strikes out the additional ad valorem rate. The House recedes on amendment No. 585, and the Senate recedes on amendment No. 586.

On amendment No. 587: The House bill provided that gill nettings, nets, webs, and seines, and other nets for fishing, wholly or in chief value of flax, hemp, or ramie, and not specially provided for, shall be subject to the highest duty per pound imposed upon any of the thread, twines, or cord of which the mesh is made, plus 10 per cent ad valorem. The Senate amendment strikes out the House provision as to rates and imposes a flat rate of 45 per cent ad valorem; and the House recedes.

On amendments Nos. 588, 589, 590, and 591: Under paragraph 1009 (a) of the House bill, woven fabrics, not including articles finished or unfinished, of flax, hemp, or ramie, or of which these substances or any of them is the component material of chief value (except such as are commonly used as paddings or interlinings in clothing), exceeding 30 and not exceeding 100 threads to the square inch, counting the warp and filling, weighing not less than 4 and not more than 12 ounces per square yard, and exceeding 12 inches but not exceeding 36 inches in width, were dutiable at a rate of 55 per cent ad valorem. Such woven fabrics commonly used for paddings or interlinings in clothing were provided for in paragraph 1009 (b) of the House bill, according to thread count and weight, at 55 per cent ad valorem, if made of flax or hemp, and at 50 per cent ad valorem if made of jute. Senate amendments Nos. 589 and 590 increase to 4½ ounces the weight basis and reduce to 24 inches the width basis for assessing duties on the articles contained in paragraph 1009 (a). Senate amendment No. 588 strikes out the exception in paragraph 1009 (a) in the case of such fabrics used as paddings or interlinings in clothing; and amendment No. 591 strikes paragraph 1009 (b) from the bill. The Senate recedes on all these amendments.

On amendment No. 592: This amendment makes a change in subparagraph letter; and the Senate recedes.

On amendment No. 593: This amendment reduces from 55 to 45 per cent ad valorem the rate of duty imposed by the House bill on woven fabrics, in the piece or otherwise, wholly or in chief value of vegetable fiber, except cotton, filled, coated, or otherwise prepared for use as artists' canvas; and the House recedes.

On amendment No. 594: The House bill imposed a duty of 35 per cent ad valorem on plain-woven fabrics, not including articles finished or unfinished, wholly or in chief value of flax, hemp, ramie, or other vegetable fiber, except cotton, weighing less than 4 ounces per square yard. The Senate amendment increases the maximum weight to 4½ ounces per square yard, in conformity with the action of the Senate in respect of amendment No. 589; and the Senate recedes.

On amendment No. 595: The House bill imposed a duty of 50 per cent on handkerchiefs of vegetable fiber, except cotton, hemmed or hemstitched, or unfinished having drawn threads. The Senate amendment subjects such articles to an additional duty of 1 cent each if made with hand-rolled or hand-made hems; and the House recedes.

On amendment No. 596: This amendment makes a clerical change; and the House recedes.

On amendment No. 597: This amendment increases from 40 to 42 per cent ad valorem the rate of duty imposed by the House bill on inlaid linoleum; and the House recedes.

SCHEDULE 11.—WOOL AND MANUFACTURES OF

On amendment No. 598: This amendment includes "Kerry" and "Haslock" among the "carpet" wools enumerated under paragraph 1101 (a); and the House recedes.

On amendments Nos. 599 and 600: The House bill imposed a duty of 24 cents per pound on scoured "carpet" wools and camel's hair. Senate amendment 599 increases the House rate to 27 cents, and amendment 600 provides that the duty shall apply only to the clean content of the scoured wool; and the House recedes.

On amendment No. 601: This amendment reduces from 23 to 22 cents per pound of clean content, the rate of duty imposed by the House bill on "carpet" wools or hair of the camel, on the skin; and the House recedes.

On amendment No. 602: The House bill imposed a duty of 26 cents per pound of clean content on "carpet" wools and hair of the camel, if sorted, or matchings. The Senate amendment reduces the duty to 25 cents per pound and makes it apply to such articles only if not scoured; and the House recedes.

On amendment No. 603: This amendment strikes out the House provision which allows a tolerance of not more than 10 per cent of wools not finer than 44s in each bale or package of wools imported under paragraph 1101 as not finer than 40s; and the Senate recedes.





On amendments Nos. 604, 605, 606, 607, 608, and 609: The House bill provided for the remission or refund of duties paid on wools provided for in paragraph 1101 and hair of the camel, imported under bond, upon proof within four years from date of importation or withdrawal from bonded warehouse that the wools or hair have been manufactured into yarns to be used in the manufacture of certain permitted articles, viz: Rugs, carpets, or other floor covering, or knit or felt boots or heavy felted lumbermen's socks; and also provides a penalty for their use in the manufacture of articles other than those specified. Amendment No. 604 changes the 4-year period to a 3-year period; and the House recedes. Amendment No. 605 provides that duties shall be remitted or refunded only in case the yarns have actually been used in the manufacture of the permitted articles; and the House recedes. Amendments Nos. 606 and 608 add press cloth and camel's hair belting to the list of permitted articles; and the House recedes. Amendments Nos. 607 and 609 exclude from the list of permitted articles knit or felt boots and heavy felted lumbermen's socks; and the Senate recedes.

On amendment No. 610: Under the House bill wools and hair in the grease were defined to include only those which were shorn from the animal without any cleansing, that is, in their natural condition. Under the Senate amendment wools and hair cleansed only by shaking, willowing, and burr-picking are permitted to be imported as wools and hair in the grease. The House recedes.

On amendment No. 611: The House provides that washed wool and hair shall be considered such as have been washed, with water only, on the animal's back or on the skin. The Senate amendment amplifies the House definition to include all wool and hair, not scoured, with a higher clean yield than 77 per cent; and the House recedes.

On amendment No. 612: This amendment excludes from the definition of scoured wools and hair such wools as have been cleansed only by shaking, willowing, burr-picking, or carbonizing; and the House recedes.

On amendment No. 613: This amendment provides that for purposes of the wool schedule skirtings shall not be considered as sorted wools or hair, or matchings; and the House recedes.

On amendment No. 614: The House bill provided that for the purposes of the wool schedule sorted wool or hair or matchings should be wools and hair in which the identity of individual fleeces had been destroyed, and also provided that fleeces which had been classed but not skirted, or skirted but not classed, or both classed and skirted, but from which the backs had not been removed, should not be considered as sorted. Inasmuch as in the case of a fleece which has been classed but from which the back has not been removed the identity of the individual fleece could never be considered to have been destroyed, the Senate amendment strikes out any reference to classed fleeces as redundant; and the House recedes.

On amendment No. 615: The following table shows the rates provided in the House bill, the Senate amendment, and the conference agreement on wools not provided for in paragraph 1101 and not finer than 44s:

	House bill	Senate amendments	Conference agreement
In the grease or washed	24 cents per pound of clean content	34 cents per pound of clean content	29 cents per pound of clean content.
Scoured	24 cents per pound	37 cents per pound of clean content	32 cents per pound of clean content.
On the skin	23 cents per pound of clean content	32 cents per pound of clean content	27 cents per pound of clean content.
Sorted or matchings	26 cents per pound of clean content	35 cents per pound of clean content	30 cents per pound of clean content.

The House bill also provided that in the case of wools imported as not finer than 44s, a tolerance of not more than 10 per cent of wools not finer than 46s might be allowed in each bale or package. The Senate amendment strikes out all the House language, the effect of which is to transfer the wools included within the House provision to Senate bill paragraph 1102. The House recedes with an amendment changing the rates to the amounts shown in the above table, and with a clarifying amendment limiting the duties on sorted or matchings to those not scoured, but retaining the tolerance provision.

On amendment No. 616: This amendment makes a change in subparagraph number; and the Senate recedes.

On amendments Nos. 617, 618, 619, and 620: The following table shows the rates provided in the House bill, the Senate amendment, and the conference agreement on wools not provided for in paragraph 1101 and finer than 44s, and hair of the Angora goat, Cashmere goat, alpaca, and other like animals:

	House bill	Senate amendments	Conference agreement
In the grease or washed	34 cents per pound of clean content	34 cents per pound of clean content	34 cents per pound of clean content.
Scoured	34 cents per pound	37 cents per pound of clean content	37 cents per pound of clean content.
On the skin	33 cents per pound of clean content	32 cents per pound of clean content	32 cents per pound of clean content.
Sorted or matchings	36 cents per pound of clean content	35 cents per pound of clean content	35 cents per pound of clean content.

The Senate amendment also includes a clarifying provision limiting the duties on sorted wools or hair or matchings to those not scoured. The House recedes on all these amendments.

On amendments Nos. 621, 622, and 623: These amendments are made necessary by the action of the Senate in striking out the tolerance provisions in amendments Nos. 603 and 615. The Senate recedes on all three amendments.

On amendments Nos. 624, 625, 626, 627, 628, 629, 630, and 631: The following table shows the rates on wool wastes provided in the House bill, the Senate amendments, and the conference agreement:

Article	House bill (rate per pound)	Senate amendment (rate per pound)	Conference agreement (rate per pound)
Top waste, slubbing waste, roving waste, and ring waste:	*Cents*	*Cents*	*Cents*
(a) Not carbonized	34	37	37
(b) Carbonized	41	37	37
Garnetted waste:			
(a) Not carbonized	26	26	26
(b) Carbonized	33	26	26
Noils:			
(a) Not carbonized	21	23	23
(b) Carbonized	28	30	30
Thread or yarn waste:			
(a) Not carbonized	18	25	25
(b) Carbonized	25	25	25
Card or burr waste:			
(a) Not carbonized	18	16	16
(b) Carbonized	25	23	23
All other wool wastes not specially provided for:			
(a) Not carbonized	18	24	24
(b) Carbonized	25	24	24
Shoddy:			
(a) Not carbonized	18	24	24
(b) Carbonized	25	24	24
Wool extract	25	24	24
Mungo:			
(a) Not carbonized	10	10	10
(b) Carbonized	17	10	10
Wool rags:			
(a) Not carbonized	8	18	18
(b) Carbonized	15	18	18
Flocks:			
(a) Not carbonized	8	8	8
(b) Carbonized	15	8	8

The House recedes on all those amendments.

On amendment No. 632: This amendment provides that wool and hair of the kinds provided for in the wool schedule, if carbonized, shall be subject to duty at the rate of 37 cents per pound and 20 per cent ad valorem; and the House recedes.

On amendment No. 633: The House bill provided that if wool and hair of the kinds provided for in the wool schedule were

advanced beyond the washed and scoured condition, but not further advanced than roving, they should be dutiable at the rate of 37 cents per pound and 20 per cent ad valorem. The Senate amendment applies this rate in the case such wool or hair is not advanced beyond roving, but is advanced beyond both the washed and scoured condition, or beyond the washed condition, when not scoured, or beyond the scoured condition, when not washed; and the House recedes.

On amendments Nos. 634, 635, and 636: The following table shows the rates provided in the House bill, the Senate amendments, and the conference agreement on yarn, wholly or in chief value of wool:

Valued at—	House bill	Senate amendments	Conference agreement
Not more than 50 cents per pound	27 cents per pound and 30 per cent.	40 cents per pound and 35 per cent.	40 cents per pound and 35 per cent.
More than 50 cents per pound but not more than $1 per pound	40 cents per pound and 35 per cent.	do	Do.
More than $1 per pound but not more than $1.50 per pound	40 cents per pound and 40 per cent.	40 cents per pound and 45 per cent.	40 cents per pound and 45 per cent.
More than $1.50 per pound	40 cents per pound and 45 per cent.	40 cents per pound and 50 per cent.	40 cents per pound and 50 per cent.

The House recedes on all three amendments.

On amendments Nos. 637 and 638: The House bill imposed the following duties on woven fabrics weighing not more than 4 ounces per square yard, wholly or in chief value of wool, valued at not more than 80 cents per pound, 40 cents per pound and 50 per cent ad valorem; valued at more than 80 cents but not more than $1.25 per pound, 50 cents per pound and 50 per cent ad valorem; valued at more than $1.25 but not more than $2 per pound, 50 cents per pound and 55 per cent ad valorem; valued at more than $2 per pound, 50 cents per pound and 60 per cent ad valorem: *Provided*, That if the warp of any of the foregoing is wholly of cotton, or other vegetable fiber, the duty on the fabric, valued at not more than $1 per pound, shall be 40 cents per pound and 50 per cent ad valorem; valued at more than $1 per pound, 40 cents per pound and 55 per cent ad valorem. Amendment No. 637 eliminates the lower bracket on such woven fabrics not having a cotton or vegetable fiber warp, thus subjecting all of such fabrics valued at not more than $1.25 per pound to a duty of 50 cents per pound and 50 per cent ad valorem. Amendment No. 638 subjects such woven fabrics having a warp of cotton or other vegetable fiber and valued at more than $1.50 per pound to a duty of 40 cents per pound and 60 per cent ad valorem. The House recedes on both amendments.

On amendments Nos. 639 and 640: The following table shows the rates provided in the House bill, the Senate amendments, and the conference agreement, on woven fabrics, weighing more than 4 ounces per square yard, wholly or in chief value of wool:

Valued at—	House bill	Senate amendments	Conference agreement
Not more than 60 cents per pound	26 cents per pound and 40 per cent.	50 cents per pound and 50 per cent.	50 cents per pound and 50 per cent.
More than 60 cents per pound but not more than 80 cents per pound	40 cents per pound and 50 per cent.	do	Do.
More than 80 cents per pound but not more than $1.25 per pound	50 cents per pound and 50 per cent.	do	Do.
More than $1.25 per pound but not more than $1.50 per pound	do	50 cents per pound and 55 per cent.	50 cents per pound and 55 per cent.
More than $1.50 per pound but not more than $2 per pound	50 cents per pound and 55 per cent.	do	Do.
More than $2 per pound	50 cents per pound and 60 per cent.	50 cents per pound and 60 per cent.	50 cents per pound and 60 per cent.

The House recedes on both amendments.

On amendment No. 641: The House bill subjected woven felts and articles made thereof (including belts and belting, endless or otherwise), finished or unfinished, wholly or in chief value of wool, to the rates provided in paragraph 1109 (a) of the House bill, which rates varied from 26 cents per pound and 40 per cent ad valorem to 50 cents per pound and 60 per cent ad valorem, depending upon value. The Senate amendment adds to the provision jackets and other articles of machine clothing, woven as units, wholly or in chief value of wool. The rates on all the articles in the amendment have been changed by amendments Nos. 639 and 640; and the House recedes.

On amendments Nos. 642 and 643: The House bill imposed the following duty on blankets and similar articles (including carriage and automobile robes and steamer rugs), made of blanketing, wholly or in chief value of wool, not exceeding three yards in length, valued at not more than 50 cents per pound, 20 cents per pound and 30 per cent ad valorem; valued at more than 50 cents but not more than $1 per pound, 30 cents per pound and 36 per cent ad valorem; valued at more than $1 but not more than $1.50 per pound, 33 cents per pound and 37½ per cent ad valorem; valued at more than $1.50 per pound, 40 cents per pound and 40 per cent ad valorem. The House bill also provided that on such articles exceeding three yards in length the same duty should be paid as on woven fabrics of wool weighing more than 4 ounces per square yard. Senate amendment No. 642 makes certain that the duties specified in the paragraph will be applicable to such articles as units or in the piece, finished or unfinished, and amendment No. 643 eliminates the lower bracket and makes the duty of 30 cents and 36 per cent ad valorem applicable to all such articles valued at not more than $1 per pound. The House recedes on both amendments.

On amendment No. 644: The House bill imposed duties on felts, not woven, wholly or in chief value of wool, valued at not more than 50 cents per pound, 20 cents per pound and 30 per cent ad valorem; valued at more than 50 cents but not more than $1.50 per pound, 30 cents per pound and 35 per cent ad valorem. The Senate amendment eliminates the first bracket of the House bill, thus making the rate of 30 cents per pound and 35 per cent ad valorem applicable to such felts valued at not more than $1.50 per pound; and the House recedes.

On amendment No. 645: This amendment makes certain that the rates of duty imposed upon hose, half hose, gloves, and mittens, wholly or in chief value of wool, shall apply to the unfinished as well as the finished article; and the House recedes.

On amendment No. 646. The House bill imposed duties on clothing and articles of wearing apparel of every description, not knit or crocheted, manufactured wholly or in part, wholly or in chief value of wool, valued at not more than $2 per pound, 26 cents per pound and 40 per cent ad valorem; valued at more than $2 but not more than $4 per pound, 33 cents per pound and 45 per cent ad valorem; valued at more than $4 per pound, 50 cents per pound and 50 per cent ad valorem. The Senate amendment eliminates the first bracket of the House bill, thus making the rate of 33 cents per pound and 45 per cent ad valorem applicable to such clothing and articles of wearing apparel valued at not more than $4 per pound; and the House recedes.

On amendment No. 647: The House bill imposed a duty of 40 cents per pound and 75 per cent ad valorem on bodies, hoods, forms, and shapes, for hats, bonnets, caps, berets, and similar articles, manufactured wholly or in part of wool felt, and an additional duty of 25 per cent per article if pulled, stamped, blocked, or trimmed, including finished hats, bonnets, caps, berets, and similar articles. The Senate amendment eliminates the additional duty, limits the application of the subparagraph to articles wholly or in chief value of wool felt, and reduces to 33 cents per pound and 50 per cent ad valorem the rates imposed by the House bill; and the Senate recedes.

On amendment No. 648: The House bill imposed a duty of 50 cents per square foot but not less than 60 per cent ad valorem on oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom; carpets, rugs, and mats, of oriental weave or weaves, made on a power-driven loom; chenille Axminster carpets, rugs, and mats, whether woven as separate carpets, rugs, or mats, or in rolls of any width; all the foregoing, plain or figured. The Senate

amendment imposes a duty of 50 cents per square foot but not less than 45 per cent ad valorem on oriental, Axminster, Savonnerie, Aubusson, and other carpets, rugs, and mats, not made on a power-driven loom, plain or figured, whether woven as separate carpets, rugs, or mats, or in rolls of any width, and makes the rate 60 per cent ad valorem in the case of the other carpets and rugs covered in the paragraph; and the House recedes.

On amendment No. 649: Under the House bill mixed fabrics containing more than 17 per cent of wool but not in chief value thereof are dutiable according to the component material of chief value. The Senate amendment makes these fabrics dutiable, in paragraph 1122, as follows: That proportion of the amount of the duty on the article, computed under this schedule, which the amount of wool bears to the entire weight, plus that proportion of the amount of the duty on the article, computed as if this paragraph had not been enacted, which the weight of the component materials other than wool bears to the entire weight. The House recedes with an amendment changing the word "article" to the word "fabric," in two places.

SCHEDULE 12.—SILK MANUFACTURES

On amendment No. 650: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 651: This amendment reduces from 50 to 45 per cent ad valorem the rate of duty imposed by the House bill on spun silk or schappe silk yarn, or yarn of silk and rayon or other synthetic textile, and roving, bleached, dyed, colored, or plied; and the Senate recedes.

On amendment No. 652: This amendment imposes a duty of 60 per cent ad valorem on woven fabrics in the piece, not exceeding 30 inches in width, whether woven with fast or split edges, wholly or in chief value of silk, including umbrella silk or Gloria cloth. These fabrics under the House bill were dutiable at 55 per cent ad valorem. The amendment also decreases from 65 to 60 per cent the rate on any of the foregoing if Jacquard-figured, and on Jacquard-figured woven fabrics in the piece, wholly or in chief value of silk, not specially provided for; and the House recedes with an amendment restoring the 65 per cent rate on the Jacquard-figured.

On amendment No. 653: This amendment reduces from 70 to 65 per cent ad valorem the rate of duty imposed by the House bill on silk velvets (other than ribbons), if the pile is wholly cut or wholly uncut; and the House recedes.

On amendment No. 654: This amendment reduces from 75 to 70 per cent ad valorem the rate of duty imposed by the House bill on silk velvets (other than ribbons), if the pile is partly cut; and the House recedes.

On amendment No. 655: This amendment reduces from 65 to 60 per cent ad valorem the rate of duty imposed by the House bill on silk clothing and articles of wearing apparel, not specially provided for; and the Senate recedes.

SCHEDULE 13.—MANUFACTURES OF RAYON OR OTHER SYNTHETIC TEXTILE

On amendment No. 656: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 657: The House bill imposed the following duties on rayon yarn, if singles, weighing 150 deniers or more per length of 450 meters, 45 per cent ad valorem; weighing less than 150 deniers, 50 per cent ad valorem; and, in addition, any of the foregoing plied shall be subject to an additional duty of 5 per cent ad valorem, and provided that none of the foregoing shall be subject to a less rate of duty than 45 cents per pound. The Senate amendment rewrites the House provisions to include, at the same rate as single yarns, filaments of rayon or other synthetic textile, exceeding 30 inches in length, single or grouped. The amendment reduces the minimum specific duty to 40 cents per pound and subjects yarns to an additional cumulative duty of 50 cents per pound if having more than 20 turns twist per inch. The House recedes with an amendment reinstating the minimum specific duty of 45 cents per pound and reducing the additional cumulative duty on high-twist yarns to 45 cents per pound.

On amendment No. 658: This amendment is necessary by reason of the Senate action in connection with amendment No. 692; and the House recedes.

On amendments Nos. 659 and 660: The House bill imposed a duty of 20 per cent ad valorem on filaments of rayon or other synthetic textile, other than waste, whether known as cut fiber, staple fiber, or by any other name. Senate amendment No. 660 increases this rate to 25 per cent ad valorem, and amendment No. 659 limits the application of the provision to such filaments of rayon or other synthetic textile as do not exceed 30 inches in length; and the House recedes on both amendments.

On amendments Nos. 661 and 662: These amendments are necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 663: The House bill imposed a duty of 10 cents per pound and 30 per cent ad valorem on rayon sliver or tops. The Senate amendment includes roving in this provision and changes the wording to conform to the Senate action in connection with amendment No. 692; and the House recedes.

On amendment No. 664: This amendment increases from 10 to 12½ cents per pound the rate of duty imposed by the House bill on spun yarn of rayon, and changes the wording to conform to the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 665 and 666: These amendments are made necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes on both amendments.

On amendment No. 667: Under the House bill yarn of rayon or other synthetic textile put up for handwork, and sewing thread of rayon or other synthetic textile, are dutiable at 55 per cent ad valorem but not less than 45 cents per pound. The Senate amendment leaves the ad valorem rate unchanged but reduces the minimum rate to 40 cents per pound; and the Senate recedes.

On amendment No. 668: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 669: Under the House bill rayon or other synthetic textile in bands or strips not exceeding 1 inch in width, suitable for the manufacture of textiles, is dutiable at 45 per cent ad valorem but not less than 45 cents per pound. The Senate amendment leaves the ad valorem rate unchanged but reduces the minimum rate to 40 cents per pound; and the Senate recedes.

On amendment No. 670: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 671: Under the House bill woven fabrics in the piece, wholly or in chief value of rayon or other synthetic textile, not specially provided for, are dutiable at 45 cents per pound and 60 per cent ad valorem and 10 per cent ad valorem additional if Jacquard-figured. The Senate amendment reduces the specific duty from 45 to 40 cents per pound, but leaves the ad valorem duty unchanged; and the Senate recedes.

On amendment No. 672: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 673: Under the House bill, pile fabrics (including pile ribbons), wholly or in chief value of rayon or other synthetic textile, and all articles made or cut from such pile fabrics, are dutiable at 45 cents per pound, and, in addition, if the pile is wholly cut or wholly uncut, 60 per cent ad valorem, and, if the pile is partly cut, 65 per cent ad valorem. The Senate amendment reduces the specific rate on both classes of pile fabrics to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 674: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 675: Under the House bill fabrics with fast edges, not exceeding 12 inches in width, and articles made therefrom; tubings, garters, suspenders, braces, cords, tassels, and cords and tassels of rayon or other synthetic textile, or of rayon or other synthetic textile and India rubber, not specially provided for, are dutiable at 45 cents per pound and 60 per cent ad valorem and 10 per cent ad valorem additional if Jacquard-figured. The Senate amendment reduces the specific rate to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 676: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 677: Under the House bill knit fabric, in the piece, wholly or in chief value of rayon or other synthetic textile, is dutiable at 45 cents per pound and 60 per cent ad valorem. The Senate amendment reduces the specific rate to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 678: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 679: Under the House bill gloves, mittens, hose, half-hose, underwear, outerwear, and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of rayon or other synthetic textile, are dutiable at 45 cents per

pound and 65 per cent ad valorem. The Senate amendment reduces the specific rate to 40 cents per pound, but leaves the ad valorem rate unchanged; and the Senate recedes.

On amendment No. 680: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 681 and 682: Under the House bill handkerchiefs and woven mufflers, wholly or in chief value of rayon or other synthetic textile, finished or unfinished, not hemmed, are dutiable at 45 cents per pound and 60 per cent ad valorem; if hemmed or hemstitched, 45 cents per pound and 65 per cent ad valorem. The Senate amendments reduce the specific rates to 40 cents per pound, but leave the ad valorem rates unchanged; and the Senate recedes on both amendments.

On amendment No. 683: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 684 and 685: Under the House bill clothing and wearing apparel of rayon or other synthetic textile, not specially provided for, are dutiable at 45 cents per pound and 70 per cent ad valorem. The Senate amendments reduce these rates to 40 cents per pound and 65 per cent ad valorem. The Senate recedes on amendment No. 684 (the specific rate) and the House recedes on amendment No. 685.

On amendments Nos. 686, 687, 688, and 689: These amendments are necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes on all these amendments.

On amendments Nos. 690 and 691: Under the House bill manufactures of filaments, fibers, yarns, or threads, and textile products made of bands or strips (not exceeding 1 inch in width), of rayon or other synthetic textile, not specially provided for, are dutiable at 45 cents per pound and 70 per cent ad valorem. The Senate amendments reduce these rates to 40 cents per pound and 65 per cent ad valorem. The Senate recedes on amendment No. 690 (the specific rate) and the House recedes on amendment No. 691.

On amendment No. 692: The House bill provided that the term "rayon" whenever used in this act means the product made by any artificial process from cellulose, a cellulose hydrate, a compound of cellulose, or a mixture containing any of the foregoing, which product is solidified into filaments, fibers, bands, strips, or sheets, whether such products are known as rayon, staple fiber, visca, or cellophane, or as artificial, imitation, or synthetic silk, wool, horsehair, or straw, or by any other name whatsoever. The Senate amendment does not change this definition, but applies it also to the term "other synthetic textile," which term the Senate, by numerous other amendments, uses in conjunction with the word "rayon" wherever it appears in the House bill. This amendment makes no change in the legal effect of the House bill; and the House recedes.

SCHEDULE 14.—PAPERS AND BOOKS

On amendment No. 693: This amendment eliminates the House provision for a countervailing duty on uncoated printing paper provided for in paragraph 1401; and the Senate recedes.

On amendments Nos. 694 and 717: Paragraph 1402 relates to paper board, wallboard, pulpboard, cardboard, and leatherboard, not processed; and paragraph 1413, to the same products, processed. The Senate amendments more clearly define the processing terms used in the House bill and make them uniform in both paragraphs, without change in rates; and the House recedes on both amendments.

On amendments Nos. 695 and 696: These amendments increase from 25 to 30 per cent ad valorem the rate of duty imposed by the House bill on manufactures of pulp, not specially provided for; and the House recedes on both amendments.

On amendment No. 697: The House bill imposed compound rates of duty on papers commonly or commercially known as tissue paper, and on certain other papers enumerated in paragraph 1404, according to weight per ream. The Senate amendment makes certain that the duties imposed shall apply to such articles whether white or printed; and the House recedes.

On amendment No. 698: Under the House bill india and bible paper weighing 10 pounds or more and less than 18 pounds to the ream is dutiable at 4 cents per pound and 15 per cent ad valorem. The Senate amendment makes such paper weighing between 18 and 20½ pounds per ream also subject to this rate; and the House recedes.

On amendment No. 699: In the House bill paper wadding, and pulp wadding, and manufactures of such wadding are not specifically mentioned but are classified as crêpe paper at the rate of 6 cents per pound and 15 per cent ad valorem. The Senate amendment specifically enumerates such articles without change in rate; and the House recedes.

On amendment No. 700: The House bill imposed a duty of 20 per cent ad valorem upon plain basic paper ordinarily used in the manufacture of paper commonly or commercially known either as blue print or brown print, and plain basic paper ordinarily used for similar purposes; and a duty of 25 per cent ad valorem on sensitized paper commonly or commercially known either as blue print or brown print, and similar sensitized paper; and a duty of 5 per cent ad valorem on unsensitized basic paper, and baryta coated paper, to be sensitized for use in photography; and a duty of 30 per cent ad valorem on sensitized paper, to be used in photography. The Senate amendment strikes out these duties and substitutes a duty of 3 cents per pound and 10 per cent ad valorem on plain basic paper for albumenizing, sensitizing, baryta coating, or for photographic processes by using solar or artificial light; and a duty of 3 cents per pound and 20 per cent ad valorem on albumenized or sensitized paper or paper otherwise surface coated for photographic purposes. The Senate recedes.

On amendment No. 701: The House bill imposed the following duties on transparencies, printed lithographically or otherwise, in not more than five printings (bronze printing to be counted as two printings), 40 per cent ad valorem; in more than five printings (bronze printing to be counted as two printings), 50 per cent ad valorem, with a proviso that all invoices shall state the number of separate printings actually employed in the production of the transparency. The Senate amendment eliminates the House classification and proviso and imposes a duty of 25 cents per pound on transparencies; and the Senate recedes.

On amendments Nos. 702 and 703: Under the House bill ceramic decalcomanias, weighing not over 100 pounds per thousand sheets, are dutiable at $1.40 per pound and 15 per cent ad valorem; weighing over 100 pounds per thousand sheets, 35 cents per pound and 15 per cent ad valorem. The Senate amendments reduce the specific rates, respectively, to $1.25 and 30 cents per pound, without change in the ad valorem rates; and the House recedes on both amendments.

On amendments Nos. 704, 705, and 706: The House bill fixed eight one-thousandths of 1 inch in thickness as the dividing line for the assessment of duties on all articles not specially provided for in paragraph 1406. The Senate amendments make this dividing line twelve one-thousandths of 1 inch; and the House recedes on all these amendments.

On amendments Nos. 707, 708, and 709: The House bill imposed the following additional duties on all articles other than those hereinbefore provided for in paragraph 1406: If exceeding eight and not exceeding twenty one-thousandths of 1 inch in thickness, if either die-cut or embossed, 1 cent per pound; if both die-cut and embossed, 2 cents per pound; exceeding twenty one-thousandths of 1 inch in thickness, 10 cents per pound. The dividing line was changed from eight to twelve one-thousandths of 1 inch in thickness by amendment No. 706, explained above, and amendments Nos. 707, 708, and 709 reduce the rates respectively to one-half of 1 cent, 1 cent, and 7½ cents per pound. The House recedes on amendments 707, 708, and 709 with amendments making the rates, respectively, three-fourths of 1 cent, 1½ cents, and 8¾ cents per pound.

On amendments Nos. 710 and 711: The House bill imposed a duty on paper envelopes, not specially provided for. Senate amendment 710 provides that these duties shall apply whether the envelopes are filled or unfilled, and whether the contents are dutiable or free; and amendment 711 further provides that when the contents of such envelopes are subject to an ad valorem rate of duty or a duty based in whole or in part upon the value thereof, the envelopes shall be dutiable at the rate applicable to their contents, but not less than the rates provided for the envelopes; and the House recedes on both amendments.

On amendment No. 712: The House bill imposed a duty of 30 per cent ad valorem on paper commonly or commercially known as wall paper, composed in chief value of paper, printed, lithographed, dyed, or colored, but not wholly or partially covered with linseed oil cement, or flock. The Senate amendment strikes out the House text and imposes a duty of 10 per cent ad valorem on hanging paper, not printed, lithographed, dyed, or colored; and of 1½ cents per pound and 20 per cent ad valorem on such paper if printed, lithographed, dyed, or colored; and the House recedes.

On amendment No. 713: The House bill imposed a duty of 30 per cent ad valorem on filtering paper. The Senate amendment changes this rate to 5 cents per pound and 15 per cent ad valorem; and the House recedes.

On amendment No. 714: This amendment reduces from 30 to 20 per cent ad valorem the rate of duty imposed by the House bill on uncoated and undecorated cover paper; and the Senate recedes.

On amendment No. 715: This amendment provides that exported books of domestic manufacture, when returned to the United States after having been advanced in value or improved in condition by any process of manufacture or other means, shall, under rules and regulations prescribed by the Secretary of the Treasury, be dutiable only on the cost of materials added and labor performed in a foreign country; and the House recedes.

On amendment No. 716: Under the House bill greeting cards, valentines, and other social and gift cards are dutiable at 35 per cent ad valorem; in the form of folders and booklets, 45 per cent ad valorem. The Senate amendment rewrites the House language, and provides that any of these items, with text, shall be dutiable at 45 per cent ad valorem; without text, 30 per cent ad valorem; and the House recedes.

On amendment No. 717: See amendment No. 694. The House recedes.

On amendment No. 718: Under the House bill ribbon flycatchers are not specifically mentioned, but are classified as a manufacture of paper not specially provided for, at 35 per cent ad valorem. The Senate amendment specifically names the article and imposes a duty thereon of 45 per cent ad valorem; and the Senate recedes.

On amendment No. 719: In the House bill, paper tubes, used for holding yarns or thread, are not specifically mentioned, but are classified in this paragraph as a manufacture of paper, not specially provided for, at 35 per cent ad valorem. The Senate amendment specifically enumerates the articles and imposes thereon a duty of 2 cents per pound and 25 per cent ad valorem, if parallel; and of 5 cents per pound and 35 per cent ad valorem, if tapered; and the House recedes with an amendment making the specific rates 1 cent and 3 cents per pound, respectively, and making no change in the ad valorem rates.

SCHEDULE 15.—SUNDRIES

The following amendments make clerical changes, and the House recedes: Nos. 720, 735, 739, and 807.

The following amendments make changes in paragraph, subparagraph, and clause numbers, letters, and references thereto, and the House recedes: Nos. 728, 766, 818, 843, and 844.

The following amendments make changes in paragraph numbers, and the Senate recedes: 789 and 792.

On amendment No. 721: The House bill imposed a duty of 30 per cent ad valorem on molded, pressed, or formed articles in part of asbestos containing any binding agent, coating, or filler, other than hydraulic cement. The Senate amendment reduces the rate of duty to 25 per cent ad valorem, and excludes from the provisions of this subparagraph the foregoing articles containing synthetic resin as a binding agent, coating, or filler; and the House recedes.

On amendment No. 722: Under the House bill, golf tees are not specifically mentioned, but are included within the general terms of paragraph 1502 at 30 per cent ad valorem. The Senate amendment specifically names this item, without change in rate of duty; and the House recedes.

On amendment No. 723: The House bill imposed a duty of 60 per cent ad valorem on fabrics and articles not ornamented with beads, spangles, or bugles, nor embroidered, tamboured, appliquéd, or scalloped, composed wholly or in chief value of beads or spangles (other than imitation pearl beads, beads in imitation of precious or semiprecious stones, and beads in chief value of synthetic phenolic resin). The Senate amendment strikes out the word "phenolic" as applied to resin, making the exception applicable to beads composed of any synthetic resin; and the House recedes.

On amendment No. 724: The House bill imposed a duty of 2 cents per inch and 20 per cent ad valorem on imitation solid pearl beads valued at not more than 5 cents per inch. The Senate amendment makes such beads dutiable at 60 per cent ad valorem; and the House recedes with an amendment making the rates as follows: Valued at not more than one-fourth of 1 cent per inch, 60 per cent ad valorem; valued at more than one-fourth of 1 cent and not more than 1 cent per inch, one-half of 1 cent per inch and 60 per cent ad valorem; valued at more than 1 cent per inch but not more than 5 cents per inch, 1 cent per inch and 40 per cent ad valorem.

On amendment No. 725: The House bill imposed a duty of 4 cents per inch and 40 per cent ad valorem on iridescent imitation solid pearl beads, valued at not more than 10 cents per inch. The Senate amendment makes the rate of duty 90 per cent ad valorem; and the House recedes.

On amendment No. 726: The House bill imposed a duty of 75 per cent ad valorem on beads composed in chief value of synthetic phenolic resin. The Senate amendment strikes out the word "phenolic"; and the House recedes.

On amendment No. 727: This amendment strikes out the duty imposed by the House bill of 20 per cent on hat braids, wholly of ramie, and the duty of 40 per cent on manufactures of hat braids wholly of ramie. Amendment No. 729 transfers hat braids wholly of ramie, suitable for making or ornamenting hats, bonnets, or hoods to paragraph 1504 of the Senate bill at the rate of 15 per cent if not bleached, dyed, colored, or stained, and 25 per cent if bleached, dyed, colored, or stained. Amendment No. 731 transfers hats made of hat braid wholly of ramie to the rates provided for straw hats in subparagraph (b) of paragraph 1504 of the Senate bill. The House recedes on amendment No. 727.

On amendment No. 729: This amendment, besides its effect already referred to in connection with amendment No. 727, imposes upon braids and plaits, wholly or in chief value of ramie, suitable for making or ornamenting hats, bonnets, or hoods, a duty of 15 per cent if not bleached, dyed, colored, or stained, and 25 per cent if bleached, dyed, colored, or stained. The House recedes with a clarifying amendment.

On amendment No. 730: This amendment imposes upon hat braids, etc., wholly or in chief value of straw, hemp, etc. (including ramie), containing a substantial part of rayon or other synthetic textile but not in chief value thereof, a duty of 45 per cent ad valorem; and the House recedes.

On amendments Nos. 731, 732, and 733: The House bill imposed a duty of $4 per dozen and 50 per cent ad valorem on hats, bonnets, and hoods of straw, chip, paper, grass, palm leaf, willow, osier, rattan, real horsehair, cuba bark, or manila hemp, if blocked or trimmed, whether or not bleached, dyed, colored, or stained, and $4 per dozen and 60 per cent ad valorem if sewed. Senate amendment No. 731 adds ramie to the list of materials, and amendment No. 732 strikes out the specific duty on the blocked or trimmed, and makes the rate 78 per cent ad valorem. Amendment No. 733 strikes out the specific duty on the sewed, and makes the rate 88 per cent ad valorem. The House recedes on amendment No. 731 and recedes on amendment No. 732 with an amendment making the rate $3.50 per dozen and 50 per cent ad valorem, and the Senate recedes on amendment No. 733.

On amendment No. 734: This amendment specifically provides for hats, bonnets, and hoods wholly or in chief value of braids not provided for in paragraph 1504, if such braid is composed of a substantial part of rayon or other synthetic textile, but not wholly or in chief value thereof, and makes the rate of duty thereon 90 per cent ad valorem. Under the House bill such hats, bonnets, and hoods are dutiable under paragraph 1529 at 90 per cent. The House recedes.

On amendment No. 736: The House bill imposed a duty of 50 per cent ad valorem on tooth and toilet brushes other than those specially provided for. The Senate amendment makes these brushes dutiable at 1 cent each and 50 per cent ad valorem; and the House recedes.

On amendments Nos. 737 and 738: These amendments reduce from 50 to 40 per cent ad valorem the rate of duty imposed by the House bill on hair pencils in quills or otherwise; and the House recedes on both amendments.

On amendment No. 740: Under the House bill stoppers composed wholly or in chief value of cork, over three-fourths of an inch in diameter measured at the larger end, are dutiable at 25 cents per pound, and at 31 cents per pound if three-fourths of 1 inch or less in diameter measured at the larger end. The Senate amendment rewrites the House text, making a distinction between stoppers made of natural and those of artificial cork. If composed of natural cork, the rates are the same as in the House bill; if of artificial, composition, or compressed cork, the rates are reduced, respectively, to 10 and 12½ cents per pound; and the House recedes.

On amendment No. 741: This amendment reduces from $2 to $1.50 per pound the rate of duty imposed by the House bill on perforated cork penholder grips; and the Senate recedes.

On amendment No. 742: This amendment reduces from 12½ to 10 cents per pound the rate of duty imposed by the House bill on disks, wafers, and washers, three-sixteenths of 1 inch or less in thickness, made from artificial, composition, or compressed cork; and the Senate recedes.

On amendments Nos. 743 and 744: These are clarifying amendments; and the House recedes.

On amendment No. 745: This amendment reduces from 2¾ cents to 1½ cents per board foot the rate of duty imposed by the House bill on cork insulation wholly or in chief value of cork, cork waste, or granulated or ground cork, in blocks, slabs, boards, or planks; and the House recedes with an amendment making the rate 2½ cents per board foot.

On amendment No. 746: This amendment reduces from 5 to 4 cents per pound the rate of duty imposed by the House bill on

cork pipe coverings, cork fitting covers, and cork lags, wholly or partly manufactured, coated or uncoated; and the Senate recedes.

On amendment No. 747: The House bill imposed the following duties: Dolls and doll clothing, composed in any part, however small, of any of the laces, fabrics, embroideries, or other materials or articles provided for in paragraph 1529 (a), 90 per cent ad valorem; dolls and toys, composed wholly or in chief value of any product provided for in paragraph 31, having any movable member or part, 1 cent each and 60 per cent ad valorem; not having any movable member or part, 1 cent each and 50 per cent ad valorem; parts of dolls or toys, composed wholly or in chief value of any product provided for in paragraph 31, 1 cent each and 50 per cent ad valorem; and on all other dolls, parts of dolls (including clothing), doll heads, and toy marbles, of whatever material composed, 70 per cent ad valorem. The Senate amendment strikes out the House text and makes dolls, parts of dolls, doll heads, toy marbles, toy games, toy containers, toy favors, and toy souvenirs, of whatever material composed, dutiable at 70 per cent ad valorem, and under a provision of amendment No. 748, doll clothing is excluded from the paragraph for separate assessment. The House recedes with an amendment reinstating the House text and rates and including toy games, toy containers, toy favors, and toy souvenirs at the 70 per cent rate.

On amendment No. 748: This amendment defines the term "toy" as an article chiefly used for the amusement of children, whether or not also suitable for physical exercise or for mental development, and further provides that doll clothing shall not be classified under this paragraph but shall be assessed separately. The House recedes with an amendment striking out the reference to doll clothing, in conformity with the action of the conferees on amendment No. 747.

On amendment No. 749: The House bill provided that none of the articles enumerated in the toy paragraph (par. 1513) should be subject to a less amount of duty than would be payable without regard to the paragraph, except that any article named therein composed wholly or in chief value of china, porcelain, parian, bisque, earthenware, or stoneware should be classified under the paragraph. The Senate amendment strikes out this proviso; and the House recedes.

On amendment No. 750: This amendment imposes a duty of 1 cent per pound on garnet in grains, ground, pulverized, refined, or manufactured, which under the House bill was on the free list if in grains not ground, the other forms being dutiable at 30 per cent ad valorem. The House recedes.

On amendment No. 751: This amendment imposes a duty of 20 per cent ad valorem on manufactures of which garnet is the component material of chief value, not specially provided for; and the House recedes.

On amendment No. 752: This amendment imposes a duty of 60 per cent ad valorem on any of the articles provided for in paragraph 1514 (relating to abrasives, etc.), if containing more than specified percentages of certain alloying materials; and the House recedes.

On amendment No. 753: This amendment increases from 8 cents per pound to 25 cents per pound the duty imposed by the House bill on firecrackers more than five-sixteenths of 1 inch outside diameter, or more than 1¾ inches in length; and the House recedes.

On amendment No. 754: This amendment increases from 2 cents to 2¾ cents per thousand the rate of duty imposed by the House bill on friction or lucifer matches imported otherwise than in boxes containing not more than 100 matches each; and the House recedes.

On amendment No. 755: Under the House bill match splints and skillets for match boxes were not specially mentioned but were dutiable at 33⅓ per cent ad valorem as manufactures of wood, not specially provided for. The Senate amendment specifically enumerates these items, and makes the splints dutiable at 1 cent per thousand and the skillets at 12 cents per thousand; and the House recedes.

On amendment No. 756: This amendment reduces from 40 to 30 per cent ad valorem the rate of duty imposed by the House bill on percussion caps, cartridges, and cartridge shells empty; and the House recedes.

On amendment No. 757: The House bill imposed a duty of 20 per cent ad valorem on feathers and downs, on the skin or otherwise, crude or not dressed, colored, or otherwise advanced or manufactured in any manner, not specially provided for, and of 60 per cent ad valorem on feathers and downs dressed, colored, or otherwise advanced or manufactured in any manner, including quilts of down and other manufactures of down. The Senate amendment makes the duty 11 cents per pound on crude feathers and downs compressed to a density of not less than 10 pounds per cubic foot, and makes the rate 95 cents per pound on feathers and downs dressed, colored, or otherwise advanced or manufactured in any manner, whether compressed or not, and retains the House rate on quilts and other manufactures of down; and the Senate recedes.

On amendment No. 758: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendments Nos. 759 and 760: The House bill imposed the following duties: Natural grasses, grains, leaves, plants, shrubs, herbs, and trees, and parts thereof, not specially provided for, when bleached, 50 per cent ad valorem; when colored, dyed, painted, or chemically treated, 75 per cent ad valorem. The Senate amendments reduce these rates, respectively, to 25 and 50 per cent ad valorem; and the Senate recedes on both amendments.

On amendment No. 761: The House bill imposed a duty of 25 per cent ad valorem on plates, mats, and crosses of dressed dog, goat, or kid skins. The Senate amendment reduces this duty to 10 per cent and makes a clarifying amendment. The House recedes with an amendment restoring the rate of duty in the House bill and making a clarifying amendment.

On amendments Nos. 762 and 763: These are clarifying amendments; and the House recedes.

On amendment No. 764: Under the House bill articles of wearing apparel wholly or partly manufactured, wholly or in chief value of dog, goat, or kid skins, not specially provided for, were dutiable at 50 per cent ad valorem under subparagraph (e) of paragraph 1519. The Senate amendment makes these articles dutiable at 15 per cent. The House recedes with an amendment making the rate 35 per cent.

On amendment No. 765: The House bill imposed a compound duty of 36 cents per pound and 40 per cent ad valorem on press cloth of camel's hair. The Senate amendment strikes out the specific rate but retains the ad valorem; and the House recedes with an amendment making the rate 40 per cent ad valorem but not less than 25 cents per pound.

On amendments Nos. 767, 768, 769, and 770: Senate amendment No. 767 reduces from $1.50 to $1.25 per dozen the rate of duty imposed by the House bill on hats, caps, bonnets, and hoods, for men's, women's, boys', or children's wear, trimmed or untrimmed, including bodies, hoods, plateaux, forms, or shapes, for hats or bonnets, composed wholly or in chief value of fur of the rabbit, beaver, or other animals, valued at not more than $6 per dozen; amendment No. 768 reduces the rate on those valued at more than $6 and not more than $9 per dozen from $3 to $2.50 per dozen; amendment No. 769 reduces the rate on those valued at more than $24 and not more than $30 per dozen from $12 to $10 per dozen; and amendment No. 770 reduces the rate on those valued at more than $30 and not more than $48 per dozen from $13 to $11 per dozen. The House recedes on amendments Nos. 767 and 768, and the Senate recedes on amendments Nos. 769 and 770.

On amendment No. 771: Under the House bill silk or opera hats in chief value of silk are not specifically mentioned, but are dutiable under paragraph 1210 as silk wearing apparel not specially provided for, at 65 per cent ad valorem. The Senate amendment specifically names these hats and imposes thereon a duty of $2 each and 75 per cent ad valorem; and the House recedes with an amendment making the duty applicable only to men's hats.

On amendment No. 772: The House bill imposed a duty of 80 per cent ad valorem on jewelry wholly or in chief value of gold or platinum, and imposed a higher rate on jewelry composed of any other material and valued above 20 cents per dozen pieces. The Senate amendment makes dutiable under the 80 per cent rate instead of the higher rate jewelry of which the metal part is wholly or in chief value of gold or platinum even though the gold or platinum is not the component material of chief value of the whole article. The House recedes.

On amendment No. 773: The House bill imposed on jewelry (other than that described in connection with the last amendment) a duty of 1 cent each and, in addition, three-fifths of 1 cent per dozen for each 1 cent the value exceeds 20 cents per dozen, and in addition thereto 50 per cent ad valorem. The Senate amendment changes the rate to 80 per cent ad valorem; and the Senate recedes.

On amendment No. 774: The House bill provided that none of the jewelry described in subparagraph (a) of paragraph 1527 should be subject to a less amount of duty than would be payable if the article was not dutiable under paragraph 1527. The Senate amendment strikes out this proviso, the effect of which is to make all the articles in subparagraph (a) dutiable at the various rates provided therein, even though subject to a higher rate under some other paragraph. The Senate recedes.

On amendments Nos. 775 and 776: The House bill imposed a duty of 80 per cent on articles valued above 20 cents per dozen

pieces, designed to be worn on apparel or to be carried on or about or attached to the person, such as and including buckles, card cases, cigarette cases, cuff buttons, match boxes, etc., if wholly or in chief value of gold or platinum, and imposed a higher rate on such articles wholly or in chief value of any other metal. The Senate amendments make dutiable under the 80 per cent rate instead of the higher rate such articles of which the metal part is wholly or in chief value of gold or platinum, even though the gold or platinum is not the component material of chief value of the whole article. The House recedes on both amendments.

On amendment No. 777: The House bill imposed a duty of 10 per cent ad valorem on diamonds and other precious stones, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken, not set, and on diamond dust. Senate amendment No. 777 strikes out the House language, and amendment No. 919 transfers these items to the free list; and the House recedes on amendment No. 777.

On amendment No. 778: This amendment reduces from 20 to 10 per cent ad valorem the rate of duty imposed by the House bill on pearls and parts thereof, drilled or undrilled, but not set or strung (except temporarily); and the House recedes.

On amendment No. 779: This amendment reduces from 20 to 10 per cent ad valorem the rate of duty imposed by the House bill on diamonds, coral, rubies, cameos, and other precious stones and semiprecious stones, cut but not set, and suitable for use in the manufacture of jewelry; and the House recedes.

On amendment No. 780: The House bill imposed on imitation half pearls not coated with fish-scale solution a duty of 20 per cent ad valorem. The Senate amendment strikes out the words "not coated with fish-scale solution," so that all imitation half pearls, whether or not coated with fish-scale solution, will be subject to the 20 per cent duty; and the House recedes.

On amendments Nos. 781 and 782: The House bill provided that imitation solid pearls, unpierced, pierced, or partially pierced, loose or mounted, of whatever shape, color, or design, shall bear the same rate of duty as is applicable to imitation solid pearl beads. Senate amendment No. 781 includes within this provision iridescent imitation solid pearls, and amendment No. 782 makes a change in language for purposes of clarification; and the House recedes on both amendments.

On amendment No. 783: Under the House bill lace window curtains (other than those provided for in par. 320) were included within the lace and embroidery paragraph of the bill at 90 per cent ad valorem without specific enumeration. The Senate amendment specifically names these articles in the paragraph; and the House recedes.

On amendment No. 784: The House bill excepted from the 90 per cent duty in paragraph 1529 (a) boots, shoes, or other footwear (including athletic or sporting boots and shoes), made wholly or in chief value of leather, not specially provided for, and such footwear the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, rayon, silk, or substitutes, even though such articles are ornamented or embroidered, and also excepts the articles provided for in paragraphs 1702 and 1721 of the House bill. The Senate amendment makes the exception apply to all articles on the free list and to such footwear the uppers of which are composed wholly or in chief value of wool, cotton, ramie, animal hair, fiber, or silk, or substitutes. The House recedes with an amendment making the exception apply as in the House bill as well as to all articles on the free list.

On amendment No. 785: The House bill excepted from the 90 per cent duty imposed on lace articles and embroideries in paragraph 1529 (a) the handkerchiefs and body-supporting garments and wearing apparel to which such garments are attached, in part of lace, or embroidered, enumerated in subparagraphs (b) and (c), respectively, of the House bill. The Senate amendment removes the exception in the case of body-supporting garments; and the House recedes with an amendment making a necessary change in subparagraph reference.

On amendment No. 786: This amendment is necessary by reason of the action of the Senate in connection with amendment No. 692; and the House recedes.

On amendment No. 787: This amendment removes from the 90 per cent ad valorem rate imposed in paragraph 1529 (a) on embroidered hose and half hose, such hose and half hose in chief value of cotton or wool if the embroidery is commonly known as clocking and does not exceed 1 inch in width or 6 inches in length, exclusive of the fork, and subjects them to the lower rates of duty provided in the cotton and wool schedules. The House recedes on this amendment with an amendment subjecting such hose and half hose to a duty of 75 per cent ad valorem.

On amendment No. 788: This amendment imposes on laces 3 inches or less in width, and on laces suitable for conversion into laces 3 inches or less in width, an additional duty of one-half of 1 cent per yard for each one-half inch or fraction thereof in width, and imposes on nets and netting certain additional specific duties per square yard, according to the number of holes per square inch. The Senate recedes.

On amendments Nos. 790 and 791: The House bill imposed a duty of 4 cents each and 40 per cent ad valorem on handkerchiefs wholly or in part of lace or embroidered, etc. Amendment No. 790 makes the rate on handkerchiefs of lace 90 per cent ad valorem. Amendment No. 791 makes the rate on embroidered handkerchiefs 90 per cent and imposes an additional duty of 1 cent each if such handkerchiefs are made with hand-rolled or hand-made hems. The Senate recedes on amendment No. 790. The House recedes on amendment No. 791 with an amendment imposing the following duties on both lace and embroidered handkerchiefs: If valued at not more than 70 cents per dozen, 3 cents each and 40 per cent ad valorem; valued at more than 70 cents per dozen, 4 cents each and 40 per cent ad valorem, plus an additional duty of 1 cent each on such handkerchiefs valued at not more than 70 cents per dozen if made with hand-rolled or hand-made hems.

On amendment No. 793: The House bill imposed duties of 60 and 75 per cent ad valorem on body-supporting garments and on wearing apparel or articles to which a body-supporting garment is attached. The Senate amendment provides that when such wearing apparel or article is so attached, it shall not be subject to a less rate of duty than if it were imported separately; and the House recedes.

On amendment No. 794: The House bill imposed a duty of 60 per cent ad valorem on elastic fabrics of whatever material composed, knit, woven, or braided, in part of india rubber, more than 12 inches in width. The Senate amendment removed the limitation as to width; and the House recedes.

On amendments Nos. 795, 949, 967, and 968: The House bill imposed on hides and skins of cattle of the bovine species a duty of 10 per cent ad valorem, and duties of 12½, 15, and 20 per cent on various leathers made from such hides or skins. Leather made from the skins of other animals was made dutiable at 25 per cent ad valorem, but if to be used in the manufacture of shoes, or if cut into shoe forms the duty was 10 per cent. The House bill also imposed a duty of 30 per cent ad valorem on fancy leather of all kinds. Boots and shoes of leather were made dutiable at 20 per cent and boots or shoes with vegetable or animal fiber uppers were made dutiable at 35 per cent. Harness, saddles, and saddlery, and parts thereof (except metal parts), were made dutiable at rates of 15 per cent and 35 per cent. The Senate amendments transfer hides and skins of cattle of the bovine species and boots and shoes of leather to the free list. The Senate amendments also make chamois skins, pianoforte, pianoforte-action, player-piano-action leather, and enameled upholstery leather, and bag, strap, case, football, and glove leather, and seal, sheep, goat, and calf leather, other than shoe leather, dutiable at 20 per cent. All other leather is placed on the free list. Boots and shoes of animal or vegetable fiber uppers are made dutiable at 35 per cent. Harness valued at more than $70 per set and single harness and saddles valued at more than $40, and parts (except metal parts) for any of the foregoing are made dutiable at 35 per cent. The House recedes on amendment No. 795 with an amendment restoring the provisions of the House bill, making certain clarifying changes, and reducing from 25 per cent to 10 per cent the duty on vegetable-tanned rough leather made from goat or sheep skin (including those commercially known as India-tanned goat or sheep skins). The Senate recedes on amendments Nos. 949, 967, and 968.

On amendment No. 796: The House bill imposed a duty of 35 per cent ad valorem on bags, baskets, belts, satchels, cardcases, pocketbooks, jewel boxes, portfolios, and other boxes and cases, not jewelry, wholly or in chief value of leather or parchment and manufactures of leather, rawhide, or parchment, or of which leather, rawhide, or parchment is the component material of chief value, not specially provided for, and a duty of 50 per cent ad valorem on any of the foregoing permanently fitted and furnished with traveling, bottle, drinking, dining or luncheon, sewing, manicure, or similar sets. The Senate amendment reduces these rates, respectively, to 30 per cent ad valorem and 45 per cent ad valorem, and restores moccasins to this paragraph at 30 per cent ad valorem, which were dutiable under paragraph 1530 (e) of the House bill at 20 per cent ad valorem; and the Senate recedes.

On amendment No. 797: The House bill imposed the following duties on gloves wholly or in chief value of leather, which duties are based upon extreme length of the gloves (including the un-

folded length of cuffs or other appendages): Men's gloves not over 12 inches in length, $6.50 per dozen pairs; women's and children's gloves not over 12 inches in length, $5.50 per dozen pairs; an additional duty of 50 cents per dozen pairs on such gloves for each inch or fraction thereof in excess of 12; and cumulative duties of $1 per dozen pairs when machine seamed but not overseamed; $5 per dozen pairs when seamed by hand; $3.50 per dozen pairs when lined with fabrics; $4 per dozen pairs when trimmed with fur; and $5 per dozen pairs when lined with leather or fur. The House bill also imposed a minimum duty of 50 per cent ad valorem and provided that glove tranks should be subject to 75 per cent of the duty provided for the gloves in the fabrication of which they are suitable. Gloves of horsehides or cowhides (except calfskins) are dutiable under the House bill at 25 per cent. The Senate amendment makes gloves of leather dutiable at the following rates: Men's gloves, $6 per dozen pairs; women's and children's gloves of sheep or lamb leather, not over 14 inches in length, $4 per dozen pairs, and if in excess of 14 inches in length, 25 cents per dozen pairs additional for each inch; women's and children's gloves (not of sheep or lamb leather) not over 14 inches in length, $5 per dozen pairs and 25 cents per dozen pairs for each inch in excess of 14. Under the Senate amendment the extreme length does not include the unfolded length of cuffs or other appendages. The Senate amendment also imposes cumulative duties of $2 per dozen pairs if lined with fabric and $4 per dozen pairs if lined with leather or fur. Gloves of horsehides or cattle hides (except calfskins) under the Senate amendment are dutiable at $1.50 per dozen pairs. Glove tranks are subject to 75 per cent of the duty provided for the gloves in the fabrication of which they are suitable. The House recedes with an amendment restoring the provisions of the House bill, but making the base rate on men's gloves $6 per dozen pairs.

On amendment No. 798: The House bill imposed a duty of 65 per cent ad valorem on artificial flies, snelled hooks, leaders or casts, finished or unfinished, and of 55 per cent ad valorem on fishhooks, fishing rods and reels, artificial baits, and all other fishing tackle and parts thereof, fly books, fly boxes, fishing baskets or creels, finished or unfinished, not specially provided for, except fishing lines, fishing nets, and seines. The Senate amendment rewrites the House text, subjecting all such articles to a duty of 45 per cent ad valorem. The House recedes with an amendment restoring the House classification, but imposing a duty of 55 per cent ad valorem on artificial flies, snelled hooks, leaders or casts, finished or unfinished, and on fishing rods and reels, and parts thereof; and of 45 per cent ad valorem on all the other articles enumerated in the paragraph.

On amendment No. 799: The House bill imposed a duty of 35 per cent ad valorem on all candles. The Senate amendment eliminates this specific provision, the effect of which is to make wax candles dutiable at 20 per cent ad valorem as manufactures of wax, not specially provided for, while other handles would be dutiable as a nonenumerated manufactured article at the same rate under paragraph 1558 of the Senate bill; and the House recedes with an amendment restoring the House language but changing the rate to 27½ per cent ad valorem.

On amendment No. 800: The House bill imposed a duty of 50 per cent ad valorem on manufactures of chip roping. The Senate amendment eliminates this specific provision, the effect of which is to make this item dutiable at 25 per cent ad valorem as a manufacture of chip not specially provided for; and the House recedes with an amendment restoring the House language but making the rate 25 per cent ad valorem.

On amendment No. 801: Under the House bill floor coverings of sponge rubber were not specifically mentioned, but were dutiable at 40 per cent ad valorem in paragraph 1021 as floor coverings not specially provided for. The Senate amendment specifically names these articles, and imposes a duty thereon of 25 per cent ad valorem; and the Senate recedes.

On amendments Nos. 802, 803, and 804: The House bill imposed a duty on laminated products of which any synthetic resin or resinlike substance provided for in paragraph 28 (coal-tar products) is the chief binding agent. Amendment No. 802 extends these duties so as to apply to laminated products of which any synthetic resin or resinlike substance is the chief binding agent; and the House recedes. Amendment 803 is a clarifying amendment in respect of these duties; and the House recedes. The House bill imposed a duty of 50 cents per pound and 40 per cent ad valorem on manufactures wholly or in chief value of any of the foregoing laminated products. Amendment 804 imposes the same duty on manufactures wholly or in chief value of any other product of which any synthetic resin or resinlike substance is the chief binding agent, thus including molded products as well as laminated products; and the House recedes.

On amendment No. 805: The House bill imposed a duty of 60 per cent ad valorem on pipe organs or pipe-organ player actions and parts thereof. The Senate amendment provides that on pipe organs or pipe-organ player actions and parts thereof especially designed and constructed for installation and use in a particular church, or in a particular public auditorium at which it is not customary to charge an admission fee, which are imported for that specific use, and which are so installed and used within one year from the date of importation, the rate of duty shall be 40 per cent ad valorem; and the House recedes.

On amendment No. 806: This amendment reduces from 60 to 40 per cent ad valorem the rate of duty imposed by the House bill on chin rests for violins; and the House recedes.

On amendment No. 808: This amendment reduces from 60 to 40 per cent ad valorem the rate of duty imposed by the House bill on strings for musical instruments composed wholly or in part of catgut, other gut, oriental gut, or metal; and the House recedes.

On amendments Nos. 809 and 1108: The House bill imposed a duty of $1.25 each and 35 per cent ad valorem on violins, violas, violoncellos, and double basses, of all sizes. Senate amendment No. 809 provides that this duty shall apply only to such of the articles named as are made after the year 1800; and amendment No. 1108 transfers to the free list those made in the year 1800 or before; and the House recedes on both amendments.

On amendments Nos. 810 and 811: The House bill imposed a duty of 20 per cent ad valorem on all carillons, and parts thereof. Senate amendment No. 810 increases this rate to 25 per cent ad valorem; and amendment No. 811 provides that religious and educational societies and institutions, or individuals for philanthropic, charitable, or patriotic purposes, may import free of duty any carillon consisting of not less than 30 bells of different sizes and weights, and parts thereof, for installation and use in or on one building, and not for sale; and the Senate recedes on both amendments.

On amendments Nos. 812 and 816: The House bill provided that any article chiefly used for the amusement of children, or any part of any such article, shall not be classified under the musical instruments paragraphs (1541 and 1542 of the Senate bill). The Senate amendments strike out these provisos in view of the new wording in the toy paragraph (see amendment No. 748), which accomplishes the same purpose; and the House recedes.

On amendment No. 813: Under the House bill dictophones are not specifically mentioned, but are dutiable at 30 per cent ad valorem under the provision for phonographs, gramophones, graphophones, and similar articles. The Senate amendment specifically enumerates dictophones, but makes no change in the duty; and the House recedes.

On amendments Nos. 814 and 815: The House bill imposed a duty of 8 cents per thousand and 45 per cent ad valorem on needles for phonographs, gramophones, graphophones, and similar articles. Senate amendment No. 815 eliminates the specific rate but retains the ad valorem rate at 45 per cent, and amendment No. 814 specifically enumerates needles for dictophones; and the House recedes on amendment No. 814, and the Senate recedes on amendment No. 815.

On amendment No. 816: See amendment No. 812.

On amendment No. 817: This amendment increases from 25 to 40 per cent ad valorem the rate of duty imposed by the House bill on sponges commercially known as sheepswool; and the House recedes with an amendment making the rate 30 per cent ad valorem.

On amendments Nos. 819, 820, and 822: These are clarifying amendments to make certain that the subparagraph is confined solely to works of art. The House recedes on all three amendments.

On amendment No. 821: Under the House bill statuary, sculptures, or copies, replicas, or reproductions of the same, not specially provided for, which are works of art, are dutiable at 20 per cent ad valorem. The Senate amendment limits the House provision to such of these articles as are valued at not less than $2.50 each, the effect of which is to make articles valued at less than $2.50 each dutiable according to the component material of chief value; and the House recedes.

On amendment No. 823: Under the House bill paintings in oil, mineral, water, or other colors, pastels, and drawings and sketches in pen and ink, pencil, or water color, are free of duty if original, while if not original they are either dutiable under paragraph 1547 of the House bill at 20 per cent ad valorem as works of art, not specially provided for, or under other paragraphs according to the nature and description of the article. The Senate amendment imposes a duty of 20 per cent ad valorem on any of the foregoing, whether or not works of art, suitable as designs for use in the manufacture of textiles, floor coverings, wall paper, or wall coverings; and the House recedes.

On amendments Nos. 824 and 825: The House bill imposed a duty of 60 cents per gross and 35 per cent ad valorem on pencils of paper, wood, or other material not metal, filled with lead or other material, pencils of lead, crayons (including chalk crayons and charcoal crayons or fusains), not specially provided for. The Senate amendments reduce this rate to 45 cents per gross and 25 per cent ad valorem; and the House recedes on both amendments with amendments making the rate 50 cents per gross and 30 per cent ad valorem.

On amendment No. 826: This amendment provides that on any of the pencils provided for in paragraph 1549 (a), valued at more than $5.75 per gross, the maximum duty shall be $1 per gross; and the Senate recedes.

On amendment No. 827: Under the House bill black pencil leads not in wood or other material are dutiable at 6 cents per gross. The Senate amendment includes at this rate black leads for holders and black leads of graphite or of graphite and clay exceeding 0.06 of an inch in diameter. The House recedes with an amendment making clarifying changes but without change of the rate or classification provided in the Senate amendment.

On amendments Nos. 828 and 829: The House bill imposed a duty of 72 cents per dozen and 40 per cent ad valorem on mechanical pencils. The Senate amendments give mechanical pencils a separate classification and change the rate to 45 cents per gross and 40 per cent ad valorem; and the House recedes.

On amendment No. 830: The House bill imposed a duty of 25 per cent ad valorem on photographic dry plates, not specially provided for. The Senate amendment reduces this rate to 20 per cent ad valorem, and provides that when such dry plates are panchromatic, the rate shall be 10 per cent; and the House recedes with an amendment making the rate 20 per cent ad valorem on such plates whether or not panchromatic.

On amendments Nos. 831, 832, and 833: The House bill imposed a duty of 25 per cent ad valorem on photographic films, sensitized but not exposed or developed, of every kind except motion-picture films having a width of 1 inch or more, and imposed a duty of 0.4 of 1 cent per linear foot on motion-picture films, sensitized but not exposed or developed, of the standard width of 1⅜ inches, while all other widths of 1 inch or more were dutiable in equal proportion thereto. The Senate amendments eliminate the distinction between motion-picture films and other photographic films and make all sensitized but not exposed or developed films dutiable at 0.2 of 1 cent per linear foot of the standard width of 1¾ inches, and other widths in proportion thereto; and the Senate recedes on all these amendments.

On amendments Nos. 834 and 988: The House bill imposed a duty of 2 cents per linear foot on all photographic-film negatives, in any form, for use in connection with moving-picture exhibits or for making or reproducing pictures for such exhibits, exposed but not developed. Senate amendment No. 834 excepts from the duty undeveloped negative moving-picture film of American manufacture exposed abroad for silent or sound news reel; and amendment No. 988 transfers this film to the free list; and the House recedes on both amendments.

On amendments Nos. 835 and 894: The House bill imposed a duty of 60 per cent ad valorem on cigarette books, cigarette-book covers, and on cigarette paper in all forms, except cork paper. Senate amendment No. 835 strikes out the House provision, and amendment No. 894 transfers these items to the free list; and the Senate recedes.

On amendment No. 836: This amendment reduces from 60 to 40 per cent ad valorem the rate of duty imposed by the House bill on umbrellas, parasols, and sunshades covered with material other than paper or lace, not embroidered or appliquéd; and the House recedes.

On amendments Nos. 837, 838, and 839: The House bill imposed a duty of 75 per cent ad valorem on handles and sticks for umbrellas, parasols, sunshades, and walking canes, wholly or in chief value of synthetic phenolic resin. Senate amendment No. 838 eliminates the word "phenolic," and amendments Nos. 837 and 839 make clerical changes; and the House recedes on all these amendments.

On amendment No. 840: See amendment No. 577.

On amendment No. 841: The House bill imposed a duty of 30 per cent ad valorem on bleached beeswax, while crude beeswax was free of duty under paragraph 1791 of the House bill as wax not specially provided for. The Senate amendment imposes a duty of 12 per cent ad valorem on crude beeswax, and reduces the rate on bleached beeswax to 25 per cent ad valorem; and the Senate recedes.

On amendment No. 842: Under the House bill stamping and embossing materials of pigments, mounted on paper or equivalent backing and releasable from the backing by means of heat and pressure, are dutiable at 5 cents per pound and 15 per cent ad valorem under paragraph 1405 as surface-coated papers. The Senate amendment specifically provides for these items in a separate classification and makes the rate thereon three-eighths of 1 cent per hundred square inches; and the House recedes.

TITLE II.—FREE LIST

The following amendments make changes in paragraph numbers, and the Senate recedes: 853, 858, 859, 860, 862, 863, 864, 865, 866, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 880, 881, 882, 883, 884, and 886.

The following amendments make changes in paragraph numbers, and the House recedes with amendments making further changes in paragraph numbers: 888, 891, and 892.

The following amendments make clerical changes, and the House recedes: 912, 924, and 1065.

On amendment No. 845: The House bill, in referring to our possession in Samoa, used the descriptive phrase "the island of Tutuila." The Senate amendment uses the phrase "American Samoa"; and the House recedes.

On amendment No. 846: See amendment No. 13. The House recedes.

On amendment No. 847: Under the House bill milk cans were not specifically enumerated, but were dutiable under the basket clause of the metal schedule. The Senate amendment transfers this item to the free list; and the Senate recedes.

On amendments Nos. 848 and 849: The House bill provided that horses, mules, asses, cattle, sheep, and other domestic animals which have strayed across the boundary line into any foreign country, or which are driven across such boundary line by the owner for temporary pasturage purposes only, together with the offspring, shall be dutiable unless brought back to the United States within eight months, in which case they shall be free of duty. Senate amendment No. 848 eliminates the provision for free entry of such animals as are driven across the boundary line, and amendment No. 849 limits the time within which strayed animals may be returned free of duty to three months. The House recedes on both amendments, with amendments permitting driving or straying across the boundary line between the United States and Canada and the free return of the animals within eight months, but permitting no free return of animals if driven into Mexico and allowing free return of animals strayed into Mexico only if returned within three months.

On amendment No. 850: The House bill permits animals, poultry, and fish to be temporarily brought into the United States under bond for a period not exceeding six months, for the purpose of breeding, exhibition, or competition for prizes offered by any agricultural, polo, or racing association. The Senate amendment confines this privilege to animals and poultry; and the House recedes.

On amendment No. 851: Under the House bill, arrowroot starch was not specifically mentioned, but was dutiable under paragraph 85 of the House bill at 1½ cents per pound as starch not specially provided for. The Senate amendment transfers manufactured arrowroot, including starch and flour, to the free list; and the House recedes with an amendment making a clarifying change in language.

On amendment No. 852: See amendment No. 11. The Senate recedes.

On amendment No. 854: The House bill exempts from duty articles the growth, produce, or manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means, but confines this exemption to such articles when imported by or for the account of the person who exported them from the United States. The Senate amendment strikes out this limitation, the effect of which is to extend the privilege to persons other than those by or for the account of whom the articles were exported; and the Senate recedes.

On amendment No. 855: The House bill exempts from duty iron or steel drums of either domestic or foreign manufacture, used for the shipment of acids, or other chemicals, which shall have been actually exported from the United States. The Senate amendment includes within this provision drums of other metal than steel or iron; and the House recedes.

On amendment No. 856: The House bill exempts from duty bags of American manufacture exported filled with American products, or exported empty and returned filled with foreign products, but confines this exemption to such domestic bags as may be imported by the exporter thereof. The Senate amendment strikes out this limitation, making such bags exempt from duty whether or not imported by the exporter thereof; and the Senate recedes.

On amendment No. 857: The House bill permitted to certain persons, under certain conditions, the free importation of certain containers and coverings of American manufacture, but attached the condition that upon reimportation duty should be paid equal to any drawback allowed on exportation. The Senate

amendment provides that if such coverings and containers are not unusual they shall be relieved from the repayment of drawback if used as coverings and containers of merchandise not subject to an ad valorem rate of duty; and the House recedes.

On amendment No. 861: This amendment makes certain that plantains shall be admitted free of duty; and the House recedes.

On amendments Nos. 867 and 868: Under the House bill bread is exempted from duty if yeast was the leavening substance used in its preparation. The Senate amendment further limits this provision to such bread as is light raised, and is commonly known as bread, the effect of which is to make so-called Swedish bread and similar bread dutiable at 30 per cent ad valorem under paragraph 733 of the Senate bill; and amendment No. 868 makes bread dutiable in the case of imports from a country which imposes a tariff on bread imported from the United States; and the Senate recedes on both amendments.

On amendment No. 879: See amendment No. 159. The Senate recedes.

On amendment No. 887: See amendment No. 244. The House recedes with an amendment making a change in paragraph number.

On amendments Nos. 889 and 890: See amendment No. 29. The House recedes.

On amendment No. 894: See amendment No. 835. The Senate recedes.

On amendment No. 900: Under the House bill cocoa or cacao beans are free of duty. The Senate amendment makes certain that shells of such beans shall also be free of duty; and the House recedes.

On amendment No. 918: The House provision excludes sulphocyanides or thiocyanides, thiocyanates, and nitroprussides from this paragraph. The Senate provision also excludes these compounds and, in addition, excludes ferrocyanides, ferricyanides, and cyanates, the effect of which is to make them dutiable under paragraph 5 at 25 per cent; and the House recedes.

On amendments Nos. 938 and 939: The House bill placed on the free list guano, basic slag, manures, and all other substances used chiefly for fertilizer, not specially provided for, but provided that no article specified by name in Title I should be free of duty under this provision. Senate amendment No. 939 extends the application of this paragraph to substances used chiefly as an ingredient in the manufacture of fertilizers and strikes out the clause excepting articles specified by name in Title I. Amendment No. 938 makes the provisions of the paragraph applicable, notwithstanding any other provision of the act. The House recedes on amendment No. 939 and recedes on amendment No. 938 with an amendment making a clarifying change.

On amendment No. 941: See amendment No. 36. The House recedes.

On amendments Nos. 943 and 944: Under the House bill gunpowder, sporting powder, and all other explosive substances not specially provided for, are free of duty, with a proviso that if any country, dependency, province, or other subdivision of government imposes a duty on any article specified in the paragraph, when imported from the United States, an equal duty shall be imposed upon such article coming into the United States from such country, dependency, province, or other subdivision of government. Senate amendment No. 943 excepts from the provisions of this paragraph explosive substances wholly or in chief value of cellulose esters, and amendment No. 944 strikes out the countervailing duty provisions. The House recedes on amendment No. 943 and the Senate recedes on amendment No. 944.

On amendment No. 949: See amendment No. 795. The Senate recedes.

On amendments Nos. 967 and 968: See amendment No. 795. The Senate recedes.

On amendment No. 986: The House bill admitted free of duty nets or finished sections of nets for use in otter trawl fishing, if composed wholly or in chief value of manila or vegetable fiber. The Senate amendment limits this provision to such nets composed wholly or in chief value of manila. The House recedes.

On amendment No. 988: See amendment No. 834. The House recedes.

On amendments Nos. 990 and 991: The Senate amendments make certain that kapok seed and rubber seed shall be admitted free of duty; and the House recedes.

On amendment No. 994: See amendments Nos. 445 and 446. The House recedes.

On amendment No. 996: The House bill exempted from duty fish, the product of American fisheries (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) landed in a foreign country and there not further advanced than beheaded, eviscerated, packed in ice, and frozen. The Senate amendment permits the removal of the fins; and the House recedes.

On amendment No. 998: See amendment No. 121. The Senate recedes.

On amendment No. 1000: The House bill admitted free of duty olive oil and palm-kernel oil rendered unfit for use as food or for any but mechanical or manufacturing purposes. The Senate amendment includes within this provision rapeseed, sunflower, and sesame oil when so denatured; and the House recedes.

On amendment No. 1001: The House bill admitted free of duty Chinese and Japanese tung oil. The Senate amendment makes free of duty all tung oil; and the House recedes.

On amendment No. 1005: See amendment No. 355. The House recedes.

On amendment No. 1007: This amendment places on the free list pads for horses; and the Senate recedes.

On amendment No. 1011: See amendment No. 129. The House recedes.

On amendment No. 1030: The Senate amendment places on the free list scientific instruments, apparatus, and devices, of a kind not offered for sale in the United States by domestic producers and imported for research purposes by any college or university, and not for sale, subject to such regulations as the Secretary of the Treasury may prescribe; and the Senate recedes.

On amendment No. 1042: The Senate amendment makes clear that both crude and refined sodium nitrate shall be free of duty; and the House recedes.

On amendment No. 1043: See amendment No. 160. The Senate recedes.

On amendment No. 1044: This amendment transfers refined salt cake from the free list where it appears in the House bill to the dutiable list under paragraph 81 of the Senate bill; and the House recedes.

On amendment No. 1045: See amendment No. 158. The House recedes.

On amendment No. 1054: Under the House bill, statuary imported in good faith for presentation without charge to, and for the use of, any corporation or association organized and operated exclusively for religious purposes, is placed on the free list. The Senate amendment excepts from this provision casts of plaster of Paris, or of compositions of paper or papier-mâché; and the House recedes.

On amendment No. 1056: See amendment No. 204. The House recedes.

On amendment No. 1069: This amendment transfers from one place in the free list to another, alloys in chief value of tin not specially provided for; and the House recedes.

On amendment No. 1073: See amendment No. 181. The House recedes.

On amendment No. 1083: The Senate amendment exempts from duty, in the case of any individual returning from abroad, all professional books, implements, instruments, and tools of trade, occupation, or employment, taken by him out of the United States to foreign countries, without regard to their value; and the House recedes with an amendment making clerical changes.

On amendment No. 1084: The House bill provided for the admission free of duty of articles not exceeding $100 in value acquired abroad by residents of the United States for personal or household use or as souvenirs or curios not bought on commission or intended for sale. The Senate amendment provides that a resident of the United States shall not take advantage of this exemption within a period of 30 days from the last exemption claimed, and further provides that no courtesy of the port, free entry, or special privileges or preferences in the examination of merchandise or baggage shall be extended to any person whomsoever who is subject to the payment of customs duties; and the House recedes with an amendment striking out the proviso in respect of courtesy of the port, etc.

On amendment No. 1088: The House bill places all witherite on the free list. The Senate amendment limits the House provision to witherite, crude, unground, the effect of which is to make all other forms dutiable under paragraph 214 at 30 per cent ad valorem as an earthy or mineral substance not specially provided for; and the House recedes.

On amendment No. 1097: Under the House bill, Christmas trees were not specifically enumerated, but were dutiable at 10 per cent ad valorem under paragraph 1557 of the House bill as an unenumerated article. The Senate amendment places Christmas trees on the free list; and the Senate recedes.

On amendments Nos. 1100 and 1101: The House bill places on the free list original paintings in oil, mineral, water, or other colors, pastels, original drawings and sketches in pen, ink, pencil, or water colors, artists' proof etchings unbound, and engravings and woodcuts unbound, and original sculptures or statuary, including not more than two replicas or reproductions of the

same, but provides that the words "painting," "sculpture," and "statuary," as used in this paragraph shall not be understood to include any articles of utility, nor such as are made wholly or in part by stenciling or any other mechanical process. Senate amendment No. 1100 includes within the operation of this limitation the terms "drawing" and "sketch," and amendment No. 1101 further excludes from the paragraph such articles for industrial use; and the House recedes on both amendments.

On amendment No. 1106: Under the House bill, all rugs and carpets were excepted from the provision for the free entry of works of art. The Senate amendment confines the exception to those made after the year 1700, the effect of which is to make those made during or prior to the year 1700 free of duty if works of art; and the House recedes.

On amendment No. 1107: The House bill places on the free list works of art (except rugs and carpets), collections in illustration of the progress of the arts, works in bronze, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art of ornamental character or educational value which shall have been produced more than 100 years prior to the date of importation. The Senate amendment makes this provision apply only to such articles as shall have been produced prior to the year 1830; and the House recedes.

On amendment No. 1108: See amendment No. 809. The House recedes.

On amendment No. 1110: The House bill placed on the free list Venetian glass mosaics which are works of art. The Senate amendment strikes out the House provision, the effect of which is to make these articles dutiable at 60 per cent ad valorem under paragraph 218 (f) of the Senate bill as an article composed wholly or in chief value of glass, not specially provided for; and the House recedes.

TITLES III AND IV.—SPECIAL AND ADMINISTRATIVE PROVISIONS

On amendment No. 1113: This amendment restores the specific requirement of the existing marking law, omitted from the House bill, that the marking must be in a conspicuous place; and the House recedes.

On amendment No. 1114: The House bill required the marking of every imported article and its immediate container, and the package in which imported, and delegated to the Secretary of the Treasury authority to make such exceptions as he deemed advisable. The Senate amendment strikes out this general authority in the Secretary of the Treasury to make exceptions and provides that the Secretary of the Treasury may except any article from the requirement of marking but only if the article is incapable of being marked, or can not be marked without injury, or if the expense is economically prohibitive of importation, or if the marking of the immediate container will reasonably indicate the country of origin of the article. The amendment also restores the requirement of existing law that the marking shall be as nearly indelible and permanent as the nature of the article will permit. The House recedes with amendments providing that the Secretary of the Treasury may except an article from the marking requirements if "he is satisfied that" the article is incapable of being marked, or can not be marked without injury, or except at an expense economically prohibitive, or that the marking of the immediate container will reasonably indicate the country of origin of the article.

On amendment No. 1115: The Senate amendment makes the penalties provided for violation of the marking provisions applicable to the covering or obscuring of any mark with intent to conceal the information given thereby; and the House recedes.

On amendment No. 1116: The House bill retained the existing law prohibiting the importation of certain obscene articles and articles of immoral use or tendency and extended the prohibition to cover books, papers, pamphlets, and other articles containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon the President of the United States. The Senate amendment strikes out the entire section of the House bill but restores the prohibitions against importation, except that the matter regarding treason or insurrection is specifically limited to treason or insurrection against the United States, and the prohibition against matter containing any threat to take the life of or inflict bodily harm upon the President of the United States is extended to cover such threats toward any person in the United States. In addition, the Senate amendment provides that the Secretary of the Treasury may, in his discretion, notwithstanding the prohibitions against importation, admit the so-called classics or books of recognized and established literary or scientific merit, and that he may, in his discretion, admit such classics or books only when imported for noncommercial purposes. However, the Senate amendment specifically provides that the prohibited articles shall be held by the collector to await the action of the district court, and that no protest shall be taken to the United States Customs Court from the decision of the collector. Upon the seizure the collector is required to transmit information thereof to the district attorney of the proper district, who thereupon is to institute proceedings for the forfeiture, confiscation, and destruction of the book or matter seized. In any such proceedings a trial by jury may be demanded, and the same right of review is given as in ordinary actions or suits. The House recedes.

On amendment No. 1117: This amendment is discussed in connection with amendment No. 470; and the Senate recedes.

On amendment No. 1118: The House bill retained existing law prohibiting the importation of goods, wares, articles, and merchandise manufactured wholly or in part by convict labor. The Senate amendment extends the prohibition to goods, wares, articles, and merchandise "mined or produced"; and the House recedes.

On amendment No. 1119: This amendment extends the prohibition against importation of convict-made goods, discussed under amendment No. 1118, to similar products of forced labor or indentured labor under penal sanctions; and the House recedes.

On amendment No. 1120: This amendment postpones until January 1, 1932, the effective date of the provisions prohibiting the importation of goods, wares, articles, and merchandise mined, produced, or manufactured by forced labor or indentured labor under penal sanctions. The House recedes with an amendment providing that such provisions shall in no case be applicable to goods, wares, articles, or merchandise so mined, produced, or manufactured which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States. This will prevent the application of these provisions to articles such as rubber and tea, which are not produced in the United States, and articles as to which our domestic production does not satisfy our consumptive needs.

On amendment No. 1121: This amendment defines "forced labor," referred to in connection with amendments Nos. 1119 and 1120, to mean work or service exacted under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; and the House recedes.

On amendment No. 1122: This amendment makes a clerical change; and the House recedes.

On amendment No. 1123: This amendment extends the privilege of temporary free importation under bond for exportation within a limited period to include articles imported by illustrators and photographers for use solely as models in their own establishments, in illustrating catalogues, pamphlets, or advertising matter; and the House recedes.

On amendment No. 1124: The House bill contains an addition to existing law permitting refund of duties in the case of merchandise not conforming to sample or specification, if within 10 days after release from customs custody the merchandise is returned to customs custody for exportation. The Senate amendment extends this period to 30 days; and the House recedes.

On amendment No. 1125: The House bill provided that there shall be no allowance of drawback unless the completed article is exported (or shipped to the Philippine Islands) within five years after importation of the imported merchandise. The Senate amendment reduces this period to three years; and the House recedes.

On amendment No. 1126: This amendment empowers the Legislature of Porto Rico to impose duties upon coffee imported into Porto Rico, including coffee produced in a foreign country coming into Porto Rico from the United States. The duties, less the cost of collection, are to be covered into the Treasury of Porto Rico, to be expended as required by law for the Government and benefit thereof. The amendment also provides that the United States Customs and Postal Services shall assist the Porto Rican officials in the collection of such duties. The House recedes with amendments providing that the duties may be imposed upon coffee "grown" in a foreign country, instead of coffee "produced," in order that the authority will extend to coffee imported into the United States, processed, and then shipped to Porto Rico, and providing that the duties shall be collected in the manner now provided by law in the case of duties collected in Porto Rico.

On amendment No. 1127: This amendment authorizes the Secretary of the Treasury and the Postmaster General, with the advice and consent of the President, to enter into reciprocal agreements with foreign countries to provide for the entry free of duty in the respective countries of advertising matter sent to individual addresses. A specific exemption is made in the case of matter printed or produced in a foreign country advertising

the sale of articles by persons carrying on business in the United States; and the House recedes.

On amendment No. 1136: This amendment directs the Tariff Commission to ascertain and report to Congress within eight months from the passage of the act the approximate average cost per barrel to oil refineries on the Atlantic seaboard over a 3-year period of domestic crude petroleum and the present approximate cost per barrel of crude petroleum from Lake Maracaibo, Venezuela, delivered to the same points; and the House recedes.

On amendment No. 1137: This amendment makes a clerical change; and the House recedes.

On amendments Nos. 1142, 1143, and 1144: The House bill retains the provisions of existing law with respect to appeals from the findings of the Tariff Commission in cases involving unfair practices in the import trade. Such appeals may be taken to the United States Court of Customs and Patent Appeals upon questions of law only, the findings of the commission as to the facts being conclusive if supported by evidence. The Senate amendments provide in effect for an appeal from the findings of the commission on questions both of law and fact; and the Senate recedes.

On amendment No. 1145: The House bill retains the provision of existing law which permits a review by the United States Supreme Court upon certiorari of a judgment of the United States Court of Customs and Patent Appeals in cases involving unfair practices in the import trade. The Senate amendment eliminates the provision relating to such review by the Supreme Court upon certiorari, leaving the judgment of the United States Court of Customs and Patent Appeals final and not subject to review; and the House recedes.

On amendment No. 1146: The Senate amendment provides that before any article is excluded from entry because of unfair practices in connection with its importation or sale the domestic manufacturer or producer who files a complaint with the commission, or whose rights are injured, shall furnish a bond to protect the persons who suffer damages because of such exclusion in the event the complaint is determined to be unfounded. Suits for recovery upon such bonds may be maintained in district courts of the United States; and the Senate recedes.

On amendment No. 1147: The House bill provides that the decision of the President as to the exclusion from entry of any article under section 337 shall be conclusive. The Senate amendment eliminates this provision; and the Senate recedes.

On amendment No. 1148: The House bill provides that in cases where the President has reason to believe that attempts are being made to enter articles in violation of section 337 but has not sufficient information to satisfy himself of the violation, he may request the Secretary of the Treasury to forbid entry pending investigation but that the Secretary may permit entry under bond. The Senate amendment provides that in all such cases the articles shall be entitled to entry under bond; and the House recedes.

On amendment No. 1149: The Senate amendment defines the term "United States" as used in sections 337, 338, and 340 in order to make it clear that the benefits of such sections extend to Porto Rico; and the House recedes.

On amendment No. 1150: The Senate amendment restores the definition of "foreign country" contained in existing law, for the purpose of clarity; and the House recedes.

On amendment No. 1152: This amendment directs the Tariff Commission to convert the rates imposed by the present bill to rates based upon "domestic value," defined by the amendment as the wholesale selling price in the United States of such or similar imported merchandise, or, if none such, then an estimated value based on the wholesale selling price in the United States of comparable merchandise, with necessary adjustments for differences. The action of the commission is to be based upon importations during the period from July 1, 1927, to June 30, 1929, and the commission is directed to report back to Congress the result of its work as soon as practicable, but in no event later than January 1, 1932. The Secretary of the Treasury and the Secretary of Commerce are directed to furnish to the commission, upon request, any data or information in their respective departments relating to the importation, entry, appraisement, and classification of merchandise and the collection of duties thereon. The House recedes with an amendment extending the time within which the commission shall report until July 1, 1932.

On amendment No. 1153: The Senate amendment establishes the office of consumers' counsel to represent the interests of the consuming public in proceedings before the Tariff Commission; and the Senate recedes.

On amendment No. 1154: The Senate amendment makes it unlawful for any person to interfere with or influence any member or employee of the Tariff Commission in the execution of the functions of the commission, and imposes a penalty for violations; and the House recedes.

On amendment No. 1155: A similar amendment is discussed under amendment No. 1; and the House recedes.

On amendment No. 1158: The House bill made the determination of the appraiser that foreign or export value could not be ascertained final and conclusive, subject only to appeal to the Secretary of the Treasury. The Senate amendment eliminates this provision. The House recedes with an amendment providing, in lieu of the provision proposed by the House, that the decision of the appraiser that foreign value, export value, or United States value can not be ascertained shall be subject to review in reappraisement proceedings; but in any such proceeding an affidavit executed outside of the United States shall not be admitted in evidence if executed by any person who fails to permit a Treasury attaché to inspect his books, papers, records, accounts, documents, or correspondence pertaining to the value or classification of the merchandise.

On amendments Nos. 1159 and 1160: These amendments make clerical changes; and the Senate recedes.

On amendment No. 1161: "United States value" is defined in existing law as the freely offered wholesale price of "such or similar" merchandise in the principal market of the United States, with deductions for duty, a commission (not to exceed 6 per cent), or profits (not to exceed 8 per cent), and certain costs and expenses. The House bill enlarged this definition so as to permit (in any case where a United States value as now defined could not be ascertained) an estimated value based upon the domestic wholesale selling price of a domestic or imported article comparable in construction or use, with appropriate adjustments for differences between the imported article and the article used as a basis for the comparison. The Senate amendment restores the existing law; and the House recedes with an amendment changing the subdivision letter.

On amendments Nos. 1162 and 1163: These amendments make clerical changes; and the Senate recedes.

On amendment No. 1164: This amendment extends the provisions of existing law, continued in the House bill, authorizing overtime compensation for certain customs officers and employees assigned to duty in connection with lading or unlading at night or on Sunday or a holiday, to customs officers and employees assigned to duty at night or on Sunday or a holiday in connection with the entering or clearing of vessels or the issuing or recording of their marine documents or other instruments. The extra compensation is payable by the carrier in the same manner and upon the same terms and conditions as now provided by law in the case of the officers and employees now entitled to receive extra compensation; and the House recedes.

On amendment No. 1165: This amendment makes a clerical change; and the Senate recedes.

On amendment No. 1166: This amendment provides that if articles named under Title II of the act, imported in railroad freight cars from a contiguous foreign country, are subjected to inspection, all expense incident to the movement of the car to and from the place of inspection, unloading and reloading of the car, or expense otherwise made necessary by the inspection, shall be paid by the Government, provided the inspection disclosed no evidence of intention to evade the customs laws, or of a purpose to introduce articles the admission of which is punishable by law; and the Senate recedes.

On amendment No. 1167: Under existing law the cost of equipment and repair parts or materials for and repairs upon vessels documented under the laws of the United States, purchased or made in a foreign country, are dutiable unless the owner or master furnishes good and sufficient evidence that the vessel, while in the regular course of her voyage, was compelled to put into a foreign port and purchase such equipment, parts, or materials, or make such repairs, to secure the safety of the vessel to enable her to reach her port of destination. The House bill extended this provision so as to permit an exemption if the equipment or material was purchased or the expense of repairs incurred to maintain the vessel in a seaworthy condition, or to repair damages suffered or to replace equipment damaged or worn out during the voyage, or to maintain such vessel in a sanitary and proper condition for the carriage of cargo or passengers. The Senate amendment restores existing law except that the exemption may be granted only if the equipment or repairs are to secure the "safety and seaworthiness" of the vessel to enable her to reach her port of destination; and the House recedes.

On amendment No. 1168: The House bill authorized the Secretary of the Treasury to provide by regulations for such exceptions from or additions to the requirements as to the contents of the invoice as he might deem advisable. The Senate

amendment eliminates this provision; and the House recedes with an amendment restoring the provision for making exceptions but striking out the authority to provide for additions.

On amendment No. 1169: The House bill provides that invoices for merchandise shipped to the United States from the Philippine Islands or any of its other possessions may be certified by the collector of customs or the person acting as such, or by his deputy. The Senate amendment specifies the other possessions to which this provision is applicable, but omits Porto Rico, which is a customs collection district and is treated as part of the United States for tariff purposes; and the House recedes.

On amendment No. 1170: The House bill provided that a person making entry on a duplicate bill of lading should be the sole consignee. The Senate amendment makes this provision applicable with respect to a person making entry on a carrier's certificate. This was made necessary by the action of the Senate (amendment No. 1175) permitting entry on a carrier's certificate. The House recedes, in accordance with the action of the conferees on amendment No. 1175.

On amendment No. 1172: This amendment makes a clerical change; and the House recedes.

On amendment No. 1173: The House bill provides that the requirements as to production of the original bill of lading shall not apply in the case of an entry on a duplicate bill of lading The Senate amendment extends the exception to entry on carrier's certificate (see amendment No. 1175). The House recedes, in accordance with the action of the conferees on amendment numbered 1175

On amendment No. 1174: This amendment subjects to a penalty of $50 any person making entry who fails to comply with the law requiring the attachment as a part of the entry or the inclusion therein of an accurate statement specifying, in terms of the official statistical enumeration, the kinds and quantities of all merchandise imported and the value of the total quantity of each kind of article; and the Senate recedes.

On amendment No. 1175: The House bill retained the provisions of existing law relating to entry upon the original bill of lading but provided an alternative method, permitting entry on a duplicate bill of lading signed or certified to be genuine by the issuing carrier. The House bill further provided that no merchandise so entered should be released from customs custody except to such carrier but that the person so making entry should be liable for the payment of all additional and increased duties. The Senate amendment preserves in substance the House provision except that the duplicate bill of lading must be signed or certified by the carrier bringing the merchandise to the port at which entry is to be made, instead of the issuing carrier, and the provision making the person who makes entry liable for all additional and increased duties is omitted. The Senate amendment added a third method for making entry, namely, by a person certified by the carrier to be the owner or consignee of the merchandise or an agent thereof. The Senate amendment further provides that merchandise shall be released from customs custody only to or upon the order of the carrier bringing the merchandise to the port at which entry is made, except that merchandise in a bonded warehouse shall be released only to or upon the order of the warehouse proprietor; and that if entry is upon an original bill of lading it shall be returned to the person making entry. The collector is relieved of all liability in respect of the delivery of merchandise released from customs custody in accordance with the above provisions; and if recovery should be had in any suit or proceeding against a collector in respect of release of merchandise, in the performance of his official duty, and if the court certifies that there was probable cause or that the collector acted under orders of the Secretary of the Treasury or other proper officer, no execution shall issue but the amount recovered shall be paid out of the Treasury. The House recedes.

On amendments Nos. 1176 and 1177: Under existing law and the House bill a consignee is not liable for any additional or increased duties if he files the so-called owner's declaration. The Senate amendments provide in addition that the consignee shall not be liable for any other obligation or liability stipulated in any bond given at the time of entry if he files a supplemental bond of the owner conditioned that he will assume the liability of the consignee under the latter's bond; and the Senate recedes.

On amendment No. 1178: Under the House bill there could be no amendment of entry after the invoice or the merchandise comes under the observation of the appraiser, assistant appraiser, examiner, or examiner's clerk, or any person acting as such; except that in the case of articles dutiable under paragraph 27 or 28 amendment of entry may be made at any time before the invoice or the merchandise comes under the observation of the appraiser. The Senate amendment adopts existing law which permits amendment in any case at any time before the invoice or the merchandise has come under the observation of the appraiser; and the House recedes.

On amendment No. 1180: This amendment makes a clerical change; and the House recedes.

On amendment No. 1181: This amendment, which strikes out the requirement of notice of appraisement where the appraisement is made on a basis of value different from the basis stated in the entry, and the exception subjecting the ordinary reappraisement proceedings to the provisions relating to review of the appraiser's decision by the Secretary of the Treasury, was made necessary by the action of the Senate (amendment No. 1158) giving finality to the appraiser's decision in certain cases. The House recedes, in accordance with the action of the conferees on amendment No. 1158.

On amendment No. 1182: The House bill provides that the judge of the United States Customs Court shall determine the dutiable value of the merchandise. The judge is guided by the same definition of value as the appraiser, and to avoid confusion the Senate amendment strikes out the word "dutiable"; and the House recedes.

On amendment No. 1183: This amendment changes the designation "special agents" to "customs agents"; and the House recedes.

On amendment No. 1184: The House bill required the appraiser to report the value of the merchandise within 120 days after entry but provided that the Secretary of the Treasury might, upon application, grant such extension as he deemed necessary. The Senate amendment strikes out this provision; and the House recedes.

On amendments Nos. 1185 and 1186: These amendments make clerical changes which are necessary in connection with amendment No. 1184; and the House recedes.

On amendments Nos. 1187 and 1188: The House bill permits entry at a higher value because of advances by the appraiser in similar cases pending on request for review by the Secretary of the Treasury. These amendments, made necessary by the action of the Senate (amendment No. 1158) relating to finality of the appraiser's decision, strike out the House provision; and the House recedes, in accordance with the action of the conferees on amendment No. 1158.

On amendment No. 1189: The House bill permits liquidation in accordance with the final appraisement in the case of entry pending reappraisement if the action was taken in good faith, after due diligence on the part of the importer. The Senate amendment eliminates the requirement of due diligence; and the House recedes.

On amendment No. 1190: The House bill made the entered value the final appraised value in case of failure of the appraiser to make return within the period prescribed. The Senate amendment, in conformity with the action of the Senate (amendment No. 1184) striking out the time limit on the appraiser's return, strikes out the House provision; and the House recedes, in accordance with the action of the conferees on amendment No. 1184.

On amendments Nos. 1191, 1192, and 1193: These amendments make clerical changes, necessary by reason of the Senate action (amendment No. 1184) striking out the time limit on the appraiser's return; and the House recedes.

On amendments Nos. 1194, 1195, 1196, and 1197: The House bill authorizes allowance in the estimation and liquidation of duties where the importer abandons to the United States, within 10 days after entry in case of merchandise not sent to the appraiser's stores, or within 10 days after release in the case of examination packages, any merchandise representing 5 per cent or more of the total value of merchandise of the same class or kind entered in the invoice and, within the 10-day period, delivers the portion so abandoned to such place as the collector directs. The effect of the Senate amendments is to increase this period to 30 days; and the House recedes.

On amendment No. 1198: This amendment permits authorized representatives of American labor organizations or associations, in respect of merchandise in the manufacture or production of which members of such organizations or associations take part, to complain, appeal, or protest in respect of the appraisement or classification of merchandise in the same manner as American manufacturers, producers, and wholesalers; and the Senate recedes.

On amendment No. 1199: This amendment transfers all functions of the Secretary of the Treasury with respect to the appointment and fixing of the compensation of clerks and other employees of the United States Customs Court, and with respect to the official records, papers, office equipment, and other property of such court, to the Attorney General, and transfers to the Department of Justice all unexpended amounts allotted for the

expenses of operation of the United States Customs Court from any appropriation for collecting the revenue from customs; and the House recedes.

On amendment No. 1200: The effect of this amendment is to exclude the time during which a protest is pending from the computation of the 2-year period within which reliquidation may be had on account of fraud; and the House recedes.

On amendment No. 1201: The House bill authorized the detail to the District of Columbia from the field force of the Customs Service of not to exceed eight persons in connection with the enforcement of the act. The Senate amendment increases the number to 10; and the House recedes.

On amendments Nos. 1202 and 1203: These amendments make clerical changes; and the Senate recedes.

On amendment No. 1204: Under existing law and the House bill the importation of merchandise bearing an American trademark owned by a citizen or corporation of the United States and registered by a person domiciled in the United States is prohibited unless written consent of the owner of the trade-mark is produced at the time of making entry. The Senate amendment eliminates the provision relating to the consent of the owner, the effect of which is to absolutely prohibit the importation of such merchandise; and the Senate recedes.

On amendment No. 1205: This amendment prohibits the importation of merchandise of foreign manufacture if the merchandise, or the package in which it is inclosed, bears a notice of patent under the laws of the United States; and the Senate recedes.

On amendments Nos. 1206 and 1207: These amendments make clerical changes; and the Senate recedes.

On amendments Nos. 1208 and 1209: These amendments make it certain that the injunction proceedings contained in the present law and the House bill for violation of the prohibition against importation of merchandise bearing an American trademark shall not be extended to the case of merchandise bearing American patent notice (see amendment No. 1205); and the Senate recedes, in conformity with the action of the conferees on amendments Nos. 1204 and 1205.

On amendment No. 1210: The House bill added a new provision prohibiting the importation of wild mammals or birds, or parts or products thereof, from any country having restrictive laws or regulations in respect of the taking, killing, possession, or exportation to the United States of any such wild mammals or birds, or the exportation to the United States of any part or product thereof, unless accompanied by the certification of the American consul for the district in which is located the port or place from which the mammal or bird was exported from such country, that such articles have not been acquired or exported in violation of the laws or regulations of the country from which they come. Exceptions are made in the case of prohibited importations, articles imported for scientific or educational purposes, and migratory game birds taken during the open season by bona fide sportsmen. The Senate amendment strikes out the House provision (see discussion under amendment No. 1211); and the Senate recedes.

On amendment No. 1211: This amendment restores in substance the language of the House bill stricken out by Senate action in amendment No. 1210 (with certain changes in phraseology), except that the matter restored refers to laws of a foreign country restricting exportation generally and does not specify exportation to the United States. Since it is clear that a general restriction on exportation would include exportation to the United States, the Senate recedes.

On amendment No. 1212: Under existing law and the House bill merchandise may be entered, under Treasury regulations, at the port of arrival, for transportation in bond without appraisement to any other designated port, there to be entered in accordance with the provisions relating to entry generally. The Senate amendment strikes out this provision and provides for the transportation in bond, by a bonded carrier, without entry or appraisement, to the designated port, and specifically declares that no paper, manifest, or other similar document shall be required to be filed by the importer or consignee in connection with such transportation; and the Senate recedes.

On amendments Nos. 1213, 1215, 1216, 1218, 1219, 1222, and 1224: The warehouse period for all merchandise is fixed in the House bill and existing law at three years. The effect of these amendments is to reduce the period for which grain may be stored in bonded warehouse from 3 years to 10 months. All the legal consequences resulting during or after the 3-year period in the case of other merchandise will, in the case of grain, under the Senate amendments, result during or after, respectively, the 10-month period; and the House recedes.

On amendments Nos. 1214, 1217, and 1220: An amendment similar to these amendments is discussed under amendment No. 1; and the House recedes.

On amendment No. 1221: The House bill limits the time within which "loss, theft, injury or destruction" of merchandise in bonded warehouse must occur in order that there may be abatement or refund of duties in respect thereof. There is no provision in the bill for abatement or refund in case of loss or theft in bonded warehouse, and this amendment clarifies the language of the House provision accordingly by striking out the words "loss" and "theft"; and the House recedes.

On amendment No. 1223: The House bill provided that no abatement or refund shall be made in respect of the injury or destruction of merchandise in bonded warehouse occurring after the expiration of three years from the date of importation, or in any case after the expiration of 24 hours after the issuance of a permit for removal. The Senate amendment strikes out the latter limitation; and the House recedes.

On amendment No. 1225: Under existing law if any merchandise is found on board of or after having been unladen from any vessel or vehicle, which is not included or described in the manifest or does not agree therewith, the master of the vessel or the person in charge of the vehicle is liable to a penalty equal to the value of the merchandise so found or unladen. The House bill extended this liability to the owner of the vessel or vehicle. The Senate amendment strikes out the provision imposing the penalty upon the owner; and the Senate recedes.

On amendment No. 1226: Under existing law if any merchandise described in the manifest is not found on board the vessel or vehicle the master or other person in charge is subject to a penalty of $500. The House bill extended this liability to the owner of the vessel or vehicle. The Senate amendment strikes out the provision imposing the penalty upon the owner; and the Senate recedes.

On amendment No. 1227: Under existing law (sec. 594, tariff act of 1922) and the House bill (sec. 594) a common-carrier vessel is not liable to seizure or forfeiture to recover penalties for violation of the customs laws unless it appears that the owner or master of the vessel was at the time of the alleged illegal act a consenting party or privy thereto. The House bill provided that where the merchandise found on board or after being unladen, unmanifested, is smoking opium, the penalty of $25 per ounce, for which the master or owner is liable, shall constitute a lien upon the vessel which may be enforced by a libel in rem, notwithstanding the above provision as to common carriers. The Senate amendment makes an exception and provides that the master or owner of a common-carrier vessel shall not be liable to the penalty, and the vessel not held subject to the lien, if it appears to the satisfaction of the court that neither the master nor any of the officers nor the owner knew, and could not, by the exercise of the highest degree of care and diligence, have known, that the opium was on board; and the House recedes.

On amendment No. 1228: This amendment provides that for the purposes of the act smoking opium and other narcotic drugs not possessed by a person registered and lawfully authorized to possess the same shall be considered excisable merchandise upon which the duties have not been paid, or which has been brought into the United States contrary to law; and the Senate recedes.

On amendment No. 1229: This amendment makes a clerical change; and the House recedes.

On amendments Nos. 1230 and 1231: The effect of these amendments is to authorize the court, in forfeiture proceedings under the customs laws, upon request of the Secretary of the Treasury, to provide in its decree for the delivery to the Secretary of the Treasury of the vessel, vehicle, merchandise, or baggage forfeited, for sale by the Secretary of the Treasury in any customs district in which the sale thereof may be permitted; and the House recedes.

On amendment No. 1232: This amendment makes clerical change; and the House recedes.

On amendments Nos. 1233 and 1234: These amendments change the designation "special agent" to "customs agent"; and the House recedes.

On amendment No. 1235: The House bill makes a permanent and indefinite appropriation for the payment of awards of compensation to informers. The Senate amendment strikes out this provision and restores existing law, which provides that such awards shall be paid from moneys appropriated for that purpose, requiring estimates in advance and specific appropriation. The House recedes with an amendment providing that such awards shall be paid from any appropriations available for the collection of the revenue from customs.

On amendment No. 1236: The House bill authorizes the Secretary of the Treasury by regulations to require the production of landing certificates in the case of merchandise exported from the United States. The Senate amendment extends this authority to cargo destined to ports in the United States other

than the port of entry at which the vessel first arrived; and the House recedes.

On amendment No. 1237: The 1922 act, in addition to the specific powers conferred by the act, authorized the Secretary of the Treasury to make such rules and regulations as "may be necessary" to carry out the provisions of the act. Under the regulation section of the House bill the Secretary was authorized to make such rules and regulations as "he may deem necessary." The Senate amendment restores the language of the existing law; and the House recedes.

On amendment No. 1238: Under the House bill the authority of the Secretary of the Treasury to make general regulations to carry out the act was extended to include regulations "to protect the customs revenue." The Senate amendment eliminates this provision; and the House recedes.

On amendment No. 1239: Under existing law the Secretary of the Treasury may revoke the license of a customhouse broker subject to a statutory review of the Secretary's decision by the United States district court. The House bill authorized the Secretary of the Treasury to provide for suspension or revocation but gave no statutory court review. The Senate amendment permits the broker to obtain a review of the Secretary's decision as to revocation or suspension in the United States Court of Customs and Patent Appeals; and the House recedes with an amendment providing that the review shall be by the United States Customs Court.

On amendment No. 1240: The House bill requests the President to make a survey, by such agency or agencies as he may designate or appoint, of bases of valuation for assessment of duties, particularly with a view to determining the extent to which values in the United States may properly be used as a basis, and to submit a report to Congress with such recommendations for legislation as he deems advisable, including such formulæ as he may propose for adjusting the rates of duty imposed by this act to conform to any change in basis he may recommend. The Senate amendment directs the Tariff Commission to make the investigation and broadens its scope, requiring a detailed consideration of existing customs practice, specific difficulties met with, and the indicated remedies. In addition, the Treasury Department is requested to make a complete investigation of undervaluation under the tariff act of 1922. The Senate recedes.

On amendment No. 1241: The House bill authorized the Secretary of the Treasury, pursuant to the air commerce act of 1926, to provide by regulations for the application to civil air navigation of any of the provisions of the act or regulations promulgated thereunder relating to customs administration. The Senate amendment extends this provision to include authority in the Secretary of Commerce to provide in like manner for the application of the provisions or regulations relating to the entry and clearance of vessels; and the House recedes.

On amendment No. 1242: The House bill amended the customs reorganization act of March 4, 1923, so as to authorize the payment of the travel and subsistence expenses of the families of customs officers and employees on official transfers in foreign countries, and the expense of transporting the remains of customs officers and employees who die while in, or in transit to, foreign countries in the discharge of official duty, to this country for interment, and the ordinary and necessary expenses of such interment. The Senate amendment (a) rephrases and clarifies this provision without reenacting the provisions of the 1923 act, so as to avoid any possible doubt of the application of the subsistence expense act of 1926, which has superseded the 1923 act in some respects. The Senate amendment (b) also removes the limitation on the amount of household effects and personal property for the transfer of which allowance may be made on official transfers of customs officers and employees. Under existing law no allowance may be credited for travel or shipping expenses incurred on a foreign ship by a customs officer or employee except upon proof satisfactory to the Comptroller General of the necessity of incurring such expenses. The Senate amendment (c) requires the crediting of allowances in such cases if the Secretary of the Treasury certifies to the Comptroller General that transportation on such foreign ship was necessary to protect the revenue. The House recedes.

On amendment No. 1243: Section 195 of the Judicial Code provides that final decisions of the Court of Customs and Patent Appeals, in cases appealed from the Customs Court, may be reviewed by the Supreme Court upon application by either party, in any case in which a constitutional or treaty question is involved, or in any other case if the Attorney General files a certificate to the effect that the case is of such importance as to render expedient its review by the Supreme Court. The Senate amendment repeals this limitation, the effect of such repeal being to permit either party to apply in his own discretion; and the House recedes.

On amendment No. 1244: The effect of this amendment is to make uncertified checks, United States notes, and national bank notes receivable in payment of customs duties; and the House recedes.

On amendment No. 1245: This amendment provides that "customs attachés" shall hereafter be known as "Treasury attachés"; and the House recedes.

On amendment No. 1246: This amendment authorizes the appointment of an additional deputy commissioner of customs; and the House recedes.

On amendments Nos. 1247, 1249, 1250, and 1251 make changes in section numbers; and the House recedes.

On amendment No. 1248: The House bill repealed the provisions of existing law requiring that importation packages of cigars shall contain not less than 3,000. The Senate amendment strikes out this repealing provision; and the Senate recedes.

On amendment No. 1252: This amendment changes the year specified in the short title from "1929" to "1930"; and the House recedes.

On amendment No. 1253: The Senate amendment provides for the suspension by the President of the duties upon imported articles whenever the United States Customs Court finds that full conditions of unrestrained competition among domestic producers and distributors of such articles do not prevail. Complaints may be filed in such court by any citizen of the United States or by the consumer's counsel (see amendment No. 1153) alleging that such conditions of competition do not prevail with respect to the production, distribution, or sale of any dutiable articles. Upon the filing of any such complaint the court causes notice to be given by publication through the Treasury Decisions and Commerce Reports that it will hold a hearing on a specified date when relevant testimony and argument may be offered. Following the hearing the court reports its findings to the President. If the findings show that such conditions of competition do not prevail the President is required to issue a proclamation within one month suspending the duties upon the articles in question. The suspension continues until it is established before the court, and the court finds, that such full conditions of competition have been restored. The court is given power to make reasonable rules and regulations governing its procedure. The Senate recedes.

The committee of conference have not agreed on the following amendments:

DISAGREEMENT AS TO SUBSTANCE

On amendments Nos. 195 and 893, relating to cement.

On amendments Nos. 364, 885, 903, 904, 1004, and 1006, relating to silver.

On amendment No. 369, relating to logs of fir, spruce, cedar, or western hemlock.

On amendment No. 370, relating to cedar lumber and timber.

On amendment No. 371, relating to softwood lumber and timber, and to railroad ties and telephone, telegraph, trolley, and electric-light poles of any wood.

On amendment No. 372, relating to maple, birch, and beech flooring and other lumber and timber.

On amendments Nos. 373 and 1035, relating to shingles.

On amendment No. 376, relating to cabinet woods.

On amendments Nos. 394, 395, and 396, relating to sugar.

On amendments Nos. 1091, 1092, 1093, and 1095, relating to the free list provisions on lumber, timber, and railroad ties and telephone, telegraph, trolley, and electric-light poles.

On amendment No. 1128, relating to export debentures.

On amendments Nos. 1129, 1130, 1131, 1132, 1133, 1134, and 1135, relating to organization of the tariff commission.

On amendment No. 1138, relating to information to be furnished to Members of Congress.

On amendment No. 1139, relating to cost of production investigations.

On amendments Nos. 1140, 1141, and 1151, relating to flexible tariff.

DISAGREEMENT AS TO CLERICAL AMENDMENTS DEPENDING ON AMENDMENT NO. 1140

On the following amendments, clerical in nature, the committee of conference have not agreed, since these amendments depend upon the action with respect to amendment No. 1140, relating to flexible tariff:

On amendments Nos. 1156, 1157, and 1171.

AGREEMENT AS TO SUBSTANCE BUT DISAGREEMENT AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

On amendment No. 901: The House bill placed coffee on the free list. This amendment excepts from free entry coffee imported into Porto Rico in the event that a duty is imposed thereon under authority of section 319, which section is inserted in Title III of the bill by amendment No. 1126, upon which the

House has receded with certain amendments. The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but were unable to recede on account of their inability to agree with the managers on the part of the Senate on the paragraph number, due to the fact that certain substantive amendments (e. g., amendment No. 893, the free-list provision as to cement) are in disagreement, and the correct numbering of this paragraph can not be determined until those substantive amendments are disposed of.

On amendment No. 914: The House bill exempted from duty metallic mineral substances in a crude state, and metals unwrought, whether capable of being wrought or not, not specially provided for. The Senate amendment confines the exemption to metallic mineral substances in a crude state, such as drosses, skimmings, residues, brass foundry ash, and flue dust, not specially provided for. The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 919: The House bill placed upon the free list glaziers' and engravers' diamonds, unset, and miners' diamonds. This amendment also inserts on the free list diamonds and other precious stones, rough or uncut, and not advanced in condition or value from their natural state by cleaving, splitting, cutting, or other process, whether in their natural form or broken. Amendment No. 777 (upon which the House has receded) strikes these articles out of the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 919, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 934: The House bill provided for the free importation, under regulations prescribed by the Secretary of the Treasury and the Secretary of Agriculture, of game animals and birds for stocking purpose when imported by United States or State game officials. The Senate amendment extends this provision to such animals and birds imported by other persons, and also permits the free importation of game animals and birds killed in foreign countries by residents of the United States and imported by them for noncommercial purposes. The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 950: This amendment places grindstones upon the free list, such stones having been stricken from the dutiable list by amendment No. 249, upon which the House has receded. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 950, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 953: This amendment places on the free list horses and mules imported for immediate slaughter, which by amendment No. 430 (upon which the House has receded) are excepted from duty under the agricultural schedule. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 953, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 962: The House bill named as an item on the free list "Junk, old." Most of the articles coming within this designation having been placed on the dutiable list by the House bill or Senate amendments agreed to, or being free under some other paragraph of the free list, the Senate amendment strikes out these words and substitutes the phrase "Waste rope" as being for all substantial purposes the only item left to come under the designation of "Junk, old." The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 964: This amendment places on the free list kieserite, which by amendment No. 103 (upon which the House has receded) are excepted from duty under the chemical schedule. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 964, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 983: This amendment places on the free list muzzle-loading firearms and parts thereof, which by amendment No. 318 (upon which the House has receded) are excepted from duty under the metals schedule. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 983, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 992: The Senate, by amendments Nos. 73 and 74, having stricken out of the dutiable provisions of the chemical schedule gentian, sarsaparilla root, belladonna, digitalis, henbane, stramonium, and ergot, by amendment No. 992 inserted these articles on the free list. On amendments Nos. 73 and 74 the House agreed to striking from the dutiable list these articles, with the exception of digitalis, which under the House bill was dutiable at 25 per cent and which by the action of the conferees on amendment No. 73 was retained in the chemical schedule at 20 per cent. In accordance with this action, the managers on the part of the House favored recession on amendment No. 992 with an amendment striking digitalis from the items inserted on the free list by this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1031: This amendment places on the free list sea herring, fresh or frozen, whether or not packed in ice, and whether or not whole, which under the House bill were dutiable under paragraph 717 (a). The managers on the part of the House favored recession on the part of the House on the substance of this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1032: This amendment places on the free list cowpeas not specially provided for. Senate amendment No. 505 (upon which the House has receded) limited the application of the duties placed by the House on cowpeas to black-eye cowpeas. Amendment No. 1032 also places on the free list chickpeas or garbanzos in pursuance of amendment No. 513 (upon which the Senate has receded), which removed these articles from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on amendment No. 1032 with an amendment striking chickpeas or garbanzos from the items inserted on the free list by this amendment, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1047: This amendment places on the free list certain spices and spice seeds which the Senate by amendments Nos. 543 to 550, inclusive, and Nos. 552 to 554, inclusive (upon which the House has receded), struck from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1047, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1064: This amendment places on the free list impure tea, tea waste, and tea siftings and sweepings, for manufacturing purposes in bond, the Senate having by amendment No. 28 (upon which the House has receded) stricken these articles from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1064, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1071: This amendment places on the free list truffles, fresh, or dried or otherwise prepared or preserved, the Senate having by amendment No. 511 (upon which the House has receded) stricken these articles from the dutiable list. In accordance with this action, the managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1071, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1109: This amendment places on the free list Gobelin tapestries used as wall hangings, which under the House bill were dutiable according to the component material of chief value. The managers on the part of the House favored recession on the part of the House on the substance of amendment No. 1109, but, for the reason given above in connection with amendment No. 901, were unable to agree on the paragraph number.

On amendment No. 1179: This amendment provides that antique furniture shall enter the United States at ports which shall be designated by the Secretary of the Treasury, and that if any article described in the "antique" paragraph of the free list and imported for sale is rejected as unauthentic with respect to its antiquity, a penalty of 25 per cent of the value of the article shall be imposed. If any such article is passed as authentic, the question of its authenticity shall not thereafter be raised by the Government in any proceeding brought for the purpose of collecting the penalty. The managers on the part of



the House favored recession upon this amendment with an amendment providing for a duty of 25 per cent instead of a penalty, and striking out the provision preventing raising of the question of authenticity, ordinary customs procedure being applicable in such cases. However, since amendment No. 1179 contains a cross reference to the "antique" paragraph by number, and since the action on amendment No. 1105 determines the proper number of that paragraph, and since amendment No. 1105 for the reason given above in connection with amendment No. 901, is in disagreement, the managers on the part of the House were unable to agree on this amendment.

DISAGREEMENT SOLELY AS TO PARAGRAPH NUMBERS OR REFERENCES THERETO

The committee of conference have not agreed on the following amendments, due to their inability to determine upon the paragraph number involved, because certain substantive amendments (e. g., amendment No. 893, the free-list provision as to cement) are in disagreement, and the proper paragraph number involved can not be determined until those substantive amendments are disposed of:

On amendments Nos. 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 902, 905, 906, 907, 908, 909, 910, 911, 913, 915, 916, 917, 920, 921, 922, 923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 940, 942, 945, 946, 947, 948, 951, 952, 954, 955, 956, 957, 958, 959, 960, 961, 963, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 984, 985, 987, 989, 993, 995, 997, 999, 1002, 1003, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1066, 1067, 1068, 1070, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089, 1090, 1094, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1111, and 1112.

W. C. HAWLEY,
ALLEN T. TREADWAY,
ISAAC BACHARACH,
Managers on the part of the House.

PERMISSION TO ADDRESS THE HOUSE

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Indiana [Mr. DUNBAR] asks unanimous consent that he may address the House for 10 minutes. Is there objection?

Mr. TILSON. Mr. Speaker, reserving the right to object, is it something that can not wait for an hour or so, until we have general debate?

Mr. DUNBAR. I would say to the gentleman from Connecticut [Mr. TILSON] that in the debate on the compensation bill, the matter of the indebtedness of the French Government was brought into controversy. I made a statement and the gentleman from New York [Mr. WAINWRIGHT] produced a letter from the Assistant Secretary of the Treasury which was supposed to deny my statement. It did not deny my statement, and I wish to make myself clear.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. DUNBAR. I yield.

Mr. WAINWRIGHT. I would like to say that the letter was asked for from the Treasury Department. There was no desire to directly controvert anything that the gentleman from Indiana [Mr. DUNBAR] said, but, in confirmation of a statement that I personally made to which exception was taken, and I believe that that letter, coming from such a high authoritative source, abundantly sustains the assertion that I made on the floor of the House.

Mr. TILSON. Will the gentleman from Indiana [Mr. DUNBAR] withdraw his request and come in under the general debate this afternoon?

Mr. DUNBAR. At what time may I expect to be heard?

Mr. TILSON. Any time this afternoon. We hope to take up an appropriation bill, and I am sure the gentleman from Ohio [Mr. MURPHY] will give the gentleman from Indiana [Mr. DUNBAR] liberal time. The gentleman will not have to be confined to 10 minutes.

Mr. DUNBAR. I am supposed to attend a meeting of the Committee on Flood Control this afternoon, and for that reason I was asking permission to address the House at this time. But if I may be permitted to address the House before 2 o'clock, that will be satisfactory.

Mr. TILSON. Of course, such a promise could not be made at this time.

The SPEAKER. Is there objection?

Mr. TILSON. Mr. Speaker, I shall not object if the gentleman from Indiana has another engagement.

There was no objection.

SETTLEMENT OF FOREIGN DEBTS

Mr. DUNBAR. Mr. Speaker and Members of the House, as I have stated, in the debate on the compensation bill last week the matter of our debt settlement with France was called into question. In that debate I spoke as follows:

> I want to say that I agree with him.

That was the gentleman from Oklahoma [Mr. HASTINGS].

> You take the settlement of our debt with France, and it has been heralded all over the land and all over the world that France has discharged its obligation to the United States. To what extent did she discharge her obligation to the United States?

Then I went on to say:

> If France had commenced in 1925 to pay the Government 2⅛ per cent interest annually on the amount of money she owed us and paid that for 62 years, then the proposition which we accepted from France would be equivalent to our cancelling the debt at that time.
>
> And even then to her advantage.

That is true and it is not disputed by the letter which the gentleman from New York [Mr. WAINWRIGHT] inserted in the CONGRESSIONAL RECORD.

The gentleman from New York [Mr. WAINWRIGHT] said:

> Mr. Chairman, during the course of debate on this bill yesterday in the speech of the gentleman from Indiana [Mr. DUNBAR], the question of the foreign debts—maybe irrelevantly—was projected into the debate.

Here is the quotation from the Undersecretary of the Treasury:

> The debt settlements concluded by the United States with these governments provide that the principal indebtedness as funded will be repaid in full over a period of 62 years with interest thereon at varying rates.

I do not deny that statement, and it does not refute any statement which I made. The gentleman from Oklahoma [Mr. HASTINGS] has this in the RECORD. The letter is made to say that France will pay us $4,025,000,000; that she will pay us interest to the amount of $2,822,000,000, making a total of $6,847,000,000.

Now, the statement of the gentleman from New York [Mr. WAINWRIGHT] in that respect is true. In another respect it is misleading, and in another respect it is not true. I made the statement that if France would pay us 2⅛ per cent annually for 62 years it would be equivalent at the end of 62 years of cancelling the debt that France owed us.

The amount of funded debt was $4,025,000,000. The interest on that at 2⅛ per cent annually amounts to $81,000,000. In the course of 62 years the interest at 2 per cent annually would amount to $5,406,000,000 or $1,380,000,000 more money than France owed us, so that my statement was right—that the settlement we made with France was less than a 2⅛ per cent interest rate and the cancellation of the principal. Then the interest they would have paid into the Federal Treasury could have been used by our Government for the liquidation of its own debt and which in the end would have amounted to more than $6,847,674,104.17, which will be the amount of the combined principal and interest paid by France covering a period of years.

Now, suppose we put it on a basis of 4¼ per cent interest. And let me tell you here that we are paying for $13,000,000,000 all the way from 4 to over 5 per cent interest, so that if the Government had accepted the 2⅛ per cent interest for the period of 62 years then the debt would have been liquidated. So the United States at the end of 62 years would have been richer financially. In the book issued by the Secretary of the Treasury in 1927, in which are mentioned the settlement of our foreign debts, you will find, according to Mr. Mellon's own statement, that the present value of the debt from France, liquidated on the basis of 4¼ per cent interest, would amount to $1,906,000,000, or more than $200,000,000 less than the contract made. In other words, if France had come to us at that time and said, "We will pay you $1,900,000,000 in full settlement of the debt," we would have been in 62 years richer than the settlement agreed upon, and which is to be on long-deferred payment plan.

So, according to Mr. Mellon's own statement, the debt of France at the time of the negotiations amounted, on a present-value basis, to but 47 per cent of the amount France owed the United States.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. DUNBAR. For a question.

Mr. WAINWRIGHT. Is it not a fact that according to this letter the amount the United States will receive or will have received at the conclusion of the 62-year period—assuming, of course, it is lived up to—would be $6,847,674,104?

Mr. DUNBAR. I just said that is true, but that it does not in any way refute the statement which I made.

Mr. WAINWRIGHT. Will the gentleman yield further?

Mr. DUNBAR. For a question.

Mr. WAINWRIGHT. In order to complete my question. The amount of the funded principal, including interest, according to this letter, is $4,025,000,000; in other words, we will have received $2,000,000,000 more than the amount of the funded principal at the end of 62 years.

Mr. DUNBAR. What does the gentleman want to ask me?

Mr. WAINWRIGHT. I want to show that this letter absolutely sustains the statement I made, that we will have received the entire amount of the principal on that debt, with interest over the period of about 2 per cent. This letter absolutely sustains the assertion I made and a similar assertion with regard to the debts of Great Britain and Italy.

Mr. DUNBAR. I want to beg the gentleman's pardon. It does not sustain the position the gentleman took on the floor of this House, because I have given the gentleman the figures. If the Government of France had paid us 2⅛ per cent interest annually, and paid it for 62 years, then at the end of the 62 years she would have paid us no higher rate of interest than 2⅛ per cent, and then there would be practically the cancellation of $4,025,000,000.

Mr. WAINWRIGHT. I do not want to quarrel with the gentleman and this is all in the best of good nature. The gentleman has his view and I have mine.

Mr. DUNBAR. I have my view and my view is correct.

Mr. WAINWRIGHT. I stand on the letter written by the Secretary of the Treasury.

Mr. DUNBAR. The Secretary of the Treasury, in this morning's papers, is authority for the statement that our surplus this year will be $154,000,000, but that is a matter of bookkeeping. It is true that our surplus this year will be $154,000,000, but if we had kept our books in the same way as we did under the Wilson administration our surplus this year would have been nearly $800,000,000. There is nothing in the letter written by the Secretary of the Treasury which denies my statement, that if France had commenced to pay us 2⅛ per cent interest annually, that at the end of 62 years France would have practically liquidated her debt and at no higher rate of interest than 2⅛ per cent paid annually, and this would have been a better settlement for the United States than the one made with France.

Mr. HASTINGS. Will the gentleman yield?

Mr. DUNBAR. Yes.

Mr. HASTINGS. On the basis of 4¼ per cent interest, the amount we pay on our Liberty bonds, over a period of 62 years we lose in the settlement with France $4,627,225,895.23.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

The SPEAKER. Is there objection?

Mr. TILSON. Reserving the right to object, will the gentleman be able to finish in that time?

Mr. DUNBAR. I will if nobody interrupts me.

Mr. TILSON. The gentleman's remarks have injected a matter which really does not belong in the day's proceedings, so I wish the gentleman would cut it short.

The SPEAKER. Is there objection?

There was no objection.

Mr. HASTINGS. Will the gentleman yield?

Mr. DUNBAR. I will yield for one question.

Mr. HASTINGS. On page 7572 of the RECORD I have inserted a table which shows that based upon a 4¼ per cent rate of interest the amount we paid on Liberty bonds, charged throughout the period of 62 years on the various amounts in the settlements with the various countries, we lost $10,705,618,006.90. This table was prepared by the Treasury Department, and surely no man in this House can or will challenge its correctness.

Mr. DUNBAR. I will state to the gentleman that the amount we lose, which is stated by the letter of the Secretary of the Treasury, amounts to more money than the original principal of the debt. I want to ask the gentleman from New York a question. As the gentleman from New York seems to be engaged, I want to show you the method of calculation indulged in with reference to the debt owed by France.

Mr. WAINWRIGHT. What is the gentleman's question?

Mr. DUNBAR. It is too late now. During the first 14 years, according to the public statement of the Secretary of the Treasury, we are supposed to collect from France $985,000,000; of that amount she receives credit in her annual payments of $611,000,000 on account of principal, whereas if she had paid us at the rate of 4¼ per cent she would have paid us in interest in those 14 years something over $2,200,000,000, and on this method of payment we give her credit for $611,000,000 on interest and $373,000,000 for principal, or we give her credit for the first 14 years of payment $1,300,000,000 more than she will pay, calculation made on a 4¼ per cent interest basis.

This is the basis of calculation that is used by the Secretary of the Treasury under our agreement, which gives the appearance, the false appearance, that we are to receive the full amount of our principal and the interest from the French Government.

You will note as you go through this statement of the Secretary of the Treasury that the largest amount we will ever receive from France in one year is $125,000,000, whereas the interest at 4¼ per cent—and let me tell you gentlemen we are paying interest at more than 4 per cent on $13,000,000,000 of our indebtedness—the interest at 4¼ per cent would have amounted annually to approximately $170,000,000, and the most France ever pays in one year on the total of our principal and interest amounts to only $125,000,000.

Take the settlement we made with France on the $400,000,000 she got from us for provisions; she paid us interest for four years, and then under the provisional settlement the interest she paid on the $400,000,000 was made applicable to the payment of the principal in the settlement of this debt.

It is just such calculations as this that mislead the people of this country and cause them to believe that France pays the full amount of her principal, together with the legal rate of interest or the usual rate of interest.

So I say that according to our settlement with France we will not only lose the $4,000,000,000 which the gentleman from Oklahoma [Mr. HASTINGS] has called our attention to, but if the rate of interest which we are paying to-day for money was demanded from France, at the end of 62 years France would owe us $4,627,000,000.

Mr. WAINWRIGHT. Will the gentleman yield for a question?

Mr. DUNBAR. Certainly.

Mr. WAINWRIGHT. Will the gentleman dispute the fact that at the end of 62 years we will have received every dollar of principal on each one of these indebtednesses?

Mr. DUNBAR. I stated that in my opening statement. I answered the gentleman in the affirmative, and he need not have asked that question again. But I reiterate that a contract made on a basis of interest charges of 2⅛ per cent annually with a cancellation of the $4,025,000,000 at the end of 62 years would have been much better for the United States than the contract we did make with France.

The SPEAKER. The time of the gentleman from Indiana has again expired.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY, from the Committee on Appropriations, by direction of that committee, presented a privileged report on the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, which was read, and, with the accompanying papers, referred to the Union Calendar and ordered printed.

Mr. SANDLIN reserved all points of order.

AMERICAN FOREIGN TRADE CORPORATION AND FILS D'ASLAN FRESCO

Mr. IRWIN. Mr. Speaker, by direction of the Committee on Claims, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7356) for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 7, strike out "$54,810" and insert "$24,160."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRISP. Mr. Speaker, reserving the right to object, I understood the gentleman to say this is done by direction of the committee?

Mr. IRWIN. Yes; by direction of the committee.

Mr. CRISP. And the minority Members were present.

Mr. IRWIN. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

ADDRESS OF HON. WILLIAM A. PITTENGER, OF MINNESOTA

Mr. CLAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a speech made by my colleague, the gentleman from Minnesota [Mr.

PITTENGER] on yesterday at Frederick, Md., on the one hundred and eleventh anniversary of the Odd Fellows.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CLAGUE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address of the Hon. WILLIAM A. PITTENGER, delivered before the Odd Fellows and Rebekahs of Frederick, Md., at their anniversary exercises held on Sunday, April 27, 1930, in commemoration of the one hundred eleventh anniversary of the founding of Odd Fellowship:

ODD FELLOWSHIP IN THE FIELD OF EDUCATION

I welcome this opportunity to talk to the Odd Fellows of Frederick, Md., and to participate with them in exercises in commemoration of the founding of the Independent Order of Odd Fellows 111 years ago. I feel especially honored on this occasion because, on April 26, 1819, the Independent Order of Odd Fellows was founded in the grand jurisdiction of Maryland. At the city of Baltimore, in one of its taverns, five men met and agreed to institute a lodge. There were no newspaper headlines to mark this event, and these five men little dreamed of the importance and far reaching results of their action on that occasion. The men who met there and founded the first lodge were Thomas Wildey, John Welch, John Duncan, John Cheatham, and Richard Rushworth. They called that lodge Washington Lodge No. 1, I. O. O. F.

To-day, after the lapse of 111 years, a great and powerful fraternity has taken its place among the societies that encircle the globe. The order exists in the principal countries of the world, and its lodges may be found not only in the United States and Canada but in Australasia, Czechoslovakia, Denmark, Germany, Netherlands, Norway, Poland, Sweden, and Switzerland.

The total membership of the order at the present time is approximately 2,500,000 persons. During the year 1928 approximately $6,500,000 was paid out in relief to its members.

It is not within the province of this talk to pay tribute to the founders of Odd Fellowship, but one of those five men at Baltimore on April 26, 1819, was Thomas Wildey, who afterwards, by reason of his long and faithful and distinguished service for the order, became known as the father of Odd Fellowship and attained to the highest rank—namely, that of grand sire or presiding officer of the order.

To-day our grand sire, successor to this distinguished leader, has called upon us, by means of a proclamation, to hold exercises and celebrate our anniversary day. He has directed that these exercises should be for a threefold purpose: First, that we should observe the day with appropriate thanksgiving and ceremonies; second, that the men and women who comprise the membership should rededicate their lives to those things which make for the nobility of character so clearly understood by the founders of the order; third, he has directed that the achievements of the past should be recounted, so as to furnish inspiration for the doing of great deeds in the future.

We are glad on this occasion to carry out the mandates of that proclamation, and we offer up our adoration to Divine Providence for the watchful eye and helpful hand that has led our fraternity along the pathway of usefulness during the past 111 years. We are truly thankful for the opportunity which has come not only to our fraternity but to every fraternity during this period of time to relieve distress and to serve suffering humanity.

Our grand sire has truly said that this organization has grown until its name and unselfish service fill the world and that the happiness of the human race is its one great objective.

It is not my purpose in connection with these anniversary exercises to recount the history and the achievements of the order. Those are known to you and to every member of the order. The long record of relief in times of distress speaks eloquently of the efforts of our membership. When the San Francisco earthquake brought ruin and destruction, the Independent Order of Odd Fellows was on hand with money for relief purposes. It has ever responded to the call of distress in times of national calamity. It was the forerunner of the great program looking forward to the care and education of orphan children as well as safeguarding the aged and infirm in their days of adversity. The Independent Order of Odd Fellows early in its history began the establishment of homes for the children of its deceased members, where they could be trained in the duties of citizenship and where they could be furnished with an education.

Likewise its homes were established for the care of the aged and infirm men and women who had to have this sort of service or else find their way to the poorhouses as charity charges of their municipalities.

This story of service is a bright page in the history of our order. Times without number we might tell of those cases where individual members, in sickness and misfortune, found an organization able, ready, and willing to minister to their needs.

The Independent Order of Odd Fellows has over 15,000 subordinate lodges wherein men hold membership and over 10,000 subordinate lodges wherein women hold membership. Its work is accomplished through these lodges or units.

On this day, throughout the world, in the lodge rooms of these various units, men and women are holding exercises similar in character to those which are taking place on this occasion. With enthusiasm and with determination of purpose we here and now join with our members wherever they may be in renewing our allegiance to the great purpose of our order.

Your grand master in the jurisdiction of Maryland some months ago expressed very aptly the purpose for which we here rededicate our future course of action. He expressed the great purpose of Odd Fellowship as follows:

"To be a guardian to the widow.
"To be a father to the fatherless.
"To be a shield to its members in the sunset of life.
"To uplift humanity.
"To war against dishonesty.
"To teach true fraternity.
"To educate its members in parliamentary law.
"To teach the fatherhood of God and the brotherhood of man."

I do not claim that he has covered the whole field. Perhaps he has included some principles which you might exclude, and perhaps he has omitted some aims which you might consider important. Certainly, the ritual of Odd Fellowship should not be overlooked. That ritual provides the degrees or the ceremony of initiation by which a nonmember may become united with us in the work of the order. It recognizes the place of religion in the world. It develops and expounds a philosophy of right living and lays down a rule of conduct toward our fellowmen. In harmony with the spirit of our ritualistic teachings let us rededicate our lives to the accomplishment of the aims of the order.

Our grand sire, in his proclamation, gave permission to recount the achievements of the past, but he also said the purpose should be to furnish inspiration for the doing of greater deeds in the future. As I said some time ago, those here present are familiar with the history of the order and with its record, and I will not further enll attention to them. While our order is world-wide, those who instituted Odd Fellowship very wisely provided that matters of political, sectarian, and controversial character should be excluded from the lodge room. They placed no limitation, however, upon a discussion of the general duties which a member, as an individual, owes to his Government, his State, and his community.

I do not here depart from the rule and do not yield to the temptation to call attention to the multitude of problems in which our citizenship is interested. We have the great problem of chain stores, mergers, and monopolies. We have the problem of the tariff. We have the problem of labor-saving machinery displacing labor in industry, bringing with it unemployment, pension discussion, and numerous other questions. We have the World Court and the League of Nations and the Disarmament Conference. We have the constant discussion on prohibition; and there are other subjects, all of a controversial character, with which Odd Fellowship, as an institution, has no concern and no connection. With these matters every individual has direct concern and direct connection. The obligation to study them, discuss them, and settle them can not be avoided under our form of government, where the individual voters are supposed to control and direct the policy of legislation and the conduct of the affairs of government; where individuals are the masters and not its servants.

While I am not going to discuss controversial matters, I call attention to the great value of education and educational institutions in the happiness of mankind. An educated citizen is the greatest safeguard of democracy; an ignorant citizen a danger and a menace. I think therefore I may properly say that in the program for the future, within the province of Odd Fellowship, the field of education has a peculiar significance.

The Sovereign Grand Lodge has recognized something of the truth of this point of view. One of our accomplishments for the future is a recognition of the part that education plays in training and developing citizenship and in perpetuating our American institutions. The grand sire has very appropriately recognized the importance to all of us, as citizens, of this great field of human endeavor. Under date of February 6, 1930, he directed the attention of the members of the order to the educational foundation established by the Sovereign Grand Lodge in September, 1927. The purposes of this foundation was to assist the sons and daughters of Odd Fellows and Rebekahs to go to schools of higher learning. This foundation opens up a wide field of opportunity. There is nothing more tragic than a young man or a young woman, anxious to learn, anxious to go to school, and yet deprived of that opportunity through the death of their father or mother. Surely we can do nothing of more lasting importance on this occasion than to give serious consideration to the appeal of the grand sire in connection with the education foundation. The success or failure of this great movement in Odd Fellowship, this recognition that the promotion of education is within the province of our order, rests entirely upon the subordinate lodges. From them must come the support for this movement. Inspired as our membership must be by the great record of service which is behind us, on this birthday of Odd Fellowship those achievements should give us new inspiration to carry out our program for the future.

So to-day I want to discuss the value of education—its selfish worth, if you please, to the individual and to the country in which we live.

In the United States we have a system of public schools maintained by taxation. These schools are free to all children. They are the pride of our people. We have a great system of colleges and universities, some privately endowed and some maintained at Government expense. In all of these schools of learning the youth of America are given an opportunity to enter.

When we want to be oratorical and rhetorical we boast that this is the land of opportunity, where the youth of the land, no matter how poor, have the right to grasp the torch of knowledge and to fit themselves for the responsibilities of democracy. Enormous sums of money are spent each year upon our educational institutions. In every way, by private action and public law, the enlightenment of the individual is made possible in the present day.

This condition, however, is in bold contrast to the early days on the North American Continent. It is in bold contrast to those days in the Old World when education was the privilege of the few and ignorance the accepted lot of the multitude. We do not have to go far back in history to those times when human begins were treated as chattels, and, like other property, passed from the owner of one great estate to the one who succeeded him by virtue of inheritance. Those were the days when Beowulf wore an iron collar around his neck, and on that collar was chiseled the name of the lord of the manor to whom he belonged, along with other property situated on the estate. The very thought that this chattel should learn to read and write was entirely impossible.

This same spirit was manifested on the shores of America when Lord Berkeley, in the colony of Virginia, expressed the wish that education would never become free; that he hoped the day would never come when schools should be established for the masses; that people were happy in their ignorance; and that education for them was a dangerous experiment.

These were the happy days of monarchy and oligarchy, the times when political power and governmental action rested upon the theory of the divine right of kings.

In spite of these handicaps and false theories, there were men of vision and courage. They rebelled against the existing institutions and a new change in government came about, a new political theory was born, and the heresy of an early day that boldly proclaimed that all men are created free and equal and endowed with certain inalienable rights, including life, liberty, and the pursuit of happiness, has now become an accepted part of our civilization.

Hand in hand with this change and development in political thought came a new viewpoint relating to education. This change had its early beginnings in New England, where those sturdy pioneers resolved that the blessings of education should be a part of the heritage which they would leave to their children.

I do not here trace the progress or the growth of educational institutions. With that story you are all familiar. You know the story of education in our present-day existence.

It has become traditional with our people to fight illiteracy. The fathers and the mothers in the various local towns and villages have seen to it that schoolhouses were built and teachers employed and the advantages of education made possible for their posterity. They have never required that the Federal Government take over their obligations in this regard. Rather they have resented any interference with their right and their duty to provide proper educational facilities for their children.

There may be differences of opinion as to the purpose of education. Some may argue that the acquisition of facts is its object. By others, the claim may be made that the youth should be taught to think and study. With some, its practical advantages meet with favor and, in this age of specialization, they would have our schools teach the youth a trade or fit them for industrial work. In my opinion, the great fundamental purpose of education is to seek for the truth. There is no greater duty and no greater privilege of citizenship than this, "Ye shall know the truth and the truth shall make you free."

It was Columbus, fighting the prejudice and ignorance of his times, who exploded the theory that the world was flat. It was Galileo who gave us the science of astronomy. It was Franklin who found electricity. So, in all times, men who have sought the truth have had to fight the battles of the common people in their efforts to free the world from superstition, ignorance, and the errors of the past.

Under our form of government, a constitution safeguarding the rights of the people, it is ever imperative that the men and women who want to discharge the duties of citizenship in a proper way should search for the truth.

No sounder philosophy has ever been uttered than the thought expressed by Thomas Jefferson when he said that our Government existed by the consent of those who are governed.

We have a legislative body to make the laws, an executive department to veto those that are improper and enforce those which do not violate the rights of the people. We have a judiciary to protect the people against the encroachments of both of these other branches of government.

Emerging from an old world where the rights of man had been trampled under foot for ages, the founders of our form of government wisely privided that all rights and all authority not granted to governmental agencies should remain in the people. With the greatest of care, they declared inviolate the right of freedom of speech and freedom of the press. Their philosophy was a philosophy of individualism which called for a form of government where every man was privileged to live his own life in his own way, to fight his own battles, and to enjoy the fruits of his own labor. They were the foes of paternalism. They recognized this doctrine as a danger to free institutions.

No citizen to-day can fail to note present-day tendencies which threaten the Republic. The growing habit for people to be led and to be taught to think alike and act alike has been recognized by our best thinkers. This tendency has been called "canned thinking." It is easy to drift along with those who have a definite purpose and program in view. It is easy to follow the "ruts" of yesterday. Those who would break away from tradition find many forms of punishment to await them.

I quote from an address made some years ago, and I commend it to the careful consideration of every right-thinking person to-day:

"The minds of the American people are as Ford cars—all alike. Standardized thinking makes communities as dull as ditch water. The great development of America did not come by mass thinking. It came by expression of individual thinking, by the free activity of minority groups. The present tendency to conformity in thinking is making the people of the Nation walk in lock step like wooden soldiers.

"The danger of any community is getting its ideas handed down to it. Too many people are trying to look, act, and talk like the president of their chamber of commerce. Any expression of individual opinion that departs from the accepted standard gets them in wrong. This mass thinking is blocking the real progress of America."

In connection with these apt remarks, I want to say that the only way to overcome this danger is by developing independence in thought and independence in action. If our scheme of education fails to do this, then it falls far short of its great purpose.

Time will not permit a discussion of the tendencies and conditions which now exist to threaten the well-being of our people; but there is one problem which will probably increase. I refer to propaganda methods which affect every phase of our existence. If legislation is desired, if public approval of some measure or some proposition is sought, the accepted procedure to-day is via the propaganda factory. Someone has said that, if you want a program to succeed, there are three things proper and necessary in its success.

First, after having the frame work of your proposition well in hand, you must line up the recruits. Get people to join something or to sign a petition or to wear a badge, and they at once become friends of the "new movement." They no longer have an open mind, seeking for facts wherever they may be found; their mind becomes a closed book; they become partisans. Whatever the merits of the controversy, the propagandist has succeeded in committing Mr. Individual to a definite program. He does not look for ideas, but he looks for arguments to bolster up the program.

Second, it is well recognized that people like to believe things favorable to their side of a controversy, and they are always eager to give weight to gossip and discussion unfavorable to an adversary. Consequently, if propaganda is to succeed, there must be carried on a campaign calculated to question the motives of those on the other side of the argument, to charge them with unworthy interests in the same, and, in every way possible, to place them in a disadvantageous position, regardless of the truth.

Third, the propagandist realizes the power of repetition, and any well-organized propaganda factory knows the necessity of constant repetition. I presume most of you have heard of the proverbial character who once told something that was not true and, after repeating it a sufficient number of times, he reached a point where he actually believed the lie himself. Say a thing enough times and it will be accepted as true.

Briefly, these are the propaganda methods, and translated into the every-day language which we use, the "lobby" is the institution which functions daily to control the thought and life of our people. It shapes their daily activities and finds its greatest field of endeavor in the affairs of government at Washington. The multitude of propaganda factories are busy with their legislative programs. So, in every State in these United States, we find the same forces at work.

It, therefore, behooves every one of us to give attention to the one thing which will break down prejudice and restore the rule of reason in determining the procedure for the individual citizen. The most dangerous individual in the world is the propagandist who would rather be consistent than right and who would rather stand by his program than to admit its failure and manifest an honesty of purpose in trying for something better. Education is the only remedy. In it is the hope for saneness and right thinking.

If the educational foundation of the Independent Order of Odd Fellows will help in any degree to develop a type of citizenship so that we

will have men who speak the truth, men who seek the truth, and men who live the truth, it will be one of the great contributions of the order to the human race.

"The world advances and in time outgrows
The laws that in our father's day were best;
And doubtless after us some purer scheme
Will be shaped out by wiser men than we,
Made wiser by the steady growth of truth.
* * * I have no dread of what
Is called for by the instinct of mankind.
Nor think I that God's world would fall apart
Because we tear a parchment more or less.
Truth is eternal, but her effluence,
With endless change is fitted to the hour;
Her mirror is turned forward to reflect
The promise of the future, not the past."

PRIVILEGES OF THE HOUSE

Mr. LUCE. Mr. Speaker, I rise to a question of the privileges of the House and send to the desk the customary resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That a respectful message be sent to the Senate calling the attention of the Senate to the remarks of the Senator from Georgia [Mr. GEORGE], found in the proceedings of the Senate for April 25, 1930, with the request that such action be taken by the Senate as will eliminate from the RECORD such remarks as are in violation of proper parliamentary practice and the proper comity existing between the two Houses.

Mr. CRISP. Mr. Speaker, I make the point of order that the resolution as read does not present any question of privilege. I am frank to say I am not familiar with the language in the RECORD to which the resolution refers, but the resolution as sent to the desk and as read does not present any question of privilege.

The SPEAKER. The Chair thinks the language should be read, so that the House may know the language the gentleman objects to.

Mr. LUCE. I will ask the Clerk to read the third paragraph, second column, on page 7705 of the RECORD of the proceedings of Friday.

The SPEAKER. The Clerk will read the paragraph referred to.

The Clerk read as follows:

Yesterday we witnessed what probably we will witness more and more in the House of Representatives, to wit, the House broke away from its masters and expressed itself in resentment against repressive measures and policies pursued by the leadership of the House. The result is that they sent here veterans' legislation which probably is extreme in many respects, but, nevertheless, it is simply the result of the repressive measures which are used in the House to prevent the consideration of legislation by that body fully and fairly as the body itself desires to consider it.

Mr. CRISP. Does the Chair hold that this presents a question of privilege?

The SPEAKER. The Chair is not quite prepared to say. He will hear the gentleman from Massachusetts.

Mr. LUCE. Mr. Speaker, the general parliamentary law and the precedents, numerous in number in the House itself, as well as in the Senate, in general forbid reference in either body to transactions in the other body.

This rule, which may be found copiously discussed in the precedents, is meant to secure that comity between the two branches shall not be lessened by attack or criticism in one body upon what goes on in the other body.

The particular criticism to which attention is here drawn was on the business of the House, its methods, and what is somewhat vaguely known as its leadership.

The leadership of the House, as commonly understood, includes the Speaker, the Republican floor leader, the Committee on Rules, and the steering committee of the majority.

It would be embarrassing for a member of either of these committees to resent the allegations made in the other branch. I am not a member of either committee, and I have consulted with none of the persons who have been attacked by the remarks in question.

But I have been from its start a member of the Committee on World War Veterans' Legislation, and so have been in part personally responsible for the course that is made the subject of criticism. This leads me at least to secure in the RECORD not an argument but a statement of fact. From the beginning of the work of that committee it has been its custom, until this year, whenever a bill relating to veterans was ready for presentation, to ask recognition from the Speaker for a motion to suspend the rules. What this means is perfectly familiar to every Member of the House, but, inasmuch as the preliminary edition of the RECORD has gone to many thousands of readers unacquainted with our procedure, it seems to me fit that they should be informed—and particularly the four millions and more veterans of the World War—should be informed as to the facts in the case.

So I will repeat what is perfectly familiar to the House.

In this matter of weighty legislation one of two courses is usually followed. Either the bill is presented under a special rule which opens it to amendment, or under suspension of the rules wherewith no amendment is possible and debate is limited.

Your Committee on World War Veterans' Legislation has hitherto followed the latter course, and, as one member of its majority, I accept what share of responsibility may come to me for this.

The other course was followed last week, the responsibility being that of the House itself by reason of the pressure that its Members brought to bear upon the Committee on World War Veterans' Legislation and others to secure opportunity for amendments and debate. Whether the decision was wise or not, it is not for me here to discuss. The story of last Thursday's proceedings will have told the public the facts, and it may draw its own conclusions.

Mr. Speaker, this House is the keeper of its own conscience. The House does in its own way what it thinks best for the needs of the Nation. If it be wrong, it is not responsible to any collateral branch of the Government, and its course ought not to be brought in issue by criticism in that body. Therefore, I hope the resolution may prevail.

Mr. CRISP. Mr. Speaker, I may say that I knew nothing of this matter until the resolution was sent to the Clerk's desk this morning. Therefore I have had no opportunity except during the last few moments to look up the matter. I do not believe that the resolution presents a privileged question, and I make the point of order against it.

Now, I am familiar, Mr. Speaker, with the general parliamentary rules that the presiding officers of the respective Houses should control the decorum in debate of the respective Houses so as to keep good will and comity between the two legislative bodies which is essential to good legislation, the bodies being coordinate bodies from a legislative standpoint.

I call the attention of the Speaker to what the press and the RECORD show happened in the Senate, I think last week. The Senator from Nebraska, Mr. NORRIS, took occasion to criticize the head of the House of Representatives, our beloved Speaker, because of some of his official actions in reference to the referring of a joint resolution dealing with a constitutional amendment. The point was made in the Senate that it was violating the rules of the Senate to criticize the other body. The Vice President ruled on a point of order made by the Senator from Ohio, Mr. FESS, that it did not violate the parliamentary rules. He called upon the Senator from Ohio to present a rule which prohibited it, which the Senator from Ohio failed to do, and the Vice President ruled that it was in order.

Our own rules expressly adopted do not deal with this question of decorum in debate, so far as this affects the Members of the other body, but our rules do provide that Jefferson's Manual shall be the controlling rule of the House when not in conflict with the rules that we adopt ourselves. I read from section 364 of Jefferson's Manual:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting of them might beget reflections leading to a misunderstanding between the two Houses.

Mr. Speaker, that is exactly on all fours with what I said before. This House can not take cognizance of debate that occurred in the Senate. It is up to the Senate itself to protect the debate in that body, if that debate reflects upon Members of this House. I have cited a specific instance in the Senate where a reflection or criticism was being made upon the Speaker, the head of this body, and the Vice President ruled that it was in order to so criticize the Speaker in the Senate.

Mr. TILSON. I suggest that the gentleman read the next paragraph following the one he just read, paragraph 366 on page 144 of the manual.

Mr. CRISP. Let me first read section 301 of Jefferson's Manual:

It is highly expedient, says Hatsel, for the due preservation of the privilege of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice

of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner.

Following that precedent from Jefferson's Manual, which is the rule of the House, because our rules are silent upon it, the House has no authority to criticize the record of the proceedings in the Senate. Of course, if the House saw fit, I think it might adopt a resolution and call the attention to the Senate to it, and then it would be up to the Senate to act.

The SPEAKER. The Chair is prepared to rule, and he is going to rule with the gentleman from Georgia.

Mr. CRISP. The gentleman from Georgia has practiced long enough to always stop when the court is with him. [Laughter.]

The SPEAKER. There is not the slightest question that there are several sections of Jefferson's Manual applying to comity between the two Houses, which would cover a case like this, if the Vice President had not made a ruling the other day in which he said that the Senate is not bound in any respects by Jefferson's Manual. The Vice President said:

> The Chair is ready to rule on the question. The Senate has not adopted Jefferson's Manual as a part of the rules of the Senate. It is left to the discretion of Senators as to what they may or may not say about the proceedings of the House in connection with the resolution under consideration.
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> Mr. FESS. That is not a rule.
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> The VICE PRESIDENT. The Chair makes that rule now.

The matter under consideration in the Senate at that time was the matter to which the gentleman from Georgia [Mr. CRISP] has just referred. In other words, it is left to the conscience of Senators as to what they may or may not say about the proceedings of the House, and the last thing that the present occupant of the Chair would be willing to rule upon is a question of that sort.

The Chair holds that the resolution of the gentleman from Massachusetts is not privileged.

VOCATIONAL REHABILITATION

Mr. PURNELL. Mr. Speaker, I call up House Resolution 201, by direction of the Committee on Rules, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 201

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10175, a bill to amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, as amended. That after general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. PURNELL. Mr. Speaker, ladies and gentlemen of the House, this resolution will make in order the bill (H. R. 10175) to amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment." The rehabilitation of persons disabled in industry and their subsequent return to civil employment is one of the most laudable undertakings to which the Federal Government or the several States may point and it is for the purpose of extending this rehabilitation work that this bill is brought in under a special rule.

I shall take only a few minutes in presenting the resolution. The Committee on Rules understands that there is little or no opposition to this bill, and we are agreed that it is a matter of extreme importance to the country, particularly to those unfortunates who have become disabled in industry.

In 1920 a program of rehabilitation such as is provided for by this bill was begun by Congress in cooperation with the several States of the Union. The original bill provided for an appropriation of $1,000,000 per year, covering a period of four years. It was, I believe, the intention of Congress, and it has been so held by the Attorney General, that this work should be a continuing work and that the several States should indulge in a continuous participation. As I say, we tried it out for a period of four years. At the end of that time legislation was enacted providing for like appropriations covering another period of six years.

Now, that time is about to elapse. In fact, on June 30 of this year, unless this legislation is passed, this splendid work will be discontinued.

The present bill extends the rehabilitation program for an additional period of three years, carrying an annual appropriation of $1,000,000, and makes some minor changes, one of which, I think, is to increase the minimum allotment to the States from $5,000 to $10,000 per year.

I shall not, in presenting the rule, attempt to go into a detailed explanation of the work that has been accomplished under the existing legislation, except to state that 44 States of the Union have accepted the provisions of this act and are now cooperating with the Federal Government in returning to remunerative employment their disabled citizens. Some of the States, I am informed, appropriate three or four times as much money as they receive from the Government.

The training of an individual costs about $250 each year, whereas it costs from $300 to $500 per year to maintain these persons in idleness at State expense in State institutions. Certainly no further argument is needed in presenting to this House the need for the continuance of this great rehabilitation program.

I sincerely hope the resolution will be agreed to, and that the bill will be speedily passed.

Mr. Speaker, I reserve the balance of my time, and yield 30 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. TUCKER. Mr. Speaker, will the gentleman yield?

Mr. PURNELL. Certainly.

Mr. TUCKER. I wanted to know if this is one of the original 50-50 bills?

Mr. PURNELL. That is right.

Mr. BANKHEAD. Mr. Speaker and Members of the House, I regard this as a very important piece of humanitarian legislation.

The charge has been frequently made on the floor of the House that in the development of our modern legislation here we have been inclined to engage in too much paternalistic legislation, and that there has been too much centralization in the power of the Federal Government. But I believe that this piece of legislation, which was very vigorously attacked when it was enacted by the House of Representatives, has fully justified the purposes behind it at the time it was passed.

I trust I may be pardoned in taking some modest pride in the operation of this bill, inasmuch as I was the original author and sponsor of this legislation in the Congress of the United States. [Applause.]

When I first came to the House of Representatives I was assigned to the Committee on Education, and in our study of the proposals which were subsequently enacted into law for the rehabilitation of crippled and disabled soldiers my attention was attracted to the vast number of people in the United States—men, women, and children—who were injured in the industries of the country, and for whom no legislation of any substantial character had ever been enacted; and with the assistance of some ladies and gentlemen interested in the proposal, a draft of the bill was prepared and referred to the Committee on Education and favorably reported by that committee and subsequently passed by the House.

I am not going to enter into a minute analysis of this pending bill when it is taken up for consideration but in order that there may be some continuing justification for this expenditure on the part of the Federal Government I desire to read into the RECORD, before I shall conclude, a few brief statements showing the effect of this work on this unfortunate class of people who have benefited by the operation of this law. I read from a statement prepared by Mr. John Aubel Kratz, Chief of the Vocational Rehabilitation Service, as follows:

> In the year 1928 there were 24,000 persons killed at their work in the industries of America. For every death in industry there are 5.6 persons permanently disabled, so that in that year 135,000 workers were permanently disabled through industrial accidents and causes arising out of their employment. During this same year 72,000 persons were killed by public accident, and 144,000 persons were permanently disabled through such accidents. Organized statistics on persons disabled through disease and congenital causes are not available. Students of such statistics estimate that annually 36,000 are disabled by disease and 8,000 through congenital conditions. Thus from all causes as many as 323,000 persons are permanently physically disabled each year.
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> Since the national program was inaugurated in 1920, 40,000 disabled persons have been rehabilitated and returned to self-supporting employment. During the fiscal year 1928–29 the States engaged in the service rehabilitated and returned to remunerative employment between 5,000 and 6,000 disabled persons. These persons were fitted for over 500 different kinds of occupations, ranging in skill from laboring jobs to

the professions. The majority of these persons are engaged in the production and distribution departments of manufacturing establishments. A number of them are in independent employment, such as barbering, shoe repairing, and small retail shops. Others are employed in such maintenance service as auto mechanics, radio and typewriter repair, cleaning and dyeing, and the like.

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Between 15,000 and 16,000 disabled persons are at present in process of rehabilitation under the auspices of State rehabilitation departments.

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The average cost, including all expenses, of rehabilitating these disabled persons does not exceed $300, divided equally between expenditures from Federal and State funds. This cost of rehabilitation is all the more significant when it is contrasted with the cost, between $300 and $500 annually, of maintaining a disabled person at public expense. No service being rendered by the Federal and State Government brings more immediate and profitable results than this constructive program of refitting disabled persons for useful work. Frequently a disabled person is able in the first year after rehabilitation to increase his former earning capacity by an amount equal to the cost of his rehabilitation. The average age of those rehabilitated is 32, at which age life expectancy is 20 or more years. The significance of this investment of public funds is not only that it brings immediate returns, but also that it yields continuous and cumulative profits.

Between 15,000 and 16,000 disabled persons are at present in process of rehabilitation, under the auspices of State rehabilitation departments; and, as has been stated by the gentleman from Indiana [Mr. PURNELL], the average cost, including all expenses of rehabilitating these disabled persons, does not exceed $300, divided equally between expenditures from Federal and State funds. This cost of rehabilitation is all the more significant when it is contrasted with the cost of between $300 and $500 annually of maintaining a disabled person at public expense. No service rendered by the Federal and State Governments brings more immediate and profitable results than this constructive program of rehabilitating persons for useful work.

It seems to me, gentlemen of the House, that there should be no opposition, and I anticipate there will be no opposition, to the extension of the terms of this bill, merely seeking to authorize an appropriation of $1,000,000 a year for three years and an additional authorization of $97,000 to see that each State in the Union which has accepted the benefits of this bill shall receive its minimum allotment of $10,000 per year.

I respectfully submit for your consideration that while in the beginning this bill as well as this character of legislation was very seriously criticized by some of the ablest men in the House of Representatives when the bill was being considered, I believe the great humanitarian reconstructive work that has been accomplished under its provisions has thoroughly justified its expense, and will justify a vote of confidence and a continuation upon your part of the provisions of the existing law. [Applause.]

Mr. HASTINGS. Will the gentleman yield?

Mr. BANKHEAD. I yield.

Mr. HASTINGS. I want to congratulate the gentleman from Alabama [Mr. BANKHEAD] for the conspicuous part he has played in the initiation of this legislation and its subsequent support.

I notice that the report of the committee states that 44 States of the Union have availed themselves of the benefits of the provisions of this legislation. I was wondering if the gentleman from Alabama [Mr. BANKHEAD] had in mind the four States that had not availed themselves of the benefits of the provisions of this bill.

Mr. BANKHEAD. I regret very much that, offhand, I can not give that information to the gentleman from Oklahoma [Mr. HASTINGS], but I am sure the chairman of the committee, the gentleman from New York [Mr. REED] will be very glad to furnish the gentleman with the information requested.

Mr. HASTINGS. I would like to know the four States which have not availed themselves of the benefits of the provisions of this bill?

Mr. REED of New York. I will be glad to take that up when I speak on the bill, or I can give it to the gentleman now.

Mr. PURNELL. Will the gentleman from Oklahoma [Mr. HASTINGS] let that come up in the general debate?

Mr. HASTINGS. Very well.

Mr. BANKHEAD. Mr. Speaker, I yield back the balance of my time.

Mr. PURNELL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. REED of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10175), to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, approved June 2, 1920, as amended.

The SPEAKER pro tempore (Mr. KETCHAM). The question is on the motion of the gentleman from New York [Mr. REED].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10175), with Mr. CRAMTON in the chair.

The Clerk read the title of the bill.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. REED] asks unanimous consent that the first reading of the bill be dispensed with. Without objection it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. REED] is recognized for 30 minutes under the rule. The ranking Member on the minority side will control 30 minutes.

Mr. REED of New York. Mr. Chairman and ladies and gentlemen of the committee, the gentleman from Indiana [Mr. PURNELL] I think has made it very clear to the Members of the House the purpose of this legislation. The purpose of the legislation is to authorize the continued participation of the Federal Government in carrying out a program of civilian rehabilitation with the States.

The first introduction which I had to this rehabilitation work was late in the fall of 1917 in France. I was invited by a distinguished educator in France, Professor Delairs, to go to the University of Grignon, an ancient and celebrated agricultural college in France not very far from Paris, to see the work that the French Government was doing in rehabilitating, reestablishing crippled soldiers, regardless of age, in gainful occupations.

I never saw anything that impressed me more and got closer to my heart than the wonderful humanitarian work performed at this little ancient university in France. Young boys who were crippled in the war, and older men, were there. They were being taught some useful, gainful occupation, trained in some particular vocation that would enable them to go back to their little home towns and find employment, and at the same time release some able-bodied man, old or young, to go to the front and fight.

The next introduction I had to this work was at Walter Reed Hospital. I went to Walter Reed Hospital to see a young man from my district who had a shattered limb, and I suggested that on the following Sunday I would be glad to take him and some of his buddies for a ride. The following Sunday I went out to the hospital and the young man from my district came limping along with the aid of a crutch. I asked him where his buddy was. He said, "He is inside and will require some help." I went in and found that his buddy had both legs off close to the hips.

Mr. TUCKER. Were those boys soldiers?

Mr. REED of New York. Those boys were soldiers. We carried this young boy out. I said to him during the course of the conversation, "How do you expect to get along?" He said, "I am getting along fine. The Government is going to give me a chance to get an education." He told me how he lost his legs; how he defended himself with a Colt revolver until the boys came up; how he was notified that he would probably bleed to death before they could get him to the hospital, but yet he pulled through. He seemed very optimistic. He said he was supporting his mother prior to the war in a little town in Pennsylvania; that he had never had chance to finish high school and that even so the war had given him a great opportunity to go abroad and he felt that he had been rather lucky. It struck me at the time that we were rather lucky to have a man of his character and disposition.

I had occasion to visit that little town in western Pennsylvania some years afterwards. I went to his office and called on him. I found him established in his office; I found that he was married and had a home. He walked out with two artificial limbs, and walked almost as well as though they were his natural limbs. He told me he was getting along well; had a good bank account; said he was riding in a Cadillac car and showed me a special certificate issued by the Governor of Pennsylvania authorizing him to drive a Cadillac car although he had two artificial limbs. But, he said he was glad because he had been able to finish his high-school education and had graduated from a 4-year course in a class-A university.

I just mention this as evidence that rehabilitation has been worth while for the soldiers.

There came to my office an educator from France, and I asked him if they were still carrying on the work at the University

of Grignon and at other schools in France. He said, "No; but we have marveled at the wonderful work you have done in the United States of America." He said, "You have broadened your program not only for the care of the soldiers but for the care of people crippled in industry and even those who are crippled by reason of congenital diseases and otherwise."

I can say that every man in this House should be proud of the work that has been accomplished under this act during the last 10 years. During the period of 10 years there have been rehabilitated those men who might have become objects of charity or might have required public support. They have been retrained for new vocations and placed in gainful occupations. To perform this work the Federal Government has appropriated, all told, about $10,000,000. The States have appropriated in the neighborhood of $15,000,000. At any rate, all that has been appropriated by the Federal Government and by the States would probably not exceed $30,000,000.

Let us see what the result has been from an economic point of view. From an economic point of view we find this: We find that the 45,000 people who have been placed in gainful occupations have an average age of around 32; we find they have an average expectancy of about 30 years; and we find that the average earning capacity of the 45,000 people who have been rehabilitated is $26.07 a week. Therefore, we find this from the economic point of view: That these 45,000 people, if employed during the period of their expectancy and at the average wage of $26.07 a week, will return to organized society a total of $2,200,000,000 upon a total investment of some $30,000,000. We might put it another way. There is hardly a community in the United States of America—and certainly there is not a community of any size in any congressional district of this country—where there is not one or more of these people who are crippled and who need training.

If you take one of them and figure that he is going to be a public charge, it is going to cost that community about $300 a year to support him. That is going to be continuous; that is going to be over their whole period of expectancy; and that will mean, if the average age is around 30 or 32, a cost for each cripple, if he becomes a public charge, a total of $9,000. On the other hand, if each one should be rehabilitated under this service it would mean a financial return to organized society of $39,000. I do not know of a community in the United States that is not interested, and vitally interested, in the character of work that has been carried on under this service.

There came before our committee manufacturers, insurance men, welfare workers, people interested in the blind, and people interested in every form of cripple to plead for an extension of this work.

Let us see what this bill proposes to do. This bill proposes to continue an appropriation which has been carried since 1920, an appropriation of $1,000,000 a year. That is the same appropriation we have been carrying right along. It proposes to extend the time to three years. In 1920 we passed this law, and we authorized this expenditure of $1,000,000 for a period of four years. In 1923 we again authorized a continuation of this work for a period of four years at $1,000,000 a year. In this bill we are asking for a further continuation of this work at $1,000,000 a year for three years. The Bureau of the Budget recommended an extension of only two years. I saw the President personally and explained to him that various legislatures meet at various times. Some meet annually, some biennially, and some triennially. The President was perfectly agreeable to extend this work for a period of three years instead of two years.

We have increased the minimum allotment to States from $5,000 to $10,000. The reason for that is that certain States have such a small population that the amount allotted to them is not sufficient to carry out a constructive program of work. Therefore, based upon experience, the committee has increased the amount from $5,000 to $10,000 a year as the minimum allotment, which increases the appropriation for this purpose from $34,000 to $97,000 a year.

Now, I want to picture the humanitarian side of this work.

Mr. MOORE of Virginia. Will the gentleman tell the committee what States have failed to participate?

Mr. REED of New York. Vermont, Delaware, Kansas, and Washington are the four States. I want to say to the gentleman that there are 12 States in the Union which are spending several times more State money in order to carry on this work than they are getting from the Federal Government, and that will probably become increasingly true.

It is very important that this legislation should be passed now and disposed of and passed over at the other end of the Capitol and disposed of, for the reason that some of the legislatures are just concluding their sessions, and they want the assurance that Congress is going along. Failure to pass this legislation now will mean that some 53,000 crippled persons who are looking forward to this service in order to be placed in gainful occupations will be disappointed.

Mr. BRIGGS. Without this legislation you would not have any Federal cooperation in the work at all, since the Veterans' Bureau has discontinued its Federal vocational work?

Mr. REED of New York. Exactly; and if we failed to carry on our part in this work this great program would fail or be seriously impaired, with the exception of a few States like New York, Pennsylvania, and perhaps some others which have quite large organizations to carry it on.

Mr. BRIGGS. Through this work you have made it possible in many of these States for men to be rehabilitated who never had any opportunity under these workmen's compensation acts, Federal or State?

Mr. REED of New York. That is very true.

Mr. BRIGGS. And therefore would have no means of livelihood or support except as public charges in the various communities.

Mr. REED of New York. The only reason I have not gone into specific cases is because there is not a Member of this House who does not know of such specific cases of men, women, and of children over 14 years of age who have been placed in gainful occupations through this service.

Now here is another side of this picture: Until this work was undertaken in a large way the people who have gone out to visit cripples have found that when they went into house after house the parents themselves would deny they had a crippled child, and only by careful investigation and after some explanation were they able to find the child, who would either be under a bed or in some dark closet. The parents themselves would deny they had a crippled child. This was testified by the secretary of the International Society for Crippled Children, who said the reason for this was that in years gone by it had become a tradition that a crippled child was mentally defective. He said that this rehabilitation work had lifted this cloud from the crippled, and the result is now that there is hope for these 400,000 crippled children who can come under the benefit of this act when they arrive at the age of 14, and they wanted to know that the work was going on so they could plan their work for these 400,000 crippled children; that when their work left off the Federal and State rehabilitation service could step in and train the children for gainful employment.

Mr. CLARK of Maryland. Will the gentleman yield?

Mr. REED of New York. Yes.

Mr. CLARK of Maryland. Several times the gentleman has referred to the placement of these rehabilitated persons in gainful occupations. Is that actually done?

Mr. REED of New York. Yes; it is actually done. The 45,000 people that have been placed in gainful occupation are not counted unless placed in such gainful occupation.

Mr. CLARK of Maryland. I am just a little surprised that the industries of the country employ crippled, although rehabilitated, persons. It is rather unusual.

Mr. REED of New York. In my State, in Wisconsin, and in many other States the industries themselves have shown the keenest interest in this work, and their compensation laws have been arranged so there will not be double liability in case of another injury to one of the cripples so employed. Industry, welfare workers, heads of compensation departments of the various States are working in perfect harmony in this great program.

Mr. HUDSON. If the gentleman will permit, in further reply to the gentleman from Maryland, this work dovetails with the compensation work of the States and the work is not duplicated at all. They are companion movements.

Mr. REED of New York. Yes; they work absolutely together. [Applause.]

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman.

Mr. HOUSTON of Hawaii. I understand that by reason of the affirmative act of 1924, whereby the act was made applicable to Hawaii, it is not necessary that this bill shall positively state again that Hawaii shall benefit?

Mr. REED of New York. I understand that a former Attorney General has expressed the opinion the act has been construed to be permanent in character.

Mr. HOUSTON of Hawaii. Mr. Chairman, I ask unanimous consent to extend my remarks by appending hereto a letter that carries out this statement.

The CHAIRMAN. The Delegate from Hawaii asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The matter referred to follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION,
Washington, April 5, 1930.

Hon. VICTOR S. K. HOUSTON,
House Office Building, Washington, D. C.

MY DEAR MR. HOUSTON: Several days ago you raised the question by telephone and by letter concerning the application of H. R. 10175 to the Territory of Hawaii.

While this bill specifically applies to the States, the needs of the Territory of Hawaii are covered in Public, No. 35, Sixty-eighth Congress, approved March 10, 1924, under section 5, which reads as follows:

"SEC. 5. The Territory of Hawaii shall be entitled to share in the benefits of the act entitled 'An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment,' approved June 2, 1920, and any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of $5,000, to be available for allotment under such act of the Territory."

It is my opinion that the phrase "and in any act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States" is sufficient authorization for the Federal board to include in its estimates to the Bureau of the Budget a minimum of $10,000 for the Territory of Hawaii, in the event that H. R. No. 10175 is passed and includes a minimum of $10,000 to each of the States.

In making up the sum of $97,000, provided in line 18 on page 2 of the above bill, the amount which would be necessary to provide a minimum of $10,000 for the Territory of Hawaii was included.

I hope that this statement satisfies your inquiry.

Very truly yours,

J. C. WRIGHT, *Director.*

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATTERSON].

Mr. PATTERSON. Mr. Chairman, ladies and gentlemen of the committee, it is a pleasure for me to appear before you to speak for a few minutes in support of this splendid work and to commend the chairman of the committee for the faithful efforts he has made in trying to get this legislation before the House of Representatives.

There have been so many good things said about this work that perhaps some of the things I may say will be more or less repetition. I shall be brief, because there are several gentlemen here who wish time.

When we look back at the inception of this work about nine years ago, as pointed out by my colleague from Alabama [Mr. BANKHEAD], who was one of the first to sponsor this legislation, we find that some of the ablest men of the House opposed it. This was not because they were not in favor of education or in favor of rehabilitation, but because they perhaps had a feeling against the principle of the States matching money appropriated in this way. However, I think the work has more than justified its existence. It has done more good than its most ardent supporters had hoped.

Probably no country ever undertook a more humanitarian or finer thing than the rehabilitation of those who are crippled in industry or made so by other reasons.

It has been asked here if they were completely rehabilitated and put into new occupations. I find, on page 110 of the hearings, a list of about 20 people who were crippled in industry and suffered various handicaps, such as the loss of a limb or some other physical disability. The list shows the work they were doing before rehabilitation and the work they went into afterwards, and we find here, for instance, one farmer who went into the work of a barber. He was in such shape that he could do absolutely nothing on the farm except to be a helpless charge upon his family, but after rehabilitation he began to earn $125 a month. This is true of the others on the list, and taking the entire list the income of the entire number of about 25 was $344 per month before they were rehabilitated, and afterwards their monthly income was $3,564.50, showing an increase of almost 1,000 per cent.

This statement also shows that $293 is the average cost to carry one of these patients through the entire period of rehabilitation and put him into some new industry, whereas it costs annually $300 to keep him as a public charge. Surely this work has justified its existence and that the need is so urgent that we should not only continue this work but expand the program to serve further.

After being rehabilitated a person had an average earning capacity of $74.08 per month. The average earning capacity of all these rehabilitated persons before rehabilitation was about $24.08 per month.

Mr. REED of New York. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. REED of New York. The question has been asked, Does this apply only to cripples of industry? Of course, it does not; it includes every crippled person—from congenital disease and others—anyone above 14 years old requiring rehabilitation.

Mr. CLARK of Maryland. It includes those who are born cripples.

Mr. REED of New York. It does.

Mr. PATTERSON. May I say that in my home district there was one cripple in a rolling chair. To-day he has an important business in a leading city in my district and has money in the bank.

Mr. ABERNETHY. Will the gentleman yield?

Mr. PATTERSON. Certainly.

Mr. ABERNETHY. How many States have taken advantage of this law?

Mr. PATTERSON. Forty-four States.

Mr. ABERNETHY. What States have not taken advantage of it?

Mr. PATTERSON. My colleague, the gentleman from New York, gave that a little while ago. They are the States of Washington, Kansas, Vermont, and Delaware. Those are listed in the hearings. Now, to care for all of these we are not going far enough, I fear, and I wish it could be extended further than what it is. I realize that we have got to be guided by the Budget to some extent, but my own personal feeling is that I want to support the amendment which will be offered, increasing this benefit. I understand that my distinguished colleague from Wisconsin will offer an amendment, and I am in favor of that amendment.

To maintain all of these people during their lifetime would cost at least $3,000,000,000, and this law would change them all into an annual income of almost six or seven hundred dollars apiece for each individual.

The Federal and State Governments together have spent $758,000 annually on this work and have put on the pay roll those rehabilitated to the extent of $5,407,000 annual pay roll. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. HUDSON].

Mr. HUDSON. Mr. Chairman and gentlemen of the committee, an editorial in my leading daily at home starts out in this fashion:

> To put a legless man on his feet, so to speak, may seem something like a joke, when so expressed, but there is a good deal of grim earnestness back of the expression.

Yet that sums up the real purpose of the legislation before us.

I am intensely interested in this legislation because for a period of time I served as one of the commissioners on the Industrial Accident Commission of Michigan. I am tremendously interested in this bill. I want to most thoroughly commend the legislation.

Mr. TUCKER. Will the gentleman yield?

Mr. HUDSON. I yield.

Mr. TUCKER. The gentleman says that he served on the Industrial Accident Commission of Michigan?

Mr. HUDSON. Yes.

Mr. TUCKER. Then they were looking after this?

Mr. HUDSON. Yes.

Now, the number of rehabilitated cases in the State of Michigan by congressional districts is, in the first, 842; second, 91; third, 88; fourth, 57; fifth, 237; sixth, 377; seventh, 46; eighth, 91; ninth, 89; tenth, 76; eleventh, 70; twelfth, 66; making a total of 2,130.

The total population of the eight counties with no cases is only 46,649.

From the experience of our Federal Government in the work of rehabilitation of disabled veterans it was revealed in 1920 that 208,000 people in civilian life suffered permanent physical disability each year.

Now approximately 325,000 people become permanently disabled annually. On June 2, 1920, the Federal civilian vocational rehabilitation act was signed and it became effective July 1, 1920. During the next year the legislature of our State accepted the benefits of the Federal act and Michigan has had rehabilitation service since July 1, 1921. There has been a constant increase in the number of people disabled through industrial and public accident along with the growth of large cities, industrial enterprise, and high-speed transportation. Michigan is one State which has especially experienced this increase.

These disabled people must become a liability on a State or community in the last analysis, unless by this vocational training we redeem them as an asset to the community.

The total cost of all rehabilitation service in Michigan from 1921 to 1929 has been $412,149.02. The 2,130 people rehabilitated have already earned approximately $9,566,256, or twenty-three and two-tenths times the entire amount spent.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. HUDSON. Yes.

Mr. BRIGGS. The 45,000 who have been trained indicate a progressive utilization of the stability?

Mr. HUDSON. Yes; I am going to insert in the RECORD graphs that will show that.

Mr. BRIGGS. I think it will be interesting to show which States have accepted this.

Mr. HUDSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by including some graphs, tables, and some letters in reference to this matter.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. HUDSON. Mr. Chairman, under leave to extend my remarks in the RECORD in further support of the civilian vocational rehabilitation legislation, I ask leave to print a most complete survey of the work covered by my State of Michigan in this most important department of human betterment and education. This survey was prepared by Mr. John J. Lee, Michigan State supervisor of civilian vocational rehabilitation.

Following the survey I will append a case of rehabilitation which is most typical of the work accomplished.

SURVEY AND REPORT OF EIGHT YEARS OF REHABILITATION SERVICE IN MICHIGAN, 1921–1929

[Prepared by John J. Lee, State supervisor, division of civilian vocational rehabilitation, department of public instruction, Lansing, Mich. Webster H. Pearce, superintendent of public instruction and executive officer, State board for vocational education, Lansing, Mich.]

PURPOSE OF THIS REPORT

This survey is prepared for your convenience and to furnish information you will want concerning Michigan's program of rehabilitation when the Federal civilian rehabilitation act is submitted at the next session of Congress.

We have attempted:

1. To collect and present information which will show the service rendered by the division of rehabilitation since it was organized July 1, 1921.

2. To show that from every standpoint of social economy and well-being it is necessary to continue rehabilitation service.

3. To indicate that increased appropriations are necessary to adequately support rehabilitation because there is a constant increase in the number of crippled and disabled people in Michigan and in the United States.

We hope that the information in this report will convince you that rehabilitation in Michigan is an economical, social, and necessary service to the disabled people of our State—that it is a right of the disabled! Finally, we hope that this service will merit your support for the new Federal act when it is introduced.

WEBSTER H. PEARCE,
Superintendent of Public Instruction.
JOHN J. LEE,
State Supervisor of Rehabilitation.

FOREWORD

From the experience of our Federal Government in the rehabilitation of soldiers disabled in the World War, it was revealed in 1920 that 208,000 people in civilian life suffered permanent physical disability each year. Accordingly, on June 2, 1920, the Federal civilian vocational rehabilitation act was signed and it became effective July 1, 1920. During the next year the legislature of our State accepted the benefits of the Federal act, and Michigan has had rehabilitation service since July 1, 1921.

The Michigan acceptance act is dependent upon Federal participation. The present Federal act expires July 1, 1930. Hence, a reenactment of the Federal law or the passage of a new law is necessary if rehabilitation service is to be continued.

There has been a constant increase in the number of people disabled through industrial and public accidents along with the growth of large cities, industrial enterprise, and high-speed transportation. Michigan is one State which has especially experienced this increase. Statistics furnished by the Federal Board for Vocational Education indicate that now approximately 325,000 people become permanently disabled annually and that there are now over 3,000,000 disabled people in the United States. In spite of safety legislation and traffic regulation the problem is a growing one.

Michigan has carried a comparatively conservative program, yet during 1928–29 expended 93.6 per cent of its total appropriation. With the same increase in demands for service this year that we have experienced during the last five years, we will not have adequate funds to carry us throughout this present year without refusing service to many deserving people.

DEFINITION

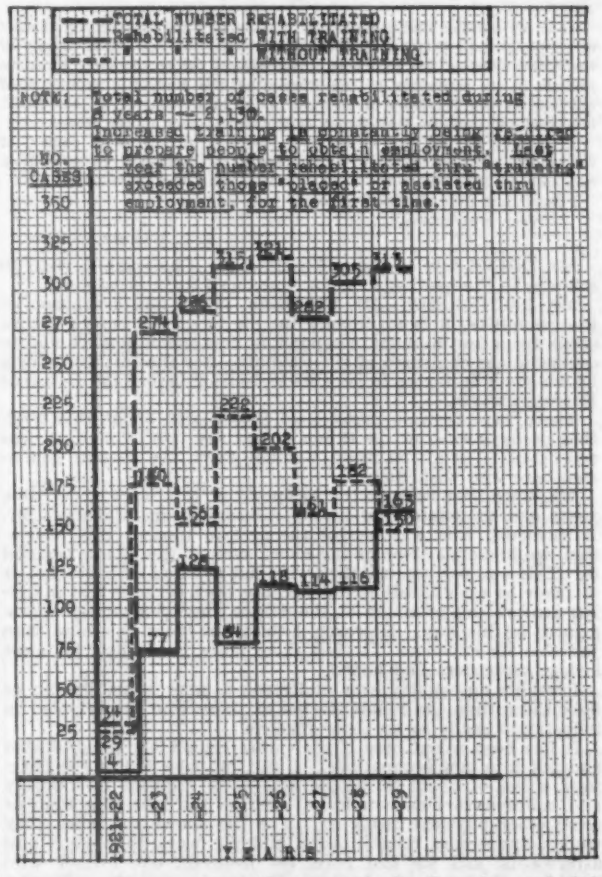
Civilian vocational rehabilitation is a service of vocational counseling, guidance, training, and placement for disabled people which prepares them for work they can do successfully in spite of their handicap, and thus become self-supporting. It is financed equally by our State and Federal Governments.

REHABILITATION HELPS TO SOLVE OUR MAJOR SOCIAL PROBLEMS

Rehabilitation reduces unemployment, poverty, and dependency—three of our major social problems! It helps guarantee disabled citizens of our State a fundamental right and opportunity—the right to work and earn a living!

Through rehabilitation over 300 crippled people who were unemployable are taught a trade and are established on a self-supporting basis each year. They are then able to provide for themselves and their dependents. Through the counseling and advice of the rehabilitation staff hundreds more are able to find their own jobs and become successfully employed.

GRAPH SHOWING NUMBER REHABILITATED, BY YEARS, IN MICHIGAN



On July 1, 1928, 760 people were being served by the division of rehabilitation in Michigan. During the fiscal year 1928–29, 1,342 new cases were reported, so that during the last year 2,102 were benefited by this service. With their dependents, the number totals at least 5,000 people.

SENATOR COUZENS DEFINES A FUNDAMENTAL RIGHT

In the survey of April, 1929, Senator COUZENS said: "It is a fundamental right, and no society can consider itself successfully organized unless it guarantees to every man the opportunity to preserve himself and his family against suffering and want. * * * A man discontented, suffering, and out of work is a danger to society."

Rehabilitation is the service of our State and Federal Governments, which carries this opportunity to people who have been disabled and who are not successfully employed.

SOME FACTS OF PARTICULAR INTEREST

1. A law providing for the continuation of rehabilitation must be enacted at the next session of Congress or rehabilitation service will end, not only in Michigan but in 43 other States.

2. The Federal act appropriates $1,000,000 annually, which is allotted to States according to population. Michigan receives $34,846.64.

3. An equal appropriation made by the State makes a total of $69,693.28 available annually for rehabilitation service.

4. Michigan ranks sixth among States in the amount of its appropriation and fifth in the number of people reestablished and made self-supporting.

5. During eight years 10,141 people have applied for rehabilitation service. Approximately two-thirds of this number, after receiving the service of vocational counseling and advice from the rehabilitation staff, were able to obtain their own job and become successfully established in employment.

6. With their dependents in addition to these disabled people, the division of rehabilitation has served directly or indirectly at least 25,000 people in Michigan during the last eight years and helped to make them self-supporting, self-respecting, and able to enjoy the sacred rights our country stands for.

7. Two thousand one hundred and thirty people have been rehabilitated by vocational training, artificial appliances, or placement service furnished by the division of rehabilitation.

8. The average cost per rehabilitated case in Michigan during the eight years, counting all money spent, has been only $193.45.

9. Offices are maintained at Lansing, Detroit, and Grand Rapids.

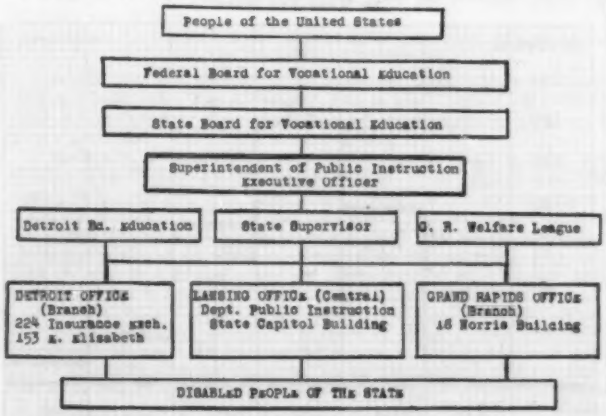
10. The service is administered as a division of the State department of public instruction under the authority of the State board for vocational education.

HOW REHABILITATION IS FINANCED

The Federal Government appropriates $1,000,000 annually and allots it to States on the basis of population. Each State matches this appropriation. Michigan matches the $34,846.64 received from the Federal Government, making a total annual appropriation of $69,693.28.

ADMINISTRATIVE ORGANIZATION OF REHABILITATION IN MICHIGAN

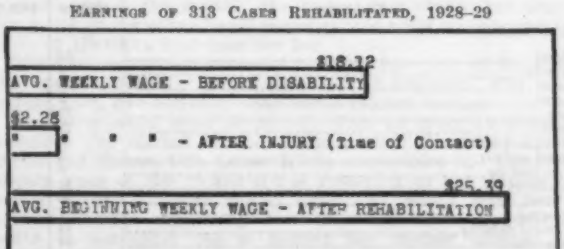
The Federal act requires that the division of rehabilitation be administered as a form of vocational education under the State board for vocational education and as a division in the department of public instruction. The graph below represents the administrative organization of the division of rehabilitation in Michigan.



REHABILITATION PAYS

The total cost of all rehabilitation service in Michigan, 1921–1929, has been $412,149.02. The 2,130 people rehabilitated have already earned approximately $9,566,256, or twenty-three and two-tenths times the entire amount spent.

EARNINGS OF 313 CASES REHABILITATED, 1928–29



NOTE.—In 195, or 62.3 per cent, of these cases the beginning wage of these handicapped people was higher than their maximum wage had ever been previous to injury.

Amount of money received and spent, by years, in Michigan for rehabilitation

Year	Amount used	Amount not used	Number cases rehabilitated	Average cost per case	Per cent funds used
1921–22	$23,127.86	$45,565.42	34	$709.64	34.6
1922–23	68,773.68	919.60	274	250.99	98.7
1923–24	50,687.03	19,000.25	286	177.23	72.7
1924–25	44,899.06	25,094.22	315	141.58	64.0
1925–26	46,723.54	22,969.74	321	145.68	67.1
1926–27	53,957.48	15,735.80	282	191.34	77.6
1927–28	58,081.07	11,612.21	305	190.43	83.4
1928–29	65,199.30	4,493.98	313	209.64	93.6
Total	412,149.02	145,397.22	2,130	193.45	

NOTES—

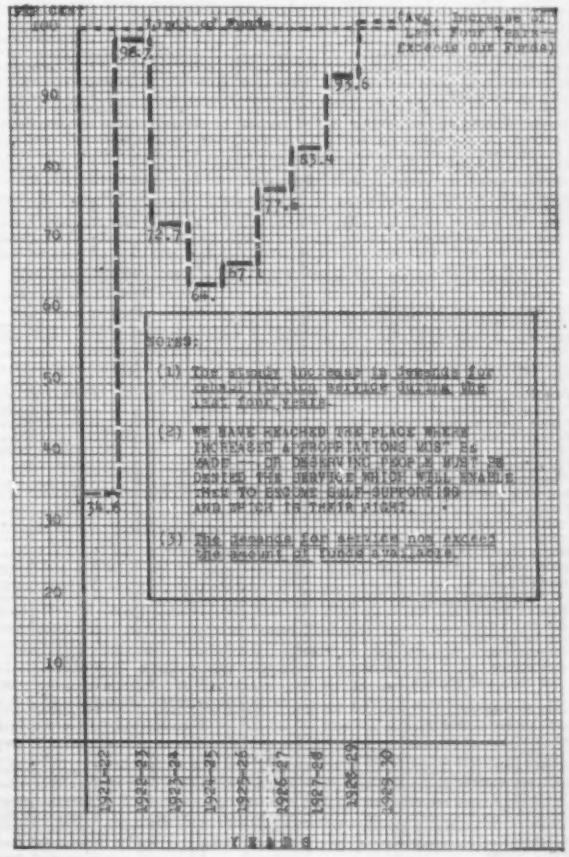
(1) Average cost per rehabilitated case $193.45

(2) Total annual allotment (Federal) 34,846.64
Total annual allotment (State) 34,846.64

Total 69,693.28

(3) The $145,397.22 Michigan did not spend before the demand for service required the entire appropriation was returned to the State and Federal Governments.

GRAPH SHOWING PER CENT OF REHABILITATION FUNDS USED, BY YEARS, 1921–1929



Distribution of 313 cases rehabilitated 1928–29 according to occupation and weekly wage

Occupation	Total number of cases	Wage units					
		Under $10	$10–$20	$20–$30	$30–$40	$40–$50	Over $50
Advertising	2			1	1		
Assembly	7		1	3	2	1	
Auto mechanics	7		1	2	3	1	
Auto sales	1						1
Barber	4			3	1		
Belt maker	1			1			
Bench work	2			2			
Body builder	1				1		
Bookkeeping and accounting	15		7	7	1		
Box making	1			1			
Cabinetmaker	2		1	1			
Car washer	1			1			

Distribution of 313 cases rehabilitated 1928–29 according to occupation and weekly wage—Continued

Occupation	Total number of cases	Wage units					
		Under $10	$10–$20	$20–$30	$30–$40	$40–$50	Over $50
Carpenter	2						2
Cemetery caretaker	1		1				
Chemist	1			1			
Chicken and dairy	8		4	3	1		
Commercial art	4		3		1		
Common labor	3			2	1		
Confectionery store	2				2		
Construction inspector	1				1		
Core cleaning	1			1			
Corn-borer inspection	1				1		
Crane operator	1					1	
Cushion trimmer	10		1	7	2		
Die maker and setter	7				4	2	1
Dispensing board	1				1		
Draftsman	3			2		1	
Draying and trucking	5		1	3	1		
Dressmaking	1		1				
Electrician	5			3	2		
Elevator operator	6		2	4			
Farmer	3			3			
Fashion modeling	1			1			
Fireman	2				1	1	
Foreman (shop)	4					4	
General office work	34	1	19	9	5		
Gluing	1			1			
Grader's helper	1			1			
Heat treat	1				1		
Highway construction	3			2	1		
House man	2		1	1			
Housework	1		1				
Inspector (parts)	9		1	4	4		
Insurance	2			1			1
Interior decorator	1				1		
Janitor	3		1	2			
Jewelry designer and engraver	2		2				
Lawyer	1						1
Lens grinder	1		1				
Linotype operator	1				1		
Machine operator	16		2	5	6		3
Machine repairman	3			2		1	
Machine inspector	2				1	1	
Magazine sales	3		2	1			
Mechanical dentistry	1	1					
Massage and hydrotherapy	2			1	1		
Messenger (special)	3		2	1			
Meter reading	1			1			
Millwright	2			2			
Mimeograph and multigraph	1		1				
Motor assembly	1			1			
Music	1			1			
Oiler	1		1				
Oil-station attendant	1			1			
Order clerk	1		1				
Painting	3			2	1		
Parking-lot manager	1			1			
Paster (auto bodies)	1			1			
Pattern maker	1					1	
Physician [1]	1						
Piano tuning	1		1				
Plumbing	1				1		
Polishing and buffing	4		1	2	1		
Porter	1			1			
Pressing (valet)	1			1			
Printing	2		1	1			
Power plant operator	1			1			
Radio repair	3				3		
Receiving clerk	1				1		
Retail merchant	4		1	1	1	1	
Shaper operator	1					1	
Shoe repairman	3			2	1		
Spindle sanding	2		1		1		
Stenographer	10		8	2			
Stock chaser	3				3		
Stock clerk and checker	5		1	4			
Striper	1					1	
Sweeper (factory)	1				1		
Switchboard operator	1		1				
Surveyor	1				1		
Teacher	7			3	1	2	1
Timekeeper	4			2	2		
Tool crib checker	4			2	2		
Tool grinder	1				1		
Toolmaker	2				2		
Typist	7		6	1			
Watchman	6			2	4		
Watch repair	1		1				
Welding	3			1		2	
Wrapping	3		2	1			
X-ray technician	2			2			
Total	313	2	84	122	74	21	10

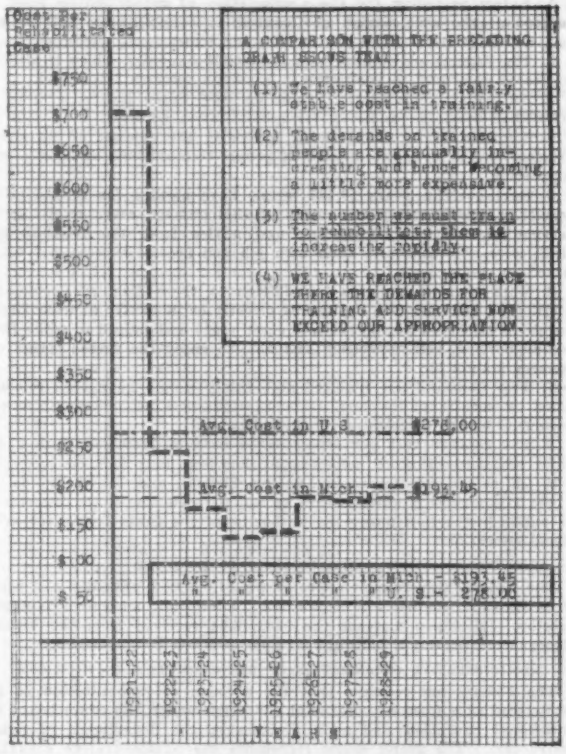
[1] Now an interne without salary beyond maintenance.

NOTE.—These 313 people were prepared for and employed in 103 different occupations.

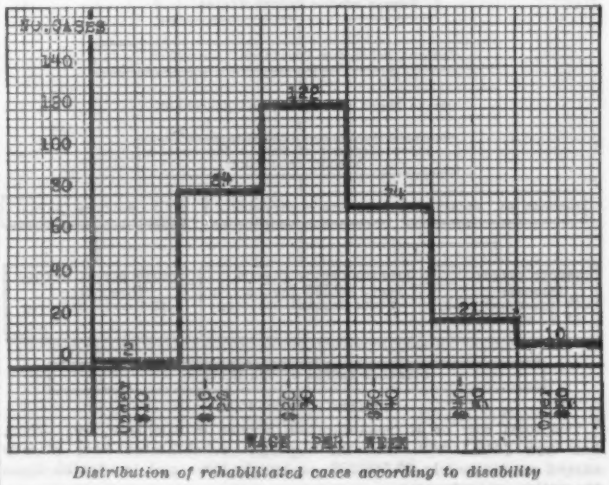
Distribution of cases according to education

Grades	1927–28	1928–29
None	[illegible]	13
Grades 1–6	[illegible]	63
Grades 7–9	[illegible]	147
Grades 10–12	60	78
Other	[illegible]	12

GRAPH SHOWING COST OF REHABILITATED CASES BY YEARS, 1921–1929



GRAPH SHOWING DISTRIBUTION OF 313 REHABILITATED CASES ACCORDING TO WAGE PER WEEK



Distribution of rehabilitated cases according to disability

Disability	1927–28	1928–29
Hand	80	75
Hands	3	7
Arm	28	21
Arms	2	2
Leg	81	66
Legs	21	24
Hand and arm	4	3
Hand and leg	2	0
Arm and leg	3	4
Multiple	10	24
Vision	20	25
Hearing	7	10
General debility	13	15
Miscellaneous	31	37

INFORMATION ABOUT THE PROPOSED ACT

1. It is being sponsored by the National Rehabilitation Association in 44 States and by the Federal Board for Vocational Education.

2. It has already received the indorsement of President Hoover and all members of both Committees of Education and Labor in both the House and Senate.

3. It will be introduced in the House by Hon. DANIEL A. REED, chairman of the Committee on Education, and in the Senate by Hon. JESSE H. METCALF, chairman of the Senate Committee on Education and Labor.

SOME PROVISIONS OF THE ACT

1. The administrative provisions will remain the same.

2. The present appropriation of $1,000,000 per year will be increased at the rate of $250,000 per year until it reaches a maximum of $2,500,000. Each State will continue to match the Federal allotment.

Approximate schedule of appropriations and allotment available to Michigan during the next six years

[Based on 1920 census]

Year	Total Federal appropriation, all States	Federal allotment to Michigan	Total available in Michigan
1929-30	$1,000,000.00	$34,846.64	$69,693.28
1930-31	1,250,000.00	43,558.30	87,116.60
1931-32	1,500,000.00	52,296.96	104,593.92
1932-33	1,750,000.00	60,981.62	121,963.24
1933-34	2,000,000.00	69,693.28	139,386.56
1934-35	2,250,000.00	78,404.94	156,809.88
1935-36	2,500,000.00	87,116.60	174,233.20

These figures will be slightly altered on the 1930 census.

INCREASED APPROPRIATIONS NECESSARY TO INCREASED SERVICE

This appropriation will enable the division of rehabilitation to—

1. Serve hundreds of "arrested" cases of tuberculosis after they have been discharged from sanatoria by preparing them for satisfactory employments.

2. Serve scores of injured in public accidents who are not now reported from some of our hospitals.

3. Serve many whom we are now obliged to close out with inadequate service because of the limitation of our funds.

4. Another golden opportunity—the State prison board, wardens, and commissioner of pardons and paroles are now asking our department to rehabilitate disabled inmates of our prisons. We have already started work in this field, and so far have been successful.

NOTE.—The appropriation provided above is not more than is needed in Michigan to give the rehabilitation service the disabled people of Michigan should have.

LEONA KIBBY, A SECOND HELEN KELLER—NOW A TEACHER OF PARTIALLY SIGHTED CHILDREN IN MUSKEGON

I would tell you the story of a young lady who was blind and now sees, who was dependent and is now supporting others, who encountered a double portion of misfortune and who is now successful. It is Miss Leona Kibby.

Miss Mann, a teacher in the Battle Creek High School, reported Miss Kibby after she graduated from high school in June, 1926. Leona had been totally blind until by an operation when 8 years of age she recovered partial vision of one eye. Her father died at an early age and left Leona with two sisters dependent on their mother. Through sacrifice and toil Mrs. Kibby had brought up her little family, and Leona had graduated with honors in spite of her handicap.

A rehabilitation program was planned which had as its objective preparing her to become a teacher of other partially sighted children. Leona, with her partial vision, believed she could help other partially sighted children, so in September, 1926, she enrolled at the Western State Teachers' College. After two years of training, in which she made an excellent record and which was financed by the division of rehabilitation, Leona then pursued training for teaching the blind and partially sighted at the Michigan State Normal College at Ypsilanti. In September, 1928, Miss Kibby was employed in the Muskegon city schools to organize and teach a special class of this kind. She was the happiest girl in the world. She had at last proved her worth. She could do for other handicapped people what society and her State of Michigan had done for her.

The State supervisor observed her with her class of 20 pupils. She could unveil the world and make it brighter. She could inspire, lead, and instruct. She was a master teacher.

One more word must be added. Just as truly as Emerson described the eternal law of compensation rewarding human worth and human toil, Leona Kibby exemplifies it. From her weekly wage of $35 to $40 she is returning to her mother the money earned through menial daily toil which kept her in school. Besides explaining new meanings from a darkened world to her class she is helping her mother educate her younger sisters.

Helen Keller, known and admired the world over for her beautiful character and marvelous spirit, is embodied again in Leona Kibby, the teacher.

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I came into the House to-day not knowing what was going on; but my good friend the gentleman from New York [Mr. REED], the chairman of this committee, and I have fought this battle several times before, so I determined to take a hand in the fight. My friend always touches my heart by his pathetic appeals for the lame and the blind, but we are not to be controlled by our hearts in legislation here. It is a question of policy and of power. My friend goes out to see his boy soldiers at Walter Reed Hospital and talks about what a great thing is to have them rehabilitated and made useful citizens, saving to the commonwealth by their work when they have been rejuvenated. Of course, that is the plain duty of Congress to its crippled soldiers, but this bill is for civilians, not soldiers. We took the boy and sent him to France; he was injured in the war, and under the war powers of the Constitution we are bound by the Constitution and every sense of duty to take care of him.

Mr. REED of New York. Of those 4,000,000 soldiers many are the beneficiaries of this act and are rehabilitated under this act, and they would not get any rehabilitation except for this act.

Mr. TUCKER. But we have an act for rehabilitating soldiers.

Mr. REED of New York. That expired long since. They have to get it under this act.

Mr. TUCKER. Then the gentleman is in a worse position than I had supposed, for if they have to get it under this act, tell me why should the States be required to pay one-half—50-50—of the bill for the soldiers of the United States? And why should you come to Congress and ask that the States be required to help Congress to do what Congress ought to do by itself? No one questions that the object of this legislation is a good one. No one questions that when a man gives his life and limbs to his country, the country that required his services should come and make him whole, if possible, and that we have the right to do under the Constitution, but this bill asks Congress to do this for every man injured in industrial works, which the States alone are responsible for.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. TUCKER. Yes.

Mr. HUDSON. Would not the gentleman also rehabilitate the man who has become a useless thing to society through industry and accident as well as through war?

Mr. TUCKER. Yes; but under the Constitution, those hurt in war must be helped by Congress and those in industries by the State.

Mr. HUDSON. We have the power to do it, because we have been doing it.

Mr. TUCKER. Oh, my dear friend, that is a bootlegger's argument—because you have been doing it! [Laughter.]

Mr. HUDSON. I hope the gentleman is not putting me in the class of the bootlegger.

Mr. TUCKER. No, indeed; far from it. Listen. Because we have been doing it! Suppose you have been doing wrong for some time. "Shall we continue in sin that grace may abound?" God firbid. Gentlemen of the House, in this class of legislation you are touching the most dangerous line that you will ever have occasion to touch. There is not in the Constitution of the United States the slightest ground for the claim that this is our duty. What does Judge Marshall say in Gibbons against Ogden? The powers allotted to the States in the Constitution are innumerable, he says, among them inspection laws, quarantine laws, and health laws of every description belong to the State; and my honored friend from Michigan [Mr. HUDSON] has told us here in his humanitarian speech what Michigan has been doing. Tell her to go on doing it. It is her duty, not ours—but it is ours to rehabilitate the soldiers from Michigan.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. DOUGLASS of Massachusetts. I yield the gentleman three minutes more.

Mr. TUCKER. Here is Judge Marshall again, who declares that this is not a duty of Congress. There is not a line in the Constitution that gives it to Congress. Let me read what three men have said on this subject who have had a good deal to do with the Constitution of the country. In the case of Gibbons against Ogden Judge Marshall said:

> Congress is not empowered to tax for those purposes which are within the exclusive power of the States.

In the same case Judge Marshall laid down the rule that health laws of every description belong to the State, and he says that you can not appropriate money in Congress for those objects which belong to the States.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. TUCKER. Yes.

Mr. SLOAN. Did the gentleman ever weigh against the opinion of Judge Marshall the opinion of the great modern jurist of New York City, who said:

What is the Constitution among friends and those who would enjoy the Treasury?

Mr. TUCKER. That is right, but of the two I lean slightly to Judge Marshall.

Now, I have quoted Judge Marshall. Time went on, and in 1842, in the great case of Dobbins *v.* The Commissioners of Erie County (16 Peters, 448) Judge Wayne delivered the unanimous opinion of the court, and in that court sat Chief Justice Taney, and Judge Story agreeing with him. They had under consideration a case involving this very question of taxation, and what did they say? Here it is:

The revenue of the United States is intended by the Constitution to pay the debts and provide for the common defense and general welfare of the United States; to be expended, in particular (that is, to be more particular) in carrying into effect the laws made to execute all the express powers "and all other powers vested by the Constitution in the Government of the United States."

Could language be clearer?

And Judge Taney evidently foresaw that Brother REED at this day was going to use those words, "For the common defense and general welfare of the United States," to mean that Congress could expend money raised by taxation for any purpose they might see fit to do so, whereas they intended those words to apply in particular "to carrying into effect the laws made to execute all the express powers and all other powers vested by the Constitution in the Government of the United States." That is, to pay that money that you get by taxation to carry out any power that belongs to the United States, and none other.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. I am very anxious that the distinguished gentleman from Virginia [Mr. TUCKER] shall have more time. Would it be in order under the rules to ask unanimous consent that he be allowed 10 additional minutes?

The CHAIRMAN. It would not be in order under the resolution.

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I regret very much that I am unable to accede to that request, but if there is any time remaining out of the allotted time I shall gladly give it to the gentleman from Virginia.

Mr. TUCKER. In 1868 Chief Justice Chase rendered a decision in the case of Veazie Bank *v.* Fenno (8 Wallace 541), in which he said, speaking of the taxing powers:

There are, indeed, certain virtual limitations, arising from the principles of the Constitution itself. It will undoubtedly be an abuse of the power if so exercised as to impair the separate existence and self-government of the States, or if exercised for ends inconsistent with the limited grants of power in the Constitution.

[Applause.]

So that Chief Justice Marshall, a Federalist, and Chief Justice Taney, a Democrat, and Chief Justice Chase, a Lincoln Republican, all say that you can not do it. [Applause.]

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield eight minutes to the gentleman from Arkansas [Mr. GLOVER].

The CHAIRMAN. The gentleman from Arkansas is recognized for eight minutes.

Mr. GLOVER. Mr. Chairman and ladies and gentlemen of the committee, I regret exceedingly to oppose my friend from Virginia [Mr. TUCKER], because I have so high a regard for him. But regardless of the opinion of Justice Marshall, or Justice Taney, or Justice Chase, or justice anybody else, I am going to heartily support this measure.

I can not see how any man can oppose this measure on principle. The gentleman from Virginia says he is opposing it on account of the principle involved. I am supporting it on account of the principle involved in it. I do not believe there has been any money expended by the United States that has had a larger return than the money expended under this bill. It reaches the cripple, it reaches the man who would otherwise be a burden not only on the United States, but on the State in which he lives as well, and instead of making him a peddler of shoestrings or lead pencils on the street, it makes him a man and enables him to support himself and his family. It takes the burden off the United States Government.

The States have an honorable part in it. They contribute half of it, and it is no more than right for the United States Government to contribute the other half, because the disabled man is a citizen of the United States as he is likewise a citizen of a State.

We have now being rehabilitated, as shown by the record of the hearings on this bill, 125 persons in Arkansas who are being trained in useful occupations. In most cases, those persons without vocational training would become charges on the State. There are 500 on the waiting list that would like to take the benefits of this law and will take it as soon as they can get it.

I want to call your attention to page 110 of the hearings, where there is presented a list of 38 persons—a list which was furnished by Mr. Hirst, the superintendent of the department of education in my State, who has charge of this work. I want to read to you from page 110 this one statement:

The average age of these 38 persons is 23 years. Each, therefore, has a working expectancy of 30 years, during which time the 38 will earn $1,159,200 more than they would have earned had they not been trained for special vocations for which they were physically fitted.

If you get that kind of a return from the money invested, you can not deny that it is the best investment that the Government could make.

I call your attention to page 39 of the hearings, to the statement of a young man who had lost one arm, but had had this training. He was receiving a very small pittance before he got the training; but, according to his statement, now he is earning about $3,000 a year after taking this training. He says, "I would say my earning capacity before was in the neighborhood of from six to seven hundred dollars a year." Now, instead of being a burden on the State or on the Government of the United States, he is eager for the fight; he has a bright mind; he is going on to make, and is making, a good citizen of the United States. We could give you a hundred instances of other young men who are doing the same thing.

I do not want to take up more time in debating this question. I think it is so urgent a duty to vote for this measure that I do not think anybody, except my friend from Virginia [Mr. TUCKER], will claim that the Constitution does not authorize it. He believes that the Constitution does not authorize it. I think the welfare clause of our Constitution absolutely authorizes this, and I think it was put in there for the specific purpose of permitting Congress to exercise its own judgment in taking care of these unfortunates.

I want to congratulate my distinguished chairman [Mr. REED of New York] for the excellent work he has done on the committee. It is a good work, and I would be glad to see it extended further than it is now. I hope that the other four States that are not now cooperating in this work will join in with us and make it unanimous.

Let us make it a unanimous proposition in the United States, that every State is joining hands with the Government and putting in dollar for dollar for humanity, and taking off of the streets men who are helpless, and putting them in a position where they are producing for the National Government, becoming taxpayers, and paying much more than was ever put into them. I thank you. [Applause.]

Mr. DOUGLASS of Massachusetts. I yield to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, this bill proposes to continue an appropriation which has been carried since 1920 of $1,000,000 per year for the next three years and an additional authorization of $97,000 in order that each State in the Union which has accepted the benefits of this vocational rehabilitation act will receive a minimum allotment of $10,000 per annum.

I supported and voted for the original act in 1920, and I am glad that I did, for it has done so much humanitarian work.

There are about 25,000 people killed while at work in the industries of the United States, and for every death in industry about 5 persons disabled, so that there are 125,000 workers permanently disabled through industry accidents.

In 1928 there were 72,000 persons killed by public accidents and 144,000 permanently disabled through such accidents. Many are killed and disabled not only in industry but on the farms and in all classes of employment.

Since 1920, when this work began by the Federal Government and the States, more than 40,000 disabled persons have been rehabilitated and returned to self-supporting employment. During the fiscal year of 1928–29, the States engaged in this service rehabilitated and returned to remunerative employment between 5,000 and 6,000 disabled persons. They were fitted for over 500 different kinds of occupations ranging in skill, from laboring jobs to the professions.

There are between 15,000 to 16,000 disabled persons in the process of rehabilitation under the auspices of this law. The average cost, including all expenses of rehabilitating these disabled persons, does not exceed $300, divided between expenditures from the Federal and State funds. This is more significant when contrasted with the cost of between $300 and $500 for maintaining a disabled person at public expense.

I do not believe that there is a service being rendered by the Federal and State Governments which brings more immediate and profitable results than this constructive work.

I trust that this bill will be promptly enacted into law in order that this constructive work may be continued. It gives me pleasure to support and vote for it. [Applause.]

Mr. DOUGLASS of Massachusetts. Mr. Chairman, I yield to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman and my colleagues, a great deal has been said about the administrative side of the legislation and about the probability of receiving benefits, and so on. So I would like briefly to call attention to the manner in which this work is accepted by my State. I believe this should go into the RECORD, because there has been very little said about the State's participation and reception of the aid.

Dr. W. S. Cowthon, State superintendent of public instruction of my State, said recently in a letter to me:

> In my opinion, no money spent by the State of Florida for educational purposes has yielded a larger return than have the appropriations made by our State legislature for the rehabilitation of vocationally handicapped persons.

Dr. Claud M. Andrews, the supervisor of vocational rehabilitation of my State, recently wrote me, in part, as follows:

> Many handicapped men and women are now receiving training for various kinds of work and their future is dependent in no small measure on the continuation of this service.

He submits a list of some 25 or 30 persons who have received this training in my State. I understand this list includes only a small percentage of Floridians receiving this training.

I ask unanimous consent, Mr. Chairman, to revise and extend my remarks and include the list of names that I have just mentioned.

The CHAIRMAN. The gentleman from Florida [Mr. GREEN] asks unanimous consent to extend his remarks in the manner indicated. Without objection, it is so ordered.

There was no objection.

Mr. GREEN. The list is as follows:

LIST OF REHABILITATED CASES IN THE STATE OF FLORIDA

Miss Evelyn George, Crescent Apartments, Tampa, Fla.
Mr. Clyde Hamilton, 68 Northeast Eighth Street, Miami, Fla.
Mr. William C. Pope, 151 South Washington Street, St. Augustine, Fla.
Mr. George Foxworth, Reynalds Music House, Pensacola, Fla.
Mr. William C. Dunton, 47 Florida Avenue, St. Augustine, Fla.
Miss Ruth Weldon, 612 Seaman Place, Daytona Beach, Fla.
Miss Nettie L. Simmons, 2287 Northwest Thirty-third Street, Miami, Fla.
Miss Lois Hitchcock, 256 Northeast One hundred and seventeenth Street, Miami, Fla.
Miss Kate Gainer, Smith Furniture Co., Panama City, Fla.
Mr. Lendell Sharer, Pan-American Oil Co., Palmetto, Fla.
Mr. Lewis Clark, 201 Division, Palatka, Fla.
Mr. George W. Adams, box 148, Cordele, Ga.
Mr. J. H. Conerly, Limestone, Fla.
Mr. R. E. Dean, box 531, route 7, South Jacksonville, Fla.
Mr. William Geiger, U. S. S. *Lydonia*, Jacksonville, Fla.
Mr. Olin Kelly, Holt, Fla.
Mrs. J. W. M. King, route 2, Gainesville, Fla.
Miss Lucile Landers, 1748 Northeast Second Avenue, Miami, Fla.
Mrs. E. R. Stuart, National Sanitarium, Johnson City, Tenn.
Mr. John L. Munch, box 121, Stuart, Fla.
Miss Gussie McLeod, Ponce de Leon, Fla.
Mr. J. Frank Weaver, jr., Williston, Fla.
Mr. John Whitten, Ashburn, Ga.
Miss Ruby McDermed, 8040 Northeast First Avenue, Miami, Fla.
Mrs. Virginia Williams, 1507 Lamar Avenue, Tampa, Fla.
Miss Belle Martin, 305 Saunders Street, Plant City, Fla.
Mrs. Iva Woodruff, 2429 Harper Street, Tampa, Fla.
Mr. W. M. Turner, Thirty-sixth and Main Streets, Jacksonville, Fla.
Mr. Jim Proctor, 1301 Pearl Street, Jacksonville, Fla.

The secretary of the Florida Public Health Association, Dr. T. Z. Cason, has also indorsed this work in a brief letter, and I shall ask the Clerk to read in my time his statement. This letter is signed as secretary, therefore, is for the association.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

FLORIDA PUBLIC HEALTH ASSOCIATION,
Jacksonville, Fla., January 18, 1930.

Hon. ROBERT A. GREEN,
Congressman, House of Representatives,
Washington, D. C.

MY DEAR MR. GREEN: House bill No. 7138 which has to do with the Federal appropriation for the rehabilitation of crippled civilians, I believe, comes up for hearing on January 20. As this bill provides for the continuance of an appropriation which has been used jointly with appropriations from the State of Florida for the rehabilitation of disabled persons to such good effect, we are most anxious to see its passage.

In view of the above, the members of this association in their annual meeting yesterday voted that the importance of the passage of this bill be urged upon all of those in whose power this action lies.

Speaking for our members, may I thank you for anything that you may do to insure its passage.

Sincerely,

T. Z. CASON, *Secretary.*

Mr. GREEN. I understand that H. R. 10175 takes the place of H. R. 7138.

The thing which impresses me with this work is that the organizations and State agencies which have had to do with the administration of it and have had a better opportunity to see the benefits of it, are heartily in favor of it.

Another thing which appeals to me more than the monetary side is that it prepares a man to pursue and enjoy a line of industry.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. JOHNSON of Washington. How many persons did the gentleman from Florida say enjoyed the benefits of this legislation under the Federal law in the State of Florida?

Mr. GREEN. Approximately 29 are named in the list recently referred to, but I understand this is only a small percentage of the total number in the State.

Mr. JOHNSON of Washington. Twenty-nine in the entire State of Florida?

Mr. GREEN. Twenty-nine names were recited, but I understand the total number is far greater.

Mr. JOHNSON of Washington. About what is the machinery in a State of the size of Florida to take care of 29 persons? How many employees or clerks or assistants?

Mr. GREEN. It is usually conducted in connection with the State public education department, and in that way the minimum administration expense is had. The cost of administration is negligible compared with benefits derived.

Mr. PATTERSON. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. PATTERSON. I noticed one statement which says that in a State about the size of Florida, during the nine years in which this work has been in progress, 1,125 men and women were rehabilitated, and their income was raised from about $20 a month to $70 a month.

Mr. JOHNSON of Washington. That is a large State?

Mr. PATTERSON. No. This is a small State.

Mr. GREEN. My State has only recently availed itself of the opportunity. Two years ago, I believe, my State made the first appropriation, and the Florida people believe the benefits received from it are sufficient to warrant the State's continued participation.

Hon. T. W. Lawton, superintendent of public instruction for Seminole County, Fla., recently wrote me as follows:

> House bill 7138, introduced by Representative DANIEL REED on December 10, authorizes an appropriation to carry out the provisions of the national rehabilitation act. Unless this bill is passed the good work that is being done for the crippled men and women of Florida must cease.

A large number of other prominent educators of my State, as well as public-health officials and other citizens, have petitioned for the passage of this bill. They desire the continuing of this work, and so do I. The fact that all States except four are now meeting the Federal funds with like State appropriation is evidence that the rehabilitation work should be carried on. The rehabilitation of soldiers by the Veterans' Bureau, I believe, has been completed, but I know of a few, at least, ex-service men who desire a continuation of their rehabilitation training. This bill would permit them to receive further benefits and thus extend their training.

Mr. JOHNSON of Washington. The State of Washington, which I have the honor to represent in part, has not availed itself of this offer, the State having decided that this 50-50 system was a price hung up here to be met by themselves, to be

laid down by the Federal Government on the State, which reduces the power of the State so much. Each time one is put in the State loses.

Mr. GREEN. I trust that the gentleman's State will soon participate in these Federal benefits. The highest degree of happiness is always obtained through the best possible service; therefore rehabilitation, through education and otherwise, of those who are physically infirm not only enables them to earn their own support but gives them that contentment of mind and body which can only come as a result of employment in some capacity where they may render efficient services. I hope the bill will pass, and I would be glad to vote for even a larger Federal appropriation for this worthy cause. [Applause.]

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. REED of New York. I yield three minutes to the gentleman from Indiana [Mr. HALL].

Mr. HALL of Indiana. Mr. Chairman and gentlemen of the committee, I want to lend full support toward the passage of H. R. 10175 which provides for the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment. This humanitarian legislation was inaugurated by the National Government on June 2, 1920, making available to the citizens an appropriation of $1,000,000 annually for a period of four years. This authorization was further extended on June 5, 1923, for a period of six years. This second period of authorization will terminate on June 30, 1930, unless this legislation is quickly enacted into law.

The original act provides that each State can participate in this fund providing the State appropriates an amount equal to that which the Federal Government grants to the State. At the present time 44 States of the United States have accepted the provisions of the national rehabilitation act and are cooperating with the Federal Government in retraining and returning to remunerative employment their disabled citizens.

Only four States have failed to cooperate.

The work which is now being carried on in 35 States of the Union of which Indiana is one will cease should the aid from the Federal Government not be extended further.

On March 10, 1921, the State of Indiana accepted the provisions of the Federal rehabilitation act and since that time has been actively engaged in the work. Since the beginning of the work in Indiana 987 disabled persons have been vocationally rehabilitated and returned to remunerative employment.

During the Federal fiscal year ending June 30, 1929, 145 disabled persons were rehabilitated. Of these 128 received school training and 7 job restoration. The total expenditure, including administration in Indiana, was $37,495.01, or $258.78 for each case. One-half of this amount was paid by the Federal Government and one-half by the State of Indiana.

Our State has been extending this work and developing the program on a basis of continuation of Federal aid. If it is not continued, the work will be seriously handicapped.

We believe that the same reasons exist now for a continuation of the rehabilitation service as were valid when it was inaugurated and that the work has justified itself by its economic usefulness in the assistance it has given to disabled citizens. I am going to incorporate here some typical rehabilitated cases in the eleventh district:

A young man, age 28. Disability, left arm amputated above elbow in employment accident. Approved for a business course in the Logansport Business College, at a total cost of $276.71. Employed as bookkeeper at a salary of $25 per week.

Young man, age 24. Disability, left leg crippled as a result of disease. Approved for a course in watch and clock repairing with the Chicago School of Watch Making, at a total cost of $165. Employed, in business for self, watch, clock, and jewelry repairing, in a thriving town in Indiana. His net income at present is from $20 to $30 per week.

Young man, age 24. Disability, tubercular from overwork and exposure. In a sanitarium six months. Released as an arrested case. Approved for a course in embalming, at a total cost of $226. Employed in undertaking business for self at a salary of from $200 to $300 per month.

Young woman, age 18. Disability, ensmalled legs, weak ankle, as a result of infantile paralysis. Approved for a general business course in Marion Business College, at a total cost of $344.14. Employed as bookkeeper, stenographer-typist at a salary of $25 per week.

Young man, age 21. Disability, curvature of spine, caused from fever in childhood. Approved for general business course in Logansport Business College, at a cost of $219.42. Employed as bookkeeper for a surety company at a salary of $30 per week.

Young woman, age 18. Disability, disabled legs caused by infantile paralysis. Approved for secretarial course in International Business College, Fort Wayne, Ind., at a total cost of $185. Employed as a stenographer-typist at a salary of $15 per week.

Too many of our activities in the past from a governmental standpoint have been caring for those who have been handicapped on a charity basis, when the sounder policy would have been to have given the individual an opportunity of earning a living and making himself or herself a self-supporting citizen.

Too much of our Government's interest has been given to the caring for the results of crime rather than the developing of those agencies which would make less crime.

I sincerely hope this constructive piece of legislation will receive the generous approval of the House. [Applause.]

Mr. REED of New York. Mr. Chairman, I yield two minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, it was my privilege to be a member of the Committee on Education 13 years ago when the Federal Board for Vocational Education was established by the so-called Smith-Hughes Act, which was reported by that committee. At that time I contended that that meritorious legislation was constitutional as a preparedness measure under the war power of Congress.

I feel that I was more than justified, as a member of the Committee on Education, in voting several years later for the first bill providing for the rehabilitation of persons injured in industry, and as chairman of that committee I had the honor of reporting and securing the passage by the House of Representatives of a bill to extend and continue the beneficent work already commenced.

It seems to me that anything which encourages the States to protect and increase the man power of the Nation is a measure that can well be justified on the grounds of national defense, without reference to the general welfare clause, which has usually been relied upon. If this measure is unconstitutional, then all of the acts upon the statute books providing for agricultural research and for scientific research of many kinds are unconstitutional.

I hope to have the opportunity of voting in the near future for a measure providing that the United States Public Health Service shall be authorized and directed to enter upon a comprehensive system of intensive research as to the cause and prevention of those diseases of the human body which are not being studied in privately endowed institutions. In my opinion the prevention of sickness and death among all our citizens is more important even than the eradication of insect pests that are destructive to agriculture. We hear a great deal about the conservation of our natural resources. This is a measure for the conservation of the man power, the human resources of the Nation, and I trust this bill will pass by an overwhelming vote. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. REED of New York. Mr. Chairman, I yield four minutes to the gentleman from Wisconsin [Mr. SCHAFER], a member of the committee.

Mr. SCHAFER of Wisconsin. Mr. Chairman and members of the committee, I respectfully disagree with my good friend from Virginia, who is opposing this bill upon constitutional grounds. If there were anything to his argument, I should think that some citizen of Virginia would have tested the constitutionality of the act in the courts, and that the State of Virginia, which in part he represents, would have refused to accept its allotment of Federal funds, but it has never refused to accept such allotment.

The trouble with the bill in its present form is that it does not go far enough; the appropriations should be larger. The Committee on Education held extensive hearings on H. R. 7138. At those hearings the representative of the American Federation of Labor testified in behalf of said bill. The testimony of the representative of the American Federation of Labor, appearing on page 47 of the hearings, reads in part as follows:

> We favor this bill as written, and we regret that the money appropriated is not generous enough to meet the real needs of the country.

Edsel B. Ford, the Hudson Motor Car Co., the Western Electric Co., and the Packard Motor Car Co., and many others testified before the committee in favor of H. R. 7138, which not only provides for a continuation of Federal participation in the vocational training work but also provides for an expansion of the program. The Secretary of Labor, the Hon. James J. Davis, whose testimony appears on page 11 of the printed hearings, stated in part as follows:

> I desire to urge upon Congress the imperative need of prompt and favorable action upon legislation extending this service. Not to continue the program would be to break faith with the States and to ter-



minate a movement which has been developing so auspiciously and with every promise of big accomplishments would be disastrous. At such a critical time in the development of the vocational rehabilitation of the disabled, for the Federal Government to withdraw its support would be in effect a repudiation of a movement of far-reaching economic and social significance to the Nation. The rehabilitation program must not only be continued but expanded. If we are to conserve to the fullest extent the efficiency of our man power.

Mr. Chairman and members of the committee, at the proper time I shall offer an amendment containing the appropriation as embodied in the bill (H. R. 7138) for a 4-year period. This is the bill which was supported by many civic associations, by the industrial leaders, by the American Federation of Labor, by the Secretary of Labor, and many others.

Some say that due to opposition from the Budget Bureau we should not expand the program. Ladies and gentlemen of the committee, a few days ago this House passed a bill, a rehabilitation bill, rehabilitating the New York Barge Canal, a bill which clearly forces upon the taxpayers of this Nation an appropriation of millions of dollars each year, for time without limit. I say that if we have these millions to rehabilitate the New York Barge Canal, which will require large expenditures for many years to come, then we can support this expansion program and increase the expenditures for the noble work of rehabilitating human beings. This vocational rehabilitation is no longer a noble experiment. It has been tried and found not wanting, and I hope you will, with practically a unanimous vote, support an amendment which has for its purpose the expansion of the Federal aid. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, as amended (U. S. C., title 20, secs. 31 and 32), is hereby amended to read as follows:

"That in order to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their placement in employment, there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June 30, 1931, the sum of $1,000,000; for the fiscal year ending June 30, 1932, the sum of $1,000,000; and for the fiscal year ending June 30, 1933, the sum of $1,000,000. Said sums shall be allotted to the States in the proportion which their populations bear to the total population in the United States, not including Territories, outlying possessions, and the District of Columbia, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall not be less than a minimum of $10,000 for any fiscal year. And there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1931, June 30, 1932, and June 30, 1933, the sum of $97,000 or so much thereof as may be needed which shall be used for the purpose of providing the minimum allotments to the States provided for in this section.

"All money expended under the provisions of this act from appropriations authorized by section 1 shall be upon the condition (1) that for each dollar of Federal money expended there shall be expended in the State under the supervision and control of the State board at least an equal amount for the same purpose: *Provided*, That no portion of the appropriations authorized by this act shall be used by any institution for handicapped persons except for vocational rehabilitation of such individuals entitled to the benefits of this act as shall be determined by the Federal board; (2) that the State board shall annually submit to the Federal board for approval plans showing (a) the plan of administration and supervision of the work; (b) the qualifications of directors, supervisors, and other employees; and (c) the policies and methods of carrying on the work; (3) that the State board shall make an annual report to the Federal board on or before September 1 of each year on the work done in the State and on the receipts and expenditures of money under the provisions of this act; (4) that no portion of any money authorized to be appropriated by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment, or for the purchase or rental of any lands; (5) that all vocational rehabilitation service given under the supervision and control of the State board shall be available, under such rules and regulations as the Federal board shall prescribe, to any civil employee of the United States disabled while in the performance of his duty."

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 2, in line 6, strike out the sign and figures "$1,000,000" and insert in lieu thereof the sign and figures "$1,250,000."

In line 7, strike out the sign and figures "$1,000,000" and insert in lieu thereof the sign and figures "$1,500,000."

In line 9, strike out the sign and figures "$1,000,000" and insert in lieu thereof the sign and figures "$1,750,000."

In line 9, strike out the period after the sign and figures "$1,000,000," insert a semicolon, and the following: "For the fiscal year ending June 30, 1934, the sum of $2,000,000."

Mr. SCHAFER of Wisconsin. Mr. Chairman, this amendment does not provide the full appropriation as embodied in the original bill, H. R. 7138, which was considered by the Committee on Education and upon which hearings were held. This is a compromise proposition. It carries the appropriations for a 4-year period, identical with the appropriations in the original bill, H. R. 7138.

Now, ladies and gentlemen of the committee, we are told that we must conserve the Nation's funds, that we must stay within the Budget; but if there was ever a case where the Budget is wrong, it is wrong on this great humanitarian and economic problem of rehabilitation. I can not say to the people of my State and the people of the Nation that the American Federation of Labor was wrong; that Mr. Edsel Ford was wrong; that the Western Electric Co. was wrong; that the Hudson Motor Car Co. was wrong; and that the Packard Motor Car Co. was wrong when they testified in behalf of the original bill, with the expansion program contained therein.

Mr. Chairman, 35 States of the Union that now take part in this vocational rehabilitation work depend upon Federal enactment and appropriations for the continuation of their own work. The State legislation providing for the States taking an active part in the work is dependent upon the appropriation of the Federal Government. These 35 States include Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, and West Virginia.

Therefore, since the activity of the State is dependent upon Federal appropriations, we can not look for an expansion program in the near future in these States unless the Federal Government expands the program.

While several States have not cooperated in this noble work, namely, the States of Delaware, Kansas, Vermont, and Washington, I sincerely hope the day is not far distant when they will see the light.

Mr. Chairman, it would be a sad blow to this vocational rehabilitation work if the Federal Government should not continue to participate. On the other hand, if we recognize the wonderful work done under these vocational rehabilitation appropriations by expanding the Federal program and adopting the amendment which I have submitted, we will send word throughout the Nation that the Congress has recognized the need, and thereby stimulate the interest of the States and the people of the various States engaged in this noble work. The adoption of this amendment will act as a beacon light sending out rays of hope to many thousands of our unfortunate, helpless men, women, and children who are cripples from injury or disease.

In closing I want to read a brief article by Nellie M. Winchester, entitled "A Vision."

Some time between midnight and dawn, when ghostly visions come as unwelcome guests and sit beside the restless sleeper, I dreamed I stood beside a mighty chasm, riven by some convulsion of nature, whose distant walls seemed to pierce the somber skies.

Venturing timidly to the brink, I looked into its depths and saw with horror, borne upon the crest of the rushing torrent were the maimed and blind, swept by with piteous cries for help.

One held aloft a mangled, bloody stump; his family, little ragged, famished children, clung to him; a mother lifted her crippled child in silent appeal; a man with blinded eyes; and so they were carried by on the crest of the torrent.

I turned away sick at heart and plucked the sleeve of a passer-by. "What is this," I said, and he answered, "It is the River of Desolation. It has borne its freight of human wreckage since the memory of man." He paused and said, "There is a legend that once many thousands of years ago a man walked among these people and healed them, but this is almost forgotten." He turned away.

Again, I resumed my contemplation of the pitiful human freight.

Suddenly I seemed to feel a presence beside me; turning I beheld a gracious and benign figure, ample of proportions, and bearing upon her serene brow the seal of motherhood of nations.

I said, "Art thou of earth?" She pointed to her breast, across which was written "Rehabilitation."

She spread her arms with a gesture of infinite love and pity over the thronged waves of the River of Desolation. The chasm was filled with light. The crippled and blind climbed the steep ascent and joined the passing throng with happy faces.

I awoke. The sun was shining in my window—a blind beggar led by a little dog passed by.

My colleagues, with all the sincerity of my heart, I ask you to support this meritorious amendment, the Budget recommendation to the contrary notwithstanding. [Applause.]

Mr. REED of New York. Mr. Chairman and gentlemen of the committee, I question whether any person in the House has a greater interest in this character of work than I have [applause], and I believe every Member of the House perhaps has just as great an interest in this great humanitarian and educational work.

I know of no activity of the Federal Government that comes closer to the heart than this particular legislation. I think it was Cicero who once said there is no way by which men can approach nearer to their God than by contributing to the welfare of their fellow creatures.

This has been a great and a splendid work, and I want to say to you that during all the years of this work no man has done more to encourage the work than President Hoover. He has been in a position to be in closest contact with it in a general way and in a specific way.

When I originally introduced this bill I provided for an increase of $250,000 a year each year for a period of four years, just as the proposed amendment provides. I did this, no doubt, for the same reason that the gentleman from Wisconsin is offering the amendment. Upon the face of it, when there are so many cripples in the country, it seemed that the way to perform the work and perform it well and efficiently and to meet the needs of this great number of cripples was to increase the appropriation by a larger sum, but I want to point out to the members of the committee that this work is different in character from ordinary educational work. I know that specific cases from my own district are not interesting to the Members generally, because you have just as many of these cases in your own districts as I have, but this is case work. It is not school work alone, it is case work, and I can take, as an illustration, a case in my own district of a girl who was crawling around on all fours when the rehabilitation people came there. To-day she is upright, walking, working, and helping to support her family when she and her family might have become public charges except for this work. This was case work.

Now, there is a limit to which this work can go. You must carefully train a type of person to deal with these individual cases. If you simply throw this wide open, with literally thousands of dollars that can not be used until the people are trained, what are you going to do? You are not going to help the work, you are going to put on the pay roll an army of people who are not trained for the work, and you are going to discredit the work. This is what you will do.

The Bureau of the Budget and the President naturally recognize this situation and they realize that in this work you have got to go along in an orderly way, moving slowly and cautiously and doing the work well.

Let me warn the members of the committee. Do not let your sympathy run away with you. We are all interested in this work. Let us not overload the proposition; let us not endanger it, but let us proceed in an orderly way. In the course of three years, through orderly procedure, they will develop more trained people, but if we go ahead now and add this vast sum of money to the bill, what do you think is going to happen? The next Congress, when it meets, is going to find that the States are not using this money because they can not use it intelligently, or if it is used they are going to find it has not been used properly. The result of your action will be that you will do injury to the work that you want to help.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. REED of New York. No; I can not yield now. I am very much interested in this work. It is seldom that I stand before the House, but I rely on the good judgment of the Members of this House to act sanely, sympathetically, and wisely. Our committee has studied this question carefully. The cripple is a subject with which no man wants to play politics. Let us be fair to the cripples of this country. Let us proceed in an orderly way. Let us undertake the work as it should be, and then at the end of the three years, as the bill provides, we can take care of any extra load. There has been opposition voiced here to-day on constitutional grounds. I hope the amendment will not carry.

While there has been opposition to this form of legislation—call it education, general welfare, relief, or what not—Congress through almost all its history has acted upon a liberal interpretation of the welfare clause in the Constitution. Congress voted relief to the cod fisheries in 1792; it voted relief to Santo Domingo refugees in 1794; it voted relief to the Venezuela earthquake victims in 1812; and more recently it voted $20,000,000 grain relief for Russia. Whether viewed in the light of precedent or existing necessity, it seems to the committee that the work is justified and should be continued.

Let me insert at this point a brief of Hon. Charles E. Hughes touching the power of Congress to legislate under the "general welfare clause":

THE TAXING POWER

The objects to which the public money may be devoted are implied in the provision of the Constitution relating to the taxing power. This is that Congress shall have power—

"To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States." (Art. I, sec. 8, subd. 1.)

There have been three views, representing serious differences of opinion, as to the meaning and scope of the clause "provide for the common defense and general welfare of the United States."

One view, which at times has been advanced, is that these words do not qualify the preceding clause with respect to the laying of taxes, etc., but confer an independent power. The conclusive reason for rejecting this interpretation is that it would render nugatory the subsequent specification of the powers of Congress, as the Constitution would thus be deemed, in one sweeping clause, to confer upon Congress the authority to do anything which in its judgment might be regarded as conducive to the general welfare of the United States. Accordingly, the accepted view is that this clause does not create an independent power, but qualifies the provision giving the taxing power; that is, it states the purposes for which the taxing power may be exercised.

With this postulate, a second view is that the clause has no separate significance, but is limited and explained by the subsequent enumeration of the powers of Congress, to which it is a mere introduction. (See President Madison's letter to Mr. Stevenson, November 27, 1830; Virginia resolutions, January 7, 1800; 4 Elliot's Deb., 236, 280–281; Tucker on the Constitution, secs. 223–238). It is not questioned that this opinion has been held by eminent men, but we believe it to be inconsistent with accepted principles of constitutional construction and to be opposed to the decided weight of opinion and to the established practice since the Constitution was adopted. As Mr. Justice Story says, "there is a fundamental objection to the interpretation thus attempted to be maintained, which is, that it robs the clause of all efficacy and meaning. No person has a right to assume that any part of the Constitution is useless, or is without a meaning; and a fortiori no person has a right to rob any part of a meaning, natural and appropriate to the language in the connection in which it stands. Now, the words have such a natural and appropriate meaning as a qualification of the preceding clause to lay taxes. Why, then, should such a meaning be rejected"? (Story on the Constitution, sec. 912.) In Holmes v. Jennison (14 Pet., pp. 570, 571) it was said by Chief Justice Taney: "In expounding the Constitution of the United States, every word must have its due force, and appropriate meaning; for it is evident from the whole instrument, that no word was unnecessarily used, or needlessly added. * * * No word in the instrument, therefore, can be rejected as superfluous or unmeaning." The arguments in support of this second view would seem to ignore this principle. Their elaboration can not avail to obscure the fact that they endeavor to explain away the express words which qualify the taxing power; instead of expounding and applying, they seek to rewrite the constitutional provision.

The third and prevailing view is that the clause does not confer an independent power, and yet is not superfluous as a mere introduction to, or as limited by, the subjoined enumeration of powers, but has its separate significance as prescribing the limits of the taxing power, and thus, by necessary implication, as defining the objects for which the public money may be appropriated by Congress. This view has the weighty support of Hamilton, Marshall, and Story.

Mr. Hamilton, in his Report on Manufactures (December 5, 1791), said:

"The National Legislature has express authority 'to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare,' with no other qualifications than that 'all duties, imposts, and excises shall be uniform throughout the United States; and that no capitation or other direct tax shall be laid, unless in proportion to numbers ascertained by a census or enumeration, taken on the principles prescribed in the Constitution,' and that 'no tax or duty shall be laid on articles exported from any State.'

"These three qualifications excepted, the power to raise money is plenary and indefinite, and the objects to which it may be appropriated are no less comprehensive than the payment of the public debts, and the providing for the common defense and general welfare. The terms 'general welfare' were doubtless intended to signify more than was expressed or imported in those which preceded; otherwise, numerous exigencies incident to the affairs of a nation would have been left without a provision. The phrase is as comprehensive as any that could have been used, because it was not fit that the constitutional authority of the Union to appropriate its revenues should have been restricted within narrower limits than the 'general welfare,' and because this necessarily embraces a vast variety of particulars, which are susceptible neither of specification nor of definition.

"It is, therefore, of necessity, left to the discretion of the National Legislature to pronounce upon the objects which concern the general welfare, and for which, under that description, an appropriation of money is requisite and proper. And there seems to be no room for a doubt that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce, are within the sphere of the national councils, as far as regards an application of money. The only qualification of the generality of the phrase in question, which seems to be admissible, is this: That the object to which an appropriation of money is to be made be general, and not local; its operation extending in fact or by possibility throughout the Union, and not being confined to a particular spot.

"No objection ought to arise to this construction from a supposition that it would imply a power to do whatever else should appear to Congress conducive to the general welfare. A power to appropriate money with this latitude, which is granted, too, in express terms, would not carry a power to do any other thing not authorized in the Constitution, either expressly or by fair implication." (See also Hamilton's Opinion on the Bank of the United States, February 23, 1791.)

There would seem to be no doubt that President Washington took the same view. (Story on the Constitution, sec. 978, note.)

Mr. Jefferson, in his Opinion on the Bank of the United States, February 15, 1791 (4 Jefferson's Correspondence, 524, 525), says:

"To lay taxes to provide for the general welfare of the United States is to lay taxes for the purpose of providing for the general welfare. For the laying of taxes is the power, and the general welfare the purpose for which the power is to be exercised." (See as to Jefferson's views, 1 Story on the Constitution, sec. 926, note.)

In the paper of President Monroe, entitled "Views of the President of the United States on the Subject of Internal Improvements" (transmitted to Congress in connection with his veto of the Cumberland road bill, May 4, 1822), which Mr. Justice Story describes as "the most thorough and elaborate view which perhaps has ever been taken of the subject," it was argued that the clause in question does not confer upon the Federal Government additional powers of control, but does authorize the laying of taxes and consequently the making of appropriations for purposes within the stated limits, thus enabling Congress to appropriate money in aid of enterprises which the General Government can not undertake or directly control. (See Willoughby on the Constitution, sec. 269; Story on the Constitution, secs. 979–990.) President Monroe said:

"If we look to the second branch of this power, that which authorizes the appropriation of the money thus raised, we find that it is not less general and unqualified than the power to raise it. More comprehensive terms than to 'pay the debts and provide for the common defense and general welfare' could not have been used. So intimately connected with and dependent on each other are these two branches of power that had either been limited the limitation would have had the like effect on the other. * * * Had it been intended that Congress should be restricted in the appropriation of the public money to such expenditures as were authorized by a rigid construction of the other specific grants, how easy would it have been to have provided for it by a declaration to that effect. The omission of such declaration is therefore an additional proof that it was not intended that the grant should be so construed. * * *

"If, then, the right to raise and appropriate the public money is not restricted to the expenditures under the other specific grants according to a strict construction of their powers, respectively, is there no limitation to it? Have Congress a right to raise and appropriate to any and to every purpose, according to their will and pleasure? They certainly have not. The Government of the United States is a limited Government, instituted for great national purposes, and for those only. Other interests are committed to the States, whose duty it is to provide for them. Each government should look to the great and essential purposes for which it was instituted and confine itself to those purposes. * * * My idea is that Congress have an unlimited power to raise money, and that in its appropriation they have a discretionary power, restricted only by the duty to appropriate it to purposes of common defense and of general, not local, national, not State, benefit."

In Gibbons v. Ogden (9 Wheat. 1, 199) Mr. Chief Justice Marshall said that "Congress is authorized to lay and collect taxes, etc., to pay the debts, and provide for the common defense and general welfare of the United States." That we are not misconceiving the purport of this quotation is evident from the use which Mr. Justice Story makes of it. (1 Story on the Constitution, sec. 927.)

(See also Mr. Adams's letter to Mr. Stevenson, July 11, 1832; 2 Elliot's Deb., 170, 183, 195, 328, 344; 3 id. 262, 290; 4 id. 226; Mr. Justice Miller's Lectures on the Constitution, pp. 229–231, 235.)

In the course of an exhaustive examination of the question, Mr. Justice Story thus states what is deemed to be the true construction of the constitutional provision (1 Story on the Constitution, secs. 922–924):

"A power to lay taxes for any purposes whatsoever is a general power; a power to lay taxes for certain specified purposes is a limited power. A power to lay taxes for the common defense and general welfare of the United States is not in common sense a general power. It is limited to those objects. It can not constitutionally transcend them. If the defense proposed by a tax be not the common defense of the United States, if the welfare be not general, but special, or local, as contradistinguished from national, it is not within the scope of the Constitution. If the tax be not proposed for the common defense, or general welfare, but for other objects, wholly extraneous (as, for instance, for propagating Mohametanism among the Turks, or giving aids and subsidies to a foreign nation, to build palaces for its kings, or erect monuments to its heroes), it would be wholly indefensible upon constitutional principles. The power, then, is, under such circumstances, necessarily a qualified power. If it is so, how then does it affect or in the slightest degree trench upon the other enumerated powers? * * * Each has its appropriate office and objects; each may exist without necessarily interfering with or annihilating the other (sec. 922). * * * But then, it is said, if Congress may lay taxes for the common defense and general welfare, the money may be appropriated for those purposes, although not within the scope of the other enumerated powers. Certainly, it may be so appropriated; for if Congress is authorized to lay taxes for such purposes, it would be strange, if, when raised, the money could not be applied to them. That would be to give a power for a certain end, and then deny the end intended by the power (sec. 923). * * *

"That the same means may sometimes or often be resorted to to carry into effect the different powers furnishes no objection, for that is common to all governments. That an appropriation of money may be the usual or best mode of carrying into effect some of these powers furnishes no objection, for it is one of the purposes for which the argument itself admits that the power of taxation is given. That it is indispensable for the due exercise of all the powers may admit of some doubt. The only real question is whether, even admitting the power to lay taxes is appropriate for some of the purposes of other enumerated powers (for no one will contend that it will of itself reach or provide for them all), it is limited to such appropriations as grow out of the exercise of those powers. In other words, whether it is an incident to those powers or a substantive power in other cases which may concern the common defense and the general welfare. If there are no other cases which concern the common defense and general welfare, except those within the scope of the other enumerated powers, the discussion is merely nominal and frivolous. If there are such cases, who is at liberty to say that, being for the common defense and general welfare, the Constitution did not intend to embrace them? The preamble of the Constitution declares one of the objects to be to provide for the common defense and to promote the general welfare; and if the power to lay taxes is in express terms given to provide for the common defense and general welfare, what ground can there be to construe the power short of the object—to say that it shall be merely auxiliary to other enumerated powers and not coextensive with its own terms and its avowed objects? One of the best established rules of interpretation, one which common sense and reason forbid us to overlook, is that when the object of a power is clearly defined by its terms, or avowed in the context, it ought to be construed so as to obtain the object and not to defeat it. The circumstance that, so construed, the power may be abused is no answer. All powers may be abused; but are they then to be abridged by those who are to administer them, or denied to have any operation? If the people frame a constitution, the rulers are to obey it. Neither rulers nor any other functionaries, much less any private persons, have a right to cripple it because it is, according to their own views, inconvenient or dangerous, unwise or impolitic, of narrow limits or of wide influence."

These observations are quoted at length, for the argument could not be stated more convincingly and, in the absence of an explicit determination by this court, it is believed that no words are entitled to greater weight. Mr. Justice Story was well acquainted with all opposing views and had critically studied them, and after reviewing the question from every angle and carefully examining the proceedings of the Constitutional Convention, he reached the definite conviction which he sets forth in his commentaries. (Id. secs. 906–932; 967–991.)

While this court has not definitely passed upon the construction of the clause with reference to the scope of the power of appropriation (see United States v. Realty Co., 163 U. S., 427, 440), there are general expressions supporting the view that the words—"provide for the common defense and the general welfare of the United States"—are to be taken as qualifying the power to lay taxes. See Gibbons v. Ogden, supra. In United States v. Gettysburg Electric Railway Co. (160 U. S.

668, 681) it is said: "It (Congress) has the great power of taxation to be exercised for the common defense and general welfare"; and this statement was made as a part of the reasoning of the court in sustaining the power of the United States to condemn land for the preservation of the battle field of Gettysburg as being for a public use, as it made direct appeal to patriotic sentiment and tended to enhance "love and respect for those institutions for which these heroic sacrifices were made" (id. p. 682). When the validity of the sugar bounty provision in the tariff act of October 1, 1890 (26 Stat. 567, par. 231), was challenged, the court found it unnecessary to decide the question (Field v. Clark, 143 U. S., 649, 695). Later, when, after the repeal of that provision Congress passed the act of March 2, 1895 (28 Stat., 910, 933), providing a similar bounty upon sugar manufactured and produced before the repeal, it was held that the appropriation was valid as being in the discharge of a moral obligation which Congress was entitled to recognize as a "debt" within the fair meaning of the constitutional provision (United States v. Realty Co., supra; Allen v. Smith, 173 U. S. 389, 394, 402). Certainly, this court has never decided adversely to the power of Congress to meet by its appropriateness great national needs and has never construed the taxing clause otherwise than in accord with the construction placed upon it by Hamilton, Jefferson, Marshall, Monroe, and Story.

PRACTICAL CONSTRUCTION OF THE POWER OF CONGRESS TO APPROPRIATE THE PUBLIC MONEY

The power to tax and the power to appropriate the moneys raised by taxation are addressed to the same objects. The latter is qualified to the same extent as is the former. To hold otherwise, as Story says, "would be to give a power for a certain end, and then deny the end intended by the power." Congress, from the foundation of the Government, has proceeded upon the view that the powers specified in the subsequent provisions of the Constitution do not limit its authority to appropriate money for the common defense and general welfare of the United States under the clause relating to taxes. Mr. Justice Story thus states the experience of the first 40 years of our history (1 Story on the Constitution, sec. 991):

"In regard to the practice of the Government, it has been entirely in conformity to the principles here laid down. Appropriations have never been limited by Congress to cases falling within the specific powers enumerated in the Constitution, whether those powers be construed in their broad or narrow sense. And in an especial manner appropriations have been made to aid internal improvements of various sorts, in our roads, our navigation, our streams, and other objects of a national character and importance. In some cases, not silently, but upon discussion, Congress has gone the length of making appropriations to aid destitute foreigners and cities laboring under severe calamities; as in the relief of the St. Domingo refugees, in 1794, and the citizens of Venezuela, who suffered from an earthquake in 1812. (See act of February 12, 1794, ch. 2; act of May 8, 1812, ch. 79; 4 Elliot's Debates, 240.) An illustration equally forcible of a domestic character, is in the bounty given in the cod fisheries, which was strenuously resisted on constitutional grounds in 1792, but which still maintains its place in the statute book of the United States." (See act of February 16, 1792, ch. 6; 4 Elliot's Debates, 234–238.)

In addition to the instances mentioned by Mr. Justice Story, we have numerous illustrations afforded by the action of Congress since his day. The annual appropriations show a practically continuous assertion of broad authority in the application of money, as, for example, in support of the Bureau of Education (including the special provision for aiding the education of the blind, act of March 3, 1879, ch. 186, 20 Stat. 467), of the Smithsonian Institution, and of the constantly expanding and varied work of the Department of Agriculture (see, for example, act of August 11, 1916, ch. 313, 39 Stat. pp. 452–456, 463–467, 470). The validity of such action has not been questioned and, as Professor Willoughby says, "the doctrine has become an established one that Congress may appropriate money in aid of matters which the Federal Government is not constitutionally able to administer and regulate." (Willoughby on the Constitution, sec. 269.) Mr. Justice Story sums up the matter by saying (sec. 977): "The argument in favor of the power" (to appropriate money for the common defense and general welfare) "is derived, in the first place, from the language of the clause conferring the power (which, it is admitted, in its literal terms, covers it); secondly, from the nature of the power, which renders it in the highest degree expedient, if not indispensable, for the due operations of the National Government; thirdly, from the early, constant, and decided maintenance of it by the Government and its functionaries, as well as by many of our ablest statesmen, from the very commencement of the Constitution. So that it has the language and intent of the text, and the practice of the Government, to sustain it against an artificial doctrine set up on the other side."

Nothing could better illustrate the accepted principle than the appropriations to aid in agricultural development. Since the year 1839 there has been a constant disbursement of public moneys in the promotion and fostering of agriculture, in disseminating information, distributing seeds, and in aiding agricultural schools. For upward of 60 years—since the act of 1857 (11 Stat. 226)—Congress has made provision for the distribution of cuttings and seeds. It was in that year also that provision was made for investigation as to the consumption of cotton (id.).

The Department of Agriculture was established in 1862 (12 Stat. 387). The act provided as to this department—

"the general designs and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants."

The far-sighted policy of the Morrill Land Grant Act of 1862 (12 Stat. 503) made possible through donations of public land the establishment of institutions for instruction in agriculture throughout the country. Funds have been provided to maintain bureaus of agricultural statistics, for the introduction and protection of insectivorous birds, for laboratories to engage in experimentation in agricultural chemistry (12 Stat. 69). The great pests, or enemies of crops, have been the subject of constant consideration, and frequent appropriations have been made to aid in their elimination (21 Stat. 259; 40 Stat. 374).

In 1884 the Bureau of Animal Industry was established to disseminate information as to domestic animals and their diseases (23 Stat. 277). In 1890 the Weather Bureau was put in charge of the Department of Agriculture (26 Stat. 653), to make more readily available comprehensive information as to matters of special interest to those engaged in the cultivation of the soil.

The Irrigation Survey was established in 1889 under the direction of the Secretary of the Interior (25 Stat. 960), and in 1913 the Bureau of Mines (37 Stat. 681).

The scope of the activities of the Department of Agriculture now embraces those of the Weather Bureau; the Bureau of Animal Industry (including inspection and quarantine work, the eradication of scabies in sheep and cattle, tuberculin and mallein testing, experiments in animal feeding and breeding, including cooperation with State agricultural experiment stations, scientific investigations of hog cholera, and other diseases of animals); the Bureau of Plant Industry (including investigations of diseases of plants, of orchard and other fruits, of forest and ornamental trees and shrubs, of soil bacteriology and plant nutrition, of soil fertility, of plants yielding drugs, poisons, and oils, of cereals and cereal disease, of sugar beets, and generally of crop production, and the purchase and distribution of valuable seeds, bulbs, shrubs, vines, cuttings, and plants); the Forest Service (including various investigations in forestry); the Bureau of Chemistry (embracing various chemical and physical tests and biological investigations of food products); the Bureau of Soils (including investigations of soil types and chemical properties, of productivity and as to possible sources of supply of potash, nitrates, etc.); the Bureau of Entomology (including investigations of insects affecting fruits, orchards, vineyards, and crops); the Bureau of Biological Survey (including the investigation of the food habits of birds and mammals in relation to agriculture); the Division of Publications; the Bureau of Crop Estimates (covering all important data relating to agriculture); the States Relations Service (including farmers' cooperative demonstration work in connection with State organizations, and for the study of methods to combat the cotton boll weevil); the Office of Public Roads and Rural Engineering (including investigations as to farm irrigation and drainage and construction of farm buildings); the Office of Markets and Rural Organization (including investigations of marketing methods, studies of cooperation among farmers in rural credits, and other forms of cooperation in rural communities); and the Federal Horticultural Board (see 39 Stat. 446–476; 1134–1166; 40 Stat. 973–1008).

The Federal appropriations in 1917 in support of agriculture amounted to upward of $29,000,000 and in 1918 to upward of $45,000,000.

There can be no question as to the continuous practical construction of the powers of Congress to raise and appropriate money to the effect that this power is not limited to the objects enumerated in the subsequent provisions, but extends what may properly be deemed to be embraced within the general welfare as expressly provided in the clause which confers the taxing power itself.

As Mr. Chief Justice Marshall said in McCulloch v. Maryland (4 Wheat. 316, 401):

"An exposition of the Constitution, deliberately established by legislative acts, on the faith of which an immense property has been advanced, ought not to be lightly disregarded."

Mr. KVALE. Mr. Chairman, I earnestly hope that this body will, after consideration, adopt the Schafer amendment providing for the specified increase of the annual appropriations.

With all respect for him, and with regard for his outstanding ability and sincerity, I can not share the alarm of the chairman of the committee, the gentleman from New York [Mr. REED]. One-quarter of a million dollars, or even a million, spread thin over all of the States of the United States save four, does not seem to me to be a large sum and does not appear to warrant the charge that we are thereby "loading down" the bill, especially when the purposes of the legislation, which he

enumerated, are borne in mind. It looks small, indeed, when compared with some of the appropriations that have been made out of the Treasury during this session of Congress, and for purposes which surely are no more urgent than the one that is here involved.

To the gentleman from Virginia [Mr. TUCKER], whom we all love, and who opposes the bill, I might quote the recommendations and indorsements from the supervisor of the rehabilitation work and from others in his own State, which has been participating in this activity for nine years.

To the gentleman from New York, the chairman of the committee, I might point out with perfect justice that everything he has said for the measure itself applies with equal and even added force to this amendment for added funds. He has shown that the work is more than justified from an economic standpoint; he has dwelt upon the humanitarian phase of it and its appeal for that reason; he has declared it to be a necessary and a worth-while work. He has stated that the work that is done is largely case work. I contend that is an argument for the addition of funds at this time.

These States have had 10 years now in which to train these highly specialized field workers. All of them have more to do than they can attend to. In State after State your committee was told that there is a long waiting list of crippled people waiting patiently for their turn to be given the attention they want and need. And yet every State has expended its funds wisely and conservatively. Expansion has been slow because of the very nature of the work, as the chairman has stated.

That can be proved by observing that of the million dollars annually apportioned among the States only a little more than $650,000 was used during the last fiscal year. This, by the way, was matched by about $900,000 of funds out of the State treasuries. Mr. Chairman, in dollars and cents, the added amount called for in this amendment will be only a few thousand dollars each to the several States in addition to what they are now receiving. And in many of the States where this work has been under way for a longer time, or where it has been stressed, these added thousands are sorely needed.

But here is the point. The real reason that we are asking for this additional amount is that the money we provide in this bill is apportioned among the States on the basis of population. Now, there are a number of States where the census which is being taken will show a heavy increase in population. These States will receive, proportionately, a larger share of this million than they have received in the last 10 years. In other States, where the growth in population has been proportionately slower, there will be an actual decrease of Federal aid. In these States the rehabilitation work will be seriously crippled unless through amendment we make some provision for them. The States that will perhaps be thus affected, it happens, can be shown to be States, as a rule, where this work has had a fine beginning and is now at a point where any retardation would be nothing short of criminal.

There is your situation. Unless we amend this bill, in many States there will be these crippled citizens demanding each their annual cost for care and attention, producing nothing, and adding to the cares of their loved ones, through no fault of their own. They apply for aid and can not receive it. If they could be aided and if less than one year's cost of care could be expended, as explained by the gentleman from Indiana [Mr. PURNELL], in their rehabilitation they would again be self-sustaining, self-supporting, self-respecting, producing members of society. In many States work will actually have to undergo a reduction.

Mr. SCHAFER of Wisconsin. Is it not a fact that the money appropriated in the past has not all been used?

Mr. KVALE. I believe I mentioned that, that only some six hundred thousand and odd dollars out of the million dollars appropriated had been used.

Mr. SCHAFER of Wisconsin. Is it not a fact that not all of this increased amount, if we appropriate it, will be used?

Mr. KVALE. I thank the gentleman for bringing that point to my attention. It is a fact, as developed by careful estimates based on figures for past years. On the basis of the proportion in the last several years, it can be stated that a maximum of $1,100,000 out of the ultimate appropriation, four years hence, of $2,000,000 will be used.

Mr. TABER. If we do not need more than a million dollars, why do we authorize more?

Mr KVALE. Because many States, especially in the South and Middle West, will actually receive less money under the distribution of funds according to the new census than they now receive, despite the fact that their needs are heavier. If some of them do not desire the funds, or do not match them with State funds, the money will, of course, remain in the Treasury.

Mr. TABER. With that situation, they would not need the money.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. PATTERSON. Mr. Chairman, ladies and gentlemen of the committee, the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER] is almost identical, as far as it goes, with the original bill which was introduced by the chairman of the committee, on which we had hearings, and which was supported so strongly by not only the great organization of the National Federation of Labor and many others but by many people and by Members of Congress, who appeared before the committee to indorse the legislation. I acknowledge that no man is more enthusiastic about this legislation than is our good chairman, but he has changed his opinion on this because of the Budget, which, I am told, has sent down word that they do not want any more added t this, but to continue it on the same basis, in the face of the fact that all of those who supported the legislation felt the need for an increase. The gentleman from Wisconsin does not go as far as the original bill of the gentleman from New York [Mr. REED]. That bill provided for beginning in 1931, $1,250,000, and increasing that by $250,000 annually until in 6 years it became $2,500,000, which was to continue indefinitely. That was the original program.

In 1929 the educational forces handling this served some 9,000 people, and the estimate is given by one of the members who was in touch with the program that there is an annual need to take care of 53,000. We are touching only one-sixth of the annual need. I sincerely hope that the amendment of the gentleman from Wisconsin will be agreed to. We passed a bill here on Calendar Wednesday, with two or three hours of debate, carrying $110,000,000 for rivers and harbors, and then deny these cripples—53,000 of them annually—proper education, which will increase their earning capacity $600 a year. This House voted an annual tax reduction of $190,000,000, giving money back to those who are most able to pay the taxes. I sincerely hope that the amendment of the gentleman from Wisconsin will be agreed to. I appeal to you in the name of humanity, in the name of those 53,000 who are disabled, in the name of the men who fought our battles, to vote this amendment in. [Applause.]

Mr. SABATH. Mr. Chairman and ladies and gentlemen, the fact that the Ford, the Hudson, the Packard, and other automobile concerns and industries have indorsed this proposition does not appeal or influence me. Twenty-three years ago I introduced a bill providing for workmen's compensation. I was hopeful that all those who were injured due to employment would be taken care of by the industries, or that the respective industry would be obliged to look after and provide for the disabled, maimed, and crippled in course of their employment. I regret that the workmen's compensation laws do not go as far as I had hoped for. It does not, unfortunately, provide for taking care of these unfortunates as I wished and hoped for. For that reason I gladly support any additional legislation that will relieve the thousands upon thousands of unfortunates, as is done under this proposed legislation.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. SABATH. Yes.

Mr. PATTERSON. Is the gentleman in favor of this legislation?

Mr. SABATH. Oh, I am in favor of it.

Mr. PATTERSON. Is the gentleman in favor of the Schafer amendment?

Mr. SABATH. I never voted with greater pleasure for legislation than I did for this form of legislation as originally proposed and brought before the House by that very capable gentleman from Alabama [Mr. BANKHEAD]. I am heart and soul for the bill, and I am in favor of the amendment, because I feel we can not appropriate enough to provide for the thousands and thousands of deserving men and women who are deprived of their livelihood through no fault of their own.

Being a Member from the State of Illinois, and the city of Chicago being my home, I am glad to call attention to the fact at this time that it was a Chicagoan Mr. Cooley, superintendent of the Chicago schools, who started the advocacy of vocational education in Washington and throughout the United States some 24 years ago.

I would not call your attention to the fact that it was a Chicagoan who devoted the best years of his life to educate the Nation on this important and humanitarian principle of a State and country's duty to its thousands of disabled citizens were it not for the fact that the press and certain gentlemen at all times are trying to place Chicago in the most unfavorable light and never give it or its thousands of citizens credit for the many splendid contributions in every line of endeavor they have made to the cause of humanity.

I say it was due more to the activities of that gentleman from Chicago that this legislation was enacted then than to any other individual outside of the gentleman from Alabama [Mr. BANKHEAD], who actually succeeded in forcing the legislation through, notwithstanding a great deal of opposition at that time. I feel that we can easily afford to increase the appropriation. If it is not expended it will remain in the Treasury, but it will encourage several reluctant and careless States to take care of their unfortunate disabled and cripples.

I regret exceedingly that the State of Kansas, the only prohibition State in the Union, and the State of Washington have failed to avail themselves of this opportunity to provide for their many disabled citizens. I hope that the amendment will be adopted, because I believe the country will not suffer by appropriating the money, especially when it will not be expended, as some gentlemen fear. In fact, that is a good sign that the work is being conducted by sound, sane, and economical officials. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. REED of New York. Mr. Chairman, I do not want to foreclose anybody from speaking, but I would like to know if anybody else desires time?

Mr. BANKHEAD. I would like to have three minutes.

Mr. O'CONNOR of Louisiana. I would like to have two minutes.

Mr. PALMER. I would like to have two minutes.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PALMER. Mr. Chairman, I do not want to detain the committee or add more than a few words. At this time I wish to commend the committee for their noble work, and do not want to take issue with them, but I think they are getting unnecessarily sensitive about adding a trifle to this appropriation, when Uncle Sam extends his hand freely to those who need relief in other directions. I think it is time to stand up and vote for $1,000,000 or $2,000,000. What will that amount to when scattered all over the United States in this noble work? This is a humanitarian question, and here is an opportunity that should not be neglected.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. PALMER. Yes.

Mr. PATTERSON. The gentleman will recall that the other day we passed, by unanimous consent, a bill for $1,000,000 to extend more naval work?

Mr. PALMER. Yes; and I understand they are extending relief to every part of the United States and to various parts of the world outside. But in this case what would $2,000,000 amount to?

Back in Missouri, my State, they have accepted this legislation, but up to the present time we have not functioned very lively or done very much to establish this work. This bill is a splendid measure. It is headed in the right direction. It concerns every State and every section throughout the United States. I believe when we can help industry it is time for every man to stand up and show his colors, and if it is possible to give relief we should do so. We are extending relief to others at this time—the laboring and toiling masses throughout our great country. I hope this amendment will prevail. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I think no man on the floor of this House would charge me with not being in active sympathy with the purpose of the extension of this work. Some gentlemen have been kind enough to give me credit for the original passage of this bill. In my remarks on the rule this morning I said the results have fully justified the operation of the act.

Having so great an interest in its success, I believe we should follow the committee. I shall not vote for the amendment of the gentleman from Wisconsin. I oppose it for this reason: Although I realize the great interest of the gentlemen who are sponsoring this bill, and I realize further that this is a practical matter, some Members of the House know that it required a strong effort in the committee to get even a favorable recommendation from the Budget for the amount carried in the bill, and although the gentleman from New York [Mr. REED], who introduced it in the original form carrying the amount now favored by the gentleman from Wisconsin, I think I am violating no rule or revealing no secret when I say that there was very serious objection to extending this amount over $1,000,000, which is provided by this bill and approved by the Bureau of the Budget; and some assurance, as I am informed, had to be given on that question before the committee felt authorized in reporting out this bill. And I want to say to you, gentlemen, as one deeply interested in this program, that the main purpose that we had in mind in originating this bill and the main purpose in extending its provisions will be amply fulfilled by carrying out the present terms of the bill. The object was not to secure an extravagant appropriation from the Federal Treasury, but the main purpose of those who helped enact it was not to secure large funds out of the Federal Treasury but to give to the Federal Government the position of leadership and stimulation in this great humanitarian measure. As a matter of fact, the great burden of these appropriations should be borne by the States, because in its last analysis this is largely a local question for the States to handle. If you carry out the original purpose and original conception, it was not to mulct the Treasury out of a large sum, but only to extend the help and the leadership of the Federal Government in the administration of this humanitarian measure. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. O'CONNOR of Louisiana. Mr. Chairman and gentlemen of the committee, some 10 years ago I labored on the floor of this House with the then Representative FESS, our friend the gentleman from Alabama [Mr. BANKHEAD], and others, to enact into law the bill that was then pending and which had in view the purpose that this bill has. I have never regretted the position that I took with respect to that bill, and for that reason I am going to support the bill as reported out by the committee with the amendment that will be offered by the gentleman from Wisconsin [Mr. SCHAFER].

I believe the National Government is obligated to assist those crippled in industry just as it is obligated to help those who were crippled in the war. I would like to ask the chairman of the committee why the committee has seen fit to restrict the operation or extension of this act for a period of three years. Why not establish it as a permanent policy if it be a good policy and a policy that the Government ought to adopt and encourage and carry out?

Secondly, I want to ask the chairman of the committee if he has ever considered in connection with the purposes of this bill the development of it into something like a pension system whereby men who are crippled, brought down to their knees, who lie prostrate as a result of being the soldiers of industry, may be taken care of by a pension through the cooperation of industries, the States, and the National Government.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. O'CONNOR] has expired. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER].

The question was taken; and the Chair being in doubt, the committee divided, and there were—ayes 42, noes 77.

So the amendment was rejected.

Mr. PATTERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. PATTERSON] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PATTERSON: Page 2, lines 6, 7, and 9, strike out "$1,000,000" and insert in lieu of each set of figures "$1,250,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. PATTERSON].

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 22, noes 68.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. Section 3 of such act of June 2, 1920, as amended (U. S. C., title 29, sec. 34), is amended to read as follows:

"SEC. 3. That in order to secure the benefits of the appropriations authorized by section 1 any State shall, through the legislative authority thereof (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational education act, approved February 23, 1917 (U. S. C., title 20, ch. 2), to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency, and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State; (4) provide for the supervision and support of the program of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint as custodian for said appropriations its State treasurer,

who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations: *Provided*, That any State which, prior to June 30, 1930, has accepted and otherwise complied with the provisions of the act of June 2, 1920, as amended June 5, 1924, shall be deemed to have accepted and complied with the provisions of this amendment to said act."

Mr. PATTERSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have no idea of delaying the passage of this measure. If we are going to pass it with $1,000,000, all right; but I do want to make a few observations.

This House has refused to increase this sum by an amount of $250,000 to take care of the disabled, crippled people, and one of my good colleagues, one who claims to have been the friend of this legislation from its inception, has intimated on the floor that we might be getting to the point of extravagance because we ask a couple of million dollars for this work.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. McCORMACK of Massachusetts. Does the gentleman want it understood that the gentleman to whom he has referred is not a friend of this measure?

Mr. PATTERSON. No; I did not say that. On the other hand, I can say he is a friend, and a sincere friend, of the legislation. I was only referring to those who feared to increase the amount.

Mr. McCORMACK of Massachusetts. The gentleman's words would imply that, and I wanted the RECORD to indicate the fact.

Mr. PATTERSON. Well, I want to say that in spite of the refusal to increase this sum by $250,000, the other day this House passed $10,000,000 for dock work and other harbor work. Still we failed to increase this amount by $250,000 when it had been shown we are only supplying one-sixth of the needs. It has been shown that every dollar that has been invested in it has been an economical investment, amounting to 1,000 per cent, and that the people who had been rehabilitated were now earning as high as $78 a month, whereas on the average their earnings amounted to $20 a month before rehabilitation; and, too, these unfortunates are made stable citizens. That is the situation which we face to-day.

Not only that, we are afraid we are going to overreach the Budget when something like this comes up. I am in sympathy with these poor unfortunates. Many of them are crippled; many of them will never see the light of day again. They were crippled in industry. I believe the Government can well afford to spend one or two million or five million, if it is necessary, to reach those people and supply the demand and give stimulation to the States in order that they may give more to this work. I sincerely hope it will only be a short while until this Congress will recognize this and set up a permanent program of aiding these unfortunates. It is easy to find Members here, when we try to do something humanitarian, who will talk about the Budget, but, when you ask to build a couple of battleships that will soon become obsolete, then it is time to spend money. If we are going to build a new House Office Building we can spend ten or twelve million dollars for that, but we can not spend $2,000,000 to aid these unfortunate people who have nobody to speak for them. Many of them have nobody to represent them here. Thousands of them can not even vote. I want them to know that I feel for them.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. PATTERSON. I yield.

Mr. SCHAFER of Wisconsin. When it came to burdening the taxpayers to the tune of many billions of dollars to rehabilitate foreign nations, who still have sufficient funds to increase their naval and military establishments, we had plenty of votes for the foreign debt settlements.

Mr. PATTERSON. The gentleman from Wisconsin [Mr. SCHAFER] is entirely correct about that. I think we should give serious heed to conditions to-day. I want to be one of the humble Members of this House to express my feelings about this situation.

I, for one, wish to be on record as one Member of this House who shall be glad when this House, as well as the Government, will have an eye to reconstruction and help of humanity from every angle in which this Government participates, and I believe that day will hasten.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and ladies and gentleman of the committee, this is an important measure. Of course, I need not tell you that. That is just a statement that is usually made in order to lay a foundation for other statements.

Time plays some queer tricks in the whirligig. I heard a New Englander say just now that he was opposed to this legislation on the ground that it was a violation of State rights! The distinguished lawyer of whom the South is very proud, intimated that he thought it was unconstitutional. Of course, that might have some force if it were a new question, but this is an old question. All of this suggests that there is something in the statement that when a lawyer alleges the unconstitutionality of an act, he confesses the virtue that lies in that act.

In other words, he is driven as a last extreme, or "dernier resort," to assail the constitutionality of the act. Nine times out of ten lawmakers, sincere, earnest, patriotic Americans who love their country and scorn to give aught other reason why, will assail the constitutionality of proposed legislation with their intellect, though their hearts may tell them the measure is benevolent and will make for the happiness of their forlorn or unfortunate countrymen who would be benefited by the enactment. This is due to the fact that they are strict if not rigid constructionists who sincerely but blindly worship the letter of the law though they killeth the spirit of it. Inasmuch as I am a loose constructionist and believe that the Constitution was established to serve the men and women of our country in generation after generation, I am going to give it that flexibility and interpret with that elasticity of mind as will enable me to vote for any measure I deem of value to the flesh and blood of my day. I can not forget the sententious but inspiring inscription on the tombstone of a Confederate soldier in the crypt under the equestrian statue of Gen. Albert Sidney Johnston in New Orleans, "Before men made constitutions God made men."

I intimated a few minutes ago—I do not know how clearly—that, while I was absolutely in favor of this legislation, I was wondering, in view of the fact that the chairman and all the others alleged its virtue, why it was not made a permanent policy. But I asked, in addition to that, why the chairman and others who had been developing this policy had not developed a pension system for those who are crippled in industry. It appears to me that the pension system is the absolutely logical development of the foundation which we laid 10 years ago. In view of the vast unemployment in our country, it looks to me as though it is a sensible plan to pursue. Instead of putting back the broken in body into industry that is already overcrowded and overmanned with employees why not develop this along logical and humane lines and bring it up to the point where it will not cost any more and give to these men what you are giving to former servants of the Government? Give to those servants of industry that have gone to a crippled condition a pension arranged through the industrial enterprises and the States and the communities and the National Government.

It is a big thing, I think, but I know the chairman is a big man and his committee are big men, and they can think out a plan. One of the stalwarts of the House remarked to me just before I took the floor that it was inconceivable to his mind that anyone would urge a pension for infirm, crippled, or incapacitated employees. Industry itself is doing so right now in a small measure, is my answer. Those who received the very highest honors from our country in the Army and the Navy and on the bench have received and are receiving pensions under another name. And right here let me say that I am aware of the sinister effect that may be given to a meritorious measure by the words that may be used in describing it. "Subsidy" still sticks in our craws and "dole" is used to stigmatize a system that is absolutely unavoidably present in England. She can not let men and women die in the streets of starvation—and the same problem that confronts her now may confront us some day. Why not prepare to meet it? Why not discuss the 5-day week? Why not discuss relieving the unemployment situation by taking out of employment a certain percentage of them annually, thus making way for the younger and more competent men and women who by virtue of their youth, vitality, and energy are better able to meet the requirements of the machines which are displacing so many of the older men and women? Shall the benefits of this wonderful civilization go to the few? Should it not flower for us all? Should it not have a place for those who have gone down in its service? Should not that place be as honorable as that accorded generals, admirals, and judges?

I believe it was Dickens who with merciless satire showed that the administration of the poorhouses of England was costing 90 per cent of the amount appropriated while only 10 per cent was left for soup, the supply of which was so stinted that when Oliver Twist asked for more the cook almost choked with anger and amazement and the board of administrators solemnly resoluted or resolved that Oliver could not possibly come to a good end.

I am for this bill and the Schafer amendment.

I want this bill to be enacted in such a way that it will rehabilitate men broken on the wheel of industry or crushed beneath its chariot. But not to make them competitors of the able-bodied that are more than enough to take care of the shrieking

call of factory, foundry, and mine. I want them rehabilitated so that they may live out the balance of their lives in a better way than if we left them broken in body and spirit, to laugh with bitter scorn at the civilization of which we boast whenever comes a holiday. The juggernaut car of industrialism rolls on, and working men and women who love its roar will be crushed beneath its mighty wheels. Shall we not make these victims our care? We can not control the movement that leads us on. But Christianity can point the way from Moloch or the Nazarene died in vain on Calvary Hill nineteen hundred and some years ago.

But back to the colloquy I have invited with my good friend, Mr. REED of New York, a gentleman who has worked unceasingly for the amelioration of the poor and the afflicted of our country.

Mr. REED of New York. I would like to say to the gentleman from Louisiana that I have profound respect for his sincerity, but, the easiest thing in the world on this type of legislation, is to run wild. I am a friend of this legislation, and I am a friend of the worker, and so are the other men who are supporting this bill in its present form. I know that the gentleman from Louisiana [Mr. O'CONNOR], if he will give careful study to it, would not want to give something to these men under a mistaken apprehension, which would really hurt the cause.

I want to say to the gentleman——

Mr. O'CONNOR of Louisiana. Do not take all of my time.

Mr. REED of New York. The gentleman invited it.

Mr. O'CONNOR of Louisiana. The gentleman is making a good speech, but what I want to know is this: Has the committee ever considered the necessity and the wisdom of broadening out and making logical the purpose of this act, by developing it into something like a pension system which would be supported by the industries, the communities, and the National Government, and take out of competition with able-bodied men those who have gone down to defeat and are in a crippled condition? I want to rehabilitate them, but not for the purpose of putting them back into an overcrowded and already overmanned industrial system. I did not expect that the gentleman had solved the problem, but I wanted to know if he had ever thought of it. That is all.

Mr. REED of New York. This subject is arousing increasing interest through the country. The Committee on Education, of which I have the honor to be chairman, does not have jurisdiction of pension legislation. Even so, the Committee on Education has gone as far as its jurisdiction will permit to enact legislation in behalf of vocationally handicapped men, women, and children. I doubt if any committee can show a finer record in behalf of labor than the Committee on Education.

The gentleman from Louisiana is very sincere in promoting pensions for persons crippled in industry and I have no doubt that he will champion it with the same ardor and sincerity he has the civilian rehabilitation now before the House.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 4. Section 6 of said act of June 2, 1920, as amended (U. S. C., title 29, sec. 39), is amended to read as follows:

"SEC. 6. That there is hereby authorized to be appropriated to the Federal Board for Vocational Education the sum of $100,000 annually for a period of three years, commencing July 1, 1930, for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books and periodicals, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses.

"A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board."

Mr. SUMMERS of Washington. Mr. Chairman, the board which administers this law has been coming before the independent offices appropriation committee, of which I am a member, for the past several years and making its annual report. I want to tell you that it is one of the most gratifying reports that ever comes before that committee. The work that is being accomplished is simply marvelous. During the years that have passed since we enacted this legislation, with the cooperation of the States, which appropriate more money than the Federal Government is appropriating, they have now rehabilitated more than 40,000 cripples, to say nothing of those they have helped in the way of advice in a vocational way, in finding employment.

That which appeals to me is that it takes the poor, helpless cripple out of the almshouse or off of the street corner, where he is selling shoe strings or lead pencils, or holding out his hat or a tin cup for alms, and makes him a self-supporting individual, where he can look his fellow man in the face, where he can support himself and help to support his family instead of being an object of charity, a drain on his family, or supported at the expense of the community.

The results in individual cases are extremely interesting. I recall now the case of one young man 28 years old, with both arms amputated. He was in the poorhouse and probably would have remained there for 40 years, as the expectancy of life goes, and would always have been a public charge. He was thoroughly discouraged, but after a few months of training, at an expense of not to exceed $300, he is able to conduct a poultry farm, he is able to feed himself, he is able to shave himself, to dress himself, and to take care of himself. That is just one of thousands of similar instances of those who are being rehabilitated in almost every State of the Union.

I do not recall that the vocational board ever indicated to our Appropriations Committee that they needed more funds at the present time than are now provided. I do not recall they ever reported that there were more applicants for rehabilitation than they were able to take care of. So it seems the work is progressing in a logical and satisfactory way. I am more than pleased to add my voice in behalf of this legislation extending the operation of the rehabilitation act three years, and I sincerely hope that during this 3-year period a permanent national policy may be worked out, and at the end of the 3-year period that it will be adopted.

Disabled persons can not be rehabilitated in groups. Each case presents its own particular problems and must therefore be handled on an individual basis. The States have in their employ about 160 men and women highly trained in this technical form of service.

Experience shows that the work is feasible and practical. It is economically and socially sound. Remunerative employment can be found for every disabled man and woman, provided he or she is given proper training and is placed in a suitable occupation.

There are 44 States that now have vocational rehabilitation legislation. Twelve States are voluntarily expending from their own funds from 5 per cent to 301 per cent in excess of Federal expenditures in those States. During the past fiscal year—that is, 1929—they vocationally rehabilitated, in round numbers, 5,000 disabled persons and placed them in remunerative employment. The total cost of rehabilitating those individuals, on the average, covering all expenses, is in the neighborhood of $300.

The average age when disabled is around 32 years, so that these persons on the average have a life expectancy of 30 years.

Through the bill which I fathered and put through Congress last year I am pleased to tell you the blessings of rehabilitation are being speedily brought to the disabled of the District of Columbia.

Considered from the dollars and cents standpoint, there is everything to gain by carrying out this work, but the big factor, to my mind, is the lifting of the morale of these poor fellows who, through no fault of their own, have become disabled by some accident and are going to be helpless invalids for life, so far as gaining a livelihood is concerned, unless they are rehabilitated and fitted into the scheme of things again. This is the achievement that makes rehabilitation really worth while.

I repeat, it is a great economy to the taxpayers of the United States and to the Federal Treasury, because we are rehabilitating men who would otherwise be drawing indefinite compensation under the Federal or State compensation laws. So, considered from the State or county or city or Federal Treasury, it effects a great financial saving, and that, to my mind, is only one of the big features. The morale of the injured, and their families, and the effect on the community outranks that.

Mr. REED of New York. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate on the pending section and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. McCORMACK of Massachusetts. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from Alabama [Mr. PATTERSON] while speaking recently made reference to some of the appropriations which have recently been passed by the Congress and one of his references was to an appropriation of $300,000 for "an old ship that has been out of commission about 100 years."

Many persons may read this in the RECORD to-morrow or at some later time and may think that the Congress of the United States is appropriating $300,000 to rehabilitate an old ship. Now, what is this old ship that the gentleman refers to? The old ship that Congress recently authorized an appropriation of $300,000 for is the famous *Old Ironsides*, the first United States naval vessel built under constitutional government. It was laid down in 1794 and took the sea in 1798, the famous *Old Ironsides*, which is immortal to all Americans.

I could not permit myself to sit in my seat and hear any Member of this body refer to *Old Ironsides* as an old ship that has been out of commission 100 years. [Applause.]

My purpose in rising is simply to have incorporated in the RECORD the fact that this reference, while not resented by me, because I am sure the gentleman expressed it purely impersonally, and I know the gentleman has no motives which would be susceptible of criticism when he made this statement, but I could not sit in my seat and let this reference go by in relation to this famous old ship, the first United States vessel to win a naval victory in the war of 1812! That sailed the seas and rendered such wonderful service as history records and which connects us of this generation with the heroism of the American naval men of the past. I simply want to have this reference incorporated in the RECORD.

Mr. PATTERSON. If the gentleman will yield, the gentleman knows that I meant nothing in the way of showing any lack of patriotism. I do not think I need to defend my patriotism——

Mr. McCORMACK of Massachusetts. No; the gentleman does not.

Mr. PATTERSON. I meant nothing more than to refer to spending $300,000 to rejuvenate this ship, without intending to make any derogatory reference to the *Constitution* or to any other ship, and I intend to eliminate the remarks, so that the clearness of my intent will be understood and that it was inadvertently stated.

Mr. McCORMACK of Massachusetts. When the gentleman's statement was made I did not misunderstand him, but the statement should be clear, so that those who read the RECORD will not misunderstand the gentleman's remarks. The gentleman's statement referred to *Old Ironsides*, and all Americans know that we want to preserve *Old Ironsides*, not only for this generation but for the many generations to come. I am glad that the gentleman from Alabama has clarified the situation by his explanation, and I gladly accept the same. [Applause.]

The Clerk completed the reading of the bill.

The CHAIRMAN. Under the rule the committee automatically rises and reports the bill back to the House.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, pursuant to House Resolution 201, had had under consideration the bill H. R. 10175, and that he reported the same back to the House without amendment.

The SPEAKER. Under the rule the previous question is ordered on the bill to final passage.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman from Wisconsin opposed to the bill?

Mr. SCHAFER of Wisconsin. In its present form, I am.

The SPEAKER. The gentleman from Wisconsin offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. SCHAFER of Wisconsin moves to recommit the bill to the committee with instructions to report the same back forthwith, with the following amendments:

In line 6, strike out "$1,000,000" and insert in lieu thereof "$1,250,000"; in line 7, strike out "$1,000,000" and insert in lieu thereof "$1,500,000"; in line 9, strike out "$1,000,000" and insert in lieu thereof "$1,750,000"; in line 9, strike out the period after the figure "$1,000,000," insert a semicolon and the following: "for the fiscal year ending June 30, 1934, the sum of $2,000,000," all on page 2.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were 23 ayes and 150 noes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to the vote on the ground that no quorum is present.

The SPEAKER. Evidently there is no quorum present. The call of the roll is automatic. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 86, nays 211, not voting 131, as follows:

[Roll No. 28]

YEAS—86

Allgood	Edwards	Kvale	Ramspeck
Almon	Fitzpatrick	LaGuardia	Reid, Ill.
Andresen	Frear	Langley	Romjue
Bell	Goodwin	Lankford, Ga.	Sabath
Bloom	Granfield	Larsen	Sandlin
Brand, Ga.	Green	Leavitt	Schafer, Wis.
Briggs	Gregory	McCormick, Ill.	Selvig
Browne	Griffin	Maas	Simmons
Buckbee	Hall, Ill.	Milligan	Sloan
Campbell, Iowa	Hall, N. Dak.	Montet	Sparks
Canfield	Hammer	Moore, Ky.	Spearing
Carley	Hastings	Morehead	Sproul, Ill.
Christgau	Hill, Ala.	Nelson, Mo.	Swanson
Connery	Huddleston	Nolan	Tarver
Cooper, Wis.	Hull, Tenn.	O'Connor, La.	Taylor, Tenn.
Cox	Hull, Wis.	Palmer	Vinson, Ga.
Crisp	Irwin	Parks	Williams
Crosser	Johnson, Nebr.	Patterson	Wilson
Davis	Johnson, Okla.	Peavey	Wright
Doughton	Kelly	Pittenger	Zihlman
Dowell	Kemp	Quin	
Driver	Knutson	Ramey, Frank M.	

NAYS—211

Abernethy	DeRouen	Kahn	Robinson
Ackerman	Dominick	Kendall, Ky.	Rogers
Adkins	Douglas, Ariz.	Kendall, Pa.	Rutherford
Allen	Douglass, Mass.	Kerr	Sanders, Tex.
Andrew	Doxey	Ketcham	Sears
Aswell	Drane	Kiefner	Seger
Ayres	Dunbar	Kincheloe	Shaffer, Va.
Bacharach	Dyer	Kinzer	Short, Mo.
Bachmann	Eaton, N. J.	Kopp	Shott, W. Va.
Bacon	Ellis	Korell	Simms
Bankhead	Englebright	Lea	Sinclair
Barbour	Ezlick	Lehlbach	Smith, Idaho
Beck	Esterly	Letts	Smith, W. Va.
Beedy	Evans, Calif.	Lozier	Snow
Bland	Fenn	Luce	Speaks
Bohn	Finley	Ludlow	Sproul, Kans.
Bowman	Fish	McClintock, Ohio	Stafford
Box	Fisher	McCormack, Mass.	Stalker
Brigham	Fort	McFadden	Stone
Browning	Free	McLaughlin	Summers, Wash.
Burdick	Freeman	McLeod	Sumners, Tex.
Burtness	French	McReynolds	Swick
Busby	Fuller	McSwain	Swing
Butler	Garner	Mansfield	Taber
Byrns	Gasque	Mapes	Temple
Cable	Gibson	Merritt	Thatcher
Campbell, Pa.	Gifford	Michaelson	Thurston
Cannon	Glover	Michener	Tilson
Carter, Calif.	Golder	Miller	Timberlake
Carter, Wyo.	Hall, Ind.	Montague	Tinkham
Chalmers	Hall, Miss.	Moore, Va.	Treadway
Clague	Halsey	Morgan	Tucker
Clancy	Hancock	Mouser	Underhill
Clark, N. C.	Hare	Murphy	Vincent, Mich.
Clarke, N. Y.	Haugen	Nelson, Me.	Wainwright
Cochran, Mo.	Hawley	Newhall	Walker
Cochran, Pa.	Hess	Niedringhaus	Warren
Cole	Hickey	Norton	Wason
Colton	Hill, Wash.	O'Connor, Okla.	Watres
Connolly	Hogg	Oldfield	Watson
Cooper, Tenn.	Hooper	Owen	Welch, Calif.
Corning	Hope	Parker	Welsh, Pa.
Coyle	Hopkins	Patman	Whitley
Craddock	Houston, Del.	Perkins	Whittington
Crail	Hudson	Prall	Wigglesworth
Cramton	Hull, Morton D.	Pritchard	Wingo
Cross	Hull, William E.	Purnell	Wolverton, N. J.
Culkin	Johnson, Ind.	Ramseyer	Wolverton, W. Va.
Dallinger	Johnson, Tex.	Rankin	Wood
Darrow	Johnson, Wash.	Ransley	Woodruff
Davenport	Johnston, Mo.	Rayburn	Wurzbach
Denison	Jonas, N. C.	Reece	Yon
De Priest	Jones, Tex.	Reed, N. Y.	

NOT VOTING—131

Aldrich	Collier	Garber, Okla.	Johnson, Ill.
Arents	Collins	Garber, Va.	Johnson, S. Dak.
Arnold	Cooke	Garrett	Kading
Auf der Heide	Cooper, Ohio	Gavagan	Kearns
Baird	Crowther	Goldsborough	Kennedy
Beers	Cullen	Graham	Kless
Black	Curry	Greenwood	Kunz
Blackburn	Dempsey	Guyer	Kurtz
Bolton	Dickinson	Hadley	Lambertson
Boylan	Dickstein	Hale	Lampert
Brand, Ohio	Doutrich	Hardy	Lanham
Britten	Doyle	Hartley	Lankford, Va.
Brumm	Drewry	Hoch	Leech
Brunner	Eaton, Colo.	Hoffman	Lindsay
Buchanan	Elliott	Holaday	Linthicum
Cartwright	Estep	Howard	McClintic, Okla.
Celler	Evans, Mont.	Hudspeth	McDuffie
Chase	Fitzgerald	Igoe	McKeown
Chindblom	Foss	James	McMillan
Christopherson	Fulmer	Jeffers	Magrady
Clark, Md.	Gambrill	Jenkins	Manlove

Martin	Porter	Sirovich	Thompson
Mead	Pou	Snell	Turpin
Menges	Pratt, Harcourt J.	Somers, N. Y.	Underwood
Mooney	Pratt, Ruth	Steagall	Vestal
Moore, Ohio	Quayle	Stedman	White
Nelson, Wis.	Ragon	Stevenson	Whitehead
O'Connell, N. Y.	Rainey, Henry T.	Stobbs	Williamson
O'Connell, R. I.	Rowbottom	Strong, Kans.	Wolfenden
O'Connor, N. Y.	Sanders, N. Y.	Strong, Pa.	Woodrum
Oliver, Ala.	Schneider	Sullivan, N. Y.	Wyant
Oliver, N. Y.	Selberling	Sullivan, Pa.	Yates
Palmisano	Shreve	Taylor, Colo.	

So the motion to recommit was rejected.

The following pairs were announced:

On this vote:

Mr. Kading (for) with Mr. Shreve (against).
Mr. Lampert (for) with Mr. Harcourt J. Pratt (against).
Mr. Nelson of Wisconsin (for) with Mr. Kiess (against).
Mr. Kunz (for) with Mr. Martin (against).

General pairs until further notice:

Mr. Snell with Mr. McDuffie.
Mr. Dempsey with Mr. Cullen.
Mr. Kurtz with Mr. Linthicum.
Mr. Cooper of Ohio with Mr. Mead.
Mr. Johnson of South Dakota with Mr. Drewry.
Mr. Yates with Mr. Pou.
Mr. Blackburn with Mr. O'Connell of New York.
Mr. Vestal with Mr. Mooney.
Mr. Manlove with Mr. Black.
Mr. Elliott with Mr. Boylan.
Mr. Moore of Ohio with Mr. Steagall.
Mr. Free with Mr. Garrett.
Mr. Stobbs with Mr. Brunner.
Mr. Hartley with Mr. Oliver of Alabama.
Mr. Menges with Mr. Fulmer.
Mr. Crowther with Mr. O'Connor of New York.
Mr. Johnson of Illinois with Mr. Henry T. Rainey.
Mr. Turpin with Mr. Quayle.
Mr. Thompson with Mr. Buchanan.
Mr. Wyant with Mr. Goldsborough.
Mr. Hoch with Mr. Somers of New York.
Mr. Hoffman with Mr. Taylor of Colorado.
Mr. Arentz with Mr. Howard.
Mr. Porter with Mr. Jeffers.
Mr. Eaton of Colorado with Mr. Underwood.
Mr. Strong of Pennsylvania with Mr. Stevenson.
Mr. Graham with Mr. Lindsay.
Mr. Holaday with Mr. Evans of Montana.
Mr. Beers with Mr. Gavagan.
Mr. James with Mr. Collier.
Mr. Kearns with Mr. Arnold.
Mr. Bolton with Mr. Oliver of New York.
Mr. Chindblom with Mr. O'Connell of Rhode Island.
Mr. Garber of Virginia with Mr. McClintic of Oklahoma.
Mr. Christopherson with Mr. Auf der Heide.
Mr. Leech with Mr. Doyle.
Mrs. Ruth Pratt with Mr. Sullivan of New York.
Mr. Hadley with Mr. Whitehead.
Mr. Selberling with Mr. Lanham.
Mr. Estep with Mr. Greenwood.
Mr. Fitzgerald with Mr. Igoe.
Mr. Brumm with Mr. Woodrum.
Mr. Sullivan of Pennsylvania with Mr. Sirovich.
Mr. Williamson with Mr. Collins.
Mr. Sanders of New York with Mr. McMillan.
Mr. Hale with Mr. Celler.
Mr. Dickinson with Mr. Ragon.
Mr. Foss with Mr. Dickstein.
Mr. Magrady with Mr. Cartwright.
Mr. White with Mr. Kennedy.
Mr. Clark of Maryland with Mr. Hudspeth.
Mr. Curry with Mr. Stedman.

Mr. McCORMACK of Massachusetts. Mr. Speaker, I ask unanimous consent that the RECORD show that our distinguished colleague the gentleman from Rhode Island [Mr. O'CONNELL] is absent on account of the death of his wife. Also that he was absent at the roll call on the veterans' legislation last week on account of the sickness of his wife.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. REED of New York, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. PATTERSON. Mr. Speaker and gentlemen, I take this opportunity to apologize to the gentleman from Massachusetts and any other gentleman or gentlewoman who may have felt that I made an undue reference to any sentiment or feeling that we all might share in a patriotic relic of the United States. As a proof of that I did not call the name of any vessel, but only made a general reference to the spending of money. I ask the pardon of any lady or gentleman who may have any feeling in regard to it, and intend to take it out of my remarks and assure anyone that it was an inadvertent remark.

Mr. SCHAFER of Wisconsin. Will the gentleman yield? I do not think the gentleman said anything that calls for an apology.

Mr. PATTERSON. I did not intend to do it, but for fear that I did I want to make this apology. [Applause.]

CRIMINAL LAW ENFORCEMENT (S. DOC. NO. 136)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on the Judiciary, to the Committee on Interstate and Foreign Commerce, to the Committee on Expenditures in the Executive Departments, to the Committee on the District of Columbia, to the Committee on Immigration and Naturalization, to the Committee on Ways and Means, and ordered to be printed.

To the Congress of the United States:

In my messages of June 6 and December 3, 1929, I placed before Congress the urgency of certain improvements necessary to effective criminal law enforcement. Substantial progress has been made upon some of the measures proposed, yet we are nearing the end of the present session, and I can not too strongly urge the necessity of action upon all these recommendations before adjournment.

The most important recommendations made by me were five in number:

First. There should be a transfer of the functions of detection and prosecution of prohibition cases from the Treasury Department to the Department of Justice, and thus an ending of divided responsibility and effort. An act providing for this transfer was passed by the House of Representatives and has now been reported to the Senate by its Judiciary Committee.

Second. There must be relief afforded from congestion in the courts. While this congestion is evidenced by the dockets in many courts, its full implications are not shown by them. The so-called bargain days, when light fines are imposed as the result of pleas of guilty clear the docket, but the result distinctly undermines respect for law. No conclusion appears to have been reached as to the method of accomplishing this either by the Judiciary Committee of the Senate or by the Judiciary Committee of the House of Representatives.

Third. There must be extension of Federal prisons with more adequate parole system and other modern treatment of prisoners. We have already 11,985 prisoners in Federal establishments built for 6,946. The number of Federal prisoners in Federal and State institutions increased 6,277 in the nine months from June 30, 1929, to April 1, 1930. The Attorney General has stated that we can not hope to enforce the laws unless we can have some point of reception for convicted persons. The overcrowding of the prisons themselves is inhumane and accentuates criminal tendencies. Bills providing for this relief were passed by the House and are now, I understand, in course of being reported to the Senate by the Judiciary Committee.

Fourth. We are in need of vigorous reorganization of the border patrol in order to consolidate various agencies so as effectually to prevent illegal entry of both aliens and goods. Proposals to bring about such reorganization are before the committees of Congress.

Fifth. The District of Columbia is without an adequate prohibition enforcement law. A bill for that purpose has been introduced and hearings have been held before the Senate District Committee. It should contain the safeguards recommended by the Attorney General.

We have within the limits of existing legislation improved the personnel and greatly increased the efficiency of the existing Federal machinery in criminal law enforcement during the past year. The above reforms are necessary, however, if I am to perform the high duty which falls upon the Executive of enforcement of the Federal laws.

While a considerable part of this condition arises from the laws relating to intoxicating liquors, yet the laws relating to narcotics, automobile thefts, and so forth, which have been enacted by the Congress during recent years, also contribute to create the present conditions. This is well indicated by the fact that less than one-third of Federal prisoners are due to prohibition.

Our obedience to law, our law enforcement and judicial organization, our judicial procedure, our care and methods of handling prisoners, in relation to not only Federal Government but also to the State and municipal governments, are far from the standards that must be secured. These proposals, while they do not comprehend the whole which remains to be done in the Nation, are a step toward lifting the Federal standards which must have a general beneficial influence.

HERBERT HOOVER.

THE WHITE HOUSE, *April 28, 1930.*

LEGISLATION RECOMMENDED BY THE PRESIDENT

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, following the reading of the message of the President, I think it will be well for the membership to know that since the President's message of January 13 on law enforcement was received and referred to the Committees on Ways and Means, Judiciary, Interstate and Foreign Commerce, Expenditures in the Executive Departments, District of Columbia, and Immigration and Naturalization these various committees have been at work on legislation designed to assist in solving the several problems presented by the President. The Committee on Immigration and Naturalization has given much attention to the question of enlargement and possible consolidation of the border patrol systems and has printed in pamphlet form two plans for the strengthening of the patrol, together with maps and surveys. These pamphlets are available in the committee room.

The committee also has had before it a bill (H. R. 9674) to deal with the parole of aliens due to be deported. This bill was prepared in the Immigration Committee and was referred to the Committee on the Judiciary, by which it was reported. It has passed the House and will receive consideration in the other body. When enacted it will do much to relieve congestion in Federal prisons. In addition there is a bill on the House calendar from our Committee on Immigration introduced by the gentleman from New York [Mr. FISH], H. R. 3395, a bill to provide a prompt method for the deportation of aliens and narcotic peddlers. I am in hopes that a joint meeting of the chairmen and ranking members of the several committees to which the President's recommendations have been referred can be had.

While on my feet, I may say that I am glad to see these recommendations for law enforcement sent in by the President to-day. The committee of which I have the honor to be chairman may have some recommendations to make on border patrol, but will not impede and will do its full part. [Applause.]

REIMBURSEMENT OF POLAND (S. DOC. NO. 137)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

I transmit herewith a report from the Acting Secretary of State in regard to a claim presented by the Polish Government for the reimbursement of certain expenditures incurred by the community authorities of Rzeczyczany, Poland, to which place an insane alien was erroneously deported. The conclusion reached by the Acting Secretary of State has my approval and I recommend that the Congress authorize an appropriation of $152.35 to be paid to the Polish Government.

HERBERT HOOVER.

LUMBER, SHINGLES, AND TARIFF BILL

Mr. PURNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a letter received from the Retail Lumber Dealers' Association of Indiana concerning the lumber industry and the tariff bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by printing a letter from the lumber interests of Indiana. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I submit, herewith, a letter from Mr. C. D. Root, secretary of the Retail Lumber Dealers' Association of Indiana.

The letter is as follows:

CROWN POINT, IND., *April 24, 1930.*

Hon. FRED S. PURNELL, M. C.,
Washington, D. C.

MY DEAR MR. PURNELL: In the CONGRESSIONAL RECORD of April 14, 1930, on pages 7029–7033, is an extension of remarks of the Hon. FRANKLIN F. KORELL, of Oregon. Part of this extension consists of the reprinting of a pamphlet, Real Facts About the Lumber and Shingle Tariffs, which has been put out by interests seeking a tariff on lumber. Though this pamphlet is supposed to be based on Government records it does not contain any citation or authority.

Most of the so-called "facts" are directly contrary to what is actually revealed in Government reports. Other facts I find are distorted beyond recognition.

The lumber dealers and consumers of Indiana are very vitally interested in this matter. We are a large lumber-consuming State. We have many industries in which wood, usually in the form of lumber, is the principal raw material.

A tariff on lumber would work a serious hardship on these industries in our State as well as of the whole Nation, and I think every Congressman should vigorously oppose such tariffs.

So glaring are the misstatements contained in the pamphlet and so palpably false that I wish to analyze it for you paragraph by paragraph that you may know the truth in this matter.

1. THE UNEMPLOYMENT PROBLEM

The statement "plain facts" says that there are 160,000 workers in the lumber industry out of employment.

This can not be corroborated by diligent search of Government records. In fact, Government records indicate the contrary.

In 1921, according to the Census Bureau, there were 392,756 workers employed in sawmills and planing mills connected with sawmills in the United States. Since that time, according to the latest figures available, the number has increased to 453,131, an increase of 60,375, or 15 per cent.

Labor has not asked for a tariff on lumber and shingles. At the most, the lumber we import and manufacture in this country would employ only 8,000 to 9,000 men. However, it is well known that a tariff will not shut out imports or increase domestic production.

Sixty-one per cent of our imports are of northern white pine and spruce, two species which are no longer extensively produced in the United States but much used, particularly in the manufacturing industries of our own State. The tariff will merely increase the price of these woods to our consumers without benefiting any American labor one iota.

We annually sell to Canada $445,000,000 more worth of merchandise than we buy from her. If a tariff on lumber caused Canada to retaliate only to the extent of reducing this trade balance to parity, every American industry would suffer. American labor would suffer most of all because Canada's purchases are chiefly finished products, while her exports are mostly raw materials.

In connection with unemployment I wish to point out to you the serious unemployment that has been prevalent in the building trades in the last year or so. Indiana has had a building depression along with all the other States in the Union. Hundreds of thousands of building-trades workers have been put out of employment. In the past few months great efforts have been made to promote construction work to the purpose that these workers would be employed and that the temporary depression in the building-material industries might be alleviated.

To place a tariff on lumber at this time, thereby increasing the cost, would create a consumer resistance which would probably result in seriously retarding the building program. This would be to the detriment not only to these building-trades workers, but of the lumber industry itself.

OPPOSITION TO A LUMBER AND SHINGLE TARIFF

In opposition to a tariff on lumber and shingles, briefs were presented to Congress signed by over 1,200 lumber manufacturers, wholesalers, and retailers. In addition to this opposition the National Retail Lumber Dealers' Association, representing many thousands of retail lumber dealers throughout the United States, and various regional, State, and local lumber organizations have passed resolutions expressing vigorous opposition to any tariff on lumber and shingles. The National Grange, State granges, State farm bureaus, and many other agricultural organizations, representing a total membership of more than 3,000,000 farmers have vigorously opposed lumber and shingle tariffs.

Lumber dealers and farmers of Indiana have been a part of this opposition. The following list contains the names of Indiana firms that signed briefs opposing tariffs on lumber and shingles:

City Lumber Co., South Bend; Farver Lumber Co., Shipshewana; East Gary Lumber & Coal Co., East Gary; Fort Wayne Builders' Supply Co., Fort Wayne; Frank Lumber Co., Mishawaka; Frey Bros. Lumber Co., Michigan City; Grant Street Lumber & Supply Co., Gary; Henry Lumber Co., Michigan City; Home Lumber Co., Elkhart; Indiana Lumber Co., South Bend; Hobart Lumber Co., Hobart; Mishawaka Lumber Co., Mishawaka; Marquette Lumber Co., South Bend; Munster Lumber & Supply Co., Munster; H. & H. Lumber & Coal Co., Rochester; National Lumber Co., South Bend; New Chicago Lumber & Coal Co., Gary; Newman-Monger Co., Elkhart; North Side Lumber Co., Mishawaka; North Side Lumber Co., South Bend; Osceola Lumber Co., Osceola; Ockley Lumber & Supply Co., Ockley; Ridge Lumber & Coal Co., Gary; River Park Lumber Co., South Bend; Scharback & Sons, Hobart; South Bend Lumber Co., South Bend; South Side Lumber Yard, South Bend; St. Joseph Valley Lumber Co., South Bend; Steel City Lumber & Supply Co., Gary; State Line Lumber & Supply Co., South Bend; Superior Lumber & Supply Co., Gary; U. S. Lumber & Supply Co., South Bend; West Side Lumber Yard, South Bend; and Voorhees Lumber Co., Flora.

In addition to this the Retail Lumber Dealers Association of Indiana, is of course opposed to the tariff on lumber. The Indiana Farm Bureau and the Indiana State Grange have passed resolutions opposing these

tariffs, and the Indiana House of Representatives of the Indiana State Legislature passed a resolution opposing lumber and shingle tariffs which went to the Senate and was favorably reported by the committee, too late for passage in the last-minute rush.

I think there can be no question that the people of Indiana are opposed to a tariff on lumber and shingles.

The allegation that the opposition to a tariff comes solely from American owners of Canadian timber is an effort to build up an unfounded prejudice.

Another example of the glaring misstatements with which the pamphlet is loaded is the statement that Americans have invested $443,806,000 in the Canadian lumber industry. The total investment in the Canadian lumber industry of Canadians and Americans combined is only $175,729,448, according to the Census of the Lumber Industry of the Dominion Bureau of Statistics, Department of Trade and Commerce, Canada, 1928.

3. WHO WANTS A LUMBER AND SHINGLE TARIFF?

Plain Facts states that 800,000 lumber workers and 20,000 lumber manufacturers are requesting tariffs on lumber and shingles. This is a gross exaggeration.

Lumber workmen number only 453,131, according to United States Bureau of the Census. There are only 8,723 sawmill and planing-mill establishments in the United States, according to the Statistical Abstract of the United States, 1929 (p. 795).

These two groups are not a unit in asking a tariff on lumber. The Lumber Industry Tariff Committee, which appeared before the House Ways and Means Committee and the Senate Finance committee, and who have signed this statement Plain Facts, has never explained its membership nor submitted a list of members. They have preferred to permit Congress to assume that they represent the entire American lumber industry though, of course, they do not.

4. IMPORTANCE OF AMERICAN LUMBERING OPERATIONS

Plain Facts says that 946,871 farmers in the United States own 35,270,527 acres of timberland.

Apparently they wish to convey the idea that a tariff on lumber is going to aid the farmer as a timber owner. However, when one goes back to the source of this information (Statistical Bulletin 21 of the U. S. Department of Agriculture, p. 8) one sees that Indiana is credited with 809,824 acres of timberland on 39,909 farms. Indiana in the year 1928, with all this apparent timberland, produced only 21,000 board feet of softwood lumber—enough to build one fair-sized barn.

Plain Facts says that 20,000,000,000 feet of lumber is annually reworked in local planing mills throughout the United States, and that these mills employ about 125,000 workmen.

Some of these planing mills, of course, are in Indiana. Is it your opinion, Mr. Congressman, that these workmen favor a tax on their raw material which would necessitate an increased price of their finished product? There would be no gain to them and probably a considerable loss through the increase in their sales resistance because of a higher price. At this particular time a tariff would be disastrous to them.

5. LUMBER INDUSTRY'S DISTRESS

Plain Facts says that the American lumber and shingle industries are in extreme distress.

I wish to call your attention to the income-tax returns of lumber manufacturers found in the CONGRESSIONAL RECORD for February 27, 1930 (pp. 4577–86). These returns show a very marked prosperity for the lumber manufacturers for the years 1922 to 1928, inclusive.

Of course there has been distress in the lumber industry in the last eight months. It has not been due to imports, as imports have declined every year for the last seven years. The reason for the lumber-industry depression is the general business depression, and particularly the agricultural depression, which has resulted in a very much curtailed building program.

For example, agricultural construction, according to a supplement of the weekly lumber barometer of the National Lumber Manufacturers' Association for February 1, 1930, shows that farm building has declined from a high of $899,000,000 in 1921 to only $363,000,000 in 1928. When the farmers of the country return to prosperity, they will commence building and repairing and consume greater quantities of lumber. The greater consumption will automatically bring prosperity to the lumber industry.

The assertion that "American markets are dangerously threatened with greater and increased invasion from foreign competition" is in absolute disregard of the facts.

As stated above, imports have declined annually. According to the Commerce Yearbook for 1929, imports of lumber in 1923 were 1,038,200,000 board feet, and by 1928 they had fallen to only 1,357,600,000 board feet. This quantity of imports is considerably less than the production of one large company in the Northwest, and 61 per cent of these imports are of a noncompetitive species. Imports from British Columbia, which might be termed competitive, totaled in 1927 only 392,074,528 board feet.

I do not have 1928 or 1929 figures, but the figures for total importations indicate a considerable decline. One company in Washington increased its productive capacity last summer 450,000,000 feet annually—a considerably larger production than our total imports from British Columbia.

Imports of lumber are not insurmountable competition to domestic lumber. The value of imports, according to the Department of Commerce, averaged $25.77 per thousand board feet in 1928. The average mill price of Douglas fir and southern pine in the same year, according to the United States Forest Service reports, was only $19.02 and $24.02, respectively (U. S. Forest Service, Lumber, Lath, and Shingle, 1928). Certainly an imported product sold at a higher price than the domestic product does not constitute insurmountable competition.

6. BUILDING COST INCREASES FROM LUMBERING TARIFFS

The statement that if fully effective a tariff on lumber and shingles would only cost $42,000,000 yearly disregards several important facts.

First. A tariff will increase the price not only to the extent of the tariff but will be pyramided from 25 to 100 per cent by the time it reaches the consumer.

Second. The price of competitive materials would be materially enhanced, and in the case of shingles this would probably cost the consuming public more than the increase in the price of shingles.

The lumber tariff of $1.50 per thousand board feet on 30,000,000,000 feet of softwood lumber and 8,000,000,000 shingles consumed annually by the American people would cost the consumers not less than $135,000,000 a year.

The Ohio Retail Lumber Dealers Association has calculated that the cost of building an average-size house, containing about 35,000 cubic feet of space, would be increased by the lumber tariff $112. The shingle tariff would further increase the cost from $25 to $100, depending on whether or not shingles were used both for the roof and the side walls.

If Congress places a tariff on lumber and shingles I know the people of Indiana will curtail their construction programs to a considerable extent. As conditions are at present, it is very difficult to sell lumber. A price increase would be disastrous, not only to retail lumber merchants but to the lumber manufacturers as well.

7. BENEFICIARIES OF A LUMBER TARIFF

Northern white pine and spruce, two woods which are no longer produced in the United States to any extent, constitute the bulk of our imports. According to the Department of Commerce (Commerce Yearbook, 1929) we imported in 1928, 814,500,000 board feet of northern white pine and spruce (this is 61 per cent of our total imports), and regardless of any tariff these imports must come in. The tariff will merely be a burden to the consumers.

American workmen will not be benefited or employed one moment longer than they are now through increasing the price of lumber. The increased price will be reflected in an increased log price, because as lumber becomes more valuable the logs from which it is manufactured become more valuable, and as logs are more valuable the timber from which they are cut is more valuable. The beneficiaries of a price increase, whether accomplished through tariff or otherwise, are the the timber owners.

As lumber prices have increased (according to the Department of Labor statistics) 300 per cent since 1900 timber prices have increased, according to the report of the National City Co. on the Douglas fir lumber industry (1926) from 37 cents a thousand feet in 1900 to $4.25 a thousand feet in 1926, an increase of 1,150 per cent.

8. TIMBER OWNERSHIP

Denial is made of the evidence presented in the Senate debate (CONGRESSIONAL RECORD for February 27, 1930, pp. 4570–4573) showing the great concentration of ownership of timber in the State of Washington and in other Western States.

In their denial of this ownership, the proponents have given no evidence, quoted no authority, but merely made the allegation that the ownership of this company was only 11 per cent of the timber in that State. In the debate in the Senate not only was the data presented thoroughly authenticated, but additional corroborative data taken from Government records was introduced.

Proponents have misquoted in stating that it was alleged that one timber-holding company owned 60 per cent of the Washington timber. Such a statement was never made. It was stated, however, that one company controlled 60 per cent. Its actual ownership is 37 per cent, but other timber owners who have intermingled holdings are dependent on this larger holder for the liquidation of their timber.

Through the dominating position of its holdings, this company, owning and paying taxes on only 37 per cent of the timber, actually controls 60 per cent or more, and the 23 per cent it controls and does not own is more valuable to it than that which it owns, because it has no fire hazard, no taxes, no interest on investment, etc.

9. FOREIGN TIMBER PRODUCTION ADVANTAGES

Proponents have quoted the Tariff Commission in proof of statement that logging costs in Washington are $1.66 per thousand feet higher than in British Columbia. They have neglected, however, to point out

that correction must be made in calculating costs because of the difference in the method of measuring and grading logs in the two regions. It is no more fair to compare log prices or costs in the two regions without an adjustment being made for these factors than it is to compare prices or costs on a long ton of pea coal and a short ton of stove coal.

If the proper adjustments are made, costs are similar on either side of the international boundary. The Tariff Commission has never made any investigation as to the cost of producing lumber, but in their investigation of the cost of producing shingles they reported that raw material cost in British Columbia was higher than in Washington and Oregon.

As to costs of producing lumber in Washington, Oregon, and British Columbia, it would seem that ample evidence on this point has been presented to Congress. Actual cost statements, showing the average cost of production for the members of the West Coast Lumberman's Association and the British Columbia Lumber and Shingle Association conclusively show that Canadian lumber is produced at a higher cost than domestic lumber.

I wish to call to your attention that this pamphlet, Plain Facts, does not show a single cost statement. It merely alleges this and that without attempting to give any comprehensive or complete data.

10. LABOR COSTS IN LUMBER PRODUCTION

If wages are to be taken as a criterion of labor costs, ample evidence has been offered to prove conclusively that there is no difference between wages in Washington, Oregon, and British Columbia. Both States and the Canadian Province have a minimum wage of 40 cents per hour, and in the entire region the 8-hour day prevails. In the southern pine region of the United States, however, wages as low as 18½ cents an hour and a 10-hour day prevails.

Plain Facts gives a figure of from $16.84 to $18 a thousand board feet, as the labor cost of producing lumber. Where this figure was obtained is not ascertainable. The total cost of manufacturing lumber from the stump to the freight cars, including everything, was only $20.17, in Washington and Oregon in 1928.

11. PRICES OF LUMBER

Plain Facts quotes average lumber prices since 1923 showing the decline which has taken place since that time. It is alleged that, though mill prices have declined, retail prices have remained stationary. On the contrary, however, retail prices have dropped considerably more than mill prices.

According to the division of housing and building of the Bureau of Standards of the United States Department of Commerce, the retail price in Terre Haute of "C" grade edge grain southern pine flooring, for example, has dropped from $95 per thousand feet in January, 1925, to $75 in November, 1929. This drop of $20 is several times as great as the average drop in mill prices of lumber.

12. ALLEGED SHINGLE PRODUCTION ADVANTAGES

Plain Facts under this heading quotes the Tariff Commission, the only actual quotations or direct references to authority to be found in the brief. It is most amazing how the meaning of the Tariff Commission has been distorted through omission of sentences or parts of sentences.

It has been said that one can prove anything by the Bible. Apparently the Bible has a competitor now in the Tariff Commission.

The Tariff Commission made a thorough investigation of the cost of producing shingles in Washington, Oregon, and British Columbia. Their actual findings are:

1. That costs are higher in Canada.

2. That Canadian shingles are predominantly high grade and domestic shingles are chiefly low grade.

3. That Canadian shingles sell for a considerably higher price than the comparable domestic grades.

The domestic production of shingles has not declined in the last 10 years, as stated in Plain Facts. Production in Washington and Oregon, according to the United States Department of Commerce, was 5,136,000,000 shingles in 1920 and 5,255,000,000 in 1928.

13. RUSSIAN LUMBER

Plain Facts gives a large number of glaring misstatements in again raising this "bogey." The actual facts are:

First. Russian lumber imports do not amount to one-tenth of 1 per cent of our annual consumption.

Second. Our small importations of spruce from Russia have sold at an average price of nearly $40 a thousand feet in Atlantic coast markets, a much higher price than domestic lumber in the same market.

Third. Importations of Russian lumber are spruce; a species no longer produced to any great extent in the United States.

Fourth. The fear of increased importations is not based on accurate information.

Further information on this subject can be found in the CONGRESSIONAL RECORD for March 20, 1930, page 5675. Suffice it to say here that the whole subject is merely a "bogey" or smoke screen thrown up in an endeavor to conceal the real issues.

14. ORIENTAL LABOR COMPETITION

Oriental labor is not a factor in competition between the United States and Canada. This was admitted by one of the proponents of a tariff on lumber and shingles who was forced to admit under oath when testifying before the Senate Finance Committee (hearings, vol. 4, pp. 252–253) that orientals receive the same wages as white labor.

It might not be amiss to call attention to the fact that only 80 per cent of the labor in the American lumber industry is white labor. There are more than 80,000 negroes employed in the lumber industry in our Southern States at wages as low as 18½ cents an hour.

15. FOREIGN LUMBER TARIFFS

It is a remarkable thing in view of the foreign tariffs complained of in Plain Facts that we are the largest lumber-exporting nation in the world. We are able to meet competition in every market in the world successfully, yet domestic manufacturers are claiming they can not meet the same competition in our own markets. Washington and Oregon alone ship 1,750,000,000 feet into world markets, a quantity equal to four and one-half times our total imports from British Columbia.

16. CONSERVATION

In conclusion, let me point out the history of the progressive depletion of our forest resources. Beginning with New England, which once had a tremendous stand of timber, down through New York, Pennsylvania, Wisconsin, Minnesota, Michigan, the forests have been progressively depleted to such an extent that these States are no longer important factors in lumber production. The Southern States no longer have the immense supply of timber they once had and because of depletion, production is rapidly declining. If importations are discouraged the supply in the Northwest can not last very long.

The result of this depletion has been an ever-increasing freight cost. Indiana once got its lumber from near-by Michigan forests at low freight rates. Now it must go either across the border into Canada or to the South or West. This means an annual freight bill of $9,774,752 to the consumers of Indiana on their lumber. If by means of a tariff we force consumers to go even more to distant sources of supply for their lumber, this freight bill will be very materially increased.

The people of Indiana do not want this tariff on lumber, and I beg of you to use your best efforts as a Representative of the people of Indiana to defeat this tariff.

Very truly yours,

C. D. ROOT,
Secretary Retail Lumber Dealers Association of Indiana.

EXTENSION OF REMARKS

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein an editorial upon the Supreme Court from the Public Ledger of Philadelphia.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by printing an editorial upon the Supreme Court. Is there objection?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, has the gentleman from Washington conferred with the gentleman from Massachusetts, Mr. UNDERHILL, or any of his subordinates, in his absence?

Mr. SPROUL of Illinois. Mr. Speaker, in the absence of the gentleman from Massachusetts, I object.

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes. Pending that motion, I ask unanimous consent that general debate be controlled equally by the gentleman from Louisiana [Mr. SANDLIN] and myself.

The SPEAKER. The gentleman from Ohio moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11965. Pending that, he asks unanimous consent that general debate be controlled equally by himself and the gentleman from Louisiana [Mr. SANDLIN]. Is there objection?

Mr. SANDLIN. Mr. Speaker, will the gentleman yield?

Mr. MURPHY. Yes.

Mr. SANDLIN. Will the gentleman state when we will go on with this bill after to-day?

Mr. MURPHY. I understand that we will not take this bill up until after the conclusion of the tariff bill, after to-day. I do not think we will take the bill up again this week.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Ohio that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the legislative appropriation bill, with Mr. LUCE in the chair.

The Clerk read the title of the bill.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SANDLIN. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, one of the greatest problems confronting the American people to-day is the subject of taxation. This question is more acute in North Carolina than ever before. Our system of taxation in the State is at present causing our people great concern.

We have solved to a great extent the problem of building our principal highways. This is taken care of by a gasoline tax, and there is very little complaint from our people on this score. It is the tax on land and personal property that is giving our people so much concern.

As I said in a speech made in the House on March 12, 1930:

> In North Carolina substantially 80 per cent of the taxes paid by property owners to the various counties on land and personal property are school and road taxes. Under this bill I have introduced, the Federal tobacco taxes returned to the State of North Carolina would be the aid in taking care of our schools and roads, and the people of my State would thereby have removed from their backs the burdensome taxation they now bear.

When our State took over most of the highways they did not assume the obligations of the various counties brought about by the building of the roads. Consequently the various counties have had to carry these burdens. The last legislature provided for the payment of a part of the gasoline tax to be made to the counties. The school equalization fund provided by the legislature helps some, but the burden now borne by land and personal property in North Carolina in the way of taxes is more than the people can bear.

For some years I have been making an exhaustive study of trying to work out some plan to help in the relief of our people from this burdensome taxation. This has been the problem of the legislature and not of the Congress.

But more than a year ago I hit upon the plan to give to the people of my State some tax relief from the enormous tobacco taxes collected by the Government from North Carolina. I made many speeches in the State and in my district on the subject.

On May 4, 1929, I spoke on the radio from Washington City on the necessity of reducing Federal taxes on the tobacco industry and thereby relieving the tobacco farmers of unjust and inequitable taxation. This speech was printed in the CONGRESSIONAL RECORD at the request of Congressman KEMP, of Louisiana, on May 6, 1929, and was distributed throughout my district to my constituents and to many people of the State. Among other things I said:

> North Carolina has been proudly boasting recently about being the second largest Federal taxpayer in the country, but a cold, unbiased analysis of the situation shows that our Federal Government is unjustly and unfairly wringing out of the tobacco industry of North Carolina enormous taxes all out of proportion to other sections of the country, and this burden largely falls upon the tobacco farmers of North Carolina.

I set out in that speech facts and figures showing how unjust this tax was; that it was a war measure.

For many months I worked assiduously with the various experts of the Government with a view to devising some plan to give relief to our people in North Carolina, and on March 10, 1930, I introduced in the House of Representatives a bill:

H. R. 10622

A bill to provide for the payment to the States of amounts equal to a part of the sums collected as internal revenue taxes on tobacco in order to foster education and road construction, and for other purposes

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, within the limits of appropriations made therefor, as soon as practicable after the end of each fiscal year, to each State an amount equal to one-half of the sums collected during such fiscal year from sources within such State on account of internal revenue taxes upon cigars, cigarettes, tobacco, and snuff imposed under the provisions of sections 400 and 401 of the revenue act of 1926, as amended (U. S. C., title 26, secs. 761, 783, 832, 845).

SEC. 2. Such payment shall be made to each State only after certification by the governor thereof to the Secretary of the Treasury and a finding by the Secretary that provision has been made by law of the State for the expenditure of amounts received under the provisions of this act solely for the construction, support, maintenance, and improvement of schools and roads. In case any of the amounts paid to any State under the provisions of this act is used for other than the construction, support, maintenance, or improvement of schools or roads, there shall be deducted from the amounts payable to such State under the provisions of this act the amount which has been so used.

This bill was made to apply to the whole country. I found out from an examination of the records of the Internal Revenue Department that practically every State in the Union would benefit by this bill.

On March 12, 1930, I made a speech in the House, and I inserted a table taken from the annual report of the Commissioner of Internal Revenue for the fiscal year ending June 30, 1929, which showed that the total amount of tobacco taxes collected by the Government for that year was $434,444,543.21, and that North Carolina paid that year to the Federal Government from tobacco taxes alone the sum of $233,915,029.11. I further showed that—

> In the 10 years since the World War, North Carolina has paid the Federal Government in taxes from all sources the staggering and stupendous sum of $1,753,148,490.65, and of this sum $1,480,537,243.98 are from tobacco collections alone. The wealth of North Carolina is estimated at only $5,248,000,000. Thus we find our Government collecting from North Carolina a tax on one commodity—tobacco—since the World War of approximately 28 per cent of the total wealth of the State.

It may be interesting in connection with this subject to note that our Government has not always collected a direct tax. These direct taxes have been brought about in most cases as the result of necessity of raising war taxes. The first direct tax provided by the Government was for the post-Revolutionary period from 1791 to 1802. These taxes were on distilled spirits, refined sugar, and snuff, and other direct taxes, but by the act of April 6, 1802, were abolished.

The War of 1812 again made it necessary to have recourse to internal taxes. These taxes were from the period of 1813 to 1817, and were on distilled spirits and other things, but no tobacco tax for that period.

No internal taxes of any character were levied by the United States from 1817 until the outbreak of the Civil War, and these were provided for by acts of August 5, 1861, June 7, 1862, and the act of July 1, 1862, was the basis of the present internal revenue system. This provided for taxation of incomes, estates, public utilities, occupations, liquors, tobacco, and other things.

Then came the Spanish-American War period, and June 13, 1898, the tax was increased on fermented liquors, tobacco products, legacies, and many other things. And by the act of March 2, 1901, most of the Spanish-American War taxes were abolished and the tax on tobacco products was reduced.

Then came the World War period, and taxes began to be raised for carrying on the Government, and we find the emergency revenue act of 1914 and the omnibus revenue act of 1916, and in this last bill it was provided that new and higher rates were imposed upon manufacturers of cigars, tobacco, and cigarettes from and after January 1, 1917.

And from 1917 tobacco products have received no reductions whatsoever save in the instance of the taxes on cigars, which were reduced by the revenue act of 1926.

This speech was distributed throughout my district and to many people throughout the State and to all the newspapers. The responses which I received were most encouraging. Members of Congress from other States have begun to cooperate with me in this measure. If we could pass this bill, or one substantially along these lines, it would to a great measure relieve our tax burdens not only in North Carolina but in many States of the Union.

The relief asked for in my bill can not be had "on a silver platter." It will be necessary to fight every step of the way. In steering and fighting a bill of this kind through committees and championing it upon the floors of the House and Senate it will be most helpful to have the expressed sentiment of the "folks back home" with us. Concrete and tangible proof of this favorable attitude will go a long way in securing passage of this bill in either its original or in an amended form. The fight is on, and we need all the help we can get. I am expecting full cooperation from the people in North Carolina and the States to be benefited.

Favorable responses have been accorded me from various newspapers. By permission granted me, I herewith reprint an editorial from the Fayetteville (N. C.) Observer, dated March 20, 1930, as follows:

ABERNETHY'S EFFORT

No one disputes the fact that Congressman ABERNETHY is in earnest about his proposal to have the Federal Government turn back to the State 50 per cent of the internal-revenue tax collected on tobacco products manufactured in North Carolina. Those who had an idea at the start that Mr. ABERNETHY was interested in the matter as a political gesture are having to form decidedly different opinions.

A perusal of the proposed measure introduced by Representative ABERNETHY brings one to the conclusion that the proposition is sound, legal, and fair. Certainly no obstacles such as a question of its constitutionality could be raised. It is only necessary to secure the sufficient support on the part of fellow Congressmen in order to make the bill a law. Nor can a student of government policies find much about the proposal with which to disagree. In view of other like legislation now in force, it could not be claimed of the measure that it is setting a precedent in the matter of returning to a State a portion of the revenue derived from purely local industries. In fact, on the part of fairness to all concerned, especially to the farmers who grow tobacco, there can be but little opposition to the measure honestly provoked.

Representative ABERNETHY has made a strong case in behalf of the tobacco growers of the entire South. Here is an agricultural industry second only to cotton so far as volume and value is concerned. Every product manufactured from the raw farm product is taxed at a higher rate than is the case in connection with any other industry. As a result of this internal revenue laid on tobacco products North Carolina paid into the Federal Treasury last year the tremendous sum of $233,915,029.11 as a tribute from the tobacco farmers. Naturally the manufacturers of tobacco could have paid to the growers of tobacco this much more had they been relieved of the tax, and while the actual money came from the tobacco manufacturers' bank account it indirectly came from the pockets of the growers.

The proposal of Representative ABERNETHY is that 50 per cent of this tobacco tax be returned to the State to be used in the operation and maintenance of schools and roads. The sum of $116,957,514 would enable the State of North Carolina to take up the greater portion of the entire cost of schools and roads, a cost that is now met by the counties through a property tax. The fact that 80 per cent of the property tax in North Carolina is spent for schools and roads means that were the Abernethy bill to pass farmers would find their taxes less than one-fifth what they now are because they would be relieved of the cost of schools and roads.

Doubtless a hard fight will be made before such a measure is ever enacted into law. Congress is little interested in the plight of the growers of tobacco or of any other crop. Taxes laid in the several States come in for but little study and consideration at the hands of national Congressmen. That body is too deeply interested in the problems of big business to give much time to the things that affect the mass of small producers on the farms of the country. One thing is certain and that is that the citizenship of North Carolina should grant every cooperation in the effort to enact the measure. No North Carolina Congressman can afford to put the matter aside without serious thought as to its possibilities in the field of agricultural relief.

Mr. MURPHY. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. LETTS].

Mr. LETTS. Mr. Chairman and ladies and gentlemen of the committee, it is my desire to bring to the attention of the House certain facts with respect to the fresh-water pearl-button industry and the relations of the Bureau of Fisheries thereto. The home of the pearl-button industry is in my district, Muscatine, Iowa. There the industry began and there it has grown to its present huge proportions.

In an earlier day the labor of Muscatine was largely employed in some very large lumber mills. The logs for these milling operations were floated down the Mississippi River from the north. Eventually this industry diminished to a point where it became necessary to look to other opportunities for the labor of that thriving midwestern city. Inventive genius came to the rescue. The manufacture of pearl buttons was begun. This was attended with the development of machines designed for the cutting of blanks from mussel shells, and machines and business policies developed for the finishing of such blanks into the pearl button now so extensively and satisfactorily used.

This important industry, like many others, has had its troubles. Recently serious competition has sprung up through the importation of glass and agate buttons from Czechoslovakia and other foreign countries. These buttons, which are manufactured from feldspar and clay, have been imported into this country and sold at so low a price that they have been adopted for use on cheap garments. The practical effect has been that the low-grade buttons produced in our pearl-button plants have been piled high on the shelves, leaving for our button manufacturers a market only for the first-grade buttons. Inability to dispose of the low-grade buttons has taken from the manufacturer of the pearl button the opportunity of making a profit.

The pending tariff bill carries a provision which will place a duty on agate and glass buttons which will protect the industry against such competition and will, I hope, put the industry on a sure and certain profit-making basis. From what I shall later say, you will see that a very large part of the cost of the pearl button is labor. It is the kind of a case where the protective tariff system is best applied.

Other serious difficulties now confront the industry, particularly because of the diminishing supply of mussel shells. I have collaborated with Henry O'Malley, Commissioner of Fisheries, and Elmer Higgins, chief, division of scientific inquiry, Bureau of Fisheries, with respect to these present difficulties and have been materially aided in assembling appropriate data and information from which, I think, certain conclusions must necessarily be drawn.

Of the 500 species of fresh-water mussels or clams found in the United States 41 species are used in the manufacture of buttons and novelties. The commercial species are practically restricted to flowing waters derived from the drainage of limestone regions, including most of the streams of the Mississippi Basin and some of those of the Great Lakes and Gulf drainages. The shells of these mollusks are ideally adapted to the manufacture of buttons. They have a pearly white or iridescent nacre lining the shells; they are of proper thickness and size for cutting of blanks; they are tough and of the proper hardness, but not brittle or chalky; and they produce the highest grade of button.

Fresh-water pearl buttons are manufactured in 17 major plants located in Iowa, Wisconsin, Missouri, New York, and Massachusetts, with many subsidiary factories throughout the Mississippi Valley, and employ in manufacture over 5,000 persons. Besides these many thousand fishermen obtain their livelihood from mussel fishing. During 1929, 20,205,073 gross of buttons, valued at $5,800,000, were produced. In addition to buttons, poultry feed, lime or dust, cut shells, stucco, and miscellaneous products were produced, bringing the total value to well over $6,000,000. During 1929, 27,176 tons of shell were taken from the rivers, yielding a return to the fishermen of $1,325,000. Tennessee led in total production, closely followed by Arkansas, Michigan, Iowa, Indiana, and Illinois in order of yield. These six States produced 75 per cent of the total quantity of shells; 13 additional States produced the remaining 25 per cent.

EXTENSION OF FISHERY AND DEPLETION OF SUPPLY

In the early days of the fresh-water pearl-button industry the supply of shells was obtained chiefly from the waters of the Mississippi River and its tributaries in the vicinity of Muscatine and Davenport, Iowa, where the factories were located. As the industry grew and as the productivity of the areas close at hand declined, the demand for raw material increased in like proportion, necessitating the exploitation of new territories. The rate of spread has been directly correlated with the rate of depletion of the more central territory. At various times the Wabash, the Ohio, the Illinois, and the rivers of Arkansas have taken turn as the principal seats of the mussel fishery. Lake Pepin, however, a widened portion of the Mississippi River between Minnesota and Wisconsin, has yielded a greater quantity of shell per mile than any other stream or portion of a stream.

That heavy fishing led to a depletion of productive beds is shown by a bureau study in 1897 in which the condition of the mussel beds near New Boston, Ill., were described. From the opening of operations in 1894 to the time of the survey this bed produced 10,000 tons of commercial shells. It was at that time, however, being abandoned, since the shellers were unable to gather enough shells to make it pay. Such conditions were common on so many mussel beds that the bureau recommended measures for the protection of the mussel fisheries, but these recommendations were not generally adopted and the conditions of depletion grew worse from year to year.

NATURAL HISTORY THE BASIS OF ARTIFICIAL PROPAGATION

Some years later after the special investigations of Professors Lefevre and Curtis, of the University of Missouri, in association with the Bureau of Fisheries, in which the details of the life history and development of the fresh-water mussels were for the first time described, there were developed methods of propagating mussels by artificial means. Though there is great diversity among the various species of fresh-water mussels, the general outline of their life history is as follows:

Eggs are produced in late summer or fall, or in the spring, are deposited in brood pouches, or marsupia, in the gill chambers of the parent mussel. The sexes are separate, and the eggs are fertilized by sperms entering with the current of water. In the brood pouches, the eggs develop into larvæ, known as glochidia, where they may pass the entire winter and be expelled

into the water the following spring and early summer, or, in the case of spring spawners, during the same summer. These glochidia swim freely in the water for a short time, finally attaching themselves to the gills, scales, or fins of fishes. The glochidia of different species vary in size from one five-hundredths to one-eightieth of an inch in diameter, and the number produced by each female varies from 75,000 to 3,000,000. After attachment to the fish, the glochidium is entirely surrounded by the tissues of the fish. It is now actually an internal parasite, deriving its nutrition from the fish's blood, in which condition it remains for a period of about two weeks. During the parasitic stage, the larval mussel undergoes metamorphosis and develops the structures and characteristics of a juvenile mussel. The glochidia are thus conveyed wherever the fish goes until, when the proper stage of development is reached, it frees itself from the host fish and falls to the bottom. If it finds suitable lodgment, it continues its growth to form an adult mussel.

The Fairport (Iowa) Biological Station was established to assist in the propagation of fresh-water mussels, and to carry on experiments in fresh-water biology in the interest of conservation of aquatic life. As originally conceived, the task of propagation of mussels was to bring together suitable fish and a sufficient number of glochidia. Studies of natural and artificial infections show that a moderate sized fish may successfully carry, without harm to itself, as parasites, from 1,000 to 2,000 of the microscopic glochidia, but that, under the chance operation of nature, few of the glochidia find lodgment upon the proper fish, and still fewer find bottom suitable for their development as adults.

Until the most recent years, the Bureau of Fisheries has liberated in public waters over a billion glochidia annually as parasites on fish. While in some cases infected fish have been held in troughs until the glochidia have matured and fallen to the sandy bottoms for subsequent distribution, the usual method has been the infection of fish seined from sloughs and backwaters of the river in the ordinary process of rescuing fish from overflowed lands. The marsupial pouches of gravid mussels are opened into tubs of water into which the seined fish are introduced for some 5 to 20 minutes to permit a sufficient infection, and the fish are then liberated in the river. In Lake Pepin fishes have been seined especially for this purpose.

REGULATION OF THE FISHERY REQUIRED

Following the establishment of the Fairport laboratory, extensive investigations showed that while the propagation of mussels was an important factor in restocking streams in certain localities, this alone would never be sufficient to restore mussel beds to their former productiveness. A system of stream protection was recommended whereby the various mussel-producing areas could be given periods of rest in which to recover. Alternate sections of streams were proposed in which all shelling operations for a period of several years should be prohibited; at the close of the period they were to be opened to shelling operations, and those that had been opened were to be closed. After a period of several years, the States of Minnesota and Wisconsin, by concurrent action, closed certain parts of Lake Pepin to shelling. This closure went into effect March 20, 1920, and continued for four years, when these sections were opened and the remainder of the lake closed.

The course of the mussel fishery in Lake Pepin, located about 60 miles below St. Paul, Minn., is especially illuminating. The early history of the shelling industry on the lake shows that large catches of commercial shells were made. As the demand for shells became greater, new and improved methods of gathering the shells were employed, so that at the close of a few years the lake showed signs of depletion. Each year since 1912, the bureau has carried on a steady program of stocking commercial species of mussels, but this added effort has not offset the destructive methods of gathering shells. In 1914–15 this lake produced 3,000 to 4,000 tons of commercial shells; in 1919, 200 tons; in 1924, after the reopening of the two areas closed four years previously, 2,000 tons of mussel shells were taken. The catch fell off rapidly thereafter, until in 1926 only 164 tons were taken, and in 1927, 50 tons. In 1929, with the reopening of the two areas which had been closed for a period of five years and the closure of the other two areas, production amounted to 572 tons.

In 1928 and 1929 detailed surveys of the mussel population of Lake Pepin were made by improved methods. Comparison of the mussel population of areas open to fishing in 1928 and closed in 1929 shows that the number of mussels of all species per thousand square feet of bottom fell from 37 to 16.7, a decline of 55 per cent. In the areas closed in 1928 and opened in 1929, the number per thousand square feet fell from 74 to 16.7, a decline of 82 per cent. It therefore appears that Lake Pepin will cease to be an area capable of supporting a successful mussel fishery, for reasons to be mentioned later.

Mr. Chairman, since my time is short I shall depart for a moment from my written text and simply say that at Fairport, Belleview, and other stations they have followed this process by going out into the bayous and into the low places, following the washing of the water and the overflow of the land, and have caught in seines and by other means all the fish so stranded and infected them with the glochidia and at the proper time turned them out into the stream.

Mr. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. LETTS. Certainly.

Mr. ANDRESEN. Has the department observed the results of this artificial propagation of the mussels?

Mr. LETTS. Yes. That will be made manifest as I proceed. A new method, however, has been found to be more effective; and again I shall depart from my written text and simply explain that Professor Ellis, a distinguished educator of the University of Missouri, who has attached himself to the Bureau of Fisheries on part-time service, has given a tremendous amount of time and deep study to the subject, and has developed a new process of propagating mussel spawn. He has done that by finding a food which is similar in its nature and in its results to that taken from the blood of the fishes. Now they have found that we can take these mussels, the glochidia, and feed them on this artificial food and allow them to develop until they are strong enough to take care of themselves.

The method has many advantages. It is not necessary to find the host fish, and you are certain that the glochidia will be dropped at suitable places in the river where the lodgment will be suitable for their growth and development. A much larger percentage of the glochidia will develop and become full-grown mussels, such as we see here [indicating exhibit], which are suitable for cutting into blanks for buttons.

Mr. ANDRESEN. Would it be possible to have private beds for the propagation of these mussels by artificial process?

Mr. LETTS. Yes.

Mr. ANDRESEN. How long will it take?

Mr. LETTS. About five years. It will be entirely practicable to build up private beds, but it is found needful to have running water, and it is impracticable, perhaps, to put them in stagnant ponds. They need fresh water, as I will explain a little later.

Now, it has been found through the experiments carried on by the Bureau of Fisheries that in Lake Pepin, where in times past we have gathered more mussel shells than in any other place in the country, the mussels are either dead or dying. It became necessary to make a study to find out just what was causing the mussels to die. It was found that it was because the waters were polluted. The waters were polluted to the extent that not only the mussels but the game fish of the river were being rapidly exterminated, and upon that point I want to dwell somewhat in detail.

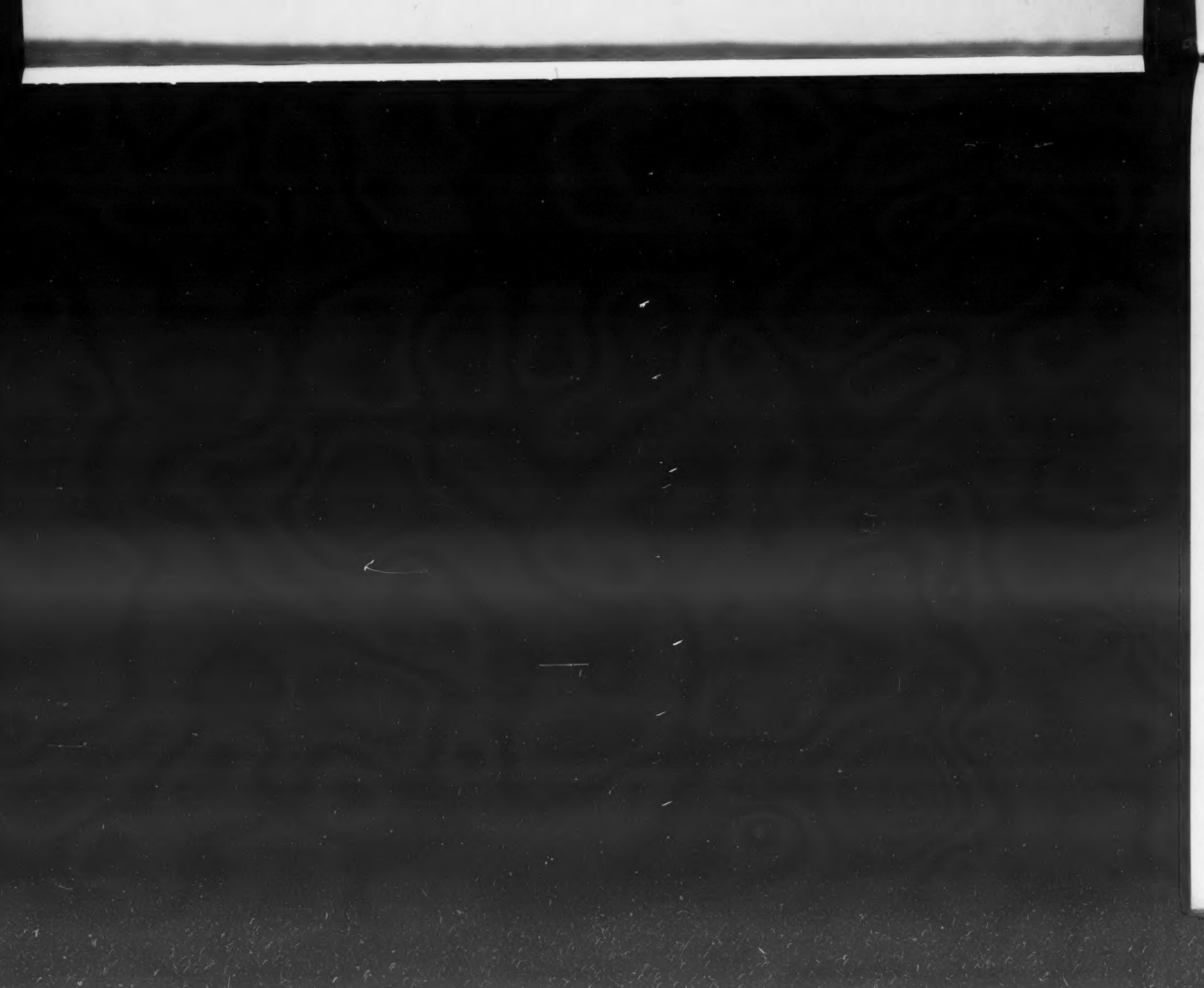
NEW PRINCIPLE OF PROPAGATION

As a result of experiments on the composition of fish blood, Dr. M. M. Ellis, special investigator for the bureau, since 1926 has developed a new system of mussel culture that has great promise of successful application. He has succeeded in preparing in the laboratory solutions that contain the elements found in fish blood necessary for the development and transformation of the mussel glochidia. In this medium it is possible to rear enormous numbers of the glochidia taken directly from the brood pouches of the gravid mussels until they have passed through the metamorphosis and are able to live independent lives as clams on river bottoms. In this way the prodigal waste of nature's seeding may now be avoided and the absolute control of the supply is placed within our hands. Young mussels may be reared to planting size and may then be distributed to most suitable grounds where plantings may be centralized for economic exploitation and where the crop may be harvested in the most efficient fashion at the proper time and with the utmost intensity, just as agricultural products are harvested. No longer will the production of mussel shells be dependent upon an abundant supply of a suitable species of fish to carry the glochidia, and it is possible to introduce into sluggish or stagnant waters, such as bayous and canals, species of mussels adapted to such conditions but where at present no mussels are found.

POLLUTION OF RIVERS INTERFERES

In attempting to develop large-scale production by the Ellis method of propagation the most serious obstacle was encountered. Experimental tests show that the glochidia of the clam, the just-hatched juveniles, and the young clams are very sensitive to chemical changes in water, particularly to those substances commonly introduced into the streams with municipal





or industrial wastes. It was found that the glochidia in the marsupial pouches of the gravid mussels taken from a dozen localities along the Mississippi River and many tributaries in the Northern States were dead or in a dying condition and were entirely unsuitable for purposes of propagation. Moreover, natural reproduction throughout this area apparently has failed, for clammers and other observers have made few reports of new beds of young mussels for the last three years.

This condition was noted in 1926 by R. E. Coker when he remarked that the niggerhead mussel, formerly the most important species between Keokuk and Lake Pepin, was not reseeding itself successfully in the river. He assumed at that time that overfishing and the depletion of the river herring, the host fish for this species, were the responsible factors.

Investigations of Doctor Ellis, however, indicate that pollution may be the primary cause of this decline here as well as in Lake Pepin. We have abundant evidence that the Mississippi River for many miles below the Twin Cities is polluted sufficiently to threaten the existence of all aquatic life. In Lake Pepin the extent of pollution is indicated by the report of the Metropolitan Drainage Commission of the State of Minnesota on February 11, 1930. The report showed that the oxygen content of the water on February 4 near the upper end of the lake was reduced to 2.2 parts per million and to 2.7 parts per million in the lower section. This low oxygen content so closely approximates the critical point for fish and mussel life that it constitutes a serious menace. The depletion of oxygen is apparently the result of the combined effects of pollution and ice coverage at this time of year, which prevents the absorption of oxygen from the atmosphere. That pollution is rapidly becoming worse may be judged from the fact that river conditions for some distance above Lake Keokuk were apparently normal as recent as 1921, for no mention of evidence of pollution is made by Galtsoff in his limnological survey of that year.

The oxygen depletion of river waters polluted with organic wastes is not the only menace to natural propagation of mussels, for industrial wastes containing salts of sulphur, iron, lead, and other heavy metals are extremely toxic to the larval mussels. For example, the drainage of iron and coal mines in West Virginia rivers, which may be clear and sparkling and actually potable, frequently contain sulphur and iron salts in sufficient concentration to kill promptly young mussels and fish. These and other toxic salts are present in the waters of the Mississippi. Moreover, the supply of polluting substances need not be constant to have deleterious effect, for a wave of high concentration for a short time may be sufficient to destroy the entire mussel population less than one year old over a wide area.

On the basis of available evidence, therefore, it appears that the mussel fishery of the upper Mississippi River is threatened with economic exhaustion, and such information as is available concerning the proposed 9-foot ship channel from St. Paul to Quincy indicates that its completion will probably render the river conditions with respect to mussels worse rather than better.

BUTTON INDUSTRY IN CRITICAL CONDITION

The domestic pearl-button industry, which produces $6,000,000 worth of manufactured products annually from mussel shells, faces a critical situation. Areas in the upper Mississippi River of greatest production formerly have ceased to be commercially important. Domestic supplies of mussels from other areas are wholly inadequate to meet factory demand. Prices have advanced 30 or 40 per cent, to the point where they are almost prohibitive. Button companies are sending representatives to foreign countries to seek new supplies and already shipments have been received from such countries as China and Mexico.

The pollution of the rivers entails serious consequences to the button industry, for we are faced with the virtual blocking of any effective system of mussel propagation unless a supply of healthy mussels to serve as brood stock can be found and unless unpolluted waters are located that are suitable for the extension of mussel culture. Accordingly, a conference of bureau officials and investigators was held in Washington on February 17, 1930. All available facts bearing on the situation were discussed and a program of action was outlined.

THE BUREAU'S PROGRAM

There are many waters suitable for propagating mussels unaffected by pollution, and it is believed possible under wise administration and protection, such as the bureau has recommended to the States, supplemented by improved methods of propagation which the bureau is now developing, to increase the mussel supply materially and eventually relieve the present shortage of raw material for the button industry. Due to pollution in the upper Mississippi region, the bureau's older method of mussel propagation by the infection of fishes taken in the course of rescue operations will be suspended. The Ellis method of propagation will be placed on a producing basis during the current season and steps are being taken at present with the aid of the button companies and the shell buyers to locate an adequate supply of healthy mussel spawn.

Two mobile field units of hatchery apparatus, each in the charge of a skilled operator and capable of producing from 25,000,000 to 50,000,000 juvenile mussels each, will be placed in operation early during the present spawning season and will be sent to test the practicability of extensive hatching operations in various localities. When such favorable localities are found, additional hatchery units will be established. Juvenile mussels produced in the bureau's hatcheries will be planted only in waters of suitable chemical composition known to be definitely free from deleterious domestic or trade wastes, and free from sudden fluctuations in water level. Moreover, suitable guaranties of protection must be afforded by State authorities where plantings are undertaken.

The outstanding need at the present time is a thorough physical, chemical, and biological study of all actual or potential mussel-producing waters in the Mississippi and Gulf drainage to discover waters favorable to the extension of mussel culture and to discover the sources and extent of pollution. Following this, there is urgent need for a thorough study of the biological and physiological effects of the various polluting substances found in streams. While there has been much attention given to the problems of pollution from an engineering standpoint for the purpose of recovering trade wastes and from a public-health standpoint with regard to sanitation, the actual effects of the various pollutants upon aquatic life have been studied but very little. Such an inquiry is directed primarily toward the propagation of mussels, but the studies of pollution and its effects on aquatic life have equal bearing upon the fisheries of the entire region. Some studies have been made of the effects of dams and other obstructions to the migration of river fishes. The bureau is attempting to develop the science and art of aquiculture for increasing the productiveness of inland waters throughout the country. Progress in these directions, however, is limited by our lack of knowledge concerning the fitness of inland waters to support aquatic life which the studies here proposed are intended to provide. With such information available, the bureau will then be able to direct more wisely the efforts of the States in overcoming the menace of pollution and to develop a successful program of restocking the mussel and food-fish resources of our inland waters. Conditions are becoming so serious in these waterways that prompt action is needed in providing ways and means for disposing of domestic sewage and trade wastes other than by using the rivers as open sewers.

Mr. ANDRESEN. Mr. Chairman, will the gentleman yield again?

Mr. LETTS. I yield to my friend from Minnesota.

Mr. ANDRESEN. Is there any possible way by which the Federal Government or the Congress can legislate on the pollution question in order to relieve the situation?

Mr. LETTS. I doubt very much if that is necessary; I will suggest a remedy. Last Thursday Mr. O'Malley, the Commissioner of Fisheries, addressed the Izaak Walton League in the city of Chicago and called attention to the pollution of the Mississippi River, and stressed the necessity for a clean-up. He makes it plain that the pollution of which he complains is not only killing off the mussels, but is destroying all game fish in the upper Mississippi.

To-day I am writing to the Governor of my State, and the Governors of Minnesota, Wisconsin, Illinois, and Missouri, and to the mayors of the cities of Minneapolis, St. Paul, and South St. Paul, suggesting the advisability of a conference with a view of developing some plan which will result in a most thorough investigation of the pollution of the river and will point out the necessity of a general clean-up by the erection of suitable sewage disposal plants or otherwise as the investigation and scientific knowledge may indicate. It would appear that Minneapolis, St. Paul, and South St. Paul might establish one sewage disposal plant for a metropolitan area, meeting the needs of the three municipalities.

No doubt much might be said of public health and other considerations in support of the proposal that the sewage of these great cities, populous and rich, should be taken care of by up-to-date and scientific methods. Indeed, I am persuaded to say that other States downstream may, if they wish, compel Minneapolis, St. Paul, and South St. Paul to make adequate provision for the disposal of their sewage other than by the discharge of same in its raw state into the river. The authority upon which I make this assertion is found in the opinion of Mr. Justice Holmes, of the Supreme Court of the United

States, in the celebrated case of the sanitary district of Chicago. It is more agreeable for me to believe that such procedure will be unnecessary and that a conference such as I have suggested will be sufficient to induce those in authority to initiate appropriate proceedings to accomplish the desired result. [Applause.]

Mr. ANDRESEN. Will the gentleman yield?

Mr. LETTS. I yield.

Mr. ANDRESEN. Are cities like Muscatine, Dubuque, and other towns along the Mississippi River doing anything toward sewage disposal?

Mr. LETTS. Most of those towns are, in some degree, subject to the same criticism that I have levied against the great metropolitan center of Minneapolis, St. Paul, and South St. Paul.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MURPHY. I yield the gentleman two additional minutes, Mr. Chairman.

Mr. LETTS. In the metropolitan area of Minneapolis, St. Paul, and South St. Paul there are in one community possibly a million people. It is a great, thriving, prosperous municipality; a municipal center, I might say, and one which bids fair for great renown in the future. Muscatine is a town of 20,000 or 30,000 in population. There is very little sewage as compared with Minneapolis, St. Paul, and the surrounding country with a million or more people, with the sewage waste and that which come from the stockyards of South St. Paul.

Perhaps I am letting some towns of my own State in for criticism, but if they need to clean up I shall urge that they do it as the great Minnesota cities are required to do. Indeed, I am calling upon our governor to offer for the Iowa cities what, in good faith, should be done by them. If we are to continue this great industry, if we are to have a care for public health, necessity will require a general clean-up along the river. [Applause.]

Mr. MURPHY. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. McFADDEN] such time as he may desire to use.

Mr. McFADDEN. Mr. Chairman and members of the committee, on February 10 and 26 last I addressed you on the subject of the Bank for International Settlements and the Federal reserve system, and on April 1 I inserted in the RECORD copy of a speech that I made over the radio under the auspices of the National Society of the Daughters of the American Revolution on March 27, and on April 9 I inserted in the RECORD a copy of a speech which I delivered at the Government Club in New York City on April 7 on these same subjects. I am now addressing you again upon these same subjects and desire to call your attention to House Resolutions 170 and 171, which were introduced by me on February 27, 1930, and unanimously reported by the House Banking and Currency Committee to the House under date of March 7, 1930, which resolutions I am asking unanimous consent to print in the RECORD at this point.

(H. Res. 170, 71st Cong., 2d sess.)

Resolution

Resolved, That the Secretary of State be, and is hereby, directed to inform the House of Representatives, if not incompatible with the public interest, of the following facts:

Why was the statement of May 16, 1929, issued by you forbidding the participation of the Federal reserve system in the organization or operation of the Bank for International Settlements?

What information, if any, is in possession of the State Department pertaining to the organization of this bank, and the participation therein by the Federal reserve system and its banks, or of private banking interests or individuals in this country?

Is there in existence any understanding or agreements regarding any one in the United States participating as a stockholder or officer or director of this bank?

Is there any understanding regarding the handling of America's share in reparation payments by the Bank for International Settlements?

Is there any understanding of, or have you any knowledge as to, what amount of German reparations bonds are to be offered for sale in this country under the Young plan in the next six months, and during the next five years, and by whom they are to be offered to American investors?

Has your department passed upon the legality of the securities to be issued and sold in this country to American investors?

(H. Res. 171, 71st Cong., 2d sess.)

Resolution

Resolved, That the Secretary of the Treasury be, and is hereby, directed to inform the House of Representatives, if not incompatible with the public interest, of the following facts:

What information is on file in the Treasury Department, Federal Reserve Board, or the Federal reserve banks, or in the possession of individual members of the board or officers or directors of the Federal reserve banks, pertaining to the initiation or organization and establishment of the Bank for International Settlements, provided in the Young plan for reparation settlements?

To what extent have the members of the Federal Reserve Board or its assistants, or officers and directors or their assistants of the 12 Federal reserve banks or their branches, assisted in the drafting of the plan or the putting into operation of the Bank for International Settlements?

Are there any contracts or agreements involving the Federal reserve system or any of its banks to participate in any manner whatsoever in the organization, establishment, and operation of the Bank for International Settlements, either directly or indirectly, through J. P. Morgan & Co.?

Are any officers or directors or members of the Federal reserve banks to become officers or directors of the Bank for International Settlements?

And likewise I am asking to insert in the RECORD at this point copy of letters which I addressed under date of March 10, 1930, to the Hon. Henry L. Stimson, Secretary of State, and the Hon. Andrew W. Mellon, Secretary of the Treasury, inclosing copies of these resolutions, and I desire that the Clerk shall read the replies to these two letters under dates of March 17 and March 15, respectively, together with copy of the letter from R. A. Young, governor of the Federal Reserve Board, which accompanies the letter of the Secretary of the Treasury:

MARCH 10, 1930.

Hon. HENRY L. STIMSON,

Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: Inclosed is copy of House Resolution 170, which was unanimously reported by the Committee on Banking and Currency to the House of Representatives on March 7, 1930. (Rept. No. 855 is also inclosed.)

At the suggestion of Speaker LONGWORTH and Majority Leader TILSON further action on this resolution is being withheld pending the receipt of the information called for therein, which I understand you will furnish forthwith in response to this request.

Deferring further action awaiting the receipt of the information asked for, I am,

Sincerely yours,

L. T. McFADDEN, *Chairman.*

MARCH 10, 1930.

Hon. ANDREW W. MELLON,

Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: Inclosed is copy of H. Res. 171, which was unanimously reported by the Committee on Banking and Currency to the House of Representatives on March 7, 1930. (Report No. 856 is also inclosed.)

At the suggestion of Speaker LONGWORTH and Majority Leader TILSON, further action on this resolution is being withheld pending the receipt of the information called for therein which I understand you will furnish forthwith in response to this request.

Deferring further action awaiting the receipt of the information asked for, I am

Sincerely yours,

L. T. McFADDEN, *Chairman.*

DEPARTMENT OF STATE,

Washington, March 17, 1930.

In reply refer to EA 462.00 R 296 Bank for International Settlements.

Hon. LOUIS T. McFADDEN,

House of Representatives.

SIR: I transmit the following replies to the six questions asked in House Resolution 170 accompanying your letter of March 10, 1930:

Question 1. Why was the statement of May 16, 1929, issued by you forbidding the participation of the Federal reserve system in the organization or operation of the Bank for International Settlements?

Reply. The statement issued to the press May 16, 1929, was believed to be self-explanatory. It was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements because that bank is to become the agency of the allied nations in the collection of their claims against Germany under the Young plan.

Question 2. What information, if any, is in possession of the State Department pertaining to the organization of this bank, and the participation therein by the Federal reserve system and its banks, or of private banking interests or individuals in this country?

Reply. Apart from information observed in the press, the department's information regarding the organization of the Bank for International Settlements comes from the Young plan as published in June, 1929, and from the agreements concluded at The Hague conference January, 1930. Among the latter the convention with Switzerland signed January 20, 1930, contains the constituent charter and the statutes

of the bank. The Government of the United States is not a party to these agreements.

The preamble of the constituent charter as found in the convention with Switzerland reads in part as follows:

"Whereas the powers signatory to The Hague agreement of January, 1930, have adopted a plan which contemplates the founding by the central banks of Belgium, France, Germany, Great Britain, Italy, and Japan and by a financial institution of the United States of America of an international bank to be called the Bank for International Settlements;

"And whereas the said central banks and a banking group including Messrs. J. P. Morgan & Co., of New York, the First National Bank of New York, New York, and the First National Bank of Chicago, Chicago, have undertaken to found the said bank and have guaranteed or arranged for the guaranty of the subscription of its authorized capital amounting to 500,000,000 Swiss francs, equal to 145,161,290.32 grams, fine gold, divided into 200,000 shares."

Question 3. Is there in existence any understanding or agreements regarding anyone in the United States participating as a stockholder or officer or director of this bank?

Reply. No. Mr. Gates W. McGarrah orally stated to me that he and Mr. Leon Fraser expected to become directors and officers of the Bank for International Settlements. I did not object.

Question 4. Is there any understanding regarding the handling of America's share in reparation payments by the Bank for International Settlements?

Reply. No. With his message of March 4, 1930 (S. Doc. No. 95, 71st Cong., 2d sess.) the President transmitted the terms of a proposed agreement with Germany for the discharge of its obligations to the United States in respect of army costs and mixed claims awards whereby Germany shall issue to the United States bonds payable at the Federal Reserve Bank of New York. This program contemplates direct payment to the United States.

Question 5. Is there any understanding of, or have you any knowledge as to, what amount of German reparations bonds are to be offered for sale in this country under the Young plan in the next six months, and during the next five years, and by whom they are to be offered to American investors?

Reply. This department has no knowledge of what plans, if any, have been made for the sale of German bonds in this country under the Young plan, nor of any understanding in that regard.

One of the agreements signed at The Hague January 20, 1930, by Germany and certain other governments relates to the financial mobilization of the German annuities and states that certain creditor governments propose to issue on the international markets before October 1, 1930, reparation bonds of a total amount of $300,000,000, the proceeds of which shall be divided between reparation creditors and the German Government in the proportion of two-thirds for the former and one-third for the latter.

Question 6. Has your department passed upon the legality of the securities to be issued and sold in this country to American investors?

Reply. No.

Very truly yours,

J. P. COTTON,
Acting Secretary of State.

THE SECRETARY OF THE TREASURY,
Washington, March 15, 1930.

Hon. LOUIS T. MCFADDEN,
Chairman Committee on Banking and Currency,
House of Representatives.

MY DEAR MR. MCFADDEN: I have your letter of March 10 asking me to send you the information called for by House Resolution 171. I am very glad indeed to comply with your request. Such information as the Treasury Department has relating to the organization and establishment of the Bank for International Settlements is contained in the formal reports which have been received from abroad, that is to say, the report of the committee of experts of June 7, 1929, and the report covering the proceedings at The Hague conference of January, 1930, which includes the charter and statutes of the bank and so-called trust agreement. These reports have been published, and I have no doubt you have seen them.

Such information as is in the possession of the Federal Reserve Board is, I think, fully covered in the letter submitted to me by Governor Young, a copy of which I inclose herewith.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

MARCH 14, 1930.

MY DEAR MR. SECRETARY: In reply to your inquiry relative to the letter of Hon. LOUIS T. MCFADDEN, chairman of the Committee on Banking and Currency of the House of Representatives, dated March 10, 1930, inclosing copy of House Resolution 171, which was unanimously reported by the Banking and Currency Committee to the House of Representatives on March 7, 1930, I advise that there is very little information in the possession of the board, but I am glad to furnish such as is available.

Mr. Owen D. Young is a class C director of the Federal Reserve Bank of New York, appointed by the Federal Reserve Board and designated as deputy chairman by the Federal Reserve Board. Mr. Young was a member of the Dawes Commission in connection with reparation settlements. In 1929 he was again asked to participate in reparation settlements and did so, later being appointed the presiding officer. As such he participated in the formulation of the so-called Young plan, which included the suggestion for the Bank for International Settlements. In some of this work he used the services of Dr. W. R. Burgess, assistant Federal reserve agent of the Federal Reserve Bank of New York.

The Federal Reserve Board has obtained copies of the Young plan, the draft charter, and statutes of the Bank for International Settlements, and the trust agreement of the creditor nations, and has made a study of these documents merely for its own information.

Upon the return of Mr. Young to this country it was my privilege to sit in a conference where Mr. Young discussed, in a general way, the objects and purposes of the Bank for International Settlements. Since then the Bank for International Settlements has been organized, and two Americans—Mr. Jackson E. Reynolds, of New York, and Mr. Melvin A. Traylor, of Chicago—participated in drafting the charter and statutes.

Mr. Reynolds and Mr. Traylor now have no official connection with the Federal reserve system, except that Mr. Traylor is an alternate on the Federal advisory council from the Chicago district. Mr. Reynolds was a director of the Federal Reserve Bank of New York for a term of three years ending December 31, 1928.

Dr. Walter Lichtenstein accompanied Mr. Reynolds and Mr. Traylor to Europe. Previously to going he was secretary of the Federal Advisory Council, but resigned shortly before leaving for Europe. Since his return to this country he has been reappointed secretary of the Federal Advisory Council.

In the charter of the Bank for International Settlements provision was made to make it possible for a bank forming a part of a system in any country which has been intrusted with the duty of regulating the volume of currency and credit in that country, which is situated and operating in the principal financial market of that country, to become a part of the management of the Bank for International Settlements. However, in view of the public statement of the Secretary of State, dated May 16, 1929, no Federal reserve bank, to our knowledge, has participated.

The Federal Reserve Board was informed by the Federal Reserve Bank of New York that it would be furnished with copies of any official communications received from the Bank for International Settlements, and under date of February 20, 1930, a cable was received by the governor of the Federal Reserve Bank of New York from the organization committee of the Bank for International Settlements requesting a statement from him to the effect that he will either nominate two American directors or that he is unable or unwilling to do so, to which the governor of the Federal Reserve Bank of New York replied by cable that it would not be possible for him to nominate. A cable was then received inquiring if the Federal Reserve Bank of New York objects to the organization committee inviting Mr. Gates W. McGarrah and Mr. Leon Fraser to join the board of the Bank for International Settlements. Mr. J. H. Case, deputy governor of the Federal reserve bank, replied that the Federal Reserve Bank of New York had no objections to offer to the election of Messrs. McGarrah and Fraser as the American directors of the Bank for International Settlements. All of this procedure was in accordance with article 28 of the statutes of the Bank for International Settlements.

Mr. Gates W. McGarrah has been class C director of the Federal Reserve Bank of New York for several years, appointed by the Federal Reserve Board, and designated as chairman of the board of directors. Mr. McGarrah resigned on February 27, 1930, and has since accepted a directorship in the Bank for International Settlements.

I do not know of any other person associated with the Federal reserve system who has had anything to do with the Bank for International Settlements, other than those specified above, nor do I know of anyone associated with the system who contemplates association with the Bank for International Settlements.

As far as I know, there are no contracts or agreements involving the Federal reserve system to participate in any manner whatsoever in the organization, establishment, or operation of the Bank for International Settlements, either directly or indirectly through J. P. Morgan & Co. Furthermore, it is inconceivable to me that any Federal reserve bank would enter into any such contract or agreement without fully acquainting the board with the facts. Paragraph (e) of section 14 of the Federal reserve act would make it mandatory upon a Federal reserve bank to secure the consent of the Federal Reserve Board before any account could be opened with or for the Bank for International Settlements.

I have furnished you such information as I have in my possession, both as an individual and as an official of the Federal Reserve Board.

Yours respectfully,

R. A. YOUNG, *Governor.*

Hon. A. W. MELLON,
Secretary of the Treasury, Washington, D. C.

I desire also that the Clerk shall read my two letters under date of March 27, 1930, addressed to the Hon. Andrew W. Mellon, Secretary of the Treasury, and the Hon. J. P. Cotton, Acting Secretary of State, and the reply from the Secretary of the Treasury under date of April 22, 1930, together with the attached letter from R. A. Young, Governor of the Federal Reserve Board, and also the letter under date of March 31, 1930, signed by J. P. Cotton.

The Clerk read as follows:

MARCH 27, 1930.

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: Your letter of March 15, inclosing copy of letter from Gov. Roy A. Young, of the Federal Reserve Board, answering the questions in H. Res. 171, is received.

I have noted Governor Young's answers to the questions propounded in the resolution, but in some particulars he has not fully answered these questions. He says, for instance, "In view of the public statement of the Secretary of State, dated May 16, 1929, no Federal reserve bank, to my knowledge, has participated." This answers the question from the date of May 16, 1929, but is silent as to happenings or participations prior to that date and does not answer the question, "What information is on file with the Federal reserve banks, or in possession of the individual members of the board, or officers or directors of the Federal reserve banks, pertaining to the initiation or organization of the Bank for International Settlements?"

I shall be pleased if you will have Governor Young complete his answer to this question by disclosing fully the part that the Federal Reserve Board and its officers or assistants or any one of the 12 Federal reserve banks or their officers or assistants have taken in the initiation or the drafting of the plan of the Bank for International Settlements prior to May 16, 1929.

Certainly the statement issued by the Secretary of State on May 16, 1929, must have been based on some known activity on the part of the Federal reserve system, its banks, or its officers, or else this statement would not have been issued by him.

The Department of State replies to the question as to the reason why this statement was issued that it was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements, because that bank was to become the agency of the allied nations in the collection of their claims against Germany under the Young plan. This explanation of the State Department would imply that the Federal reserve bank or banks and/or the Federal Reserve Board or system were cooperating with the officers of participating central banks and other international bankers in the initiation, drafting of the plan, and putting into operation the Bank for International Settlements.

Awaiting your advice, I remain, very truly yours,

L. T. MCFADDEN.

MARCH 27, 1930.

Hon. J. P. COTTON,
Acting Secretary of State,
Washington, D. C.

MY DEAR MR. COTTON: Your letter of March 17, in reply to mine of March 10 inclosing House Resolution 170, is received.

I have noted your replies to the several questions embodied in this resolution and desire to inform you that your reply to question No. 1 is lacking in this particular: You do not disclose what part the Federal Reserve Bank of New York or the Federal reserve system was taking prior to May 16, 1929, to cause your statement of that date.

Am I to suppose that this bank was deliberately refusing to desist from further participation in the organization or operation of the about-to-be-organized Bank for International Settlements; that the Federal Reserve Board were powerless to stop them; and that it took this most unusual action on your part to bring these participations to an end and thus synchronize Federal reserve operations with the declared policy of the administration in regard to war debts and German reparation settlements?

I shall appreciate a clarification of your answer to this particular question.

Awaiting your reply, I remain, very truly yours,

L. T. MCFADDEN.

THE SECRETARY OF THE TREASURY,
Washington, April 22, 1930.

Hon. LOUIS T. MCFADDEN,
Chairman Banking and Currency Committee,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Upon receipt of your letter of March 27 I asked Gov. Roy A. Young, of the Federal Reserve Board, to comply with your request for further information in response to the questions contained in House Resolution 171. I have received a reply from Governor Young in which he gives the information requested, and I am herewith transmitting his letter to you for the information of the committee.

Sincerely yours,

A. W. MELLON,
Secretary of the Treasury.

FEDERAL RESERVE BOARD,
Washington, April 10, 1930.

Hon. ANDREW W. MELLON,
Secretary of the Treasury, Washington, D. C.

MY DEAR MR. SECRETARY: I have before me a letter addressed to you from Hon. LOUIS T. MCFADDEN, dated March 27, 1930, referring to my letter to you dated March 14, 1930.

I observe that Congressman MCFADDEN states that my letter answers the question from the date of May 16, 1929, but is silent as to happenings or participations prior to that date. I have reread my letter of March 14, and I call particular attention to the second pargaraph, which reads as follows:

"Mr. Owen D. Young is a class C director of the Federal Reserve Bank of New York, appointed by the Federal Reserve Board and designated as deputy chairman by the Federal Reserve Board. Mr. Young was a member of the Dawes Commission in connection with reparation settlements. In 1929 he was again asked to participate in reparation settlements and did so, later being appointed the presiding officer. As such he participated in the formulation of the so-called Young plan, which included the suggestion for the Bank for International Settlements. In some of this work he used the services of Dr. W. R. Burgess, assistant Federal reserve agent of the Federal Reserve Bank of New York."

It appears to me that I clearly stated Mr. Owen D. Young's connection with the Bank for International Settlements and also the services rendered by Dr. W. R. Burgess, and obviously this participation took place previous to May 16, 1929. I also observe that Congressman MCFADDEN states that I did not answer the question, "What information is on file with the Federal reserve banks, or in possession of the individual members of the board, or officers, or directors of the Federal reserve banks, pertaining to the initiation or organization of the Bank for International Settlements?" The remaining portion of my letter, consisting of 11 paragraphs, answers the above and contains such information as I had in my possession, both as an individual and as an official of the Federal Reserve Board.

After dispatching my letter of March 14 I read it to my colleagues. I have also sent a copy of it to the Federal Reserve Bank of New York, and they have reminded me that my letter is not quite complete, inasmuch as I neglected to mention that Mr. J. E. Crane, deputy governor of the Federal Reserve Bank of New York, sat in as an observer when Messrs. Reynolds and Traylor participated in drafting the charter and statutes of the Bank for International Settlements.

I again repeat that I believe that the Federal Reserve Board will be kept fully informed of any transactions that will arise from time to time between the Federal reserve banks and the Bank for International Settlements.

Yours respectfully,

R. A. YOUNG, *Governor.*

DEPARTMENT OF STATE,
Washington, March 31, 1930.

Hon. LOUIS T. MCFADDEN,
House of Representatives.

MY DEAR MR. MCFADDEN: I have your letter of March 27. You suggest I answer further question 1 in the resolution, and you state that I "do not disclose what part the Federal Reserve Bank of New York, or the Federal reserve system, was taking prior to May 16, 1929, to cause your (our) statement of that date." I am not aware that the Federal reserve bank in New York or the Federal reserve system was taking any part prior to May 16, 1929. Information came to this department from the public press that it was proposed by the individuals who were engaged in Europe in drawing the Young plan to create some kind of a bank for international settlements, and it was further proposed that the governor of the Federal Reserve Bank of New York should appoint two directors of that bank.

Your letter also asks:

"Am I to suppose that this bank was deliberately refusing to desist from further participation in the organization or operation of the about-to-be-organized bank for international settlements, that the Federal Reserve Board were powerless to stop them, and that it took this most unusual action on your part to bring these participations to an end and thus synchronize Federal reserve operations with the declared policy of the administration in regard to war debts and German reparation settlements?"

I know no grounds for any supposition that this bank was refusing to desist from further participation in the organization or operation of the proposed bank or that it had so participated, or for any supposition

that the Reserve Board was powerless to stop them or that it had taken any action in that regard or that any action was taken to bring these participations to an end.

Sincerely yours,

J. P. COTTON.

Mr. McFADDEN. When I first addressed you I called to your attention the danger of a possible involvement of the Federal reserve system in the Bank for International Settlements and pointed out how this involvement was apparently proceeding. This correspondence clearly outlines the fact that the officers of the Federal Reserve Bank of New York were largely instrumental in the organization of the Bank for International Settlements. The governor of the Federal Reserve Board furnishes us with the information that Owen D. Young, a director and deputy chairman of the Federal Reserve Bank of New York, together with Dr. W. R. Burgess, assistant Federal reserve agent of the Federal Reserve Bank of New York, and Mr. J. E. Crain, deputy governor of the Federal Reserve Bank of New York, were actively engaged in the formulation and execution of the preliminary stages of the organization of the Bank for International Settlements, and at the presentation of this plan by Mr. Young at Paris during the consideration of the Young plan I understand they were further assisted by a former assistant Federal reserve agent of the Federal Reserve Bank of New York, Mr. Shepard Morgan, who until recently was finance director at the office of reparation payments in Berlin, he having resigned his position with the Federal Reserve Bank of New York to assume these latter duties; and also by Walter W. Stewart, former economist of the Federal Reserve Board, and then in the employ of the Bank of England.

It is fairly to be assumed because of subsequent developments that Mr. Gates W. McGarrah, who was until quite recently chairman of the board and Federal reserve agent of the Federal Reserve Bank of New York, who, as I predicted in my previous speeches, has since resigned and been elected president of the Bank for International Settlements, was likewise engaged with these other officers of the Federal Reserve Bank of New York in the preparation and execution of the plan of the organization of the Bank for International Settlements. I think that we can also fairly assume that it was the plan of the Federal Reserve Bank of New York, or at least the plan of the officers of this bank that the Federal Reserve Bank of New York should be a stockholder and officially represented on the directorate of the Bank for International Settlements. It is also evident from the letter of Governor Young under date of March 14 that the Federal Reserve Board were officially in possession of very little information as regards the plan that the Federal Reserve Bank of New York were working out in connection with their participation in the Bank for International Settlements. This is clearly indicated in the first paragraph of Governor Young's letter of March 14.

Subsequently, however, Governor Young informs us that the board obtained copies of the Young plan, the draft charter, and statutes of the Bank for International Settlements, as well as the trust agreement of the creditor nations, and that they made a study of these documents merely for their own information; and Governor Young says that it was his privilege to sit in a conference with Mr. Owen D. Young upon his return to the United States, where Mr. Young discussed in a general way the objects and purposes of the Bank for International Settlements.

It is extremely difficult under these circumstances to disassociate the organization of the Bank for International Settlements from the Federal Reserve Bank of New York, particularly so when you consider the statement issued by the Secretary of State on May 16, 1929, as follows:

In respect to the statements which have appeared in the press in regard to the participation of any Federal reserve officials in the creation or management in the new proposed international bank, I wish to make clear the position of this Government. While we look with interest and sympathy upon the efforts being made by the committee of experts to suggest a solution and the settlement of the vexing question of German reparations, this Government does not desire to have any American official, directly or indirectly, participate in the collection of German reparations through the agency of this bank or otherwise.

Ever since the close of the war the American Government has consistently taken this position. It has never accepted membership on the reparations commission. It declined to join the allied powers in the confiscation of the sequestered German property and the application of that property to its war claims. * * * It does not now wish to take any step which would indicate a reversal of that attitude, and for that reason it will not permit any officials of the Federal reserve system either to themselves serve or to select American representatives as members of the proposed international bank.

In the letter of the Department of State under date of March 17, they say this statement was issued because it was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements, because that bank is to become the agency of the allied nations in the collection of their claims against Germany under the Young plan. And according to this letter the State Department disclaims any first-hand information in regard to the organization of the Bank for International Settlements except that which they observed in the press and from the agreements concluded at The Hague conference January, 1930, and subsequently from the charter and the statutes of the bank.

We are to infer from this that the Federal reserve system did not confer with the State Department upon this contemplated flight into international finance which was to be so complicated with international debts and reparation payments in which the United States was indirectly interested. This conclusion is further reinforced by the fact that the letter from the State Department makes no reference to the Federal Reserve Bank of New York, but says it was not deemed wise that the Federal reserve system should participate in the organization or operation of the Bank for International Settlements, whereas the Federal Reserve Board is the official representative of the Federal reserve system and disclaims having any official part in the organization of this bank. This would seem to preclude the possibility of the distribution of America's share of the stock of the Bank for International Settlements in case the New York bank was acting for the Federal reserve system; and certainly if this be true, we must conclude from these explanations that the officers of the Federal Reserve Bank of New York were contemplating only the Federal Reserve Bank of New York.

From the letter of the Department of State under date of March 31, replying to my second inquiry, we must infer that the apparent fear of involvement on the part of the Department of State was simply due to the fact that the individuals who are also officials of the Federal Reserve Bank of New York that were engaged in Europe in the formation and adoption of the Bank for International Settlements were proposing that the governor of the Federal Reserve Bank of New York should appoint two directors of that bank.

It is perfectly apparent from the last paragraph of the letter from the Department of State herein referred to that so far as the department was concerned they had no knowledge of the participation of the Federal Reserve Bank of New York or the Federal Reserve Board in the organization or operation of the proposed bank. In the letter of the governor of the Federal Reserve Board under date of March 14 in the sixth paragraph, he says that in the charter of the Bank for International Settlements provision was made to make it possible for a bank forming a part of a system in any country, which has been entrusted with the duty of regulating the volume of currency and credit in that country, which is situated and operating in the principal financial market of that country, to become a part of the management of the Bank for International Settlements. This is clearly the clause in the charter of the Bank for International Settlements which was intended to permit the Federal Reserve Bank of New York to become a part of the Bank for International Settlements.

The governor further says:

However, in view of the public statement of the Secretary of State, dated May 16, 1929, no Federal Reserve Bank to our knowledge has participated.

But in this the Federal Reserve Bank of New York is silent.

In the next paragraph he calls attention to the fact that the Federal Reserve Board was informed by the Federal Reserve Bank of New York that it would be furnished with copies of any official communications received from the Bank for International Settlements, and under date of February 20, 1930, a cable was received by the Governor of the Federal Reserve Bank of New York from the organization committee of the Bank of International Settlements requesting a statement from him to the effect that he would either nominate two American directors or that he was unable or unwilling to do so; to which the governor of the Federal Reserve Bank of New York replied by cable that it would not be possible for him to nominate.

He says that a cable was then received inquiring if the Federal Reserve Bank of New York objected to the organization committee's inviting Mr. Gates W. McGarrah and Mr. Leon Fraser to join the board of the Bank for International Settlements, whereupon Mr. J. H. Case, deputy governor of the Federal reserve bank, replied that the Federal Reserve Bank of New York had no objections to offer to the election of Messrs. McGarrah and Fraser as the American directors of the Bank for International Settlements, all of which he proceeds to say was in accordance with article 28 of the statutes of the Bank for International Settlements. Both of these men have subsequently been elected directors of the bank.

From a careful perusal of these explanations of the Department of State, the Treasury Department, and the Federal Reserve Board, it is perfectly clear that the original plans of the promoters of the Bank for International Settlements, the officers of the Federal Reserve Bank of New York, and such others who may have been connected with that bank or the Federal reserve system, who were in sympathy with their plans, have been thwarted, and inasmuch as the plan of the organization of the Bank for International Settlements contemplated that the bank should be owned and operated by the central banks of issue in the countries where these banks were located and that inasmuch as the Federal Reserve Bank of New York is comparable in this country to the position occupied by central banks in other countries, the plans of the organizers of this bank have likewise been thwarted through the prohibition administered by the State Department in their manifesto of May 16, 1929.

If we are to believe the statements of the authors of the law under which this bank is to operate and the statements of directors and the men who are to manage it, we shall readily understand that the functions and operations of this bank contemplate management of the gold of the central banks of issue of the major countries throughout the world for the purpose of conserving the gold resources of the countries of the world as the basis of our entire credit structure and for the further purpose of stabilizing international price levels.

One naturally wonders, under these circumstances how this Bank for International Settlements can fully function in this respect without the entire cooperation of the Federal reserve system, because of the fact that over 40 per cent of the world's gold is now under the direction and control of the Federal reserve banks in the United States.

The statement issued by the State Department we must recognize now as having been accepted by the Federal reserve system as prohibiting any participation officially in the Bank of International Settlements. Therefore, then, what is the situation that confronts this country in connection with the operation of the Bank of International Settlements? It is perfectly plain that the State Department by this prohibition on the Federal reserve system has turned over America's participation in the Bank for International Settlements to a group of bankers headed and dominated by J. P. Morgan & Co. In this connection, we should not lose sight of the fact that closely associated with the dominanting influence of Mr. Owen D. Young in the organization of the Bank of International settlements was J. P. Morgan, Thomas W. Lamont, and Thomas N. Perkins, who with Mr. Young, composed United States representation of the committee which brought forth the Young plan which had embodied therein the plan for the Bank of International Settlements.

It is only reasonable to suppose that in all of these deliberations Mr. Young's associates actively participated in the planning and carrying into organization of the plan for the Bank for International Settlements. As a matter of fact, it is fair to assume that the organization of this bank obtained its great impetus from this association of the Morgan group. It is not outside the realm of imagination to presume that except for the assurances that were given by the house of Morgan to the central banks and the countries in which these banks are functioning, and for whose countries the house of Morgan usually act as fiscal agents, that it was at all possible to organize this world bank.

Neither is it impossible to visualize the opportunities to make money and control through this newly created agency a large amount of international financial operations which would be under the control and domination of the house of Morgan and would tend to strengthen not only their financial control and domination in this country but throughout the countries of the world involved in this particular undertaking, nor would it lessen their influence over the diplomatic relations between all of the countries participating in this particular institution.

In my previous addresses I have referred to the close cooperation between the management of the central banks of issue of the major countries of the world and the management of the Federal Reserve Bank of New York, initiated during the administration of that institution by the late Benjamin Strong and being continued by the present governor of that bank, evidenced by his recent visit abroad, where he met the heads and organizers of the Bank for International Settlements in conference, and upon his return I understand has made a report not only to the Federal Reserve Bank of New York but to the Federal Reserve Board in Washington of the results and determinations made at these various conferences abroad.

That this edict of the State Department is interfering with the contemplated cooperation of the Federal reserve system through the Bank for International Settlements in the stabilization of international price levels and the conservation of gold must be apparent to anyone who has been familiar with their cooperation with the central banks of issue in the past and which is continuing at the present time, and which has been in contemplation for the future to an extent even greater than in the past. From the fact that the chairman of the board and Federal reserve agent of the Federal Reserve Bank of New York has resigned to become the president of the Bank for International Settlements, and that he has associated with him as a director one who will cooperate fully with the Morgan group, who are the United States stockholders in this bank, are we to infer that these men are the unofficial representatives of our Federal reserve system?

It has been stated that the Federal Reserve Bank of New York will have the same relationships with the Bank for International Settlements that they have with the other central banks of issue, and it is well to note that under the present law as interpreted by the Federal reserve system they have very wide powers in this respect.

There is no question in my mind, nor do I believe there is a question in the minds of the management of the Federal reserve system or the Morgan group, or of the other banks of issue in the different countries of the world who are stockholders in the Bank for International Settlements, but that the Federal reserve system is to function fully and in unison with the Bank for International Settlements and that in these operations the house of Morgan, through their chosen officers, are to act virtually as fiscal agents for the Federal reserve system, and in this course apparently the Federal reserve system are in entire accord.

Why should this country, through its departments of government and its Federal reserve system, carry on clandestinely its diplomatic and financial contacts in other countries? Is it not about time that the Congress takes cognizance of these important relationships in finance and diplomacy and see to it that they are handled directly by the properly constituted authorities? Or if J. P. Morgan & Co. are to continue to act in their present capacity as practically unofficial fiscal and diplomatic agents, let it be done without duplicity of action and let them be authorized by law to act as the agency of this Government and our banking system.

The Bank for International Settlements will undoubtedly be open for business the early part of the coming month of May. In my speech of February 26, I referred to this possible opening and said that almost the first business would be to supervise the issuance of $300,000,000 worth of reparation bonds, and that $100,000,000 worth of these bonds would be offered for sale in this country. Quite recently it has been announced that when these commercialized reparation bonds were offered for sale they would be payable in gold, the interest would be 6 per cent, and they would be listed for trading purposes on the stock exchanges of London, Paris, Berlin, Rome, and New York. It will be plainly seen by this announcement, then, that these bonds can be freely dealt in on any one of these exchanges. The secondary market with this permission can easily bring all of these bonds into the United States. Therefore, the mere suggestion that only $100,000,000 worth of these bonds will be sold in this country does not mean anything. The machinery has been set up for the sale of any or all of these bonds wherever the best market may be obtained, and the best market in the world to-day for the sale of securities, with the present prevailing low rates on money, is the United States.

The last time I addressed you I definitely raised the question as to the legality of these particular reparation bonds, and I called upon the State Department to advise the American publice as to whether or not these securities were legal and a proper security in which they could wisely invest their funds. Up to this time, so far as my knowledge goes, the State Department has not passed upon this question. I have previously called attention to the fact that the State Department has heretofore assumed to pass upon or disapprove of issues of securities of foreign countries to be sold in the American market. In this connection, I note that on April 26, Joseph P. Cotton, Acting Secretary of State, issued a statement to the effect that the State Department would not object to the proposed $100,000,000 coffee loan, which is at present being negotiated in New York and London for the State of Sao Paulo, Brazil, the proceeds of which loan is to be used to stabilize the price of coffee and market the huge surplus over a 10-year period.

It will be recalled in this connection that a similar loan to these same people was attempted some years ago and was frowned on at that time by the then Secretary of Commerce, and attention was directed to the foreign-loan policy laid down during the Harding administration which was construed to be still in effect and is so regarded by the State Department to-day.

Here is an instance which is a precedent—if the State Department needs a precedent—which clearly gives the right of the department to pass upon the validity and the right to issue

of these reparation bonds which are about to be offered for sale in this country.

In support of the illegality of these reparation bonds I previously directed attention to articles 5 and 8 of the German railway law of the convention of April 1, 1920, which had to do with a pledge of the railroad properties and the income belonging to the Federal States in Germany under the Dawes plan and continued under the Young plan.

In further support of the fact that these German yearly payments under the Young plan are illegal ultra vires, as such burdens are contrary to this law, consequently such illegal burdens can be repudiated at any moment—and already German nationals have announced in Parliament that they are resolved to do so if some day they have the power in hand—I am inserting at this point a copy of the Reich railroad act of May 13, 1930. (Reichsbahngesetzblatt II, p. 369.) Minister of Transportation Stegerwald, Minister of Finance Moldenhauer.

41. TREATY

1. The company takes over the rights and duties of the Reich which follow from the provisions of the treaty on the transfer of State railroads to the Reich, of the protocol thereto, and of the Federal law of April 30, 1920 (Reichsgesetzblatt, p. 773), with the exception of the provisions of sections 3–7, 17, 20, 25, 33, and 37 of the treaty and of the protocol, section 22, Nos. 2 and 3; section 24, Nos. 2 and 3, to last sentence; section 36, No. 2; and section 37.

2. Disputes concerning the application of paragraph 1 and resulting regulations, if the company is participating in the dispute, are to be settled before the Reich railroad court (sec. 44). The States carry on the dispute only through the mediation of the Reich.

SECTION 35. NEGOTIATIONS WITH FOREIGN GOVERNMENTS

The company may enter into negotiations with foreign governments only with the previous consent of the Reich Government. The final consent to agreements with foreign governments is reserved to the Reich Government.

SECTION 7. LIMITED HOLDING OF THE PROPERTY OF THE REICH RAILROAD FOR REICH DEBTS

The Reich railroad property can be held as bail for Reich obligations only in so far as they arise from the previous administration of the railroads. To these obligations belong also the obligations from the treaty concerning the transfer of the State railroads to the Reich (Reichsgesetzblatt 1920, p. 774), which are taken over by the company in accordance with section 43.

I now again direct your attention to this stipulation which seriously affects the security back of these bonds. I said in a previous address that "under international law the provisions of a definitive treaty of peace are legitimate only if they remain within the scope of the preliminary agreement which brought hostilities to an end."

My authority for this statement, which deals with the validity of the whole transaction, is derived from Phillipson's Termination of War and Treaties of Peace, published by E. P. Dutton Co., 1916, where the following statements are made:

Although the preliminaries are a preparatory structure there is none the less a vital relationship between them and the final edifice—the definitive treaty. The fundamental conditions laid down in the former may not be modified substantially in the latter unless there be a mutual agreement to the contrary. The preliminaries then, constituting the essential groundwork of the peace treaty, will necessarily provide solutions to the very questions that gave rise to the war * * * (p. 96).

Sometimes, too, though the preliminaries of peace are regarded as the fundamental and invariable basis for the subsequent definitive treaty, considerable modifications of the former are introduced in the latter. When these are made by mutual consent, given voluntarily by both sides, well and good; the parties may, of course, alter in this manner the preliminaries as they think fit. But departures from the preliminaries, involving substantial alteration of their terms, are undoubtedly illegitimate if they are brought about through pressure exercised by the victorious state on the defeated state, either at the final peace conference or otherwise (p. 109).

A further citation in confirmation of this is Wheaton, page 686, section 21.

A further reference can be read in F. E. Smith's Handbook of International Law the declaration of Lord Stowell, to wit, that the invariable practice leading up to the definitive treaty of peace is by an armistice which determines its conditions, and where it is silent on other matters the doctrine of uti possidetis applies.

The question which I have raised is: Are the German people liable for the reparation bonds about to be sold to American investors through the agency of the Bank for International Settlements? I say that this depends upon whether Foch and Wemyss exceeded their powers in dictating the terms of the armistice; next whether the Germans signed it under duress, which destroyed the essential element of mutualities in the document; finally, whether the victors did not themselves go outside the terms and conditions of the armistice and introduce new conditions in the final treaty of peace.

These German reparation bonds were authorized by the treaty of Versailles. Liability for the payment of a definite sum in reparations was imposed by the London ultimatum of 1921, which provided for the commercialization of a total of $12,000,000,000 of these reparation bonds. In 1924 the Dawes plan treaty was made effective, which did not reduce the total of the ultimate liability, but did provide for the commercialization of reparation bonds amounting to four or five billion dollars to be issued at once. In 1929 the Young plan, incorporated in The Hague protocol of 1930, fixed the total reparations liability of Germany at nine or ten billion dollars and imposed upon Germany the obligation to permit the immediate commercialization of these reparation bonds amounting to $3,250,000,000. The $300,000,000 about to be issued and sold through the Bank for International Settlements is a part of this last authorization.

I am pointing out that because of the circumstances under which the treaty of Versailles and the subsequent agreements pursuant thereto have been imposed, these reparation bonds are tainted with illegality and there is a cloud upon the title of those who hold them to-day, and who are proposing to offer them upon the investment markets of New York, London, Paris, Berlin, and Rome.

In confirmation of this I desire to quote from an article by Hans Wram, of Geneva, Switzerland, appearing in the Deutschlands Erneuerung, April, 1930, pages 222–225. In referring to the legality of the Dawes and the Yound plans, he says:

1. On July 16, 1920, at Spa, at the pressure of England, not Germany (instructive continuation, see Snowden and Wirth at The Hague), France renounced the right of sanction. With this renunciation this "right" dies. The German Government was obligated not to forget this and to refuse to give the French authority in every way, contrary to treaty and right, to march into Germany.

2. The Dawes laws are invalid, because they were not accepted by the necessary two-thirds majority while changing the constitution.

3. Immediately after the conclusion of the second Hague congress a Wolfe dispatch "quieted" foreign lands by saying the acceptance of the agreements was certain, and the Government, even if the Reichstag rejected them, would put them into effect and "fulfill" them. One can not more clearly show the respect which one feels toward the (contrary to the constitution) self-created constitution.

4. The Young plan, even if accepted by the Reichstag, will be invalid, for it changes the constitution and a two-thirds majority would be necessary for its acceptance; but even that would not be sufficient, for the nation's will is accepted and has become law "for the sake of right," even though without the permission of the "republican" judges. Therefore any different resolution of the Reichstag in this affair is unlawful and invalid.

5. Another reason for invalidity, to be made good through no decision of loyal judges, through no "law" of the Reichstag: The mortgage on the German railroads, basis of the Young plan, as well as of the unqualifiable loan of Germany, is to be provided superfluously for the French (for their armament against us). This mortgage, as that of the Dawes plan, is contrary to law and invalid. Reason: According to the law of April, 1920 (see Reichgesetzblatt of May 4, 1920), section 8, no mortgage can be laid upon the united Reich railroads without the express consent of the States (Bavaria, Saxony, Wurttemburg, Baden, Hessen, etc.) from whom the railroads had been taken away with promises which naturally were not kept. This consent was not given in August, 1924. Besides, the Bavarian minister president, Doctor Held, about two months ago emphatically protested against an illegal liquidation of a loan for France on the basis of an illegal mortgage on the railroads. This mortgage—that is the real basis of the Young plan and the foundation for new huge gifts to France—is therefore entirely null and void, even if the Reichstag accepts the Young plan with a two-thirds majority (which is absolutely impossible). It is the duty and obligation of every national German to speak this so loudly that the naïve money givers throughout the world hear it also and do not burn their fingers with gifts for French cannons. Moreover, it is only the duty and obligation of the national parties, chiefly the German nationals, if they come into power, which no Wirth or Curtius can prevent in the long run, to immediately shake off these "obligations," which are contrary to law and to treaty, and go back to the bare legal basis. Then it will be seen how all the many opponents of France quickly become our friends. The enemy of any enemy is my natural friend.

6. Germany is now, and will be so the more if present conditions continue, a place of sustenance for the lazy and incapable (as in the old Greek democracy). The industrious and able must work for the lazy and be robbed of their goods and possessions through the ballot. Envy, impatience toward all ability, immorality, and lack of culture, these will more and more become the distinguishing marks of Germany. But Bolshevism of all shades, which embraces Germany like a polypus and sucks its lifeblood, is nothing new. Persia tasted the same thing at the

end of the fifth century, anno Domini, under Kobad. A certain Mazdah taught the community of all property, * * * even of women. And even Virgil says what millions of reds in Germany, Russia, etc., feel to-day—the common crowd was raging in its mind (Æneid I, 149).

7. Our alleged pacifists, who already are fighting in peace for France, by degrading Germany to be a slave and provider of money for France will so arouse the French that the war which always has followed France's snobbishness (see Ludwig XIV, Napoleons I and III) will only come more quickly than otherwise. In this war, if not sooner, reason and love of fatherland will conquer. At any rate, the days of modest and of shameless Bolshevism are numbered.

It is interesting also in consideration of this matter to note an interview in European Finance, London, April 4, 1930, by Dr. A. Hugenberg, in which he says:

I am asked my opinion of the Young plan for a new settlement of the reparations problem, and I shall be glad to give it in all honesty and sincerity. The best examples of the creation of artificial capital are the various methods of reparation payments. To make these state debts something resembling living capital, people are ardently trying to transform them into private debts of the participating nations; that is, "to commercialize them." The only thing they can achieve by doing this is to invalidate the economic system of those countries who are taking part in the scheme, which will equally harm all nations, whether they figure as creditors or as debtors. The whole international system of credits is poisoned by the Young plan, for Germany is made the pack horse of everything that the debtors of the United States found it intolerable to bear themselves. Naturally, she will collapse in the course of time. We Germans are bound to ask this question: Is this perhaps the real aim of the Allies? Is not all this merely an interlude for intended war "sanctions" against Germany in the East and in the West?

From the economic point of view, therefore, the Paris plan is pure nonsense. It is not possible to carry it out even for five years—and then only if the creditor powers will lend us the money for paying the reparations, as they have till now. By that Germany will every year get more involved in debts.

And, further, I am advised that the ratification of the Young plan was discussed and voted in the senate on April 5, 1930, in the presence of 80 or 90 senators. The number of 291 votes was obtained through the complaisance of some senators who voted for their colleagues.

It is supposed that the favorable attitude of the socialist parties was obtained as a result of the intervention of the Central Bureau of Social Democrats in Berlin, of which the secretary-general, Mr. Hertz, and several other members of the direction make part of the financial group cited by Senator Delahaye.

I now quote from Journal Oficiel of the Republic of France of the debate in the lawmaking body of France a résumé of remarks of M. Delahaye:

There are two impostures in the Young plan: (1) In working out the Dawes plan in 1924 the experts demanded that the agreement of 1920 between the Reich and the states be renounced by both parties before the establishment of the railroad mortgage. This was not legally done, hence the contract of 1920 is still in force. This provides that no mortgage can be put upon the railroads without the consent of the proprietary states through their state governments. This condition not having been fulfilled, all the procedure relative to the mobilization of the German debt is void. (2) When the German railroads were unified the Reich agreed to pay the interest and amortization of the debts of the federal states which were pledged on the railroads. These claims should have first rights to the revenues of the railroads, and these claims are being pressed and will continue to be so. Thus is seen the double impossibility of mobilizing the German debt and the necessity for France to remain in the Rhineland until the grave difficulties attached to the irregularities of the Young plan, to the railroad contract of 1920, to the lawsuit brought against the Reich by Bavaria before the Supreme Court of Leipzig, and to the legitimate campaign of the holders of German railroad securities before the war are completely settled.

International high finance guided the work of the experts and exercised its influence on the choice of the experts and on their conclusions. The center of this financial group is in Berlin, an association being formed bearing the name of List. It is concerned only with operations certain to bring in large returns. It was founded by a man named Mendelssohn, one of the greatest bankers of Germany, and is composed of 68 members from various walks of like and from various countries.

Both the Dawes and the Young plans were worked out in Germany by this financial group, and the conference of the experts was a mere formality, while the press of the world, easily managed by this organization, prepared the ground to gain the sympathy of the public and the interested governments.

The elementary principle on which is based the definitive plan of settlements worked out by the financial group in Berlin is to replace the creditors of Germany who are the former allies, by private creditors, by the issuing of securities payable to the bearer and placing them in all countries of the world, especially France, with the idea that private creditors have neither the means nor the power to force Germany to pay the reparations bonds if for any reason she refuses. It is to be expected that Germany will sooner or later try to annul these new debts. This would be disastrous to all countries and especially to France.

Another consequence of the Young plan would be the ruination of the holders of before-the-war securities, the repayment of which had been formally promised.

RÉSUMÉ OF REMARKS OF M. LEMERY

One argument for the Young plan seems sufficient of itself. If the Young plan is rejected there is nothing left. There can be no thought of returning to the Dawes plan or of negotiating directly with Germany. The Young plan, like the Dawes plan, is inspired by a principle of financial arbitration. The agreements of The Hague neglect the will to liquidate as well as possible the consequences of the war and to extenuate or efface the cause of conflict or friction which might occur between France and Germany.

(From Journal Oficiel, Parliamentary Debates, April 6, 1930.)

The prevalent opinion in the United States that these bonds are regular and legal results from the fact that for more than 10 years, or since the ending of the war, we have accepted without question the version of facts put forth by the allied governments. Inasmuch as commercialization of the reparation bonds is the only way in which the allied governments can control large sums of ready money in the coming years, their motive for presenting to the American people, who are expected to buy the bulk of these bonds, a statement of fact concerning the treaty of Versailles and its subsequent agreements which presents the matter in a favorable light is very strong. In fact, their hopes of political, financial, and economic rehabilitation are based almost exclusively upon the expectation that very large quantities of these bonds shall be commercialized and sold in this country.

Because of this powerful motive of self-interest it is unwise for the American people or the American Government to accept this ex parte testimony without question. As a matter of fact, it has already been accepted in many quarters in this country, in such large part, that there is now very stubborn opposition to unbiased inquiry into the subject.

Because of the fact that evidence is available that the facts upon which the Young plan rests for its validity are faulty, and that it does not rest upon sound principle of law, there is great need that these facts should be impartially considered and the results made known to the people of the United States before they are permitted to innocently place their investments in this class of securities.

Because of the uncertainty surrounding the validity of these bonds and the possibility that at a very early date these securities are going to be offered on this market, and if purchased by Americans will eventually involve this country in serious foreign entanglements, it is the duty of this administration to cause such an examination to be made either through the State Department or through the Department of Justice, or through some other competent governmental source that our people may know whether or not these bonds are legal. In support of this contention, I desire to call attention to the following:

THE ARMISTICE AGREEMENT

While hostilities were still unabated the German Government, addressing President Wilson, proposed an armistice on the basis of his speech of January 8, 1918, and subsequent addresses.

Negotiations were thereupon entered into between the Allied and Associated Governments and Germany. A series of notes were interchanged fixing definite terms of peace. These terms were accepted by the Allied Governments on November 4, and by Germany on November 5.

They constituted a treaty agreement, made between civilian heads of state, and therefore of the highest solemnity.

The military armistice terms of November 11 were entered into pursuant to this agreement. The military commanders had no authority to alter the terms of peace.

The texts of these notes are available for examination. After the armistice they were buried and forgotten at Paris. They should be assembled and examined now in order to perceive what the peace terms were which brought the fighting to an end.

THE TREATY OF VERSAILLES

The treaty of Versailles was not signed until seven months after the armistice. Its terms were not drawn pursuant to the preliminary agreement of November 11, 1918.

By the end of December Germany had delivered to the Allies her naval and military armament pursuant to the preliminary agreement and as an evidence of "good faith."

She asked to send plenipotentiaries to Paris to negotiate a settlement pursuant to the preliminary agreement.

This was denied and she was informed that terms would be dictated my Marshal Foch, the head of the armistice commission.

Terms of conquest were notified to the Germans by the armistice commission and refused by Germany. Germany was not yet conquered.

The armistice commission and the naval blockade commission thereupon closed Germany's land frontiers by the use of military force and Germany's Baltic coast by the use of a naval blockade. This blockade was maintained with war rigor for six months, excluding all food supplies. Starvation ultimately compelled complete surrender. Germany was now a conquered State, and terms of conquest were imposed by the treaty of Versailles on June 28, 1919. There had been no negotiations between plenipotentiaries. The instrument was unilateral.

The treaty of Versailles is void for duress. Preliminaries of peace had fixed binding terms on November 11, 1918. Subsequently, by an act of bad faith, the conquest of Germany was attained, and Germany's adversaries varied the terms of the preliminaries to her great prejudice. The legal principle is firmly established that a preliminary agreement that brings hostilities to an end and fixes terms of peace is binding. A definitive treaty violating the preliminary agreement and imposed by force is illegitimate. (Phillipson's Termination of War and Treaties of Peace.)

THE LONDON ULTIMATUM

The London ultimatum was imposed by the threat of violence, as the word "ultimatum" indicates. It fixed the amount of commercializable reparation bonds at $12,000,000,000. Its validity rests solely upon the legitimacy of the treaty of Versailles. If the treaty of Versailles is illegitimate, the London ultimatum is illegitimate. The signatures of the London ultimatum were secured solely by the pressure of duress.

THE DAWES PLAN

Germany's agreement to the Dawes plan was not secured merely by the threat of violence. It was secured as the result of violence on a scale which threatened the destruction of the race. The settlements of the Dawes plan were negotiated under the direct pressure of the Ruhr invasion and occupation. The appearance of a voluntary bilateral agreement at London in 1924 was illusion and subterfuge resorted to in order to deceive opinion in America, where it was then hoped to commercialize reparation bonds in the amount of $5,000,000,000.

It will be found that after the date of each one of these reparation agreements—the treaty of Versailles, the London ultimatum, and the Dawes plan—Germany interposed objections and obstructed the plans for commercialization, alleging her inability as well as her unwillingness to carry out the agreements. German policy shows plainly that the Government was acting under the pressure of duress. These facts made the efforts of the Allied Governments to effect the commercialization of the reparation bonds in the United States much more difficult.

What may fairly be called the bribing of Germany to cooperate in the plans for commercialization of the reparation bonds in America took place in 1926. This was the Franco-German agreement in September, 1926, at Thoiry, made by Stresemann with Briand, following Germany's admission to the League of Nations, under which Germany would cooperate in the plan to commercialize the reparation bonds in the United States, it being agreed that she was to share substantially in the receipts. This was the flowering in 1926 of the Stresemann-Briand-Curzon understanding made in 1921.

The rise to dominance of the Stresemann financial group in Germany has created a sharp cleavage within Germany between that group and the German people in general. The people remain opposed to the Dawes plan and the Young plan recognizing them as perpetuating the state of industrial slavery imposed by the treaty of Versailles. The Stresemann financial group have their eye upon the German share of the profits to come from the commercialization of reparation bonds in the United States. The Stresemann group control the army and the purse strings, but their tenure of power is precarious. Fundamentally they hold with other Germans that the treaty of Versailles and the subsequent agreements are illegitimate. They follow the policy of "fulfillment" believing that any other policy would bring Allied reprisals and precipitate worse evils upon Germany. As a part of this policy of fulfillment they have agreed with the allied governments and the American financiers who are in the service of the allied governments, not to bring up any "juridical" questions involving the treaty of Versailles and the subsequent agreements. They, therefore, joined in the Geneva decision of September, 1928, which created the Young committee.

THE YOUNG PLAN

The Young plan reparation bonds are tainted with illegality under numerous counts. In any of the agreements subsequent to the Versailles treaty the legitimacy of German reparations is wholly dependent upon the legitimacy of the treaty of Versailles upon which they rest. The treaty of Versailles was a unilateral settlement imposed by duress. The London ultimatum and the Dawes plan were likewise unilateral settlements imposed by duress. The pretense that they were voluntary bilateral agreements was window dressing to impress the prospective purchaser in the United States of the commercialized reparation bonds.

In the meetings of the Young committee in 1929 the Germans took a determined stand for a radical reduction in the reparations claims and, in fact, demanded that the effort to collect reparations cease entirely on the ground that Germany had paid in full the amounts that she justly owed. They sought to bring up the "juridical" questions involving the treaty of Versailles. As the sessions progressed it was found that no meeting of the minds was possible. The Germans refused to accept liability for payment of the annuities demanded.

Thereupon the committee resorted to the pressure of duress. The gold in the German Reichsbank was principally borrowed gold—borrowed from New York, Paris, and London. Although it was borrowed gold, it formed the reserve upon which the currency of the German State was maintained.

Simultaneously the creditors demanded repayment at once of their loans. Germany lost nearly one-third of its gold metal while the Young committee was sitting. If the drain was not stopped at once it meant the complete collapse of German currency, and chaos and calamity throughout Germany. Finding themselves at the mercy of the Young committee, the Germans agreed to its terms. The principal opposition to the appointment of Pierre Quesnay as general director of the Bank for International Settlements was that the people believed that he engineered the international attack on the reichsmark while the Young committee was sitting.

To say that Germany pays reparations voluntarily is mere subterfuge. Reparations are paid only under the threat of sanctions. If the treaty of Versailles is valid and legitimate under international law, then there is ground for saying that the use of sanctions is legitimate. If the treaty of Versailles is illegitimate, then every agreement subsequently made for the purpose of enforcing it is also illegitimate. In view of the character of the treaty of Versailles, German reparation bonds ought not to be commercialized. Grave political issues which affect the legitimacy of these bonds have not been settled.

Mr. STAFFORD. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. STAFFORD. Does the gentleman from Pennsylvania [Mr. McFADDEN] contend that without the aid and assistance of the American banking institutions the Bank for International Settlements would not have been organized to perform the functions that were agreed to by the organizers, at which Mr. Young, Mr. Lamont, and Mr. Perkins, and Mr. Smith were probably the unofficial representatives of the American Government?

Mr. McFADDEN. I pointed out in my address the scope of this proposed bank, but more particularly in previous addresses on this particular subject have I outlined the scope and possibilities of this institution. Sir Charles Addis, one of the leading directors of this bank, who is also a director of the Bank of England, in explaining the scope and the operation of this proposed institution, has outlined many of the functions which would engage the attention of this bank, among them being the possible mobilization of the world's gold, and in that connection and through that operation and with the cooperation of the central banks of the different countries of the world some direction of international price levels.

Mr. STAFFORD. I was surprised at the position which the gentleman from Pennsylvania took, for the reason that when I was following the current reports of the preliminary proceedings of the organization of the bank, as carried in the New York Times, I gained the impression that the major function of this bank was to take care of the reparations payments of Germany, and in case Germany for a year or two was unable to meet those payments provision would be made by this bank to tide over the payment; that this international bank was to act as a clearing house among the various nations who were to be the recipients of the reparations. Now, the gentleman by his speech to-day gives the impression that that is not the main purpose, but that it is to control the gold supply and incidentally world prices.

Mr. McFADDEN. Of course, what the gentleman from Wisconsin [Mr. STAFFORD] has said is true as regards the basis for the organization of this bank. This bank is additionally charged with the responsibility of collecting and dispensing the German reparation payments under the Young plan.

Mr. STAFFORD. But, before the war, much of the work of balancing the commercial accounts in world trade was performed by the great banks of Great Britain, in London. Since the war some of that function has been taken over by the leading banking houses of the United States, particularly those in New York City. Does the gentleman from Pennsylvania [Mr. McFADDEN] wish to contradict the position that this may be a valuable agency in the adjustment of banking relations the world over?

Mr. McFADDEN. No. I do not want to contradict. I have covered that in my remarks.

Mr. STAFFORD. Then, what is the chief objection that the gentleman has to the organization of the bank?

Mr. McFADDEN. If the gentleman will read my remarks, I think that will be made clear.

Mr. STAFFORD. I have followed the gentleman's remarks and his various speeches, and I think his objection is based on fear. He is conjuring up conditions that may never arise.

Mr. McFADDEN. I would say upon realities.

Mr. SANDLIN. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, the indulgence of the House has been sought by me to-day in order that I may be permitted to explain, briefly, with such force and lucidity as I can command, the purpose of a resolution I have introduced which is designed to check the overwhelming tendency to rob the States and local subdivisions of authority and to concentrate all power in a Washington bureaucracy. The resolution, H. J. Res. 298, provides for the creation of a nonsalaried commission to make a thorough study of this subject and report to Congress whatever conclusions may seem advisable in order to arrest the pell-mell rush toward a Washington dictatorship and to salvage whatever local self-government still remains.

It was Mark Twain who said that "everybody complains about the weather but nobody ever does anything about it." For at least a quarter of a century, as a Washington newspaper correspondent, I have been complaining of the concentration of power in a Washington bureaucracy, which has been growing and expanding under my observation and with ever increasing avidity arrogating unto itself the powers rightfully belonging to States and local units. I can imagine some smiles and more than a few grins among observers on the side lines when they behold the spectacle of a lone member of Congress, especially a new minority member, essaying to regulate these political meteorological conditions and perhaps some are recalling with a chuckle Mark Twain's sage observation about controlling the weather. Perhaps also when they behold bureaucracy, full-panoplied, vibrant, dominant, they regard an effort to regulate it as being about as fatuous as an effort to regulate the sunshine and the storm.

If I were really alone in this undertaking I would indeed despair. I would imagine myself in the position of little Ajax defying the lightning, with about as much legitimate cause for optimism as possessed the sturdy soul of the misguided Ajax.

But I am not alone.

What I think about centralization is of little consequence, but the views of great men who are speaking through me to-day are of consequence. They are outstanding men of courage and vision, whose names are household words, and who command an audience as far flung as the length and breadth of the Nation itself.

In presenting my case to you I bring as witnesses many of the mightiest spirits that have trod the soil of America in our generation. I am flanked with earnest supporters. I bring to you the approving testimony of many of the best minds in this Republic. I bring as witnesses 17 governors and 8 ex-governors of States who have seen their State sovereignties sapped and weakened and all but emasculated through the onrush of Federal centralization, and they come here with me to protest. I bring as witnesses 17 supreme judges of States who are genuinely alarmed over the destruction of local government by Federal usurpation and who come here with me to make their protest vocal. I bring as witnesses great inventors, great lawyers, great university presidents, great statesmen, great authors and diplomats, great political leaders of both parties who have written to me in defense of the rights of the States and in support of my resolution. I bring to you the approval of the chairman and secretary of the United States Civil Service Commission, who are always interested in good government. I bring to you editorials from many newspapers of high standing and character, published all the way from the Atlantic to the Pacific, commending my resolution to your favorable consideration, and I make bold to say that the people of the rank and file of America, insofar as they are acquainted with the resolution and insofar as they have made themselves articulate, are asking for its passage.

MEN OF PURPOSE

No, I am not alone. Many men of thought and purpose, who stand high in the councils of the Nation, have taken time to write in order to show how much they are concerned over the inroads which Federal bureaucracy is making to the detriment of the rights of the States and of individual citizens and to express the hope that the study proposed in my resolution will be made. These letters furnish a great body of intelligent and informed public opinion, comprising a symposium of extraordinary force and persuasion that is worthy of consideration by Congress.

And now I am going to introduce a few—just a few—of my witnesses. Space will not permit publication of all of the letters I have received since this resolution was introduced. I shall quote a few now and some others I shall insert, with consent of the House, in the Appendix of the Record. The total file is available at my office to those who care to inspect it.

No one will contend that Thomas A. Edison, whose genius has done so much to unlock the secrets of the universe, is lacking in vision. Mr. Edison indorses the resolution. He thinks it is in the interest of the welfare of the country that it should pass and that the study which it provides for should be made. His views are expressed in a letter which I shall present as an addendum to this discussion.

Similar approval has come from a spokesman of Henry Ford, with the assurance that—

> Any action that would focus competent minds upon the trend away from fundamental American principles would be cordially approved everywhere.

John W. Davis, distinguished lawyer, former president of the American Bar Association and candidate for President in 1924, also writes to express his cordial approval. I shall print the full text of his letter in connection with my remarks.

MUST REMOVE THE CANKER

There is no abler, no more zealous defender of constitutional government in America than my distinguished Indiana colleague, WILLIAM R. WOOD. When I see him perform here day after day, charging like a valiant knight against the bureaucratic breastworks, I realize that whenever there is extravagance to be checked and corruption to be exposed his spear knows no brother and, whether he wins his fight or his spear is shattered, I also realize that he is always and everlastingly a friend of the American people. Because of the position he occupies as chairman of the appropriations committee, with his finger on all of the activities of the Government, I will assert that no one in this Congress—no one in public life—has a better opportunity to know about the encroachments of bureaucracy than Mr. WOOD. Hear what he says about my resolution:

> I wish to say that I am in hearty sympathy with your scheme and will be very glad, indeed, to do anything that I can to help it along. If something is not done soon the form of government proposed by the fathers and provided for under our Constitution will be a thing of the past; and we should bestir ourselves to relieve the canker that is now sucking the life out of our body politic—the bureau and the commission.

Some years ago in this Chamber we had the privilege of admiring the marvelous intellect of a wise man from Mississippi and of being mesmerized by his eloquence and erudition; and I want you to know what John Sharp Williams, former Democratic leader of this body, thinks about the resolution I have introduced. This veteran of many battles has no scars that are not healed. He is spending the evening of a long and brilliant life on his plantation, where he can revel in books and philosophize to his heart's content. His head is snow crowned, but in his soul the fires of patriotism still burn with undiminished glow. Writing from his Mississippi home he says:

> I am not much for commissions, but I reckon one more wouldn't hurt. The object of it is very important, indeed in a sense vital, and I am with you in all you write about the growth of Federal power and jurisdiction. I got a letter from a publishing house agent some time ago asking me to write them something on "some aspect of our constitutional government." I replied: "I can not write about any aspect of the nonexistent; we have no longer a constitutional government." The object of your resolution is of the highest statesmanship. Bureaucracy is the most oppressive and expensive of all forms of government and in the long run the least efficient. Prussia found that out at last. "Let us alone" is the best cry of freemen, worthy to be free. It may not be literally true that the best governed people is the least governed, but it is very nearly so.

There is no principle of politics that prevents members of both parties—and all parties—joining in an effort to get our bearings on this vital issue. There is no cleavage between Hamiltonians and Jeffersonians, for bureaucracy is repugnant alike to all. As Justice Edward N. Smith of the Supreme Court of New York so well says in a letter to me:

It seems strange to have such views expressed by one who grew up in the Hamiltonian school of Federal constitutional powers, but I am quite certain that, as against the present-day tendencies toward centralization, Alexander Hamilton and Thomas Jefferson if here to-day would be found fighting together for the protection of constitutional government as declared in the Federal Constitution against the destructive tendencies of present-day centralization of power.

A MIGHTY HOST

In the time allotted to me to speak I can not do more than make a passing reference to the many letters expressing approval of my sincere desire to render a service to the Nation by calling attention to Federal usurpation and invoking, if not a cure, at least the best remedy immediately in sight. I have letters which I treasure highly for the encouragement and moral support they offer from Samuel Untermyer, lawyer and thinker, New York; Owen D. Young, New York; Bernard Baruch, New York; James A. Emery, general counsel and spokesman for the National Association of Manufacturers; Rome C. Stephenson, president of the American Bankers' Association; Bishop James E. Freeman; ex-Senator Atlee Pomerene, Government prosecutor in the Fall-Doheny case; George Barr Baker, author, New York; Richard Washburn Child, author and diplomat; William Loeb, former Secretary to President Roosevelt; John R. Commons, economist; Dr. William Lowe Bryan, president of Indiana University; Dr. W. B. Bizzell, president of Oklahoma University; Dr. Robert J. Aley, president of Butler University; Dr. L. N. Hines, president of the Indiana Teachers' College; Dr. W. O. Thompson, president emeritus of Ohio State University; William C. Deming, president of the United States Civil Service Commission; Mrs. Thomas R. Marshall, widow of Vice President Marshall; Robert P. Lamont, Secretary of Commerce; Hon. ALBERT H. VESTAL, majority whip of the House; Senator JAMES E. WATSON, majority leader of the Senate; ex-United States Senator Thomas F. Bayard, Delaware; ex-United States Senator James A. Reed, Missouri; W. H. Arnett, managing director Indiana State Chamber of Commerce; ex-United States Senator John K. Shields, Tennessee; Henry Lane Wilson, of Indianapolis, former ambassador to Mexico; Daniel Willard, president Baltimore & Ohio Railroad; United States Senator C. C. DILL; United States Senator LEE OVERMAN, North Carolina; Representative HENRY ST. GEORGE TUCKER, Virginia; Representative JAMES W. DUNBAR, Indiana; Representative CHARLES M. STEDMAN, North Carolina, oldest Member of Congress; Representative JAMES M. BECK, former Solicitor General of the United States; P. J. Quealy, president Kemmerer Coal Co., Frontier, Wyo.; George B. Cortelyou, of New York, former chairman of the Republican National Committee, who was President Roosevelt's Secretary and held two Cabinet offices under that President; Will H. Hays, former Republican National chairman and former Postmaster General; Charles D. Hilles, former Republican National chairman; Clem Shaver, former Democratic National chairman; Elza O. Rogers, Republican State chairman, Indiana; L. C. Hinkle, Republican State chairman, Wyoming; H. S. Corbett, Republican national committeeman, Arizona; Mrs. Frederick C. Redfern, Republican national committeewoman, South Carolina; Newton H. Fairbanks, former Republican State chairman, Ohio, and brother of the late Vice President Fairbanks; Charles R. Frederickson, former Republican State chairman, Ohio; Noble H. Getchell, Republican State chairman, Nevada; Representative JOHN MCDUFFIE, minority whip of the House; Elizabeth R. Menefee, Democratic national committeewoman, Maryland; Thomas Annear, chairman Democratic State committee, Colorado; Mrs. M. M. Caldwell, Republican national committeewoman, Virginia; former Representative Richard Barthoidt, Missouri; Representative SCOTT LEAVITT, Wyoming; William Allen White, editor, Kansas; C. M. Looney, Casper, Wyo.; Scott Bullitt, attorney and political leader, Seattle; Representative FRANK MURPHY, Ohio; Representative HAROLD KNUTSON, Minnesota; Ralph W. Emerson, editor of Lawrence (Mass.) Telegram; George B. Young, Montpelier, Vt.; M. S. Sherman, editor of Hartford Courant; Theodore S. Garnett, Norfolk, Va.; K. E. Merren, Shreveport, La.; Delph E. Carpenter, attorney, Greeley, Colo.; former Representative Martin L. Davey, Ohio; Representative ELLIOTT W. SPROUL, Illinois; W. E. Zoebel, secretary to George Wingfield, Nevada, Republican national committeeman; William T. Hammock, State tax commission, Arkansas; Mrs. C. Fuller Winters, national president of American Federation of Industrial Women; Representative CLARENCE CANNON, Missouri; Charles Henry Butler, lawyer, Washington, D. C.; Albert Stump, lawyer, Indianapolis; United States Senator FRANK L. GREENE, Vermont; John T. Beasley, lawyer, Terre Haute, Ind.; former Representative Henry A. Barnhart, Indiana; United States Senator WILLIAM H. KING, Utah; Stone Deavours, Democratic national committeeman, Mississippi; Hugh Huntington, lawyer, Columbus, Ohio; Gaylord Lee Clark, lawyer, Baltimore; United States Senator CHARLES W. WATERMAN, Colorado; S. E. Thomason, publisher, Chicago Daily Times; Mrs. PEARL P. OLDFIELD, Congresswoman from Arkansas; former Representative Ben. C. Hilliard, Colorado; and many others.

JUDGES OF HIGH COURTS

Other letters of similar character are from the following judges of the highest State courts: Edward N. Smith, supreme judge, New York; John Ford, supreme judge, New York; William S. Kenyon, United States judge and member of the National Commission on Law Observance and Enforcement; J. A. Sanders, supreme judge, Nevada; Grafton Green, supreme judge, Tennessee; Edwin Robert Walker, chancellor of New Jersey; John L. Rand, supreme judge, Oregon; Finis J. Garrett, judge of Court of Customs Appeals, Washington, D. C.; Daniel V. McNamee, supreme judge, New York; Joseph Morschauser, supreme judge, New York; Leon C. Rhodes, supreme judge New York; Almon W. Lytle, supreme judge, New York; Samuel J. Harris, supreme judge, New York; Robert R. Prentis, chief justice of Virginia Court of Appeals; John A. Hatcher, judge of supreme court of appeals, West Virginia; James F. Minturn, supreme judge, New Jersey; Edward R. Finch, supreme judge, New York; Harley N. Crosby, supreme judge, New York; Walter P. Stacy, chief justice, North Carolina; William M. Farmer, supreme judge, Illinois.

GOVERNORS ARE AROUSED

In addition to the above I have heard from the following governors and ex-governors of States, practically all of whom urge passage of my resolution and express the keenest solicitude over the encroachment of Federal authority and the vanishing rights of the States: Gov. Franklin D. Roosevelt, New York; Gov. John S. Fisher, Pennsylvania; Gov. Theodore Christianson, Minnesota; Gov. Arthur J. Weaver, Nebraska; Gov. Roland H. Hartley, Washington; Gov. George H. Dern, Utah; Gov. Fred W. Green, Michigan; J. H. White, secretary to Gov. F. B. Balzar, Nevada; Gov. Frank C. Emerson, Wyoming; Gov. Doyle E. Carlton, Florida; Gov. William G. Conley, West Virginia; Gov. John Hammill, Iowa; Gov. Walter J. Kohler, Wisconsin; Gov. R. C. Dillon, New Mexico; L. C. Chasey, secretary to Gov. Harry G. Leslie, Indiana; ex-Gov. James P. Goodrich, Indiana; ex-Gov. William J. Fields, Kentucky; ex-Gov. A. O. Stanley, Kentucky; ex-Gov. Vic Donahey, Ohio; ex-Gov. Harry F. Byrd, Virginia; ex-Gov. HIRAM BINGHAM, Connecticut; ex-Gov. PETER NORBECK, South Dakota; ex-Gov. ARTHUR CAPPER, Kansas; ex-Gov. Edward C. Stokes, New Jersey.

EVILS FLOURISH IN DARKNESS

Having introduced some of the witnesses I shall present my closing argument to the congressional jury, hoping that I may have the special attention of the members of the Committee on Rules and that they may become convinced after due consideration that they should grant a favorable report on my resolution. What is the resolution intended to accomplish? The mightiest force in America is public opinion. The greatest corrective agency in America is public opinion. If the creation of this commission were to accomplish nothing else it would focus public opinion on this most dangerous tendency in our national life. It would cause the evils of centralization of power to be discussed in the press and by word of mouth in every nook and corner of America and that would be a good and salutary thing for the country. We have only to note the widespread attention given to reports of the Crime Commission and other commissions to realize the effectiveness of this form of inquiry in reaching the public. Social and governmental evils flourish in darkness. They wither and perish in the white light of publicity. So the adoption of the resolution would be worth while if quo vadis were its only purpose; if it only caused the nation to "Stop, look and listen" and to check up on history in the making. But it will do more than that. I have faith to believe that from the nine members of the commission, three Representatives to be chosen by the Speaker, three Senators to be chosen by the Vice President and three outstanding lawyers to be chosen by the President from the American Bar Association, we may expect definite recommendations as to a distribution of Federal and State activities that will chart a reasonable course back to safer ground. Anyhow, it is worth while to try. No harm can be done. The outcome, whether it be great or small, will be good.

I do not think I need try to prove that centralization has already gone so far in this country that it constitutes a menace to freedom. It is not necessary here to rehearse the many

expansions of bureaucratic power or to recall the multiplicity of commissions or how the independent establishments have increased until they now outnumber the Cabinet portfolios four to one.

It is not necessary to refer to the far-reaching guardianship which Federal paternalism is now assuming over the individual, leading him gently by the hand while it teaches him how to do everything from running a railroad to putting the swaddling clothes on a baby, and if this fatherly care continues and develops in the direction it is going we may soon expect to be told how to twist the tail of a mule to superinduce the maximum locomotion.

ENTERING WEDGE OF TYRANNY

All of us are familiar with these developments. In the sweep of centuries it always happens that bureaucracy is the entering wedge of tyranny. Such a Federal paternalism as we now have rests pleasantly on the people until the screws begin to turn. To-day we are under a benevolent dictatorship. All of these bureaus tickle the people. The sensation is pleasant. Most of them ingratiate themselves by offering "something for nothing." But suppose that bureaucracy, once completely intrenched and under control of a despot, whether he bear the name of President or what not, should change its tactics and instead of being the fountainhead of all of this agreeable feeling, it should become domineering; suppose it should cease to pass out largess and should issue orders; suppose it should substitute for the pleasing potion which so many now seem to enjoy the mailed fist—what then? A despot with his hands on all of this power, having only to touch a bureau to enrich his favorites beyond the dreams of avarice or to punish his enemies beyond the pale of hope, would soon have a grip on government that could not be shaken off.

God grant us vision to see that we are building up here an enormous machine of such potential power that sometime when a despot emerges from the shadows and grabs it to stifle liberty it will be too late for any man or group of men, or for all of our millions of men and women, to offer effective resistance. God grant us vision to see that by breaking down the State and local units and concentrating power in Washington we are sowing the seeds of despotism in this Republic, and grant us the courage to chart a new course before it is everlastingly too late. Suppose our benevolent dictatorship should change overnight into a malevolent one. Then, instead of offering the citizen friendly advice, it would tell him what he can do and how he can do it, and what he can not do, and he will have no choice but to toe the mark. Whether we like to believe it or not, bureaucracy is making conditions in this country right for the approach of some Mussolini, whose other name is tyranny.

RESOLUTION IS FUNDAMENTAL

This resolution goes to the very fundamentals of our national well-being. How any Democrat, steeped in the philosophy of Thomas Jefferson, can oppose it I do not know, for centralization is overriding all local self-government and building a steel cage around the individual, whose freedom to work out his own destiny was the first concern of the sage of Monticello. How any Republican, committed to the protection of industry and the rights of property, can oppose it I do not know, for bureaucracy is putting innumerable fetters on business which, after a while, will begin to bind and hurt. The time is coming when the business interests of this country will wish they had looked after the preservation of their freedom when they had freedom. A soft-gloved dictatorship, with its army of inspectors and agents, is now close to them. When it ceases to be beneficent and becomes malevolent it will be too close for comfort. Even now the Washington dictatorship is often domineering and ridiculously exacting on business. Every day brings to us evidence of that fact. At this moment an Indiana company wishes to manufacture a perfectly wholesome and nutritious food product and to sell it at prices that will bring it within reach of the poor, but it is not permitted to do so—at least it can not safely go ahead—until authorized by the ukase of a Washington bureau. So far the ukase has not been forthcoming. That is one instance out of many. To the business people of the country I would say that when this bureaucracy begins to bear down upon you; when you begin to get orders to conduct yourselves thus and so; when you find that your old time freedom of action is interfered with, and perhaps gone forever, then the scales will fall from your eyes.

The only vocal opposition to my resolution comes from persons who freely admit that Federal bureaucracy has become a great menace, touching nearly every phase of life, but who contend lugubriously that it has progressed so far and has become so thoroughly intrenched that "nothing can be done about it."

I marvel that men and women with red blood in their veins will entertain for a moment such a pusillanimous thought. Shall we make the shameful confession that after our forefathers bled and died to give us a perfect government we do not have the brains, the stamina, and the determination to pass it on to posterity unimpaired? Such an admission stamps us as weaklings and unworthy of our heritage. Oh, for another Patrick Henry with manhood and moral courage enough in these ominous days of the Republic to arise and thrill us to action with a new clarion call: "Shall we lie supinely on our backs, hugging the delusive phantom of paternalism until it binds us, hand and foot?"

MUST PROTECT THE CHILDREN

Our forefathers founded a great nation on principles of freedom and equality and gave it to us as a heritage. If we in our time are not wise enough and brave enough and clear-sighted enough to correct the evil tendencies which are threatening the Government we inherited we are failing tragically in our duty to America.

For we can not—we must not—forget the children of the future. [Applause.] We are the guardians of posterity. We hold in our protecting arms the children of countless generations yet unborn. We must see that their birthright is not forfeited before they are started on life's journey; we must see that they shall have their chance to grow into the larger life; that their God-given right to reach the full stature of useful manhood and womanhood shall not be shackled by chains of bureaucratic despotism forged before our very eyes while we sit idly and inanely by, lulled to inaction by the lethal assumption that "nothing can be done about it."

When I think of America I like to think of a family of 120,000,000 souls, a circle of equality, at whose table is always spread a feast of love and whosoever will may come. The beauty of this philosophy is that it fosters comradeship. It makes brothers of you and me, and all of us. It binds men one to another with hoops of steel. It recognizes the eternal truth that a hickory shirt or calico dress may cover a heart as pure and true as any that beats beneath purple and fine linen; [applause] that virtue dwells as often in humble cottages and by-ways as in palaces. I do not want to have anything in the way of comforts, of liberties, of opportunities to live in happiness and to love and be loved that is not vouchsafed to the other members of the great family.

THE PEAK OF LIFE

This was the ideal of Washington and Jefferson; it is the vision of government that touches the highest peak of human history; the vision that was caught and put on canvas in the Constitution of the United States. It is because I see the safeguards of the individual, the family, the home and the local community slipping away that I am genuinely concerned for the future of the Nation. [Applause.]

In all probability my tour of public service will be brief, but whether my tenure be short or long my highest hopes of service to my fellow men are in this resolution. My memory hardly reaches back to the time when I have not longed to be in a position to do a part, however humble, in this distinguished forum to check the trend of bureaucracy. It was the impelling motive that induced me to become a candidate for Congress. If I can be even a very small factor in bringing America back to constitutional government I will consider it the greatest thing I can possibly do on this earth, and I am grateful for this opportunity to address the House and to present to the Congress and the country these matters which have long been on my mind and on my heart. [Applause.]

Nothing less than a book would hold all of the letters I have received. From among the hundreds of communications I have culled the following:

ORANGE, N. J., *February 14, 1930.*

Hon. LOUIS LUDLOW,

House of Representatives, Washington, D. C.

MY DEAR SIR: Your letter of January 17 and its inclosure were forwarded to Mr. Edison, who is at the present time in Florida.

He requests me to say in his behalf that he is very much in favor of the resolution creating a commission on centralization, which you have introduced in the House of Representatives, and hopes that it will be passed.

Mr. Edison further desires me to say that in his opinion we need information on this subject, and it will be worth far more than it will cost.

Yours very truly,

WILLIAM H. MEADOWCROFT,
Assistant to Mr. Edison.

15 BROAD STREET,
New York, January 25, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I have your letter of the 17th and have read with interest your article in the Times of January 12. With all that you have to say on centralization in government I am in the heartiest accord. I would therefore be glad to see your resolution passed. The chief value of such a commission, I think, would be to focus public opinion on the question. Perhaps it would be too much to hope that the commission itself could sweep back the tide.

Believe me, with kindest regards, sincerely yours,

JOHN W. DAVIS.

THE REPUBLICAN NATIONAL COMMITTEE,
120 William St., New York City, January 29, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: Undoubtedly the Government has departed from the concept of the founding fathers, and it would undoubtedly be of great benefit to the country if men who are altogether patriotic and wise could call a halt, or persuade the Government to retrace its steps, or chart a new course. Those are the three possibilities and a thorough study of the points of departure from the original plan of government, together with a convincing statement of the problem, would be of value to the country.

Sincerely yours,

CHARLES D. HILLES.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 20, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR LUDLOW: I received your letter of January 17, with which you inclosed copy of your bill, the purpose of which is to create a commission to study and prepare some plan to relieve our Government from the further encroachment of bureaucracy.

I wish to say that I am in hearty sympathy with your scheme and will be very glad indeed to do anything that I can to help it along. If something is not done soon the form of Government proposed by the fathers and provided for under our Constitution will be a thing of the past and we should bestir ourselves to relieve the canker that is now sucking the life out of our body politic—the bureau and the commission.

With very great respect, I am, yours truly,

WILL R. WOOD.

JANUARY 22, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. LUDLOW: You know where I stand on the question of State rights. I indorse your resolution, and I am glad to know that some younger men like yourself are working on that principle, which is to be the salvation of our country.

With best wishes, I am, sincerely yours,

H. S. G. TUCKER.

JANUARY 22, 1930.

Hon. LOUIS LUDLOW,
House of Representatives.

MY DEAR MR. LUDLOW: I have your letter of the 17th inclosing copy of your resolution creating a commission of centralization.

Of course we all deplore the increase in the centralization of government. There are a number of things that can better be done by the Government than by the States but we ought not encroach upon the things that the States can do for themselves.

I see no reason why your resolution should not be reported and passed.

Sincerely yours,

A. H. VESTAL.

COLUMBUS, OHIO, *January 25, 1930.*

Hon. LOUIS LUDLOW,
Member of Congress of the United States,
House of Representatives, Washington, D. C.

MY DEAR LUDLOW: I feel sure that a nonpartisan investigation on this important subject would be splendid; and if such attempt is made, from my experience as auditor of state and governor, I might have some suggestion to offer. The proper principles of home rule are being more and more encroached upon—result, concentrated government all along the line. No honest man need fear the result of your resolution.

With kindest personal regards and best wishes, I am,

Very truly yours,

VIC DONAHEY.

130 EAST FIFTEENTH STREET,
New York, February 3, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: The subject of decentralization is one which deserves the serious consideration of all thoughtful citizens, and you are rendering a patriotic service in bringing it forward at this time—although I naturally recoil from the idea of setting up another commission, for any purpose. However, no harm can result from throwing the whole matter open to public discussion, and much good may come from a thorough and impartial inquiry which would show how far the constitutional balance has been upset by the gradual encroachment of the Federal Government upon State and local governments, and which would point out how the balance may be restored while still preserving to the central government the power to deal adequately with questions of national import which arise under present-day conditions. Such an undertaking would, as you suggest, call for the best brains and ability the country possesses.

With kind personal regards and best wishes, believe me,

Sincerely yours,

GEORGE B. CORTELYOU.

MARCH 3, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. LUDLOW: I think you are doing an excellent thing in undertaking to investigate the steady centralization of Government, the multiplication of bureaus, and the continuing enlargement of bureaucracy. An inquiry such as you suggest would direct public attention in a striking way to the steady absorption of a local authority by Federal power and the numerous proposals which demand its expansion. I hope such an inquiry as you suggest may be made.

Very truly yours,

JAMES A. EMERY,
General Counsel of National Association of Manufacturers.

SOUTH BEND, IND., *January 27, 1930.*

Hon. LOUIS LUDLOW,
Congressional Office Building, Washington, D. C.

MY DEAR FRIEND: I quite agree with you that the position you have taken is right and that something should be done to put a stop to the bureaucratic power that has been for a number of years developing in Washington.

The adoption of this resolution would be a recognition of the tendency that has been apparent and it would crystallize the thought that the centralization scheme should cease.

Wishing you success in connection therewith and with kindest regards,

Sincerely yours,

R. C. STEPHENSON,
President of American Bankers' Association.

ROOM 2556, 120 BROADWAY,
New York, January 27, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. LUDLOW: I have read with the greatest interest your letter and the resolution which you introduced in the House of Representatives, providing for a commission to consider the question of the centralization of our governmental powers to the detriment of the State and local governments.

I am quite in favor of the study being made, if for no other reason than to explain why we all, regardless of party, protest so much against the growing encroachment of Federal authority, and yet notwithstanding the protest the trend toward centralization still goes rapidly forward. I take it that this results from the fact that we talk about the juridical and historical relations between the Federal and the State Governments, but we act on the unescapable fact that in many fields there has been such an economic integration and interdependence established as to require laws coincident in area of operation with the forces to be governed. Having this in mind, I venture to criticize the specifications for the selection of your commission.

There are three factors involved—the political, the juridical, and the economic and social. As I read your resolution, you have provided for representation of only two of these three factors—indeed, I am not sure that you have not omitted in your representation the most important one. We can not escape the fact that, as to certain of our economic and social activities, the United States has become one community. Other activities, both economic and social, are still divided. Some can be dealt with by State governments, others by local governments. It is the tendency of the Federal Government to reach into these latter fields. That is to be deplored.

A study by a commission should develop reasonable definition of (a) the juridical and historical fields of action of the Federal and State

Governments, (b) the field of necessary extension of the Federal Government because of economic integration, and (c) the field of encroachment by the Federal Government on local affairs.

It goes without saying, I think, that every law which encroaches on the juridical and historical division of powers, should bear the burden of justifying itself by overwhelming necessity.

Very truly yours,

OWEN D. YOUNG.

1501 EAST THIRTY-EIGHTH STREET,
Indianapolis, Ind., February 13, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I beg to acknowledge the receipt of your letter of January 17, with which is inclosed a copy of a joint resolution introduced by you creating a commission on centralization.

Without attempting to enter into a serious discussion of your resolution, a task which is beyond my strength, I do not hesitate to say that I unreservedly approve of the resolution introduced by you and that I am in entire sympathy with the position which you have taken.

I believe the alarming growth of bureaucracy of recent years is, in a very large measure, the result of our participating in the World War. The war ended but bureaucracy and centralization continued. We probably have more efficient government, but it is at the expense of some American ideals and principles under which we lived happily for a century and a half.

Very sincerely,

HENRY LANE WILSON
(Former Ambassador).

BISHOP'S HOUSE, WASHINGTON CATHEDRAL,
MOUNT SAINT ALBAN,
Washington, D. C., March 12, 1930.

Hon. LOUIS LUDLOW,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I confess I am not enough of a statesman to add to your own judgment with reference to your resolution. Of course, all thoughtful Americans would agree with you that "in the submerging of local self-government and the vanishing rights of the States there is a danger signal that should not longer be disregarded." It is certainly a time when we should look to the footings whereon our Government is builded, and a good text for us is, "Look unto the rock whence ye are hewn."

Very sincerely yours,

JAS. E. FREEMAN,
Bishop of Washington.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., February 6, 1930.

Hon. LOUIS LUDLOW, M. C.,
House of Representatives.

DEAR MR. LUDLOW: Knowing your faith in the ripe judgment of Dr. John T. Doyle, secretary of the commission, and appreciating, myself, the value of his experience in passing on proposed legislation, I discussed your bill at some length with him. We both reached the same general conclusion.

Such a commission as you propose would seem desirable in order to learn the facts and obtain an authoritative expression upon the tendency to look to the Federal Government to undertake new projects, rather than to the local governments immediately concerned. The causes and extent of the growth of centralization should be ascertained and remedies considered where needed.

Our rapidly changing civilization suggests that the day when communities were largely self-sufficient is passing. The facilities for transportation and communication have broken down the barriers of isolation, and many questions, from being those of a neighborhood, have become national in character and require to be dealt with by national rather than local agencies. It is not merely a tendency toward standardization but toward the regulation of activities which have become interstate or nation-wide.

Some illustrations may make this clear. The reasons for the adoption of the Constitution instead of a confederation are far stronger to-day than in the days of the stage coach. It is vastly more efficient and economical to deal with problems of agriculture, labor, foreign commerce, narcotics, food adulteration, lighthouses, life-saving, mines, forests, and roads through Federal departments than it is to leave them to the several States, other conditions being equal. The same tendency is observable in industries which have become national in scope. The Federal departments in many instances cooperate with the State agencies and, while not usurping the local function, extend the benefit of research and unifying aid.

The proposed commission would not only be of value in restraining Federal activities from encroaching upon the proper province of local government, but also in deprecating governmental undertakings which are susceptible of being conducted by private enterprise or by the States. When it comes, however, to a railroad or telegraph system in Alaska, a reclamation project, the improvement of rivers and harbors, the Isthmian Canal, or the public health, there alone it is feasible to invoke Federal control.

I would suggest what I believe to be the chief reason for this tendency toward extended Federal activity. It was not until the adoption of the merit system in 1883, under the civil service law, that centralization arose. Under the spoils system there was little development of science and research in the Federal departments. The Government work was mainly clerical. With the merit system there came a vast growth of scientific and technical work in the Department of Agriculture and the establishment of new departments such as Labor and Commerce, the Bureau of Standards, and many commissions. This development of Federal scientific and technical activities was only rendered possible by the appointment of a trained force whose qualifications had been tested by competitive methods. Vigor, efficiency, and expert qualifications thus introduced into Federal work led to its rapid expansion through public appreciation. The Federal Government has become a government by experts instead of a government by mediocrity.

States and cities, however, which did not generally adopt an effective merit system, continued to languish in their public work. The public did not look to institutions which were under spoils influences for progress in activities requiring technical and scientific training, but turned instead to the Federal Government which was acquiring a reputation for vast and difficult accomplishments.

The remedy is plain. The drift is inevitable toward agencies which have an efficient and expert personnel. Until States and cities remedy abuses in their civil service and adopt the merit system, the people will be reluctant to commit to them technical functions which can only be adequately performed by a force selected upon an impersonal basis under a merit system of appointment. When a thing is to be done, the public looks less to the logical local agency than to the highly efficient Federal agency which can be depended upon for results. The tide can only be reversed when the local agencies are made equally efficient with the Federal agencies.

The only suggestions that I have to offer are (1) that inasmuch as the Civil Service Commission is in touch with the entire Federal service it may be desirable to have one of its members represented, and (2) that the commission you propose is rather a commission on decentralization and might more appropriately be so designated.

Sincerely yours,

WILLIAM C. DEMING, *President.*

THE BUCKINGHAM,
101 WEST FIFTY-SEVENTH STREET,
New York, February 26, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR SIR: I have your kind letter of the 19th with the inclosed resolution. I am in full agreement with the general purposes of this resolution. For some years I have constantly and consistently maintained that centralization of functions belonging to the local community or States in the Federal Government would: (a) kill the sense of obligation of self-government in the localities; (b) impose upon the people the meddling and expense-burden of such bureaucracies as have afflicted European nations.

Very truly yours,

RICHARD WASHBURN CHILD.

THE ATLANTIC MONTHLY,
March 12, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I am in full sympathy with your belief in the importance of curbing the ever continuing encroachments of the Federal Government on the implied powers of the States, but I am doubtful whether a commission such as you suggest would be really effective apart from the publicity which it should receive. Constant publicity is indeed needed, and if this helps toward that desirable end I should urge you to go forward. I should suppose, however, that nothing much would be accomplished until some association is formed which really meant business, and following every item of legislation, should show its teeth whenever Federal usurpation became rampant. Of course, the trouble with associations is that their efficiency usually depends upon their paid secretary, who allows his job gradually to become a sinecure. But I believe there are tens of thousands of citizens in this country who would like to assist in some effectual barrier to the steady process which is robbing us of our American initiative.

Yours sincerely,

ELLERY SEDGWICK.

42 BROADWAY,
New York, February 5, 1930.

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: I am earnestly in favor of carefully studied efforts against the trend toward centralized power in Washington, and shall welcome a determined move toward decentralization. Sound Democratic progress demands return to State rights and State responsibilities.

Sincerely yours,

GEO. BARR BAKER.

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120 BROADWAY,
New York, February 27, 1930.

Hon. LOUIS LUDLOW,
House Office Building, Washington, D. C.

DEAR MR. LUDLOW: Referring to your letter of the 19th inst., with accompanying form of resolution: I have no hesitation in saying that I think well of the suggestion that a commission be appointed to study this question, which has become quite urgent, and to furnish suggestions.

Very truly yours,

SAMUEL UNTERMYER.

DEARBORN, MICH., *March 7, 1930.*

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: Mr. Ford is at present traveling, but I am at liberty to say that your analysis of the present national condition with regard to bureaucratic growth and diminution of local self-government, as contained in the first paragraph of your recent letter agrees with his own views. Any action that would focus competent minds upon the trend away from fundamental American principles would, I am sure, be cordially approved everywhere.

Very truly yours,

W. J. CAMERON,
Ford Motor Co.

GOVERNORS OF STATES

Letters from governors of States voicing apprehension over the decay of State and local governments and the swelling tide of centralization follow:

Gov. Franklin D. Roosevelt, New York:

There is no question that people throughout the United States are taking more of an interest in the basic question of too much centralization of government.

Gov. John S. Fisher, Pennsylvania:

This is a subject which has given me great concern for a number of years. I believe we are losing consciousness of the constitutional division of powers between the States and the Federal Government. As a remedy, I have repeatedly urged upon State authorities a keener sense of responsibility for the execution of the reserve powers which are lodged in them. The faults are not all on one side. When the people are aroused to the need of some reform, they are not likely to think much about the agency through which it is accomplished. They demand results. I hope your agitation will bring about a more intelligent comprehension of the allocation of State and Federal powers and the responsibilities that attach to each. If this happens, there will be a mutual regard and forbearance which will be for the health of the Nation.

Gov. Theodore Christianson, Minnesota:

Because of my own feeling of alarm at the growth of bureaucracy and centralized government, I am especially interested in your efforts.

Gov. Arthur J. Weaver, Nebraska:

Your resolution is not only sound but timely. I hope that it will be favorably considered by Congress and the report under its provisions by capable men will blaze a new path in the future.

Gov. Roland H. Hartley, Washington:

Am glad that you are not afraid to take up the fight against the present seemingly popular drive for centralizing of all governmental functions at the National Capitol, Washington, D. C. It is one of the glaring menaces of the day. Any service I may be able to render you in your endeavors will be cheerfully given.

Gov. George H. Dern, Utah:

I am in sympathy with the point of view expressed in that resolution and think it would be a fine move to have a competent body make a thorough study of this situation.

Gov. Fred W. Green, Michigan:

I might explain I am whole-heartedly in sympathy with decentralization.

J. H. White, secretary to Gov. B. F. Balzar, Nevada:

I am requested to say that the governor is heartily in accord with the ideas expressed in your letter and hopes that you will be successful in having the commission created, and that the information gathered thereby may be so informative that immediate steps may be taken to rectify the present highly undesirable existing conditions.

Gov. Frank C. Emerson, Wyoming:

This subject matter is of much interest to us, and we can concur in most of the expressions contained in your letter. There is real danger in the continuing tendency to centralize authority at Washington and to make the many bureaus ever more powerful. Any reasonable effort to uphold the proper and fundamental rights of the individual States is to be commended.

Gov. Doyle E. Carlton, Florida:

You have hit upon a very important issue and one which is vital to representative government. We are not only becoming overgoverned but governed at too great a distance away.

Gov. William G. Conley, West Virginia:

I am opposed to the Federal Government encroaching upon the rights of the States as is the practice now, and has been for years past.

Gov. John Hammill, Iowa:

There is no question but what there is a tendency to transfer to the Government too much of the activities that should be cared for by the individual, and the tendency to shift responsibilities to the National Government is just another tendency along that line.

Gov. Walter J. Kohler, Wisconsin:

You have suggested a very interesting field of study. It is a very broad field, however, and a committee undertaking an investigation would have a large program to carry out.

Gov. R. C. Dillon, New Mexico:

I heartily agree with you in your opinion on this subject. If this domination of the entire Nation by the Federal Government is not checked we will no longer be a free, sovereign people with the privileges of self-government. If there is anything I can do to aid you in this laudable enterprise, please advise me.

L. O. Chasey, secretary to Gov. Harry G. Leslie, Indiana:

Governor Leslie directs me to advise you that after having read your proposed resolution he can not see any harm in a move which tends to enlighten the public and correct mistakes in government.

Ex-Gov. James P. Goodrich, Indiana:

Every thoughtful person has viewed with much concern the continued centralization of government and enormous strides made in the development of an unwieldy bureaucracy at Washington. I hope the resolution passes and something may result from it. I wish I might talk the matter over with you. Every grant of power leads to the insistant demands of the grantees for more power and the end does not seem to be in sight. If I can be of any help to you in any way, command me.

Ex-Gov. William J. Fields, Kentucky:

I am in harmony with your views and congratulate you on the step you have taken. You have opened a great avenue of thought, out of which great future good should come, and I trust that you remain in Congress long enough to help perfect the reorganization that your resolution should ultimately bring.

Ex-Gov. A. O. Stanley, Kentucky:

Your resolution is admirably calculated to bring this pernicious tendency toward centralization of power to the attention of Congress and of the people.

To me, a distant and centralized authority exercising through a multiplicity of bureaus, powers formerly vested in the States or in local communities such as counties and townships, if not a form of despotism, is so closely akin to it that the difference is not worth mentioning.

The injustice from the vesting of such powers in the individual is often tempered by the wisdom or goodness of the ruler, in which event you have what is badly termed a benevolent despotism. A bureaucracy to be benevolent would have to be composed of men void of courage or guile and such a bureaucracy is yet to be created.

I wish you every success in your laudable endeavor to restore to the American people a measure of local self-government.

Ex-Gov. Harry F. Byrd, Virginia:

I am very deeply interested in your letters and your efforts to avoid the concentration of power in the bureaus at Washington. I would be glad to receive all the information you have about this, and will cooperate with you in any way I can.

Ex-Gov. HIRAM BINGHAM, Connecticut:

I was very much interested in your letter and in the accompanying resolution (H. J. Res. 298), creating a commission on centralization. I noted also, with my hearty approval, your recent remarks as printed in the RECORD on this subject. Ever since coming to the Senate I have consistently opposed the further centralization of authority in the National Government in lines of activity which I believe should be handled by the States themselves without Federal interference, and I welcome any movement toward legislation intended to curb this dangerous tendency. Thank you for bringing this resolution to my attention.

Ex-Gov. PETER NORBECK, South Dakota:

With you I deplore the tendency toward development of centralized and bureaucratic power in Washington. I share your views—it is not a party matter. The party in power, whether it be Republican or Democrat, generally encourages it, while the others deplore it. I feel the situation is complicated by the fact that the public have begun to look to Congress instead of the States for legislation.

Ex-Gov. ARTHUR CAPPER, Kansas:

I believe there is considerable merit in your suggestion, but I would like to give the matter additional study and possibly hear some debate on the resolution before committing myself.

Ex-Gov. Edward C. Stokes, New Jersey:

You have touched a most vital spot in the tendency of American public life and in my judgment a very serious tendency. We are certainly departing widely from the pathway of our fathers who were jealous of their local powers and personal liberties.

Letters from outstanding judges follow:

William S. Kenyon, United States judge and member of the National Commission on Law Observance and Enforcement:

You are sounding a note that must challenge much attention.

JUDGES OF STATES

John Ford, supreme judge of New York:

I sincerely hope your resolution will be passed. The fact is that this is an altogether different country from the one for which the framers of the Constitution were providing a system of government. We have far outgrown the garments which they provided for an infant nation. We have grown in population, in number of States, in wealth, in magnitude and diversity of industry, in the transportation and communication facilities and in countless other incidents of national life, in short, to such magnitude and intricacy of social and business relations as were far beyond the dreams of the founders of the Republic. The pigmy has become a giant. Our old garments have been let out at the seams and patched up and pieced out until they suggest the disarray of the scarecrow rather than the dignified and well-tailored garments befitting the greatest Nation on earth.

My view is that there has been too much centralization in some directions, as for example the interference of the Federal courts in the regulation of local public utilities and with the efforts of labor to better its condition; there has not been enough Federal regulation in other directions, as in respect of child labor and marriage and divorce.

In my opinion a most threatening danger to the integrity of our democratic institutions is the power exercised by the Federal courts to nullify the laws made by the Congress and the President in accordance with the provisions of the Constitution.

The old struggle between property and manhood which marked the earliest years of the Nation still persists. Of all departments of Government the big interests are most concerned in keeping the judiciary "safe." For the most part they have kept it safe for themselves, but dangerous to the interests of the masses.

If we must have a power in the land above the Congress and the President, let it be one in some way responsible to the people whose welfare rests to such large degree in their hands. I am sure this problem can be worked out in a sane and practical way which will be in accord with democratic principles.

J. A. Sanders, supreme judge of Nevada:

I must say that your resolution expresses a very popular chord and I trust you will be successful in obtaining a unanimous adoption of the resolution.

Grafton Green, supreme judge, Tennessee:

I am in sympathy with your ideas and think it most likely that a commission, such as you contemplate, may be able to make some worthwhile suggestions. This movement will no doubt have the support of the bar generally.

The people have become so accustomed, however, to looking to the Federal Government for aid in every difficulty that it seems to me much educational work will have to be done. I should be glad to cooperate with you in any way possible.

Edwin Robert Walker, chancellor of New Jersey:

Pray permit me to say that I am in accord with the sentiments expressed in the resolution and believe that State rights should be vigorously asserted.

John L. Rand, supreme judge, Oregon:

Like you, I believe the Federal Government is becoming too much centralized and is usurping the power of the States. I hope some way will be found to check this tendency.

Finis J. Garrett, judge of Court of Customs Appeals, Washington, D. C.:

I certainly feel that you are very properly alarmed over the bureaucratic tendency of the period and I sympathize with the views which you express.

Daniel V. McNamee, supreme judge, New York:

I am very glad to give my endorsement to any intelligent and restrained activity in the direction in which your resolution faces. For a long time I have been convinced of this unhappy trend toward centralized power in Washington.

This trend can not continue without destroying the theory upon which our Government began and for a long time continued its course. In my judgment a continuation can bring only evil results.

Joseph Morschauser, supreme judge, New York:

I join with you in your efforts and heartily approve of the course you are pursuing. I trust you will succeed. Unless something is done in this respect, the various State governments may as well cease to exist. More power to you. If I can be of any further service to the cause, command me.

Leon C. Rhodes, supreme judge, New York:

I am in emphatic agreement with the proposition that the Government has become unduly centralized. One of the glaring examples has been the recent action of the Federal courts in taking over the question of telephone rates in this State and interfering with the jurisdiction of the State public service commission. I suppose the causes of centralization are so numerous and widespread that the solution of the problem is difficult. I am in entire sympathy with anything tending to correct the condition.

Almon W. Lytle, supreme judge, New York:

I believe the subject matter referred to in your letter and resolution is worthy of consideration. As the intricacies of our governmental departments necessarily extend and increase with the progress and advancement of our States and Nation, it seems almost impossible at all times for our duly and regularly authorized branches of government to examine in detail into certain perplexing questions.

I believe that great good can come at times from special examination made by commissions, particularly those commissions whose members are specially qualified for the work. In view of the fact that commissions are able and capable of doing important work, it seems to me that it is of the highest importance that the confidence of the public in such commissions be preserved.

With reference to the subject matter of the resolution, it is my belief that it makes for better government to preserve, in so far as possible, local self-government by small units. Of course, I recognize that certain activities necessarily come, at least in a general way, under Federal and State control, but it seems to me it would be a wholesome policy to avoid that when possible and consistent with good government.

Samuel J. Harris, supreme judge, New York:

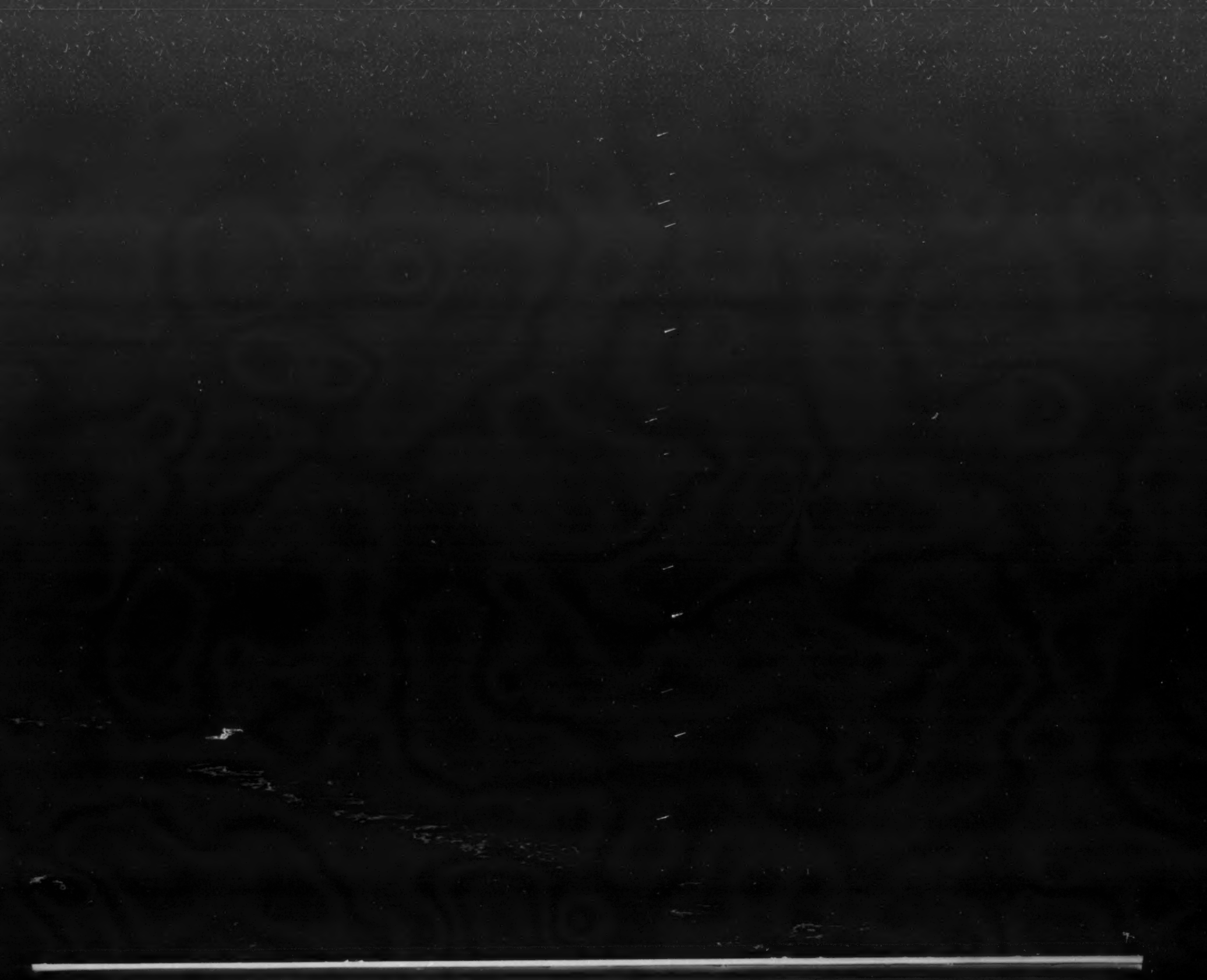
The subject which you desire to have studied is one that should be of the utmost interest to those giving attention to our American institutions and our Government. I trust that you will have the good fortune and pleasure of the unanimous passage of your resolution. There certainly is no reason why the Americans should not desire from time to time to check up on history as it passes, and ascertain whether all is going well.

Robert R. Prentis, chief justice of Virginia Court of Appeals:

I am in very hearty sympathy with the motive which prompts you to introduce and press this resolution. I believe that the failure to respect the powers committed to the States, as indicated by the Constitution, will ultimately lead to disaster. I know that there is nothing new about these opinions, but I am, as you are, and as many thoughtful leaders are, much disquieted by what seems to be a persistent disregard of the sound reasons which underlie and support our dual form of government.

John A. Hatcher, judge of Supreme Court of Appeals, West Virginia:

Quo vadis should be pondered by a government just as by a person. Consequently I consider your resolution of great importance.





James F. Minturn, supreme judge, New Jersey:

I think the time is opportune for all patriotic citizens to join in a movement such as you have in mind, to bring about a revival of the faith of the Fathers.

If I can be of any assistance to you in the matter, kindly let me know, because I have the matter at heart.

Edward R. Finch, supreme judge, New York:

I shall watch the progress of the resolution with interest.

Harley N. Crosby, supreme judge, New York:

I am only one of many who feel considerably stirred up over this matter. If a commission of really big men could be appointed—men whose report would command respect—I should hope it might do some good. But I am a little discouraged. We are governed to death! I long to be a cave man. Tell my old friend DAN REED (forty-third New York dist.) that I want him to vote for your resolution.

Walter P. Stacy, chief justice, North Carolina:

Local self-government, the surest bulwark for the protection of individual rights, is the bedrock upon which the American Nation is builded. And the most competent administrations, as means to attain and to preserve this end, are the State governments, and they should be rigorously supported in all their reserved rights; while at the same time the Federal Government should be ardently defended in all of its constitutional vigor. On the line of cleavage there is a great field for debate; but there is no necessity of encroachment or friction in this dual system, so long as each (Federal and State) moves unhampered by the other, within its own prescribed sphere. And to keep each within its bounds the Constitution with the Supreme Court as its interpreter, stands guard.

William M. Farmer, supreme judge, Illinois:

Am in hearty sympathy with your resolution. If things go on the way they have been the past few years we will have no Constitution. I regret that my health is so poor that I can not take an active part in favor of your resolution, but I am for it. My health is such that I can not take on any extra duties.

PRESIDENT OF RED CROSS

John Barton Payne, president of the American Red Cross:

With the courage of a statesman, you have the optimism of a lover. Every one thinks that the trend of our Government is toward centralization, until he wants something, then he knocks at the door of Uncle Sam—States rights to the contrary notwithstanding.

When he desires to oppose something, he invokes States rights. So that States rights have become like the religion of some men, handy to have by when the occasion demands, but to be used only in emergencies.

States rights unfortunately is associated in the public mind with the Civil War. Chiefly for that reason few persons take the doctrine seriously.

I regret that I can not give you more helpful suggestions.

Ex-United States Senator Thomas F. Bayard, Delaware:

I have found your proposal very interesting. There can be no doubt that the present trend for centralization of power in the Federal Government is a matter to be dreaded by everyone who takes interest in our national and individual welfare. When I was in the Senate I voted against every form of legislation of this character and sought where I could to secure a repeal of those laws which are now on the statute books, and in some cases, but not many, met with success. Whatever you can do along this line will receive not only my hearty approval but any cooperation that I might render.

Ex-United States Senator James A. Reed, Missouri:

Unless the march toward centralization is arrested, the liberties of the American people will be greatly circumscribed. The theory of our Government for the past 25 years has been for the Federal powers to take over, by direction or indirection, those powers which originally were intrusted to the States, and which can be by the States better performed than by the Federal Government.

W. H. Arnett, managing director Indiana State Chamber of Commerce:

I think it is timely that you have thought of this matter and have offered this resolution. It is good for a state and nation for sober thought and study, as it is so easy in these rapidly moving, modern times for people to lose sight of the fundamentals.

I want to congratulate you upon your thoughtfulness in this and assure you that we of this organization believe this resolution should pass unanimously.

Ex-United States Senator John K. Shields, Tennessee:

I read the bill carefully, and I thoroughly agree with you that it is legislation badly needed. I agree with what you say in your letter in every respect. I hope you will succeed in passing the resolution. My attention was first called to these matters during the administration of President Wilson, when I first went to the Senate, and I opposed the laws creating commissions that were passed during that and subsequent administrations. So far as I now call them to mind, I believe all these commissions ought to be abolished. The Federal Water Power Commission was one of the most iniquitous among them. I was also opposed to the Federal Trade Commission, so much so that I declined a position on it when tendered by President Coolidge.

Bernard M. Baruch, New York:

Your letter found me thinking along the same line. I do not know what we can do about it, because at every session Congress passes some legislation of that kind. Americans, under the fostering care of the Federal Government, are fast losing their pioneer spirit.

Former Senator Atlee Pomerene, Government prosecutor in Fall-Doheny case:

For 50 years or more there has been a strenuous effort to centralize the government at Washington. If what has been done in that behalf had been anticipated by the fathers, the Federal Constitution would never have been ratified. Those who seek to centralize the government at Washington have little conception of our scheme of government.

Jefferson was wiser than he knew when he exerted his great powers of mind against this centralization. Thoughtful statesmen of the day realize the soundness of Jefferson's views.

President Coolidge gave a friendly warning in his great speech delivered, I believe, at William and Mary College more than a year ago. If the legislators of to-day are afraid to follow the leadership of Jefferson against centralization, let them follow President Coolidge and heed his warning against centralization.

I do not know whether your resolution will be adopted or not, and if adopted I do not know how effective the commission's investigation will be, but it will serve to educate the public, and Heaven knows, if our scheme of government is to survive, we have a host of citizens who need to be educated along constitutional lines.

Daniel Willard, president Baltimore & Ohio Railroad:

I am inclined to think that most of us may feel that there is a tendency toward too much concentration of authority in the Federal Government at Washington, but whether that tendency presents a matter requiring congressional action or not I do not know. I see no objection to an investigation of the matter as you propose, although I doubt if an investigation and report would have very much influence on the general situation.

United States Senator C. C. DILL:

I congratulate you on your foresight and your initiative in this regard. I hope your resolution will pass.

United States Senator LEE OVERMAN, North Carolina:

I shall be very glad to give your resolution my support should it come before the Senate. As I have always contended, the power that belongs to the States is being gradually and insidiously usurped by the General Government. I regard your resolution as a step in the right direction and am glad you are interesting yourself in this important matter.

SURRENDERING ALL SOVEREIGNTY

Representative JAMES W. DUNBAR, Indiana:

I am heartily in accord with the provisions of H. J. Res. 298, indorsed by yourself, the purpose of which is to create a commission on centralization to determine just how far we are wandering away from the intent of our Constitution adopted by the 13 Colonies.

It seems as if after a while, if legislation progresses as it is now going, there will be no need for a Constitution, because the centralized Government will have absorbed all of the provisions of the Constitution reserved for the States.

Every man is looking to the man higher up to enforce the laws, and in the enforcement of law and the preserving of the rights of the people they are looking to the Federal Government and are surrendering all sovereignty.

The Constitution, as originally constituted, was good enough and the most wonderful document ever written, with the exception of the Declaration of Independence, and we should be very careful that we do not divorce ourselves from it. If we continue to go on as we are now it will become but a scrap of paper.

So I hope your bill will be enacted into a law and that our Constitution will be preserved.

Representative CHARLES M. STEDMAN, North Carolina, oldest Member of Congress:

I regard the centralization of Government as the great menace of the age, and any movement looking toward the restoration of local self-government must be regarded as a patriotic effort of the highest order. May I add my wish to yours that the resolution will pass the House unanimously.

Representative JAMES M. BECK, former Solicitor General of the United States:

I read the clipping from the New York Times, which you inclosed, with very deep interest. I have often had occasion to speak on this subject and, indeed, did so when I recently spoke in Indianapolis, and I agree in principle with the views that you so forcefully suggest in the Times article.

P. J. Quealy, president Kemmerer Coal Co., Frontier, Wyo.:

Where one agrees so thoroughly with the facts stated in your resolution, and the necessity of placing the same before Congress with the least possible delay, and with the hope that it will pass unanimously, no one who has read your letter and the resolution, who is in agreement with what you so clearly and ably express, could find any language that would more clearly express his views and sympathy with the same. I hope this resolution will be reported at the earliest possible date, and that it will be passed unanimously. I believe it is one of the most important resolutions introduced in this session of Congress.

Senator JAMES E. WATSON, Republican leader of the Senate:

I am in favor of your resolution, not that I think it will do any good, or accomplish any beneficial result, but because I am in favor of calling public attention to it anyhow.

I am the direct author of the Radio Commission and of the Board of Mediation, and yet down in my heart I am an old Jeffersonian Democrat who believes in local self-government. The only reason I resorted to these two measures is that I saw no other way of governing the radio and of settling railroad disputes.

William Loeb, former Secretary to President Roosevelt:

I favor adoption of your resolution creating a commission on centralization and believe you are going at the subject in the right way.

John R. Commons, distinguished economist of the University of Wisconsin:

I am in sympathy with the commission which should study this whole question of centralization; but I am convinced that the reason why we are being forced into this centralization is on account of the decisions of the Supreme Court of the United States, which have in so many cases deprived the States of their former exclusive jurisdiction over many subjects. I should say, therefore, that a fine subject for discussion would be the centralizing tendencies of the United States Supreme Court.

PRESIDENTS OF UNIVERSITIES

Nicholas Murray Butler, president of Columbia University, New York:

If Thomas Jefferson were alive, he would be in open and active revolt against much of the legislation and administrative activity on the part of the Federal Government which has characterized the past quarter century. I do not see how relief could be obtained until the Democratic Party in the Nation, and particularly in the South, returns to the support of the political philosophy of Jefferson, which it has in recent years completely abandoned. If the Democratic Party throughout the Nation, and its representatives in public office, were standing in season and out of season for the underlying principles of the Jeffersonian political philosophy, it would not be difficult to check those excessive movements toward centralization of power at Washington which have, in recent years, had far too much support in the Republican Party for my liking.

Dr. William Lowe Bryan, president of Indiana University, Bloomington, Ind.:

I am glad to observe that the leaders of both political parties have recognized the evil of overcentralization. I trust that your resolution will be unanimously adopted.

Dr. W. B. Bizzell, president of Oklahoma University:

Local self-government as an effective exercise of political power, is certainly declining in this country. The influences that produce these tendencies are so deep rooted in the economic and political life of a people that political sentiment would probably prevent a reversal of a policy that has become so definitely incorporated in our laws and traditions. But to say the least of it, your resolution, it seems to me, deserves the most serious consideration of Congress and I shall watch results of your efforts with the greatest of interest.

Dr. Robert J. Aley, president of Butler University, Indianapolis, Ind.:

I am in hearty sympathy with the resolution which you have introduced in the House. I hope it may have a unanimous vote. I have hope that such a commission may do a piece of work of real constructive value.

Dr. L. N. Hines, president, Indiana State Teachers' College, Terre Haute, Ind.:

You are to be congratulated on introducing a resolution of this kind. I hope the resolution passes and that a lot of Washington "commissioned government" will be abolished.

W. O. Thompson, president emeritus of Ohio State University, Columbus, Ohio:

I should prefer a permanent commission or agency charged with the duties you suggest and with privileges (or duty) of occasional reports to Congress. Such a study would need to trace historically and through experience the well established results in our experiment under the Constitution. The field is very inviting as an opportunity for some real research and investigation.

S. E. Thomason, publisher Chicago Daily Times:

I am in hearty sympathy with this resolution and the purposes which have inspired it. We shall comment upon it editorially.

Mrs. Thomas R. Marshall, widow of Vice President Marshall:

You know you have taken up one of my husband's pet hobbies. I am strongly for your resolution, and only wish my husband could help you in your effort to put it through. It was one of his dreams that I hope will come true.

Representative W. W. HASTINGS, Oklahoma:

I will be glad to give your resolution my support.

Representative LINDSAY C. WARREN, North Carolina:

I am very much interested in your resolution. I hope very much that you can get it reported out of the Rules Committee.

Representative VINCENT L. PALMISANO, Maryland:

I wish to say that I agree with you in your views. Unless the local government stops participating in the Federal funds the time will come when the Federal Government will have, in one form or another, the absolute control of its local agencies. My advice is to have the local government refuse participation in Federal funds except in cases where interstate commerce may be involved.

B. A. Van Winkle, general manager Hartford City Paper Co., Hartford City, Ind.:

I realize the tremendous task that you have undertaken and am fully convinced that the only way in which any check can be put upon the multiplying of commissions and the doing away of so many, which are obviously useless, is by getting the people thoroughly aroused to the dangers of the commission form of government, centralized in Washington. I doubt if anyone who is not engaged in some line of manufacturing business can fully appreciate the annoyances and pestering questionnaires with which we are flooded from some commission or other in Washington. I wish you abundant success in your undertaking.

John W. McCardle, chairman Public Service Commission of Indiana:

I congratulate you for the splendid explanation of what is going on in Washington as a result of centralization. I believe the people should rise up in a body and resist with every fair means at their command the further centralization of power in Washington. It means only one thing—all kinds of power and no service to the people.

Representative THOMAS S. MCMILLAN, South Carolina:

I think your resolution is a most timely one. Representative government in Washington to me is a myth. Departments and bureaus now, I regret to state from my experience, practically dictate and control every piece of legislation that passes Congress, regardless of the subject undertaken, whether large or small. I shall join heartily with you in your efforts to have your resolution passed.

Representative JAMES V. MCCLINTIC, Oklahoma:

I am glad to say that I am in hearty accord with the purposes you have in mind. If I can be of assistance in any way, do not hesitate to call on me.

Representative EDGAR HOWARD, Nebraska:

Just a line to let you know that I am heartily in favor of your House joint resolution, which I regard as a step in the right direction of carrying our Government back to the ideals of the fathers and carrying it away from the ideals of those who would divest the States of their inalienable rights.

Hugh A. Cummings, 626 North New Jersey Street, Indianapolis, Ind.:

I have read your most excellent resolution touching the octopus of bureaucracy, and I was so glad to know that we have a Representative from this, the seventh district of Indiana, who fears not its menacing tentacles. God grant that your resolution may be carried unanimously and that liberty may once more be restored to our Constitution, and that our States once more may have the right to make their own police regulations.

Francis J. Kilkenny, investment securities, 208 South La Salle Street, Chicago:

I am glad to know of the efforts that you are making to focus attention on the ever-increasing tendency to center in Washington the func-

tions of Government. Such a study as you propose should do much to direct attention to this vital question, and I hope that your proposal will receive sympathetic consideration.

Ralph G. Simmerson, Spencer, N. C.:

Your attitude on this ever-growing governmental evil has been the subject of much laudatory comment by leading citizens in this section of the State.

A. D. Hitz, commission merchant, Indianapolis, Ind.:

I consider the resolution both timely and important and wish to express my hearty commendation and approval.

Dan W. Simms, attorney at law, La Fayette, Ind.:

I sincerely hope this joint resolution may be concurred in and that a commission of persons of high character, experience, and ability will be appointed to make the investigation contemplated.

Representative THOMAS A. JENKINS, Ohio:

I have to say that I think nearly everybody agrees with you, but in the language of the cartoon which appeared in the paper a short time ago, I am forced to ask "What are we going to do about it?" It is a big question.

Charles Nagel, St. Louis, former Secretary of Commerce:

I am very thoroughly convinced of the correctness of your position.

John H. Voorhees, attorney at law, Sioux Falls, S. Dak.:

I should like to see the resolution adopted and the commission appointed.

Robert Dollar, San Francisco:

After a careful perusal of this resolution, which I found to be interesting as well as enlightening, would say that I do not believe that I am familiar with the subject sufficiently to express my views on the same.

United States Senator E. D. SMITH, South Carolina:

The subject matter of your resolution is most interesting. I agree with you that there is a growing tendency to centralise government activities under the Federal Government.

Representative O. H. CROSS, Texas:

I want to assure you that I am with you in this matter, heart and soul, and feel like you are fighting in the right direction.

James A. Glenn, attorney at law, Coshocton, Ohio:

It was with special interest that I read the article in the New York Times referring to your resolution aimed at our present tendency toward bureaucracy. If something could be done along this line it certainly would be of great benefit to the Government and the country.

Representative CLARENCE F. LEA, California:

I would be very glad to support a resolution such as you suggest and particularly so if the problem would be thoroughly investigated and considered.

Representative EDGAR R. KIESS, Pennsylvania:

I believe the creation of a commission on centralization such as you provide for would be a move in the right direction. I know of no reason why I can not support this legislation.

Representative SCHUYLER MERRITT, Connecticut:

I agree with you entirely as to the present tendency toward centralization of power in the Central Government and regret it as much as you do. I have done what little I could to stop bills with that tendency during the years I have been in Washington, but with very little, if any, success, and I fear that the many interests that think that they profit by Federal appropriations and interference are so strong that the tendency can hardly be stemmed by a committee. If you can get your resolution reported out and taken up I shall be inclined to vote for it.

Willis J. Abbot, editor, Christian Science Monitor:

Unquestionably the phenomenon on which you comment is a striking feature of American political development to-day and for that matter has been observable for at least a decade past. I think it would be most interesting if you could get your commission, and I am going to write an editorial about it, commending it as an intelligent proposition, though I must say that I have little hope that you can get the resolution through.

Former Representative Henry U. Johnson, Indiana:

I entirely agree with you in the opinion you entertain concerning the aggregation by the Federal Government of powers which properly belong to the State and concur also in your apprehension that the continuance of such action will be positively dangerous to the country. I trust that you may be able to secure the appointment of the commission and that it may recall the people to the old landmarks.

Representative A. PIATT ANDREW, Massachusetts:

I am in complete agreement as to the deplorable trend toward overcentralization in our Government.

Representative CHARLES A. MOONEY, Ohio:

I heartily agree with the purpose of this resolution and you may depend upon my enthusiastic support.

Representative GEORGE S. GRAHAM, Pennsylvania:

Replying to your letter of the 23d, I would say that the spirit of your resolution I am in entire sympathy with.

Senator A. R. GOULD, Maine:

I feel that it is an opportune time to introduce such a resolution. You may be sure when this measure comes before the Senate it will receive my careful consideration.

Representative SCOTT LEAVITT, Montana:

I believe the purpose of the measure is meritorious.

George J. Kindel, late Representative from Colorado:

I have read your resolution with great interest and approval. You may not get to first base but will have the satisfaction of having tried, which we admire and approve.

United States Senator WILLIAM H. KING, Utah:

If your resolution would arouse the people to the importance of preserving their rights and the rights of the States and to the evils of centralization, it would serve a most important purpose. It seems as if our political pendulum has swung to the right—to Federal usurpations—to the aggrandizement of the Federal Government. This I regret. I shall look with interest upon your efforts to secure the passage of your resolution in Congress. It certainly should provoke discussion and create an interest in the political questions involved. If it passes the House, though I have not fully determined upon the wisdom of the resolution, I think I shall support it. At any rate, your letter challenges attention to a vital matter and your resolution should be the vehicle of carrying an important message to the American people.

Stone Deavours, Democratic national committeeman, Mississippi:

I sincerely hope your resolution will pass unanimously; and I as earnestly hope that very able men will be selected for members on the commission. The growth of centralizing spirit in the Southern States has not only been marked of late years, but has sometime ago reached the point that makes it alarming to any citizen who believes in the doctrine that is fundamental in my political creed, that that government is best which governs least. I am inclined to believe that both the Senators and the Members of the House of this State will be in sympathy with any movement to check this process of centralization, but I have no authority from them or any of them to make this statement.

Hugh Huntington, lawyer, Columbus, Ohio:

It is most ridiculous, the manner in which people are beginning to look to Washington for relief on all subjects. Millions of people seem to think that good times are regulated by Congress and the President. The sooner we get people to thinking more about their home communities and less about letting the President bring us back good times the better off we will be.

Gaylord Lee Clark, lawyer, Baltimore:

I approve and heartily indorse every legitimate method used to decentralize the bureaucracy at Washington, and I trust that your efforts may accomplish results.

United States Senator CHARLES W. WATERMAN, Colorado:

I share your view about Federal bureaucracy.

S. E. Thomason, publisher, Chicago Daily Times:

I am in hearty sympathy with this resolution and the purposes which have inspired it.

Mrs. PEARL P. OLDFIELD, Congresswoman from Arkansas:

I beg to state that I am heartily in favor of passage of your resolution.

Former Representative Ben C. Hilliard, Colorado:

I congratulate you on your recognition of the basic evil, and your purpose to eliminate it. Now that your resolution has emphasized the evil, the Congress should of its own motion proceed with celerity, and directly, to apply the remedy; but since that is not of likely consummation, every well-wisher of good government will applaud the progress of your resolution.

Former Representative Martin L. Davey, Ohio:

Unquestionably you have the right idea of the present conditions and the apparent tendency for even added centralization of Government.

I hope that your resolution may pass. Certainly it is a step in the right direction. Your proposal should not be unpopular from the standpoint of expense, at least. You have provided for a solution of the problem with practically no expense at all to the taxpayers.

Representative ELLIOTT W. SPROUL, Illinois:

I feel that you are making an effort in the right direction and you will have my hearty support in the solution of this most important problem.

W. E. Zoebel, secretary to George Wingfield, Nevada Republican national committeeman:

Mr. Wingfield directs me to state to you that he is in absolute agreement with you.

William T. Hammock, State Tax Commission, Arkansas:

I am reminded by this resolution of my schoolboy studies in the history of ancient civilizations wherein it is so clearly reflected that governments and civilizations of the past have usually gone upon the rocks because of the ever-increasing insidious encroachment by Government bureaus upon the rights of the individual accomplished in such gradual insidious way that the masses do not take notice of same until they wake up in succeeding generations to find that many of their most treasured constitutional provisions have been taken away from them.

Mrs. C. Fuller Winters, national president of American Federation of Industrial Women:

I am writing to add my name to the list of American citizens who favor your resolution. Please accept my hearty congratulations for your timely efforts in the interest of the American cause.

Representative CLARENCE CANNON, Missouri:

I find myself in heartiest accord.

Charles Henry Butler, lawyer, Washington, D. C.:

I have noted with interest your resolution, and while I am a good deal of a federalist I appreciate a great deal of what you say in your letter and in the preamble, and will watch with interest the progress of the matter.

Albert Stump, lawyer, Indianapolis:

You are to be commended for your efforts in that direction. Fortunately the tendency against which your resolution is directed has not become so strong that it is beyond the power of the people themselves to check it if they desire to do so.

United States Senator FRANK L. GREENE, Vermont:

It is too bad that we are getting away from the original plan, and I wish more people were awake to the dangers of a paternalistic order of things replacing a union of 48 sovereign States. While I hate to admit it, I can see no hope of prevehting the gradual growth of the great centralized power, and probably in a century or so the States will have given up all their rights and will be units in a geographic sense only. If they still have Governors, they will be Governors in name only. You understand, of course, that I sympathize with what you are trying to do, but I feel that it is too late.

John T. Beasley, lawyer, Terre Haute, Ind.:

I think you have hit upon one of the most important problems of government with which we are confronted. Your resolution was not only well-timed but the problems confronting us were well expressed. I shall watch its course with interest. I think it must necessarily direct attention to fundamental government principles and policies. You are entitled to the thanks of all thoughtful men.

Former Representative Henry A. Barnhart, Indiana:

I think that about 99 per cent of Hoosierdom, as well as elsewhere, will be with you on this proposition.

Representative FRANK MURPHY, Ohio:

I wish to say that I am in deep sympathy with the views expressed by yourself and would gladly welcome an opportunity to do something definite to change the situation if possible.

Representative HAROLD KNUTSON, Minnesota:

Your resolution to create a commission on centralization is a very timely piece of legislation, and I favor its early passage. No American who has given consideration and study to the constant tendency of our Government toward centralisation, views with other than genuine concern the gradual departure from our basic form of government. You may confidently count upon me to assist you in every possible manner when the time comes to consider your resolution.

Ralph W. Emerson, editor of Lawrence (Mass.) Telegram:

Your article, relative to centralization of government, hits a responsive chord here. I hope your resolution will be given proper weight by all newspapers of the country and proper consideration by Congress. It was a pleasure to assist in my humble way through the inclosed editorial in our Sunday edition.

George B. Young, Montpelier, Vt.:

I am in sympathy with your resolution. I believe one of the serious governmental problems facing this country at the present time is the centralization of power in the Federal Government and the encroachment of that Government on the functions of the States, in many instances with the consent or approval of the States. The result is that the Federal Government is becoming top-heavy to the point of breaking and matters of local government are being more and more relinquished by the States and their citizens. All this tends to defeat and overturn the fundamental scheme of the United States Constitution which is a dual sovereignty and substitutes a single Federal Government. Such a result I believe is most undesirable from the standpoint of the individual citizen.

M. S. Sherman, editor of Hartford Courant:

Connecticut is one of the few States of the Union that cherishes a high regard for local self-government and because your views so closely accord with the Connecticut philosophy I commented on them in the Hartford Courant of this morning. Clipping of this editorial I inclose.

Theodore S. Garnett, Norfolk, Va.:

I am thoroughly convinced this is a start in the right direction, but as to its ultimate results I have grave forebodings. The beneficiaries of bureaucracy seem so well intrenched that any effort to displace them will meet with almost insurmountable opposition. However, this is not the way to look at it and I wish you Godspeed and success.

K. E. Merren, Shreveport, La.:

True it is that "the saddest story in American Government is the weakening of one part of the dual system of Federal and local control and the excessive strenghtening of the other part." The remedy which you suggest, namely, a committee of eminent men to go into the subject, is well conceived. Should we get such a commission of able and patriotic men, I believe they can so conduct their labors and make such a report as will cause the Nation to pause and listen. Anything that I may be able to do to aid and abet you in these labors will be gladly done.

Delph E. Carpenter, attorney, Greeley, Colo.:

If every Congressman and Senator would strike at every measure which undermines States autonomy, they would gradually awaken public sentiment. The "business men" of the country are largely responsible for the trend toward Federal control. They care nothing for the Constitution and nothing for our principles of Government. They want immediate results regardless of source or methods of procurement.

In the Western States, water is the first essential to life and existence of Government. Federal bureaucracy is undermining State control and the Attorney General is afraid to act.

Clem Shaver, former Democratic national chairman:

I have yours and copy of resolution relative to growth of our Federal Government and its powers. It is now a colossal thing; and if you can in any way stimulate a little interest in it and attract the one-tenth part of attention it needs, then you will have really made some headway. I wish you every success.

Elza O. Rogers, Republican State chairman, Indiana:

Of course, our country is so big that everyone understands there must be some control from Washington, but I think you are right in warning against letting local government get away from us. We might lose our democracy in that way. I think your resolution will serve a very good purpose.

L. C. Hinkle, Republican State chairman, Wyoming:

I am heartily in favor of the creating of this commission. I believe you are on the right track. It is high time that something be done in this matter, and I believe the creating of this commission is a step in the right direction, and the attention of the people throughout the country be called to the present situation.

I believe further that the Constitution of the United States is all right, but that the Government has gone beyond the intent of the Constitution. I see no reason why this resolution should not be passed promptly by both Houses.

H. S. Corbett, Republican national committeeman, Arizona:

In my political experience I have found that the people are every day becoming more disinterested in government, and, as you say, take the attitude of "Let Washington do it." I feel that it is important that we get the people interested again and I am hoping that your efforts will bear fruit.

Mrs. Frederick C. Redfern, Republican national committeewoman, South Carolina:

I am, however, jealous of the rights reserved by the States and feel that the largest degree of local self-government should be fostered in harmony and consistent with the best interest of an orderly and strong Federal system.

Newton H. Fairbanks, former Republican State chairman, Ohio, and brother of the late Vice President Fairbanks:

I read with deep interest your article on the menace of the centralization of government at Washington, and do thoroughly believe you put the finger upon a danger which threatens the perpetuity of the Republic. It is time the Congress was showing some of the courage of the founders of the Government and be adamant against any further centralization. They should take the initiative and do a bit of decentralizing by restoring to the States those functions of which they were relieved and which clearly belong to the States. And say to business interests, which rush to Washington seeking government help, that if half the time and energy were given to the management of their business that is devoted to an effort to induce the Government to lend a hand their business would be better off than with Federal aid.

Charles R. Frederickson, former Republican State chairman, Ohio:

My congratulations and appreciation to you for the stand you have taken against the growing evil tendency to the centralization of government. I believe there will be attracted to your side the best minds of the country and having seen you in action, I know that you will not be deterred in your drive because of some barriers you will encounter.

Noble H. Getchell, Republican State chairman, Nevada:

This is a real step in the right direction and I most sincerely hope it passes both Houses of Congress and that a solution will be found to check the Federal bureaucratic powers which is becoming serious.

Representative JOHN MCDUFFIE, minority whip of the House:

I have your letter inclosing copy of your resolution and wish to assure you that I am quite anxious to be of assistance to you in any way I can.

Elizabeth R. Menefee, Democratic national committeewoman, Maryland:

I wish to state that in my opinion centralization of power through bureaucracy in Washington will eventually become a menace unto the people.

Thomas Annear, chairman, Democratic State committee, Colorado:

I think you are right—centralizing the powers in Washington is one of the most dangerous tendencies at this time.

Mrs. M. M. Caldwell, Republican national committeewoman, Virginia:

I entirely agree with you that the tendency to centralization of government is a menace to our constitution and to free government. And if a commission on centralization of sufficiently high calibre as to fitness, could be secured, it seems highly probable that they might reach conclusions and make recommendations of value in determining the course of future legislation.

Former Representative Richard Bartholdt, Missouri:

If we could imagine our national evolution to be a body of flesh and bone, you have certainly placed your hand on a running sore; the overshadowing of the individual stars in our firmament by the central sun in Washington.

Representative SCOTT LEAVITT, Wyoming:

I believe the purpose of the measure is meritorious.

William Allen White, editor, Kansas:

You are quite right in saying that local self-government is vanishing, and it will continue to vanish until you stop inventions or break up the Federal Government into regional nations. The thing to do is to control this centralization, to give it direction and purpose. I like your discussion; your bill is good. The more the people think about this centralization the better it will be, but it will not stop.

C. M. Looney, Casper, Wyo.:

As a citizen of Wyoming, I take this opportunity of assuring you how keenly we people of the West sense the necessity of favorable action on your resolution regarding limitation of bureaucratic encroachment upon our natural resources included in the public domain.

Wyoming values her natural resources (which are quite varied) as of great importance for the present and as having an incalculable potential worth to future generations and yet they are largely under Federal ownership and control, even though embraced by our boundaries.

Scott Bullitt, attorney and political leader, Seattle:

I believe you are on the right track. I hope you will continue to push your resolution.

EDITORIAL INDORSEMENTS

Among the newspapers that have given my resolution strong editorial indorsement are the following: Cincinnati Times-Star, New York World, Indianapolis Star, Chicago Times, Louisville Courier-Journal, L'Avenir National (Manchester, N. H.), Bellingham Herald, Cincinnati Commercial-Tribune, Denver Post, Arizona Silver Belt, Leesburg Commercial, Columbus Enquirer-Sun, Casper (Wyo.) Sun-Herald, Decatur (Ind.) Democrat, Waterloo (Iowa) Courier, Hopkinsville New Era, Lawrence (Mass.) Sunday Sun, Goshen News-Times, Goshen Democrat, Wilmington Every Evening, South Bend Tribune, Hartford Courant, Olean (N. Y.) Evening Times, Cordele (Ga.) Dispatch, Staunton Evening Leader, Fort Wayne Journal-Gazette, Vicksburg Herald, Attica (Ind.) Ledger-Times, Terre Haute Star, Newark (Ohio) Advocate, Athens (Tex.) Review, and a great many others.

Mr. MURPHY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LUCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. OLIVER of Alabama—at the request of Mr. MCDUFFIE—for April 28 and 29 on account of important official business.

ENROLLED BILL SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 10379. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On April 25, 1930:

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California.

On April 28, 1930:

H. R. 11704. An act to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation.

ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 29, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, April 29, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

To establish a reservoir system of flood control on the tributaries of the Mississippi River (H. R. 9376).

COMMITTEE ON AGRICULTURE

(10 a. m.)

To authorize the Secretary of Agriculture to carry out his 10-year cooperative program for the eradication, suppression, or bringing under control of predatory and other wild animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game, and other interests, and for the suppression of rabies and tularemia in predatory or other wild animals. (H. R. 9599).

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To reorganize the Federal Power Commission, and to amend the Federal water power act. (H. R. 11408).

COMMITTEE ON PENSIONS—SUBCOMMITTEE ON INDIAN WAR LEGISLATION

(10 a. m.)

To consider proposed legislation concerning veterans of the Indian wars.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

428. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of the west branch of the Susquehanna River, Pa., with a view to the control of its floods, and to devising of methods whereby the sources of pollution may be removed (H. Doc. No. 370); to the Committee on Flood Control and ordered to be printed.

429. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of the Canadian River and its tributaries, N. Mex., with a view to the control of its floods (H. Doc. No. 371); to the Committee on Flood Control and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MURPHY: Committee on Appropriations. H. R. 11965. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes; without amendment (Rept. No. 1320). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. H. R. 11403. A bill to amend an act entitled "An act to create a revenue in the District of Columbia by levying tax upon all dogs therein, to make such dogs personal property, and for other purposes," as amended; without amendment (Rept. No. 1325). Referred to the Committee of the Whole House on the state of the Union.

Mr. WASON: Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Navy Department, (Rept. No. 1327). Ordered to be printed.

Also, Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Civil Service Commission (Rept. No. 1328). Ordered to be printed.

Mr. HAUGEN: Committee on Agriculture. H. J. Res. 307. A joint resolution authorizing the appropriation for the fiscal year ending June 30, 1931, of not to exceed $300,000 of the amount of $600,000 authorized to be appropriated for the fiscal year ending June 30, 1932, by section 12 of the migratory bird conservation act of February 18, 1929; without amendment (Rept. No. 1329). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FITZGERALD: Committee on Claims. H. R. 576. A bill for the relief of Matthew Edward Murphy; with amendment (Rept. No. 1321). Referred to the Committee of the Whole House.

Mr. CLARK of Maryland: Committee on Claims. H. R. 9279. A bill for the relief of Henry A. Knott & Co.; without amendment (Rept. No. 1322). Referred to the Committee of the Whole House.

Mr. CLARK of Maryland: Committee on Claims. H. R. 3960. A bill for the relief of Louis Nebel & Son; without amendment (Rept. No. 1323). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 3159. A bill for the relief of W. F. Nash; without amendment (Rept. No. 1324). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7091) granting a pension to Mary Howell; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11805) for the relief of the heirs of James Henry Birch; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURPHY: A bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BOX: A bill (H. R. 11966) to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. FRANK M. RAMEY: A bill (H. R. 11967) to provide for the appointment of an additional district judge for the southern district of Illinois; to the Committee on the Judiciary.

By Mr. SWING: A bill (H. R. 11968) to reserve for public use secenic rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, Calif.; to the Committee on the Public Lands.

Also, a bill (H. R. 11969) to authorize the withdrawal of certain public lands from entry under the homestead and desert land laws of the United States for the protection of the watershed, supplying water to the city of Los Angeles, Calif.; to the Committee on the Public Lands.

By Mr. CRAMTON: A bill (H. R. 11970) to incorporate the Great Lakes Federal Bridge Commission and to authorize said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich., subject to the approval of the proper authorities in the Dominion of Canada; to the Committee on Interstate and Foreign Commerce.

By Mr. HALL of Illinois: A bill (H. R. 11971) to amend section 79 of the Judicial Code (sec. 152, title 28, U. S. C.) by providing two terms of court annually at Bloomington, in the southern division of the southern district of Illinois; to the Committee on the Judiciary.

By Mr. McFADDEN: A bill (H. R. 11972) to amend the Federal farm loan act as amended; to the Committee on Banking and Currency.

By Mr. ZIHLMAN: A bill (H. R. 11973) to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916; to the Committee on the District of Columbia.

By Mr. CLARK of North Carolina: A bill (H. R. 11974) granting the consent of Congress to the Beaufort County Lumber Co. to construct, maintain, and operate a railroad bridge across the Lumber River at or near Fair Bluff, Columbus County, N. C.; to the Committee on Interstate and Foreign Commerce.

By Mrs. OWEN: A bill (H. R. 11975) authorizing the Secretary of Agriculture to acquire toll bridges and maintain them as free bridges, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SWING: A bill (H. R. 11976) to conserve the water resources and to encourage reforestation of the watersheds of San Bernardino and Riverside Counties by the withdrawal of certain public lands included within the San Bernardino National Forest from location and entry under the mining laws; to the Committee on the Public Lands.

By Mr. McSWAIN: A bill (H. R. 11977) to authorize retirement privileges for National Guard officers; to the Committee on Military Affairs.

By Mr. WILLIAMSON: A bill (H. R. 11978) to authorize the appointment of employees in the executive branch of the Government and the District of Columbia; to the Committee on Expenditures in the Executive Departments.

Also, a bill (H. R. 11979) authorizing disposition of the effects of persons dying in the military service of the United States; to the Committee on Expenditures in the Executive Departments.

By Mr. CRAMTON: Resolution (H. Res. 214) authorizing the appointment of a special committee to make investigation into the campaign expenditures of candidates for the United States House of Representatives; to the Committee on Rules.

By Mr. MENGES: Joint resolution (H. J. Res. 318) providing for the construction by the United States of an appropriate permanent memorial and authorizing an appropriation therefore in commemoration of the actions of Congress during the most critical and darkest period of the Revolutionary War, September 30, 1777, to June 28, 1778, when York, Pa., was the meeting place of the Continental Congress and the seat of government; to the Committee on the Library.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of New York, memorializing Congress to build a ship canal across the State of New York following the historic route of the Mohawk River and the Erie and Oswego Barge Canals to the head of tidewaters in the Hudson River at Troy, and to make a deeper channel in such river between Troy and Albany; to the Committee on Rivers and Harbors.

By Mr. O'CONNELL of New York: Memorial of the Legislature of the State of New York, memorializing Congress to build a ship canal across the State of New York following the historic route of the Mohawk River and the Erie and Oswego Barge Canals to the head of tidewaters in the Hudson River at Troy, and to make a deeper channel in such river between Troy and Albany; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 11980) granting a pension to Irene Dingman; to the Committee on Invalid Pensions.

By Mr. CHRISTGAU: A bill (H. R. 11981) for the relief of Dr. Charles T. Granger; to the Committee on Claims.

By Mr. CLARKE of New York: A bill (H. R. 11982) granting an increase of pension to Eline Roof; to the Committee on Invalid Pensions.

By Mr. CRADDOCK: A bill (H. R. 11983) granting an increase of pension to Charles W. Gunter; to the Committee on Pensions.

By Mr. FITZPATRICK: A bill (H. R. 11984) authorizing the appointment of Paul Miller as a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. GOLDER: A bill (H. R. 11985) for the relief of Adelaide Biddle Stark; to the Committee on War Claims.

By Mr. HALL of Indiana: A bill (H. R. 11986) granting a pension to Viola B. Buskirk; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 11987) granting a pension to Emma C. Johnson; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 11988) granting an increase of pension to Amanda Abling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11989) granting an increase of pension to Lottie J. Daniel; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 11990) granting a pension to Daniel W. Tidmore; to the Committee on Pensions.

By Mr. JOHNSTON of Missouri: A bill (H. R. 11991) granting an increase of pension to Lucy A. Westbrook; to the Committee on Invalid Pensions.

By Mr. KENDALL of Kentucky: A bill (H. R. 11992) for the relief of Elizabeth Lawson; to the Committee on Military Affairs.

By Mr. KINZER: A bill (H. R. 11993) granting an increase of pension to Martha W. Auldinger; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11994) granting a pension to Clarinda Holder; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 11995) granting an increase of pension to Mary E. Marshall; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 11996) granting a pension to Lillian L. Reynolds; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 11997) granting an increase of pension to Catherine Burris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11998) granting a pension to Mary A. Williams; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 11999) for the relief of the heirs of Henry H. Johnson; to the Committee on War Claims.

Also, a bill (H. R. 12000) granting an increase of pension to Charles V. Stevens; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 12001) granting an increase of pension to Clara Layton; to the Committee on Invalid Pensions.

By Mr. QUAYLE: A bill (H. R. 12002) for the relief of E. A. McCormack; to the Committee on Claims.

By Mr. SLOAN: A bill (H. R. 12003) granting a pension to Caroline Gano; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 12004) granting a pension to Mary E. Wyatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12005) granting an increase of pension to Emily S. Coffman; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 12006) granting an increase of pension to Louise J. Bolen; to the Committee on Invalid Pensions.

By Mr. THATCHER: A bill (H. R. 12007) for the relief of Frank P. Norton; to the Committee on Military Affairs.

By Mr. THURSTON: A bill (H. R. 12008) granting an increase of pension to Elizabeth J. Murren; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 12009) for the relief of Francis M. Masterson; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7129. Petition of Florida Citrus Growers' Clearing House Association, Winter Haven, Fla., urging Congress to remove the quarantine regulations before their shipping season commences, 1930–31; to the Committee on Appropriations.

7130. By Mr. BLOOM: Petition of citizens of Cincinnati, Ohio, opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto, definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

7131. By Mr. BRUNNER: Petition of Jamaica Jewish Center, going on record as being opposed to House bill 10207, known as the Cable bill, as a proposal which is foreign to the ideals and traditions of democracy; to the Committee on Immigration and Naturalization.

7132. By Mr. CHRISTGAU: Petition of residents of Medford, Minn., favoring an increase in pension for the veterans of the Spanish War; to the Committee on Pensions.

7133. By Mr. COOPER of Wisconsin: Memorial of Alaska Native Brotherhood of Indians, urging that a committee be appointed by Congress to investigate conditions of Alaska Indians; to the Committee on Indian Affairs.

7134. Also, memorial of Woman's Christian Temperance Union, of Janesville, Wis., urging the enactment of a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7135. By Mr. GARBER of Oklahoma: Petition of Morrison Mill Co., Bellingham, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7136. Also, petition of West Waterway Lumber Co., Seattle, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7137. Also, petition of E. K. Wood Lumber Co., San Francisco, Calif., in opposition to tariff on logs; to the Committee on Ways and Means.

7138. Also, petition of Aircraft Plywood Co., Seattle, Wash., in opposition to tariff on logs; to the Committee on Ways and Means.

7139. By Mr. GREEN: Petition of citizens of Island Grove, Alachua County, Fla., urging passage of bill increasing pensions of Spanish-American War veterans; to the Committee on Pensions.

7140. By Mr. HUDDLESTON: Petition of numerous residents of Jefferson County, Ala., in favor of more liberal pensions for Spanish War veterans; to the Committee on Pensions.

7141. By Mr. HULL of Wisconsin: Resolution of Common Council of City of Menasha, Wis., regarding the proclaiming of

General Pulaski's memorial day; to the Committee on the Judiciary.

7142. Also, resolution of Woman's Christian Temperance Union of Neillsville, Wis., regarding Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7143. By Mr. KORELL: Petition of residents of Multnomah County, Oreg., urging the enactment of House bill 8976; to the Committee on Pensions.

7144. By Mr. LEAVITT: Resolution of the Montana School Board Association, favoring the passage of House bill 10821, to provide for further development of vocational education in the several States and Territories, and for other purposes; to the Committee on Education.

7145. By Mr. MANLOVE: Petition of Claude J. Buneman, 589 Aurora Avenue, St. Paul, Minn., and 65 other citizens of St. Paul, Minn., urging Congress to speedily pass the Manlove bill (H. R. 8976) for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7146. By Mr. MOONEY: Resolution of the City Council, Cleveland, Ohio, indorsing the Wagner unemployment bills; to the Committee on the Judiciary.

7147. By Mr. O'CONNELL of New York: Petition of the International Molders' Union of North America, Brooklyn, N. Y., favoring the passage of House bill 10343; to the Committee on Immigration and Naturalization.

7148. Also, petition of the National Guard Association of the United States, New York City, favoring the passage of the Speaks bill (H. R. 10478) to amend the national defense act of June 3, 1916; to the Committee on Military Affairs.

7149. By Mr. QUAYLE: Petition of J. S. Ogilvie Publishing Co., New York City, favoring the passage of House bill 10344, for the classification of extraordinary expenditures contributing for the deficiency of postal revenues; to the Committee on the Post Office and Post Roads.

7150. Also, petition of International Association of Machinists, National Lodge, No. 556, government employees, Brooklyn, N. Y., favoring the passage of House bill 712; to the Committee on the Civil Service.

7151. Also, petition of the Central Trades and Labor Council of Greater New York and Vicinity, favoring the passage of an additional appropriation of $66,000 for civilian labor at the Army base, Brooklyn, N. Y.; to the Committee on Appropriations.

7152. Also, petition of International Molders' Union of North America, Brooklyn, N. Y., favoring the passage of House bill 10343, limiting immigration from countries of South America; to the Committee on Imigration and Naturalization.

7153. Also, petition of National Guard Association of the United States, favoring the passage of House bill 10478, to amend the national defense act of June 5, 1916, effecting the section which relates to the National Guard; to the Committee on Military Affairs.

7154. By Mr. SEGER: Resolution of the Silk Dyers Association of America, Paterson, N. J., indorsing House bill 10821, providing for additional Federal aid to the States for trade and industrial education; to the Committee on Education.